



SPECIAL MEETING OF THE MILPITAS CITY COUNCIL

REVISED AGENDA

TUESDAY, JUNE 14, 2022

CITY COUNCIL CHAMBERS, 455 E CALAVERAS BLVD, MILPITAS, CA

5:30 PM

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-2400

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3072

CITY OF MILPITAS - NOTICE OF SPECIAL MEETING

NOTICE IS HEREBY GIVEN that a Special Meeting of the Milpitas City Council will be held at 5:30 p.m. on June 7, 2022, in the City Council Chamber at City Hall, 455 E. Calaveras Blvd., Milpitas and via teleconference/Zoom webinar.

You may watch the Council meeting without providing public comment by accessing it via links here.

Meeting shall be livestreamed - Go to:

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

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

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

PUBLIC COMMENT INSTRUCTIONS

Oral public comments may be provided live during the City Council meeting by first registering for the zoom meeting in advance by providing email address (not disclosed) and a name. To minimize technical difficulties, please make sure that you have the latest version of Zoom Meetings. Here is the link to register for this meeting only:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_Hrt4gu54QLW0zLkMbfi3pg

A link will be sent to you to join the City Council meeting in order to give your comments. All registered meeting attendees who wish to speak must click on the "raise hand" icon when the Mayor calls for public comments. If participating by calling in on your phone, dial *9 to use the "raise hand" feature, and when you are called upon, hit *6 to unmute your phone. Your phone number will be displayed in the live meeting. The Mayor or staff will call the speakers to begin.

All comments provided shall be limited to three minutes or less as determined by the Mayor. All members of the public will be limited to one comment per agenda item, and one comment for non-agenda items. online written comment form previously used is no longer available for public comment.

MILPITAS CITY COUNCIL CODE OF CONDUCT

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

CALL MEETING TO ORDER by Mayor and ROLL CALL by City Clerk (5:30 PM)

ADJOURN TO CLOSED SESSION

*** (a) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Pursuant to Government Code Section 54956.9(d)(2)

One Potential Case

City as Defendant

Resolution No. 9171 - A Resolution of the City Council of the City Of Milpitas, California, Submitting to the Qualified Voters of the City of Milpitas A Measure Amending Chapter 400 (Mayoral and Councilmanic Term Limits) of Title 1 (Administration) of the Milpitas Municipal Code to Amend Term Limits on Mayoral and City Council Member Service, at a General Municipal Election to be Consolidated with the Statewide General Election to be Held November 8, 2022, and Setting Rules for Arguments and Rebuttals for and Against Said Measure

CLOSED SESSION ANNOUNCEMENT:

Report on action taken in Closed Session, if required per Government Code Section 54957.1, including the vote or abstention of each member present.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

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.

NOTE: If a member of the public wishes to share any presentation materials for Council consideration, they must be submitted to the Clerk's Office by email to CityClerk@ci.milpitas.ca.gov by 12:00 p.m. on the day of the meeting. No presentations will be accepted in person in the Council Chambers.

ANNOUNCEMENTS (5:35 PM)

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

READING OF THE CITY COUNCIL CODE OF CONDUCT

APPROVAL OF AGENDA

CONSENT CALENDAR (5:40 PM)

- 1.** Approve and Authorize the City Manager to Execute Amendment Two to the Lease Agreement between the City and Casetronic Engineering Group for the Temporary Fire Station Facility Located at 1126 Yosemite Drive, Project No. 3447(Staff: Steve Erickson, Engineering Director/City Engineer, 408-586-3301, Alex Andrade, Economic Development Director, 408-586-3046)

Recommendations: Approve and authorize the City Manager to execute Amendment Two to the Lease Agreement between the City and Casetronic Engineering Group for the Temporary Fire Station Facility located at 1126 Yosemite Drive, Project No. 3447.

PUBLIC HEARING (5:45 PM)

2. Conduct a Public Hearing to Approve the FY2022-25 Consolidated Plan, FY2022-23 Community Development Block Grant Funding Allocations and Corresponding Annual Action Plan, and a Substantial Amendment to the FY2019-20 Annual Action Plan (Staff Contact: Sharon Goei, Building Safety and Housing Director, 408-586-3260)

Recommendations: (1) Open the public hearing, hear testimony, then move to close the public hearing; (2) Adopt the FY2022-25 Consolidated Plan; (3) Adopt the FY2022-23 Annual Action Plan with recommended allocation amounts; (4) Approve the Substantial Amendment to the FY2019-20 Annual Action Plan; (5) Authorize the City Manager, or designee, to make any necessary changes to the approved FY2022-25 Consolidated Plan, FY2022-23 Annual Action Plan, and FY2019-20 Annual Action Plan as needed to comply with CDBG submission guidelines; and (6) Authorize the City Manager, or designee, to execute CDBG agreements with the approved subrecipients, and amend the CDBG agreements as needed to comply with CDBG guidelines.

COMMUNITY DEVELOPMENT (6:30 PM)

3. Receive a Presentation and Provide Direction to Staff on a Proposed Zoning Ordinance Amendment amending Sections of Chapter 10, Title XI of the Milpitas Municipal Code Relating to Maximum Building Heights (Staff Contact: Ned Thomas, Planning Director, 408-586-3273)

Recommendation: (1) Receive a presentation from staff; and (2) Provide direction to staff on a proposed Zoning Ordinance Amendment setting forth regulations related to maximum building heights in certain zoning districts.

COMMUNITY SERVICES (7:15 PM)

4. Receive a Presentation on the Pilot Street Sweeping Program and Provide Direction to Staff (Staff Contact: Elaine Marshall, Deputy Public Works Director, 408-586-2603)

Recommendation: Receive a presentation on the Pilot Street Sweeping Program and provide direction to staff.

ADJOURNMENT (8:00 PM)

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions and other City agencies exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and City operations are open to the people's review. For more information on your rights under the Open Government Ordinance or to report a violation, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035
e-mail: mmutalipassi@milpitas.gov / Phone: 408-586-3040

The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website www.ci.milpitas.ca.gov by selecting the Milpitas Municipal Code link.

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3rd floor 455 E. Calaveras Blvd., Milpitas and on City website. City Council agendas and related materials can be viewed online: www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

Commission application forms are available online at www.ci.milpitas.ca.gov or at Milpitas City Hall. Contact the City Clerk's Office at 408-586-3001 for more information.

If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, please call the City Clerk at 408-586-3001 or send an e-mail to CityClerk@ci.milpitas.ca.gov prior to the meeting. You may request a larger font agenda.

Agenda was posted June 10, 2022

*** Closed Session item added**

Revised Agenda posted on June 13, 2022, at 3:55 PM in compliance with Government Code 54956



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Approve and Authorize the City Manager to Execute Amendment Two to the Lease Agreement between the City and Casetronic Engineering Group for the Temporary Fire Station Facility Located at 1126 Yosemite Drive, Project No. 3447 (Staff: Steve Erickson, 408-586-3301, Alex Andrade, 408-586-3046)
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	6/14/2022
	<u>Recommendations:</u> Approve and authorize the City Manager to execute Amendment Two to the Lease Agreement between the City and Casetronic Engineering Group for the Temporary Fire Station Facility located at 1126 Yosemite Drive, Project No. 3447.

Background:

The Fire Station No. 2 Replacement, Project No. 3447 ("Project"), was approved as part of the adoption of the 2022-2026 Capital Improvement Program. The Project provides for the replacement of the Station 2 building originally constructed in 1963, and it included the relocation of Station 2 personnel and equipment to a temporary facility allowing continuation of operations. The temporary fire station facility was constructed within an existing industrial building located at 1126 Yosemite Drive. On August 13, 2019, the City Council approved a Lease Agreement (**Attachment 1**) with the term of two years plus two six-month extension options for the temporary fire station facility. On March 22, 2021, The City exercised the two six-month extension options by amending the agreement to extend the term period termination date through July 31, 2022 (**Attachment 2**).

Analysis:

The Covid 19 pandemic, associated County stay-at-home orders, record high inflation and the break-down of the supply chain have caused large-scale delays and disruption throughout the construction industry causing labor, equipment, and material shortages. Concrete, steel, and electrical materials have been impacted the most making it challenging for contractors to maintain their intended construction schedules while waiting for delivery of equipment with long lead times.

City capital projects, including the Station No. 2 Project, continue to suffer from these delays; however, the Station 2 Project is approximately 85% complete and building occupancy is expected within the next few months. Remaining work to be completed, including the final inspection by the Building Department, is now dependent on PG&E coordinating its crews to install new conductor wire to feed electrical power to the fire station.

Staff has been working with PG&E for several months to schedule and complete this electrical work. Similarly to the construction industry, PG&E crews have also been impacted by material shortages and delays causing construction schedules to be pushed out and delayed by months. Currently, we anticipate PG&E to complete work at Station 2 and supply electrical power by the end of June. The PG&E schedule delay has pushed out the anticipated move-in to the completed Station 2, which is now planned for later this Fall.

Staff is recommending the City Council approve an extension to the Lease Agreement for the continued use of the temporary fire station facilities until completion and move-into the new Fire Station 2. The recommended time extension is three months with three one-month options for a total extension not to exceed 6-months (**Attachment 3**). The lease extension will provide sufficient time to complete the new Fire Station, complete

testing and inspection, and allow for the move-in to the new building. The cost for the recommended lease extension, including utility costs for the temporary fire station facilities will not exceed \$74,633 and there is sufficient budget within the Project No. 3447 for this additional expense.

Policy Alternative:

Alternative: Do not approve the extension to the lease agreement for the temporary Fire Station No. 2

Pros: None

Cons: If the lease agreement is not extended as recommended, the temporary station facility will be required to close by the end of July 2022. This will cause an interruption to the fire's operations and emergency response.

Reason not Recommended: It is recommended the City Council approve the extension of the lease to allow the temporary station facilities to remain open until the completion and move-in to the new Station 2 building.

Fiscal Impact:

Adequate funds are available in the Project budget to extend the lease for the temporary station facilities and no additional funding or appropriation is required.

As of 06/01/2022, uncommitted Project balance:

CP 3447	\$ 3,593,030
----------------	---------------------

Summary of Leasing Cost:

Leasing cost (6 months)	\$ 62,633.00
Estimated utility bill	\$ 12,000.00
Total	\$ 74,633.00

California Environmental Quality Act:

Not Applicable

Recommendations:

Approve and authorize the City Manager to execute Amendment Two to the Lease Agreement between the City and Casetronic Engineering Group for the Temporary Fire Station Facility located at 1126 Yosemite Drive, Project No. 3447.

Attachments:

1. Lease Agreement
2. Amendment No. 1
3. Amendment No. 2

City of Milpitas

PURCHASE ORDER

Item # 1.

Purchasing Division
455 E. Calaveras Blvd.
Milpitas, CA 95035-5411
Telephone: (408) 586-3160
Fax: (408) 586-3170

MAIL INVOICE TO: CITY OF MILPITAS
ACCOUNTS PAYABLE
455 E. CALAVERAS BLVD.
MILPITAS, CA 95035-5411

PO NUMBER: C3 44703
PAGE 1 OF 1
DATE: 08/21/19

INVOICE QUESTIONS : (408) 586-3127

SHIP TO: Lyhak Eam
City of Milpitas
455 E. Calaveras Blvd.
Milpitas, CA 95035-5411

VENDOR: Casetronic Engineering Group
663-B Sinclair Frontage Rd
18905 Milpitas CA 95035

CONTACT:
PHONE#:
FAX#:

FOB: NA

SHIP VIA:

PAYMENT
TERMS: Net30

DATE
REQUIRED: 08/21/19

LINE	QUANTITY	UNIT	UNIT PRICE	AMOUNT	DESCRIPTION OF ITEM AND/OR SERVICES ORDERED
1			1.00	254,856.00	Lease agreement entered on August 13, 2019 and is valid through July 31, 2021. Temporary Fire Station No. 2. For questions regarding this purchase order, please contact Lyhak Eam@408.586.3349. Approved by City Council on August 13, 2019 .
TOTAL:				----- \$254,856.00	

CP3 447-9-4237

\$254,856.00

PURCHASING OFFICER:

Chris Scholder

CITY MANAGER:

Approved by City Council

(Required Only On Orders Greater Than \$10,000)

1. FURNISH TWO (2) COPIES OF THE INVOICE.
2. INVOICE EACH SHIPMENT SEPARATELY.
3. PURCHASE ORDER NUMBER MUST APPEAR ON ALL INVOICES, CORRESPONDENCE, CONTAINERS AND PACKING LISTS.

4. ALL MATERIAL IS TO BE DELIVERED AS SPECIFIED ABOVE.
5. NO EXCEPTIONS UNLESS STATED ABOVE.
6. ADDITIONAL TERMS AND CONDITIONS ARE STATED ON THE BACK OF THIS FORM.

NEW CONTRACT / AGREEMENT REQUISITION

Professional Services

Date: August 19, 2019 ***** INTERNAL USE ONLY *****

PROJECT NO.: 3447 **PURCHASE ORDER NUMBER:**

PROJECT NAME: Fire Station No. 2

VENDOR NO.: 18905 ***Vendor Fed. I.D. No.** 94-3356251

VENDOR NAME: Casetronic

ADDRESS: 40087 Mission Blvd #352 **Tel. No.:** 510-325-9689
Fremont, CA 94539 **Fax No.:**

Contract Approval Date: August 13, 2019	Insurance Expiration Dates
Check One: ☐ Calendar Days	General Liability: N/A VALID
☐ Working Days	Auto Liability: N/A VALID
☐ Date Specific	Excess/Umbrella Liability: N/A VALID
Council Approval Date: August 13, 2019	Professional E&O: N/A VALID
	Workers' Compensation: N/A VALID

Contract Description	PO Line No.	Account(s) to be Charged	Amount
Temporary Fire Station No.2 Lease	1	CP 3447-9-4237	\$ 254,856.00
TOTAL AMOUNT			\$ 254,856.00

Council Approved Change Order amount (if applicable)	Council Approval Date
--	-----------------------

APPROVALS:		
Name	Signature	Date
L. Eam		08/19/2019
M. Silveira		8/20/2019
S. Erickson		8/20/19
S. McHarris		

☐ Mail original Purchase Order to vendor

Required Documentation/Attachments:

- ☒ Approved Council Agenda & Minutes (Approved S&A can be used in lieu of minutes)
- ☒ Signed Agreement or Contract
- ☐ Valid Certificate of Insurance as required in agreement or contract
- ☒ *For new vendors: completed W-9

For Accounting Use Only		
Signature Approval ☒	City Council 08.13.19	PO Entered on: 08.21.19
CIP Budget Check ☒	Depreciable? If yes, use PO# EQ <u>na</u>	PO # 0344703
Acct. Code Check ☒	Multiple Account, use PO# MA <u>na</u>	Batch #
Agreement Dated 08.13.19	Commodity Code: 096509	Entered by <u>jenw</u>
Insurance Expires <u>na</u>	Ship to Code: 1100	

rev 02/14/11.js

Month	Period	Leasing cost
1	8/13/2019-8/31/2019	\$ 5,796.00
2	Sep-19	\$ 9,660.00
3	Oct-19	\$ 9,660.00
4	Nov-19	\$ 9,660.00
5	Dec-19	\$ 9,660.00
6	Jan-20	\$ 9,660.00
7	Feb-20	\$ 9,660.00
8	Mar-20	\$ 9,660.00
9	Apr-20	\$ 9,660.00
10	May-20	\$ 9,660.00
11	Jun-20	\$ 9,660.00
12	Jul-20	\$ 9,660.00
13	Aug-20	\$ 9,900.00
14	Sep-20	\$ 9,900.00
15	Oct-20	\$ 9,900.00
16	Nov-20	\$ 9,900.00
17	Dec-20	\$ 9,900.00
18	Jan-21	\$ 9,900.00
19	Feb-21	\$ 9,900.00
20	Mar-21	\$ 9,900.00
21	Apr-21	\$ 9,900.00
22	May-21	\$ 9,900.00
23	Jun-21	\$ 9,900.00
24	Jul-21	\$ 9,900.00
SUB TOTAL		\$ 230,856.00
25	PG&E Bill (\$1,000/Month)	\$ 24,000.00

3% increase

TOTAL \$ 254,856.00

	Period	Base	Tax insurance	Total unit cost	total lease cost per month
Contract	1st month - 12 months	\$ 1.40	0.21	\$ 1.61	\$ 9,660.00
	13th month -24th months (3% Increase)	\$ 1.44	0.21	\$ 1.65	\$ 9,900.00



CALIFORNIA
ASSOCIATION
OF REALTORS®

COMMERCIAL LEASE AGREEMENT

(C.A.R. Form CL, Revised 12/15)

Date (For reference only): August 13, 2019

Casetronic Engineering Group, a California Corporation
City of Milpitas, a municipal corporation

("Landlord") and
("Tenant") agree as follows:

1. **PROPERTY:** Landlord rents to Tenant and Tenant rents from Landlord, the real property and improvements described as Approximately 6,000 square feet of rentable space located at 1126 Yosemite Drive, Milpitas, CA 95035 ("Premises"), which comprise approximately 50.000 % of the total square footage of rentable space in the entire property. See exhibit Addendum/Attachment 2 for a further description of the Premises.
2. **TERM:** The term begins on (date) August 13, 2019 ("Commencement Date").
(Check A or B):
 - ☒ A. **Lease:** and shall terminate on (date) July 31, 2021 at 11:59 ☐ AM ☒ PM. Any holding over after the term of this agreement expires, with Landlord's consent, shall create a month-to-month tenancy that either party may terminate as specified in paragraph 2B. Rent shall be at a rate equal to the rent for the immediately preceding month, payable in advance. All other terms and conditions of this agreement shall remain in full force and effect.
 - ☐ B. **Month-to-month:** and continues as a month-to-month tenancy. Either party may terminate the tenancy by giving written notice to the other at least 30 days prior to the intended termination date, subject to any applicable laws. Such notice may be given on any date.
 - ☒ C. **RENEWAL OR EXTENSION TERMS:** See attached addendum 2 options to extend for a period of 6 months each, total of 1 additional yr.
3. **BASE RENT:**
 - A. Tenant agrees to pay Base Rent at the rate of (CHECK ONE ONLY):
 - ☐ (1) \$ _____ per month, for the term of the agreement.
 - ☐ (2) \$ _____ per month, for the first 12 months of the agreement. Commencing with the 13th month, and upon expiration of each 12 months thereafter, rent shall be adjusted according to any increase in the U.S. Consumer Price Index of the Bureau of Labor Statistics of the Department of Labor for All Urban Consumers ("CPI") for _____ (the city nearest the location of the Premises), based on the following formula: Base Rent will be multiplied by the most current CPI preceding the first calendar month during which the adjustment is to take effect, and divided by the most recent CPI preceding the Commencement Date. In no event shall any adjusted Base Rent be less than the Base Rent for the month immediately preceding the adjustment. If the CPI is no longer published, then the adjustment to Base Rent shall be based on an alternate index that most closely reflects the CPI.
 - ☐ (3) \$ _____ per month for the period commencing _____ and ending _____ and \$ _____ per month for the period commencing _____ and ending _____ and \$ _____ per month for the period commencing _____ and ending _____.
 - ☐ (4) In accordance with the attached rent schedule.
 - ☒ (5) Other: \$1.40/RSF, with a 3% annual increase commencing in the 13th month, plus \$.21/RSF for property tax and insurance.
 - B. Base Rent is payable in advance on the 1st (or ☐) day of each calendar month, and is delinquent on the next day.
 - C. If the Commencement Date falls on any day other than the first day of the month, Base Rent for the first calendar month shall be prorated based on a 30-day period. If Tenant has paid one full month's Base Rent in advance of Commencement Date, Base Rent for the second calendar month shall be prorated based on a 30-day period.
4. **RENT:**
 - A. Definition: ("Rent") shall mean all monetary obligations of Tenant to Landlord under the terms of this agreement, except security deposit.
 - B. Payment: Rent shall be paid to (Name) Casetronic Engineering Group at (address) 40087 Mission Blvd. #352, Fremont, CA 94539, or at any other location specified by Landlord in writing to Tenant.
 - C. Timing: Base Rent shall be paid as specified in paragraph 3. All other Rent shall be paid within 30 days after Tenant is billed by Landlord.
5. **EARLY POSSESSION:** Tenant is entitled to possession of the Premises on August 13, 2019. If Tenant is in possession prior to the Commencement Date, during this time (i) Tenant is not obligated to pay Base Rent, and (ii) Tenant ☐ is ☐ is not obligated to pay Rent other than Base Rent. Whether or not Tenant is obligated to pay Rent prior to Commencement Date, Tenant is obligated to comply with all other terms of this agreement.
6. **SECURITY DEPOSIT:**
 - A. Tenant agrees to pay Landlord \$9,660.00 as a security deposit.
(IF CHECKED:) ☐ If Base Rent increases during the term of this agreement, Tenant agrees to increase security deposit by the same proportion as the increase in Base Rent.
 - B. All or any portion of the security deposit may be used, as reasonably necessary, to: (i) cure Tenant's default in payment of Rent, late charges, non-sufficient funds ("NSF") fees, or other sums due; (ii) repair damage, excluding ordinary wear and tear, caused by Tenant or by a guest or licensee of Tenant; (iii) broom clean the Premises, if necessary, upon termination of tenancy; and (iv) cover any other unfulfilled obligation of Tenant. **SECURITY DEPOSIT SHALL NOT BE USED BY TENANT IN LIEU OF PAYMENT OF LAST MONTH'S RENT.** If all or any portion of the security deposit is used during tenancy, Tenant agrees to reinstate the total security deposit within 5 days after written notice is delivered to Tenant. Within 30 days after Landlord receives possession of the Premises, Landlord shall: (i) furnish Tenant an itemized statement indicating the amount of any security deposit received and the basis for its disposition, and (ii) return any remaining portion of security deposit to Tenant. However, if the Landlord's only claim upon the security deposit is for unpaid Rent, then the remaining portion of the security deposit, after deduction of unpaid Rent, shall be returned within 14 days after the Landlord receives possession.
 - C. No interest will be paid on security deposit, unless required by local ordinance.

Landlord's Initials (VH)

Tenant's Initials (AM)

© 2015, California Association of REALTORS® Inc.
CL REVISED 12/15 (PAGE 1 OF 6)

COMMERCIAL LEASE AGREEMENT (CL PAGE 1 OF 6)

Louise Huang, 1126 Yosemite Drive Milpitas CA 95035
Louise Huang

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road Fraser Michigan 48026 www.zipLogix.com

Phone 5103259689

Fax

1126 Yosemite Dr



Premises Approximately 6,000 square feet of rentable space located at 1126 Yosemite Drive, Milpitas, CA 95035Date August 13, 2019**7. PAYMENTS:**

		<u>TOTAL DUE</u>	<u>PAYMENT RECEIVED</u>	<u>BALANCE DUE</u>	<u>DUE DATE</u>
A. Rent From <u>08/13/2019</u> To <u>08/31/2019</u>	Date Date	\$ <u>5,796.00</u>	\$ _____	\$ <u>5,796.00</u>	_____
B. Security Deposit	_____	\$ <u>9,660.00</u>	\$ _____	\$ <u>9,660.00</u>	_____
C. Other: _____	Category _____	\$ _____	\$ _____	\$ _____	_____
D. Other: _____	Category _____	\$ _____	\$ _____	\$ _____	_____
E. Total	_____	\$ <u>15,456.00</u>	\$ _____	\$ <u>15,456.00</u>	_____

8. **PARKING:** Tenant is entitled to 0 unreserved and 15 reserved vehicle parking spaces. The right to parking ☒ is ☐ is not included in the Base Rent charged pursuant to paragraph 3. If not included in the Base Rent, the parking rental fee shall be an additional \$ _____ per month. Parking space(s) are to be used for parking operable motor vehicles, except for trailers, boats, campers, buses or trucks (other than pick-up trucks). Tenant shall park in assigned space(s) only. Parking space(s) are to be kept clean. Vehicles leaking oil, gas or other motor vehicle fluids shall not be parked in parking spaces or on the Premises. Mechanical work or storage of inoperable vehicles is not allowed in parking space(s) or elsewhere on the Premises. No overnight parking is permitted.
9. **ADDITIONAL STORAGE:** Storage is permitted as follows: _____
The right to additional storage space ☒ is ☐ is not included in the Base Rent charged pursuant to paragraph 3. If not included in Base Rent, storage space shall be an additional \$ _____ per month. Tenant shall store only personal property that Tenant owns and shall not store property that is claimed by another, or in which another has any right, title, or interest.
10. **LATE CHARGE; INTEREST; NSF CHECKS:** Tenant acknowledges that either late payment of Rent or issuance of a NSF check may cause Landlord to incur costs and expenses, the exact amount of which are extremely difficult and impractical to determine. These costs may include, but are not limited to, processing, enforcement and accounting expenses, and late charges imposed on Landlord. If any installment of Rent due from Tenant is not received by Landlord within 5 business days after date due, or if a check is returned NSF, Tenant shall pay to Landlord, respectively, \$450.00 as late charge, plus 10% interest per annum on the delinquent amount and \$25.00 as a NSF fee, any of which shall be deemed additional Rent. Landlord and Tenant agree that these charges represent a fair and reasonable estimate of the costs Landlord may incur by reason of Tenant's late or NSF payment. Any late charge, delinquent interest, or NSF fee due shall be paid with the current installment of Rent. Landlord's acceptance of any late charge or NSF fee shall not constitute a waiver as to any default of Tenant. Landlord's right to collect a Late Charge or NSF fee shall not be deemed an extension of the date Rent is due under paragraph 4, or prevent Landlord from exercising any other rights and remedies under this agreement, and as provided by law.
11. **CONDITION OF PREMISES:** Tenant has examined the Premises and acknowledges that Premise is clean and in operative condition, with the following exceptions: See Attachment 3- MEP Inspection Report
Items listed as exceptions shall be dealt with in the following manner: _____
12. **ZONING AND LAND USE:** Tenant accepts the Premises subject to all local, state and federal laws, regulations and ordinances ("Laws"). Landlord makes no representation or warranty that Premises are now or in the future will be suitable for Tenant's use. Tenant has made its own investigation regarding all applicable Laws.
13. **TENANT OPERATING EXPENSES:** Tenant agrees to pay for all utilities and services directly billed to Tenant. Tenant to pay for electricity, gas, garbage, cable and internet. Landlord to pay for water.
14. **PROPERTY OPERATING EXPENSES:**
A. Tenant agrees to pay its proportionate share of Landlord's estimated monthly property operating expenses, including but not limited to, common area maintenance, consolidated utility and service bills, insurance, and real property taxes, based on the ratio of the square footage of the Premises to the total square footage of the rentable space in the entire property. See item 3A(5) on Page 1.
- OR B. ☐ (If checked) Paragraph 14 does not apply.
15. **USE:** The Premises are for the sole use as Temporary fire station with attendant firefighter lodging
No other use is permitted without Landlord's prior written consent. Tenant will comply with all Laws affecting its use of the Premises
16. **RULES/REGULATIONS:** Tenant agrees to comply with all rules and regulations of Landlord (and, if applicable, Owner's Association) that are at any time posted on the Premises or delivered to Tenant. Tenant shall not, and shall ensure that guests and licensees of Tenant do not, disturb, annoy, endanger, or interfere with other tenants of the building or neighbors, or use the Premises for any unlawful purposes, including, but not limited to, using, manufacturing, selling, storing, or transporting illicit drugs or other contraband, or violate any law or ordinance, or committing a waste or nuisance on or about the Premises.
17. **MAINTENANCE:**
A. Tenant OR ☐ (If checked, Landlord) shall professionally maintain the Premises including heating, air conditioning, electrical, plumbing and water systems, if any, and keep glass, windows and doors in operable and safe condition. Unless Landlord is checked, if Tenant fails to maintain the Premises, Landlord may contract for or perform such maintenance, and charge Tenant for Landlord's cost.
B. Landlord OR ☐ (If checked, Tenant) shall maintain the roof, foundation, exterior walls, common areas and See item 40

Landlord's Initials (VH) _____Tenant's Initials (AM) _____

CL REVISED 12/15 (PAGE 2 OF 6)

COMMERCIAL LEASE AGREEMENT (CL PAGE 2 OF 6)Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

1126 Yosemite Dr



Premises: Approximately 6,000 square feet of rentable space located at 1126 Yosemite Drive, Milpitas, CA 95035 Date August 13, 2019

- 18. ALTERATIONS:** Tenant shall not make any alterations in or about the Premises, including installation of trade fixtures and signs, without Landlord's prior written consent, which shall not be unreasonably withheld. Any alterations to the Premises shall be done according to Law and with required permits. Tenant shall give Landlord advance notice of the commencement date of any planned alteration, so that Landlord, at its option, may post a Notice of Non-Responsibility to prevent potential liens against Landlord's interest in the Premises. Landlord may also require Tenant to provide Landlord with lien releases from any contractor performing work on the Premises.
- 19. GOVERNMENT IMPOSED ALTERATIONS:** Any alterations required by Law as a result of Tenant's use shall be Tenant's responsibility. Landlord shall be responsible for any other alterations required by Law.
- 20. ENTRY:** Tenant shall make Premises available to Landlord or Landlord's agent for the purpose of entering to make inspections, necessary or agreed repairs, alterations, or improvements, or to supply necessary or agreed services, or to show Premises to prospective or actual purchasers, tenants, mortgagees, lenders, appraisers, or contractors. Landlord and Tenant agree that 24 hours notice (oral or written) shall be reasonable and sufficient notice. In an emergency, Landlord or Landlord's representative may enter Premises at any time without prior notice.
- 21. SIGNS:** Tenant authorizes Landlord to place a FOR SALE sign on the Premises at any time, and a FOR LEASE sign on the Premises within the 90 (or ☐) day period preceding the termination of the agreement.
- 22. SUBLETTING/ASSIGNMENT:** Tenant shall not sublet or encumber all or any part of Premises, or assign or transfer this agreement or any interest in it, without the prior written consent of Landlord, which shall not be unreasonably withheld. Unless such consent is obtained, any subletting, assignment, transfer, or encumbrance of the Premises, agreement, or tenancy, by voluntary act of Tenant, operation of law, or otherwise, shall be null and void, and, at the option of Landlord, terminate this agreement. Any proposed sublessee, assignee, or transferee shall submit to Landlord an application and credit information for Landlord's approval, and, if approved, sign a separate written agreement with Landlord and Tenant. Landlord's consent to any one sublease, assignment, or transfer, shall not be construed as consent to any subsequent sublease, assignment, or transfer, and does not release Tenant of Tenant's obligation under this agreement.
- 23. POSSESSION:** If Landlord is unable to deliver possession of Premises on Commencement Date, such date shall be extended to the date on which possession is made available to Tenant. However, the expiration date shall remain the same as specified in paragraph 2. If Landlord is unable to deliver possession within 60 (or ☐) calendar days after the agreed Commencement Date, Tenant may terminate this agreement by giving written notice to Landlord, and shall be refunded all Rent and security deposit paid.
- 24. TENANT'S OBLIGATIONS UPON VACATING PREMISES:** Upon termination of agreement, Tenant shall: (i) give Landlord all copies of all keys or opening devices to Premises, including any common areas; (ii) vacate Premises and surrender it to Landlord empty of all persons and personal property; (iii) vacate all parking and storage spaces; (iv) clean Premises; (v) give written notice to Landlord of Tenant's forwarding address; (vi)

All improvements installed by Tenant, with or without Landlord's consent, become the property of Landlord upon termination. Landlord may nevertheless require Tenant to remove any such improvement that did not exist at the time possession was made available to Tenant.

- 25. BREACH OF CONTRACT/EARLY TERMINATION:** In event Tenant, prior to expiration of this agreement, breaches any obligation in this agreement, abandons the premises, or gives notice of tenant's intent to terminate this tenancy prior to its expiration, in addition to any obligations established by paragraph 24, Tenant shall also be responsible for lost rent, rental commissions, advertising expenses, and painting costs necessary to ready Premises for re-rental. Landlord may also recover from Tenant: (i) the worth, at the time of award, of the unpaid Rent that had been earned at the time of termination; (ii) the worth, at the time of award, of the amount by which the unpaid Rent that would have been earned after expiration until the time of award exceeds the amount of such rental loss the Tenant proves could have been reasonably avoided; and (iii) the worth, at the time of award, of the amount by which the unpaid Rent for the balance of the term after the time of award exceeds the amount of such rental loss that Tenant proves could be reasonably avoided. Landlord may elect to continue the tenancy in effect for so long as Landlord does not terminate Tenant's right to possession, by either written notice of termination of possession or by reletting the Premises to another who takes possession, and Landlord may enforce all Landlord's rights and remedies under this agreement, including the right to recover the Rent as it becomes due.
- 26. DAMAGE TO PREMISES:** If, by no fault of Tenant, Premises are totally or partially damaged or destroyed by fire, earthquake, accident or other casualty, Landlord shall have the right to restore the Premises by repair or rebuilding. If Landlord elects to repair or rebuild, and is able to complete such restoration within 90 days from the date of damage, subject to the terms of this paragraph, this agreement shall remain in full force and effect. If Landlord is unable to restore the Premises within this time, or if Landlord elects not to restore, then either Landlord or Tenant may terminate this agreement by giving the other written notice. Rent shall be abated as of the date of damage. The abated amount shall be the current monthly Base Rent prorated on a 30-day basis. If this agreement is not terminated, and the damage is not repaired, then Rent shall be reduced based on the extent to which the damage interferes with Tenant's reasonable use of the Premises. If total or partial destruction or damage occurs as a result of an act of Tenant or Tenant's guests, (i) only Landlord shall have the right, at Landlord's sole discretion, within 30 days after such total or partial destruction or damage to treat the lease as terminated by Tenant, and (ii) Landlord shall have the right to recover damages from Tenant.
- 27. HAZARDOUS MATERIALS:** Tenant shall not use, store, generate, release or dispose of any hazardous material on the Premises or the property of which the Premises are part. However, Tenant is permitted to make use of such materials that are required to be used in the normal course of Tenant's business provided that Tenant complies with all applicable Laws related to the hazardous materials. Tenant is responsible for the cost of removal and remediation, or any clean-up of any contamination caused by Tenant.
- 28. CONDEMNATION:** If all or part of the Premises is condemned for public use, either party may terminate this agreement as of the date possession is given to the condemner. All condemnation proceeds, exclusive of those allocated by the condemner to Tenant's relocation costs and trade fixtures, belong to Landlord.
- 29. INSURANCE:** Tenant's personal property, fixtures, equipment, inventory and vehicles are not insured by Landlord against loss or damage due to fire, theft, vandalism, rain, water, criminal or negligent acts of others, or any other cause. Tenant is to carry Tenant's own property insurance to protect Tenant from any such loss. In addition, Tenant shall carry (i) liability insurance in an amount of not less than \$ 1,000,000.00 and (ii) property insurance in an amount sufficient to cover the replacement cost of the property if Tenant is responsible for maintenance under paragraph 17B. Tenant's insurance shall name Landlord and Landlord's agent as additional insured. Tenant, upon Landlord's request, shall provide Landlord with a certificate of insurance establishing Tenant's compliance. Landlord shall maintain liability insurance insuring Landlord, but not Tenant, in an amount of at least \$ 1,000,000.00, plus property insurance in an amount sufficient to cover the replacement cost of the property unless Tenant is responsible for maintenance pursuant to paragraph 17B. Tenant is advised to carry business interruption insurance in an amount at least sufficient to cover Tenant's complete rental obligation to Landlord. Landlord is advised to obtain a policy of rental loss insurance. Both Landlord and Tenant release each other, and waive their respective rights to subrogation against each other, for loss or damage covered by insurance.

Landlord's Initials VFH

Tenant's Initials AM

CL REVISED 12/15 (PAGE 3 OF 6)

COMMERCIAL LEASE AGREEMENT (CL PAGE 3 OF 6)



Premises: Approximately 6,000 square feet of rentable space located at 1126 Yosemite Drive, Milpitas, CA 95035 Date August 13, 2019

30. **TENANCY STATEMENT (ESTOPPEL CERTIFICATE):** Tenant shall execute and return a tenancy statement (estoppel certificate) delivered to Tenant by Landlord or Landlord's agent, within 10 business days after its receipt. The tenancy statement shall acknowledge that this agreement is unmodified and in full force, or in full force as modified, and state the modifications. Failure to comply with this requirement shall be deemed Tenant's acknowledgement that the tenancy statement is true and correct, and may be relied upon by a prospective lender or purchaser.
31. **LANDLORD'S TRANSFER:** Tenant agrees that the transferee of Landlord's interest shall be substituted as Landlord under this agreement. Landlord will be released of any further obligation to Tenant regarding the security deposit, only if the security deposit is returned to Tenant upon such transfer, or if the security deposit is actually transferred to the transferee. For all other obligations under this agreement, Landlord is released of any further liability to Tenant, upon Landlord's transfer.
32. **SUBORDINATION:** This agreement shall be subordinate to all existing liens and, at Landlord's option, the lien of any first deed of trust or first mortgage subsequently placed upon the real property of which the Premises are a part, and to any advances made on the security of the Premises, and to all renewals, modifications, consolidations, replacements, and extensions. However, as to the lien of any deed of trust or mortgage entered into after execution of this agreement, Tenant's right to quiet possession of the Premises shall not be disturbed if Tenant is not in default and so long as Tenant pays the Rent and observes and performs all of the provisions of this agreement, unless this agreement is otherwise terminated pursuant to its terms. If any mortgagee, trustee, or ground lessor elects to have this agreement placed in a security position prior to the lien of a mortgage, deed of trust, or ground lease, and gives written notice to Tenant, this agreement shall be deemed prior to that mortgage, deed of trust, or ground lease, or the date of recording.
33. **TENANT REPRESENTATIONS; CREDIT:** Tenant warrants that all statements in Tenant's financial documents and rental application are accurate. Tenant authorizes Landlord and Broker(s) to obtain Tenant's credit report at time of application and periodically during tenancy in connection with approval, modification, or enforcement of this agreement. Landlord may cancel this agreement: (i) before occupancy begins, upon disapproval of the credit report(s); or (ii) at any time, upon discovering that information in Tenant's application is false. A negative credit report reflecting on Tenant's record may be submitted to a credit reporting agency, if Tenant fails to pay Rent or comply with any other obligation under this agreement.
34. **CONSTRUCTION-RELATED ACCESSIBILITY STANDARDS:** Landlord states that the Premises ☐ has, or ☒ has not been inspected by a Certified Access Specialist. If so, Landlord states that the Premises ☐ has, or ☒ has not been determined to meet all applicable construction-related accessibility standards pursuant to Civil Code Section 55.53.
35. **Not Used**

Landlord's Initials VH ()

Landlord's Initials / Tenant's Initials /

Tenant's Initials AM ()

CL REVISED 12/15 (PAGE 4 OF 6)

COMMERCIAL LEASE AGREEMENT (CL PAGE 4 OF 6)

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

1126 Yosemite Dr



Premises: Approximately 6,000 square feet of rentable space located at 1126 Yosemite Drive, Milpitas, CA 95035 Date August 13, 2019

36. **JOINT AND INDIVIDUAL OBLIGATIONS:** If there is more than one Tenant, each one shall be individually and completely responsible for the performance of all obligations of Tenant under this agreement jointly with every other Tenant, and individually, whether or not in possession.

37. **NOTICE:** Notices may be served by mail, facsimile, or courier at the following address or location, or at any other location subsequently designated:

Landlord: Casetronic Engineering Group, a California Corporation
40087 Mission Blvd #352
Fremont, CA 94539

Tenant: City of Milpitas, a municipal corporation
455 East Calaveras Blvd.
Milpitas, CA 95035

Notice is deemed effective upon the earliest of the following (i) personal receipt by either party or their agent, (ii) written acknowledgement of notice, or (iii) 5 days after mailing notice to such location by first class mail, postage pre-paid.

38. **WAIVER:** The waiver of any breach shall not be construed as a continuing waiver of the same breach or a waiver of any subsequent breach.

39. **INDEMNIFICATION:** Tenant shall indemnify, defend and hold Landlord harmless from all claims, disputes, litigation, judgments and attorney fees arising out of Tenant's use of the Premises.

40. **OTHER TERMS AND CONDITIONS/SUPPLEMENTS:**

(1). Tenant will inform Landlord of its intent to extend the lease 60 days before the end of the applicable term.

(2). Landlord is allowed to show Premises to potential new tenants 60 days before the end of the lease.

(3). Tenant will be allowed to place signage on Premises at Tenant's expense.

(4). Tenant will be responsible for the routine maintenance and upkeep of the building including drive belt and filter changes for the heating, ventilation, and air conditioning (HVAC) system, and routine maintenance of the electrical, plumbing, and water system including light bulb and ballast changes, unclogging of drain, etc.

(5). Landlord will be responsible for HVAC system repairs beyond belt and filter changes and routine maintenance to be completed by Tenant, including the replacement of broken and non-operational HVAC system.

The following ATTACHED supplements/exhibits are incorporated in this agreement: ☐ Option Agreement (C.A.R. Form OA)

Addendum to Commercial Lease Agreement, Attachment 1, Attachment 2, MEP Report Attachment 3

41. **ATTORNEY FEES:** In any action or proceeding arising out of this agreement, the prevailing party between Landlord and Tenant shall be entitled to reasonable attorney fees and costs from the non-prevailing Landlord or Tenant, except as provided in paragraph 35A.

42. **ENTIRE CONTRACT:** Time is of the essence. All prior agreements between Landlord and Tenant are incorporated in this agreement, which constitutes the entire contract. It is intended as a final expression of the parties' agreement, and may not be contradicted by evidence of any prior agreement or contemporaneous oral agreement. The parties further intend that this agreement constitutes the complete and exclusive statement of its terms, and that no extrinsic evidence whatsoever may be introduced in any judicial or other proceeding, if any, involving this agreement. Any provision of this agreement that is held to be invalid shall not affect the validity or enforceability of any other provision in this agreement. This agreement shall be binding upon, and inure to the benefit of, the heirs, assignees and successors to the parties.

43. **BROKERAGE:** Landlord and Tenant shall each pay to Broker(s) the fee agreed to, if any, in a separate written agreement. Neither Tenant nor Landlord has utilized the services of, or for any other reason owes compensation to, a licensed real estate broker (individual or corporate), agent, finder, or other entity, other than as named in this agreement, in connection with any act relating to the Premises, including, but not limited to, inquiries, introductions, consultations, and negotiations leading to this agreement. Tenant and Landlord each agree to indemnify, defend and hold harmless the other, and the Brokers specified herein, and their agents, from and against any costs, expenses, or liability for compensation claimed inconsistent with the warranty and representation in this paragraph 43.

44. **AGENCY CONFIRMATION:** The following agency relationships are hereby confirmed for this transaction:

Listing Agent: None (Print Firm Name) is the agent of (check one):

☐ the Landlord exclusively; or ☐ both the Tenant and Landlord.

Selling Agent: None (Print Firm Name) (if not same as Listing Agent) is the agent of (check one):

☐ the Tenant exclusively; or ☐ the Landlord exclusively; or ☐ both the Tenant and Landlord.

Real Estate Brokers are not parties to the agreement between Tenant and Landlord.

Landlord's Initials (VH)

Tenant's Initials (AM)

CL REVISED 12/15 (PAGE 5 OF 6)

COMMERCIAL LEASE AGREEMENT (CL PAGE 5 OF 6)

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

1126 Yosemite Dr



Premises: Approximately 6,000 square feet of rentable space located at 1126 Yosemite Drive, Milpitas, CA 95035 Date August 13, 2019

Landlord and Tenant acknowledge and agree that Brokers: (i) do not guarantee the condition of the Premises; (ii) cannot verify representations made by others; (iii) will not verify zoning and land use restrictions; (iv) cannot provide legal or tax advice; (v) will not provide other advice or information that exceeds the knowledge, education or experience required to obtain a real estate license. Furthermore, if Brokers are not also acting as Landlord in this agreement, Brokers: (vi) do not decide what rental rate a Tenant should pay or Landlord should accept; and (vii) do not decide upon the length or other terms of tenancy. Landlord and Tenant agree that they will seek legal, tax, insurance, and other desired assistance from appropriate professionals.

Tenant *[Signature]* Date 8/15/19

City of Milpitas, a municipal corporation
(Print name)

Address 455 East Calaveras Blvd. City Milpitas State CA Zip 95035-5479

Tenant _____ Date _____

(Print name)

Address _____ City _____ State _____ Zip _____

☐ **GUARANTEE:** In consideration of the execution of this Agreement by and between Landlord and Tenant and for valuable consideration, receipt of which is hereby acknowledged, the undersigned ("Guarantor") does hereby: (i) guarantee unconditionally to Landlord and Landlord's agents, successors and assigns, the prompt payment of Rent or other sums that become due pursuant to this Agreement, including any and all court costs and attorney fees included in enforcing the Agreement; (ii) consent to any changes, modifications or alterations of any term in this Agreement agreed to by Landlord and Tenant; and (iii) waive any right to require Landlord and/or Landlord's agents to proceed against Tenant for any default occurring under this Agreement before seeking to enforce this Guarantee.

Guarantor (Print Name) _____

Guarantor _____ Date _____

Address _____ City _____ State _____ Zip _____

Telephone _____ Fax _____ E-mail _____

Landlord agrees to rent the Premises on the above terms and conditions.

Landlord Casetronic Engineering Group, a California Corporation *[Signature]* Date 8/13/2019
(owner or agent with authority to enter into this agreement)

Address 40087 Mission Blvd #352 City Fremont State CA Zip 94539

Landlord _____ Date _____

(owner or agent with authority to enter into this agreement)

Address _____ City _____ State _____ Zip _____

Agency relationships are confirmed as above. Real estate brokers who are not also Landlord in this agreement are not a party to the agreement between Landlord and Tenant.

Real Estate Broker (Leasing Firm) None DRE Lic. # _____

By (Agent) _____ DRE Lic. # _____ Date _____

Address _____ City _____ State _____ Zip _____

Telephone _____ Fax _____ E-mail _____

Real Estate Broker (Listing Firm) None DRE Lic. # _____

By (Agent) _____ DRE Lic. # _____ Date _____

Address _____ City _____ State _____ Zip _____

Telephone _____ Fax _____ E-mail _____

© 2015, California Association of REALTORS®. Inc. United States copyright law (Title 17 U.S. Code) forbids the unauthorized distribution, display and reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats. THIS FORM HAS BEEN APPROVED BY THE CALIFORNIA ASSOCIATION OF REALTORS® (C.A.R.). NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR ACCURACY OF ANY PROVISION IN ANY SPECIFIC TRANSACTION. A REAL ESTATE BROKER IS THE PERSON QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL.

Published and Distributed by:
REAL ESTATE BUSINESS SERVICES, LLC.
a subsidiary of the California Association of REALTORS®
525 South Virgil Avenue, Los Angeles, California 90020

CL REVISED 12/15 (PAGE 6 OF 6)

COMMERCIAL LEASE AGREEMENT (CL PAGE 6 OF 6)

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road, Fraser, Michigan 48026 www.zipLogix.com

1126 Yosemite Dr





**COMMERCIAL LEASE CONSTRUCTION
ACCESSIBILITY ADDENDUM**
(C.A.R. Form CLCA 11/16)

This is an addendum to the Commercial Lease Agreement (lease) dated August 13, 2019
in which Casetronic Engineering Group, a California Corporation is referred to as "Landlord"
and City of Milpitas, a municipal corporation is referred to as "Tenant".
Paragraph 34 of the lease is deleted in its entirety and replaced by the following:

Paragraph 34. CONSTRUCTION-RELATED ACCESSIBILITY STANDARDS:

- A. Landlord states that the Premises ☐ have, or ☒ have not been inspected by a Certified Access Specialist (CASp).
- B. If the Premises have been inspected by a CASp,
- (1) Landlord states that the Premises ☐ have, or ☒ have not been determined to meet all applicable construction-related accessibility standards pursuant to Civil Code Section 55.53. Landlord shall provide Tenant a copy of the report prepared by the CASp (and, if applicable a copy of the disability access inspection certificate) as specified below.
 - (2) ☐ (i) Tenant has received a copy of the report at least 48 hours before executing this lease. Tenant has no right to rescind the lease based upon information contained in the report.
- OR ☐ (ii) Tenant has received a copy of the report prior to, but no more than, 48 hours before, executing this lease. Based upon information contained in the report, Tenant has 72 hours after execution of this lease to rescind it.
- OR ☐ (iii) Tenant has not received a copy of the report prepared by the CASp prior to execution of this lease. Landlord shall provide a copy of the report prepared by the CASp (and, if applicable a copy of the disability access inspection certificate) within 7 days after execution of this lease. Tenant shall have up to 3 days thereafter to rescind the lease based upon information in the report.
- C. If the Premises have not been inspected by a CASp or a certificate was not issued by the CASp who conducted the inspection.
- "A Certified Access Specialist (CASp) can inspect the subject premises and determine whether the subject premises comply with all of the applicable construction-related accessibility standards under state law. Although state law does not require a CASp inspection of the subject premises, the commercial property owner or lessor may not prohibit the lessee or tenant from obtaining a CASp inspection of the subject premises for the occupancy or potential occupancy of the lessee or tenant, if requested by the lessee or tenant. The parties shall mutually agree on the arrangements for the time and manner of the CASp inspection, the payment of the fee for the CASp inspection, and the cost of making any repairs necessary to correct violations of construction-related accessibility standards within the premises."
- D. Notwithstanding anything to the contrary in paragraph 17, 18, 19 or elsewhere in the lease, any repairs or modifications necessary to correct violations of construction related accessibility standards are the responsibility of Tenant, ☐ Landlord, ☐ Other _____.

Tenant (Signature) [Signature] Date 8-13-19

Tenant (Print name) City of Milpitas, a municipal corporation

Tenant (Signature) _____ Date _____

Tenant (Print name) _____

Landlord (Signature) [Signature] Date 08/13/2019

Landlord (Print name) Casetronic Engineering Group, a California Corporation

Landlord (Signature) _____ Date _____

Landlord (Print name) _____

© 2016, California Association of REALTORS® Inc. United States copyright law (Title 17 U.S. Code) forbids the unauthorized distribution, display and reproduction of this form, or any portion thereof, by photocopy machine or any other means, including facsimile or computerized formats.
THIS FORM HAS BEEN APPROVED BY THE CALIFORNIA ASSOCIATION OF REALTORS® (C.A.R.). NO REPRESENTATION IS MADE AS TO THE LEGAL VALIDITY OR ACCURACY OF ANY PROVISION IN ANY SPECIFIC TRANSACTION. A REAL ESTATE BROKER IS THE PERSON QUALIFIED TO ADVISE ON REAL ESTATE TRANSACTIONS. IF YOU DESIRE LEGAL OR TAX ADVICE, CONSULT AN APPROPRIATE PROFESSIONAL.

Published and Distributed by
REAL ESTATE BUSINESS SERVICES, LLC.
a subsidiary of the California Association of REALTORS®
525 South Virgil Avenue, Los Angeles, California 90020

CLCA 11/16 (PAGE 1 OF 1)

COMMERCIAL LEASE CONSTRUCTION ACCESSIBILITY ADDENDUM (CLCA PAGE 1 OF 1)

Louise Huang, 1126 Yosemite Drive Milpitas CA 95035
Louise Huang

Produced with zipForm® by zipLogix 18070 Fifteen Mile Road Fraser Michigan 48026 www.ziplogix.com

Phone 5103259689

Fax

1126 Yosemite Dr



ADDENDUM TO COMMERCIAL LEASE AGREEMENT

THIS ADDENDUM TO COMMERCIAL LEASE AGREEMENT is attached and made a part thereof to the Commercial Lease Agreement, dated, for reference purposes only, August 9, 2019, (the "**Lease**") entered into by and between CASETRONIC ENGINEERING GROUP, a California corporation ("**Landlord**") and the CITY OF MILPITAS, a municipal corporation ("**Tenant**").

1. Tenant Improvements. Tenant shall complete improvements to the Premises according to Tenant's approved plans and specifications. Except as noted below, all tenant improvements will be the property of Landlord upon Lease termination, and will be surrendered in their AS-IS condition.
 - a. Tenant improvements are anticipated to include:
 - i. Retrofitting existing wall between warehouse and office space to be full height with 1 hr. fire rating;
 - ii. Installation of range/oven and hood in the breakroom (range and oven to be property of Tenant after termination or expiration of the Lease);
 - iii. Conversion of one toilet to include an ADA compliant shower;
 - iv. Installation of one operable window in the Building;
 - v. Minimal addition and removal of walls and doors;
 - vi. Installation and/or modification of the existing HVAC system;
 - vii. Construction of firefighter sleeping quarters; and
 - viii. Repair and/or remediation of existing code violations pursuant to Attachment 1 hereto.
 - b. Tenant shall perform all tenant improvements at its sole cost and expense, except that the costs associated with Item 1, Item 2, and Item 3 shown on Attachment 1 shall be divided equally between Landlord and Tenant.
2. Tenant's Parking. Tenant's parking shall include the right to park fire engines on and within the Premises, and the unimpeded ingress and egress of same to and from the Premises. The specifications for fire engine ingress and egress to and from the Premises are set forth in Attachment 2. Landlord shall cause all tenants, occupants, guests and invitees of the building in which the Premises is located (the "**Building**") to maintain free and unimpeded Tenant's means of ingress and egress to and from the Premises. Landlord's duties under this Section shall include, but not be limited to, relocating the mobile home currently parked near the Premises and relocating the assigned parking area for delivery vehicles.

3. Landlord's Compliance with Laws. Landlord shall comply with (or cause to be complied with) all requirements applicable to the Building, including, without limitation, any requirements imposed on the Building due to its use as a temporary fire station.
4. Insurance. Tenant may satisfy the insurance requirements set forth in Lease Section 29 through a risk pool or self-insurance.

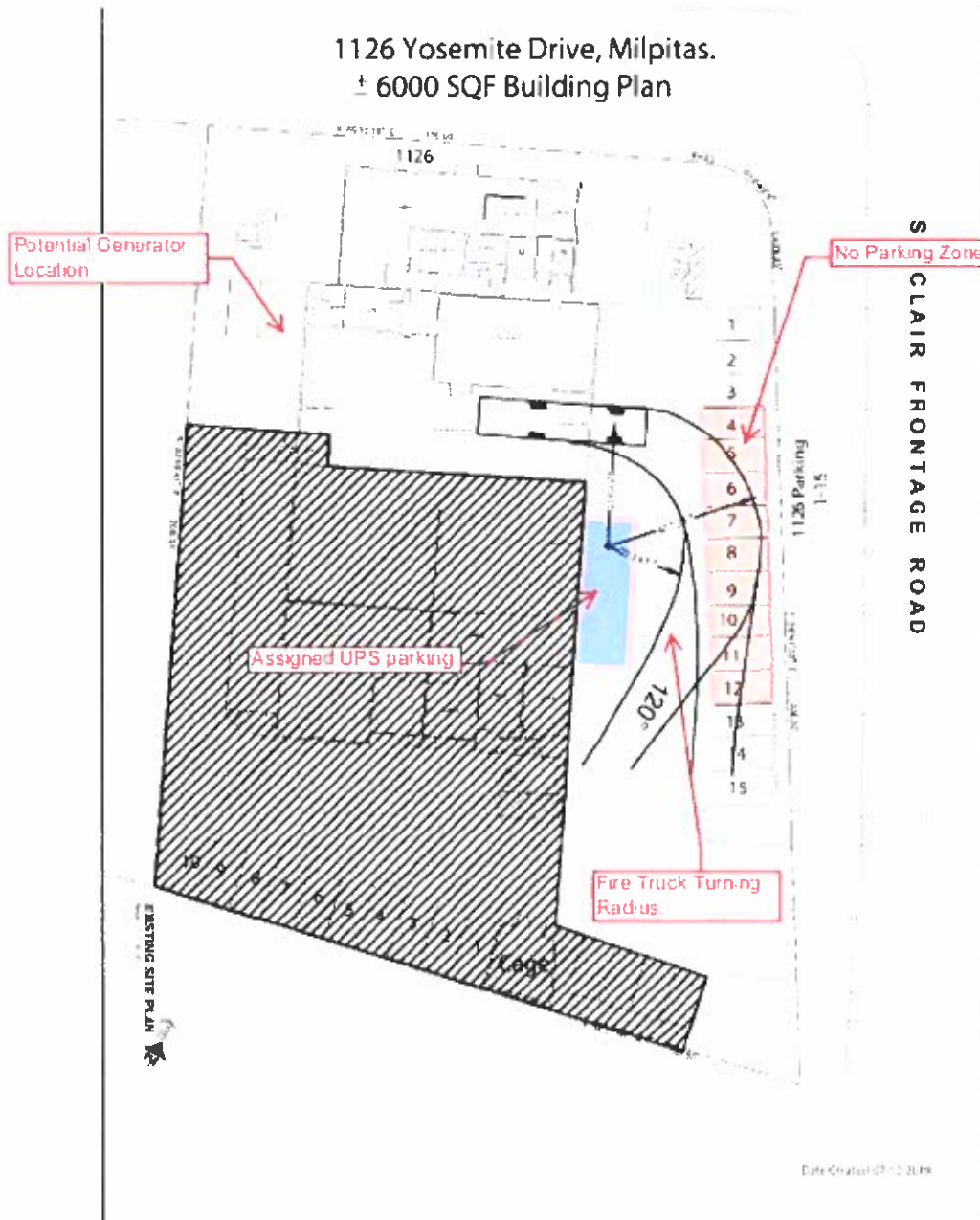
ATTACHMENT 1
REMEDATION OF CODE VIOLATIONS

Item No.	Issue	Reason	Action	Responsible party	Estimated Cost
1	Condensate drain from RTUs was routed to the roof drain	Code Violation	Reroute the 3 ton RTUs condensate piping to the sink in the janitor room	50/50 Split	\$ 1,200
2	HVAC duct insulation is damaged	Maintenance	Repair damaged duct insulations to prevent condensation above ceiling	50/50 Split	\$ 300
3	Sink and associated plumbing was installed without permit and not to code	Code Violation/ unpermitted work	Remove sink and associated plumbing located near the electrical room and replace counter	50/50 Split	\$1,500
ESTIMATED TOTAL REPAIR COST					\$3,000
4	A seismic gas shutoff valve is not provided for the gas line	Code Violation	Install seismic automatic shutoff valve on the natural gas line before the gas meter to meet the state of California code	City	
5	Electrical panels indexes are outdated	Maintenance	Update all electrical panels indexes	City	
6	Exterior lighting fixtures needs to be cleaned and maintained	Maintenance	Maintain and repair all exterior lighting	City	
7	The 3 ton RTUs are beyond Estimated Unit life. It is recommended to be replaced	Maintenance	Instead of Replacement, the City recommend to service the units instead.	City	
8	Existing wall and coffee break area were removed to create reception area	Unpermitted work	City to keep the current layout and apply for permit	City	
9	Woman restroom was modify to be smaller and hallway was created	Unpermitted work	Remove existing wall and eliminate the hallway. Put everything back to the original condition that was permitted	City	
10	Conference room added	Unpermitted work	City to keep the current conference room and apply for permit	City	
11	Additional door was added and wall were	Unpermitted work	Remove unpermitted wall and door to match the	City	

	created between breakroom and kitchen area		original condition that was permitted		
12	RTUs are not provided with seismic restraints	Code Violation	Provide existing RTU with seismic restraint to the meet the state of California Code	Not required at this time	
13	Electrical room and the adjacent room do not have ventilation system	Code Violation	Install new 2 ton wall mounted DX Split unit in the electrical room	Not Required at this time	

ATTACHMENT 2

PARKING REQUIREMENTS



CONSULTING SERVICES REPORT

Mechanical, Electrical and Plumbing (MEP) Assessment and Testing Report

1126 Yosemite Drive
Milpitas, CA 95035
Terracon Project No. F3196204
July 2, 2019

Prepared for:

Philip Luo, AIA, LEED AP
Shah Kawasaki Architects
570 10TH Street, Suite 201
Oakland, CA 94607

Prepared by:

Terracon Consultants, Inc.
Houston, Texas

Offices Nationwide
Employee-Owned

Established in 1965
terracon.com

Terracon

Geotechnical ■ Environmental ■ Construction Materials ■ Facilities



July 2, 2019

Mr. Philip Luo, AIA, LEED AP
Shah Kawasaki Architects
570 10th Street, Suite# 201
Oakland, CA 94607
Phone: 510-379-2275
Email: plou@skarc.com

Re: **MEP Assessment and Testing Report**
1126 Yosemite Drive
Milpitas, CA 95035
Terracon Project No. F3196204

Mr. Luo:

Terracon Consultants, Inc. (Terracon) is pleased to submit this Consulting Services Report of our MEP Assessment and Testing Report for the commercial building located at 1126 Yosemite Drive, Milpitas, CA. These services were authorized via signed Terracon proposal on PFT196089 dated June 12, 2019. Mr. Ali Aljumaili, MEP Consulting Engineer of Terracon, performed the site visit with Mr. Lyhak Eam, P.E., Civil Engineer with the City of Milpitas on June 25, 2019.

The purpose of this Report is to present the results of our MEP assessment and testing at the building and present estimated costs for immediate and future repairs of the MEP equipment and systems at the site.

This document includes background information, observations, findings, and conclusions pertaining to the conditions at the site.

Terracon appreciates the opportunity to be of service to you on this project. If you have any questions regarding this report, please do not hesitate to contact us at Terracon.

Sincerely,
Terracon Consultants, Inc.
Texas Firm Registration F-3272

Ali Aljumaili

Ali Aljumaili, MSME
MEP Consulting Engineer
Facilities Services

Jeffrey A. Miller, P.E., (TX) LEED AP, CBCP, EBCP
Principal / Senior Engineer
Facilities Services

Assessment and Testing Report
1126 Yosemite Drive, Milpitas, CA 95035
July 2, 2019 ■ Terracon Project No. F3196204

TABLE OF CONTENTS

PROJECT INFORMATION	1
RESULTS AND RECOMMENDATIONS.....	1,2
LIMITATIONS	3

Appendix A – Photographs
Appendix B – Cost Tables

PROJECT INFORMATION

The subject building is a one-story, approximate 6,000 square foot office and attached warehouse building constructed in 1981. The space is currently unoccupied. The building is provided with two, 3-ton direct expansion (DX) cooling and natural gas heating packaged, roof mounted units (RTUs) manufactured by *Carrier* in 1999 and utilizing R-22 refrigerant that serves the office spaces and conference room. One, 4-ton DX heat pump RTU manufactured by *Day & Night* in 2010 utilizing R-22 refrigerant, serves an additional room which was added to the office space in 2010. All RTUs are provided with an outside air intake to provide minimum and adjustable amount of outside air to the office space. The RTUs are not provided with seismic restrains per code requirements. Bathroom exhaust and warehouse air ventilation is provided by down blast, direct drive roof ventilators manufactured by *Dayton Electric Inc.*

Electrical service to the building is supplied by a utility-owned, pad-mounted electrical transformers and conductors routed below ground to the electrical room inside the building. Electrical service within the building is rated at 400-amps, 120/208-volt, 3-phase, 4-wire. Electrical wiring within the building is copper. Exterior lighting consists of pole-mounted and wall-mounted high intensity discharge (HID) light fixtures reportedly by timers controlled. Interior lighting mainly consists of T-8 fluorescent light fixtures. The interior lighting is controlled by manual switching.

Wastewater drainage is provided by gravity flow through subsurface piping to the municipal sanitary sewer system. The type of piping used for the sanitary sewer reportedly to be cast iron. Municipal water main piping is tapped to provide potable water to the building. The type of piping used for the water distribution system was observed to be copper. Hot water is provided to the restrooms by a 50-gallon electric heater manufactured by *State Select* in 2010, located in the janitor room. Backflow prevention devices for the potable water service was observed. Utilities including domestic water, sanitary sewer, and electricity are provided to the building by City of Milpitas.

Natural gas service and a meter are provided to the building. A seismic natural gas shutoff valve is not provided with the gas meter.

FINDING AND RECOMMENDATIONS

A. Mechanical.

Terracon observed and performed limited testing of the mechanical RTUs. Please see the table below. The two 3-ton RTUs were observed to be in fair to poor condition and beyond typical Estimated Unit Life (EUL) and are recommended for replacement. Please see the Cost Tables.

The 4-ton RTU was observed and tested to be generally in good working condition. The fan compressor were operated in the cooling and heating modes and were functional with wall mounted electronic thermostats. The discharge airflow temperature of 58.5-degree F was measured on most of the supply air diffusers. The measured values were within acceptable ranges for units installed in this type of property. The exhaust fan provided to the restrooms was observed to be in good to fair operation condition. The RTUs are not provided with seismic restraints and it is required per code to provide seismic restraints to all RTUs on the roof.

Condensate drain from 3-ton RTUs was observed to be routed to the roof drain. It is required by code to rout the condensate drain piping to the sink in the janitor room.

RTU TEST MEASUREMENTS – JUNE 25, 2019

Nominal tonnage and Serial Number	4-ton G074012071	3-ton P05202C1H	3-ton P043K951H
Supply Voltage	208.0	209.2	208.5
Compressor 1 Amps	20.0, 19.1, 21.8	19.8, 20.6, 18.7	20.3, 19.8, 17.8
Return Air Temperature (F)	73.4	73.6	74.8
Cooling Supply Air Temperature (F)	59.0	58.8	58.5
Gas Heat Supply Air Temperatures (F)	112.0 & 119.0	103.0 & 119.1	116.0 & 122.0
Refrigerant Discharge Pressure Circuit (PSIG)	330	290	275

Note:

- A. Cooling and Heating Supply Air Temperatures will most likely be lower and higher, respectively, when the airflow rate is reduced due to resistance from a ductwork distribution system.
- B. Cooling Supply Air Temperatures will most likely be lower when the building is cooled and the return air temperature is lower.
- C. Heating Supply Air Temperatures will most likely be lower when operated in the winter, not summer.

RECOMMENDATIONS:

- Replace the two existing 3-ton RTUs with DX heat pump RTUs utilizing R-410a refrigerant to meet 2020 EPA requirements. Provide new units with seismic restrains to meet the state of California code. Replace power disconnect with new one.
- Provide existing 4-ton RTU with seismic restraint to meet the state of California code.
- Reroute the 3-ton RTUs condensate piping to the sing in the janitor room.
- Repair damaged duct insulations to prevent condensation above ceiling. (See example in the photos)

Assessment and Testing Report

1126 Yosemite Drive, Milpitas, CA 95035

July 2, 2019 ■ Terracon Project No. F3196204

Item # 1.

4.

B. Plumbing.

The electric water heater were observed to be in good working condition, domestic hot water temperature were measured in the restrooms to be 105-degree F to 115-degree F. The electric water heater is provided with seismic restrains on the upper and lower side per code. Plumbing fixtures were observed to be in good condition. Natural gas and meter are provided to the building, a seismic gas shutoff valve is not provided and is recommended to provided per code. Please see cost tables.

RECOMMENDATIONS:

- Install seismic automatic shutoff valve on the natural gas line before the gas meter to meet the state of California code.
- Remove sink located by the electrical room.

C. Electrical.

Electrical service to the building is supplied by utility-owned, pad-mounted electrical transformers and conductors routed below ground to the electrical room inside the building. Electrical service within the building is rated at 400-amps, 120/208-volt, 3-phase, 4-wire. Electrical wiring within the building is copper. Exterior lighting consists of pole-mounted and wall-mounted high intensity discharge (HID) light fixtures reportedly timers controlled. Interior lighting mainly consists of T-8 fluorescent light fixtures. The interior lighting is controlled by manual switching. Exterior lighting fixture were observed to be in fair condition. all exterior lighting fixtures needs to be cleaned and maintained. The electrical room was not provided with a cooling system. A wall mounted DX cooling unit is recommended to be provided and to avoid electrical panels from being overheated. Please see the cost tables.

RECOMMENDATIONS:

- Install wall mounted DX cooling unit in the electrical room.
- Update all electrical panels indexes.
- Maintain and repair all exterior lighting.

LIMITATIONS

The field observations, notes, conclusions, and recommendations presented in this report are based upon the information provided to Terracon by our Client and site observations, reconnaissance, and field notes collected at the time of our site visit. While additional conditions may exist that could alter our conclusions, we feel that reasonable means have been made to fairly and accurately evaluate the existing conditions of this facility. This report is limited to Terracon's visual observations of the exterior of the facility.

This report has been prepared for the exclusive use of the Client for specific application to the project discussed and has been prepared in accordance with generally accepted engineering practices using the standard of care and skill currently exercised by professional engineers practicing in this area, for a project of similar scope and nature. No warranties, either expressed or implied, are intended or made. In the event that information described in this document which was provided by others is incorrect, or if additional information becomes available, the conclusions and recommendations contained in this report shall not be considered valid unless Terracon reviews the information and either verifies or modifies

MEP ASSESSMENT AND TESTING

1126 Yosemite Drive, Milpitas, CA 95035

July 1st, 2019 ■ Terracon Project No. F3196204



Photo #1 View of two 3-ton RTUs on the lower level roof.



Photo #2 Side view of typical 3-ton RTU.



Photo #3 RTUs are not provided with seismic restrains.



Photo #4 View of broken condensate water drain pipe.



Photo #5 Typical natural gas pipe routing to the RTUs.

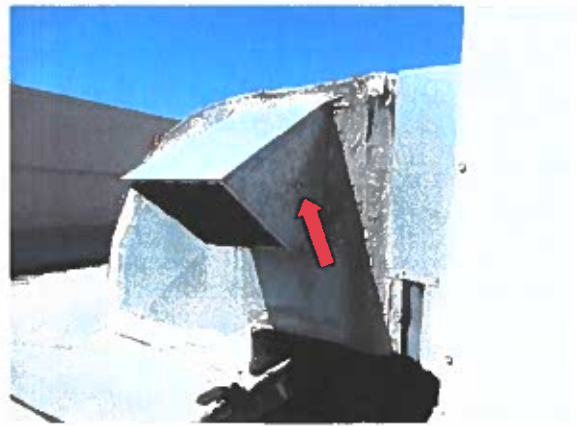


Photo #6 Typical adjustable outside air intake in the RTUs.

MEP ASSESSMENT AND TESTING

1126 Yosemite Drive, Milpitas, CA 95035

July 1st, 2019 ■ Terracon Project No. F3196204



Photo #7 View of 4-ton DX RTU with adjustable outside air intake.

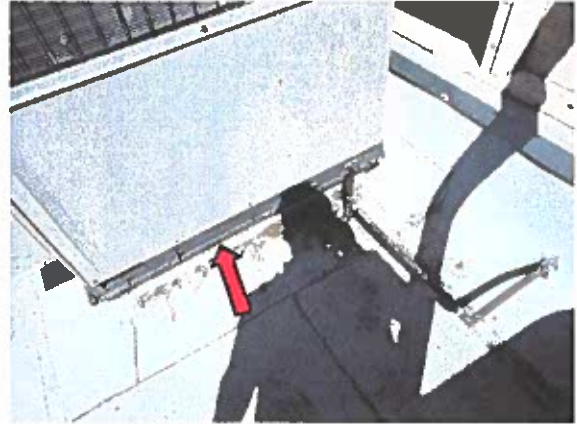


Photo #8 4-ton RTU is not provided with seismic restraint.



Photo #9 View of the restroom exhaust fan located on the lower roof level.



Photo #10 Typical air vent located on upper roof level



Photo #11 View of the main electrical main switch board in the electrical room.

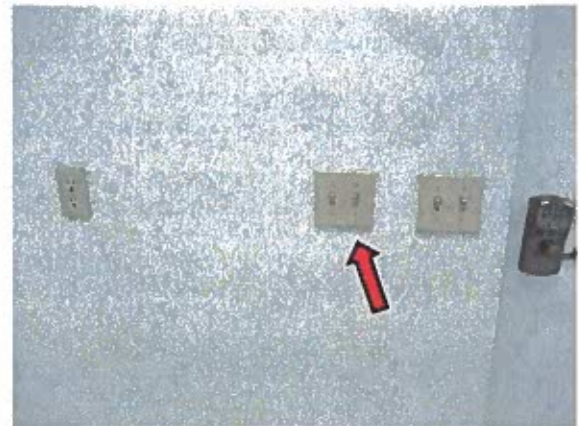


Photo #12 Typical electrical panel with index that needs to be updated.

MEP ASSESSMENT AND TESTING

1126 Yosemite Drive, Milpitas, CA 95035

July 1st, 2019 ■ Terracon Project No. F3196204

Terracon**Photo #13** View of the main electrical meter.**Photo #14** View of the pad-mounted, utility-owned transformer located in the back side of the building.**Photo #15** Typical T-8 fluorescent lights in the office space.**Photo #16** Typical T-8 fluorescent lights in the additional room to offices.**Photo #17** Typical floor mounted electrical power receptacle switch in the additional room**Photo #18** Typical lighting manual lighting switches.

MEP ASSESSMENT AND TESTING

1126 Yosemite Drive, Milpitas, CA 95035

July 1st, 2019 ■ Terracon Project No. F3196204



Photo #19 Typical wall mounted electronic thermostat.



Photo #20 View of 50-gal. electric water heater located inside janitor room and provided with seismic restraints.



Photo #21 View of plumbing fixtures in the men's restroom.



Photo #22 View of typical sink hot/cold water testing.



Photo #23 Typical view of water-efficient faucet provided in the break room sink.



Photo #24 Typical view of sanitary drainage PVC pipe.

MEP ASSESSMENT AND TESTING

1126 Yosemite Drive, Milpitas, CA 95035

July 1st, 2019 ■ Terracon Project No. F3196204



Photo #25 Example of code violation of industrial sink installed and provided with water pump to pump the drainage water out to the sink inside the janitor room.



Photo #27 View shows the industrial sink drainage collected and pumped to the sink in the janitor room with water pump.



Photo #28 Typical view of above ceiling shows some of the plumbing piping and flexible ducts.



Photo #29 View shows damage in the duct insulation.



Photo #30 View of the exhaust fan above the ceiling provided to the break room.



Photo #31 Example of a code violation of condensate drains free discharging the condensate water to the roof drains.

MEP ASSESSMENT AND TESTING

1126 Yosemite Drive, Milpitas, CA 95035

July 1st, 2019 ■ Terracon Project No. F3196204



Photo #32 Typical external lighting fixtures needs to be cleaned and maintained.

Photo #33



Photo #35 View shows natural gas meter, seismic shutoff valve is not provided per code.



Photo #34 Typical external pole lighting fixture.

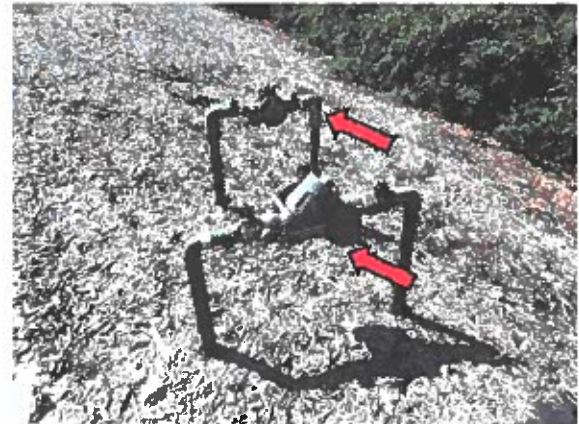


Photo #36 View of the water supply and irrigation back flow preventer.

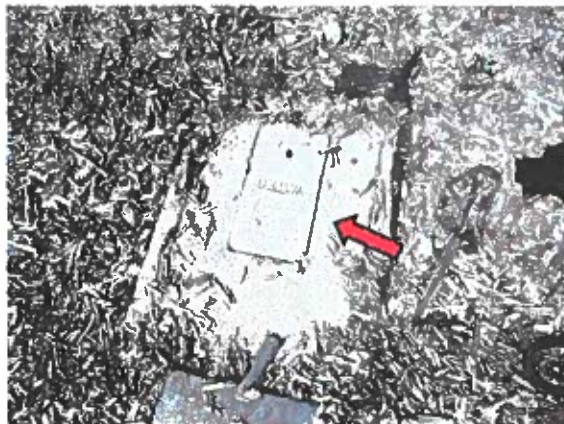


Photo #37 View of the water meter manhole.



Photo #38 Typical storm water manhole.

1.0. EXECUTIVE SUMMARY

General Property Identification Summary

Item	Description
Property Name	1126 Yosemite Drive Milpitas CA MEP
Property Address	1126 Yosemite Drive, Milpitas, CA
Type of Facility	Office Warehouse
Site Area	Acres
Total Parking Spaces	
Number of Buildings	1
Number of Stories	1
Building(s) Area (SF)	6,000 Rentable
Year(s) Constructed	1981
Renovation Notes	
General Construction	
Date of Site Visit	June 25, 2019
Survey Conducted By	Ali A. Al Jumaili

Summary of Recommended Expenditures

1.1 Immediate Repairs Summary

	Total Cost
Time Period for Repair	0 to 1 YR

1.2 Replacement Reserve Summary

	Total Cost
Evaluation Term	1
Square Feet	6,000
Total Replacement Reserve Cost	\$43,300
Inflation Factor	3.0%
Total Replacement Reserve (per SF per Year)	\$10.00

1.2 Replacement Reserve Cost Table

Terracon Project No. F3196204

Project: 1126 Yosemite Drive Milpitas CA MEP
Location: 1126 Yosemite Drive, Milpitas, CA
Type of Facility: Office Warehouse
No. Stories: 1
Square Feet: 6,000
No. of Bldgs: 1
Reserve Term: 1
Property Age: 38

	Item Description	EUL		Quantity		Units		Cost		R-Totals
		20	20	2	2	Ea.	Ea.	\$	\$	
R - 1	Replace 3-ton RTUs, air to air split									\$25,300
R - 2	Install new 2-ton wall mounted DX split units in the electrical room.									\$4,800
	Miscellaneous items including install seismic automatic natural gas shutoff valve, rout condensate piping, repairing damaged duct insulation, remove sink located by the electrical room, install seismic restraints for all RTUs, repair and maintain exterior lighting fixtures.									\$13,200.00
	Subtotal									\$43,300
	Escalation Factor per year								3.00%	\$44,599
	Total with escalation									
	Cost per SF - uninflated			\$10.00						
	Average cost per SF per year			\$10.00						
	Cost per SF - inflated			\$3.00						
	Average cost per SF per year			\$3.00						

CITY COUNCIL MEETING

08/13/2019

SUMMARY OF ACTIONS

Item # 1.

Item

Staff

CLOSED SESSION

Chris Diaz

City Attorney announced out of Closed Session that Council voted 5 - 0 to support a holiday break schedule, and authorized Human Resources Director to enter into side letters on this topic with MEA, ProTech and Mid-Management & Confidential employee groups.

PUBLIC FORUM

- 1) 23 people spoke in favor of Center Stage Performing Arts youth theater program
- 2) 8 people spoke in favor of rent control or other rental support efforts for residents of Milpitas.
- 3) Joseph Ehardt, Milpitas Historical Society, provided an oral report of its recent historical tour of the City, supported in part by the City Council.
- 4) Voltaire Montemayor
- 5) Frank DeSmidt
- 6) Rob Means

ANNOUNCEMENTS

Councilmembers did not report any conflicts of interest nor campaign contributions, upon inquiry by the City Attorney.

C1. **RECEIVE CITY COUNCIL CALENDAR FOR AUGUST 2019**

Mary Lavelle

Received City Council calendar for the month of August 2019.
VOTE: 5 - 0

C2. **APPROVE CITY COUNCIL MEETING MINUTES OF JUNE 11 (SPECIAL) AND JUNE 18 (REGULAR), 2019 COUNCIL MEETINGS**

Mary Lavelle

Approved June 11 and 18, 2019 City Council meeting minutes.
VOTE: 5 - 0

3. **CONSIDER MAYOR'S RECOMMENDATION AND MOVE TO RE-APPOINT ONE COMMISSIONER ON THE MILPITAS VETERANS COMMISSION**

Mayor Tran

- 1) Re-appointed Commissioner Art Ebright to the Milpitas Veterans Commission to new 3-year term that will expire in February of 2022.
 - 2) Councilmember Nunez inquired about an exception to the 3-term limit policy for the Veterans Commission. Recreation Director Lorentzen confirmed that was done for Veterans only, due to the limited pool of Milpitas veterans to volunteer to serve on the Commission. Mr. Nunez requested that this policy return to Council for approval as an update to the By-laws.
- VOTE: 5 - 0

C4. **APPROVE AND AUTHORIZE THE CITY MANAGER TO EXECUTE A TEMPORARY FIRE STATION NO. 2 LEASE AGREEMENT FOR 1126 YOSEMITE DRIVE**

Alex Andrade

Approved and authorized City Manager to execute a Lease Agreement for a temporary fire station to be located at 1126 Yosemite Drive by and between the City of Milpitas (tenant) and Casetronic Engineering Group (landlord) for a term of 2 years plus 2 six-months options, for a total of 3 years, starting 8/13/2019.
VOTE: 5 - 0

CITY COUNCIL MEETING

08/13/2019

SUMMARY OF ACTIONS**Item****Staff**

- C5. **APPROVE AND AWARD A CONTRACT WITH HOI'S CONSTRUCTION, INC. FOR THE WATER BOTTLE REFILL STATION INSTALLATION PROJECT** Tony Ndah
1. Awarded construction contract to Hoi's Construction, Inc. for the Water Bottle Refill Station Installation Project in the amount of \$178,000.
2. Authorized Public Works Director to execute contract change orders without any further City Council action except for appropriation of funds.
VOTE: 5 - 0
- C6. **RECEIVE A REPORT ON EMERGENCY REMEDIATION WORK AT POLICE/PUBLIC WORKS BUILDING AND AUTHORIZE PAYMENT OF INVOICES IN THE AMOUNT OF \$33,399.50 TO INDOOR RESTORE ENVIRONMENTAL SERVICES AND S B CONSTRUCTION** Tony Ndah
- Received a report from Public Works Director for the emergency remediation work at the Police/Public Works Building and authorized payment of invoices to Indoor Restore Environmental Services and SB Construction, for a total amount of \$33,399.50.
VOTE: 5 - 0
- C7. **RECEIVE A REPORT ON THE EMERGENCY REPAIR/REPLACEMENT OF THE HVAC SYSTEM AT PUBLIC WORKS/POLICE DEPARTMENT BUILDING AND AUTHORIZE PAYMENT OF INVOICES ASSOCIATED WITH THE WORK** Tony Ndah
- Received a report from the Public Works Director for the purchase and installation of McQuay Turbocor compressors for the Public Works/Police Department Building and authorized payment of invoices to Dormatech in the amount of \$198,375.
VOTE: 5 - 0
8. **AUTHORIZE THE CITY MANAGER OR APPOINTEE SERVING ON THE BOARD TO REQUEST THE BOARD OF DIRECTORS AT TERRACE GARDENS TO AMEND THE BYLAWS TO REMOVE THE CITY COUNCILMEMBER'S SEAT AND CITY MANAGER'S SEAT FROM THE BOARD COMPOSITION** Sharon Goei
- 1) Authorized the City Manager (or appointee) serving on the Board to request the Board of Directors at Terrace Gardens to amend the bylaws to remove the City Councilmember's seat and City Manager's seat from the Board composition.
2) Directed staff to request that Terrace Gardens allow for a City Council "liaison" to the board in a non-voting capacity, as well allowing for the possibility of potentially returning to having a position on the Board.
VOTE: 5 - 0
9. **AUTHORIZE THE CITY MANAGER TO APPROVE TERRACE GARDENS' REQUEST TO TRANSFER SURPLUS CASH TO THE TERRACE GARDENS REPLACEMENT RESERVE ACCOUNT** Sharon Goei
Robert Musallam
- 1) Authorize the City Manager to approve receipt of Terrace Gardens' surplus cash
2) Did not approve Terrace Gardens Board's request to place those funds of \$114,890 into its existing reserve fund, but rather directed City staff to place the money into the City budget in the affordable housing fund explicitly.
VOTE: 5 - 0

Project No.: 3447

Project Name: Fire Station No.2 Replacement Project

Item # 1.

AMENDMENT NO. 1
TO COMMERCIAL LEASE AGREEMENT BETWEEN CITY OF MILPITAS AND
CASETRONIC ENGINEERING GROUP

This Amendment is entered into this 22nd day of March, 2021 by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "Tenant") and Casetronic Engineering Group, a California Corporation (hereafter referred to as "Landlord"). Tenant and Landlord are sometimes individually referred to as "Party" and collectively as "Parties" in this Amendment No 1.

RECITALS

WHEREAS, on August 13, 2019, the Parties entered into an Agreement entitled "Commercial Lease Agreement" ("Agreement") for the leasing of a commercial building located at 1126 Yosemite Drive, Milpitas CA 95035, with a term period of **August 13, 2019 to July 31, 2021, with two, six-month options to extend the term period for up to one additional year;** and

WHEREAS, the Parties now desire to exercise the two options to extend the term by amending the Agreement to extend the term period termination date through **July 31, 2022.**

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the Parties agree to amend the Agreement as follows:

1. The first sentence of Section 2, TERM, and subsection A, is hereby amended to read as follows:

"TERM: The term begins on **August 13, 2019** ("Commencement Date"), (Check box A or B):

A. Lease: and shall terminate on **July 31, 2022** at 11:59 PM."

2. Section 2, Term, subsection C, RENEWAL OR EXTENSION TERMS, is hereby deleted in its entirety.
3. Except as amended by this Amendment No. 1, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment No. 1, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this Amendment No. 1.
4. If any provision of this Amendment No. 1 shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Amendment No. 1 unless elimination of such provision materially alters the rights and obligations set forth herein.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE FOR AMENDMENT NO. 1
TO COMMERCIAL LEASE AGREEMENT BETWEEN CITY OF MILPITAS AND
CASETRONIC ENGINEERING GROUP**

This Amendment No. 1 is executed as of the date first written above.

CITY OF MILPITAS

CONSULTANT
CASETRONIC ENGINEERING GROUP

APPROVED BY:

DocuSigned by:

Ashwini Kantak,

0CF42D4A9C804E4

Steven McHarris, City Manager

By: *[Signature]*

Mar-22-2021

Date

03-11-2021

Date

APPROVED AS TO FORM:

DocuSigned by:

Christopher Diaz

2286B08D07EF4B3...

Christopher J. Diaz, City Attorney

APPROVED

DocuSigned by:

[Signature]

8C79D33218B7434...

Lauren Lai, CPA, MPA,
Finance Director/Risk Manager

APPROVED AS TO CONTENT:

DocuSigned by:

Steve Erickson

2278381D96134D7...

Steve P. Erickson,
Engineering Director/City Engineer

AMENDMENT NO. 2
TO COMMERCIAL LEASE AGREEMENT BETWEEN CITY OF MILPITAS AND
CASETRONIC ENGINEERING GROUP

This Amendment is entered into this 16th day of June 2022 by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "Tenant") and Casetronic Engineering Group, a California Corporation (hereafter referred to as "Landlord"). Tenant and Landlord are sometimes individually referred to as "Party" and collectively as "Parties" in this Amendment No 1.

RECITALS

WHEREAS, on August 13, 2019, the Parties entered into an Agreement entitled "Commercial Lease Agreement" ("Agreement") for the leasing of a commercial building located at 1126 Yosemite Drive, Milpitas CA 95035, with a term period of August 13, 2019 to July 31, 2021, with two, six-month options to extend the term period for up to one additional year; and

WHEREAS, on March 22, 2021, the Parties exercised the two options to extend the term by amending the agreement to extend the term period termination date through **July 31, 2022**.

WHEREAS, the Parties now desire to extend the term by amending the agreement to extend the term period termination date for a term of three months plus three one-month options.

NOW THEREFORE, in consideration of the mutual covenants and conditions herein contained, the Parties agree to amend the Agreement as follows:

1. The first sentence of Section 2, TERM, and subsection A, is hereby amended to read as follows:

"TERM: The term begins on **August 13, 2019** ("Commencement Date"), (Check box A or B):

A. Lease: and shall terminate on **January 31, 2023** at 11:59 PM."

2. Section 2, Term, subsection C, RENEWAL OR EXTENSION TERMS, is hereby deleted in its entirety.
3. Except as amended by this Amendment No. 2, all provisions of the Agreement shall remain unchanged and in full force and effect. From and after the date of this Amendment No. 1, whenever the term "Agreement" appears in the Agreement, it shall mean the Agreement as amended by this Amendment No. 1.
4. If any provision of this Amendment No. 2 shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision of this Amendment No. 2 unless elimination of such provision materially alters the rights and obligations set forth herein.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE FOR AMENDMENT NO. 2
TO COMMERCIAL LEASE AGREEMENT BETWEEN CITY OF MILPITAS AND
CASETRONIC ENGINEERING GROUP**

Item # 1.

This Amendment No. 2 is executed as of the date first written above.

CITY OF MILPITAS

CONSULTANT
CASETRONIC ENGINEERING GROUP

APPROVED BY:

Steven McHarris, City Manager

By: _____

Date

Date

APPROVED AS TO FORM:

Michael Mutalipassi , City Attorney

APPROVED

Lauren Lai, CPA, MPA,
Finance Director/Risk Manager

APPROVED AS TO CONTENT:

Steve P. Erickson,
Engineering Director/City Engineer



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Conduct a Public Hearing to Approve the FY2022-25 Consolidated Plan, FY2022-23 Community Development Block Grant Funding Allocations and Corresponding Annual Action Plan, and a Substantial Amendment to the FY2019-20 Annual Action Plan (Staff Contact: Sharon Goei, Building Safety and Housing Director, 408-586-3260)
Category:	Public Hearings-Community Development
Meeting Date:	6/14/2022
	<u>Recommendations:</u> (1) Open the public hearing, hear testimony, then move to close the public hearing; (2) Adopt the FY2022-25 Consolidated Plan; (3) Adopt the FY2022-23 Annual Action Plan with recommended allocation amounts; (4) Approve the Substantial Amendment to the FY2019-20 Annual Action Plan; (5) Authorize the City Manager, or designee, to make any necessary changes to the approved FY2022-25 Consolidated Plan, FY2022-23 Annual Action Plan, and FY2019-20 Annual Action Plan as needed to comply with CDBG submission guidelines; and (6) Authorize the City Manager, or designee, to execute CDBG agreements with the approved subrecipients, and amend the CDBG agreements as needed to comply with CDBG guidelines.

Background:

The U.S. Department of Housing and Urban Development (HUD) provides annual grants through the Community Development Block Grant (CDBG) program to local entitlement cities and counties. The CDBG program provides resources to the most vulnerable low- and moderate-income communities to address a wide range of community development needs through investment in capital projects and public services. The amount of funds that Milpitas receives is determined by a formula based on population and other factors.

On April 5, 2022, the City Council held a public hearing to discuss the FY2022-25 Consolidated Plan goals and funding allocations and to view and provide direction on the corresponding FY2022-23 Annual Action Plan. The Council voted to proceed with staff recommendations for the Consolidated Plan goals and priorities. Additionally, the Council directed staff to complete the FY2022-23 Annual Action Plan by working with established nonprofits that have received past CDBG funding from the City. Council further directed staff to review which organizations would receive the City's American Rescue Plan Act (ARPA) funding.

Consistent with HUD regulations, the City is to conduct two public hearings during the Consolidated Plan and Annual Action Plan process. The second public hearing was originally scheduled for May 3, 2022. However, HUD sent guidance to the City stating that the CDBG allocation amounts would be released by May 13, 2022. Without the allocation amounts, staff would not be able to complete the FY2022-23 Annual Action Plan in accordance with HUD's guidelines and for Council's approval. Therefore, the second public hearing was moved to June 14, 2022 to allow for the City to comply with HUD's public noticing requirements and to bring the final allocation amounts before Council. On May 13, 2022, HUD announced a FY2022-23 formula allocation of \$660,871 to the City. As expected, no additional COVID-19 related funding was allocated.

Analysis:

FY2022-25 Consolidated Plan

The Consolidated Plan is a three- to five-year document that demonstrates a jurisdiction's plan to allocate CDBG funding to benefit low- and moderate-income individuals over that period of time. Each year, the City submits an Annual Action Plan to HUD which represents the City's one-year plan of action within the three- to

five-year Consolidated Plan. As a part of the proposed FY2022-25 Consolidated Plan is the FY2022-23 Annual Action Plan. This Consolidated Plan will be a three-year Consolidated Plan to align our timelines with the rest of the County.

The Consolidated Plan requires maximum citizen participation through public outreach meetings, community engagement, and surveys. The Consolidated Plan process serves as the framework for a community-wide dialogue to identify housing and community development priority needs. The Consolidated Plan requires a summary of citizen participation, housing and non-housing community development needs assessment. The Consolidated Plan outlines the community's priority needs, goals that address the priority needs, and strategies for CDBG funding and activity allocations that best meet those community needs and serve the City's low- and moderate-income residents.

On April 5, 2022, the City Council voted to proceed with staff recommendations for the Consolidated Plan goals and priorities. The FY2022-25 Consolidated Plan is available as **Attachment 1**.

FY2022-23 Annual Action Plan

On December 24, 2021, the City announced that the application period for FY2022-23 CDBG applications would be open from January 3, 2022 through February 18, 2022. Throughout January and February, Staff conducted outreach to community organizations leading up to the application deadline. Staff also designed a simplified application to streamline and increase efficiency of the process. Twenty-three (23) simplified applications were received during the application period and one application was later withdrawn. The result was twenty-two (22) applications with requests totaling over \$1,500,000.

As noted above, included in the submission of the proposed FY2022-25 Consolidated Plan will be the FY2022-23 Annual Action Plan. The Action Plan is the City's plan to accomplish the first year of goals and priorities laid out by the Consolidated Plan. The full FY2022-23 Annual Action Plan is available as **Attachment 2**.

Available Funds

On May 13, 2022, HUD announced a FY2022-23 formula allocation of \$660,871 to the City. As expected, no additional COVID-19 related funding was allocated.

See the table below for a breakdown of the available funding, the action required to receive these allocations per HUD guidance, and the approximate time it will take to receive the funding.

Funding Amount	Funding Year	Action Required	Eligible Use	Approximate Time to Receive Funding
\$660,871.00	FY2022-23 Formula Funds	Prepare New FY2022-23 Annual Action Plan	Public Services (15%) \$99,130.65 Capital Projects (65%) \$429,566.15 Program Administration (20%) \$132,174.20	Late 2022
\$43,506.00	CDBG-CV Unused Funds	Reallocate via Substantial Amendment to FY2019-20 Annual Action Plan	COVID related activities	Late 2022
\$41,449.55	FY2020-21 Unused Formula Funds	Reallocate via Minor Amendment to FY2020-21 Annual Action Plan	COVID related activities	Late 2022
\$745,826.55	Total			

Based on the FY2022-23 formula allocation of \$660,871, the maximum funding allowed in each category is as noted in the table: Public Services (15%) \$99,130.00, Capital Projects (65%) \$429,566.15, and Program Administration (20%) \$132,174.20.

An estimated \$43,506 in unused CDBG-CV funds and \$41,449.55 of FY2020-21 unused formula funding is available to be reallocated. In accordance with HUD's guidance, these additional funds should be reallocated towards COVID related activities.

In order to reallocate the \$43,506 in unused CDBG-CV funding, the City is required to submit a substantial amendment to the FY2019-20 Annual Action Plan. HUD has granted the City a waiver to the public noticing period, reducing the requirement from 30 days to 5 days. The City has met the requirement. The Substantial Amendment to the FY2019-20 Annual Action Plan is available as **Attachment 3**.

The \$41,449.55 in unused FY2020-21 formula funding will be reallocated via a minor amendment to the FY2020-21 Annual Action Plan. A minor amendment can be done administratively and does not require public noticing.

American Rescue Plan Act (ARPA) Funding

Of the organizations that applied for ARPA funding to provide social services, only one organization – Child Advocates – is also a CDBG applicant. However, Child Advocates applied for ARPA funding to provide support for LGBTQA+ foster youth. This is not a duplication of the Court Appointed Special Advocates (CASA) program for which Child Advocates has applied for CDBG funding.

CDBG Applications

As anticipated at the April 5, 2022 public hearing, and evidenced by the allocation the City received from HUD on May 13, 2022, the amount of applicant funding requests is significantly more than the amount of funding available.

For SVILC's \$300,000 rent relief funding request, since the City received a grant award of \$95,927 from the Santa Clara County Emergency Food and Shelter Program for rent relief and allocated this grant to SVILC as the City's fiscal administrator, there is an alternate funding source. Furthermore, rent relief funded by ARPA, which is over \$800,000 out of \$1,100,000 that Council allocated to rent and mortgage relief, will be implemented after the Request for Proposal for fiscal administrator gets completed. Therefore, no CDBG funding is proposed for rent relief.

A full list of the applicants, their proposed activity, the requested amount, and the proposed allocation is displayed below. Per City Council direction, all existing CDBG applicants have been funded. The amount of proposed allocation was determined based on the City Council priorities, the proposed goals of the project, and the applicant's history within the CDBG program.

FY2022-23 Formula Fund Public Services

Organization Name	Project Description	Applicant Request	Proposed CDBG Allocation Amount
Catholic Charities of Santa Clara County	The mission of the Long-Term Care Ombudsman Program is to seek resolution of problems and advocate for the rights and well-being of residents of long-term care facilities.	\$20,500.00	\$14,000.00
Child Advocates of Silicon Valley	Child Advocates' mission is to be there for every foster child in Santa Clara County who has experienced abuse, neglect and/or abandonment. We accomplish this by operating the Court Appointed Special Advocates (CASA) program in Santa Clara County. CASAs are trained community volunteers who are appointed by a judge's order to advocate for the best interests of foster children.	\$14,000.00	\$10,000.00
Lighthouse of Hope Counseling Center	Lighthouse of Hope provides counseling, psychological support, and education to the entire community: families, homeless, adolescent fathers, and high school students onsite in their schools.	\$5,000.00	\$5,000.00
Senior Adults Legal Assistance (SALA)	SALA will continue our program of accessible and affordable (free) Legal Services, serving 20 Milpitas residents 62 or older primarily by phone during COVID-19.	\$12,600.00	\$7,000.00
Silicon Valley Independent Living Center (SVILC)	The Housing & Support Services for Persons with Disabilities & Older Adults program is the most utilized service with over 75% of consumers requesting and receiving housing assistance, rent relief, and/or other emergency services.	\$18,295.00	\$10,000.00
Sourcewise	The Sourcewise Meals on Wheels program provides vulnerable seniors age 60 and older who are homebound or have been impacted by the pandemic, nutritious home-delivered meals.	\$39,000.00	\$15,000.00
The Health Trust	Meals on Wheels helps medically vulnerable neighbors access nutritious food, maintain health and independence in their own homes, and reduce social isolation, all important priorities particularly during a pandemic.	\$60,000.00	\$15,000.00
Milpitas Senior Center - Senior Nutrition Program	Request for funding to support excess senior meals to Milpitas seniors (over the budgeted 77 average per day) as a result of the increased food security need related to the pandemic.	\$61,900.00	\$11,900.00
Terrace Gardens – Meal Delivery	Due to COVID-19, Terrace Gardens Senior Housing has had to close our Resident Dining Room and shift to "Delivery Only" for our Resident Food Program.	\$42,000.00	\$11,230.65
Hope for the Unhoused	The first program, Emergency Shelter Fund, would provide up to 100 nights for unhoused in critical need. The second program, our Clean-Up Fund, would provide for the costs associated with helping encampments cleanup their areas, by providing vehicles to transport garbage to the dump.	\$15,000.00	\$0
M.A.C.A.	To foster and promote substance abuse prevention education to first, second, and third graders in the Milpitas Unified School District or Children Developmental Centers.	\$50,000.00	\$0
SVILC – Rent Relief	SVILC has partnered with the City of Milpitas to provide Rent Relief for residents who are struggling to locate and secure affordable, accessible housing, or to retain the housing they currently have.	\$300,000.00	\$0
Subtotal		\$638,295.00	\$99,130.65

**CDBG-CV Unused Fund
Reallocation**

Organization Name	Project Description	Applicant Request	Proposed CDBG Allocation Amount
Milpitas Senior Center - Technology	The Technology for Seniors program will target seniors age 62+ who are needing continued support and education on technology such as Chromebooks, as a means to counter social isolation, and as a result, stay better "connected" to family, friends and Milpitas community-based activities, services and resources.	\$10,000.00	\$10,000.00
Pragnya	The Pragnya Enrichment program caters to children, youth and adults with developmental and intellectual disabilities (ID/DD).	\$50,000.00	\$10,006.00
YWCA – Domestic Violence Services	YWCA Golden Gate Silicon Valley is proud to provide residents of the City of Milpitas with essential domestic violence services.	\$26,000.00	\$23,500.00
Subtotal		\$86,000.00	\$43,506.00

**FY2020-21 Unused
Formula Fund
Reallocation**

Organization Name	Project Description	Applicant Request	Proposed CDBG Allocation Amount
Next Door Solutions to Domestic Violence	58 victims of domestic violence (including children) will receive comprehensive, survivor-defined services from one or more programs	\$28,120.00	\$25,250.00
YWCA - MUSD	YWCA GGSV's School-Based Prevention team will ensure that students in the Milpitas Unified School District (MUSD) receive primary intimate partner violence, sexual assault prevention education, and safe bystander intervention strategies.	\$44,000.00	\$0
Filipino American Chamber of Commerce Silicon Valley	Extend the marketing project they are currently doing for small businesses by helping them pivot businesses from just brick and mortar to creating a more robust online presence.	\$20,000.00	\$16,199.55
Subtotal		\$92,120.00	\$41,449.55

**FY2022-23 Formula Fund Capital
Projects**

Organization Name	Project Description	Applicant Request	Proposed CDBG Allocation Amount
LifeMoves	Funding will be used to make improvements to the Julian Street Inn.	\$400,000.00	\$150,000.00
Rebuilding Together Silicon Valley	Rebuilding Together Silicon Valley's mission is repairing homes, revitalizing communities, rebuilding lives, and our vision is safe homes and communities for every person. We preserve affordable housing by providing critical home repairs and accessibility modifications for low-income residents, at no cost to the recipient.	\$280,462.75	\$249,566.15
Terrace Gardens Senior Housing	The existing wood trellis located in the community courtyard is an original fixture to our property built in 1989. Throughout the 33 years that Terrace Gardens has been in operation, the trellis has naturally had its fair share of 'wear and tear' and is in need of repair or replacement in order to remain structurally sound.	\$30,000.00	\$30,000.00
Subtotal		\$710,462.75	\$429,566.15

**FY2022-23 Formula
Fund Program
Administration**

Organization Name	Project Description	Applicant Request	Proposed CDBG Allocation Amount
Project Sentinel	Milpitas residents and those seeking to reside in Milpitas will have their civil rights protected with fair housing education, counseling, investigation, and enforcement actions.	\$56,290.00	\$56,290.00
Program Administration	Staff time in administering the program, including all public noticing, and publishing.		\$75,884.20
Subtotal		\$56,290.00	\$132,174.20

Total across all applications	\$1,583,167.75	\$745,826.55
--------------------------------------	-----------------------	---------------------

Fiscal Impact:

As the City received FY2022-23 formula allocation of \$660,871, the FY2022-23 operating budget reflects this amount.

California Environmental Quality Act:

The actions being considered have no potential for causing a significant effect on the environment and are exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3). Further, this action does not meet the definition of a project under CEQA Guideline 15378 as it is a government fiscal activity which does not commit to any project that would result in a potentially significant impact on the environment.

Recommendations:

1. Open the public hearing, hear testimony, then move to close the public hearing.
2. Adopt the FY2022-25 Consolidated Plan.
3. Adopt the FY2022-23 Annual Action Plan with recommended allocation amounts.
4. Approve the Substantial Amendment to the FY2019-20 Annual Action Plan.
5. Authorize the City Manager, or designee, to make any necessary changes to the approved FY2022-25 Consolidated Plan, FY2022-23 Annual Action Plan, and FY2019-20 Annual Action Plan as needed to comply with CDBG submission guidelines.
6. Authorize the City Manager, or designee, to execute CDBG agreements with the approved subrecipients, and amend the CDBG agreements as needed to comply with CDBG guidelines.

Attachments:

1. FY2022-25 Consolidated Plan
2. FY2022-23 Annual Action Plan
3. Substantial Amendment to the FY2019-20 Annual Action Plan

FY2022-25 Consolidated Plan

Executive Summary

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Milpitas is located in Santa Clara County and is the fifth largest city within the County with a population of 71,533. Milpitas encompasses an area of approximately 18 square miles and is the home to numerous high-tech companies located in the heart of Silicon Valley. As of 2022, Santa Clara County has one of the highest median incomes in the nation at \$151,300 for a family of four. However, many low- and moderate-income residents within the County and City of Milpitas cannot afford the high cost of living required within San Francisco Bay Area.

Every three to five years as required by Department of Housing and Urban Development (HUD), the City of Milpitas must prepare a Consolidated Plan outlining the strategies used to meet a variety of housing and non-housing community needs. The preparation of Milpitas three-Year Consolidated Plan provides the analysis and financial resources to address the housing and non-housing community services of those residents that require assistance in housing and a variety of public services to fit their specific needs.

The Consolidated Plan covers a three-year period, which included maximum citizen participation through public consultation meetings, request for statistical data, research and information to be incorporated into the plan. Notices were provided in the local Milpitas Post and City's Website. Presently, City of Milpitas only receives Community Development Block Grant (CDBG) funds from the Department of Housing and Urban Development. The Consolidated Plan links identified needs in the community to the federal and local resources available to address those needs.

The City of Milpitas' Building Safety and Housing department is the lead agency responsible for the preparation of the Consolidated Plan. The Consolidated Plan was prepared with the cooperation and consultation from numerous agencies, organizations, social service providers, housing providers, non-profit groups and members of the general public.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment Overview

The objectives and outcomes identified in this Consolidated Plan address the housing and community development needs in Milpitas. The objectives address these priority needs:

- **Need: Affordable Housing Development and Preservation**
 - Maintain and Preserve Existing Housing
 - New Affordable Housing
 - Affordable Housing Rental Rehabilitation
- **Need: Community Services**
 - Community funding/public services
 - Public services for special needs populations
 - Public services for low- and moderate-income residents at risk of eviction.
 - Fair Housing
 - Public services for Children and Youth
 - Public services for Seniors
 - Public service for Domestic Violence Support
- **Need: Community, Public, and Neighborhood Sustainability**
 - Public improvements including accessibility and improving public facilities.
- **Need: Economic Development**
 - Assist Microenterprises and Small Businesses
 - Explore the use of HUD Section 108 Loan Guarantee Program

3. Evaluation of past performance

The City is responsible for ensuring compliance with all rules and regulations associated with the CDBG entitlement grant program. The City's Annual Action Plans and Consolidated Annual Performance and Evaluation Reports (CAPER) have provided many details about the goals, projects and programs completed by the City over the past five years. A review of past consolidated annual performance and evaluation reports reveals a strong record of performance in the use of CDBG funds.

The City will meet or exceed the quantitative goals and objectives of its previous Consolidated Plan. The process implemented by the City has been effective with an annual evaluation of funding allocation and a bi-annual review of funding priorities. The City recognizes that the evaluation of past performance is important to ensure the City is implementing activities effectively.

4. Summary of citizen participation process and consultation process

The City initiated the citizen participation process in November 2021 by distributing a Consolidated Plan Community Survey to residents in Milpitas. In December, at the Community Advisory Commission (CAC) meeting, the City invited residents and potential CDBG stakeholders to attend and provide public comment on how they feel CDBG funds should be prioritized in the upcoming FY 22-25 Consolidated Plan.

Over 80 different agencies, organizations, social service providers, housing providers, non-profits groups, and members of the general public were contacted to participate in the public meetings to receive input and feedback on the preparation of the three-Year Consolidated Plan. The city held public meetings on December 1, 2021, and March 3, 2022, and public hearings on April 5 and June 14, 2022.

The City held a public meeting with the Community Advisory Commission (CAC) on March 2, 2022 to review applications and hear applicant presentations. The CAC made their recommendations for funding to the City Council. Nineteen (19) public comments were heard from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

On March 4, 2022, the City placed an advertisement in the Milpitas post for the April 5 and May 3, 2022 City Council meetings. The notice of public hearing is to review funding applications for the FY22-25 Consolidated Plan and FY22-23 CDBG funding year.

On April 1, 2022, the City posted the draft FY22-25 Consolidated Plan and draft FY22-23 Annual Action Plan on its website to provide opportunities for public comment. The documents were posted at this url: <http://www.ci.milpitas.ca.gov/milpitas/departments/federalprogram-community-development-block-grant-cdbg/>.

On April 5, 2022, the City Council conducted a Public Hearing to Discuss the FY2022-25 Consolidated Plan goals and funding allocations for FY2022-23 Community Development Block Grant and corresponding Annual Action Plan. Twelve (12) public comments were heard from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

5. Summary of public comments

At the December 1, 2021, Community Advisory Commission meeting, staff provided a brief presentation on the fiscal year 2022-2025 CDBG Consolidated Plan process, including an overview of the results of the Consolidated Plan Community Survey, and a timeline of events for the upcoming fiscal year. Seven consultants from various public and private agencies that provide housing, health services, and other social services provided comments to the Commission. One member of the community provided public comment to the Commission in support of the services discussed during the meeting.

On March 2, 2022, the CAC received a staff presentation on, as well an overview of, the 23 simplified applications received for CDBG funding. The Commission heard 19 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds.

On April 5, 2022, the City Council conducted a Public Hearing to Discuss the FY2022-25 Consolidated Plan goals and funding allocations for FY2022-23 Community Development Block Grant and corresponding Annual Action Plan. Twelve (12) public comments were heard from prospective

applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

Summary of comments or views not accepted and the reasons for not accepting them

All comments were accepted. Please see Exhibit C for comments.

7. Summary

It is the City's intent that the FY23-27 Consolidated Plan will help improve the quality of life for the residents in the City of Milpitas. By providing residents and stakeholders with the ability to communicate how the CDBG funds should be allocated and prioritized, we believe the CDBG funds will be allocated in the best interest of the City's low- and moderate-income residents.

The Process

PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	MILPITAS	Building Safety & Housing

Table 1 – Responsible Agencies

Narrative

The Building Safety and Housing Department serves as the lead agency in the preparation of the Consolidated Plan as well as the administration of the CDBG program. Per federal law, the preparation of the Consolidated Plan and Annual Action Plan is required by the Department of Housing and Urban Development (HUD). Both the Consolidate Plan and the first-year annual action plan must delineate the priorities and strategies for the use of federal funds.

Every three to five years, as required by HUD, the City of Milpitas must prepare a Consolidated Plan outlining the strategies used to meet a variety of housing and non-housing community needs. It has come to the City's attention that every other jurisdiction in the region is on the same Consolidated Plan timeline, except Milpitas. Therefore, Milpitas will be submitting a three-year Consolidated Plan in order to align our Consolidated Plan timeline with the rest of region. The preparation of Milpitas three-year Consolidated Plan provides the analysis and financial resources to address the housing and non-housing community services of those residents that require assistance in housing and a variety of public services to fit their specific needs.

Consolidated Plan Public Contact Information

Robert Musallam
Housing and Neighborhood Services Administrator
City of Milpitas
455 E. Calaveras Blvd.
Milpitas, CA 95035

PR-10 Consultation – 91.100, 91.110, 91.200(b), 91.300(b), 91.215(I) and 91.315(I)

1. Introduction

The City of Milpitas requested a number of consultations with a multitude of local non-profit organizations, various jurisdictions, and other stakeholders in the development of the Consolidated Plan.

Milpitas conducted four (4) separate public meetings to obtain public input and comments on the preparation of the Consolidated Plan. meetings were conducted in different areas of the City in different times of the day. The City of Milpitas has reached out to the Santa Clara County Housing Authority and the Office of Supportive Housing, as well as surrounding jurisdictions for their input to the City's CDBG program. Milpitas also consulted with a wide variety of social service agencies that provide housing and support services to special needs groups in an effort to update data and information for the needs section of the Consolidated Plan. Finally, Milpitas along with the County of Santa Clara and other local jurisdictions held weekly meetings during the past three years to work together on sections of the Consolidated Plan which deal with regional issues such as fair housing and homelessness.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I)).

As mentioned, the City participates in a weekly meeting with all local jurisdictions to discuss general housing, homelessness, and CDBG related issues. These issues are core to the consultation required by the Consolidated Plan.

City staff continues to maintain dialogue with all service providers, public and private, to ascertain if there are any areas in which the City can partner with the organization to enhance services or if the City can connect service providers for better coordination of service deliveries.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The Santa Clara County Continuum of Care (CoC) is a multi-sector group of stakeholders guiding the implementation of the County's housing and service system to meet the need and prevent homelessness in the county with the ultimate goal to end homelessness.

The Continuum of Care strategy includes permanent housing, emergency shelter with outreach and assessment services, transitional housing with support services, and prevention services. These services exist in Santa Clara County, but not in sufficient numbers to address the need. The County of Santa Clara, in collaboration with the entitlement jurisdictions, believe that strengthening the Continuum of Care on a regional basis will effectively address the needs of homeless people in individual cities and avoiding duplication of services, and increase the cost effectiveness.

In October 2020, the City of Milpitas participated in the preparation of the Community Plan to End Homelessness in Santa Clara County. The Plan identifies strategies to address the needs of homeless persons in the county, including chronically homeless individuals and families, families with children, veterans, and unaccompanied youth. Additionally, it also intended to address the needs of person at risk of homelessness.

In December 2020, the City Council directed staff to proceed with a pilot program to provide weekly hot shower and laundry services to the unhoused residents of Milpitas. The City will be using a nonprofit service provider, WeHOPE, to operate the Dignity on Wheels program, which includes mobile shower, mobile laundry, and connecting unhoused residents with resources.

In November 2020, the City Council authorized a revenue agreement with the County of Santa Clara in the amount of \$200,000 per year for the County to provide street outreach, assessment, and case management services for unhoused residents in Milpitas via their Homeless Engagement and Assessment Team (HEAT). The HEAT team focuses first on connecting clients with mental health service providers to stabilize them before assisting with a housing plan

In December 2020, the City Council directed staff to proceed with a pilot program to provide weekly hot shower and laundry services to the unhoused residents of Milpitas. The City will be using a nonprofit service provider, WeHOPE, to operate the Dignity on Wheels program, which includes mobile shower, mobile laundry, and connecting unhoused residents with resources.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

The City of Milpitas does not receive Emergency Shelter Grant (ESG) funding however the City participates with the CoC to address homeless issues.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

Agency/Group/Organization	Rebuilding Together Silicon Valley
Agency/Group/Organization Type	Services-Persons with disabilities Services-Elderly Persons
What section of the Plan was addressed by Consultation	Housing needs Assessment Non-Homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum where staff solicited input for community needs and priorities.
Agency/Group/Organization	Project Sentinel
Agency/Group/Organization Type	Services-Fair Housing
What section of the Plan was addressed by Consultation	Non-Homeless Special Needs Homeless Needs-Families with Children
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Forum where staff solicited input for community needs and priorities. Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	Housing Authority of County of Santa Clara
Agency/Group/Organization Type	Housing PHA
What section of the Plan was addressed by Consultation	Housing Needs Assessment Public Housing Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Staff consulted with a representative of the Housing Authority to discuss Housing Authority challenges, trends in housing concerns from the Housing Authority's perspective and determine potential areas where the City can partner with the Housing Authority.
Agency/Group/Organization	Catholic Charities
Agency/Group/Organization Type	Services-Elderly persons Services-Housing
What section of the Plan was addressed by Consultation	Non-Homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	Child Advocates of Silicon Valley
Agency/Group/Organization Type	Services-Victims Services-Health Services- Children
What section of the Plan was addressed by Consultation	Non-Homeless Special needs

How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	City of Milpitas Recreation and Community Services
Agency/Group/Organization Type	Services-children Services-Elderly Persons Services-Narrowing the Digital Divide
What section of the Plan was addressed by Consultation	Non-Homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	LifeMoves
Agency/Group/Organization Type	Services-Homeless
What section of the Plan was addressed by Consultation	Homeless Needs-Chronically homeless Homeless Needs-Families with Children Homelessness-Veterans Homelessness-Unaccompanied Youth Homelessness Strategy
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	Pragnya
Agency/Group/Organization Type	Services-Children Services-Elderly Person Services-Persons with Disabilities
What section of the Plan was addressed by Consultation	Non-Homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	Milpitas Unified School District
Agency/Group/Organization Type	Services-Children
What section of the Plan was addressed by Consultation	Non-Homeless Special Needs

How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	Next Door Solutions to Domestic Violence
Agency/Group/Organization Type	Service-Victims of Domestic Violence
What section of the Plan was addressed by Consultation	Non-Homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	Senior Adults Legal Assistance (SALA)
Agency/Group/Organization Type	Service-Elderly Person
What section of the Plan was addressed by Consultation	Non-Homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	Silicon Valley Independent Living Center
Agency/Group/Organization Type	Service-Elderly Person Service-Persons with disabilities
What section of the Plan was addressed by Consultation	Non-homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	The Health Trust
Agency/Group/Organization Type	Service-Elderly Persons Service-Persons with Disabilities
What section of the Plan was addressed by Consultation	Non-Homeless Special needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	YWCA Silicon Valley

Agency/Group/Organization Type	Housing Services-Children Services-Victims of Domestic Violence Services-Health
What section of the Plan was addressed by Consultation	Homeless Needs – Families with Children Non-Homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	Terrace Gardens
Agency/Group/Organization Type	Housing Services-Elderly Persons
What section of the Plan was addressed by Consultation	Housing Needs Assessment Non-homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.

Identify any Agency Types not consulted and provide rationale for not consulting

Not applicable. See PR-10 Table 2

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Regional Continuum of Care Council	The CoC works to alleviate the impact of homelessness in the community through the cooperation and collaboration of social service providers. This effort aligns with the Strategic Plan's goal to support activities to end homelessness.
City of Milpitas Housing Element	City of Milpitas	Housing Element serves as a policy guide to help the City meet its existing and future housing needs. This effort aligns with the Strategic Plan's goal to assist in the creation and preservation of affordable housing.

Table 3 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

Narrative (optional):

Santa Clara County Association of Planning Officials (SCAPPO) is a regional meeting for local planning officials to attend, cooperate, and coordinate with one another on regional issues. Items related to the consolidated plan are commonly discussed.

PR-15 Citizen Participation – 91.105, 91.115, 91.200(c) and 91.300(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal setting

The City initiated the citizen participation process in November 2021 by distributing a Consolidated Plan Community Survey to residents in Milpitas. In December, at the Community Advisory Commission (CAC) meeting, the City invited residents and potential CDBG stakeholders to attend and provide public comment on how they feel CDBG funds should be prioritized in the upcoming FY 23-27 Consolidated Plan.

Over 80 different agencies, organizations, social service providers, housing providers, non-profits groups, and members of the general public were contacted to participate in the public meetings to receive input and feedback on the preparation of the three-Year Consolidated Plan. The City held public meetings on December 1, 2021 and March 3, 2022 and public hearings on April 5 and May 3, 2022.

The CAC is a publicly noticed meeting that the community can attend. Seven organizations and one resident attended and provided input.

A schedule of meetings for the development, input review and recommendations that created the Consolidated Plan are as follows:

Date	Organization	Action
December 1, 2021	Community Advisory Commission	Public Meeting/Presentation
March 3, 2022	Community Advisory Commission	Public Meeting/Presentation
April 5, 2022	Milpitas City Council	Public Hearing/Presentation
May 3, 2022	Milpitas City Council	Public Hearing/Presentation

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	News-paper ad	Non-targeted/broad community	Opening the application period	No comments were received	n/a	
2	Internet/Social Media Outreach	Broad community	32 responses	The City created a Consolidated Plan community survey to obtain citizen and stakeholder input and comments for the development of the Consolidated Plan. A total of 32 responses were received.	n/a	https://www.ci.milpitas.ca.gov/wp-content/uploads/2021/12/2022-2025-community-development-block-grant_results.pdf
3	Public Meeting (CAC)	Non-targeted/broad community	20 Attendees	Seven consultants from various public and private agencies that provide housing, health services, and other social services provided comments to the Commission. One member of the community provided public comment to the Commission in support of the services discussed during the meeting.	n/a	https://www.milpitas.gov/_pdfs/Commissions/cac/2021/120121/minutes.pdf
4	Public Meeting (CAC)	Non-targeted/broad community	10 Attendees	No comments were received	n/a	https://www.milpitas.gov/_pdfs/Commissions/cac/2022/020222/minutes.pdf
5	Public Meeting (CAC)	Non-targeted/broad community	30 Attendees	The Commission heard 19 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds. One public comment requested consideration for disabled individuals when considering upgrades to the City's parks.	n/a	https://www.milpitas.gov/_pdfs/Commissions/cac/2022/030222/minutes.pdf

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
6	News-paper ad/website	Non-targeted/broad community	Public Hearing Notice for City Council Meetings	No comments were received	n/a	https://www.milpitas.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/
7	City Council Meeting Public Hearing	Non-targeted/broad community	50 attendees	The Commission heard 12 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds.	n/a	https://www.milpitas.gov/_pdfs/council/2022/040522/Minutes.pdf
8	Website	Non-targeted/Broad community	Draft AAP	n/a	n/a	https://www.milpitas.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/
9	City Council Meeting Public Hearing	Non-targeted/broad community	n/a	n/a	n/a	

Table 4 – Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

Located at the southern end of the San Francisco Bay, the City of Milpitas has become an integral part of high-tech Silicon Valley since becoming incorporated in 1954. Per available 2020 census data, Milpitas has an estimated population of 80,273¹. The City is a strong employment center with a diverse population, quality schools, conveniently located neighborhood parks, and a variety of retail options. Milpitas is often called the “Crossroads of Silicon Valley” with most of its 13.6 square miles of land situated between two major freeways (I-880 and I-680), state route 237, and a county expressway. The City is served by Valley Transportation Authority (VTA) light rail and a BART extension that opened in 2020.

With the resurgence of the Silicon Valley economy, real estate has experienced dramatic price increase, with Milpitas being no exception. Milpitas has experienced a massive surge in residential building activity in recent years, with a considerable increase in residential permit applications, development entitlements, and new construction. In large part, these changes have been brought on by the adoption of two Specific Plans for areas adjacent to an existing VTA station and the City’s BART station. The increased development potential that was made possible by these Specific Plans has prompted the conversion of areas once dominated by vacant and underutilized land and aging and obsolete industrial space into high-density transit-oriented development to meet the heightened demand for housing.

Methodology

The majority of data utilized is provided by HUD for the purpose of preparing the Consolidated Plan. HUD periodically receives custom tabulations of data from the U.S. Census Bureau that are largely not available through standard Census products. Known as the Comprehensive Housing Affordability Strategy (CHAS) data, it demonstrates the extent of housing problems and housing needs, particularly for low income households. The CHAS data is used by local governments to plan how to spend HUD funds, and may also be used by HUD to distribute grant funds.

When CHAS data is not available or appropriate, other data is utilized, including 2010 and 2020 U.S. Census data and American Community Survey (ACS) 2013-2017 five-year estimates. While

¹ <https://www.census.gov/quickfacts/fact/table/milpitascitycalifornia/POP010210#POP010210>

ACS one-year estimates provide the most current data, this report utilizes five-year estimates as they reflect a larger sample size and are considered more reliable and precise.

Federal funds provided under the Community Development Block Grant (CDBG) entitlement program are primarily concerned with activities that benefit low-and moderate-income (LMI) households whose incomes do not exceed 80 percent of the area median family income (AMI), as established by HUD, with adjustments for smaller or larger families. HUD utilizes three income levels to define LMI households:

- Extremely low income: Households earning 30 percent or less than the AMI (subject to specified adjustments for areas with unusually high or low incomes)
- Very low income: Households earning 50 percent or less than the AMI (subject to specified adjustments for areas with unusually high or low incomes)
- Low and moderate income: Households earning 80 percent or less than the AMI (subject to adjustments for areas with unusually high or low incomes or housing costs)

NA-10 Housing Needs Assessment

Of the total 21,919 households in Milpitas, approximately 35 percent of City's households are LMI, with incomes ranging from 0-80% AMI:

- Thirteen percent of households (2,940) have incomes between 0-30% AMI
- Ten percent of households (2,175) have incomes between 30-50% AMI
- Twelve percent of households (2,550) have incomes between 50-80% AMI

NA-15 Disproportionately Greater Need: Housing Problems

NA-20 Disproportionately Greater Need: Severe Housing Problems

NA-25 Disproportionately Greater Need: Housing Cost Burden

NA-35 Public Housing

NA-40 Homeless Needs Assessment

NA-45 Non-Homeless Special Needs Assessment

NA-50 Non-Housing Community Development Needs

NA-10 Housing Needs Assessment - 24 CFR 91.205 (a,b,c)

Summary of Housing Needs

Demographics	Base Year: 2009	Most Recent Year: 2017	% Change
Population	65,371	75,500	15%
Households	18,379	21,920	19%
Median Income	\$92,205.00	\$110,752.00	20%

Table 5 - Housing Needs Assessment Demographics

Data Source: 2000 Census (Base Year), 2013-2017 ACS (Most Recent Year)

Number of Households Table

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households	2,940	2,175	2,550	2,314	11,940
Small Family Households	960	1,075	1,395	1,319	7,785
Large Family Households	250	290	530	490	1,525
Household contains at least one person 62-74 years of age	684	635	570	555	2,050
Household contains at least one person age 75 or older	700	360	430	260	535
Households with one or more children 6 years old or younger	385	365	524	434	2,174

Table 6 - Total Households Table

Data Source: 2013-2017 CHAS

Housing Needs Summary Tables

1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30- 50% AMI	>50- 80% AMI	>80- 100% AMI	Total	0-30% AMI	>30- 50% AMI	>50- 80% AMI	>80- 100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	20	10	15	10	55	10	10	0	0	20
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	30	35	100	30	195	0	20	10	10	40
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	265	170	295	180	910	20	50	90	210	370
Housing cost burden greater than 50% of income (and none of the above problems)	825	400	45	0	1,270	720	295	215	65	1,295

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Housing cost burden greater than 30% of income (and none of the above problems)	120	320	570	265	1,275	180	245	360	470	1,255
Zero/negative Income (and none of the above problems)	210	0	0	0	210	94	0	0	0	94

Table 7 – Housing Problems Table

Data 2013-2017 CHAS
Source:

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	1,135	615	450	220	2,420	750	375	315	285	1,725
Having none of four housing problems	265	460	875	650	2,250	475	730	910	1,159	3,274
Household has negative income, but none of the other housing problems	210	0	0	0	210	94	0	0	0	94

Table 8 – Housing Problems 2

Data 2013-2017 CHAS
Source:

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	470	600	490	1,560	275	265	270	810
Large Related	175	195	155	525	70	65	115	250
Elderly	390	59	25	474	410	215	150	775
Other	160	75	145	380	165	35	95	295
Total need by income	1,195	929	815	2,939	920	580	630	2,130

Table 9 – Cost Burden > 30%

Data 2013-2017 CHAS
Source:

4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	420	305	40	765	245	125	60	430
Large Related	120	85	10	215	60	15	10	85
Elderly	300	30	0	330	280	150	115	545
Other	150	35	10	195	150	15	45	210
Total need by income	990	455	60	1,505	735	305	230	1,270

Table 10 – Cost Burden > 50%

Data 2013-2017 CHAS
Source:

5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Single family households	219	125	320	170	834	20	50	45	115	230

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Multiple, unrelated family households	25	80	75	25	205	0	20	55	105	180
Other, non-family households	50	0	10	15	75	0	0	0	0	0
Total need by income	294	205	405	210	1,114	20	70	100	220	410

Table 11 – Crowding Information – 1/2

Data 2013-2017 CHAS
Source:

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present								

Table 12 – Crowding Information – 2/2

Describe the number and type of single person households in need of housing assistance.

Elderly and/or disabled populations tend to experience greater hardships with regard to housing. Per the provided data, 1,889 households between 0-80% AMI contain at least one person years 62-74 years of age. This represents 8.6% of the total households in Milpitas. Of the 8.6%, 36.2% (684 households) have incomes between 0-30% AMI, 33.6% (635 households) have incomes between 30-50% AMI, and 30.1% (570 households) have incomes between 50-80% AMI.

Elderly populations are often on fixed incomes, such as social security, that are (a) generally provide an insufficient amount of income to adequately cover both housing and general life expenses and (b) do not increase proportionately to the rise in the cost of living to keep up with inflation. This creates a desperate need for affordable housing. The lack of affordable housing in general, but specifically for seniors, will continue to be the greatest barrier to assisting this population.

The disabled population draws parallels to the senior community. While employment opportunities may be available to some, in some cases, there may no ability to secure employment. As such, this community is reliant on social security and/or disability in order to

cover their living expenses. And similar to senior community, the income provided is not sufficient to adequately cover their expenses. The lack of available housing resources for the disabled community also represents one of the greatest challenges for this population.

The data above does not distinguish between whether the household is a renter or owner. Additional considerations should be made for elderly/disabled homeowners. As the cost of goods and services increase, these individuals may be homeowners whose properties have appreciated significantly, but they lack the resources to secure loan products that would grant them access to their equity. These individuals are considered house rich and cash poor. These homes, without proper maintenance and repair, often fall into disrepair and sometimes into uninhabitable situations. More resources should be available to these homeowners to ensure they age gracefully in a safe and habitable living environment.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.

The data does not provide a true number and types of families in need of housing assistance for those who are disabled or victims of domestic violence. From FY18-22, the period of time covering the last consolidated plan, the City Council has allocated \$199,666 towards activities that directly benefit the victims of domestic violence. With these resources, various non-profit organizations such as YWCA Silicon Valley and Next Door Solutions to Domestic Violence have assisted over 1000 residents in Milpitas. Many of these individuals do not have access to the safe, affordable housing that is needed to more permanently remove themselves from domestic violence situations.

What are the most common housing problems?

Housing cost burden greater than 50% of income represents the greatest of housing problems. Of the eligible households, 825 renter occupied households who have incomes between 0-30% AMI experience a housing cost burden greater than 50% of their current income. A further 400 households who have incomes between 30-50% AMI also experience a housing cost burden greater than 50% of their current income. These number will only grow as affordability wanes.

Are any populations/household types more affected than others by these problems?

Low- to moderate-income renter households are more likely to experience at least one housing problem. Of the renters surveyed who had at least one housing problem, ninety-one percent (2,200) of them were LMI. LMI renter households are also severely cost burdened while extremely low and low income owner households are severely cost burdened.

LMI renter households are also more likely to be overcrowded. Households receiving incomes between 0-30% AMI are more heavily affected.

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

The main characteristics are these families tend to be on the lower end of the income spectrum and are living in overcrowded households. In order to afford the high rent Milpitas commands, families must either live in a smaller (more affordable) unit or share space in a larger unit with another family.

As of this writing, we are approaching the end of year 2 of the COVID-19 pandemic. The City Council has allocated over \$800,000 in rent relief funds to assist families that are at imminent risk of eviction. The state of California has allocated over \$2B in rental assistance to prevent a mass wave of evictions. The economy continues to recover and these individuals, who predominantly work service level jobs, are now starting to go back to work. However, the costs of goods and services has increased tremendously with inflation reaching its highest year over year mark in decades (projected to be 7.5% in 2022)². Wages has not kept pace with inflation and as a result, these household's live paycheck to paycheck often teetering on the line between housed and unhoused.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

We don't have an estimate. To date our rent relief program has provided assistance to over 120 households and 300 Milpitas residents. Our best attempt to collect this data relies on the data collected when a household applies for rental assistance through our program. For an operational definition of at risk, we believe that any household that is unable to pay or is struggling to afford their monthly rental obligation in our jurisdiction, they are considered an at-risk population.

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

² <https://tradingeconomics.com/united-states/inflation-cpi#:~:text=US%20Inflation%20Rate%20Accelerates%20to,coupled%20with%20strong%20demand%20weigh.>

Severe cost burden is the greatest link between instability and an increased risk of homelessness. More affordable housing or better public/private options are needed to ensure at risk individuals do not experience homelessness.

Discussion

See above.

NA-15 Disproportionately Greater Need: Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Per HUD definition, disproportionate housing needs is defined as “significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups or the total population experiencing that category of housing need in the applicable geographic area” (24 CFR § 5.152).

Specifically, a disproportionately greater need exists when the members of a racial/ethnic group at a given income level experience housing problems at a greater rate (10 percentage points or more) than the jurisdiction as a whole at that income level.

0%-30% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	2,195	440	304
White	410	135	40
Black / African American	94	0	15
Asian	1,095	250	179
American Indian, Alaska Native	0	0	0
Pacific Islander	25	0	0
Hispanic	540	40	60

Table 13 - Disproportionally Greater Need 0 - 30% AMI

Data 2013-2017 CHAS
Source:

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

30%-50% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,555	625	0
White	224	180	0

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Black / African American	90	25	0
Asian	939	290	0
American Indian, Alaska Native	0	10	0
Pacific Islander	0	0	0
Hispanic	260	120	0

Table 14 - Disproportionally Greater Need 30 - 50% AMI

Data 2013-2017 CHAS
Source:

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

50%-80% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,695	855	0
White	115	180	0
Black / African American	10	34	0
Asian	1,195	425	0
American Indian, Alaska Native	0	0	0
Pacific Islander	40	0	0
Hispanic	310	190	0

Table 15 - Disproportionally Greater Need 50 - 80% AMI

Data 2013-2017 CHAS
Source:

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

80%-100% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,240	1,074	0
White	145	84	0
Black / African American	25	50	0
Asian	900	684	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	100	215	0

Table 16 - Disproportionally Greater Need 80 - 100% AMI

Data 2013-2017 CHAS
Source:

*The four housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than one person per room, 4. Cost Burden greater than 30%

Discussion

Seventy-five percent of households with 0%-30% AMI experience at least one housing problem.

- 86% of Black households with 0%-30% AMI experience at least one housing problem.
- 70% of White households with 0%-30% AMI experience at least one housing problem.
- 72% of Asian households with 0%-30% AMI experience at least one housing problem.
- 84% of Hispanic households with 0%-30% AMI experience at least one housing problem.

Seventy-one percent of households with 30%-50% AMI experience at least one housing problem.

- 93% of Black households with 30%-50% AMI experience at least one housing problem.
- 55% of White households with 30%-50% AMI experience at least one housing problem.
- 76% of Asian households with 30%-50% AMI experience at least one housing problem.
- 68% of Hispanic households with 30%-50% AMI experience at least one housing problem.

Sixty-six percent of households with 50%-80% AMI experience at least one housing problem.

- 23% of Black households with 50%-80% AMI experience at least one housing problem.
- 39% of White households with 50%-80% AMI experience at least one housing problem.
- 74% of Asian households with 50%-80% AMI experience at least one housing problem.
- 62% of Hispanic households with 50%-80% AMI experience at least one housing problem.

Fifty-four percent of households with 80%-100% AMI experience at least one housing problem.

- 33% of Black households with 80%-100% AMI experience at least one housing problem.
- 63% of White households with 80%-100% AMI experience at least one housing problem.
- 57% of Asian households with 80%-100% AMI experience at least one housing problem.
- 32% of Hispanic households with 80%-100% AMI experience at least one housing problem.

The groups disproportionately affected by housing problems include:

- Black households in 0-30% AMI and 30-50% AMI; and
- White households in 80-100% AMI; and
- Asian households in 50%-80% AMI; and

In summary, lower income Black and Asian households are disproportionately affected by housing problems within the city. White moderate households are affected by housing problems.

NA-20 Disproportionately Greater Need: Severe Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Per HUD definition, disproportionate housing needs is defined as “significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups or the total population experiencing that category of housing need in the applicable geographic area” (24 CFR § 5.152).

A household is considered severely overcrowded when there are more than 1.5 persons per room and severely cost burdened when paying more than 50 percent of household income toward housing costs. For renters, housing costs include rent paid by the tenant plus utilities. For owners, housing costs include mortgage payment, taxes, insurance, and utilities.

0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,885	740	304
White	330	215	40
Black / African American	94	0	15
Asian	910	435	179
American Indian, Alaska Native	0	0	0
Pacific Islander	25	0	0
Hispanic	505	75	60

Table 17 – Severe Housing Problems 0 - 30% AMI

Data 2013-2017 CHAS
Source:

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

30%-50% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	990	1,190	0
White	149	255	0
Black / African American	25	90	0
Asian	624	605	0
American Indian, Alaska Native	0	10	0
Pacific Islander	0	0	0
Hispanic	155	220	0

Table 18 – Severe Housing Problems 30 - 50% AMI

Data 2013-2017 CHAS

Source:

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

50%-80% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	765	1,785	0
White	70	225	0
Black / African American	10	34	0
Asian	540	1,075	0
American Indian, Alaska Native	0	0	0
Pacific Islander	40	0	0
Hispanic	80	420	0

Table 19 – Severe Housing Problems 50 - 80% AMI

Data 2013-2017 CHAS

Source:

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

80%-100% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	505	1,809	0
White	10	225	0
Black / African American	10	65	0
Asian	395	1,189	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	80	235	0

Table 20 – Severe Housing Problems 80 - 100% AMI

Data 2013-2017 CHAS
Source:

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

Discussion

Sixty-four percent of households with 0%-30% AMI experience at least one severe housing problem.

- 86% of Black households with 0%-30% AMI experience at least one severe housing problem.
- 56% of White households with 0%-30% AMI experience at least one severe housing problem.
- 60% of Asian households with 0%-30% AMI experience at least one severe housing problem.
- 79% of Hispanic households with 0%-30% AMI experience at least one severe housing problem.
- 100% of Pacific Islander households with 0%-30% AMI experience at least one severe housing problem.

Forty-five percent of households with 30%-50% AMI experience at least one severe housing problem.

- 22% of Black households with 30%-50% AMI experience at least one severe housing problem.
- 37% of White households with 30%-50% AMI experience at least one severe housing problem.
- 51% of Asian households with 30%-50% AMI experience at one severe housing problem.

- 41% of Hispanic households with 30%-50% AMI experience at least one severe housing problem.

Thirty percent of households with 50%-80% AMI experience at least one severe housing problem.

- 23% of Black households with 50%-80% AMI experience at least one severe housing problem.
- 24% of White households with 50%-80% AMI experience at least one severe housing problem.
- 33% of Asian households with 50%-80% AMI experience at least one severe housing problem.
- 16% of Hispanic households with 50%-80% AMI experience at least one severe housing problem.
- 100% of Pacific Islander households with 0%-30% AMI experience at least one severe housing problem.

Twenty-two percent of households with 80%-100% AMI experience at least one severe housing problem

- 13% of Black households with 80%-100% AMI experience at one severe housing problem.
- 4% of White households with 80%-100% AMI experience at least one severe housing problem.
- 25% of Asian households with 80%-100% AMI experience at least one severe housing problem.
- 25% of Hispanic households with 80%-100% AMI experience at least one severe housing problem.

The groups disproportionately affected by severe housing problems include:

- Black households between 0-30% AMI; and
- Hispanic households between 0-30% AMI; and
- Pacific Islander households with 0-30% AMI and 50-80% AMI

In summary, extremely low-income households are disproportionately affected by severe housing problems.

NA-25 Disproportionately Greater Need: Housing Cost Burdens – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction:

Per HUD definition, disproportionate housing needs is defined as “significant disparities in the proportion of members of a protected class experiencing a category of housing need when compared to the proportion of members of any other relevant groups or the total population experiencing that category of housing need in the applicable geographic area” (24 CFR § 5.152).

A household is considered cost burdened if they pay more than 30 percent of their household income toward housing costs.

Housing Cost Burden

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	14,474	4,170	2,925	359
White	2,374	555	564	40
Black / African American	330	110	140	15
Asian	10,115	2,769	1,524	229
American Indian, Alaska Native	40	0	0	0
Pacific Islander	75	69	0	0
Hispanic	1,285	545	610	60

Table 21 – Greater Need: Housing Cost Burdens AMI

Data Source: 2013-2017 CHAS

Discussion:

As a whole, 32 percent of households are cost burdened and, of that percentage, 13 percent are severely cost burdened. Approximately 32% of White, 42% of Black, 29% of Asian, 48% of Pacific Islander, and 46 percent of Hispanic households are cost burdened. Of these percentages, both Black and Hispanic households contain more severe housing burdened households than not. Based on the data, we can conclude that Black, Pacific Islander, and Hispanic households are disproportionately severely cost burdened.

NA-30 Disproportionately Greater Need: Discussion – 91.205(b)(2)

Are there any income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

Among the lowest income categories, we see disparities in Black households experiencing a greater percentage of housing problems compared to other race/ethnicities. From the sections NA-15 and NA-20 above, we see only one commonality amongst the racial and ethnic groups.

The groups disproportionately affected by housing problems include:

- Black households in 0-30% AMI and 30-50% AMI; and
- White households in 80-100% AMI; and
- Asian households in 50%-80% AMI; and

The groups disproportionately affected by severe housing problems include:

- Black households between 0-30% AMI; and
- Hispanic households between 0-30% AMI; and
- Pacific Islander households with 0-30% AMI and 50-80% AMI

Lower income Black households are disproportionately affected by severe housing problems. This data is also striking because of the relative lack of Black households in Milpitas. Per the latest census data, a mere 2% of the population in Milpitas identifies as Black.

If they have needs not identified above, what are those needs?

Any discussion on the experience of Black households experiencing a disproportionately greater housing need would be incomplete without at least an acknowledgement of systemic racism and housing discrimination. This is a topic that will not be covered in great detail here, but it bares noting that Black households have historically experienced the housing market very poorly. Discriminatory practices such as segregation and redlining have created generational inequities that cannot be undone easily.

The needs for this community are expressed in a more equitable way to navigate the housing market. Providing affordable housing, providing access to housing opportunities that can create wealth, such as homeownership. But most importantly, establishing that fair housing is truly fair to all and not just those who have the resources.

Generally speaking, more housing assistance resources are needed. Whether that comes as an increase in Section 8 funding or an increase in rental assistance funding to help tenants secure units and/or pay for some of the costs to move in. These resources are needed to help cure the imbalance felt by lower income tenants who spend 50% or more of their income on rent.

Further resources are needed to help manage the Landlord-Tenant power imbalance. Oftentimes, tenants will be threatened with eviction if they communicate any issues with their unit. Resources to create a safe space for these conversations to take place will go a long way to promoting equity and decreasing the housing cost burden on tenants.

Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

No

NA-35 Public Housing – 91.205(b)

Introduction

Totals in Use

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers in use	0	48	20	10,212	692	9,267	212	0	36

Table 22 - Public Housing by Program Type

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Data Source: PIC (PIH Information Center)

Characteristics of Residents

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	
Average Annual Income	0	20,067	16,342	15,882	13,333	16,112	14,199		0
Average length of stay	0	7	5	8	1	9	0		0
Average Household size	0	2	2	2	1	2	1		0
# Homeless at admission	0	0	1	15	4	4	0		0

	Program Type							
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher	
				Total	Project-based	Tenant-based	Veterans Affairs Supportive Housing	Family Unification Program
# of Elderly Program Participants (>62)	0	10	4	3,859	502	3,315	24	0
# of Disabled Families	0	10	6	1,784	69	1,610	85	0
# of Families requesting accessibility features	0	48	20	10,212	692	9,267	212	0
# of HIV/AIDS program participants	0	0	0	0	0	0	0	0
# of DV victims	0	0	0	0	0	0	0	0

Table 23 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Race of Residents

Race	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project-based	Tenant-based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
White	0	33	11	4,885	332	4,420	117	0	14
Black/African American	0	3	3	1,358	46	1,223	80	0	7
Asian	0	11	5	3,698	303	3,375	5	0	14
American Indian/Alaska Native	0	1	1	145	7	134	3	0	1

Program Type									
Race	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Pacific Islander	0	0	0	95	4	84	7	0	0
Other	0	0	0	31	0	31	0	0	0
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

Table 24 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

Program Type									
Ethnicity	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Hispanic	0	20	8	3,217	133	3,038	38	0	7
Not Hispanic	0	28	12	6,964	559	6,198	174	0	29
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

Table 25 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:

This data is not available for Milpitas.

Most immediate needs of residents of Public Housing and Housing Choice voucher holders

Finding landlords that will accept a voucher.

How do these needs compare to the housing needs of the population at large

This data is not available for Milpitas.

Discussion

See above

NA-40 Homeless Needs Assessment – 91.205(c)

Introduction:

The tables below provide demographic data on homelessness in Milpitas.

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

In December 2021, the City Council authorized staff to enter into a revenue agreement with the County of Santa Clara Office of Supportive Housing to employ the Homeless Engagement and Assessment Team (HEAT) throughout Milpitas. A review of the data from HEAT shows that of the 100+ requests sent to HEAT, 99% were for chronically homeless single adults. Twenty-six percent of those individuals were residing in a vehicle while the others were predominantly living outdoors.

For families with children, the City has been actively using rent relief funding for temporary motel stays. The City has assisted in over 15 such cases since 2019.

Nature and Extent of Homelessness: (Optional)

Data Source: County of Santa Clara Continuum of Care							
Jurisdiction	Unsheltered		Sheltered		Total		2017-2019 % Change
	2017	2019	2017	2019	2017	2019	
Total Incorporated	5,259	7,652	1,775	1,594	7,034	9,246	31%
City of Campbell	94	74	0	0	94	74	-21%
City of Cupertino	127	159	0	0	127	159	25%
City of Gilroy	295	345	427	359	722	704	-2%
City of Los Altos	6	76	0	0	6	76	*
City of Los Altos Hills	0	2	0	0	0	2	*
Town of Los Gatos	52	16	0	0	52	16	*
City of Milpitas	66	125	0	0	66	125	89%
City of Monte Sereno	0	0	0	0	0	0	*
City of Morgan Hill	388	114	0	0	388	114	-71%
City of Mountain View	411	574	5	32	416	606	46%
City of Palo Alto	256	299	20	14	276	313	13%
City of San Jose	3,231	5,117	1,119	980	4,350	6,097	41%
City of Santa Clara	199	264	73	62	272	326	20%
City of Saratoga	12	10	0	0	12	10	*
City of Sunnyvale	122	477	131	147	253	624	147%
Total Unincorporated	189	270	113	89	302	359	19%
Confidential Locations	NA	NA	58	101	58	101	74%
Total	5,448	7,922	1,946	1,784	7,394	9,706	31%

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

The City of Milpitas' Rent Relief Program provides various forms of financial assistance to Milpitas residents and families that have emergency housing needs. The funds are used to pay for rent and/or deposit assistance, emergency hardship relief, eviction protection, domestic violence relocation, and section 8 good faith deposits. These funds assist at-risk Milpitas residents from experiencing homelessness. To date, the program has assisted over 120 families and over 300 Milpitas residents, many of them families with children. It's likely that without these funds, many of these families would now be experiencing homelessness.

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.

Data Source: County of Santa Clara Continuum of Care	
Race:	Percent of respondents
White	40%
Black or African American	18%
Asian	3%
Pacific Islander	1%
Multiple Races	29%
Ethnicity:	
Hispanic	41%
Not Hispanic	59%

These figures are provided by the 2019 Santa Clara County Homeless Census & Survey. They provide a regional view of the race and ethnicity data, as the City does not have local data to provide.

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

Data Source: County of Santa Clara Continuum of Care	
Current Living Arrangement	Percent of respondents
Outdoors	34%
Emergency/Transitional Shelter	22%

Vehicle	18%
Structure not meant for permanent habitation	14%
Motel/Hotel	9%
Other	3%

These figures are provided by the 2019 Santa Clara County Homeless Census & Survey. They provide a regional view of the unsheltered and sheltered data, as the City does not have local data to provide.

As noted above, the City's HEAT program has assessed over 100 homeless individuals in Milpitas. Of those assessed, approximately 26% were living in a vehicle with most of the remaining individuals living outdoors.

Discussion:

See above

NA-45 Non-Homeless Special Needs Assessment - 91.205 (b,d)

Introduction:

The following section describes the needs of the following non-homeless populations:

Elderly households (defined as 60 years or older)
 Persons with developmental, physical, and/or mental disabilities
 Large households
 Female-headed households
 Persons living with HIV/AIDS and their families

Describe the characteristics of special needs populations in your community:

Elderly households account for over 11% of the Milpitas population. Many seniors live on fixed incomes, making affordability an issue. Some elderly residents own homes but are unable to afford the maintenance on them due to rising costs. These residents are considered house rich and cash poor where most of their retirement income and/or asset value is tied into the home itself, with few options to safely extract the value.

Persons with developmental, physical, and/or mental disabilities require affordable housing as well as special accommodations in terms of accessibility to ensure maximal independence. These individuals may also live on fixed incomes or with family who provide for them. Over 6% of the population in Milpitas identifies as disabled.

Large households may live in overcrowded environments. As affordability wanes in the region, many low-income families are choosing to live together in order to make rents more affordable.

Female headed households disproportionately pay a higher ratio of gross income as expenses. Rent and childcare costs create challenges for female headed households. Additionally, these households are more likely to overcrowd to share space, rent, and childcare to blunt costs. Affordable housing, childcare subsidy, and/or other financial assistance could benefit female headed households.

Milpitas does not currently have data and/or programs geared toward persons living with HIV/AIDS and their families.

What are the housing and supportive service needs of these populations and how are these needs determined?

The Consolidated Plan Community Survey respondents noted that creation of affordable housing is a significant need for this population. As generally the highest expense incurred, quality of life could be improved by reducing housing costs. Further assistance in terms of childcare, food/nutrition subsidy, and job improvement training could benefit these groups as well.

Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:

n/a

Discussion:

See above

NA-50 Non-Housing Community Development Needs – 91.215 (f)

Describe the jurisdiction's need for Public Facilities:

The City of Milpitas Recreation and Community Services Department manages the City's public facilities. Of the facilities discussed in the Consolidated Plan Community Survey, the two most widely discussed as needing additional funding were: (1) the Barbara Lee Senior Center and (2) the City's Parks.

How were these needs determined?

Milpitas' needs were consulted through extensive community engagement. Seventy-one percent of respondents stated that improving city facilities that provide public services was a high priority. Additionally, the Recreation and Community Services department submitted their budget for the upcoming fiscal year, an approximate \$4M in funding for upgrading the City parks was included.

Fifty-six percent of respondents indicated that more funding should go to improving city facilities that provide social services, such as the Barbara Lee Senior Center and the Milpitas Library.

Describe the jurisdiction's need for Public Improvements:

Milpitas' needs were consulted through extensive community engagement. Water, street, stormwater, accessibility, sidewalks and trails were among the areas of need for the City.

How were these needs determined?

Milpitas' needs were consulted through extensive community engagement. Fifty-six percent of respondents to the Consolidated Plan Community Survey noted the need for trail improvements, 53% requested accessibility improvements for people with disabilities, 69% requested water/sewer improvements, and 47% requested improvements to the sidewalks.

Describe the jurisdiction's need for Public Services:

Currently, the City contracts all of its public services to local or regional non-profits. Milpitas has a need to assist its growing homeless population, elderly households, victims of domestic violence, children and youth, and residents at-risk of eviction.

How were these needs determined?

Milpitas' needs were consulted through extensive community engagement. Fifty-six percent of respondents to the Consolidated Plan Community Survey responded they'd like to see improvements to non-profit community services, 59% responded that homeless services are very important and should receive more consideration for funding.

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

MA-10 Number of Housing Units – 91.210(a)&(b)(2)

Introduction

Milpitas is predominantly a single-family based community with 75% of the housing stock being single-family attached and detached homes. The remaining housing stock are multi-family units with 14 of the remaining 25% of those units being a property type of 20 or more units.

All residential properties by number of units

Property Type	Number	%
1-unit detached structure	12,200	54%
1-unit, attached structure	4,814	21%
2-4 units	1,210	5%
5-19 units	1,035	5%
20 or more units	3,075	14%
Mobile Home, boat, RV, van, etc	440	2%
Total	22,774	100%

Table 26 – Residential Properties by Unit Number

Data Source: 2013-2017 ACS

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	75	1%	250	3%
1 bedroom	90	1%	1,425	18%
2 bedrooms	1,814	13%	3,075	39%
3 or more bedrooms	12,145	86%	3,045	39%
Total	14,124	101%	7,795	99%

Table 27 – Unit Size by Tenure

Data Source: 2013-2017 ACS

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

- Sunnyhills Apartments, a 171-unit apartment complex with 149 project based rental assistance units
- Terrace Gardens, a 149-unit apartment complex for seniors under 50% AMI

Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.

The Sunnyhills apartments project based rental assistance contract is set to expire in 2023. At this time the owner has not expressed an interest in renewing their contract with HUD. The Santa Clara County Housing Authority and the City have been in communication with the tenants to provide resources and information to the group to ensure they are aware of their rights and protections should the contract not be renewed.

City and Housing Authority staff has also been in communication with the ownership group to ensure they follow all applicable state and federal laws pertaining to the termination of an affordable unit or development to a market rate one.

Does the availability of housing units meet the needs of the population?

As noted during the citizen participation process, there is a significant lack of housing available to lower income populations. At this time, the demand for affordable housing is greater than the availability of the units.

Describe the need for specific types of housing:

Affordable rental housing is needed for all income levels but mostly for below 50% AMI. Additionally, housing units specifically geared toward seniors, people with disabilities, homeless individuals, and people at-risk of homelessness will assist in providing the most vulnerable with housing opportunities currently unafforded to them.

Discussion

See above

MA-15 Housing Market Analysis: Cost of Housing - 91.210(a)

Introduction

The City of Milpitas continues to see a sharp increase in the cost of housing, along with the region in general. From 2009 to 2017, the median contract rent in Milpitas increased 43%.

Cost of Housing

	Base Year: 2009	Most Recent Year: 2017	% Change
Median Home Value	619,600	704,300	14%
Median Contract Rent	1,405	2,016	43%

Table 28 – Cost of Housing

Data Source: 2000 Census (Base Year), 2013-2017 ACS (Most Recent Year)

Rent Paid	Number	%
Less than \$500		
\$500-999		
\$1,000-1,499		
\$1,500-1,999		
\$2,000 or more		

Table 29 - Rent Paid

Data Source: 2013-2017 ACS

Housing Affordability

% Units affordable to Households earning	Renter	Owner
30% HAMFI	400	No Data
50% HAMFI	1,000	240
80% HAMFI	2,705	413
100% HAMFI	No Data	847
Total	4,105	1,500

Table 30 – Housing Affordability

Data Source: 2013-2017 CHAS

Monthly Rent

Monthly Rent (\$)	Efficiency (no bedroom)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	2145	2418	2868	3687	4213
High HOME Rent	n/a	n/a	n/a	n/a	n/a
Low HOME Rent	n/a	n/a	n/a	n/a	n/a

Table 31 – Monthly Rent

Data Source: HUD FMR and HOME Rents

Is there sufficient housing for households at all income levels?

The data presented above is limited but the narrative from our resident survey and our citizen participation continues to express that there is an insufficient amount of housing for households at all income levels.

How is affordability of housing likely to change considering changes to home values and/or rents?

Housing affordability will continue to decline as home values and/or rent costs increase. The State of California has implemented AB 1584, which limited rent increases on applicable units to 5% plus CPI. However, as noted above, Milpitas is 75% single-family homes, which are not applicable to AB 1584. The other thing to note is that the CPI the past two years will allow rent increases of 8+% each year. This compounding effect on the rent impacts lower income populations the greatest. But the lack of an effective control on rents on single-family homes also impacts larger households disproportionately since there's no limit on rent increases on those units.

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

Fair market rents compare favorably to moderate income area median rent level. In order to achieve affordability at the 2BR rent level, a household must earn approximately \$115,000 per year. Presently, the need for extremely low, very low, and low-income housing is in high demand. The challenges to create these housing opportunities are multi-faceted. High land and development costs, ongoing maintenance and repairs, and the ability of a development to provide a positive return while collecting on the lower end rents. Without further subsidy, it makes deeply affordable developments very challenging to develop.

Discussion

See above

MA-20 Housing Market Analysis: Condition of Housing – 91.210(a)

Introduction

This section analyzes the condition of housing and the risks of lead based paint.

Definitions

HUD defines “condition” as: 1) Lack of complete plumbing; 2) Lack of kitchen facilities; 3) More than one person per room; and, 4) Housing cost burden greater than 30 percent.

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	4,375	31%	3,510	45%
With two selected Conditions	215	2%	690	9%
With three selected Conditions	0	0%	15	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	9,535	68%	3,580	46%
Total	14,125	101%	7,795	100%

Table 32 - Condition of Units

Data Source: 2013-2017 ACS

Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	2,419	17%	2,160	28%
1980-1999	4,060	29%	2,805	36%
1950-1979	7,420	53%	2,720	35%
Before 1950	229	2%	115	1%
Total	14,128	101%	7,800	100%

Table 33 – Year Unit Built

Data Source: 2013-2017 CHAS

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	7,649	54%	2,835	36%
Housing Units build before 1980 with children present	2,833	20%	1,428	18%

Table 34 – Risk of Lead-Based Paint

Data Source: 2013-2017 ACS (Total Units) 2013-2017 CHAS (Units with Children present)

Vacant Units

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units			
Abandoned Vacant Units			
REO Properties			
Abandoned REO Properties			

Table 35 - Vacant Units

Need for Owner and Rental Rehabilitation

Fifty-three percent of Milpitas owner occupied homes were built from 1950-1979. These homes are now 50-70+ years old and in need of deferred maintenance to ensure they maintain a standard of habitability. Long time owners of these homes are often house rich and cash poor. Meaning, the majority of their wealth is stored in the substantial increase in equity created from owning their home, but they do not currently earn large incomes to continue supporting the cost of owning a home.

Rebuilding Together Silicon Valley has been working with low-moderate income owners in Milpitas to homes in our community are safe and habitable. Milpitas currently supports their mission with CDBG funding.

Estimated Number of Housing Units Occupied by Low- or Moderate-Income Families with LBP Hazards

The data is not clear as to the number of units occupied by low- or moderate-income families with LBP hazards but again a predominant amount of owner and renter occupied households were built prior to 1979. Therefore, we can estimate that there are still homes in Milpitas that could have occupants at risk of LBP.

Discussion

See above

MA-25 Public and Assisted Housing – 91.210(b)

Introduction

Totals Number of Units

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project - based	Tenant - based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers available	0	48	20	10,635	815	9,820	1,964	0	465
# of accessible units									
*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition									

Table 36 – Total Number of Units by Program Type

Data Source: PIC (PIH Information Center)

Describe the supply of public housing developments:

n/a

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

n/a

Public Housing Condition

Public Housing Development	Average Inspection Score

Table 37 - Public Housing Condition

Describe the restoration and revitalization needs of public housing units in the jurisdiction:

n/a

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

n/a

Discussion:

n/a

MA-30 Homeless Facilities and Services – 91.210(c)

Introduction

This section discusses homeless facilities and services available for the homeless population.

Facilities and Housing Targeted to Homeless Households

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)					
Households with Only Adults					
Chronically Homeless Households					
Veterans					
Unaccompanied Youth					

Table 38 - Facilities and Housing Targeted to Homeless Households

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons

Mainstream services that complement services targeted to homeless persons include:

- The Valley Homeless Healthcare Program (VHHP) is part of the Santa Clara Valley Medical Center and provides medical services to homeless individuals, including primary care and urgent care. VHHP also manages a Medical Respite program for homeless individuals discharged from hospitals as well as a Backpack Homeless Health Care Program for those in encampments. 21
- The County Social Services Agency has expedited the review process of homeless household CalFresh applications so that they may receive benefits within three days.
- The County Behavioral Health Services Department (BHS) has multiple programs to connect homeless individuals with housing or shelter assistance. BHS also treats those going through behavioral health crises.
- The County Reentry Resource Center (RRC) provides services to those who have been previously incarcerated and to individuals who are homeless upon release. Services include referrals to drug treatment, housing assistance, food assistance, counseling, and other benefits.
- The County Office of Supportive Housing (OSH) mission is to increase the supply of housing and supportive housing that is affordable and available to extremely low income and /or special needs households. OSH supports the County mission of promoting a healthy, safe, and prosperous community by ending and preventing homelessness.
- Other mainstream services include:

- Non-Employment Income: Social Security, Social Security Disability, General Assistance, Cash Aid, CALWORKS, Veterans Benefits, Tribal TANF, and CAPI.
- Food Related Assistance: CalFresh, SNAP, and WIC.
- Legal Services: Bay Area Legal Aid and Law Foundation of Silicon Valley.
- Medical: Medicaid, Medicare, Covered California, and Valley Homeless Healthcare Program (VHHP).
- Employment Training Opportunities: Living Wage Employment Initiative. The area Continuum of Care provides a Living Wage Employment Initiative, which is a program that engages previously homeless program participants in job training, holds jobs fairs, and connects them with living-wage employment leading to careers in high growth industries.²²
- Transportation: CalWorks
- Childcare: Early Childhood Providers and CalWorks

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

There are currently no facilities that meet the needs of the homeless or chronically homeless in Milpitas.

The services provided to meet the needs of the homeless are:

- Project WeHope - Mobile shower and laundry services
- Homeless Engagement and Assessment Team – In partnership with the County, the County HEAT team contracts with ABODE Services to provide outreach and engagement with the homeless population, to provide VI-SPIDAT assessments and enter these individuals into the community queue for housing opportunities.

MA-35 Special Needs Facilities and Services – 91.210(d)

Introduction

This section describes facilities and services for the special needs communities

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

Elderly, Frail Elderly, and Persons with Disabilities

Elderly, frail elderly, and persons with disabilities have a range of housing needs, including maintaining affordability as rents continue to rise and fixed incomes do not keep pace. Another major factor will be retrofitting housing to accommodate their individual needs. Additional resources to combat social isolation, depression, and food insecurity are all areas of concern for these special needs communities.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

n/a

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

[Insert paragraph with final City Council allocations]

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))

See above

MA-40 Barriers to Affordable Housing – 91.210(e)

Negative Effects of Public Policies on Affordable Housing and Residential Investment

- High cost of land and development of housing in general
- Lack of local, state, and federal resources to promote more affordable housing
- Lack of available, developable land throughout the city
- Lack of appetite for more affordable housing from key stakeholders
- General political opposition preventing affordable housing

MA-45 Non-Housing Community Development Assets – 91.215 (f)

Introduction

This section describes the non-housing community development assets that are unique to the city of Milpitas.

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	213	4	1	0	-1
Arts, Entertainment, Accommodations	3,583	5,383	10	11	1
Construction	1,353	3,052	4	6	3
Education and Health Care Services	5,603	4,179	15	8	-7
Finance, Insurance, and Real Estate	1,384	965	4	2	-2
Information	2,375	889	6	2	-5
Manufacturing	7,740	14,423	21	29	8
Other Services	1,079	1,595	3	3	0
Professional, Scientific, Management Services	6,445	8,931	17	18	1
Public Administration	0	0	0	0	0
Retail Trade	2,778	4,832	7	10	2
Transportation and Warehousing	712	776	2	2	0
Wholesale Trade	1,557	2,298	4	5	0
Total	34,822	47,327	--	--	--

Table 39 - Business Activity

Data 2013-2017 ACS (Workers), 2017 Longitudinal Employer-Household Dynamics (Jobs)
Source:

Labor Force

Total Population in the Civilian Labor Force	40,160
Civilian Employed Population 16 years and over	37,800
Unemployment Rate	5.90
Unemployment Rate for Ages 16-24	12.15
Unemployment Rate for Ages 25-65	4.34

Table 40 - Labor Force

Data Source: 2013-2017 ACS

Occupations by Sector	Number of People
Management, business and financial	14,225
Farming, fisheries and forestry occupations	1,830
Service	3,829
Sales and office	6,774
Construction, extraction, maintenance and repair	1,735
Production, transportation and material moving	2,460

Table 41 – Occupations by Sector

Data Source: 2013-2017 ACS

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	18,498	58%
30-59 Minutes	11,123	35%
60 or More Minutes	2,539	8%
Total	32,160	100%

Table 42 - Travel Time

Data Source: 2013-2017 ACS

Education:

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	2,000	210	1,905
High school graduate (includes equivalency)	5,180	330	1,615
Some college or Associate's degree	7,895	610	2,304
Bachelor's degree or higher	18,240	770	3,174

Table 43 - Educational Attainment by Employment Status

Data Source: 2013-2017 ACS

Educational Attainment by Age

	Age				
	18–24 yrs	25–34 yrs	35–44 yrs	45–65 yrs	65+ yrs
Less than 9th grade	55	240	400	1,140	1,690

	Age				
	18–24 yrs	25–34 yrs	35–44 yrs	45–65 yrs	65+ yrs
9th to 12th grade, no diploma	515	405	515	1,414	625
High school graduate, GED, or alternative	1,535	1,720	1,445	3,980	1,800
Some college, no degree	2,305	1,690	1,785	3,388	1,650
Associate's degree	250	880	1,040	2,020	684
Bachelor's degree	1,189	4,709	3,639	4,844	1,740
Graduate or professional degree	200	3,853	2,634	2,504	728

Table 44 - Educational Attainment by Age

Data Source: 2013-2017 ACS

Educational Attainment – Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	
High school graduate (includes equivalency)	
Some college or Associate's degree	
Bachelor's degree	
Graduate or professional degree	

Table 45 – Median Earnings in the Past 12 Months

Data Source: 2013-2017 ACS

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

Milpitas is highly specialized in computer and electronics design and manufacturing. Milpitas has a unique strength in attracting and retaining Research and Development (R&D) and advanced manufacturing. These firms are at the forefront of new technological innovations.

Manufacturing. This is Milpitas' largest industry sector, accounting for 26 percent of all jobs. By comparison, manufacturing jobs make up 15 percent of jobs in Santa Clara County. Employment in the manufacturing sector was stable between 2009 and 2013, but increased by 8 percent between 2013 and 2018. Manufacturing jobs grew at a comparable rate of 10 percent in Santa Clara County during this same period. Businesses in the manufacturing sector tend to be nationally and globally connected, trading and exporting goods to outside communities. Most manufacturing jobs in Milpitas are in advanced and high-tech Manufacturing, with only a small share of "traditional" manufacturing (e.g. food, beverage, wood products).

Professional, Scientific, and Technical Services (PSTS). This is the second largest industry by employment in Milpitas, with 19 percent of all jobs in the City. From 2009 to 2018, PSTS jobs in Milpitas grew at a healthy pace, but not as fast as Santa Clara County overall. Cisco is Milpitas' largest employer and accounts for a large share of these PSTS jobs.

Accommodation and Food Services. This is the third largest sector in Milpitas, with 10 percent of all jobs. Jobs in this sector have increased since 2009, matching a national shift away from traditional retail toward dining and drinking. "Accommodation" jobs (hospitality and hotel) also increased in Milpitas, in conjunction with strong hotel performance (pre-pandemic).

Retail trade. Milpitas has many jobs in retail trade (9 percent), and a mix of regional-serving and local-serving retail. For example, the Great Mall is a major regional retail destination drawing customers from a wide trade area, and auto dealerships also tend to draw from a regional trade area. Milpitas also has smaller, more local-serving retail centers as well.

Health Care and Social Assistance. This sector is primarily household-serving. Jobs in this sector grew rapidly, increasing from approximately 1,800 jobs in 2009 to 3,800 jobs in 2018, as Milpitas' local population ages.

Describe the workforce and infrastructure needs of the business community:

Milpitas has a very diverse workforce, with occupations at a range of skill levels and wages. The top three occupations, which each have more than 1,500 workers, include software developers and programmers, retail salespersons, and electrical/electronic assemblers. Milpitas has many high skill/high wage computer, mathematical, and engineering occupations. This includes software developers and programmers, electrical and electronics engineers, industrial engineers, computer hardware engineers, and computer and information analysts.

There is also a concentration of various skilled trade production occupations in Milpitas—this is relatively unique within Silicon Valley. The largest production occupations in Milpitas include electrical and electronics assemblers, miscellaneous assemblers, fabricators, and production workers, semiconductor processors, machinists, and other assorted inspectors, testers, and samplers. These occupations are relatively concentrated in Milpitas compared to Santa Clara County. These tend to be middle-wage jobs with opportunities for upward mobility that, while requiring specialized skills and training, do not necessarily require very advanced degrees.

Many workers in Milpitas hold occupations in logistics. These include laborers and material

movers, truck drivers, and industrial truck/tractor operators. These are generally low to mid-wage jobs, that require mid or low skill levels. Milpitas also has a large number of service industry workers, especially in retail and restaurants. Some of these occupations, such as retail salespersons, fast food and counter workers, waiters and waitresses, cashiers, and cooks, tend to be lower skill, lower paying jobs. Such low wages make it difficult for workers to afford housing in Silicon Valley, especially given rapidly rising housing costs across the region. Workers may need to take on more than one job in order to make ends meet.

On average, employed residents of Milpitas have slightly higher educational attainment than Milpitas workers. Employed residents in Milpitas that have a bachelor's degree, or more is 37 percent, compared to 35 percent of workers in Milpitas.

With a net import of workers, Milpitas is a jobs-rich community. There are more outside workers commuting into Milpitas for work than there are Milpitas residents leaving Milpitas for work. Milpitas' jobs-to-employed-residents ratio is 1.47, which is considerably higher than other neighboring cities such as San José or Fremont. About 12 percent of Milpitas' working residents both work and live in Milpitas.

The Office of Economic Development currently has two workforce development initiatives underway:

- COVID-19 Workforce Recovery** – The purpose of Milpitas MyPlan Career Accelerator Program is to increase access to career pathway programs and help Milpitas residents with barriers to employment enter the workforce in skilled occupations. The goal of this program is to provide customized workforce training workshops, assessments, career navigation and career counseling for Milpitas unemployed, underemployed workers, and young adult learners impacted by COVID-19. The Milpitas MyPlan Career Accelerator Program has hosted one cohort of 15 students in February 2022 and will launch the next cohort on April 4, 2022. Cohort members receive 21 hours of training over three weeks. Each participant will also have access to two hours of one-on-one career advising. To learn more, please visit the [program homepage](#).
- American Rescue Plan Act (ARPA) Workforce Development Program** – On November 2, 2021, the City Council directed staff to explore various programming categories that include At-Risk Youth, Youth & Adult, Green/Clean/Sustainable Jobs, Childcare Workforce and to Partner with unhoused population on community beautification. On December 14, 2021, the City approved the following workforce development programs and funding:

- **Milpitas Youth Force** is a community service that will support low-income youth & develop a workforce pipeline to City careers and private industry (i.e., Tech & Advanced Mfg.). Milpitas Youth Force will also include wraparound services: professional attire stipend, transportation passes, career coaches, and industry mentorships. ARPA funding will be used to re-instate youth's salary over 8 weeks (12-15 hours/week) - \$40,000.
- **Evergreen Valley College (EVC)** will provide Amazon Web Services Cloud Practitioner Programming in a 4-class series consisting of cloud-based computing, emerging technologies, and clean tech. EVC will coordinate wraparound services: direct academic counselor, industry connection mentor, food assistance, emergency grant vouchers and laptop/textbook assistance. ARPA funding will assist 60 Milpitas residents to achieve an industry recognized certification for skills enhancement- \$50,000.
- **First 5 Santa Clara County** will develop a Pilot Early Childhood Education (ECE) Teacher Apprenticeship program to be launched Fall of 2022 for a 22-month program. ARPA grant funding will be employed to support residents with a portion of college tuition, textbooks/laptops, permitting fees, and transportation assistance related to the ECE Teacher Apprenticeship program - \$40,000.
- **Rising Sun Center for Opportunity Climate Careers** will develop a two-part program addressing climate change by employing local youth to provide energy efficiency services to residential households. ARPA funding will help expand an externship program that may be coordinated with the City's Climate Action Plan for 2-4 positions - \$10,000.
- **Build It Green** will implement a Certified Green Building Professional (CGBP) training program introduces participants to green building and construction concepts. It will include online courses which requires 80% minimum for passing grade. ARPA funding provides certification opportunity for up to 25 low-income Milpitas residents to access high-wage jobs - \$10,000.

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period.

- Milpitas Transit Center opened in June 2020, which includes a multi-modal transit hub with BART, VTA Light Rail, bus system and future shuttle that connects Milpitas north, south and west.
- The Innovation District located around the Milpitas Transit Center may result in approximately 3M square feet of new office, research and development, industrial

space with a workforce of thousands located in a premier Silicon Valley location with over 7,000 new residential units as part of a complete district and neighborhood.

- Milpitas Metro Specific Plan addresses the urban district with a focus on the Great Mall, the Innovation District, and the remaining connections and sites that will make this emerging area into an attractive and convenient neighborhood surrounded by the Milpitas Transit Center over the next 20 years.
- Gateway/Main Street Specific Plan will focus on preservation areas, civic, historic, cultural, & educational facilities, catalytic redevelopment, low height/density maximums, large blocks, and inconsistent setbacks, opportunities for urban parks, plazas, & small open spaces (existing creeks & greenways), streetscape improvements, branding, etc.
- Milpitas General Plan 2040 establishes goals, policies, and actions to guide the future growth and development of the city. The General Plan is a comprehensive, long-term policy document used by City leaders, City staff, developers, and community members in making decisions about the City's physical and social development. There is an
- Economic Development Element as part of the General Plan 2040.
- Housing Element

Describe any needs for workforce development, business support or infrastructure these changes may create.

Before the pandemic Milpitas experienced a sub-3% unemployment similar to the rest of Santa Clara County for several years due to technology being the economic engine in Silicon Valley. In April 2020 the unemployment rate dramatically increased to 12.9% which had a devastating economic impact on local businesses and the community. We are now two years into the pandemic and the unemployment rate is 3.3% as of January 2022. While there have been improvements in local economic vitality, there is still a dire need on the workforce front. The City of Milpitas is strongly supporting the growth of employment lands and therefore, there is a need to ensure that Milpitas residents can compete for quality jobs since the cost of living continues to increase significantly.

Infrastructure and business support systems are needed for a successful Innovation District and complete neighborhood and Metro Specific Plan area.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

Given that Milpitas residents have a high education attainment rate (bachelor's degree or higher of 55.3%), median household income of \$140,124, home ownership rate of 63.7% and median age of 37.7 years, the future looks promising. However, during the pandemic, Milpitas

has experienced an increase in the unhoused population and vulnerable people needing more assistance due to the housing crisis and the increase in the Bay Area's cost of living. While the poverty rate in Milpitas is 6.7% compared to the state of California's at 12.6%, the Bay Area constantly ranks as the most expensive area to live within the United States.

While Milpitas ranks well in Computer, Engineering and Science occupations, only 26.6% of those working in these fields are female. There is a strong desire for equity and balance as well as pay and wages to match male counterparts.

Milpitas's occupational mix is diverse. Of the top occupations by number of employees, there are good quality jobs in Software Development, Programming, Electrical and Electronics Assembly and Engineering. It also consists of Retail Salespersons, Fast Food and Counter Workers, Servers, Cashiers and Cooks. The occupations in Professional, Scientific, and Technical Services (PSTS) generally pay well. For the workforce in the service industry, it is likely that some of these employees may be under resourced and spending more than 30% of their household income on housing and transportation expenses. The City of Milpitas is focused on ensuring that career pipelines are in place for increasing the quality of life for all residents and employees.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. See above.

Describe how these efforts will support the jurisdiction's Consolidated Plan.

The economic, workforce and community development programs outlined above will provide valuable resources and funding to assist individuals and families from low- to moderate-income households. The City of Milpitas is prioritizing programs and projects that address our most pressing economic, workforce and community development and housing needs.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)? Yes

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

The City of Milpitas approved the first Economic Development Strategy in 15 years on May 5, 2020 which takes into account all of the stated goals in CEDS as outlined below.

- **Goal 1 BUSINESS CLIMATE.** Develop policies to improve the business climate to retain and expand our strong economic base and culture of innovation.
- **Goal 2 WORKFORCE.** Improve workforce training and provide pathways to better jobs by improving the alignment between workforce skills, business and employer needs, and working conditions and earnings in low wage occupations.
- **Goal 3 HOUSING AND WORK PLACES.** House the labor force needed to fill the low, middle and high wage jobs required by our economy as well as the nonworking population, while providing flexibility for timely expansion of work places.
- **Goal 4 INFRASTRUCTURE.** Prioritize investments to address the growing strains on public services transportation, water, energy and communications.

Discussion

See above

MA-50 Needs and Market Analysis Discussion

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

There are currently no predominately low and moderate income census tracts in the city.

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

Minority concentration is defined as census tracts where the percentage of individuals of a particular racial or ethnic minority group is at least 20 percentage points higher than the citywide average. LMI concentration is defined as census tracts where the median household income is 80% or less than the jurisdiction as a whole.

Because of the high percentage of minorities in the city, there are no areas that meet the definition of concentration. As for LMI concentration, there are areas of LMI concentration. Those areas are primarily in Census Tract 5044.18 (the Selwyn Dr./Edsel Dr. neighborhood) and the Census Tract 5044.12 (E. Calaveras apartments).

What are the characteristics of the market in these areas/neighborhoods?

These areas are multi-family, generally higher density, residential neighborhoods.

Are there any community assets in these areas/neighborhoods?

n/a

Are there other strategic opportunities in any of these areas?

The city will continue to explore strategic opportunities for our lower income residents.

MA-60 Broadband Needs of Housing occupied by Low- and Moderate-Income Households - 91.210(a)(4), 91.310(a)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

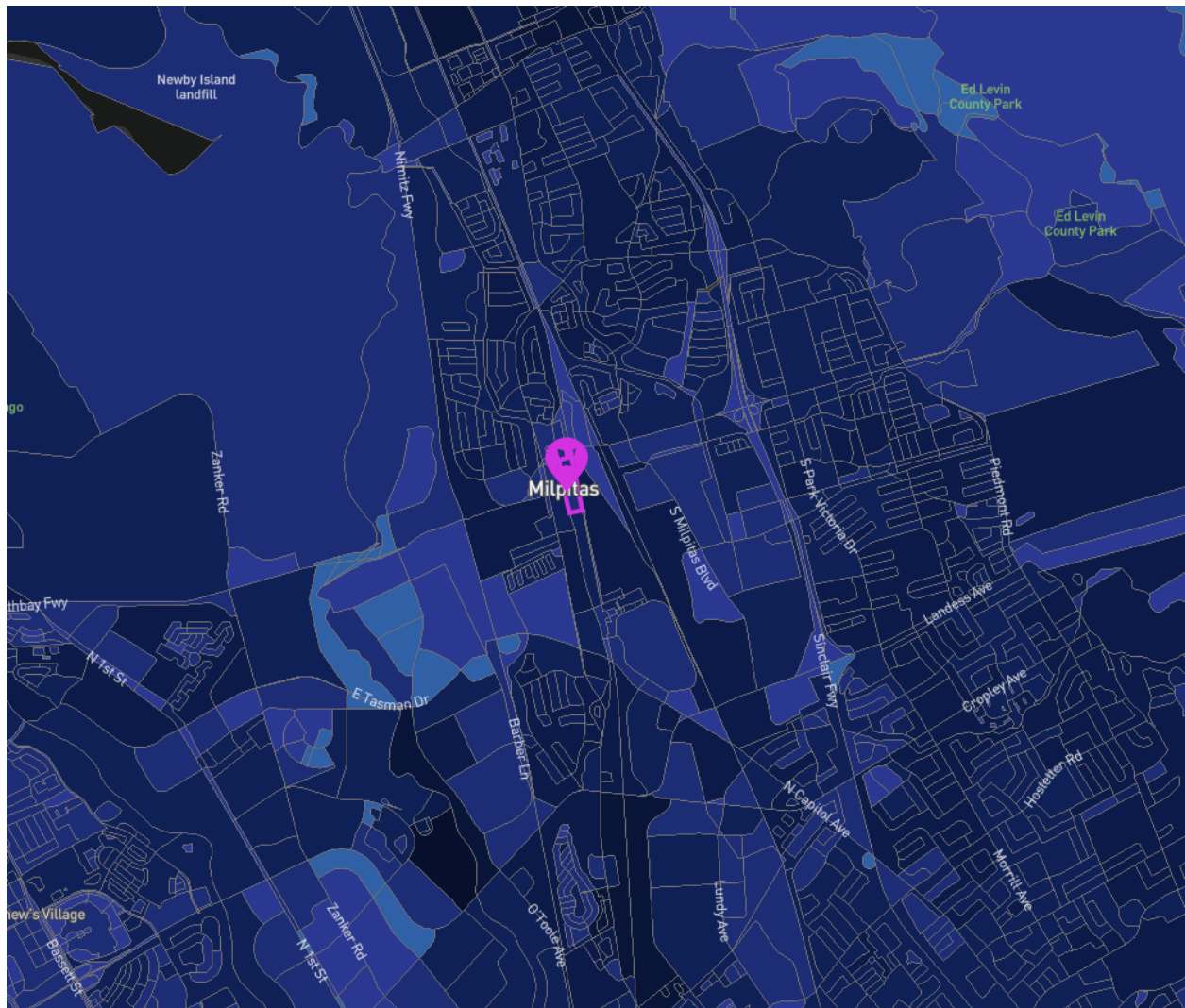
Access to technology is fundamental for low- and moderate-income households and neighborhoods. The need to adopt to modern technology is rooted in one's ability to be connected. Lack of broadband creates a distinct disadvantage in a world where every day tasks continue to be migrated online. These disparities are worsened in terms of access to health care, education, employment, civic participation, commerce, and inclusion in society.³

Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

Per HUD guidance, all Consolidated Plan submitted after January 1, 2018, must address broadband needs within the jurisdiction. Below is a map outlining mobile and the region's access to providers offering broadband services. According to the Federal Communications Commission Fixed Broadband Deployment Map, 100% of the City of Milpitas residents have access to broadband.

The majority of the City of Milpitas has access to 3-5 internet service providers. Data was obtained from [the Federal Communications Commission's Fixed Broadband Deployment website](https://www.fcc.gov/sites/default/files/bdac-low-income-communities-approved-rec-12172020.pdf).

³ <https://www.fcc.gov/sites/default/files/bdac-low-income-communities-approved-rec-12172020.pdf>



All Providers Reporting Service



Census block ID: 060855045044022

Number of Fixed Residential Broadband Providers



Broadband



Technology ADSL, Cable, Fiber, Fixed Wireless, Satellite, Other

Speed $\geq 25/3$ Mbps

Date Dec. 2020 (*latest public release*)

Provider	Tech	Down ▼ (Mbps)	Up (Mbps)
Comcast Corporation	Cable	1000	35
Sail Internet	Fixed Wireless	200	100
Etheric Networks, Inc.	Fixed Wireless	150	150
ViaSat, Inc.	Satellite	100	3
Hughes Network Systems, LLC	Satellite	25	3
AT&T Inc.	ADSL	18	1.5
Raw Bandwidth Telecom, Inc.	ADSL	15	1.5
VSAT Systems, LLC	Satellite	2	1.3

MA-65 Hazard Mitigation - 91.210(a)(5), 91.310(a)(3)

Describe the jurisdiction's increased natural hazard risks associated with climate change.

Per HUD guidance, all Consolidated Plan submitted after January 1, 2018, must assess risks of natural hazard associated with climate change to low-and moderate-income residents. As part of the 2017 [County of Santa Clara's Operational Area Hazard Mitigation Plan](#) – a county wide plan that identifies risks from natural and manmade disasters and how to minimize damage – the City of Milpitas has reviewed and evaluated a set of potential natural hazards to help identify the top hazards threatening the area. The table below summarizes the analysis.

Hazard Type (in order of risk)	Exposed Population	# of buildings exposed	Total Value Exposed
Earthquake	All	18,242	\$19,146,882,365
Flood (1% Annual Chance area)	17,998	4,373	\$3,326,581,303
Flood (.2% Annual Chance area)	45,594	11,241	\$15,779,588,420
Severe weather	N/A	N/A	\$19,146,882,365
Dam Fail (Anderson)	4,406	1,065	\$1,370,025,538
Dam Fail (Lexington)	0	0	\$0
High Risk Landslide Areas	N/A	N/A	\$376,962,365
Estimated Population Residing in Sea Level Rise Inundation Areas	2,691	635	\$854,962,309

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

Vulnerable populations such as the elderly and disabled communities are adversely affected by natural hazards. Low- and moderate-income populations are also disproportionately affected by natural disasters as, on average, they lack the resources to adequately deal with the financial burden a natural disaster may impose.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The Consolidated Plan for the City of Milpitas represents the needs of the community and goals to help address the needs which are outlined in the three-year Housing and Community Development Strategy. The list below will help allocate resources, identify strategies, and prioritize funding to implement the Consolidated Plan.

The following are the City's housing and community development goals:

1. Available resources to implement the proposed strategies
2. Affordable housing needs
3. Homeless needs and objectives
4. Other special groups needs
5. Anti-poverty strategy
6. Fair housing and services needs
7. Youth needs and services
8. Lead-Based paint reduction strategy
9. Institutional structure for implementing strategies
10. Reduction of barriers to affordable housing
11. Housing Authority
12. Community and economic development needs
13. Coordination among various agencies
14. Support activities that provide interim assistance to low- and moderate-income households at risk of being evicted due to a COVID-19-related hardship.
15. Support activities that provide loans to microenterprises experiencing hardships due to COVID-19.
Support activities that provide loans to small businesses experiencing hardships due to COVID-19.

The Milpitas Housing and Community Development Strategy Plan identify activities that will be funded with the Community Development Block Grant entitlement funds. Whenever appropriate, Milpitas will use other funding sources (local funds, housing authority funds, outside grants, housing trust fund, leveraging, etc.) to address the needs that will be discussed in this chapter to provide a comprehensive assessment of the City's overall housing and community development strategy.

SP-10 Geographic Priorities – 91.215 (a)(1)

Geographic Area

This is not applicable to the City of Milpitas. The City does not target specific geographic areas to focus CDBG funds. The City attempts to fund programs that target low to moderate income households only.

Table 46 - Geographic Priority Areas

General Allocation Priorities

The City receives only CDBG which is not geographically prioritized but the City does have funding priorities for its CDBG Public Service and Capital activities.

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

The city does not receive HOPWA funds. It does receive CDBG funds which are allocated to benefit low- and moderate-income persons throughout the city.

SP-25 Priority Needs - 91.215(a)(2)

Priority Needs

Table 47 – Priority Needs Summary

Order	Priority Need	Priority Level	Description	Population or Geographic Area	Goal	Basis for Relative Priority
	Affordable Housing Development and Preservation	High	Develop and preserve affordable housing and owner housing which includes rehabilitation and new construction.	Targeted towards low to moderate income persons. No geographic areas targeted.	New Affordable Housing Maintain and Preserve Existing Housing Affordable Housing Rental Rehabilitation	Priority needs based on current housing prices and conditions. Feedback from communitywide survey and public forums.
	Community Services	High	Greater provision of community services for those who are homeless or who have urgent housing instability.	Extremely low, very low, low- and moderate-income individuals, veterans, emancipated youth. No geographic areas targeted.	Community Funding/Public Services	Housing data has shown increasing rates of homelessness and increasing housing prices. Feedback from communitywide survey and public forums.
	Community Services	High	Greater provision of community social services low- and moderate-income families with children,	Low- and moderate-income families with children, youth, emancipated youth, and victims of	Public Services for Children and Youth	Feedback from COVID-19 focus groups.

			youth and emancipated youth	domestic violence, No geographic areas targeted		
	Community Services	High	Greater provision of community services for seniors	Low- and moderate-income seniors No geographic areas targeted.	Public Services for Seniors	Feedback from COVID-19 focus groups.
	Community Services	High	Greater provision of community services including fair housing, landlord/tenant mediation, and legal services	Low- and moderate-income renters and landlords. No geographic areas targeted.	Community Funding/Public Services Fair Housing	Feedback from public forum.
	Community, Public, and Neighborhood Sustainability	Low	Preservation, revitalizing, and maintenance of neighborhoods.	All geographic areas are targeted.	Public Improvements	The priority needs are based on feedback from communitywide survey and public forums.
	Economic Development	High	Create and retain jobs and encourage businesses etc. to provide educational and job readiness.	People of low to moderate income, microenterprises and small businesses	Community Funding/Public Services	The priority needs are based on feedback from communitywide survey and public forums and COVID-19 stakeholder meetings.

Narrative (Optional)

SP-30 Influence of Market Conditions – 91.215 (b)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	As per the Needs Assessment, 12 percent of households in the city are severely cost burdened and pay more than 50 percent of their income toward housing costs.
TBRA for Non-Homeless Special Needs	Housing costs in the region continue to increase and be more burdensome for those with special needs. Housing affordability can help minimize the burden held by persons with special needs along with greater availability for supportive housing.
New Unit Production	The State of California's Housing and Community Development Department has established the current Regional Housing Needs Assessment (RHNA) for the City of Milpitas for the years 2014-2023. The city was allocated 3,290 units, of which 1,004 units for very-low income households, 570 to low income, 565 units to moderate and 1,151 units to above moderate-income households. This number is expected to close to 10,000 units in the next RHNA cycle.
Rehabilitation	Over 60% of the housing stock in Milpitas was built before 1970, in which many will be due for repairs and rehabilitation work. The city's CDBG funds will continue to fund organizations that complete repairs and rehabilitation for low and very low-income households.
Acquisition, including preservation	With a lack of vacant land and funding for new development, acquisition and preservation of the current housing stock is important to maintain the affordable housing stock.

Table 48 – Influence of Market Conditions

SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

Introduction

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation	Program Income	Prior Year Resources	Total		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$660,781	\$8,959	\$0	\$669,740	\$1,980,000	

Table 49 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Not applicable, the City does not match federal funds.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

There are two parcels controlled by the City. One parcel, located at 1432 S. Main Street, is owned by Milpitas Housing Authority and is approximately 0.9 acres in size. Currently the parcel is occupied by commercial tenants, but the land is zoned as high-density multi-family residential. The other parcel, approximately 1.7 acres, is located adjacent to the Milpitas Housing Authority property and is owned by the City of Milpitas. That City parcel is also occupied by commercial business but is also zoned for multi-family residential use. In January 2022, the City Council directed staff to sell the parcel owned by the Milpitas Housing Authority with the intent that the buyer will develop affordable housing.

Discussion

See above

SP-40 Institutional Delivery Structure – 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
--------------------	-------------------------	------	------------------------

City of Milpitas	Government	Economic Development, Homelessness, Non-homeless, special needs, Ownership, Planning, Rental Neighborhood improvements, Public facilities, Public Services	Jurisdiction
County of Santa Clara Office of Supportive Housing	Continuum of Care	Homelessness, Non-homeless, Special Needs, Planning	Region
Project Sentinel	Non-profit	Planning, Rental	Region
SCCHA	PHA	Ownership, Public Housing Rental	Region
The Health Trust	Non-profit	Public Services	Region
SV Independ. Living Center	Non-profit	Public Services	Region
Catholic Charities	Non-profit	Public Services	Region
Rebuilding Together SV	Non-profit	Public Services	Region
Abode Services, Inc.	Non-profit	Homelessness	Region
Next Door Solutions to DV	Non-profit	Public Services	Region
YWCA	Non-profit	Public Services	Region

Assess of Strengths and Gaps in the Institutional Delivery System

The delivery structure is established to provide social services to the community. Current strengths of the system include its ability to reach seniors, children and youth, and victims of domestic violence. The system has gaps in assisting the homeless and those most at-risk of homelessness. Currently, there are no homeless shelters located within the City limits. The closest shelter is more than 10 miles away in downtown San Jose. The system also lacks in providing adequate resources for those most at risk of experiencing homelessness. While the city has made strides to enhance that section of the delivery system, a substantial investment must be made to prevent those most at risk of homelessness from experiencing homelessness.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X	X	
Legal Assistance			
Mortgage Assistance			
Rental Assistance			
Utilities Assistance			
Street Outreach Services			
Law Enforcement	X	X	
Mobile Clinics	X	X	
Other Street Outreach Services	X	X	

Supportive Services			
Alcohol & Drug Abuse			
Child Care			
Education			
Employment and Employment Training			
Healthcare			
HIV/AIDS			
Life Skills			
Mental Health Counseling	X	X	
Transportation			
Other			
Other			

Table 50 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

Currently, there are no homeless shelters located within the City limits. The closest shelter is more than 10 miles away in downtown San Jose. The system also lacks in providing adequate resources for those most at risk of experiencing homelessness. While the city has made strides to enhance that section of the delivery system, a substantial investment must be made to prevent those most at risk of homelessness from experiencing homelessness.

The City contracts with the County of Santa Clara's Office of Supportive Housing to secure services from its Homeless Engagement and Assessment Team (HEAT). HEAT focuses on providing direct outreach services to Milpitas' unhoused residents. The outreach results in the placement of our unhoused residents into the community queue for transitional housing opportunities in the long term and counseling, mental health, and other resources in the short term.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

Current strengths of the system include its ability to reach seniors, children and youth, and victims of domestic violence. The system has gaps in assisting the homeless and those most at-risk of homelessness. Currently, there are no homeless shelters located within the City limits. The closest shelter is more than 10 miles away in downtown San Jose. The system also lacks in providing adequate resources for those most at risk of experiencing homelessness. While the city has made strides to enhance that section of the delivery system, a substantial investment must be made to prevent those most at risk of homelessness from experiencing homelessness.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

The City endeavors to connect with new service providers that can aid in filling gaps in the delivery system. However, the greatest need is to provide affordable housing opportunities. These opportunities are very few and far between. The 2020 County plan to end homelessness addresses the region's strategy to house the unhoused population. As a regional approach, the County plan identifies a three part strategy: (1) Address the root causes of homelessness through system and policy change; (2) Expand homelessness prevention and housing programs to meet the need; and (3) Improve quality of life for unsheltered individuals and create healthy neighborhoods for all. With this strategy, the county estimates a 30% reduction in the annual inflow of people becoming homeless.

SP-45 Goals Summary – 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Maintain and Preserve Existing Housing	2022	2025	Affordable Housing Non-Homeless Special Needs	Citywide	Affordable Housing Development and Preservation	\$700,000	Homeowner housing rehabilitated
2	New Affordable Housing	2022	2025	Affordable Housing	Citywide	Availability/Accessibility	\$50,000	Rental units constructed
3	Affordable Housing Rental Rehabilitation	2022	2025	Non-Housing Community Development	Citywide	Affordable Housing Development and Preservation	\$100,000	Homeowner housing rehabilitated
4	Community Funding/Public Services	2022	2025	Homeless Non-Homeless Special Needs	Citywide	Community Services	\$150,000	Public service activities other than LMI housing benefit
5	Public services for low- and moderate-income residents at risk of eviction	2022	2025	Homeless Non-Homeless Special Needs	Citywide	Community Services	\$50,000	Public service activities for LMI housing benefit
6	Fair Housing	2022	2025	Affordable Housing Non-Homeless Special Needs	Citywide	Community Services	\$150,000	Public service activities other than LMI housing benefit
7	Public Services for Children and Youth	2022	2025	Non-Homeless Special Needs	Citywide	Community Services	\$45,000	Public service activities other

				Non-Housing Community Development				than LMI housing benefit
8	Public Services for Seniors	2022	2025	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	\$210,000	Public service activities other than LMI housing benefit
9	Public Services for Domestic Violence support	2022	2025	Non-Homeless Special Needs	Citywide	Community Services	\$75,000	Public service activities other than LMI housing benefit
10	Public Improvements including accessibility and improving public facilities	2022	2025	Non-Housing Community Development	Citywide	Community Services	\$450,000	Public facility or infrastructure activities for LMI housing benefit
11	Assist Microenterprises and Small Businesses	2022	2025	Non-Housing Community Development	Citywide	Economic Development	\$50,000	Businesses assisted
12	Explore the use of HUD Section 108 Loan Guarantee Program	2022	2025	Affordable Housing Non-Housing Community Development	Citywide	Community Services Economic Development	N/A	N/A

Table 51 – Goals Summary

Goal Descriptions

1	Goal Name	Maintain and Preserve Existing Housing
	Goal Description	Maintain and preserve existing housing for LMI Households
2	Goal Name	New Affordable Housing
	Goal Description	Create new affordable housing
3	Goal Name	Affordable Housing Rental Rehabilitation
	Goal Description	Affordable housing rehabilitation to benefit LMI households
4	Goal Name	Community Funding/Public Services
	Goal Description	Support public services activities to benefit members of the community
5	Goal Name	Public services for low- and moderate-income residents at risk of eviction
	Goal Description	Support public services activities to benefit members of the community at risk of eviction
6	Goal Name	Fair Housing

	Goal Description	Provide fair housing services to benefit LMI individuals
7	Goal Name	Public Services for Children and Youth
	Goal Description	Provide public services activities to LMI children
8	Goal Name	Public Services for Seniors
	Goal Description	Provide public services activities to LMI seniors
9	Goal Name	Public Services for Domestic Violence support
	Goal Description	Support public services activities to benefit LMI individuals
10	Goal Name	Public Improvements including accessibility and improving public facilities
	Goal Description	Provide accessibility and access to public facilities such as homeless and domestic violence shelters to benefit LMI individuals
11	Goal Name	Assist Microenterprises and Small Businesses
	Goal Description	Support activities that support microenterprises and small businesses to benefit LMI households
12	Goal Name	Explore the use of HUD Section 108 Loan Guarantee Program
	Goal Description	Support activities that assist in addressing the Affordable Housing Development and Preservation& Economic Development goals with the use of Section 108 funds.

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

The City currently has approximately 300 affordable units in the development pipeline that are expected to be made available to lower income residents in Milpitas over the next 3-5 years.

SP-50 Public Housing Accessibility and Involvement – 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

n/a

Activities to Increase Resident Involvements

n/a

Is the public housing agency designated as troubled under 24 CFR part 902?

no

Plan to remove the ‘troubled’ designation

n/a

SP-55 Barriers to affordable housing – 91.215(h)

Barriers to Affordable Housing

Along with other jurisdictions in Santa Clara County, the City of Milpitas is facing many obstacles in creating more affordable housing. The many constraints that the City is facing is the limited amount of developable land, government constraints, infrastructure and public facilities constraints, environmental, housing for persons with disabilities, and financing and construction costs.

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

Resolution No. 8523

The City adopted Resolution No. 8523 on February 2, 2016, which recognizes homelessness as a crucial problem in the County and will help contribute to future affordable housing projects that will house homeless.

Affordable Housing Ordinance

On June 12, 2018, the City Council adopted Affordable Housing Ordinance No. 297 which requires that any new development with 10 or more units must include 15% of the units these units as affordable. The ordinance applies to both rental and ownership developments. In January 2022, Council approved changes to the Affordable Housing Ordinance to encourage more on-site affordable housing production. Council also adopted changes to add clarity and consistency throughout the ordinance.

Density Bonus Ordinance

To attract developers to build affordable units, the Density Bonus Ordinance will allow developers the ability to build above their permitted densities in permitted zoning districts in exchange for the construction of affordable units.

Below Market Rate Ownership

The City manages a Below Market Rate (BMR) Ownership program for first-time, income-qualified homebuyers. Once a unit from the current BMR housing stock becomes available, a qualified applicant from the waiting list will have the ability to purchase a home in Milpitas at one of the various developments throughout the City. For qualified households, the City also provides a loan of up to \$50,000.

Fair Housing

Milpitas provides CDBG funds to Project Sentinel. Project Sentinel is a reputable organization that provides expertise in fair housing and tenant-landlord dispute. Services include information, referrals,

community outreach and education in several languages other than English, investigation, and resolving fair housing complaints. In addition, they provide education and outreach to property owners, and property management to become proactive in their housing policies.

SP-60 Homelessness Strategy – 91.215(d)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

In October 2020, the City Council endorsed the 2020-2025 Santa Clara County Plan to End Homelessness. On November 10, 2020, the City Council approved and authorized staff to enter into an agreement for homeless outreach, assessment, and street-based case management services with Santa Clara County. In December 2020, the City Council authorized staff to contract with Project WeHope to provide mobile shower and laundry services in Milpitas. The City Council also established a Homelessness Task Force, who will be responsible for providing low cost homeless response suggestions to the City Council. The City's Building Safety and Housing team will continue to explore resources that can further benefit the homeless population in Milpitas.

The Santa Clara Office of Supportive Housing surveys homeless individuals every two years and writes strategic plans every five years, which involves extensive community engagement.

Addressing the emergency and transitional housing needs of homeless persons

The City of Milpitas will address emergency shelter and transitional housing needs of homeless persons by continuing to coordinate services between the City's Police, Building Safety & Housing, and Public Works Departments and our local service providers, such as LifeMoves.

CDBG Funded

- **Next Door Solutions to Domestic Violence:** Next Door Solutions to Domestic Violence provides client-centered, community-based supportive services for victims of domestic violence and his/her children. The organization also provides undisclosed emergency shelter when requested and needed by the individual and/or family.
- **YWCA Silicon Valley (YWCA):** YWCA Silicon Valley empowers women and her children to end racism and violence through offering supportive services for self-improvement and undisclosed emergency shelter for short-term to a longer amount of time if needed. YWCA also provides clients referrals to permanent housing if possible, and available.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

On November 10, 2020, the City Council approved and authorized staff to enter into an agreement for

homeless outreach, assessment, and street-based case management services with Santa Clara County. The assessment will place our residents in the Santa Clara County community queue, which is the pathway towards being placed in rapid rehousing, transitional or permanent affordable housing. On March 16, 2022, the City Council approved allocating \$100,000 from the Federal American Rescue Plan Act funding to extend the homeless outreach, assessment, and street-based case management services contract for an additional year.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

As mentioned in the previous paragraph of CDBG funded programs related to emergency shelter, the City also funds organizations that take proactive measures in helping individuals in need of legal help, youth needs and concerns and fair housing so that he/she can become informed of his or her rights before the individual is forced into homelessness.

CDBG and City Local Funds

- **Rent Relief Program:** The Silicon Valley Independent Living Center has been administering the City's Rent Relief Program, which offers low- and moderate-income residents no more than 3 months of rental assistance to prevent eviction, avoid community displacement, and to remain housed.
- **Child Advocates of Silicon Valley:** Child Advocates connect court appointed special advocates (CASAs) to foster children. These volunteers must make a commitment to the children for a long-term, many for his or her entire life. The consistent support of the CASA is often the only adult who has steadily remained with the child, providing crucial mentorship.
- **Seniors Adults Legal Assistance (SALA):** SALA is committed to providing free-legal services to seniors. Legal services that SALA provides ranges from: public benefits, long-term care, alternatives to institutionalization, elder abuse, long-term care insurance, incapacity planning, probate, simple wills and housing – related to Landlord-Tenant issues. Often, many seniors do not know his or her housing rights or sign over the will of their house without knowing, and with fixed income, many are unable to provide legal help. SALA provides legal help free of charge for these low to extremely low-income seniors.

SP-65 Lead based paint Hazards – 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

The County of Santa Clara has received funding from State's Department of Health Service and Federal Government for Center for Disease Control to implement a Childhood Lead Poisoning Prevention Program. The funded programs include community outreach screen, case management and public education to inform low-to-moderate income and older communities. The project will then follow up with environmental testing, lead-based education, blood-lead testing for children, hazard reduction grants and follow up with monitoring and testing.

Milpitas has adopted a Lead-Based Paint Management Plan which complies with HUD Based Paint regulations, which outlines the required states of abatement and remediation for rehabilitation projects. In addition, the City publicize and identifies lead-based hazards and older residential projects through its Code Enforcement Division and Building Department. In addition, projects undergoing rehabilitation, under the City's Rehabilitation, provides technical assistance and abatement of lead-based paints.

How are the actions listed above related to the extent of lead poisoning and hazards?

Fifty-five percent of owner-occupied homes in Milpitas were built prior to 1970, the period of time identified as using lead-based paint.

How are the actions listed above integrated into housing policies and procedures?

Milpitas has adopted a Lead-Based Paint Management Plan which complies with HUD Based Paint regulations, which outlines the required states of abatement and remediation for rehabilitation projects.

SP-70 Anti-Poverty Strategy – 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

The City of Milpitas will follow these actions:

- Work with non-profit housing developers to fund and provide more affordable housing opportunities to address the homeless problem and needs of very low and low-income households.
- Provide funding and supportive services to prevent very low-income persons and families from becoming homeless and assist them in ending the cycle of homelessness.
- Address the employment and income needs of individuals and families who are economically disadvantaged, including persons who are homeless, who have disabilities, and those who are participating in the County of Santa Clara Welfare-to-Work Programs.
- Provide funding for a variety of services and referrals to assist people in obtaining access to public assistance to prevent poverty.
- Per Section 3, if there are HUD funded projects that can create direct economic opportunities must take every effort to recruit, target and directed towards low and very low-income residents and businesses.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

Many of the organizations the City contracts with regionally work to reduce poverty within the City. Our respective plan and missions are very well aligned to confront poverty.

SP-80 Monitoring – 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The City enters into a subrecipient agreement with each subgrantee. The terms and conditions are in compliance with HUD regulations and approved by our City Attorney. Once per quarter, each subgrantee is to report their activities to the City. This has allowed the City to maintain a high integrity level with regards to monitoring our subgrantees and reporting our progress to HUD.

FY2022-23 Annual Action Plan

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

As of this writing, the City of Milpitas has yet to receive an initial Community Development Block Grant (CDBG) entitlement allocation. On December 24, 2021, the City announced that the application period for FY22-23 applications would be open from January 3, 2022 through February 18, 2022. Staff also designed a simplified application to streamline and increase efficiency of the process. Twenty-three (23) simplified applications with requests totaling over \$2,500,000 were received during the application period. A full breakdown of these simplified applications is provided in the analysis section below.

Staff held two public outreach meetings during CAC meetings to provide a forum for the community to come provide feedback on their desired priorities for the Con Plan. On December 1, 2021, the CAC received a staff presentation on the results of the CDBG Consolidated Plan survey. On March 2, 2022, the CAC received a staff presentation on, as well an overview of, the 23 simplified applications received for CDBG funding. The Commission heard 19 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds.

Staff will conduct two public hearings with the community and City Council on April 5 and May 3, 2022.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The objectives and outcomes identified in this Consolidated Plan to allocate CDBG funds and action taken by Annual Action Plan will be directed towards accomplishing the following priority housing and community development needs in Milpitas:

- Maintain and Preserve Existing Housing
- New Affordable Housing
- Affordable Housing Rental Rehabilitation
- Community Funding/Public Services
- Public services for low- and moderate-income residents at risk of eviction
- Fair Housing
- Public Services for Children and Youth
- Public Services for Seniors
- Public Services for Domestic Violence support

- Public Improvements including accessibility and improving public facilities
- Assist Microenterprises and Small Businesses
- Explore the use of HUD Section 108 Loan Guarantee Program

3. Evaluation of past performance

City of Milpitas has had successful implementation of all projects included in the plan. The projects have met all timeliness deadlines and have benefitted low- and moderate-income residents.

4. Summary of Citizen Participation Process and consultation process

The City held a public meeting with the Community Advisory Commission (CAC) on March 2, 2022 to review applications and hear applicant presentations. The CAC made their recommendations for funding to the City Council. Nineteen (19) public comments were heard from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

On March 4, 2022, the City placed an advertisement in the Milpitas post for the April 5 and May 3, 2022 City Council meetings. The notice of public hearing is to review funding applications for the FY22-25 Consolidated Plan and FY22-23 CDBG funding year.

On April 1, 2022, the City posted the draft FY22-25 Consolidated Plan and draft FY22-23 Annual Action Plan on its website to provide opportunities for public comment. The documents were posted at this url: <http://www.ci.milpitas.ca.gov/milpitas/departments/federalprogram-community-development-block-grant-cdbg/>

5. Summary of public comments

At the December 1, 2021 Community Advisory Commission meeting, staff provided a brief presentation on the fiscal year 2022-2025 CDBG Consolidated Plan process, including an overview of the results of the Consolidated Plan Community Survey, and a timeline of events for the upcoming fiscal year. Seven consultants from various public and private agencies that provide housing, health services, and other social services provided comments to the Commission. One member of the community provided public comment to the Commission in support of the services discussed during the meeting.

On March 2, 2022, the CAC received a staff presentation on, as well an overview of, the 23 simplified applications received for CDBG funding. The Commission heard 19 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds.

6. Summary of comments or views not accepted and the reasons for not accepting them

N/A

7. Summary

Following the requirements of the Citizen Participation Plan, the CAC made their recommendations for priority areas to be funded to the City Council on March 2, 2022. The City held public hearings on April 5 and May 3, 2022. A summary of public comments will be added at the conclusion of the hearings.

On April 1, 2022, the City posted the draft FY22-25 Consolidated Plan and the draft FY22-23 Annual Action Plan on its website to provide opportunities for public comment. The documents were posted at this url: <http://www.ci.milpitas.ca.gov/milpitas/departments/federalprogram-community-development-block-grant-cdbg/>

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	MILPITAS	Building Safety & Housing

Table 1 – Responsible Agencies

Narrative (optional)

The City of Milpitas – Building Safety & Housing Department is the lead agency for the United States Department of Housing and Urban Development (HUD) entitlement program, Community Development Block Grant (CDBG).

Pursuant to the Department of Housing and Urban Development (HUD) funding requirements and in conformance with 24 CFR Part 91, Consolidated Submission for Community Planning and Development Programs, City of Milpitas has prepared and adopted the 2022-2023 Annual Action Plan. The Action Plan is submitted annually and describes the eligible programs, projects and activities to be undertaken with funds that are expected to be made available during the fiscal year 2022-2023 and their relationship to the City's priorities and needs for housing, homelessness and community development laid out in the three-Year Consolidated Plan. The 2022-2023 Annual Action Plan will be the first year action plan under the new three year Consolidated Plan.

The City of Milpitas will submit its three-year Consolidated Plan (2022-2025) to HUD. The Consolidated Plan identifies the long-term goals and objectives achieved and consistent with the annual Action Plan Report. Included with the submission of the Action Plan is the Standard Form 424, Proposed Projects and Certifications as required by Community Development Block Grant (CDBG) Program regulations. The goals and objectives identified in the Milpitas Action Plan are in full compliance with the approved and adopted policies and procedures outlined in the Milpitas CDBG Citizen Participation Plan.

The public review and comments period for the Draft Annual Action Plan is April 1 – May 3, 2022.

The City of Milpitas has updated its Analysis of Impediments (AI) to Fair Housing Choice Report in 2016 in anticipation of the preparation for the future Consolidated Plan (2018-2023). The previous AI Report was adopted in 2011.

In May 2015, City of Milpitas General Plan Housing Element (2015-2023) was certified by State of California Department of Housing and Community Development (HCD). The Milpitas City Council reviewed and adopted its Housing Element on April 28, 2015.

Consolidated Plan Public Contact Information

Robert Musallam, Housing Authority Administrator
City of Milpitas
455 E. Calaveras Blvd.
Milpitas, CA 95035
(408) 586-3275
rmusallam@ci.milpitas.ca.gov

AP-10 Consultation – 91.100, 91.200(b), 91.215(I)

1. Introduction

The City of Milpitas requested a number of consultations with a multitude of stakeholders in the development of the Annual Action Plan. The City of Milpitas solicited comments and public input for 30 days for the draft Annual Action Plan. In addition, the City posted the public hearing notice on its website, sent an email to all CDBG applicants, the Community Advisory Commission, and other agencies or individuals who can further Citizen Participation. Public notices were sent out notifying the public hearings for the funding recommendations discussion to be held at the two scheduled City Council meetings. Additionally, an advertisement was posted in the Milpitas Post.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I))

The City participates in a weekly meeting with all local jurisdictions, which often includes the Housing Authority and HUD, to discuss housing cooperation. City staff continues to maintain dialogue with all service providers, public and private to enhance services or if the City can connect service providers for better coordination of service deliveries.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Santa Clara County Continuum of Care (CoC) is a multi-sector group of stakeholders guiding the implementation of the County's housing and service system to meet the need and prevent and end homelessness. The CoC includes: 1) permanent housing, 2) emergency shelter with outreach and assessment services, 3) transitional housing with support services, and 4) prevention services. In 2020, the City of Milpitas participated in the preparation of the Community Plan to End Homelessness in Santa Clara County. The Plan identifies strategies to address the needs of homeless persons in the county. On October 6, 2020, the City Council endorsed the 2020-2025 Santa Clara County Community Plan to End Homelessness.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

The City of Milpitas does not receive Emergency Shelter Grant (ESG) funding however the City participates with the CoC to address homeless issues.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Project Sentinel
	Agency/Group/Organization Type	Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Fair Housing
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Project Sentinel attended a community meeting to voice the needs on behalf the community and seek continued support for fair housing and tenant landlord mitigation services. The City will continue to support fair housing services.
2	Agency/Group/Organization	Catholic Charities of Santa Clara County Long Term Care Ombudsman Program
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Catholic Charities attended to voice the need for those living in long term care.
3	Agency/Group/Organization	Child Advocates of Silicon Valley
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Child Advocates attended to voice the need for the children in the foster care system.
4	Agency/Group/Organization	Next Door Solutions to Domestic Violence
	Agency/Group/Organization Type	Services - Victims
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Next Door Solutions to Domestic Violence attended to voice the need for services for family's experience abuse.
5	Agency/Group/Organization	Senior Adults Legal Assistance (SALA)
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from SALA attended to voice the need for continuing legal services for senior persons.
6	Agency/Group/Organization	Silicon Valley Independent Living Center
	Agency/Group/Organization Type	Housing Services – Interim Assistance (Rent Relief) Services – Elderly Person Services – Persons with Disabilities Services – Homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Disproportionately Greater Need: Housing Cost Burdens
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from SVILC attended to voice the need for providing additional rent relief services as well as other housing needs and referrals to partner organizations.
7	Agency/Group/Organization	YWCA
	Agency/Group/Organization Type	Services - Children
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from YWCA attended to voice the need for continued services for persons experiencing domestic abuse.
8	Agency/Group/Organization	Rebuilding Together Silicon Valley
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Rebuilding Together Silicon Valley attended to voice the need for continued services for low-income home repairs.
9	Agency/Group/Organization	Terrace Gardens Senior Housing, Inc.
	Agency/Group/Organization Type	Housing Services - Housing Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Terrace Gardens attended to voice the need for services for senior person(s).
10	Agency/Group/Organization	LifeMoves
	Agency/Group/Organization Type	Housing Services - Housing Services - Homeless housing need assessment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homeless Needs - Veterans
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from LifeMoves attended to voice the need for continued services for the homeless populations they serve.

Identify any Agency Types not consulted and provide rationale for not consulting

The City did not consult with nearby correctional facility or child welfare entities. The organization has various partnerships with the County and the City works with those organizations indirectly through the several partnerships through the County and sub-recipients funded and outlined in this Action Plan.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Regional Continuum of Care Council	The Continuum of Care works to alleviate the impact of homelessness in the community through the cooperation and collaboration of social service providers. This effort aligns with the Strategic Plan's goal to support activities to prevent and end homelessness.
City of Milpitas Housing Element	City of Milpitas	The Housing Element serves as a policy guide to help the City meet its existing and future housing needs. This effort aligns with the Strategic Plan's goal to assist in the creation and preservation of affordable housing.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal setting

The citizen participation process includes holding several public community meetings and workshops for maximum citizen participation. City staff worked closely with the City's Community Advisory Commission (CAC) holding two public meetings for the Commission and community to understand and participate in the CDBG process. The CAC held public meetings on December 1, 2022 and March 2, 2022 to discuss the priorities and goals for the FY22-25 Consolidated Plan and funding allocations for the FY22-23 Annual Action Plan.

The City conducted 5 total meetings to discuss CDBG allocations, 2 of which were public hearings. Noticing for the public hearings were done in accordance with the Citizen Participation Plan, which has been amended in accordance with HUD guidelines.

At the December 1, 2021 Community Advisory Commission meeting, staff provided a brief presentation on the fiscal year 2022-2025 CDBG Consolidated Plan process, including an overview of the results of the Consolidated Plan Community Survey, and a timeline of events for the upcoming fiscal year. Seven consultants from various public and private agencies that provide housing, health services, and other social services provided comments to the Commission. One member of the community provided public comment to the Commission in support of the services discussed during the meeting.

On March 2, 2022, the CAC received a staff presentation on, as well an overview of, the 23 simplified applications received for CDBG funding. The Commission heard 19 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds. One public comment requested consideration for disabled individuals when considering upgrades to the City's parks.

On April 1, 2022, the City posted the draft FY22-25 Consolidated Plan and the draft FY22-23 Annual Action Plan on its website to provide opportunities for public comment. The documents were posted at this url: <http://www.ci.milpitas.ca.gov/milpitas/departments/federalprogram-community-development-block-grant-cdbg/>

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	News-paper ad	Non-targeted/broad community	Opening the application period	No comments were received	n/a	
2	Internet/Social Media Outreach	Broad community	32 responses	The City created a Consolidated Plan community survey to obtain citizen and stakeholder input and comments for the development of the Consolidated Plan. A total of 32 responses were received.	n/a	https://www.ci.milpitas.ca.gov/wp-content/uploads/2021/12/2022-2025-community-development-block-grant_results.pdf
3	Public Meeting (CAC)	Non-targeted/broad community	20 Attendees	Seven consultants from various public and private agencies that provide housing, health services, and other social services provided comments to the Commission. One member of the community provided public comment to the Commission in support of the services discussed during the meeting.	n/a	https://www.milpitas.gov/_pdfs/Commissions/cac/2021/120121/minutes.pdf
4	Public Meeting (CAC)	Non-targeted/broad community	10 Attendees	No comments were received	n/a	https://www.milpitas.gov/_pdfs/Commissions/cac/2022/020222/minutes.pdf

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
5	Public Meeting (CAC)	Non-targeted/broad community	30 Attendees	The Commission heard 19 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds. One public comment requested consideration for disabled individuals when considering upgrades to the City's parks.	n/a	https://www.milpitas.gov/_pdfs/Commissions/cac/2022/030222/minutes.pdf
6	News-paper ad/website	Non-targeted/broad community	Public Hearing Notice for City Council Meetings	No comments were received	n/a	https://www.milpitas.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/
7	City Council Meeting Public Hearing	Non-targeted/broad community	50 attendees	The Commission heard 12 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds.	n/a	https://www.milpitas.gov/_pdfs/council/2022/040522/Minutes.pdf
8	Website	Non-targeted/Broad community	Draft AAP	n/a	n/a	https://www.milpitas.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/
9	City Council Meeting Public Hearing	Non-targeted/broad community	n/a	n/a	n/a	

Table 4 – Citizen Participation Outreach

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of Milpitas will receive \$682,977 for Program Year 2021 in CDBG funds.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation	Program Income	Prior Year Resources	Total		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$660,781	\$8,959	\$0	\$669,740	\$1,980,000	

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Not applicable, the City does not match federal funds.

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

There are two parcels controlled by the City. One parcel, located at 1432 S. Main Street, is owned by Milpitas Housing Authority and is approximately 0.9 acres in size. Currently the parcel is occupied by commercial tenants, but the land is zoned as high-density multi-family residential. The other parcel, approximately 1.7 acres, is located adjacent to the Milpitas Housing Authority property and is owned by the City of Milpitas. That City parcel is also occupied by commercial business but is also zoned for multi-family residential use. In January 2022, the City Council directed staff to sell the parcel owned by the

Milpitas Housing Authority with the intent that the buyer will develop affordable housing.

Discussion

Please see discussion above.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Maintain and Preserve Existing Housing	2022	2025	Affordable Housing Non-Homeless Special Needs	Citywide	Affordable Housing Development and Preservation	\$249,566.15	Homeowner housing rehabilitated
2	New Affordable Housing	2022	2025	Affordable Housing	Citywide	Affordable Housing Development and Preservation	N/A	N/A
3	Affordable Housing Rental Rehabilitation	2022	2025	Non-Housing Community Development	Citywide	Affordable Housing Development and Preservation	\$30,000.00	Homeowner housing rehabilitated
4	Community Funding/Public Services	2022	2025	Homeless Non-Homeless Special Needs	Citywide	Community Services	\$20,000.00	Public service activities other than LMI housing benefit
5	Public services for low- and moderate-income residents at risk of eviction	2022	2025	Homeless Non-Homeless Special Needs	Citywide	Community Services	N/A	N/A
6	Fair Housing	2022	2025	Affordable Housing Non-Homeless Special Needs	Citywide	Community Services	\$56,290.00	Public service activities other than LMI housing benefit
7	Public Services for Children and Youth	2022	2025	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	\$13,000.00	Public service activities other than LMI housing benefit
8	Public Services for Seniors	2022	2025	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	\$66,130.65	Public service activities other than LMI housing benefit

9	Public Services for Domestic Violence support	2022	2025	Non-Homeless Special Needs	Citywide	Community Services	N/A	N/A
10	Public Improvements including accessibility and improving public facilities	2022	2025	Non-Housing Community Development	Citywide	Community, Public, and Neighborhood Sustainability	\$150,000.00	Public facility or infrastructure activities for LMI housing benefit
11	Assist Microenterprises and Small Businesses	2022	2025	Non-Housing Community Development	Citywide	Economic Development	N/A	N/A
12	Explore the use of HUD Section 108 Loan Guarantee Program	2022	2025	Affordable Housing Non-Housing Community Development	Citywide	Community Services Economic Development	N/A	N/A

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Maintain and Preserve Existing Housing
	Goal Description	Maintain and preserve existing housing for 50 Households
2	Goal Name	New Affordable Housing
	Goal Description	N/A
3	Goal Name	Affordable Housing Rental Rehabilitation
	Goal Description	Affordable housing rehabilitation to benefit 149 LMI households
4	Goal Name	Community Funding/Public Services
	Goal Description	Support public services activities to benefit 83 LMI individuals
5	Goal Name	Public services for low- and moderate-income residents at risk of eviction
	Goal Description	N/A
6	Goal Name	Fair Housing
	Goal Description	Provide fair housing services to benefit 320 LMI individuals
7	Goal Name	Public Services for Children and Youth
	Goal Description	Provide public services activities to 16 children
8	Goal Name	Public Services for Seniors

	Goal Description	Provide public services activities for 90 seniors
9	Goal Name	Public Services for Domestic Violence support
	Goal Description	N/A
10	Goal Name	Public Improvements including accessibility and improving public facilities
	Goal Description	Provide accessibility and access to public facilities such as homeless shelters to benefit 105 LMI individuals
11	Goal Name	Assist Microenterprises and Small Businesses
	Goal Description	N/A
12	Goal Name	Explore the use of HUD Section 108 Loan Guarantee Program
	Goal Description	N/A

Projects

AP-35 Projects – 91.220(d)

Introduction

The City of Milpitas only receives Community Development Block Grant (CDBG) funding. If available and recommended in certain circumstances, the City Council may also augment the funds and contribute from local funds, such as the Community Promotion Fund (CPF). All the funds mentioned, are in efforts to serve and improve the lives of low- and moderate-income persons in Milpitas.

Projects

#	Project Name
1	Catholic Charities of Santa Clara County
2	Child Advocates of Silicon Valley
3	Lighthouse of Hope Counseling Center
4	Senior Adults Legal Assistance (SALA)
5	Silicon Valley Independent Living Center – Housing Search
6	Sourcewise
7	The Health Trust
8	Terrace Gardens Senior Housing - Capital
9	Rebuilding Together Silicon Valley - Capital
10	LifeMoves - Capital
11	Project Sentinel
12	Program Administration

Table 7 - Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Allocation priorities are derived through qualitative research such as surveys, public meetings, public hearings and other avenues of resident input. The research has impacted the priority needs that address the most vulnerable population in our communities and the City Council has established the priorities to address those underserved needs. The main obstacle is the lack of available funding and lack of flexibility in CDBG funding. As only 15% of the grant is available for public service activities, this severely limits the use of funds on addressing high priority needs.

AP-38 Project Summary**Project Summary Information**

1	Project Name	Catholic Charities of Santa Clara County
	Target Area	Citywide
	Goals Supported	Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$15,000
	Description	Investigate and resolve complaints for seniors and disabled adults in long term care facilities.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	40
	Location Description	All long term care facilities in Milpitas.
	Planned Activities	Site visits to long term care facilities and nursing homes and provide with case management for those clients with open cases.
2	Project Name	Child Advocates of Silicon Valley
	Target Area	Citywide
	Goals Supported	Public Services for Children and Youth
	Needs Addressed	Community Services
	Funding	CDBG: \$13,000
	Description	Provides court appointed youths with volunteers to maintain life-long mentorship and guidance.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	16
	Location Description	Milpitas, CA

Annual Action Plan
2022

19

	Planned Activities	Organization will recruit, train more volunteers and providing essential mentor and guidance for youth.
3	Project Name	Lighthouse of Hope Counseling Center
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$5,000
	Description	Lighthouse of Hope provides counseling, psychological support, and education to the entire community: families, homeless, adolescent fathers, and high school students onsite in their schools.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	23
	Location Description	Citywide
	Planned Activities	Psychological support, and education to the entire community: families, homeless, adolescent fathers, and high school students onsite in their schools.
4	Project Name	Senior Adults Legal Assistance (SALA)
	Target Area	Citywide
	Goals Supported	Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$12,000
	Description	Legal services in the form of advice/referrals, consultations/brief service, and legal representation will be provided to Milpitas elders in areas of law common to SALA's target population including, but not limited to, the following: Public Benefits (Social Security, SSI, Medicare, and Medi-Cal); Nursing Homes and Alternatives to Institutionalization (including Advance Directives); Elder Abuse; Housing Law, Consumer Problems; and Personal Affairs (including Simple Wills through SALA's No Fee Wills Panel). SALA will provide services through on-site appointments scheduled at intake days at least once a month at the Barbara Lee (Milpitas) Senior Center. Home visits will be made to elders in Milpitas who are homebound or who reside in nursing homes. Milpitas residents with urgent problems will also be served on an emergency basis by telephone. Milpitas residents who appear at SALA intake sites in other cities will also be served. SALA will also conduct one community education presentation annually for the participants at the Milpitas Senior Center. All services described herein will be provided by one of the attorneys on SALA's staff, a pro bono (volunteer) attorney, or a paralegal (either paid staff or volunteer).
	Target Date	6/30/2023

	Estimate the number and type of families that will benefit from the proposed activities	20
	Location Description	At their San Jose office, Milpitas Senior Center and Milpitas Library.
	Planned Activities	Legal assistance, including advising and counseling on basic rights. Facilitation access to public benefits to meet basic life needs and legal planning.
5	Project Name	Silicon Valley Independent Living Center - Housing Search
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	\$15,000.00
	Description	The Housing & Support Services for Persons with Disabilities & Older Adults program is the most utilized service with over 75% of consumers requesting and receiving housing assistance, rent relief, and/or other emergency services.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	60
	Location Description	Housing search assistance for Milpitas residents
6	Planned Activities	Providing rental assistance to LMC Milpitas residents at risk of eviction due to COVID-19.
	Project Name	Sourcewise - Meals on Wheels
	Target Area	Citywide
	Goals Supported	Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$19,565
	Description	Provide vulnerable seniors age 60 and older who have been impacted by the pandemic nutritious home-delivered meals.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	15
	Location Description	At each of the client's home.
7	Planned Activities	Provide seniors with daily healthy, hot meals.
	Project Name	The Health Trust
	Target Area	Citywide
	Goals Supported	Public Services for Seniors

	Needs Addressed	Community Services
	Funding	CDBG: \$19,565.65
	Description	The Health Trust Meals on Wheels program serves physically challenged, home-bound individuals, whether they are elderly, are recuperating after a recent hospitalization, or have disabilities confining them to a wheelchair. Trained drivers, most of whom are volunteers, deliver hot, nutritious meals five days a week along with frozen meals for preparation over the weekend. Drivers also provide daily wellness checks, making sure that clients are safe, alert and cared for. This service provides peace of mind not only to the clients, but also to their families.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	15
	Location Description	At each of the client's home.
	Planned Activities	Provide seniors with daily healthy, hot meals.
	Project Name	Terrace Gardens Senior Housing - Capital
8	Target Area	Citywide
	Goals Supported	Affordable Housing Rental Rehabilitation
	Needs Addressed	Affordable Housing Rental Rehabilitation
	Funding	CDBG: \$30,000
	Description	Rehab the existing trellis at Terrace Gardens.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	149
	Location Description	186 Beresford Court
	Planned Activities	Funding will be used to rehab the existing trellis at Terrace Gardens.
9	Project Name	Rebuilding Together Silicon Valley
	Target Area	Citywide
	Goals Supported	Maintain and Preserve Existing Housing
	Needs Addressed	Affordable Housing Development and Preservation
	Funding	CDBG: \$249,566.15
	Description	Funding to providing home repairs, rehabilitation, accessibility and mobility services work to low-income homeowners in Milpitas.
	Target Date	6/30/2023

	Estimate the number and type of families that will benefit from the proposed activities	50
	Location Description	Throughout Milpitas
	Planned Activities	Funding to providing home repairs, rehabilitation, accessibility and mobility services work to low-income homeowners in Milpitas.
10	Project Name	LifeMoves - Capital
	Target Area	Citywide
	Goals Supported	Public Improvements including accessibility and improving public facilities
	Needs Addressed	Community Services
	Funding	CDBG: \$150,000
	Description	Performing repairs to Julian Street Inn Shelter.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	105
	Location Description	The shelter is located in San Jose
	Planned Activities	Performing repairs to Julian Street Inn Shelter.
11	Project Name	Project Sentinel (Fair Housing)
	Target Area	Citywide
	Goals Supported	Fair Housing
	Needs Addressed	Community Services
	Funding	CDBG: \$56,290

	Description	Project Sentinel is a private nonprofit agency providing fair housing, tenant-landlord counseling and dispute resolution services to the City of Milpitas. In addition to counseling and case intake, education and outreach activities will be ongoing. Outreach activity includes: the publication of Rent Watch, a rental housing advice column; distribution of brochures, radio public service announcements and public presentations and workshops. Presentations and workshops are provided to a wide spectrum of the community: ESL classes at local schools; civic groups like the Rotary and Lions; social service agencies like Catholic Charities and Next Door Solutions; municipal offices such as the Senior Center and Community Center; housing provider associations such as the Apartment Owners Association (AOA). Program services are delivered by designated staff in the agency's Fremont office using a local Milpitas phone line and by staff in the agency's main office at 1490 El Camino Real, Santa Clara. Office hours for counseling and case intake are from 9:00 am to 4:00 pm, Monday through Friday. Evening and week-end appointments are provided when necessary. Tenant-Landlord counseling/Dispute Resolution includes all areas of concern in rental housing; however, evictions and substandard housing complaints receive priority attention. Mediations and conciliations are conducted by trained staff and volunteers. Services are delivered in a neutral, unbiased manner to all parties engaged in the rental housing relationship. Fair Housing services of community education, and complaint investigation are provided from the corporate office and other public facilities within the City of Milpitas (library, community center). HUD-certified mortgage default counseling and First Time Homebuyer workshops are open to Milpitas residents. These services are provided from Project Sentinel's office at the Milpitas Sobrato Center.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	320
	Location Description	At various venues in Milpitas and also their Santa Clara office.
	Planned Activities	Provide educational presentations, outreach, and brochures at a variety of venues. Provide information and referral services and investigate cases of alleged discrimination.
12	Project Name	Program Administration
	Target Area	Citywide
	Goals Supported	Program Administration
	Needs Addressed	Program Administration
	Funding	CDBG: \$75,884.20

	Description	Program Administration
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	Program Administration
	Location Description	Milpitas, CA
	Planned Activities	Program Administration

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

Not applicable. The City of Milpitas does not set geographic concentration areas for assistance. Instead the City helps fund organizations that provide supportive services to low- and moderate-income individuals throughout the City.

Geographic Distribution

Target Area	Percentage of Funds

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Not applicable

Discussion

Not applicable

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The City adopted Affordable Housing Ordinance No. 297 on June 12, 2018. The Affordable Housing Ordinance requires that all new developments over 10 units requires 15% affordable units. On March 5, 2019, the City established residential and non-residential affordable housing fees. In January 2022, Council approved changes to the Affordable Housing Ordinance to encourage more on-site affordable housing production. Council also adopted changes to add clarity and consistency throughout the ordinance.

One Year Goals for the Number of Households to be Supported	
Homeless	50
Non-Homeless	200
Special-Needs	1,000
Total	1,250

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	50
Acquisition of Existing Units	0
Total	50

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

The City estimates that over 300 affordable units are currently in the development pipeline. These will be built as stand-alone affordable housing and as mixed-income housing in compliance with the City's Affordable Housing Ordinance.

AP-60 Public Housing – 91.220(h)

Introduction

The City of Milpitas currently does not have any public housing. However, there is one Project-based Section 8 property in the City, the Sunnyhills Apartments. The Sunnyhills Apartments is a 171-unit development in which 149 units receive project-based Section 8 vouchers. The Project-based Section 8 vouchers provides rental assistance for each unit between the Department of Housing and Urban Development (HUD) established Fair Market Rent (FMR) for the area and what the tenant can afford to pay. Its aim is to be competitive with the local market thus incentivizing the owner to rent to low income households.

Actions planned during the next year to address the needs to public housing

This is not applicable to the City of Milpitas as there are no public housing units owned or managed by the Housing Authority of the County of Santa Clara in the City.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not applicable. There are no public housing units in the City of Milpitas.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

Discussion

Not applicable.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The County of Santa Clara and the City have designated homelessness as a critical issue. Although the total homeless population is declining as a whole, there still remains 7,394 homeless persons. In Santa Clara County's 2019 Point-in-Time Census & Survey Comprehensive Report, the survey identified a total of 125 unsheltered homeless persons in Milpitas. Notably, there was an 89% increase in unsheltered homeless persons in Milpitas. Given the complexity of homelessness, interagency and interregional collaboration is crucial in solving the homeless issue.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

In October 2020, the City Council endorsed the 2020-2025 Santa Clara County Plan to End Homelessness. On November 10, 2020, the City Council approved and authorized staff to enter into an agreement for homeless outreach, assessment, and street-based case management services with Santa Clara County. In December 2020, the City Council authorized staff to contract with Project WeHope to provide mobile shower and laundry services in Milpitas. The City Council also established a Homelessness Task Force, who will be responsible for providing low cost homeless response suggestions to the City Council. The City's Building Safety and Housing team will continue to explore resources that can further benefit the homeless population in Milpitas.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Milpitas will address emergency shelter and transitional housing needs of homeless persons by continuing to coordinate services between the City's Police, Building Safety & Housing, and Public Works Departments and our local service providers, such as LifeMoves.

CDBG Funded

- **Next Door Solutions to Domestic Violence:** Next Door Solutions to Domestic Violence provides client-centered, community-based supportive services for victims of domestic violence and his/her children. The organization also provides undisclosed emergency shelter when requested and needed by the individual and/or family.
- **YWCA Silicon Valley (YWCA):** YWCA Silicon Valley empowers women and her children to end racism and violence through offering supportive services for self-improvement and undisclosed emergency shelter for short-term to a longer amount of time if needed. YWCA also provides clients referrals to permanent housing if possible, and available.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent

housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

On November 10, 2020, the City Council approved and authorized staff to enter into an agreement for homeless outreach, assessment, and street-based case management services with Santa Clara County. The assessment will place our residents in the Santa Clara County community queue, which is the pathway towards being placed in rapid rehousing, transitional or permanent affordable housing. On March 16, 2022, the City Council approved allocating \$100,000 from the Federal American Rescue Plan Act funding to extend the homeless outreach, assessment, and street-based case management services contract for an additional year.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

As mentioned in the previous paragraph of CDBG funded programs related to emergency shelter, the City also funds organizations that take proactive measures in helping individuals in need of legal help, youth needs and concerns and fair housing so that he/she can become informed of his or her rights before the individual is forced into homelessness.

CDBG and City Local Funds

- **Rent Relief Program:** The Silicon Valley Independent Living Center has been administering the City's Rent Relief Program, which offers low- and moderate-income residents no more than 3 months of rental assistance to prevent eviction, avoid community displacement, and to remain housed.
- **Child Advocates of Silicon Valley:** Child Advocates connect court appointed special advocates (CASAs) to foster children. These volunteers must make a commitment to the children for a long-term, many for his or her entire life. The consistent support of the CASA is often the only adult who has steadily remained with the child, providing crucial mentorship.
- **Seniors Adults Legal Assistance (SALA):** SALA is committed to providing free-legal services to seniors. Legal services that SALA provides ranges from: public benefits, long-term care, alternatives to institutionalization, elder abuse, long-term care insurance, incapacity planning, probate, simple wills and housing – related to Landlord-Tenant issues. Often, many seniors do not know his or her housing rights or sign over the will of their house without knowing, and with fixed income, many are unable to provide legal help. SALA provides legal help free of charge for

these low to extremely low-income seniors.

Discussion

Please see discussion above.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Along with other jurisdictions in Santa Clara County, the City of Milpitas is facing many obstacles in creating more affordable housing. The many constraints that the City is facing is the limited amount of developable land, government constraints, infrastructure and public facilities constraints, environmental, housing for persons with disabilities, and financing and construction costs.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Resolution No. 8523

The City adopted Resolution No. 8523 on February 2, 2016, which recognizes homelessness as a crucial problem in the County and will help contribute to future affordable housing projects that will house homeless.

Affordable Housing Ordinance

On June 12, 2018, the City Council adopted Affordable Housing Ordinance No. 297 which requires that any new development with 10 or more units must include 15% of the units these units as affordable. The ordinance applies to both rental and ownership developments. In January 2022, Council approved changes to the Affordable Housing Ordinance to encourage more on-site affordable housing production. Council also adopted changes to add clarity and consistency throughout the ordinance.

Density Bonus Ordinance

To attract developers to build affordable units, the Density Bonus Ordinance will allow developers the ability to build above their permitted densities in permitted zoning districts in exchange for the construction of affordable units.

Below Market Rate Ownership

The City manages a Below Market Rate (BMR) Ownership program for first-time, income-qualified homebuyers. Once a unit from the current BMR housing stock becomes available, a qualified applicant from the waiting list will have the ability to purchase a home in Milpitas at one of the various developments throughout the City. For qualified households, the City also provides a loan of up to

\$50,000.

Fair Housing

Milpitas provides CDBG funds to Project Sentinel. Project Sentinel is a reputable organization that provides expertise in fair housing and tenant-landlord dispute. Services include information, referrals, community outreach and education in several languages other than English, investigation, and resolving fair housing complaints. In addition, they provide education and outreach to property owners, and property management to become proactive in their housing policies.

Discussion:

Please see discussion above.

AP-85 Other Actions – 91.220(k)

Introduction:

The most significant obstacle to addressing the underserved needs for fiscal year 2022-2023 is the lack of sufficient federal, state, and local funds to carry out all the necessary programs, activities and projects.

Actions planned to address obstacles to meeting underserved needs

The diminishing amount of funds continues to be the most significant obstacle to addressing the needs of underserved populations. To address this, the City supplements its CDBG funding with other resources and funds, such as:

- The City of Milpitas Affordable Housing Fund – Used primarily to increase the number of new affordable housing units. It is funded through fees collected from developers in accordance with Affordable Housing Ordinance 297. As an example, the City used these funds to initially fund the Pilot Rent Relief Program the City established in November 2019.
- The City's provides loans on an ongoing, as qualified basis for BMR applicants to qualify for purchasing an available BMR unit.
- Measure A Affordable Housing Bond was approved by voters in November 2016 that approved \$950 million dollars for the County to address housing needs for the most vulnerable residents, those in the extremely low-income households.

Actions planned to foster and maintain affordable housing

The City has taken proactive steps to help decrease the barriers in affordable housing through the following ordinances:

Resolution No. 8523

The City adopted Resolution No. 8523 on February 2, 2016, which recognizes homelessness as a crucial problem in the County and will consider contributing to future affordable housing projects that will house the homeless. The City is in discussion to create its first 100% permanent supporting housing project in Milpitas.

Affordable Housing Ordinance

On June 12, 2018, the City Council adopted Affordable Housing Ordinance No. 297 which requires that any new development with 10 or more units must include 15% of the units these units as affordable. The ordinance applies to both rental and ownership developments. In January 2022, Council approved changes to the Affordable Housing Ordinance to encourage more on-site affordable housing production.

Council also adopted changes to add clarity and consistency throughout the ordinance.

Density Bonus Ordinance

To attract developers to build affordable units, the Density Bonus Ordinance will allow developers the ability to build above their permitted densities in permitted zoning districts in exchange for the provision of affordable units in the development.

Below Market Rate Ownership

The City manages a Below Market Rate (BMR) Ownership program for first-time, income-qualified homebuyers. Once a unit from the current BMR housing stock becomes available, the homebuyer will have the ability to purchase a home in Milpitas at one of the various developments throughout the City. For qualified households, the City also provides a loan of up to \$50,000.

Fair Housing

Milpitas provides CDBG funds to Project Sentinel. Project Sentinel is a reputable organization that provides expertise in fair housing and tenant-landlord dispute. Services include information, referrals, community outreach and education in several languages other than English, investigation, and resolving fair housing complaints. In addition, they provide education and outreach to property owners, and property management to become proactive in their housing policies.

Actions planned to reduce lead-based paint hazards

The County of Santa Clara has received funding from State's Department of Health Service and Federal Government for Center for Disease Control to implement a Childhood Lead Poisoning Prevention Program. The funded programs include community outreach screen, case management and public education to inform low-to-moderate income and older communities. The project will then follow up with environmental testing, lead-based education, blood-lead testing for children, hazard reduction grants and follow up with monitoring and testing.

Milpitas has adopted a Lead-Based Paint Management Plan which complies with HUD Based Paint regulations, which outlines the required states of abatement and remediation for rehabilitation projects. In addition, the City publicize and identifies lead-based hazards and older residential projects through its Code Enforcement Division and Building Department. In addition, projects undergoing rehabilitation, under the City's Rehabilitation, provides technical assistance and abatement of lead-

based paints.

Actions planned to reduce the number of poverty-level families

The City of Milpitas will follow these actions:

- Work with non-profit housing developers to fund and provide more affordable housing opportunities to address the homeless problem and needs of very low and low-income households.
- Provide funding and supportive services to prevent very low-income persons and families from becoming homeless and assist them in ending the cycle of homelessness.
- Address the employment and income needs of individuals and families who are economically disadvantaged, including persons who are homeless, who have disabilities, and those who are participating in the County of Santa Clara Welfare-to-Work Programs.
- Provide funding for a variety of services and referrals to assist people in obtaining access to public assistance to prevent poverty.
- Per Section 3, if there are HUD funded projects that can create direct economic opportunities must take every effort to recruit, target and directed towards low and very low-income residents and businesses.

Actions planned to develop institutional structure

The City is striving to improve intergovernmental and private sector cooperation to synergize efforts and resources and develop new revenues for community service needs and the production of affordable housing. Collaborative efforts include:

- Regular quarterly meetings between entitlement jurisdictions at the CDBG Coordinators Meeting and Regional Housing Working Group
- Joint jurisdiction Request for Proposals and project review committees
- Coordination on project management for projects funded by multiple jurisdictions. Recent examples include the effort by the County to create a regional affordable housing fund, using former redevelopment funds that could be returned to the County to use for affordable housing. Another effort underway involves the possible use of former redevelopment funds to create a countywide pool for homeless shelters and transitional housing. These interactions among agencies generate cohesive discussion and forums for bridging funding and service gaps

on a regional scale.

Actions planned to enhance coordination between public and private housing and social service agencies

The City benefits from a strong jurisdiction and region-wide network of housing and community development partners, such as the County and the CoC. To improve intergovernmental and private sector cooperation, the City will continue to participate with other local jurisdictions and developers in sharing information and resources.

Discussion:

Please see discussion above.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I) (1, 2, 4)

Introduction:

The City of Milpitas only receives CDBG funds and will receive the following program income for FY22-23.

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$8,959
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	\$8,959

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	90.00%

FY2019-20 Annual Action Plan

Executive Summary

AP-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

The City of Milpitas will receive a Community Development Block Grant (CDBG) entitlement amount of \$608,734. To comply with the Citizen Participation Plan the initial funding recommendation made by the Community Advisory Commission (CAC) used an estimated funding allocation of \$450,000. The City Council is responsible for making the final allocation amounts.

HUD allows up to 15% of the allocation for public services, 20% for general administration and a 65% for capital projects.

The CAC recommended the full 15% of the CDBG funding, or a total of \$91,310, be allocated for public services. The CAC recommended funding to 7 different public service providers. These public services include various programs such as: supportive services to domestic violence victims, supplemental supplies of food, housing assistance for persons with disabilities, youth and senior services, legal assistance, and fair housing services.

With regards to capital project activities, the CAC recommended allocating 65% of the overall amount, or approximately \$395,677, to three different organizations for five different capital projects. These projects include: (1) replacing the boiler, (2) replacing the commercial ice machine and (3) replacing the community room carpet at the Terrace Gardens Senior Housing apartment complex; additional capital projects include (4) improving the quality of life for low-income, aging, and/or physically challenged adults via Rebuilding Together Silicon Valley; and (5) providing much need capital repairs to the Georgia Travis Center, a women and children's shelter in San Jose that benefits Milpitas residents.

The remaining 20% of the CDBG funding, or \$121,747 will be for planning and administration. Please note that \$10,000 of the administrative funding will be used for fair housing services through Project Sentinel.

Due to the Federal budget uncertainty, the entire CDBG allocation process has been delayed. However, the Citizen Participation Plan proceeded on schedule. Per Notice CPD-19-01, HUD requires each jurisdiction to submit its draft Action Plan at least 45 days prior to the start of its program year. Additionally, HUD modified its process to require that all jurisdictions wait until the funding allocation has been announced to submit their Annual Action Plans. And since jurisdictions must wait until the funding allocation has been announced, jurisdictions will now have 60 days after the allocation is announced to submit their Annual Action Plans. The actual funding allocation was distributed on April 12, 2019, therefore the City's deadline to submit the Annual Action Plan is June 12, 2019.

Annual Action Plan
2019

1

Given the actual funding allocation, the CAC directed staff to proportionately revise the public service recommended funding allocation based on HUD's actual allocation amount. The CAC directed staff to approve the amended applications of the Capital Project applications.

The 30-day public review period was held on the draft Annual Action Plan from May 3, 2019 to June 3, 2019. The Milpitas Citizens Advisory Commission held a public hearing on the CDBG funding on March 28, 2019, received an update on the CDBG allocations on May 1, 2019 and forwarded its recommendation to the Milpitas City Council thereafter. The Milpitas City Council held a public hearing and after requiring further discussion, they moved the public hearing to June 11, 2019. On June 11, 2019, the City Council approved the CDBG funding and the Annual Action Plan.

Community Development Block Grant funds will be provided to all segments of the Milpitas population including geographical areas with high minority concentrations within the community.

In March 2020, the declaration of the pandemic outbreak of COVID-19, and subsequent shelter in place orders, would require City staff to deviate from standard CDBG operating procedures. Specifically, HUD notified all grantees that additional funding would soon be available, with more flexible guidelines for their use, and with guidance as to how to quickly distribute those funds.

On March 27, 2020, the Coronavirus Aid, Relief, and Economic Security (CARES) Act was signed into law in response to the growing public health and resulting economic crisis. This \$2 trillion stimulus measure provided widespread relief for the private and public sector, including individual Americans. The CARES Act allocated an additional \$5 billion in Community Development Block Grant Coronavirus (CDBG-CV) funds to prevent, prepare for, and respond to coronavirus. Of this amount, \$2 billion (tranche 1) was allocated to entitlement grantees using the same allocation formula as the FY20-21 funds, \$1 billion (tranche 2) was allocated to states and insular areas, and the remaining \$2 billion (tranche 3) will be allocated at the discretion of the Secretary of Housing and Urban Development (HUD) based on need and other factors.

On April 2, 2020, HUD announced that Milpitas would receive \$397,911 in CDBG-CV funds (from tranche 1). Additionally, the CARES Act provides new flexibility for entitlement Cities such as Milpitas to use formula CDBG and CDBG-CV funds and authorized HUD to grant waivers to approve the expenditure of these funds.

On June 23, 2020, the Milpitas City Council approved the allocation of \$397,911 in CDBG-CV funds to be allocated to Silicon Valley Independent Living Center to administer the City's Rent Relief Program and program administration. The City also reallocated \$290,039 in unused prior year funding to the Enterprise Foundation & Kiva to administer a Small Business Loan Program, to Project Sentinel for additional Rent Relief assistance, and to Rebuilding Together Silicon Valley for a Capital Project.

On June 15, 2021, The City Council approve the allocation of \$582,236 in CDBG-CV3 funds and \$17,027.45 in prior year funds to be allocated.

Annual Action Plan
2019

2

At the April 5, 2022, City Council meeting, the Council directed staff to reallocate \$43,506 in unused CDBG-CV funds to the Milpitas Senior Center, PRAGNYA, and YWCA Golden Silicon Valley. At the June 14, 2022, the City Council will approve the reallocation. Staff consulted with their CPD representative and it was determined that a waiver can be used to limit the amount of public noticing that would be required for this substantial amendment. A public hearing was already scheduled for the June 14, 2022 meeting to approve the FY2022-25 Consolidated Plan and the FY2022-23 Annual Action Plan. This item was added to the public hearing. The notice for the June public hearing was posted on the City's website on March 3, 2022. The language specifying the public hearing would also include a substantial amendment to the FY2019-20 was added to the City's website on May 18, 2022. Thus, the notice was available to the public for 28 days.

2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

The objectives and outcomes identified in this Consolidated Plan to allocate CDBG funds and action taken by Annual Action Plan will be directed towards accomplishing the following priority housing and community development needs in Milpitas:

- Affordable Housing Development and Preservation
- Maintain and preserve existing housing
- Support public services that serve lower income persons that include these groups:
 - The homeless
 - Children and youth
 - Special needs populations
 - Seniors
- Public Improvements including increasing accessibility and improving public facilities.

3. Evaluation of past performance

City of Milpitas has had successful implementation of all projects included in the plan. The projects have met all timeliness deadlines and have benefitted low- and moderate-income residents.

4. Summary of Citizen Participation Process and consultation process

A public notice was published in the Milpitas Post on May 3, 2019 notifying the public of the 30-day public comment period. In addition, the draft Annual Action Plan was sent to a distribution list and posted electronically on the City's website, and a copy was also provided to the Milpitas Public Library and City Hall's Public Information Desk. In addition, public had the opportunity to submit public

Annual Action Plan
2019

3

comments to the Housing Department and were notified of public hearings prior to the City Council's consideration of the recommended CDBG allocations.

June 2020

Given the expedient need for the CDBG-CV funds to be allocated, HUD has lowered the threshold for community noticing and public comment to at least 5 days prior to a public hearing. Additionally, each grantee will determine what constitutes reasonable public notice and outreach to justify sufficient noticing. On June 16, 2020, the City of Milpitas submitted their request for a waiver to their Citizen Participation Plan to the San Francisco HUD field office. On June 18, 2020, the City posted the public hearing notice on its website, sent an email to all known interested community members, CDBG applicants, the Community Advisory Commission, and other agencies or individuals who can further Citizen Participation.

The Public Hearing to determine the allocation of CDBG-CV funds and the reallocation of the unused prior year funds was held virtually on June 23, 2020.

CDBG-CV3

The City held a public meeting with the Community Advisory Commission (CAC) on April 7, 2021 to review applications and hear applicant presentations. The CAC made their recommendations for funding to the City Council. Twenty-four public comments were heard from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

On April 28, 2021, the City submitted a waiver to HUD to reduce the opportunity for Citizen Participation and opportunity to comment down to five days. Public notice was provided on April 30, 2021 via the City's website. Included on the website was a link to the documents and instructions on how to attend the public hearing. The City also placed an advertisement in the Milpitas post with the same information.

On May 7, 2021, the City Council held a public hearing to discuss the allocation of CDBG funding for CDBG-CV3. Twenty-two public comments were heard, 21 of which were from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents. One member of the community expressed their opinion on community priorities the Council should focus on with the funding.

On May 14, 2021, the City posted the draft amendment to the FY19-20 Annual Action Plan on its website to provide opportunities for public comment. The documents were posted at this url: <http://www.ci.milpitas.ca.gov/milpitas/departments/federalprogram-community-development-block-grant-cdbg/>

On June 4, 2021, the City placed an advertisement in the Milpitas post for the June 15, 2021 City Council meeting. The Notice contained the date, time, location, purpose and how and where interested persons could obtain more information. A link to the documents was also made available for public review and comment.

On June 15, 2021, the City Council held a public hearing to allocate the FY21-22 and for CDBG-CV3. Eight public comments were heard, of which 5 were from applicants thanking the City Council for their continued support for their non-profit. Three comments were from members of the community expressing their appreciation for the City Council's allocation recommendations.

5. Summary of public comments

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

Eleven total public comments: Nine made by nine of the applicants as to why they should receive the funds they are requesting. Two by members of the community expressing support in seeing additional non-profits applying for funding.

At the June 23, 2020 public hearing, there were four public comments made. Two comments were from applicants urging the Council to consider their request. One was from a member of the community expressing support for the allocation recommendations. And one was not relevant to the public hearing.

CDBG-CV3

At the May 7, 2021 City Council study session, 22 public comments were heard during the public hearing. Twenty-one were from prospective FY21-22 CDBG applicants who gave comments to the City Council to provide information about their organization, their proposed project, and how it will benefit the residents of Milpitas. One comment was from a member of the public who expressed their opinion on community priorities in the City of Milpitas.

On June 15, 2021, the City Council held a public hearing to allocate the FY21-22 and for CDBG-CV3. Eight public comments were heard, of which 5 were from applicants thanking the City Council for their continued support for their non-profit. Three comments were from members of the community expressing their appreciation for the City Council's allocation recommendations.

6. Summary of comments or views not accepted and the reasons for not accepting them

n/a

7. Summary

Following the requirements of the Citizen Participation Plan, the CAC made their estimated funding recommendations to the City Council on March 28, 2019. The CAC updated their funding recommendations to the City Council on May 1, 2019. The draft Annual Action Plan and funding recommendations were released to the public for a 30-day review period beginning May 3, 2019. The Milpitas City Council held a public hearing and approved the CDBG funding and the Annual Action Plan on June 11, 2019. All HUD requirements including citizen participation have been met.

Annual Action Plan
2019

6

OMB Control No: 2506-0117 (exp. 06/30/2018)

PR-05 Lead & Responsible Agencies – 91.200(b)

1. Agency/entity responsible for preparing/administering the Consolidated Plan

Describe the agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
CDBG Administrator	MILPITAS	Housing Division

Table 1 – Responsible Agencies

Narrative (optional)

The City of Milpitas – Housing Division is the lead agency for the United States Department of Housing and Urban Development (HUD) entitlement program, Community Development Block Grant (CDBG).

Pursuant to the Department of Housing and Urban Development (HUD) funding requirements and in conformance with 24 CFR Part 91, Consolidated Submission for Community Planning and Development Programs, City of Milpitas has prepared and adopted the 2019-2020 Annual Action Plan. The Action Plan is submitted annually and describes the eligible programs, projects and activities to be undertaken with funds that are expected to be made available during the fiscal year 2019-2020 and their relationship to the City's priorities and needs for housing, homelessness and community development laid out in the Five-Year Consolidated Plan.

In 2017, City of Milpitas submitted its Five-Year Consolidated Plan (2017-2022) to HUD. The Milpitas Consolidated Plan has been reviewed and approved by HUD. The Consolidated Plan identifies the long-term goals and objectives achieved and consistent with the annual Action Plan Report. Included with the submission of the Action Plan is the Standard Form 424, Proposed Projects and Certifications as required by Community Development Block Grant (CDBG) Program regulations. The goals and objectives identified in the Milpitas Action Plan are in full compliance with the approved and adopted policies and procedures outlined in the Milpitas CDBG Citizen Participation Plan.

The public review and comments period for the Draft Annual Action Plan is May 3 - June 3, 2019. The City Council reviewed the Consolidated Plan and adopted it on June 11, 2019.

The City of Milpitas has updated its Analysis of Impediments (AI) to Fair Housing Choice Report in 2016 in anticipation of the preparation for the future Consolidated Plan (2018-2023). The previous AI Report was adopted in 2011.

In May 2015, City of Milpitas General Plan Housing Element (2015-2023) was certified by State of California Department of Housing and Community Development (HCD). The Milpitas City Council reviewed and adopted its Housing Element on April 28, 2015.

Consolidated Plan Public Contact Information

Robert Musallam, Housing Authority Administrator
City of Milpitas
455 E. Calaveras Blvd.
Milpitas, CA 95035
(408) 586-3275
rmusallam@ci.milpitas.ca.gov

Annual Action Plan
2019

8

OMB Control No: 2506-0117 (exp. 06/30/2018)

AP-10 Consultation – 91.100, 91.200(b), 91.215(l)

1. Introduction

The City of Milpitas requested a number of consultations with a multitude of stakeholders in the development of the Annual Action Plan. The City of Milpitas solicited comments and public input for 30 days for the draft Annual Action Plan. In addition, public notices were sent out notifying the public hearings for the CAC funding recommendations and at the City Council public hearing. Lastly, the inputs and comments the Consolidated Plan directed the Annual Action Plan funding priorities.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l))

The City participates in a quarterly meeting with all local jurisdictions, including the Housing Authority and HUD to discuss housing cooperation. City staff continues to maintain dialogue with all service providers, public and private to enhance services or if the City can connect service providers for better coordination of service deliveries. Also regionally, housing coordinators attend a weekly call to share information, seek assistance of housing issues not limited to CDBG and HOME.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.

The Santa Clara County Continuum of Care (CoC) is a multi-sector group of stakeholders guiding the implementation of the County's housing and service system to meet the need and prevent and end homelessness. The CoC includes: 1) permanent housing, 2) emergency shelter with outreach and assessment services, 3) transitional housing with support services, and 4) prevention services. In 2015, the City of Milpitas participated in the preparation of the Community Plan to End Homelessness in Santa Clara County. The Plan identifies strategies to address the needs of homeless persons in the county.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS

Annual Action Plan
2019

9

The City of Milpitas does not receive Emergency Shelter Grant (ESG) funding however the City participates with the CoC to address homeless issues.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdiction's consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Project Sentinel
	Agency/Group/Organization Type	Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Fair Housing
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Project Sentinel attended a community meeting to voice the needs on behalf the community and seek continued support for fair housing and tenant landlord mitigation services. The City will continue to support fair housing services.
2	Agency/Group/Organization	Catholic Charities of Santa Clara County Long Term Care Ombudsman Program
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Catholic Charities attended to voice the need for those living in long term care.
3	Agency/Group/Organization	Child Advocates of Silicon Valley
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Child Advocates attended to voice the need for the children in the foster care system.
4	Agency/Group/Organization	Next Door Solutions to Domestic Violence
	Agency/Group/Organization Type	Services - Victims
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Next Door Solutions to Domestic Violence attended to voice the need for services for families experience abuse.
5	Agency/Group/Organization	Senior Adults Legal Assistance (SALA)
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from SALA attended to voice the need for continuing legal services for senior persons.
6	Agency/Group/Organization	Silicon Valley Independent Living Center
	Agency/Group/Organization Type	Housing Services – Housing Services – Elderly Person Services – Persons with Disabilities Services – Homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from SVILC attended to voice the need for services for housing needs and referrals.
7	Agency/Group/Organization	The Health Trust
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from The Health Trust attended to voice the need for to continue services for Meals on Wheels.
8	Agency/Group/Organization	YWCA
	Agency/Group/Organization Type	Services - Victims
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from YWCA attended to voice the need for continued services for persons experiencing domestic abuse.
9	Agency/Group/Organization	Rebuilding Together Silicon Valley
	Agency/Group/Organization Type	Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Rebuilding Together Silicon Valley attended to voice the need for continued services for low-income home repairs.
10	Agency/Group/Organization	Terrace Gardens Senior Housing, Inc.
	Agency/Group/Organization Type	Housing Services - Housing Services-Elderly Persons

Annual Action Plan
2019

12

	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Terrace Gardens attended to voice the need for services for senior person(s).
11	Agency/Group/Organization	LifeMoves
	Agency/Group/Organization Type	Housing Services - Housing Services - Homeless housing need assessment
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homeless Needs - Veterans
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from LifeMoves attended to voice the need for continued services for the homeless populations they serve.

Identify any Agency Types not consulted and provide rationale for not consulting

The City did not consult with nearby correctional facility or child welfare entities. The organization has various partnerships with the County and the City works with those organizations indirectly through the several partnerships through the County and sub-recipients funded and outlined in this Action Plan.

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care	Regional Continuum of Care Council	The Continuum of Care works to alleviate the impact of homelessness in the community through the cooperation and collaboration of social service providers. This effort aligns with the Strategic Plan's goal to support activities to prevent and end homelessness.

Annual Action Plan
2019

13

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
City of Milpitas Housing Element	City of Milpitas	The Housing Element serves as a policy guide to help the City meet its existing and future housing needs. This effort aligns with the Strategic Plan's goal to assist in the creation and preservation of affordable housing.

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation Summarize citizen participation process and how it impacted goal-setting

The Annual Action Plan is the implementation tool from the Consolidated Plan. The Annual Action Plan funding is guided by the goals and priorities from the Consolidated Plan. The Consolidated Plan went through the Citizen Participation Plan.

Prior to starting the Consolidated Plan update process, the City revised its Citizen Participation Plan. The citizen participation process included holding several public community meetings and workshops for maximum citizen participation. Also, City staff worked closely with the City's Community Advisory Commission (CAC) as they are the recommending body to the City Council in the CDBG allocation process. The CAC has held a number of meetings (listed below) to discuss the Consolidated Plan.

The City conducted 5 community forums throughout the City in different times, different days and different areas in the City. Notices in English, Spanish and Vietnamese were prepared and posted in the local paper announcing the community forums. The notices were also sent via electronic mail to over 125 organizations inviting them to participate and provide comments or suggestion regarding the City's Consolidated Plan and Annual Action Plan update process. Over 75 individuals, local groups, agencies, non-profit and organizations were involved in the development of the Milpitas Consolidated Plan. A listing of these individuals, groups and organizations who participated in the preparation and development of the plan is included along with citizen comments received during the public hearing process.

On June 16, 2020, the City submitted a waiver to HUD to reduce the opportunity for Citizen Participation and opportunity to comment down to five days. Public notice was provided on June 18, 2020 at 10am via the City's website, social media pages, and by emailing our Housing interest parties list. Included in these communications was a link to the documents, instructions on how to attend the public hearing, and how to provide electronic comment via email. The opportunity to comment expired on June 23, 2020 at 6pm, exceeding the five-day threshold.

Public comments could be made by going to this URL: <http://www.ci.milpitas.ca.gov/spcomment/>

The documents were posted at this url: <http://www.ci.milpitas.ca.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>

For Public Hearing Agenda Item only, voicemail message comments may be submitted to telephone number 408-586-3010 until 2:30 PM on June 23. Please note, public comments via email were accepted until a motion to close the public hearing was passed.

Four total comments were heard. The first comment was from Rebuilding Together Silicon Valley, who wanted to express support for their application to receive CBDG funding for FY 2020. The second comment was from LifeMoves, who wanted to understand why their application was not being considered by the City Council, and if there was still an option, they would like to have revised activities considered so they can continue funding the homeless population in Milpitas. The third comment was from a community member expressing support for the recommended allocations and all of the work the applicants do in the community. The final comment was not relevant to the public hearing in that it was a personal attack on one of the councilmembers. As such, this public comment was not accepted.

CDBG-CV3

The City held a public meeting with the Community Advisory Commission (CAC) on April 7, 2021 to review applications and hear applicant presentations. The CAC made their recommendations for funding to the City Council. Twenty-four public comments were heard from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

On April 28, 2021, the City submitted a waiver to HUD to reduce the opportunity for Citizen Participation and opportunity to comment down to five days. Public notice was provided on April 30, 2021 via the City's website. Included on the website was a link to the documents and instructions on how to attend the public hearing. The City also placed an advertisement in the Milpitas post with the same information.

On May 7, 2021, the City Council held a public hearing to discuss the allocation of CDBG funding for CDBG-CV3. Twenty-two public comments were heard, 21 of which were from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents. One member of the community expressed their opinion on community priorities the Council should focus on with the funding.

On May 14, 2021, the City posted the draft amendment to the FY19-20 Annual Action Plan on its website to provide opportunities for public comment. The documents were posted at this url: <http://www.ci.milpitas.ca.gov/milpitas/departments/federalprogram-community-development-block-grant-cdbg/>

On June 4, 2021, the City placed an advertisement in the Milpitas post for the June 15, 2021 City Council meeting. The Notice contained the date, time, location, purpose and how and where interested persons could obtain more information. A link to the documents was also made available for public review and comment.

On June 15, 2021, the City Council held a public hearing to allocate the FY21-22 and for CDBG-CV3. Eight public comments were heard, of which 5 were from applicants thanking the City Council for their continued support for their non-profit. Three comments were from members of the community expressing their appreciation for the City Council's allocation recommendations.

Annual Action Plan
2019

16

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	News-paper ad	Non-targeted/broad community	No comments were received	No comments were received	n/a	
2	Public Meeting	Non-targeted/broad community	No comments were received	No comments were received	n/a	
3	News-paper ad	Non-targeted/broad community	No comments were received	No comments were received	n/a	
4	Public Hearing	Non-targeted/broad community	No comments were received	No comments were received	n/a	
5	Public Meeting	Non-targeted/broad community	No comments were received	No comments were received	n/a	
6	News-paper ad	Non-targeted/broad community	Posting the Draft Annual Action Plan			
7	Public Hearing	Non-targeted/broad community	3 comments received	Each was to pledge support for their applicants funding request		http://www.ci.milpitas.ca.gov/community-development-block-grant-cdbg-allocations-draft-annual-action-plan-fy-2019-2020/
8	Ad Hoc CDBG Subcommittee Meeting	Non-targeted/broad community	7 comments received	Each was to pledge support for their applicants funding request	n/a	http://www.ci.milpitas.ca.gov/pdfs/subcommittee/cdbg/2019/061019/agenda.pdf
9	Re-open Public Hearing	Non-targeted/broad community	8 comments received	2 comments requesting more outreach, remaining comments was to pledge support for their applicants funding request	n/a	http://www.ci.milpitas.ca.gov/pdfs/council/2019/061119/Agenda.pdf

Annual Action Plan
2019

17

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
10	Virtual Public Meeting	Non-targeted/broad community	No comments were received	No comments were received		http://www.ci.milpitas.ca.gov/pdfs/Commissions/cac/2020/040120/Minutes.pdf
11	CDBG Subcommittee Meeting	Non-targeted/broad community	No comments were received	No comments were received		http://www.ci.milpitas.ca.gov/pdfs/subcommittee/cdbg/2020/052120/Minutes.pdf
12	CDBG Subcommittee Meeting	Non-targeted/broad community	No comments were received	No comments were received		
13	Public Hearing Waiver sent to HUD on 6/16/2020	Non-targeted/broad community	Public Comment period from 6/18/20 through 6/23/20 4 comments received	Two urging support for their application. One from the community expressing support for all the applications. And one not relevant to the public hearing.	One not accepted as it was not relevant to the public hearing	
CDBG-CV3						
1	News-paper ad	Non-targeted/broad community	Opening the application period	No comments were received	n/a	
2	Application Workshop	Non-targeted/broad community	30 Attendees	General comments & questions about the CDBG application and process.	n/a	
3	Public Meeting (CAC)	Non-targeted/broad community	10 Attendees	General comments & questions about the CDBG application and process.	n/a	

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
4	Public Meeting (CAC)	Non-targeted/broad community	24 comments were received/40 Attendees	Prospective FY21-22 CDBG applicants gave comments to the Commission to provide information about their organization, their proposed project, and how it will benefit the residents of Milpitas.	n/a	
5	News-paper ad	Non-targeted/broad community	Public Hearing Notice for City Council Meeting	No comments were received	n/a	
6	City Council Virtual Public Hearing	Non-targeted/broad community	22 comments were received/50 Attendees	Prospective FY21-22 CDBG applicants gave comments to the Commission to provide information about their organization, their proposed project, and how it will benefit the residents of Milpitas.	n/a	
7	News-paper ad	Non-targeted/broad community	Public Hearing Notice for City Council Meeting	No comments were received	n/a	
8	City Council Meeting Virtual Public Hearing	Non-targeted/broad community	8 comments were received	Five comments from applicants thanking the City Council for their support. Three comments from community members who offered support for the Council's recommendations.	n/a	

Table 4 – Citizen Participation Outreach

Annual Action Plan
2019

19

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The City of Milpitas will receive \$608,734 for fiscal year 2019-2020 in CDBG funds.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation	Program Income	Prior Year Resources	Total		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$608,734	\$8,959	\$521,182	\$1,138,875	\$2,434,936	The expected remainder amount is calculated on the total amount in Year 1 multiplied by 4 years.

CDBG-CV	public - federal	The CARES Act created a supplemental funding of CDBG-CV dollars that must be used to prevent, prepare for, and respond to covid-19. CDBG-CV funds cannot be used for other purposes.	\$397,911				\$397,911	
CDBG	Public - federal	Prior year unused funds from FY14-18			\$290,039		\$290,039	COVID economic development activities
CDBG-CV3	Public - federal	The CARES Act created a supplemental funding of CDBG-CV dollars that must be used to prevent, prepare for, and respond to covid-19. CDBG-CV funds cannot be used for other purposes.	\$582,236				\$582,236	
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services			\$17,027.45		\$17,027.45	Unused CDBG funds from PY20 to be used for CDBG-CV related activities

Table 5 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Not applicable, the City does not match federal funds.

Annual Action Plan
2019

21

If appropriate, describe publicly owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

There are two parcels controlled by the City. One parcel, located at 1432 S. Main Street, is owned by Milpitas Housing Authority and is approximately 0.9 acres in size. Currently the parcel is occupied by commercial tenants, but the land is zoned as high density multi-family residential. The other parcel, approximately 1.7 acres, is located adjacent to the Milpitas Housing Authority property and is owned by the City of Milpitas. That City parcel is also occupied by commercial business but is also zoned for multi-family residential use. The City is currently working on a partnership with the County of Santa Clara to potentially develop both parcels for affordable housing units. The City hopes to sell these parcels to the County by the end of 2019.

Discussion

Please see discussion above.

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Maintain and Preserve Existing Housing	2017	2022	Affordable Housing Non-Homeless Special Needs	Citywide	Affordable Housing Development and Preservation	CDBG: \$175,000	Homeowner Housing Rehabilitated: 46 Household Housing Unit
2	Fair Housing	2017	2022	Affordable Housing Non-Housing Community Development	Citywide	Community Services	CDBG: \$10,000 Housing Authority: \$40,000	Public service activities for Low/Moderate Income Housing Benefit: 320 Households Assisted
3	Public Services for Seniors	2017	2022	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	CDBG: \$194,517 \$84,517	Public service activities other than Low/Moderate Income Housing Benefit: 460 495 Persons Assisted
4	Public Services for Children and Youth	2017	2022	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	CDBG: \$10,000	Public service activities other than Low/Moderate Income Housing Benefit: 25 Persons Assisted
5	Affordable Housing Rental Rehabilitation	2017	2022	Affordable Housing	Citywide	Affordable Housing Development and Preservation	CDBG: \$84,000 CDBG-Prior Year: \$46,533	Rental units rehabilitated: 184 Household Housing Unit + New capital project at TBRA apartment complex

Annual Action Plan
2019

23

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
6	Community Funding/Public Services	2017	2022	Homeless Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	CDBG: \$211,598.45 178,092.45	Public service activities other than Low/Moderate Income Housing Benefit: 673 568 Persons Assisted
7	Public Improvements including accessibility and improving public facilities	2017	2022	Homeless	Citywide	Homelessness	CDBG: \$153,704.45	Help rehabilitate homeless shelter overnight. Homeless persons overnight shelter: 124
8	Public services for low- and moderate-income residents at risk of eviction	2020	2021	Homeless Non-Homeless Special Needs	Citywide	Community Services	CDBG-CV: \$487,278.35 CDBG-Prior Year \$43,506	Provide 84 LMC households with up to \$5,000 in rental assistance Project Sentinel to assist an additional 20 LMC households with rental assistance
9	Assist Microenterprises	2020	2021	Non-Housing Community Development	Citywide	Economic Development	CDBG-Prior Year: \$215,000	Assist 38 LMC microenterprise owners with \$5,000 loans Assist 15 microenterprises with marketing training

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Maintain and Preserve Existing Housing
	Goal Description	Rental units rehabilitated: 0 units, however, capital improvements are being made to the apartment complex; Homeowner Housing Rehabilitated: 46

Annual Action Plan
2019

24

2	Goal Name	Fair Housing
	Goal Description	Promote fair housing choice.
3	Goal Name	Public Services for Seniors
	Goal Description	Support activities that provide community services to low income and special needs households.
4	Goal Name	Public Services for Children and Youth
	Goal Description	Support activities that provide community services to low income and special needs households.
5	Goal Name	Affordable Housing Rental Rehabilitation
	Goal Description	Assist in the creation and preservation of affordable housing opportunities for low income and special needs households
6	Goal Name	Public Improvements including accessibility and improving public facilities
	Goal Description	Support activities that provide community services to low income and special needs households.
7	Goal Name	Public services for low- and moderate-income residents at risk of eviction
	Goal Description	Support activities that provide interim assistance to low- and moderate-income households at risk of being evicted due to a COVID-19 related hardship.
8	Goal Name	Assist Microenterprise and Small Business
	Goal Description	Support activities that provide loans to microenterprises experiencing hardships due to COVID-19.
9	Goal Name	Assist Microenterprise and Small Business
	Goal Description	Support activities that provide loans to small businesses experiencing hardships due to COVID-19.

Projects

AP-35 Projects – 91.220(d)

Introduction

The City of Milpitas only receives Community Development Block Grant (CDBG) funding. If available and recommended in certain circumstances, the City Council may also augment the funds and contribute from local funds, such as the Community Promotion Fund (CPF). All the funds mentioned, are in efforts to serve and improve the lives of low- and moderate-income persons in Milpitas.

Projects

#	Project Name
1	Catholic Charities of Santa Clara County
2	Child Advocates of Silicon Valley
3	Next Door Solutions to Domestic Violence

Annual Action Plan
2019

25

#	Project Name
4	Senior Adults Legal Assistance (SALA)
5	Silicon Valley Independent Living Center (SVILC)
6	The Health Trust
7	YWCA Silicon Valley
8	Project Sentinel
9	LifeMoves
10	Rebuilding Together Silicon Valley
11	Terrace Gardens –Carpet Replacement
12	Terrace Gardens – Boiler Replacement
13	Terrace Gardens – Ice Machine Replacement
14	Silicon Valley Independent Living Center (Rent Relief Program)
15	Enterprise Foundation & Kiva (Microenterprise)
16	Project Sentinel (Rental Assistance)
17	Rebuilding Together Silicon Valley (Sunnyhills)
18	Next Door Solutions to Domestic Violence (CDBG-CV3)
19	YWCA Silicon Valley (CDBG-CV3)
20	Next Door Solutions to Domestic Violence (CDBG-CV3)
21	LifeMoves (CDBG-CV3)
22	Lighthouse of Hope Counseling Center (CDBG-CV3)
23	Sourcewise Meals on Wheels (CDBG-CV3)
24	Milpitas Senior Center (CDBG-CV3)
25	Pragnya (CDBG-CV3)
26	Terrace Gardens - Meal Delivery (CDBG-CV3)
27	Filipino American Chamber of Commerce (CDBG-CV3)
28	The Health Trust (CDBG-CV3)
29	Silicon Valley Independent Living Center (CDBG-CV3)
30	Program Administration (CDBG-CV3)
31	City of Milpitas (Technology for Seniors Program) (CDBG-CV3)
32	PRAGNYA (CDBG-CV3)
33	YWCA Golden Gate Silicon Valley – DV Services (CDBG-CV3)

Table 7 - Project Information

Formatted: Space After: 0 pt, Line spacing: single

Formatted: Font: (Default) Calibri

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

Allocation priorities are derived through qualitative research such as surveys, public meetings, public hearings and other avenues of resident input. The research has also impacted the priority needs that address the most vulnerable population in our communities. The City Council has established the priorities every two years to address those underserved needs.

The City Council reaffirmed their CDBG priorities as follows:

Public Service Priorities:

1. Senior Services
2. Youth and Teen Services

Annual Action Plan
2019

26

3. Homeless services/shelters
4. Childcare
5. Domestic violence prevention and supportive services/shelters
6. Code enforcement

Capital Project Priorities

1. Home repair/rehabilitation
2. Affordable housing
3. Rental apartment rehabilitation
4. Historic preservation

AP-38 Project Summary

Project Summary Information

1	Project Name	Catholic Charities of Santa Clara County
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$20,523
	Description	Investigate and resolve complaints for seniors and disabled adults in long term care facilities.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	Catholic Charities' Long-Term Care Ombudsman Program expects to help approximately 92 Milpitas residents. The Long-Term Care Ombudsman will make visits at all long-term care facilities to ensure all clients are safe and properly cared for.
	Location Description	All long-term care facilities in Milpitas.
2	Planned Activities	Site visits to long term care facilities and nursing homes and provide with case management for those clients with open cases.
	Project Name	Child Advocates of Silicon Valley
	Target Area	Citywide
	Goals Supported	Public Services for Children and Youth
	Needs Addressed	Community Services
	Funding	CDBG: \$10,000
	Description	Provides court appointed youths with volunteers to maintain life-long mentorship and guidance.
	Target Date	6/30/2020

Annual Action Plan
2019

27

	Estimate the number and type of families that will benefit from the proposed activities	Child Advocates of Silicon Valley expects to serve 25 Milpitas foster children.
	Location Description	Milpitas, CA
	Planned Activities	Organization will recruit, train more volunteers and providing essential mentor and guidance for youth.
3	Project Name	Next Door Solutions to Domestic Violence
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$20,523
	Description	Next Door Solutions to Domestic Violence is a nonprofit, multi-cultural agency dedicated to providing proactive and progressive solutions to domestic violence. Next Door Solutions provides peer counseling, advocacy, legal help and support groups. Additionally, Next Door Solutions to Domestic Violence provides safe emergency shelter to victims of domestic violence and their children within a confidential and protected environment.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	Next Door Solutions to Domestic Violence proposes to serve 58 Milpitas residents.
	Location Description	The office is located in San Jose.
	Planned Activities	Activities include emergency shelter, basic needs, including food and clothing, case management, and safety.
4	Project Name	Senior Adults Legal Assistance (SALA)
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$7,000

	Description	Legal services in the form of advice/referrals, consultations/brief service, and legal representation will be provided to Milpitas elders in areas of law common to SALA's target population including, but not limited to, the following: Public Benefits (Social Security, SSI, Medicare, and Medi-Cal); Nursing Homes and Alternatives to Institutionalization (including Advance Directives); Elder Abuse; Housing Law, Consumer Problems; and Personal Affairs (including Simple Wills through SALA's No Fee Wills Panel). SALA will provide services through on-site appointments scheduled at intake days at least once a month at the Barbara Lee (Milpitas) Senior Center. Home visits will be made to elders in Milpitas who are homebound or who reside in nursing homes. Milpitas residents with urgent problems will also be served on an emergency basis by telephone. Milpitas residents who appear at SALA intake sites in other cities will also be served. SALA will also conduct one community education presentation annually for the participants at the Milpitas Senior Center. All services described herein will be provided by one of the attorneys on SALA's staff, a pro bono (volunteer) attorney, or a paralegal (either paid staff or volunteer).
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	Senior Adults Legal Assistance (SALA) expects to serve 30 Milpitas clients.
	Location Description	At their San Jose office, Milpitas Senior Center and Milpitas Library.
	Planned Activities	Legal assistance, including advising and counseling on basic rights. Facilitation access to public benefits to meet basic life needs and legal planning.
5	Project Name	Silicon Valley Independent Living Center (SVILC)
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services Public Services for Seniors
	Funding	CDBG: \$7,264
	Description	Silicon Valley Independent Living Center (SVILC) is a nonprofit, non-residential organization which serves all people with all types of disabilities, including seniors with disabling conditions, who live in Santa Clara County. SVILC provides residents with support tools and resources needed to live interdependently, and advocates for policies that ensure equal access and opportunity for all. SVILC is a peer-driven agency run by and for people with disabilities. As one of 28 independent living centers across the State of California, SVILC is committed to the principles of self-advocacy, personal empowerment and independent living.
	Target Date	6/30/2020

	Estimate the number and type of families that will benefit from the proposed activities	The project expects to serve 44 Milpitas residents with disabilities.
	Location Description	San Jose
	Planned Activities	Assist low-income residents with disabilities in their search for affordable and accessible housing. Provide education and training workshops on how to conduct a housing search to transition from homelessness, from a health care facility, unstable or to permanent housing.
6	Project Name	The Health Trust
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$16,000
	Description	The Health Trust Meals on Wheels program serves physically challenged, home-bound individuals, whether they are elderly, are recuperating after a recent hospitalization, or have disabilities confining them to a wheelchair. Trained drivers, most of whom are volunteers, deliver hot, nutritious meals five days a week along with frozen meals for preparation over the weekend. Drivers also provide daily wellness checks, making sure that clients are safe, alert and cared for. This service provides peace of mind not only to the clients, but also to their families.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	Meals on Wheels plans to serve 16 Milpitas residents.
	Location Description	At each of the client's home.
	Planned Activities	Provide seniors with daily healthy, hot meals.
7	Project Name	YWCA Silicon Valley
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$10,000
	Description	The mission of the YWCA Support Services is to empower our diverse community to live free from domestic violence through the provision of safety, support services and self-empowerment.

Annual Action Plan
2019

30

	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	YWCA Silicon Valley expects to serve 12 Milpitas residents.
	Location Description	At YWCA and undisclosed emergency shelters.
	Planned Activities	Activities include emergency shelter, basic needs, including food and clothing, case management, and safety.
	8	
	Project Name	Project Sentinel
	Target Area	Citywide
	Goals Supported	Fair Housing
	Needs Addressed	Community Services
	Funding	CDBG: \$10,000 Milpitas Housing Authority: \$40,000
	Description	Project Sentinel is a private nonprofit agency providing fair housing, tenant-landlord counseling and dispute resolution services to the City of Milpitas. In addition to counseling and case intake, education and outreach activities will be ongoing. Outreach activity includes: the publication of Rent Watch, a rental housing advice column; distribution of brochures, radio public service announcements and public presentations and workshops. Presentations and workshops are provided to a wide spectrum of the community: ESL classes at local schools; civic groups like the Rotary and Lions; social service agencies like Catholic Charities and Next Door Solutions; municipal offices such as the Senior Center and Community Center; housing provider associations such as the Apartment Owners Association (AOA). Program services are delivered by designated staff in the agency's Fremont office using a local Milpitas phone line and by staff in the agency's main office at 1490 El Camino Real, Santa Clara. Office hours for counseling and case intake are from 9:00 am to 4:00 pm, Monday through Friday. Evening and week-end appointments are provided when necessary. Tenant-Landlord counseling/Dispute Resolution includes all areas of concern in rental housing; however, evictions and substandard housing complaints receive priority attention. Mediations and conciliations are conducted by trained staff and volunteers. Services are delivered in a neutral, unbiased manner to all parties engaged in the rental housing relationship. Fair Housing services of community education, and complaint investigation are provided from the corporate office and other public facilities within the City of Milpitas (library, community center). HUD-certified mortgage default counseling and First Time Homebuyer workshops are open to Milpitas residents. These services are provided from Project Sentinel's office at the Milpitas Sobrato Center.
	Target Date	6/30/2020

	Estimate the number and type of families that will benefit from the proposed activities	Project Sentinel will provide service for 320 Milpitas residents.
	Location Description	At various venues in Milpitas and also their Santa Clara office.
	Planned Activities	Provide educational presentations, outreach, and brochures at a variety of venues. Provide information and referral services and investigate cases of alleged discrimination.
9	Project Name	LifeMoves
	Target Area	Citywide
	Goals Supported	Homelessness
	Needs Addressed	Homeless
	Funding	CDBG: \$136,677
	Description	LifeMoves will make high-priority repairs to Georgia Travis Center. The Georgia Travis Center provides emergency and transitional housing for homeless women and children in Santa Clara County.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	LifeMoves proposed to serve 120 Milpitas clients.
	Location Description	Georgia Travis Center
	Planned Activities	Funding will be used for emergency repairs for the homeless shelter.
10	Project Name	Rebuilding Together Silicon Valley
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$175,000
	Description	Rebuilding Together will preserve and maintain affordable housing and provide a safe and secure living environment for very low and low-income households through housing rehabilitation
	Target Date	6/30/2020

	Estimate the number and type of families that will benefit from the proposed activities	46 low income, owner occupied housing units will be repaired.
	Location Description	Various homes throughout Milpitas.
	Planned Activities	Low to moderate income owner-occupied, minor and emergency housing rehabilitation.
11	Project Name	Terrace Gardens Senior Housing, Inc.- Community Room Carpet
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$15,000
	Description	The project will replace the carpeting in their community room.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	184 residents will benefit.
	Location Description	186 Beresford Court
	Planned Activities	The project will replace the carpeting in their community room, which is used on a daily basis for Resident events.
12	Project Name	Terrace Gardens Senior Housing, Inc.– Commercial Ice Machine Replacement
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$7,000
	Description	The project proposed will replace their commercial ice machine.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	184 residents will benefit.

	Location Description	186 Beresford Court
	Planned Activities	Funding will be used for the replacement of the commercial ice machine, which is used daily for meal services and events.
13	Project Name	Terrace Gardens Senior Housing, Inc.- Boiler in Community Building
	Target Area	Citywide
	Goals Supported	Affordable Housing
	Needs Addressed	Affordable Housing
	Funding	CDBG: \$62,000
	Description	Replace the boiler in the Community building.
	Target Date	6/30/2020
	Estimate the number and type of families that will benefit from the proposed activities	184 residents will benefit.
	Location Description	186 Beresford Court
	Planned Activities	Funding will be used for the replace the boiler in the Community building, used daily for providing meal services and events to residents.
14	Project Name	Silicon Valley Independent Living Center (CDBG-CV)
	Target Area	Citywide
	Goals Supported	Public services for low- and moderate-income residents at risk of eviction
	Needs Addressed	Community Services
	Funding	CDBG-CV: \$318,329
	Description	This project will assist low and moderate-income households experiencing a COVID-19 related hardship and who are at risk of being evicted due to non-payment of rent.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	An estimated 50 low and moderate-income households will benefit from the proposed activities.
	Location Description	At various homes throughout Milpitas
	Planned Activities	Funding will be used to provide interim rental assistance
	Project Name	Enterprise Foundation & Kiva – Microenterprise

15	Target Area	Citywide
	Goals Supported	Assist Microenterprises and Small Business
	Needs Addressed	Economic Development
	Funding	CDBG-Prior Year: \$200,000
	Description	This project will provide loans to support activities to microenterprises experiencing hardships due to COVID-19.
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	Funding will be used to assist 38 LMC microenterprise owners with \$5,000 loans
	Location Description	At various microenterprises located in the City of Milpitas
	Planned Activities	Funding will be used to provide additional financial support to microenterprises experiencing hardships due to COVID-19
16		
16	Project Name	Project Sentinel
	Target Area	Citywide
	Goals Supported	Public services for low- and moderate-income residents at risk of eviction
	Needs Addressed	Community Services
	Funding	CDBG-Prior Year: \$43,506
	Description	It Takes a Village Program: Provide wraparound rent relief/reduction services involving all parties in the process, including the tenant, property owner, mortgage holder, and mediators
	Target Date	6/30/2021

	Estimate the number and type of families that will benefit from the proposed activities	Project Sentinel will provide service for 20 Milpitas households.
	Location Description	Various households throughout Milpitas
	Planned Activities	To provide wraparound rent relief/reduction services involving all parties in the process, including the tenant, property owner, mortgage holder, and mediators
17	Project Name	Rebuilding Together Silicon Valley (Sunnyhills)
	Target Area	Citywide
	Goals Supported	Affordable Housing Rental Rehabilitation
	Needs Addressed	Affordable Housing Development and Preservation
	Funding	CDBG-Prior Year: \$46,533
	Description	Rebuilding Together will preserve and maintain affordable housing and provide a safe and secure living environment for very low and low-income households through a roof replacement project on the existing buildings at the Sunnyhills TBRA apartment complex
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	4 roofs will be replaced with these funds. Occupants of these buildings are 95% LMC.
	Location Description	Sunnyhills TBRA apartment complex
	Planned Activities	Rebuilding Together will preserve and maintain affordable housing and provide a safe and secure living environment for very low and low-income households through a roof replacement project on the existing buildings at Sunnyhills. Goal is to replace 4 roofs with these funds.
18	Project Name	Next Door Solutions to Domestic Violence (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG-CV3: \$36,681.22
	Description	Next Door Solutions to Domestic Violence is a nonprofit, multi-cultural agency dedicated to providing proactive and progressive solutions to domestic violence. Next Door Solutions provides peer counseling, advocacy, legal help and support groups. Additionally, Next Door

		Solutions to Domestic Violence provides safe emergency shelter to victims of domestic violence and their children within a confidential and protected environment.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Next Door Solutions to Domestic Violence proposes to serve 50 Milpitas residents.
	Location Description	The office is located in San Jose.
	Planned Activities	Activities include emergency shelter, basic needs, including food and clothing, case management, and safety.
19	Project Name	YWCA Silicon Valley (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$26,158.23
	Description	Provide residents of the City of Milpitas domestic violence supportive services.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	YWCA Silicon Valley expects to serve 25 Milpitas residents
	Location Description	YWCA Office in San Jose
	Planned Activities	Activities include emergency shelter, basic needs, including food and clothing, case management, and safety.
20	Project Name	Next Door Solutions to Domestic Violence (Unused Funds PY20)
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services

	Needs Addressed	Public Improvements including accessibility and improving public facilities
	Funding	CDBG: \$17,027.45
	Description	Next Door Solutions to Domestic Violence is a nonprofit, multi-cultural agency dedicated to providing proactive and progressive solutions to domestic violence. Next Door Solutions provides peer counseling, advocacy, legal help and support groups. Additionally, Next Door Solutions to Domestic Violence provides safe emergency shelter to victims of domestic violence and their children within a confidential and protected environment.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Next Door Solutions to Domestic Violence proposes to serve 50 Milpitas residents.
	Location Description	The office is located in San Jose.
	Planned Activities	Replacement of flooring throughout the Shelter Next Door facility.
21	Project Name	LifeMoves (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$40,000
	Description	Assist with serving meals during the pandemic at their five shelters in Santa Clara County that serve Milpitas residents.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	LifeMoves expects to serve 73 homeless residents of Milpitas
	Location Description	The five shelters are located throughout Santa Clara County
	Planned Activities	Meal support to homeless residents of Milpitas at each of the five shelters in Santa Clara County.
22	Project Name	Lighthouse of Hope Counseling Center (CDBG-CV3)

	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$5,000
	Description	Provide counseling, psychological support, and education to residents of the Milpitas community who have been affected by COVID-19
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	The activity expects to serve 45 Milpitas residents.
	Location Description	Throughout Milpitas
	Planned Activities	Provide counseling, psychological support, and education to residents of the Milpitas community who have been affected by COVID-19
23	Project Name	Sourcewise - Meals on Wheels (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$39,000
	Description	Provide vulnerable seniors age 60 and older who have been impacted by the pandemic nutritious home-delivered meals.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Meals on Wheels plans to serve 80 Milpitas residents.
	Location Description	At each of the client's home.
	Planned Activities	Provide seniors with daily healthy, hot meals.

Annual Action Plan
2019

39

24	Project Name	Milpitas Senior Center (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$10,000
	Description	Assist members of the Milpitas Senior Center age 62+ who are needing continued support and education on technology
	Target Date	6/30/2021
	Estimate the number and type of families that will benefit from the proposed activities	The Technology for Seniors Program will serve approximately 30 qualifying Milpitas resident seniors (ages 62+).
	Location Description	455 E Calaveras Blvd
	Planned Activities	Funding will be used to provide technology education for seniors to help counter social isolation and improve access to information due to COVID-19.
25	Project Name	Pragnya (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$40,000
	Description	Funds will be used to support children, youth and adults from the Special Needs community by creating social emotional connections and preventing further isolation due to COVID-19.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	This activity will aim to serve approximately 300 Milpitas residents
	Location Description	1917 Concourse Drv, San Jose CA 95131

	Planned Activities	Support children, youth and adults from the Special Needs community by creating social emotional connections and preventing further isolation due to COVID-19.
26	Project Name	Terrace Gardens Senior Housing (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$65,000
	Description	The project proposed will provide meal delivery to residents, rather than dinner being held in the dining room. Additionally, cleaning supplies and PPE will be purchased to keep up with necessary sanitation practices for our at risk seniors
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	184 low and very low income seniors will benefit from this funding.
	Location Description	186 Beresford Court
	Planned Activities	Funding will be used for meal delivery to residents, rather than dinner being held in the dining room, to keep proper social distancing. Cleaning supplies and PPE will be purchased to keep up with necessary sanitation practices
27	Project Name	Filipino American Chamber of Commerce (CDBG-CV3)
	Target Area	Microenterprise Assistance
	Goals Supported	Microenterprise Assistance
	Needs Addressed	Microenterprise Assistance
	Funding	CDBG: \$15,000
	Description	Provide hands on training for microenterprise owners on how to create and/or revamp their websites and create marketing strategies.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	This activity expects to serve 15 Milpitas microenterprises.

Annual Action Plan
2019

41

	Location Description	Filipino American Chamber of Commerce
	Planned Activities	Provide hands on training for small business owners on how to create and/or revamp their websites and create marketing strategies.
28	Project Name	The Health Trust (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$20,000
	Description	The Health Trust Meals On Wheels program serves physically challenged, home-bound individuals, whether they are elderly, are recuperating after a recent hospitalization, or have disabilities confining them to a wheelchair. Trained drivers, most of whom are volunteers, deliver hot, nutritious meals five days a week along with frozen meals for preparation over the weekend. Drivers also provide daily wellness checks, making sure that clients are safe, alert and cared for. This service provides peace of mind not only to the clients, but also to their families.
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Meals on Wheels plans to serve 20 Milpitas residents.
	Location Description	At each of the client's home.
29	Planned Activities	Provide seniors with daily healthy, hot meals.
	Project Name	Silicon Valley Independent Living Center - Rent Relief (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	\$168,949.35
	Description	Direct aid to the Rent Relief Program
	Target Date	6/30/2022

	Estimate the number and type of families that will benefit from the proposed activities	SVILC expects to serve approximately 135 LMC residents
	Location Description	Throughout Milpitas
	Planned Activities	Providing rental assistance to LMC Milpitas residents at risk of eviction due to COVID-19.
30	Project Name	Program Administration (CDBG-CV3)
	Target Area	Citywide
	Goals Supported	Program Administration
	Needs Addressed	Program Administration
	Funding	CDBG: \$116,447.20
	Description	Program Administration
	Target Date	6/30/2022
	Estimate the number and type of families that will benefit from the proposed activities	Program Administration
	Location Description	Milpitas, CA
31	Planned Activities	Program Administration
	Project Name	<u>City of Milpitas (Technology for Seniors Program)</u>
	Target Area	<u>Citywide</u>
	Goals Supported	<u>Public Services for Seniors</u>
	Needs Addressed	<u>Community Services</u>
	Funding	<u>CDBG: \$10,000</u>
	Description	<u>The Technology for Seniors program will target seniors age 62+ who are needing continued support and education on technology such as Chromebooks, as a means to counter social isolation, and as a result, stay better "connected" to family, friends and Milpitas community-based activities, services and resources.</u>

	<u>Target Date</u>	<u>6/30/2023</u>
	<u>Estimate the number and type of families that will benefit from the proposed activities</u>	<u>35</u>
	<u>Location Description</u>	<u>Milpitas Senior Center</u>
	<u>Planned Activities</u>	<u>Technology support for Seniors</u>
32	<u>Project Name</u>	<u>Pragnya</u>
	<u>Target Area</u>	<u>Citywide</u>
	<u>Goals Supported</u>	<u>Community Funding/Public Services</u>
	<u>Needs Addressed</u>	<u>Community Services</u>
	<u>Funding</u>	<u>CDBG: \$50,000</u>
	<u>Description</u>	<u>The Pragnya Enrichment program caters to children, youth and adults with developmental and intellectual disabilities (ID/DD).</u>
	<u>Target Date</u>	<u>6/30/2023</u>
	<u>Estimate the number and type of families that will benefit from the proposed activities</u>	<u>200</u>
	<u>Location Description</u>	<u>Citywide</u>
	<u>Planned Activities</u>	<u>Support children, youth and adults from the Special Needs community</u>
33	<u>Project Name</u>	<u>YWCA Silicon Valley</u>
	<u>Target Area</u>	<u>Citywide</u>
	<u>Goals Supported</u>	<u>Public Services for Domestic Violence support</u>
	<u>Needs Addressed</u>	<u>Community Services</u>
	<u>Funding</u>	<u>CDBG: \$26,000</u>
	<u>Description</u>	<u>Provide residents of the City of Milpitas domestic violence supportive services.</u>

Formatted: Justified

<u>Target Date</u>	<u>6/30/2023</u>
<u>Estimate the number and type of families that will benefit from the proposed activities</u>	<u>65</u>
<u>Location</u> <u>Description</u>	<u>YWCA Office in San Jose</u>
<u>Planned Activities</u>	<u>Activities include emergency shelter, basic needs, including food and clothing, case management, and safety.</u>

AP-50 Geographic Distribution – 91.220(f)**Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

Not applicable. The City of Milpitas does not set geographic concentration areas for assistance. Instead the City helps fund organizations that provide supportive services to low- and moderate-income individuals throughout the City.

Geographic Distribution

Target Area	Percentage of Funds

Table 8 - Geographic Distribution**Rationale for the priorities for allocating investments geographically**

Not applicable

Discussion

Not applicable

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

The City adopted Affordable Housing Ordinance No. 297 on June 12, 2018. The Affordable Housing Ordinance requires that all new developments over 10 units requires 15% affordable units. The Ordinance on March 5, 2019, the City established residential and non-residential affordable housing fees.

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	200
Special-Needs	1,500
Total	1,700

Table 9 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	112
Rehab of Existing Units	43
Acquisition of Existing Units	50
Total	205

Table 10 - One Year Goals for Affordable Housing by Support Type

Discussion

The high cost of land has been an obstacle in developing affordable housing projects. The City has committed \$6,500,000 to fund a 100% affordable housing building complete with 101 deeply affordable units and one above moderate managers unit. Additionally, the City has received City Council approval to modify our loan agreement on the MonteVista apartments, which will deed restrict 50 previously market rate units at 80% AMI for 40 years.

AP-60 Public Housing – 91.220(h)

Introduction

The City of Milpitas currently does not have any public housing. However, there is one Project-based Section 8 property in the City, the Sunnyhills Apartments. The Sunnyhills Apartments is a 171-unit development in which 149 units receive project-based Section 8 vouchers. The Project-based Section 8 vouchers provides rental assistance for each unit between the Department of Housing and Urban Development (HUD) established Fair Market Rent (FMR) for the area and what the tenant can afford to pay. Its aim is to be competitive with the local market thus incentivizing the owner to rent to low income households. The City has agreed to extend the HUD contract for another five years.

Actions planned during the next year to address the needs to public housing

This is not applicable to the City of Milpitas as there are no public housing units owned or managed by the Housing Authority of the County of Santa Clara in the City.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

Not applicable. There are no public housing units in the City of Milpitas.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

Not applicable.

Discussion

Not applicable.

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The County of Santa Clara and the City have designated homelessness as a critical issue. Although the total homeless population is declining as a whole, there still remains 7,394 homeless persons. In Santa Clara County's 2017 Point-in-Time Census & Survey Comprehensive Report, the survey identified a total of 66 unsheltered homeless persons in Milpitas. Notably, there was a decrease by 46% unsheltered homeless persons in Milpitas. Given the complexity of homelessness, interagency and interregional collaboration is crucial in solving the homeless issue. The City is gearing up for the next Point-in-Time Census & Survey and will work with the County.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

The City of Milpitas partners with Santa Clara County Continuum of Care to conduct the bi-annual Homeless Point in Time survey. In January 2017, Point-in-Time Count was conducted by the County of Santa Clara, the City of San Jose and Applied Survey Research for the 2017 Santa Clara County's biennial Point-in-Time count of homeless persons as required by the U.S. Department of Housing and Urban Development (HUD). The group, along with volunteers, did a physical count of those individuals residing outside a sheltered home i.e. parks, vehicles, highways, creeks etc. The survey and count was crucial as it is used for important qualitative and quantitative data as a representative sample to understand where they resided and respond to any immediate needs. The homeless were surveyed about a variety of issues including shelter, services and assistance. Staff will also participate in the preparation of the upcoming 2019 bi-annual Santa Clara Homeless Census Survey.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Milpitas will address emergency shelter and transitional housing needs of homeless persons by continuing to fund organizations that provide emergency housing. In the upcoming year, the City provided over \$30,253 to organizations that provided emergency shelter to homeless individuals or at-risk, which includes victims of domestic violence and an additional \$136,677 in emergency shelter repairs. The organizations that have provide emergency shelter include Next Door Solutions to Domestic Violence, YWCA and LifeMoves.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families

experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

On February 2, 2016, City Council members adopted Resolution No. 8523, finding that the problem of homelessness constitutes a crisis and consider policy options for funding affordable housing to house homeless people. The City will continue to fund and participate in the County Point-in-Time Census to identify all unsheltered persons.

CDBG Funded

- Next Door Solutions to Domestic Violence: Next Door Solutions to Domestic Violence provides client-centered, community-based supportive services for victims of domestic violence and his/her children. The organization also provides undisclosed emergency shelter when requested and needed by the individual and/or family.
- YWCA Silicon Valley (YWCA): YWCA Silicon Valley empowers women and her children to end racism and violence through offering supportive services for self-improvement and undisclosed emergency shelter for short-term to a longer amount of time if needed. YWCA also provides clients referrals to permanent housing if possible, and available.
- LifeMoves: LifeMoves provides emergency, interim and permanent supportive housing. Clients are provided with shelter, food, clothing, intensive case management, and intensive supportive services.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

The City of Milpitas is involved and participates in the Santa Clara County Continuum of Care that is dedicated to ending and preventing homelessness in the County. The Santa Clara County Continuum of Care has community-wide efforts to end homelessness through fostering relationships, program and systematic changes.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private

agencies that address housing, health, social services, employment, education, or youth needs.

As mentioned in the previous paragraph of CDBG funded programs related to emergency shelter, the City also funds organizations that take proactive measures in helping individuals in need of legal help, youth needs and concerns and fair housing so that he/she can become informed of his or her rights before the individual is forced into homelessness.

CDBG and City Local Funds

- **Child Advocates of Silicon Valley:** Child Advocates connect court appointed special advocates (CASAs) to foster children. These volunteers must make a commitment to the children for a long-term, many for his or her entire life. The consistent support of the CASA is often the only adult has steadily remained with them providing crucial mentorship. In foster children, according to a HUD's report, "Housing for Youth Aging out of Foster Care," found that as high as thirty-seven percent (37%) will enter homelessness at one point as youths and an addition fifty percent (50%) will face unstable housing after transition. By providing a CASA, this will be one stable support in his or her life which has spastically proven to develop productive individuals. Many of the children with CASAs, have higher rates of high school graduation then the national average. The program provides essential holistic approach to help these children to become successful and prevent homelessness.
- **Seniors Adults Legal Assistance (SALA):** SALA is committed to providing free-legal services to seniors. Legal services that SALA provides ranges from: public benefits, long-term care, alternatives to institutionalization, elder abuse, long-term care insurance, incapacity planning, probate, simple wills and housing – related to Landlord-Tenant issues. Often, many seniors do not know his or her housing rights or sign over the will of their house without knowing, and with fixed income, many are unable to provide legal help. SALA provides legal help free of charge for these low to extremely low income seniors.

Discussion

Please see discussion above.

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Along with other jurisdictions in Santa Clara County, the City of Milpitas is facing many obstacles in creating more affordable housing. The many constraints that the City is facing is the limited amount of developable land, government constraints, infrastructure and public facilities constraints, environmental, housing for persons with disabilities, and financing and construction costs.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

Resolution No. 8523

The City adopted Resolution No. 8523 on February 2, 2016, which recognizes homelessness as a crucial problem in the County and will help contribute to future affordable housing projects that will house homeless.

Affordable Housing Ordinance

On June 12, 2018, the City Council adopted an Affordable Housing Ordinance No. 297 which requires that any new developments with projects of ten (10) or more units must include fifteen percent (15%) of very-low or low-income units for rental and 15% of moderate income units for ownership. The units should be affordable for over 55 years.

Density Bonus Ordinance

To attract developers to build affordable units, the Density Bonus Ordinance will allow developers the ability to build above their permitted densities in permitted zoning districts in exchange for the construction of affordable units.

Below Market Rate Ownership

The City manages a Below Market Rate (BMR) Ownership program for first-time, income-qualified homebuyers. Once a unit from the current BMR housing stock becomes available, a qualified applicant from the waiting list will have the ability to purchase a home in Milpitas at one of the various developments throughout the City from one to three bedrooms. For qualified very low to low income

households, the City also provides a deferred, 3% loan of up to \$50,000.

Fair Housing

Milpitas provides CDBG and Housing Authority funds to Project Sentinel. Project Sentinel is a reputable organization that provides expertise in fair housing and tenant-landlord dispute. Services include information, referrals, community outreach and education in several languages other than English, investigation, and resolving fair housing complaints. In addition, they provide education and outreach to property owners, and property management to become proactive in their housing policies.

Discussion:

Please see discussion above.

AP-85 Other Actions – 91.220(k)

Introduction:

The most significant obstacle to addressing the underserved needs for fiscal year 2019-2020 is the lack of sufficient federal, state, and local funds to carry out all the necessary programs, activities and projects.

Actions planned to address obstacles to meeting underserved needs

The diminishing amount of funds continues to be the most significant obstacle to addressing the needs of underserved populations. To address this, the City supplements its CDBG funding with other resources and funds, such as:

- The City of Milpitas Affordable Housing Fund is used primarily to increase the number of new affordable housing units. It is funded through the mitigation fees required from developers of resident projects.

The City recently adopted the Affordable Housing Ordinance which requires that any new developments with projects of ten (10) or more units must include fifteen percent (15%) of very low or low-income units for rental and 15% of moderate income units for ownership.

- The City's provides loans on an ongoing, as qualified basis for BMR applicants to qualify for purchasing an available BMR unit.
- Rehabilitation Loan Program provides deferred, low-interest loans for rehabilitation and preservation of the City's stock of BMR ownership units.
- The County distributes federal McKinney Homeless Assistance funds to organizations in the county that provide services to homeless persons and persons at-risk of homelessness.
- The California Tax Credit Allocation Committee (CTCAC) holds two application cycles for Low Income Housing Tax Credits each year. Local non-profits apply directly to the CTCAC for these funds when they have identified a project.
- The Housing Trust Silicon Valley is a nonprofit organization that combines private and public funds to support affordable housing activities in the County, including assistance to developers and homebuyers.
- The Mortgage Credit Certificate (MCC) Program provides assistance to first-time homebuyers by allowing an eligible purchaser to take 20 percent of their annual mortgage interest payment as a tax credit against federal income taxes. The County administers the MCC Program on behalf of the jurisdictions in the County, including the City.

Measure A Affordable Housing Bond was approved by voters in November 2016 that approved \$950 million dollars for the County to address housing needs for the most vulnerable residents, those in the extremely low-income households.

Actions planned to foster and maintain affordable housing

The City has taken proactive steps to help decrease the barriers in affordable housing through the following ordinances:

Resolution No. 8523

The City adopted Resolution No. 8523 on February 2, 2016, which recognizes homelessness as a crucial problem in the County and will consider contributing to future affordable housing projects that will house the homeless.

Affordable Housing Ordinance

On June 12, 2018, the City Council adopted an Affordable Housing Ordinance which requires that any new developments with projects of ten (10) or more units must include fifteen percent (15%) of very low or low-income units for rental and 15% of moderate income units for ownership. The units should be affordable for over 55 years.

Density Bonus Ordinance

To attract developers to build affordable units, the Density Bonus Ordinance will allow developers the ability to build above their permitted densities in permitted zoning districts in exchange for the provision of affordable units in the development.

Below Market Rate Ownership

The City manages a Below Market Rate (BMR) Ownership program for first-time, income-qualified homebuyers. Once a unit from the current BMR housing stock becomes available, the homebuyer will have the ability to purchase a home in Milpitas at one of the various developments throughout the City from one to three bedrooms. For qualified very low to low income households, the City also provides a loan of up to \$50,000.

Housing Trust Silicon Valley

Housing Trust Silicon Valley provided financial support for 86 affordable housing projects of \$55.7 million, which funded over 5,059 affordable rental units. In addition, made 2,306 loans to homebuyers,

totaling over \$44.9 million. Lastly, Housing Trust of Silicon Valley provided homeless grants of over \$3.4 million to assist over 5,954 individuals.

Fair Housing

Project Sentinel is an organization that provides expertise in fair housing and tenant-landlord dispute. Services include information, referrals, community outreach and education in several languages other than English, investigation, and resolving fair housing complaints.

Actions planned to reduce lead-based paint hazards

The County of Santa Clara has received funding from State's Department of Health Service and Federal Government for Center for Disease Control to implement a Childhood Lead Poisoning Prevention Program. The funded programs include community outreach screen, case management and public education to inform low-to-moderate income and older communities. The project will then follow up with environmental testing, lead-based education, blood-lead testing for children, hazard reduction grants and follow up with monitoring and testing.

Milpitas has adopted a Lead-Based Paint Management Plan which complies with HUD Based Paint regulations, which outlines the required states of abatement and remediation for rehabilitation projects. In addition, the City publicize and identifies lead-based hazards and older residential projects through its Code Enforcement Division and Building Department. In addition, projects undergoing rehabilitation, under the City's Rehabilitation, provides technical assistance and abatement of lead-based paints.

Actions planned to reduce the number of poverty-level families

- As stated prior, the City of Milpitas will follow these actions:
- Work with non-profit housing developers to fund and provide more affordable housing opportunities to address the homeless problem and needs of very low and low-income households.
- Provide funding and supportive services to prevent very low-income persons and families from becoming homeless and assist them in ending the cycle of homelessness.
- Address the employment and income needs of individuals and families who are economically disadvantaged, including persons who are homeless, who have disabilities, and those who are participating in the County of Santa Clara Welfare-to-Work Programs.

- Provide funding for a variety of services and referrals to assist people in obtaining access to public assistance to prevent poverty.
- Per Section 3, if there are HUD funded projects that can create direct economic opportunities must take every effort to recruit, target and directed towards low and very low-income residents and businesses.

Actions planned to develop institutional structure

The City is striving to improve intergovernmental and private sector cooperation to synergize efforts and resources and develop new revenues for community service needs and the production of affordable housing. Collaborative efforts include:

- Regular quarterly meetings between entitlement jurisdictions at the CDBG Coordinators Meeting and Regional Housing Working Group
- Joint jurisdiction Request for Proposals and project review committees
- Coordination on project management for projects funded by multiple jurisdictions. Recent examples include the effort by the County to create a regional affordable housing fund, using former redevelopment funds that could be returned to the County to use for affordable housing. Another effort underway involves the possible use of former redevelopment funds to create a countywide pool for homeless shelters and transitional housing. These interactions among agencies generate cohesive discussion and forums for bridging funding and service gaps on a regional scale.

Actions planned to enhance coordination between public and private housing and social service agencies

The City benefits from a strong jurisdiction and region-wide network of housing and community development partners, such as the County and the CoC. To improve intergovernmental and private sector cooperation, the City will continue to participate with other local jurisdictions and developers in sharing information and resources.

Discussion:

Please see discussion above.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(l) (1, 2, 4)

Introduction:

The City of Milpitas only receives CDBG funds and will receive the following program income for FY19-20.

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(l)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	\$8,959
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	\$8,959

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	0.00%

Annual Action Plan
2019

58



CITY OF MILPITAS AGENDA REPORT(AR)

Item Title:	Receive a Presentation and Provide Direction to Staff on a Proposed Zoning Ordinance Amendment amending Sections of Chapter 10, Title XI of the Milpitas Municipal Code Relating to Maximum Building Heights (Staff Contact: Ned Thomas, Planning Director, 408-586-3273)
Category:	Community Development
Meeting Date:	6/14/2022
	<u>Recommendations:</u> (1) Receive a presentation from staff; and (2) Provide direction to staff on a proposed Zoning Ordinance Amendment setting forth regulations related to maximum building heights in certain zoning districts.

Executive Summary:

In late 2021, the City Council directed staff to prepare a draft zoning ordinance text amendment to address community concerns about protecting views of the hillsides by limiting maximum building heights in certain areas of the city. The proposed Zoning Ordinance text amendments would modify and add regulations to limit maximum building heights in the C2 General Commercial, HS Highway Services, and TC Town Center Zoning Districts consistent with the maximum building heights already established in the City's other commercial zoning districts. The amendments would also provide some flexibility in the C2 and TC zones by allowing, where appropriate, a maximum height of up to 75 feet or six stories with approval of a Conditional Use Permit, subject to specific findings. The proposed zoning ordinance amendments require modifications to certain sections of Chapter 10 (Zoning) of Article XI (Zoning, Planning, and Annexation) of the Milpitas Municipal Code. The proposed ordinance is consistent with the Milpitas General Plan and all other applicable state and local laws.

Background:

The proposed ordinance provides greater clarity and guidance regarding standards for maximum building height in three of the City's commercial zoning districts: C2 General Commercial, HS Highway Services, and TC Town Center. The Zoning Ordinance does not currently state a maximum allowable height for buildings in these zones – the Commercial Zone Development Standards table (Table XI-10-5.03-1) shows the maximum height for primary buildings in these zones as "None."

In practice, the height of proposed new buildings or modifications to existing buildings in these zones is reviewed and determined through the Site Development Permit process; however, the lack of specific standards for building height creates uncertainty not only for project applicants, but also for property owners and residents in the vicinity of proposed development sites. If an applicant were to propose a tall building that was significantly out of scale with its surroundings and not consistent with the context of the surrounding area, the Zoning Ordinance does not currently provide objective standards or findings to guide decision makers in determining an appropriate building height or what factors should be considered as part of this decision.

To rectify these circumstances, staff proposes amending the Zoning Ordinance to add a specific maximum building height of 35 feet or three stories for primary buildings in the C2 General Commercial, HS Highway Services, and TC Town Center Zoning Districts. Specifically, this new standard for maximum building heights would be added to Table XI-10-5.03-1 “Commercial Zone Development Standards” in Section 5 “Commercial Zones and Standards” of Chapter 10 “Zoning” of Title XI “Planning, Zoning, and Annexation” of the Milpitas Municipal Code. In addition, staff proposes to provide very limited flexibility in the new standard by allowing additional building height – up to 75 feet or six stories – in the MP Industrial Park, C2 General Commercial, and TC Town Center Zoning Districts with approval of a Conditional Use Permit (CUP).

At present, the Zoning Ordinance allows additional height beyond three stories or 35 feet, with no maximum height specified, in the MP and TC districts with approval of a CUP. The proposed ordinance would add C2 to the zones where additional height may be conditionally permitted and establish a 75-foot or six-story maximum when such additional height is being considered. The Zoning Ordinance amendments would also establish specific new findings that must be made by the decision-making body when considering any request for additional building height above the by-right standard of 35 feet or three stories.

Proposed Amendments to the Zoning Ordinance:

The proposed ordinance includes amendments to the following sections of the Zoning Code (Title XI, Chapter 10 of the Milpitas Municipal Code):

Commercial Zone General Development Standards (XI-10-5.03): As noted above, the Commercial Zone Development Standards table (Table XI-10-5.03-1) would be amended to add a maximum height of 35 feet or three stories for primary buildings in the C2 General Commercial, HS Highway Services, and TC Town Center Zoning Districts. For consistency with the standards in other commercial zones, the maximum height for primary buildings in the C1 Neighborhood Commercial Zoning District would remain unchanged at 35 feet, but the number of stories would change from 2.5 stories to three stories. In areas where a commercial zone abuts a lower-density residential neighborhood, the proposed Zoning Ordinance amendments would establish a 100-foot buffer where the commercial building heights would be limited to 30 feet or two stories.

Footnote number 1 to the development standards table would also be amended to reference the provisions in the Commercial Zone Special Development Standards and Conditional Use Permit sections of the Zoning Code that allow additional primary building height subject to discretionary approval of a CUP. This footnote would apply to both the C2 and TC zones.

Commercial Zone Special Development Standards (XI-10-5.04): A new Subsection (D) would be added and would include language outlining guidance on criteria the Planning Commission should consider when reviewing a request for additional building height pursuant to a CUP. The proposed criteria focus on site-specific conditions and design elements such as the width of the right-of-way of the principal street; the proximity of the subject site to low-or medium-density residential districts R1, R2, and R3; building setbacks as they relate to the proposed building height beyond 35 feet; and upper story building stepbacks. These criteria are intended to provide clear and objective direction about the factors that should inform a decision about a CUP application for additional building height.

Conditional Use Permits and Minor Conditional Use Permits (XI-10-57.04): As noted above, Table XI-10-57.04-1 in the Conditional Use Permits section of the Zoning Code currently includes a provision allowing consideration of additional building height beyond 35 feet or three stories in the MP and TC zoning districts. The proposed ordinance would make the provision also applicable in the C2 zone and would amend it to add a maximum building height standard of 75 feet or six stories with approval of a CUP.

A note would also be added to the table referencing the criteria discussed above (in Subsection XI-10-5.04) that apply to requests for a CUP for additional building height and the specific findings for approval for this type of CUP, which appear below in Table XI-10-57.04-2 in this subsection. The findings would be amended to eliminate the existing language related to “exceptional architecture and aesthetic merit,” which is highly

subjective, and to add new, more objective findings related to the proposed building's compatibility with the surrounding area. The proposed new findings would consider factors such as the design, location, size, and bulk of the proposed building; the transition in scale between the proposed building and structures in adjacent residential districts; and shadow impacts of the proposed building on adjacent parcels, public sidewalks, and public open spaces.

Definitions (XI-10-2.03): As part of the proposed zoning amendments for non-residential building heights, a minor amendment is included to the definition of the term "Floor Area Ratio" (FAR). The language allowing increased FAR with approval of a Use Permit would be deleted. The purpose of this proposed change is twofold: first, to eliminate potential conflicts and confusion that may arise if a project applicant were to file a request for additional height and additional FAR (which are related but different); and second, because such a provision for a discretionary increase to the maximum FAR would be more appropriately located as part of development standards elsewhere in the Zoning Code, rather than as part of the definition of the term FAR.

Through the process of preparing these proposed zoning amendments, staff has discussed the issue of discretionary increases to maximum FAR, and whether and how the City's Zoning Code should address them. Typically, when a jurisdiction allows a discretionary increase in allowable FAR, it is used as an incentive, so the City receives a benefit (e.g. affordable housing, public open space, or other public amenities, etc.) in return for allowing an increase in FAR for the project. Staff is currently working on a separate set of draft zoning amendments to address the procedures and requirements for FAR increases.

Planning Commission Comments and Recommendations:

The Planning Commission considered the proposed Zoning Ordinance text amendments at its meeting on June 8, 2022. Following public comment, the Planning Commission concurred with concerns raised by community members regarding the height of buildings in areas where commercial zoning districts abut lower-density residential neighborhoods. Based on these concerns, the Commission recommended that the proposed text amendments include a provision to limit the height of buildings located within 100 feet of a lower-density residential zoning district to two stories or 30 feet, which is consistent with the maximum permitted height of buildings in the City's single-family residential zoning districts (R1 and R2). In addition, staff recommends that discretionary approval of additional building height in the C2, HS and TC zones (i.e., with approval of a CUP) should not apply within 100 feet of the boundary of an R1 or R2 residential zone.

Following discussion and public comment, the Planning Commission voted 5-0 (Commissioners Albana and Medina-Ashby absent) to recommend that the City Council adopt an Ordinance amending sections of Chapter 10 of Title XI of the Milpitas Municipal Code relating to maximum building heights.

Fiscal Impact

This is an informational item for Council direction on the draft ordinance. Therefore, there is no fiscal impact.

California Environmental Quality Act:

This report represents ongoing work on updates to the City of Milpitas Zoning Ordinance (Milpitas Municipal Cod Title XI, Chapter 10). It is anticipated that the draft ordinance for non-residential building heights that is brought forward for City Council consideration will be exempt from environmental review pursuant to CEQA Guidelines Section 15061(b)(3) (Common Sense Exemption), which states that CEQA only applies to projects which have the potential for causing a significant effect on the environment.

Recommendations:

1. Receive a presentation from staff.
2. Discuss the presentation and provide direction to staff on key issues outlined in this report.

Attachments:

1. Draft Zoning Ordinance Text Amendments to Chapter 10 (Zoning) of MMC Title XI

XI-10-5.03 Commercial Zone General Development Standards

The following minimum requirements shall be observed, except where increased for conditional uses. The minimum requirement shall be one of the following for the district classification as designated on the zoning map.

**Table XI-10-5.03-1
Commercial Zone Development Standards**

Standard	CO	C1	C2	HS	TC
Lot Area, minimum	None	None	10,000 s.f.	Fronting major street (4 or more lanes): 1.5 ac. Fronting all other streets (two lanes): 20,000 s.f.	None.
Lot Width, minimum	None	None	100 ft.	Fronting major street: 250 ft. Fronting all other streets: 125 ft.	None
Front Yard Setback, minimum	10 ft.	20 ft.	0 ft.	Major street: 50 ft. All other streets: 0 ft.	20 ft. 35 ft. along E. Calaveras Blvd.
Side Yard Setback (Interior), minimum	10 ft.	0 ft. 15 ft. when abutting R District	0 ft. 15 ft. when abutting R District	0 ft. 15 ft. when abutting R District	0 ft. 15 ft. when abutting R District
Street Side Yard Setback, minimum	10 ft.	0 ft.	0 ft.	0 ft.	20 ft. 35 ft. along E. Calaveras Blvd.
Rear Yard Setback, minimum	10 ft. When abutting residential, not less than R District required setback	0 ft. 15 ft. when abutting R District	0 ft. 15 ft. when abutting R District	0 ft. 15 ft. when abutting R District	0 ft. 15 ft. when abutting R District
Building Height, maximum					
Primary building	35 ft. or 3 stories	35 ft. or 2-5 <u>3</u> stories	None <u>35 ft. or 3 stories¹</u>	None <u>35 feet or 3 stories</u>	None ⁺ <u>35 feet or 3 stories¹</u>
Accessory building	25 ft. or 2 stories	25 ft. or 2 stories			

Parking	Refer to Section 53, Off Street Parking, of this Chapter.				
Lot Coverage	None	None	None	None	None
Floor Area Ratio	0.50	0.35	0.50	0.50	0.85
Landscaping	None	None	None	25% of front yard setback	All required setback areas and the ends of each parking aisle ²

¹ Refer to Subsections [XI-10-5.04\(D\)](#) and [XI-10-57.04\(C\)\(1\)](#), ~~Applicability~~, of this Chapter for additional requirements.

² The Planning Commission shall determine the size of the planters through site and architectural review.

XI-10-5.04 Commercial Zone Special Development Standards

A. All Zones.

1. Areas for Collecting and Loading Recyclable Materials. There shall be provided areas for collecting materials in accordance with Subsection 54.12, Areas for collecting and loading recyclable materials, of this Chapter.
2. All outdoor storage areas of such things as trash and materials shall be within a completely enclosed building or behind a visually obscure solid wall or tight board fence a minimum six (6) feet in height and shall not be located within any front or street side yard setback area.
3. Such uses, operations or products shall not be objectionable due to odor, dust, smoke, noise, vibration or other similar causes.

B. TC Zone.

1. Setbacks for Residential Projects. Except for the Calaveras Boulevard setback, all other setbacks shall be determined through a Site Development Permit.

C. Neighborhood Commercial (C1) Zone. Thrift stores shall comply with each of the following standards:

1. Signage prohibiting dumping of merchandise during non-business hours shall be installed in conspicuous locations to the satisfaction of the Planning Director indicating penalties and fines for such activity. Signage shall include daytime collection hours for donated goods.
2. A designated area inside the building shall be established for the receipt, sorting and processing of goods. Donated goods shall be accepted only inside the building and during regular business hours; no donated goods shall be left outside. Loading and unloading must take place in a designated area that shall be cleared, cleaned and maintained before closing of business each day.
3. The storefront windows shall be permanently maintained as displays of merchandise in a professional and attractive manner (i.e., unsightly clothing racks and displays shall not be placed adjacent to the windows).
4. Any goods or materials left outside of the store overnight shall be removed immediately upon the thrift store opening the next business day.
5. Outdoor storage or display of donated goods or merchandise shall not be permitted.
6. The subject property shall be maintained free of trash, debris, any all other goods at all times.
7. Thrift stores shall not be located closer than one thousand (1000) feet from another thrift store.

D. General Commercial (C2) and Town Center (TC) Zones.

1. In deciding whether to grant a request for additional building height through the Conditional Use Permit process pursuant to Section XI-10-57.04(C)(1), the Planning Commission shall consider site conditions, design elements, and other factors including but not limited to (a) width of right-of-way of principal street; (b) proximity of the site to low- or medium-density residential districts (R1, R2, and R3); (c) building setbacks in relation to proposed building height in excess of 35 feet; and (d) upper story step-backs.

XI-10-57.04 Conditional Use Permits and Minor Conditional Use Permits

A. Purpose and Intent.

1. The purpose and intent of the Conditional Use Permit process is to provide a review of land uses which would not otherwise be permitted as a matter of right in a zoning district because of their nature, have an impact on the surrounding environment and for the determination of whether or not the proposed use is appropriate for its proposed location.

The Conditional Use Permit process is intended to encourage uses to be located in a manner that is:

- a. Consistent with the City's zones;
 - b. Sensitive to community and neighborhood identity; and
 - c. Minimizes impacts to adjacent uses, including traffic flow; circulation; safety for vehicular and pedestrian traffic; imposition of noises, odors and health and safety hazards upon nearby residential area; provision of adequate light, air and reasonable access; securing safety from fire and other dangers; prevent overcrowding of land; facilitating adequate provision for transportation and in general, to promote the public health, safety, peace, morals, comfort and welfare; prevention of neighborhood deterioration and blight; the objectives of zoning and planning in the community and the effect upon the City's general welfare of this proposed use in relation to surrounding uses and the community. Review of a use may require the consideration of site plan issues related to the use, as well.
2. It is the purpose of the Minor Conditional Use Permit process to provide for the streamlined review of uses that may have an impact on the surrounding environment and require discretionary review, but due to their nature, scale or location, do not require discretionary consideration by the full Planning Commission. Either the Zoning Administrator or Planning staff has the authority to review Minor Conditional Use Permits. The Minor Conditional Use Permit process has as its purpose the same goals for uses described for the Conditional Use Permit process above.

B. Authority.

1. Conditional Use Permits. The Planning Commission has the authority to approve Conditional Use Permits, subject to concurrent review and appeal provisions of Section XI-10-64, Development Review Process, of this Chapter.
2. Minor Conditional Use Permits. Minor Conditional Use Permits may be approved either by the Zoning Administrator or administratively by Planning staff.
 - a. Review by the Zoning Administrator. The Zoning Administrator has the authority to approve Minor Conditional Use Permits for those uses listed in the use tables of the Zoning Ordinance. Such approvals shall be subject to the concurrent review and appeal provisions of Section XI-10-64, Development Review Process, of this Chapter.
 - b. Review by Planning staff. Planning staff has the authority to administratively approve Minor Conditional Use Permits for those uses listed in the use tables of the Zoning Ordinance. Such approvals shall be subject to concurrent review and appeal provisions of Section XI-10-64, Development Review Process, of this Chapter. Planning staff-level issued Minor Conditional Use Permits shall not require a public hearing or notice.

C. Applicability.

1. Conditional Use Permits. Conditional Use Permits are required as indicated by the use tables in Residential, Mixed Use, Commercial, Industrial, Institutional, Park and Open Space, and other land use districts of this Chapter. Conditional Use Permits are also required for the following requests:

Table XI-10-57.04-1

Use/Modifications	As provided for in:	Notes
Height		
Height. For buildings that exceed three stories or 35 feet, <u>up to a maximum of six stories or 75 feet</u> , within the MP, <u>C2</u> , and TC districts.	Table XI-10-7.03-1, Industrial Zone Development Standards and Table XI-10-5.03-1 Commercial Zone Development Standards	See Table XI-10-57.04-2 and Section XI-10-5.04(D)(1).
Height. For buildings that exceed six stories or 85 feet within the -OO overlay district up to a maximum of eight stories or 115 feet in height.	Section XI-10-12.02, Gateway Office (-OO) Overlay District	
Height. Permit in R2 and R3 districts, schools, hospitals, sanitariums, institutions, churches and other similar uses allowed under the use regulations of this Chapter, to be erected to a height not exceeding six stories or 75 feet, provided, that the front and side yard requirements for such buildings in the "R3" District are complied with.		
Non-conforming		
Nonconforming buildings and structures	Section XI-10-56.02(C), Additions to, enlargements and moving of nonconforming buildings and structures	See footnote 1
Nonconforming uses, change of use	Section XI-10-56.03, Nonconforming use of buildings and structures	
Parking		
Parking location	Section XI-10-53.13(A), Location of Parking	
Tandem parking	Section XI-10-53.07(D), Tandem Parking Spaces and Section XI-10-53.13(B), Parking Space Size	
Parking Structures	Section XI-10-53(H)(4), Parking Structures	
Temporary Uses and Structures		
Temporary buildings and structures	Section XI-10-13.11(H), Temporary Uses and Structures.	
Other		
Certain industrial uses within commercial districts	Table XI-10-5.02-1, Commercial Zone Uses.	
Exceptions to performance standards	See the zoning districts use standards in XI-10-05, Residential Zones, XI-10-06, Mixed Use Zones, and XI-10-07, Industrial Zones.	
Lot width reduction		
Wireless telecommunications facilities	Section XI-10-13.09, Wireless Telecommunications Facilities, of this Chapter, for specific standards and exempted facilities.	

¹ In addition, the cumulative floor area included in all such additions or enlargements since the adoption of Ord. No. 38.760 (September 17, 2002) shall not exceed thirty (30%) percent of the floor area contained in said building or structure. Floor area, for the purposes of this Subsection, shall include all habitable space associated with a

residential use and shall mean gross floor area associated with any non-residential use. These criteria are established so as not to prolong the life of the original building or structure.

- a. Other Uses. The Planning Commission may, after a public hearing, permit the following uses in districts from which they are prohibited by this Chapter where such uses are deemed essential or desirable to the public convenience or welfare and are in harmony with the various elements or objectives of the General Plan.

However, any of the following uses which are marked with an asterisk shall not be allowed in the designated Hillside Combining District.

- i. Helicopter pads for medical evacuation purposes.
 - ii. Development of natural resources (excluding the drilling for or producing of oil, gas or other hydrocarbon substances) together with the necessary buildings, apparatus, or appurtenances incident thereto.
 - iii. Library or museum, public.
 - iv. Park, playground, or recreational or community center.
 - v. Public utility and public service use or structure.
 - vi. Radio or television transmitter.
 - vii. Reverse vending machines or mobile recycling units except where the lot is being used for residential purposes.
 2. Minor Conditional Use Permits. Minor Conditional Use Permits are required as indicated by the use tables in Residential, Mixed Use, Commercial, Industrial, Institutional, Park and Open Space, and other land use districts of this Chapter.
- D. Submittal Requirements. Refer to the most recent submittal requirements required by the Planning Division.
- E. Review Procedures.
1. Conditional Use Permits.
 - a. The Planning Commission shall hold a public hearing on said application upon such notice as is required in Section XI-10-64, Development Review Process, of this Chapter.
 - b. After the conclusion of the hearing, the Planning Commission may approve the application, approve it subject to such conditions as the Planning Commission may impose, or disapprove the application.
 - i. The Planning Commission may impose such conditions as it deems necessary to protect the best interests of the surrounding property, of the neighborhood, and as it deems in conformity with the requirements of the General Plan.
 2. Minor Conditional Use Permits.
 - a. Review by Planning Commission Subcommittee. The Planning Commission Subcommittee shall consider a Minor Conditional Use Permit application when authorized to do so under the use tables of the Zoning Ordinance and hold a public hearing on application upon such notice as is required in Section XI-10-64, Development Review Process, of this Chapter.
 - i. After the conclusion of the hearing, the Planning Commission Subcommittee may approve the application, approve it subject to such conditions as the Planning Commission Subcommittee may impose, or disapprove the application.
 - a) The Planning Commission Subcommittee may impose such conditions as it deems necessary to protect the best interests of the surrounding property, of

the neighborhood, and as it deems in conformity with the requirements of the General Plan.

- b) If the Planning Commission Subcommittee members disagree on a decision for a project, then the project will be placed on the agenda for Planning Commission review, with no additional fees required.
- b. Review by Planning staff. The Planning Division shall administratively consider a Minor Conditional Use Permit when authorized to do so under the use tables of the Zoning Ordinance. Planning staff shall investigate as necessary to determine whether or not the proposed project conforms or may be conditioned to conform fully to the intent of this Chapter. No public hearing or notice shall be required for an administrative level Minor Conditional Use Permit.

If the project does not comply, a notice of correction shall be prepared and returned to the applicant. If the applicant resubmits for review and the project still does not comply with the required regulations or is not in accordance with the approved conditions of approval, the Planning Division shall deny the application.

F. Required Findings for Conditional Use Permits and Minor Conditional Use Permits.

1. General Findings. Approval may be granted by the appropriate decision-making body, of a Conditional Use Permit or Minor Conditional Use Permit application in accordance with this Chapter if all of the following findings are made, based on the evidence in the public record:
 - a. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity nor to the public health, safety, and general welfare;
 - b. The proposed use is consistent with the Milpitas General Plan; and
 - c. The proposed use is consistent with the Milpitas Zoning Ordinance.

In the case of a project located within a Specific Plan, the following additional finding shall be made:

- d. The proposed use is consistent with the Specific Plan.
2. Specific Findings. In addition to the general findings required in Subsection (F)(1), above, specific findings shall be made prior to the approval of an application for a Conditional Use Permit for the following requests:

Table XI-10-57.04-2

Use/Modification	Specific Findings
Height	
Height. For buildings that exceed three (3) stories or thirty-five (35) feet within the MP, <u>C2</u> , and TC districts up to a maximum of six stories (6) or seventy-five (75) feet in height.	The project exhibits exceptional architecture and aesthetic merit to warrant the excess height. <u>1. The design, location, size, and bulk of the proposed building is compatible with the existing and allowed future land uses in the vicinity.</u> <u>2. The building's design provides an appropriate transition in scale to structures in adjacent residential districts.</u> <u>3. The building's design minimizes shadows on public sidewalks, public open spaces, and solar facilities on adjacent parcels through step-backs at upper levels or other design elements.</u>
Height. For buildings that exceed six (6) stories or eight-five (85) feet within the -OO overlay district up to a maximum of eight (8) stories or one hundred fifteen (115) feet in height.	The project exhibits exceptional architecture and aesthetic merit to warrant the excess height.
Other	

Certain Industrial Uses within Commercial Districts	The site is within close proximity to industrial uses or districts and is suitable for the type and intensity of use that is proposed.
---	--

- G. Consideration of Conditional Use Permit or Minor Conditional Use Permit Pending Zoning Amendment. Upon the close of a public hearing before the Planning Commission on the question of a Zoning Amendment to change property from one zone to another, and upon favorable report thereon by the Commission, the Commission may consider such matters and regulations as are set forth in Subsection XI-10-57.04, Conditional Use Permits and Minor Conditional Use Permits, of this Chapter.

The Commission may conditionally impose such requirements and regulations upon the subject property and use as the Commission is authorized to impose by Subsection XI-10-57.04, Conditional Use Permits and Minor Conditional Use Permits, of this Chapter, and may conditionally approve Conditional Use Permits; said requirements and regulations shall be imposed and said approval shall be granted upon the express condition that said property shall be rezoned in accordance with the specific recommendation of the Planning Commission relating to zoning and shall not take effect unless and until said property is rezoned in accordance with specific recommendation of the Planning Commission and until the Ordinance amending this Chapter in accordance with the specific recommendation of the Planning Commission shall take effect.

- H. Appeals. An appeal of the action on a Conditional Use Permit or Minor Conditional Use Permit shall be reviewed in accordance with Section XI-10-64, Development Review Process, of this Chapter.
- I. Modifications Requested by the Applicant. Projects shall be developed in conformity with project approvals. If the applicant wishes to modify the project, as approved, the applicant shall submit revised plans and any other applicable information to the City for review by the Planning Division. The Planning Division staff shall make one of the following determinations regarding the request:
1. Insignificant Modifications. If the Planning Division determines that the modifications are minor, the modifications may be approved administratively.
 2. Significant Modifications With or Without Public Impact or Concern. If the Planning Division determines that the modifications are significant enough to warrant discretionary review and have the potential for public impact or concern, then the modifications shall be referred to the final decision-making authority for the original project in the case of non-staff level issued permits, or to the Planning Commission in the case of staff-level issued Minor Conditional Use Permits. If the original application for a project required a public hearing, then the final decision-making authority's review of modifications shall require a public hearing, in accordance with Section XI-10-64, Development Review Process, of this Chapter.
- J. Modifications, Suspensions and/or Revocations Initiated by the City. Refer to Section XI-10-63.06, Revocation, Suspension, Modification, of this Chapter.
- K. Approval Runs with the Land. The approval of a Conditional Use Permit or Minor Conditional Use Permit shall run with the land, and shall continue to be valid upon a change of ownership of the site to which it applies, unless the decision-making authority places limits on the effective time of the approval.

XI-10-2.03 Definitions

"Floor Area Ratio (FAR)" is defined for nonresidential Zoning Districts as the maximum permitted ratio of gross floor area to site area and is calculated as follows:

$$\text{FAR} = \frac{\text{Total of Gross Floor Area for All Structures on Site}}{\text{Site Area}}$$

~~Increases above the maximum permitted FAR for any district can be allowed with approval of a Use Permit by the Planning Commission. This can be considered when the applicant can demonstrate that the proposed development will (1) generate low peak-hour traffic; (2) will not create a dominating visual prominence. Examples of such uses include wholesaling, distribution and hospitals. In each case where an increase in the maximum permitted FAR has been allowed, all other development standards for the site must be met.~~



CITY OF MILPITAS AGENDA REPORT (AR)

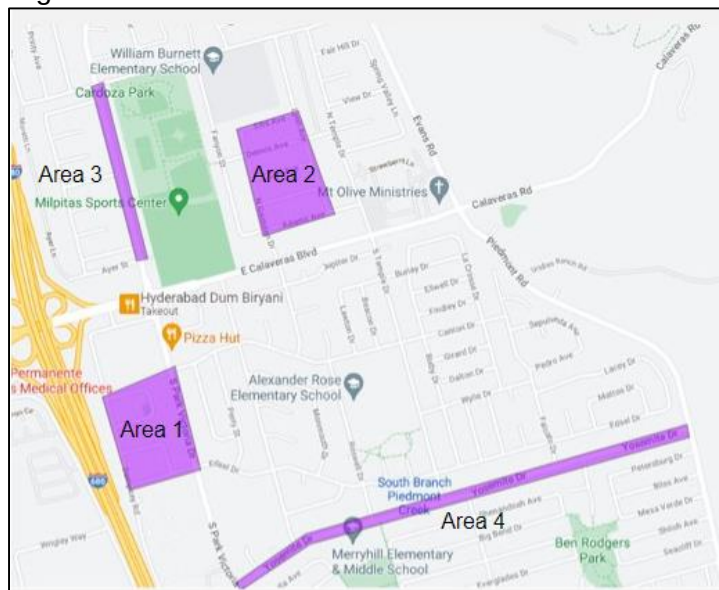
Item Title:	Receive a Presentation on the Pilot Street Sweeping Program and Provide Direction to Staff (Staff Contact: Elaine Marshall, Deputy Public Works Director, 408-586-2603)
Category:	Community Services and Sustainable Infrastructure
Meeting Date:	6/14/2022
	<u>Recommendation:</u> Receive a presentation on the Pilot Street Sweeping Program and provide direction to staff.

BACKGROUND:

As part of the 2019 – 2024 Capital Improvement Program, Council approved funding for a Pilot Street Sweeping Program (Pilot) at certain locations in the City to address residents' concerns about neighborhood beautification, as well as reducing litter impacts into nearby waterways. The goal of the Pilot program was to evaluate the effectiveness of street sweeping signage in residential areas, to inform residents of when to move their vehicles off the street so that the street sweeper can access the street all the way to the curb, and maximize the collection of litter and debris.

As outlined in the February 16, 2021 Informational Memorandum (Attachment 1), City staff, with assistance from Milpitas Sanitation Inc. (MSI), identified four (4) areas in the City for the Pilot as shown in Figure 1 below. The pilot areas comprise approximately six curb miles, which is just over 1.5% of the 350 curb miles of residential streets citywide. In each pilot area, "No Parking" signs were posted for a specific 2-hour street sweeping window. The areas were chosen based on a review of data from the City's Trash Load Reduction Plan and based on areas identified by MSI as streets where vehicle parking impacts the ability of the street sweeper to access the curb.

Figure 1: Pilot Areas



Outreach in multiple languages (including post cards, door hangers, and website) to the residents in the Pilot area occurred in February 2021, while implementation of the Pilot began in March 2021 and ran through February 2022. Staff provided a report to Council on October 14, 2021 (Attachment 2) which included a 6-month update on the Pilot. In addition, staff provided updates and reported on the outcome of the Pilot to the

Transportation Subcommittee and the Energy, Community Advisory Commission, and Environmental Sustainability Commission.

Although the Pilot ended in February 2022, to minimize any disruption to current street sweeping operations in the pilot neighborhoods, the pilot street sweeping signage, sweeping schedule, and parking enforcement has remained in place pending direction from Council.

ANALYSIS:

This section of the staff report outlines the program design of the Pilot, summarizes key data and findings related to the Pilot, and identifies key considerations for the continuation of the Parking Enforced Street Sweeping model.

Program Design:

The City's Franchise Agreement with Milpitas Sanitation Inc. (MSI) provides for regular street sweeping twice a month for residential streets, between 8am-5pm during the street sweeping days. While the regular street sweeping program is twice a month for residential streets, with both sides of the street swept during 8am-5pm during the street sweeping day, the streets in the Pilot areas are split and each side is swept once a month, on alternate days during a limited 2-hour time frame (10am-12pm). This allows residents to move their vehicles to the side that is not scheduled to be swept.

To determine the four residential areas included in the Street Sweeping Pilot, staff reviewed the Trash Load Reduction Plan to identify areas that are highly impacted by street litter and also discussed with MSI regarding areas that were an issue for the street sweeper to have curb access. Other factors that were considered were the composition of the area (single-family versus multi-family) and the related street parking demand, geographic location in Milpitas, and street types.

Prior to implementing the Pilot, staff researched other jurisdictions (including Union City, Hayward, and San Jose), reviewed existing relevant Milpitas Municipal Code and the Master Fee Schedule, coordinated street sweeping scheduling logistics with Milpitas Sanitation, set up a system to capture field data using tablets, discussed the project internally with various departments and divisions, coordinated installation of 221 "No Parking" signs, and coordinated outreach to the four areas to notify residents of the program (postcards, doorhangers, a dedicated website).

Parking enforcement during the Pilot was conducted by the Police Department's Community Service Officers. Pilot enforcement consisted of two phases: (1) Warning notices (March 2021 – October 2021); (2) Parking Citations (November 2021 – February 2022).

Data Collection and Results:

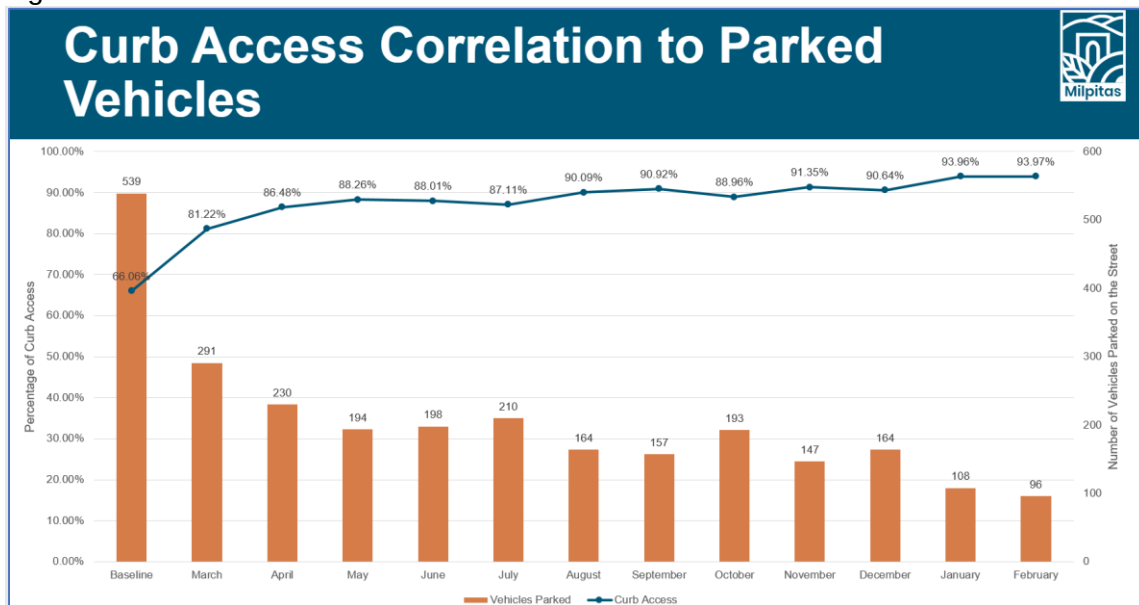
The data collection period of the Pilot concluded at the end of February 2022. Staff has reviewed and analyzed data collected throughout the Pilot period and compared baseline data collected in February 2021. Using tablets, on every street sweeping day in the Pilot areas, staff walked the neighborhoods to collect data. Metrics that were captured included: number of curb miles swept, volume/tonnage of material collected, percentage of the street blocked by vehicles, and visual trash assessments based on the Santa Clara Valley Urban Runoff Pollution Prevention Program's (SCVURPPP) "on-land visual trash assessments" protocol.

To ensure compliance with the parking regulations on street sweeping days, staff relied first on education and warnings for the first 8 months and then started to issue parking citations. The chart below (Figure 2) shows that over the course of the Pilot, many residents moved their vehicles in accordance with the No Parking During Street Sweeping signs. The most significant decrease was in the first month which resulted in a 46% reduction in parked vehicles during street sweeping. This trend of decreasing parked vehicles continued throughout the Pilot and by the end of the Pilot, there were only 96 vehicles parked during street sweeping, a reduction of approximately 82%. Along the same lines, there was an average increase in percentage of curb accessible by the street sweeper from 66% to 94%. During the period when warning notices were issued (March – October), there was an average of 204 parked vehicles, a 62% reduction. When parking citations

were issued (November 2021 to February 2022), the average number of parked vehicles further declined to 117, for incremental additional 42% reduction in average number of parked vehicles.

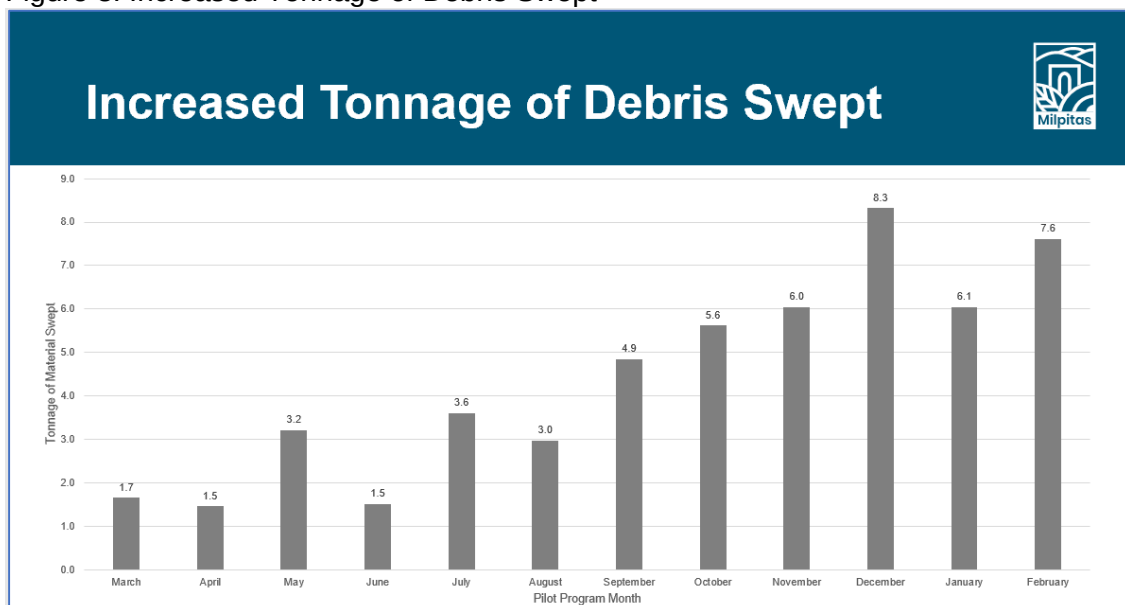
Although the number of vehicles decreased during the course of the Pilot as more residents participated by moving their vehicles and complied with the parking regulations, there was not a substantial change in the number of warnings/citations issued. This is due to capacity limitations of the CSOs who are only able to physically issue a certain number of citations in the specified timeframe. As seen in Figure 2, there remains a number of vehicles still parking on the street. Similarly, staff noticed that there are residents who continue to park their vehicles despite having received notifications/citations.

Figure 2: Curb Access Correlation to Parked Vehicles



The increased curb access led to more debris and litter being swept by the street sweeper and less material entering into the storm drains and waterways (see Figure 3). Materials that were consistently seen on the street included litter (foodware and packaging such as plastic straws and to go cups, disposable masks and gloves) and natural debris such as leaves and seed balls.

Figure 3: Increased Tonnage of Debris Swept



Pilot Survey Results:

At the conclusion of the one-year time period, a doorhanger was distributed to all 900 residences within the boundaries of the Pilot, with a short two-minute survey to solicit feedback on the effectiveness of the Pilot. Response to the survey was limited. Of the fifteen responses that were received, there was a 46% increase in the number of residents who rated the streets “Clean” or “Very Clean” after the Pilot started; 73% believe that they received enough information regarding the Pilot; 67% believe that the signage was effective, and that street sweeping had been more effective since the start of the Pilot; and 73% support the continuation of the Pilot.

Pilot Costs

The Pilot was approved with \$400,000 in funding to support implementation and at the conclusion of the Pilot, there was a total of \$128,000 in expenses for the Pilot, offset with \$20,000 in net revenue from parking citations. A summary of the expenditures incurred and revenue generated related to the Pilot through end of May 2022 are shown below (Figure 4). Worth noting is that the costs for the CSO time is not currently included in these figures because these costs were covered by the Police Department as part of the CSO regular job duties and the limited nature of the Pilot did not take much CSO time on a monthly basis. However, if the alternate street sweeping model as piloted were to be expanded, the Police Department will require additional staff for enforcement.

The total number of citations issued during the Pilot (from mid-November – February) was 309, with \$65 per citation issued. After deduction of mandated fees (County General Fund, State Court Facilities Fund, etc.) and a citation processing fee, the net revenue generated was \$20,085 total for the period.

Street Sweeping Pilot Cost Analysis	
Description	Amount
Pilot Expenditures	
Signage – Production and Installation	\$58,000
Outreach (Printing, Translations, Distribution)	\$5,000
Milpitas Sanitation (Street Sweeper Labor)	\$26,000
Labor Costs (Research, implementation, data collection related to Pilot only)	\$39,000
Total Expenditures	\$128,000
Pilot Revenue	
Parking Citations	\$20,085
Total Revenue	\$20,085
Pilot Net Cost	\$107,915

Figure 4: Street Sweeping Pilot Expenditures and Revenue

Conclusion and Request for Council Feedback and Direction

Overall, the Pilot data and community feedback indicate that the Pilot program has been effective at moving vehicles and reducing street litter and debris, resulting in a cleaner community in the Pilot areas. While enforced “No Parking” is an effective method to motivate movement of vehicles during street sweeping, it comes at significant additional cost to implement and is not warranted or needed citywide. Full citywide implementation would require signage be installed throughout residential neighborhoods, re-routing of all residential street sweeping routes which would necessitate that MSI purchase additional street sweepers, and the Police Department would need to potentially increase the number of CSOs in order to enforce the program. These factors make citywide implementation cost-prohibitive.

If the street sweeping model under the Pilot were to be expanded to other areas in the City, staff recommends that the City Council consider limiting the program and additional neighborhoods based on the following criteria:

- At least 40% of street is blocked on street sweeping days.
- Area is identified in City's Long-Term Trash Plan as being impacted by trash
- Visible litter and debris on streets (at least moderately impacted by trash) based on On-land Visual Trash Assessment conducted by staff
- At least 50% of single-family homes in neighborhood show interest and support "No Parking" signage and enforcement.
- Minimum of 1 curb mile required for new neighborhoods to be added to the Program.

This type of focused program expansion is consistent with programs implemented in other cities including San, Jose, Alameda, and Hayward. For example, in San Jose, new "No Parking" signs are requested by residents, neighborhood groups, or Councilmembers. Requests result in the City of San Jose Department of Transportation (DOT) inspectors reviewing the request. Due to limited resources, DOT considers installing signs only in areas where at least 40% or curb miles is impacted by vehicles.

At this time, staff seek the following feedback from the City Council:

- Should Parking Enforced Street Sweeping model be continued in the Pilot areas?
- Should Parking Enforced Street Sweeping model expand to additional areas?
- What additional criteria should be considered for expanding the Parking Enforced Street Sweeping model to additional areas?

Based on feedback from the City Council, staff will return in the Fall with recommended programmatic design, cost and resource analysis, funding options and an implementation timeline.

FISCAL IMPACT:

CIP No. 3455 was originally approved with \$400,000. As of the end of the end of May 2022, staff has spent a total of \$128,000 on the Pilot, leaving a balance of approximately \$ 272,000. Additionally, at the May 3, 2022 City Council meeting, Council approved an additional \$300,000 in funds to be added to the CIP program in FY2022-2023 bringing the total funding available for potential program continuation and expansion to \$572,000.

It is important to note that an expansion of the alternative street sweeping model requires one-time resources (e.g.: installation of the parking signs) and ongoing resources (e.g.: staff for enforcement).

California Environmental Quality Act (CEQA):

The project is categorically exempt under Section 15301 of the California Environmental Quality Act guidelines for maintenance of existing facilities.

RECOMMENDATION:

Receive a presentation on the Pilot Street Sweeping Program and provide direction to staff.

Attachment(s):

1. February 16, 2021 Street Sweeping Pilot Project Information Memorandum
2. October 14, 2021 Street Sweeping Pilot 6-Month Update



MEMORANDUM

Public Works Department

DATE: February 16, 2021

TO: Mayor and Council

THROUGH: Steve McHarris, City Manager *Steve McHarris*

FROM: Tony Ndah, Public Works Director

SUBJECT: Update of Street Sweeping Pilot Project

This memorandum provides information about the City's Street Sweeping Pilot Program (Pilot), Capital Improvement Program (CIP #3455). Staff have been coordinating interdepartmentally and with Milpitas Sanitation, Inc. (MSI) on this Pilot, and have conducted public outreach including informational memos, mailers, and presentations to City Commissions and the Council's Transportation Subcommittee. The Pilot will be launched on March 1, 2021 and will run for one (1) year. A summary of actions taken to date to develop the Pilot, is included in the memorandum.

Executive Summary

As part of the 2019 – 2024 Capital Improvement Program, Council approved funding for a Pilot Street Sweeping program to address residents' concerns about neighborhood beautification, as well as reducing litter impacts into nearby waterways. The goal of the Pilot program is to evaluate the effectiveness of street sweeping signage in residential areas, to inform residents of when to move their vehicles off the street so that the street sweeper can access the street all the way to the curb, and maximize the collection of litter and debris.

City staff, with assistance from MSI, identified four (4) areas in the City for the Pilot. The areas were chosen based on a review of data from the City's Trash Load Reduction Plan and based on areas identified by MSI as streets where vehicle parking impacts the ability of the street sweeper to access the curb.

The Pilot is scheduled to start on March 1, 2021 and during the Pilot, parking will be prohibited from 10 am to noon on specific days in each Pilot area. Postcards and door-hangers were mailed out this month to residents with information about the Pilot and new street signs have been installed in the pilot area to notify residents of the street sweeping days. Staff are also developing a website which will include information on the Pilot program, sweeping schedules, and a look-up tool for residents to use to get information on the street sweeping day and time for their area.

The Pilot will run for one (1) year and staff will provide periodic updates to Council on the effectiveness of the Pilot program.

Background:

Street sweeping services are included under the City's solid waste franchise agreement and MSI informs residents about the street sweeping program through monthly ads placed in the Milpitas Post, mailing an annual street sweeping postcard, and providing street sweeping routes and the street sweeping schedule on their website. The goal of this outreach is to inform residents of their street sweeping schedule so they can move their vehicles prior to street sweeping. However, parked vehicles blocking street sweeper access continues to be a problem in certain areas of the City. When vehicles are not moved on street sweeping days and the area is congested by street parking, the street sweeper is not able to access the curb in order to properly clean the street. The Pilot aims to install signage in several targeted residential areas to notify residents of their streets sweeping days and times so that residents can move their vehicles. This in turn will allow for more effective street sweeping and will reduce the amount of litter accumulating on local streets and prevent the debris from entering local creeks and waterways during rain events.

Pilot Update

Staff have been coordinating with various departments and MSI to develop the Pilot. The major Pilot development tasks that have been completed to date include:

- Benchmarking other city street sweeping programs
- Identification of pilot areas
- Developing a Pilot Street Sweeping Schedule
- Evaluation of enforcement and citation authority
- Fabrication and deployment of signage
- Outreach to residents

Program Benchmarking

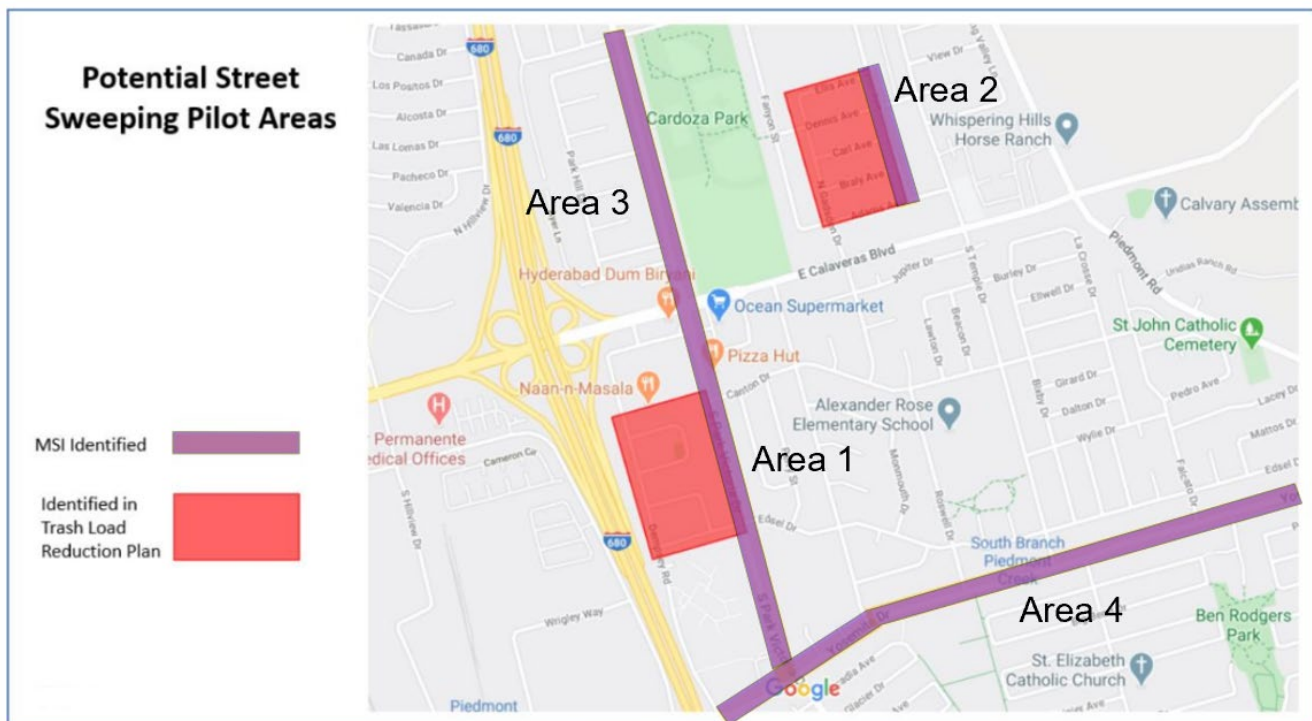
Staff have benchmarked the street sweeping programs of neighboring jurisdictions throughout the Bay Area. Factors that staff examined included: the type of street sweeping signage used (temporary or permanent), the entity performing the street sweeping (in-house, consultant, hauler), strategy for providing parking during street sweeping, enforcement authority, entity, and process, and citation amount. Specifically, two cities emerged with robust residential street sweeping programs – Union City and Hayward.

Pilot Area Identification

Staff evaluated a variety of factors in order to identify Pilot areas. These included:

- areas identified in the City's Trash Load Reduction Plan as areas with litter issues that could benefit from an enhanced street sweeping,
- areas identified by MSI where parking impacts the ability of the street sweeper to access the curb,
- make-up of the neighborhood (whether single-family or multi-family),
- street type, and
- geographic location.

As a result, staff identified four areas to be included in the Pilot program shown on the map below:



- **Area 1** – this area neighbors Interstate 680 and is encompassed by Dempsey Rd, Edsel Dr, South Park Victoria Dr, and Selwyn Dr. The two main streets in the pilot are Selwyn Dr and Shirley Dr. Although South Park Victoria is composed of single-family homes, the majority of this area contains multi-family dwellings. Of the four areas, Area 1 has the most congested parking and litter/debris.
- **Area 2** – this area sits to the east of Cardoza Park and is contained by Ellis Ave, Gadsden Dr, Adams Ave, and Lynn Ave. Streets running within the boundaries include Dennis Ave, Carl Ave, and Braly Ave. Although Lynn Ave and Adams Ave have multi-family dwellings on one side of the street and single-family homes on the other side of the street, every other street in this area contains only single-family homes.
- **Area 3** – this area runs along Park Victoria Dr, a wide street, from Yosemite Dr to Kennedy Dr. Due to the presence of commercial areas from Yosemite Dr to Ayer St, the focus for this pilot will be Ayer St to Kennedy Dr, since this length is comprised of residential/single-family homes.
- **Area 4** – this area is on Yosemite Dr, from Piedmont Rd to South Park Victoria Dr. This area is mostly single-family homes and contains a small stretch where Merryhill School is located.

Pilot Street Sweeping Schedule

Staff has coordinated with MSI to develop the street sweeping schedule for the Pilot. As the entity performing the street sweeping, MSI has insight into program logistics, scheduling, outreach, and metrics and evaluation. Staff has discussed options with MSI to ensure that the pilot locations are able to be addressed with no, or little, disruption to the existing established street sweeping schedules. As a result, the Pilot program will employ a “split street” cleaning schedule, meaning that only one side of the street will have prohibited parking during the street sweeping window in order to allow cars to be parked on the other side. Typical residential areas are swept every two weeks, while in the pilot areas, one side of the street will have a thorough sweeping once a month. During this Pilot, parking will be prohibited from 10AM to Noon on specified days in each Pilot area.

Staff have mapped out signage locations and associated street sweeping schedules in all four pilot areas. Signs have been fabricated and Staff anticipates sign installation to be completed by mid-February.

Enforcement

Staff has identified that the City’s Municipal Code allows for street sweeping enforcement. *Milpitas Municipal Code Section V-100-12.11 - Streets Under Construction, Being Cleaned or Used for Movement of Equipment* prohibits parking a vehicle on a street or portion of a street when the street is being cleaned with authorized signage is in place. The City’s Master Fee Schedule also includes a citation amount for violations of this section. However, the City of Milpitas currently has no street sweeping signage to notify the public of street sweeping restrictions and, therefore, has not routinely used or enforced this section for street sweeping. A key component of the Pilot is the placement of new authorized signage with street cleaning information in Pilot implementation areas.

The Police Department will be assisting with this Pilot and will patrol the areas and issue warning notices to vehicles that remain parked during signed street sweeping periods. During this pilot, staff will be using signage, outreach, and warning citations to encourage vehicles to be moved during street sweeping.

Pilot Outreach

Outreach in the form of postcards and door-hangers have been developed in multiple languages and are being sent out to residents in the Pilot areas this month. Staff are also developing a website which will include information on the Pilot, schedule, and a tool to look-up whether or not a home is in the Pilot area and if so, what the street cleaning day and time will be. The website will also include a link for non-Pilot residents to check their regular street sweeping schedule. Because this Pilot is limited to specific areas in Milpitas, staff is not recommending use of social media at this time in order to prevent confusion among households not included in the Pilot areas.

Staff has presented this information on the development of this Pilot to the Energy and Environmental Sustainability Commission, the Community Advisory Commission, and the City Council’s Transportation Subcommittee, in order to provide a status update on the project as well as to gain feedback and input on Pilot program design and proposed implementation.

Next Steps

Once the Street Sweeping Pilot Program is implemented, staff will begin evaluating the program on an ongoing basis, through a set of evaluation metrics which include: number of curb miles swept, volume/tonnage of material collected, number of parking warnings issued, percentage of the street blocked by vehicles, and visual audits/assessments of street cleanliness.

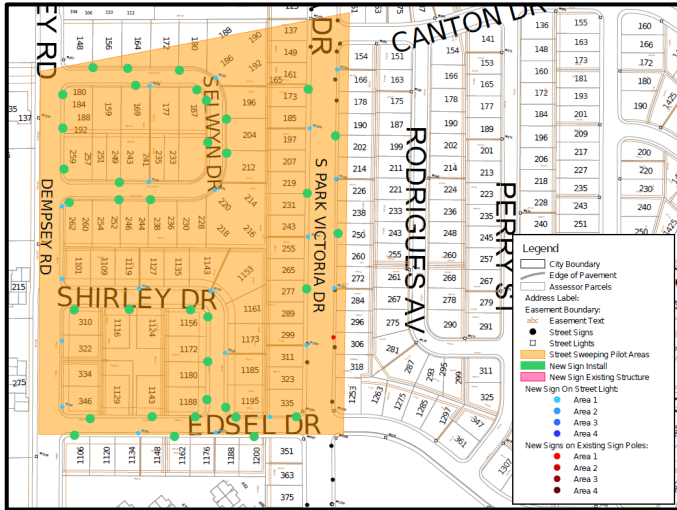
It should be noted that staff is sensitive to the effects of the COVID-19 pandemic and the County's shelter-in-place orders and recognizes that there may be more vehicles parked on streets currently than in pre-COVID times. As a result, the focus of the Street Sweeping Pilot will be enforcement through education and warnings, as opposed to through citations. The goal of the pilot is to provide curb access to the street sweeper so that there is effective street sweeping once parked vehicles are moved. Citations and penalties will be enforced, only if necessary.

The Street Sweeping Pilot project will be a year-long endeavor, in order to evaluate all four seasons. The Pilot is slated to start March 1, 2021 with periodic reports to the various Commissions, Transportation Subcommittee, and City Council.

Attachment 2. Street Sweeping Pilot Areas

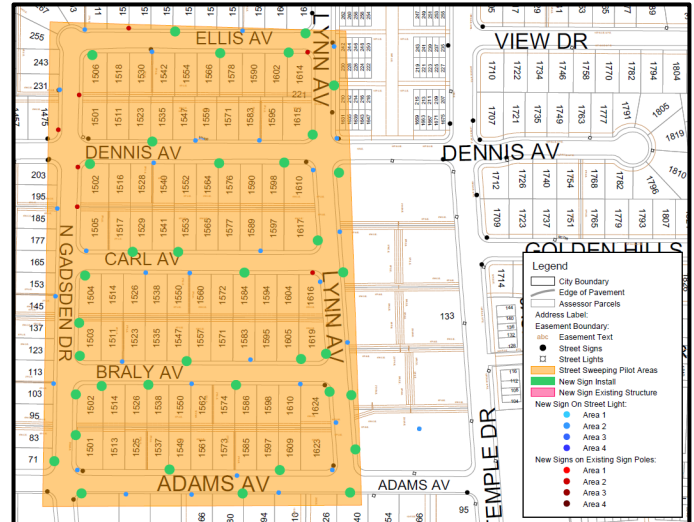
AREA 1:

South Park Victoria Dr, Edsel Dr
Dempsey Rd, Shirley Dr, Selwyn Dr



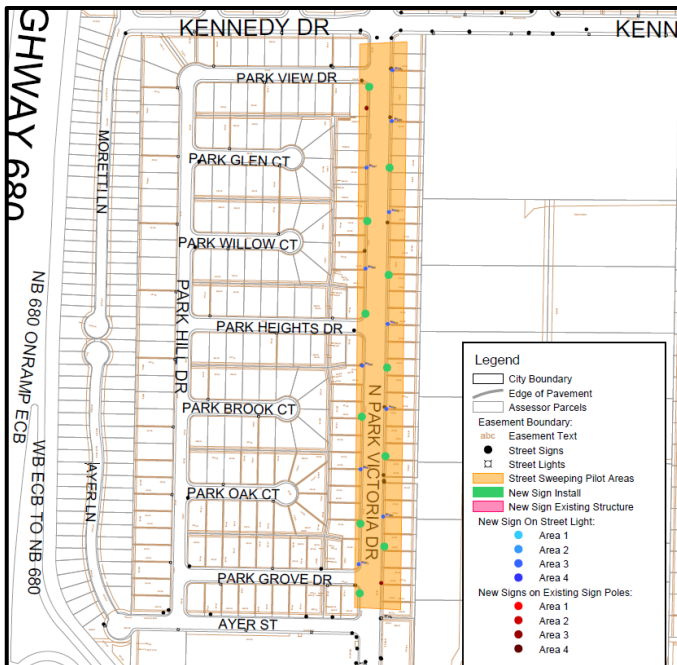
Area 2:

Lynn Ave, Adams Ave,
Gadsden Dr, Ellis Ave, Dennis Ave, Carl Ave,
Braly Ave



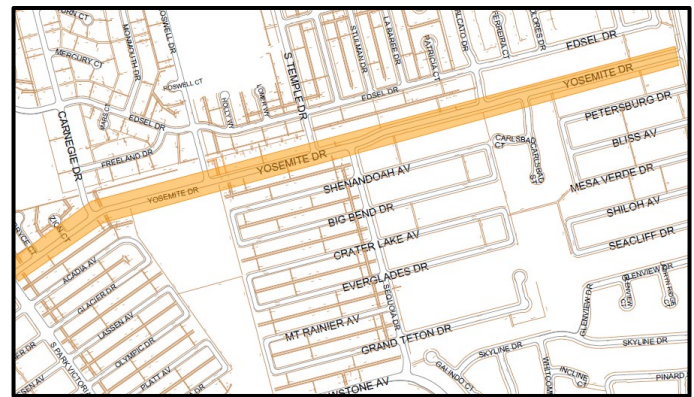
Area 3:

North Park Victoria Dr (between Kennedy Dr
and Ayer St)



Area 4:

Yosemite (between Piedmont Rd and South
Park Victoria Dr)





MEMORANDUM

Public Works Department

DATE: October 14, 2021

TO: Mayor and Councilmembers

THROUGH: Steve McHarris, City Manager 

FROM: Tony Ndah, Public Works Director

SUBJECT: **Street Sweeping Pilot 6-Month Update**

This memorandum provides a 6-month update of the City's Street Sweeping Pilot Program (Pilot), Capital Improvement Program (CIP) #3455. Additional background on the Pilot is included in the February 16, 2021 Street Sweeping Pilot Project Information Memorandum (see Attachment 1). The content of this memorandum is scheduled to be presented to the Transportation Subcommittee on Friday, October 15, 2021.

Executive Summary

City council approved funding for the Street Sweeping Pilot Program in the 2019-2024 Capital Improvement Program. The goal of the Pilot is to reduce litter impacts to nearby waterways and to increase neighborhood beautification in residential areas. This is achieved by placing no parking signage throughout the Pilot areas which instructs residents to move their vehicles during street sweeping times. Clearing vehicles off the street enables the street sweeper to access the curb and properly clean the street.

The Pilot began in March 2021 and will continue for one year, to include all four seasons. Staff has reviewed and analyzed the data collected in the first six months of the Pilot. While the results thus far have shown significant decreases in the number of vehicles blocking the street (on average a 70% reduction in parked cars), which is resulting in cleaner streets, there continue to be vehicles parked on the street during street sweeping times. Therefore, and based on community feedback, staff intends to begin issuing parking citations as a next step.

Background

Four areas in Milpitas were identified for inclusion in the Pilot. The four areas are shown in *Attachment 2*. In each area, "No Parking" signs are posted for a specific 2-hour street sweeping window.

Outreach in multiple languages (including post cards, door hangers, and website) to the residents in the Pilot area occurred in February 2021. Staff have been monitoring the effectiveness of the Pilot since implementation began in March 2021. More information on the Pilot program including a description of the Pilot, a map of Pilot areas, and outreach information is available on the project website:

<https://www.ci.milpitas.ca.gov/street-sweeping-pilot/>.

Pilot 6-Month Update and Analysis

In the month prior to the Pilot launch (February 2021) and regularly thereafter, staff has collected field data on the Pilot areas during street sweeping days. A variety of evaluation metrics are captured, which include: number of curb miles swept, volume/tonnage of material collected, percentage of the street blocked by vehicles, and visual trash assessments of the street cleanliness. The methodology and scale used for the visual trash assessments was developed by the Santa Clara Valley Urban Runoff Pollution

Prevention Program (SCVURPPP) for “on-land visual assessments” and is consistent with the Milpitas Long-Term Trash Load Reduction Plan.

Vehicles Parked During Street Sweeping Time

The data indicates that residents are moving their vehicles during street sweeping times (see **Figure 1**). In the first month of the Pilot alone (March), there was a significant decrease of parked vehicles compared to the month prior (February). On average, the Pilot is seeing a 70% reduction in parked vehicles; however, reduction in parked vehicles has leveled off.

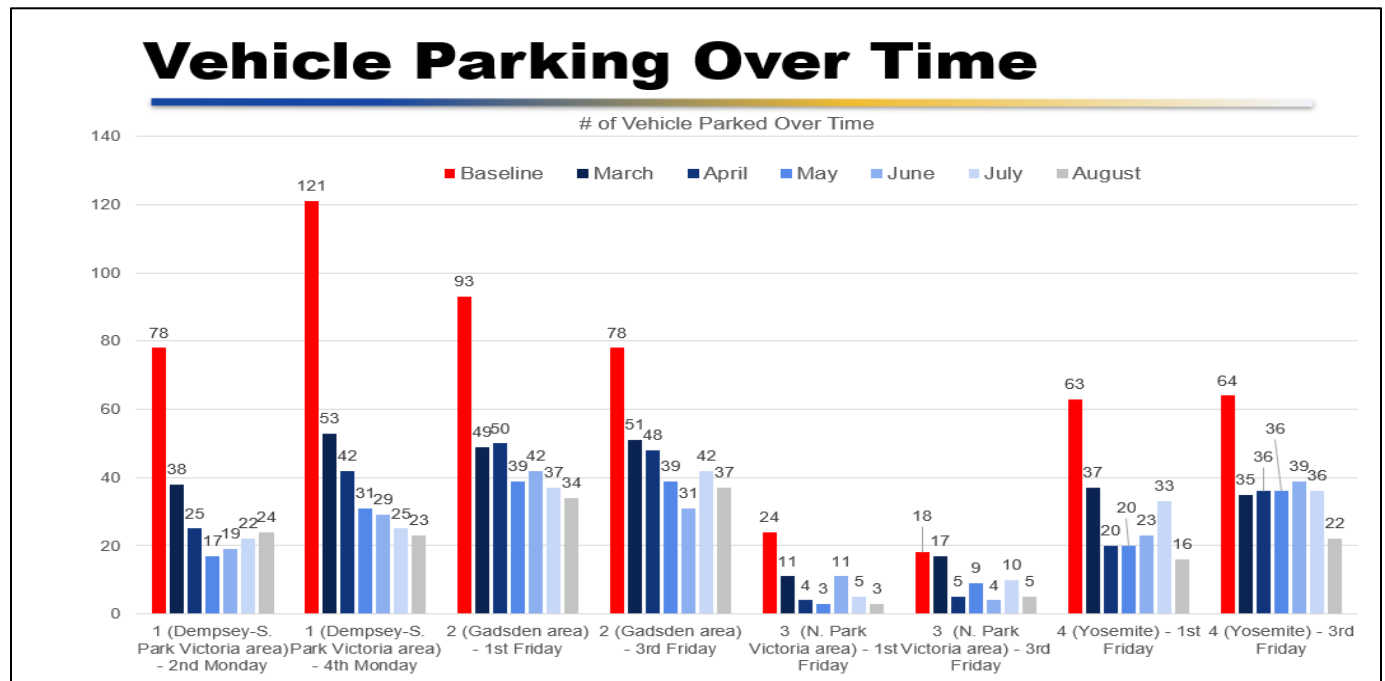


Figure 1. Monthly numbers of vehicles parked in the street during street sweeping times.

Additionally, since the start of the of the Pilot, there has been increased access to the curb in all pilot neighborhood areas. **Figure 2** shows how much distance is swept per month. Regardless of the area, all neighborhoods have had an increase when compared to the baseline data from February. The distance of accessible curb swept is inversely related to the number of vehicles parked on the street on street sweeping day; if there are a lot of vehicles parked on the street, less distance is swept.

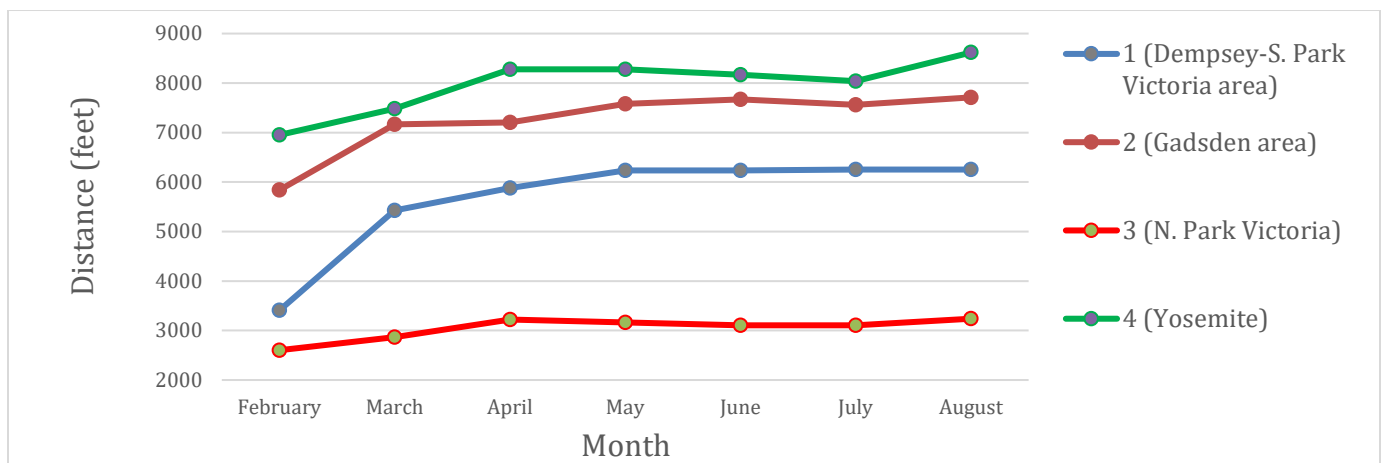


Figure 2. Distance Swept From February – August in the Street Sweeping Pilot Areas

Tonnage

MSI collects tonnage information regarding the amount of material that has been swept. The amount of tonnage has increased overall, showing a correlation between the curb access that the street sweeper has due to reduced vehicles parked during sweeping times. Staff expects that the numbers will continue to increase through autumn and winter due to the increased amount of vegetation/leaves.

Visual Trash Assessments

Visual assessments follow an A through D ranking system, developed by SCVURPPP, with A having no trash and D having large piles of trash continuously seen. For the analysis, A=1.0 and D=4.0, so the closer the value is to 1.0, the more visually clean an area is. Conversely, the closer the value is to 4.0, the more visually impacted by litter an area is. The data has a trend of starting higher and trending towards 1.0; this is expected as reduction in parked vehicles allow greater access to the curb and more debris is swept.

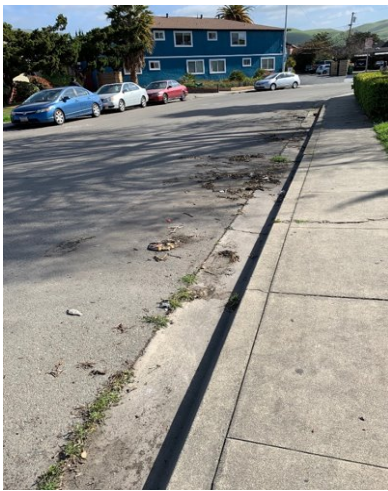


Figure 3. Photos of Selwyn Avenue prior to street sweeping and post.



Figure 4. Litter and debris on street.

Written Warning Notifications

One of the Pilot's foci is for residents to move their vehicles on street sweeping days. So far, staff has relied on education through written Parking Warning Notifications and verbal warnings to residents only. Additionally, staff recognizes that there may be more vehicles parked on the streets currently than in pre-COVID times, with many residents working from home. While there has been strong participation from residents in each of the neighborhoods, the data such as in Figure 1 on page 2, that there are still residents that are not participating by moving their vehicles. **Table 1** shows the number of parking warning notifications issued by the Police Department during the first six months in the pilot areas. Of the notifications issued, approximately 25 – 32% were issued to repeat offenders who have already received multiple written warnings. It is important to note that the Parking Warning Notifications include a statement which reads at the bottom, "This is a warning notice. You will not be charged the penalty of \$65.00. However, if you continue to park your vehicle during no parking times, you may be cited and charged a penalty."

Area	March	April	May	June	July	August	Total
1	32	65	27	15	44	31	214
2	25	40	34	55	29	17	200
3	19	10	10	14	11	11	75
4	26	0	17	0	23	15	81
Total	102	115	88	84	107	74	570

Table 1. Warning Notices Issued by Month

Community Feedback

Staff has conducted frequent field monitoring in the Pilot areas and engaged with residents during this time. Residents in each of the Pilot areas have expressed positive feedback about the program and have appreciated cleaner streets. Some residents were not aware of the existing street sweeping schedule and staff uses the opportunity to educate residents about the cleaning schedule and to encourage residents to move their vehicles. Residents have also contacted staff to ask for citations to begin, expressing frustration that neighbors are not diligent about moving their vehicles. With more residents returning to work, feedback from participating residents, the appropriate warnings on the Parking Warning Notifications and data showing repeat violations from the same vehicles, staff intends to begin issuing parking violation citations.

Next Steps

Data from the first six months of the Pilot has shown that the “No Parking” signs have been effective and that the streets in the Pilot areas are cleaner. However, close to 30 percent of parked vehicles remain during the designated street sweeping time despite repeat warning notices. Community support of the program is high. To encourage movement of the remaining vehicles during the street sweeping period, staff intends to notify residents through mailed postcards that parking violation citations will start effective November 1.

Staff will continue to collect and track data for these four areas through the remainder of the Pilot, which is scheduled to end in February 2022, and will present a summary of the findings to the City Council, the Transportation Subcommittee, and the Energy and Environmental Sustainability Commission.

Attachments:

1. [Street Sweeping Pilot Project Information Memorandum, dated February 16, 2021](#)
2. [Street Sweeping Pilot Area Maps](#)



MEMORANDUM

Public Works Department

DATE: February 16, 2021

TO: Mayor and Council

THROUGH: Steve McHarris, City Manager *Steve McHarris*

FROM: Tony Ndah, Public Works Director

SUBJECT: Update of Street Sweeping Pilot Project

This memorandum provides information about the City's Street Sweeping Pilot Program (Pilot), Capital Improvement Program (CIP #3455). Staff have been coordinating interdepartmentally and with Milpitas Sanitation, Inc. (MSI) on this Pilot, and have conducted public outreach including informational memos, mailers, and presentations to City Commissions and the Council's Transportation Subcommittee. The Pilot will be launched on March 1, 2021 and will run for one (1) year. A summary of actions taken to date to develop the Pilot, is included in the memorandum.

Executive Summary

As part of the 2019 – 2024 Capital Improvement Program, Council approved funding for a Pilot Street Sweeping program to address residents' concerns about neighborhood beautification, as well as reducing litter impacts into nearby waterways. The goal of the Pilot program is to evaluate the effectiveness of street sweeping signage in residential areas, to inform residents of when to move their vehicles off the street so that the street sweeper can access the street all the way to the curb, and maximize the collection of litter and debris.

City staff, with assistance from MSI, identified four (4) areas in the City for the Pilot. The areas were chosen based on a review of data from the City's Trash Load Reduction Plan and based on areas identified by MSI as streets where vehicle parking impacts the ability of the street sweeper to access the curb.

The Pilot is scheduled to start on March 1, 2021 and during the Pilot, parking will be prohibited from 10 am to noon on specific days in each Pilot area. Postcards and door-hangers were mailed out this month to residents with information about the Pilot and new street signs have been installed in the pilot area to notify residents of the street sweeping days. Staff are also developing a website which will include information on the Pilot program, sweeping schedules, and a look-up tool for residents to use to get information on the street sweeping day and time for their area.

The Pilot will run for one (1) year and staff will provide periodic updates to Council on the effectiveness of the Pilot program.

Background:

Street sweeping services are included under the City's solid waste franchise agreement and MSI informs residents about the street sweeping program through monthly ads placed in the Milpitas Post, mailing an annual street sweeping postcard, and providing street sweeping routes and the street sweeping schedule on their website. The goal of this outreach is to inform residents of their street sweeping schedule so they can move their vehicles prior to street sweeping. However, parked vehicles blocking street sweeper access continues to be a problem in certain areas of the City. When vehicles are not moved on street sweeping days and the area is congested by street parking, the street sweeper is not able to access the curb in order to properly clean the street. The Pilot aims to install signage in several targeted residential areas to notify residents of their streets sweeping days and times so that residents can move their vehicles. This in turn will allow for more effective street sweeping and will reduce the amount of litter accumulating on local streets and prevent the debris from entering local creeks and waterways during rain events.

Pilot Update

Staff have been coordinating with various departments and MSI to develop the Pilot. The major Pilot development tasks that have been completed to date include:

- Benchmarking other city street sweeping programs
- Identification of pilot areas
- Developing a Pilot Street Sweeping Schedule
- Evaluation of enforcement and citation authority
- Fabrication and deployment of signage
- Outreach to residents

Program Benchmarking

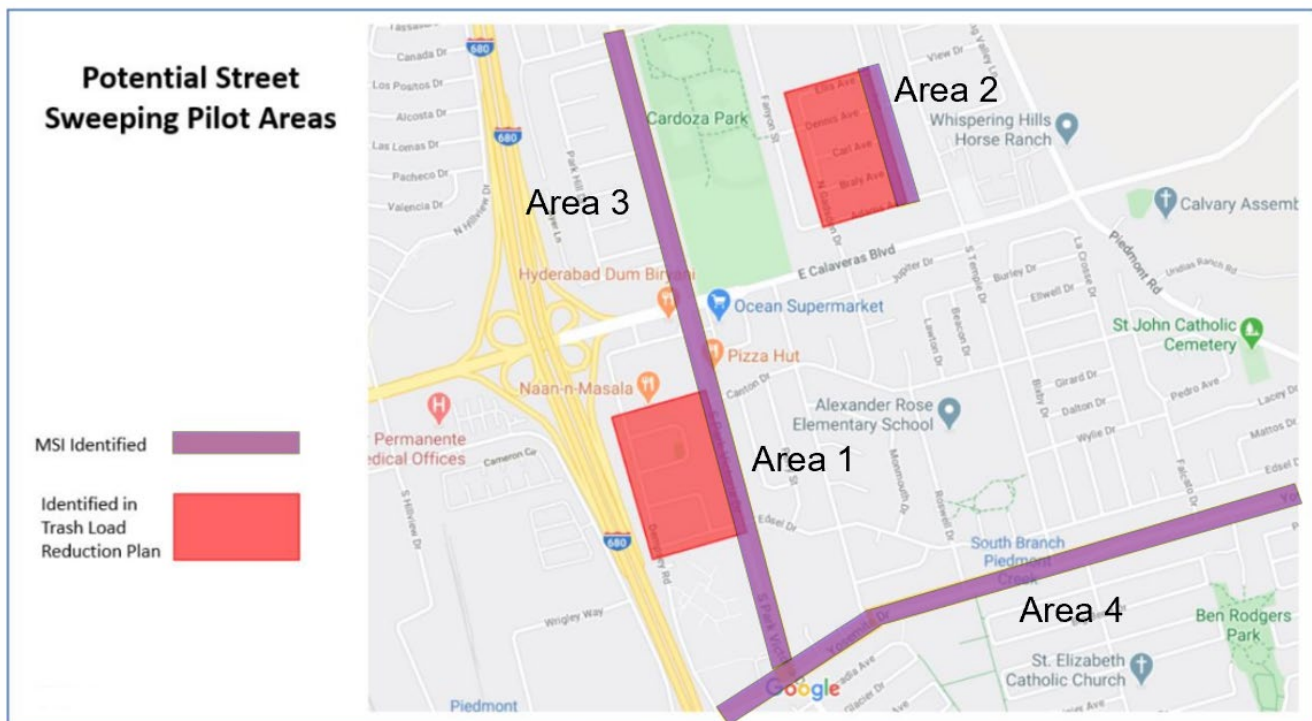
Staff have benchmarked the street sweeping programs of neighboring jurisdictions throughout the Bay Area. Factors that staff examined included: the type of street sweeping signage used (temporary or permanent), the entity performing the street sweeping (in-house, consultant, hauler), strategy for providing parking during street sweeping, enforcement authority, entity, and process, and citation amount. Specifically, two cities emerged with robust residential street sweeping programs – Union City and Hayward.

Pilot Area Identification

Staff evaluated a variety of factors in order to identify Pilot areas. These included:

- areas identified in the City's Trash Load Reduction Plan as areas with litter issues that could benefit from an enhanced street sweeping,
- areas identified by MSI where parking impacts the ability of the street sweeper to access the curb,
- make-up of the neighborhood (whether single-family or multi-family),
- street type, and
- geographic location.

As a result, staff identified four areas to be included in the Pilot program shown on the map below:



- **Area 1** – this area neighbors Interstate 680 and is encompassed by Dempsey Rd, Edsel Dr, South Park Victoria Dr, and Selwyn Dr. The two main streets in the pilot are Selwyn Dr and Shirley Dr. Although South Park Victoria is composed of single-family homes, the majority of this area contains multi-family dwellings. Of the four areas, Area 1 has the most congested parking and litter/debris.
- **Area 2** – this area sits to the east of Cardoza Park and is contained by Ellis Ave, Gadsden Dr, Adams Ave, and Lynn Ave. Streets running within the boundaries include Dennis Ave, Carl Ave, and Braly Ave. Although Lynn Ave and Adams Ave have multi-family dwellings on one side of the street and single-family homes on the other side of the street, every other street in this area contains only single-family homes.
- **Area 3** – this area runs along Park Victoria Dr, a wide street, from Yosemite Dr to Kennedy Dr. Due to the presence of commercial areas from Yosemite Dr to Ayer St, the focus for this pilot will be Ayer St to Kennedy Dr, since this length is comprised of residential/single-family homes.
- **Area 4** – this area is on Yosemite Dr, from Piedmont Rd to South Park Victoria Dr. This area is mostly single-family homes and contains a small stretch where Merryhill School is located.

Pilot Street Sweeping Schedule

Staff has coordinated with MSI to develop the street sweeping schedule for the Pilot. As the entity performing the street sweeping, MSI has insight into program logistics, scheduling, outreach, and metrics and evaluation. Staff has discussed options with MSI to ensure that the pilot locations are able to be addressed with no, or little, disruption to the existing established street sweeping schedules. As a result, the Pilot program will employ a “split street” cleaning schedule, meaning that only one side of the street will have prohibited parking during the street sweeping window in order to allow cars to be parked on the other side. Typical residential areas are swept every two weeks, while in the pilot areas, one side of the street will have a thorough sweeping once a month. During this Pilot, parking will be prohibited from 10AM to Noon on specified days in each Pilot area.

Staff have mapped out signage locations and associated street sweeping schedules in all four pilot areas. Signs have been fabricated and Staff anticipates sign installation to be completed by mid-February.

Enforcement

Staff has identified that the City’s Municipal Code allows for street sweeping enforcement. *Milpitas Municipal Code Section V-100-12.11 - Streets Under Construction, Being Cleaned or Used for Movement of Equipment* prohibits parking a vehicle on a street or portion of a street when the street is being cleaned with authorized signage is in place. The City’s Master Fee Schedule also includes a citation amount for violations of this section. However, the City of Milpitas currently has no street sweeping signage to notify the public of street sweeping restrictions and, therefore, has not routinely used or enforced this section for street sweeping. A key component of the Pilot is the placement of new authorized signage with street cleaning information in Pilot implementation areas.

The Police Department will be assisting with this Pilot and will patrol the areas and issue warning notices to vehicles that remain parked during signed street sweeping periods. During this pilot, staff will be using signage, outreach, and warning citations to encourage vehicles to be moved during street sweeping.

Pilot Outreach

Outreach in the form of postcards and door-hangers have been developed in multiple languages and are being sent out to residents in the Pilot areas this month. Staff are also developing a website which will include information on the Pilot, schedule, and a tool to look-up whether or not a home is in the Pilot area and if so, what the street cleaning day and time will be. The website will also include a link for non-Pilot residents to check their regular street sweeping schedule. Because this Pilot is limited to specific areas in Milpitas, staff is not recommending use of social media at this time in order to prevent confusion among households not included in the Pilot areas.

Staff has presented this information on the development of this Pilot to the Energy and Environmental Sustainability Commission, the Community Advisory Commission, and the City Council’s Transportation Subcommittee, in order to provide a status update on the project as well as to gain feedback and input on Pilot program design and proposed implementation.

Next Steps

Once the Street Sweeping Pilot Program is implemented, staff will begin evaluating the program on an ongoing basis, through a set of evaluation metrics which include: number of curb miles swept, volume/tonnage of material collected, number of parking warnings issued, percentage of the street blocked by vehicles, and visual audits/assessments of street cleanliness.

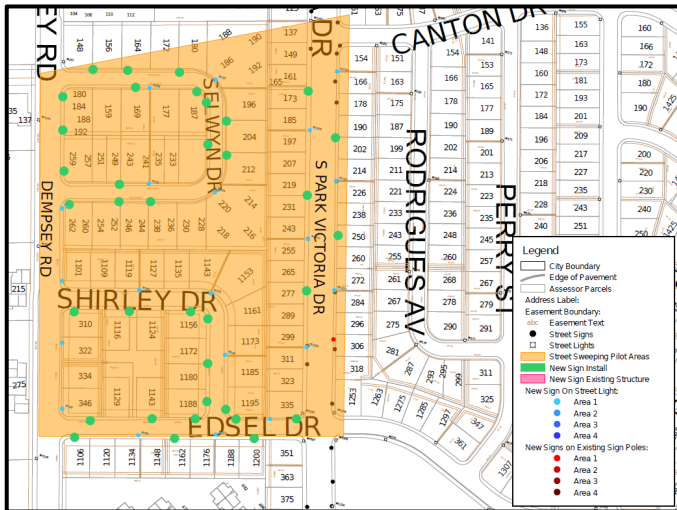
It should be noted that staff is sensitive to the effects of the COVID-19 pandemic and the County's shelter-in-place orders and recognizes that there may be more vehicles parked on streets currently than in pre-COVID times. As a result, the focus of the Street Sweeping Pilot will be enforcement through education and warnings, as opposed to through citations. The goal of the pilot is to provide curb access to the street sweeper so that there is effective street sweeping once parked vehicles are moved. Citations and penalties will be enforced, only if necessary.

The Street Sweeping Pilot project will be a year-long endeavor, in order to evaluate all four seasons. The Pilot is slated to start March 1, 2021 with periodic reports to the various Commissions, Transportation Subcommittee, and City Council.

Attachment 2. Street Sweeping Pilot Areas

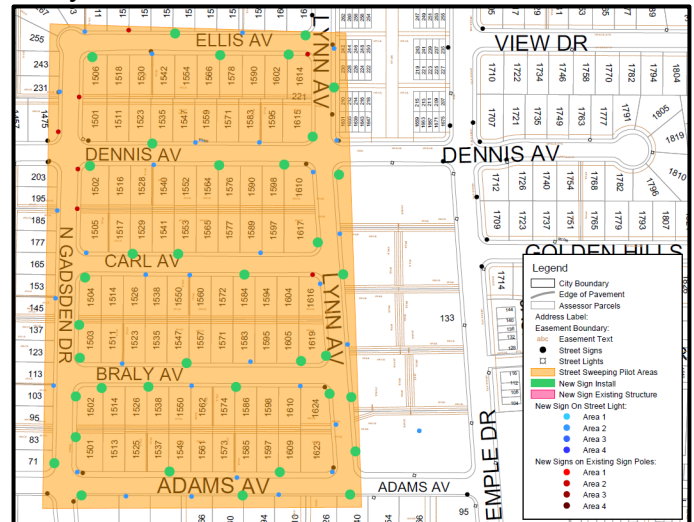
AREA 1:

South Park Victoria Dr, Edsel Dr
Dempsey Rd, Shirley Dr, Selwyn Dr



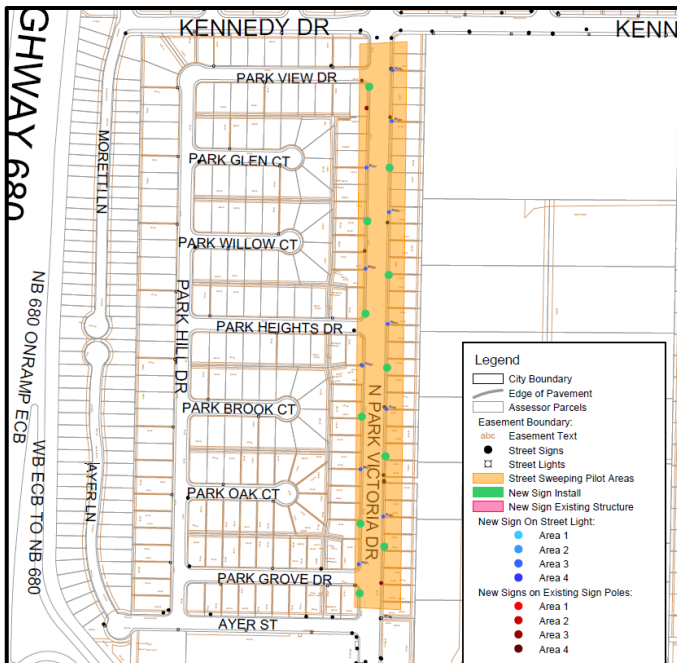
Area 2:

Lynn Ave, Adams Ave,
Gadsden Dr, Ellis Ave, Dennis Ave, Carl Ave,
Braly Ave



Area 3:

North Park Victoria Dr (between Kennedy Dr
and Ayer St)



Area 4:

Yosemite (between Piedmont Rd and South Park Victoria Dr)

