



# MILPITAS CITY COUNCIL MEETING AGENDA

**TUESDAY, APRIL 21, 2015**

**455 EAST CALAVERAS BOULEVARD, MILPITAS, CA**

**5:30 P.M. CLOSED SESSION**

**6:00 P.M. STUDY SESSION**

**7:00 P.M. PUBLIC BUSINESS**

## **SUMMARY OF CONTENTS**

**I. CALL TO ORDER/ROLL CALL by the Mayor (5:30 p.m.)**

**II. ADJOURN TO CLOSED SESSION**

### **CONFERENCE WITH LEGAL COUNSEL, ANTICIPATED LITIGATION**

Pursuant to California Government Code Section 54956.9 - City as Defendant

### **PUBLIC EMPLOYEE PERFORMANCE REVIEW**

Pursuant to California Government Code Section 54957

Position: City Attorney

**III. CLOSED SESSION ANNOUNCEMENT:** Report on action taken in Closed Session, if required pursuant to Government Code Section 54957.1, including the vote or abstention of each member present

**IV. STUDY SESSION: CAPITAL IMPROVEMENT PROGRAM FY 2015-2020 (6:00 p.m.)**

- 1. Review the Draft 2015-2020 Capital Improvement Program (CIP) Report and Provide Staff with Direction and Comments (Staff Contact: Steven Machida, 408-586-3355)**

**V. PLEDGE OF ALLEGIANCE (7:00 p.m.)**

**VI. INVOCATION (Councilmember Barbadillo)**

**VII. APPROVAL OF COUNCIL MEETING MINUTES – April 7 (2) and 9, 2015**

**VIII. SCHEDULE OF MEETINGS – COUNCIL CALENDARS – April and May 2015**

**IX. PRESENTATION Recognition of Milpitas Post newspaper's 60<sup>th</sup> anniversary**

**X. PUBLIC FORUM**

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Members of the audience are invited to address the Council on any subject not on tonight's agenda. Speakers must come to the podium, state their name and city of residence for the Clerk's record, and limit their remarks to three minutes. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. However, the Council may instruct the City Manager to place the item on a future meeting agenda.

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**XI. ANNOUNCEMENTS**

**XII. ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS**

**XIII. APPROVAL OF AGENDA**

**XIV. CONSENT CALENDAR (Items with asterisks\*)**

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Consent calendar items are considered to be routine and will be considered for adoption by one motion. There will be no separate discussion of these items unless a member of the City Council, member of the audience, or staff requests the Council to remove an item from or be added to the consent calendar. Any person desiring to speak on any item on the consent calendar should ask to have that item removed from the consent calendar. If removed, this item will be discussed in the order in which it appears on the agenda.

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**XV. PUBLIC HEARINGS**

- 2. Conduct a Public Hearing and Approve Community Development Block Grant Funding Allocations for FY 2015-16 and Adopt the One-Year Action Plan (Staff Contacts: Felix Reliford, 408-586-3071 and Tim Wong, 408-586-3286)**
- 3. Conduct a Public Hearing and Introduce Ordinance No. 38.822 to Amend the Zoning Code to include provisions relating to Supportive and Transitional Housing and Manufactured Homes and approve Addendum to Negative Declaration (Staff Contacts: Felix Reliford, 408-586-3071 and Tim Wong, 408-586-3286)**
- 4. Conduct a Public Hearing and Adopt a Resolution Approving the Environmental Assessment (Negative Declaration) and General Plan Amendment Updating the Housing Element 2015-2023 and Revisions to the Seismic/Safety Element and Open Space and Conservation Element of the General Plan (Staff Contacts: Felix Reliford, 408-586-3071 and Tim Wong, 408-586-3286)**
- 5. Conduct a Public Hearing and Adopt a Resolution to Approve Vesting Tentative Map, Conditional Use Permit and Site Development Permit for a 489 Unit Development on 10.47 Acres in Two Structures Subject to Conditions of Approval at 450 Montague Expressway (Staff Contact: Darryl Boyd, 408-586-3287)**

**XVI. UNFINISHED BUSINESS**

- 6. Receive Presentation on an Overview of the California Public Employees Retirement System (CalPERS) (Contacts: Councilmember Grilli, 408-586-3031 and Carmen Valdez, 408-586-3086)**
- 7. Receive a Report and Demonstration on City Web Site Redesign (Staff Contact: Mike Luu, 408-586-2706)**
- 8. Adopt a Resolution of Intention and Introduce Ordinance No. 101.23 Amending the City's Contract with the Board of Administration of the California Public Employees' Retirement System (Staff Contact: Carmen Valdez, 408-586-3086)**
- \* 9. Adopt a Resolution Making Findings and Determination of Public Nuisance Regarding Newby Island Resource and Recovery Park Landfill Operation (Staff Contact: Michael Ogaz, 408-586-3040)**

**XVII. REPORT OF MAYOR**

- \* 10. Consider Mayor's Recommendations for Appointments to the Economic Development Commission (Contact: Mayor Esteves, 408-586-3029)**



**XVIII. NEW BUSINESS**

- 11. Receive a Presentation on the Citrus Pest and Disease Prevention Program (Staff Contact: Emma Karlen, 408-586-3145)
- \* 12. Receive 2014 Housing Element Annual Progress Report (Staff Contact: Tim Wong, 408-586-3286)

**XIX. ORDINANCE**

- \* 13. Waive the Second Reading and Adopt Ordinance No. 38.821 Relating to Public Art Requirements for Private Development Projects (Staff Contact: Adam Petersen, 408-586-3274)

**XX. RESOLUTION**

- \* 14. Adopt a Resolution Approving a Communication and Integrity Policy for the Solid Waste Request for Proposal Process (Staff Contact: Steven Machida, 408-586-3355)

**XXI. AGREEMENTS**

- \* 15. Approve a Three-Year Agreement (FY 2015-2018) with the City of San Jose for Animal Services (Staff Contacts: Tim Wong, 408-586-3286 and Mark Ruffing, 408-586-3282)
- \* 16. Approve Plans and Specifications and Authorize Advertisement for Bid Proposals for Soundwall Renovations, Project No. 4267 (Staff Contact: Steve Erickson, 408-586-3301)
- \* 17. Authorize the Director of Engineering to Issue a Bidder Pre-Qualification Package for the Milpitas Sports Center Pool Repair, Project No. 3408 (Staff Contact: Steve Erickson 408-586-3301)

**XXII. ADJOURNMENT**

**NEXT REGULARLY SCHEDULED COUNCIL MEETING  
TUESDAY, MAY 5, 2015**

### **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 agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the 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: [mogaz@ci.milpitas.ca.gov](mailto:mogaz@ci.milpitas.ca.gov) / Phone: 408-586-3040

*The Open Government Ordinance is codified in the Milpitas Municipal Code as Title I Chapter 310 and is available online at the City's website [www.ci.milpitas.ca.gov](http://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, 3<sup>rd</sup> floor 455 E. Calaveras Blvd., Milpitas and on the City website.

All City Council agendas and related materials can be viewed online here:  
[www.ci.milpitas.ca.gov/government/council/agenda\\_minutes.asp](http://www.ci.milpitas.ca.gov/government/council/agenda_minutes.asp) (select meeting date)

### **APPLY TO SERVE ON A CITY COMMISSION**

Current vacancies on:  
Community Advisory Commission  
Sister Cities Commission  
Veterans Commission

Commission application forms are available online at [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) or at Milpitas City Hall.  
Contact the City Clerk's office at 408-586-3003 for more information.

*If you need assistance, per the Americans with Disabilities Act, for any City of Milpitas public meeting, call the City Clerk at (408) 586-3001 or send an e-mail to [mlavelle@ci.milpitas.ca.gov](mailto:mlavelle@ci.milpitas.ca.gov) prior to the meeting. You may request a larger font agenda or arrange for mobility assistance. For hearing assistance, headsets are available in the City Council Chambers for all meetings.*

## AGENDA REPORTS

### **III. STUDY SESSION: CAPITAL IMPROVEMENT PROGRAM FY 2015-20 (6:00 p.m.)**

#### **1. Review the Draft 2015-2020 Capital Improvement Program (CIP) Report and Provide Staff with Direction and Comments (Staff Contact: Steven Machida, 408-586-3355)**

**Background:** The Draft 2015-2020 Capital Improvement Program (CIP) document was prepared by staff and distributed to the City Council. Projects are arranged into six main categories: Community Improvements, Parks, Streets, Water, Sewer, and Storm Drain. The document includes a summary by categories, and individual proposed project descriptions. Previously funded projects are also summarized. The value of capital projects proposed to be budgeted in fiscal year 2015-16 is \$22,421,960.

The Parks, Recreation and Cultural Resources Commission reviewed the Parks projects on March 2, 2015 and recommend those projects for approval by Council. The City Council Finance Subcommittee reviewed the Draft 2015-2020 CIP on March 18 and 25, 2015 and recommended the Council approve it. On April 8, 2015, the Planning Commission reviewed the Draft 2015-2020 CIP document and found it in conformance with the General Plan.

A staff presentation of Draft CIP highlights will be provided at the Council meeting. Based upon Council direction, the Draft CIP will be revised and prepared as the Preliminary CIP document, which will then be presented to Council at the budget hearing in May for approval.

NOTE: in the City Council's agenda packet, there is a memo from the Assistant City Manager responding to several requests for information made at the previous Budget Study Session held on April 7, 2015.

#### **Recommendations:**

1. Review the Draft 2015-2020 Capital Improvement Program and provide staff with direction and comments.
2. Provide direction to analyze an increase in sales tax and/or Transient Occupancy Tax ("TOT") as a funding mechanism that would include hiring a consultant to survey voters and conduct public outreach.

### **XV. PUBLIC HEARINGS**

#### **2. Conduct a Public Hearing and Approve Community Development Block Grant Funding Allocations for FY 2015-16 and Adopt the One-Year Action Plan (Staff Contacts: Felix Reliford, 408-586-3071 and Tim Wong, 408-586-3286)**

**Background:** The U.S. Department of Housing and Urban Development (HUD) provides annual grants through the Community Development Block Grant (CDBG) Program to local governments to assist in providing decent housing, a suitable living environment, and expand economic opportunities for the low to moderate-income persons. The purpose of this public hearing is to set funding allocations for the CDBG funds provided to the City for FY 2015-16, adoption of the One-Year Action Plan, and authorize the City to enter into agreements for CDBG funds with the services providers and disburse the funds thereafter.

During the month of January 2015, the City advertised (local newspaper, City website, cable TV and notice to service providers) the 30-day time period by which to submit CDBG funding applications and sent out notices to past service providers. The Community Advisory Commission (CAC) held a public hearing on March 4, 2015, to review the 17 applications received and provide funding recommendations to the City Council. CAC funding recommendations are based on a confirmed allocation of \$393,490.

Pursuant to CDBG federal requirements, the total CDBG funding can set aside up to 15% for public service, 65% for non-public services and the 20% towards program administration. Therefore, the overall CDBG Grant allocation for FY 2015-16 will be:

|                         |                     |
|-------------------------|---------------------|
| Public Services:        | \$ 59,023.50        |
| Non-Public Services:    | \$255,768.50        |
| Program Administration: | \$ 78,698.00        |
| <b>Total:</b>           | <b>\$393,490.00</b> |

The CAC also recommended the Council consider the following:

- From the March 4, 2015 CAC Meeting, Commissioners requested that service providers applying for CDBG funds must attend or send a representative to the CAC/CDBG meeting to deliver a presentation to be considered for funding.
- City Council is recommended to allocate \$169,303 for the City's Rehabilitation Revolving Loan Fund. The Rehabilitation Revolving Loan fund is accumulated from the repayment of prior CDBG Rehabilitation Loans from property owners. The funds can only be used for rehabilitation activities. Because of this funding request, there is no need to request rehabilitation funds from the CDBG FY 2015-16 grant allocation.
- The draft Action Plan describes anticipated CDBG activities and expenditures to be undertaken for fiscal year 2015-16 and how these activities relate to meeting the objectives identified in the Five-Year Consolidated Plan. The draft Action Plan was advertised for public review and comments for 30 days (from March 13 to April 13, 2015) and sent to CDBG service providers. The draft Action Plan was made available at Milpitas Public Library and City Hall. Any significant public comments received will be incorporated in the final Action Plan prior to the submittal to HUD by May 15, 2015. HUD reviews and approves the Action Plan prior to releasing CDBG funds.

Included in the Council's agenda packets are March 4, 2015 Community Advisory Commission meeting minutes and funding recommendations.

**Fiscal Impact:** None.

**Attachments:**

- A. Draft CDBG Action Plan
- B. Community Advisory Commission funding tally recommendations
- C. CDBG cost chart analysis
- D. City Planner's memo to City Council
- E. Community Advisory Commission meeting minutes

**Recommendations:**

1. Open the public hearing, then move to close the hearing, following testimony.
  2. Approve additional CDBG funding in the amount of \$169,303 for the Rehabilitation Revolving Loan Fund Fiscal Year 2015-16.
  3. Approve Community Development Block Grant Funding for Fiscal Year 2015-16 and the draft Action Plan.
  4. Authorize the City Manager to execute CDBG agreements with the thirteen non-profit service providers.
- 3. Conduct a Public Hearing and Introduce Ordinance No. 38.822 to Amend the Zoning Code to include provisions relating to Supportive and Transitional Housing and Manufactured Homes and Approve Addendum to Negative Declaration (Staff Contacts: Felix Reliford, 408-586-3071 and Tim Wong, 408-586-3286)**

**Background:** Pursuant to California Government Code 65580-65589, each city and county are required to prepare and implement a General Plan Housing Element every eight years to comply with the state and regional housing goals. The Housing Element contains the following major subject areas:

- The evaluation of local housing needs and analysis of constraints that would affect the ability of the marketplace to meet these needs.
- The identification of community housing goals, objectives and policies.
- An evaluation of the community's performance in achieving the goals that were established for the previous five years.
- The description of a new eight-year housing program to meet the identified housing needs and goals.

The Draft Housing Element was approved by the City Council in September 2014 and was found by State of California, Department of Housing and Community Development (HCD) to be in conformance with the state housing element law.

### **STATE LAWS and PROPOSED ZONING ORDINANCE AMENDMENTS**

**Housing Element Law - Government Code Section 65583** - Requires the Housing Element to identify adequate sites for a variety of housing types including multi-family rental housing, factory-built housing, mobilehomes, housing for agricultural employees, supportive housing, single-room occupancy units, emergency shelters and transitional housing.

**Zoning Ordinance Amendments** - The proposed change to the Zoning Code outlined in the attached Draft Ordinance would be to conform to State Law and implement two programs included in the City's Housing Element. The changes would (i) modify the Mixed Use (MXD) District to allow supportive and transitional housing as a permitted use and revise the R-2 Zoning District to allow manufactured homes subject to the same architectural requirements and standards as other single family dwellings in the same zone.

At its meeting on November 19, 2013, Council adopted Ordinance No. 38.810 which amended the City's Zoning Code to include provision relating to emergency shelters, single room occupancy residences, supportive and transitional housing and reasonable accommodations. At the time, supportive and transitional housing was excluded from MXD Zoning District because the City had identified an appropriate number of housing opportunity sites to meet its Regional Housing Needs Allocation. After further review by HCD on certification of the City's Housing Element, since MXD Zoning District is a mixed use district which permits residential uses (commercial uses only on the ground floor), supportive and transitional housing by state law must be permitted in the MXD Zoning District.

Manufactured homes are currently permitted in the R-1 Zoning District by right. The Zoning Ordinance permits single family homes in the R-2 Zoning District, therefore, manufactured homes by state law must also be permitted in the R-2 Zoning District.

Upon adoption of the proposed Zoning Ordinance Amendments and the Draft Housing Element and other General Plan Amendments, the Housing Element (2015-2023) will be in full compliance with state law and will be forwarded to HCD. California Government Code Section 65588(e) (4) requires the Housing Element to be adopted by the City within 120 days of the statutory due date of January 31, 2015.

**Planning Commission Action** - At the March 25, 2015 meeting, the Planning Commission unanimously recommended that the Council adopt Ordinance 38.822 revising the MXD and R2 zone districts and to approve the Addendum to the *Zoning Ordinance Amendments: Housing Element Implementation Project Initial Study and Negative Declaration*.

## **ENVIRONMENTAL REVIEW**

At the November 19, 2013 meeting, the Council adopted a Negative Declaration for the previous Zoning Ordinance Amendments. Because the additional Zoning Ordinance Amendments would not involve new significant information or environmental effects and no substantial changes are required to the Housing Element Initial Study and Negative Declaration per CEQA Guidelines Section 15162, an “Addendum” to the *Zoning Ordinance Amendments: Housing Element Implementation Project Initial Study and Negative Declaration* would be appropriate CEQA document consistent with Section Guidelines Section 15164(b). Further, each project would be subject to its own environmental review.

**Fiscal Impact:** None.

### **Attachments:**

- A. Ordinance No. 38.822
- B. Initial Study Negative Declaration
- C. Addendum to the Negative Declaration

### **Recommendations:**

1. Open the public hearing to receive comments.
2. Move to close the public hearing.
3. Following a reading of the title by the City Attorney, move to waive the first reading beyond the title of Ordinance No. 38.822.
4. Introduce Ordinance No. 38.822 to amend the zoning regulations in the Milpitas Municipal Code to include provisions relating to supportive and transitional housing and manufactured homes.

4. **Conduct a Public Hearing and Adopt a Resolution Approving the Environmental Assessment (Negative Declaration) and General Plan Amendment Updating the Housing Element 2015-2023 and Revisions to the Seismic/Safety Element and Open Space and Conservation Element of the General Plan (Staff Contacts: Felix Reliford, 408-586-3071 and Tim Wong, 408-586-3286)**

### **Background:** Summary State Housing Element Law

Under California State law, Section 65580 et seq. of the Government Code requires Housing Elements as a mandatory element of the General Plan and Housing Elements are required to be updated every eight years. All local jurisdictions must have a General Plan that includes a Housing Element. State law also requires that a General Plan and its constituent elements “comprise” an integrated internally consistent and compatible statement of policies.

State Housing Element Law requires the following issues be addressed within the Housing Element:

- Review of prior Housing Element (2009-2014) including analysis of housing production in comparison to mandated housing goals (Regional Housing Needs Allocation-RHNA);
- Analysis of the City’s current and future housing needs;
- Inventory and analysis of housing resources;
- Analysis of governmental and non-governmental constraints to housing production; and
- Housing plan setting forth goals, policies, programs and qualified objectives to address the City’s housing needs.

On September 16, 2014, City Council reviewed the Draft Housing Element, directed staff to incorporate the following revisions and forward the document to State of California, Department of Housing and Community Development (HCD) for review and certification:

- Provide additional information regarding the Urban Growth Boundary
- Maintain the existing policy regarding Executive-Luxury Style Housing
- Delete all references to consideration of nexus study for inclusionary zoning, in-lieu housing fee and commercial linkage fee

The current housing element review includes several new mandated actions required by the state Department of Housing and Community Development (HCD). These new mandates and future zoning ordinance amendments includes permitting transitional and supportive housing in the Mixed Used (MXD) Zoning District and allowing manufactured homes in the Residential-2 (R2) zone district. Staff prepared the zoning amendments and on March 25, 2015, the Planning Commission reviewed and recommended that the City Council approve the zoning amendments. The Zoning Amendments will be considered by the City Council under a separate Council agenda item.

Upon certification from HCD, Government Code Section 65588(e)(4) requires the Housing Element to be adopted by the City Council within 120 days from the statutory due date of January 31, 2015. Upon adoption by the Council the Housing Element will be forwarded to HCD for final approval. Included in the Council's agenda packet is a copy of the certification letter from HCD.

### **General Plan Amendments and Environmental Review**

The General Plan Amendment includes an update to the current (2007-2014) Housing Element for the planning period 2015-2023. The proposed Project supports the goals and policies of the City's current Housing Element and provides policies and implementing programs to further the City's housing goals to meet its Regional Housing Needs Allocation (RHNA-3,290 units). No rezoning or changes to the General Plan or Zoning districts would be required to achieve this yield. The Seismic and Safety Element Amendment includes an update to required information related to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMS), dam inundation zones, and City goals and policies to comply with State law (specifically Assembly Bill 162). It also includes the adoption of Santa Clara County's multi-jurisdictional Local Hazard Mitigation Plan and the City of Milpitas' Local Hazard Mitigation Plan Annex to ensure that appropriate emergency measures are implemented when natural disaster occurs. The Open Space and Environmental Conservation Element Amendment includes update to the water Quality and Conservation Section, map of rivers, creeks, streams, and riparian habitat, per AB 162.

Because the Updated Housing Element does not require any potential housing opportunity sites to be rezoned (Transit Area and Midtown Specific Plans have appropriate number of housing sites to meet the City RHNA) and the General Plan amendments for the Seismic and Safety and Open Space and Environmental Conservation Elements are minor amendments to comply with AB 162 (ensure appropriate emergency measures are implemented during natural disaster occurs and update to maps of rivers, creeks, streams, and riparian habitat) no significant environmental impacts are associated with the project and negative declaration has been filed. The 30 day public review period for the Negative Declaration was from December 12, 2014 to January 12, 2015. Copies of the environmental document were made available to the public at Milpitas City Hall, Public Library, City's website, County of Santa Clara Recorder's Office and State of California Office of Planning and Research (OPR), the State Clearinghouse Agency. The City received two comments on the negative declaration on the General Plan.

### **Planning Commission Action**

At its meeting on February 25, 2015, the Planning Commission reviewed the Negative Declaration, Environmental Assessment No. EA No.14-0007 and General Plan Amendment No.GP 14-0004 adopting the Draft Housing Element 2015-2023 and revisions to the Seismic Safety Element and Open Space/ Environmental Conservation Element of the General Plan and recommended approval to the City Council.

The Planning Commission also unanimously recommended the Council reconsider its prior decision and to direct staff to conduct a Nexus Study (Inclusionary Zoning, In- Lieu Housing Fee and Commercial Linkage Fee) to support affordable housing for Planning Commission and City

Council review and consideration. Included in the Council's agenda packet are the Planning Commission meeting minutes regarding the discussion of the recommendation.

**Attachments:**

- A. Draft City Council Resolution
- B. Draft Housing Element Update
- C. Negative Declaration and Letter from OPR
- D. State Office of Planning and Research letter of Approval 1/13/2015
- E. Adopted Planning Commission Resolution 2/25/2015
- F. Letter from state Housing and Community Development 1/05/2015
- G. Response to Comment Letter
- H. Meeting Minutes of the Planning Commission 02/25/15
- I. Response Letters from NPH and Law Foundation

**Recommendations:**

- 1. Open the public hearing and receive comments.
- 2. Close the public hearing, following any speakers.
- 3. Adopt a Resolution approving the Environmental Assessment No. EA14-0007 (Negative Declaration) and General Plan Amendment No. GP14-0004 relating to the Draft Housing Element 2015-2023 and revisions to the Seismic Safety Element and Open Space/ Environmental Conservation Element of the General Plan.

**5. Conduct a Public Hearing and Adopt a Resolution to Approve Vesting Tentative Map, Conditional Use Permit and Site Development Permit for a 489 Unit Development on 10.47 Acres in Two Structures Subject to Conditions of Approval at 450 Montague Expressway (Staff Contact: Darryl Boyd, 408-586-3287)**

**Background:** The project is located on four parcels totaling 10.47 acres along East Capitol Avenue and Montague Expressway. The subject property is located within the Transit Area Specific Plan (TASP) and has a split zoning designation of Mixed Use Very High Density (MXD3) and Urban Residential with Transit Oriented Development (R5-TOD-S) with Site and Architectural Overlays. A vicinity map and context photos of the subject site are included on the subsequent pages.

The project includes two housing products types. The first type is a 351-unit five-story apartment building (Building 1) located over a partially submerged two-story parking garage. Building '1' will include a central podium level open space with landscaping and a pool for the residents. The second product is 138 stacked flat residential units ranging from three to four stories with all units having garages at the ground floor (see Attachment D, Project Plans). The project proposes to deviate from the Transit Area Specific Plan's circulation component, park reconfiguration, and the amount of the garage that extends above the grade for Building 1. Thus, the project is required to demonstrate a public benefit (see discussion below).

In addition, the project proposes to dedicate approximately one acre of public parkland that they will design and construct for public park purposes. The project will also design and construct an on-site linear trail parallel to Penitencia Creek. They will also construct the multiuse trail along East Penitencia creek on the maintenance road from Montague Expressway to the eastern boundary of the project connecting to a sidewalk leading up to Park B for the interim. The next developments to the east will extend the trail to the east to Lundy Place.

The Planning Commission conducted a public hearing on March 25, 2015 and unanimously adopted a resolution recommending that the City Council approve the Site Development Permit, Condition Use Permit and Vesting Major Tentative Map for the 489 dwelling unit development. Their recommendation included the addition of a condition requiring the applicant to work with the City Arborist to refine the landscaping plant palate and to include a public art component (See Attachments A-C). During the public hearing, the Planning Commission received comments



from the property owner (Bob Lawlor) of 730 E Capitol Avenue, which is the adjacent site to the east. Mr. Lawlor supports the project, but is concerned about Condition of Approval Number 37(e.vi) “West Leg South Milpitas Blvd Extension Cost Share” - aka WLSMBE - (see page 17 of the Conditions of Approval) and the assumptions regarding the land value of his property (see discussion after Public Benefit). His issue is outside the scope of the proposed project and will be appropriately addressed and resolved in conjunction with the design and cost estimates for the road extension or the review of a formal development proposal for his property.

**Architecture and Site Design:** The project architecture represents a contemporary style that is consistent with the design guidelines of the TASP. The proposed contemporary architecture uses modern interpretations of traditional forms. For example, the large protruding bay elements extend 3 feet from the main façade to provide architectural interest and a modern industrial feel in combination with the contrasting color palate and stone materials. The colors and materials provide a base to the building and pedestrian scale at the street level. The corner elements are enhanced with storefront glazing to provide a visually large leasing and amenities area. The second lobby on Montague is enhanced to establish the entry. Staff has included several conditions requiring minor refinements to the architecture, some of which have been addressed in the current submittal. The additional changes are intended to refine the quality of the building and to establish a stronger base for the structures. The proposed site layout is consistent with the TASP in that the street and trail frontages comply with TASP sections and details.

**Access & Circulation:** Vehicular site access is provided by two entry points, a main drive from Montague Expressway and a secondary from East Capitol Avenue. In the future, the site will be accessed from the Milpitas Boulevard extension and frontage road paralleling Penitencia Creek. Both driveways will be restricted to right in and right out as a temporary operational measure until the Milpitas Boulevard Extension is constructed. Once constructed, both entry points will be right in only and access out of the site will be through the new Milpitas Boulevard Extension to the new signalized intersection at E Capitol and Milpitas Blvd. The podium-building garage will be partially submerged and will have two distinct levels and two access points. The lower level will be accessed from the Drive Isle 1 ramp (near the Montague Expressway side) and the second level will be accessed from Street B. Pedestrian circulation will be provided around the perimeter of the site with the installation of new sidewalks and landscape. In addition, pedestrians will be able to walk through the site to the two public parks through the pedestrian trail adjacent to the creek, connecting paseos through the site and on-site sidewalks.

**Public Benefit:** Since the project is requesting a Conditional Use Permit through the TASP, the project is required to provide a public benefit as part of the development. Staff has worked with the applicant to design several important public benefits. Applicant has agreed to complete the following:

1. Fund a Feasibility Study for the Milpitas Avenue Extension Vehicular and Pedestrian Bridge that will span Penitencia Creek and eventually connect to Sango Court.
2. Prepare Construction Drawings for the proposed bridge once the Feasibility Study has been vetted through the City and the Santa Clara Valley Water District and other required agencies.
3. Fund the design and construction drawings for the Milpitas Avenue Extension from E Capitol Avenue to the new bridge.
4. Provide cost estimates for the construction of the Milpitas Avenue Extension.
5. Contribute 53% of the total costs for the construction of the Milpitas Avenue Extension.
6. Fund a Feasibility Study for the new Pedestrian Bridge over Montague Expressway near Penitencia Creek.
7. Prepare Construction drawings and cost estimates for the construction of the new Pedestrian Bridge.

Overall, the applicant will provide a substantial amount of funding to design several key elements within the TASP. These are key elements for the development of these several parcels

and the overall circulation system and implementation of the TASP. Although the applicant will receive TASP credits for the work described above, there is a significant benefit with regard to efficiency and timeliness by having the applicant complete these tasks. Furthermore, it will be the catalyst to have this important area redeveloped.

**Milpitas Boulevard Extension:** The TASP requires the future Milpitas Blvd Extension to extend over E. Capitol Ave and into the parcel identified as 730 E. Capitol Ave and connect with the proposed development at 450 Montague Expressway. The three property owners at 450 Montague Expressway, 730 E. Capitol Ave and 750 E. Capitol Ave will be required to fund and complete the extension. The funding will be based on the land acreage of each proposed development, which is currently 53% of the total cost allocated to the proposed project at 450 Montague Expressway. The remaining 47% will be similarly “fair share” proportioned between 730 E. Capitol Ave and 750 E. Capitol Ave in conjunction with development proposals on those properties. There are currently no pending development applications for 730 E. Capitol Ave and 750 E. Capitol Ave. However, a formal application for 750 E. Capitol is expected soon.

Staff met with the owners of 450 Montague Expressway (applicant), 730 E Capitol Avenue and 750 E Capitol Avenue regarding land acquisition for the Milpitas extension and the feasibility of reaching some agreement between the owners. An agreement never came to fruition before 450 Montague Expressway went to Planning Commission for consideration. Staff discussed the issue with various departments and it was determined that the City would use common Capitol Improvement Project practices for road construction, which leads to the assumption of 12% of the total road construction costs being allocated for land acquisition. The actual percentage can vary depending on the land location and if there are any property encumbrances.

In the case of the 730 E Capitol Avenue site, the location of the future road would be located over land with high-pressure gas lines running underneath and many no-build encumbrances on the land. In addition, the relocation was done as part of the BART project and the owner has received some compensation for the land, although this exact amount has not been fully disclosed. If the City Council is concerned that the landowner of 730 E Capitol Avenue may not be receiving fair compensation for the land required for roadway dedication, the issue should be resolved as part of the approval process for the WLSMBE as the issue is outside the scope of the proposed project. However, project condition 37(e.vi) does include the option to establish a land value based on an appraisal conducted by the City and funded by Lennar (developer for 450 Montague), and provides the flexibility to do either later. The appraisal will take into account current market value, encumbrances over the land and previous compensation received by the owner for the land. This approach could result in a less favorable land value for the property owner. Staff has included this alternative condition in the Alternatives discussion below.

**Park Design and Layout:** The proposed project includes two public parks (Park A and Park B) in addition to a linear trail located on the project site running parallel to Penitencia Creek. The project also includes improvements to the creek maintenance road to be used as a multi-use trail. The locations of the parks are different from indicated in the TASP and the differences are indicated in Figure 3 (in the agenda packet).

Staff reviewed the proposed park changes with the Parks, Recreation and Cultural Resources Commission (PRCRC) on February 2 and March 2, 2015. The project was reviewed twice due to minor site changes and the elimination of a second paseo element that provided a connection from the linear trail to Park B and Park A. Staff requested recommendations from the PRCRC regarding the park location and park names. The PRCRC was receptive to the park and recommended the City Council approve the design and recommended that the Council decide on one of the four names including; J.W. Johnson, Captain Calvin Valpey, O.H.P. Venum and Charles Beverson for Park A (being West) and Park B (being East). The staff report and minutes have been included in the agenda packet.

**Water Conservation Ordinance (240.2) Exception Request:** On August 26, 2014, the City Council adopted Urgency Ordinance No. 240.2, which implemented water use restrictions. Specifically as it relates to this project, the Urgency Ordinance prohibited the use of potable water for the installation of new landscape unless it is served by Reclaimed Water (5.07). Section 5.08 of the Urgency Ordinance allows the City Council to grant exceptions as needed. The subject site will be extending the reclaimed water line from Centre Point to the west side of the proposed Milpitas Boulevard Extension, which will be used on the site perimeter and all common areas. Reclaimed water is not allowed to be used on the podium level in the five-story building and for the proposed pool. Staff is in support of the proposed exception since the potable water use will be for small raised planter beds, which are consistent with the Water Efficient Landscape Ordinance, and for the proposed pool, which will serve as a great amenity for the 351 residents in the main building.

**Environmental Review:** The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). The project is exempt from further environmental review pursuant to Section 15168(c) (2) of the CEQA Guidelines because of its consistency with the certified EIR for the Transit Area Specific Plan adopted on June 3, 2008 by the City Council (See Attachment D).

**Conclusion:** In summary, the Planning Commission found the proposed Vesting Tentative Map No. MT14-0004, Site Development Permit No. SD14-0017, and Conditional Use Permit No. UP14-0024 consistent with the provisions of the General Plan, Transit Area Specific Plan and the Milpitas Municipal Code. The proposed project develops the existing site with a use that is consistent with the existing land uses and vision for the Transit Area Specific Plan.

**Alternatives:**

1. Approve the project as recommended by the Planning Commission on March 25, 2015.
2. Approve the project as recommended by the Planning Commission with the following change to Condition of Approval 37(e.vi) as follows:  
WLSMBE Cost Share. Prior to issuance of the first Certificate of Occupancy (temporary or final) for any residential unit, the Permittee shall submit an engineer's estimate for all associated costs for the WLSMBE design, construction, management, and land cost assumption of 12% of the total cost of the project and an ENR Construction Cost Index projected out 5 years to the satisfaction of the City Engineer, or land value may be based on an appraisal conducted by the City and funded by Lennar, which will take into account current market value, encumbrances over the land and any previous compensation the owners have received for the land. The Permittee shall pay to the City a fair share contribution of 53% (based on site area of 10.47 acres) of the estimated costs. The Permittee fair share contribution shall be credited for all design costs. The Permittee shall pay the fair share contribution at Final Occupancy or final approval of the WLSMBE construction plans or whichever occurs first.
3. Approve the project as recommended by the Planning Commission with additional changes directed by the City Council.
4. Deny the project.

**Fiscal Impact:** Positive. The project will be contributing to the TASP fees of approximately \$32,781 per unit for a total of approximately \$16 million. The applicant will also be completing the feasibility design for a vehicular bridge and pedestrian overcrossing and the design of construction drawings and cost estimates for both elements. In addition, the applicant will be designing construction drawings and costs estimate for the Milpitas Boulevard Extension and contributing 53% of the costs for road construction.

**Attachments**

- A. Planning Commission Staff Report, March 25, 2015
- B. Adopted Planning Commission Resolution 15-003
- C. Planning Commission Meeting Minutes, March 25, 2015

- D. Initial Study and Categorical Exemption
- E. Plan Set
- F. Parks, Recreation and Cultural Resources Commission material 02/02/15
- G. Parks, Recreation and Cultural Resources Commission material 03/02/15
- H. Three layout design figures
- I. Draft City Council Resolution

**Recommendations:**

1. Open public hearing to receive comments.
2. Move to close the public hearing.
3. Per the Planning Commission recommendation, adopt a resolution approving the Vesting Tentative Map No. MT14-0002, Site Development Permit No. SD14-0014, and Conditional Use Permit No. UP14-0023 and Exception to Urgency Ordinance 240.2 for a 489 dwelling unit project located at 450 Montague Expressway and approve park names for Park A and Park B located at 450 Montague.

**XVI. UNFINISHED BUSINESS**

6. **Receive Presentation on an Overview of the California Public Employees Retirement System (CalPERS) (Contacts: Councilmember Grilli, 408-586-3031 and Carmen Valdez, 408-586-3086)**

**Background:** At the request of Councilmember Grilli, Mr. Ron Lind, Milpitas resident and CalPERS Board Member, will provide a presentation to the City Council on the funding status of the state retirement agency and how it relates to the City of Milpitas in CalPERS.

**Recommendation:** Receive a presentation by Ron Lind at the City Council meeting regarding CalPERS.

7. **Receive a Report and Demonstration on City Web Site Redesign (Staff Contact: Mike Luu, 408-586-2706)**

**Background:** For the past several months, Information Services staff has been working on a project to redesign the City's web site. The current design is over five years old. With the growing demand and viewing from mobile devices, the new redesign will respond and adapt to the new requirements. The goal of the redesign is to create a site that is cleaner, and adjusts to integrate with social media. Staff demonstrated the new design to the Telecommunications Commission on March 16, 2015. The new design was unanimously approved by the Telecommunications Commission. Staff will make a brief presentation to demonstrate the new web site. Some of the new features will be:

- Easily translates pages to 100 different languages
- Responsive (mobile-friendly) – Adapts and adjusts to mobile devices
- Content managed
- Modern design
- Consolidated

**Alternative:** The alternative is to keep the current website design.

**Recommendation:** Receive report from staff and direct staff to continue working on the City website update and redesign.

8. **Adopt a Resolution of Intention and Introduce Ordinance No. 101.23 Amending the City's Contract with the Board of Administration of the California Public Employees' Retirement System (Staff Contact: Carmen Valdez, 408-586-3086)**

**Background:** As a result of contract negotiations between the City of Milpitas and the Milpitas International Association of Fire Fighters Local 1699 (IAFF) finalizing the Memorandum of Understanding (MOU) for the period of December 3, 2014 through December 31, 2016, both parties agreed that the City would amend its current contract with the Public Employees Retirement System (PERS) to provide Section 20516 (Employees Sharing Additional Cost) of 3% for local fire members in the International Association of Firefighters Local Union 1699.

Government Code Section 7507 requires that the all future costs or benefits changes be made public at least two weeks prior to the adoption of the final Ordinance. The classic local fire members' contribution rate will now be 12% of reportable earnings and any new local fire members' contribution rate will be 14.25% of reportable earnings. Any changes in the employee or employer contribution rate will be effective as of the effective date of the contract amendment. PERS contract amendment procedures require an adoption of a Resolution of Intention to amend the contract and an adoption of an amending Ordinance. Both documents are included in the Council's agenda packet.

**Fiscal Impact:** None.

**Recommendations:**

1. Adopt a Resolution of Intention to approve a contract amendment with the Public Employees Retirement System to provide Section 20516 (Employees Sharing Additional Cost) of 3% for local fire members in IAFF.
2. Following a reading the ordinance title by the City Attorney, move to waive the first reading beyond the title of Ordinance No. 101.23.
3. Introduce Ordinance No. 101.23, authorizing an amendment to the contract between the City Council of the City of Milpitas and the Board of Administration of the California Public Employees' Retirement System.

**\* 9. Adopt a Resolution Making Findings and Determination of Public Nuisance Regarding Newby Island Resource and Recovery Park Landfill Operation (Staff Contact: Michael Ogaz, 408-586-3040)**

**Background:** Overwhelming concern from Milpitas and other local citizens regarding odors from Newby Island has been presented to the City in the form of numerous signed postcards voicing opposition to the expansion of Newby Island. These citizens conclude that the Newby Island expansion will increase the size of the landfill, increase harmful odors and will negatively impact countless Milpitas and other community residents and businesses. This conclusion is supported by numerous public complaints reported by Bay Area Air Quality Management District (BAAQMD) over the years and, most significantly, resulting in numerous confirmed complaints and at least five notices of violation regarding Newby Island during the recent months of December and January. This evidence of odor nuisance from Newby Island is further supported by the City of Milpitas Odor Complaint Hotline which has received over 678 odor complaints during calendar year 2014, of which 156 were received during December of that year, with a further 394 received in January and 110 in February of 2015. A more recent BAAQMD report of March 30, 2015, connecting the odors detected at Milpitas City Hall on December 8, 2014, to Newby Island is included in the agenda packet.

The odor problem created by Newby Island is not new. Odors from the landfill have existed for the entire life of the City of Milpitas since before its incorporation in 1954. As recently as 2003, Milpitas created a stakeholder group intended to address the issues related to odor. The Newby Island operators as well as other stakeholders participated and one of the results was the odor reporting system now employed by BAAQMD. Unfortunately, that reporting system has proven to be unsatisfactory since it requires that a citizen odor complaint be confirmed by a BAAQMD inspector. Due to the time it takes for an inspector to arrive at the location of the reported odor and time to trace it back to its source, few complaints result in being confirmed by BAAQMD. Partly this is due to the transitory nature of odors and how they are affected by variable wind

conditions. Nonetheless, in a March 16, 2015 City Engineering Report, it was noted that BAAQMD has issued three Public Nuisance Violations to Newby Island Landfill and two to the Recyclery at Newby Island. The report (also attached) does not indicate what action will be taken as a result of these violations, but does note that BAAQMD will conduct a public meeting at Milpitas City Hall on April 23, 2015. The city encourages all interested citizens to appear at the meeting on April 23rd to voice their opinions.

Based on the foregoing information and evidence that operations at Newby Island constitute a public nuisance, staff recommends that the City Council adopt a resolution making a formal finding to that effect and also finding that the expansion project which will increase the height of the landfill by 95 feet will create and continue an odor impact having an unacceptable negative environmental impact on adjacent properties and nearby properties, including residential and commercial properties within the City of Milpitas.

**Fiscal Impact:** None.

**Recommendation:** Adopt a resolution finding public nuisance and negative environmental effect from operations at Newby Island.

## **XVII. REPORT OF MAYOR**

### **\* 10. Consider Mayor's Recommendations for Appointments to the Economic Development Commission (Contact: Mayor Esteves, 408-586-3029)**

**Background:** Mayor Esteves recommends following appointments to the Economic Development Commission:

1. Newly appoint Ms. Teri Owens from the Embassy Suites Hotel as the hotel business representative, regular voting member, on the Commission to a term that will expire in April 2018.
2. Re-appoint Ms. Charlene Tsao as a regular voting member on the Commission to a term that will expire in April 2018.
3. Re-appoint Mr. Minh Nguyen as a regular voting member on the Commission to a term that will expire in April 2018.
4. Re-appoint Ms. Melanie Holthaus as Alternate No. 1 on the Commission to a term that will expire in April 2017.

**Recommendation:** Receive Mayor's recommendations and move to approve Commission on new appointment and three re-appointments to the Economic Development Commission.

## **XVIII. NEW BUSINESS**

### **11. Receive a Presentation on the Citrus Pest and Disease Prevention Program (Staff Contact: Emma Karlen, 408-586-3145)**

**Background:** Staff was contacted by Mr. Paul Worlie, a consultant for the "Citrus Pest and Disease Prevention Program" which is administered by the California Department of Food and Agriculture to enlist the assistance of the City of Milpitas to provide program information to the public. Mr. Worlie will provide a brief presentation about the Citrus Pest and Disease Prevention Program at the Council meeting.

**Recommendations:** Receive a presentation on the Citrus Pest and Disease Prevention Program.

### **\* 12. Receive 2014 Housing Element Annual Progress Report (Staff Contact: Tim Wong, 408-586-3286)**

**Background:** California Government Code Section 65400(a)(2) requires local agencies to provide an Annual Report to the City Council, the California Office of Planning and Research (OPR), and the California Department of Housing and Community Development (HCD) on the status of the City's General Plan housing activity. More specifically, the State requests a report describing the community's progress in meeting its fair share of the Regional Housing Needs Allocation (RHNA), efforts to maintain, improve and develop housing.

The reporting timeframe covers the RHNA period of 2007-2014. This annual report will be the last for the 2007-2014 timeframe. Beginning next year, the City will begin reporting on its progress for the 2015-2023 RHNA period. In addition, in March 2015, a new State reporting requirement mandates that jurisdictions also submit Successor Housing Agency Annual Reports with the Progress Report. Both reports have been attached for reference.

A quick explanation of the reporting format:

- Table A is the City new residential building permit activity for calendar year 2014.
- Table A2 is the number of units rehabilitated in the City done through the City's Rehabilitation program and through Building Together.
- Table A3 is the City's cumulative new residential building permit activity.
- Table B is the City's progress towards the City's 2007-2014 RHNA requirements.
- Table C is the City's narrative of the City's Program Implementation Status of the Housing Element.

After the City Council receipt of the Housing Report, the report will be sent to the state of California agencies OPR and HCD.

**Fiscal Impact:** None.

**Recommendation:** Receive the 2014 Annual Housing Progress Report.

## **XIX. ORDINANCE**

- \* 13. Waive the Second Reading and Adopt Ordinance No. 38.821 Relating to Public Art Requirements for Private Development Projects (Staff Contact: Adam Petersen, 408-586-3274)**

**Background:** On April 7, 2015, the City Council introduced Ordinance No. 38.821 to amend the City's zoning regulations to require public art for private development projects. Council directed that the Ordinance be amended to incorporate three changes:

- 1) If the 1% requirement for installing the art work on the project site cannot be fully satisfied because of the size, location and scale of the art work in relation to the project site, the developer may satisfy the one percent requirement by a combination of installing artwork on the project site and contributing the difference between the cost of the installed art work and the remaining one percent amount into the art in lieu fund;
- 2) Residential projects with a minimum of 20 percent of their units as affordable units as defined in Section XI-10-54.15.D of the Milpitas Zoning Code are exempt from the public art requirements; and
- 3) Verify the cost accuracy of the proposed art on-site.

With these changes incorporated, Ordinance No.38.821 is ready for second reading and adoption.

**Alternatives:**

- a. Adopt the ordinance as proposed
- b. Deny the ordinance; or
- c. Amend the proposed ordinance.

**Fiscal Impact:** The ordinance will generate funding for the City's Art In-Lieu Fund. This creates a positive fiscal impact that improves the aesthetic environment for the City.

**Recommendations:**

1. Waive the second reading of Ordinance No. 38.821.
2. Adopt Ordinance No. 38.821 amending the Milpitas Municipal Code to include provisions relating to public art in private development projects.

**XX. RESOLUTION**

**\* 14. Adopt a Resolution Approving a Communication and Integrity Policy for the Solid Waste Request for Proposal Process (Staff Contact: Steven Machida, 408-586-3355)**

**Background:** City of Milpitas and Republic Waste Services of North America, LLC have a contract to provide solid waste services to the Milpitas community expiring on September 5, 2017. On April 7, 2015, the Milpitas City Council authorized staff to issue a Request For Proposal (RFP) for solid waste services beyond September 5, 2017. The City has retained HF&H Consultants, LLC (HF&H) to assist in the procurement of a solid waste services vendor. HF&H has assisted other cities with similar services and recommends that Council adopt a Communication and Integrity Policy. The purpose of the policy is to provide a fair opportunity for all potential respondents and to create an impartial climate during the proposal process. The proposed policy addresses topics such as communications between Council and proposers, conduct during the competitive solicitation process, campaign contributions, and gifts. A copy of the proposed policy is included with the resolution in the Council agenda packet.

**Alternative:** The alternative is to not adopt a Communication and Integrity Policy which may complicate or possibly create an unfair RFP process.

**Fiscal Impact:** None.

**Recommendation:** Adopt a Resolution approving a communication and integrity policy for the solid waste request for proposal

**XXI. AGREEMENTS**

**\* 15. Approve a Three-Year Agreement (FY 2015-2018) with the City of San Jose for Animal Services (Staff Contacts: Tim Wong, 408-586-3286 and Mark Ruffing, 408-586-3282)**

**Background:** Since July 1, 2001, the City of San Jose has provided the City of Milpitas with animal control services at the San Jose Animal Shelter Facility located at 2750 Monterey Road. The proposed Animal Services Agreement is a three-year agreement from July 1, 2015 until June 30, 2018. The cost of the three-year agreement is: \$358,891 in FY 2015-16, \$369,658 in FY 2016-17 and \$380,748 in FY 2017-18, for a total of \$1,109,297. The previous three-year agreement cost was \$1,045,314. The new agreement entails a 3% annual cost increase.

Animal control services provided by the City of San Jose include the following:

- Field Services – Pick up dead and injured animals, confining stray animals, response to emergency calls, investigating complaints, respond to police assistance;
- Response Time Performance Standards – Priority 1, 2, 3 and 4 calls, and responding to after business hour calls;
- Sheltering Services – Sheltering abandoned, impounded, lost or stray animals, quarantine of biting animals, rabies testing of suspect animals, provisions for surrender and claim of abandoned, lost or stray animals, euthanization and disposal of abandoned, lost or stray animals;



- Medical Services – Provisions for veterinarian services 24 hours per day to treat and provide veterinarian care to stray, injured or sick animals;
- Dead Animals Services – Pick up dead animals between the hours of 5:00 p.m. and 7:00 p.m. (Note: from 7:00 a.m. to 5:00 p.m., Milpitas Public Works staff picks up dead animals.)

The City of San Jose provides the City of Milpitas with quarterly reports. Milpitas City staff has not received any complaints regarding the level of animal control services provided by the City of San Jose. For consideration by the City Council, included in the agenda packet is a copy of the proposed Animal Services Agreement with the City of San Jose for FY 2015-2018.

**Fiscal Impact:** None. Total cost is \$1,109,297 over a three-year period (FY 2015-18), where approximately \$40,000 to \$50,000 will be recovered from animal license fees to partially offset the cost. The full amount of this agreement has already been budgeted.

**Recommendation:** Approve an agreement with the City of San Jose for Animal Services for Fiscal Years 2015-2018 in the amount of \$1,109,297 (\$358,891 in FY 2015-16; \$369,658 in FY 2016-17; and \$380,748 in FY 2017-18).

**\* 16. Approve Plans and Specifications and Authorize Advertisement for Bid Proposals for Soundwall Renovations, Project No. 4267 (Staff Contact: Steve Erickson, 408-586-3301)**

**Background:** Staff completed plans and specifications for the Soundwall Renovations Project No. 4267. The project provides for the repairs and replacement of City owned precast concrete soundwalls. The project will focus on sealing of cracks to prevent moisture intrusion, the repair of spalled and damaged concrete, and repainting of the soundwall along the south side of Jacklin Road from Hillview Drive to Oliver Jones Memorial Park. The Project will also remove and replace 260 feet of City owned soundwall adjacent to Tularcitos Creek at Hillview Drive that has reached the end of its service life and has deteriorate beyond repair.

The Engineer's Estimate for the project is \$375,000, and it is anticipated that additional funding will be required to award this project. A copy of the title sheet of the project plans is included in the Council's agenda packet and the complete set of plans and specifications are available for review in the office of the City Engineer.

**Alternative:** Denial would result in not completing repairs and replacement of City owned soundwalls at the noted locations, resulting in further deterioration and potentially unsafe conditions.

**California Environmental Quality Act:** The project is exempt under Section 15301 (Existing Facilities) of the CEQA Guidelines.

**Fiscal Impact:** Additional funding will be requested at the time of award in order to award this project.

**Recommendation:** Approve the plans and specifications for Soundwall Renovations, Project No. 4267 and authorize advertisement for bid proposals.

**\* 17. Authorize the Director of Engineering to Issue a Bidder Pre-Qualification Package for the Milpitas Sports Center Pool Repair, Project No. 3408 (Staff Contact: Steve Erickson 408-586-3301)**

**Background:** Construction documents for a major rehabilitation of the Sports Center pools are being prepared. The work includes resurfacing of the yard, meter and training pools; removal of existing ramp in yard pool and installation of new walk in stairs; new pool lighting in the meter and yard pools; replacement of all under deck pool piping and related appurtenances; replacement of concrete pool deck and deck drainage system. The project will also include the

installation of permanent outdoor showers, installation of shade structures, new lifeguard stands and racing platforms, and removal of the non-operational wading pool. The Engineer's estimated cost for this work is \$1,500,000.

Due to the specialized nature of the work, construction contract amount, and the tight construction schedule with project completion necessary for the start of the 2016 summer swim programs, staff is recommending a pre-qualification process for the potential bidders of this project. Staff has prepared a bidder pre-qualification package for the project. The pre-qualification package allows interested bidders to preview the project plans and specifications prior to the project bid scheduled for summer 2015. Interested bidders will then submit their qualifications to the City for review and approval. Only bidders who have been approved through the pre-qualification process will be authorized to submit bids for the project.

**Alternative:** A denial of this request would result in not pre-qualifying the potential bidders. The pre-qualification process allows the City a better process for determining a responsible bidder rather than the City making that determination after the project bid opening.

**Fiscal Impact:** None. Sufficient funds will be available in the project budget at time of award.

**Recommendation:** Authorize the Director of Engineering to issue a bidder pre-qualification package for the Milpitas Sports Center Pool Repair, Project No. 3408.

## **XXII. ADJOURNMENT**

**NEXT REGULARLY SCHEDULED COUNCIL MEETING  
TUESDAY, MAY 5, 2015**

| March 2015 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
| S          | M  | T  | W  | T  | F  | S  |
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| 29         | 30 | 31 |    |    |    |    |

| May 2015 |    |    |    |    |    |    |
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| 8        | 9  | 10 | 11 | 12 | 13 | 14 |
| 15       | 16 | 17 | 18 | 19 | 20 | 21 |
| 22       | 23 | 24 | 25 | 26 | 27 | 28 |
| 29       | 30 | 31 |    |    |    |    |

## MILPITAS CITY COUNCIL CALENDAR

**April 2015**

| Sunday    | Monday                                                                                                                                                             | Tuesday                                                                                                                      | Wednesday                                                                                                                                                                                                           | Thursday                                                                                                                                                                                                                                                               | Friday    | Saturday                                                           |
|-----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------------------------------------------------------------|
|           |                                                                                                                                                                    |                                                                                                                              | <b>1</b><br><b>7:30 AM</b> -VTA Northeast Group (JE)<br><b>12:00 PM</b> -Santa Clara Valley Water Commission (GB)<br><b>5:30 PM</b> -Veterans Commission (DG)<br><b>7:00 PM</b> -Community Advisory Commission (CM) | <b>2</b><br><b>5:30 PM</b> -VTA Board of Directors (JE)                                                                                                                                                                                                                | <b>3</b>  | <b>4</b>                                                           |
| <b>5</b>  | <b>6</b><br><b>10:00 AM</b> -Silicon Valley Rapid Transit Program Working Committee (JE)<br><b>7:00 PM</b> -Parks, Recreation & Cultural Resources Commission (GB) | <b>7</b><br><b>5:30 PM</b> -Budget Study Session<br><b>7:00 PM</b> -City Council<br><b>9:00 PM</b> Closed Session            | <b>8</b><br><b>4:00 PM</b> -Milpitas Oversight Board<br><b>7:00 PM</b> -Planning Commission                                                                                                                         | <b>9</b><br><b>2:30 PM</b> Special Council meeting<br><b>4:00 PM</b> -VTA Policy Advisory Committee (CM)<br><b>4:30 PM</b> -Treatment Plant Advisory Committee (JE) (San Jose)<br><b>7:00 PM</b> -Youth Advisory Comm (DG)<br><b>7:00 PM</b> -Cities Assoc of SCC (JE) | <b>10</b> | <b>11</b>                                                          |
| <b>12</b> | <b>13</b><br><b>6:00 PM</b> -Economic Development Commission (CM)<br><b>7:00 PM</b> -Arts Commission (DG)<br><i>@Community Center Rooms 7-8</i>                    | <b>14</b>                                                                                                                    | <b>15</b><br><b>4:00 PM</b> -Council Finance Subcommittee (JE, CM)                                                                                                                                                  | <b>16</b><br><b>10:00 AM</b> -Santa Clara VTA Congestion Management Program & Planning Committee (JE)<br><b>1:30 PM</b> -County Library Joint Powers Authority Board (CM)                                                                                              | <b>17</b> | <b>18</b>                                                          |
| <b>19</b> | <b>20</b><br><b>6:00 PM</b> -Campaign Finance Reform Committee<br><b>7:00 PM</b> -Telecommunications Commission (GB)                                               | <b>21</b><br><b>5:30 PM</b> -Closed Session<br><b>6:00 PM</b> -CIP Study Session<br><b>7:00 PM</b> -City Council             | <b>22</b><br><b>7:00 PM</b> -Planning Commission                                                                                                                                                                    | <b>23</b><br><b>5:30 PM</b> -Milpitas Chamber of Commerce Board (DG)<br><b>6:00 PM</b> -Sister Cities Commission (MG)<br><b>6:00 PM</b> -BAAQMD Public Meeting on Odor – Milpitas Council Chambers                                                                     | <b>24</b> | <b>25</b><br><b>11:30 AM</b> -2015 Commissioners Recognition Lunch |
| <b>26</b> | <b>27</b>                                                                                                                                                          | <b>28</b><br><b>1:30 PM</b> -Senior Advisory Commission (JE)<br><b>6:00 PM</b> -Recycling & Source Reduction Adv. Comm. (GB) | <b>29</b>                                                                                                                                                                                                           | <b>30</b><br><b>12:00 PM</b> -Terrace Gardens Board of Directors (DG)                                                                                                                                                                                                  |           |                                                                    |

| April 2015 |    |    |    |    |    |    |
|------------|----|----|----|----|----|----|
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| 19         | 20 | 21 | 22 | 23 | 24 | 25 |
| 26         | 27 | 28 | 29 | 30 |    |    |

| June 2015 |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|
| S         | M  | T  | W  | T  | F  | S  |
|           | 1  | 2  | 3  | 4  | 5  | 6  |
| 7         | 8  | 9  | 10 | 11 | 12 | 13 |
| 14        | 15 | 16 | 17 | 18 | 19 | 20 |
| 21        | 22 | 23 | 24 | 25 | 26 | 27 |
| 28        | 29 | 30 |    |    |    |    |

## MILPITAS CITY COUNCIL CALENDAR

### May 2015

| Sunday    | Monday                                                                                                                                                                                                                                                | Tuesday                                                                     | Wednesday                                                                                                              | Thursday                                                                                                                                                                                                                                                             | Friday                                                                    | Saturday  |
|-----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------|-----------|
|           |                                                                                                                                                                                                                                                       |                                                                             |                                                                                                                        |                                                                                                                                                                                                                                                                      | <b>1</b><br><b>9:00 AM</b> -Santa Clara VTA Bd of Directors Workshop (JE) | <b>2</b>  |
| <b>3</b>  | <b>4</b><br><b>10:00 AM</b> -VTA Silicon Valley Rapid Transit Program Working Committee (JE)<br><b>7:00 PM</b> -Parks, Recreation & Cultural Resources Comm (GB)                                                                                      | <b>5</b><br><b>?:00 PM</b> -Closed Session<br><b>7:00 PM</b> -City Council  | <b>6</b><br><b>7:30 AM</b> -Santa Clara VTA Northeast Group (JE)<br><b>7:00 PM</b> -Community Advisory Commission (CM) | <b>7</b><br><b>5:30 PM</b> -Santa Clara VTA Board of Directors (JE)<br><b>7:00 PM</b> -Bicycle Pedestrian Advisory Commission (CM)                                                                                                                                   | <b>8</b>                                                                  | <b>9</b>  |
| <b>10</b> | <b>11</b><br><b>6:00 PM</b> -Economic Development Commission (CM)                                                                                                                                                                                     | <b>12</b><br><b>2:00 PM</b> Milpitas Oversight Board                        | <b>13</b><br><b>7:00 PM</b> -Planning Commission                                                                       | <b>14</b><br><b>4:00 PM</b> -VTA Policy Advisory Committee (CM)<br><b>4:30 PM</b> -Treatment Plant Advisory Committee (JE) (San Jose)<br><b>7:00 PM</b> -Cities Assoc of SCC (JE)<br><b>7:00 PM</b> -Youth Advisory Commission (DG)                                  | <b>15</b>                                                                 | <b>16</b> |
| <b>17</b> | <b>18</b><br><b>7:00 PM</b> -Telecommunications Commission (GB)<br><b>7:00 PM</b> -Library Advisory Commission (CM)                                                                                                                                   | <b>19</b><br><b>?:00 PM</b> -Closed Session<br><b>7:00 PM</b> -City Council | <b>20</b>                                                                                                              | <b>21</b><br><b>12:00 PM</b> -Santa Clara VTA Congestion Management Program & Planning Committee (JE)<br><b>7:00 PM</b> -Emergency Preparedness Commission (MG)<br><b>7:00 PM</b> -Bay Area Water Supply Conserv. Agency (Foster City)                               | <b>22</b>                                                                 | <b>23</b> |
| <b>24</b> | <b>25</b><br><del><b>7:00 PM</b>-Arts Commission (DG)</del><br><b>CITY HOLIDAY</b><br><b>memorial</b><br><br><b>9:00 AM Memorial Day Ceremony (Veterans Plaza)</b> | <b>26</b>                                                                   | <b>27</b><br><b>7:00 PM</b> -Planning Commission                                                                       | <b>28</b><br><b>1:30 PM</b> -County Library Joint Powers Authority Board (CM)<br><b>1:30 PM</b> -SCCounty Operational Area Council (Emerg Services) (MG)<br><b>5:30 PM</b> -Milpitas Chamber of Commerce Board (DG)<br><b>6:00 PM</b> -Sister Cities Commission (MG) | <b>29</b>                                                                 | <b>30</b> |

***Revised Draft* MEETING MINUTES  
CITY OF MILPITAS**

|                    |                                                                                         |
|--------------------|-----------------------------------------------------------------------------------------|
| <b>Minutes of:</b> | <b>Regular Meeting of Milpitas City Council</b>                                         |
| <b>Date:</b>       | <b>Tuesday, April 7, 2015</b>                                                           |
| <b>Time:</b>       | <b>5:30 PM</b>                                                                          |
| <b>Location:</b>   | <b>Council Chambers, Milpitas City Hall,<br/>455 East Calaveras Blvd., Milpitas, CA</b> |

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**CALL TO ORDER**

Mayor Esteves called the meeting to order at 5:30 PM. The City Clerk noted the roll.

**PRESENT:** Mayor Esteves, Vice Mayor Montano, Councilmembers Barbadillo and Grilli

**ABSENT:** Councilmember Giordano was not present at the roll call. Mayor Esteves awaited her arrival to start, and did so at 5:33 PM.

**STUDY SESSION**

City Council convened for a Budget Study session for the first part of the meeting.

City Manager Tom Williams and Finance Director Emma Karlen presented the staff report to the City Council, with an overview of the proposed FY 2015-16 budget.

Councilmember Giordano asked about the process and information by department, since she would have questions on some of the department budgets.

Vice Mayor Montano inquired about where the largest number of employees had been laid off in the City several years ago. The City Manager responded that was in Public Works.

Councilmember Giordano asked questions about the City Attorney's request for the position of Deputy City Attorney to be added. City Attorney Mike Ogaz responded that the position would be able to do litigation work, and thus allow for less hiring of outside counsel. This would achieve more savings with in-house counsel. Councilmember Giordano asked for data looking back on costs of City Attorney's office from 2000 to the present, showing the cost of the contract City Attorney firm in the past versus current in-house services. Staff agreed to provide that.

Mayor Esteves commented that for special subjects, the City hired outside counsel. He asked if that was that part of the budget. The City Manager replied that the odor issue legal matters were outside of the budgeted costs.

Mayor Esteves said the reduction in the number of employees in 2013 should yield a footnote about contracting out landscape services, in the budget description.

Ms. Karlen reviewed a list of various Position Funding Requests, totaling \$1.787 million, while identifying \$716,000 that was available to pay for any added staff positions.

Councilmember Giordano inquired about Police staffing and justification for the request to add three police officers.

Mayor Esteves suggested consideration of the ratio of police officers per 1,000 residents, upon determining whether to add police officers to the new budget.

Chief Pangelinan answered questions about police at the Great Mall (4 officers) and the contract for the Mall to pay for three of those. He reported that 1.1 police officers per 1000 was the staff ratio in Milpitas while the county average was 1.2. With three additional police officers added, the average would be 1.2 and 88 total officers.

Vice Mayor Montano would like to see a satellite Police Department office at McCarthy Ranch in the future very soon.

Next staff presented some budget summary information in overhead slides, with graphs and charts.

Councilmember Grilli said she would like the information on the Deputy City Attorney referred to by Councilmember Giordano, before deciding on that position. Mayor Esteves asked for an explanation of costs for a Deputy City Attorney versus contracting out.

Mayor Esteves asked for the staff recommendation on a staff position for grantwriting, which was to hire a consultant rather than full time staff, where a person could be hired on contingency basis.

Councilmember Giordano requested a breakdown on residential versus commercial property tax revenue. Ms. Karlen responded she could get that information from Santa Clara County.

Councilmember Grilli asked about the costs for reorganization and reclassification of various City positions (in four bulleted recommendations) which staff explained.

Vice Mayor Montano asked the rate of pay for contracted janitors per hour. City Manager Williams said he could get that figure, based on the prevailing wage paid by the contractor and the agreement made with the South Bay Labor Council.

Mr. Karlen Emma explained PERS rate stabilization fund, and changing to the "Annual Required Contribution" approach to PERS contributions for the City of Milpitas. That would be in contrast to a stated percentage of payroll, as annually calculated to date.

Following the conclusion of the budget study session, then Mayor Esteves convened the start of the regular Council meeting at 7:13 PM.

#### **PLEDGE**

Boy Scouts Troop No. 92 presented the flags and led the pledge of allegiance.

#### **INVOCATION**

Councilmember Barbadillo read from the bible, and said prayers to start the meeting.

#### **MEETING MINUTES**

Motion: to approve the minutes of March 17, 2015 City Council meeting

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

#### **SCHEDULE OF MEETINGS**

Motion: to approve Council Calendar/Schedule of Meetings for April 2015

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

#### **PRESENTATION**

Mayor Esteves commended Alan Pham, Milpitas High School student, for his efforts at organizing the 2<sup>nd</sup> annual MHS Inter-School Science Fair.

#### **PUBLIC FORUM**

Alvin White, Milpitas resident, remarked on his bicycle wheels that were removed from Selwyn Drive. He claimed that one of his vehicles was stolen by the Milpitas Police Department.

Robert Marini, Milpitas resident, commented on a new charge to customers proposed for use of credit card to pay city invoices. He gave his view on sewer rate calculations and of over-charges based on rates per number in a household.

City Attorney Mike Ogaz reported to the City Council that Mr. Marini was unsuccessful in his very recent latest attempt suing the City in small claims court regarding rates.

Liz Ainsworth, Milpitas Chamber of Commerce, announced the availability of the new City map just published by her organization. The monthly Chamber's business breakfast was off to a great start, with City participation. She highlighted the International BBQ and Festival event in May.

Sean Hissan and Muneerah Merchant from the Aga Khan Foundation, invited the City Council and students to attend upcoming event to focus on water conservation, held at Milpitas Senior Center this coming Saturday, April 11 from 10:00 AM to 3:00 PM, for young students in Milpitas.

Rob Means, 1421 Yellowstone, was concerned about global climate change.

Tom Valore, 25 year resident of Milpitas, referred to the last City Council meeting on the odor control report. He stated the public was never given a chance to comment.

Voltaire Montemayor, Milpitas resident, liked singing and dancing, and sought a location for a competition like American Idol in Milpitas.

## **ANNOUNCEMENTS**

Councilmember Giordano met with Mr. Santos of SCVWD recently. She made note of a rebate program the District offered and could do so in partnership with the City. On April 11, the Knights of Columbus awards dinner was scheduled, and she highlighted the winners of Firefighter, Police Officer and Citizen of the Year. In closing, Councilmember Giordano asked to close in memory of Michael Johnson, the City of San Jose police officer killed in the line of duty.

Councilmember Grilli had heard from residents in the Pines neighborhood, affected by parking by new residents in developments nearby. She requested a report on how to deal with the parking issues in the Pines, and to seek a solution. The City Manager replied that the City Engineer could return with that report.

Mayor Esteves commented on water conservation, there should be an announcement on the required reduction in water use statewide. The Mayor urged all to conserve water together.

## **ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS**

City Attorney Ogaz asked the Mayor and Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. No conflicts or contributions were reported.

## **APPROVAL OF AGENDA**

Motion: to approve the agenda

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

## **CONSENT CALENDAR**

Councilmember Giordano stated that on agenda item No. 9 on the Ordinance regarding Town Center and no residential development, she would vote no. She requested removal of Item No. 15 on the resolution naming Newby Island as a public nuisance, and to move it to the next City Council meeting.

Vice Mayor Montano asked to remove items no. 12 (Resolution awarding contract for AudioVisual upgrade), no. 13 (Resolution for Main St. work), no. 17 (Maze firm for audit services) and no. 18 (contract for media services).

Councilmember Grilli supported moving item no. 15 to the next meeting because she wanted more information including an online petition which apparently 17,000 people signed.

City Attorney Ogaz responded he could provide the petition to the Council but was not sure he could get names of who signed it online.

Mayor Esteves suggested to remove the item from consent and have some preliminary discussion at this meeting. He did not think it mattered how many signed the petition.

Councilmember Giordano moved, and Councilmember Grilli seconded, a motion to remove all items identified by the Vice Mayor from consent and to push no. 15 to the next meeting. Her motion failed on a vote of 2 Ayes (Giordano, Grilli) and 3 Noes.

Motion: to approve the consent calendar, with removal of agenda items no. 12, no. 13, no. 15, no. 17 and no. 18 from consent for discussion

Motion/Second: Councilmember Grilli/Vice Mayor Montano

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

- \* 3. Commission Appointment Newly appointed Michael Lee to the Community Advisory Commission as Alternate No. 3 to a term that will expire in January of 2016.
- \* 7. Fee Waiver Per request from Our Lady of Guadalupe Club, approved fee waiver of \$800.00 toward rental cost for the Community Center for Mother's Day Event on Saturday, May 9, 2015.
- \* 9. Adopt Ordinance Waived the second reading and adopted Ordinance No. 38.820 amending the Town Center Zone prohibiting all new residential uses while allowing existing and previously approved residential uses to continue.  
  
The vote on this ordinance only was: 4 Ayes and 1 No (Giordano).
- \*10. Resolution Adopted Resolution No. 8458 requesting allocation and making certain findings relating to Transportation Development Act, Article 3 Funds for 2016 Street Resurfacing Project.
- \*11. Resolution Adopted Resolution No. 8459 granting initial acceptance of the Pinewood Park Improvements, Projects No. 3412, No. 5095, No. 5096, and No. 7116, subject to a one year warranty period, and reduction of the faithful performance bond to \$181,797.45; and granting authorization to the Director of Engineering to issue the notice of final acceptance after the one-year warranty period and to release and discharge the performance bond without further City Council action.
- 12. Resolution related to Audio Visual upgrade This matter was removed from consent and was not heard.
- 13. Resolution related to Main Street Pavement contract This matter was removed from consent and was not heard.
- \*14. Resolution Adopted Resolution No. 8460 approving an agreement with Central Medical Laboratory, Inc. for drug and alcohol testing in the annual not-to-exceed amount of \$19,500.00 and for a term from April 15, 2015 to April 14, 2016; and authorized the City Manager to extend the term of the agreement on an annual basis for up to four years with an annual increase of no more than 5% per year, without further City Council approval except appropriation of funds.
- 15. Resolution Declaring Public Nuisance This matter was removed from consent and was not heard.
- \*16. Amendment to Agreement with Ted S. Farr for EMS Data
  - 1) Approved Amendment No. 1 to the consultant agreement with Ted S. Farr in the additional compensation amount of \$15,000 for implementation of the countywide Comprehensive EMS Patient Care Data System.
  - 2) Appropriated funding to the Fire Department's operating budget in the amount of \$53,575.04 from the Santa Clara County Emergency Medical Services trust fund.



|                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                               |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 17. Maze & Associates audit                       | This matter was removed from consent and was not heard.                                                                                                                                                                                                                                                                                                                                                                       |
| 18. Modern Day Marketing                          | This matter was removed from consent and was not heard.                                                                                                                                                                                                                                                                                                                                                                       |
| *19. Agreements with County                       | Approved two agreements with the County of Santa Clara for collection of AB939 Implementation Fees and administration of the Countywide Household Hazardous Waste Collection Program.                                                                                                                                                                                                                                         |
| *20. Amend Agreement with RMC Water & Environment | Approved Amendment No.1 to the Consultant Services Agreement with RMC Water and Environment, Inc. for Utility Engineering support in the amount of \$58,000 and for a term through December 31, 2015.                                                                                                                                                                                                                         |
| *21. Agreements with Harris & Associates and CSG  | Approved agreements with Harris & Associates, Inc. in the amount of \$80,000 and with CSG Consultants, Inc. in the amount of \$70,000 for terms from April 7, 2015 to December 31, 2015 for engineering support services.                                                                                                                                                                                                     |
| *22. New CIP for McCandless Park                  | Approved new project in the Capital Improvement Program - Project No. 5102 for McCandless Park.<br>Approved a budget appropriation of \$300,000 from Transit Area Specific Plan (TASP) impact fees to the new CIP No. 5102.<br>Approved an agreement with Environmental Foresight, Inc. in the amount not to exceed \$248,400 to prepare the McCandless Park Project No. 5102 for a term from April 7, 2015 to June 30, 2019. |
| *23. Approve Payment to Jensen School             | Per existing agreement with Jensen School of Performing Arts for Pre-K Enrichment and Youth Program classes, authorized payment in the amount of \$40,000.                                                                                                                                                                                                                                                                    |

## **PUBLIC HEARING**

|                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1. Ordinance requiring funding for Public Art by developers | <p>Senior Planner Adam Petersen provided description of the proposed requirement for public art and to create a fund that developers would pay into for art works in the City, based on a similar ordinance in the City of Emeryville. 1% of the project cost would go into the fund, as proposed in the draft City ordinance.</p> <p>Councilmember Giordano thought the rate was a little high and asked about the recommendation from the Planning Commission.</p> <p>Vice Mayor Montano asked if the ordinance was reviewed by the Arts Commission and would that group review any public art built at a project (if developer did not pay the fee). She'd like the ordinance to state that art could include murals and other mediums, even plants. She urged the promotion of historic preservation of city in this ordinance too.</p> <p>Staff reported that 1% of funds could be used toward maintenance of art work, including historic pieces.</p> <p>Councilmember Barbadillo asked questions about the type of art projects at high value developments, how they would be determined for their financial worth, and whether developer would pay the difference to the City if the art piece was valued at a number lower than 1% of project cost. He urged that to be a condition of approval or required within the ordinance.</p> <p>City Attorney Ogaz replied that he could provide new language in the ordinance at the second reading (next meeting) and be flexible to developers.</p> <p>Mayor Esteves asked about affordable housing, excluded from this requirement. That term needed to be defined clearly and asked for that to be updated in the revised text of the ordinance at next meeting. The Mayor also wanted to know who would decide if art work was one that applied to the fund or was already part of the architecture of the building. He had further questions and concerns about the art's financial value.</p> |
|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Next, the Mayor opened the public hearing.

Robert Marini, Milpitas resident, felt there would be conflict of interest when imposing a fee on developers to build art work on new developments. That was not fair to the public nor to developers.

Councilmember Giordano said developers already pay a lot of impact fees on new development. The public gave input at public hearings on new proposals.

Voltaire Montemayor, Milpitas resident, said there would be an upgrade from the standard. He wanted Milpitas to be beautiful and agreed on adding art in Milpitas. A third party should decide valuation of the art.

(1) Motion: to close the public hearing, after hearing speakers

Motion/Second: Councilmember Giordano/Councilmember Grilli

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

City Attorney Mike Ogaz read aloud the title of Ordinance No. 38.821, "An Ordinance of the City Council of the City of Milpitas Amending Chapter 10 of Title XI of the Milpitas Municipal Code Adding Section 14 to the Zoning Code Relating to Public Art Requirements for Private Development."

(2) Motion: to waive the first reading beyond the title of Ordinance No. 38.821

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

(3) Motion: to introduce Ordinance No. 38.821 regarding public art requirements

Motion/Second: Councilmember Giordano/Vice Mayor Montano

Mayor Esteves expressed that he wanted included in the motion that the ordinance would include affordable housing as defined, and that the value or cost of the art work should be affirmed by the City.

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

## UNFINISHED BUSINESS

### 2. Odor Control Update

City Engineer Steven Machida updated City Council with number of complaints about odor, as reported both to the City and to the Bay Area Air Quality Management District hotline. He announced that on Thursday, April 23, 2015 from 6:00 – 8:00 PM, the BAAQMD would hold a public meeting on its roles and strategies to deal with odor in the city as result of hotline complaints.

Councilmember Giordano mentioned the online petition, and a number of those who signed. She asked Mr. Machida if she could know how many complaints came from Milpitas residents and he replied he could get back to her with that information.

Vice Mayor Montano reported that she had visited Newby Island Landfill recently, and saw where they do the composting. That was where she noticed the bad smell which was more frequent now than in the past.

Jeanne Serpa of Republic Services came to podium to describe when composting started at Newby Island, approximately in the mid-1990s, so for close to twenty years. She responded to additional questions from the Vice Mayor.

Next, Mayor Esteves invited speakers.

Tom Valore, Milpitas resident, wanted to go back to the March 17 meeting agenda and report on this issue. He took issue with some of the comments in the prior report. So far, only anecdotal information had been presented, not scientific data. No one had definitively determined the source of odor in Milpitas and he also took issue with the \$800,000 figure as an impact to the City.

Don Litchfield, of Republic/Newby Island, said more information had been collected in the last few months. Odor issue was getting out of control since November while a solution had been found. Odor mitigation had been implemented, but now they were expanding capacity. It was necessary to determine other sources of odor in the area.

Mayor Esteves commented that the issue had been around for decades so he asked why Republic was only coming forward now. Mr. Litchfield replied and tried to answer several comments and questions from the Mayor. Mr. Litchfield offered several times to provide an on-site tour to City Council to view recent mitigation measures in place.

Vice Mayor Montano asked if there was any difference in the last five months, since she last visited. Mr. Litchfield replied yes, significantly.

The Mayor invited additional speakers to the podium.

Robert Marini, Milpitas resident, commented on the odor issues in Milpitas.

Liz Ainsworth, Milpitas resident, talked about various locations she had lived in town and the need to get rid of the smell. She was frustrated as the Mayor was. The concern she had was that there were multiple sources. So much time was spent looking at Newby Island and the City might deal with that source, but then the smell could still be there. So it was important to find out what the cause was.

Voltaire Montemayor, Milpitas resident, was determined that the City would solve the problem of odor.

Jennifer, a 15 year resident of Milpitas, noted 6,000 was the number of online signers to the petition and about 4,000 signed going door to door on paper petitions from Milpitas. She gave numbers of those who signed from Fremont and San Jose too. She discussed a landfill in southern California, where it was expanded and then thousands of complaints followed after the expansion. She urged stopping the expansion of Newby Island.

Councilmember Grilli asked her if she would produce the petition to City staff. The speaker did agree to do so and send it to the City Attorney.

Motion: to receive the oral report from the City Engineer on odor update

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

At 9:18 PM, City Council took a break.

When they returned, Vice Mayor Montano recommended a motion to reschedule the 9:00 PM Special Meeting and that was seconded by Councilmember Grilli.

City Manager Williams asked if the City Council could agree that he receive information that generated the Special Meeting agenda be provided to him by the City Attorney.

Councilmember Giordano wanted to hear the matter urgently on this night. Otherwise, she knew there was a long agenda already.

Vice Mayor Montano then rescinded her motion.

Motion: to continue with the spirit of the scheduled meeting agenda: adjourn the regular meeting and go into Closed Session Special Meeting as scheduled for 9:00 PM, with the remaining items on the regular agenda to be rescheduled to the next meeting date

Motion/Second: Councilmember Giordano/Councilmember Barbadillo

Motion carried by a vote of: AYES: 3  
NOES: 2 (Esteves, Montano)

The regular City Council meeting was thus adjourned at 9:32 PM.

4. CalPers Report by Ron Lind This matter was not heard.

5. City Web Site This matter was not heard.

6. Solid Waste Program report This matter was not heard.

8. PERS Amendment This matter was not heard.

**ADJOURNMENT** Mayor Esteves adjourned the meeting at 9:32 PM.

*Meeting minutes drafted and respectfully submitted by  
Mary Lavelle, City Clerk*

***Draft* MEETING MINUTES  
CITY OF MILPITAS**

|                    |                                                                                        |
|--------------------|----------------------------------------------------------------------------------------|
| <b>Minutes of:</b> | <b>Special Meeting of the Milpitas City Council</b>                                    |
| <b>Date:</b>       | <b>Tuesday, April 7, 2015</b>                                                          |
| <b>Time:</b>       | <b>9:00 PM</b>                                                                         |
| <b>Location:</b>   | <b>Milpitas City Hall, 2<sup>nd</sup> Floor<br/>455 East Calaveras Blvd., Milpitas</b> |

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**ROLL CALL**

Mayor Esteves called the meeting to order at 9:35 PM.

**PRESENT:** Mayor Esteves, Vice Mayor Montano, Councilmembers Barbadillo, Giordano and Grilli

**ABSENT:** None

City Manager Tom Williams and City Attorney Mike Ogaz were present.

**CLOSED SESSION**

City Council convened to Closed Session to discuss two items.

**PUBLIC EMPLOYEE PERFORMANCE REVIEW**

Pursuant to CA Government Code §54957

Position: City Attorney Mike Ogaz

**PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE**

Pursuant to CA Government Code Section 54954.5

Number of affected employees: 2

There was no announcement at the end of the Closed Session.

**ADJOURNMENT**

Mayor Esteves adjourned the special meeting at 11:20 PM.

*Minutes prepared and submitted by  
Mary Lavelle, City Clerk*

***Draft* MEETING MINUTES  
CITY OF MILPITAS**

|                    |                                                                                     |
|--------------------|-------------------------------------------------------------------------------------|
| <b>Minutes of:</b> | <b>Special Meeting of Milpitas City Council</b>                                     |
| <b>Date:</b>       | <b>Thursday, April 9, 2015</b>                                                      |
| <b>Time:</b>       | <b>2:30 PM</b>                                                                      |
| <b>Location:</b>   | <b>Council Chambers, Milpitas City Hall,<br/>455 East Calaveras Blvd., Milpitas</b> |

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**CALL TO ORDER**

Mayor Esteves called the meeting to order at 2:33 PM. The City Clerk noted the roll.

**PRESENT:** Mayor Esteves and Councilmember Grilli in person at the dais.

Vice Mayor Montano was present by telephone conference from 3018 Whitley Avenue, Corcoran, CA, 93212.

**ABSENT:** Councilmember Barbadillo was absent. Councilmember Giordano was absent at roll call and arrived at the dais at 2:34 PM.

**PUBLIC FORUM**

None.

**ANNOUNCEMENT OF  
CONFLICT OF INTEREST  
AND CAMPAIGN  
CONTRIBUTIONS**

City Attorney Ogaz asked the Mayor and Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. No conflicts or contributions were reported.

**DISCUSSION ITEM**

**1. Solid Waste Negotiations**

City Engineer Steven Machida provided past history of solid waste (garbage, recycling, street sweeping, yard trims) services for the City of Milpitas, which had been served by Republic Services (or predecessor) since 1986. The City's consultant was HF&H, which assisted the City with contract negotiations for these services.

Staff would return to Council on May 5 to ensure staff was pursuing services in a Request for Proposals (RFP) for a contractor. The process for awarding a contract to a solid waste provider was on a 30-month schedule. HF&H recommended the City adopt a Communication and Integrity Policy for the process of negotiations, which was industry standard (but not done in Milpitas before).

Councilmember Grilli remarked on how difficult community outreach was. Mr. Machida noted some of the outreach efforts to be done toward targeted groups.

Councilmember Giordano noted it had been 30 years since the process last done, which staff confirmed.

Vice Mayor Montano asked if there could be a matrix or grid showing comparison of bidding contractors, and staff replied yes.

On May 5 there would be a Council workshop on these topics. Mayor Esteves said he was satisfied with that timeframe.

Councilmember Giordano asked if there were negatives to this process. Mr. Machida responded that costs for services could rise depending on who responded to the RFP.

Next Mayor Esteves invited any speakers from the audience and there were none.

Motion: to proceed with the RFP process for bids for solid waste services in the City of Milpitas; and, to receive the status report from staff

Motion/Second: Councilmember Grilli/Councilmember Giordano

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

## CONSENT CALENDAR

Because these items had been removed from the consent calendar when originally scheduled on the April 7 City Council agenda by Vice Mayor Montano, they were discussed individually. Questions posed by the Vice Mayor were answered by staff and a vote on each item was taken.

### 2. Resolution awarding a contract for AV Upgrade

Vice Mayor Montano asked if this project was put out for bids. That was something she always wanted to know in the staff report, i.e. who were the bidders along with their prices. Staff responded it could do that in future reports.

Motion: to adopt Resolution No. 8461

(1) awarding a contract to PCD and authorize the City Manager to execute the contract for the Community Center Auditorium Audio Visual Systems Upgrade in the amount of \$148,563; and,

(2) authorizing the Director of Engineering to negotiate and execute contract change orders for Community Center Auditorium AudioVisual Systems Upgrade Project in the cumulative amount not to exceed \$15,000.

Motion/Second: Vice Mayor Montano/Councilmember Grilli

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

### 3. Resolution awarding a contract for Street Rehab

Vice Mayor Montano noted that she really liked the chart that listed all the bidders and costs on the attachment, and pointed out that this was the information she sought (as on the last item above).

Motion: to adopt Resolution No. 8462 waiving a minor bid irregularity, awarding a contract including 15 add alternate items to Ghilotti Construction Company, Inc. and authorizing the City Manager to execute the contract for Main Street Pavement Reconstruction, Project No. 4277, in the total amount of \$3,046,388.75, and authorizing the Director of Engineering to negotiate and execute contract change orders for the project in the cumulative amount not to exceed \$625,000

Motion/Second: Vice Mayor Montano/Councilmember Grilli

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

### 4. Agreement with Maze & Associates for Annual Audit

Vice Mayor Montano asked about the concept of changing auditors every seven years, as she believed other organizations were required to do. She wondered how long the City had used the services of the firm Maze & Associates.

Finance Director Karlen replied that state law did not require what the Vice Mayor asked. The City of Milpitas did go out for Requests for Proposals every five years, and did so last year. 61 firms were solicited with eight responding proposals evaluated by a panel (including outside agency staff). Maze & Associates was selected as the panel's recommendation and it was the same firm the City of Milpitas had used before, with price

not being the main concern. Maze & Associates had conducted audits for the City for fifteen years.

The Vice Mayor recommended changing the auditing firm, so she made a motion..

Ms. Karlen replied further that the City staff could request a different set of partners within the firm to perform the audit. Ms. Montano felt that would be okay.

Councilmember Giordano commented that she sat on the Terrace Gardens Board of Directors where auditors were a disinterested party already, she knew. It was nice to bring back the same one, with no conflict, and was cost effective with a firewall. She did not support the Vice Mayor's idea to change.

There was no second to the Vice Mayor's motion so it died.

Motion: to approve an agreement with Maze & Associates Accountancy Corporation for professional auditing services in the total amount of \$441,770 and for a term from April 7, 2015 to January 31, 2020

Motion/Second: Councilmember Giordano/Councilmember Grilli

Motion carried by a vote of: AYES: 3  
NOES: 1 (Montano)  
ABSENT: 1 (Barbadillo)

#### 5. Agreement with Modern Day Marketing (GreatLike Media)

Vice Mayor Montano wished to know exactly why the firm was to be hired and what the goal of the media campaign was. City Engineer Steven Machida responded that this was part of the urban runoff program as required by state law, and to conduct outreach to the public about reducing trash and litter in water runoff areas.

The Vice Mayor stated her desire to have signs posted up by the creeks to say "No Littering." Mr. Machida said this could be done and would coordinate on her request.

Councilmember Grilli asked if the item on the agenda was for an online effort, which staff confirmed.

Motion: to approve a consultant agreement with Modern Day Marketing, Inc. doing business as GreatLike Media, for development and placement of an online community awareness campaign for an amount not-to-exceed \$25,000

Motion/Second: Councilmember Grilli/Councilmember Giordano

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

#### ADJOURNMENT

Mayor Esteves adjourned the joint meeting at 3:11 PM.

*Meeting minutes drafted and respectfully submitted by  
Mary Lavelle, City Clerk*



# Capital Improvement Program 2015-2020

## Draft Report



Pinewood Park Improvements



**City of Milpitas**  
CALIFORNIA

Version: April 14, 2015



## **2015-2020 CAPITAL IMPROVEMENT PROGRAM**

**Jose Esteves**, Mayor

**Carmen Montano**, Vice-Mayor

**Debbie Indihar Giordano**, Councilmember

**Garry Barbadillo**, Councilmember

**Marsha Grilli**, Councilmember

Submitted By: MNB

**Thomas C. Williams**, City Manager

Prepared By: **Engineering Division**



# CITY OF MILPITAS

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455 East Calaveras Boulevard, Milpitas, California 95035-5479 [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov) (408) 586-3000

April 2015

Honorable Mayor, Members of the City Council:

## **INTRODUCTION**

Transmitted herewith is the Proposed 2015-2020 Five-Year Capital Improvement Program (CIP).

The CIP is a comprehensive five-year plan of Capital Improvement Projects for the City of Milpitas. Capital Improvement Projects include construction of capital assets including streets, park development or upgrades, the acquisition of land, construction and repair/rehabilitation of City infrastructure and facilities, and specialized high cost purchases. The CIP reflects Council's priorities and policies to ensure that the needs of the community are met.

This document arranges the projects in the following six fund groups: Community Improvements, Parks, Streets, Water, Sewer, and Storm Drain and includes:

- A Table of Contents with numerical and alphabetical listings of all projects.
- Summaries of the 2015-2020 CIP showing fund group expenses, finance sources, and projects.
- Detailed CIP project descriptions by fund groups.
- Appendices that provide the estimate level descriptions, abbreviations, prioritization description, previously funded projects closed by June 30, 2015.

## **ACCOMPLISHMENTS IN 2014-2015**

The following is a partial list of Capital Improvement Projects that have been successfully completed in the last year:

- Pinewood Park Renovation
- Park Renovation Project 2013
- Milpitas Sports Center Locker Room Improvements
- Cathodic Protection Improvements
- Street Resurfacing Project
- Cape Seal Resurfacing Project
- Public Works/Police Building Improvements
- LED Street Light Conversion, Phase I

## 2015-2020 CAPITAL BUDGET

Funding for projects programmed in the first Fiscal Year 2015-2016 is recommended for approval at this time. Funding for the projects in subsequent years of the CIP is shown for planning purposes and funding does not become available until it is appropriated in future CIP documents. The 2015-2016 Capital Budget, totaling approximately \$22,421,960 million is summarized below:

| PROJECT CATEGORY               | FY 15-16            | Projected<br>% OF TOTAL |
|--------------------------------|---------------------|-------------------------|
| Community Improvement Projects | 685,000             | 3.1%                    |
| Park Projects                  | 5,875,000           | 26.2%                   |
| Street Projects                | 3,596,960           | 16.0%                   |
| Water Projects                 | 4,000,000           | 17.8%                   |
| Sewer Projects                 | 6,315,000           | 28.2%                   |
| Storm Drain Projects           | 1,950,000           | 8.7%                    |
| <b>TOTAL</b>                   | <b>\$22,421,960</b> | <b>100.0%</b>           |

Projects recommended for funding during 2015-2020 are shown in the CIP summaries at the beginning of each section. The Planning Commission reviewed this document on April 8th and found it in conformance with the General Plan.

## FINAL 2015-2020 FIVE-YEAR CAPITAL IMPROVEMENT PROGRAM

The Proposed five-year Capital Improvement Program totals approximately \$167.2 million. The Proposed 2015-2020 CIP program is compared with last year's program below. The Proposed CIP shows an increase of approximately \$27.4 million in the five-year program.

| FUND GROUP                     | 2014-2019 PROGRAM    |               | 2015-2020 PROGRAM    |               |
|--------------------------------|----------------------|---------------|----------------------|---------------|
|                                | Cost                 | % of Total    | Cost                 | % of Total    |
| Community Improvement Projects | 7,125,000            | 5.1%          | 10,960,000           | 6.6%          |
| Parks Projects                 | 30,200,000           | 21.6%         | 34,775,000           | 20.8%         |
| Streets Projects               | 28,490,280           | 20.4%         | 24,849,960           | 14.9%         |
| Water Projects                 | 26,900,000           | 19.3%         | 47,375,000           | 28.3%         |
| Sewer Projects                 | 33,460,000           | 23.9%         | 33,945,000           | 20.3%         |
| Storm Drain Projects           | 13,560,000           | 9.7%          | 15,280,000           | 9.1%          |
| <b>TOTAL</b>                   | <b>\$139,735,280</b> | <b>100.0%</b> | <b>\$167,184,960</b> | <b>100.0%</b> |

## FUND GROUP FINANCING

### COMMUNITY IMPROVEMENTS

This fund group includes projects such as the City Facilities Improvements, Fire Station Improvements, Finance System Upgrades, MSC Master Plan Update and PD Communications. Community Improvements projects are funded by Equipment Replacement Fund, General Government CIP Fund, Transient Occupancy Tax, and other sources.

### PARKS

Park Dedication Fees are the primary source of revenue for this fund group. Additional revenue sources include Transit Area Specific Plan (TASP) Fees, County, State and Federal Grants. Staff continues to pursue outside funding sources in order to fund additional projects.

## STREETS

The streets revenues are obtained from State gas taxes, Vehicle Registration Fees, Transient Occupancy Tax, Traffic Impact Fees, and other grants and fees.

## WATER

Revenues for this fund group are derived from the water user rate structure (Water Fund) as well as developer hookup fees (Water Line Extension).

## SEWER

Revenues for this fund group are derived from the sewer user rate structure (Sewer Fund) and developer hookup fees (Sewer Treatment Plant) fees.

## STORM DRAIN

Storm Drain projects are funded from a combination of the Storm Drain Fund, General Government CIP Fund, and Developer Contributions based on eligibility for these respective funding sources. The Storm Master Plan update identifies several more projects for the Capital Improvement Program. Staff will seek additional funding sources at the local, state and federal levels and may propose a storm drain fee to fund these infrastructure projects.

## FIVE-YEAR PROGRAM REVISIONS

20 new projects have been added to the Draft 2015-2020 Capital Improvement Program. The projects were added on a need and affordability basis. New projects recommended for funding are listed in ***bold italics*** in the summaries at the beginning of each section. The summaries identify the projects within each fund group, project costs, funding sources, and the year funding is proposed.

## ESTIMATES

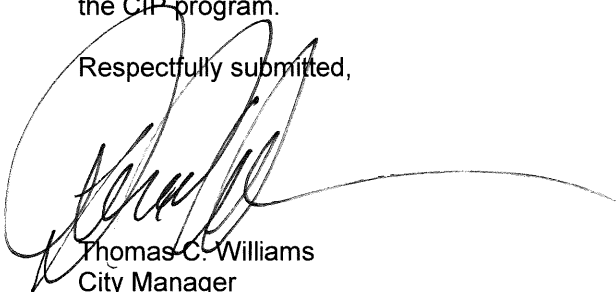
The accuracy of estimated project costs throughout this document varies depending on the degree of detail given to project proposals. Estimates range from conceptual estimates to detailed design estimates for projects ready to go out to bid. Staff used three categories of "estimate levels" in determining project cost estimates for the projects in the annually revised CIP. The estimate level for each project is identified in the upper right hand corner of the individual projects pages and further described in Appendix A.

## CONCLUSION

This Capital Improvement Program was developed in order to protect and enhance the City's capital assets and infrastructure, so as to preserve and improve the quality of life for Milpitas residents.

I want to thank the members of the City Council for their integrity in directing the financial affairs of the City in a responsible and progressive manner. I also want to thank the Department Heads, Division Managers and Engineering staff involved in the project selection/prioritization process, and for the successful implementation of the CIP program.

Respectfully submitted,



Thomas C. Williams  
City Manager

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
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| TOC-10             | Listing By Project Number       |

| <b><u>Page</u></b> | <b><u>CIP Summaries</u></b> |
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| Summary-1          | Grand Summary               |

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| 1                  | Summary of Costs                                    |
| 2                  | Funding sources FY 15/16                            |
| 3                  | Funding sources FY 16/17                            |
| 4                  | Funding sources FY 17/18                            |
| 5                  | Funding sources FY 18/19                            |
| 6                  | Funding sources FY 19/20                            |
| 9                  | 3403 Fire Station Improvements                      |
| 10                 | 3406 City Building Improvements                     |
| 11                 | New 2018 Finance System Upgrade                     |
| 12                 | New City Building ADA Compliance Review             |
| 13                 | New City Buildings, Exterior Painting & Repairs     |
| 14                 | New City Buildings, Roofing                         |
| 15                 | New City Hall Pond & Water Feature Rehabilitation   |
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| 21                 | Summary of Costs                                    |
| 22                 | Funding sources FY 15/16                            |
| 23                 | Funding sources FY 16/17                            |
| 24                 | Funding sources FY 17/18                            |
| 25                 | Funding sources FY 18/19                            |
| 26                 | Funding sources FY 19/20                            |
| 29                 | 5055 Alviso Adobe Renovation                        |
| 30                 | New Berryessa Creek Trail, Reach 4, 5, 6A           |
| 31                 | New Cardoza Park Improvements Phase II              |
| 32                 | New Creighton Park Renovation Design & Construction |
| 33                 | New International Park                              |
| 34                 | New MSC Pool Rehabilitation                         |
| 35                 | New Murphy Park Picnic and Playground Renovation    |
| 36                 | New Park Access Improvement and Resurfacing         |

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| 38 | New | Sinnott Park Renovation     |
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| 40 | New | Sports Center Sports Fields |
| 41 | New | Starlite Park Renovation    |
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| 43 |      | Summary of Costs                                 |
| 44 |      | Funding sources FY 15/16                         |
| 45 |      | Funding sources FY 16/17                         |
| 46 |      | Funding sources FY 17/18                         |
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| 48 |      | Funding sources FY 19/20                         |
| 51 | 3402 | McCarthy Blvd. Landscape & Lighting Improvements |
| 52 | 3411 | Sinclair LMD Improvements                        |
| 53 | 4253 | Dixon Landing Road Plan Line                     |
| 54 | 4266 | Street Light Improvements                        |
| 55 | 4267 | Soundwall Renovation                             |
| 56 | 4271 | Bridge Improvements                              |
| 57 | 4273 | Street Landscape Irrigation Repair 2014          |
| 58 | New  | Milpitas Boulevard Plan Line Study               |
| 59 | New  | Minor Traffic Improvements 2016                  |
| 60 | New  | Minor Traffic Improvements 2018                  |
| 61 | New  | Minor Traffic Improvements 2020                  |
| 62 | New  | S. Milpitas Blvd Bike/Ped. Improvements          |
| 63 | New  | Street Landscape Irrigation Repair 2017          |
| 64 | New  | Street Resurfacing Project 2016                  |
| 65 | New  | Street Resurfacing Project 2017                  |
| 66 | New  | Street Resurfacing Project 2018                  |
| 67 | New  | Street Resurfacing Project 2019                  |
| 68 | New  | Street Resurfacing Project 2020                  |
| 69 | New  | TASP Underground Utility District                |
| 70 | New  | Traffic Management Enhancements 2020             |
| 71 | New  | Traffic Signal Installation                      |
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| 81 | 2002 | Second SCVWD Water Reservoir and Pump Station |
| 82 | 7076 | Well Upgrade Project                          |
| 83 | 7100 | Water System Seismic Improvements             |
| 84 | 7110 | Hydrant Replacement                           |

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| 85 | 7118 | Dempsey Road Water Line Replacement              |
| 86 | 7121 | Automated Water Meter Replacement                |
| 87 | New  | BART Project - Water Improvements                |
| 88 | New  | Construction Water                               |
| 89 | New  | Hillside Pump Station Equip. Replacement         |
| 90 | New  | Los Coches Backbone                              |
| 91 | New  | Minor Water Projects 2017                        |
| 92 | New  | Recycled Water Line Extension                    |
| 93 | New  | SCVWD Second Water Supply Turnout                |
| 94 | New  | Supervisory Control and Data Acquisition (SCADA) |
| 95 | New  | Water O&M Database Management                    |
| 96 | New  | Water System Replacement 18-19                   |
| 97 | New  | Water System Replacement Study                   |
| 98 | New  | Water Valve Replacement                          |

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| 104 |      | Funding sources FY 19/20                           |
| 107 | 6116 | Sewer System Replacement 12-13                     |
| 108 | 6118 | San Jose/Santa Clara Regional Waste Water Facility |
| 109 | 6119 | CCTV Sanitary Sewer                                |
| 110 | New  | BART Project - Sewer Improvements                  |
| 111 | New  | Minor Sewer Projects 2018                          |
| 112 | New  | Sanitary Sewer Overflow Improvements               |
| 113 | New  | Sewer Main Replacement Study 2018                  |
| 114 | New  | Sewer System Replacement 16-17                     |
| 115 | New  | Sewer System Replacement 17-18                     |
| 116 | New  | Sewer System Replacement 18-19                     |
| 117 | New  | Supervisory Control & Data Acquisition (SCADA)     |
| 118 | New  | Venus Pump Station Rehabilitation                  |

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| 119 |      | Summary of Costs                         |
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| 123 |      | Funding sources FY 18/19                 |
| 124 |      | Funding sources FY 19/20                 |
| 127 | 3700 | Storm Drain System Deficiency Program    |
| 128 | 3709 | Dempsey Road Storm Drain Replacement     |
| 129 | 3710 | Penitencia Pump Station Improvements     |
| 130 | New  | Abbott Pump Station Controls Replacement |
| 131 | New  | BART Project - Storm Improvements        |
| 132 | New  | California Circle Pump Station           |



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| 134 | New | Flap Gate Replacement                                |
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| 137 | New | Oak Creek Pump Station Upgrade                       |
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| 139 | New | Storm Drain Supervisory Control and Data Acquisition |
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| 141 | New | Trash Removal Devices                                |

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| 145                | 2001                                     | Light Rail Median Landscaping                       |
| 146                | 2004                                     | S. Milpitas Boulevard Extension                     |
| 147                | 2005                                     | Lower Penitencia Creek Pedestrian Bridge            |
| 148                | 3401                                     | Solid Waste Master Plan                             |
| 149                | 3407                                     | Midtown Parking Garage                              |
| 150                | 3408                                     | MSC Facility Improvements                           |
| 151                | 3410                                     | Public Works/Police Building Improvements           |
| 152                | 3412                                     | Street Resurfacing Project 2014                     |
| 153                | 3413                                     | 2015 Finance System Upgrade                         |
| 154                | 3701                                     | Storm Drain Master Plan Update                      |
| 155                | 3704                                     | Fuel Tank Improvements                              |
| 156                | 3706                                     | Minor Storm Drain Projects 2011-12                  |
| 157                | 3707                                     | Storm Pump Station Improvements 2012                |
| 158                | 4179                                     | Montague Expwy Widening at Great Mall Pkwy          |
| 159                | 4256                                     | Abel Street Sidewalk Improvements                   |
| 160                | 4257                                     | Signal Mitigation @ McCarthy & Irvine Entrance      |
| 161                | 4258                                     | Calaveras Blvd Widening Project                     |
| 162                | 4264                                     | S. Abel Street Resurfacing                          |
| 163                | 4265                                     | Bart Extension Coordination and Planning            |
| 164                | 4268                                     | Street Resurfacing Project 2013                     |
| 165                | 4269                                     | Traffic Management Enhancements 2013                |
| 166                | 4270                                     | 2014 Road Rehabilitation                            |
| 167                | 4272                                     | Minor Traffic Improvements 2014                     |
| 168                | 4274                                     | I 880 Interchange R/W Closeout                      |
| 169                | 4275                                     | Street Resurfacing Project 2015                     |
| 170                | 4276                                     | Electrical Vehicle Charging Stations                |
| 171                | 4277                                     | Main Street Pavement Reconstruction                 |
| 172                | 5080                                     | Penitencia Creek Trail Feasibility Study            |
| 173                | 5086                                     | Park Irrigation System Rehabilitation               |
| 174                | 5091                                     | Park Renovation Project 2011                        |
| 175                | 5092                                     | Main Street Park                                    |
| 176                | 5093                                     | Park Master Plan Improvements - Phase I             |
| 177                | 5095                                     | Park Renovation Project 2013                        |
| 178                | 5096                                     | Pinewood Park Picnic Renovation                     |
| 179                | 5097                                     | Higuera Adobe Park Picnic and Playground Renovation |
| 180                | 5098                                     | Park Irrigation System Repair & Improvement 2014    |
| 181                | 5099                                     | Park Renovation Project 2015                        |

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| 183 | 5102 | McCandless Park                                     |
| 184 | 6079 | Main Sewer Pump Station Site Improvements           |
| 185 | 6106 | Sewer Replacement Study                             |
| 186 | 6109 | Sewer Seismic Study                                 |
| 187 | 6110 | Sewer System Hydraulic Modeling                     |
| 188 | 6114 | Minor Sewer Projects 2011                           |
| 189 | 6115 | Sewer System Replacement 11-12                      |
| 190 | 6117 | TASP Sewer Line Replacement                         |
| 191 | 6120 | Minor Sewer Projects 2015                           |
| 192 | 7070 | Pressure Reducing Valve Replacement                 |
| 193 | 7102 | Ayer Reservoir & Pump Station Improvements          |
| 194 | 7108 | Water System Hydraulic Modeling                     |
| 195 | 7109 | Water System Replacement 08-09                      |
| 196 | 7111 | Minor Water Projects 2011                           |
| 197 | 7112 | Reservoir Cleaning                                  |
| 198 | 7113 | Turnout Improvements                                |
| 199 | 7114 | Water Meter Replacement                             |
| 200 | 7115 | Cathodic Protection Improvements                    |
| 201 | 7116 | Minor Water Projects 2013                           |
| 202 | 7117 | Abel Street Pipeline Extension                      |
| 203 | 7119 | Sunnyhills Turnout Pressure Reducing Valve          |
| 204 | 7120 | Water Supply Blending Study                         |
| 205 | 7122 | Daniel Court Water Service Replacement              |
| 206 | 7123 | Minor Water Projects 2015                           |
| 207 | 7124 | Water System Air Relief Modifications 2015          |

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| 210 | Abbreviations - Definitions                                 |
| 211 | Prioritizations Descriptions                                |
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| 166                | 4270                | 2014 Road Rehabilitation                            |
| 153                | 3413                | 2015 Finance System Upgrade                         |
| 11                 | New                 | 2018 Finance System Upgrade                         |
| 130                | New                 | Abbott Pump Station Controls Replacement            |
| 202                | 7117                | Abel Street Pipeline Extension                      |
| 159                | 4256                | Abel Street Sidewalk Improvements                   |
| 29                 | 5055                | Alviso Adobe Renovation                             |
| 86                 | 7121                | Automated Water Meter Replacement                   |
| 193                | 7102                | Ayer Reservoir & Pump Station Improvements          |
| 163                | 4265                | Bart Extension Coordination and Planning            |
| 110                | New                 | BART Project - Sewer Improvements                   |
| 131                | New                 | BART Project - Storm Improvements                   |
| 87                 | New                 | BART Project - Water Improvements                   |
| 30                 | New                 | Berryessa Creek Trail, Reach 4, 5, 6A               |
| 56                 | 4271                | Bridge Improvements                                 |
| 161                | 4258                | Calaveras Blvd Widening Project                     |
| 132                | New                 | California Circle Pump Station                      |
| 31                 | New                 | Cardoza Park Improvements Phase II                  |
| 200                | 7115                | Cathodic Protection Improvements                    |
| 109                | 6119                | CCTV Sanitary Sewer                                 |
| 133                | New                 | Channel and Lagoon Dredging                         |
| 12                 | New                 | City Building ADA Compliance Review                 |
| 10                 | 3406                | City Building Improvements                          |
| 13                 | New                 | City Buildings, Exterior Painting & Repairs         |
| 14                 | New                 | City Buildings, Roofing                             |
| 15                 | New                 | City Hall Pond & Water Feature Rehabilitation       |
| 16                 | New                 | City Parking Lot Improvements                       |
| 88                 | New                 | Construction Water                                  |
| 32                 | New                 | Creighton Park Renovation Design & Construction     |
| 205                | 7122                | Daniel Court Water Service Replacement              |
| 128                | 3709                | Dempsey Road Storm Drain Replacement                |
| 85                 | 7118                | Dempsey Road Water Line Replacement                 |
| 53                 | 4253                | Dixon Landing Road Plan Line                        |
| 170                | 4276                | Electrical Vehicle Charging Stations                |
| 9                  | 3403                | Fire Station Improvements                           |
| 134                | New                 | Flap Gate Replacement                               |
| 155                | 3704                | Fuel Tank Improvements                              |
| 179                | 5097                | Higuera Adobe Park Picnic and Playground Renovation |
| 89                 | New                 | Hillside Pump Station Equip. Replacement            |
| 84                 | 7110                | Hydrant Replacement                                 |
| 168                | 4274                | I 880 Interchange R/W Closeout                      |
| 33                 | New                 | International Park                                  |
| 145                | 2001                | Light Rail Median Landscaping                       |

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| 147 | 2005 | Lower Penitencia Creek Pedestrian Bridge         |
| 184 | 6079 | Main Sewer Pump Station Site Improvements        |
| 175 | 5092 | Main Street Park                                 |
| 171 | 4277 | Main Street Pavement Reconstruction              |
| 183 | 5102 | McCandless Park                                  |
| 51  | 3402 | McCarthy Blvd. Landscape & Lighting Improvements |
| 149 | 3407 | Midtown Parking Garage                           |
| 58  | New  | Milpitas Boulevard Plan Line Study               |
| 188 | 6114 | Minor Sewer Projects 2011                        |
| 191 | 6120 | Minor Sewer Projects 2015                        |
| 111 | New  | Minor Sewer Projects 2018                        |
| 156 | 3706 | Minor Storm Drain Projects 2011-12               |
| 135 | New  | Minor Storm Drain Projects 2016                  |
| 136 | New  | Minor Storm Drain Projects 2018                  |
| 167 | 4272 | Minor Traffic Improvements 2014                  |
| 59  | New  | Minor Traffic Improvements 2016                  |
| 60  | New  | Minor Traffic Improvements 2018                  |
| 61  | New  | Minor Traffic Improvements 2020                  |
| 196 | 7111 | Minor Water Projects 2011                        |
| 201 | 7116 | Minor Water Projects 2013                        |
| 206 | 7123 | Minor Water Projects 2015                        |
| 91  | New  | Minor Water Projects 2017                        |
| 158 | 4179 | Montague Expwy Widening at Great Mall Pkwy       |
| 150 | 3408 | MSC Facility Improvements                        |
| 17  | New  | MSC Master Plan Update                           |
| 34  | New  | MSC Pool Rehabilitation                          |
| 35  | New  | Murphy Park Picnic and Playground Renovation     |
| 137 | New  | Oak Creek Pump Station Upgrade                   |
| 36  | New  | Park Access Improvement and Resurfacing          |
| 173 | 5086 | Park Irrigation System Rehabilitation            |
| 180 | 5098 | Park Irrigation System Repair & Improvement 2014 |
| 176 | 5093 | Park Master Plan Improvements - Phase I          |
| 174 | 5091 | Park Renovation Project 2011                     |
| 177 | 5095 | Park Renovation Project 2013                     |
| 181 | 5099 | Park Renovation Project 2015                     |
| 18  | New  | PD Communications                                |
| 172 | 5080 | Penitencia Creek Trail Feasibility Study         |
| 129 | 3710 | Penitencia Pump Station Improvements             |
| 178 | 5096 | Pinewood Park Picnic Renovation                  |
| 19  | New  | Police Records Management System                 |
| 192 | 7070 | Pressure Reducing Valve Replacement              |
| 151 | 3410 | Public Works/Police Building Improvements        |
| 92  | New  | Recycled Water Line Extension                    |
| 197 | 7112 | Reservoir Cleaning                               |
| 162 | 4264 | S. Abel Street Resurfacing                       |
| 62  | New  | S. Milpitas Blvd Bike/Ped. Improvements          |

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
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|     |      |                                                      |
|-----|------|------------------------------------------------------|
| 146 | 2004 | S. Milpitas Boulevard Extension                      |
| 108 | 6118 | San Jose/Santa Clara Regional Waste Water Facility   |
| 37  | New  | Sandalwood Park Renovation                           |
| 112 | New  | Sanitary Sewer Overflow Improvements                 |
| 93  | New  | SCVWD Second Water Supply Turnout                    |
| 81  | 2002 | Second SCVWD Water Reservoir and Pump Station        |
| 113 | New  | Sewer Main Replacement Study 2018                    |
| 185 | 6106 | Sewer Replacement Study                              |
| 186 | 6109 | Sewer Seismic Study                                  |
| 187 | 6110 | Sewer System Hydraulic Modeling                      |
| 189 | 6115 | Sewer System Replacement 11-12                       |
| 107 | 6116 | Sewer System Replacement 12-13                       |
| 114 | New  | Sewer System Replacement 16-17                       |
| 115 | New  | Sewer System Replacement 17-18                       |
| 116 | New  | Sewer System Replacement 18-19                       |
| 160 | 4257 | Signal Mitigation @ McCarthy & Irvine Entrance       |
| 52  | 3411 | Sinclair LMD Improvements                            |
| 38  | New  | Sinnott Park Renovation                              |
| 148 | 3401 | Solid Waste Master Plan                              |
| 55  | 4267 | Soundwall Renovation                                 |
| 138 | New  | Spence Pump Station Improvements                     |
| 39  | New  | Sports Center Skate Park                             |
| 182 | 5100 | Sports Center Skate Park & Fields Feasibility Study  |
| 40  | New  | Sports Center Sports Fields                          |
| 41  | New  | Starlite Park Renovation                             |
| 154 | 3701 | Storm Drain Master Plan Update                       |
| 139 | New  | Storm Drain Supervisory Control and Data Acquisition |
| 127 | 3700 | Storm Drain System Deficiency Program                |
| 140 | New  | Storm Drain System Improvements 2018                 |
| 157 | 3707 | Storm Pump Station Improvements 2012                 |
| 57  | 4273 | Street Landscape Irrigation Repair 2014              |
| 63  | New  | Street Landscape Irrigation Repair 2017              |
| 54  | 4266 | Street Light Improvements                            |
| 164 | 4268 | Street Resurfacing Project 2013                      |
| 152 | 3412 | Street Resurfacing Project 2014                      |
| 169 | 4275 | Street Resurfacing Project 2015                      |
| 64  | New  | Street Resurfacing Project 2016                      |
| 65  | New  | Street Resurfacing Project 2017                      |
| 66  | New  | Street Resurfacing Project 2018                      |
| 67  | New  | Street Resurfacing Project 2019                      |
| 68  | New  | Street Resurfacing Project 2020                      |
| 42  | New  | Strickroth Park Renovation                           |
| 203 | 7119 | Sunnyhills Turnout Pressure Reducing Valve           |
| 117 | New  | Supervisory Control & Data Acquisition (SCADA)       |
| 94  | New  | Supervisory Control and Data Acquisition (SCADA)     |
| 190 | 6117 | TASP Sewer Line Replacement                          |
| 69  | New  | TASP Underground Utility District                    |

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| 165 | 4269 | Traffic Management Enhancements 2013       |
| 70  | New  | Traffic Management Enhancements 2020       |
| 71  | New  | Traffic Signal Installation                |
| 141 | New  | Trash Removal Devices                      |
| 198 | 7113 | Turnout Improvements                       |
| 72  | New  | Utility Undergrounding 2020                |
| 118 | New  | Venus Pump Station Rehabilitation          |
| 199 | 7114 | Water Meter Replacement                    |
| 95  | New  | Water O&M Database Management              |
| 204 | 7120 | Water Supply Blending Study                |
| 207 | 7124 | Water System Air Relief Modifications 2015 |
| 194 | 7108 | Water System Hydraulic Modeling            |
| 195 | 7109 | Water System Replacement 08-09             |
| 96  | New  | Water System Replacement 18-19             |
| 97  | New  | Water System Replacement Study             |
| 83  | 7100 | Water System Seismic Improvements          |
| 98  | New  | Water Valve Replacement                    |
| 82  | 7076 | Well Upgrade Project                       |

**City of Milpitas**  
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**Sorted By Project Number**

| <b><u>Page</u></b> | <b><u>Proj#</u></b> | <b><u>Project Name</u></b>                       |
|--------------------|---------------------|--------------------------------------------------|
| 145                | 2001                | Light Rail Median Landscaping                    |
| 81                 | 2002                | Second SCVWD Water Reservoir and Pump Station    |
| 146                | 2004                | S. Milpitas Boulevard Extension                  |
| 147                | 2005                | Lower Penitencia Creek Pedestrian Bridge         |
| 148                | 3401                | Solid Waste Master Plan                          |
| 51                 | 3402                | McCarthy Blvd. Landscape & Lighting Improvements |
| 9                  | 3403                | Fire Station Improvements                        |
| 10                 | 3406                | City Building Improvements                       |
| 149                | 3407                | Midtown Parking Garage                           |
| 150                | 3408                | MSC Facility Improvements                        |
| 151                | 3410                | Public Works/Police Building Improvements        |
| 52                 | 3411                | Sinclair LMD Improvements                        |
| 152                | 3412                | Street Resurfacing Project 2014                  |
| 153                | 3413                | 2015 Finance System Upgrade                      |
| 127                | 3700                | Storm Drain System Deficiency Program            |
| 154                | 3701                | Storm Drain Master Plan Update                   |
| 155                | 3704                | Fuel Tank Improvements                           |
| 156                | 3706                | Minor Storm Drain Projects 2011-12               |
| 157                | 3707                | Storm Pump Station Improvements 2012             |
| 128                | 3709                | Dempsey Road Storm Drain Replacement             |
| 129                | 3710                | Penitencia Pump Station Improvements             |
| 158                | 4179                | Montague Expwy Widening at Great Mall Pkwy       |
| 53                 | 4253                | Dixon Landing Road Plan Line                     |
| 159                | 4256                | Abel Street Sidewalk Improvements                |
| 160                | 4257                | Signal Mitigation @ McCarthy & Irvine Entrance   |
| 161                | 4258                | Calaveras Blvd Widening Project                  |
| 162                | 4264                | S. Abel Street Resurfacing                       |
| 163                | 4265                | Bart Extension Coordination and Planning         |
| 54                 | 4266                | Street Light Improvements                        |
| 55                 | 4267                | Soundwall Renovation                             |
| 164                | 4268                | Street Resurfacing Project 2013                  |
| 165                | 4269                | Traffic Management Enhancements 2013             |
| 166                | 4270                | 2014 Road Rehabilitation                         |
| 56                 | 4271                | Bridge Improvements                              |
| 167                | 4272                | Minor Traffic Improvements 2014                  |
| 57                 | 4273                | Street Landscape Irrigation Repair 2014          |
| 168                | 4274                | I 880 Interchange R/W Closeout                   |
| 169                | 4275                | Street Resurfacing Project 2015                  |

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| 170 | 4276 | Electrical Vehicle Charging Stations                |
| 171 | 4277 | Main Street Pavement Reconstruction                 |
| 29  | 5055 | Alviso Adobe Renovation                             |
| 172 | 5080 | Penitencia Creek Trail Feasibility Study            |
| 173 | 5086 | Park Irrigation System Rehabilitation               |
| 174 | 5091 | Park Renovation Project 2011                        |
| 175 | 5092 | Main Street Park                                    |
| 176 | 5093 | Park Master Plan Improvements - Phase I             |
| 177 | 5095 | Park Renovation Project 2013                        |
| 178 | 5096 | Pinewood Park Picnic Renovation                     |
| 179 | 5097 | Higuera Adobe Park Picnic and Playground Renovation |
| 180 | 5098 | Park Irrigation System Repair & Improvement 2014    |
| 181 | 5099 | Park Renovation Project 2015                        |
| 182 | 5100 | Sports Center Skate Park & Fields Feasibility Study |
| 183 | 5102 | McCandless Park                                     |
| 184 | 6079 | Main Sewer Pump Station Site Improvements           |
| 185 | 6106 | Sewer Replacement Study                             |
| 186 | 6109 | Sewer Seismic Study                                 |
| 187 | 6110 | Sewer System Hydraulic Modeling                     |
| 188 | 6114 | Minor Sewer Projects 2011                           |
| 189 | 6115 | Sewer System Replacement 11-12                      |
| 107 | 6116 | Sewer System Replacement 12-13                      |
| 190 | 6117 | TASP Sewer Line Replacement                         |
| 108 | 6118 | San Jose/Santa Clara Regional Waste Water Facility  |
| 109 | 6119 | CCTV Sanitary Sewer                                 |
| 191 | 6120 | Minor Sewer Projects 2015                           |
| 192 | 7070 | Pressure Reducing Valve Replacement                 |
| 82  | 7076 | Well Upgrade Project                                |
| 83  | 7100 | Water System Seismic Improvements                   |
| 193 | 7102 | Ayer Reservoir & Pump Station Improvements          |
| 194 | 7108 | Water System Hydraulic Modeling                     |
| 195 | 7109 | Water System Replacement 08-09                      |
| 84  | 7110 | Hydrant Replacement                                 |
| 196 | 7111 | Minor Water Projects 2011                           |
| 197 | 7112 | Reservoir Cleaning                                  |
| 198 | 7113 | Turnout Improvements                                |
| 199 | 7114 | Water Meter Replacement                             |
| 200 | 7115 | Cathodic Protection Improvements                    |
| 201 | 7116 | Minor Water Projects 2013                           |
| 202 | 7117 | Abel Street Pipeline Extension                      |
| 85  | 7118 | Dempsey Road Water Line Replacement                 |



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|-----|------|-------------------------------------------------|
| 203 | 7119 | Sunnyhills Turnout Pressure Reducing Valve      |
| 204 | 7120 | Water Supply Blending Study                     |
| 86  | 7121 | Automated Water Meter Replacement               |
| 205 | 7122 | Daniel Court Water Service Replacement          |
| 206 | 7123 | Minor Water Projects 2015                       |
| 207 | 7124 | Water System Air Relief Modifications 2015      |
| 11  | New  | 2018 Finance System Upgrade                     |
| 130 | New  | Abbott Pump Station Controls Replacement        |
| 110 | New  | BART Project - Sewer Improvements               |
| 131 | New  | BART Project - Storm Improvements               |
| 87  | New  | BART Project - Water Improvements               |
| 30  | New  | Berryessa Creek Trail, Reach 4, 5, 6A           |
| 132 | New  | California Circle Pump Station                  |
| 31  | New  | Cardoza Park Improvements Phase II              |
| 133 | New  | Channel and Lagoon Dredging                     |
| 12  | New  | City Building ADA Compliance Review             |
| 13  | New  | City Buildings, Exterior Painting & Repairs     |
| 14  | New  | City Buildings, Roofing                         |
| 15  | New  | City Hall Pond & Water Feature Rehabilitation   |
| 16  | New  | City Parking Lot Improvements                   |
| 88  | New  | Construction Water                              |
| 32  | New  | Creighton Park Renovation Design & Construction |
| 134 | New  | Flap Gate Replacement                           |
| 89  | New  | Hillside Pump Station Equip. Replacement        |
| 33  | New  | International Park                              |
| 90  | New  | Los Coches Backbone                             |
| 58  | New  | Milpitas Boulevard Plan Line Study              |
| 111 | New  | Minor Sewer Projects 2018                       |
| 135 | New  | Minor Storm Drain Projects 2016                 |
| 136 | New  | Minor Storm Drain Projects 2018                 |
| 59  | New  | Minor Traffic Improvements 2016                 |
| 60  | New  | Minor Traffic Improvements 2018                 |
| 61  | New  | Minor Traffic Improvements 2020                 |
| 91  | New  | Minor Water Projects 2017                       |
| 17  | New  | MSC Master Plan Update                          |
| 34  | New  | MSC Pool Rehabilitation                         |
| 35  | New  | Murphy Park Picnic and Playground Renovation    |
| 137 | New  | Oak Creek Pump Station Upgrade                  |
| 36  | New  | Park Access Improvement and Resurfacing         |
| 18  | New  | PD Communications                               |
| 19  | New  | Police Records Management System                |

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
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|     |     |                                                      |
|-----|-----|------------------------------------------------------|
| 92  | New | Recycled Water Line Extension                        |
| 62  | New | S. Milpitas Blvd Bike/Ped. Improvements              |
| 37  | New | Sandalwood Park Renovation                           |
| 112 | New | Sanitary Sewer Overflow Improvements                 |
| 93  | New | SCVWD Second Water Supply Turnout                    |
| 113 | New | Sewer Main Replacement Study 2018                    |
| 114 | New | Sewer System Replacement 16-17                       |
| 115 | New | Sewer System Replacement 17-18                       |
| 116 | New | Sewer System Replacement 18-19                       |
| 38  | New | Sinnott Park Renovation                              |
| 138 | New | Spence Pump Station Improvements                     |
| 39  | New | Sports Center Skate Park                             |
| 40  | New | Sports Center Sports Fields                          |
| 41  | New | Starlite Park Renovation                             |
| 139 | New | Storm Drain Supervisory Control and Data Acquisition |
| 140 | New | Storm Drain System Improvements 2018                 |
| 63  | New | Street Landscape Irrigation Repair 2017              |
| 64  | New | Street Resurfacing Project 2016                      |
| 65  | New | Street Resurfacing Project 2017                      |
| 66  | New | Street Resurfacing Project 2018                      |
| 67  | New | Street Resurfacing Project 2019                      |
| 68  | New | Street Resurfacing Project 2020                      |
| 42  | New | Strickroth Park Renovation                           |
| 117 | New | Supervisory Control & Data Acquisition (SCADA)       |
| 94  | New | Supervisory Control and Data Acquisition (SCADA)     |
| 69  | New | TASP Underground Utility District                    |
| 70  | New | Traffic Management Enhancements 2020                 |
| 71  | New | Traffic Signal Installation                          |
| 141 | New | Trash Removal Devices                                |
| 72  | New | Utility Undergrounding 2020                          |
| 118 | New | Venus Pump Station Rehabilitation                    |
| 95  | New | Water O&M Database Management                        |
| 96  | New | Water System Replacement 18-19                       |
| 97  | New | Water System Replacement Study                       |
| 98  | New | Water Valve Replacement                              |

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
**GRAND SUMMARY**

| <b>Project Expenses</b> | <b>2015-16</b>    | <b>2016-17</b>    | <b>2017-18</b>    | <b>2018-19</b>    | <b>2019-20</b>    | <b>Total</b>       |
|-------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|--------------------|
| Community Improvement   | 685,000           | 3,635,000         | 6,115,000         | 150,000           | 375,000           | 10,960,000         |
| Park Improvement        | 5,875,000         | 900,000           | 3,025,000         | 1,550,000         | 23,425,000        | 34,775,000         |
| Streets                 | 3,596,960         | 5,565,000         | 5,188,000         | 5,275,000         | 5,225,000         | 24,849,960         |
| Water                   | 4,000,000         | 18,315,000        | 11,820,000        | 4,795,000         | 8,445,000         | 47,375,000         |
| Sewer Improvement       | 6,315,000         | 8,865,000         | 6,730,000         | 7,035,000         | 5,000,000         | 33,945,000         |
| Storm Drain Improvement | 1,950,000         | 2,850,000         | 5,130,000         | 2,925,000         | 2,425,000         | 15,280,000         |
| <b>Total</b>            | <b>22,421,960</b> | <b>40,130,000</b> | <b>38,008,000</b> | <b>21,730,000</b> | <b>44,895,000</b> | <b>167,184,960</b> |

| <b>Finance Sources</b>            | <b>2015-16</b>    | <b>2016-17</b>    | <b>2017-18</b>    | <b>2018-19</b>    | <b>2019-20</b>    | <b>Total</b>       |
|-----------------------------------|-------------------|-------------------|-------------------|-------------------|-------------------|--------------------|
| Gas Tax Fund                      | 2,050,000         | 1,900,000         | 1,900,000         | 1,840,000         | 1,900,000         | 9,590,000          |
| General Government CIP Fund       | 1,885,000         | 2,235,000         | 5,335,000         | 1,050,000         | 375,000           | 10,880,000         |
| Grants/Reimbursement/Developer Fe | 0                 | 0                 | 0                 | 160,000           | 0                 | 160,000            |
| Midtown Park Fund                 | 3,560,000         | 300,000           | 900,000           | 300,000           | 1,100,000         | 6,160,000          |
| Park Fund                         | 2,315,000         | 600,000           | 2,125,000         | 1,250,000         | 900,000           | 7,190,000          |
| Sewer Fund                        | 4,915,000         | 4,465,000         | 3,330,000         | 3,635,000         | 2,600,000         | 18,945,000         |
| Sewer Infrastructure Fund         | 0                 | 1,500,000         | 500,000           | 500,000           | 0                 | 2,500,000          |
| Sewer Treatment Fund              | 1,500,000         | 1,000,000         | 2,500,000         | 2,500,000         | 2,500,000         | 10,000,000         |
| Water Fund                        | 4,100,000         | 3,345,000         | 5,270,000         | 2,895,000         | 3,720,000         | 19,330,000         |
| Water Line Extension Fund         | 0                 | 870,000           | 550,000           | 500,000           | 2,325,000         | 4,245,000          |
| Storm Drain Fund                  | 750,000           | 350,000           | 200,000           | 0                 | 0                 | 1,300,000          |
| Equipment Replacement Fund        | 0                 | 0                 | 180,000           | 0                 | 0                 | 180,000            |
| Unidentified Funding              | 0                 | 15,350,000        | 14,030,000        | 5,425,000         | 22,300,000        | 57,105,000         |
| Traffic Impact Fees               | 181,960           | 350,000           | 0                 | 0                 | 0                 | 531,960            |
| Water Infrastructure Fund         | 0                 | 100,000           | 0                 | 0                 | 0                 | 100,000            |
| TASP Impact Fees                  | 40,000            | 6,640,000         | 0                 | 500,000           | 6,000,000         | 13,180,000         |
| Transient Occupancy Tax (TOT)     | 600,000           | 600,000           | 600,000           | 600,000           | 600,000           | 3,000,000          |
| LLMD                              | 75,000            | 75,000            | 88,000            | 75,000            | 75,000            | 388,000            |
| Vehicle Registration Fee          | 450,000           | 450,000           | 500,000           | 500,000           | 500,000           | 2,400,000          |
| <b>Total</b>                      | <b>22,421,960</b> | <b>40,130,000</b> | <b>38,008,000</b> | <b>21,730,000</b> | <b>44,895,000</b> | <b>167,184,960</b> |

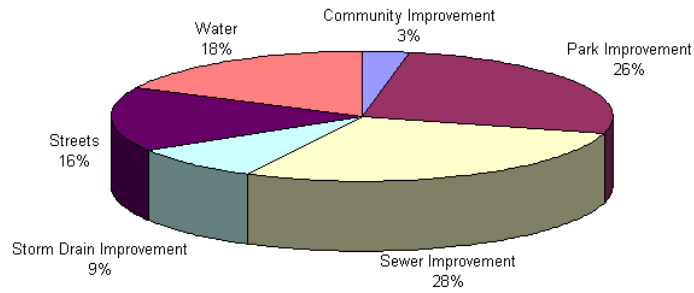
**NOTES**

- (a) This year's CIP includes \$5.0M for the City's portion of improvements to the SJ/SC wastewater treatment plant.
- (b) "Other" are identified on the detailed project sheets.
- (c) Grants are identified on the detailed project sheets.
- (d) \$3.996M of RDA bonds were appropriated for the reconstruction of S. Main Street CIP 4277 on 1/6/15.

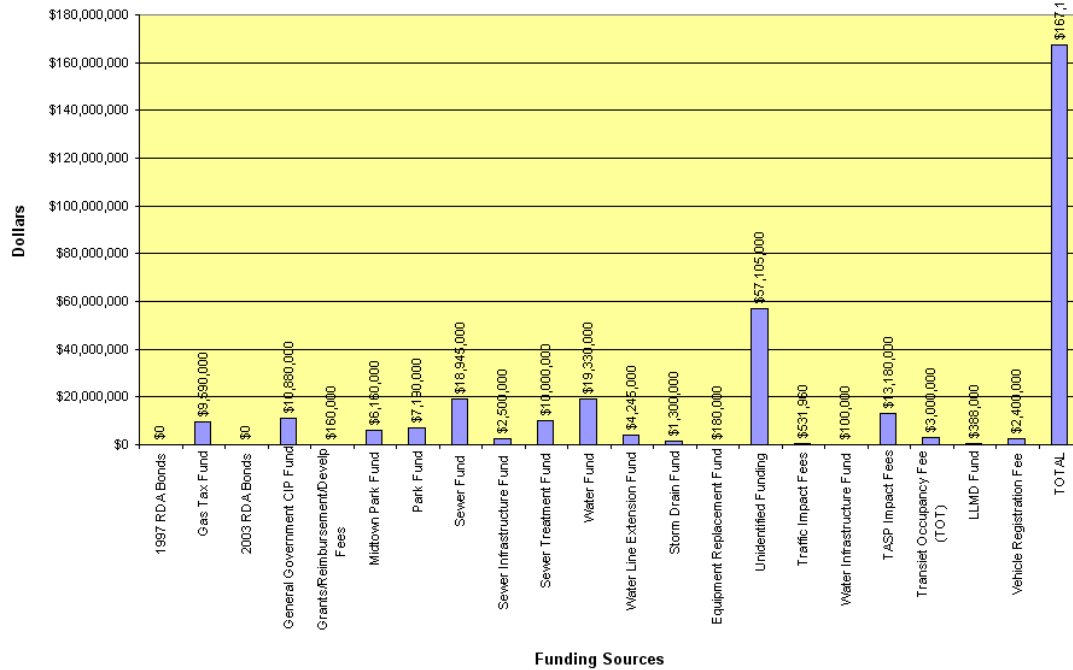
# City of Milpitas

## 2015-20 CAPITAL IMPROVEMENT PROGRAM

FY 2015-16  
Projected Spending by Project Category



FY 2015-20 Funding Sources



**City of Milpitas**  
**2015 - 2020 CAPITAL IMPROVEMENT PROGRAM**

**FY 2014-15 and FY 2015-16 COMPARISON**

| <b>PG.</b>        | <b>NO.</b> | <b>PROJECT</b>                                      | <b>2014-15</b>    | <b>2015-16</b>    |
|-------------------|------------|-----------------------------------------------------|-------------------|-------------------|
| 10                | 3406       | City Building Improvements                          | 250,000           | 250,000           |
| 13                | New        | City Buildings, Exterior Painting & Repairs         |                   | 100,000           |
| 18                | New        | PD Communications                                   |                   | 335,000           |
| 29                | 5055       | Alviso Adobe Renovation                             |                   | 1,000,000         |
| 33                | New        | International Park                                  |                   | 500,000           |
| 34                | New        | MSC Pool Rehabilitation                             |                   | 1,500,000         |
| 40                | New        | Sports Center Sports Fields                         |                   | 2,875,000         |
| 51                | 3402       | McCarthy Blvd. Landscape & Lighting Improvements    | 45,000            | 75,000            |
| 52                | 3411       | Sinclair LMD Improvements                           | 13,000            |                   |
| 53                | 4253       | Dixon Landing Road Plan Line                        |                   | 31,960            |
| 55                | 4267       | Soundwall Renovation                                | 300,000           | 200,000           |
| 56                | 4271       | Bridge Improvements                                 |                   | 200,000           |
| 57                | 4273       | Street Landscape Irrigation Repair 2014             |                   | 150,000           |
| 58                | New        | Milpitas Boulevard Plan Line Study                  |                   | 150,000           |
| 59                | New        | Minor Traffic Improvements 2016                     |                   | 100,000           |
| 64                | New        | Street Resurfacing Project 2016                     |                   | 2,650,000         |
| 69                | New        | TASP Underground Utility District                   |                   | 40,000            |
| 83                | 7100       | Water System Seismic Improvements                   | (2,000,000)       | 1,000,000         |
| 85                | 7118       | Dempsey Road Water Line Replacement                 | 2,575,000 * 1     | 1,000,000         |
| 86                | 7121       | Automated Water Meter Replacement                   | 1,295,000         |                   |
| 87                | New        | BART Project - Water Improvements                   |                   | 2,000,000         |
| 107               | 6116       | Sewer System Replacement 12-13                      | 250,000           | 800,000           |
| 108               | 6118       | San Jose/Santa Clara Regional Waste Water Facility  | 6,500,000         | 5,000,000         |
| 109               | 6119       | CCTV Sanitary Sewer                                 | 165,000           | 165,000           |
| 110               | New        | BART Project - Sewer Improvements                   |                   | 350,000           |
| 128               | 3709       | Dempsey Road Storm Drain Replacement                | 400,000           | 1,600,000         |
| 129               | 3710       | Penitencia Pump Station Improvements                | 250,000           |                   |
| 131               | New        | BART Project - Storm Improvements                   |                   | 250,000           |
| 135               | New        | Minor Storm Drain Projects 2016                     |                   | 100,000           |
| 147               | 2005       | Lower Penitencia Creek Pedestrian Bridge            | 650,000 *         |                   |
| 150               | 3408       | MSC Facility Improvements                           | 600,000           |                   |
| 153               | 3413       | 2015 Finance System Upgrade                         | 170,000           |                   |
| 156               | 3706       | Minor Storm Drain Projects 2011-12                  | 110,000           |                   |
| 166               | 4270       | 2014 Road Rehabilitation                            | 115,920 *         |                   |
| 169               | 4275       | Street Resurfacing Project 2015                     | 4,250,000         |                   |
| 170               | 4276       | Electrical Vehicle Charging Stations                | 40,200            |                   |
| 171               | 4277       | Main Street Pavement Reconstruction                 | 3,996,000 *       |                   |
| 179               | 5097       | Higuera Adobe Park Picnic and Playground Renovation | 1,700,000         |                   |
| 180               | 5098       | Park Irrigation System Repair & Improvement         | 150,000           |                   |
| 181               | 5099       | Park Renovation Project 2015                        | 300,000           |                   |
| 182               | 5100       | Sports Center Skate Park & Fields Feasibility Study | 100,000           |                   |
| 183               | 5102       | McCandless Park                                     | 300,000 *         |                   |
| 189               | 6115       | Sewer System Replacement 11-12                      | 250,000           |                   |
| 190               | 6117       | TASP Sewer Line Replacement                         | (2,500,000)       |                   |
| 191               | 6120       | Minor Sewer Projects 2015                           | 350,000           |                   |
| 203               | 7119       | Sunnyhills Turnout Pressure Reducing Valve          | 500,000           |                   |
| 205               | 7122       | Daniel Court Water Service Replacement              | 525,000           |                   |
| 206               | 7123       | Minor Water Projects 2015                           | 105,000           |                   |
| 207               | 7124       | Water System Air Relief Modifications 2015          | 350,000           |                   |
| N/A               | 2003       | TASP Recycled Water Line Extension                  | (1,000,000)       |                   |
| <b>TOTAL COST</b> |            |                                                     | <b>21,105,120</b> | <b>22,421,960</b> |

**NOTES**

\* Midyear budget appropriation

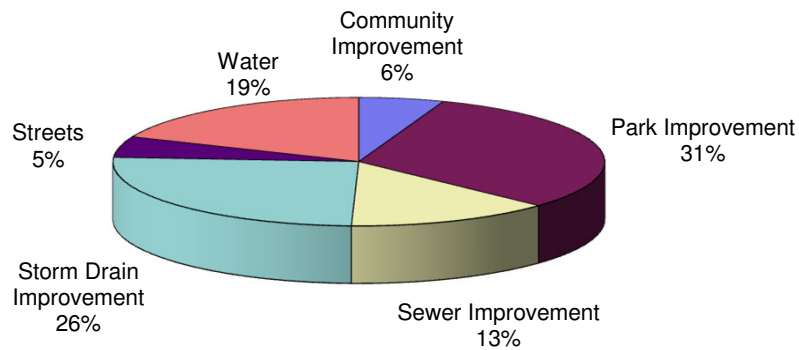
1 Budget appropriation of \$575K

**City of Milpitas  
2015 - 2020 CAPITAL IMPROVEMENT PROGRAM**

**FY 2015-2020  
Unidentified Funding Summary**

| PROJECT CATEGORIES      | 2015-16  | 2016-17           | 2017-18           | 2018-19          | 2019-20           | TOTAL             |
|-------------------------|----------|-------------------|-------------------|------------------|-------------------|-------------------|
| Community Improvement   |          | 2,200,000         | 1,000,000         |                  |                   | 3,200,000         |
| Park Improvement        |          |                   |                   |                  | 17,925,000        | 17,925,000        |
| Streets                 |          | 1,950,000         | 1,900,000         | 1,900,000        | 1,950,000         | 7,700,000         |
| Water                   |          | 7,500,000         | 6,100,000         | 1,000,000        |                   | 14,600,000        |
| Sewer Improvement       |          | 2,000,000         | 500,000           | 500,000          |                   | 3,000,000         |
| Storm Drain Improvement |          | 1,700,000         | 4,530,000         | 2,025,000        | 2,425,000         | 10,680,000        |
| <b>TOTAL</b>            | <b>0</b> | <b>15,350,000</b> | <b>14,030,000</b> | <b>5,425,000</b> | <b>22,300,000</b> | <b>57,105,000</b> |

**FY 2015-20  
Unidentified Funding by Project Category**



**City of Milpitas**  
**2015 - 2020 CAPITAL IMPROVEMENT PROGRAM**

**COMMUNITY IMPROVEMENT PROJECTS SUMMARY**

**PROJECTS THAT HAVE IDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                                           | 2015-16        | 2016-17          | 2017-18          | 2018-19        | 2019-20        | TOTAL<br>COST    |
|-------------------|---------------------------------------------------|----------------|------------------|------------------|----------------|----------------|------------------|
| 10                | 3406 City Building Improvements                   | 250,000        | 500,000          | 500,000          |                |                | 1,250,000        |
| 11                | New 2018 Finance System Upgrade                   |                |                  | 180,000          |                |                | 180,000          |
| 12                | New City Building ADA Compliance Review           |                |                  | 50,000           |                |                | 50,000           |
| 13                | New City Buildings, Exterior Painting & Repairs   | 100,000        | 600,000          |                  |                |                | 700,000          |
| 14                | New City Buildings, Roofing                       |                |                  |                  |                | 150,000        | 150,000          |
| 15                | New City Hall Pond & Water Feature Rehabilitation |                |                  |                  |                | 225,000        | 225,000          |
| 16                | New City Parking Lot Improvements                 |                |                  | 600,000          |                |                | 600,000          |
| 17                | New MSC Master Plan Update                        |                |                  |                  | 150,000        |                | 150,000          |
| 18                | New PD Communications                             | 335,000        | 335,000          | 3,785,000        |                |                | 4,455,000        |
| <b>TOTAL COST</b> |                                                   | <b>685,000</b> | <b>1,435,000</b> | <b>5,115,000</b> | <b>150,000</b> | <b>375,000</b> | <b>7,760,000</b> |

**PROJECTS THAT HAVE UNIDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                              | 2015-16  | 2016-17          | 2017-18          | 2018-19  | 2019-20  | TOTAL<br>COST    |
|-------------------|--------------------------------------|----------|------------------|------------------|----------|----------|------------------|
| 9                 | 3403 Fire Station Improvements       |          | 1,500,000        | 1,000,000        |          |          | 2,500,000        |
| 19                | New Police Records Management System |          | 700,000          |                  |          |          | 700,000          |
| <b>TOTAL COST</b> |                                      | <b>0</b> | <b>2,200,000</b> | <b>1,000,000</b> | <b>0</b> | <b>0</b> | <b>3,200,000</b> |

|                                          |                |                  |                  |                |                |                   |
|------------------------------------------|----------------|------------------|------------------|----------------|----------------|-------------------|
| <b>TOTAL COMMUNITY IMPROVEMENT NEEDS</b> | <b>685,000</b> | <b>3,635,000</b> | <b>6,115,000</b> | <b>150,000</b> | <b>375,000</b> | <b>10,960,000</b> |
|------------------------------------------|----------------|------------------|------------------|----------------|----------------|-------------------|

**City of Milpitas**  
**2015 - 2020 CAPITAL IMPROVEMENT PROGRAM**

**PARK IMPROVEMENT PROJECTS SUMMARY**

**PROJECTS THAT HAVE IDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                                       | 2015-16          | 2016-17        | 2017-18          | 2018-19          | 2019-20          | TOTAL<br>COST     |
|-------------------|-----------------------------------------------|------------------|----------------|------------------|------------------|------------------|-------------------|
| 29                | 5055 Alviso Adobe Renovation                  |                  |                |                  |                  | 3,500,000        | 3,500,000         |
| 30                | New Berryessa Creek Trail, Reach 4, 5, 6A     | 1,000,000        |                |                  |                  |                  |                   |
| 32                | New Creighton Park Renovation Design & Constr |                  | 300,000        | 1,100,000        |                  |                  | 1,400,000         |
| 33                | New International Park                        | 500,000          |                |                  |                  |                  |                   |
| 34                | New MSC Pool Rehabilitation                   | 1,500,000        |                |                  |                  |                  | 1,500,000         |
| 36                | New Park Access Improvement and Resurfacing   |                  | 600,000        |                  |                  |                  | 600,000           |
| 37                | New Sandalwood Park Renovation                |                  |                | 275,000          | 1,000,000        |                  | 1,275,000         |
| 38                | New Sinnott Park Renovation                   |                  |                |                  | 250,000          | 900,000          | 1,150,000         |
| 39                | New Sports Center Skate Park                  |                  |                | 1,650,000        |                  |                  | 1,650,000         |
| 40                | New Sports Center Sports Fields               | 2,875,000        |                |                  |                  |                  | 2,875,000         |
| 41                | New Starlite Park Renovation                  |                  |                |                  | 300,000          | 1,100,000        | 1,400,000         |
| <b>TOTAL COST</b> |                                               | <b>5,875,000</b> | <b>900,000</b> | <b>3,025,000</b> | <b>1,550,000</b> | <b>5,500,000</b> | <b>15,350,000</b> |

**PROJECTS THAT HAVE UNIDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                                      | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20           | TOTAL<br>COST     |
|-------------------|----------------------------------------------|----------|----------|----------|----------|-------------------|-------------------|
| 30                | New Berryessa Creek Trail, Reach 4, 5, 6A    |          |          |          |          | 3,950,000         | 3,950,000         |
| 31                | New Cardoza Park Improvements Phase II       |          |          |          |          | 8,600,000         | 8,600,000         |
| 35                | New Murphy Park Picnic and Playground Renova |          |          |          |          | 3,750,000         | 3,750,000         |
| 42                | New Strickroth Park Renovation               |          |          |          |          | 1,625,000         | 1,625,000         |
| <b>TOTAL COST</b> |                                              | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>17,925,000</b> | <b>17,925,000</b> |

|                                     |                  |                |                  |                  |                   |                   |
|-------------------------------------|------------------|----------------|------------------|------------------|-------------------|-------------------|
| <b>TOTAL PARK IMPROVEMENT NEEDS</b> | <b>5,875,000</b> | <b>900,000</b> | <b>3,025,000</b> | <b>1,550,000</b> | <b>23,425,000</b> | <b>33,275,000</b> |
|-------------------------------------|------------------|----------------|------------------|------------------|-------------------|-------------------|



**City of Milpitas**  
**2015 - 2020 CAPITAL IMPROVEMENT PROGRAM**

**STREET IMPROVEMENT PROJECTS SUMMARY**

**PROJECTS THAT HAVE IDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                                          | 2015-16          | 2016-17          | 2017-18          | 2018-19          | 2019-20          | TOTAL<br>COST     |
|-------------------|--------------------------------------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
| 51                | 3402 McCarthy Blvd. Landscape & Lighting Improve | 75,000           | 75,000           | 75,000           | 75,000           | 75,000           | 375,000           |
| 52                | 3411 Sinclair LMD Improvements                   |                  |                  | 13,000           |                  |                  | 13,000            |
| 53                | 4253 Dixon Landing Road Plan Line                | 31,960           |                  |                  |                  |                  | 31,960            |
| 54                | 4266 Street Light Improvements                   |                  |                  |                  | 250,000          |                  | 250,000           |
| 55                | 4267 Soundwall Renovation                        | 200,000          | 300,000          |                  | 100,000          | 150,000          | 750,000           |
| 56                | 4271 Bridge Improvements                         | 200,000          | 50,000           | 300,000          |                  | 150,000          | 700,000           |
| 57                | 4273 Street Landscape Irrigation Repair 2014     | 150,000          |                  |                  |                  |                  | 150,000           |
| 58                | New Milpitas Boulevard Plan Line Study           | 150,000          |                  |                  |                  |                  | 150,000           |
| 59                | New Minor Traffic Improvements 2016              | 100,000          | 100,000          |                  |                  |                  | 200,000           |
| 60                | New Minor Traffic Improvements 2018              |                  |                  | 100,000          | 100,000          |                  | 200,000           |
| 61                | New Minor Traffic Improvements 2020              |                  |                  |                  |                  | 100,000          | 100,000           |
| 62                | New S. Milpitas Blvd Bike/Ped. Improvements      |                  |                  |                  | 200,000          |                  | 200,000           |
| 63                | New Street Landscape Irrigation Repair 2017      |                  | 150,000          | 200,000          | 50,000           |                  | 400,000           |
| 64                | New Street Resurfacing Project 2016              | 2,650,000        |                  |                  |                  |                  | 2,650,000         |
| 65                | New Street Resurfacing Project 2017              |                  | 2,550,000        |                  |                  |                  | 2,550,000         |
| 66                | New Street Resurfacing Project 2018              |                  |                  | 2,600,000        |                  |                  | 2,600,000         |
| 67                | New Street Resurfacing Project 2019              |                  |                  |                  | 2,600,000        |                  | 2,600,000         |
| 68                | New Street Resurfacing Project 2020              |                  |                  |                  |                  | 2,600,000        | 2,600,000         |
| 69                | New TASP Underground Utility District            | 40,000           | 40,000           |                  |                  |                  | 80,000            |
| 70                | New Traffic Management Enhancements 2020         |                  |                  |                  |                  | 200,000          | 200,000           |
| 71                | New Traffic Signal Installation                  |                  | 350,000          |                  |                  |                  | 350,000           |
| <b>TOTAL COST</b> |                                                  | <b>3,596,960</b> | <b>3,615,000</b> | <b>3,288,000</b> | <b>3,375,000</b> | <b>3,275,000</b> | <b>17,149,960</b> |

**PROJECTS THAT HAVE UNIDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                             | 2015-16  | 2016-17          | 2017-18          | 2018-19          | 2019-20          | TOTAL<br>COST    |
|-------------------|-------------------------------------|----------|------------------|------------------|------------------|------------------|------------------|
| 65                | New Street Resurfacing Project 2017 |          | 1,950,000        |                  |                  |                  | 1,950,000        |
| 66                | New Street Resurfacing Project 2018 |          |                  | 1,900,000        |                  |                  | 1,900,000        |
| 67                | New Street Resurfacing Project 2019 |          |                  |                  | 1,900,000        |                  | 1,900,000        |
| 68                | New Street Resurfacing Project 2020 |          |                  |                  |                  | 1,900,000        | 1,900,000        |
| 72                | New Utility Undergrounding 2020     |          |                  |                  |                  | 50,000           | 50,000           |
| <b>TOTAL COST</b> |                                     | <b>0</b> | <b>1,950,000</b> | <b>1,900,000</b> | <b>1,900,000</b> | <b>1,950,000</b> | <b>7,700,000</b> |

|                                       |                  |                  |                  |                  |                  |                   |
|---------------------------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
| <b>TOTAL STREET IMPROVEMENT NEEDS</b> | <b>3,596,960</b> | <b>5,565,000</b> | <b>5,188,000</b> | <b>5,275,000</b> | <b>5,225,000</b> | <b>24,849,960</b> |
|---------------------------------------|------------------|------------------|------------------|------------------|------------------|-------------------|

**City of Milpitas**  
**2015 - 2020 CAPITAL IMPROVEMENT PROGRAM**

**WATER IMPROVEMENT PROJECTS SUMMARY**

**PROJECTS THAT HAVE IDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                                      | 2015-16          | 2016-17           | 2017-18          | 2018-19          | 2019-20          | TOTAL<br>COST     |
|-------------------|----------------------------------------------|------------------|-------------------|------------------|------------------|------------------|-------------------|
| 81                | 2002 Second SCVWD Water Reservoir and Pump   |                  | 6,500,000         |                  |                  |                  | 6,500,000         |
| 82                | 7076 Well Upgrade Project                    |                  | 800,000           |                  |                  |                  | 800,000           |
| 83                | 7100 Water System Seismic Improvements       | 1,000,000        | 1,000,000         |                  | 1,000,000        |                  | 3,000,000         |
| 84                | 7110 Hydrant Replacement                     |                  | 70,000            |                  |                  |                  | 70,000            |
| 85                | 7118 Dempsey Road Water Line Replacement     | 1,000,000        | 0                 |                  |                  |                  | 1,000,000         |
| 86                | 7121 Automated Water Meter Replacement       |                  | 1,295,000         | 1,295,000        | 1,295,000        | 1,295,000        | 5,180,000         |
| 87                | New BART Project - Water Improvements        | 2,000,000        |                   |                  |                  |                  | 2,000,000         |
| 88                | New Construction Water                       |                  |                   | 375,000          |                  |                  | 375,000           |
| 89                | New Hillside Pump Station Equip. Replacement |                  |                   | 150,000          |                  |                  | 150,000           |
| 90                | New Los Coches Backbone                      |                  | 850,000           | 3,350,000        |                  |                  | 4,200,000         |
| 91                | New Minor Water Projects 2017                |                  | 100,000           | 100,000          |                  |                  | 200,000           |
| 93                | New SCVWD Second Water Supply Turnout        |                  | 100,000           |                  | 500,000          | 2,500,000        | 3,100,000         |
| 94                | New Supervisory Control and Data Acquisition |                  |                   | 350,000          | 1,000,000        | 4,650,000        | 6,000,000         |
| 95                | New Water O&M Database Management            |                  | 100,000           |                  |                  |                  | 100,000           |
| 97                | New Water System Replacement Study           |                  |                   | 100,000          |                  |                  | 100,000           |
| <b>TOTAL COST</b> |                                              | <b>4,000,000</b> | <b>10,815,000</b> | <b>5,720,000</b> | <b>3,795,000</b> | <b>8,445,000</b> | <b>32,775,000</b> |

**PROJECTS THAT HAVE UNIDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                                  | 2015-16  | 2016-17          | 2017-18          | 2018-19          | 2019-20  | TOTAL<br>COST     |
|-------------------|------------------------------------------|----------|------------------|------------------|------------------|----------|-------------------|
| 85                | 7118 Dempsey Road Water Line Replacement |          | 6,500,000        |                  |                  |          | 6,500,000         |
| 92                | New Recycled Water Line Extension        |          | 1,000,000        | 5,500,000        |                  |          | 6,500,000         |
| 96                | New Water System Replacement 18-19       |          |                  |                  | 1,000,000        |          | 1,000,000         |
| 98                | New Water Valve Replacement              |          |                  | 600,000          |                  |          | 600,000           |
| <b>TOTAL COST</b> |                                          | <b>0</b> | <b>7,500,000</b> | <b>6,100,000</b> | <b>1,000,000</b> | <b>0</b> | <b>14,600,000</b> |

|                                      |                  |                   |                   |                  |                  |                   |
|--------------------------------------|------------------|-------------------|-------------------|------------------|------------------|-------------------|
| <b>TOTAL WATER IMPROVEMENT NEEDS</b> | <b>4,000,000</b> | <b>18,315,000</b> | <b>11,820,000</b> | <b>4,795,000</b> | <b>8,445,000</b> | <b>47,375,000</b> |
|--------------------------------------|------------------|-------------------|-------------------|------------------|------------------|-------------------|

**City of Milpitas**  
**2015 - 2020 CAPITAL IMPROVEMENT PROGRAM**

**SEWER IMPROVEMENT PROJECTS SUMMARY**

**PROJECTS THAT HAVE IDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                                          | 2015-16          | 2016-17          | 2017-18          | 2018-19          | 2019-20          | TOTAL<br>COST     |
|-------------------|--------------------------------------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
| 107               | 6116 Sewer System Replacement 12-13              | 800,000          |                  |                  |                  |                  | 800,000           |
| 108               | 6118 San Jose/Santa Clara Regional Waste Water I | 5,000,000        | 6,200,000        | 5,000,000        | 5,000,000        | 5,000,000        | 26,200,000        |
| 109               | 6119 CCTV Sanitary Sewer                         | 165,000          | 165,000          | 165,000          | 165,000          |                  | 660,000           |
| 110               | New BART Project - Sewer Improvements            | 350,000          |                  |                  |                  |                  | 350,000           |
| 111               | New Minor Sewer Projects 2018                    |                  |                  | 50,000           |                  |                  | 50,000            |
| 112               | New Sanitary Sewer Overflow Improvements         |                  |                  | 100,000          |                  |                  | 100,000           |
| 113               | New Sewer Main Replacement Study 2018            |                  |                  | 115,000          |                  |                  | 115,000           |
| 114               | New Sewer System Replacement 16-17               |                  | 500,000          |                  |                  |                  | 500,000           |
| 115               | New Sewer System Replacement 17-18               |                  |                  | 500,000          |                  |                  | 500,000           |
| 116               | New Sewer System Replacement 18-19               |                  |                  |                  | 500,000          |                  | 500,000           |
| 117               | New Supervisory Control & Data Acquisition       |                  |                  | 250,000          | 870,000          |                  | 1,120,000         |
| 118               | New Venus Pump Station Rehabilitation            |                  |                  | 50,000           |                  |                  | 50,000            |
| <b>TOTAL COST</b> |                                                  | <b>6,315,000</b> | <b>6,865,000</b> | <b>6,230,000</b> | <b>6,535,000</b> | <b>5,000,000</b> | <b>30,945,000</b> |

**PROJECTS THAT HAVE UNIDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                            | 2015-16  | 2016-17          | 2017-18        | 2018-19        | 2019-20  | TOTAL<br>COST    |
|-------------------|------------------------------------|----------|------------------|----------------|----------------|----------|------------------|
| 114               | New Sewer System Replacement 16-17 |          | 2,000,000        |                |                |          | 2,000,000        |
| 115               | New Sewer System Replacement 17-18 |          |                  | 500,000        |                |          | 500,000          |
| 116               | New Sewer System Replacement 18-19 |          |                  |                | 500,000        |          | 500,000          |
| <b>TOTAL COST</b> |                                    | <b>0</b> | <b>2,000,000</b> | <b>500,000</b> | <b>500,000</b> | <b>0</b> | <b>3,000,000</b> |

|                                      |                  |                  |                  |                  |                  |                   |
|--------------------------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
| <b>TOTAL SEWER IMPROVEMENT NEEDS</b> | <b>6,315,000</b> | <b>8,865,000</b> | <b>6,730,000</b> | <b>7,035,000</b> | <b>5,000,000</b> | <b>33,945,000</b> |
|--------------------------------------|------------------|------------------|------------------|------------------|------------------|-------------------|

**City of Milpitas**  
**2015 - 2020 CAPITAL IMPROVEMENT PROGRAM**

**STORM DRAIN IMPROVEMENT PROJECTS SUMMARY**

**PROJECTS THAT HAVE IDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                                    | 2015-16          | 2016-17          | 2017-18        | 2018-19        | 2019-20  | TOTAL<br>COST    |
|-------------------|--------------------------------------------|------------------|------------------|----------------|----------------|----------|------------------|
| 127               | 3700 Storm Drain System Deficiency Program |                  | 800,000          |                |                |          | 800,000          |
| 128               | 3709 Dempsey Road Storm Drain Replacement  | 1,600,000        |                  |                |                |          | 1,600,000        |
| 129               | 3710 Penitencia Pump Station Improvements  |                  |                  | 600,000        | 900,000        |          | 1,500,000        |
| 131               | New BART Project - Storm Improvements      | 250,000          |                  |                |                |          | 250,000          |
| 135               | New Minor Storm Drain Projects 2016        | 100,000          |                  |                |                |          | 100,000          |
| 141               | New Trash Removal Devices                  |                  | 350,000          |                |                |          | 350,000          |
| <b>TOTAL COST</b> |                                            | <b>1,950,000</b> | <b>1,150,000</b> | <b>600,000</b> | <b>900,000</b> | <b>0</b> | <b>4,600,000</b> |

**PROJECTS THAT HAVE UNIDENTIFIED FUNDING SOURCES**

| PG.<br>NO.        | PROJECT                                        | 2015-16  | 2016-17          | 2017-18          | 2018-19          | 2019-20          | TOTAL<br>COST     |
|-------------------|------------------------------------------------|----------|------------------|------------------|------------------|------------------|-------------------|
| 127               | 3700 Storm Drain System Deficiency Program     |          |                  | 1,500,000        |                  |                  | 1,500,000         |
| 129               | 3710 Penitencia Pump Station Improvements      |          |                  |                  | 1,500,000        |                  | 1,500,000         |
| 130               | New Abbott Pump Station Controls Replacement   |          |                  |                  | 125,000          | 150,000          | 275,000           |
| 132               | New California Circle Pump Station             |          | 1,700,000        |                  |                  |                  | 1,700,000         |
| 133               | New Channel and Lagoon Dredging                |          |                  | 1,500,000        |                  |                  | 1,500,000         |
| 134               | New Flap Gate Replacement                      |          |                  | 125,000          | 125,000          |                  | 250,000           |
| 135               | New Minor Storm Drain Projects 2016            |          |                  | 100,000          |                  |                  | 100,000           |
| 137               | New Oak Creek Pump Station Upgrade             |          |                  |                  | 275,000          | 1,900,000        | 2,175,000         |
| 138               | New Spence Pump Station Improvements           |          |                  | 145,000          |                  |                  | 145,000           |
| 139               | New Storm Drain Supervisory Control and Data A |          |                  |                  |                  | 375,000          | 375,000           |
| 140               | New Storm Drain System Improvements 2018       |          |                  | 1,160,000        |                  |                  | 1,160,000         |
| <b>TOTAL COST</b> |                                                | <b>0</b> | <b>1,700,000</b> | <b>4,530,000</b> | <b>2,025,000</b> | <b>2,425,000</b> | <b>10,680,000</b> |

|                                            |                  |                  |                  |                  |                  |                   |
|--------------------------------------------|------------------|------------------|------------------|------------------|------------------|-------------------|
| <b>TOTAL STORM DRAIN IMPROVEMENT NEEDS</b> | <b>1,950,000</b> | <b>2,850,000</b> | <b>5,130,000</b> | <b>2,925,000</b> | <b>2,425,000</b> | <b>15,280,000</b> |
|--------------------------------------------|------------------|------------------|------------------|------------------|------------------|-------------------|

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
**COMMUNITY IMPROVEMENT PROJECTS SUMMARY**

**SUMMARY OF COSTS**

| PG.<br>NO.                | PROJECT                                           | TOTAL<br>COST       | PRIOR<br>YEARS     | 2015-16          | 2016-17            | 2017-18            | 2018-19          | 2019-20          |
|---------------------------|---------------------------------------------------|---------------------|--------------------|------------------|--------------------|--------------------|------------------|------------------|
| 9                         | 3403 Fire Station Improvements                    | 4,000,000           | 1,500,000          | 0                | 1,500,000          | 1,000,000          | 0                | 0                |
| 10                        | 3406 City Building Improvements                   | 2,200,000           | 950,000            | 250,000          | 500,000            | 500,000            | 0                | 0                |
| 11                        | New 2018 Finance System Upgrade                   | 180,000             | 0                  | 0                | 0                  | 180,000            | 0                | 0                |
| 12                        | New City Building ADA Compliance Review           | 50,000              | 0                  | 0                | 0                  | 50,000             | 0                | 0                |
| 13                        | New City Buildings, Exterior Painting & Repairs   | 700,000             | 0                  | 100,000          | 600,000            | 0                  | 0                | 0                |
| 14                        | <b>New City Buildings, Roofing</b>                | <b>150,000</b>      | <b>0</b>           | <b>0</b>         | <b>0</b>           | <b>0</b>           | <b>0</b>         | <b>150,000</b>   |
| 15                        | New City Hall Pond & Water Feature Rehabilitation | 225,000             | 0                  | 0                | 0                  | 0                  | 0                | 225,000          |
| 16                        | New City Parking Lot Improvements                 | 600,000             | 0                  | 0                | 0                  | 600,000            | 0                | 0                |
| 17                        | New MSC Master Plan Update                        | 150,000             | 0                  | 0                | 0                  | 0                  | 150,000          | 0                |
| 18                        | <b>New PD Communications</b>                      | <b>4,455,000</b>    | <b>0</b>           | <b>335,000</b>   | <b>335,000</b>     | <b>3,785,000</b>   | <b>0</b>         | <b>0</b>         |
| 19                        | New Police Records Management System              | 700,000             | 0                  | 0                | 700,000            | 0                  | 0                | 0                |
| <b>Defunding Subtotal</b> |                                                   |                     |                    |                  |                    |                    |                  |                  |
| <b>Funding Subtotal</b>   |                                                   |                     |                    | <b>685,000</b>   |                    |                    |                  |                  |
| <b>TOTAL COST</b>         |                                                   | <b>\$13,410,000</b> | <b>\$2,450,000</b> | <b>\$685,000</b> | <b>\$3,635,000</b> | <b>\$6,115,000</b> | <b>\$150,000</b> | <b>\$375,000</b> |

**SUMMARY OF AVAILABLE FINANCING**

|                             |                  |                    |                    |                  |                  |
|-----------------------------|------------------|--------------------|--------------------|------------------|------------------|
| Equipment Replacement Fund  | 0                | 0                  | 180,000            | 0                | 0                |
| General Government CIP Fund | 685,000          | 1,435,000          | 4,935,000          | 150,000          | 375,000          |
| Unidentified Funding        | 0                | 2,200,000          | 1,000,000          | 0                | 0                |
| <b>TOTAL AVAILABLE</b>      | <b>\$685,000</b> | <b>\$3,635,000</b> | <b>\$6,115,000</b> | <b>\$150,000</b> | <b>\$375,000</b> |

**NOTES**

(a) New projects listed in Bold Italics.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Community Improvement**

|                                          |                   |                                               | 2015-16                           |                                   |                 |                         |
|------------------------------------------|-------------------|-----------------------------------------------|-----------------------------------|-----------------------------------|-----------------|-------------------------|
|                                          |                   |                                               | General<br>Government<br>CIP Fund | Equipment<br>Replaceme<br>nt Fund | Other           | Unidentified<br>Funding |
| PG                                       | PROJECT           |                                               |                                   |                                   |                 |                         |
| 9                                        | 3403              | Fire Station Improvements                     | 0                                 | 0                                 | 0               | 0                       |
| 10                                       | 3406              | City Building Improvements                    | 250,000                           | 0                                 | 0               | 0                       |
| 11                                       | New               | 2018 Finance System Upgrade                   | 0                                 | 0                                 | 0               | 0                       |
| 12                                       | New               | City Building ADA Compliance Review           | 0                                 | 0                                 | 0               | 0                       |
| 13                                       | New               | City Buildings, Exterior Painting & Repairs   | 100,000                           | 0                                 | 0               | 0                       |
| 14                                       | <b><i>New</i></b> | <b><i>City Buildings, Roofing</i></b>         | <b><i>0</i></b>                   | <b><i>0</i></b>                   | <b><i>0</i></b> | <b><i>0</i></b>         |
| 15                                       | New               | City Hall Pond & Water Feature Rehabilitation | 0                                 | 0                                 | 0               | 0                       |
| 16                                       | New               | City Parking Lot Improvements                 | 0                                 | 0                                 | 0               | 0                       |
| 17                                       | New               | MSC Master Plan Update                        | 0                                 | 0                                 | 0               | 0                       |
| 18                                       | <b><i>New</i></b> | <b><i>PD Communications</i></b>               | <b><i>335,000</i></b>             | <b><i>0</i></b>                   | <b><i>0</i></b> | <b><i>0</i></b>         |
| 19                                       | New               | Police Records Management System              | 0                                 | 0                                 | 0               | 0                       |
| <b>Total Defunding by Funding Source</b> |                   |                                               | <b>(0)</b>                        | <b>(0)</b>                        | <b>(0)</b>      | <b>(0)</b>              |
| <b>Total Funding by Funding Source</b>   |                   |                                               | <b>685,000</b>                    | <b>0</b>                          | <b>0</b>        | <b>0</b>                |
| <b>Subtotal by Funding Source</b>        |                   |                                               | <b>685,000</b>                    | <b>0</b>                          | <b>0</b>        | <b>0</b>                |
| <b>Subtotal by Year</b>                  |                   |                                               | <b>685,000</b>                    |                                   |                 |                         |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Community Improvement**

|                                          |                   |                                               | <b>2016-17</b>                    |                                   |                 |                         |
|------------------------------------------|-------------------|-----------------------------------------------|-----------------------------------|-----------------------------------|-----------------|-------------------------|
|                                          |                   |                                               | General<br>Government<br>CIP Fund | Equipment<br>Replaceme<br>nt Fund | Other           | Unidentified<br>Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                               |                                   |                                   |                 |                         |
| 9                                        | 3403              | Fire Station Improvements                     | 0                                 | 0                                 | 0               | 1,500,000               |
| 10                                       | 3406              | City Building Improvements                    | 500,000                           | 0                                 | 0               | 0                       |
| 11                                       | New               | 2018 Finance System Upgrade                   | 0                                 | 0                                 | 0               | 0                       |
| 12                                       | New               | City Building ADA Compliance Review           | 0                                 | 0                                 | 0               | 0                       |
| 13                                       | New               | City Buildings, Exterior Painting & Repairs   | 600,000                           | 0                                 | 0               | 0                       |
| 14                                       | <b><i>New</i></b> | <b><i>City Buildings, Roofing</i></b>         | <b><i>0</i></b>                   | <b><i>0</i></b>                   | <b><i>0</i></b> | <b><i>0</i></b>         |
| 15                                       | New               | City Hall Pond & Water Feature Rehabilitation | 0                                 | 0                                 | 0               | 0                       |
| 16                                       | New               | City Parking Lot Improvements                 | 0                                 | 0                                 | 0               | 0                       |
| 17                                       | New               | MSC Master Plan Update                        | 0                                 | 0                                 | 0               | 0                       |
| 18                                       | <b><i>New</i></b> | <b><i>PD Communications</i></b>               | <b><i>335,000</i></b>             | <b><i>0</i></b>                   | <b><i>0</i></b> | <b><i>0</i></b>         |
| 19                                       | New               | Police Records Management System              | 0                                 | 0                                 | 0               | 700,000                 |
| <b>Total Defunding by Funding Source</b> |                   |                                               | <b>0</b>                          | <b>0</b>                          | <b>0</b>        | <b>0</b>                |
| <b>Total Funding by Funding Source</b>   |                   |                                               | <b>1,435,000</b>                  | <b>0</b>                          | <b>0</b>        | <b>2,200,000</b>        |
| <b>Subtotal by Funding Source</b>        |                   |                                               | <b>1,435,000</b>                  | <b>0</b>                          | <b>0</b>        | <b>2,200,000</b>        |
| <b>Subtotal by Year</b>                  |                   |                                               | <b>3,635,000</b>                  |                                   |                 |                         |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Community Improvement**

|                                          |                   |                                               | <b>2017-18</b>              |                            |                 |                      |
|------------------------------------------|-------------------|-----------------------------------------------|-----------------------------|----------------------------|-----------------|----------------------|
|                                          |                   |                                               | General Government CIP Fund | Equipment Replacement Fund | Other           | Unidentified Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                               |                             |                            |                 |                      |
| 9                                        | 3403              | Fire Station Improvements                     | 0                           | 0                          | 0               | 1,000,000            |
| 10                                       | 3406              | City Building Improvements                    | 500,000                     | 0                          | 0               | 0                    |
| 11                                       | New               | 2018 Finance System Upgrade                   | 0                           | 180,000                    | 0               | 0                    |
| 12                                       | New               | City Building ADA Compliance Review           | 50,000                      | 0                          | 0               | 0                    |
| 13                                       | New               | City Buildings, Exterior Painting & Repairs   | 0                           | 0                          | 0               | 0                    |
| 14                                       | <b><i>New</i></b> | <b><i>City Buildings, Roofing</i></b>         | <b><i>0</i></b>             | <b><i>0</i></b>            | <b><i>0</i></b> | <b><i>0</i></b>      |
| 15                                       | New               | City Hall Pond & Water Feature Rehabilitation | 0                           | 0                          | 0               | 0                    |
| 16                                       | New               | City Parking Lot Improvements                 | 600,000                     | 0                          | 0               | 0                    |
| 17                                       | New               | MSC Master Plan Update                        | 0                           | 0                          | 0               | 0                    |
| 18                                       | <b><i>New</i></b> | <b><i>PD Communications</i></b>               | <b><i>3,785,000</i></b>     | <b><i>0</i></b>            | <b><i>0</i></b> | <b><i>0</i></b>      |
| 19                                       | New               | Police Records Management System              | 0                           | 0                          | 0               | 0                    |
| <b>Total Defunding by Funding Source</b> |                   |                                               | <b>0</b>                    | <b>0</b>                   | <b>0</b>        | <b>0</b>             |
| <b>Total Funding by Funding Source</b>   |                   |                                               | <b>4,935,000</b>            | <b>180,000</b>             | <b>0</b>        | <b>1,000,000</b>     |
| <b>Subtotal by Funding Source</b>        |                   |                                               | <b>4,935,000</b>            | <b>180,000</b>             | <b>0</b>        | <b>1,000,000</b>     |
| <b>Subtotal by Year</b>                  |                   |                                               | <b>6,115,000</b>            |                            |                 |                      |

**NOTES**

- (a) New projects listed in Bold Italics.  
(b) "Other" are identified on detailed project sheets.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Community Improvement**

| PG PROJECT                        |                   |                                               | 2018-19                     |                            |                 |                      |
|-----------------------------------|-------------------|-----------------------------------------------|-----------------------------|----------------------------|-----------------|----------------------|
|                                   |                   |                                               | General Government CIP Fund | Equipment Replacement Fund | Other           | Unidentified Funding |
| 9                                 | 3403              | Fire Station Improvements                     | 0                           | 0                          | 0               | 0                    |
| 10                                | 3406              | City Building Improvements                    | 0                           | 0                          | 0               | 0                    |
| 11                                | New               | 2018 Finance System Upgrade                   | 0                           | 0                          | 0               | 0                    |
| 12                                | New               | City Building ADA Compliance Review           | 0                           | 0                          | 0               | 0                    |
| 13                                | New               | City Buildings, Exterior Painting & Repairs   | 0                           | 0                          | 0               | 0                    |
| 14                                | <b><i>New</i></b> | <b><i>City Buildings, Roofing</i></b>         | <b><i>0</i></b>             | <b><i>0</i></b>            | <b><i>0</i></b> | <b><i>0</i></b>      |
| 15                                | New               | City Hall Pond & Water Feature Rehabilitation | 0                           | 0                          | 0               | 0                    |
| 16                                | New               | City Parking Lot Improvements                 | 0                           | 0                          | 0               | 0                    |
| 17                                | New               | MSC Master Plan Update                        | 150,000                     | 0                          | 0               | 0                    |
| 18                                | <b><i>New</i></b> | <b><i>PD Communications</i></b>               | <b><i>0</i></b>             | <b><i>0</i></b>            | <b><i>0</i></b> | <b><i>0</i></b>      |
| 19                                | New               | Police Records Management System              | 0                           | 0                          | 0               | 0                    |
| Total Defunding by Funding Source |                   |                                               | 0                           | 0                          | 0               | 0                    |
| Total Funding by Funding Source   |                   |                                               | 150,000                     | 0                          | 0               | 0                    |
| Subtotal by Funding Source        |                   |                                               | 150,000                     | 0                          | 0               | 0                    |
| Subtotal by Year                  |                   |                                               | 150,000                     |                            |                 |                      |

**NOTES**

- (a) New projects listed in Bold Italics.  
(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Community Improvement**

|                                          |                   |                                               | <b>2019-20</b>              |                            |                 |                      |
|------------------------------------------|-------------------|-----------------------------------------------|-----------------------------|----------------------------|-----------------|----------------------|
|                                          |                   |                                               | General Government CIP Fund | Equipment Replacement Fund | Other           | Unidentified Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                               |                             |                            |                 |                      |
| 9                                        | 3403              | Fire Station Improvements                     | 0                           | 0                          | 0               | 0                    |
| 10                                       | 3406              | City Building Improvements                    | 0                           | 0                          | 0               | 0                    |
| 11                                       | New               | 2018 Finance System Upgrade                   | 0                           | 0                          | 0               | 0                    |
| 12                                       | New               | City Building ADA Compliance Review           | 0                           | 0                          | 0               | 0                    |
| 13                                       | New               | City Buildings, Exterior Painting & Repairs   | 0                           | 0                          | 0               | 0                    |
| 14                                       | <b><i>New</i></b> | <b><i>City Buildings, Roofing</i></b>         | <b><i>150,000</i></b>       | <b><i>0</i></b>            | <b><i>0</i></b> | <b><i>0</i></b>      |
| 15                                       | New               | City Hall Pond & Water Feature Rehabilitation | 225,000                     | 0                          | 0               | 0                    |
| 16                                       | New               | City Parking Lot Improvements                 | 0                           | 0                          | 0               | 0                    |
| 17                                       | New               | MSC Master Plan Update                        | 0                           | 0                          | 0               | 0                    |
| 18                                       | <b><i>New</i></b> | <b><i>PD Communications</i></b>               | <b><i>0</i></b>             | <b><i>0</i></b>            | <b><i>0</i></b> | <b><i>0</i></b>      |
| 19                                       | New               | Police Records Management System              | 0                           | 0                          | 0               | 0                    |
| <b>Total Defunding by Funding Source</b> |                   |                                               | <b>0</b>                    | <b>0</b>                   | <b>0</b>        | <b>0</b>             |
| <b>Total Funding by Funding Source</b>   |                   |                                               | <b>375,000</b>              | <b>0</b>                   | <b>0</b>        | <b>0</b>             |
| <b>Subtotal by Funding Source</b>        |                   |                                               | <b>375,000</b>              | <b>0</b>                   | <b>0</b>        | <b>0</b>             |
| <b>Subtotal by Year</b>                  |                   |                                               | <b>375,000</b>              |                            |                 |                      |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                               | Estimate Level |
|-----------------------|---------------------------------------|----------------|
| Community Improvement | <b>3403 Fire Station Improvements</b> | 1              |

**CONTACT:** Michael Boitnott [3315]

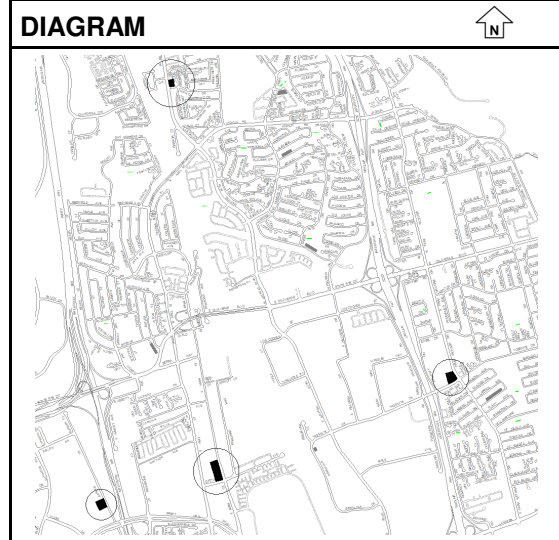
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides various improvements at all four fire stations. The work involves renovation and/or replacement of electrical and mechanical systems, plumbing renovation, parking lots, emergency power generator systems, interior and exterior paintings, replacement of floor coverings, restroom and shower facilities, kitchen improvements, re-roofing and other building and site related improvements. Work will also include energy savings improvements. All work will be performed on a priority basis.

**COMMENTS:**

This project will also evaluate the need for replacement of station 2 & 3 or determine if the stations can be remodeling and modernized to meet the current codes and needs of the Fire Department. Fire Stations 2 & 3 are identical and were originally built back in the late 1960's.



**Uncommitted Balance as of 2/28/2015:**

\$1,053,789

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17          | 2017-18          | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|------------------|------------------|----------|----------|------------------|
| Design         | 100,000          | 0        | 125,000          | 90,000           | 0        | 0        | 315,000          |
| Administration | 75,000           | 0        | 25,000           | 110,000          | 0        | 0        | 210,000          |
| Inspection     | 75,000           | 0        | 50,000           | 50,000           | 0        | 0        | 175,000          |
| Improvements   | 1,250,000        | 0        | 1,300,000        | 750,000          | 0        | 0        | 3,300,000        |
| <b>Totals</b>  | <b>1,500,000</b> | <b>0</b> | <b>1,500,000</b> | <b>1,000,000</b> | <b>0</b> | <b>0</b> | <b>4,000,000</b> |

| FINANCING                     | Prior Year       | 2015-16  | 2016-17          | 2017-18          | 2018-19  | 2019-20  | Total            |
|-------------------------------|------------------|----------|------------------|------------------|----------|----------|------------------|
| Transient Occupancy Tax (TOT) | 1,500,000        | 0        | 0                | 0                | 0        | 0        | 1,500,000        |
| Unidentified Funding          | 0                | 0        | 1,500,000        | 1,000,000        | 0        | 0        | 2,500,000        |
| <b>Totals</b>                 | <b>1,500,000</b> | <b>0</b> | <b>1,500,000</b> | <b>1,000,000</b> | <b>0</b> | <b>0</b> | <b>4,000,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                                   | Estimate Level |
|-----------------------|-------------------------------------------|----------------|
| Community Improvement | <b>3406</b><br>City Building Improvements | 1              |

**CONTACT:** Michael Boitnott [3315]

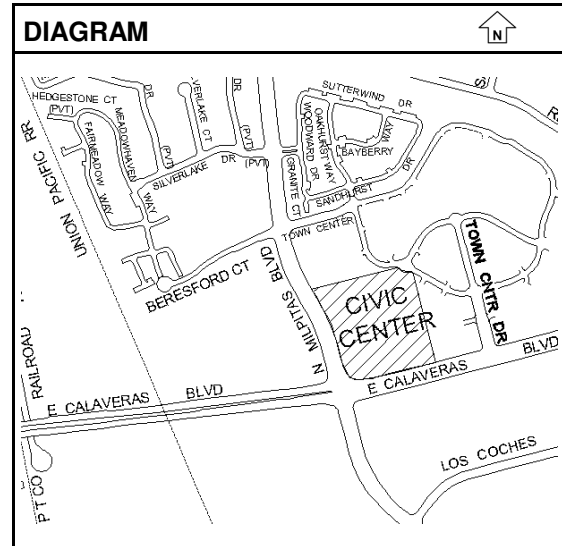
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves renovation and rehabilitation improvements at all City buildings including Public Works/Police, Community Center, City Hall, and Sports Center. The work involves replacement of electrical and mechanical systems and pool equipment renovations at the Sports Center, electrical upgrades, including an emergency generator at the Sports Center. PW/PD and City Hall retrofit work, HVAC repairs, interior painting, carpeting and other related improvements. Work will also include energy savings improvements, such as replacement of lighting fixtures with energy saving fixtures, and installation of a more efficient climate controls systems.

**COMMENTS:**

This project will also include the replacement of the existing AV system at the Community Center Auditorium with a similar system, compatible with today's technology. Projects will be implemented based on a prioritized building renovation list, to assure a high level of service to the community and to maximize the life of the City Facilities. This project will also make improvements identified in the City Building ADA Compliance Study, starting with the highest priority projects, as funding is available.



**Uncommitted Balance as of 2/28/2015:** \$332,547

| ESTIMATED COST | Prior Year     | 2015-16        | 2016-17        | 2017-18        | 2018-19  | 2019-20  | Total            |
|----------------|----------------|----------------|----------------|----------------|----------|----------|------------------|
| Design         | 90,000         | 0              | 30,000         | 40,000         | 0        | 0        | 160,000          |
| Administration | 45,000         | 0              | 10,000         | 25,000         | 0        | 0        | 80,000           |
| Inspection     | 20,000         | 0              | 10,000         | 10,000         | 0        | 0        | 40,000           |
| Improvements   | 395,000        | 250,000        | 100,000        | 425,000        | 0        | 0        | 1,170,000        |
| Equipment      | 400,000        | 0              | 350,000        | 0              | 0        | 0        | 750,000          |
| <b>Totals</b>  | <b>950,000</b> | <b>250,000</b> | <b>500,000</b> | <b>500,000</b> | <b>0</b> | <b>0</b> | <b>2,200,000</b> |

| FINANCING                     | Prior Year     | 2015-16        | 2016-17        | 2017-18        | 2018-19  | 2019-20  | Total            |
|-------------------------------|----------------|----------------|----------------|----------------|----------|----------|------------------|
| Transient Occupancy Tax (TOT) | 150,000        | 0              | 0              | 0              | 0        | 0        | 150,000          |
| General Government CIP Fund   | 800,000        | 250,000        | 500,000        | 500,000        | 0        | 0        | 2,050,000        |
| <b>Totals</b>                 | <b>950,000</b> | <b>250,000</b> | <b>500,000</b> | <b>500,000</b> | <b>0</b> | <b>0</b> | <b>2,200,000</b> |

**FINANCE NOTES**

City Council - 5/21/13 Midyear Budget Appropriation \$100,000 from General Government CIP Fund

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                         | Estimate Level |
|-----------------------|---------------------------------|----------------|
| Community Improvement | New 2018 Finance System Upgrade | 1              |

**CONTACT:** Jane Corpus [3125]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides upgrades to keep our Financial system up to date. It is essential that the system be current in order to utilize technology efficiently and effectively. This major system includes General Ledger, Accounts Payable, Cash Collection, Payroll/Human Resources, Job Costing and Purchase Order. In addition, the Finance system also manages Budget Preparation, Business License, Investment Software and Fixed Asset systems.

**COMMENTS:**

The proposed funding is for the system required upgrades, equipment and staff training.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Administration | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Other          | 0          | 0       | 0       | 180,000 | 0       | 0       | 180,000 |
| Building       | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 0          | 0       | 0       | 180,000 | 0       | 0       | 180,000 |

| FINANCING                  | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------------------|------------|---------|---------|---------|---------|---------|---------|
| Equipment Replacement Fund | 0          | 0       | 0       | 180,000 | 0       | 0       | 180,000 |
| <b>Totals</b>              | 0          | 0       | 0       | 180,000 | 0       | 0       | 180,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                                 | Estimate Level |
|-----------------------|-----------------------------------------|----------------|
| Community Improvement | New City Building ADA Compliance Review | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Studies and Analyses

**DESCRIPTION**

This project will provide for the review of all City Buildings constructed prior to 2000 to confirm compliance with access requirements in accordance with the Americans with Disabilities Act (ADA), and to identify any deficiencies and recommend improvements.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|----------------|------------|---------|---------|---------|---------|---------|--------|
| Design         | 0          | 0       | 0       | 40,000  | 0       | 0       | 40,000 |
| Administration | 0          | 0       | 0       | 10,000  | 0       | 0       | 10,000 |
| <b>Totals</b>  | 0          | 0       | 0       | 50,000  | 0       | 0       | 50,000 |

| FINANCING                   | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|-----------------------------|------------|---------|---------|---------|---------|---------|--------|
| General Government CIP Fund | 0          | 0       | 0       | 50,000  | 0       | 0       | 50,000 |
| <b>Totals</b>               | 0          | 0       | 0       | 50,000  | 0       | 0       | 50,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                                         | Estimate Level |
|-----------------------|-------------------------------------------------|----------------|
| Community Improvement | New City Buildings, Exterior Painting & Repairs | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the minor exterior repairs, patching and painting of City buildings including minor roofing repairs. The exterior of the buildings should be painted approximately every ten years to maintain the buildings appearance and to prevent damage caused by moisture infiltration.

**COMMENTS:**

Exterior painting and replacement of rotted wood at the PD/PW Buildings and the Sports Center is a priority due to observed damage. The Sports Center roof needs attention due to age and leaks at several locations.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 50,000  | 0       | 0       | 0       | 0       | 50,000  |
| Administration | 0          | 50,000  | 0       | 0       | 0       | 0       | 50,000  |
| Inspection     | 0          | 0       | 30,000  | 0       | 0       | 0       | 30,000  |
| Improvements   | 0          | 0       | 570,000 | 0       | 0       | 0       | 570,000 |
| <b>Totals</b>  | 0          | 100,000 | 600,000 | 0       | 0       | 0       | 700,000 |

| FINANCING                   | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|-----------------------------|------------|---------|---------|---------|---------|---------|---------|
| General Government CIP Fund | 0          | 100,000 | 600,000 | 0       | 0       | 0       | 700,000 |
| <b>Totals</b>               | 0          | 100,000 | 600,000 | 0       | 0       | 0       | 700,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                     | Estimate Level |
|-----------------------|-----------------------------|----------------|
| Community Improvement | New City Buildings, Roofing | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the roof replacement of the PD/PW Buildings and the portions of the Milpitas Sports Center. Typically, a roof has a 20-year life and to prevent damage caused by moisture infiltration these roofs will need to be replaced.

**COMMENTS:**

Construction costs are estimated at \$850,000 and will be programed in 2020-21.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 75,000  | 75,000  |
| Administration | 0          | 0       | 0       | 0       | 0       | 75,000  | 75,000  |
| <b>Totals</b>  | 0          | 0       | 0       | 0       | 0       | 150,000 | 150,000 |

| FINANCING                   | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|-----------------------------|------------|---------|---------|---------|---------|---------|---------|
| General Government CIP Fund | 0          | 0       | 0       | 0       | 0       | 150,000 | 150,000 |
| <b>Totals</b>               | 0          | 0       | 0       | 0       | 0       | 150,000 | 150,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                                           | Estimate Level |
|-----------------------|---------------------------------------------------|----------------|
| Community Improvement | New City Hall Pond & Water Feature Rehabilitation | 1              |

**CONTACT:** Steve Erickson [3301]

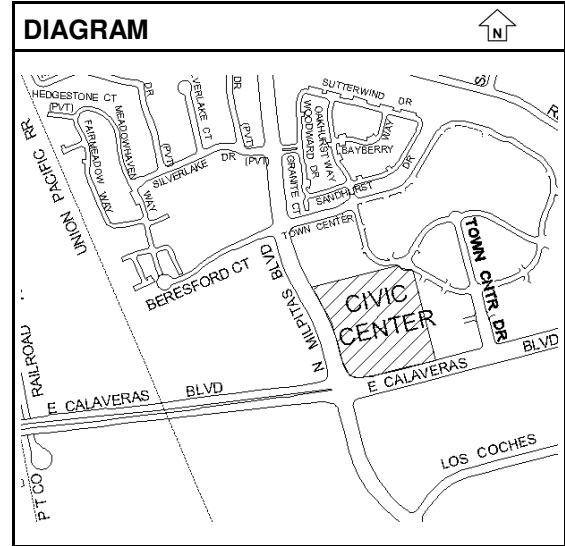
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The project provides for the replacement of the pump system for the pond and water feature in front of City Hall, and provides for the replacement and upgrade of the chlorination and water quality systems. The project also provides for the re-coating of the pond at the rear of City Hall with a system that is less prone to annual maintenance.

**COMMENTS:**

The City Hall pond and water features require a significant amount of maintenance to maintain operational. The system for the front fountain failed several years ago and is in need of replacement. The chlorination and water quality systems are also in need of rehabilitation due to corrosion and age. The rear pond has recently required annual patching and coating to fill cracks that leak water. The installation of a coating system similar to what is installed in swimming pools is desired to seal the pond and reduce the amount of maintenance.



**Uncommitted Balance as of 2/28/2015:**

\$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 25,000  | 25,000  |
| Administration | 0          | 0       | 0       | 0       | 0       | 25,000  | 25,000  |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 25,000  | 25,000  |
| Improvements   | 0          | 0       | 0       | 0       | 0       | 150,000 | 150,000 |
| <b>Totals</b>  | 0          | 0       | 0       | 0       | 0       | 225,000 | 225,000 |

| FINANCING                   | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|-----------------------------|------------|---------|---------|---------|---------|---------|---------|
| General Government CIP Fund | 0          | 0       | 0       | 0       | 0       | 225,000 | 225,000 |
| <b>Totals</b>               | 0          | 0       | 0       | 0       | 0       | 225,000 | 225,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                           | Estimate Level |
|-----------------------|-----------------------------------|----------------|
| Community Improvement | New City Parking Lot Improvements | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for minor pavement replacement, seal coating and restriping of City parking lots at the following facilities: Civic Center, Sports Center, Public Works, and Police Department. This project will also including required ADA upgrades to the handicap parking stalls and ramps within the parking areas.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 30,000  | 0       | 0       | 30,000  |
| Administration | 0          | 0       | 0       | 40,000  | 0       | 0       | 40,000  |
| Inspection     | 0          | 0       | 0       | 30,000  | 0       | 0       | 30,000  |
| Improvements   | 0          | 0       | 0       | 500,000 | 0       | 0       | 500,000 |
| <b>Totals</b>  | 0          | 0       | 0       | 600,000 | 0       | 0       | 600,000 |

| FINANCING                   | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|-----------------------------|------------|---------|---------|---------|---------|---------|---------|
| General Government CIP Fund | 0          | 0       | 0       | 600,000 | 0       | 0       | 600,000 |
| <b>Totals</b>               | 0          | 0       | 0       | 600,000 | 0       | 0       | 600,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                    | Estimate Level |
|-----------------------|----------------------------|----------------|
| Community Improvement | New MSC Master Plan Update | 1              |

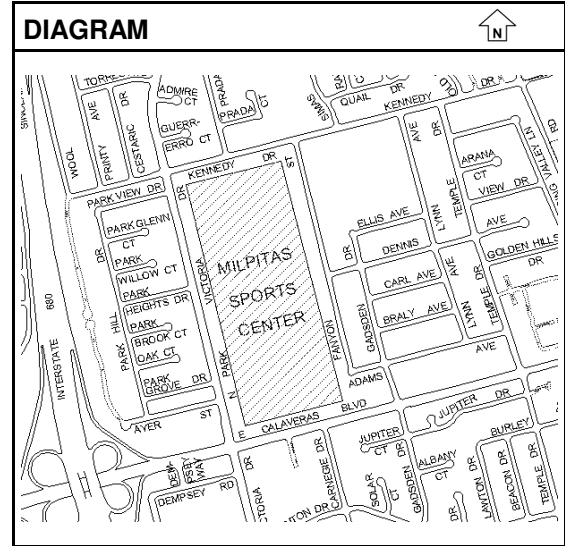
**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

The Milpitas Sports Center (MSC) Master Plan Update will focus in revising several elements of the existing Master Plan, due to physical changes implemented since the completion of the current Master Plan. The Master Plan update will also look at the MSC building programming and recommend improvements to support the indoor sports and fitness programs. Lastly, the Master Plan update will also include a vehicular, bicycle, and pedestrian circulation element.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:**

\$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20  | Total          |
|----------------|------------|----------|----------|----------|----------------|----------|----------------|
| Design         | 0          | 0        | 0        | 0        | 140,000        | 0        | 140,000        |
| Administration | 0          | 0        | 0        | 0        | 10,000         | 0        | 10,000         |
| Inspection     | 0          | 0        | 0        | 0        | 0              | 0        | 0              |
| Building       | 0          | 0        | 0        | 0        | 0              | 0        | 0              |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>150,000</b> | <b>0</b> | <b>150,000</b> |

| FINANCING                   | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20  | Total          |
|-----------------------------|------------|----------|----------|----------|----------------|----------|----------------|
| General Government CIP Fund | 0          | 0        | 0        | 0        | 150,000        | 0        | 150,000        |
| <b>Totals</b>               | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>150,000</b> | <b>0</b> | <b>150,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project               | Estimate Level |
|-----------------------|-----------------------|----------------|
| Community Improvement | New PD Communications | 1              |

**CONTACT:** Armando Corpuz [2534]

**PRIORITY:** Health and Safety Projects

**DESCRIPTION**

In 2001, the Santa Clara County / Cities Managers Association agreed to jointly fund a countywide radio interoperability and public safety radio and data communications network to improve public safety and emergency services. The countywide infrastructure construction has not yet been completed. The City of Milpitas' financial contribution will support the construction completion.

**COMMENTS:**

The countywide construction is expected to be completed during FY 17/18. In FY 18/19, our costs are expected to be approximately \$100K, which includes operations, maintenance, and member assessment fees. The FY17/18 estimate includes the member assessment fee, countywide infrastructure commitment, and funds to transition the City of Milpitas to the new system. Our transitional costs include construction / installation, all radio replacements, console replacements, and infrastructure replacement. These costs include equipment for Police, Fire, and Public Works radios.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16        | 2016-17        | 2017-18          | 2018-19  | 2019-20  | Total            |
|----------------|------------|----------------|----------------|------------------|----------|----------|------------------|
| Improvements   | 0          | 335,000        | 335,000        | 335,000          | 0        | 0        | 1,005,000        |
| Equipment      | 0          | 0              | 0              | 3,450,000        | 0        | 0        | 3,450,000        |
| <b>Totals</b>  | <b>0</b>   | <b>335,000</b> | <b>335,000</b> | <b>3,785,000</b> | <b>0</b> | <b>0</b> | <b>4,455,000</b> |

| FINANCING                   | Prior Year | 2015-16        | 2016-17        | 2017-18          | 2018-19  | 2019-20  | Total            |
|-----------------------------|------------|----------------|----------------|------------------|----------|----------|------------------|
| General Government CIP Fund | 0          | 335,000        | 335,000        | 3,785,000        | 0        | 0        | 4,455,000        |
| <b>Totals</b>               | <b>0</b>   | <b>335,000</b> | <b>335,000</b> | <b>3,785,000</b> | <b>0</b> | <b>0</b> | <b>4,455,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                              | Estimate Level |
|-----------------------|--------------------------------------|----------------|
| Community Improvement | New Police Records Management System | 1              |

**CONTACT:** Armando Corpuz [2534]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides upgrades to the Police Department's Records Management System (RMS). It is imperative that the Police Department maintain a reliable RMS to input and store data to respond to public requests, respond to public information requests, the processing of data for criminal cases and to meet the California Government Code requirements of preserving information.

**COMMENTS:**

The proposed funding is to upgrade or replace the existing software and hardware. The vendor (Tiburon) for the City current existing RMS will not support the current version after 2017. The RMS system will need to be upgraded or replaced before 2017.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17        | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|------------|----------|----------------|----------|----------|----------|----------------|
| Equipment      | 0          | 0        | 700,000        | 0        | 0        | 0        | 700,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>700,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>700,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17        | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------------|------------|----------|----------------|----------|----------|----------|----------------|
| Unidentified Funding | 0          | 0        | 700,000        | 0        | 0        | 0        | 700,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>700,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>700,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
**PARK IMPROVEMENT PROJECTS SUMMARY**

**SUMMARY OF COSTS**

| PG.<br>NO.         | PROJECT                                           | TOTAL<br>COST       | PRIOR<br>YEARS     | 2015-16            | 2016-17          | 2017-18            | 2018-19            | 2019-20             |
|--------------------|---------------------------------------------------|---------------------|--------------------|--------------------|------------------|--------------------|--------------------|---------------------|
| 29                 | 5055 Alviso Adobe Renovation                      | 6,424,272           | 5,424,272          | 1,000,000          | 0                | 0                  | 0                  | 0                   |
| 30                 | New Berryessa Creek Trail, Reach 4, 5, 6A         | 7,450,000           | 0                  | 0                  | 0                | 0                  | 0                  | 7,450,000           |
| 31                 | New Cardoza Park Improvements Phase II            | 8,600,000           | 0                  | 0                  | 0                | 0                  | 0                  | 8,600,000           |
| 32                 | New Creighton Park Renovation Design & Constr     | 1,400,000           | 0                  | 0                  | 300,000          | 1,100,000          | 0                  | 0                   |
| 33                 | <b>New International Park</b>                     | <b>500,000</b>      | <b>0</b>           | <b>500,000</b>     | <b>0</b>         | <b>0</b>           | <b>0</b>           | <b>0</b>            |
| 34                 | <b>New MSC Pool Rehabilitation</b>                | <b>1,500,000</b>    | <b>0</b>           | <b>1,500,000</b>   | <b>0</b>         | <b>0</b>           | <b>0</b>           | <b>0</b>            |
| 35                 | New Murphy Park Picnic and Playground Renovati    | 3,750,000           | 0                  | 0                  | 0                | 0                  | 0                  | 3,750,000           |
| 36                 | <b>New Park Access Improvement and Resurfacin</b> | <b>600,000</b>      | <b>0</b>           | <b>0</b>           | <b>600,000</b>   | <b>0</b>           | <b>0</b>           | <b>0</b>            |
| 37                 | <b>New Sandalwood Park Renovation</b>             | <b>1,275,000</b>    | <b>0</b>           | <b>0</b>           | <b>0</b>         | <b>275,000</b>     | <b>1,000,000</b>   | <b>0</b>            |
| 38                 | <b>New Sinnott Park Renovation</b>                | <b>1,150,000</b>    | <b>0</b>           | <b>0</b>           | <b>0</b>         | <b>0</b>           | <b>250,000</b>     | <b>900,000</b>      |
| 39                 | <b>New Sports Center Skate Park</b>               | <b>1,650,000</b>    | <b>0</b>           | <b>0</b>           | <b>0</b>         | <b>1,650,000</b>   | <b>0</b>           | <b>0</b>            |
| 40                 | <b>New Sports Center Sports Fields</b>            | <b>2,875,000</b>    | <b>0</b>           | <b>2,875,000</b>   | <b>0</b>         | <b>0</b>           | <b>0</b>           | <b>0</b>            |
| 41                 | <b>New Starlite Park Renovation</b>               | <b>1,400,000</b>    | <b>0</b>           | <b>0</b>           | <b>0</b>         | <b>0</b>           | <b>300,000</b>     | <b>1,100,000</b>    |
| 42                 | <b>New Strickroth Park Renovation</b>             | <b>1,625,000</b>    | <b>0</b>           | <b>0</b>           | <b>0</b>         | <b>0</b>           | <b>0</b>           | <b>1,625,000</b>    |
| Defunding Subtotal |                                                   |                     |                    | 5,875,000          |                  |                    |                    |                     |
| Funding Subtotal   |                                                   |                     |                    |                    |                  |                    |                    |                     |
| <b>TOTAL COST</b>  |                                                   | <b>\$40,199,272</b> | <b>\$5,424,272</b> | <b>\$5,875,000</b> | <b>\$900,000</b> | <b>\$3,025,000</b> | <b>\$1,550,000</b> | <b>\$23,425,000</b> |

**NOTES**

(a) New projects listed in Bold Italics.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Park Improvement**

|                                   |            |                                                 | 2015-16          |                   |          |                      |
|-----------------------------------|------------|-------------------------------------------------|------------------|-------------------|----------|----------------------|
|                                   |            |                                                 | Park Fund        | Midtown Park Fund | Other    | Unidentified Funding |
| PG                                | PROJECT    |                                                 |                  |                   |          |                      |
| 29                                | 5055       | Alviso Adobe Renovation                         | 1,000,000        | 0                 | 0        | 0                    |
| 30                                | New        | Berryessa Creek Trail, Reach 4, 5, 6A           | 0                | 0                 | 0        | 0                    |
| 31                                | New        | Cardoza Park Improvements Phase II              | 0                | 0                 | 0        | 0                    |
| 32                                | New        | Creighton Park Renovation Design & Construction | 0                | 0                 | 0        | 0                    |
| 33                                | <b>New</b> | <b>International Park</b>                       | <b>0</b>         | <b>500,000</b>    | <b>0</b> | <b>0</b>             |
| 34                                | <b>New</b> | <b>MSC Pool Rehabilitation</b>                  | <b>0</b>         | <b>1,500,000</b>  | <b>0</b> | <b>0</b>             |
| 35                                | New        | Murphy Park Picnic and Playground Renovation    | 0                | 0                 | 0        | 0                    |
| 36                                | <b>New</b> | <b>Park Access Improvement and Resurfacing</b>  | <b>0</b>         | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 37                                | <b>New</b> | <b>Sandalwood Park Renovation</b>               | <b>0</b>         | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 38                                | <b>New</b> | <b>Sinnott Park Renovation</b>                  | <b>0</b>         | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 39                                | <b>New</b> | <b>Sports Center Skate Park</b>                 | <b>0</b>         | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 40                                | <b>New</b> | <b>Sports Center Sports Fields</b>              | <b>1,315,000</b> | <b>1,560,000</b>  | <b>0</b> | <b>0</b>             |
| 41                                | <b>New</b> | <b>Starlite Park Renovation</b>                 | <b>0</b>         | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 42                                | <b>New</b> | <b>Strickroth Park Renovation</b>               | <b>0</b>         | <b>0</b>          | <b>0</b> | <b>0</b>             |
| Total Defunding by Funding Source |            |                                                 | (0)              | (0)               | (0)      | (0)                  |
| Total Funding by Funding Source   |            |                                                 | 2,315,000        | 3,560,000         | 0        | 0                    |
| Subtotal by Funding Source        |            |                                                 | 2,315,000        | 3,560,000         | 0        | 0                    |
| Subtotal by Year                  |            |                                                 | 5,875,000        |                   |          |                      |

**NOTES**

- (a) New projects listed in Bold Italics.
- (b) "Other" are identified on detailed project sheets.
- (c) Grants are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Park Improvement**

|                                   |                |                                                 | <b>2016-17</b> |                   |          |                      |
|-----------------------------------|----------------|-------------------------------------------------|----------------|-------------------|----------|----------------------|
|                                   |                |                                                 | Park Fund      | Midtown Park Fund | Other    | Unidentified Funding |
| <b>PG</b>                         | <b>PROJECT</b> |                                                 |                |                   |          |                      |
| 29                                | 5055           | Alviso Adobe Renovation                         | 0              | 0                 | 0        | 0                    |
| 30                                | New            | Berryessa Creek Trail, Reach 4, 5, 6A           | 0              | 0                 | 0        | 0                    |
| 31                                | New            | Cardoza Park Improvements Phase II              | 0              | 0                 | 0        | 0                    |
| 32                                | New            | Creighton Park Renovation Design & Construction | 300,000        | 0                 | 0        | 0                    |
| 33                                | <b>New</b>     | <b>International Park</b>                       | <b>0</b>       | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 34                                | <b>New</b>     | <b>MSC Pool Rehabilitation</b>                  | <b>0</b>       | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 35                                | New            | Murphy Park Picnic and Playground Renovation    | 0              | 0                 | 0        | 0                    |
| 36                                | <b>New</b>     | <b>Park Access Improvement and Resurfacing</b>  | <b>300,000</b> | <b>300,000</b>    | <b>0</b> | <b>0</b>             |
| 37                                | <b>New</b>     | <b>Sandalwood Park Renovation</b>               | <b>0</b>       | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 38                                | <b>New</b>     | <b>Sinnott Park Renovation</b>                  | <b>0</b>       | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 39                                | <b>New</b>     | <b>Sports Center Skate Park</b>                 | <b>0</b>       | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 40                                | <b>New</b>     | <b>Sports Center Sports Fields</b>              | <b>0</b>       | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 41                                | <b>New</b>     | <b>Starlite Park Renovation</b>                 | <b>0</b>       | <b>0</b>          | <b>0</b> | <b>0</b>             |
| 42                                | <b>New</b>     | <b>Strickroth Park Renovation</b>               | <b>0</b>       | <b>0</b>          | <b>0</b> | <b>0</b>             |
| Total Defunding by Funding Source |                |                                                 | 0              | 0                 | 0        | 0                    |
| Total Funding by Funding Source   |                |                                                 | 600,000        | 300,000           | 0        | 0                    |
| Subtotal by Funding Source        |                |                                                 | 600,000        | 300,000           | 0        | 0                    |
| Subtotal by Year                  |                |                                                 | 900,000        |                   |          |                      |

**NOTES**

- (a) New projects listed in Bold Italics.
- (b) "Other" are identified on detailed project sheets.
- (c) Grants are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Park Improvement**

|                                   |                |                                                       | <b>2017-18</b>        |                       |                 |                      |
|-----------------------------------|----------------|-------------------------------------------------------|-----------------------|-----------------------|-----------------|----------------------|
|                                   |                |                                                       | Park Fund             | Midtown Park Fund     | Other           | Unidentified Funding |
| <b>PG</b>                         | <b>PROJECT</b> |                                                       |                       |                       |                 |                      |
| 29                                | 5055           | Alviso Adobe Renovation                               | 0                     | 0                     | 0               | 0                    |
| 30                                | New            | Berryessa Creek Trail, Reach 4, 5, 6A                 | 0                     | 0                     | 0               | 0                    |
| 31                                | New            | Cardoza Park Improvements Phase II                    | 0                     | 0                     | 0               | 0                    |
| 32                                | New            | Creighton Park Renovation Design & Construction       | 1,100,000             | 0                     | 0               | 0                    |
| 33                                | <b>New</b>     | <b><i>International Park</i></b>                      | <b><i>0</i></b>       | <b><i>0</i></b>       | <b><i>0</i></b> | <b><i>0</i></b>      |
| 34                                | <b>New</b>     | <b><i>MSC Pool Rehabilitation</i></b>                 | <b><i>0</i></b>       | <b><i>0</i></b>       | <b><i>0</i></b> | <b><i>0</i></b>      |
| 35                                | New            | Murphy Park Picnic and Playground Renovation          | 0                     | 0                     | 0               | 0                    |
| 36                                | <b>New</b>     | <b><i>Park Access Improvement and Resurfacing</i></b> | <b><i>0</i></b>       | <b><i>0</i></b>       | <b><i>0</i></b> | <b><i>0</i></b>      |
| 37                                | <b>New</b>     | <b><i>Sandalwood Park Renovation</i></b>              | <b><i>275,000</i></b> | <b><i>0</i></b>       | <b><i>0</i></b> | <b><i>0</i></b>      |
| 38                                | <b>New</b>     | <b><i>Sinnott Park Renovation</i></b>                 | <b><i>0</i></b>       | <b><i>0</i></b>       | <b><i>0</i></b> | <b><i>0</i></b>      |
| 39                                | <b>New</b>     | <b><i>Sports Center Skate Park</i></b>                | <b><i>750,000</i></b> | <b><i>900,000</i></b> | <b><i>0</i></b> | <b><i>0</i></b>      |
| 40                                | <b>New</b>     | <b><i>Sports Center Sports Fields</i></b>             | <b><i>0</i></b>       | <b><i>0</i></b>       | <b><i>0</i></b> | <b><i>0</i></b>      |
| 41                                | <b>New</b>     | <b><i>Starlite Park Renovation</i></b>                | <b><i>0</i></b>       | <b><i>0</i></b>       | <b><i>0</i></b> | <b><i>0</i></b>      |
| 42                                | <b>New</b>     | <b><i>Strickroth Park Renovation</i></b>              | <b><i>0</i></b>       | <b><i>0</i></b>       | <b><i>0</i></b> | <b><i>0</i></b>      |
| Total Defunding by Funding Source |                |                                                       | 0                     | 0                     | 0               | 0                    |
| Total Funding by Funding Source   |                |                                                       | 2,125,000             | 900,000               | 0               | 0                    |
| Subtotal by Funding Source        |                |                                                       | 2,125,000             | 900,000               | 0               | 0                    |
| Subtotal by Year                  |                |                                                       | 3,025,000             |                       |                 |                      |

**NOTES**

- (a) New projects listed in Bold Italics.
- (b) "Other" are identified on detailed project sheets.
- (c) Grants are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Park Improvement**

|                                   |                |                                                 | <b>2018-19</b> |                   |       |                      |
|-----------------------------------|----------------|-------------------------------------------------|----------------|-------------------|-------|----------------------|
|                                   |                |                                                 | Park Fund      | Midtown Park Fund | Other | Unidentified Funding |
| <b>PG</b>                         | <b>PROJECT</b> |                                                 |                |                   |       |                      |
| 29                                | 5055           | Alviso Adobe Renovation                         | 0              | 0                 | 0     | 0                    |
| 30                                | New            | Berryessa Creek Trail, Reach 4, 5, 6A           | 0              | 0                 | 0     | 0                    |
| 31                                | New            | Cardoza Park Improvements Phase II              | 0              | 0                 | 0     | 0                    |
| 32                                | New            | Creighton Park Renovation Design & Construction | 0              | 0                 | 0     | 0                    |
| 33                                | <b>New</b>     | <b>International Park</b>                       | 0              | 0                 | 0     | 0                    |
| 34                                | <b>New</b>     | <b>MSC Pool Rehabilitation</b>                  | 0              | 0                 | 0     | 0                    |
| 35                                | New            | Murphy Park Picnic and Playground Renovation    | 0              | 0                 | 0     | 0                    |
| 36                                | <b>New</b>     | <b>Park Access Improvement and Resurfacing</b>  | 0              | 0                 | 0     | 0                    |
| 37                                | <b>New</b>     | <b>Sandalwood Park Renovation</b>               | 1,000,000      | 0                 | 0     | 0                    |
| 38                                | <b>New</b>     | <b>Sinnott Park Renovation</b>                  | 250,000        | 0                 | 0     | 0                    |
| 39                                | <b>New</b>     | <b>Sports Center Skate Park</b>                 | 0              | 0                 | 0     | 0                    |
| 40                                | <b>New</b>     | <b>Sports Center Sports Fields</b>              | 0              | 0                 | 0     | 0                    |
| 41                                | <b>New</b>     | <b>Starlite Park Renovation</b>                 | 0              | 300,000           | 0     | 0                    |
| 42                                | <b>New</b>     | <b>Strickroth Park Renovation</b>               | 0              | 0                 | 0     | 0                    |
| Total Defunding by Funding Source |                |                                                 | 0              | 0                 | 0     | 0                    |
| Total Funding by Funding Source   |                |                                                 | 1,250,000      | 300,000           | 0     | 0                    |
| Subtotal by Funding Source        |                |                                                 | 1,250,000      | 300,000           | 0     | 0                    |
| Subtotal by Year                  |                |                                                 | 1,550,000      |                   |       |                      |

**NOTES**

- (a) New projects listed in Bold Italics.
- (b) "Other" are identified on detailed project sheets.
- (c) Grants are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Park Improvement**

|                                   |                |                                                 | <b>2019-20</b> |                   |           |                      |
|-----------------------------------|----------------|-------------------------------------------------|----------------|-------------------|-----------|----------------------|
|                                   |                |                                                 | Park Fund      | Midtown Park Fund | Other     | Unidentified Funding |
| <b>PG</b>                         | <b>PROJECT</b> |                                                 |                |                   |           |                      |
| 29                                | 5055           | Alviso Adobe Renovation                         | 0              | 0                 | 0         | 0                    |
| 30                                | New            | Berryessa Creek Trail, Reach 4, 5, 6A           | 0              | 0                 | 3,500,000 | 3,950,000            |
| 31                                | New            | Cardoza Park Improvements Phase II              | 0              | 0                 | 0         | 8,600,000            |
| 32                                | New            | Creighton Park Renovation Design & Construction | 0              | 0                 | 0         | 0                    |
| 33                                | <b>New</b>     | <b>International Park</b>                       | <b>0</b>       | <b>0</b>          | <b>0</b>  | <b>0</b>             |
| 34                                | <b>New</b>     | <b>MSC Pool Rehabilitation</b>                  | <b>0</b>       | <b>0</b>          | <b>0</b>  | <b>0</b>             |
| 35                                | New            | Murphy Park Picnic and Playground Renovation    | 0              | 0                 | 0         | 3,750,000            |
| 36                                | <b>New</b>     | <b>Park Access Improvement and Resurfacing</b>  | <b>0</b>       | <b>0</b>          | <b>0</b>  | <b>0</b>             |
| 37                                | <b>New</b>     | <b>Sandalwood Park Renovation</b>               | <b>0</b>       | <b>0</b>          | <b>0</b>  | <b>0</b>             |
| 38                                | <b>New</b>     | <b>Sinnott Park Renovation</b>                  | <b>900,000</b> | <b>0</b>          | <b>0</b>  | <b>0</b>             |
| 39                                | <b>New</b>     | <b>Sports Center Skate Park</b>                 | <b>0</b>       | <b>0</b>          | <b>0</b>  | <b>0</b>             |
| 40                                | <b>New</b>     | <b>Sports Center Sports Fields</b>              | <b>0</b>       | <b>0</b>          | <b>0</b>  | <b>0</b>             |
| 41                                | <b>New</b>     | <b>Starlite Park Renovation</b>                 | <b>0</b>       | <b>1,100,000</b>  | <b>0</b>  | <b>0</b>             |
| 42                                | <b>New</b>     | <b>Strickroth Park Renovation</b>               | <b>0</b>       | <b>0</b>          | <b>0</b>  | <b>1,625,000</b>     |
| Total Defunding by Funding Source |                |                                                 | 0              | 0                 | 0         | 0                    |
| Total Funding by Funding Source   |                |                                                 | 900,000        | 1,100,000         | 3,500,000 | 17,925,000           |
| Subtotal by Funding Source        |                |                                                 | 900,000        | 1,100,000         | 3,500,000 | 17,925,000           |
| Subtotal by Year                  |                |                                                 | 23,425,000     |                   |           |                      |

**NOTES**

- (a) New projects listed in Bold Italics.
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- (c) Grants are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                      | Estimate Level |
|------------------|------------------------------|----------------|
| Park Improvement | 5055 Alviso Adobe Renovation | 1              |

**CONTACT:** Michael Boitnott [3315]

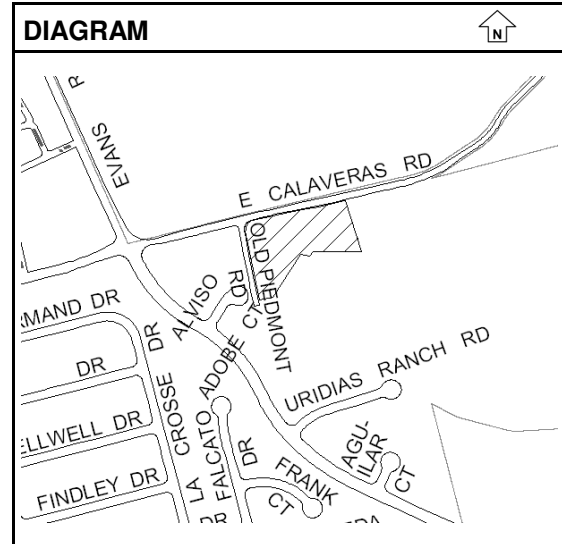
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides new park improvements and exterior restoration of the historic Alviso Adobe building. The first phase provides structural stabilization, seismic strengthening and exterior renovation of the Alviso adobe building. The second phase provides park improvements including picnic areas, lighting, walkways, a parking lot, apricot orchard, herb garden, landscaping and access improvements. Once completed, park visitors will experience the progressive history of Milpitas' from its origins as a Spanish land grant in the 1830's through the 1920's rural Santa Clara County farming era.

**COMMENTS:**

The final phase (V) provides the interior restoration of the 1st floor of the Adobe Building to museum quality level. This phase is unfunded and estimated at over \$1.0 million. Staff will be pursuing additional grants for phase the phase V work to help offset the cost of doing the improvements.



**Uncommitted Balance as of 2/28/2015:**

\$4,521

| ESTIMATED COST | Prior Year       | 2015-16          | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|------------------|----------|----------|----------|----------|------------------|
| Design         | 344,000          | 150,000          | 0        | 0        | 0        | 0        | 494,000          |
| Administration | 120,000          | 100,000          | 0        | 0        | 0        | 0        | 220,000          |
| Surveying      | 0                | 0                | 0        | 0        | 0        | 0        | 0                |
| Inspection     | 251,000          | 50,000           | 0        | 0        | 0        | 0        | 301,000          |
| Improvements   | 4,652,972        | 700,000          | 0        | 0        | 0        | 0        | 5,352,972        |
| Other          | 56,300           | 0                | 0        | 0        | 0        | 0        | 56,300           |
| <b>Totals</b>  | <b>5,424,272</b> | <b>1,000,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>6,424,272</b> |

| FINANCING                      | Prior Year       | 2015-16          | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|--------------------------------|------------------|------------------|----------|----------|----------|----------|------------------|
| Grants/Reimbursement/Developer | 785,910          | 0                | 0        | 0        | 0        | 0        | 785,910          |
| Park Fund                      | 4,638,362        | 1,000,000        | 0        | 0        | 0        | 0        | 5,638,362        |
| <b>Totals</b>                  | <b>5,424,272</b> | <b>1,000,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>6,424,272</b> |

**FINANCE NOTES**

Grants/Reimbursement/Developer Fees/Others: Received on 5/08 - SCC Historical Heritage \$60,138 + \$59,000 + \$54,000.  
 SCC Open Space Authority Grant \$356,837. FY09-10 SCC Open Space Authority Grant: \$170,000. Piedmont 237 Limited Liability Corporation (LLC) development fees \$3,935  
 Received 08/08 - \$13,607 Milpitas Historical Society; \$83,393 remains to be reimbursed, not included in budget yet.  
 FY 10-11 Park Fund \$2,500,000.  
 FY 11-12 SCC Historical & Heritage Grant \$85,000  
 City Council 2/7/12 - Midyear Budget Appropriation of \$70,000 from SCVWD Open Space "Trails& Open Spaces Grant"  
 City Council 2/7/12 - Midyear Budget Appropriation of \$83,393 from Milpitas Historical Society  
 The City was unable to obtain the \$170,000 grant from the SCC Open Space Authority and \$170,000 will be removed from the project.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                                   | Estimate Level |
|------------------|-------------------------------------------|----------------|
| Park Improvement | New Berryessa Creek Trail, Reach 4, 5, 6A | 1              |

**CONTACT:** Steven Machida [3355]

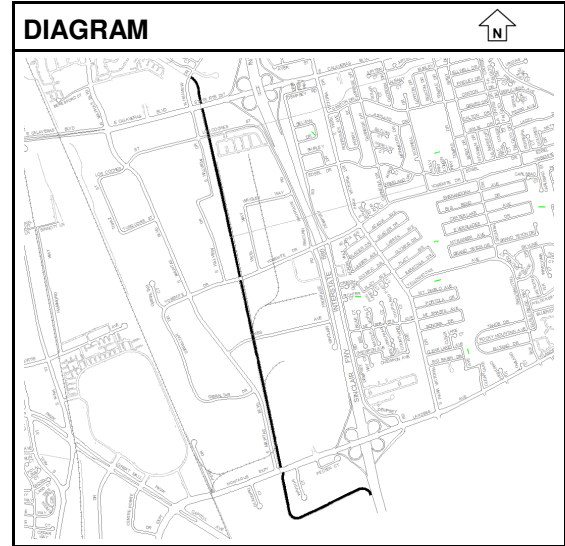
**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides for the design and construction of Reach 4, 5 and 6A of the Berryessa Creek Trail from Calaveras Blvd to San Jose City limits South of Montague Expressway. The scope of work includes trail paving, trail accessibility improvements, intersection modifications at Yosemite/S. Hillview, Ames Ave./S. Milpitas Blvd., and Gibraltar Ave/S. Milpitas Boulevard, and S. Milpitas/Montague, plantings and trail amenities. The project will be coordinated with the proposed US Army Corp of Engineers and SCVWD creek flood improvements project. It is also identified in the VTP 2040 Plan, as it provides a direct pedestrian/bicycle connection from the Town Center to the future BART station.

**COMMENTS:**

This project is identified and described further in the "Berryessa Creek Trail and Coyote Creek Trail Feasibility Report".



**Uncommitted Balance as of 2/28/2015:**

\$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20   | Total     |
|----------------|------------|---------|---------|---------|---------|-----------|-----------|
| Design         | 0          | 0       | 0       | 0       | 0       | 650,000   | 650,000   |
| Administration | 0          | 0       | 0       | 0       | 0       | 300,000   | 300,000   |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0         | 0         |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 250,000   | 250,000   |
| Land           | 0          | 0       | 0       | 0       | 0       | 0         | 0         |
| Improvements   | 0          | 0       | 0       | 0       | 0       | 6,250,000 | 6,250,000 |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0         | 0         |
| Other          | 0          | 0       | 0       | 0       | 0       | 0         | 0         |
| <b>Totals</b>  | 0          | 0       | 0       | 0       | 0       | 7,450,000 | 7,450,000 |

| FINANCING            | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20   | Total     |
|----------------------|------------|---------|---------|---------|---------|-----------|-----------|
| Unidentified Funding | 0          | 0       | 0       | 0       | 0       | 3,950,000 | 3,950,000 |
| TASP Impact Fees     | 0          | 0       | 0       | 0       | 0       | 3,500,000 | 3,500,000 |
| <b>Totals</b>        | 0          | 0       | 0       | 0       | 0       | 7,450,000 | 7,450,000 |

**FINANCE NOTES**

Unidentified funding- possible funding may include future grants from the Army Corp of Engineers, SCVWD, developer contributions, and VTP 2040 Regional Transportation Program funds.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                                       | Estimate Level |
|------------------|-----------------------------------------------|----------------|
| Park Improvement | New <b>Cardoza Park Improvements Phase II</b> | 1              |

**CONTACT:** Michael Boitnott [3315] / Steve Erickson [3301]

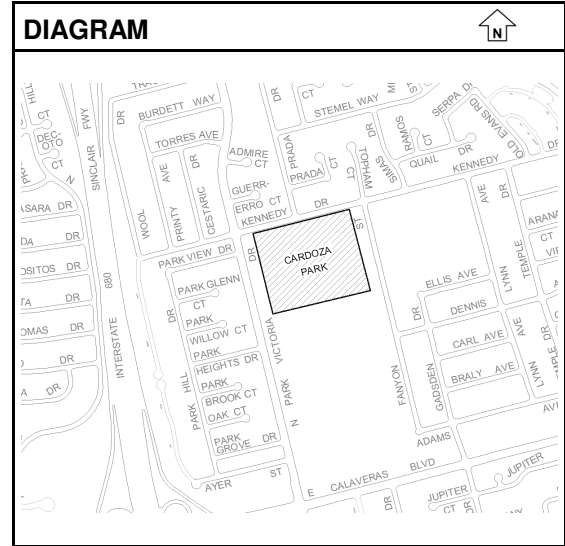
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of phase II of the Cardoza Park renovation. The phase II improvements include: parking lot rehabilitation, community building, large picnic areas, an entry gateway, water spray park, pathways and landscaping.

**COMMENTS:**

Cardoza is the City's most active park and is considered a "Community Park" serving all Milpitas residents. The Park Master Plan provides additional information on all phases of the park improvements. Originally constructed in 1973, Renovated in 2010 (Phase I)



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20          | Total            |
|----------------|------------|----------|----------|----------|----------|------------------|------------------|
| Design         | 0          | 0        | 0        | 0        | 0        | 950,000          | 950,000          |
| Administration | 0          | 0        | 0        | 0        | 0        | 675,000          | 675,000          |
| Inspection     | 0          | 0        | 0        | 0        | 0        | 225,000          | 225,000          |
| Improvements   | 0          | 0        | 0        | 0        | 0        | 6,750,000        | 6,750,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>8,600,000</b> | <b>8,600,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20          | Total            |
|----------------------|------------|----------|----------|----------|----------|------------------|------------------|
| Unidentified Funding | 0          | 0        | 0        | 0        | 0        | 8,600,000        | 8,600,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>8,600,000</b> | <b>8,600,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                                                               | Estimate Level |
|------------------|-----------------------------------------------------------------------|----------------|
| Park Improvement | <b>New</b> <b>Creighton Park Renovation Design &amp; Construction</b> | 1              |

**CONTACT:** Michael Boitnott [3315]

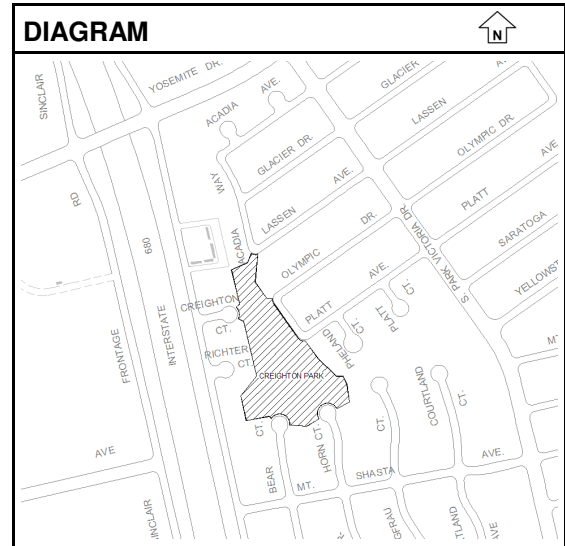
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of renovation improvements for various park elements at Creighton Park. Those include the picnic area, playground and surrounding area, ADA compliance assessment and improvements, drainage, landscaping, walkways and related improvements.

**COMMENTS:**

Creighton Park is approximately 5 acres, and it is heavily used by the surrounding neighborhoods. Originally constructed in 1968, Renovated in 1981, Play structures replaced in 1991



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17        | 2017-18          | 2018-19  | 2019-20  | Total            |
|----------------|------------|----------|----------------|------------------|----------|----------|------------------|
| Design         | 0          | 0        | 200,000        | 0                | 0        | 0        | 200,000          |
| Administration | 0          | 0        | 100,000        | 50,000           | 0        | 0        | 150,000          |
| Inspection     | 0          | 0        | 0              | 50,000           | 0        | 0        | 50,000           |
| Improvements   | 0          | 0        | 0              | 1,000,000        | 0        | 0        | 1,000,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>300,000</b> | <b>1,100,000</b> | <b>0</b> | <b>0</b> | <b>1,400,000</b> |

| FINANCING     | Prior Year | 2015-16  | 2016-17        | 2017-18          | 2018-19  | 2019-20  | Total            |
|---------------|------------|----------|----------------|------------------|----------|----------|------------------|
| Park Fund     | 0          | 0        | 300,000        | 1,100,000        | 0        | 0        | 1,400,000        |
| <b>Totals</b> | <b>0</b>   | <b>0</b> | <b>300,000</b> | <b>1,100,000</b> | <b>0</b> | <b>0</b> | <b>1,400,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                     | Estimate Level |
|------------------|-----------------------------|----------------|
| Park Improvement | New MSC Pool Rehabilitation | 1              |

**CONTACT:** Julie Waldron [3314] / Jaime Chew [3369]

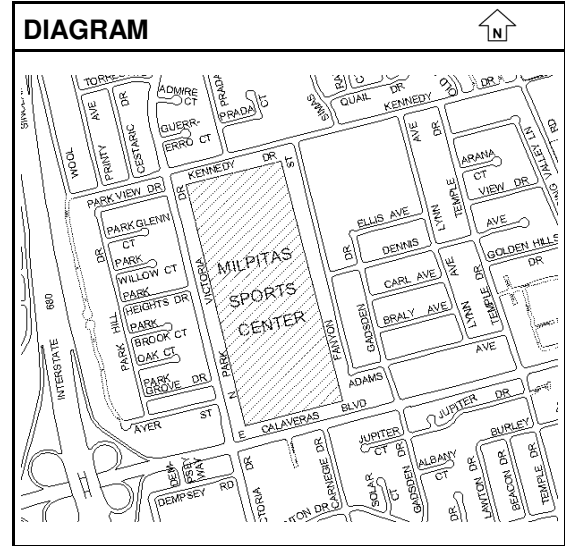
**PRIORITY:** Health and Safety Projects

**DESCRIPTION**

This project provides for various improvements to the Milpitas Sports Center Pool facility. The work includes resurfacing the plaster at the three swimming pools, ADA upgrades to the pools, and replacement of pool decking and drainage, under deck pool piping, pool electrical, tile work, lane lines, and other pool elements. The project will also include removing the wading pool and installing outside showers.

**COMMENTS:**

These pools are heavily used year round and require resurfacing every 5 years. California Health and Safety Code, Section 3106B.3 states that the finished pool shell shall be lined with a smooth waterproof interior finish that will withstand repeated brushing, scrubbing and cleaning procedures.



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16   | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|----------------|------------|-----------|---------|---------|---------|---------|-----------|
| Design         | 0          | 20,000    | 0       | 0       | 0       | 0       | 20,000    |
| Administration | 0          | 50,000    | 0       | 0       | 0       | 0       | 50,000    |
| Inspection     | 0          | 30,000    | 0       | 0       | 0       | 0       | 30,000    |
| Improvements   | 0          | 1,400,000 | 0       | 0       | 0       | 0       | 1,400,000 |
| <b>Totals</b>  | 0          | 1,500,000 | 0       | 0       | 0       | 0       | 1,500,000 |

| FINANCING         | Prior Year | 2015-16   | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|-------------------|------------|-----------|---------|---------|---------|---------|-----------|
| Midtown Park Fund | 0          | 1,500,000 | 0       | 0       | 0       | 0       | 1,500,000 |
| <b>Totals</b>     | 0          | 1,500,000 | 0       | 0       | 0       | 0       | 1,500,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                                                 | Estimate Level |
|------------------|---------------------------------------------------------|----------------|
| Park Improvement | New <b>Murphy Park Picnic and Playground Renovation</b> | 1              |

**CONTACT:** Michael Boitnott [3315]

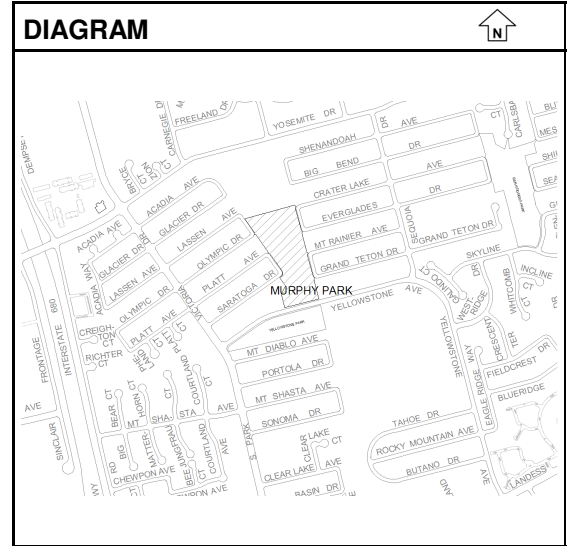
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of renovation improvements for various park elements at Murphy Park. Those include the large picnic area, playground and surrounding area, ADA compliance assessment and improvements, drainage, landscaping, walkways and related improvements.

**COMMENTS:**

Murphy Park is an older park which is heavily used, including sports activities and City programs such as "Music in the Park" and is in need of major renovation. Originally constructed in 1969, Play structures replaced in 1990



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20          | Total            |
|----------------|------------|----------|----------|----------|----------|------------------|------------------|
| Design         | 0          | 0        | 0        | 0        | 0        | 375,000          | 375,000          |
| Administration | 0          | 0        | 0        | 0        | 0        | 275,000          | 275,000          |
| Inspection     | 0          | 0        | 0        | 0        | 0        | 100,000          | 100,000          |
| Improvements   | 0          | 0        | 0        | 0        | 0        | 3,000,000        | 3,000,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>3,750,000</b> | <b>3,750,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20          | Total            |
|----------------------|------------|----------|----------|----------|----------|------------------|------------------|
| Unidentified Funding | 0          | 0        | 0        | 0        | 0        | 3,750,000        | 3,750,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>3,750,000</b> | <b>3,750,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                                     | Estimate Level |
|------------------|---------------------------------------------|----------------|
| Park Improvement | New Park Access Improvement and Resurfacing | 1              |

**CONTACT:** Michael Boitnott [3315]

**PRIORITY:** Health and Safety Projects

**DESCRIPTION**

This project provides for the improvement and rehabilitation of vehicle, bike, and pedestrian access for City parks. Work would include the repair, seal coat, or asphalt overlay of park parking lots, trails, and walking pathways, including repairs and recoating of pedestrian bridges.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 75,000  | 0       | 0       | 0       | 75,000  |
| Administration | 0          | 0       | 25,000  | 0       | 0       | 0       | 25,000  |
| Inspection     | 0          | 0       | 25,000  | 0       | 0       | 0       | 25,000  |
| Improvements   | 0          | 0       | 475,000 | 0       | 0       | 0       | 475,000 |
| <b>Totals</b>  | 0          | 0       | 600,000 | 0       | 0       | 0       | 600,000 |

| FINANCING         | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|-------------------|------------|---------|---------|---------|---------|---------|---------|
| Midtown Park Fund | 0          | 0       | 300,000 | 0       | 0       | 0       | 300,000 |
| Park Fund         | 0          | 0       | 300,000 | 0       | 0       | 0       | 300,000 |
| <b>Totals</b>     | 0          | 0       | 600,000 | 0       | 0       | 0       | 600,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                        | Estimate Level |
|------------------|--------------------------------|----------------|
| Park Improvement | New Sandalwood Park Renovation | 1              |

**CONTACT:** Michael Boitnott [3315]

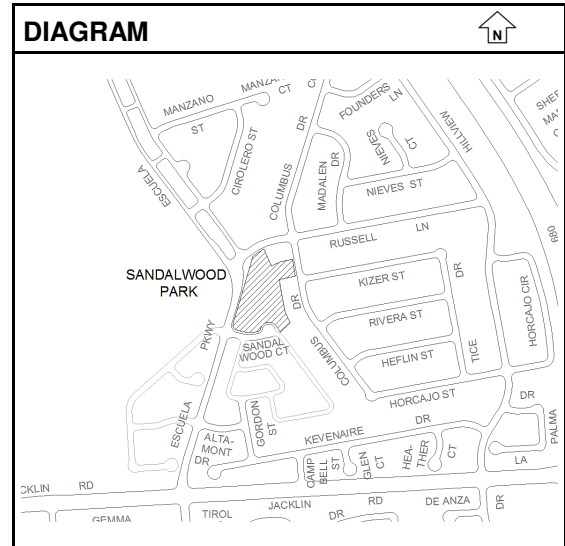
**PRIORITY:** Health and Safety Projects

**DESCRIPTION**

This project provides for the design and construction of renovation improvements for various park elements at Sandalwood Park. Those include the picnic area, playground and surrounding area, ADA compliance assessment and improvements, drainage, lighting, landscaping, walkways and related improvements.

**COMMENTS:**

Sandalwood Park is approximately 3.9 acres, and it is heavily used by the surrounding neighborhoods. Originally constructed in 1978, Expanded in 1988, Play structures replaced pre 1992



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18        | 2018-19          | 2019-20  | Total            |
|----------------|------------|----------|----------|----------------|------------------|----------|------------------|
| Design         | 0          | 0        | 0        | 175,000        | 0                | 0        | 175,000          |
| Administration | 0          | 0        | 0        | 100,000        | 50,000           | 0        | 150,000          |
| Inspection     | 0          | 0        | 0        | 0              | 50,000           | 0        | 50,000           |
| Improvements   | 0          | 0        | 0        | 0              | 900,000          | 0        | 900,000          |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>275,000</b> | <b>1,000,000</b> | <b>0</b> | <b>1,275,000</b> |

| FINANCING     | Prior Year | 2015-16  | 2016-17  | 2017-18        | 2018-19          | 2019-20  | Total            |
|---------------|------------|----------|----------|----------------|------------------|----------|------------------|
| Park Fund     | 0          | 0        | 0        | 275,000        | 1,000,000        | 0        | 1,275,000        |
| <b>Totals</b> | <b>0</b>   | <b>0</b> | <b>0</b> | <b>275,000</b> | <b>1,000,000</b> | <b>0</b> | <b>1,275,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                               | Estimate Level |
|------------------|---------------------------------------|----------------|
| Park Improvement | <b>New</b><br>Sinnott Park Renovation | 1              |

**CONTACT:** Michael Boitnott [3315]

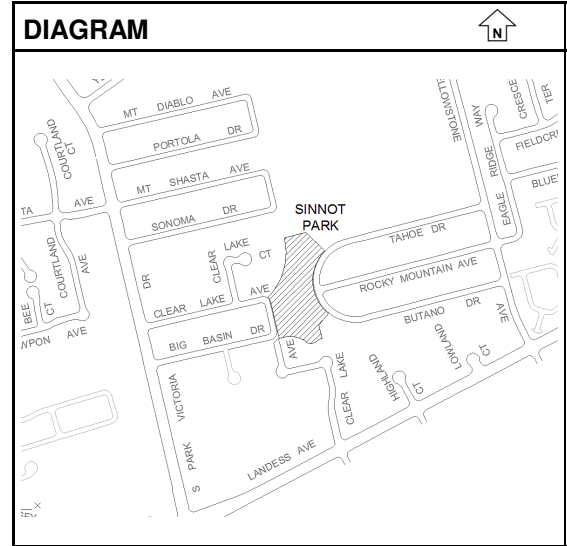
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of renovation improvements for various park elements at Sinnott Park. Those include the picnic area, playground and surrounding area, ADA compliance assessment and improvements, drainage, lighting, landscaping, walkways and related improvements.

**COMMENTS:**

Sinnott Park is approximately 4.7 acres, and it is heavily used by the surrounding neighborhoods. Originally constructed in 1970, Play structures replaced in 1991



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20        | Total            |
|----------------|------------|----------|----------|----------|----------------|----------------|------------------|
| Design         | 0          | 0        | 0        | 0        | 170,000        | 0              | 170,000          |
| Administration | 0          | 0        | 0        | 0        | 80,000         | 55,000         | 135,000          |
| Inspection     | 0          | 0        | 0        | 0        | 0              | 45,000         | 45,000           |
| Improvements   | 0          | 0        | 0        | 0        | 0              | 800,000        | 800,000          |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>250,000</b> | <b>900,000</b> | <b>1,150,000</b> |

| FINANCING     | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20        | Total            |
|---------------|------------|----------|----------|----------|----------------|----------------|------------------|
| Park Fund     | 0          | 0        | 0        | 0        | 250,000        | 900,000        | 1,150,000        |
| <b>Totals</b> | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>250,000</b> | <b>900,000</b> | <b>1,150,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                             | Estimate Level |
|------------------|-------------------------------------|----------------|
| Park Improvement | <b>New Sports Center Skate Park</b> | 1              |

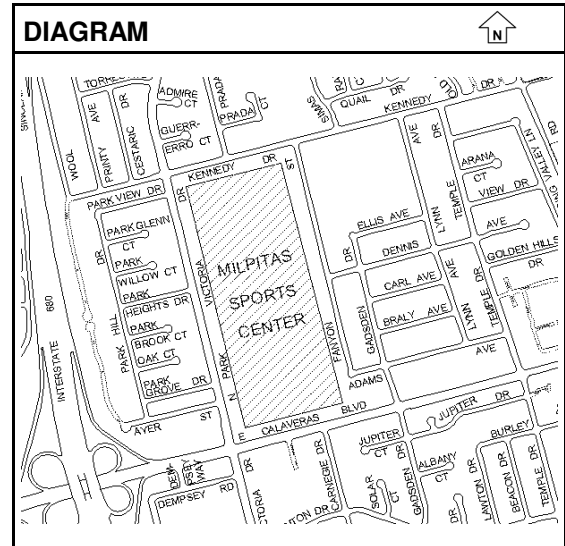
**CONTACT:** Julie Waldron [3314]

**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides for the design and construction of a new skate park to be located at the Milpitas Sports Complex between the parking lot and the existing football field. The improvements will include a 20,000 sq.ft. skate park with a 12,000 sq.ft. skate structure, lighting, landscaping, drainage, hardscape and amenities.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18          | 2018-19  | 2019-20  | Total            |
|----------------|------------|----------|----------|------------------|----------|----------|------------------|
| Design         | 0          | 0        | 0        | 300,000          | 0        | 0        | 300,000          |
| Administration | 0          | 0        | 0        | 175,000          | 0        | 0        | 175,000          |
| Inspection     | 0          | 0        | 0        | 50,000           | 0        | 0        | 50,000           |
| Improvements   | 0          | 0        | 0        | 1,125,000        | 0        | 0        | 1,125,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>1,650,000</b> | <b>0</b> | <b>0</b> | <b>1,650,000</b> |

| FINANCING         | Prior Year | 2015-16  | 2016-17  | 2017-18          | 2018-19  | 2019-20  | Total            |
|-------------------|------------|----------|----------|------------------|----------|----------|------------------|
| Park Fund         | 0          | 0        | 0        | 750,000          | 0        | 0        | 750,000          |
| Midtown Park Fund | 0          | 0        | 0        | 900,000          | 0        | 0        | 900,000          |
| <b>Totals</b>     | <b>0</b>   | <b>0</b> | <b>0</b> | <b>1,650,000</b> | <b>0</b> | <b>0</b> | <b>1,650,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                         | Estimate Level |
|------------------|---------------------------------|----------------|
| Park Improvement | New Sports Center Sports Fields | 1              |

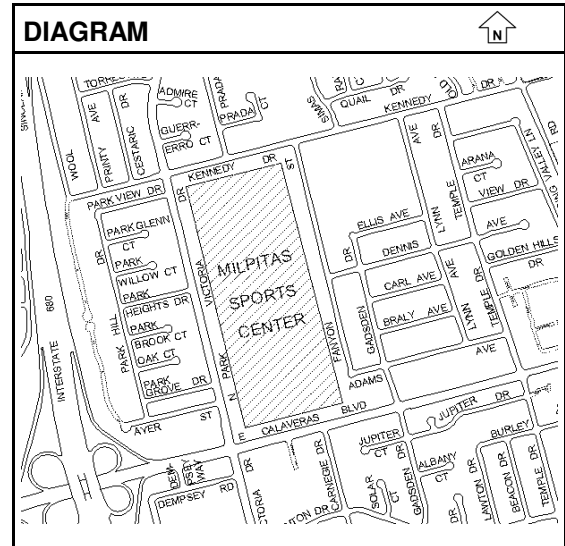
**CONTACT:** Julie Waldron [3314]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of a U-11 soccer field and a multi-purpose field that can be used as one football field, two U-9/10 soccer fields or as one U-13 soccer field. The improvements will also include and modifying the existing stadium lighting and bleaches to accommodate the relocated fields and pathway improvements to the fields.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16          | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------|------------------|----------|----------|----------|----------|------------------|
| Design         | 0          | 350,000          | 0        | 0        | 0        | 0        | 350,000          |
| Administration | 0          | 150,000          | 0        | 0        | 0        | 0        | 150,000          |
| Inspection     | 0          | 75,000           | 0        | 0        | 0        | 0        | 75,000           |
| Improvements   | 0          | 2,300,000        | 0        | 0        | 0        | 0        | 2,300,000        |
| <b>Totals</b>  | <b>0</b>   | <b>2,875,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,875,000</b> |

| FINANCING         | Prior Year | 2015-16          | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|-------------------|------------|------------------|----------|----------|----------|----------|------------------|
| Park Fund         | 0          | 1,315,000        | 0        | 0        | 0        | 0        | 1,315,000        |
| Midtown Park Fund | 0          | 1,560,000        | 0        | 0        | 0        | 0        | 1,560,000        |
| <b>Totals</b>     | <b>0</b>   | <b>2,875,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,875,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                      | Estimate Level |
|------------------|------------------------------|----------------|
| Park Improvement | New Starlite Park Renovation | 1              |

**CONTACT:** Michael Boitnott [3315]

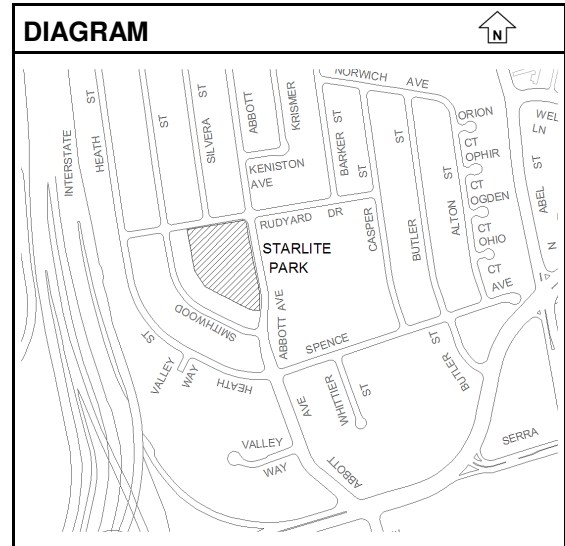
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of renovation improvements for various park elements at Starlite Park. Those include the picnic area, playground and surrounding area, ADA compliance assessment and improvements, drainage, lighting, landscaping, walkways and related improvements.

**COMMENTS:**

Starlite Park is approximately 3.4 acres, and it is heavily used by the surrounding neighborhoods and is right adjacent to the Midtown area. Originally constructed in 1967, Play structures replaced in 1991



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20          | Total            |
|----------------|------------|----------|----------|----------|----------------|------------------|------------------|
| Design         | 0          | 0        | 0        | 0        | 200,000        | 0                | 200,000          |
| Administration | 0          | 0        | 0        | 0        | 100,000        | 50,000           | 150,000          |
| Inspection     | 0          | 0        | 0        | 0        | 0              | 50,000           | 50,000           |
| Improvements   | 0          | 0        | 0        | 0        | 0              | 1,000,000        | 1,000,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>300,000</b> | <b>1,100,000</b> | <b>1,400,000</b> |

| FINANCING         | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20          | Total            |
|-------------------|------------|----------|----------|----------|----------------|------------------|------------------|
| Midtown Park Fund | 0          | 0        | 0        | 0        | 300,000        | 1,100,000        | 1,400,000        |
| <b>Totals</b>     | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>300,000</b> | <b>1,100,000</b> | <b>1,400,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                        | Estimate Level |
|------------------|--------------------------------|----------------|
| Park Improvement | New Strickroth Park Renovation | 1              |

**CONTACT:** Michael Boitnott [3315]

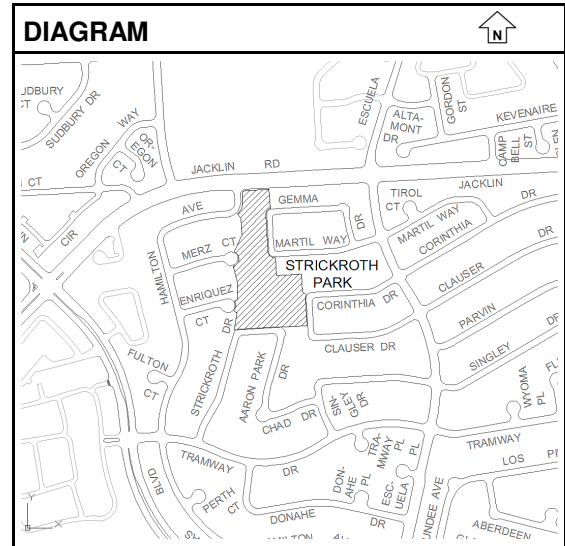
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of renovation improvements for various park elements at Strickroth Park. Those include the picnic area, playground and surrounding area, ADA compliance assessment and improvements, drainage, lighting, landscaping, walkways and related improvements.

**COMMENTS:**

Strickroth Park is approximately 4.9 acres, and it is heavily used by the surrounding neighborhoods. Originally constructed in 1979 Play structures replaced pre 1992



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20          | Total            |
|----------------|------------|----------|----------|----------|----------|------------------|------------------|
| Design         | 0          | 0        | 0        | 0        | 0        | 240,000          | 240,000          |
| Administration | 0          | 0        | 0        | 0        | 0        | 175,000          | 175,000          |
| Inspection     | 0          | 0        | 0        | 0        | 0        | 60,000           | 60,000           |
| Improvements   | 0          | 0        | 0        | 0        | 0        | 1,150,000        | 1,150,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,625,000</b> | <b>1,625,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20          | Total            |
|----------------------|------------|----------|----------|----------|----------|------------------|------------------|
| Unidentified Funding | 0          | 0        | 0        | 0        | 0        | 1,625,000        | 1,625,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,625,000</b> | <b>1,625,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
**STREETS PROJECTS SUMMARY**

**SUMMARY OF COSTS**

| PG.<br>NO.         | PROJECT                                            | TOTAL<br>COST    | PRIOR<br>YEARS | 2015-16       | 2016-17        | 2017-18        | 2018-19       | 2019-20          |
|--------------------|----------------------------------------------------|------------------|----------------|---------------|----------------|----------------|---------------|------------------|
| 51                 | 3402 McCarthy Blvd. Landscape & Lighting Improv    | 970,000          | 595,000        | 75,000        | 75,000         | 75,000         | 75,000        | 75,000           |
| 52                 | 3411 Sinclair LMD Improvements                     | 86,000           | 73,000         | 0             | 0              | 13,000         | 0             | 0                |
| 53                 | 4253 Dixon Landing Road Plan Line                  | 327,423          | 295,463        | 31,960        | 0              | 0              | 0             | 0                |
| 54                 | 4266 Street Light Improvements                     | 725,000          | 475,000        | 0             | 0              | 0              | 250,000       | 0                |
| 55                 | 4267 Soundwall Renovation                          | 1,228,466        | 478,466        | 200,000       | 300,000        | 0              | 100,000       | 150,000          |
| 56                 | 4271 Bridge Improvements                           | 850,000          | 150,000        | 200,000       | 50,000         | 300,000        | 0             | 150,000          |
| 57                 | 4273 Street Landscape Irrigation Repair 2014       | 300,000          | 150,000        | 150,000       | 0              | 0              | 0             | 0                |
| 58                 | New Milpitas Boulevard Plan Line Study             | 150,000          | 0              | 150,000       | 0              | 0              | 0             | 0                |
| 59                 | New Minor Traffic Improvements 2016                | 200,000          | 0              | 100,000       | 100,000        | 0              | 0             | 0                |
| 60                 | New Minor Traffic Improvements 2018                | 200,000          | 0              | 0             | 0              | 100,000        | 100,000       | 0                |
| 61                 | New <b>Minor Traffic Improvements 2020</b>         | <b>100,000</b>   | <b>0</b>       | <b>0</b>      | <b>0</b>       | <b>0</b>       | <b>0</b>      | <b>100,000</b>   |
| 62                 | New S. Milpitas Blvd Bike/Ped. Improvements        | 200,000          | 0              | 0             | 0              | 0              | 200,000       | 0                |
| 63                 | New <b>Street Landscape Irrigation Repair 2017</b> | <b>400,000</b>   | <b>0</b>       | <b>0</b>      | <b>150,000</b> | <b>200,000</b> | <b>50,000</b> | <b>0</b>         |
| 64                 | New Street Resurfacing Project 2016                | 2,650,000        | 0              | 2,650,000     | 0              | 0              | 0             | 0                |
| 65                 | New Street Resurfacing Project 2017                | 4,500,000        | 0              | 0             | 4,500,000      | 0              | 0             | 0                |
| 66                 | New Street Resurfacing Project 2018                | 4,500,000        | 0              | 0             | 0              | 4,500,000      | 0             | 0                |
| 67                 | New Street Resurfacing Project 2019                | 4,500,000        | 0              | 0             | 0              | 0              | 4,500,000     | 0                |
| 68                 | New <b>Street Resurfacing Project 2020</b>         | <b>4,500,000</b> | <b>0</b>       | <b>0</b>      | <b>0</b>       | <b>0</b>       | <b>0</b>      | <b>4,500,000</b> |
| 69                 | New <b>TASP Underground Utility District</b>       | <b>80,000</b>    | <b>0</b>       | <b>40,000</b> | <b>40,000</b>  | <b>0</b>       | <b>0</b>      | <b>0</b>         |
| 70                 | New <b>Traffic Management Enhancements 2020</b>    | <b>200,000</b>   | <b>0</b>       | <b>0</b>      | <b>0</b>       | <b>0</b>       | <b>0</b>      | <b>200,000</b>   |
| 71                 | New Traffic Signal Installation                    | 350,000          | 0              | 0             | 350,000        | 0              | 0             | 0                |
| 72                 | New <b>Utility Undergrounding 2020</b>             | <b>50,000</b>    | <b>0</b>       | <b>0</b>      | <b>0</b>       | <b>0</b>       | <b>0</b>      | <b>50,000</b>    |
| Defunding Subtotal |                                                    |                  |                | 3,596,960     |                |                |               |                  |
| Funding Subtotal   |                                                    |                  |                |               |                |                |               |                  |
| TOTAL COST         |                                                    | \$27,066,889     | \$2,216,929    | \$3,596,960   | \$5,565,000    | \$5,188,000    | \$5,275,000   | \$5,225,000      |

**NOTES**

- (a) New projects listed in Bold Italics.
- (b) \$3.996M of RDA bonds were appropriated for the reconstruction of S. Main Street CIP 4277 on 1/6/15.
- (c) FY 2014-15 & 2015-16 funding for street resurfacing related projects total \$10.896M

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Streets**

|                                   |            |                                                  | 2015-16      |                          |               |                      |
|-----------------------------------|------------|--------------------------------------------------|--------------|--------------------------|---------------|----------------------|
|                                   |            |                                                  | Gas Tax Fund | Vehicle Registration Fee | Other         | Unidentified Funding |
| PG                                | PROJECT    |                                                  |              |                          |               |                      |
| 51                                | 3402       | McCarthy Blvd. Landscape & Lighting Improvements | 0            | 0                        | 75,000        | 0                    |
| 52                                | 3411       | Sinclair LMD Improvements                        | 0            | 0                        | 0             | 0                    |
| 53                                | 4253       | Dixon Landing Road Plan Line                     | 0            | 0                        | 31,960        | 0                    |
| 54                                | 4266       | Street Light Improvements                        | 0            | 0                        | 0             | 0                    |
| 55                                | 4267       | Soundwall Renovation                             | 200,000      | 0                        | 0             | 0                    |
| 56                                | 4271       | Bridge Improvements                              | 200,000      | 0                        | 0             | 0                    |
| 57                                | 4273       | Street Landscape Irrigation Repair 2014          | 150,000      | 0                        | 0             | 0                    |
| 58                                | New        | Milpitas Boulevard Plan Line Study               | 0            | 0                        | 150,000       | 0                    |
| 59                                | New        | Minor Traffic Improvements 2016                  | 100,000      | 0                        | 0             | 0                    |
| 60                                | New        | Minor Traffic Improvements 2018                  | 0            | 0                        | 0             | 0                    |
| 61                                | <b>New</b> | <b>Minor Traffic Improvements 2020</b>           | <b>0</b>     | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| 62                                | New        | S. Milpitas Blvd Bike/Ped. Improvements          | 0            | 0                        | 0             | 0                    |
| 63                                | <b>New</b> | <b>Street Landscape Irrigation Repair 2017</b>   | <b>0</b>     | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| 64                                | New        | Street Resurfacing Project 2016                  | 1,400,000    | 450,000                  | 800,000       | 0                    |
| 65                                | New        | Street Resurfacing Project 2017                  | 0            | 0                        | 0             | 0                    |
| 66                                | New        | Street Resurfacing Project 2018                  | 0            | 0                        | 0             | 0                    |
| 67                                | New        | Street Resurfacing Project 2019                  | 0            | 0                        | 0             | 0                    |
| 68                                | <b>New</b> | <b>Street Resurfacing Project 2020</b>           | <b>0</b>     | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| 69                                | <b>New</b> | <b>TASP Underground Utility District</b>         | <b>0</b>     | <b>0</b>                 | <b>40,000</b> | <b>0</b>             |
| 70                                | <b>New</b> | <b>Traffic Management Enhancements 2020</b>      | <b>0</b>     | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| 71                                | New        | Traffic Signal Installation                      | 0            | 0                        | 0             | 0                    |
| 72                                | <b>New</b> | <b>Utility Undergrounding 2020</b>               | <b>0</b>     | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| Total Defunding by Funding Source |            |                                                  | (0)          | (0)                      | (0)           | (0)                  |
| Total Funding by Funding Source   |            |                                                  | 2,050,000    | 450,000                  | 1,096,960     | 0                    |
| Subtotal by Funding Source        |            |                                                  | 2,050,000    | 450,000                  | 1,096,960     | 0                    |
| Subtotal by Year                  |            |                                                  | 3,596,960    |                          |               |                      |

**NOTES**

- (a) New projects listed in Bold Italics.
- (b) "Other" are identified on detailed project sheets.
- (c) Grants are identified on detailed project sheets.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Streets**

| PG PROJECT                        |            |                                                  | 2016-17        |                          |               |                      |
|-----------------------------------|------------|--------------------------------------------------|----------------|--------------------------|---------------|----------------------|
|                                   |            |                                                  | Gas Tax Fund   | Vehicle Registration Fee | Other         | Unidentified Funding |
| 51                                | 3402       | McCarthy Blvd. Landscape & Lighting Improvements | 0              | 0                        | 75,000        | 0                    |
| 52                                | 3411       | Sinclair LMD Improvements                        | 0              | 0                        | 0             | 0                    |
| 53                                | 4253       | Dixon Landing Road Plan Line                     | 0              | 0                        | 0             | 0                    |
| 54                                | 4266       | Street Light Improvements                        | 0              | 0                        | 0             | 0                    |
| 55                                | 4267       | Soundwall Renovation                             | 300,000        | 0                        | 0             | 0                    |
| 56                                | 4271       | Bridge Improvements                              | 50,000         | 0                        | 0             | 0                    |
| 57                                | 4273       | Street Landscape Irrigation Repair 2014          | 0              | 0                        | 0             | 0                    |
| 58                                | New        | Milpitas Boulevard Plan Line Study               | 0              | 0                        | 0             | 0                    |
| 59                                | New        | Minor Traffic Improvements 2016                  | 100,000        | 0                        | 0             | 0                    |
| 60                                | New        | Minor Traffic Improvements 2018                  | 0              | 0                        | 0             | 0                    |
| 61                                | <b>New</b> | <b>Minor Traffic Improvements 2020</b>           | <b>0</b>       | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| 62                                | New        | S. Milpitas Blvd Bike/Ped. Improvements          | 0              | 0                        | 0             | 0                    |
| 63                                | <b>New</b> | <b>Street Landscape Irrigation Repair 2017</b>   | <b>150,000</b> | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| 64                                | New        | Street Resurfacing Project 2016                  | 0              | 0                        | 0             | 0                    |
| 65                                | New        | Street Resurfacing Project 2017                  | 1,300,000      | 450,000                  | 800,000       | 1,950,000            |
| 66                                | New        | Street Resurfacing Project 2018                  | 0              | 0                        | 0             | 0                    |
| 67                                | New        | Street Resurfacing Project 2019                  | 0              | 0                        | 0             | 0                    |
| 68                                | <b>New</b> | <b>Street Resurfacing Project 2020</b>           | <b>0</b>       | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| 69                                | <b>New</b> | <b>TASP Underground Utility District</b>         | <b>0</b>       | <b>0</b>                 | <b>40,000</b> | <b>0</b>             |
| 70                                | <b>New</b> | <b>Traffic Management Enhancements 2020</b>      | <b>0</b>       | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| 71                                | New        | Traffic Signal Installation                      | 0              | 0                        | 350,000       | 0                    |
| 72                                | <b>New</b> | <b>Utility Undergrounding 2020</b>               | <b>0</b>       | <b>0</b>                 | <b>0</b>      | <b>0</b>             |
| Total Defunding by Funding Source |            |                                                  | 0              | 0                        | 0             | 0                    |
| Total Funding by Funding Source   |            |                                                  | 1,900,000      | 450,000                  | 1,265,000     | 1,950,000            |
| Subtotal by Funding Source        |            |                                                  | 1,900,000      | 450,000                  | 1,265,000     | 1,950,000            |
| Subtotal by Year                  |            |                                                  | 5,565,000      |                          |               |                      |

**NOTES**

- (a) New projects listed in Bold Italics.
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- (c) Grants are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Streets**

|                                   |                   |                                                       | <b>2017-18</b>        |                          |                 |                      |
|-----------------------------------|-------------------|-------------------------------------------------------|-----------------------|--------------------------|-----------------|----------------------|
|                                   |                   |                                                       | Gas Tax Fund          | Vehicle Registration Fee | Other           | Unidentified Funding |
| <b>PG</b>                         | <b>PROJECT</b>    |                                                       |                       |                          |                 |                      |
| 51                                | 3402              | McCarthy Blvd. Landscape & Lighting Improvements      | 0                     | 0                        | 75,000          | 0                    |
| 52                                | 3411              | Sinclair LMD Improvements                             | 0                     | 0                        | 13,000          | 0                    |
| 53                                | 4253              | Dixon Landing Road Plan Line                          | 0                     | 0                        | 0               | 0                    |
| 54                                | 4266              | Street Light Improvements                             | 0                     | 0                        | 0               | 0                    |
| 55                                | 4267              | Soundwall Renovation                                  | 0                     | 0                        | 0               | 0                    |
| 56                                | 4271              | Bridge Improvements                                   | 300,000               | 0                        | 0               | 0                    |
| 57                                | 4273              | Street Landscape Irrigation Repair 2014               | 0                     | 0                        | 0               | 0                    |
| 58                                | New               | Milpitas Boulevard Plan Line Study                    | 0                     | 0                        | 0               | 0                    |
| 59                                | New               | Minor Traffic Improvements 2016                       | 0                     | 0                        | 0               | 0                    |
| 60                                | New               | Minor Traffic Improvements 2018                       | 100,000               | 0                        | 0               | 0                    |
| 61                                | <b><i>New</i></b> | <b><i>Minor Traffic Improvements 2020</i></b>         | <b><i>0</i></b>       | <b><i>0</i></b>          | <b><i>0</i></b> | <b><i>0</i></b>      |
| 62                                | New               | S. Milpitas Blvd Bike/Ped. Improvements               | 0                     | 0                        | 0               | 0                    |
| 63                                | <b><i>New</i></b> | <b><i>Street Landscape Irrigation Repair 2017</i></b> | <b><i>200,000</i></b> | <b><i>0</i></b>          | <b><i>0</i></b> | <b><i>0</i></b>      |
| 64                                | New               | Street Resurfacing Project 2016                       | 0                     | 0                        | 0               | 0                    |
| 65                                | New               | Street Resurfacing Project 2017                       | 0                     | 0                        | 0               | 0                    |
| 66                                | New               | Street Resurfacing Project 2018                       | 1,300,000             | 500,000                  | 800,000         | 1,900,000            |
| 67                                | New               | Street Resurfacing Project 2019                       | 0                     | 0                        | 0               | 0                    |
| 68                                | <b><i>New</i></b> | <b><i>Street Resurfacing Project 2020</i></b>         | <b><i>0</i></b>       | <b><i>0</i></b>          | <b><i>0</i></b> | <b><i>0</i></b>      |
| 69                                | <b><i>New</i></b> | <b><i>TASP Underground Utility District</i></b>       | <b><i>0</i></b>       | <b><i>0</i></b>          | <b><i>0</i></b> | <b><i>0</i></b>      |
| 70                                | <b><i>New</i></b> | <b><i>Traffic Management Enhancements 2020</i></b>    | <b><i>0</i></b>       | <b><i>0</i></b>          | <b><i>0</i></b> | <b><i>0</i></b>      |
| 71                                | New               | Traffic Signal Installation                           | 0                     | 0                        | 0               | 0                    |
| 72                                | <b><i>New</i></b> | <b><i>Utility Undergrounding 2020</i></b>             | <b><i>0</i></b>       | <b><i>0</i></b>          | <b><i>0</i></b> | <b><i>0</i></b>      |
| Total Defunding by Funding Source |                   |                                                       | 0                     | 0                        | 0               | 0                    |
| Total Funding by Funding Source   |                   |                                                       | 1,900,000             | 500,000                  | 888,000         | 1,900,000            |
| Subtotal by Funding Source        |                   |                                                       | 1,900,000             | 500,000                  | 888,000         | 1,900,000            |
| Subtotal by Year                  |                   |                                                       | 5,188,000             |                          |                 |                      |

**NOTES**

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**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Streets**

| PG PROJECT                        |            |                                                  | 2018-19       |                          |           |                      |
|-----------------------------------|------------|--------------------------------------------------|---------------|--------------------------|-----------|----------------------|
|                                   |            |                                                  | Gas Tax Fund  | Vehicle Registration Fee | Other     | Unidentified Funding |
| 51                                | 3402       | McCarthy Blvd. Landscape & Lighting Improvements | 0             | 0                        | 75,000    | 0                    |
| 52                                | 3411       | Sinclair LMD Improvements                        | 0             | 0                        | 0         | 0                    |
| 53                                | 4253       | Dixon Landing Road Plan Line                     | 0             | 0                        | 0         | 0                    |
| 54                                | 4266       | Street Light Improvements                        | 250,000       | 0                        | 0         | 0                    |
| 55                                | 4267       | Soundwall Renovation                             | 100,000       | 0                        | 0         | 0                    |
| 56                                | 4271       | Bridge Improvements                              | 0             | 0                        | 0         | 0                    |
| 57                                | 4273       | Street Landscape Irrigation Repair 2014          | 0             | 0                        | 0         | 0                    |
| 58                                | New        | Milpitas Boulevard Plan Line Study               | 0             | 0                        | 0         | 0                    |
| 59                                | New        | Minor Traffic Improvements 2016                  | 0             | 0                        | 0         | 0                    |
| 60                                | New        | Minor Traffic Improvements 2018                  | 100,000       | 0                        | 0         | 0                    |
| 61                                | <b>New</b> | <b>Minor Traffic Improvements 2020</b>           | <b>0</b>      | <b>0</b>                 | <b>0</b>  | <b>0</b>             |
| 62                                | New        | S. Milpitas Blvd Bike/Ped. Improvements          | 40,000        | 0                        | 160,000   | 0                    |
| 63                                | <b>New</b> | <b>Street Landscape Irrigation Repair 2017</b>   | <b>50,000</b> | <b>0</b>                 | <b>0</b>  | <b>0</b>             |
| 64                                | New        | Street Resurfacing Project 2016                  | 0             | 0                        | 0         | 0                    |
| 65                                | New        | Street Resurfacing Project 2017                  | 0             | 0                        | 0         | 0                    |
| 66                                | New        | Street Resurfacing Project 2018                  | 0             | 0                        | 0         | 0                    |
| 67                                | New        | Street Resurfacing Project 2019                  | 1,300,000     | 500,000                  | 800,000   | 1,900,000            |
| 68                                | <b>New</b> | <b>Street Resurfacing Project 2020</b>           | <b>0</b>      | <b>0</b>                 | <b>0</b>  | <b>0</b>             |
| 69                                | <b>New</b> | <b>TASP Underground Utility District</b>         | <b>0</b>      | <b>0</b>                 | <b>0</b>  | <b>0</b>             |
| 70                                | <b>New</b> | <b>Traffic Management Enhancements 2020</b>      | <b>0</b>      | <b>0</b>                 | <b>0</b>  | <b>0</b>             |
| 71                                | New        | Traffic Signal Installation                      | 0             | 0                        | 0         | 0                    |
| 72                                | <b>New</b> | <b>Utility Undergrounding 2020</b>               | <b>0</b>      | <b>0</b>                 | <b>0</b>  | <b>0</b>             |
| Total Defunding by Funding Source |            |                                                  | 0             | 0                        | 0         | 0                    |
| Total Funding by Funding Source   |            |                                                  | 1,840,000     | 500,000                  | 1,035,000 | 1,900,000            |
| Subtotal by Funding Source        |            |                                                  | 1,840,000     | 500,000                  | 1,035,000 | 1,900,000            |
| Subtotal by Year                  |            |                                                  | 5,275,000     |                          |           |                      |

**NOTES**

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**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Streets**

| PG PROJECT                        |            |                                                  | 2019-20          |                          |                |                      |
|-----------------------------------|------------|--------------------------------------------------|------------------|--------------------------|----------------|----------------------|
|                                   |            |                                                  | Gas Tax Fund     | Vehicle Registration Fee | Other          | Unidentified Funding |
| 51                                | 3402       | McCarthy Blvd. Landscape & Lighting Improvements | 0                | 0                        | 75,000         | 0                    |
| 52                                | 3411       | Sinclair LMD Improvements                        | 0                | 0                        | 0              | 0                    |
| 53                                | 4253       | Dixon Landing Road Plan Line                     | 0                | 0                        | 0              | 0                    |
| 54                                | 4266       | Street Light Improvements                        | 0                | 0                        | 0              | 0                    |
| 55                                | 4267       | Soundwall Renovation                             | 150,000          | 0                        | 0              | 0                    |
| 56                                | 4271       | Bridge Improvements                              | 150,000          | 0                        | 0              | 0                    |
| 57                                | 4273       | Street Landscape Irrigation Repair 2014          | 0                | 0                        | 0              | 0                    |
| 58                                | New        | Milpitas Boulevard Plan Line Study               | 0                | 0                        | 0              | 0                    |
| 59                                | New        | Minor Traffic Improvements 2016                  | 0                | 0                        | 0              | 0                    |
| 60                                | New        | Minor Traffic Improvements 2018                  | 0                | 0                        | 0              | 0                    |
| 61                                | <b>New</b> | <b>Minor Traffic Improvements 2020</b>           | <b>100,000</b>   | <b>0</b>                 | <b>0</b>       | <b>0</b>             |
| 62                                | New        | S. Milpitas Blvd Bike/Ped. Improvements          | 0                | 0                        | 0              | 0                    |
| 63                                | <b>New</b> | <b>Street Landscape Irrigation Repair 2017</b>   | <b>0</b>         | <b>0</b>                 | <b>0</b>       | <b>0</b>             |
| 64                                | New        | Street Resurfacing Project 2016                  | 0                | 0                        | 0              | 0                    |
| 65                                | New        | Street Resurfacing Project 2017                  | 0                | 0                        | 0              | 0                    |
| 66                                | New        | Street Resurfacing Project 2018                  | 0                | 0                        | 0              | 0                    |
| 67                                | New        | Street Resurfacing Project 2019                  | 0                | 0                        | 0              | 0                    |
| 68                                | <b>New</b> | <b>Street Resurfacing Project 2020</b>           | <b>1,300,000</b> | <b>500,000</b>           | <b>800,000</b> | <b>1,900,000</b>     |
| 69                                | <b>New</b> | <b>TASP Underground Utility District</b>         | <b>0</b>         | <b>0</b>                 | <b>0</b>       | <b>0</b>             |
| 70                                | <b>New</b> | <b>Traffic Management Enhancements 2020</b>      | <b>200,000</b>   | <b>0</b>                 | <b>0</b>       | <b>0</b>             |
| 71                                | New        | Traffic Signal Installation                      | 0                | 0                        | 0              | 0                    |
| 72                                | <b>New</b> | <b>Utility Undergrounding 2020</b>               | <b>0</b>         | <b>0</b>                 | <b>0</b>       | <b>50,000</b>        |
| Total Defunding by Funding Source |            |                                                  | 0                | 0                        | 0              | 0                    |
| Total Funding by Funding Source   |            |                                                  | 1,900,000        | 500,000                  | 875,000        | 1,950,000            |
| Subtotal by Funding Source        |            |                                                  | 1,900,000        | 500,000                  | 875,000        | 1,950,000            |
| Subtotal by Year                  |            |                                                  | 5,225,000        |                          |                |                      |

**NOTES**

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**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                                          | Estimate Level |
|----------|------------------------------------------------------------------|----------------|
| Streets  | <b>3402 McCarthy Blvd. Landscape &amp; Lighting Improvements</b> | 1              |

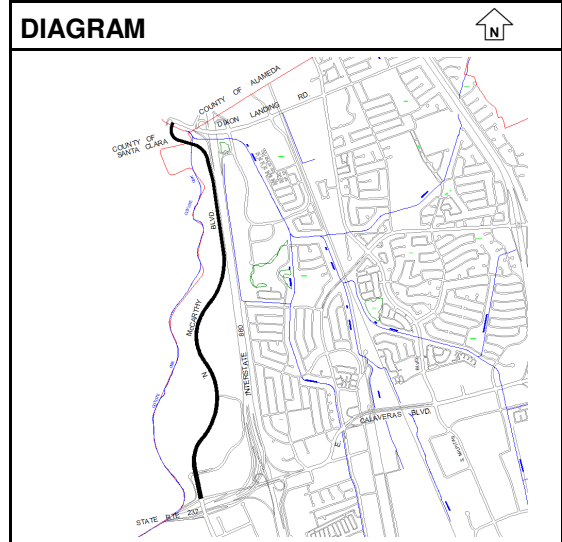
**CONTACT:** Michael Boitnott [3315]

**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides for design and construction of landscape and irrigation system renovation on McCarthy Boulevard, between Hwy 237 and Dixon Landing Road. This project will also include lighting and other related improvements.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:**

\$149,001

| ESTIMATED COST | Prior Year     | 2015-16       | 2016-17       | 2017-18       | 2018-19       | 2019-20       | Total          |
|----------------|----------------|---------------|---------------|---------------|---------------|---------------|----------------|
| Design         | 85,000         | 0             | 0             | 0             | 0             | 0             | 85,000         |
| Administration | 55,000         | 15,000        | 15,000        | 15,000        | 15,000        | 15,000        | 130,000        |
| Inspection     | 33,000         | 5,000         | 5,000         | 5,000         | 5,000         | 5,000         | 58,000         |
| Improvements   | 422,000        | 55,000        | 55,000        | 55,000        | 55,000        | 55,000        | 697,000        |
| <b>Totals</b>  | <b>595,000</b> | <b>75,000</b> | <b>75,000</b> | <b>75,000</b> | <b>75,000</b> | <b>75,000</b> | <b>970,000</b> |

| FINANCING     | Prior Year     | 2015-16       | 2016-17       | 2017-18       | 2018-19       | 2019-20       | Total          |
|---------------|----------------|---------------|---------------|---------------|---------------|---------------|----------------|
| LLMD          | 595,000        | 75,000        | 75,000        | 75,000        | 75,000        | 75,000        | 970,000        |
| <b>Totals</b> | <b>595,000</b> | <b>75,000</b> | <b>75,000</b> | <b>75,000</b> | <b>75,000</b> | <b>75,000</b> | <b>970,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                               | Estimate Level |
|----------|---------------------------------------|----------------|
| Streets  | <b>3411 Sinclair LMD Improvements</b> | 1              |

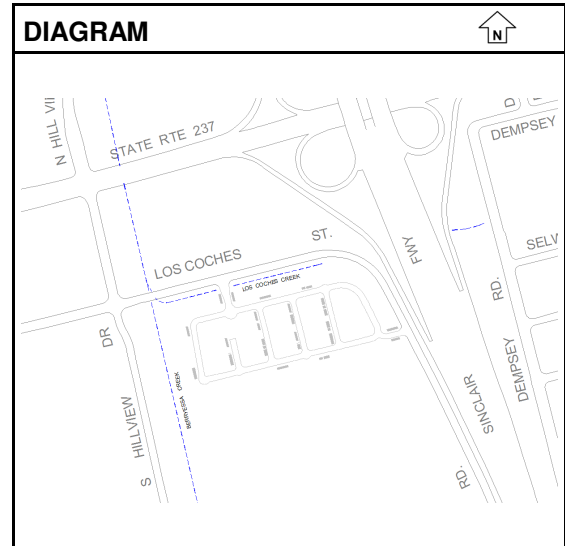
**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for design and construction of landscape and irrigation system renovation of 98-1 Lighting and Maintenance District, surrounding the Sinclair Horizon Development. This project will also include lighting and other related improvements.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:** \$51,515

| ESTIMATED COST | Prior Year    | 2015-16  | 2016-17  | 2017-18       | 2018-19  | 2019-20  | Total         |
|----------------|---------------|----------|----------|---------------|----------|----------|---------------|
| Design         | 10,000        | 0        | 0        | 0             | 0        | 0        | 10,000        |
| Administration | 12,000        | 0        | 0        | 2,000         | 0        | 0        | 14,000        |
| Inspection     | 6,000         | 0        | 0        | 1,000         | 0        | 0        | 7,000         |
| Improvements   | 45,000        | 0        | 0        | 10,000        | 0        | 0        | 55,000        |
| <b>Totals</b>  | <b>73,000</b> | <b>0</b> | <b>0</b> | <b>13,000</b> | <b>0</b> | <b>0</b> | <b>86,000</b> |

| FINANCING     | Prior Year    | 2015-16  | 2016-17  | 2017-18       | 2018-19  | 2019-20  | Total         |
|---------------|---------------|----------|----------|---------------|----------|----------|---------------|
| LLMD          | 73,000        | 0        | 0        | 13,000        | 0        | 0        | 86,000        |
| <b>Totals</b> | <b>73,000</b> | <b>0</b> | <b>0</b> | <b>13,000</b> | <b>0</b> | <b>0</b> | <b>86,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                           | Estimate Level |
|----------|-----------------------------------|----------------|
| Streets  | 4253 Dixon Landing Road Plan Line | 1              |

**CONTACT:** Steve Chan [3324]

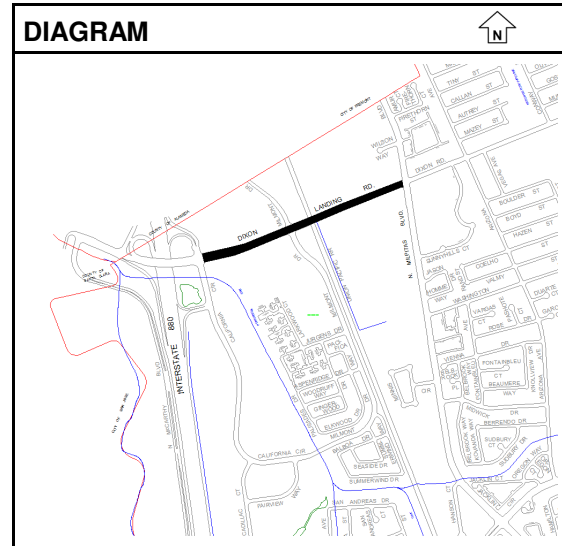
**PRIORITY:** Studies and Analyses

**DESCRIPTION**

This project provides for the preparation of a Plan Line Study to evaluate the widening of Dixon Landing Road from N. Milpitas Boulevard to I-880 from 2 lanes to 3 lanes in each direction. The study will evaluate the right of way and feasibility of relocating sidewalks, street lighting, adding bicycle lanes and streetscape in medians and planter strips. This project will also include 35% level design in order to develop an Engineer's Estimate for design and construction of improvements.

**COMMENTS:**

The Plan Line Study will also be coordinated with the BART roadway/bridge improvements, where BART crosses Dixon Landing Road.



**Uncommitted Balance as of 2/28/2015:**

\$279,497

| ESTIMATED COST | Prior Year     | 2015-16       | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|---------------|----------|----------|----------|----------|----------------|
| Design         | 120,192        | 31,960        | 0        | 0        | 0        | 0        | 152,152        |
| Administration | 30,000         | 0             | 0        | 0        | 0        | 0        | 30,000         |
| Surveying      | 40,000         | 0             | 0        | 0        | 0        | 0        | 40,000         |
| Land           | 0              | 0             | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 105,271        | 0             | 0        | 0        | 0        | 0        | 105,271        |
| <b>Totals</b>  | <b>295,463</b> | <b>31,960</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>327,423</b> |

| FINANCING           | Prior Year     | 2015-16       | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------------|----------------|---------------|----------|----------|----------|----------|----------------|
| Traffic Impact Fees | 270,463        | 31,960        | 0        | 0        | 0        | 0        | 302,423        |
| Street Fund         | 25,000         | 0             | 0        | 0        | 0        | 0        | 25,000         |
| <b>Totals</b>       | <b>295,463</b> | <b>31,960</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>327,423</b> |

**FINANCE NOTES**

Council 3/16/10: Approval to apply for Grant: \$150,000, Caltrans Community Base Transportation Planning (CBTP)  
 Traffic Impact Fees: \$50,000 - Walmart and Joe McCarthy Development  
 City Council - Midyear appropriation \$105,271 from Traffic Impact Fees  
 3/11: Defund \$150,000 since Caltrans Community Base Transportation Planning (CBTP) was not received  
 City did not receive \$150K grant in 2010-11.  
 City Council 2/7/12 - Midyear Budget Appropriation of \$115,192 from Traffic Impact Fee interest.  
 Traffic Impact Fee: \$31,960 - Walmart

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                        | Estimate Level |
|----------|--------------------------------|----------------|
| Streets  | 4266 Street Light Improvements | 1              |

**CONTACT:** Steve Chan [3324]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project will provide for various improvements to renovate and replace some of this aging infrastructure, including replacement of street ballasts/lamps, steel light poles, replacement of electrical wiring systems, modification of foundations, and other related improvements. Work will be performed based on a prioritized database inventory. Scope will also include a pilot program to convert a number of existing street lights to energy efficient Light Emitting Diode (LED) lamps and control systems.

**COMMENTS:**

This project could be eligible for a \$1million PG&E matching program.

**Uncommitted Balance as of 2/28/2015:** \$322,193

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 50,000     | 0       | 0       | 0       | 25,000  | 0       | 75,000  |
| Administration | 35,000     | 0       | 0       | 0       | 25,000  | 0       | 60,000  |
| Inspection     | 25,000     | 0       | 0       | 0       | 15,000  | 0       | 40,000  |
| Improvements   | 365,000    | 0       | 0       | 0       | 185,000 | 0       | 550,000 |
| <b>Totals</b>  | 475,000    | 0       | 0       | 0       | 250,000 | 0       | 725,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Gas Tax Fund  | 400,000    | 0       | 0       | 0       | 250,000 | 0       | 650,000 |
| Street Fund   | 75,000     | 0       | 0       | 0       | 0       | 0       | 75,000  |
| <b>Totals</b> | 475,000    | 0       | 0       | 0       | 250,000 | 0       | 725,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                   | Estimate Level |
|----------|---------------------------|----------------|
| Streets  | 4267 Soundwall Renovation | 1              |

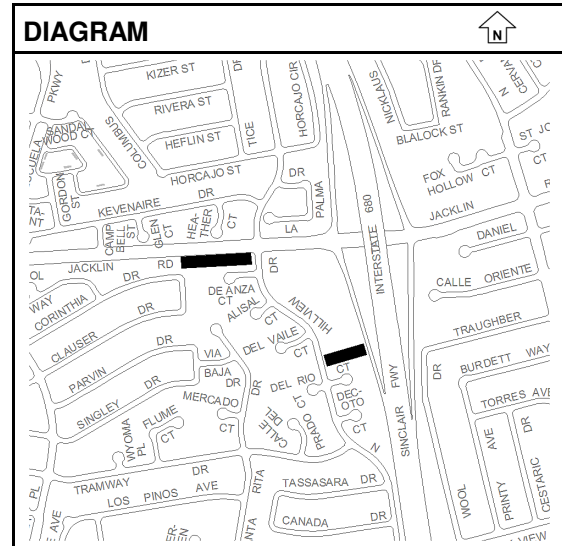
**CONTACT:** Julie Waldron [3314]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project renovates the City owned sound walls along N. Milpitas Boulevard, Escuela Parkway, Jacklin Road at Horcajo, La Palma, Hillview Drive at Tularcitos Creek, Nicklaus at N. Park Victoria and other locations. Portions of the walls have deteriorated and will need to be structurally repaired or completely replaced. In some locations, the ground elevation on the residence side is much higher than on the public street side. The soundwalls were not designed as retaining walls, so they require structural retrofit work or replacement.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:** \$325,019

| ESTIMATED COST | Prior Year     | 2015-16        | 2016-17        | 2017-18  | 2018-19        | 2019-20        | Total            |
|----------------|----------------|----------------|----------------|----------|----------------|----------------|------------------|
| Design         | 60,000         | 10,000         | 50,000         | 0        | 10,000         | 10,000         | 140,000          |
| Administration | 45,000         | 20,000         | 20,000         | 0        | 10,000         | 15,000         | 110,000          |
| Inspection     | 40,000         | 10,000         | 30,000         | 0        | 5,000          | 5,000          | 90,000           |
| Improvements   | 333,466        | 160,000        | 200,000        | 0        | 75,000         | 120,000        | 888,466          |
| <b>Totals</b>  | <b>478,466</b> | <b>200,000</b> | <b>300,000</b> | <b>0</b> | <b>100,000</b> | <b>150,000</b> | <b>1,228,466</b> |

| FINANCING     | Prior Year     | 2015-16        | 2016-17        | 2017-18  | 2018-19        | 2019-20        | Total            |
|---------------|----------------|----------------|----------------|----------|----------------|----------------|------------------|
| Street Fund   | 478,466        | 0              | 0              | 0        | 0              | 0              | 478,466          |
| Gas Tax Fund  | 0              | 200,000        | 300,000        | 0        | 100,000        | 150,000        | 750,000          |
| <b>Totals</b> | <b>478,466</b> | <b>200,000</b> | <b>300,000</b> | <b>0</b> | <b>100,000</b> | <b>150,000</b> | <b>1,228,466</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                  | Estimate Level |
|----------|--------------------------|----------------|
| Streets  | 4271 Bridge Improvements | 3              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The city owns and maintains eighteen roadway bridges and five pedestrian/bicycle bridges. The program includes a variety of preventative maintenance improvements including deck resurfacing, crack sealing, and improvements identified in the bi-annual bridge inspection reports performed by the California Department of Transportation.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$20,612

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 20,000     | 20,000  | 0       | 20,000  | 0       | 20,000  | 80,000  |
| Administration | 20,000     | 20,000  | 0       | 20,000  | 0       | 20,000  | 80,000  |
| Inspection     | 10,000     | 10,000  | 0       | 10,000  | 0       | 10,000  | 40,000  |
| Improvements   | 100,000    | 150,000 | 50,000  | 250,000 | 0       | 100,000 | 650,000 |
| <b>Totals</b>  | 150,000    | 200,000 | 50,000  | 300,000 | 0       | 150,000 | 850,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Gas Tax Fund  | 150,000    | 200,000 | 50,000  | 300,000 | 0       | 150,000 | 850,000 |
| <b>Totals</b> | 150,000    | 200,000 | 50,000  | 300,000 | 0       | 150,000 | 850,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                         | Estimate Level |
|----------|---------|-----------------------------------------|----------------|
| Streets  | 4273    | Street Landscape Irrigation Repair 2014 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the repair and replacement of streetscape and median irrigation systems and related equipment on City streets.

**COMMENTS:**

The City has many miles of landscaped street medians and curb planter areas in the City. The older irrigation systems are not well documented, leak, and are inefficient and do not provide suitable irrigation to support healthy landscape. The project would also provide for restoration of existing landscaping within the medians and curb planters.

**Uncommitted Balance as of 2/28/2015:** \$131,103

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 20,000     | 25,000  | 0       | 0       | 0       | 0       | 45,000  |
| Administration | 10,000     | 15,000  | 0       | 0       | 0       | 0       | 25,000  |
| Inspection     | 5,000      | 10,000  | 0       | 0       | 0       | 0       | 15,000  |
| Improvements   | 115,000    | 100,000 | 0       | 0       | 0       | 0       | 215,000 |
| <b>Totals</b>  | 150,000    | 150,000 | 0       | 0       | 0       | 0       | 300,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Street Fund   | 150,000    | 0       | 0       | 0       | 0       | 0       | 150,000 |
| Gas Tax Fund  | 0          | 150,000 | 0       | 0       | 0       | 0       | 150,000 |
| <b>Totals</b> | 150,000    | 150,000 | 0       | 0       | 0       | 0       | 300,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                | Estimate Level |
|----------|----------------------------------------|----------------|
| Streets  | New Milpitas Boulevard Plan Line Study | 1              |

**CONTACT:** Steve Erickson [3301]

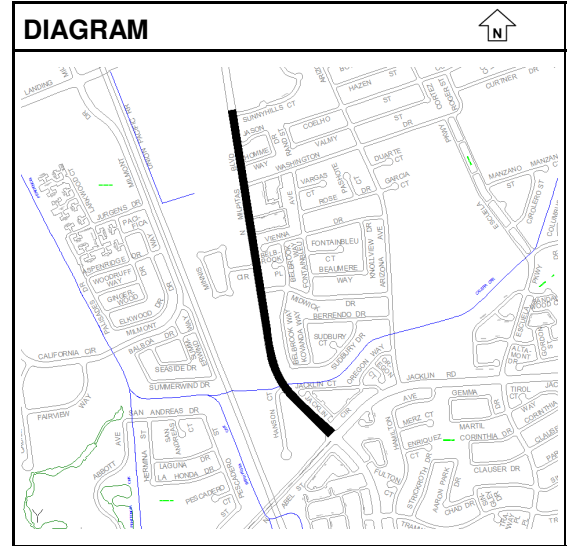
**PRIORITY:** Studies and Analyses

**DESCRIPTION**

This project provides for the preparation of a Plan Line Study to evaluate the feasibility of installing landscaped median islands on N. Milpitas Blvd between Jacklin and Sunnyhills Ct. Raised medians can provide improvements to traffic safety and provide an opportunity for street beautification. This study will also evaluate the feasibility of installing other street amenities such as street lighting, access control, pedestrian and bicycle improvements.

**COMMENTS:**

Plan Line Study will include an extensive community outreach plan, and will recommend a funding plan for the improvement.



**Uncommitted Balance as of 2/28/2015:**

\$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 115,000 | 0       | 0       | 0       | 0       | 115,000 |
| Administration | 0          | 10,000  | 0       | 0       | 0       | 0       | 10,000  |
| Surveying      | 0          | 25,000  | 0       | 0       | 0       | 0       | 25,000  |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Other          | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 0          | 150,000 | 0       | 0       | 0       | 0       | 150,000 |

| FINANCING           | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------------|------------|---------|---------|---------|---------|---------|---------|
| Traffic Impact Fees | 0          | 150,000 | 0       | 0       | 0       | 0       | 150,000 |
| <b>Totals</b>       | 0          | 150,000 | 0       | 0       | 0       | 0       | 150,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                             | Estimate Level |
|----------|-------------------------------------|----------------|
| Streets  | New Minor Traffic Improvements 2016 | 1              |

**CONTACT:** Steve Chan [3324]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for traffic studies, speed surveys, and traffic counts. This project also includes minor traffic improvements that result from community service requests. Typical improvements include roadway markings/signage improvements and the installation of roadway undulators.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 20,000  | 20,000  | 0       | 0       | 0       | 40,000  |
| Administration | 0          | 10,000  | 10,000  | 0       | 0       | 0       | 20,000  |
| Improvements   | 0          | 70,000  | 70,000  | 0       | 0       | 0       | 140,000 |
| <b>Totals</b>  | 0          | 100,000 | 100,000 | 0       | 0       | 0       | 200,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Gas Tax Fund  | 0          | 100,000 | 100,000 | 0       | 0       | 0       | 200,000 |
| <b>Totals</b> | 0          | 100,000 | 100,000 | 0       | 0       | 0       | 200,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                             | Estimate Level |
|----------|-------------------------------------|----------------|
| Streets  | New Minor Traffic Improvements 2018 | 1              |

**CONTACT:** Steve Chan [3324]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for traffic studies, speed surveys, and traffic counts. This project also includes minor traffic improvements that result from community service requests. Typical improvements include roadway markings/signage improvements and the installation of roadway undulators.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 20,000  | 20,000  | 0       | 40,000  |
| Administration | 0          | 0       | 0       | 10,000  | 10,000  | 0       | 20,000  |
| Improvements   | 0          | 0       | 0       | 70,000  | 70,000  | 0       | 140,000 |
| <b>Totals</b>  | 0          | 0       | 0       | 100,000 | 100,000 | 0       | 200,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Gas Tax Fund  | 0          | 0       | 0       | 100,000 | 100,000 | 0       | 200,000 |
| <b>Totals</b> | 0          | 0       | 0       | 100,000 | 100,000 | 0       | 200,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                             | Estimate Level |
|----------|-------------------------------------|----------------|
| Streets  | New Minor Traffic Improvements 2020 | 1              |

**CONTACT:** Steve Chan [3324]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for traffic studies, speed surveys, and traffic counts. This project also includes minor traffic improvements that result from community service requests. Typical improvements include roadway markings/signage improvements and the installation of roadway undulators.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 20,000  | 20,000  |
| Administration | 0          | 0       | 0       | 0       | 0       | 10,000  | 10,000  |
| Improvements   | 0          | 0       | 0       | 0       | 0       | 70,000  | 70,000  |
| <b>Totals</b>  | 0          | 0       | 0       | 0       | 0       | 100,000 | 100,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Gas Tax Fund  | 0          | 0       | 0       | 0       | 0       | 100,000 | 100,000 |
| <b>Totals</b> | 0          | 0       | 0       | 0       | 0       | 100,000 | 100,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                         | Estimate Level |
|----------|---------|-----------------------------------------|----------------|
| Streets  | New     | S. Milpitas Blvd Bike/Ped. Improvements | 1              |

**CONTACT:** Steve Chan [3324]

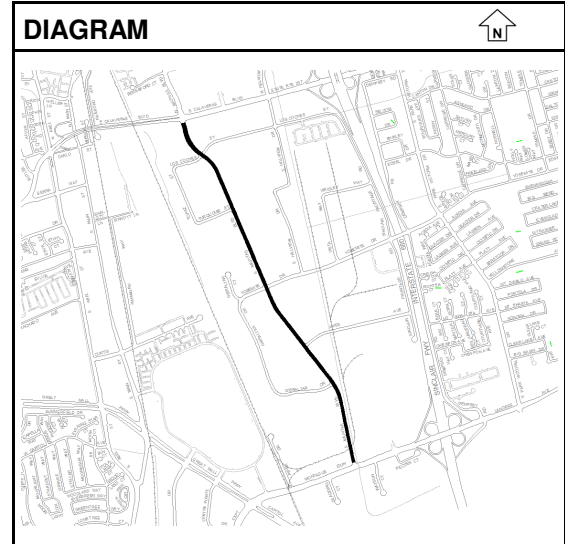
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides a Plan Line Study to evaluate opportunities and constraints to install Class I bicycle lanes on either side of Milpitas Blvd. and to provide improved sidewalk facilities on South Milpitas Blvd. between Calaveras Blvd. and Montague Expressway. Roadway modifications will also be required to accommodate these enhanced facilities. The Plan Line Study will also identify additional right of way required for these improvements.

**COMMENTS:**

This project has been added to the VTP 2040 Plan for State Regional Grant Funding.



**Uncommitted Balance as of 2/28/2015:**

\$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 135,000 | 0       | 135,000 |
| Administration | 0          | 0       | 0       | 0       | 50,000  | 0       | 50,000  |
| Surveying      | 0          | 0       | 0       | 0       | 15,000  | 0       | 15,000  |
| Improvements   | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 0          | 0       | 0       | 0       | 200,000 | 0       | 200,000 |

| FINANCING                     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|-------------------------------|------------|---------|---------|---------|---------|---------|---------|
| Grants/Reimbursement/Develope | 0          | 0       | 0       | 0       | 160,000 | 0       | 160,000 |
| Gas Tax Fund                  | 0          | 0       | 0       | 0       | 40,000  | 0       | 40,000  |
| <b>Totals</b>                 | 0          | 0       | 0       | 0       | 200,000 | 0       | 200,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                     | Estimate Level |
|----------|---------------------------------------------|----------------|
| Streets  | New Street Landscape Irrigation Repair 2017 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the repair and replacement of streetscape and median irrigation systems and related equipment on City streets.

**COMMENTS:**

The City has many miles of landscaped street medians and curb planter areas in the City. The older irrigation systems are not well documented, leak, and are inefficient and do not provide suitable irrigation to support healthy landscape. The project would also provide for restoration of existing landscaping within the medians and curb planters. Due to the drought conditions, new landscape planting would be limited to those areas irrigated with recycled water - Alder Drive, Escuela Drive, Tasman Drive, and Thompson Street.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 25,000  | 25,000  | 0       | 0       | 50,000  |
| Administration | 0          | 0       | 15,000  | 20,000  | 0       | 0       | 35,000  |
| Inspection     | 0          | 0       | 10,000  | 15,000  | 0       | 0       | 25,000  |
| Improvements   | 0          | 0       | 100,000 | 140,000 | 50,000  | 0       | 290,000 |
| <b>Totals</b>  | 0          | 0       | 150,000 | 200,000 | 50,000  | 0       | 400,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Gas Tax Fund  | 0          | 0       | 150,000 | 200,000 | 50,000  | 0       | 400,000 |
| <b>Totals</b> | 0          | 0       | 150,000 | 200,000 | 50,000  | 0       | 400,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                             | Estimate Level |
|----------|-------------------------------------|----------------|
| Streets  | New Street Resurfacing Project 2016 | 1              |

**CONTACT:** Jimmy Nguyen [3318]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for a variety of pavement resurfacing treatments, from slurry seal to major rehabilitation and reconstruction. Streets are selected for improvements based on the City's Pavement Management System to optimize the pavement condition based on available the budget. There are currently over 123 centerline miles of streets that are owned and maintained by the City of Milpitas. This project will also include citywide replacement of existing curb, gutter and sidewalk, installation of ADA ramps and implementation of Class II bike lanes and Class III bike route facilities as described in the 2009 updated City of Milpitas Bikeway Master Plan.

**COMMENTS:**

The project also includes installation of ADA ramps along roads that are reconstructed or receive an AC overlay. Annually a visual inspection of city sidewalks is conducted to determine and establish a priority list of candidate sites for replacement. A PCI of 70 is defined as "good condition" by Metropolitan Transportation Commission (MTC).

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16   | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|----------------|------------|-----------|---------|---------|---------|---------|-----------|
| Design         | 0          | 140,000   | 0       | 0       | 0       | 0       | 140,000   |
| Administration | 0          | 50,000    | 0       | 0       | 0       | 0       | 50,000    |
| Inspection     | 0          | 60,000    | 0       | 0       | 0       | 0       | 60,000    |
| Improvements   | 0          | 2,400,000 | 0       | 0       | 0       | 0       | 2,400,000 |
| <b>Totals</b>  | 0          | 2,650,000 | 0       | 0       | 0       | 0       | 2,650,000 |

| FINANCING                     | Prior Year | 2015-16   | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|-------------------------------|------------|-----------|---------|---------|---------|---------|-----------|
| Transient Occupancy Tax (TOT) | 0          | 600,000   | 0       | 0       | 0       | 0       | 600,000   |
| Gas Tax Fund                  | 0          | 1,400,000 | 0       | 0       | 0       | 0       | 1,400,000 |
| Water Fund                    | 0          | 100,000   | 0       | 0       | 0       | 0       | 100,000   |
| Sewer Fund                    | 0          | 100,000   | 0       | 0       | 0       | 0       | 100,000   |
| Vehicle Registration Fee      | 0          | 450,000   | 0       | 0       | 0       | 0       | 450,000   |
| <b>Totals</b>                 | 0          | 2,650,000 | 0       | 0       | 0       | 0       | 2,650,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                             | Estimate Level |
|----------|-------------------------------------|----------------|
| Streets  | New Street Resurfacing Project 2017 | 1              |

**CONTACT:** Jimmy Nguyen [3318]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for a variety of pavement resurfacing treatments, from slurry seal to major rehabilitation and reconstruction. Streets are selected for improvements based on the City's Pavement Management System to optimize the pavement condition based on available the budget. There are currently over 123 centerline miles of streets that are owned and maintained by the City of Milpitas. This project will also include citywide replacement of existing curb, gutter and sidewalk, installation of ADA ramps and implementation of Class II bike lanes and Class III bike route facilities as described in the 2009 updated City of Milpitas Bikeway Master Plan.

**COMMENTS:**

The project also includes installation of ADA ramps along roads that are reconstructed or receive an AC overlay. Annually a visual inspection of city sidewalks is conducted to determine and establish a priority list of candidate sites for replacement. An annual funding of \$4.5 million is required to maintain the city wide pavement condition index of 70. A PCI of 70 is defined as "good condition" by Metropolitan Transportation Commission (MTC).

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17          | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------|----------|------------------|----------|----------|----------|------------------|
| Design         | 0          | 0        | 140,000          | 0        | 0        | 0        | 140,000          |
| Administration | 0          | 0        | 50,000           | 0        | 0        | 0        | 50,000           |
| Inspection     | 0          | 0        | 60,000           | 0        | 0        | 0        | 60,000           |
| Improvements   | 0          | 0        | 4,250,000        | 0        | 0        | 0        | 4,250,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>4,500,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>4,500,000</b> |

| FINANCING                     | Prior Year | 2015-16  | 2016-17          | 2017-18  | 2018-19  | 2019-20  | Total            |
|-------------------------------|------------|----------|------------------|----------|----------|----------|------------------|
| Gas Tax Fund                  | 0          | 0        | 1,300,000        | 0        | 0        | 0        | 1,300,000        |
| Sewer Fund                    | 0          | 0        | 100,000          | 0        | 0        | 0        | 100,000          |
| Water Fund                    | 0          | 0        | 100,000          | 0        | 0        | 0        | 100,000          |
| Unidentified Funding          | 0          | 0        | 1,950,000        | 0        | 0        | 0        | 1,950,000        |
| Vehicle Registration Fee      | 0          | 0        | 450,000          | 0        | 0        | 0        | 450,000          |
| Transient Occupancy Tax (TOT) | 0          | 0        | 600,000          | 0        | 0        | 0        | 600,000          |
| <b>Totals</b>                 | <b>0</b>   | <b>0</b> | <b>4,500,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>4,500,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                             | Estimate Level |
|----------|-------------------------------------|----------------|
| Streets  | New Street Resurfacing Project 2018 | 1              |

**CONTACT:** Jimmy Nguyen [3318]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for a variety of pavement resurfacing treatments, from slurry seal to major rehabilitation and reconstruction. Streets are selected for improvements based on the City's Pavement Management System to optimize the pavement condition based on available the budget. There are currently over 123 centerline miles of streets that are owned and maintained by the City of Milpitas. This project will also include citywide replacement of existing curb, gutter and sidewalk, installation of ADA ramps and implementation of Class II bike lanes and Class III bike route facilities as described in the 2009 updated City of Milpitas Bikeway Master Plan.

**COMMENTS:**

The project also includes installation of ADA ramps along roads that are reconstructed or receive an AC overlay. Annually a visual inspection of city sidewalks is conducted to determine and establish a priority list of candidate sites for replacement. An annual funding of \$4.5 million is required to maintain the city wide pavement condition index of 70. A PCI of 70 is defined as "good condition" by Metropolitan Transportation Commission (MTC).

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18          | 2018-19  | 2019-20  | Total            |
|----------------|------------|----------|----------|------------------|----------|----------|------------------|
| Design         | 0          | 0        | 0        | 140,000          | 0        | 0        | 140,000          |
| Administration | 0          | 0        | 0        | 50,000           | 0        | 0        | 50,000           |
| Inspection     | 0          | 0        | 0        | 60,000           | 0        | 0        | 60,000           |
| Improvements   | 0          | 0        | 0        | 4,250,000        | 0        | 0        | 4,250,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>4,500,000</b> | <b>0</b> | <b>0</b> | <b>4,500,000</b> |

| FINANCING                     | Prior Year | 2015-16  | 2016-17  | 2017-18          | 2018-19  | 2019-20  | Total            |
|-------------------------------|------------|----------|----------|------------------|----------|----------|------------------|
| Vehicle Registration Fee      | 0          | 0        | 0        | 500,000          | 0        | 0        | 500,000          |
| Transient Occupancy Tax (TOT) | 0          | 0        | 0        | 600,000          | 0        | 0        | 600,000          |
| Gas Tax Fund                  | 0          | 0        | 0        | 1,300,000        | 0        | 0        | 1,300,000        |
| Sewer Fund                    | 0          | 0        | 0        | 100,000          | 0        | 0        | 100,000          |
| Unidentified Funding          | 0          | 0        | 0        | 1,900,000        | 0        | 0        | 1,900,000        |
| Water Fund                    | 0          | 0        | 0        | 100,000          | 0        | 0        | 100,000          |
| <b>Totals</b>                 | <b>0</b>   | <b>0</b> | <b>0</b> | <b>4,500,000</b> | <b>0</b> | <b>0</b> | <b>4,500,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                             | Estimate Level |
|----------|-------------------------------------|----------------|
| Streets  | New Street Resurfacing Project 2019 | 1              |

**CONTACT:** Jimmy Nguyen [3318]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for a variety of pavement resurfacing treatments, from slurry seal to major rehabilitation and reconstruction. Streets are selected for improvements based on the City's Pavement Management System to optimize the pavement condition based on available the budget. There are currently over 123 centerline miles of streets that are owned and maintained by the City of Milpitas. This project will also include citywide replacement of existing curb, gutter and sidewalk, installation of ADA ramps and implementation of Class II bike lanes and Class III bike route facilities as described in the 2009 updated City of Milpitas Bikeway Master Plan.

**COMMENTS:**

The project also includes installation of ADA ramps along roads that are reconstructed or receive an AC overlay. Annually a visual inspection of city sidewalks is conducted to determine and establish a priority list of candidate sites for replacement. An annual funding of \$4.5 million is required to maintain the city wide pavement condition index of 70. A PCI of 70 is defined as "good condition" by Metropolitan Transportation Commission (MTC).

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19          | 2019-20  | Total            |
|----------------|------------|----------|----------|----------|------------------|----------|------------------|
| Design         | 0          | 0        | 0        | 0        | 140,000          | 0        | 140,000          |
| Administration | 0          | 0        | 0        | 0        | 50,000           | 0        | 50,000           |
| Inspection     | 0          | 0        | 0        | 0        | 60,000           | 0        | 60,000           |
| Improvements   | 0          | 0        | 0        | 0        | 4,250,000        | 0        | 4,250,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>4,500,000</b> | <b>0</b> | <b>4,500,000</b> |

| FINANCING                     | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19          | 2019-20  | Total            |
|-------------------------------|------------|----------|----------|----------|------------------|----------|------------------|
| Vehicle Registration Fee      | 0          | 0        | 0        | 0        | 500,000          | 0        | 500,000          |
| Transient Occupancy Tax (TOT) | 0          | 0        | 0        | 0        | 600,000          | 0        | 600,000          |
| Water Fund                    | 0          | 0        | 0        | 0        | 100,000          | 0        | 100,000          |
| Sewer Fund                    | 0          | 0        | 0        | 0        | 100,000          | 0        | 100,000          |
| Gas Tax Fund                  | 0          | 0        | 0        | 0        | 1,300,000        | 0        | 1,300,000        |
| Unidentified Funding          | 0          | 0        | 0        | 0        | 1,900,000        | 0        | 1,900,000        |
| <b>Totals</b>                 | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>4,500,000</b> | <b>0</b> | <b>4,500,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                             | Estimate Level |
|----------|-------------------------------------|----------------|
| Streets  | New Street Resurfacing Project 2020 | 1              |

**CONTACT:** Jimmy Nguyen [3318]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for a variety of pavement resurfacing treatments, from slurry seal to major rehabilitation and reconstruction. Streets are selected for improvements based on the City's Pavement Management System to optimize the pavement condition based on available the budget. There are currently over 123 centerline miles of streets that are owned and maintained by the City of Milpitas. This project will also include citywide replacement of existing curb, gutter and sidewalk, installation of ADA ramps and implementation of Class II bike lanes and Class III bike route facilities as described in the 2009 updated City of Milpitas Bikeway Master Plan.

**COMMENTS:**

The project also includes installation of ADA ramps along roads that are reconstructed or receive an AC overlay. Annually a visual inspection of city sidewalks is conducted to determine and establish a priority list of candidate sites for replacement. An annual funding of \$4.5 million is required to maintain the city wide pavement condition index of 70. A PCI of 70 is defined as "good condition" by Metropolitan Transportation Commission (MTC).

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20          | Total            |
|----------------|------------|----------|----------|----------|----------|------------------|------------------|
| Design         | 0          | 0        | 0        | 0        | 0        | 140,000          | 140,000          |
| Administration | 0          | 0        | 0        | 0        | 0        | 50,000           | 50,000           |
| Inspection     | 0          | 0        | 0        | 0        | 0        | 60,000           | 60,000           |
| Improvements   | 0          | 0        | 0        | 0        | 0        | 4,250,000        | 4,250,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>4,500,000</b> | <b>4,500,000</b> |

| FINANCING                     | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20          | Total            |
|-------------------------------|------------|----------|----------|----------|----------|------------------|------------------|
| Transient Occupancy Tax (TOT) | 0          | 0        | 0        | 0        | 0        | 600,000          | 600,000          |
| Sewer Fund                    | 0          | 0        | 0        | 0        | 0        | 100,000          | 100,000          |
| Gas Tax Fund                  | 0          | 0        | 0        | 0        | 0        | 1,300,000        | 1,300,000        |
| Unidentified Funding          | 0          | 0        | 0        | 0        | 0        | 1,900,000        | 1,900,000        |
| Vehicle Registration Fee      | 0          | 0        | 0        | 0        | 0        | 500,000          | 500,000          |
| Water Fund                    | 0          | 0        | 0        | 0        | 0        | 100,000          | 100,000          |
| <b>Totals</b>                 | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>4,500,000</b> | <b>4,500,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                      | Estimate Level |
|----------|----------------------------------------------|----------------|
| Streets  | <b>New</b> TASP Underground Utility District | 1              |

**CONTACT:** Steve Erickson [3301]

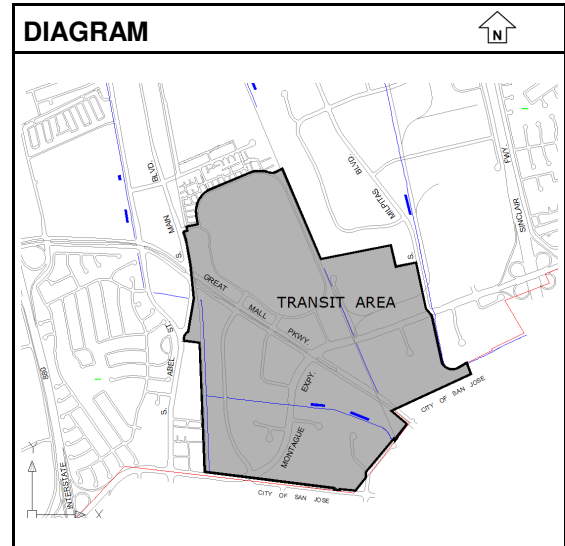
**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provided for the creation of a new utility underground district that covers the City's Transit Area Specific Plan redevelopment area. The purpose of the district is to allow for the undergrounding of existing overhead electric, PG&E, Cable TV, and Phone lines. The new district would be administered by the City, with engineering design and construction to be completed by PG&E using the City's Rule 20A funds.

**COMMENTS:**

The initial project proposed within the district would underground approximately 1,130 lineal feet of overhead PG&E electric line along South Milpitas Blvd. from the existing UPRR rail crossing to Montague Expressway and along Montague Expressway from South Milpitas Blvd. to Gladding Ct. The Valley Transportation Authority (VTA) will install the new undergrounding substructure as part of the BART project at their cost. The County Roads and Airports will provide their available Rule 20A funds for PG&E to install the underground cables, the cost of which is estimated at \$1.13M. The City would be responsible to administer the project with PG&E. (Approximately \$3.6 million in PG&E credits are available as of January 2013.)



**Uncommitted Balance as of 2/28/2015:**

\$0

| ESTIMATED COST | Prior Year | 2015-16       | 2016-17       | 2017-18  | 2018-19  | 2019-20  | Total         |
|----------------|------------|---------------|---------------|----------|----------|----------|---------------|
| Administration | 0          | 25,000        | 25,000        | 0        | 0        | 0        | 50,000        |
| Inspection     | 0          | 15,000        | 15,000        | 0        | 0        | 0        | 30,000        |
| <b>Totals</b>  | <b>0</b>   | <b>40,000</b> | <b>40,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>80,000</b> |

| FINANCING        | Prior Year | 2015-16       | 2016-17       | 2017-18  | 2018-19  | 2019-20  | Total         |
|------------------|------------|---------------|---------------|----------|----------|----------|---------------|
| TASP Impact Fees | 0          | 40,000        | 40,000        | 0        | 0        | 0        | 80,000        |
| <b>Totals</b>    | <b>0</b>   | <b>40,000</b> | <b>40,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>80,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                  | Estimate Level |
|----------|------------------------------------------|----------------|
| Streets  | New Traffic Management Enhancements 2020 | 1              |

**CONTACT:** Steve Chan [3324]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the upgrade and deployment of traffic management equipment used to monitor and control the City's roadway network. Typical improvements include the deployment of traffic signal control equipment and upgrades to the traffic operations center's video monitoring equipment.

**COMMENTS:**

This project also provides resources to pursue grant funding sources to augment the traffic management projects.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 25,000  | 25,000  |
| Administration | 0          | 0       | 0       | 0       | 0       | 25,000  | 25,000  |
| Improvements   | 0          | 0       | 0       | 0       | 0       | 150,000 | 150,000 |
| <b>Totals</b>  | 0          | 0       | 0       | 0       | 0       | 200,000 | 200,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Gas Tax Fund  | 0          | 0       | 0       | 0       | 0       | 200,000 | 200,000 |
| <b>Totals</b> | 0          | 0       | 0       | 0       | 0       | 200,000 | 200,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                         | Estimate Level |
|----------|---------------------------------|----------------|
| Streets  | New Traffic Signal Installation | 1              |

**CONTACT:** Steve Chan [3324]

**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides for the design and construction of a traffic signal system. The following three intersections are being monitored for traffic signal warrants: Milpitas Blvd & Tramway Dr., S. Park Victoria Dr. & Mt. Shasta Ave., and McCarthy Blvd. & SanDisk Dr.

**COMMENTS:**

The State traffic signal warrant criteria is used to determine the warrants for signaling an intersection.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 75,000  | 0       | 0       | 0       | 75,000  |
| Administration | 0          | 0       | 25,000  | 0       | 0       | 0       | 25,000  |
| Surveying      | 0          | 0       | 10,000  | 0       | 0       | 0       | 10,000  |
| Inspection     | 0          | 0       | 40,000  | 0       | 0       | 0       | 40,000  |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 0          | 0       | 200,000 | 0       | 0       | 0       | 200,000 |
| <b>Totals</b>  | 0          | 0       | 350,000 | 0       | 0       | 0       | 350,000 |

| FINANCING           | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------------|------------|---------|---------|---------|---------|---------|---------|
| Traffic Impact Fees | 0          | 0       | 350,000 | 0       | 0       | 0       | 350,000 |
| <b>Totals</b>       | 0          | 0       | 350,000 | 0       | 0       | 0       | 350,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                         | Estimate Level |
|----------|---------------------------------|----------------|
| Streets  | New Utility Undergrounding 2020 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides preliminary engineering and City administration for the undergrounding of existing overhead electric telephone and CATV facilities at various locations City-wide. Construction is funded by the PG&E Rule 20A Program and other utilities (Approximately \$3.6 million in PG&E credits are available as of January 2013.)

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|----------------|------------|---------|---------|---------|---------|---------|--------|
| Design         | 0          | 0       | 0       | 0       | 0       | 35,000  | 35,000 |
| Administration | 0          | 0       | 0       | 0       | 0       | 15,000  | 15,000 |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0      |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0      |
| Building       | 0          | 0       | 0       | 0       | 0       | 0       | 0      |
| <b>Totals</b>  | 0          | 0       | 0       | 0       | 0       | 50,000  | 50,000 |

| FINANCING            | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|----------------------|------------|---------|---------|---------|---------|---------|--------|
| Unidentified Funding | 0          | 0       | 0       | 0       | 0       | 50,000  | 50,000 |
| <b>Totals</b>        | 0          | 0       | 0       | 0       | 0       | 50,000  | 50,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
**WATER PROJECTS SUMMARY**

**SUMMARY OF COSTS**

| PG.<br>NO.                | PROJECT                                          | TOTAL<br>COST           | PRIOR<br>YEARS      | 2015-16            | 2016-17                 | 2017-18                 | 2018-19            | 2019-20            |
|---------------------------|--------------------------------------------------|-------------------------|---------------------|--------------------|-------------------------|-------------------------|--------------------|--------------------|
| 81                        | 2002 Second SCVWD Water Reservoir and Pump       | 6,700,000               | 200,000             | 0                  | 6,500,000               | 0                       | 0                  | 0                  |
| 82                        | 7076 Well Upgrade Project                        | 5,445,000               | 4,645,000           | 0                  | 800,000                 | 0                       | 0                  | 0                  |
| 83                        | 7100 Water System Seismic Improvements           | 7,187,951               | 4,187,951           | 1,000,000          | 1,000,000               | 0                       | 1,000,000          | 0                  |
| 84                        | 7110 Hydrant Replacement                         | 240,000                 | 170,000             | 0                  | 70,000                  | 0                       | 0                  | 0                  |
| 85                        | 7118 Dempsey Road Water Line Replacement         | 10,575,000              | 3,075,000           | 1,000,000          | 6,500,000               | 0                       | 0                  | 0                  |
| 86                        | 7121 Automated Water Meter Replacement           | 6,475,000               | 1,295,000           | 0                  | 1,295,000               | 1,295,000               | 1,295,000          | 1,295,000          |
| 87                        | New BART Project - Water Improvements            | 2,000,000               | 0                   | 2,000,000          | 0                       | 0                       | 0                  | 0                  |
| 88                        | New Construction Water                           | 375,000                 | 0                   | 0                  | 0                       | 375,000                 | 0                  | 0                  |
| 89                        | New Hillside Pump Station Equip. Replacement     | 150,000                 | 0                   | 0                  | 0                       | 150,000                 | 0                  | 0                  |
| 90                        | New Los Coches Backbone                          | 4,200,000               | 0                   | 0                  | 850,000                 | 3,350,000               | 0                  | 0                  |
| 91                        | New Minor Water Projects 2017                    | 200,000                 | 0                   | 0                  | 100,000                 | 100,000                 | 0                  | 0                  |
| 92                        | <b><i>New Recycled Water Line Extension</i></b>  | <b><i>6,500,000</i></b> | <b><i>0</i></b>     | <b><i>0</i></b>    | <b><i>1,000,000</i></b> | <b><i>5,500,000</i></b> | <b><i>0</i></b>    | <b><i>0</i></b>    |
| 93                        | New SCVWD Second Water Supply Turnout            | 3,100,000               | 0                   | 0                  | 100,000                 | 0                       | 500,000            | 2,500,000          |
| 94                        | New Supervisory Control and Data Acquisition (SC | 6,000,000               | 0                   | 0                  | 0                       | 350,000                 | 1,000,000          | 4,650,000          |
| 95                        | New Water O&M Database Management                | 100,000                 | 0                   | 0                  | 100,000                 | 0                       | 0                  | 0                  |
| 96                        | New Water System Replacement 18-19               | 1,000,000               | 0                   | 0                  | 0                       | 0                       | 1,000,000          | 0                  |
| 97                        | New Water System Replacement Study               | 100,000                 | 0                   | 0                  | 0                       | 100,000                 | 0                  | 0                  |
| 98                        | New Water Valve Replacement                      | 600,000                 | 0                   | 0                  | 0                       | 600,000                 | 0                  | 0                  |
| <b>Defunding Subtotal</b> |                                                  |                         |                     |                    |                         |                         |                    |                    |
| <b>Funding Subtotal</b>   |                                                  |                         |                     | <b>4,000,000</b>   |                         |                         |                    |                    |
| <b>TOTAL COST</b>         |                                                  | <b>\$60,947,951</b>     | <b>\$13,572,951</b> | <b>\$4,000,000</b> | <b>\$18,315,000</b>     | <b>\$11,820,000</b>     | <b>\$4,795,000</b> | <b>\$8,445,000</b> |

**SUMMARY OF AVAILABLE FINANCING**

|                                  |                    |                     |                     |                    |                    |
|----------------------------------|--------------------|---------------------|---------------------|--------------------|--------------------|
| <b>Other</b>                     | 0                  | 6,700,000           | 0                   | 500,000            | 2,500,000          |
| <b>Unidentified Funding</b>      | 0                  | 7,500,000           | 6,100,000           | 1,000,000          | 0                  |
| <b>Water Fund</b>                | 4,000,000          | 3,245,000           | 5,170,000           | 2,795,000          | 3,620,000          |
| <b>Water Line Extension Fund</b> | 0                  | 870,000             | 550,000             | 500,000            | 2,325,000          |
| <b>TOTAL AVAILABLE</b>           | <b>\$4,000,000</b> | <b>\$18,315,000</b> | <b>\$11,820,000</b> | <b>\$4,795,000</b> | <b>\$8,445,000</b> |

**NOTES**

(a) New projects listed in Bold Italics.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Water**

|                                          |                   |                                                  | 2015-16          |                           |                 |                      |
|------------------------------------------|-------------------|--------------------------------------------------|------------------|---------------------------|-----------------|----------------------|
|                                          |                   |                                                  | Water Fund       | Water Line Extension Fund | Other           | Unidentified Funding |
| PG                                       | PROJECT           |                                                  |                  |                           |                 |                      |
| 81                                       | 2002              | Second SCVWD Water Reservoir and Pump Station    | 0                | 0                         | 0               | 0                    |
| 82                                       | 7076              | Well Upgrade Project                             | 0                | 0                         | 0               | 0                    |
| 83                                       | 7100              | Water System Seismic Improvements                | 1,000,000        | 0                         | 0               | 0                    |
| 84                                       | 7110              | Hydrant Replacement                              | 0                | 0                         | 0               | 0                    |
| 85                                       | 7118              | Dempsey Road Water Line Replacement              | 1,000,000        | 0                         | 0               | 0                    |
| 86                                       | 7121              | Automated Water Meter Replacement                | 0                | 0                         | 0               | 0                    |
| 87                                       | New               | BART Project - Water Improvements                | 2,000,000        | 0                         | 0               | 0                    |
| 88                                       | New               | Construction Water                               | 0                | 0                         | 0               | 0                    |
| 89                                       | New               | Hillside Pump Station Equip. Replacement         | 0                | 0                         | 0               | 0                    |
| 90                                       | New               | Los Coches Backbone                              | 0                | 0                         | 0               | 0                    |
| 91                                       | New               | Minor Water Projects 2017                        | 0                | 0                         | 0               | 0                    |
| 92                                       | <b><i>New</i></b> | <b><i>Recycled Water Line Extension</i></b>      | <b><i>0</i></b>  | <b><i>0</i></b>           | <b><i>0</i></b> | <b><i>0</i></b>      |
| 93                                       | New               | SCVWD Second Water Supply Turnout                | 0                | 0                         | 0               | 0                    |
| 94                                       | New               | Supervisory Control and Data Acquisition (SCADA) | 0                | 0                         | 0               | 0                    |
| 95                                       | New               | Water O&M Database Management                    | 0                | 0                         | 0               | 0                    |
| 96                                       | New               | Water System Replacement 18-19                   | 0                | 0                         | 0               | 0                    |
| 97                                       | New               | Water System Replacement Study                   | 0                | 0                         | 0               | 0                    |
| 98                                       | New               | Water Valve Replacement                          | 0                | 0                         | 0               | 0                    |
| <b>Total Defunding by Funding Source</b> |                   |                                                  | <b>(0)</b>       | <b>(0)</b>                | <b>(0)</b>      | <b>(0)</b>           |
| <b>Total Funding by Funding Source</b>   |                   |                                                  | <b>4,000,000</b> | <b>0</b>                  | <b>0</b>        | <b>0</b>             |
| <b>Subtotal by Funding Source</b>        |                   |                                                  | <b>4,000,000</b> | <b>0</b>                  | <b>0</b>        | <b>0</b>             |
| <b>Subtotal by Year</b>                  |                   |                                                  | <b>4,000,000</b> |                           |                 |                      |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Water**

|                                          |                   |                                                  | <b>2016-17</b>    |                           |                  |                         |
|------------------------------------------|-------------------|--------------------------------------------------|-------------------|---------------------------|------------------|-------------------------|
|                                          |                   |                                                  | Water Fund        | Water Line Extension Fund | Other            | Unidentified Funding    |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                  |                   |                           |                  |                         |
| 81                                       | 2002              | Second SCVWD Water Reservoir and Pump Station    | 0                 | 0                         | 6,500,000        | 0                       |
| 82                                       | 7076              | Well Upgrade Project                             | 0                 | 800,000                   | 0                | 0                       |
| 83                                       | 7100              | Water System Seismic Improvements                | 1,000,000         | 0                         | 0                | 0                       |
| 84                                       | 7110              | Hydrant Replacement                              | 0                 | 70,000                    | 0                | 0                       |
| 85                                       | 7118              | Dempsey Road Water Line Replacement              | 0                 | 0                         | 0                | 6,500,000               |
| 86                                       | 7121              | Automated Water Meter Replacement                | 1,295,000         | 0                         | 0                | 0                       |
| 87                                       | New               | BART Project - Water Improvements                | 0                 | 0                         | 0                | 0                       |
| 88                                       | New               | Construction Water                               | 0                 | 0                         | 0                | 0                       |
| 89                                       | New               | Hillside Pump Station Equip. Replacement         | 0                 | 0                         | 0                | 0                       |
| 90                                       | New               | Los Coches Backbone                              | 850,000           | 0                         | 0                | 0                       |
| 91                                       | New               | Minor Water Projects 2017                        | 100,000           | 0                         | 0                | 0                       |
| 92                                       | <b><i>New</i></b> | <b><i>Recycled Water Line Extension</i></b>      | <b><i>0</i></b>   | <b><i>0</i></b>           | <b><i>0</i></b>  | <b><i>1,000,000</i></b> |
| 93                                       | New               | SCVWD Second Water Supply Turnout                | 0                 | 0                         | 100,000          | 0                       |
| 94                                       | New               | Supervisory Control and Data Acquisition (SCADA) | 0                 | 0                         | 0                | 0                       |
| 95                                       | New               | Water O&M Database Management                    | 0                 | 0                         | 100,000          | 0                       |
| 96                                       | New               | Water System Replacement 18-19                   | 0                 | 0                         | 0                | 0                       |
| 97                                       | New               | Water System Replacement Study                   | 0                 | 0                         | 0                | 0                       |
| 98                                       | New               | Water Valve Replacement                          | 0                 | 0                         | 0                | 0                       |
| <b>Total Defunding by Funding Source</b> |                   |                                                  | <b>0</b>          | <b>0</b>                  | <b>0</b>         | <b>0</b>                |
| <b>Total Funding by Funding Source</b>   |                   |                                                  | <b>3,245,000</b>  | <b>870,000</b>            | <b>6,700,000</b> | <b>7,500,000</b>        |
| <b>Subtotal by Funding Source</b>        |                   |                                                  | <b>3,245,000</b>  | <b>870,000</b>            | <b>6,700,000</b> | <b>7,500,000</b>        |
| <b>Subtotal by Year</b>                  |                   |                                                  | <b>18,315,000</b> |                           |                  |                         |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Water**

|                                          |                   |                                                  | <b>2017-18</b>    |                           |                 |                         |
|------------------------------------------|-------------------|--------------------------------------------------|-------------------|---------------------------|-----------------|-------------------------|
|                                          |                   |                                                  | Water Fund        | Water Line Extension Fund | Other           | Unidentified Funding    |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                  |                   |                           |                 |                         |
| 81                                       | 2002              | Second SCVWD Water Reservoir and Pump Station    | 0                 | 0                         | 0               | 0                       |
| 82                                       | 7076              | Well Upgrade Project                             | 0                 | 0                         | 0               | 0                       |
| 83                                       | 7100              | Water System Seismic Improvements                | 0                 | 0                         | 0               | 0                       |
| 84                                       | 7110              | Hydrant Replacement                              | 0                 | 0                         | 0               | 0                       |
| 85                                       | 7118              | Dempsey Road Water Line Replacement              | 0                 | 0                         | 0               | 0                       |
| 86                                       | 7121              | Automated Water Meter Replacement                | 1,295,000         | 0                         | 0               | 0                       |
| 87                                       | New               | BART Project - Water Improvements                | 0                 | 0                         | 0               | 0                       |
| 88                                       | New               | Construction Water                               | 0                 | 375,000                   | 0               | 0                       |
| 89                                       | New               | Hillside Pump Station Equip. Replacement         | 150,000           | 0                         | 0               | 0                       |
| 90                                       | New               | Los Coches Backbone                              | 3,350,000         | 0                         | 0               | 0                       |
| 91                                       | New               | Minor Water Projects 2017                        | 100,000           | 0                         | 0               | 0                       |
| 92                                       | <b><i>New</i></b> | <b><i>Recycled Water Line Extension</i></b>      | <b><i>0</i></b>   | <b><i>0</i></b>           | <b><i>0</i></b> | <b><i>5,500,000</i></b> |
| 93                                       | New               | SCVWD Second Water Supply Turnout                | 0                 | 0                         | 0               | 0                       |
| 94                                       | New               | Supervisory Control and Data Acquisition (SCADA) | 175,000           | 175,000                   | 0               | 0                       |
| 95                                       | New               | Water O&M Database Management                    | 0                 | 0                         | 0               | 0                       |
| 96                                       | New               | Water System Replacement 18-19                   | 0                 | 0                         | 0               | 0                       |
| 97                                       | New               | Water System Replacement Study                   | 100,000           | 0                         | 0               | 0                       |
| 98                                       | New               | Water Valve Replacement                          | 0                 | 0                         | 0               | 600,000                 |
| <b>Total Defunding by Funding Source</b> |                   |                                                  | <b>0</b>          | <b>0</b>                  | <b>0</b>        | <b>0</b>                |
| <b>Total Funding by Funding Source</b>   |                   |                                                  | <b>5,170,000</b>  | <b>550,000</b>            | <b>0</b>        | <b>6,100,000</b>        |
| <b>Subtotal by Funding Source</b>        |                   |                                                  | <b>5,170,000</b>  | <b>550,000</b>            | <b>0</b>        | <b>6,100,000</b>        |
| <b>Subtotal by Year</b>                  |                   |                                                  | <b>11,820,000</b> |                           |                 |                         |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Water**

|                                          |                   |                                                  | <b>2018-19</b>   |                           |                 |                      |
|------------------------------------------|-------------------|--------------------------------------------------|------------------|---------------------------|-----------------|----------------------|
|                                          |                   |                                                  | Water Fund       | Water Line Extension Fund | Other           | Unidentified Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                  |                  |                           |                 |                      |
| 81                                       | 2002              | Second SCVWD Water Reservoir and Pump Station    | 0                | 0                         | 0               | 0                    |
| 82                                       | 7076              | Well Upgrade Project                             | 0                | 0                         | 0               | 0                    |
| 83                                       | 7100              | Water System Seismic Improvements                | 1,000,000        | 0                         | 0               | 0                    |
| 84                                       | 7110              | Hydrant Replacement                              | 0                | 0                         | 0               | 0                    |
| 85                                       | 7118              | Dempsey Road Water Line Replacement              | 0                | 0                         | 0               | 0                    |
| 86                                       | 7121              | Automated Water Meter Replacement                | 1,295,000        | 0                         | 0               | 0                    |
| 87                                       | New               | BART Project - Water Improvements                | 0                | 0                         | 0               | 0                    |
| 88                                       | New               | Construction Water                               | 0                | 0                         | 0               | 0                    |
| 89                                       | New               | Hillside Pump Station Equip. Replacement         | 0                | 0                         | 0               | 0                    |
| 90                                       | New               | Los Coches Backbone                              | 0                | 0                         | 0               | 0                    |
| 91                                       | New               | Minor Water Projects 2017                        | 0                | 0                         | 0               | 0                    |
| 92                                       | <b><i>New</i></b> | <b><i>Recycled Water Line Extension</i></b>      | <b><i>0</i></b>  | <b><i>0</i></b>           | <b><i>0</i></b> | <b><i>0</i></b>      |
| 93                                       | New               | SCVWD Second Water Supply Turnout                | 0                | 0                         | 500,000         | 0                    |
| 94                                       | New               | Supervisory Control and Data Acquisition (SCADA) | 500,000          | 500,000                   | 0               | 0                    |
| 95                                       | New               | Water O&M Database Management                    | 0                | 0                         | 0               | 0                    |
| 96                                       | New               | Water System Replacement 18-19                   | 0                | 0                         | 0               | 1,000,000            |
| 97                                       | New               | Water System Replacement Study                   | 0                | 0                         | 0               | 0                    |
| 98                                       | New               | Water Valve Replacement                          | 0                | 0                         | 0               | 0                    |
| <b>Total Defunding by Funding Source</b> |                   |                                                  | <b>0</b>         | <b>0</b>                  | <b>0</b>        | <b>0</b>             |
| <b>Total Funding by Funding Source</b>   |                   |                                                  | <b>2,795,000</b> | <b>500,000</b>            | <b>500,000</b>  | <b>1,000,000</b>     |
| <b>Subtotal by Funding Source</b>        |                   |                                                  | <b>2,795,000</b> | <b>500,000</b>            | <b>500,000</b>  | <b>1,000,000</b>     |
| <b>Subtotal by Year</b>                  |                   |                                                  | <b>4,795,000</b> |                           |                 |                      |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Water**

|                                          |                   |                                                  | <b>2019-20</b>   |                           |                  |                      |
|------------------------------------------|-------------------|--------------------------------------------------|------------------|---------------------------|------------------|----------------------|
|                                          |                   |                                                  | Water Fund       | Water Line Extension Fund | Other            | Unidentified Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                  |                  |                           |                  |                      |
| 81                                       | 2002              | Second SCVWD Water Reservoir and Pump Station    | 0                | 0                         | 0                | 0                    |
| 82                                       | 7076              | Well Upgrade Project                             | 0                | 0                         | 0                | 0                    |
| 83                                       | 7100              | Water System Seismic Improvements                | 0                | 0                         | 0                | 0                    |
| 84                                       | 7110              | Hydrant Replacement                              | 0                | 0                         | 0                | 0                    |
| 85                                       | 7118              | Dempsey Road Water Line Replacement              | 0                | 0                         | 0                | 0                    |
| 86                                       | 7121              | Automated Water Meter Replacement                | 1,295,000        | 0                         | 0                | 0                    |
| 87                                       | New               | BART Project - Water Improvements                | 0                | 0                         | 0                | 0                    |
| 88                                       | New               | Construction Water                               | 0                | 0                         | 0                | 0                    |
| 89                                       | New               | Hillside Pump Station Equip. Replacement         | 0                | 0                         | 0                | 0                    |
| 90                                       | New               | Los Coches Backbone                              | 0                | 0                         | 0                | 0                    |
| 91                                       | New               | Minor Water Projects 2017                        | 0                | 0                         | 0                | 0                    |
| 92                                       | <b><i>New</i></b> | <b><i>Recycled Water Line Extension</i></b>      | <b><i>0</i></b>  | <b><i>0</i></b>           | <b><i>0</i></b>  | <b><i>0</i></b>      |
| 93                                       | New               | SCVWD Second Water Supply Turnout                | 0                | 0                         | 2,500,000        | 0                    |
| 94                                       | New               | Supervisory Control and Data Acquisition (SCADA) | 2,325,000        | 2,325,000                 | 0                | 0                    |
| 95                                       | New               | Water O&M Database Management                    | 0                | 0                         | 0                | 0                    |
| 96                                       | New               | Water System Replacement 18-19                   | 0                | 0                         | 0                | 0                    |
| 97                                       | New               | Water System Replacement Study                   | 0                | 0                         | 0                | 0                    |
| 98                                       | New               | Water Valve Replacement                          | 0                | 0                         | 0                | 0                    |
| <b>Total Defunding by Funding Source</b> |                   |                                                  | <b>0</b>         | <b>0</b>                  | <b>0</b>         | <b>0</b>             |
| <b>Total Funding by Funding Source</b>   |                   |                                                  | <b>3,620,000</b> | <b>2,325,000</b>          | <b>2,500,000</b> | <b>0</b>             |
| <b>Subtotal by Funding Source</b>        |                   |                                                  | <b>3,620,000</b> | <b>2,325,000</b>          | <b>2,500,000</b> | <b>0</b>             |
| <b>Subtotal by Year</b>                  |                   |                                                  | <b>8,445,000</b> |                           |                  |                      |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                            | Estimate Level |
|----------|----------------------------------------------------|----------------|
| Water    | 2002 Second SCVWD Water Reservoir and Pump Station | 1              |

**CONTACT:** Marilyn Nickel [3347]

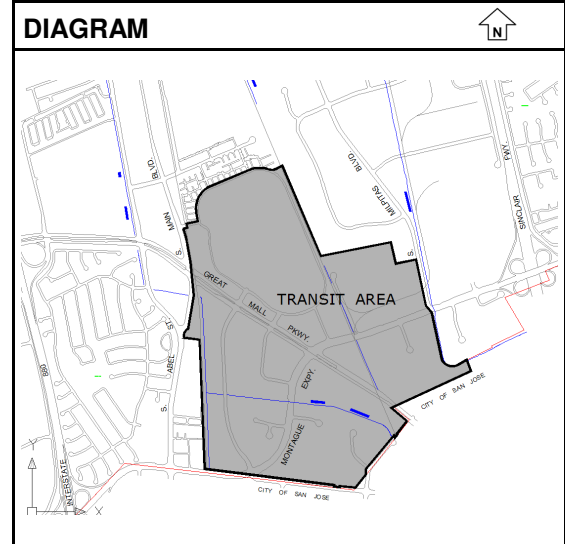
**PRIORITY:** Mandatory or Committed Projects

**DESCRIPTION**

This project will provide potable water reservoir (6.6 million gallons) and pump station to serve the SCVWD water service area, as recommended in the Milpitas 2009 Water Master Plan Update. This facility is necessary to serve the Midtown and Transit Area Specific Plan and other future development. The scope includes land purchase, design and construction of a reservoir, pump station, a second SCVWD water supply turnout and related improvements. The new water facility will require acquisition of approximately 3 acres in the Transit Area at an estimated cost of \$6.7 million. Design and Construction will be programmed in the future at a cost estimate of \$15 Million. Total cost estimate is \$21.7 Million.

**COMMENTS:**

The new water facility will require acquisition of approximately 3 acres in the Transit Area at an estimated cost of \$6.7 million. Design and Construction will be programmed in the future at a cost estimate of \$15 Million. Total cost estimate is \$21.7 Million.



**Uncommitted Balance as of 2/28/2015:**

\$200,000

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17          | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|----------------|----------|------------------|----------|----------|----------|------------------|
| Design         | 150,000        | 0        | 0                | 0        | 0        | 0        | 150,000          |
| Administration | 50,000         | 0        | 0                | 0        | 0        | 0        | 50,000           |
| Surveying      | 0              | 0        | 0                | 0        | 0        | 0        | 0                |
| Inspection     | 0              | 0        | 0                | 0        | 0        | 0        | 0                |
| Land           | 0              | 0        | 6,500,000        | 0        | 0        | 0        | 6,500,000        |
| Improvements   | 0              | 0        | 0                | 0        | 0        | 0        | 0                |
| <b>Totals</b>  | <b>200,000</b> | <b>0</b> | <b>6,500,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>6,700,000</b> |

| FINANCING        | Prior Year     | 2015-16  | 2016-17          | 2017-18  | 2018-19  | 2019-20  | Total            |
|------------------|----------------|----------|------------------|----------|----------|----------|------------------|
| TASP Impact Fees | 200,000        | 0        | 6,500,000        | 0        | 0        | 0        | 6,700,000        |
| <b>Totals</b>    | <b>200,000</b> | <b>0</b> | <b>6,500,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>6,700,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                   | Estimate Level |
|----------|---------|-----------------------------------|----------------|
| Water    | 7100    | Water System Seismic Improvements | 1              |

**CONTACT:** Michael Boitnott [3315]

**PRIORITY:** Health and Safety Projects

**DESCRIPTION**

This project develops a comprehensive Water System Seismic Improvements Program which includes seismic upgrades to the City's "back-bone" water system as defined in the Water System Seismic Improvement Strategic Plan. The scope also includes purchase of water system materials and equipment for emergency response to a major disaster. A complete list of improvements is identified in the priority list (Appendix F of DSWA report) with additional work scope identified in follow up engineering studies.

**COMMENTS:**

Total program preliminary cost estimate is a minimum of \$25 million, through 2020.

**Uncommitted Balance as of 2/28/2015:** \$3,304,136

| ESTIMATED COST | Prior Year       | 2015-16          | 2016-17          | 2017-18  | 2018-19          | 2019-20  | Total            |
|----------------|------------------|------------------|------------------|----------|------------------|----------|------------------|
| Design         | 930,000          | 100,000          | 100,000          | 0        | 100,000          | 0        | 1,230,000        |
| Administration | 153,000          | 40,000           | 40,000           | 0        | 40,000           | 0        | 273,000          |
| Surveying      | 25,000           | 0                | 0                | 0        | 0                | 0        | 25,000           |
| Inspection     | 192,000          | 60,000           | 60,000           | 0        | 60,000           | 0        | 372,000          |
| Land           | 0                | 0                | 0                | 0        | 0                | 0        | 0                |
| Improvements   | 2,887,951        | 800,000          | 800,000          | 0        | 800,000          | 0        | 5,287,951        |
| Equipment      | 0                | 0                | 0                | 0        | 0                | 0        | 0                |
| Other          | 0                | 0                | 0                | 0        | 0                | 0        | 0                |
| <b>Totals</b>  | <b>4,187,951</b> | <b>1,000,000</b> | <b>1,000,000</b> | <b>0</b> | <b>1,000,000</b> | <b>0</b> | <b>7,187,951</b> |

| FINANCING                 | Prior Year       | 2015-16          | 2016-17          | 2017-18  | 2018-19          | 2019-20  | Total            |
|---------------------------|------------------|------------------|------------------|----------|------------------|----------|------------------|
| Water Fund                | 3,087,951        | 1,000,000        | 1,000,000        | 0        | 1,000,000        | 0        | 6,087,951        |
| Water Infrastructure Fund | 1,100,000        | 0                | 0                | 0        | 0                | 0        | 1,100,000        |
| <b>Totals</b>             | <b>4,187,951</b> | <b>1,000,000</b> | <b>1,000,000</b> | <b>0</b> | <b>1,000,000</b> | <b>0</b> | <b>7,187,951</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                  | Estimate Level |
|----------|--------------------------|----------------|
| Water    | 7110 Hydrant Replacement | 1              |

**CONTACT:** Michael Boitnott [3315]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves replacement of hydrants in the Manor, Sunnyhills, and Milford neighborhoods. Other locations may include Calaveras Blvd, Park Victoria and Jacklin Road. Additional work may include replacement of the water valve for the hydrant.

**COMMENTS:**

These hydrants have reached the end of their useful life and need to be replaced.

**Uncommitted Balance as of 2/28/2015:** \$169,379

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 10,000     | 0       | 0       | 0       | 0       | 0       | 10,000  |
| Administration | 5,000      | 0       | 0       | 0       | 0       | 0       | 5,000   |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 10,000     | 0       | 0       | 0       | 0       | 0       | 10,000  |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 145,000    | 0       | 70,000  | 0       | 0       | 0       | 215,000 |
| <b>Totals</b>  | 170,000    | 0       | 70,000  | 0       | 0       | 0       | 240,000 |

| FINANCING                 | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------------------|------------|---------|---------|---------|---------|---------|---------|
| Water Line Extension Fund | 170,000    | 0       | 70,000  | 0       | 0       | 0       | 240,000 |
| <b>Totals</b>             | 170,000    | 0       | 70,000  | 0       | 0       | 0       | 240,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                     | Estimate Level |
|----------|---------|-------------------------------------|----------------|
| Water    | 7118    | Dempsey Road Water Line Replacement | 1              |

**CONTACT:** Michael Boitnott [3315]

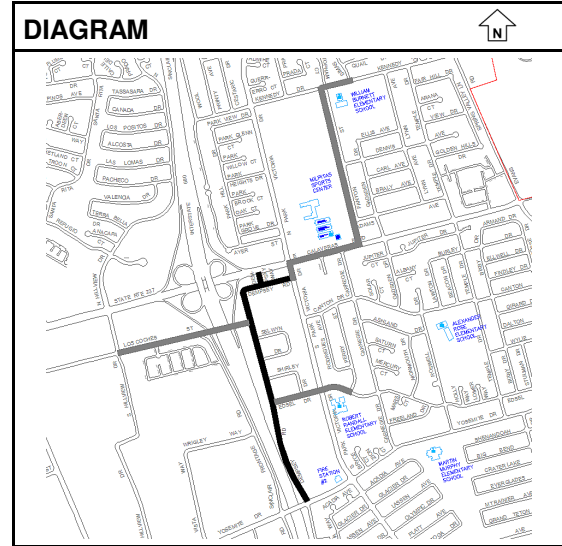
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project replaces approximately 3,400 linear feet of 12" diameter cast iron pipe along Dempsey Rd. between Calaveras Blvd. and Yosemite Dr. The pipe line was installed in 1950's and has reached the end of its useful life. The project will also include the design of a 10,000 linear feet recycled water line main from Los Coches St. and Hillview Dr. to Kennedy Dr. and Simas Dr. to the north and Edsel Dr. and Perry St. to the south.

**COMMENTS:**

The pipeline has experienced excessive corrosion which is causing line breaks. Replacement must occur to minimize impacting water customers. This segment of water line is going to be constructed to the seismic back bone standard and the Water System Seismic Improvement Project is going to pay for the incremental cost of the upgrade. Funding for the construction of the waterline has not been identified. The City is looking to apply for water grants for the construction of the recycled waterline, which is estimated at approximately \$6.5Mil.



**Uncommitted Balance as of 2/28/2015:** \$2,133,282

| ESTIMATED COST | Prior Year       | 2015-16          | 2016-17          | 2017-18  | 2018-19  | 2019-20  | Total             |
|----------------|------------------|------------------|------------------|----------|----------|----------|-------------------|
| Design         | 925,000          | 0                | 0                | 0        | 0        | 0        | 925,000           |
| Administration | 250,000          | 0                | 0                | 0        | 0        | 0        | 250,000           |
| Surveying      | 0                | 0                | 0                | 0        | 0        | 0        | 0                 |
| Inspection     | 80,000           | 0                | 0                | 0        | 0        | 0        | 80,000            |
| Improvements   | 1,820,000        | 1,000,000        | 6,500,000        | 0        | 0        | 0        | 9,320,000         |
| <b>Totals</b>  | <b>3,075,000</b> | <b>1,000,000</b> | <b>6,500,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>10,575,000</b> |

| FINANCING            | Prior Year       | 2015-16          | 2016-17          | 2017-18  | 2018-19  | 2019-20  | Total             |
|----------------------|------------------|------------------|------------------|----------|----------|----------|-------------------|
| Unidentified Funding | 0                | 0                | 6,500,000        | 0        | 0        | 0        | 6,500,000         |
| Water Fund           | 3,075,000        | 1,000,000        | 0                | 0        | 0        | 0        | 4,075,000         |
| <b>Totals</b>        | <b>3,075,000</b> | <b>1,000,000</b> | <b>6,500,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>10,575,000</b> |

**FINANCE NOTES**

City Council 12/16/14 - Budget appropriation of \$575,000 from Water Fund

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                   | Estimate Level |
|----------|---------|-----------------------------------|----------------|
| Water    | 7121    | Automated Water Meter Replacement | 1              |

**CONTACT:** Steven Machida [3355]

**PRIORITY:** Projects Which Avoid Future Additional Costs

**DESCRIPTION**

A City-Wide replacement of existing water meters will be implemented to improve overall service to the City's customers and improve the reliability of the meter reading data. As meters age, the meter readings will read lower over time. Other cities have experienced a reduction ranging of 10-13% lower readings before they completed their meter change out.

**COMMENTS:**

The project will replace all of the City meters over a five year period. The new meters will provide electronic results for the 17,000 water accounts and thereby eliminating manual reads. The system will continuously monitor customer water usage and provide alerts for extraordinary usage patterns or possible leaks.

**Uncommitted Balance as of 2/28/2015:** \$1,288,002

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17   | 2017-18   | 2018-19   | 2019-20   | Total     |
|----------------|------------|---------|-----------|-----------|-----------|-----------|-----------|
| Administration | 5,000      | 0       | 5,000     | 5,000     | 5,000     | 5,000     | 25,000    |
| Improvements   | 190,000    | 0       | 190,000   | 190,000   | 190,000   | 190,000   | 950,000   |
| Equipment      | 1,100,000  | 0       | 1,100,000 | 1,100,000 | 1,100,000 | 1,100,000 | 5,500,000 |
| <b>Totals</b>  | 1,295,000  | 0       | 1,295,000 | 1,295,000 | 1,295,000 | 1,295,000 | 6,475,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17   | 2017-18   | 2018-19   | 2019-20   | Total     |
|---------------|------------|---------|-----------|-----------|-----------|-----------|-----------|
| Water Fund    | 1,295,000  | 0       | 1,295,000 | 1,295,000 | 1,295,000 | 1,295,000 | 6,475,000 |
| <b>Totals</b> | 1,295,000  | 0       | 1,295,000 | 1,295,000 | 1,295,000 | 1,295,000 | 6,475,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                               | Estimate Level |
|----------|---------------------------------------|----------------|
| Water    | New BART Project - Water Improvements | 1              |

**CONTACT:** Steven Machida [3355]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The BART project will cause the relocation of existing utilities along the BART corridor at its own expense. In addition, there are other related water system improvements which have been identified by the City, to be completed as part of the BART utility relocation effort. The City is required to cost share for these enhancements. Water projects include: the upsize of existing water crossing at Montague and Capitol, installation of 2 new water crossings south of Montague, and possible upsizing of pipelines in the area of Piper Drive.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16   | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|----------------|------------|-----------|---------|---------|---------|---------|-----------|
| Design         | 0          | 0         | 0       | 0       | 0       | 0       | 0         |
| Administration | 0          | 0         | 0       | 0       | 0       | 0       | 0         |
| Surveying      | 0          | 0         | 0       | 0       | 0       | 0       | 0         |
| Inspection     | 0          | 0         | 0       | 0       | 0       | 0       | 0         |
| Improvements   | 0          | 2,000,000 | 0       | 0       | 0       | 0       | 2,000,000 |
| <b>Totals</b>  | 0          | 2,000,000 | 0       | 0       | 0       | 0       | 2,000,000 |

| FINANCING     | Prior Year | 2015-16   | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|---------------|------------|-----------|---------|---------|---------|---------|-----------|
| Water Fund    | 0          | 2,000,000 | 0       | 0       | 0       | 0       | 2,000,000 |
| <b>Totals</b> | 0          | 2,000,000 | 0       | 0       | 0       | 0       | 2,000,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                | Estimate Level |
|----------|------------------------|----------------|
| Water    | New Construction Water | 1              |

**CONTACT:** Steven Machida [3355]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The construction activities for public infrastructure and private development require the use of water for increasing moisture content to achieve optimum compaction, dust control as well as other uses. This project will install stormwater and recycled water construction pay stations in strategic locations and will provide for the use of non-potable water instead of potable water for these construction activities.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 56,250  | 0       | 0       | 56,250  |
| Surveying      | 0          | 0       | 0       | 18,750  | 0       | 0       | 18,750  |
| Inspection     | 0          | 0       | 0       | 56,250  | 0       | 0       | 56,250  |
| Improvements   | 0          | 0       | 0       | 243,750 | 0       | 0       | 243,750 |
| <b>Totals</b>  | 0          | 0       | 0       | 375,000 | 0       | 0       | 375,000 |

| FINANCING                 | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------------------|------------|---------|---------|---------|---------|---------|---------|
| Water Line Extension Fund | 0          | 0       | 0       | 375,000 | 0       | 0       | 375,000 |
| <b>Totals</b>             | 0          | 0       | 0       | 375,000 | 0       | 0       | 375,000 |

**FINANCE NOTES**

## 2015-20 CAPITAL IMPROVEMENT PROGRAM

| Category | Project                                      | Estimate Level |
|----------|----------------------------------------------|----------------|
| Water    | New Hillside Pump Station Equip. Replacement | 1              |

**CONTACT:** Marilyn Nickel [3347]

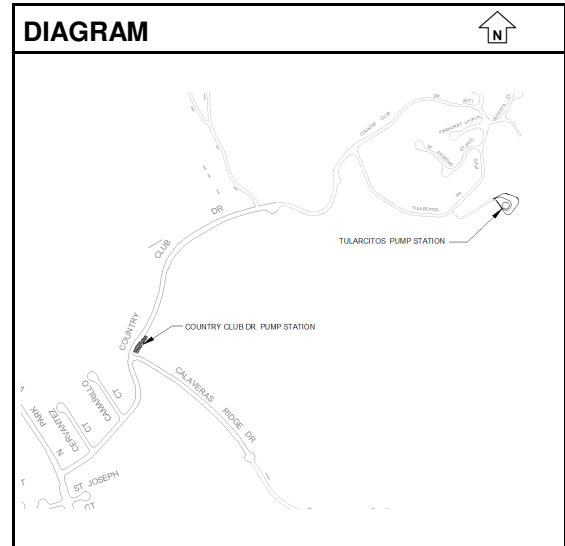
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides rehabilitation or replacement of equipment at the Country Club and Tularcitos Water Pump Stations.

**COMMENTS:**

The last equipment upgrade occurred in 2004-06 and the equipment life is estimated at 10 years.



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST        | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|-----------------------|------------|---------|---------|---------|---------|---------|---------|
| Design                | 0          | 0       | 0       | 30,000  | 0       | 0       | 30,000  |
| Administration        | 0          | 0       | 0       | 20,000  | 0       | 0       | 20,000  |
| Inspection            | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements          | 0          | 0       | 0       | 20,000  | 0       | 0       | 20,000  |
| Equipment             | 0          | 0       | 0       | 80,000  | 0       | 0       | 80,000  |
| Construction Reserves | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>         | 0          | 0       | 0       | 150,000 | 0       | 0       | 150,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Water Fund    | 0          | 0       | 0       | 150,000 | 0       | 0       | 150,000 |
| <b>Totals</b> | 0          | 0       | 0       | 150,000 | 0       | 0       | 150,000 |

## FINANCE NOTES

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                  | Estimate Level |
|----------|------------------------------------------|----------------|
| Water    | <b>New</b><br><b>Los Coches Backbone</b> | 1              |

**CONTACT:** Michael Boitnott [3315] / Steven Machida [3355]

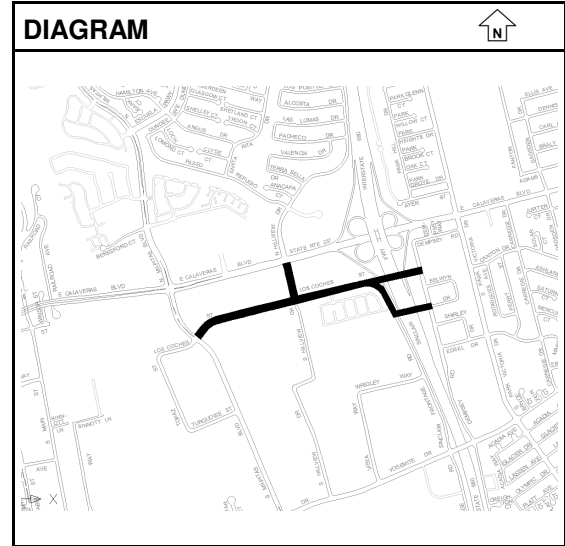
**PRIORITY:** Major Service Equipment Replacement

**DESCRIPTION**

The Los Coches Transmission Main will be constructed between S. Milpitas Boulevard and Dempsey Road. The main will tie the existing dead end main Zone 2 San Francisco PUC at S. Milpitas and Los Coches to tie into the Dempsey Road water main to the east. The project also involves the construction of a new water turnout on Los Coches Street adjacent to E. Calaveras Boulevard near Hillview Drive. The new turnout will improve the overall City water system reliability and convert a few parcels of Zone 2 Santa Clara Valley Water District service area to Zone 2 San Francisco PUC.

**COMMENTS:**

The intent of this project is to eliminate the dead end main in S. Milpitas Boulevard and avoid traffic and utility disruption in E. Calaveras during the project construction. The turnout work has to be designed and constructed by San Francisco PUC, which normally takes approximately 2-3 years.



**Uncommitted Balance as of 2/28/2015:**

\$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17        | 2017-18          | 2018-19  | 2019-20  | Total            |
|----------------|------------|----------|----------------|------------------|----------|----------|------------------|
| Design         | 0          | 0        | 450,000        | 0                | 0        | 0        | 450,000          |
| Administration | 0          | 0        | 50,000         | 200,000          | 0        | 0        | 250,000          |
| Inspection     | 0          | 0        | 0              | 150,000          | 0        | 0        | 150,000          |
| Improvements   | 0          | 0        | 350,000        | 3,000,000        | 0        | 0        | 3,350,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>850,000</b> | <b>3,350,000</b> | <b>0</b> | <b>0</b> | <b>4,200,000</b> |

| FINANCING     | Prior Year | 2015-16  | 2016-17        | 2017-18          | 2018-19  | 2019-20  | Total            |
|---------------|------------|----------|----------------|------------------|----------|----------|------------------|
| Water Fund    | 0          | 0        | 850,000        | 3,350,000        | 0        | 0        | 4,200,000        |
| <b>Totals</b> | <b>0</b>   | <b>0</b> | <b>850,000</b> | <b>3,350,000</b> | <b>0</b> | <b>0</b> | <b>4,200,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                       | Estimate Level |
|----------|-------------------------------|----------------|
| Water    | New Minor Water Projects 2017 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This on-going project involves the analysis and implementation of various water projects which arise during the year. This project also provides for on-going modifications and improvements to existing water system including enhancing security at various water facilities.

**COMMENTS:**

This project will also installs sump pumps in water system vaults, such as pressure reducing valve vaults.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 5,000   | 0       | 0       | 5,000   |
| Administration | 0          | 0       | 5,000   | 0       | 0       | 0       | 5,000   |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 0          | 0       | 95,000  | 95,000  | 0       | 0       | 190,000 |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Other          | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 0          | 0       | 100,000 | 100,000 | 0       | 0       | 200,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Water Fund    | 0          | 0       | 100,000 | 100,000 | 0       | 0       | 200,000 |
| <b>Totals</b> | 0          | 0       | 100,000 | 100,000 | 0       | 0       | 200,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                           | Estimate Level |
|----------|-----------------------------------|----------------|
| Water    | New Recycled Water Line Extension | 1              |

**CONTACT:** Steven Machida [3355] / Michael Boitnott [3315]

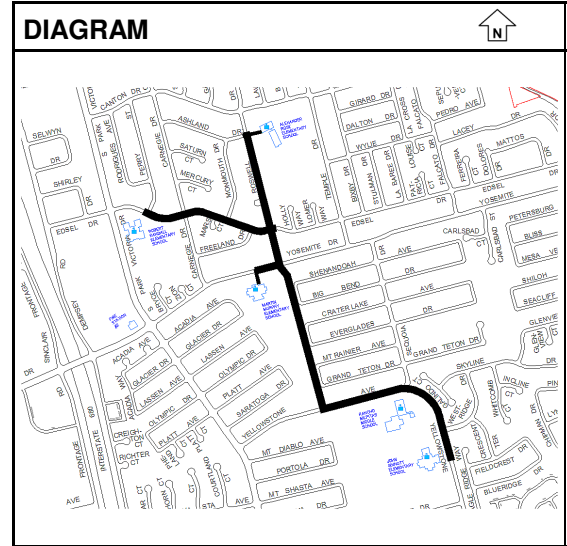
**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

Phase I of the recycled water line extension project has been incorporated into the Dempsey Water Line Replacement project, which will provide for an approximate 10,000 lineal foot extension of the recycled water line main, from Los Coches at Hillview east, under I-880 and extend to Kennedy Dr. and Simas Dr. to the north, and Edsel Dr. and Perry St. to the south. Phase II of the project is anticipated to extend from the phase I recycled water line main approximately 8,200 lineal feet from Edsel Dr. and Perry St. to Roswell Dr. at Ashland Dr., to the north and Yellowstone at Tahoe Dr. to the south. Phase II would be able to serve the following sites with recycled water: Alexander Rose Elementary School, Martin Murphy Elementary School, John Sinnott Elementary School, Rancho Milpitas Middle School, Foothills Park, Murphy Park, Robert E. Browne Park.

**COMMENTS:**

Phase II of the project is estimated to cost \$6.5Mil. The City is looking to apply for water grants for the design and construction of the recycled waterline. Phases III & IV of the project would look to extend the main lines to complete a reliability loop and extend the recycled water line to hillside golf courses and the County parks.



**Uncommitted Balance as of 2/28/2015:**

\$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17          | 2017-18          | 2018-19  | 2019-20  | Total            |
|----------------|------------|----------|------------------|------------------|----------|----------|------------------|
| Design         | 0          | 0        | 750,000          | 100,000          | 0        | 0        | 850,000          |
| Administration | 0          | 0        | 200,000          | 250,000          | 0        | 0        | 450,000          |
| Surveying      | 0          | 0        | 50,000           | 0                | 0        | 0        | 50,000           |
| Inspection     | 0          | 0        | 0                | 150,000          | 0        | 0        | 150,000          |
| Improvements   | 0          | 0        | 0                | 5,000,000        | 0        | 0        | 5,000,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>1,000,000</b> | <b>5,500,000</b> | <b>0</b> | <b>0</b> | <b>6,500,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17          | 2017-18          | 2018-19  | 2019-20  | Total            |
|----------------------|------------|----------|------------------|------------------|----------|----------|------------------|
| Unidentified Funding | 0          | 0        | 1,000,000        | 5,500,000        | 0        | 0        | 6,500,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>1,000,000</b> | <b>5,500,000</b> | <b>0</b> | <b>0</b> | <b>6,500,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                               | Estimate Level |
|----------|---------------------------------------|----------------|
| Water    | New SCVWD Second Water Supply Turnout | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Projects Which Avoid Future Additional Costs

**DESCRIPTION**

This is a joint project with SCVWD to install a second water supply turnout to Milpitas as describe in the Milpitas 2009 Water Master Plan.

**COMMENTS:**

A second turnout is required to meet increasing flow requirements in the City's south-central and western areas. Future appropriations are required as the total cost is estimated at \$2.8 million.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20   | Total     |
|----------------|------------|---------|---------|---------|---------|-----------|-----------|
| Design         | 0          | 0       | 0       | 0       | 0       | 0         | 0         |
| Administration | 0          | 0       | 0       | 0       | 0       | 0         | 0         |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0         | 0         |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0         | 0         |
| Improvements   | 0          | 0       | 100,000 | 0       | 500,000 | 2,500,000 | 3,100,000 |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0         | 0         |
| <b>Totals</b>  | 0          | 0       | 100,000 | 0       | 500,000 | 2,500,000 | 3,100,000 |

| FINANCING        | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20   | Total     |
|------------------|------------|---------|---------|---------|---------|-----------|-----------|
| TASP Impact Fees | 0          | 0       | 100,000 | 0       | 500,000 | 2,500,000 | 3,100,000 |
| <b>Totals</b>    | 0          | 0       | 100,000 | 0       | 500,000 | 2,500,000 | 3,100,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                              | Estimate Level |
|----------|------------------------------------------------------|----------------|
| Water    | New Supervisory Control and Data Acquisition (SCADA) | 1              |

**CONTACT:** Steven Machida [3355]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

A Supervisory Control and Data Acquisition System (SCADA) provides real-time data, such as water tank level, pump operational status, system pressure, and flow rates to water system operators. Operators can use this data to identify operational problems, such as high velocities and low pressures, pressure spikes, both indicators of pipe breaks. SCADA also allows for remote monitoring and operation of pumps and valves to implement corrective actions and maintain water supply.

**COMMENTS:**

Currently operators rely on unsophisticated alarms at limited locations and customer complaints to become aware of water system problems. Operators must drive to sites to evaluate the problem and implement corrective action, such as starting a back-up pump, when the main pumps fail.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19   | 2019-20   | Total     |
|----------------|------------|---------|---------|---------|-----------|-----------|-----------|
| Design         | 0          | 0       | 0       | 300,000 | 0         | 0         | 300,000   |
| Administration | 0          | 0       | 0       | 50,000  | 25,000    | 75,000    | 150,000   |
| Surveying      | 0          | 0       | 0       | 0       | 0         | 0         | 0         |
| Inspection     | 0          | 0       | 0       | 0       | 75,000    | 75,000    | 150,000   |
| Land           | 0          | 0       | 0       | 0       | 0         | 0         | 0         |
| Improvements   | 0          | 0       | 0       | 0       | 0         | 4,500,000 | 4,500,000 |
| Equipment      | 0          | 0       | 0       | 0       | 900,000   | 0         | 900,000   |
| Other          | 0          | 0       | 0       | 0       | 0         | 0         | 0         |
| <b>Totals</b>  | 0          | 0       | 0       | 350,000 | 1,000,000 | 4,650,000 | 6,000,000 |

| FINANCING                 | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19   | 2019-20   | Total     |
|---------------------------|------------|---------|---------|---------|-----------|-----------|-----------|
| Water Line Extension Fund | 0          | 0       | 0       | 175,000 | 500,000   | 2,325,000 | 3,000,000 |
| Water Fund                | 0          | 0       | 0       | 175,000 | 500,000   | 2,325,000 | 3,000,000 |
| <b>Totals</b>             | 0          | 0       | 0       | 350,000 | 1,000,000 | 4,650,000 | 6,000,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                           | Estimate Level |
|----------|-----------------------------------|----------------|
| Water    | New Water O&M Database Management | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Projects Which Avoid Future Additional Costs

**DESCRIPTION**

This project would integrate and expand the GIS database to include water system facility data, such as age of pipe, year of installation, type of pipe, age of valves, maintenance history, and frequency and type of breaks.

**COMMENTS:**

Some of the City's water system infrastructure is now 50 years old and reaching the end of its useful life. This database would enable staff to maintain repair records, identify and record the status of infrastructure and provide timing recommendations for replacement.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 90,000  | 0       | 0       | 0       | 90,000  |
| Administration | 0          | 0       | 10,000  | 0       | 0       | 0       | 10,000  |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Other          | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 0          | 0       | 100,000 | 0       | 0       | 0       | 100,000 |

| FINANCING                 | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------------------|------------|---------|---------|---------|---------|---------|---------|
| Water Infrastructure Fund | 0          | 0       | 100,000 | 0       | 0       | 0       | 100,000 |
| <b>Totals</b>             | 0          | 0       | 100,000 | 0       | 0       | 0       | 100,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                            | Estimate Level |
|----------|------------------------------------|----------------|
| Water    | New Water System Replacement 18-19 |                |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The project involves the replacement or rehabilitation of aging water infrastructure. Work program will be based upon the priorities identified in the 2002 Water Main Replacement Study, the Water System Replacement study to be conducted in 2017-18, maintenance records, other studies and pipe condition evaluations.

**COMMENTS:**

Over 25% of the City's water mains are fifty years or older, and well beyond the design life of the main lines.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19          | 2019-20  | Total            |
|----------------|------------|----------|----------|----------|------------------|----------|------------------|
| Design         | 0          | 0        | 0        | 0        | 150,000          | 0        | 150,000          |
| Administration | 0          | 0        | 0        | 0        | 50,000           | 0        | 50,000           |
| Surveying      | 0          | 0        | 0        | 0        | 25,000           | 0        | 25,000           |
| Inspection     | 0          | 0        | 0        | 0        | 75,000           | 0        | 75,000           |
| Improvements   | 0          | 0        | 0        | 0        | 700,000          | 0        | 700,000          |
| Equipment      | 0          | 0        | 0        | 0        | 0                | 0        | 0                |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,000,000</b> | <b>0</b> | <b>1,000,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19          | 2019-20  | Total            |
|----------------------|------------|----------|----------|----------|------------------|----------|------------------|
| Unidentified Funding | 0          | 0        | 0        | 0        | 1,000,000        | 0        | 1,000,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,000,000</b> | <b>0</b> | <b>1,000,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                            | Estimate Level |
|----------|------------------------------------|----------------|
| Water    | New Water System Replacement Study | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The 2002 Depreciation Study has estimated the remaining life of the existing water system infrastructure. This work is to field verify the projects identified with useful life ending by 2018, confirm need and scope of work, and prioritize improvements. This project evaluates the remaining useful life of water pipelines in the vicinity of Hillview Drive, Los Coches Street, Yosemite Drive, Columbus Drive, Horcajo Street, Heath Street, Landess Avenue and Jacklin Road.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 85,000  | 0       | 0       | 85,000  |
| Administration | 0          | 0       | 0       | 15,000  | 0       | 0       | 15,000  |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 0          | 0       | 0       | 100,000 | 0       | 0       | 100,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Water Fund    | 0          | 0       | 0       | 100,000 | 0       | 0       | 100,000 |
| <b>Totals</b> | 0          | 0       | 0       | 100,000 | 0       | 0       | 100,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                     | Estimate Level |
|----------|-----------------------------|----------------|
| Water    | New Water Valve Replacement | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the replacement of water valves on the water system. These valves are an important element of the aging infrastructure, allowing the system to be isolated during emergency or planned work on the water system.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18        | 2018-19  | 2019-20  | Total          |
|----------------|------------|----------|----------|----------------|----------|----------|----------------|
| Design         | 0          | 0        | 0        | 25,000         | 0        | 0        | 25,000         |
| Administration | 0          | 0        | 0        | 25,000         | 0        | 0        | 25,000         |
| Surveying      | 0          | 0        | 0        | 0              | 0        | 0        | 0              |
| Inspection     | 0          | 0        | 0        | 50,000         | 0        | 0        | 50,000         |
| Improvements   | 0          | 0        | 0        | 500,000        | 0        | 0        | 500,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>600,000</b> | <b>0</b> | <b>0</b> | <b>600,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17  | 2017-18        | 2018-19  | 2019-20  | Total          |
|----------------------|------------|----------|----------|----------------|----------|----------|----------------|
| Unidentified Funding | 0          | 0        | 0        | 600,000        | 0        | 0        | 600,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>0</b> | <b>600,000</b> | <b>0</b> | <b>0</b> | <b>600,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
**SEWER IMPROVEMENT PROJECTS SUMMARY**

**SUMMARY OF COSTS**

| PG.<br>NO. PROJECT    |                                              | TOTAL<br>COST           | PRIOR<br>YEARS  | 2015-16         | 2016-17         | 2017-18         | 2018-19                 | 2019-20         |
|-----------------------|----------------------------------------------|-------------------------|-----------------|-----------------|-----------------|-----------------|-------------------------|-----------------|
| 107 6116              | Sewer System Replacement 12-13               | 2,550,000               | 1,750,000       | 800,000         | 0               | 0               | 0                       | 0               |
| 108 6118              | San Jose/Santa Clara Regional Waste Water    | 40,200,000              | 14,000,000      | 5,000,000       | 6,200,000       | 5,000,000       | 5,000,000               | 5,000,000       |
| 109 6119              | CCTV Sanitary Sewer                          | 825,000                 | 165,000         | 165,000         | 165,000         | 165,000         | 165,000                 | 0               |
| 110 New               | BART Project - Sewer Improvements            | 350,000                 | 0               | 350,000         | 0               | 0               | 0                       | 0               |
| 111 New               | Minor Sewer Projects 2018                    | 50,000                  | 0               | 0               | 0               | 50,000          | 0                       | 0               |
| 112 New               | Sanitary Sewer Overflow Improvements         | 100,000                 | 0               | 0               | 0               | 100,000         | 0                       | 0               |
| 113 New               | Sewer Main Replacement Study 2018            | 115,000                 | 0               | 0               | 0               | 115,000         | 0                       | 0               |
| 114 New               | Sewer System Replacement 16-17               | 2,500,000               | 0               | 0               | 2,500,000       | 0               | 0                       | 0               |
| 115 New               | Sewer System Replacement 17-18               | 1,000,000               | 0               | 0               | 0               | 1,000,000       | 0                       | 0               |
| 116 <b><i>New</i></b> | <b><i>Sewer System Replacement 18-19</i></b> | <b><i>1,000,000</i></b> | <b><i>0</i></b> | <b><i>0</i></b> | <b><i>0</i></b> | <b><i>0</i></b> | <b><i>1,000,000</i></b> | <b><i>0</i></b> |
| 117 New               | Supervisory Control & Data Acquisition (SCA) | 1,120,000               | 0               | 0               | 0               | 250,000         | 870,000                 | 0               |
| 118 New               | Venus Pump Station Rehabilitation            | 50,000                  | 0               | 0               | 0               | 50,000          | 0                       | 0               |

Defunding Subtotal

Funding Subtotal

6,315,000

TOTAL COST

\$49,860,000

\$15,915,000

\$6,315,000

\$8,865,000

\$6,730,000

\$7,035,000

\$5,000,000

**SUMMARY OF AVAILABLE FINANCING**

|                               |                           |                           |                           |                           |                           |
|-------------------------------|---------------------------|---------------------------|---------------------------|---------------------------|---------------------------|
| Other                         | 0                         | 1,500,000                 | 500,000                   | 500,000                   | 0                         |
| Sewer Fund                    | 4,815,000                 | 4,365,000                 | 3,230,000                 | 3,535,000                 | 2,500,000                 |
| Sewer Treatment Fund          | 1,500,000                 | 1,000,000                 | 2,500,000                 | 2,500,000                 | 2,500,000                 |
| Unidentified Funding          | 0                         | 2,000,000                 | 500,000                   | 500,000                   | 0                         |
| <b><i>TOTAL AVAILABLE</i></b> | <b><i>\$6,315,000</i></b> | <b><i>\$8,865,000</i></b> | <b><i>\$6,730,000</i></b> | <b><i>\$7,035,000</i></b> | <b><i>\$5,000,000</i></b> |

**NOTES**

(a) New projects listed in Bold Italics.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Sewer Improvement**

|                                          |            |                                                    | 2015-16          |                      |            |                      |
|------------------------------------------|------------|----------------------------------------------------|------------------|----------------------|------------|----------------------|
|                                          |            |                                                    | Sewer Fund       | Sewer Treatment Fund | Other      | Unidentified Funding |
| PG                                       | PROJECT    |                                                    |                  |                      |            |                      |
| 107                                      | 6116       | Sewer System Replacement 12-13                     | 800,000          | 0                    | 0          | 0                    |
| 108                                      | 6118       | San Jose/Santa Clara Regional Waste Water Facility | 3,500,000        | 1,500,000            | 0          | 0                    |
| 109                                      | 6119       | CCTV Sanitary Sewer                                | 165,000          | 0                    | 0          | 0                    |
| 110                                      | New        | BART Project - Sewer Improvements                  | 350,000          | 0                    | 0          | 0                    |
| 111                                      | New        | Minor Sewer Projects 2018                          | 0                | 0                    | 0          | 0                    |
| 112                                      | New        | Sanitary Sewer Overflow Improvements               | 0                | 0                    | 0          | 0                    |
| 113                                      | New        | Sewer Main Replacement Study 2018                  | 0                | 0                    | 0          | 0                    |
| 114                                      | New        | Sewer System Replacement 16-17                     | 0                | 0                    | 0          | 0                    |
| 115                                      | New        | Sewer System Replacement 17-18                     | 0                | 0                    | 0          | 0                    |
| 116                                      | <b>New</b> | <b>Sewer System Replacement 18-19</b>              | <b>0</b>         | <b>0</b>             | <b>0</b>   | <b>0</b>             |
| 117                                      | New        | Supervisory Control & Data Acquisition (SCADA)     | 0                | 0                    | 0          | 0                    |
| 118                                      | New        | Venus Pump Station Rehabilitation                  | 0                | 0                    | 0          | 0                    |
| <b>Total Defunding by Funding Source</b> |            |                                                    | <b>(0)</b>       | <b>(0)</b>           | <b>(0)</b> | <b>(0)</b>           |
| <b>Total Funding by Funding Source</b>   |            |                                                    | <b>4,815,000</b> | <b>1,500,000</b>     | <b>0</b>   | <b>0</b>             |
| <b>Subtotal by Funding Source</b>        |            |                                                    | <b>4,815,000</b> | <b>1,500,000</b>     | <b>0</b>   | <b>0</b>             |
| <b>Subtotal by Year</b>                  |            |                                                    | <b>6,315,000</b> |                      |            |                      |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Sewer Improvement**

|                                          |                   |                                                    | <b>2016-17</b>   |                      |                  |                      |
|------------------------------------------|-------------------|----------------------------------------------------|------------------|----------------------|------------------|----------------------|
|                                          |                   |                                                    | Sewer Fund       | Sewer Treatment Fund | Other            | Unidentified Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                    |                  |                      |                  |                      |
| 107                                      | 6116              | Sewer System Replacement 12-13                     | 0                | 0                    | 0                | 0                    |
| 108                                      | 6118              | San Jose/Santa Clara Regional Waste Water Facility | 4,200,000        | 1,000,000            | 1,000,000        | 0                    |
| 109                                      | 6119              | CCTV Sanitary Sewer                                | 165,000          | 0                    | 0                | 0                    |
| 110                                      | New               | BART Project - Sewer Improvements                  | 0                | 0                    | 0                | 0                    |
| 111                                      | New               | Minor Sewer Projects 2018                          | 0                | 0                    | 0                | 0                    |
| 112                                      | New               | Sanitary Sewer Overflow Improvements               | 0                | 0                    | 0                | 0                    |
| 113                                      | New               | Sewer Main Replacement Study 2018                  | 0                | 0                    | 0                | 0                    |
| 114                                      | New               | Sewer System Replacement 16-17                     | 0                | 0                    | 500,000          | 2,000,000            |
| 115                                      | New               | Sewer System Replacement 17-18                     | 0                | 0                    | 0                | 0                    |
| 116                                      | <b><i>New</i></b> | <b><i>Sewer System Replacement 18-19</i></b>       | <b><i>0</i></b>  | <b><i>0</i></b>      | <b><i>0</i></b>  | <b><i>0</i></b>      |
| 117                                      | New               | Supervisory Control & Data Acquisition (SCADA)     | 0                | 0                    | 0                | 0                    |
| 118                                      | New               | Venus Pump Station Rehabilitation                  | 0                | 0                    | 0                | 0                    |
| <b>Total Defunding by Funding Source</b> |                   |                                                    | <b>0</b>         | <b>0</b>             | <b>0</b>         | <b>0</b>             |
| <b>Total Funding by Funding Source</b>   |                   |                                                    | <b>4,365,000</b> | <b>1,000,000</b>     | <b>1,500,000</b> | <b>2,000,000</b>     |
| <b>Subtotal by Funding Source</b>        |                   |                                                    | <b>4,365,000</b> | <b>1,000,000</b>     | <b>1,500,000</b> | <b>2,000,000</b>     |
| <b>Subtotal by Year</b>                  |                   |                                                    | <b>8,865,000</b> |                      |                  |                      |

**NOTES**

- (a) New projects listed in Bold Italics.  
 (b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Sewer Improvement**

|                                          |                   |                                                    | <b>2017-18</b>   |                      |                 |                      |
|------------------------------------------|-------------------|----------------------------------------------------|------------------|----------------------|-----------------|----------------------|
|                                          |                   |                                                    | Sewer Fund       | Sewer Treatment Fund | Other           | Unidentified Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                    |                  |                      |                 |                      |
| 107                                      | 6116              | Sewer System Replacement 12-13                     | 0                | 0                    | 0               | 0                    |
| 108                                      | 6118              | San Jose/Santa Clara Regional Waste Water Facility | 2,500,000        | 2,500,000            | 0               | 0                    |
| 109                                      | 6119              | CCTV Sanitary Sewer                                | 165,000          | 0                    | 0               | 0                    |
| 110                                      | New               | BART Project - Sewer Improvements                  | 0                | 0                    | 0               | 0                    |
| 111                                      | New               | Minor Sewer Projects 2018                          | 50,000           | 0                    | 0               | 0                    |
| 112                                      | New               | Sanitary Sewer Overflow Improvements               | 100,000          | 0                    | 0               | 0                    |
| 113                                      | New               | Sewer Main Replacement Study 2018                  | 115,000          | 0                    | 0               | 0                    |
| 114                                      | New               | Sewer System Replacement 16-17                     | 0                | 0                    | 0               | 0                    |
| 115                                      | New               | Sewer System Replacement 17-18                     | 0                | 0                    | 500,000         | 500,000              |
| 116                                      | <b><i>New</i></b> | <b><i>Sewer System Replacement 18-19</i></b>       | <b><i>0</i></b>  | <b><i>0</i></b>      | <b><i>0</i></b> | <b><i>0</i></b>      |
| 117                                      | New               | Supervisory Control & Data Acquisition (SCADA)     | 250,000          | 0                    | 0               | 0                    |
| 118                                      | New               | Venus Pump Station Rehabilitation                  | 50,000           | 0                    | 0               | 0                    |
| <b>Total Defunding by Funding Source</b> |                   |                                                    | <b>0</b>         | <b>0</b>             | <b>0</b>        | <b>0</b>             |
| <b>Total Funding by Funding Source</b>   |                   |                                                    | <b>3,230,000</b> | <b>2,500,000</b>     | <b>500,000</b>  | <b>500,000</b>       |
| <b>Subtotal by Funding Source</b>        |                   |                                                    | <b>3,230,000</b> | <b>2,500,000</b>     | <b>500,000</b>  | <b>500,000</b>       |
| <b>Subtotal by Year</b>                  |                   |                                                    | <b>6,730,000</b> |                      |                 |                      |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Sewer Improvement**

|                                          |                   |                                                    | <b>2018-19</b>   |                      |                       |                       |
|------------------------------------------|-------------------|----------------------------------------------------|------------------|----------------------|-----------------------|-----------------------|
|                                          |                   |                                                    | Sewer Fund       | Sewer Treatment Fund | Other                 | Unidentified Funding  |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                    |                  |                      |                       |                       |
| 107                                      | 6116              | Sewer System Replacement 12-13                     | 0                | 0                    | 0                     | 0                     |
| 108                                      | 6118              | San Jose/Santa Clara Regional Waste Water Facility | 2,500,000        | 2,500,000            | 0                     | 0                     |
| 109                                      | 6119              | CCTV Sanitary Sewer                                | 165,000          | 0                    | 0                     | 0                     |
| 110                                      | New               | BART Project - Sewer Improvements                  | 0                | 0                    | 0                     | 0                     |
| 111                                      | New               | Minor Sewer Projects 2018                          | 0                | 0                    | 0                     | 0                     |
| 112                                      | New               | Sanitary Sewer Overflow Improvements               | 0                | 0                    | 0                     | 0                     |
| 113                                      | New               | Sewer Main Replacement Study 2018                  | 0                | 0                    | 0                     | 0                     |
| 114                                      | New               | Sewer System Replacement 16-17                     | 0                | 0                    | 0                     | 0                     |
| 115                                      | New               | Sewer System Replacement 17-18                     | 0                | 0                    | 0                     | 0                     |
| 116                                      | <b><i>New</i></b> | <b><i>Sewer System Replacement 18-19</i></b>       | <b><i>0</i></b>  | <b><i>0</i></b>      | <b><i>500,000</i></b> | <b><i>500,000</i></b> |
| 117                                      | New               | Supervisory Control & Data Acquisition (SCADA)     | 870,000          | 0                    | 0                     | 0                     |
| 118                                      | New               | Venus Pump Station Rehabilitation                  | 0                | 0                    | 0                     | 0                     |
| <b>Total Defunding by Funding Source</b> |                   |                                                    | <b>0</b>         | <b>0</b>             | <b>0</b>              | <b>0</b>              |
| <b>Total Funding by Funding Source</b>   |                   |                                                    | <b>3,535,000</b> | <b>2,500,000</b>     | <b>500,000</b>        | <b>500,000</b>        |
| <b>Subtotal by Funding Source</b>        |                   |                                                    | <b>3,535,000</b> | <b>2,500,000</b>     | <b>500,000</b>        | <b>500,000</b>        |
| <b>Subtotal by Year</b>                  |                   |                                                    | <b>7,035,000</b> |                      |                       |                       |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Sewer Improvement**

|                                          |                   |                                                    | <b>2019-20</b>   |                      |                 |                      |
|------------------------------------------|-------------------|----------------------------------------------------|------------------|----------------------|-----------------|----------------------|
|                                          |                   |                                                    | Sewer Fund       | Sewer Treatment Fund | Other           | Unidentified Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                    |                  |                      |                 |                      |
| 107                                      | 6116              | Sewer System Replacement 12-13                     | 0                | 0                    | 0               | 0                    |
| 108                                      | 6118              | San Jose/Santa Clara Regional Waste Water Facility | 2,500,000        | 2,500,000            | 0               | 0                    |
| 109                                      | 6119              | CCTV Sanitary Sewer                                | 0                | 0                    | 0               | 0                    |
| 110                                      | New               | BART Project - Sewer Improvements                  | 0                | 0                    | 0               | 0                    |
| 111                                      | New               | Minor Sewer Projects 2018                          | 0                | 0                    | 0               | 0                    |
| 112                                      | New               | Sanitary Sewer Overflow Improvements               | 0                | 0                    | 0               | 0                    |
| 113                                      | New               | Sewer Main Replacement Study 2018                  | 0                | 0                    | 0               | 0                    |
| 114                                      | New               | Sewer System Replacement 16-17                     | 0                | 0                    | 0               | 0                    |
| 115                                      | New               | Sewer System Replacement 17-18                     | 0                | 0                    | 0               | 0                    |
| 116                                      | <b><i>New</i></b> | <b><i>Sewer System Replacement 18-19</i></b>       | <b><i>0</i></b>  | <b><i>0</i></b>      | <b><i>0</i></b> | <b><i>0</i></b>      |
| 117                                      | New               | Supervisory Control & Data Acquisition (SCADA)     | 0                | 0                    | 0               | 0                    |
| 118                                      | New               | Venus Pump Station Rehabilitation                  | 0                | 0                    | 0               | 0                    |
| <b>Total Defunding by Funding Source</b> |                   |                                                    | <b>0</b>         | <b>0</b>             | <b>0</b>        | <b>0</b>             |
| <b>Total Funding by Funding Source</b>   |                   |                                                    | <b>2,500,000</b> | <b>2,500,000</b>     | <b>0</b>        | <b>0</b>             |
| <b>Subtotal by Funding Source</b>        |                   |                                                    | <b>2,500,000</b> | <b>2,500,000</b>     | <b>0</b>        | <b>0</b>             |
| <b>Subtotal by Year</b>                  |                   |                                                    | <b>5,000,000</b> |                      |                 |                      |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                             | Estimate Level |
|-------------------|-------------------------------------|----------------|
| Sewer Improvement | 6116 Sewer System Replacement 12-13 | 1              |

**CONTACT:** Michael Boitnott [3315]

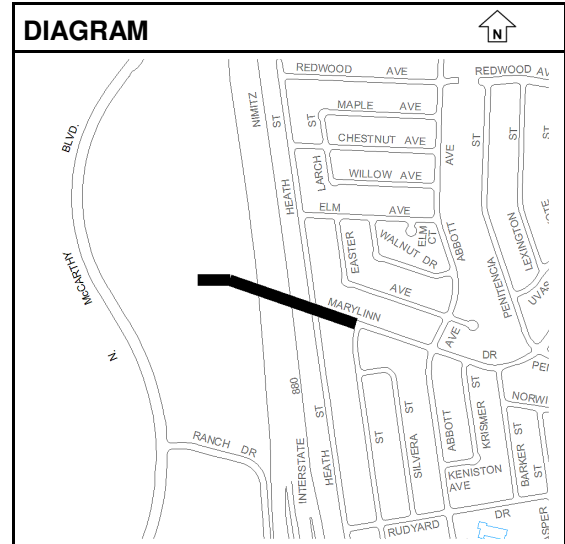
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the replacement of the highest priority facilities, including upgrades to the Sewer Pump Stations, forcemains and seismic retrofit work. The replacement prioritization is based on several factors including age, type of pipe material, soil conditions and physical evaluation based on video camera observations.

**COMMENTS:**

This project is combination with project 6115 will replace the existing 27" sewer main that extends along Marylinn Drive and under I-880. The line is required to be realigned to allow the sewer to continue flow during construction of the new line since a temporary bypass could not be achieved. Additionally at the crossing of I-880, Caltrans requires new crossings to be installed perpendicular to the freeway.



**Uncommitted Balance as of 2/28/2015:** \$1,511,357

| ESTIMATED COST | Prior Year       | 2015-16        | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------------|----------|----------|----------|----------|------------------|
| Design         | 260,000          | 0              | 0        | 0        | 0        | 0        | 260,000          |
| Administration | 95,000           | 0              | 0        | 0        | 0        | 0        | 95,000           |
| Surveying      | 20,000           | 0              | 0        | 0        | 0        | 0        | 20,000           |
| Inspection     | 40,000           | 0              | 0        | 0        | 0        | 0        | 40,000           |
| Land           | 0                | 0              | 0        | 0        | 0        | 0        | 0                |
| Improvements   | 1,335,000        | 800,000        | 0        | 0        | 0        | 0        | 2,135,000        |
| Equipment      | 0                | 0              | 0        | 0        | 0        | 0        | 0                |
| Other          | 0                | 0              | 0        | 0        | 0        | 0        | 0                |
| <b>Totals</b>  | <b>1,750,000</b> | <b>800,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,550,000</b> |

| FINANCING     | Prior Year       | 2015-16        | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|---------------|------------------|----------------|----------|----------|----------|----------|------------------|
| Sewer Fund    | 1,750,000        | 800,000        | 0        | 0        | 0        | 0        | 2,550,000        |
| <b>Totals</b> | <b>1,750,000</b> | <b>800,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,550,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project |                                                    | Estimate Level |
|-------------------|---------|----------------------------------------------------|----------------|
| Sewer Improvement | 6118    | San Jose/Santa Clara Regional Waste Water Facility | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The City of Milpitas pumps our sewage to the San Jose/Santa Clara Regional Waste Water Facility for waste water treatment before it can be discharged into the San Francisco Bay. This project will fund Milpitas's share of the facilities rehabilitation costs. The facility was originally constructed in 1956 and is reaching the end of its useful life and is in need of a complete overhaul. The City of San Jose which operates the facility is undergoing a large rehabilitation project to completely overhaul the facility over the next 30 years. The City of Milpitas uses approximately 7% of the facility and will be responsible for 7% of the estimated \$2 billion or \$140 million in improvements that will be made over the next 30 years.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$2,973,447

| ESTIMATED COST | Prior Year | 2015-16   | 2016-17   | 2017-18   | 2018-19   | 2019-20   | Total      |
|----------------|------------|-----------|-----------|-----------|-----------|-----------|------------|
| Improvements   | 14,000,000 | 5,000,000 | 6,200,000 | 5,000,000 | 5,000,000 | 5,000,000 | 40,200,000 |
| <b>Totals</b>  | 14,000,000 | 5,000,000 | 6,200,000 | 5,000,000 | 5,000,000 | 5,000,000 | 40,200,000 |

| FINANCING                 | Prior Year | 2015-16   | 2016-17   | 2017-18   | 2018-19   | 2019-20   | Total      |
|---------------------------|------------|-----------|-----------|-----------|-----------|-----------|------------|
| Sewer Fund                | 7,500,000  | 3,500,000 | 4,200,000 | 2,500,000 | 2,500,000 | 2,500,000 | 22,700,000 |
| Sewer Treatment Fund      | 5,000,000  | 1,500,000 | 1,000,000 | 2,500,000 | 2,500,000 | 2,500,000 | 15,000,000 |
| Sewer Infrastructure Fund | 1,500,000  | 0         | 1,000,000 | 0         | 0         | 0         | 2,500,000  |
| <b>Totals</b>             | 14,000,000 | 5,000,000 | 6,200,000 | 5,000,000 | 5,000,000 | 5,000,000 | 40,200,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                  | Estimate Level |
|-------------------|--------------------------|----------------|
| Sewer Improvement | 6119 CCTV Sanitary Sewer | 1              |

**CONTACT:** Steven Machida [3355]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

A Closed Circuit Television (CCTV) program is needed to be performed city-wide to determine the condition of the City's sanitary sewer system.

**COMMENTS:**

A CCTV program is used to measure the structural integrity and flow conditions of the underground pipes. During the initial construction, the pipes are constructed to grade and are structurally sound. However over time, pipes may develop "sags" and cracks that may cause pipe failures. Aggressive CCTV programs will identify conditions in the pipe before pipe failure and reduce the amount of pipe replacement that the City will need to perform.

**Uncommitted Balance as of 2/28/2015:** \$165,000

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Administration | 5,000      | 5,000   | 5,000   | 5,000   | 5,000   | 0       | 25,000  |
| Inspection     | 10,000     | 10,000  | 10,000  | 10,000  | 10,000  | 0       | 50,000  |
| Improvements   | 150,000    | 150,000 | 150,000 | 150,000 | 150,000 | 0       | 750,000 |
| <b>Totals</b>  | 165,000    | 165,000 | 165,000 | 165,000 | 165,000 | 0       | 825,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Sewer Fund    | 165,000    | 165,000 | 165,000 | 165,000 | 165,000 | 0       | 825,000 |
| <b>Totals</b> | 165,000    | 165,000 | 165,000 | 165,000 | 165,000 | 0       | 825,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                               | Estimate Level |
|-------------------|---------------------------------------|----------------|
| Sewer Improvement | New BART Project - Sewer Improvements |                |

**CONTACT:** Steven Machida [3355]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The BART project will cause the relocation of existing sewer pipelines utilities along the BART corridor at its own expense. The City has identified sewer pipelines improvements which should be completed as part of the BART utility relocation effort. These include rerouting and upsizing based on the City's Sewer Master Plan. These additional sewer system improvements are outside of the BART project scope and are to be paid for by the City.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Administration | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 0          | 350,000 | 0       | 0       | 0       | 0       | 350,000 |
| <b>Totals</b>  | 0          | 350,000 | 0       | 0       | 0       | 0       | 350,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Sewer Fund    | 0          | 350,000 | 0       | 0       | 0       | 0       | 350,000 |
| <b>Totals</b> | 0          | 350,000 | 0       | 0       | 0       | 0       | 350,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                       | Estimate Level |
|-------------------|-------------------------------|----------------|
| Sewer Improvement | New Minor Sewer Projects 2018 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the ongoing analysis, engineering and implementation of various minor modifications and improvements to the existing sewer system which arise during the year.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|----------------|------------|---------|---------|---------|---------|---------|--------|
| Design         | 0          | 0       | 0       | 10,000  | 0       | 0       | 10,000 |
| Administration | 0          | 0       | 0       | 5,000   | 0       | 0       | 5,000  |
| Surveying      | 0          | 0       | 0       | 5,000   | 0       | 0       | 5,000  |
| Improvements   | 0          | 0       | 0       | 30,000  | 0       | 0       | 30,000 |
| <b>Totals</b>  | 0          | 0       | 0       | 50,000  | 0       | 0       | 50,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|---------------|------------|---------|---------|---------|---------|---------|--------|
| Sewer Fund    | 0          | 0       | 0       | 50,000  | 0       | 0       | 50,000 |
| <b>Totals</b> | 0          | 0       | 0       | 50,000  | 0       | 0       | 50,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                                  | Estimate Level |
|-------------------|------------------------------------------|----------------|
| Sewer Improvement | New Sanitary Sewer Overflow Improvements | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Mandatory or Committed Projects

**DESCRIPTION**

This project includes multiple measures to reduce sewer system overflows. A pilot program for "smart" manhole covers would be implemented. These manhole covers contain a sewer manhole flow level sensor that would transmit alarms prior to overflows. In addition, sewer backflow devices would be installed at selected sites.

**COMMENTS:**

State regulations require sewer system agencies to reduce sewer system overflows.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Administration | 0          | 0       | 0       | 10,000  | 0       | 0       | 10,000  |
| Improvements   | 0          | 0       | 0       | 90,000  | 0       | 0       | 90,000  |
| <b>Totals</b>  | 0          | 0       | 0       | 100,000 | 0       | 0       | 100,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Sewer Fund    | 0          | 0       | 0       | 100,000 | 0       | 0       | 100,000 |
| <b>Totals</b> | 0          | 0       | 0       | 100,000 | 0       | 0       | 100,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                               | Estimate Level |
|-------------------|---------------------------------------|----------------|
| Sewer Improvement | New Sewer Main Replacement Study 2018 | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Studies and Analyses

**DESCRIPTION**

This project involves field evaluation of the remaining useful life of the city's sewer lines including but not limited to: McCarthy/Technology/Cypress and Barber/Bellew.

**COMMENTS:**

The 2002 Depreciation Study has estimated the remaining life of the existing sewer system infrastructure. This work is to field verify the projects identified with useful life ending by 2017, confirm the need and scope of work, and prioritize these projects. It may also include pipelines requiring significant attention even if they are not at the end of their useful life.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 105,000 | 0       | 0       | 105,000 |
| Surveying      | 0          | 0       | 0       | 10,000  | 0       | 0       | 10,000  |
| <b>Totals</b>  | 0          | 0       | 0       | 115,000 | 0       | 0       | 115,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Sewer Fund    | 0          | 0       | 0       | 115,000 | 0       | 0       | 115,000 |
| <b>Totals</b> | 0          | 0       | 0       | 115,000 | 0       | 0       | 115,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                            | Estimate Level |
|-------------------|------------------------------------|----------------|
| Sewer Improvement | New Sewer System Replacement 16-17 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the replacement of the highest priority facilities, including upgrades to the Sewer Pump Stations, forcemain and seismic retrofit work. The replacement prioritization is based on several factors including age, type of pipe material, soil conditions and physical evaluation based on video camera observations.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17   | 2017-18 | 2018-19 | 2019-20 | Total     |
|----------------|------------|---------|-----------|---------|---------|---------|-----------|
| Design         | 0          | 0       | 200,000   | 0       | 0       | 0       | 200,000   |
| Administration | 0          | 0       | 50,000    | 0       | 0       | 0       | 50,000    |
| Surveying      | 0          | 0       | 50,000    | 0       | 0       | 0       | 50,000    |
| Inspection     | 0          | 0       | 100,000   | 0       | 0       | 0       | 100,000   |
| Land           | 0          | 0       | 0         | 0       | 0       | 0       | 0         |
| Improvements   | 0          | 0       | 2,100,000 | 0       | 0       | 0       | 2,100,000 |
| Equipment      | 0          | 0       | 0         | 0       | 0       | 0       | 0         |
| Other          | 0          | 0       | 0         | 0       | 0       | 0       | 0         |
| <b>Totals</b>  | 0          | 0       | 2,500,000 | 0       | 0       | 0       | 2,500,000 |

| FINANCING                 | Prior Year | 2015-16 | 2016-17   | 2017-18 | 2018-19 | 2019-20 | Total     |
|---------------------------|------------|---------|-----------|---------|---------|---------|-----------|
| Sewer Infrastructure Fund | 0          | 0       | 500,000   | 0       | 0       | 0       | 500,000   |
| Unidentified Funding      | 0          | 0       | 2,000,000 | 0       | 0       | 0       | 2,000,000 |
| <b>Totals</b>             | 0          | 0       | 2,500,000 | 0       | 0       | 0       | 2,500,000 |

**FINANCE NOTES**

See following year's Sewer System Replacement for future year funding

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                            | Estimate Level |
|-------------------|------------------------------------|----------------|
| Sewer Improvement | New Sewer System Replacement 17-18 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the replacement of the highest priority facilities, including upgrades to the Sewer Pump Stations, forcemains and seismic retrofit work. The replacement prioritization is based on several factors including age, type of pipe material, soil conditions and physical evaluation based on video camera observations.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18   | 2018-19 | 2019-20 | Total     |
|----------------|------------|---------|---------|-----------|---------|---------|-----------|
| Design         | 0          | 0       | 0       | 150,000   | 0       | 0       | 150,000   |
| Administration | 0          | 0       | 0       | 45,000    | 0       | 0       | 45,000    |
| Surveying      | 0          | 0       | 0       | 20,000    | 0       | 0       | 20,000    |
| Inspection     | 0          | 0       | 0       | 100,000   | 0       | 0       | 100,000   |
| Land           | 0          | 0       | 0       | 0         | 0       | 0       | 0         |
| Improvements   | 0          | 0       | 0       | 685,000   | 0       | 0       | 685,000   |
| <b>Totals</b>  | 0          | 0       | 0       | 1,000,000 | 0       | 0       | 1,000,000 |

| FINANCING                 | Prior Year | 2015-16 | 2016-17 | 2017-18   | 2018-19 | 2019-20 | Total     |
|---------------------------|------------|---------|---------|-----------|---------|---------|-----------|
| Unidentified Funding      | 0          | 0       | 0       | 500,000   | 0       | 0       | 500,000   |
| Sewer Infrastructure Fund | 0          | 0       | 0       | 500,000   | 0       | 0       | 500,000   |
| <b>Totals</b>             | 0          | 0       | 0       | 1,000,000 | 0       | 0       | 1,000,000 |

**FINANCE NOTES**

See following year's Sewer System Replacement for future year funding

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                            | Estimate Level |
|-------------------|------------------------------------|----------------|
| Sewer Improvement | New Sewer System Replacement 18-19 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the replacement of the highest priority facilities, including upgrades to the Sewer Pump Stations, forcemain's, and seismic retrofit work. The replacement prioritization is based on several factors including age, type of pipe material, soil conditions and physical evaluation based on video camera observations.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19   | 2019-20 | Total     |
|----------------|------------|---------|---------|---------|-----------|---------|-----------|
| Design         | 0          | 0       | 0       | 0       | 150,000   | 0       | 150,000   |
| Administration | 0          | 0       | 0       | 0       | 45,000    | 0       | 45,000    |
| Surveying      | 0          | 0       | 0       | 0       | 20,000    | 0       | 20,000    |
| Inspection     | 0          | 0       | 0       | 0       | 100,000   | 0       | 100,000   |
| Improvements   | 0          | 0       | 0       | 0       | 685,000   | 0       | 685,000   |
| <b>Totals</b>  | 0          | 0       | 0       | 0       | 1,000,000 | 0       | 1,000,000 |

| FINANCING                 | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19   | 2019-20 | Total     |
|---------------------------|------------|---------|---------|---------|-----------|---------|-----------|
| Sewer Infrastructure Fund | 0          | 0       | 0       | 0       | 500,000   | 0       | 500,000   |
| Unidentified Funding      | 0          | 0       | 0       | 0       | 500,000   | 0       | 500,000   |
| <b>Totals</b>             | 0          | 0       | 0       | 0       | 1,000,000 | 0       | 1,000,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                                            | Estimate Level |
|-------------------|----------------------------------------------------|----------------|
| Sewer Improvement | New Supervisory Control & Data Acquisition (SCADA) | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Projects Which Avoid Future Additional Costs

**DESCRIPTION**

A Supervisory Control and Data Acquisition (SCADA) system provides real-time data, such as wet well level, and pump operational status to sewer system operators. Operators can use this data to identify operational problems. SCADA allows for remote monitoring and operation of pumps to implement corrective actions and maintain wastewater discharge to the regional wastewater treatment plant.

**COMMENTS:**

Currently operators rely on unsophisticated alarms and must drive to sites to evaluate the problem and implement corrective action. This work includes analysis and design only. Additional funding is required for installation.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|----------------|------------|---------|---------|---------|---------|---------|-----------|
| Design         | 0          | 0       | 0       | 200,000 | 0       | 0       | 200,000   |
| Administration | 0          | 0       | 0       | 50,000  | 0       | 0       | 50,000    |
| Inspection     | 0          | 0       | 0       | 0       | 40,000  | 0       | 40,000    |
| Improvements   | 0          | 0       | 0       | 0       | 830,000 | 0       | 830,000   |
| <b>Totals</b>  | 0          | 0       | 0       | 250,000 | 870,000 | 0       | 1,120,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|---------------|------------|---------|---------|---------|---------|---------|-----------|
| Sewer Fund    | 0          | 0       | 0       | 250,000 | 870,000 | 0       | 1,120,000 |
| <b>Totals</b> | 0          | 0       | 0       | 250,000 | 870,000 | 0       | 1,120,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
**STORM DRAIN IMPROVEMENT PROJECTS SUMMARY**

**SUMMARY OF COSTS**

| PG.<br>NO.                | PROJECT                                                    | TOTAL<br>COST         | PRIOR<br>YEARS     | 2015-16            | 2016-17            | 2017-18            | 2018-19            | 2019-20               |
|---------------------------|------------------------------------------------------------|-----------------------|--------------------|--------------------|--------------------|--------------------|--------------------|-----------------------|
| 127                       | 3700 Storm Drain System Deficiency Program                 | 3,000,000             | 700,000            | 0                  | 800,000            | 1,500,000          | 0                  | 0                     |
| 128                       | 3709 Dempsey Road Storm Drain Replacement                  | 2,000,000             | 400,000            | 1,600,000          | 0                  | 0                  | 0                  | 0                     |
| 129                       | 3710 Penitencia Pump Station Improvements                  | 3,250,000             | 250,000            | 0                  | 0                  | 600,000            | 2,400,000          | 0                     |
| 130                       | New Abbott Pump Station Controls Replacement               | 275,000               | 0                  | 0                  | 0                  | 0                  | 125,000            | 150,000               |
| 131                       | New BART Project - Storm Improvements                      | 250,000               | 0                  | 250,000            | 0                  | 0                  | 0                  | 0                     |
| 132                       | New California Circle Pump Station                         | 1,700,000             | 0                  | 0                  | 1,700,000          | 0                  | 0                  | 0                     |
| 133                       | New Channel and Lagoon Dredging                            | 1,500,000             | 0                  | 0                  | 0                  | 1,500,000          | 0                  | 0                     |
| 134                       | New Flap Gate Replacement                                  | 250,000               | 0                  | 0                  | 0                  | 125,000            | 125,000            | 0                     |
| 135                       | New Minor Storm Drain Projects 2016                        | 100,000               | 0                  | 100,000            | 0                  | 0                  | 0                  | 0                     |
| 136                       | New Minor Storm Drain Projects 2018                        | 100,000               | 0                  | 0                  | 0                  | 100,000            | 0                  | 0                     |
| 137                       | New Oak Creek Pump Station Upgrade                         | 2,175,000             | 0                  | 0                  | 0                  | 0                  | 275,000            | 1,900,000             |
| 138                       | New Spence Pump Station Improvements                       | 145,000               | 0                  | 0                  | 0                  | 145,000            | 0                  | 0                     |
| 139                       | <b><i>New Storm Drain Supervisory Control and Data</i></b> | <b><i>375,000</i></b> | <b><i>0</i></b>    | <b><i>0</i></b>    | <b><i>0</i></b>    | <b><i>0</i></b>    | <b><i>0</i></b>    | <b><i>375,000</i></b> |
| 140                       | New Storm Drain System Improvements 2018                   | 1,160,000             | 0                  | 0                  | 0                  | 1,160,000          | 0                  | 0                     |
| 141                       | New Trash Removal Devices                                  | 350,000               | 0                  | 0                  | 350,000            | 0                  | 0                  | 0                     |
| <b>Defunding Subtotal</b> |                                                            |                       |                    | <b>1,950,000</b>   |                    |                    |                    |                       |
| <b>Funding Subtotal</b>   |                                                            |                       |                    |                    |                    |                    |                    |                       |
| <b>TOTAL COST</b>         |                                                            | <b>\$16,630,000</b>   | <b>\$1,350,000</b> | <b>\$1,950,000</b> | <b>\$2,850,000</b> | <b>\$5,130,000</b> | <b>\$2,925,000</b> | <b>\$2,425,000</b>    |

**SUMMARY OF AVAILABLE FINANCING**

|                                    |                    |                    |                    |                    |                    |
|------------------------------------|--------------------|--------------------|--------------------|--------------------|--------------------|
| <b>General Government CIP Fund</b> | 1,200,000          | 800,000            | 400,000            | 900,000            | 0                  |
| <b>Storm Drain Fund</b>            | 750,000            | 350,000            | 200,000            | 0                  | 0                  |
| <b>Unidentified Funding</b>        | 0                  | 1,700,000          | 4,530,000          | 2,025,000          | 2,425,000          |
| <b>TOTAL AVAILABLE</b>             | <b>\$1,950,000</b> | <b>\$2,850,000</b> | <b>\$5,130,000</b> | <b>\$2,925,000</b> | <b>\$2,425,000</b> |

**NOTES**

(a) New projects listed in Bold Italics.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Storm Drain Improvement**

|                                          |                   |                                                                    | 2015-16          |                             |                 |                      |
|------------------------------------------|-------------------|--------------------------------------------------------------------|------------------|-----------------------------|-----------------|----------------------|
| PG                                       | PROJECT           |                                                                    | Storm Drain Fund | General Government CIP Fund | Other           | Unidentified Funding |
| 127                                      | 3700              | Storm Drain System Deficiency Program                              | 0                | 0                           | 0               | 0                    |
| 128                                      | 3709              | Dempsey Road Storm Drain Replacement                               | 400,000          | 1,200,000                   | 0               | 0                    |
| 129                                      | 3710              | Penitencia Pump Station Improvements                               | 0                | 0                           | 0               | 0                    |
| 130                                      | New               | Abbott Pump Station Controls Replacement                           | 0                | 0                           | 0               | 0                    |
| 131                                      | New               | BART Project - Storm Improvements                                  | 250,000          | 0                           | 0               | 0                    |
| 132                                      | New               | California Circle Pump Station                                     | 0                | 0                           | 0               | 0                    |
| 133                                      | New               | Channel and Lagoon Dredging                                        | 0                | 0                           | 0               | 0                    |
| 134                                      | New               | Flap Gate Replacement                                              | 0                | 0                           | 0               | 0                    |
| 135                                      | New               | Minor Storm Drain Projects 2016                                    | 100,000          | 0                           | 0               | 0                    |
| 136                                      | New               | Minor Storm Drain Projects 2018                                    | 0                | 0                           | 0               | 0                    |
| 137                                      | New               | Oak Creek Pump Station Upgrade                                     | 0                | 0                           | 0               | 0                    |
| 138                                      | New               | Spence Pump Station Improvements                                   | 0                | 0                           | 0               | 0                    |
| 139                                      | <b><i>New</i></b> | <b><i>Storm Drain Supervisory Control and Data Acquisition</i></b> | <b><i>0</i></b>  | <b><i>0</i></b>             | <b><i>0</i></b> | <b><i>0</i></b>      |
| 140                                      | New               | Storm Drain System Improvements 2018                               | 0                | 0                           | 0               | 0                    |
| 141                                      | New               | Trash Removal Devices                                              | 0                | 0                           | 0               | 0                    |
| <b>Total Defunding by Funding Source</b> |                   |                                                                    | <b>(0)</b>       | <b>(0)</b>                  | <b>(0)</b>      | <b>(0)</b>           |
| <b>Total Funding by Funding Source</b>   |                   |                                                                    | <b>750,000</b>   | <b>1,200,000</b>            | <b>0</b>        | <b>0</b>             |
| <b>Subtotal by Funding Source</b>        |                   |                                                                    | <b>750,000</b>   | <b>1,200,000</b>            | <b>0</b>        | <b>0</b>             |
| <b>Subtotal by Year</b>                  |                   |                                                                    | <b>1,950,000</b> |                             |                 |                      |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Storm Drain Improvement**

|                                          |                   |                                                                    | <b>2016-17</b>              |                                            |                 |                                 |
|------------------------------------------|-------------------|--------------------------------------------------------------------|-----------------------------|--------------------------------------------|-----------------|---------------------------------|
| <b>PG</b>                                | <b>PROJECT</b>    |                                                                    | <b>Storm<br/>Drain Fund</b> | <b>General<br/>Government<br/>CIP Fund</b> | <b>Other</b>    | <b>Unidentified<br/>Funding</b> |
| 127                                      | 3700              | Storm Drain System Deficiency Program                              | 0                           | 800,000                                    | 0               | 0                               |
| 128                                      | 3709              | Dempsey Road Storm Drain Replacement                               | 0                           | 0                                          | 0               | 0                               |
| 129                                      | 3710              | Penitencia Pump Station Improvements                               | 0                           | 0                                          | 0               | 0                               |
| 130                                      | New               | Abbott Pump Station Controls Replacement                           | 0                           | 0                                          | 0               | 0                               |
| 131                                      | New               | BART Project - Storm Improvements                                  | 0                           | 0                                          | 0               | 0                               |
| 132                                      | New               | California Circle Pump Station                                     | 0                           | 0                                          | 0               | 1,700,000                       |
| 133                                      | New               | Channel and Lagoon Dredging                                        | 0                           | 0                                          | 0               | 0                               |
| 134                                      | New               | Flap Gate Replacement                                              | 0                           | 0                                          | 0               | 0                               |
| 135                                      | New               | Minor Storm Drain Projects 2016                                    | 0                           | 0                                          | 0               | 0                               |
| 136                                      | New               | Minor Storm Drain Projects 2018                                    | 0                           | 0                                          | 0               | 0                               |
| 137                                      | New               | Oak Creek Pump Station Upgrade                                     | 0                           | 0                                          | 0               | 0                               |
| 138                                      | New               | Spence Pump Station Improvements                                   | 0                           | 0                                          | 0               | 0                               |
| 139                                      | <b><i>New</i></b> | <b><i>Storm Drain Supervisory Control and Data Acquisition</i></b> | <b><i>0</i></b>             | <b><i>0</i></b>                            | <b><i>0</i></b> | <b><i>0</i></b>                 |
| 140                                      | New               | Storm Drain System Improvements 2018                               | 0                           | 0                                          | 0               | 0                               |
| 141                                      | New               | Trash Removal Devices                                              | 350,000                     | 0                                          | 0               | 0                               |
| <b>Total Defunding by Funding Source</b> |                   |                                                                    | <b>0</b>                    | <b>0</b>                                   | <b>0</b>        | <b>0</b>                        |
| <b>Total Funding by Funding Source</b>   |                   |                                                                    | <b>350,000</b>              | <b>800,000</b>                             | <b>0</b>        | <b>1,700,000</b>                |
| <b>Subtotal by Funding Source</b>        |                   |                                                                    | <b>350,000</b>              | <b>800,000</b>                             | <b>0</b>        | <b>1,700,000</b>                |
| <b>Subtotal by Year</b>                  |                   |                                                                    | <b>2,850,000</b>            |                                            |                 |                                 |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Storm Drain Improvement**

|                                          |                   |                                                                    | <b>2017-18</b>      |                                   |                 |                         |
|------------------------------------------|-------------------|--------------------------------------------------------------------|---------------------|-----------------------------------|-----------------|-------------------------|
|                                          |                   |                                                                    | Storm<br>Drain Fund | General<br>Government<br>CIP Fund | Other           | Unidentified<br>Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                                    |                     |                                   |                 |                         |
| 127                                      | 3700              | Storm Drain System Deficiency Program                              | 0                   | 0                                 | 0               | 1,500,000               |
| 128                                      | 3709              | Dempsey Road Storm Drain Replacement                               | 0                   | 0                                 | 0               | 0                       |
| 129                                      | 3710              | Penitencia Pump Station Improvements                               | 200,000             | 400,000                           | 0               | 0                       |
| 130                                      | New               | Abbott Pump Station Controls Replacement                           | 0                   | 0                                 | 0               | 0                       |
| 131                                      | New               | BART Project - Storm Improvements                                  | 0                   | 0                                 | 0               | 0                       |
| 132                                      | New               | California Circle Pump Station                                     | 0                   | 0                                 | 0               | 0                       |
| 133                                      | New               | Channel and Lagoon Dredging                                        | 0                   | 0                                 | 0               | 1,500,000               |
| 134                                      | New               | Flap Gate Replacement                                              | 0                   | 0                                 | 0               | 125,000                 |
| 135                                      | New               | Minor Storm Drain Projects 2016                                    | 0                   | 0                                 | 0               | 0                       |
| 136                                      | New               | Minor Storm Drain Projects 2018                                    | 0                   | 0                                 | 0               | 100,000                 |
| 137                                      | New               | Oak Creek Pump Station Upgrade                                     | 0                   | 0                                 | 0               | 0                       |
| 138                                      | New               | Spence Pump Station Improvements                                   | 0                   | 0                                 | 0               | 145,000                 |
| 139                                      | <b><i>New</i></b> | <b><i>Storm Drain Supervisory Control and Data Acquisition</i></b> | <b><i>0</i></b>     | <b><i>0</i></b>                   | <b><i>0</i></b> | <b><i>0</i></b>         |
| 140                                      | New               | Storm Drain System Improvements 2018                               | 0                   | 0                                 | 0               | 1,160,000               |
| 141                                      | New               | Trash Removal Devices                                              | 0                   | 0                                 | 0               | 0                       |
| <b>Total Defunding by Funding Source</b> |                   |                                                                    | <b>0</b>            | <b>0</b>                          | <b>0</b>        | <b>0</b>                |
| <b>Total Funding by Funding Source</b>   |                   |                                                                    | <b>200,000</b>      | <b>400,000</b>                    | <b>0</b>        | <b>4,530,000</b>        |
| <b>Subtotal by Funding Source</b>        |                   |                                                                    | <b>200,000</b>      | <b>400,000</b>                    | <b>0</b>        | <b>4,530,000</b>        |
| <b>Subtotal by Year</b>                  |                   |                                                                    | <b>5,130,000</b>    |                                   |                 |                         |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Storm Drain Improvement**

|                                          |                   |                                                                    | <b>2018-19</b>              |                                            |                 |                                 |
|------------------------------------------|-------------------|--------------------------------------------------------------------|-----------------------------|--------------------------------------------|-----------------|---------------------------------|
| <b>PG</b>                                | <b>PROJECT</b>    |                                                                    | <b>Storm<br/>Drain Fund</b> | <b>General<br/>Government<br/>CIP Fund</b> | <b>Other</b>    | <b>Unidentified<br/>Funding</b> |
| 127                                      | 3700              | Storm Drain System Deficiency Program                              | 0                           | 0                                          | 0               | 0                               |
| 128                                      | 3709              | Dempsey Road Storm Drain Replacement                               | 0                           | 0                                          | 0               | 0                               |
| 129                                      | 3710              | Penitencia Pump Station Improvements                               | 0                           | 900,000                                    | 0               | 1,500,000                       |
| 130                                      | New               | Abbott Pump Station Controls Replacement                           | 0                           | 0                                          | 0               | 125,000                         |
| 131                                      | New               | BART Project - Storm Improvements                                  | 0                           | 0                                          | 0               | 0                               |
| 132                                      | New               | California Circle Pump Station                                     | 0                           | 0                                          | 0               | 0                               |
| 133                                      | New               | Channel and Lagoon Dredging                                        | 0                           | 0                                          | 0               | 0                               |
| 134                                      | New               | Flap Gate Replacement                                              | 0                           | 0                                          | 0               | 125,000                         |
| 135                                      | New               | Minor Storm Drain Projects 2016                                    | 0                           | 0                                          | 0               | 0                               |
| 136                                      | New               | Minor Storm Drain Projects 2018                                    | 0                           | 0                                          | 0               | 0                               |
| 137                                      | New               | Oak Creek Pump Station Upgrade                                     | 0                           | 0                                          | 0               | 275,000                         |
| 138                                      | New               | Spence Pump Station Improvements                                   | 0                           | 0                                          | 0               | 0                               |
| 139                                      | <b><i>New</i></b> | <b><i>Storm Drain Supervisory Control and Data Acquisition</i></b> | <b><i>0</i></b>             | <b><i>0</i></b>                            | <b><i>0</i></b> | <b><i>0</i></b>                 |
| 140                                      | New               | Storm Drain System Improvements 2018                               | 0                           | 0                                          | 0               | 0                               |
| 141                                      | New               | Trash Removal Devices                                              | 0                           | 0                                          | 0               | 0                               |
| <b>Total Defunding by Funding Source</b> |                   |                                                                    | <b>0</b>                    | <b>0</b>                                   | <b>0</b>        | <b>0</b>                        |
| <b>Total Funding by Funding Source</b>   |                   |                                                                    | <b>0</b>                    | <b>900,000</b>                             | <b>0</b>        | <b>2,025,000</b>                |
| <b>Subtotal by Funding Source</b>        |                   |                                                                    | <b>0</b>                    | <b>900,000</b>                             | <b>0</b>        | <b>2,025,000</b>                |
| <b>Subtotal by Year</b>                  |                   |                                                                    | <b>2,925,000</b>            |                                            |                 |                                 |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**SUMMARY OF PROJECT FUNDING SOURCES**

**Storm Drain Improvement**

|                                          |                   |                                                                    | <b>2019-20</b>      |                                   |                 |                         |
|------------------------------------------|-------------------|--------------------------------------------------------------------|---------------------|-----------------------------------|-----------------|-------------------------|
|                                          |                   |                                                                    | Storm<br>Drain Fund | General<br>Government<br>CIP Fund | Other           | Unidentified<br>Funding |
| <b>PG</b>                                | <b>PROJECT</b>    |                                                                    |                     |                                   |                 |                         |
| 127                                      | 3700              | Storm Drain System Deficiency Program                              | 0                   | 0                                 | 0               | 0                       |
| 128                                      | 3709              | Dempsey Road Storm Drain Replacement                               | 0                   | 0                                 | 0               | 0                       |
| 129                                      | 3710              | Penitencia Pump Station Improvements                               | 0                   | 0                                 | 0               | 0                       |
| 130                                      | New               | Abbott Pump Station Controls Replacement                           | 0                   | 0                                 | 0               | 150,000                 |
| 131                                      | New               | BART Project - Storm Improvements                                  | 0                   | 0                                 | 0               | 0                       |
| 132                                      | New               | California Circle Pump Station                                     | 0                   | 0                                 | 0               | 0                       |
| 133                                      | New               | Channel and Lagoon Dredging                                        | 0                   | 0                                 | 0               | 0                       |
| 134                                      | New               | Flap Gate Replacement                                              | 0                   | 0                                 | 0               | 0                       |
| 135                                      | New               | Minor Storm Drain Projects 2016                                    | 0                   | 0                                 | 0               | 0                       |
| 136                                      | New               | Minor Storm Drain Projects 2018                                    | 0                   | 0                                 | 0               | 0                       |
| 137                                      | New               | Oak Creek Pump Station Upgrade                                     | 0                   | 0                                 | 0               | 1,900,000               |
| 138                                      | New               | Spence Pump Station Improvements                                   | 0                   | 0                                 | 0               | 0                       |
| 139                                      | <b><i>New</i></b> | <b><i>Storm Drain Supervisory Control and Data Acquisition</i></b> | <b><i>0</i></b>     | <b><i>0</i></b>                   | <b><i>0</i></b> | <b><i>375,000</i></b>   |
| 140                                      | New               | Storm Drain System Improvements 2018                               | 0                   | 0                                 | 0               | 0                       |
| 141                                      | New               | Trash Removal Devices                                              | 0                   | 0                                 | 0               | 0                       |
| <b>Total Defunding by Funding Source</b> |                   |                                                                    | <b>0</b>            | <b>0</b>                          | <b>0</b>        | <b>0</b>                |
| <b>Total Funding by Funding Source</b>   |                   |                                                                    | <b>0</b>            | <b>0</b>                          | <b>0</b>        | <b>2,425,000</b>        |
| <b>Subtotal by Funding Source</b>        |                   |                                                                    | <b>0</b>            | <b>0</b>                          | <b>0</b>        | <b>2,425,000</b>        |
| <b>Subtotal by Year</b>                  |                   |                                                                    | <b>2,425,000</b>    |                                   |                 |                         |

**NOTES**

(a) New projects listed in Bold Italics.

(b) "Other" are identified on detailed project sheets.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

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| Category                | Project                                           | Estimate Level |
|-------------------------|---------------------------------------------------|----------------|
| Storm Drain Improvement | <b>3700 Storm Drain System Deficiency Program</b> | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the design and construction of storm drain pipeline at various locations, primarily due to insufficient capacity and aging infrastructure. The areas include but are not limited to: Wrigley and Vista Way, Rocky Mountain Avenue, Watson Court, South Park Victoria Drive, Jacklin Road, Traugher Street, Park Hill Drive, Prada Drive, Abbott Avenue, Coyote Street, UPRR near Jurgens, and Sycamore Drive. In some locations, the existing storm drain pipe will be removed and replaced with larger pipe. In other locations, a second parallel pipe will be installed depending conditions of the existing pipe and space constraints with other utilities. Work scope also includes pump station rehabilitation work to electrical and mechanical systems.

**COMMENTS:**

Additional projects and work scope will be programmed based on the new Storm Drain Master Plan and urban runoff program requirements.

**Uncommitted Balance as of 2/28/2015:** \$219,906

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17        | 2017-18          | 2018-19  | 2019-20  | Total            |
|----------------|----------------|----------|----------------|------------------|----------|----------|------------------|
| Design         | 125,000        | 0        | 110,000        | 50,000           | 0        | 0        | 285,000          |
| Administration | 25,000         | 0        | 50,000         | 25,000           | 0        | 0        | 100,000          |
| Surveying      | 0              | 0        | 0              | 0                | 0        | 0        | 0                |
| Inspection     | 60,000         | 0        | 40,000         | 100,000          | 0        | 0        | 200,000          |
| Improvements   | 490,000        | 0        | 600,000        | 1,325,000        | 0        | 0        | 2,415,000        |
| <b>Totals</b>  | <b>700,000</b> | <b>0</b> | <b>800,000</b> | <b>1,500,000</b> | <b>0</b> | <b>0</b> | <b>3,000,000</b> |

| FINANCING                   | Prior Year     | 2015-16  | 2016-17        | 2017-18          | 2018-19  | 2019-20  | Total            |
|-----------------------------|----------------|----------|----------------|------------------|----------|----------|------------------|
| Unidentified Funding        | 0              | 0        | 0              | 1,500,000        | 0        | 0        | 1,500,000        |
| Storm Drain Fund            | 700,000        | 0        | 0              | 0                | 0        | 0        | 700,000          |
| General Government CIP Fund | 0              | 0        | 800,000        | 0                | 0        | 0        | 800,000          |
| <b>Totals</b>               | <b>700,000</b> | <b>0</b> | <b>800,000</b> | <b>1,500,000</b> | <b>0</b> | <b>0</b> | <b>3,000,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                                                 | Estimate Level |
|-------------------------|---------------------------------------------------------|----------------|
| Storm Drain Improvement | <b>3709</b> <b>Dempsey Road Storm Drain Replacement</b> | 1              |

**CONTACT:** Michael Boitnott [3315]

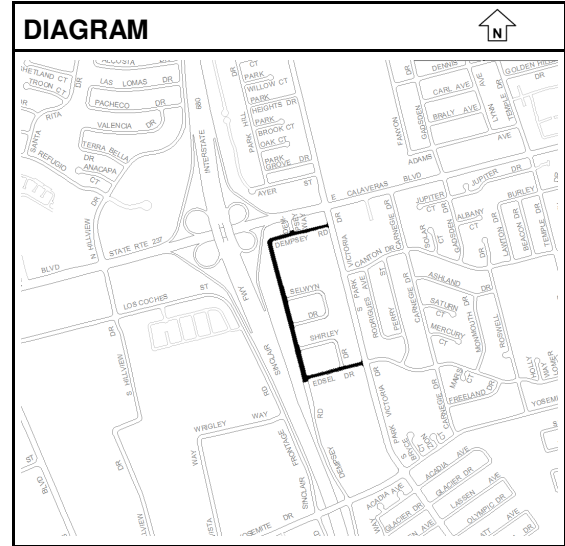
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The work includes replacement of three segments of storm drainage piping around the Dempsey Road area and installation of two outfall into Los Coches at Dempsey. Segment one is a 36 inch diameter pipe located on Dempsey Road between South Park Victoria and Los Coches Creek, approximately 1,100 linear feet. Segment two is a 48 inch diameter pipe located on Dempsey Road between Edsel Drive and Los Coches Creek, approximately 1,400 linear feet. Segment three is a 36 inch diameter pipe located on Edsel Drive between South Park Victoria and Dempsey Road, approximately 730 linear feet.

**COMMENTS:**

This work is identified as high priority projects #6 and 7 on Table 8-1 in the 2013 Storm Drain Master Plan. Segments one and two need to be constructed simultaneously with the Dempsey water line replacement project. This work may require an environmental study.



**Uncommitted Balance as of 2/28/2015:**      \$100,000

| ESTIMATED COST | Prior Year     | 2015-16          | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|----------------|------------------|----------|----------|----------|----------|------------------|
| Design         | 300,000        | 0                | 0        | 0        | 0        | 0        | 300,000          |
| Administration | 100,000        | 50,000           | 0        | 0        | 0        | 0        | 150,000          |
| Inspection     | 0              | 100,000          | 0        | 0        | 0        | 0        | 100,000          |
| Improvements   | 0              | 1,450,000        | 0        | 0        | 0        | 0        | 1,450,000        |
| <b>Totals</b>  | <b>400,000</b> | <b>1,600,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,000,000</b> |

| FINANCING                   | Prior Year     | 2015-16          | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|-----------------------------|----------------|------------------|----------|----------|----------|----------|------------------|
| General Government CIP Fund | 0              | 1,200,000        | 0        | 0        | 0        | 0        | 1,200,000        |
| Storm Drain Fund            | 400,000        | 400,000          | 0        | 0        | 0        | 0        | 800,000          |
| <b>Totals</b>               | <b>400,000</b> | <b>1,600,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,000,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project |                                      | Estimate Level |
|-------------------------|---------|--------------------------------------|----------------|
| Storm Drain Improvement | 3710    | Penitencia Pump Station Improvements | 1              |

**CONTACT:** Steve Erickson [3301]

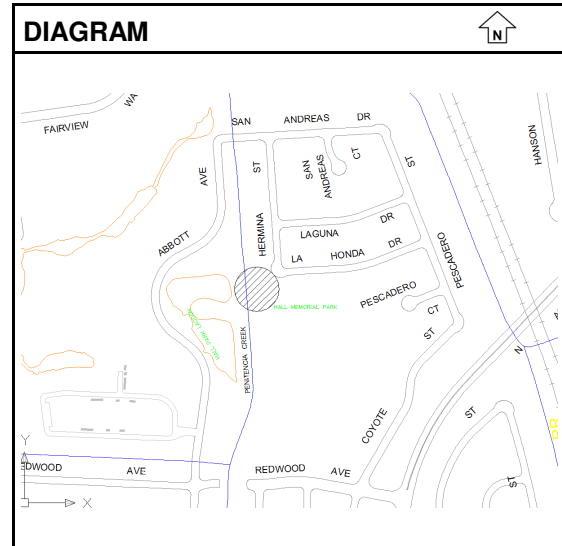
**PRIORITY:** Major Service Equipment Replacement

**DESCRIPTION**

This project provides a complete reconstruction of the pump station and wet well, work scope includes: replacement of three diesel engines and pump assemblies, electric jockey pump, station controls and electrical system upgrades. The station is located at Hall Park and provides drainage for approximately 215 acres of residential area (Manor neighborhood.)

**COMMENTS:**

This is the City's oldest storm pump station built in 1955. The Bay Area Air Quality Management District BAAQMD will no longer permit the diesel engines to be replaced in-kind; they will have to be replaced with electric motors and a backup generator. This pump station is approximately 40 years old and the engines and pumps have not been rebuilt or rehabilitated. The Fiat diesel engines and pumps have exceeded their design life and parts are no longer available to even make repairs. The first phase of the project will be to replace some engines and overhaul pumps and drives to extend the reliability of the station.



**Uncommitted Balance as of 2/28/2015:**

\$221,302

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18        | 2018-19          | 2019-20  | Total            |
|----------------|----------------|----------|----------|----------------|------------------|----------|------------------|
| Design         | 0              | 0        | 0        | 500,000        | 0                | 0        | 500,000          |
| Administration | 25,000         | 0        | 0        | 100,000        | 50,000           | 0        | 175,000          |
| Inspection     | 0              | 0        | 0        | 0              | 100,000          | 0        | 100,000          |
| Improvements   | 0              | 0        | 0        | 0              | 2,250,000        | 0        | 2,250,000        |
| Equipment      | 225,000        | 0        | 0        | 0              | 0                | 0        | 225,000          |
| <b>Totals</b>  | <b>250,000</b> | <b>0</b> | <b>0</b> | <b>600,000</b> | <b>2,400,000</b> | <b>0</b> | <b>3,250,000</b> |

| FINANCING                   | Prior Year     | 2015-16  | 2016-17  | 2017-18        | 2018-19          | 2019-20  | Total            |
|-----------------------------|----------------|----------|----------|----------------|------------------|----------|------------------|
| General Government CIP Fund | 200,000        | 0        | 0        | 400,000        | 900,000          | 0        | 1,500,000        |
| Storm Drain Fund            | 50,000         | 0        | 0        | 200,000        | 0                | 0        | 250,000          |
| Unidentified Funding        | 0              | 0        | 0        | 0              | 1,500,000        | 0        | 1,500,000        |
| <b>Totals</b>               | <b>250,000</b> | <b>0</b> | <b>0</b> | <b>600,000</b> | <b>2,400,000</b> | <b>0</b> | <b>3,250,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                                      | Estimate Level |
|-------------------------|----------------------------------------------|----------------|
| Storm Drain Improvement | New Abbott Pump Station Controls Replacement | 1              |

**CONTACT:** Glen Campi [2643]

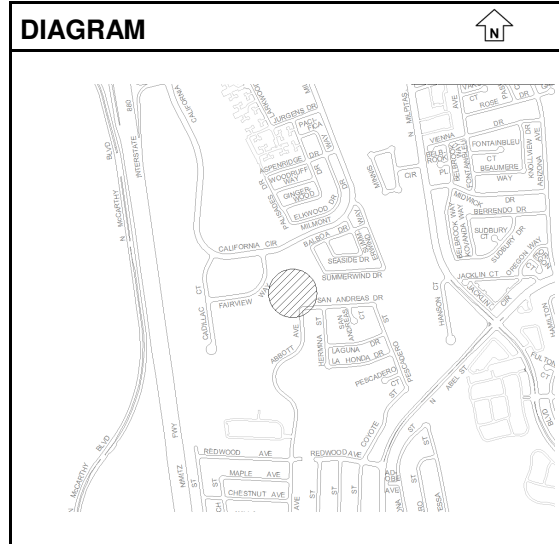
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

Replace pump and level controls at the pump station as the controls have reached the end of their useful life.

**COMMENTS:**

This cost includes design only. Construction costs will be programmed in 2019-20.



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20        | Total          |
|----------------|------------|----------|----------|----------|----------------|----------------|----------------|
| Design         | 0          | 0        | 0        | 0        | 85,000         | 0              | 85,000         |
| Administration | 0          | 0        | 0        | 0        | 40,000         | 0              | 40,000         |
| Inspection     | 0          | 0        | 0        | 0        | 0              | 25,000         | 25,000         |
| Improvements   | 0          | 0        | 0        | 0        | 0              | 125,000        | 125,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>125,000</b> | <b>150,000</b> | <b>275,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20        | Total          |
|----------------------|------------|----------|----------|----------|----------------|----------------|----------------|
| Unidentified Funding | 0          | 0        | 0        | 0        | 125,000        | 150,000        | 275,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>125,000</b> | <b>150,000</b> | <b>275,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                               | Estimate Level |
|-------------------------|---------------------------------------|----------------|
| Storm Drain Improvement | New BART Project - Storm Improvements |                |

**CONTACT:** Steven Machida [3355]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The BART project will cause the relocation of existing storm drain utilities along the BART corridor at its own expense. The City has identified additional storm drain improvements which should be completed as part of the BART utility relocation effort, at the City's cost. These include rerouting storm drain lines on Capitol Avenue, to eliminate localized annual flooding and other enhancements.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Administration | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 0          | 250,000 | 0       | 0       | 0       | 0       | 250,000 |
| <b>Totals</b>  | 0          | 250,000 | 0       | 0       | 0       | 0       | 250,000 |

| FINANCING        | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|------------------|------------|---------|---------|---------|---------|---------|---------|
| Storm Drain Fund | 0          | 250,000 | 0       | 0       | 0       | 0       | 250,000 |
| <b>Totals</b>    | 0          | 250,000 | 0       | 0       | 0       | 0       | 250,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                            | Estimate Level |
|-------------------------|------------------------------------|----------------|
| Storm Drain Improvement | New California Circle Pump Station | 1              |

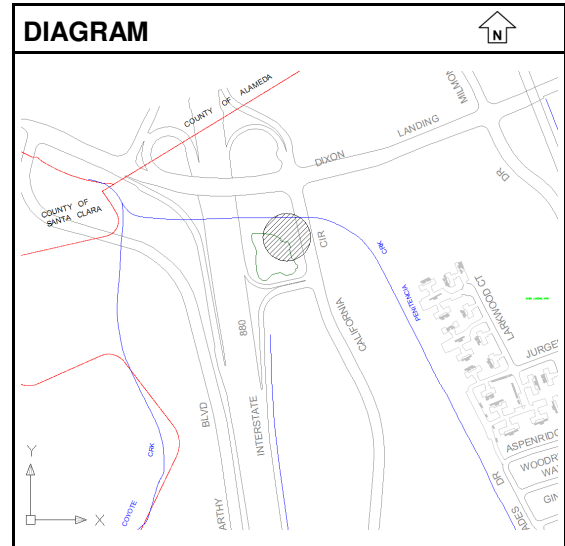
**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Major Service Equipment Replacement

**DESCRIPTION**

This project involves replacement of pumps and engines that have reached the end of their useful life and conversion from diesel engines to electric motors.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17          | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------|----------|------------------|----------|----------|----------|------------------|
| Design         | 0          | 0        | 320,000          | 0        | 0        | 0        | 320,000          |
| Administration | 0          | 0        | 100,000          | 0        | 0        | 0        | 100,000          |
| Inspection     | 0          | 0        | 80,000           | 0        | 0        | 0        | 80,000           |
| Equipment      | 0          | 0        | 1,200,000        | 0        | 0        | 0        | 1,200,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>1,700,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,700,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17          | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------------|------------|----------|------------------|----------|----------|----------|------------------|
| Unidentified Funding | 0          | 0        | 1,700,000        | 0        | 0        | 0        | 1,700,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>1,700,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,700,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                         | Estimate Level |
|-------------------------|---------------------------------|----------------|
| Storm Drain Improvement | New Channel and Lagoon Dredging | 1              |

**CONTACT:** Steven Machida [3355]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project removes debris and deposited soil from channel and lagoon bottoms to improve flow. The channel is parallel to I-880 and runs approximately 4,800 linear feet (from Redwood Avenue to California Circle). The lagoons include Hidden Lake, Hall and California Circle.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18   | 2018-19 | 2019-20 | Total     |
|----------------|------------|---------|---------|-----------|---------|---------|-----------|
| Design         | 0          | 0       | 0       | 100,000   | 0       | 0       | 100,000   |
| Administration | 0          | 0       | 0       | 80,000    | 0       | 0       | 80,000    |
| Inspection     | 0          | 0       | 0       | 70,000    | 0       | 0       | 70,000    |
| Improvements   | 0          | 0       | 0       | 1,250,000 | 0       | 0       | 1,250,000 |
| <b>Totals</b>  | 0          | 0       | 0       | 1,500,000 | 0       | 0       | 1,500,000 |

| FINANCING            | Prior Year | 2015-16 | 2016-17 | 2017-18   | 2018-19 | 2019-20 | Total     |
|----------------------|------------|---------|---------|-----------|---------|---------|-----------|
| Unidentified Funding | 0          | 0       | 0       | 1,500,000 | 0       | 0       | 1,500,000 |
| <b>Totals</b>        | 0          | 0       | 0       | 1,500,000 | 0       | 0       | 1,500,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                   | Estimate Level |
|-------------------------|---------------------------|----------------|
| Storm Drain Improvement | New Flap Gate Replacement | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project replaces existing flap gates at creek outfall with check valves to prevent creek flow from entering the City storm drain system.

**COMMENTS:**

This work requires additional funding.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 45,000  | 45,000  | 0       | 90,000  |
| Administration | 0          | 0       | 0       | 10,000  | 10,000  | 0       | 20,000  |
| Improvements   | 0          | 0       | 0       | 70,000  | 70,000  | 0       | 140,000 |
| <b>Totals</b>  | 0          | 0       | 0       | 125,000 | 125,000 | 0       | 250,000 |

| FINANCING            | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------------|------------|---------|---------|---------|---------|---------|---------|
| Unidentified Funding | 0          | 0       | 0       | 125,000 | 125,000 | 0       | 250,000 |
| <b>Totals</b>        | 0          | 0       | 0       | 125,000 | 125,000 | 0       | 250,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                             | Estimate Level |
|-------------------------|-------------------------------------|----------------|
| Storm Drain Improvement | New Minor Storm Drain Projects 2016 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the ongoing analysis and implementation of various minor modifications and improvements to the existing storm drain systems.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 40,000  | 0       | 0       | 0       | 0       | 40,000  |
| Administration | 0          | 10,000  | 0       | 0       | 0       | 0       | 10,000  |
| Improvements   | 0          | 50,000  | 0       | 0       | 0       | 0       | 50,000  |
| <b>Totals</b>  | 0          | 100,000 | 0       | 0       | 0       | 0       | 100,000 |

| FINANCING        | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|------------------|------------|---------|---------|---------|---------|---------|---------|
| Storm Drain Fund | 0          | 100,000 | 0       | 0       | 0       | 0       | 100,000 |
| <b>Totals</b>    | 0          | 100,000 | 0       | 0       | 0       | 0       | 100,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                             | Estimate Level |
|-------------------------|-------------------------------------|----------------|
| Storm Drain Improvement | New Minor Storm Drain Projects 2018 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the ongoing analysis and implementation of various minor modifications and improvements to the existing storm drain systems.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 40,000  | 0       | 0       | 40,000  |
| Administration | 0          | 0       | 0       | 10,000  | 0       | 0       | 10,000  |
| Improvements   | 0          | 0       | 0       | 50,000  | 0       | 0       | 50,000  |
| <b>Totals</b>  | 0          | 0       | 0       | 100,000 | 0       | 0       | 100,000 |

| FINANCING            | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------------|------------|---------|---------|---------|---------|---------|---------|
| Unidentified Funding | 0          | 0       | 0       | 100,000 | 0       | 0       | 100,000 |
| <b>Totals</b>        | 0          | 0       | 0       | 100,000 | 0       | 0       | 100,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                            | Estimate Level |
|-------------------------|------------------------------------|----------------|
| Storm Drain Improvement | New Oak Creek Pump Station Upgrade | 1              |

**CONTACT:** Steven Machida [3355]

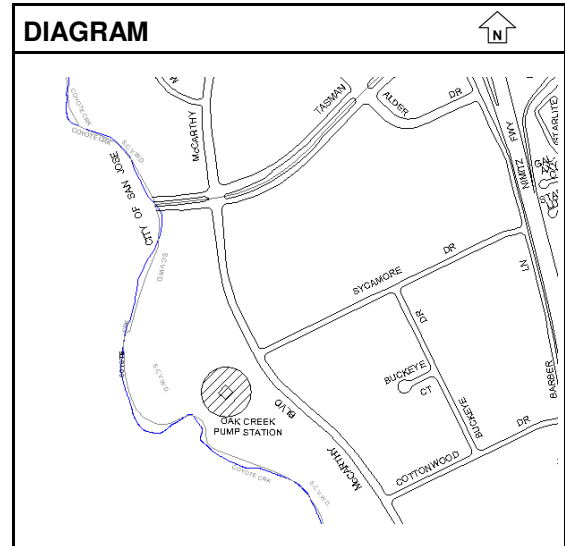
**PRIORITY:** Major Service Equipment Replacement

**DESCRIPTION**

This project provides for the replacement of the diesel engines with electric motors. The work also includes wet well modifications and new control panels, as well as other minor items. The pump is located near Sycamore Drive and McCarthy Boulevard and provides drainage for the Oak Creek Industrial Park Area.

**COMMENTS:**

This project is described in the 2013 Storm Drain Master Plan.



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20          | Total            |
|----------------|------------|----------|----------|----------|----------------|------------------|------------------|
| Design         | 0          | 0        | 0        | 0        | 200,000        | 0                | 200,000          |
| Administration | 0          | 0        | 0        | 0        | 75,000         | 75,000           | 150,000          |
| Inspection     | 0          | 0        | 0        | 0        | 0              | 75,000           | 75,000           |
| Improvements   | 0          | 0        | 0        | 0        | 0              | 1,750,000        | 1,750,000        |
| <b>Totals</b>  | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>275,000</b> | <b>1,900,000</b> | <b>2,175,000</b> |

| FINANCING            | Prior Year | 2015-16  | 2016-17  | 2017-18  | 2018-19        | 2019-20          | Total            |
|----------------------|------------|----------|----------|----------|----------------|------------------|------------------|
| Unidentified Funding | 0          | 0        | 0        | 0        | 275,000        | 1,900,000        | 2,175,000        |
| <b>Totals</b>        | <b>0</b>   | <b>0</b> | <b>0</b> | <b>0</b> | <b>275,000</b> | <b>1,900,000</b> | <b>2,175,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                              | Estimate Level |
|-------------------------|--------------------------------------|----------------|
| Storm Drain Improvement | New Spence Pump Station Improvements | 1              |

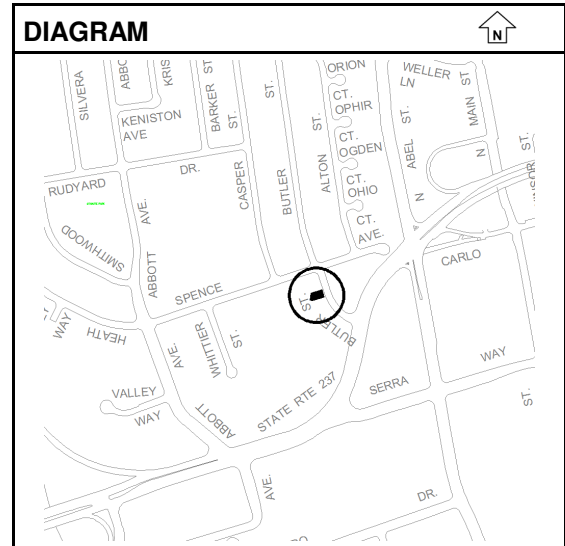
**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project replaces pump controls and water level indicating system at the pump station that have reached the end of their useful life.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 60,000  | 0       | 0       | 60,000  |
| Administration | 0          | 0       | 0       | 5,000   | 0       | 0       | 5,000   |
| Equipment Fund | 0          | 0       | 0       | 80,000  | 0       | 0       | 80,000  |
| <b>Totals</b>  | 0          | 0       | 0       | 145,000 | 0       | 0       | 145,000 |

| FINANCING            | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------------|------------|---------|---------|---------|---------|---------|---------|
| Unidentified Funding | 0          | 0       | 0       | 145,000 | 0       | 0       | 145,000 |
| <b>Totals</b>        | 0          | 0       | 0       | 145,000 | 0       | 0       | 145,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project |                                                      | Estimate Level |
|-------------------------|---------|------------------------------------------------------|----------------|
| Storm Drain Improvement | New     | Storm Drain Supervisory Control and Data Acquisition | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

A Supervisory Control and Data Acquisition System (SCADA) provides real-time data, such as wet well level and pump operational status to utility systems operators. Currently operators rely on unsophisticated alarms and must drive to sites to evaluate the problem and implement corrective action, such as starting a back-up pump or generator, when the main pumps fail.

**COMMENTS:**

Construction costs will be programmed in a subsequent year.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 300,000 | 300,000 |
| Administration | 0          | 0       | 0       | 0       | 0       | 75,000  | 75,000  |
| <b>Totals</b>  | 0          | 0       | 0       | 0       | 0       | 375,000 | 375,000 |

| FINANCING            | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------------|------------|---------|---------|---------|---------|---------|---------|
| Unidentified Funding | 0          | 0       | 0       | 0       | 0       | 375,000 | 375,000 |
| <b>Totals</b>        | 0          | 0       | 0       | 0       | 0       | 375,000 | 375,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                                  | Estimate Level |
|-------------------------|------------------------------------------|----------------|
| Storm Drain Improvement | New Storm Drain System Improvements 2018 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project will provide for the procurement of two trailer mounted emergency generators for use at the storm pump stations (with electric capacity of 750kw and 1000kw.) The work will also include installation of transfer switches at the pump stations to allow switching PG&E power to generator power.

**COMMENTS:**

Typically, the same storms that drops heavy rainfall into the storm drain system also cause electrical service interruptions. The pump stations are inoperable at a time when they are needed the most. Secondly, a major earthquake during winter storms may also take out PG&E power.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18   | 2018-19 | 2019-20 | Total     |
|----------------|------------|---------|---------|-----------|---------|---------|-----------|
| Design         | 0          | 0       | 0       | 25,000    | 0       | 0       | 25,000    |
| Administration | 0          | 0       | 0       | 25,000    | 0       | 0       | 25,000    |
| Inspection     | 0          | 0       | 0       | 10,000    | 0       | 0       | 10,000    |
| Improvements   | 0          | 0       | 0       | 100,000   | 0       | 0       | 100,000   |
| Equipment      | 0          | 0       | 0       | 1,000,000 | 0       | 0       | 1,000,000 |
| <b>Totals</b>  | 0          | 0       | 0       | 1,160,000 | 0       | 0       | 1,160,000 |

| FINANCING            | Prior Year | 2015-16 | 2016-17 | 2017-18   | 2018-19 | 2019-20 | Total     |
|----------------------|------------|---------|---------|-----------|---------|---------|-----------|
| Unidentified Funding | 0          | 0       | 0       | 1,160,000 | 0       | 0       | 1,160,000 |
| <b>Totals</b>        | 0          | 0       | 0       | 1,160,000 | 0       | 0       | 1,160,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                   | Estimate Level |
|-------------------------|---------------------------|----------------|
| Storm Drain Improvement | New Trash Removal Devices | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Mandatory or Committed Projects

**DESCRIPTION**

This project evaluates locations for trash removal devices within the City's storm water collection system. Proposed work includes design and installation of two devices.

**COMMENTS:**

The State Regional Water Quality Control Board included trash removal requirements from storm water collection systems in the Municipal Regional Permit (MRP) issued to Bay Area cities, including Milpitas. This is one of the ways that implementation requirements with the MRP can be obtained.

**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 100,000 | 0       | 0       | 0       | 100,000 |
| Administration | 0          | 0       | 50,000  | 0       | 0       | 0       | 50,000  |
| Surveying      | 0          | 0       | 20,000  | 0       | 0       | 0       | 20,000  |
| Inspection     | 0          | 0       | 30,000  | 0       | 0       | 0       | 30,000  |
| Improvements   | 0          | 0       | 150,000 | 0       | 0       | 0       | 150,000 |
| <b>Totals</b>  | 0          | 0       | 350,000 | 0       | 0       | 0       | 350,000 |

| FINANCING        | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|------------------|------------|---------|---------|---------|---------|---------|---------|
| Storm Drain Fund | 0          | 0       | 350,000 | 0       | 0       | 0       | 350,000 |
| <b>Totals</b>    | 0          | 0       | 350,000 | 0       | 0       | 0       | 350,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**  
**Previously Funded Projects**

|      |        |                                                     | As Of<br>2/28/2015     |            |
|------|--------|-----------------------------------------------------|------------------------|------------|
| Page | Proj # | Project Name                                        | Uncommitted<br>Balance | Total Cost |
| 145  | 2001   | Light Rail Median Landscaping                       | 4,089,401              | 6,005,000  |
| 146  | 2004   | S. Milpitas Boulevard Extension                     | 17,000,000             | 17,000,000 |
| 147  | 2005   | Lower Penitencia Creek Pedestrian Bridge            | 650,000                | 650,000    |
| 148  | 3401   | Solid Waste Master Plan                             | 94,824                 | 260,000    |
| 149  | 3407   | Midtown Parking Garage                              | 69,933                 | 113,804    |
| 150  | 3408   | MSC Facility Improvements                           | 560,166                | 1,900,000  |
| 151  | 3410   | Public Works/Police Building Improvements           | 22,518                 | 300,000    |
| 152  | 3412   | Street Resurfacing Project 2014                     | 680,459                | 2,579,288  |
| 153  | 3413   | 2015 Finance System Upgrade                         | 20,000                 | 170,000    |
| 154  | 3701   | Storm Drain Master Plan Update                      | 35,395                 | 350,000    |
| 155  | 3704   | Fuel Tank Improvements                              | 188,000                | 188,000    |
| 156  | 3706   | Minor Storm Drain Projects 2011-12                  | 163,082                | 326,729    |
| 157  | 3707   | Storm Pump Station Improvements 2012                | 28,064                 | 28,590     |
| 158  | 4179   | Montague Expwy Widening at Great Mall Pkwy          | 1,615,441              | 7,347,450  |
| 159  | 4256   | Abel Street Sidewalk Improvements                   | 507,613                | 613,836    |
| 160  | 4257   | Signal Mitigation @ McCarthy & Irvine Entrance      | 93,500                 | 93,500     |
| 161  | 4258   | Calaveras Blvd Widening Project                     | 173,319                | 173,969    |
| 162  | 4264   | S. Abel Street Resurfacing                          | 111,743                | 111,745    |
| 163  | 4265   | Bart Extension Coordination and Planning            | 568,932                | 1,905,956  |
| 164  | 4268   | Street Resurfacing Project 2013                     | 6,645                  | 2,000,000  |
| 165  | 4269   | Traffic Management Enhancements 2013                | 60,000                 | 60,000     |
| 166  | 4270   | 2014 Road Rehabilitation                            | 1,940,691              | 2,115,920  |
| 167  | 4272   | Minor Traffic Improvements 2014                     | 80,500                 | 100,000    |
| 168  | 4274   | I 880 Interchange R/W Closeout                      | 240,297                | 727,181    |
| 169  | 4275   | Street Resurfacing Project 2015                     | 293,776                | 4,250,000  |
| 170  | 4276   | Electrical Vehicle Charging Stations                | 40,200                 | 40,200     |
| 171  | 4277   | Main Street Pavement Reconstruction                 | 3,762,892              | 3,996,000  |
| 172  | 5080   | Penitencia Creek Trail Feasibility Study            | 39,708                 | 40,000     |
| 173  | 5086   | Park Irrigation System Rehabilitation               | 23,992                 | 400,000    |
| 174  | 5091   | Park Renovation Project 2011                        | 31,097                 | 277,778    |
| 175  | 5092   | Main Street Park                                    | 349,812                | 350,000    |
| 176  | 5093   | Park Master Plan Improvements - Phase I             | 200,000                | 200,000    |
| 177  | 5095   | Park Renovation Project 2013                        | 111,425                | 400,000    |
| 178  | 5096   | Pinewood Park Picnic Renovation                     | 158,927                | 2,000,000  |
| 179  | 5097   | Higuera Adobe Park Picnic and Playground Renovation | 1,987,123              | 2,000,000  |
| 180  | 5098   | Park Irrigation System Repair & Improvement 2014    | 200,080                | 300,000    |
| 181  | 5099   | Park Renovation Project 2015                        | 245,999                | 300,000    |
| 182  | 5100   | Sports Center Skate Park & Fields Feasibility Study | 74,712                 | 100,000    |
| 183  | 5102   | McCandless Park                                     | 0                      | 300,000    |
| 184  | 6079   | Main Sewer Pump Station Site Improvements           | 142,058                | 2,302,000  |
| 185  | 6106   | Sewer Replacement Study                             | 20,761                 | 80,000     |
| 186  | 6109   | Sewer Seismic Study                                 | 50,742                 | 70,000     |
| 187  | 6110   | Sewer System Hydraulic Modeling                     | 185,113                | 250,000    |

| Page   | Proj # | Project Name                               | As Of<br>2/28/2015     |            |
|--------|--------|--------------------------------------------|------------------------|------------|
|        |        |                                            | Uncommitted<br>Balance | Total Cost |
| 188    | 6114   | Minor Sewer Projects 2011                  | 31,349                 | 35,000     |
| 189    | 6115   | Sewer System Replacement 11-12             | 1,311,832              | 1,750,000  |
| 190    | 6117   | TASP Sewer Line Replacement                | 2,500,000              | 2,500,000  |
| 191    | 6120   | Minor Sewer Projects 2015                  | 350,000                | 350,000    |
| 192    | 7070   | Pressure Reducing Valve Replacement        | 18,182                 | 320,000    |
| 193    | 7102   | Ayer Reservoir & Pump Station Improvements | 391,198                | 1,050,000  |
| 194    | 7108   | Water System Hydraulic Modeling            | 120,529                | 200,000    |
| 195    | 7109   | Water System Replacement 08-09             | 580,282                | 700,000    |
| 196    | 7111   | Minor Water Projects 2011                  | 37,533                 | 95,000     |
| 197    | 7112   | Reservoir Cleaning                         | 150,000                | 150,000    |
| 198    | 7113   | Turnout Improvements                       | 150,000                | 150,000    |
| 199    | 7114   | Water Meter Replacement                    | 44,801                 | 75,000     |
| 200    | 7115   | Cathodic Protection Improvements           | 97,631                 | 725,000    |
| 201    | 7116   | Minor Water Projects 2013                  | 11,246                 | 150,000    |
| 202    | 7117   | Abel Street Pipeline Extension             | 299,555                | 350,000    |
| 203    | 7119   | Sunnyhills Turnout Pressure Reducing Valve | 600,000                | 600,000    |
| 204    | 7120   | Water Supply Blending Study                | 83,490                 | 100,000    |
| 205    | 7122   | Daniel Court Water Service Replacement     | 525,000                | 525,000    |
| 206    | 7123   | Minor Water Projects 2015                  | 105,000                | 105,000    |
| 207    | 7124   | Water System Air Relief Modifications 2015 | 350,000                | 350,000    |
| Totals |        |                                            | 44,676,568             | 73,056,946 |

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                            | Estimate Level |
|----------|------------------------------------|----------------|
| Streets  | 2001 Light Rail Median Landscaping | 1              |

**CONTACT:** Julie Waldron [3314]

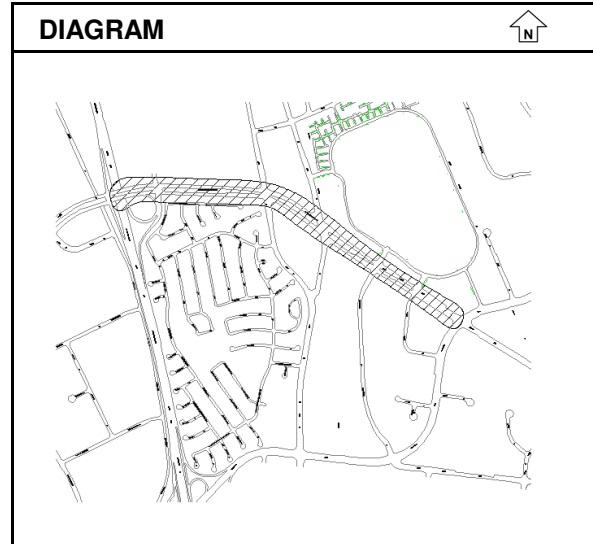
**PRIORITY:** Mandatory or Committed Projects

**DESCRIPTION**

This project involves the design and construction of median landscape improvements on Great Mall Parkway from I-880 to the southern City limits at Capitol Expressway. There are eight separate median islands under the LRT viaduct structure which will be landscaped. The scope also includes construction of a recycled water main line for this project and future Transit Area Specific Plan development project.

**COMMENTS:**

All landscaping will be irrigated with recycled water. This work is included in the cooperative agreement with the Santa Clara Valley Transportation Authority.



**Uncommitted Balance as of 2/28/2015:** \$4,089,401

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 150,000          | 0        | 0        | 0        | 0        | 0        | 150,000          |
| Administration | 100,000          | 0        | 0        | 0        | 0        | 0        | 100,000          |
| Inspection     | 75,000           | 0        | 0        | 0        | 0        | 0        | 75,000           |
| Improvements   | 5,680,000        | 0        | 0        | 0        | 0        | 0        | 5,680,000        |
| <b>Totals</b>  | <b>6,005,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>6,005,000</b> |

| FINANCING                    | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|------------------------------|------------------|----------|----------|----------|----------|----------|------------------|
| TASP Impact Fees             | 2,550,000        | 0        | 0        | 0        | 0        | 0        | 2,550,000        |
| Recycled Water Fund          | 1,300,000        | 0        | 0        | 0        | 0        | 0        | 1,300,000        |
| Street Fund                  | 5,000            | 0        | 0        | 0        | 0        | 0        | 5,000            |
| RDA Fund                     | 341,000          | 0        | 0        | 0        | 0        | 0        | 341,000          |
| Grants/Reimbursement/Develop | 1,809,000        | 0        | 0        | 0        | 0        | 0        | 1,809,000        |
| <b>Totals</b>                | <b>6,005,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>6,005,000</b> |

**FINANCE NOTES**

Grant is from VTA (\$1,809,000) local funding. Previously this was STIP grant funding earmarked for 237/I-880 interchange landscaping. City Council 11/15/11 - Budget appropriation of \$5000 from Street Fund

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                     | Estimate Level |
|----------|---------------------------------------------|----------------|
| Streets  | <b>2004 S. Milpitas Boulevard Extension</b> | 1              |

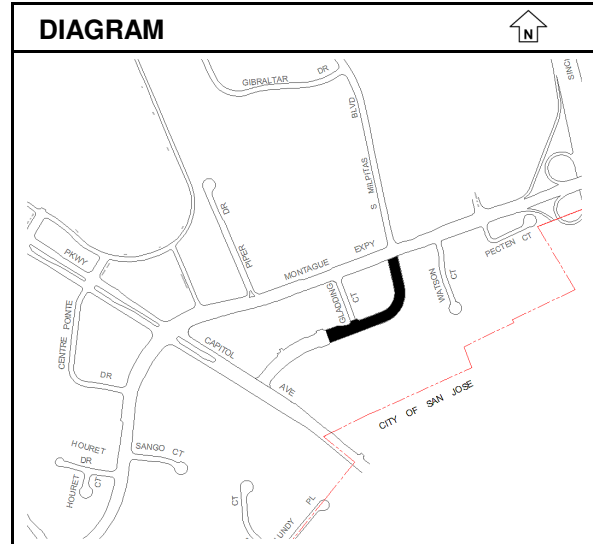
**CONTACT:** Steven Machida [3355]

**PRIORITY:** Enhance Economic Development

**DESCRIPTION**

This project provide for the acquisition of land, design, construction, and administration for extension of S. Milpitas Boulevard including utilities from Montague Expressway to the edge of BART Station frontage. The City entered in to an agreement on August 3, 2010 with the Valley Transportation Agency (VTA) to construct the project for the City in conjunction with the BART project. The BART project will also be responsible for the construction of the remaining portion of the road from the BART Station to Capital Avenue.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:** \$17,000,000

| ESTIMATED COST | Prior Year        | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total             |
|----------------|-------------------|----------|----------|----------|----------|----------|-------------------|
| Other          | 17,000,000        | 0        | 0        | 0        | 0        | 0        | 17,000,000        |
| <b>Totals</b>  | <b>17,000,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>17,000,000</b> |

| FINANCING        | Prior Year        | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total             |
|------------------|-------------------|----------|----------|----------|----------|----------|-------------------|
| TASP Impact Fees | 17,000,000        | 0        | 0        | 0        | 0        | 0        | 17,000,000        |
| <b>Totals</b>    | <b>17,000,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>17,000,000</b> |

**FINANCE NOTES**

The TASP funds is driven by future development, and projects are paid on a priority and timing based on when funds become available.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                             | Estimate Level |
|-----------------------|-------------------------------------|----------------|
| Community Improvement | <b>3401 Solid Waste Master Plan</b> | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Studies and Analyses

**DESCRIPTION**

This Master Plan will review the impacts of the City's short and long term planned growth and associated solid waste disposal needs. Since the current solid waste contracts expire in 2017, the plan will also review and develop strategies for economical solid waste disposal beyond 2017. Particularly, since Newby Island Landfill off Dixon Landing Road, is scheduled for closure by 2023.

**COMMENTS:**

The City has two existing contracts regarding solid waste disposal. One is for collection and hauling to the Newby Island Landfill and Recyclery for disposal. The second is to reserve capacity at the Newby Island Landfill and Recyclery for Milpitas-generated waste.

**Uncommitted Balance as of 2/28/2015:** \$94,824

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Administration | 260,000        | 0        | 0        | 0        | 0        | 0        | 260,000        |
| Inspection     | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Equipment      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>260,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>260,000</b> |

| FINANCING                 | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------------------|----------------|----------|----------|----------|----------|----------|----------------|
| Solid Waste Services Fund | 260,000        | 0        | 0        | 0        | 0        | 0        | 260,000        |
| <b>Totals</b>             | <b>260,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>260,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                            | Estimate Level |
|-----------------------|------------------------------------|----------------|
| Community Improvement | <b>3407</b> Midtown Parking Garage | 1              |

**CONTACT:** Steve Erickson [3301]

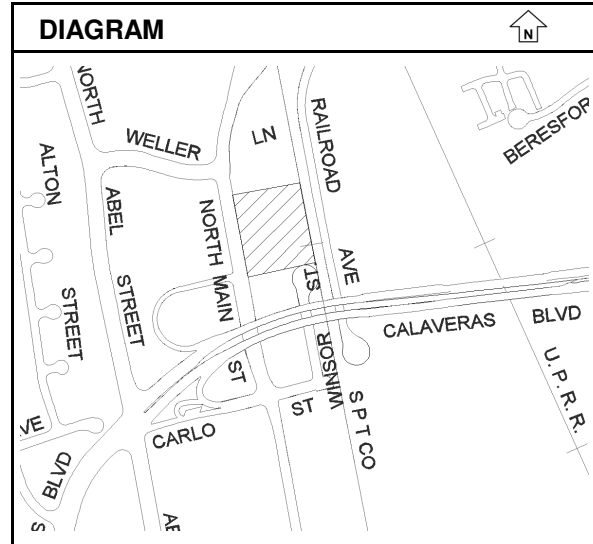
**PRIORITY:** Mandatory or Committed Projects

**DESCRIPTION**

The new Midtown East Parking Garage will consist of a four story structure that will serve the new Library and other Midtown uses. It will be located on Main Street, South and East of the new library. The East Parking Garage will have sufficient space for approximately 280 parking spaces. Special features of the parking garage include: a public display area for the City's restored antique fire truck; attractive vehicle entries/exits; pedestrian entries, including direct entry into the new library; elevators and stairs. The library garage grand opening was successfully held on January 10, 2009.

**COMMENTS:**

Work remaining is the conversion of the existing manual hand crank roll-up doors within the new library and parking garage to a motorized unit, and for the relocation of the fusible link to a location near the new motorized controls for easier access and safer operation, when being reset. Currently, if the fire alarms are actuated during annual testing or other reasons the fire doors close creating a "firewall". The manual hand cranks are located above the ceiling at two locations requiring ladder access.



**Uncommitted Balance as of 2/28/2015:** \$69,933

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Administration | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Surveying      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Inspection     | 10,000         | 0        | 0        | 0        | 0        | 0        | 10,000         |
| Land           | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 63,804         | 0        | 0        | 0        | 0        | 0        | 63,804         |
| Equipment      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Other          | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>113,804</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>113,804</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Library Fund  | 113,804        | 0        | 0        | 0        | 0        | 0        | 113,804        |
| <b>Totals</b> | <b>113,804</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>113,804</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                               | Estimate Level |
|-----------------------|---------------------------------------|----------------|
| Community Improvement | <b>3408 MSC Facility Improvements</b> | 1              |

**CONTACT:** Julie Waldron [3314] / Jaime Chew [3369]

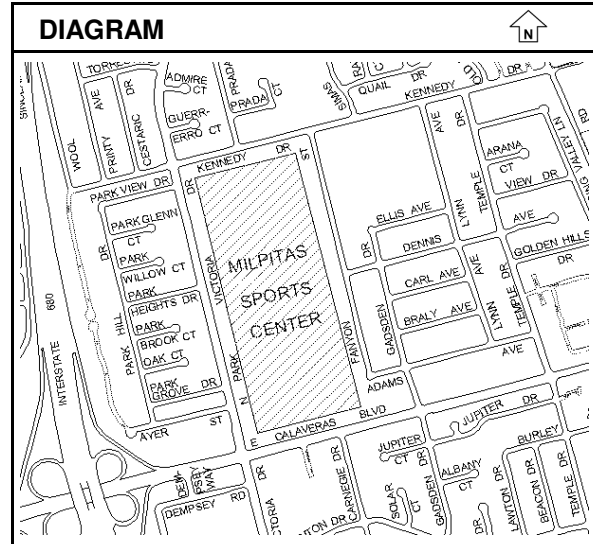
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for various improvements to the Milpitas Sports Center facility. The work includes resurfacing the plaster at the three swimming pools and replacement of tile work, lane lines, and other pool elements. The project will reconstruct the Men's and Women's showers/restroom area, replace the locker room flooring and other code related upgrades to the facility.

**COMMENTS:**

These pools are heavily used year round and require resurfacing every 5 years. California Health and Safety Code, Section 3106B.3 states that the finished pool shell shall be lined with a smooth waterproof interior finish that will withstand repeated brushing, scrubbing and cleaning procedures. The locker room improvements have been completed and the pool rehabilitation work is now moving forward. This project in conjunction with the MSC Pool Rehabilitation will fund the pool improvements at the Milpitas Sports Center.



**Uncommitted Balance as of 2/28/2015:**

\$560,166

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 165,000          | 0        | 0        | 0        | 0        | 0        | 165,000          |
| Administration | 90,000           | 0        | 0        | 0        | 0        | 0        | 90,000           |
| Inspection     | 55,000           | 0        | 0        | 0        | 0        | 0        | 55,000           |
| Improvements   | 1,590,000        | 0        | 0        | 0        | 0        | 0        | 1,590,000        |
| <b>Totals</b>  | <b>1,900,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,900,000</b> |

| FINANCING                   | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|-----------------------------|------------------|----------|----------|----------|----------|----------|------------------|
| General Government CIP Fund | 1,300,000        | 0        | 0        | 0        | 0        | 0        | 1,300,000        |
| Midtown Park Fund           | 300,000          | 0        | 0        | 0        | 0        | 0        | 300,000          |
| Park Fund                   | 300,000          | 0        | 0        | 0        | 0        | 0        | 300,000          |
| <b>Totals</b>               | <b>1,900,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,900,000</b> |

**FINANCE NOTES**

City Council - 3/4/14 Midyear Budget Appropriation \$800,000 from General Government CIP Fund

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project |                                           | Estimate Level |
|-----------------------|---------|-------------------------------------------|----------------|
| Community Improvement | 3410    | Public Works/Police Building Improvements | 1              |

**CONTACT:** Steve Erickson [3301]

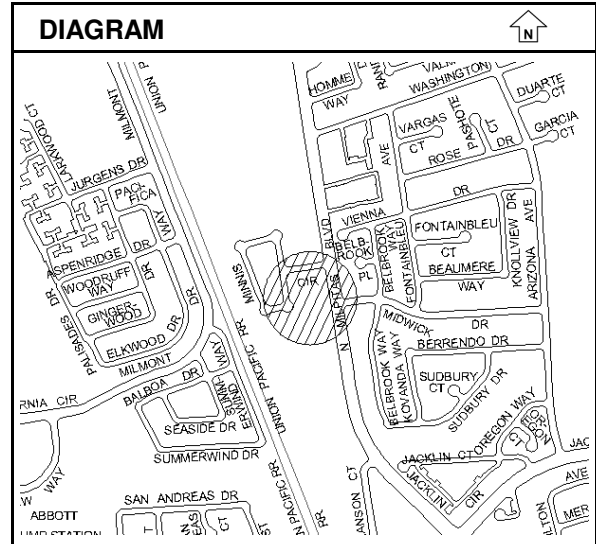
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

The project provides for the repair of the roof systems and parapet walls, repair and replacement of window systems, removal of the wooden sun shade structure, and exterior patching and painting.

**COMMENTS:**

The Public Works/Police building was constructed in the 1990's, and it is now time for significant repairs. Recently, the exterior parapet walls and roofing systems have developed water leaks that are deteriorating the buildings structure. Several of the aluminum window systems are deteriorated and are in need of repair. Within the last few years, Public Works staff removed the rotted exterior wood shade structures that surround the buildings exterior. The shades remaining along the buildings east face are rotted to the point that they need to be removed.



**Uncommitted Balance as of 2/28/2015:**

\$22,518

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 50,000         | 0        | 0        | 0        | 0        | 0        | 50,000         |
| Administration | 15,000         | 0        | 0        | 0        | 0        | 0        | 15,000         |
| Inspection     | 10,000         | 0        | 0        | 0        | 0        | 0        | 10,000         |
| Improvements   | 225,000        | 0        | 0        | 0        | 0        | 0        | 225,000        |
| <b>Totals</b>  | <b>300,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>300,000</b> |

| FINANCING                   | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|-----------------------------|----------------|----------|----------|----------|----------|----------|----------------|
| General Government CIP Fund | 300,000        | 0        | 0        | 0        | 0        | 0        | 300,000        |
| <b>Totals</b>               | <b>300,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>300,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                 | Estimate Level |
|----------|---------|---------------------------------|----------------|
| Streets  | 3412    | Street Resurfacing Project 2014 | 1              |

**CONTACT:** Jimmy Nguyen [3318]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for a variety of pavement resurfacing treatments, from slurry seal to major rehabilitation and reconstruction. Streets are selected for improvements based on the City's Pavement Management System.

**COMMENTS:**

There are over 123 centerline miles of streets that are owned and maintained by the City of Milpitas. An annual funding of \$4.5 million is required to maintain the city wide pavement condition index. The project also includes installation of ADA ramps along roads that are reconstructed or receive an AC overlay.

**Uncommitted Balance as of 2/28/2015:** \$680,459

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 75,000           | 0        | 0        | 0        | 0        | 0        | 75,000           |
| Administration | 40,000           | 0        | 0        | 0        | 0        | 0        | 40,000           |
| Inspection     | 50,000           | 0        | 0        | 0        | 0        | 0        | 50,000           |
| Improvements   | 2,414,288        | 0        | 0        | 0        | 0        | 0        | 2,414,288        |
| <b>Totals</b>  | <b>2,579,288</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,579,288</b> |

| FINANCING                     | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|-------------------------------|------------------|----------|----------|----------|----------|----------|------------------|
| Transient Occupancy Tax (TOT) | 600,000          | 0        | 0        | 0        | 0        | 0        | 600,000          |
| General Government CIP Fund   | 500,000          | 0        | 0        | 0        | 0        | 0        | 500,000          |
| Vehicle Registration Fee      | 300,000          | 0        | 0        | 0        | 0        | 0        | 300,000          |
| Gas Tax Fund                  | 1,100,000        | 0        | 0        | 0        | 0        | 0        | 1,100,000        |
| Grants/Reimbursement/Develop  | 79,288           | 0        | 0        | 0        | 0        | 0        | 79,288           |
| <b>Totals</b>                 | <b>2,579,288</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,579,288</b> |

**FINANCE NOTES**

Grant: \$34,238 from the Transportation Development Act (TDA) FY 11-12.

Grant: \$45,050 from the Transportation Development Act (TDA) FY 12-13.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category              | Project                                 | Estimate Level |
|-----------------------|-----------------------------------------|----------------|
| Community Improvement | <b>3413</b> 2015 Finance System Upgrade |                |

**CONTACT:** Jane Corpus [3125]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides upgrades to keep our Financial system up to date. It is essential that the system be current in order to utilize technology efficiently and effectively. This major system includes General Ledger, Accounts Payable, Cash Collection, Payroll/Human Resources, Job Costing and Purchase Order. In addition, the Finance system also manages Budget Preparation, Business License, Investment Software and Fixed Asset systems.

**COMMENTS:**

The proposed funding is for the system required upgrades, equipment and staff training.

**Uncommitted Balance as of 2/28/2015:** \$20,000

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Administration | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Other          | 170,000    | 0       | 0       | 0       | 0       | 0       | 170,000 |
| <b>Totals</b>  | 170,000    | 0       | 0       | 0       | 0       | 0       | 170,000 |

| FINANCING                  | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------------------|------------|---------|---------|---------|---------|---------|---------|
| Equipment Replacement Fund | 170,000    | 0       | 0       | 0       | 0       | 0       | 170,000 |
| <b>Totals</b>              | 170,000    | 0       | 0       | 0       | 0       | 0       | 170,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                             | Estimate Level |
|-------------------------|-------------------------------------|----------------|
| Storm Drain Improvement | 3701 Storm Drain Master Plan Update |                |

**CONTACT:** Jeffery Leung [3326]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides an update to the City Storm Drain Master Plan. This update is needed due to land use modifications proposed by Midtown Specific Plan and proposed Transit Area Specific Plan. It is also important to revise and update the Master Plan in order to account for land use changes and capital projects that have taken place in the City since the original Master Plan was published in 2001, and to provide proper environmental documentation. In addition, FEMA is requiring creek levee recertification as a result of the New Orleans levee failures. SCVWD and the City are working to complete these studies by August 2009. The Storm Master Plan will model and analyze citywide existing and proposed storm drain infrastructure, identify system deficiencies and recommend improvements.

**COMMENTS:**

The project will also include updating the storm drain portion of the Financial Utility Master Plan. A Master Grading and Storm Drainage Plan is required by the Transit Area EIR.

**Uncommitted Balance as of 2/28/2015:** \$35,395

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 150,000        | 0        | 0        | 0        | 0        | 0        | 150,000        |
| Administration | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Surveying      | 30,000         | 0        | 0        | 0        | 0        | 0        | 30,000         |
| Inspection     | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Land           | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Other          | 150,000        | 0        | 0        | 0        | 0        | 0        | 150,000        |
| <b>Totals</b>  | <b>350,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>350,000</b> |

| FINANCING        | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|------------------|----------------|----------|----------|----------|----------|----------|----------------|
| Storm Drain Fund | 350,000        | 0        | 0        | 0        | 0        | 0        | 350,000        |
| <b>Totals</b>    | <b>350,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>350,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project                            | Estimate Level |
|-------------------------|------------------------------------|----------------|
| Storm Drain Improvement | <b>3704 Fuel Tank Improvements</b> | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the removal of underground fuel tanks and installation of above ground double walled tanks at Wrigley Ford, Bellew, Penitencia, Berryessa, and Jungens Storm Pump Stations. These are State mandated improvements intended to protect ground water from potential contamination.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$188,000

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 50,000         | 0        | 0        | 0        | 0        | 0        | 50,000         |
| Administration | 25,000         | 0        | 0        | 0        | 0        | 0        | 25,000         |
| Surveying      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Inspection     | 25,000         | 0        | 0        | 0        | 0        | 0        | 25,000         |
| Land           | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 88,000         | 0        | 0        | 0        | 0        | 0        | 88,000         |
| Equipment      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Other          | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>188,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>188,000</b> |

| FINANCING        | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|------------------|----------------|----------|----------|----------|----------|----------|----------------|
| Storm Drain Fund | 153,000        | 0        | 0        | 0        | 0        | 0        | 153,000        |
| RDA Fund         | 35,000         | 0        | 0        | 0        | 0        | 0        | 35,000         |
| <b>Totals</b>    | <b>188,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>188,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project |                                    | Estimate Level |
|-------------------------|---------|------------------------------------|----------------|
| Storm Drain Improvement | 3706    | Minor Storm Drain Projects 2011-12 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the ongoing analysis and implementation of various minor modifications and improvements to the existing storm drain system. The scope also includes storm drain studies, minor related improvements and regional storm drain fees.

**COMMENTS:**

The Storm Drain Master Plan identifies storm drain improvements that need to secure funding to design and construct improvements that will eliminate nuisance flooding in the City. The current funding source for these improvements is the storm water connection fees. Additional funding is required to design and construct the balance of the projects in the Master Plan. This project will also fund long term maintenance and the plant establishment phase resulting from dredging Wrigley Ford Creek.

**Uncommitted Balance as of 2/28/2015:** \$163,082

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 105,000        | 0        | 0        | 0        | 0        | 0        | 105,000        |
| Administration | 10,000         | 0        | 0        | 0        | 0        | 0        | 10,000         |
| Surveying      | 30,000         | 0        | 0        | 0        | 0        | 0        | 30,000         |
| Inspection     | 5,000          | 0        | 0        | 0        | 0        | 0        | 5,000          |
| Improvements   | 151,729        | 0        | 0        | 0        | 0        | 0        | 151,729        |
| Equipment      | 25,000         | 0        | 0        | 0        | 0        | 0        | 25,000         |
| <b>Totals</b>  | <b>326,729</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>326,729</b> |

| FINANCING                   | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|-----------------------------|----------------|----------|----------|----------|----------|----------|----------------|
| Storm Drain Fund            | 291,729        | 0        | 0        | 0        | 0        | 0        | 291,729        |
| General Government CIP Fund | 35,000         | 0        | 0        | 0        | 0        | 0        | 35,000         |
| <b>Totals</b>               | <b>326,729</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>326,729</b> |

**FINANCE NOTES**

City Council 5/1/12- Budget appropriation of \$41,729 from the Storm Drain Fund.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category                | Project |                                      | Estimate Level |
|-------------------------|---------|--------------------------------------|----------------|
| Storm Drain Improvement | 3707    | Storm Pump Station Improvements 2012 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the design and construction of major renovations of Wrigley-Ford, McCarthy, Oak Creek, Murphy Ranch, Jurgens, and Abbott Storm Pump Stations. The work scope includes upgrades to the electrical and mechanical systems, also includes miscellaneous work such as, exterior painting and concrete floor coating, etc.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$28,064

| ESTIMATED COST | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|----------------|---------------|----------|----------|----------|----------|----------|---------------|
| Design         | 10,000        | 0        | 0        | 0        | 0        | 0        | 10,000        |
| Administration | 10,000        | 0        | 0        | 0        | 0        | 0        | 10,000        |
| Improvements   | 8,590         | 0        | 0        | 0        | 0        | 0        | 8,590         |
| <b>Totals</b>  | <b>28,590</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>28,590</b> |

| FINANCING        | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|------------------|---------------|----------|----------|----------|----------|----------|---------------|
| Storm Drain Fund | 28,590        | 0        | 0        | 0        | 0        | 0        | 28,590        |
| <b>Totals</b>    | <b>28,590</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>28,590</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                                | Estimate Level |
|----------|--------------------------------------------------------|----------------|
| Streets  | <b>4179 Montague Expwy Widening at Great Mall Pkwy</b> | 1              |

**CONTACT:** Steve Chan [3324] / Julie Waldron [3314]

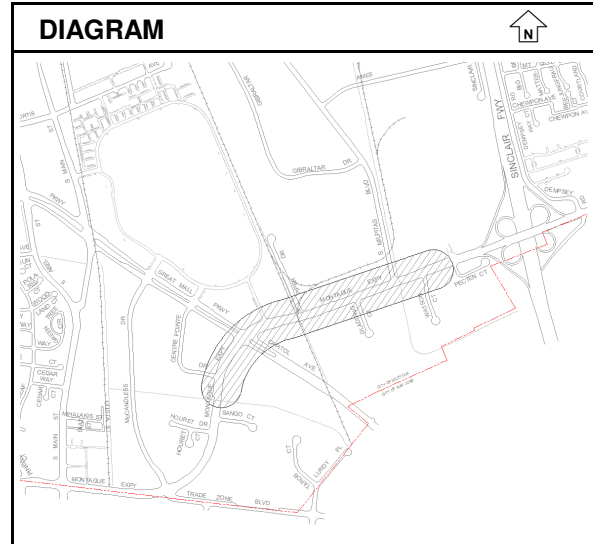
**PRIORITY:** Mandatory or Committed Projects

**DESCRIPTION**

This project provides a fourth through lane in each direction on Montague Expressway at Great Mall Parkway. It also includes adding one westbound lane on Montague Expressway from Hwy 680 to UPRR rails, however, these limits may be revised due to right of way availability.

**COMMENTS:**

A portion of this project, Phase I, is required as a result of the Cisco Systems development. Phase I is the improvement of the Great Mall Parkway/Capitol intersection from Center Point Drive to the UPRR rails, and is funded 50% by Cisco Systems. Phase I was constructed by VTA in conjunction with their LRT project. The remaining portion of the project, phase II, will "close the gaps" that exist between Phase I and Project 4180 which widened the south side of the expressway from west of Gladding Ct. to I-680.



**Uncommitted Balance as of 2/28/2015:** \$1,615,441

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 560,500          | 0        | 0        | 0        | 0        | 0        | 560,500          |
| Administration | 145,000          | 0        | 0        | 0        | 0        | 0        | 145,000          |
| Surveying      | 30,000           | 0        | 0        | 0        | 0        | 0        | 30,000           |
| Inspection     | 270,000          | 0        | 0        | 0        | 0        | 0        | 270,000          |
| Land           | 1,020,000        | 0        | 0        | 0        | 0        | 0        | 1,020,000        |
| Improvements   | 5,321,950        | 0        | 0        | 0        | 0        | 0        | 5,321,950        |
| Equipment      | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Other          | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| <b>Totals</b>  | <b>7,347,450</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>7,347,450</b> |

| FINANCING                     | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|-------------------------------|------------------|----------|----------|----------|----------|----------|------------------|
| Traffic Impact Fees           | 1,261,839        | 0        | 0        | 0        | 0        | 0        | 1,261,839        |
| RDA Fund                      | 3,300,000        | 0        | 0        | 0        | 0        | 0        | 3,300,000        |
| Grants/Reimbursement/Develope | 2,755,111        | 0        | 0        | 0        | 0        | 0        | 2,755,111        |
| Street Fund                   | 30,500           | 0        | 0        | 0        | 0        | 0        | 30,500           |
| <b>Totals</b>                 | <b>7,347,450</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>7,347,450</b> |

**FINANCE NOTES**

Developer Contributions: Cisco - \$1,125,000+\$62,111 (FY05 Year End Adjustment) + City of San Jose (3Com): \$1,568,000 = \$2,755,111  
 Prior Year Other Sources (Traffic Impact Fees): \$585,000+\$58,596+\$329,713 =\$973,309.  
 City Council - Midyear appropriation \$288,530 from Traffic Impact Fee Prior Year



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                                | Estimate Level |
|----------|---------|------------------------------------------------|----------------|
| Streets  | 4257    | Signal Mitigation @ McCarthy & Irvine Entrance | 1              |

**CONTACT:** Steve Chan [3324]

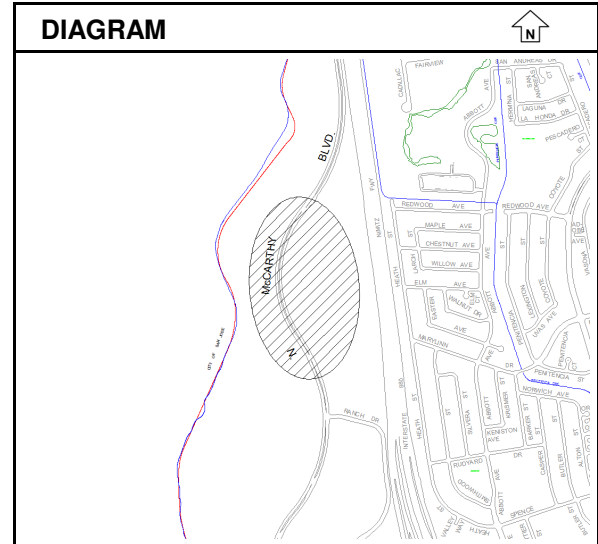
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of a new traffic signal on McCarthy Blvd. at the Irvine Driveway.

**COMMENTS:**

The State traffic signal warrant criteria is used to determine the warrants for signalization of this intersection.



**Uncommitted Balance as of 2/28/2015:** \$93,500

| ESTIMATED COST | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|----------------|---------------|----------|----------|----------|----------|----------|---------------|
| Administration | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Inspection     | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Improvements   | 93,500        | 0        | 0        | 0        | 0        | 0        | 93,500        |
| Building       | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| <b>Totals</b>  | <b>93,500</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>93,500</b> |

| FINANCING           | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|---------------------|---------------|----------|----------|----------|----------|----------|---------------|
| Traffic Impact Fees | 93,500        | 0        | 0        | 0        | 0        | 0        | 93,500        |
| <b>Totals</b>       | <b>93,500</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>93,500</b> |

**FINANCE NOTES**

City Council 2/1/11 - Midyear Budget Appropriation \$93,500 from TIF

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                              | Estimate Level |
|----------|--------------------------------------|----------------|
| Streets  | 4258 Calaveras Blvd Widening Project | 1              |

**CONTACT:** Steve Chan [3324]

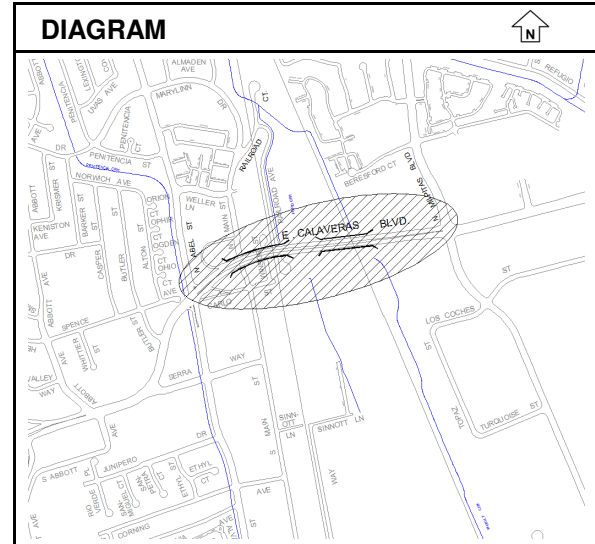
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project will replace the existing roadway bridges between Milpitas Boulevard and Abel Street. These bridge structures were constructed over 40 years ago are reaching their design life. In addition these structures do not have adequate bicycle and pedestrian facilities. The replacement bridge structures will be wider to include 3-lanes, 10 foot sidewalks and 6 foot bike lanes in each direction.

**COMMENTS:**

Calaveras Boulevard is a State Route and the City would be the local sponsor of this project. The City would provide a local funding match generated through Traffic Impact Fees. The total cost is estimate at \$75 Million.



**Uncommitted Balance as of 2/28/2015:** \$173,319

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Administration | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 173,969        | 0        | 0        | 0        | 0        | 0        | 173,969        |
| Building       | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>173,969</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>173,969</b> |

| FINANCING                    | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|------------------------------|----------------|----------|----------|----------|----------|----------|----------------|
| Traffic Impact Fees          | 173,092        | 0        | 0        | 0        | 0        | 0        | 173,092        |
| Grants/Reimbursement/Develop | 877            | 0        | 0        | 0        | 0        | 0        | 877            |
| <b>Totals</b>                | <b>173,969</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>173,969</b> |

**FINANCE NOTES**

City Council 2/1/11 - Midyear Budget Appropriation \$173,092 from TIF.

City Council 2/7/12 - Midyear Budget Appropriation of \$877 from Developer Contribution "D.R. Horton"

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                | Estimate Level |
|----------|----------------------------------------|----------------|
| Streets  | <b>4264 S. Abel Street Resurfacing</b> | 1              |

**CONTACT:** Jimmy Nguyen [3318] / Michael Boitnott [3315]

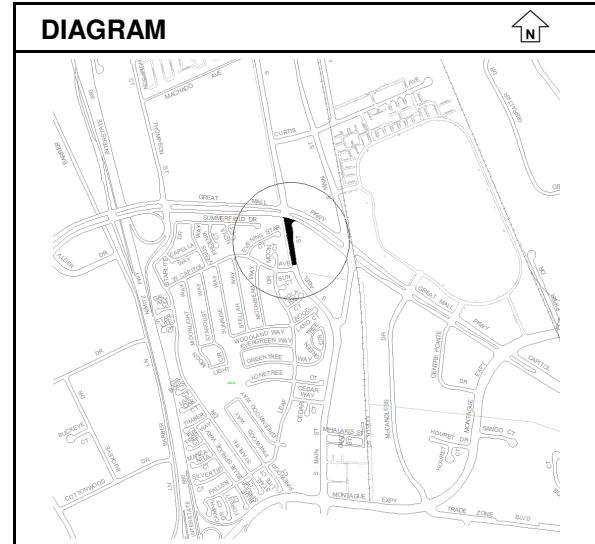
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project will provide for an asphalt concrete overlay of S. Abel Street from Great Mall Parkway to Capitol Avenue.

**COMMENTS:**

There are over 123 centerline miles of streets that are owned and maintained by the City of Milpitas.



**Uncommitted Balance as of 2/28/2015:** \$111,743

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Administration | 40,000         | 0        | 0        | 0        | 0        | 0        | 40,000         |
| Improvements   | 51,745         | 0        | 0        | 0        | 0        | 0        | 51,745         |
| <b>Totals</b>  | <b>111,745</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>111,745</b> |

| FINANCING                    | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|------------------------------|----------------|----------|----------|----------|----------|----------|----------------|
| Developer Contributions      | 4,158          | 0        | 0        | 0        | 0        | 0        | 4,158          |
| Traffic Impact Fees          | 69,787         | 0        | 0        | 0        | 0        | 0        | 69,787         |
| Grants/Reimbursement/Develop | 37,800         | 0        | 0        | 0        | 0        | 0        | 37,800         |
| <b>Totals</b>                | <b>111,745</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>111,745</b> |

**FINANCE NOTES**

City Council 2/7/12 - Midyear Budget Appropriation \$111,745

Developer fees: Lyons Milpitas \$37,800

FY 2008 Traffic Impact Fees interest \$22,244

FY 2009 Traffic Impact Fees interest \$47,543

Transferred \$4,158 from Developer Contribution - CP 4231 Main/Montague Traffic Signal Modification

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                          | Estimate Level |
|----------|---------|------------------------------------------|----------------|
| Streets  | 4265    | Bart Extension Coordination and Planning | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Mandatory or Committed Projects

**DESCRIPTION**

The Bart extension from Fremont to San Jose will pass through Milpitas and include a BART station in Milpitas. This project includes the coordination and engineering analysis of utilities, Right of Way and other BART design impacts on the City's infrastructure.

**COMMENTS:**

Coordination with the VTA for the design of the future Bart Extension will require substantial resources from the City. Most of the work involves the review of proposals, plans, identifying infrastructure improvements and engineering analysis and development of alternatives to BART proposed improvements.

**Uncommitted Balance as of 2/28/2015:** \$568,932

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 50,000           | 0        | 0        | 0        | 0        | 0        | 50,000           |
| Administration | 1,855,956        | 0        | 0        | 0        | 0        | 0        | 1,855,956        |
| Surveying      | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Inspection     | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Land           | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Improvements   | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Equipment      | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Other          | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| <b>Totals</b>  | <b>1,905,956</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,905,956</b> |

| FINANCING                    | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|------------------------------|------------------|----------|----------|----------|----------|----------|------------------|
| RDA Fund                     | 53,065           | 0        | 0        | 0        | 0        | 0        | 53,065           |
| Sewer Fund                   | 8,591            | 0        | 0        | 0        | 0        | 0        | 8,591            |
| Street Fund                  | 8,702            | 0        | 0        | 0        | 0        | 0        | 8,702            |
| Water Fund                   | 8,702            | 0        | 0        | 0        | 0        | 0        | 8,702            |
| Grants/Reimbursement/Develop | 1,826,896        | 0        | 0        | 0        | 0        | 0        | 1,826,896        |
| <b>Totals</b>                | <b>1,905,956</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,905,956</b> |

**FINANCE NOTES**

City Council 2/7/12 - Midyear Budget Appropriation of \$50,000 from the VTA reimbursement agreement.  
City Council 2/21/12 - Midyear Budget Appropriation of \$233,296 from the VTA reimbursement agreement.  
City Council 9/18/12 - Budget appropriation of \$393,600 from the VTA reimbursement agreement.  
City Council 10/15/13 - Budget appropriation of \$500,000 from the VTA reimbursement agreement.  
City Council 6/17/14 - Budget appropriation of \$650,000 from the VTA reimbursement agreement.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                 | Estimate Level |
|----------|---------|---------------------------------|----------------|
| Streets  | 4268    | Street Resurfacing Project 2013 | 1              |

**CONTACT:** Jimmy Nguyen [3318]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for a variety of pavement resurfacing treatments, from slurry seal to major rehabilitation and reconstruction. Streets are selected for improvements based on the City's Pavement Management System.

**COMMENTS:**

There are over 123 centerline miles of streets that are owned and maintained by the City of Milpitas. An annual funding of \$4.5 million is required to maintain the city wide pavement condition index.

**Uncommitted Balance as of 2/28/2015:** \$6,645

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|----------------|------------|---------|---------|---------|---------|---------|-----------|
| Design         | 50,000     | 0       | 0       | 0       | 0       | 0       | 50,000    |
| Administration | 10,000     | 0       | 0       | 0       | 0       | 0       | 10,000    |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0         |
| Inspection     | 30,000     | 0       | 0       | 0       | 0       | 0       | 30,000    |
| Improvements   | 1,910,000  | 0       | 0       | 0       | 0       | 0       | 1,910,000 |
| <b>Totals</b>  | 2,000,000  | 0       | 0       | 0       | 0       | 0       | 2,000,000 |

| FINANCING                     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total     |
|-------------------------------|------------|---------|---------|---------|---------|---------|-----------|
| Transient Occupancy Tax (TOT) | 500,000    | 0       | 0       | 0       | 0       | 0       | 500,000   |
| Vehicle Registration Fee      | 347,000    | 0       | 0       | 0       | 0       | 0       | 347,000   |
| Gas Tax Fund                  | 1,153,000  | 0       | 0       | 0       | 0       | 0       | 1,153,000 |
| <b>Totals</b>                 | 2,000,000  | 0       | 0       | 0       | 0       | 0       | 2,000,000 |

**FINANCE NOTES**

City Council 5/1/12 Midyear Budget Appropriation \$600,000  
Close project at the end of the fiscal year, June 30, 2015.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                      | Estimate Level |
|----------|---------|--------------------------------------|----------------|
| Streets  | 4269    | Traffic Management Enhancements 2013 | 1              |

**CONTACT:** Steve Chan [3324]

**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides for the upgrade and deployment of traffic management equipment used to monitor and control the City's roadway network. Typical improvements include the deployment of traffic signal control equipment and upgrades to the traffic operations center's video monitoring equipment.

**COMMENTS:**

This project also provides resources to pursue grant funding sources to augment the traffic management projects.

**Uncommitted Balance as of 2/28/2015:** \$60,000

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|----------------|------------|---------|---------|---------|---------|---------|--------|
| Design         | 0          | 0       | 0       | 0       | 0       | 0       | 0      |
| Administration | 10,000     | 0       | 0       | 0       | 0       | 0       | 10,000 |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0      |
| Improvements   | 50,000     | 0       | 0       | 0       | 0       | 0       | 50,000 |
| Other          | 0          | 0       | 0       | 0       | 0       | 0       | 0      |
| <b>Totals</b>  | 60,000     | 0       | 0       | 0       | 0       | 0       | 60,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|---------------|------------|---------|---------|---------|---------|---------|--------|
| Street Fund   | 60,000     | 0       | 0       | 0       | 0       | 0       | 60,000 |
| <b>Totals</b> | 60,000     | 0       | 0       | 0       | 0       | 0       | 60,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                       | Estimate Level |
|----------|-------------------------------|----------------|
| Streets  | 4270 2014 Road Rehabilitation | 1              |

**CONTACT:** Steve Chan [3324] / Jimmy Nguyen [3318]

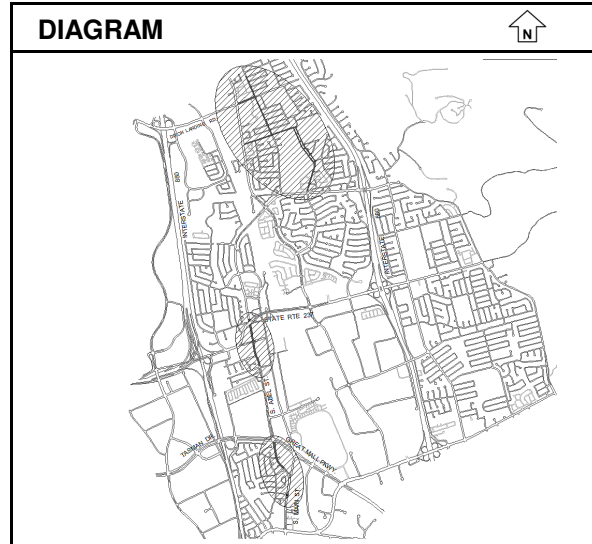
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

Pavement rehabilitation overlay of local streets at various locations on Abel Street, Dixon Road, and Arizona Avenue. The project also includes the installation of curb ramps and repairing sidewalks to increase accessibility in the neighborhood.

**COMMENTS:**

The City has applied for a \$1.65 Million grant from and it is anticipated it will be funded in spring 2014. The grant requires that the City provide an 11.47% local match of participating grant funds. Project design, City administration, and inspection costs are not grant applicable.



**Uncommitted Balance as of 2/28/2015:** \$1,940,691

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 60,000           | 0        | 0        | 0        | 0        | 0        | 60,000           |
| Administration | 35,000           | 0        | 0        | 0        | 0        | 0        | 35,000           |
| Inspection     | 50,000           | 0        | 0        | 0        | 0        | 0        | 50,000           |
| Improvements   | 1,970,920        | 0        | 0        | 0        | 0        | 0        | 1,970,920        |
| <b>Totals</b>  | <b>2,115,920</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,115,920</b> |

| FINANCING                    | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|------------------------------|------------------|----------|----------|----------|----------|----------|------------------|
| Gas Tax Fund                 | 350,000          | 0        | 0        | 0        | 0        | 0        | 350,000          |
| Grants/Reimbursement/Develop | 1,765,920        | 0        | 0        | 0        | 0        | 0        | 1,765,920        |
| <b>Totals</b>                | <b>2,115,920</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,115,920</b> |

**FINANCE NOTES**

Grant: \$1,652,000 from Surface Transportation Program  
City Council (2-3-15) - FY14-15 Midyear appropriation \$115,920 from Aspen Village.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                              | Estimate Level |
|----------|--------------------------------------|----------------|
| Streets  | 4272 Minor Traffic Improvements 2014 | 1              |

**CONTACT:** Steve Chan [3324]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for traffic studies, speed surveys, and traffic counts. This project also includes minor traffic improvements that result from community service requests. Typical improvements include roadway markings/signage improvements and the installation of roadway undulators.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$80,500

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Administration | 10,000         | 0        | 0        | 0        | 0        | 0        | 10,000         |
| Inspection     | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 70,000         | 0        | 0        | 0        | 0        | 0        | 70,000         |
| Other          | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>100,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>100,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Gas Tax Fund  | 100,000        | 0        | 0        | 0        | 0        | 0        | 100,000        |
| <b>Totals</b> | <b>100,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>100,000</b> |

**FINANCE NOTES**

**City of Milpitas  
2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                | Estimate Level |
|----------|---------|--------------------------------|----------------|
| Streets  | 4274    | I 880 Interchange R/W Closeout | 1              |

**CONTACT:** Steve Chan [3324] / Julie Waldron [3314]

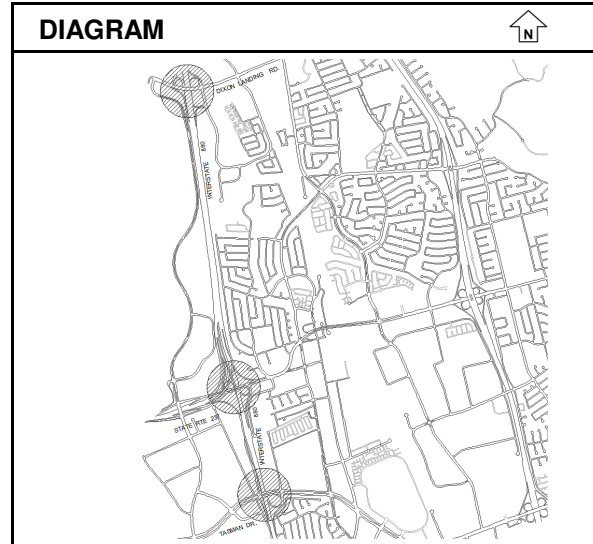
**PRIORITY:** Mandatory or Committed Projects

**DESCRIPTION**

This project will provide final closeout documentation and Right of Way transfer for the three interchanges constructed along I-880 and Dixon Landing Road, State Route 237, and Tasman Drive.

**COMMENTS:**

The interchanges were constructed under three separate CIP projects. The City is working with Caltrans and VTA through a cooperative cost share agreement to closeout these projects and ultimately transfer R/W and ownership to Caltrans.



**Uncommitted Balance as of 2/28/2015:** \$240,297

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Administration | 727,181    | 0       | 0       | 0       | 0       | 0       | 727,181 |
| <b>Totals</b>  | 727,181    | 0       | 0       | 0       | 0       | 0       | 727,181 |

| FINANCING               | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|-------------------------|------------|---------|---------|---------|---------|---------|---------|
| Developer Contributions | 148,119    | 0       | 0       | 0       | 0       | 0       | 148,119 |
| Street Fund             | 579,062    | 0       | 0       | 0       | 0       | 0       | 579,062 |
| <b>Totals</b>           | 727,181    | 0       | 0       | 0       | 0       | 0       | 727,181 |

**FINANCE NOTES**

See projects 4039, 4047, and 4170 for details on the construction of each interchange improvement. Funding for this project came from unexpended balance of projects 4039, 4047, and 4170.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                              | Estimate Level |
|----------|--------------------------------------|----------------|
| Streets  | 4275 Street Resurfacing Project 2015 | 1              |

**CONTACT:** Jimmy Nguyen [3318]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for a variety of pavement resurfacing treatments, from slurry seal to major rehabilitation and reconstruction. Streets are selected for improvements based on the City's Pavement Management System to optimize the pavement condition based on available the budget. There are currently over 123 centerline miles of streets that are owned and maintained by the City of Milpitas. This project will also include citywide replacement of existing curb, gutter and sidewalk, installation of ADA ramps and implementation of Class II bike lanes and Class III bike route facilities as described in the 2009 updated City of Milpitas Bikeway Master Plan.

**COMMENTS:**

The project also includes installation of ADA ramps along roads that are reconstructed or receive an AC overlay. Annually a visual inspection of city sidewalks is conducted to determine and establish a priority list of candidate sites for replacement. An annual funding of \$4.5 million is required to maintain the city wide pavement condition index of 70. A PCI of 70 is defined as "good condition" by Metropolitan Transportation Commission (MTC).

**Uncommitted Balance as of 2/28/2015:** \$293,776

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 150,000          | 0        | 0        | 0        | 0        | 0        | 150,000          |
| Administration | 100,000          | 0        | 0        | 0        | 0        | 0        | 100,000          |
| Inspection     | 100,000          | 0        | 0        | 0        | 0        | 0        | 100,000          |
| Improvements   | 3,900,000        | 0        | 0        | 0        | 0        | 0        | 3,900,000        |
| <b>Totals</b>  | <b>4,250,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>4,250,000</b> |

| FINANCING                     | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|-------------------------------|------------------|----------|----------|----------|----------|----------|------------------|
| Vehicle Registration Fee      | 300,000          | 0        | 0        | 0        | 0        | 0        | 300,000          |
| Water Fund                    | 225,000          | 0        | 0        | 0        | 0        | 0        | 225,000          |
| Sewer Fund                    | 225,000          | 0        | 0        | 0        | 0        | 0        | 225,000          |
| Grants/Reimbursement/Develope | 160,015          | 0        | 0        | 0        | 0        | 0        | 160,015          |
| Street Fund                   | 111,900          | 0        | 0        | 0        | 0        | 0        | 111,900          |
| Traffic Impact Fees           | 50,000           | 0        | 0        | 0        | 0        | 0        | 50,000           |
| Transient Occupancy Tax (TOT) | 1,600,000        | 0        | 0        | 0        | 0        | 0        | 1,600,000        |
| Gas Tax Fund                  | 1,578,085        | 0        | 0        | 0        | 0        | 0        | 1,578,085        |
| <b>Totals</b>                 | <b>4,250,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>4,250,000</b> |

**FINANCE NOTES**

Transportation Development Act (TDA) (\$84,506) FY 13-14 grant from the Metropolitan Transportation Commission (MTC)  
Transportation Development Act (TDA) (\$75,509) FY 14-15 grant from the Metropolitan Transportation Commission (MTC)  
Traffic Impact Fee: Brookfield Homes (\$50,000)  
City Council (2-3-15) - FY14-15 Midyear appropriation to reduce the Street Fund by \$23,100 and increase Gas Tax Fund by \$23,100.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                   | Estimate Level |
|----------|-------------------------------------------|----------------|
| Streets  | 4276 Electrical Vehicle Charging Stations | 1              |

**CONTACT:** Steve Chan [3324]

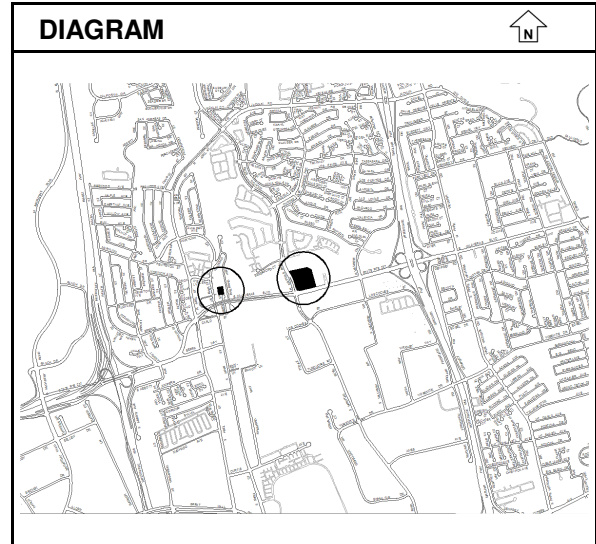
**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

The project provides for the installation of two Electric Vehicle EV charging stations to be located at the Civic Center parking lot, and two EV charging stations to be located at the Midtown parking garage located next to the Library.

**COMMENTS:**

The City applied for a \$40,000 grant for the installation of four EV charging stations, however in April 2015 the Bay Area Air Quality Management District (BAAQMD) only authorized \$20,200 for this program. Project design, City administration, and inspection costs are not grant reimbursable.



**Uncommitted Balance as of 2/28/2015:** \$40,200

| ESTIMATED COST | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|----------------|---------------|----------|----------|----------|----------|----------|---------------|
| Design         | 5,000         | 0        | 0        | 0        | 0        | 0        | 5,000         |
| Administration | 5,000         | 0        | 0        | 0        | 0        | 0        | 5,000         |
| Inspection     | 5,000         | 0        | 0        | 0        | 0        | 0        | 5,000         |
| Improvements   | 25,200        | 0        | 0        | 0        | 0        | 0        | 25,200        |
| <b>Totals</b>  | <b>40,200</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>40,200</b> |

| FINANCING                     | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|-------------------------------|---------------|----------|----------|----------|----------|----------|---------------|
| Grants/Reimbursement/Develope | 20,200        | 0        | 0        | 0        | 0        | 0        | 20,200        |
| Gas Tax Fund                  | 20,000        | 0        | 0        | 0        | 0        | 0        | 20,000        |
| <b>Totals</b>                 | <b>40,200</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>40,200</b> |

**FINANCE NOTES**

Congestion Management Program Transportation Fund for Clear Air (TFCA) (\$40,000) grant FY 14-15 Santa Clara Valley Transportation Authority (VTA) and Bay Area Air Quality Management District (BAAQMD).  
City Council 9/2/14 project created.  
April 2015, BAAQMD only authorized \$20,200 for the program.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project |                                          | Estimate Level |
|------------------|---------|------------------------------------------|----------------|
| Park Improvement | 5080    | Penitencia Creek Trail Feasibility Study | 1              |

**CONTACT:** Adam Petersen [3274]

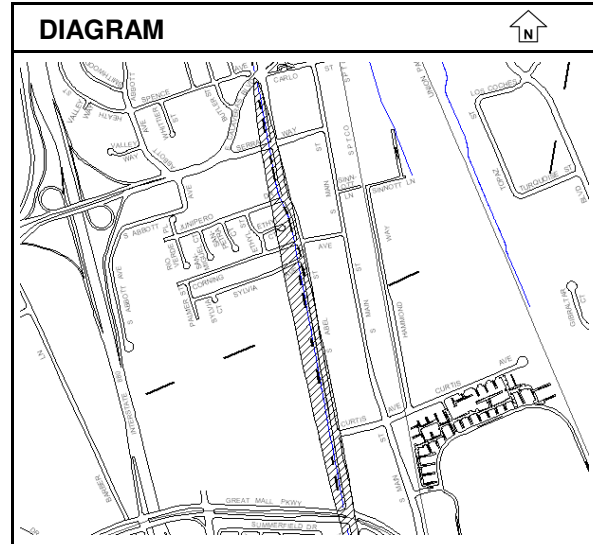
**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides for a feasibility study of a trail along the Penitencia Creek (lower and east channels) from W. Calaveras Boulevard to the southern City limits. The study would include the review of ADA Accessibility, options for major street crossings, and environmental impact assessment.

**COMMENTS:**

The Project would help in the implement of the Midtown Specific Plan Policy 3.23. The Penitencia Creek Trail is among the top three development priorities set in the Trails Master Plan.



**Uncommitted Balance as of 2/28/2015:** \$39,708

| ESTIMATED COST | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|----------------|---------------|----------|----------|----------|----------|----------|---------------|
| Design         | 38,000        | 0        | 0        | 0        | 0        | 0        | 38,000        |
| Administration | 2,000         | 0        | 0        | 0        | 0        | 0        | 2,000         |
| Surveying      | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Inspection     | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Land           | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Improvements   | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Equipment      | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Other          | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| <b>Totals</b>  | <b>40,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>40,000</b> |

| FINANCING         | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|-------------------|---------------|----------|----------|----------|----------|----------|---------------|
| Midtown Park Fund | 40,000        | 0        | 0        | 0        | 0        | 0        | 40,000        |
| <b>Totals</b>     | <b>40,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>40,000</b> |

**FINANCE NOTES**

Close project at the end of the fiscal year, June 30, 2015.



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project |                                       | Estimate Level |
|------------------|---------|---------------------------------------|----------------|
| Park Improvement | 5086    | Park Irrigation System Rehabilitation | 1              |

**CONTACT:** Michael Boitnott [3315]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides new central computer irrigation system and updates the irrigation systems at all City parks. This system will also alert staff of broken sprinklers and irrigation lines, by sensing loss of water pressure during operation. Repair response is much quicker, eliminating loss of water and water damage to the park landscaping.

**COMMENTS:**

This project will increase staff efficiency and also provide more efficient watering, resulting in reduced operational costs.

**Uncommitted Balance as of 2/28/2015:** \$23,992

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 25,000         | 0        | 0        | 0        | 0        | 0        | 25,000         |
| Administration | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Surveying      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Inspection     | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Land           | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 190,000        | 0        | 0        | 0        | 0        | 0        | 190,000        |
| Equipment      | 165,000        | 0        | 0        | 0        | 0        | 0        | 165,000        |
| Other          | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>400,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>400,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Park Fund     | 400,000        | 0        | 0        | 0        | 0        | 0        | 400,000        |
| <b>Totals</b> | <b>400,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>400,000</b> |

**FINANCE NOTES**

Close project at the end of the fiscal year, June 30, 2015.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project |                              | Estimate Level |
|------------------|---------|------------------------------|----------------|
| Park Improvement | 5091    | Park Renovation Project 2011 | 1              |

**CONTACT:** Julie Waldron [3314]

**PRIORITY:** Health and Safety Projects

**DESCRIPTION**

This project provides for safety and accessibility (ADA) improvements in accordance with the Park Master Plan. Renovations can include replacement of playground equipment, drinking fountains, reconstructing walkways and other park improvements, for safety and accessibility.

**COMMENTS:**

The City obtained a Community Development Block Grant funding in the amount of \$77,777.78 for use at Pinewood and Albert J. Augustine Memorial Parks to improve the pathways and add ADA curb ramps.

**Uncommitted Balance as of 2/28/2015:** \$31,097

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 25,000         | 0        | 0        | 0        | 0        | 0        | 25,000         |
| Administration | 10,000         | 0        | 0        | 0        | 0        | 0        | 10,000         |
| Surveying      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Inspection     | 15,000         | 0        | 0        | 0        | 0        | 0        | 15,000         |
| Improvements   | 227,778        | 0        | 0        | 0        | 0        | 0        | 227,778        |
| Other          | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>277,778</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>277,778</b> |

| FINANCING                    | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|------------------------------|----------------|----------|----------|----------|----------|----------|----------------|
| Park Fund                    | 200,000        | 0        | 0        | 0        | 0        | 0        | 200,000        |
| Grants/Reimbursement/Develop | 77,778         | 0        | 0        | 0        | 0        | 0        | 77,778         |
| <b>Totals</b>                | <b>277,778</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>277,778</b> |

**FINANCE NOTES**

City Council 4/2/13 - Budget appropriation of \$77,777.78 from the Community Development Block Grant (CDBG) program. Close project at the end of the fiscal year, June 30, 2015.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project               | Estimate Level |
|------------------|-----------------------|----------------|
| Park Improvement | 5092 Main Street Park | 1              |

**CONTACT:** Steve Erickson [3301]

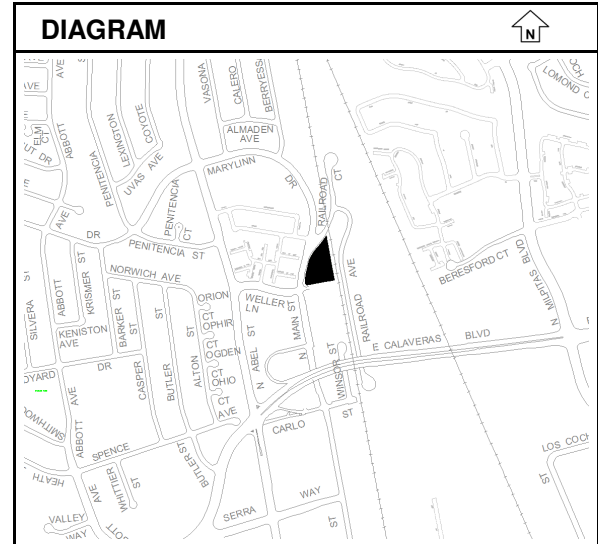
**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides for the design and construction of a new park on the City owned parcel just north of the Milpitas Library. Improvements will include a large gathering area to accommodate Park's activities such as "Music in the Park", shade structures, landscaping, drainage, hardscape and walkways. This project will also include street modifications to the intersection of Railroad Ave. and Main St., removing the pork-chop island and reconfiguring the south and east curbs of Main St. and Railroad Ave. Pedestrian improvements to the library parking garage are also included.

**COMMENTS:**

An optional historic museum could be added to the park for an additional \$1 to \$2 million.



**Uncommitted Balance as of 2/28/2015:** \$349,812

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 250,000        | 0        | 0        | 0        | 0        | 0        | 250,000        |
| Administration | 100,000        | 0        | 0        | 0        | 0        | 0        | 100,000        |
| Inspection     | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Equipment      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Building       | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>350,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>350,000</b> |

| FINANCING         | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|-------------------|----------------|----------|----------|----------|----------|----------|----------------|
| Midtown Park Fund | 350,000        | 0        | 0        | 0        | 0        | 0        | 350,000        |
| <b>Totals</b>     | <b>350,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>350,000</b> |

**FINANCE NOTES**

This project is on hold pending the outcome of the dissolution of the RDA. Close project at the end of the fiscal year, June 30, 2015.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project |                                         | Estimate Level |
|------------------|---------|-----------------------------------------|----------------|
| Park Improvement | 5093    | Park Master Plan Improvements - Phase I | 0              |

**CONTACT:** Michael Boitnott [3315]

**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides for the design of the first park renovation projects based on the Park Master Plan recommendations, priorities and financing plan.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$200,000

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 180,000    | 0       | 0       | 0       | 0       | 0       | 180,000 |
| Administration | 20,000     | 0       | 0       | 0       | 0       | 0       | 20,000  |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Other          | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 200,000    | 0       | 0       | 0       | 0       | 0       | 200,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Park Fund     | 200,000    | 0       | 0       | 0       | 0       | 0       | 200,000 |
| <b>Totals</b> | 200,000    | 0       | 0       | 0       | 0       | 0       | 200,000 |

**FINANCE NOTES**

Close project at the end of the fiscal year, June 30, 2015.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                           | Estimate Level |
|------------------|-----------------------------------|----------------|
| Park Improvement | 5095 Park Renovation Project 2013 | 1              |

**CONTACT:** Michael Boitnott [3315]

**PRIORITY:** Health and Safety Projects

**DESCRIPTION**

This project provides for safety and accessibility (ADA) improvements in accordance with the Park Master Plan. Renovations can include replacement of playground equipment, drinking fountains, reconstructing walkways and other park improvements, for safety and accessibility.

**COMMENTS:**

This project will also replace the tennis practice wall at Robert E. Browne Park.

**Uncommitted Balance as of 2/28/2015:** \$111,425

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 25,000         | 0        | 0        | 0        | 0        | 0        | 25,000         |
| Administration | 10,000         | 0        | 0        | 0        | 0        | 0        | 10,000         |
| Surveying      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Inspection     | 15,000         | 0        | 0        | 0        | 0        | 0        | 15,000         |
| Land           | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 350,000        | 0        | 0        | 0        | 0        | 0        | 350,000        |
| Equipment      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>400,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>400,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Park Fund     | 400,000        | 0        | 0        | 0        | 0        | 0        | 400,000        |
| <b>Totals</b> | <b>400,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>400,000</b> |

**FINANCE NOTES**

Close project at the end of the fiscal year, June 30, 2015.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project |                                 | Estimate Level |
|------------------|---------|---------------------------------|----------------|
| Park Improvement | 5096    | Pinewood Park Picnic Renovation | 1              |

**CONTACT:** Michael Boitnott [3315] / Arnold Chu [3312]

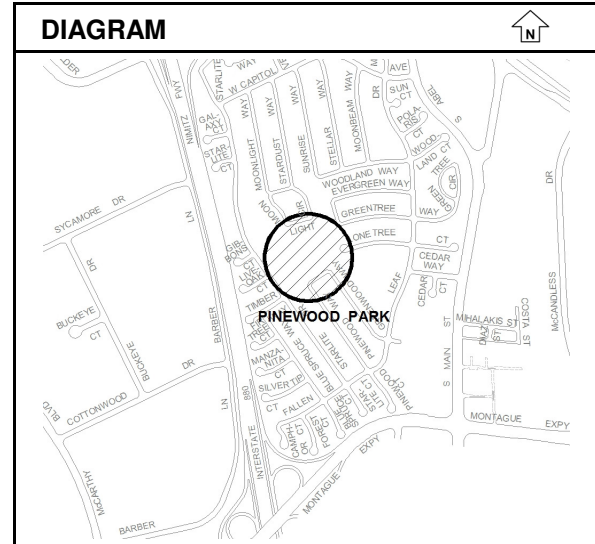
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of renovation improvements for various park elements at Pinewood Park. These include the large picnic area and perimeter landscaping, ADA compliance assessment and improvements, drainage, lighting, walkways, irrigation, and related improvements.

**COMMENTS:**

Pinewood Park is one of the City's oldest and heavily used parks and is in need of major renovation work.



**Uncommitted Balance as of 2/28/2015:** \$158,927

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 300,000          | 0        | 0        | 0        | 0        | 0        | 300,000          |
| Administration | 125,000          | 0        | 0        | 0        | 0        | 0        | 125,000          |
| Inspection     | 75,000           | 0        | 0        | 0        | 0        | 0        | 75,000           |
| Land           | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Improvements   | 1,500,000        | 0        | 0        | 0        | 0        | 0        | 1,500,000        |
| Other          | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| <b>Totals</b>  | <b>2,000,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,000,000</b> |

| FINANCING     | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|---------------|------------------|----------|----------|----------|----------|----------|------------------|
| Park Fund     | 2,000,000        | 0        | 0        | 0        | 0        | 0        | 2,000,000        |
| <b>Totals</b> | <b>2,000,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,000,000</b> |

**FINANCE NOTES**

Close project at the end of the fiscal year, June 30, 2015.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project |                                                     | Estimate Level |
|------------------|---------|-----------------------------------------------------|----------------|
| Park Improvement | 5097    | Higuera Adobe Park Picnic and Playground Renovation | 1              |

**CONTACT:** Michael Boitnott [3315]

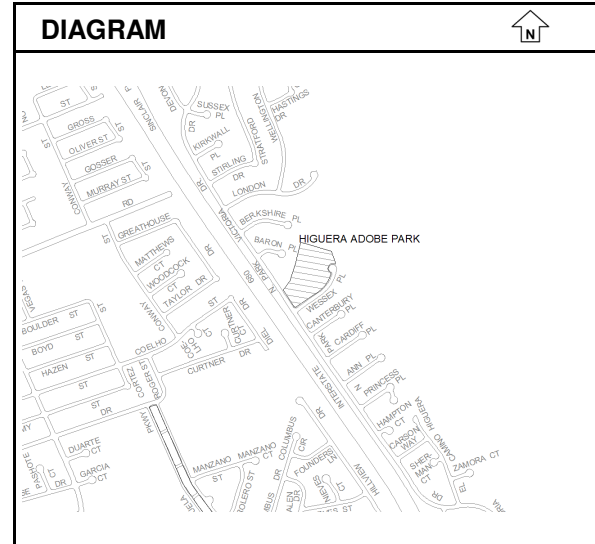
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the design and construction of renovation improvements of various park elements at the Higuera Adobe Park. This includes the large picnic area behind the adobe building, playground including shade structures, and surrounding area. The project will evaluate the maintenance to the care takers building, ADA compliance assessment and improvements, drainage, landscaping, walkways and related improvements.

**COMMENTS:**

Higuera Adobe Park is a Historical Site that is heavily used by large groups due to the rental opportunities of the Adobe building.



**Uncommitted Balance as of 2/28/2015:** \$1,987,123

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 325,000          | 0        | 0        | 0        | 0        | 0        | 325,000          |
| Administration | 60,000           | 0        | 0        | 0        | 0        | 0        | 60,000           |
| Inspection     | 50,000           | 0        | 0        | 0        | 0        | 0        | 50,000           |
| Improvements   | 1,565,000        | 0        | 0        | 0        | 0        | 0        | 1,565,000        |
| <b>Totals</b>  | <b>2,000,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,000,000</b> |

| FINANCING         | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|-------------------|------------------|----------|----------|----------|----------|----------|------------------|
| Midtown Park Fund | 1,000,000        | 0        | 0        | 0        | 0        | 0        | 1,000,000        |
| Park Fund         | 1,000,000        | 0        | 0        | 0        | 0        | 0        | 1,000,000        |
| <b>Totals</b>     | <b>2,000,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,000,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project |                                                  | Estimate Level |
|------------------|---------|--------------------------------------------------|----------------|
| Park Improvement | 5098    | Park Irrigation System Repair & Improvement 2014 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Improve the Quality of Life

**DESCRIPTION**

This project provides for the repair and replacement of park irrigation systems and related equipment in City Parks.

**COMMENTS:**

The City has over 25 parks thru out the City, and many of these have irrigation systems that are over 40 years old. These older systems are not well document, and are problematic to locate to for repair. The systems are inefficient and leak, and there are some that are no longer operational. Irrigation systems that do operate require a significant amount of maintenance to fix continuous line breaks or to adjust worn parts. The project would also provide for restoration of existing landscaping within the park.

**Uncommitted Balance as of 2/28/2015:** \$200,080

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 50,000         | 0        | 0        | 0        | 0        | 0        | 50,000         |
| Administration | 30,000         | 0        | 0        | 0        | 0        | 0        | 30,000         |
| Inspection     | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Improvements   | 200,000        | 0        | 0        | 0        | 0        | 0        | 200,000        |
| <b>Totals</b>  | <b>300,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>300,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Park Fund     | 300,000        | 0        | 0        | 0        | 0        | 0        | 300,000        |
| <b>Totals</b> | <b>300,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>300,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                           | Estimate Level |
|------------------|-----------------------------------|----------------|
| Park Improvement | 5099 Park Renovation Project 2015 | 1              |

**CONTACT:** Michael Boitnott [3315]

**PRIORITY:** Health and Safety Projects

**DESCRIPTION**

This project provides for safety and accessibility (ADA) improvements in accordance with the Park Master Plan. Renovations can include replacement of playground equipment, drinking fountains, reconstructing walkways and other park improvements, for safety and accessibility.

**COMMENTS:**

This project will also provide for the installation of two LED lights on existing PG&E poles along the park strip between Washington Dr. and Coelho St.

**Uncommitted Balance as of 2/28/2015:** \$245,999

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 50,000     | 0       | 0       | 0       | 0       | 0       | 50,000  |
| Administration | 25,000     | 0       | 0       | 0       | 0       | 0       | 25,000  |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 25,000     | 0       | 0       | 0       | 0       | 0       | 25,000  |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 200,000    | 0       | 0       | 0       | 0       | 0       | 200,000 |
| <b>Totals</b>  | 300,000    | 0       | 0       | 0       | 0       | 0       | 300,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Park Fund     | 300,000    | 0       | 0       | 0       | 0       | 0       | 300,000 |
| <b>Totals</b> | 300,000    | 0       | 0       | 0       | 0       | 0       | 300,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project                                                  | Estimate Level |
|------------------|----------------------------------------------------------|----------------|
| Park Improvement | 5100 Sports Center Skate Park & Fields Feasibility Study | 1              |

**CONTACT:** Steven Machida [3355] / Julie Waldron [3314]

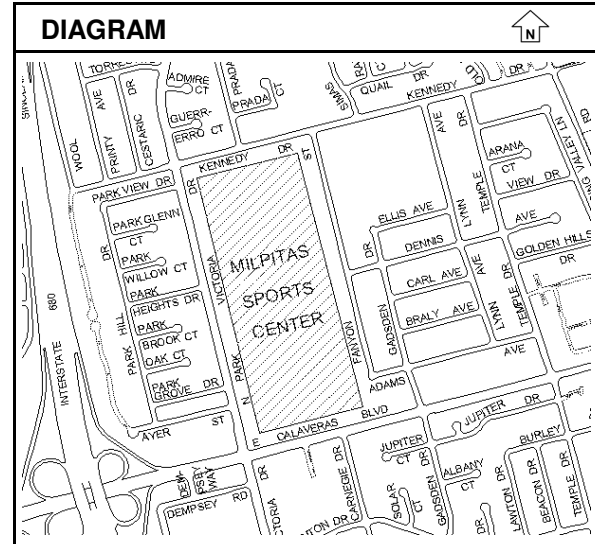
**PRIORITY:** Studies and Analyses

**DESCRIPTION**

This project will conduct a feasibility study to determine the size and location of the skate park and sports fields. The project will be constructed in phases. One of the two phase of the improvements would include a 12,000 sq.ft. skate structure, lighting, landscaping, drainage, hardscape and amenities. The other phase of the project would include reconfiguring the existing track and football field into a U-13 soccer field and football field and modifying the existing stadium lighting and bleaches to accommodate the relocated fields.

**COMMENTS:**

The sports fields and the skate park will each be a separate project.



**Uncommitted Balance as of 2/28/2015:** \$74,712

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 75,000         | 0        | 0        | 0        | 0        | 0        | 75,000         |
| Administration | 25,000         | 0        | 0        | 0        | 0        | 0        | 25,000         |
| Inspection     | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>100,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>100,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Park Fund     | 100,000        | 0        | 0        | 0        | 0        | 0        | 100,000        |
| <b>Totals</b> | <b>100,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>100,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category         | Project              | Estimate Level |
|------------------|----------------------|----------------|
| Park Improvement | 5102 McCandless Park | 1              |

**CONTACT:** Adam Petersen [3274] / Steven Machida [3355]

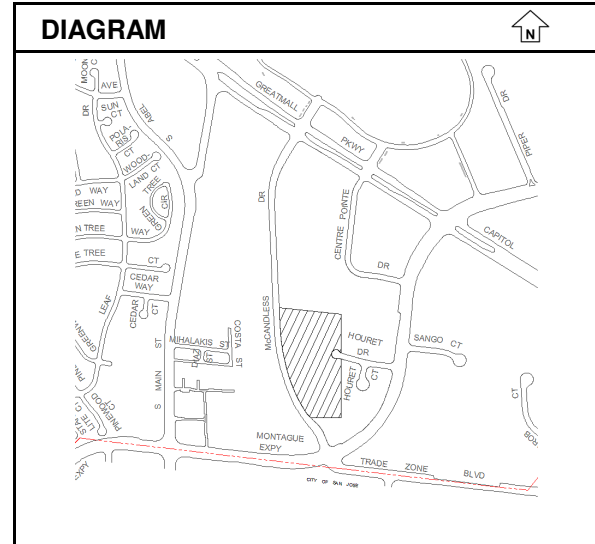
**PRIORITY:** Enhance Economic Development

**DESCRIPTION**

This project provides for a new public park adjacent a new MUSD elementary school located on McCandless drive in the Transit Area. The park will provide approximately 4 acres of City public park space, which will include play fields, athletic courts, parking, picnic area, play structure, and restrooms.

**COMMENTS:**

The first phase of this project is to coordinate the layout and schematic design of the new park with the adjoining MUSD elementary school to maximize both sites. The cost for construction, design and construction support services will be added once the schematic design phase is completed.



**Uncommitted Balance as of 2/28/2015:** \$0

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 250,000        | 0        | 0        | 0        | 0        | 0        | 250,000        |
| Administration | 50,000         | 0        | 0        | 0        | 0        | 0        | 50,000         |
| <b>Totals</b>  | <b>300,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>300,000</b> |

| FINANCING        | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|------------------|----------------|----------|----------|----------|----------|----------|----------------|
| TASP Impact Fees | 300,000        | 0        | 0        | 0        | 0        | 0        | 300,000        |
| <b>Totals</b>    | <b>300,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>300,000</b> |

**FINANCE NOTES**

City Council 4/7/15 project created.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project |                                           | Estimate Level |
|-------------------|---------|-------------------------------------------|----------------|
| Sewer Improvement | 6079    | Main Sewer Pump Station Site Improvements | 1              |

**CONTACT:** Michael Boitnott [3315]

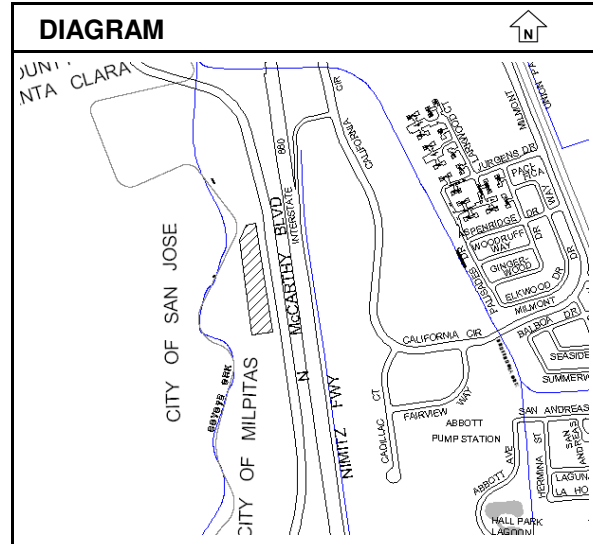
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides design and construction of drainage, pavement, lighting security and other improvements at the Main Sewer Pump Station (SPS). This project also involves the removal of the existing abandoned facilities, tanks, miscellaneous piping and control panels that were once part of the sewage treatment facility. In addition, this project acquires a 70' wide strip of right-of-way between McCarthy Blvd and the Main Sewer Pump Station, through a no-cost land exchange with adjacent property owner.

**COMMENTS:**

This site will be improved to accommodate the relocated Public Works Corp Yard at Main St., allowing the construction of the new Library project. This site contained several abandoned treatment plant structures. Phase I, completed in 2005, included demolition and removal of abandoned facilities and hazardous materials. The remaining work includes lighting, security improvements canopies for vehicle storage and photo voltaic equipment.



**Uncommitted Balance as of 2/28/2015:**

\$142,058

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 350,000          | 0        | 0        | 0        | 0        | 0        | 350,000          |
| Administration | 105,000          | 0        | 0        | 0        | 0        | 0        | 105,000          |
| Surveying      | 9,000            | 0        | 0        | 0        | 0        | 0        | 9,000            |
| Inspection     | 151,000          | 0        | 0        | 0        | 0        | 0        | 151,000          |
| Land           | 500,000          | 0        | 0        | 0        | 0        | 0        | 500,000          |
| Improvements   | 1,187,000        | 0        | 0        | 0        | 0        | 0        | 1,187,000        |
| Equipment      | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Other          | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| <b>Totals</b>  | <b>2,302,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,302,000</b> |

| FINANCING                     | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|-------------------------------|------------------|----------|----------|----------|----------|----------|------------------|
| Sewer Treatment Fund          | 320,000          | 0        | 0        | 0        | 0        | 0        | 320,000          |
| Sewer Fund                    | 285,000          | 0        | 0        | 0        | 0        | 0        | 285,000          |
| RDA Fund                      | 145,000          | 0        | 0        | 0        | 0        | 0        | 145,000          |
| 2003 RDA Tax Allocation Bonds | 1,552,000        | 0        | 0        | 0        | 0        | 0        | 1,552,000        |
| <b>Totals</b>                 | <b>2,302,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,302,000</b> |

**FINANCE NOTES**

\$448,000 2003 TAB removed due to the dissolution of the RDA.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                      | Estimate Level |
|-------------------|------------------------------|----------------|
| Sewer Improvement | 6106 Sewer Replacement Study | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves field determination of the remaining useful life of the following sewer pipes: 360 linear feet of 42 inch RCP crossing I-880 at the Main Lift Station, 490 linear feet of 42 inch RCP at Cadillac Court and I-880, 310 linear feet of 42 inch RCP at Milmont near Penitencia Creek, 5,400 linear feet of 33-42 inch RCP along Milpitas Blvd between Hidden Lakes and Midwick, 90 linear feet of 24 inch RCP at Folsom and Hetch-Hetchy crossing, 1,500 linear feet of 30 inch RCP between Folsom and Escuela, and 170 linear feet of 12 inch RCP at Dempsey. The first priority includes review of the steel forcemain, Balboa Crossing, and the UPRR crossing south of Calaveras.

**COMMENTS:**

The Schaaf and Wheeler 2002 Depreciation Study has estimated the remaining life of the existing sewer infrastructure. This work is to field determine the condition of sewers and verify need to replace those sewers identified as having an estimated useful life ending by 2008. The study will refine the scope of work and costs, and prioritize these projects. The project will also include updating the sanitary sewer portion of the Financial Utility Master Plan.

**Uncommitted Balance as of 2/28/2015:** \$20,761

| ESTIMATED COST | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|----------------|---------------|----------|----------|----------|----------|----------|---------------|
| Design         | 65,000        | 0        | 0        | 0        | 0        | 0        | 65,000        |
| Administration | 15,000        | 0        | 0        | 0        | 0        | 0        | 15,000        |
| Surveying      | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Inspection     | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Land           | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Improvements   | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Equipment      | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Other          | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| <b>Totals</b>  | <b>80,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>80,000</b> |

| FINANCING     | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|---------------|---------------|----------|----------|----------|----------|----------|---------------|
| Sewer Fund    | 80,000        | 0        | 0        | 0        | 0        | 0        | 80,000        |
| <b>Totals</b> | <b>80,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>80,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                  | Estimate Level |
|-------------------|--------------------------|----------------|
| Sewer Improvement | 6109 Sewer Seismic Study | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Studies and Analyses

**DESCRIPTION**

This study includes evaluation of the various soil conditions in Milpitas, and existing sanitary sewer collection system. Recommendations may include new joint construction methods and retrofits at critical sites. The study will also recommend emergency response strategies for Public Works, during and after a major earthquake.

**COMMENTS:**

A substantial portion of the Valley Floor is subject to soil liquefaction during earthquakes. Movement of these pipes will cause pipe joints to pull apart. Large pipe joint displacements may lead to blockages, sinkholes, and sewer overflows, leading to health concerns. Improvement recommendations will be programmed under separate capital improvement projects.

**Uncommitted Balance as of 2/28/2015:** \$50,742

| ESTIMATED COST        | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|-----------------------|---------------|----------|----------|----------|----------|----------|---------------|
| Design                | 60,000        | 0        | 0        | 0        | 0        | 0        | 60,000        |
| Surveying             | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Inspection            | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Land                  | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Improvements          | 10,000        | 0        | 0        | 0        | 0        | 0        | 10,000        |
| Other                 | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| Construction Reserves | 0             | 0        | 0        | 0        | 0        | 0        | 0             |
| <b>Totals</b>         | <b>70,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>70,000</b> |

| FINANCING     | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|---------------|---------------|----------|----------|----------|----------|----------|---------------|
| Sewer Fund    | 70,000        | 0        | 0        | 0        | 0        | 0        | 70,000        |
| <b>Totals</b> | <b>70,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>70,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project |                                 | Estimate Level |
|-------------------|---------|---------------------------------|----------------|
| Sewer Improvement | 6110    | Sewer System Hydraulic Modeling | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Studies and Analyses

**DESCRIPTION**

This project provides for ongoing hydraulic modeling of the sanitary sewer system as needed for Public works operations and capacity impacts from new developments.

**COMMENTS:**

Modeling allows verification of existing and future pipe capacity, and capacity reduction due to pipe settlement. Modeling analysis is reimbursed by developers, when analysis is performed to determine project impacts to sewer collection system.

**Uncommitted Balance as of 2/28/2015:** \$185,113

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 250,000    | 0       | 0       | 0       | 0       | 0       | 250,000 |
| Administration | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Other          | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 250,000    | 0       | 0       | 0       | 0       | 0       | 250,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Sewer Fund    | 250,000    | 0       | 0       | 0       | 0       | 0       | 250,000 |
| <b>Totals</b> | 250,000    | 0       | 0       | 0       | 0       | 0       | 250,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project |                           | Estimate Level |
|-------------------|---------|---------------------------|----------------|
| Sewer Improvement | 6114    | Minor Sewer Projects 2011 | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the ongoing analysis, engineering and implementation of various minor modifications and improvements to the existing sewer system which arise during the year.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$31,349

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|----------------|------------|---------|---------|---------|---------|---------|--------|
| Design         | 6,000      | 0       | 0       | 0       | 0       | 0       | 6,000  |
| Administration | 3,000      | 0       | 0       | 0       | 0       | 0       | 3,000  |
| Inspection     | 3,000      | 0       | 0       | 0       | 0       | 0       | 3,000  |
| Improvements   | 23,000     | 0       | 0       | 0       | 0       | 0       | 23,000 |
| <b>Totals</b>  | 35,000     | 0       | 0       | 0       | 0       | 0       | 35,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|---------------|------------|---------|---------|---------|---------|---------|--------|
| Sewer Fund    | 35,000     | 0       | 0       | 0       | 0       | 0       | 35,000 |
| <b>Totals</b> | 35,000     | 0       | 0       | 0       | 0       | 0       | 35,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                             | Estimate Level |
|-------------------|-------------------------------------|----------------|
| Sewer Improvement | 6115 Sewer System Replacement 11-12 | 1              |

**CONTACT:** Michael Boitnott [3315]

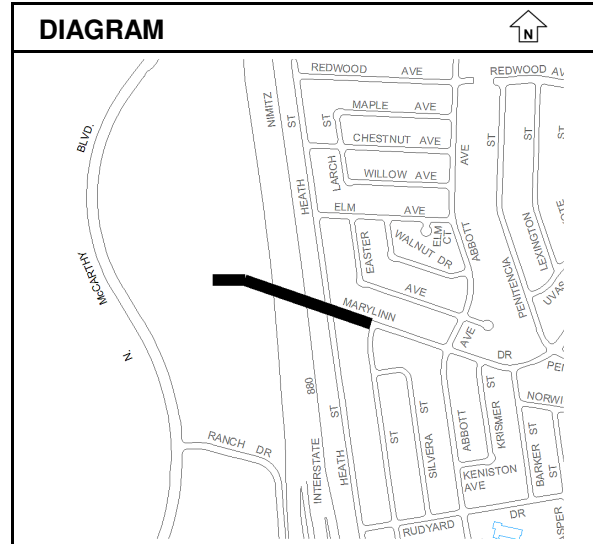
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the replacement of the highest priority facilities, including upgrades to the Sewer Pump Stations, forecmain, and seismic retrofit work. The replacement prioritization is based on several factors including age, type of pipe material, soil conditions and physical evaluation based on video camera observations.

**COMMENTS:**

This project is combination with project 6116 will replace the existing 27" sewer main that extends along Marylinn Drive and under I-880. The line is required to be realigned to allow the sewer to continue flow during construction of the new line since a temporary bypass could not be achieved. Additionally at the crossing of I-880, Caltrans requires new crossings to be installed perpendicular to the freeway.



**Uncommitted Balance as of 2/28/2015:** \$1,311,832

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 260,000          | 0        | 0        | 0        | 0        | 0        | 260,000          |
| Administration | 95,000           | 0        | 0        | 0        | 0        | 0        | 95,000           |
| Surveying      | 20,000           | 0        | 0        | 0        | 0        | 0        | 20,000           |
| Inspection     | 40,000           | 0        | 0        | 0        | 0        | 0        | 40,000           |
| Improvements   | 1,335,000        | 0        | 0        | 0        | 0        | 0        | 1,335,000        |
| Equipment      | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| <b>Totals</b>  | <b>1,750,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,750,000</b> |

| FINANCING     | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|---------------|------------------|----------|----------|----------|----------|----------|------------------|
| Sewer Fund    | 1,750,000        | 0        | 0        | 0        | 0        | 0        | 1,750,000        |
| <b>Totals</b> | <b>1,750,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,750,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                          | Estimate Level |
|-------------------|----------------------------------|----------------|
| Sewer Improvement | 6117 TASP Sewer Line Replacement | 1              |

**CONTACT:** Steve Erickson [3301]

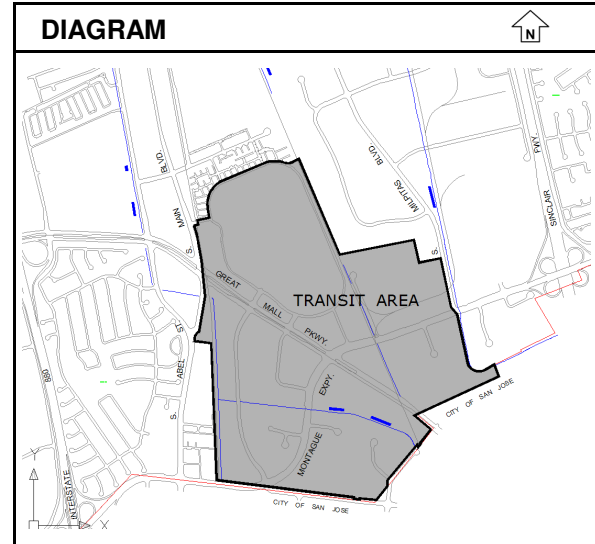
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project constructs sewer pipeline upgrade projects 11A-D as described in the 2009 Sewer Master Plan: Project 11A: South Main, North of Great Mall Parkway Project 11B: Great Mall Parkway between South Main and Montague Expressway Project 11C: Montague Expressway Project 11D South Main Street, South of Great Mall Parkway

**COMMENTS:**

The City's sewer collection system is at full capacity within the Transit Area Specific Plan area. Construction of these sewer pipeline upgrades provide sufficient capacity for planned development.



**Uncommitted Balance as of 2/28/2015:** \$2,500,000

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 500,000          | 0        | 0        | 0        | 0        | 0        | 500,000          |
| Administration | 25,000           | 0        | 0        | 0        | 0        | 0        | 25,000           |
| Inspection     | 25,000           | 0        | 0        | 0        | 0        | 0        | 25,000           |
| Improvements   | 1,950,000        | 0        | 0        | 0        | 0        | 0        | 1,950,000        |
| <b>Totals</b>  | <b>2,500,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,500,000</b> |

| FINANCING     | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|---------------|------------------|----------|----------|----------|----------|----------|------------------|
| Sewer Fund    | 2,500,000        | 0        | 0        | 0        | 0        | 0        | 2,500,000        |
| <b>Totals</b> | <b>2,500,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>2,500,000</b> |

**FINANCE NOTES**

The TASP Fund is going to reimburse Developers directly rather than the CIP.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category          | Project                        | Estimate Level |
|-------------------|--------------------------------|----------------|
| Sewer Improvement | 6120 Minor Sewer Projects 2015 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the ongoing analysis, engineering and implementation of various minor modifications and improvements to the existing sewer system which arise during the year.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$350,000

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 50,000     | 0       | 0       | 0       | 0       | 0       | 50,000  |
| Administration | 25,000     | 0       | 0       | 0       | 0       | 0       | 25,000  |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 10,000     | 0       | 0       | 0       | 0       | 0       | 10,000  |
| Improvements   | 265,000    | 0       | 0       | 0       | 0       | 0       | 265,000 |
| <b>Totals</b>  | 350,000    | 0       | 0       | 0       | 0       | 0       | 350,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Sewer Fund    | 350,000    | 0       | 0       | 0       | 0       | 0       | 350,000 |
| <b>Totals</b> | 350,000    | 0       | 0       | 0       | 0       | 0       | 350,000 |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                                         | Estimate Level |
|----------|-------------------------------------------------|----------------|
| Water    | 7102 Ayer Reservoir & Pump Station Improvements | 1              |

**CONTACT:** Michael Boitnott [3315] / Steve Erickson [3301]

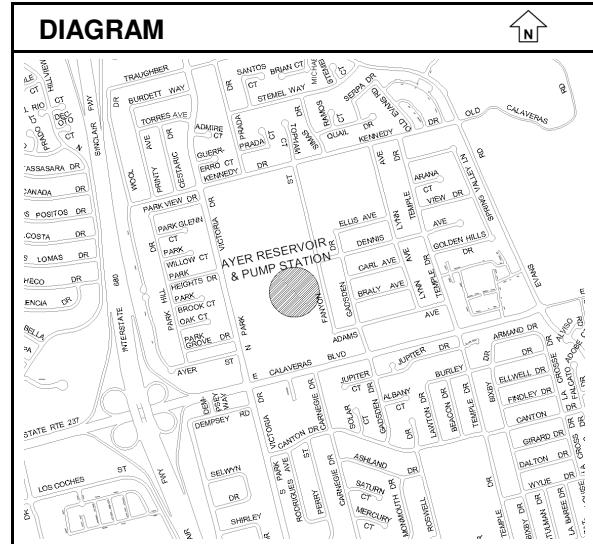
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides several improvements to the Ayer Reservoir and Pump Station located behind the Milpitas Sports Center. The overflow structure has settled and needs to be re-plumbed to the sanitary sewer system. Scope also includes sealing concrete floors (in pipe gallery, pump room, and control room), replacing manual hoist with electric, and various electrical and mechanical repairs and/or improvements. The project will also replace or upgrade the electric pumps, control systems, and various seismic improvements.

**COMMENTS:**

The pump station is a critical water supply facility that has been in service for over 15 years. These improvements are required, in order to assure continued reliability. The first phase is replacing the variable frequency drives and rehabilitate/replace pumps and motors.



**Uncommitted Balance as of 2/28/2015:** \$391,198

| ESTIMATED COST | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|----------------|------------------|----------|----------|----------|----------|----------|------------------|
| Design         | 180,000          | 0        | 0        | 0        | 0        | 0        | 180,000          |
| Administration | 26,000           | 0        | 0        | 0        | 0        | 0        | 26,000           |
| Surveying      | 6,000            | 0        | 0        | 0        | 0        | 0        | 6,000            |
| Inspection     | 10,000           | 0        | 0        | 0        | 0        | 0        | 10,000           |
| Land           | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Improvements   | 828,000          | 0        | 0        | 0        | 0        | 0        | 828,000          |
| Equipment      | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| Other          | 0                | 0        | 0        | 0        | 0        | 0        | 0                |
| <b>Totals</b>  | <b>1,050,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,050,000</b> |

| FINANCING     | Prior Year       | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total            |
|---------------|------------------|----------|----------|----------|----------|----------|------------------|
| Water Fund    | 1,050,000        | 0        | 0        | 0        | 0        | 0        | 1,050,000        |
| <b>Totals</b> | <b>1,050,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>1,050,000</b> |

**FINANCE NOTES**

March 1, 2011 Council Meeting - Budget Appropriation of \$650,000 from the Water Fund.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                 | Estimate Level |
|----------|---------|---------------------------------|----------------|
| Water    | 7108    | Water System Hydraulic Modeling | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Studies and Analyses

**DESCRIPTION**

This project provides for miscellaneous hydraulic modeling of the water system, including impacts from new developments. This project also creates the City's first hydraulic model for the recycled water system. This computer model can be used in order to handle and direct field water system operations during an emergency.

**COMMENTS:**

Modeling is also necessary to verify pipe capacity, system pressure analysis and assists in analyzing fire flow pressure with planned water line shut offs. Some costs may be reimbursable by developers.

**Uncommitted Balance as of 2/28/2015:** \$120,529

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 200,000    | 0       | 0       | 0       | 0       | 0       | 200,000 |
| Administration | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Other          | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 200,000    | 0       | 0       | 0       | 0       | 0       | 200,000 |

| FINANCING           | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------------|------------|---------|---------|---------|---------|---------|---------|
| Recycled Water Fund | 100,000    | 0       | 0       | 0       | 0       | 0       | 100,000 |
| Water Fund          | 100,000    | 0       | 0       | 0       | 0       | 0       | 100,000 |
| <b>Totals</b>       | 200,000    | 0       | 0       | 0       | 0       | 0       | 200,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                | Estimate Level |
|----------|---------|--------------------------------|----------------|
| Water    | 7109    | Water System Replacement 08-09 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the repair or rehabilitation of the highest priority water facilities identified in the 2002 Water Main Replacement Study during the 08-09 fiscal year.

**COMMENTS:**

The first phase of this project is to replace broken valves throughout the distribution system.

**Uncommitted Balance as of 2/28/2015:** \$580,282

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 60,000         | 0        | 0        | 0        | 0        | 0        | 60,000         |
| Administration | 45,000         | 0        | 0        | 0        | 0        | 0        | 45,000         |
| Surveying      | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Inspection     | 40,000         | 0        | 0        | 0        | 0        | 0        | 40,000         |
| Land           | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 535,000        | 0        | 0        | 0        | 0        | 0        | 535,000        |
| Equipment      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Other          | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>700,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>700,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Water Fund    | 700,000        | 0        | 0        | 0        | 0        | 0        | 700,000        |
| <b>Totals</b> | <b>700,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>700,000</b> |

**FINANCE NOTES**

Close project at the end of the fiscal year, June 30, 2015.

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                           | Estimate Level |
|----------|---------|---------------------------|----------------|
| Water    | 7111    | Minor Water Projects 2011 | 1              |

**CONTACT:** Steven Machida [3355]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This ongoing project involves the analysis and implementation of various water projects which arise during the year. This project also provides for ongoing modifications and improvements to existing water system including enhancing security at various water facilities.

**COMMENTS:**

This project involves the installation of two new gate valves on the water main, near Brian Court and Santos Court. These valves allow better isolation of the water system during waterline shut-offs. Water shut-offs may occur during routine and emergency repairs of the main water line, fire hydrants, or air and pressure relief valves. The project will also include updating the water portion of the Financial Utility Master Plan.

**Uncommitted Balance as of 2/28/2015:** \$37,533

| ESTIMATED COST | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|----------------|---------------|----------|----------|----------|----------|----------|---------------|
| Design         | 5,000         | 0        | 0        | 0        | 0        | 0        | 5,000         |
| Improvements   | 90,000        | 0        | 0        | 0        | 0        | 0        | 90,000        |
| <b>Totals</b>  | <b>95,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>95,000</b> |

| FINANCING     | Prior Year    | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total         |
|---------------|---------------|----------|----------|----------|----------|----------|---------------|
| Water Fund    | 95,000        | 0        | 0        | 0        | 0        | 0        | 95,000        |
| <b>Totals</b> | <b>95,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>95,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                 | Estimate Level |
|----------|-------------------------|----------------|
| Water    | 7112 Reservoir Cleaning | 1              |

**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides for the periodic interior cleaning of the new City's water system reservoirs.

**COMMENTS:**

The Hillside Reservoirs were last cleaned in 2002-2003 and Valley Floor Reservoirs were cleaned in 2004-05. Reservoirs should be cleaned every five years to eight years.

**Uncommitted Balance as of 2/28/2015:** \$150,000

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Administration | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Equipment      | 150,000    | 0       | 0       | 0       | 0       | 0       | 150,000 |
| <b>Totals</b>  | 150,000    | 0       | 0       | 0       | 0       | 0       | 150,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Water Fund    | 150,000    | 0       | 0       | 0       | 0       | 0       | 150,000 |
| <b>Totals</b> | 150,000    | 0       | 0       | 0       | 0       | 0       | 150,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                   | Estimate Level |
|----------|---------------------------|----------------|
| Water    | 7113 Turnout Improvements | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves sandblasting and recoating all water system turnout apparatus. It also involves testing and replacement of antiquated valves. There are four turnouts on San Francisco PUC water system and one on the Santa Clara Valley Water District water system. The valves vary in size from 12" to 16".

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$150,000

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 10,000         | 0        | 0        | 0        | 0        | 0        | 10,000         |
| Administration | 5,000          | 0        | 0        | 0        | 0        | 0        | 5,000          |
| Surveying      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Inspection     | 10,000         | 0        | 0        | 0        | 0        | 0        | 10,000         |
| Land           | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 125,000        | 0        | 0        | 0        | 0        | 0        | 125,000        |
| Equipment      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Other          | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>150,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>150,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Water Fund    | 150,000        | 0        | 0        | 0        | 0        | 0        | 150,000        |
| <b>Totals</b> | <b>150,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>150,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                      | Estimate Level |
|----------|------------------------------|----------------|
| Water    | 7114 Water Meter Replacement | 1              |

**CONTACT:** Jane Corpus [3125] / Steven Machida [3355]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project will replace 42 water meters located in median islands and planter strips along high traffic roadways. The new meters will be equipped with radio transmitters allowing the meters to be read remotely, removing the need for meters to be directly read.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$44,801

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|----------------|------------|---------|---------|---------|---------|---------|--------|
| Design         | 6,000      | 0       | 0       | 0       | 0       | 0       | 6,000  |
| Administration | 12,000     | 0       | 0       | 0       | 0       | 0       | 12,000 |
| Inspection     | 4,000      | 0       | 0       | 0       | 0       | 0       | 4,000  |
| Improvements   | 53,000     | 0       | 0       | 0       | 0       | 0       | 53,000 |
| <b>Totals</b>  | 75,000     | 0       | 0       | 0       | 0       | 0       | 75,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total  |
|---------------|------------|---------|---------|---------|---------|---------|--------|
| Water Fund    | 75,000     | 0       | 0       | 0       | 0       | 0       | 75,000 |
| <b>Totals</b> | 75,000     | 0       | 0       | 0       | 0       | 0       | 75,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                               | Estimate Level |
|----------|---------------------------------------|----------------|
| Water    | 7115 Cathodic Protection Improvements | 1              |

**CONTACT:** Arnold Chu [3312] / Julie Waldron [3314]

**PRIORITY:** Projects Which Avoid Future Additional Costs

**DESCRIPTION**

This project provides an evaluation study and installation of corrosion monitoring station and recommendations for retrofit or anode replacement. The project will also provide for upgrades of deficiencies defined in the evaluation study.

**COMMENTS:**

The soils have been found to be highly corrosive at certain locations in Milpitas. Corrosive soils are detrimental to steel pipes in the water distribution system.

**Uncommitted Balance as of 2/28/2015:** \$97,631

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 100,000        | 0        | 0        | 0        | 0        | 0        | 100,000        |
| Administration | 50,000         | 0        | 0        | 0        | 0        | 0        | 50,000         |
| Surveying      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Inspection     | 50,000         | 0        | 0        | 0        | 0        | 0        | 50,000         |
| Land           | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 525,000        | 0        | 0        | 0        | 0        | 0        | 525,000        |
| Equipment      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Other          | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>725,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>725,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Water Fund    | 725,000        | 0        | 0        | 0        | 0        | 0        | 725,000        |
| <b>Totals</b> | <b>725,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>725,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                           | Estimate Level |
|----------|---------|---------------------------|----------------|
| Water    | 7116    | Minor Water Projects 2013 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This on-going project involves the analysis and implementation of various water projects which arise during the year. This project also provides for on-going modifications and improvements to existing water system including enhancing security at various water facilities.

**COMMENTS:**

This project involves site improvements at Pinewood Well to be constructed along with the park upgrades

**Uncommitted Balance as of 2/28/2015:** \$11,246

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 5,000      | 0       | 0       | 0       | 0       | 0       | 5,000   |
| Administration | 10,000     | 0       | 0       | 0       | 0       | 0       | 10,000  |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 135,000    | 0       | 0       | 0       | 0       | 0       | 135,000 |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| <b>Totals</b>  | 150,000    | 0       | 0       | 0       | 0       | 0       | 150,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Water Fund    | 150,000    | 0       | 0       | 0       | 0       | 0       | 150,000 |
| <b>Totals</b> | 150,000    | 0       | 0       | 0       | 0       | 0       | 150,000 |

**FINANCE NOTES**

**City of Milpitas**

Category

7117

## Abel Street Pipeline Extension

### Estimate Level

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1

**PRIORITY:** Health and Safety Projects

This project installs 300 linear feet of 12-inch pipe to connect three "dead-end" pipes, one on Abel Street and two on Carlo Street. This improvement will improve water pressure and water quality through improved system circulation.

This is identified in Section 6.3.4.4 of the 2009 Water Master Plan Update.



**Uncommitted Balance as of 2/28/2015:**

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 50,000     | 0       | 0       | 0       | 0       | 0       | 50,000  |
| Administration | 20,000     | 0       | 0       | 0       | 0       | 0       | 20,000  |
| Surveying      | 20,000     | 0       | 0       | 0       | 0       | 0       | 20,000  |
| Inspection     | 60,000     | 0       | 0       | 0       | 0       | 0       | 60,000  |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 200,000    | 0       | 0       | 0       | 0       | 0       | 200,000 |
| Equipment      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Other          | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Totals         | 350,000    | 0       | 0       | 0       | 0       | 0       | 350,000 |

[illegible]

## FINANCE NOTES

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                            | Estimate Level |
|----------|---------|--------------------------------------------|----------------|
| Water    | 7119    | Sunnyhills Turnout Pressure Reducing Valve | 1              |

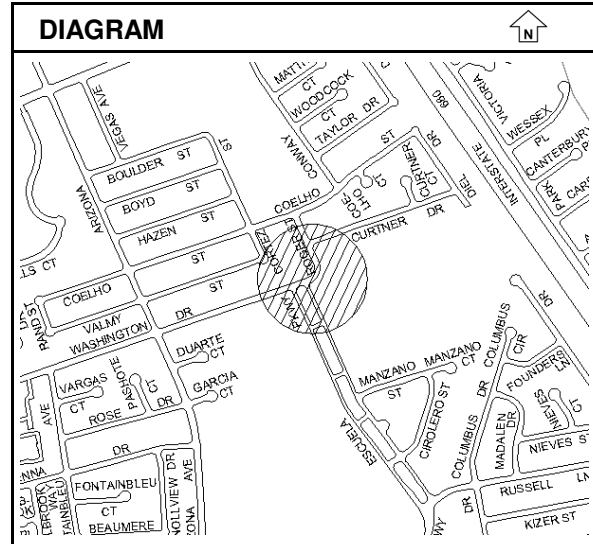
**CONTACT:** Marilyn Nickel [3347]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project involves the installation of a pressure reducing valve at the Sunnyhills Turnout. This improvement is identified as insert 6.3.4.1 in the 2009 Water Master Plan Update.

**COMMENTS:**



**Uncommitted Balance as of 2/28/2015:** \$600,000

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 50,000         | 0        | 0        | 0        | 0        | 0        | 50,000         |
| Administration | 30,000         | 0        | 0        | 0        | 0        | 0        | 30,000         |
| Surveying      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Inspection     | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Land           | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 500,000        | 0        | 0        | 0        | 0        | 0        | 500,000        |
| Equipment      | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Other          | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>600,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>600,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Water Fund    | 600,000        | 0        | 0        | 0        | 0        | 0        | 600,000        |
| <b>Totals</b> | <b>600,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>600,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                          | Estimate Level |
|----------|----------------------------------|----------------|
| Water    | 7120 Water Supply Blending Study | 1              |

**CONTACT:** Marilyn Nickel [3347]

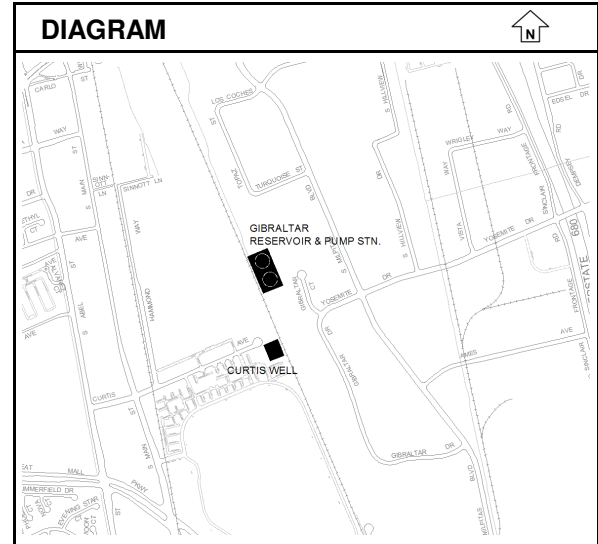
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project provides an engineering study to analyze the feasibility and cost benefits of connecting the Curtis Avenue ground water well to Gibraltar Reservoir and pump station for the purpose of blending well water with SC VWD and Hetch-Hetchy water, and blending of the two wholesale water supplies.

**COMMENTS:**

Ground water has a higher mineral content, and by mixing with SCVWD and/or Hetch-Hetchy, the water quality can be improved.



**Uncommitted Balance as of 2/28/2015:** \$83,490

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 80,000         | 0        | 0        | 0        | 0        | 0        | 80,000         |
| Administration | 20,000         | 0        | 0        | 0        | 0        | 0        | 20,000         |
| Inspection     | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Improvements   | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| Building       | 0              | 0        | 0        | 0        | 0        | 0        | 0              |
| <b>Totals</b>  | <b>100,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>100,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Water Fund    | 100,000        | 0        | 0        | 0        | 0        | 0        | 100,000        |
| <b>Totals</b> | <b>100,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>100,000</b> |

**FINANCE NOTES**



**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                        | Estimate Level |
|----------|---------|----------------------------------------|----------------|
| Water    | 7122    | Daniel Court Water Service Replacement | 1              |

**CONTACT:** Steven Machida [3355]

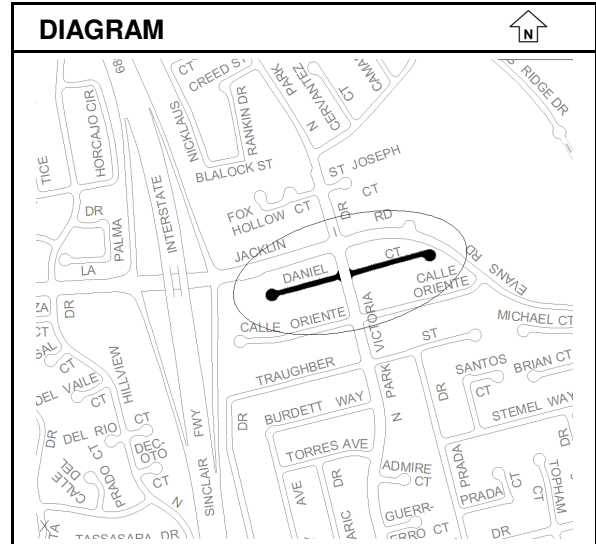
**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This project will replace approximately 1,300 feet of 4-inch cast iron water services with 4-inch PVC services on Daniel Court (east and west of N. Park Victoria)

**COMMENTS:**

The 4-inch water service laterals serving the apartments on Daniel Court have been experiencing numerous breaks over the last few years. To minimize the inconvenience to the residents and reduce the potential liability and water loss, all of the services are scheduled to be replaced with 4-inch PVC pipe.



**Uncommitted Balance as of 2/28/2015:** \$525,000

| ESTIMATED COST | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|----------------|----------------|----------|----------|----------|----------|----------|----------------|
| Design         | 100,000        | 0        | 0        | 0        | 0        | 0        | 100,000        |
| Administration | 50,000         | 0        | 0        | 0        | 0        | 0        | 50,000         |
| Inspection     | 25,000         | 0        | 0        | 0        | 0        | 0        | 25,000         |
| Improvements   | 350,000        | 0        | 0        | 0        | 0        | 0        | 350,000        |
| <b>Totals</b>  | <b>525,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>525,000</b> |

| FINANCING     | Prior Year     | 2015-16  | 2016-17  | 2017-18  | 2018-19  | 2019-20  | Total          |
|---------------|----------------|----------|----------|----------|----------|----------|----------------|
| Water Fund    | 525,000        | 0        | 0        | 0        | 0        | 0        | 525,000        |
| <b>Totals</b> | <b>525,000</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>0</b> | <b>525,000</b> |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project                        | Estimate Level |
|----------|--------------------------------|----------------|
| Water    | 7123 Minor Water Projects 2015 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Rehabilitation of Existing Capital Assets or Systems

**DESCRIPTION**

This ongoing project involves the analysis and implementation of various water projects which arise during the year. This project also provides for ongoing modifications and improvements to existing water system including enhancing security at various water facilities. This project provides for the design and construction of site improvements including paint tank reservoir, landscape restoration and other related improvements, approximately 8,000 sq ft of pavement resurfacing at the Minnis Reservoir site.

**COMMENTS:**

**Uncommitted Balance as of 2/28/2015:** \$105,000

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 5,000      | 0       | 0       | 0       | 0       | 0       | 5,000   |
| Administration | 5,000      | 0       | 0       | 0       | 0       | 0       | 5,000   |
| Inspection     | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 95,000     | 0       | 0       | 0       | 0       | 0       | 95,000  |
| <b>Totals</b>  | 105,000    | 0       | 0       | 0       | 0       | 0       | 105,000 |

| FINANCING     | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------|------------|---------|---------|---------|---------|---------|---------|
| Water Fund    | 105,000    | 0       | 0       | 0       | 0       | 0       | 105,000 |
| <b>Totals</b> | 105,000    | 0       | 0       | 0       | 0       | 0       | 105,000 |

**FINANCE NOTES**

**City of Milpitas**  
**2015-20 CAPITAL IMPROVEMENT PROGRAM**

| Category | Project |                                            | Estimate Level |
|----------|---------|--------------------------------------------|----------------|
| Water    | 7124    | Water System Air Relief Modifications 2015 | 1              |

**CONTACT:** Steve Erickson [3301]

**PRIORITY:** Health and Safety Projects

**DESCRIPTION**

This project retrofits existing air relief valves which are currently located below ground level to vaults above ground level. This work is mandated by the California Department of Public Health, under State Code, Title 22, Chapter 16. The purpose of placing valves above ground is to eliminate the possibility of water system contamination by backflow into valves during flooding.

**COMMENTS:**

Approximately 250 sites throughout the City have been identified for retrofitting. 150 of the highest priority sites have been completed.

**Uncommitted Balance as of 2/28/2015:** \$350,000

| ESTIMATED COST | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|----------------|------------|---------|---------|---------|---------|---------|---------|
| Design         | 35,000     | 0       | 0       | 0       | 0       | 0       | 35,000  |
| Administration | 25,000     | 0       | 0       | 0       | 0       | 0       | 25,000  |
| Surveying      | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Inspection     | 20,000     | 0       | 0       | 0       | 0       | 0       | 20,000  |
| Land           | 0          | 0       | 0       | 0       | 0       | 0       | 0       |
| Improvements   | 270,000    | 0       | 0       | 0       | 0       | 0       | 270,000 |
| <b>Totals</b>  | 350,000    | 0       | 0       | 0       | 0       | 0       | 350,000 |

| FINANCING                 | Prior Year | 2015-16 | 2016-17 | 2017-18 | 2018-19 | 2019-20 | Total   |
|---------------------------|------------|---------|---------|---------|---------|---------|---------|
| Water Line Extension Fund | 350,000    | 0       | 0       | 0       | 0       | 0       | 350,000 |
| <b>Totals</b>             | 350,000    | 0       | 0       | 0       | 0       | 0       | 350,000 |

**FINANCE NOTES**

## **APPENDIX A**

### **ESTIMATE LEVEL DESCRIPTIONS**

The following are detailed descriptions for each of the three estimate levels used in this document:

#### **Estimate Level 1 – Conceptual Estimate**

This level of estimating is the least accurate and is used when the conceptual idea or plan has been prepared without precise details. Examples of such would be freeway interchanges prior to completion of any plans (and estimates based thereon), projects where final location is unknown and right-of-way or land costs are involved.

#### **Estimate Level 2 – Detailed Estimate**

This level of estimating is based on an approved design plan or conceptual plan which has some level of assurance that the items contained within are complete and acceptable to the approving agency. Examples of this category are most street projects where City staff has prepared estimated based on typical street structural and geometric details, using experienced bid prices. Other examples are water or sewer lines that have been proposed and identified with estimates in consultant reports.

#### **Estimate Level 3 – Design Estimate**

This is the highest level of estimating and is based on a completed set of design drawings and specifications that are ready for bidding. This level is what could also be called the bid or engineer's estimate.

## **APPENDIX B**

### **ABBREVIATIONS - DEFINITIONS**

|       |                                             |
|-------|---------------------------------------------|
| ABAG  | Association of Bay Area Governments         |
| AC    | Asphalt Concrete                            |
| ADA   | Americans with Disabilities Act.            |
| CAD   | Computer Aided Dispatch                     |
| CADD  | Computer Aided Design and Drafting          |
| CDBG  | Community Development Block Grant           |
| CIP   | Capital Improvement Program                 |
| CRF   | Capital Reserve Fund                        |
| CRS   | Community Rating Service                    |
| CU    | Customer                                    |
| DEV   | Developer                                   |
| DG    | Decomposed Granite                          |
| DOHS  | Department of Health Service                |
| EOC   | Emergency Operating Center                  |
| FEMA  | Federal Emergency Management Agency         |
| GF    | General Fund                                |
| GIS   | Geographic Information System               |
| GUI   | Graphical User Interfaces                   |
| HR    | Human Resources                             |
| I/I   | Infiltration/Inflow                         |
| LRT   | Light Rail Transit                          |
| MCT   | Mobile Computer Terminal                    |
| MHS   | Milpitas Historical Society                 |
| MSC   | Milpitas Sports Center                      |
| OSA   | Office of the State Architect               |
| OCR   | Optical Character Recognition               |
| PF    | Park Fund                                   |
| PM    | Project Manager                             |
| PMS   | Pavement Management System                  |
| PRV   | Pressure reducing valve                     |
| R/W   | Right-of-Way                                |
| RDA   | Redevelopment Agency                        |
| RFQ   | Request for Qualifications                  |
| RMS   | Records Management System                   |
| RWQCB | Regional Water Quality Control Board        |
| SCADA | Supervisory Control and Data Acquisition    |
| SCC   | Santa Clara County                          |
| SCVTA | Santa Clara Valley Transportation Agency    |
| SCVWD | Santa Clara Valley Water District           |
| SF    | Street Fund                                 |
| SP    | Sponsor                                     |
| SPS   | Sewer Pump Station                          |
| TA    | Traffic Authority                           |
| TDA   | Transportation Development Act              |
| WF    | Water Fund                                  |
| WLF   | Water Line Extension Fund                   |
| VTA   | Santa Clara Valley Transportation Authority |
| COP's | Certificates of Participation               |
| TPF   | Treatment Plant Fee                         |
| UPS   | Uninterrupted Power Supply                  |
| Y2K   | Year 2000 Compliant                         |

## APPENDIX C

### PRIORITIZATION DESCRIPTIONS

In order to assist in the review of the various projects, all CIP projects are prioritized using the following categories (listed in priority order):

1. **Mandatory or Committed Projects**

Mandatory projects are those which the City is legally required to undertake. These include Federal or State mandated activities such as access modifications to public facilities to meet Americans with Disabilities Act requirements, Clean Water Act, etc. Committed projects are those that the City has contracted or partially completed. This can also include projects that have received grants with time restrictions. A funded project that has not yet started, does not necessarily mean that the project is “committed”, since the project is still subject to review. If this project is no longer necessary, it can be delayed or deleted and defunded.

2. **Health and Safety Projects**

Health and Safety projects are those infrastructure improvements needed for health and/or safety reasons. Examples include such projects as sidewalk repair work, installation of traffic signals and signs, modification of park playground equipment to eliminate a hazardous situation and additional lighting in public areas, etc.

3. **Rehabilitation of Existing Capital Assets or Systems**

These are projects that are required to maintain the City's investment in infrastructure and capital equipment. This includes projects ranging from street resurfacing/reconstruction, to bridge maintenance, water, sewer improvements, facilities rehabilitation, etc.

4. **Major Service Equipment Replacement**

These are projects involving the replacement of equipment required in the operations of the City services. This would include pumps at storm drainage pump stations, MSC swimming pool pumps and motor replacements.

5. **Projects which Avoid Future Additional Costs**

This includes those projects which assists the City in reducing and/or eliminating future operating or capital costs. This would include acquisition of image processing equipment for document control, computer networking, replacing existing high maintenance landscaping with drought resistant and low maintenance plantings, automation of maintenance or data gathering activities, etc.

6. **Studies and Analyses**

This category is for projects that allow the City to examine new approaches for improvements to service delivery, cost savings, capital improvement projects and/or ways to enhance the financial stability of the City. Examples include the Calaveras Plan Line Study and San Jose Parallel Forcemain Study.

7. **Enhance Economic Development**

This category is for those projects that will attract new businesses or retain existing. Examples include the installation of utilities for future development and fiber optics installation for telecommunications.

8. **Improve the Quality of Life**

These are projects that allow the City to enhance the City's quality of life, such as landscaping projects, new Sports Center improvements, etc.

**APPENDIX D**  
**Previously Funded Projects to be closed as of June 30, 2015**

**Community Improvement Projects**

**Parks Projects**

|      |                                          |
|------|------------------------------------------|
| 5080 | Penitencia Creek Trail Feasibility Study |
| 5086 | Park Irrigation System Rehabilitation    |
| 5091 | Park Renovation Project 2011             |
| 5092 | Main Street Park                         |
| 5093 | Park Master Plan Improvements – Phase I  |
| 5095 | Park Renovation Project 2013             |
| 5096 | Pinewood Park Picnic Renovation          |

**Streets Projects**

|      |                                 |
|------|---------------------------------|
| 4268 | Street Resurfacing Project 2013 |
|------|---------------------------------|

**Water Projects**

|      |                                |
|------|--------------------------------|
| 7109 | Water System Replacement 08-09 |
|------|--------------------------------|

**Sewer Projects**

**Storm Drain Projects**



# MEMORANDUM

## Office of the City Manager

**To:** Honorable Mayor and City Council

**From:** Tom Williams, City Manager  
Emma Karlen, Assistant City Manager

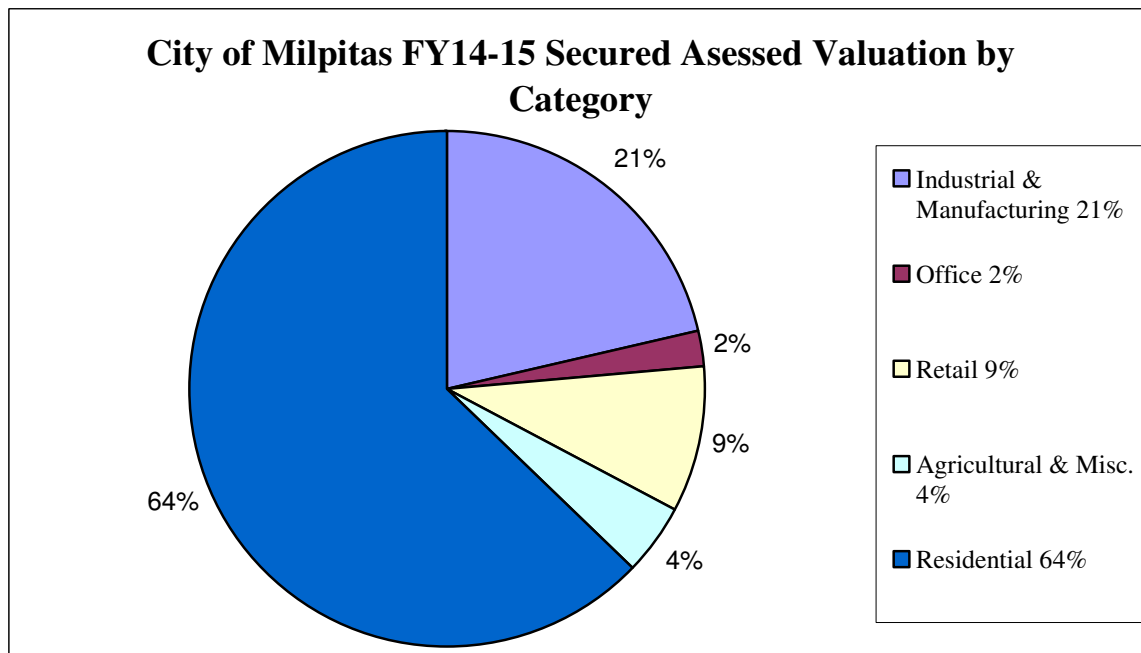
**Subject:** FY 2015-16 Budget Study Session Follow-Up

**Date:** April 13, 2015

In response to the questions raised by the City Council during the Budget Study session, the following information is provided:

1) What's the breakdown of residential property values vs. non-residential property values?

Within the City of Milpitas, residential properties account for approximately 64% of the secured assessed valuation while non-residential properties account for the remaining 36%. In recent years, the percentage of residential property values increased from 60% to 64% while non-commercial property values remain stagnant and decreased to 36% of the total secured property values.





It should be noted that the non-residential property values within Santa Clara County experienced an overall increase higher than Milpitas. For example, the property values for office buildings in Santa Clara County increased approximately 89% in 10 years while Milpitas' increased 40%. The property values for retail businesses in Santa Clara County increased 46% in 10 years while Milpitas' increased 26%. It's difficult to pinpoint why the commercial values in Milpitas did not increase as much. It could be due to Proposition 13 that limits the assessed valuation increase of these properties to 2% maximum per year unless there are ownership changes. As communicated by commercial brokers, it could be due to the significant building functional and economic obsolescence. This is related to the older 1970-1980 buildings that are not yet cost effective to either renovate or tear down and redevelop. The cost to do this in combination with the high land values and competition in Silicon Valley make these older buildings in Milpitas infeasible. However, we are seeing a change as we recover from the recession.

2) Provide historical cost of funding the City Attorney Department and a graph.

The following table shows the cost breakdown for in house counsel services and outside counsel services annually since fiscal year 2000-2001 and the graph shows the trend of funding for the City Attorney Department on page 3.

**Table 1**  
**Historical City Attorney Department funding**

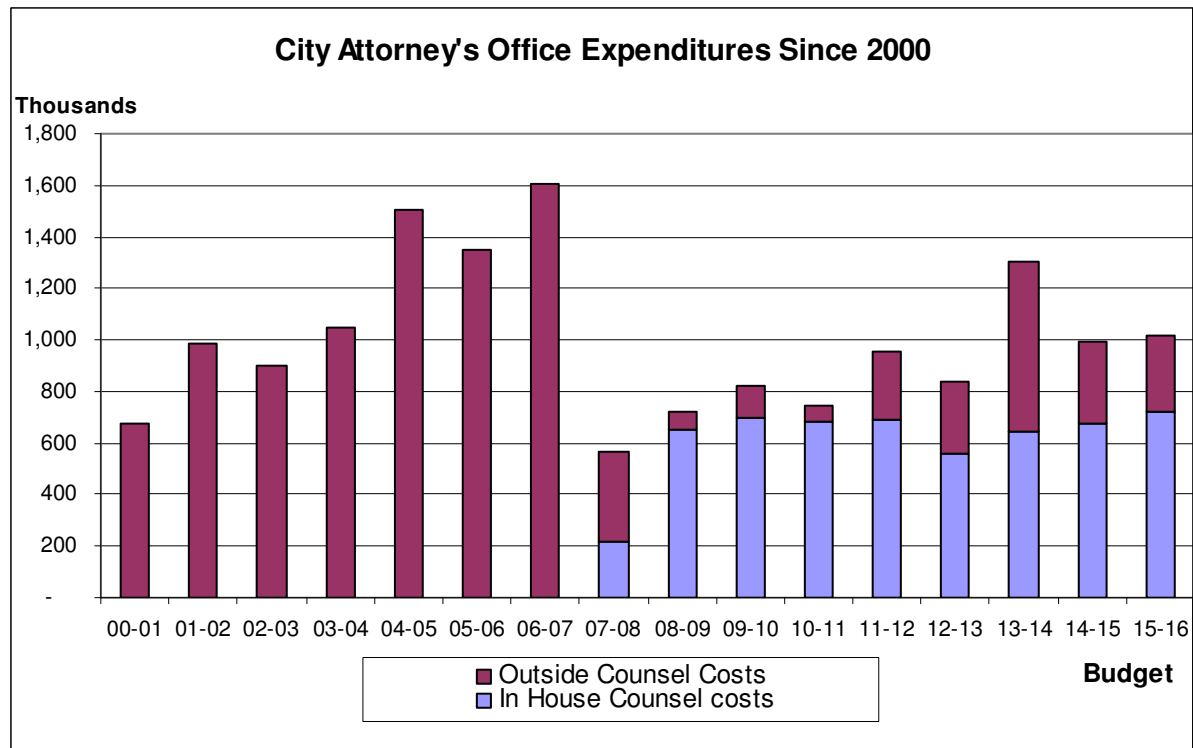
| <b>Fiscal Year</b> | <b>In House Counsel costs</b> | <b>Outside Counsel Costs</b> | <b>Total</b> |     |
|--------------------|-------------------------------|------------------------------|--------------|-----|
| 00-01              |                               | 675,154                      | 675,154      |     |
| 01-02              |                               | 982,943                      | 982,943      |     |
| 02-03              |                               | 897,287                      | 897,287      |     |
| 03-04              |                               | 1,046,486                    | 1,046,486    | *   |
| 04-05              |                               | 1,501,801                    | 1,501,801    | *   |
| 05-06              |                               | 1,352,562                    | 1,352,562    | *   |
| 06-07              |                               | 1,602,912                    | 1,602,912    | *   |
| 07-08              | 213,627                       | 354,459                      | 568,086      |     |
| 08-09              | 650,632                       | 73,100                       | 723,732      |     |
| 09-10              | 701,667                       | 118,000                      | 819,667      |     |
| 10-11              | 681,163                       | 64,106                       | 745,269      |     |
| 11-12              | 693,684                       | 257,664                      | 951,348      |     |
| 12-13              | 559,918                       | 279,237                      | 839,155      |     |
| 13-14              | 644,871                       | 658,193                      | 1,303,064    | **  |
| 14-15              | 676,604                       | 318,955                      | 995,559      |     |
| 15-16              | 723,240                       | 295,800                      | 1,019,040    | *** |

**Notes:**

\* City Hall construction litigation

\*\* RDA dissolution and litigation

\*\*\* The proposed Deputy Attorney has not been added to the draft 15-16 budget yet



3) The cost of each proposed reorganization/reclassification is as follows:

- a) In January 2015, the City Council approved a resolution to establish the Public Works Director and City Engineering as two separate positions. The annual salary and benefits cost for each position is approximately \$260,000. Since the two positions were previously combined as one position, the fiscal impact is an additional \$260,000 annually. The proposal is to reorganize Engineering and Public Works into two separate departments.
- b) The reorganization of the Recreation Services Manager to report to the City Manager's office directly instead of to the Human Resources Department has no fiscal impact.
- c) The reclassification of a 40-hour Fire Battalion Chief and the Fire Marshal to Deputy Fire chiefs will cost \$10,392. The Fire Marshal is already paid at the Deputy Fire Chief level therefore the additional cost will only apply to reclassification of the 40-hour Battalion Chief.
- d) The top pay range and related benefits difference between a Senior Code Enforcement Officer and a Code Enforcement Program Supervisor is approximately \$37,000 annually. It is not anticipated that the reclassified Code Enforcement Program Supervisor will be paid at the top range in FY 15-16.

**List of Attachments for Public Hearing No. 2**  
**Community Development Block Grant**  
**Funding Allocations for FY 2015-16 &**  
**One-Year Action Plan**

**Conduct a Public Hearing and Approve Community Development Block Grant (CDBG) Funding Allocations for FY 2015-16 and Adopt the One-Year Action Plan**

**(Staff Contact: Felix Reliford, 408-586-3071)**

**Attachments:**

2A – Draft CDBG Action Plan

2B – Community Advisory Commission (CAC) Funding Tally Recommendations

2C – CDBG Cost Chart

2D – Planner's Memo to City Council

2E – 3/4/2015 CAC Meeting Minutes

# CITY OF MILPITAS

## Neighborhood Services Division

**2A**

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455 EAST CALAVERAS BOULEVARD, MILPITAS, CALIFORNIA 95035-5479  
PHONE: 408-586-3000, FAX: 408-586-3305, [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov)

---

March 12, 2015

### **City of Milpitas Draft Action Plan for FY 2015-2016 (30 Day Review Period)**

Dear Service Provider:

Enclosed for your review and comments is a copy of the City of Milpitas Draft Action Plan which describes the eligible programs, projects and activities to be undertaken with Community Development Block Grant (CDBG) funds within the next fiscal year 2015-2016. The review period for City of Milpitas Draft Action Plan Amendments will be from **March 13 to April 13, 2015**.

Upon completion of the review period, the Draft Action Plan will be revised to incorporate any significant input and/or comments received from the public and will be forwarded to Milpitas City Council for adoption. The Draft Action Plan also includes the requests for CDBG funding from the Service Providers for FY 2015-2016. The final determination of CDBG funds to be allocated to Service Providers, adoption of the Action Plan will be determined at City Council meeting on **April 21, 2015**. You will be notified of the future meeting date for the CDBG funding priorities.

If you have any questions, input or comments regarding the Draft Action Plan please do not hesitate to contact me at (408) 586-3071. Written or e-mail comments can be sent to:

Felix Reliford, Interim Principal Housing Planner  
City of Milpitas-City Hall  
455 E. Calaveras Blvd.  
Milpitas, CA 95035  
E-mail: [freliford@ci.milpitas.ca.gov](mailto:freliford@ci.milpitas.ca.gov)

Sincerely,

Felix J. Reliford  
Interim Principal Housing Planner



## **City of Milpitas**

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# **DRAFT ACTION PLAN**

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## **Fiscal Year 2015-2016**



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## Executive Summary

The City of Milpitas anticipates that it will be receiving **\$393,490** in Community Development Block Grant (CDBG) funds in fiscal year 2015-2016. A total of **\$59,023.50** will be allocated to **10 different public service providers**. These public services include a various programs such as: 1) domestic violence, 2) senior legal aid, 3) supplemental supplies of food, 4) homeless shelter and support services, 5) recreational assistance programs, 6) youth and senior services, 8) legal assistance, 9) adult day care services, and 10) fair housing services.

With regards to non-public service activities, Milpitas will allocate a total of **\$255,768.50** to **4 different non-public service providers**, these services will include: 1) exterior building paint project for Terrace Gardens Senior Housing, 2) safety, accessibility repairs for very low income seniors and homeowners and 3) funding for weatherization and energy efficient rehabilitation, and 4) street resurfacing throughout low-moderate neighborhoods in the City of Milpitas. The Milpitas City Council approval also included consolidating prior years Housing Rehabilitation Loan Program funds into one project.

With the addition of approximately **\$50,000** of expected Program Income from the Single Family Rehabilitation Loan Program, Milpitas will be spending approximately **\$443,490** on public and non-public services (including **Program Administration \$68,698.00** in which \$10,000 will be used for Fair Housing Services).

Milpitas will also allocate of **\$135,442.40** in Single Family Housing Rehabilitation Loan Program/Revolving Loan Funds. The loans from the rehabilitation program serves as a revolving loan fund that goes back into the program. The funds will also be expended in this upcoming year, but does not come from FY 2015-2016 entitlement funds. Twenty percent of the rehabilitation loan program or **\$33,860.60** will be allocated towards program administration.

The 30-day public review period on the Milpitas Action Plan will be March 13 to April 13, 2015. Milpitas Citizens Advisory Committee held a public hearing on the CDBG funding on March 4, 2015 and will forward its recommendation to Milpitas City Council. The Milpitas City Council will hold a public hearing on the CDBG funding and One-Year Action Plan for adoption on **April 21, 2015**. Community Development Block Grant funds will be provided to all segments of Milpitas population including geographical areas with high minority concentration within the community.

### **Certification of Discharge Policy**

The City of Milpitas will be working with the State of California Department of Corrections and County of Santa Clara Department of Corrections to establish a comprehensive policy and strategy for the housing and placement of offenders in the community. The Discharge Placement Policy seeks to provide direct help and assist for the placement of prisoners released from jails, hospitals, and other facilities in order to prevent homelessness.

**CDBG funding allocations are not finalized. Finalized funding will occur during the Milpitas City Council meeting that will take place April 21, 2015.**

**CITY OF MILPITAS**  
**COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)**  
**ANNUAL ACTION PLAN**  
**Fiscal Year 2015-2016**

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 will be adopting its 2015-2016 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 2015-2016 and their relationship to the City's priorities and needs for housing, homelessness and community development.

In August 2012, City of Milpitas submitted its Five-Year Consolidated Plan (2012-2017) 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 the 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 City of Milpitas will be updating its Analysis of Impediments (AI) to Fair Housing Choice Report in 2015 in anticipation of the preparation for the future Consolidated Plan (2018-2023). The previous AI Report was adopted in 2011.

On December 30, 2014, 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 will be reviewing and considering adopting Housing Element on April 21, 2015.

**Response and Comments on the Milpitas Draft Action Plan**

Any comments on the City of Milpitas Draft Action Plan should be sent to the following address before April 14, 2015 (all mail must be postmarked by this date):

Felix J. Reliford, CDBG Consultant for the City of Milpitas  
City of Milpitas | Planning and Neighborhood Services  
455 E. Calaveras Blvd.  
Milpitas, CA 95035  
[freliford@ci.milpitas.ca.gov](mailto:freliford@ci.milpitas.ca.gov)  
(408) 586-3071



## Part I: Resources

Milpitas will continue to pursue and encourage local non-profit housing and support service agencies to pursue all available public and private funding to achieve the Consolidated Plan's goals. It is expected that funding from a combination of federal, state, and local sources will be used to pursue the majority of the identified public services and housing strategies. Milpitas will also encourage non-profit entities to work with financial institutions and develop plans for leveraging private and public funds to the maximum extent possible considering the specific project involved. Funding resources will be coordinated and leveraged whenever possible to maximize their potential.

Before awarding funds for projects to be carried out by other entities, Milpitas will review the project-financing plan to ensure that all agencies are utilizing all available funding and are leveraging funds to the maximum extent possible. Milpitas will not adhere to any specific matching requirements for use of the City's CDBG funds. Milpitas will continue to require organizations to make the maximum effort to match City's funds through other public and private sources on a minimum one to one ratio (whenever possible).

Where this matching standard is not achieved, the non-profit organization will be required to provide a detailed listing of the resources pursued and the reasons and rationale for the lack of matching funds. Milpitas' CDBG funds will only be awarded for a project, if Milpitas determines the non-profit entity pursued all available resources for the project and due to the nature of the project, the matching standard could not be achieved.

The following sections identify some of the major resources to be pursued by Milpitas, local non-profits, County of Santa Clara and other eligible resources. Milpitas will continue to encourage local non-profit agencies to pursue all available funding resources, which may be applicable to their particular project. Milpitas will also continue to monitor these programs, projects and activities to promote its housing and community development goals and objectives through active policy development and use of available federal and non-federal funding sources.

### Federal Programs

#### ***Community Development Block Grant (CDBG) Funds***

The CDBG Program will provide the largest funding source for a variety of supportive services and housing for low and moderate-income households in Milpitas. As an entitlement city, Milpitas receives CDBG funding directly through HUD. Milpitas 2015-2016 CDBG allocation will be \$393,490. It is estimated Milpitas will also receive a substantial amount from the repayment of loans in the amount of approximately \$50,000 in Program Income from Single Family Housing Rehabilitation Loan Program. In addition, Milpitas will allocate \$135,442.40 from its Single Family Housing Rehabilitation Revolving Loan Funds that are not from FY 2015-2016 grant amount and another \$33,860.60 for its program administration. The loans from the rehabilitation program serve as a revolving loan fund that goes back into the program.

Therefore, the CDBG Funding allocation for fiscal year 2015-2016 will include the following:

|                  |                                          |
|------------------|------------------------------------------|
| \$393,490        | CDBG Grant Fund FY 2015-2016             |
| <u>\$50,000</u>  | Estimated Program Income*                |
| <b>\$443,490</b> | <b>Total CDBG Funding FY 2015-2016**</b> |

\*Estimated Program Income from the Single Family Housing Rehabilitation Program

(\*\*) Does not Include Unused Revolving Loan Funds (\$135, 442.40 for Housing Rehabilitation Loan and \$33,860.60 for its program administration) and Reprogrammed Funds

## ***HOME Program***

Milpitas may be seeking other financial resources to assist in financing affordable housing projects. This process may include the formation of a consortium with other cities in Santa Clara County. Milpitas has never received a direct allocation of HOME funds from HUD, funding will be requested from the State of California under its competitive HOME Investment Program. Milpitas staff has attended several HOME Program seminars and workshops to become familiar with the regulations and requirements of the program. Milpitas along with other cities considering the HOME Consortium has currently established on-going meetings with HUD to work through the logistics of to meet the federal regulations.

## ***Section 8 Rental Assistance Program***

This program provides rental assistance payments to private owners who lease their units to assist low-moderate income families. Milpitas will continue to support and encourage the Santa Clara County Housing Authority (SCCHA) efforts to obtain Section 8 vouchers for residents of Milpitas. Milpitas is negotiating with affordable housing developers to obtain their participation in accepting Section 8 vouchers in future affordable housing projects. Currently, a total of 615 Milpitas families have Section 8 vouchers. Another 1,892 families are on the SCCHA waiting list. It should be noted that when the SCCHA has opened up their Section 8 Voucher Waiting (again), Milpitas residents will be notified of this housing opportunity with notices on the City's Website and Cable TV.

## ***Section 220 and 221 - Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRHA)***

Milpitas has worked with the property owner, Santa Clara County Housing Authority and HUD to maintain long-term affordability for the 171 units at Sunnyhills Apartments. Under the current agreement the units will remain affordable. City of Milpitas will continue to monitor the status of this project to maintain affordable housing opportunities for its residents and to ensure long-term affordability.

## ***Low Income Housing Tax Credit Program (LIHTC)***

Milpitas will continue to work with developers to explore financing affordable housing projects with Low Income Housing Tax Credits (LIHTC). Milpitas will work with local housing developers to seek additional funding to close any financing gap for affordable housing projects. Milpitas will also work with local housing developers on pursuing and obtaining 9% and 4 % LIHTC to finance future affordable housing projects. Milpitas will also continue to assist several of the affordable housing developers applying for low-income housing tax credit to financially assist their projects.

## **State Programs**

### ***Proposition No. 46***

In November 2002, the voters of the State of California approved Proposition No. 46, a \$2.1 billion housing bond allocation for funding (grants, loans, etc.) for various types of affordable housing projects. Most of the State funding requires that each city or county has its General Plan Housing Element, approved and certified (in full compliance with state housing laws) with the State of California, Department of Housing and Community and Development (HCD). The City of Milpitas Housing Element was approved and certified by HCD in January 2015.

The Transit Area Specific Plan is based on the Transit Oriented Development (TOD) planning concepts and designs that are consistent with the City of Milpitas proposed Transit Area Plan which will consist of permitting higher densities within ¼ miles of transit stations, encourage pedestrian-friendly community and include approximately 5,500 new dwelling units, 280,000 square feet of commercial retail and 496,921 square feet of office space.

To date approximately 4,218 new dwelling units has been approved in the Transit Area Specific Plan with an additional 324 dwelling units being considered from future entitlement.

### ***California Housing Finance Agency (CHFA)***

Milpitas will continue to explore a series of affordable housing programs offered by the California Housing Finance Agency. This agency was created in 1975 to help meet the State's need to provide affordable housing to low and moderate-income persons and families. CHFA provides below-market interest rate mortgage capital through the sale of tax-exempt notes and bonds. This agency provides below market rate financing for single family and multi-family housing as well as multi-family rehabilitation loans. CHFA has also recently offered funding through their Help Program.

Milpitas has also has a *Property Values Resale and Restriction Agreement and Option to Purchase* affordable housing documents reviewed and approved in July 2005 by CHFA, which provide an opportunity to leverage Milpitas funds with additional financial resources from this state agency. To date, approximately 77 Milpitas first-time homebuyers have been assisted with the use of CHFA funding.

### ***State Allocated Tax Credits (Low-Income Housing Tax Credit)***

Milpitas will continue to work with and assist developers in applying to the State for allocation of tax credits to finance low-income rental housing developments. The tax credits are syndicated to corporations in exchange for project equity. The tax credit allocation consist of 9% (which is more competitive and based on a point system) and 4% provides an additional funding source for affordable housing. Several Milpitas housing developers has request the city's participation in preparation and processing (application entitlement, site control environmental review, etc.) their tax credit applications.

### ***Mortgage Revenue Bonds***

Milpitas can apply to the State for authority to issue tax-exempt mortgage revenue bonds for the purpose of funding affordable housing development. Milpitas has authorized tax-exempt mortgage revenue bonds to assist the developer at the DeVries Place Senior Housing Project which provided 102 extremely and very low-income housing units. Milpitas will continue to assist affordable housing projects with tax-exempt mortgage revenue bonds.

## **Local Programs**

### ***Milpitas Housing Authority (Former Milpitas Redevelopment Agency)***

Milpitas Housing Authority has allocated approximately **\$60 million** to acquire, construct, and develop affordable housing within the City of Milpitas. To date, Milpitas Housing Authority has assisted in financing **1,050 affordable housing units**.

In October 2013, the Milpitas Housing Authority donated a 5.94 acre parcel (appraised value \$12.4 million) to a senior affordable housing developer for the construction of 389 senior housing units. The project will consist of **48 very low income affordable housing units**. It is anticipated the construction of the project will start in the summer/fall of 2015.

The elimination of redevelopment as a financial tax increment vehicle will substantially impact the ability to provide affordable housing within Milpitas and statewide. The Milpitas Housing Authority will serve as the successor agency to the former redevelopment agency and will perform its duties and responsibilities related to housing activities and programs.

### ***Housing Rehabilitation Loan Program***

The program funded from CDBG provides low-interest rate loans and grants to very low and low-income property owners through the Milpitas Housing and Rehabilitation Loan Program. The Housing Rehabilitation Loan Program provides up to 90% of the home equity value per household for home improvements and repairs. Annual program income (revolving loan funds) goes back into the program to assist future low and moderate-income property owners. City of Milpitas anticipates approximately \$50,000 in Program Income from the rehabilitation loan program. During the 2015-2016 CDBG fiscal year, Milpitas will be allocating approximately \$169,303 (\$135,442.40 Single-Family Rehabilitation Loan

Program and \$33,860.60 Housing Rehabilitation Loan Program Administration) from it Unused Revolving Loan Fund to support these activities.

### ***Housing Trust Silicon Valley***

City of Milpitas continues support the Housing Trust Silicon Valley fund to raise \$20 million to construct a variety of affordable housing types for:

- **First-Time Homebuyers Program:** creating 2,105 new first-time homebuyers which includes 451 teachers, 227 engineers, 118 health care professionals and 623 public employees
- **Developer Loan Program:** assisted 1,703 families
- **Homelessness Prevention Program:** assisted 4,268 families and individuals with housing needs

Since its conception, the Housing Trust has raised approximately over \$38 million and has leveraged this amount to over \$1.32 billion to create 8,076 housing opportunities for families and individuals within Santa Clara County. To date, a total sixty-five (65) loans in the amount of \$568,877 were approved for Milpitas First-time Homebuyer residents with low-interest rates from the Housing Trust Silicon Valley.

### ***Second Mortgage Program***

Milpitas has adopted a Second Mortgage Program to assist first-time homebuyers with their down payments on several affordable housing projects. The City of Milpitas is also negotiating with several other developers to increase the general affordable housing stock citywide.

### ***Affordable Housing for Milpitas Unified School District Teachers***

Milpitas has worked with Milpitas Unified School District (MUSD) to provide affordable housing units for qualified school teachers. A certain percentage of the affordable housing units in selected projects (rental and for-sale) will be allocated for Milpitas Unified School District teachers. The purchase price for these units appears to be affordable for Milpitas Unified School District teacher salaries. Milpitas has provided a presentation and applications to MUSD.

### ***Payment of Development Fees for Affordable Housing Projects***

The former Milpitas Redevelopment Agency (RDA) has paid developers impact fees in support of affordable housing. With the dissolution of the RDA Milpitas will find different methods to entice developers to encourage the development of affordable housing. Milpitas has continued to waive or subsidize a portion of development impact fees. To date, Milpitas Housing has subsidized approximately **\$5.8 million** of development fees to increase the supply of affordable housing throughout the community.

### ***Milpitas Mobilehome Park Rent Control Ordinance***

Milpitas has 527 mobile home park units located in three separate parks throughout the City. Since 1992, Milpitas has adopted a Mobilehome Park Rent Control Ordinance, which maintains affordable

rents for resident tenants. The Rent Control Ordinance serves as means to provide affordable housing units to very low and low income households.

## Private Resources

### *Private Lending Institutions*

Milpitas will continue to encourage private lending institutions to assist in the development of low and moderate-income housing. The Community Reinvestment Act (CRA) encourages and assists the institutions they regulate to assist in affordable housing projects. Milpitas has negotiated Disposition Development Agreement (DDA) and an Owner Participation Agreement (OPA) with developer to provide financial assistance and to insure long-term affordability of housing units. Several affordable housing developers use private resources and other types of conventional lending to financially assist with their projects.

## Geographic Distribution

The proposed projects and activities for fiscal year 2015-2016 will be implemented citywide and will not be targeted to any particular areas of the City. However, all groups will benefit from CDBG resources. As Milpitas has a diverse population and will provide assistance with populations of special needs.

The CDBG funds allocated are public services directed and targeted to groups with special needs or prioritized by City Council i.e. seniors, rehabilitation etc. These neighborhoods, such as Sunnyhills, Selwyn, Shirley and Dempsey Road, Temple and Calaveras Blvd., have high concentrations of minority populations. All groups will benefit from the allocation of CDBG funds through the Housing Rehabilitation Loan Program, City of Milpitas Recreation Department Programs, Adult Day Care Services, Health Trust, Milpitas Food Pantry, Next Door Solutions, and Project Sentinel. Special needs populations such as female-headed households, seniors, youth's at-risks, handicapped teens and homeless population are several groups that will receive funding.

The data shows City of Milpitas population for 2012 is 71,552. According to 2012 Statistical Research Data, population for Milpitas are broken down as the follow:

| Ethnicity                         | Number        | Percent     |
|-----------------------------------|---------------|-------------|
| Black or African American         | 2,432         | 3.4%        |
| Asian                             | 42,215        | 59.0%       |
| Hispanic or Latino (of any race)  | 8,676         | 12.1%       |
| White (Non-minority population)   | 17,100        | 23.9%       |
| American Indian/Alaska Native     | 352           | 0.5%        |
| Native Hawaiian/ Pacific Islander | 777           | 1.1%        |
| <b>Total</b>                      | <b>71,552</b> | <b>100%</b> |

Source: Statistical Research Data, 2012

## **Leveraging Plan**

For CDBG projects and activities funded, each will need to provide supportive documentation to their application by listing other leverage sources of funding. For local matching funding requirements, Milpitas will utilize its CDBG funding and other local funds as available and applicable. To maximize leveraging of its own funds and increase the funds available for housing, Milpitas plans to continue the following activities:

- Support the purchase, rehabilitation and construction of affordable units by non-profit and for-profit housing developers and to provide financial assistance whenever possible
- Provide support and encourage non-profit, community based housing developers and service providers to low and moderate-income person(s) and households
- Promote private sector rehabilitation with the CDBG Housing Rehabilitation Program
- Promote joint development with other governmental or quasi-governmental agencies to implement community development programs

Milpitas has participated in joint projects such as the Countywide Fair Housing Report, Santa Clara County Housing Trust Fund and HomeFirst Shelter, Homeless Runaway Youth Housing and Countywide Fair Housing Task Force projects. City of Milpitas will continue to participate in the “Santa Clara County Fair Housing Month,” held on February each year sponsored by the Santa Clara County Association of Realtors. Milpitas has also participates in the County of Santa Clara Office of Affordable Housing Homeless Survey that was conducted in January 2015. These are just a few examples of how the City of Milpitas has leveraged it funds to address housing needs and other supportive services.

## **Part II: Activities to be Undertaken**

Milpitas has participated in the Community Development Block Grant Program for the past twenty-eight years, and is completing its nineteen year as an entitlement city. Milpitas will receive \$393,490 from HUD upon the acceptance of this Action Plan and the accompanying certificates for FY 2015-2016. Furthermore, it is anticipated that Milpitas will receive approximately \$50,000 Program Income from regular scheduled payments made on past housing rehabilitation loans program year and additional \$135,442.40 will be reprogrammed from the revolving loan fund for future housing rehabilitation loan and also another \$33,860.60 for its program administration. Estimated total of CDBG funding for FY 2015-2016 would be approximately \$443,490, not including rehabilitation loan funds.

### **Homeless and Other Special Needs Activities**

For fiscal year 2015-2016 Milpitas has committed a portion of its Community Development Block Grant Program funds to non-profit agencies providing public services to the homeless, those at-risk of being homeless and homeless households with children. A narrative is provided below of the activities that are aimed at assisting the City’s homeless population.

To address emergency shelter and transitional housing needs of homeless individuals and homeless families, Milpitas will continue to:

- Continue to support the **HomeFirst (formerly Emergency Housing Consortium)**, which will provide food, shelter and supportive services. CDBG funds of \$5,021.25 to HomeFirst for providing temporary shelter to estimated **500 nights of supportive shelter to 10-20 unduplicated homeless Milpitas residents**.
- Milpitas has also provided CDBG funding to HomeFirst for the past 19 years, including the development of a 50-unit shelter (224 beds) for the homeless, former homeless and at risk low-income families.
- **One-Year Goal to Address Homelessness:** Milpitas will continue to provide financial assistance and working with various agencies (HomeFirst, Milpitas Food Pantry, Next Door Solution to Domestic Violence and YMCA Silicon Valley - Domestic Violence Program (YWCA)) to reach out to unsheltered and shelter persons to address homelessness.
- Transitional and permanent housing, job skills and case management counseling will be used to further assist homeless persons through supportive organizations as YWCA, Next Door, and HomeFirst.
- **Live Oak Adult Day Services**, which provides adult day care for estimated **8-10** frail, dependent at-risk senior residents in Milpitas day care facilities. Services includes: case management, counseling and referrals and socialization opportunities. The organization will receive \$5,337.75 in FY 2015-2016 in CDBG funding.
- **Charities Housing Development Corporation** has taken over management of Milpitas Senior Homes LLC of 10 extremely frail and extremely low-income senior citizens to preserve affordable rents and also provide needed renovation and construction repairs in the form of \$32,797 in FY 2015-2016 of CDBG funding.
- Continue to monitor the risk of the Sunnyhills Apartment Complex being converted to fair market rate units. Milpitas will also work with the property owners, local non-profits, Santa Clara County Housing Authority, and HUD to maintain the complex as affordable shared housing and thus prevented the displacement of the existing residents.
- Fund Project Sentinel \$25,000 in FY 2015-2016 with a combination of CDBG Administration and Milpitas Housing Authority Funds. To date, Project Sentinel operates a tenant/landlord mediation program and helped resolve over **167** tenant/landlord disputes, prevented unnecessary evictions of tenants and handled **39** fair housing complaints and investigations. This program also provides tenants with information and referral services on tenant/landlord issues. Project Sentinel is projected to assist at least 250 Milpitas residents with these services.

In order to help homeless persons, including those with special needs, to make the transition to permanent housing and independent living, the following activities will be carried out:

- Milpitas will continue to fund the operation of a variety of support services. These services help individuals with basic necessities until they are able to provide for all of their needs on their



own including **Milpitas Food Pantry** (which provides food to over estimated **4,000 persons**). These services include providing free bags of food to low-income households, counseling, and information and referral assistance to help individuals find services most suited to their particular needs. The upcoming CDBG funding will provide \$14,519 to the Milpitas Food Pantry to continue their mission. In addition, the City of Milpitas is reduced the Milpitas Food Pantry's monthly rent from \$1,600 to \$1.00 to allow the organization to focus more of their funds towards services instead of overhead.

## **County of Santa Clara Homelessness Task Force**

Milpitas continues to participate in the **County of Santa Clara Task Force to End Homelessness in 10 Years**. The Homelessness Task Force was established by Santa Clara County Board of Supervisors, which consists of elected officials, County Departments (Mental Health, Social Services, Alcohol and Drugs, Corrections, Sheriff, and Office of Affordable Housing-including County Homeless Coordinator), Homeless Advocates, Community and Business Leaders and Funders.

The goals of the Homelessness Task Force will come up with a comprehensive strategy to reduce the homeless population over the next 10 years. The consulting firm, Home Base from San Francisco has been hired to assist the Task Force. Home Base has started to conduct initial surveys of the homeless population within the county. Homeless individuals were employed to help assist with the count to guide volunteers to various locations to get a more comprehensive count. People were paid \$5 for completing the survey.

The County has also started several initiatives including the launching of a County Homeless Management Information System, which allows for a single shared database of homeless services, as well as the allocation of more than \$10 million to 14 new affordable housing projects.

Milpitas has participated in the Countywide Homeless Survey conducted by the County Office of Affordable Housing in January 2015. The participation in the homeless survey will assist County of Santa Clara in receiving Emergency Shelter Grant (ESG) funds from HUD in addressing homelessness and special need populations countywide.

## **Activities to Assist Non-Homeless Persons with Special Needs**

### ***Senior Citizens***

- Provide \$112,713 in CDBG funding for Milpitas senior housing project, **Terrace Gardens** for exterior and façade improvement. The project includes mildew removal, scraping, sanding, and caulking, and exterior painting. The new paint project, is projected to have a useful lifetime of 10 years. A total of **184** Milpitas senior residents reside in the senior housing project.
- **Senior Adults Legal Assistance (SALA)** program provides free civil legal services to estimated **30-36** senior citizens within Milpitas. SALA will receive \$5,109.81 from FY 2015 – 2016 CDBG funding.

- \$6,350.69 in CDBG funding is proposed for **The Health Trust** for nutritionally balanced home-delivered hot daily meals for estimated **10-20** homebound Milpitas seniors.
- \$49,610 in FY 2015 – 2016 CDBG funds is allocated for **Rebuilding Together** for safety repairs and improve accessibility and provide mobility for estimated **20-27** Milpitas seniors and very low and low-income residents.

### ***Female-Headed Households and Victims of Domestic Violence***

- **Next Door Solution to Domestic Violence:** Provides shelter up to 30 days for victims of domestic abuse, including their children. A total of **20-30** Milpitas residents are anticipated to benefit from these services. Next Door will receive \$5,105.88 from FY 2015- 2016 CDBG funding from the City of Milpitas.
- **Young Women’s Christian Association Silicon Valley (YWCA):** Provides case management and support services which includes: 24-hour, toll-free bilingual crisis line, counseling, therapy, emergency shelter, legal advocacy and referrals to women, children and families. YWCA is slated to receive \$5,078.56 from City of Milpitas’ FY 2015-2016 CDBG funding.

### ***Youths***

- **Milpitas Recreation Assistance (RAP) Program:** This program provides subsidies for qualified low-income Milpitas children to participate in Milpitas recreation programs at the Milpitas Sport Center. A total of estimated **40-48** Milpitas children will receive assistance through CDBG funding grant of \$7,206.26.
- **Child Advocates of Silicon Valley:** The program provides stability for vulnerable children and teenagers up to the age of 21 years old who are in the foster care system. The organization provides a Court Appointed Special Advocate to each child through their entire time in the foster care. City of Milpitas will provide \$5,290.31 in CDBG funding to the organization.

### ***General***

- The **City of Milpitas’ Public Works Department** will receive \$60,648 in FY 2015-2016 CDBG funding to provide a variety of pavement resurfacing that includes installation of new ADA compliant, pedestrian curb ramps at various locations within the City of Milpitas to assist disabled persons. Locations were chosen based on population that showed a population of at least 51 percent of low-moderate area median income.

### **Other Actions**

The most significant obstacle to addressing the underserved needs for fiscal year 2015-2016 is the lack of sufficient federal, state, and local funds to carry out all the necessary programs, activities and projects.

## **Remove Barriers to Affordable Housing**

For fiscal year 2015-2016, Milpitas will continue to work with agencies involved in carrying out affordable housing projects. Milpitas will support and assist through neighborhood and tenant community meetings, flyers, cable TV, and City's website to inform the public about the proposed housing projects and support housing services.

Milpitas will continue to provide CDBG funds to Project Sentinel who provides information and dispute resolution services to Milpitas tenants, mobilehome owners and landlords. Milpitas will continue to monitor its long-term restriction agreements for affordable housing compliance. Milpitas will continue to implement its Mobilehome Rent Control Ordinance (1992), which limits the increase in rents that can be charged to tenants. Approximately 70% of tenants in the mobilehome parks are senior citizens.

Milpitas will continue to review its permit-processing procedures to assist in expediting the review and approval of all affordable housing developments. Milpitas has addressed governmental constraints to housing within its updated Housing Element. Milpitas has adopted (2009-2014) its General Plan Housing Element, which establishes the five-year housing goals, policies and objectives, and the Midtown Specific Plan, to assist in developing approximately 5,000 mixed types of housing units to meet the ABAG Regional Fair Share Allocation.

Appropriate densities (up to 60 dwelling units/per acre with ¼ mile of Transit Overlay Districts and 20 to 40 dwelling units per acre in other areas- minimum densities permitted) are including provide multi-family housing for large and extended family households. **The Transit Area Plan is anticipated to accommodate densities that would allow up to an additional 5,500 new dwelling units (excluding the proposed 3,000 units from the Midtown Specific Plan). The Milpitas Planning Commission and City Council have approved both plans.**

The Integral, Harmony, Pace, Citation Homes, Milpitas Station, Lyon Homes, Taylor Morrison, Capitol Towers projects has been approved which will include over 2,985 new dwelling in the general proximity of the new VTA/BART Milpitas Station.

In January 2015, Milpitas General Plan Housing Element was certified by the State of California, Department of Housing and Community Development (HCD) and found to be in compliance with the State Housing Laws. The Housing Element is a comprehensive long-term plan to address the housing needs of Milpitas. The document identifies and analyzes the existing, and projected housing needs of the City and states goals, policies, quantified objectives and implementation programs for the preservation, improvement and development of housing.

Milpitas continues to streamline its permit processing by expediting the approval process for affordable housing projects. Staff meets with housing developers at an early stage in the development review process to address any potential issues or problems associated with the proposed project. Problems are dealt with at the early stage in the project review to prevent unnecessary and costly delays.

## **Analysis of Impediments to Fair Housing Report (AI Report)**

In May 2011, City of Milpitas updated and adopted its Analysis of Impediments to Fair Housing Report (AI Report). Milpitas is currently addressing those issues of impediments to fair housing choices that have been identified in the report. The updated Analysis of Impediments to Fair Housing Report examines policies and practices limiting a resident's ability to choose their housing in an environment free from discrimination. The next update will be performed in 2015. The AI Report identified a series of recommendations that the City has implemented to reduce discrimination in housing. These recommendations include:

1. **Demographics:** Continue to increase the distribution of fair housing pamphlets and brochures in multiple languages
2. **Housing Stock:**
  - a. Continue to carry out plans for high-density development in the Midtown and Transit Specific Plan Areas
  - b. Continue to the use of the density bonuses and monitoring the conditions of the City's housing stock
3. **Land Use and Zoning:**
  - a. Maintain awareness of HUD policy and update code if necessary for group homes
  - b. Continue to monitor the State regulations for group's homes of 7 to 12 persons
4. **Public Policies and Housing Affordability:** Continue to implement the affordable housing policies outlined in the Milpitas Midtown/Transit Specific Plan, HUD's 5 Year Consolidated Plan and the General Plan Housing Element, which encourages and supports affordable housing
5. **Advertising:** Continue to regularly monitor the Milpitas Post and San Jose Mercury News for discriminatory real estate advertisements.
6. **Cases of Housing Discrimination:** Increase outreach efforts to all segments of the population and target the City's Asian community
7. **Awareness of Local Fair Housing Services:** Project Sentinel will provide these services to increase fair housing. Project Sentinel will increase the amount of outreach made to housing legal and social services agencies, develop systematic plan to follow up with agencies upon completion of outreach programs, update the City's website to include information about Fair Housing Law, fair housing services and provides links to websites of agencies that investigate fair housing discrimination.

The City of Milpitas continues to take the following actions to address the recommendations in the AI Report:

1. **Demographics:** Milpitas will continue to embrace the cultural diversity of its residents. Milpitas Senior Center offers a variety of different recreational services to senior citizens, which include ethnic celebrations for various cultures, arts and crafts, and special lunches. Previously, Milpitas conducted a community meeting on the Senior Needs Assessment Study. The meeting was conducted in three different languages (Chinese, Vietnamese, and Spanish) at the Milpitas Senior Center for the benefit of the participants. Milpitas Recreation Division holds several ethnic celebrations and festivals throughout the year to embrace ethnic diversity in the community. Milpitas offers tai chi (reduce stress relaxation exercises) and shiatsu massage

classes. Milpitas also translates many flyers, brochures, and other forms of outreach and advertising (including fair housing programs and services) in several languages. Milpitas funds several of agencies that provides services to different cultural groups.

2. **Housing Stock:** Milpitas has worked with housing developers to produce **1,410 affordable housing units with long-term affordability restrictions for very low, low and moderate-income households**. Incentives such as waiver or subsidy of development impact fees, density bonus ordinance, use of Milpitas Housing Authority funds for grants and loans have been used to encourage developers to construct affordable housing.
3. **Land Use and Zoning:** To date, Milpitas has changed the zoning of over 1,000 acres of land from commercial and industrial to residential and mixed use developments. Milpitas has expedited those applications proposing affordable housing developments during the review process. Milpitas has taken several land use and zoning actions to permit and encourage development of affordable housing including:
  - a. Adoption of a density bonus ordinance to encourage multi-family developments. Milpitas amended its Zoning Ordinance to incorporate the new State Law as it pertains to the new density bonus regulations.
  - b. Expediting development applications for affordable housing projects.
  - c. Providing CDBG grants to Service Providers for transitional and permanent housing for the homeless.
  - d. Negotiated with private developers on providing affordable housing units in their private development projects.
  - e. Waiving and/or subsidizing development fees to offset the cost to provide affordable housing units.
  - f. Provide informational seminars on affordable housing and;
  - g. Assigning Milpitas Housing Authority to assist in providing affordable housing units.
4. **Zoning Ordinance Amendments:** Milpitas will be amending its Zoning Ordinance pursuant to the certified Housing Element Implementation Plan. The plan requires the approval of zoning amendments to allow homeless shelters, transitional and permanent supportive housing, farm-worker housing and single room occupancies (SRO's) by "right" instead of the conditional use permit process.
5. **Public Policies and Barriers to Affordability:** The Milpitas General Plan Housing Element, Five-Year Consolidated Plan, the Midtown Specific Plan and the Transit Area Plan include specific policies, goals and objectives to support and encourage the development of affordable housing to low and moderate-income households. The Milpitas Housing Authority provides the following housing opportunities as it relates to public policy and barriers to affordability:
6. **City of Milpitas Housing Rehabilitation Program:** Over the past eleven years this program has provided approximately **\$3.7 million** for rehabilitation loans to very low and low-income homeowners.

7. **HomeFirst Services of Santa Clara County:** CDBG funds provide shelter, housing opportunities and supportive services for homeless individuals, families and youths.
8. **Project Sentinel:** The program investigates housing discrimination and provides fair housing and tenant-landlord mediation services.
9. **Transit Overlay District:** This zoning ordinance overlay district was established to encourage and support high-density residential development within ¼ mile of transit stations (including an additional 5,500 new units).
10. **Section 8 Program:** Milpitas supports, encourages and provides public information to residents that are looking to participate in the Housing Authority of Santa Clara County. Notices will be provided to Milpitas residents when the Section 8 Program Waiting Lists opened to the general public.
11. **Disabled Accessibility:** Milpitas provides developers with an accessibility checklist when constructing new housing units. Funds from Santa Clara County Fair Housing Retrofit Funds will also be used to leverage city funds for ADA compliance. Milpitas also provides funding for Rebuilding Together, which makes ADA home repairs and improvements.
12. **Housing Affordability:** Milpitas will continue to provide financial assistance to housing developments, which provide a certain percentage of their units to low and moderate-income households. The Milpitas Housing Authority will also provide down payment assistance with the 20% Low-Income Housing Set-Aside Funds for first-time homebuyers.
13. **Green Building Ordinance:** In summer of 2009, Milpitas adopted standards and procedures to assistance households (included lower-income households) on energy efficiency and making home costs more affordable.
14. **Housing Element Implementation Plan:** The follow-up to the certified Housing Element requires Zoning Ordinance amendments to permit homeless shelters, transitional and permanent and single room occupancy uses by “right.”
15. **Advertising:** Milpitas will continue to monitor discrimination in local housing advertisement that may uses unfair models. Milpitas has worked with Project Sentinel to provide fair housing services which includes flyers, brochures (in different languages), educational materials to local newspapers, meeting with local landlords to explain tenant/landlord fair housing rights, etc. Milpitas will also continue to monitor other forms of discrimination relating to people with disabilities, familial status, and families with children and senior citizens.
16. **Cases of Housing Discrimination:** Between the dates of July 1, 2011 to June 30, 2014 Project Sentinel conducted 73 investigations that were filed on the basis of housing discrimination in the City of Milpitas. The majority of cases involved discrimination on the basis of handicap/disability and ethnicity. The high percentage of cases filed on the basis of disability could be the result of greater public awareness of housing discrimination. Since both the FHAA

and ADA are relatively new legislation; the public is learning about the new policies and gaining knowledge of where to file a complaint.

The majority of these cases investigated were counseled, meaning that no significant evidence of housing discrimination was found. Even though 49% of the cases investigated displayed compliance with the Fair Housing Law, the investigation of these cases remain significant, because it shows awareness about fair housing law. There were also a considerable proportion of cases that were referred to either DFEH, an attorney, or obtained some other form of Referral. A referral is usually made when concrete evidence of housing discrimination is uncovered during the investigation. Out of the 13 referrals made, 7 were cases of housing discrimination on the basis of disability and the remaining cases were filed on the basis of ethnicity. Two case settlements were obtained in the monetary amount of \$14,500 with required fair housing training.

17. **Awareness of Local Fair Housing Services:** Flyers and brochures on fair housing services are presently available at City Hall. Monitoring of housing service providers includes discussions on their outreach effort and promoting fair housing. Milpitas will update its website to provide additional information about fair housing law and provide links to websites of agencies that investigate fair housing discrimination.

The CDBG cities within Santa Clara County have prepared a Countywide Fair Housing Report to address a variety of fair housing issues. The report identifies causes, impacts, alternative actions and recommendations of housing needs. Also, the cities and County of Santa Clara have established a Countywide Fair Housing Task Force to continue to address the recommendations in the report.

## **Enhance Coordination between Public and Private Housing and Social Service Agencies**

Milpitas will continue to encourage housing-related organizations to work together, collaborate and share their expertise with one another, especially those agencies that provide and manage housing, and social services.

## **Program Specific Requirements**

### **Funds Expected to be Available**

#### **CDBG**

|                                  |                  |
|----------------------------------|------------------|
| 2015-2016 Entitlement Grant      | \$393,490        |
| Program Income FY 2015-2016 (*)  | \$50,000         |
| Unused Revolving Loan Funds (**) | <u>\$169,303</u> |
| <b>Total:</b>                    | <b>\$612,793</b> |

\*Estimated Program Income from the Single Family Housing Rehabilitation Program

\*\* Including Unused Revolving Loan Funds and Reprogrammed Funds; \$33,860.60 will be used for rehabilitation program administration and the balance of \$135,442.40 for the housing rehabilitation loan program.

## Evaluate and Reduce Lead-Based Paint Hazards

The City of Milpitas will continue to enhance public sector efforts to inform private property owners about the hazard of lead-based paint. Risk assessment and hazard reduction can be more easily accomplished while performing other major repair work (i.e. rehabilitation repairs and improvements). The major obstacle to most mandated programs continues to be cost. Milpitas will continue to work with representatives from the city and county, housing organizations, public health agencies, children's advocacy groups, tenant and property owner's organizations and private physicians to address this matter. The continuing goals are to identify and inform property-owners of public and private resources available to reduce or abate lead based paint.

Because of the age of the Milpitas housing stock (approximately 60% of the units within Milpitas were built after 1970), Milpitas' housing stock is relatively new and contains very little lead-based hazardous material. The City of Milpitas will continue to work with the County of Santa Clara Environmental Health Department, as additional funding becomes available, in the design and implementation of programs related to the detection, abatement, prevention and education of the incidence of lead-based paint in the housing stock.

Presently, Milpitas along with several other CDBG cities in Santa Clara County are working with HUD to establish adequate capacity to comply with the Lead-Based Paint Rule (24 CFR Part 35). This task includes identifying trained, licensed, and certified personnel to conduct lead-based paint inspections, housing rehabilitation projects that will require inspections and funding sources.

Milpitas has started to negotiate with local contractors and establish a process to address lead-based paint in housing units. Milpitas has allocated CDBG Housing Rehabilitation Administration to implement its Lead-Based Paint Program to conduct environmental testing for lead-based paint prior to performing the required single-family rehabilitation home repairs and improvements. **Over the past several years, a total of 6 single-family homes were inspected for lead-based paint. Based on the initial inspections, no lead-based paint has been found in any Milpitas homes that have been inspected.**

Milpitas has also received from the County of Santa Clara a copy of their "hot zones" map which overlays three different indicators: (1) housing built before 1950, (2) poverty and (3) children under the age of six (based on census tracts) to identify areas where the risk of lead poisoning is potentially the highest. Nearly all of the reported cases of lead poisoning in the county came from the "hot zones."

## Reduce the Number of Families in Poverty

Milpitas will continue to support a variety of support services used by low-income households. The main goal shall be to prevent very low-income persons, especially, those earning 30% or less of median income from becoming homeless. The long-term goal is to provide more affordable housing options and economic opportunities so this group is not paying majority of their income on housing. For fiscal year 2015-2016 Milpitas will continue to support agency such as Milpitas Food Pantry. Rebuilding Together will provide housing service for estimated 20-27 Milpitas residents to correct health and safety hazards, enhance accessibility for disabled people, and improve energy efficiency to make housing cost more affordable for seniors on fixed-incomes.



Milpitas also obtains Quarterly Statistical Data of Public Families from the County of Santa Clara to monitor and track the number of Milpitas residents that are involved with Cal WORKS, other social services to determine the greatest need for CDBG funds. Several key categories such as Cal Works and Medi-Cal caseloads have been slightly reduced from the past year for Milpitas residents. A total of 464 Cal WORKS cases (2.7%) of the total in Santa Clara County are Milpitas households.

## Develop Institutional Structure

Milpitas will continue to work with and support non-profit organizations, which provide programs and services to low and moderate-income households. Milpitas will also continue to work with private industries, in particular financial and development groups, to encourage the development of affordable housing opportunities in Milpitas.

## PART III: STRATEGIC PLAN-FY 2015-2016

Milpitas will continue to encourage local housing social service providers to pursue all available public and private funding to achieve the goals identified in the Action Plan. It is anticipated that funding from a combination of federal, state and local resources will be used to pursue a majority of the identified strategies. Funding resources will be coordinated and leveraged whenever possible to maximize their potential. Milpitas plans to use available programs, services, and special initiative resources in a coordinated and integrated manner to achieve its affordable and supportive housing goals, as well as an expansion of support activities and programs related to assisting low-income families and individuals.

## Summary

The following is a summary of Milpitas priorities and plans to be pursued over the next year of the Action Plan. It was derived from the overall analysis of needs, market and inventory conditions as described in the Action Plan. These plans take into consideration the following factors revealed in the analysis of Milpitas Housing Authority's housing affordability, availability and adequacy:

- In 2012 and 2015, Milpitas Consolidated Plan and Housing Element has been approved and certified by HUD and State of California, Department of Housing and Community Development
- Milpitas Regional Fair Share Housing Allocation (2015-2023) from ABAG is 3,290 units which consist of the following:

**Regional Housing Needs Allocation (2015-2023)**

| Income Category | Percentage | # of Housing Units |
|-----------------|------------|--------------------|
| Very-Low        | 31%        | 1,004              |
| Low             | 17%        | 570                |
| Moderate        | 17%        | 565                |
| Above Moderate  | 35%        | 1,151              |
| Total           | 100%       | 3,290              |

Source: Association of Bay Area Governments (ABAG)

To date, Milpitas has met approximately 58% of its previous very low, low and moderate-income housing needs. A total of 154% of its above moderate-income housing needs have been met.

- Between 2000 and 2013 Milpitas population increased 8% in comparison to 9% for Santa Clara County. Milpitas households increased 13% in comparison to 8% for the County (BAE, *Milpitas Housing Element*, 2013)
- The median income in Santa Clara County is \$105,500, which is one of the highest area median income in the United States (California Department of Housing and Community Development, 2014)
- Milpitas average household size is 3.43 (California Department of Finance, 2014)
- City of Milpitas percentage of total population in poverty was 4.3% (687 households) (American Community Survey, 2011; BAE, 2013)
- By 2020, City of Milpitas will increase the number of residential dwelling units by 20% (BAE, *Milpitas Housing Element* 2013)
- Milpitas median age increased from 33.4 years in 2000 to 37.1 years in 2013 (U.S Census, 2010)
- Milpitas households have relatively high income. Median household income is roughly \$94,000 in comparison to \$87,000 Countywide. Approximately 47% of Milpitas households earn over \$100,000, whereas 12% earn less than \$25,000 (BAE, *Milpitas Housing Element*, 2013)
- If Milpitas is going to achieve its Regional Housing Needs Allocation (RHNA) goals, a total of 410+ housing units will be required to be built over the next 8 years (2015-2023) (BAE, *Milpitas Housing Element*, 2013)
- In 2013, approximately 67% of Milpitas Residents own their homes in comparison to 70% in 2000. (BAE, *Milpitas Housing Element*, 2013)
- In 2007 median price home in Milpitas was \$640,000, but fell to \$400,000 in 2009 (housing recession). In 2013, median sale price was \$580,000 which represents a 31% increase since 2009. (BAE, *Milpitas Housing Element*, 2013)
- The average rents (\$1,933) in Milpitas is lower than most cities in Santa Clara County however, occupancy rates (98%) is similar to other cities in the county. (BAE, *Milpitas Housing Element*, 2013)
- Approximately 83% of Milpitas extremely low-income residents experience housing costs burden, 91% very low-income, 63% low-income, 43% moderate-income and 5% above moderate-income. In total, 44% of all Milpitas Residents experience housing cost burden. (BAE, *Milpitas Housing Element*, 2013)
- Milpitas has completed the Transit Area Specific Plan that will accommodate approximately 5,500 new dwelling units, in which is anticipated that 20% of these units should be (1,100 units) affordable to low and moderate-income households.
- Milpitas has 19,184 occupied housing units (12,825 of which were owner-occupied and 6,359 renter-occupied). (BAE, *Milpitas Housing Element*, 2013)
- Milpitas housing vacancy rate was 3.1%. (California Department of Finance, 2014)

Milpitas must direct its Federal, State and local resources to housing programs and activities that directly benefit very low and low-income households. In-fill development and accessory units will be encouraged. More attention will be directed to the needs of extremely low-income individuals and households. Milpitas will continue to explore innovative resources to aid in development of affordable housing and support services to benefit lower income households.

## Priority Analysis and Strategy Development

This section reviews the fiscal year 2015-2016 Milpitas plans and priorities to be pursued over the next year and how they relate to the Consolidated Plan (July 1, 2018-June 30, 2023) in addressing the needs identified in the Housing and Homeless Needs Assessment.

The Consolidated Plan Priority Needs Summary ranks Milpitas priorities. Priorities will set a precedent of how funding will be allocated from Federal, State, and local resources. Activities that are not prioritize, will have no assistance.

The Consolidated Plan Priority Needs Summary shows that the “high” priority provide assistance to very low and low-income households and to homeless individuals and families and other persons of special needs, as well as activities aimed at preventing homelessness.

A “Medium” Priority is given to assisting low-income households in a wide variety of housing and support services.

A “Low” Priority is given to those groups currently small in number or least in need of assistance. However, should additional funding become available, the City will implement programs and activities as appropriate.

### **Strategy 1: Continue to provide funding to non-profit agencies and organizations, which serve the very low and low-income Milpitas residents and the homeless**

Milpitas will continue to provide funding to those non-profit agencies and organizations, which provide housing and other support services to very low and low-income households. Agencies and organizations such HomeFirst, Milpitas Food Pantry, Next Door to Domestic Violence, YWCA and Senior Adult Legal Services, which are funded through the City of Milpitas Community Development Block Grant Program, will be required to provide services to low-income households in Milpitas, especially, those households with special needs for affordable housing and support services.

### **Strategy 2: Rehabilitation of substandard units will be encouraged and financial assistance will be provided whenever possible**

The Milpitas Housing Rehabilitation Loan Program is funded by CDBG. The program will continue to assist low-income households. Rehabilitation will also include energy efficient methods for single and multi-family units.

Milpitas is exploring apartment rehabilitation and has identified several multi-family projects, in need of improvements and repairs. Milpitas will explore other types of funding sources (i.e. Home, Section 108, etc.) to finance the apartment rehabilitation program. Milpitas’ Code Enforcement Section and Building Division will continue to abate substandard housing conditions in affected units. The Code Enforcement Section will continue to respond to citizen complaints regarding housing code problems and Project Sentinel will continue to provide mediation and negotiate tenant and landlord disagreements.

In addition, funded organizations such as Rebuilding Together and Charities Housing Development Corporation continue their mission of rehabilitating much older homes for extremely low income and homes desperately needed of repairs and accessibility.

### **Strategy 3: Conservation of Existing Affordable Housing Stock**

Milpitas will continue to encourage the conservation of the rental housing stock because rental units are the most affordable housing for lower income households. Milpitas will assist local non-profits with regulatory and technical issues as well as to help identify potential funding resources.

The Santa Clara County Housing Authority (SCCHA) administers the Section 8 Program. Milpitas will continue to work with the Housing Authority to maintain the existing Section 8 subsidy levels and to encourage additional subsidies for Milpitas residents whenever possible. As previously mentioned, Milpitas is exploring the development of an apartment rehabilitation program.

A total of 615 Milpitas residents have vouchers and are living in Section 8 units. Another 1,892 residents are on the waiting lists.

Milpitas will maintain its existing Mobilehome Rent Control Ordinance to ensure the continued affordability to the 527 mobile home units. Approximately 70% of the tenants at the mobilehome parks are low-income senior citizens. Milpitas will also assist, as feasible, a local non-profit or tenant organization in the buyout or conversion to tenant ownership if such a proposal is presented Milpitas Neighborhood Beautification Ordinance (NBO) has also established program guidelines and award programs for maintaining and improving the general housing stock in individual neighborhoods.

### **Strategy 4: Participation by the Private Sector in Development of Affordable Housing**

Through alternative financing programs in the public and private sectors, whenever possible, Milpitas will encourage developers (non-profit and for-profit) to leverage their funding to the furthest extent possible. Several non-profit and for-profit developers have expressed interest in working with the City to develop another senior housing project. Milpitas has provided \$1.1 million in funding for the Housing Trust Silicon Valley Fund to raise over \$30 million (with the goal to leverage this funding to \$1.3 billion) to assist 5,000 families in affordable housing. This allocation would provide approximately 3,000 affordable rental apartments, support 800 first-time homebuyers with down payment assistance, and serve more than 1,000 homeless individuals and families through housing and support services. A large portion of the funding has been provided from several major high-tech corporations in Silicon Valley such as Intel, Applied Materials, and Cisco Systems.

Milpitas has worked with and will continue to work with developers on their approved and proposed residential development projects. As stated by the City's affordable housing policy, it is anticipated that 20% of all the residential units in the projects should and encourage to be affordable, and designate a portion to be very low, low and moderate income. It is estimated that the private sector will invest over \$285 million into the residential development projects in Milpitas over the next 5 years.

## ***Housing Bond Advisory Committee***

Milpitas participates in the County of Santa Clara Housing Bond Advisory Committee which established a permanent funding pool for affordable housing projects within Santa Clara County.

## ***County of Santa Clara, Office of Affordable Housing***

County of Santa Clara has established an Office of Affordable Housing. This agency will be working with the local jurisdictions to address the affordable housing needs countywide. The City of Milpitas will be an active participant in the Office of Affordable Housing.

## **Strategy 5: Provision of Equal Housing Opportunities**

Milpitas will continue to provide financial support to programs that provide fair housing and counseling services to Milpitas residents including Project Sentinel and other similar programs. Milpitas has prepared and continues to implement its Analysis of Impediments to Fair Housing Choice Report, which identifies (potential) barriers to obtaining fair housing. The Cities within Santa Clara County and the County have prepared a countywide Supportive Housing Initiative Report to assist in addressing several issues including constraints to affordable housing and removing housing barriers. Milpitas will continue to work with Project Sentinel to address fair-housing issues and participate in tenant-landlord resolutions with regards to housing discrimination.

As previously stated Milpitas updated its Analysis of Impediments to Fair Housing Choice Report which identifies and provides a strategy to address potential housing impediments to fair housing choices.

## **Strategy 6: Other Processes and Procedures to be reviewed that Prohibit or Negatively Impact Affordable Housing Opportunities**

### ***In-Fill Development***

Milpitas will continue to review in-fill development sites to determine their appropriateness for multi-family developments. However, the amount of land available for in-fill development has been reduced over the number of years to accommodate various types of development, including affordable housing projects. The Midtown Specific Plan has assisted on developing in-fill development parcels of land that can accommodate future housing developments.

### ***Provision of Sufficient Land Zoned for Multi-Family Units***

Over the past several years, Milpitas has identified approximately 1,000 acres of land that has been rezoned for housing sites. Milpitas has updating and revising its General Plan Housing Element as required by State of California Housing Element Law. The Housing Element has identified appropriate housing sites to provide general plan amendments and underline zoning changes to increase the density on parcels of land to accommodate future high-density multi-family developments. In January 2015, State of California, Department of Housing and Community

Development found the Milpitas General Plan Housing Element in compliance with state housing laws. Also, Milpitas Midtown Specific Plan proposes land use alternatives to 1,000 acres of land, which would accommodate a variety of housing types in the range from approximately 3,000 housing units. The Transit Area Specific Plan would permit densities for an additional 5,500 units.

### ***Density Bonus Ordinance***

Milpitas will continue to implement the Density Bonus Ordinance, which allows a developer to obtain concessions and incentives (financial and reduction of development standards) for developing very low, low income, and senior citizens housing projects. The units must remain affordable for at least thirty (30) years pursuant to deed restrictions. Milpitas has granted financial concessions in the form of reduction in park-in-lieu, building and plan checking fees. Milpitas has also granted reductions in development standards (required parking, setbacks, park dedication, etc.) to accommodate affordable housing developments.

Milpitas has amended its Zoning Ordinance to incorporate the new State Density Bonus provisions with allow housing developers flexibility in providing affordable housing units.

### ***Milpitas Affordable Housing Policy***

Milpitas affordable housing policies state that each residential developer should provide 20% affordable housing (very low, low and moderate-income) in their projects. The actual level of affordability is negotiated on a project-by-project basis. City Staff requires the level of affordability by reviewing the Association of Bay Area Governments' Regional Housing Needs Allocation (2015-2023) and requires each developer to provide it fair-share of affordable units in the project.

Based on the level of financial assistance (and city housing needs) provided to the developer (including grants, loans, grants and loans combination, payment of developer impact fees, first-time homebuyer down payment assistance, etc.), City Staff determines the appropriate level of affordable housing required in each project.

### ***Payment of Development Fees***

The Milpitas City Council will continue to consider requests to waive or subsidize City fees for developer to assist in reducing the cost to developers that develop affordable housing units. These fees include building and fire permits, plan checking, parkland dedication, water and sewer, school impact and traffic mitigation fees controlled by the City, and cost of entitlement applications. The wavier of development impact fee are tied the number of affordable housing units within each individual projects. Milpitas has subsidized approximately **\$5.6 million in development impact fees to financially assist in affordable housing projects.**

### ***Homeless Facility Sites***

The City will be amending its Zoning Ordinance to “permit by right” the provisions of emergency housing facilities and transitional housing facilities in specific zoning categories (i.e. residential,

commercial, and industrial). Pursuant to the certified Housing Element, Milpitas will be preparing Zoning Ordinance Amendments to permit homeless shelters, transitional, permanent, and single room occupancy units

### ***Procedural Reforms***

Milpitas will continue to review its development procedures and recommend appropriate changes to facilitate the construction of affordable housing units. All internal governmental constraints to expedite approval of affordable housing projects will be reviewed and addressed in a timely manner. Milpitas is currently implementing “**Road Map to Service Improvements,**” to review and enhance customer service.

### ***Modification to Development Standards***

Milpitas will continue to review its development standards and recommend modifications to development standards, which pose an unnecessary impediment to the construction of affordable housing units. Development standards (i.e. parking, setbacks, height, private and public open space, etc.) have been reduced on several affordable housing projects to limit the unnecessary burden or financial costs to support the project.

### ***Institutional Structure***

Milpitas will continue to implement financing affordable housing and supportive housing strategies through the Building, Planning, and Neighborhood Services Divisions. The development process has been reviewed to become streamlined to expedite and promote “fast-tracking” of affordable housing projects.

Milpitas will continue to work with other cities and the County of Santa Clara to address the issues of homelessness and other regional issues. Several collaborative efforts involved all of the cities and the County of Santa Clara such as Catholic Charities. Milpitas has participated (data and funding) in the Countywide Homeless Survey. The majority of housing strategies will be accomplished by supporting non-profit organizations providing programs and services to low and very low-income households. Milpitas will also work with private for-profit industry, in particular financial and development groups, to encourage the development and affordable housing opportunities in the City.

## **Part IV: Monitoring and Oversight**

### ***Overcoming Gaps***

There are a number of gaps in program and service delivery. There is a need to improve coordination of services on a Citywide and Countywide basis and increase funding available to provide adequate services. The CDBG entitlement cities and County of Santa Clara staff continue meeting to discuss data, resources and other ways to coordinate requests for information to both the public and private

countywide agencies. These meetings have been beneficial to help better understand the County and the non-profit social service structure. HUD also continues to meet with this group of cities and the County to clarify issues and assist in our planning process and efforts.

### ***Monitoring of CDBG Subrecipients***

Milpitas continues to monitor the activities and programs of its subrecipients that receive CDBG funding. Monitoring visits are scheduled in advance by staff to meet and address the following issues:

- Meet and discuss with subrecipients their annual goals and objectives
- Review their financial reports and supplemental documentation to insure that the CDBG funds are being used and allocate appropriately
- Conduct CDBG Workshops to assist new CDBG subrecipients on the program regulations, requirements, and other technical assistance
- Identify areas of improvement to increase the level of communications between the City and its subrecipients
- Assist subrecipients on obtaining additional funds and new resources to carryout programs and services

It is anticipated that these actions stated above would be useful to further the overall goals and objectives identified throughout the Milpitas 2015-2016 Action Plan and the Five-Year Consolidated Plan.

### ***Performance Measurements***

The City of Milpitas 2015-2016 Action Plan has incorporated performance measurements associated with the programs and activities that are funded during the next fiscal year. The performance measurements is a program management tool to establish the organizational process for gathering information to determine the status and level of programs and activities being funded in order to meet the established goals and objectives.

The Performance Measurements objectives are identified in three (3) categories:

- Creating Suitable Living Environments
- Providing Decent Affordable Housing
- Creating Economic Opportunities

Based on the selected performance measurement objectives stated above, the appropriate outcomes are identified below to best reflect the desired outcomes achieved through the funding of CDBG the programs and activities in the Action Plan:

- Availability/Accessibility
- Affordability
- Sustainability



The Outcomes and Objectives Codes are identified in Table 3A (Summary of Specific Annual Outcomes) and the Description of Projects attached to the Action Plan:

|                          | Availability/Accessibility | Affordability | Sustainability |
|--------------------------|----------------------------|---------------|----------------|
| Decent Housing           | DH-1                       | DH-2          | DH-3           |
| Suitable Living Environ. | SL-1                       | SL-2          | SL-3           |
| Economic Opportunity     | E0-1                       | E0-2          | E0-3           |

In conclusion, the performance measurements used to determine the outcome of programs and activities funded through the Action Plan will allow the residents of Milpitas, decision-makers, HUD and other interested parties obtain a better understanding on the program results that directly and indirectly impact and benefit the residents within the community.

### ***Citizens Participation Process***

On April 21, 2015, City of Milpitas will hold a public hearing on the adoption of the Milpitas 2015-2016 Action Plan to obtain public comments prior to the final adoption and submittal to HUD.

Public notices of the meeting were placed in the Milpitas Post for the required 30-day review period (March 13 to April 13, 2015) prior to the hearing date letters were sent out to over **17** Public Service and Housing Providers to comment on the Draft Action Plan. Attached is a list of Public Service and Housing Providers that received letters.

Since the performance measurements identified above does not warrant substantial or significant change to the Action Plan as outlined in the City of Milpitas Community Development Block Grant Citizen Participation Process, the information has been submitted and incorporated into the document and does not constitute an amendment to the Action Plan. The performance measurements are identified as new Federal Government/HUD reporting requirements as part of the compliance with the CDBG Program regulations.

The goals and objectives identified in the Draft and Final Action Plan are in full compliance with the local policies and procedures adopted in the Milpitas' Citizen Participation Plan.

The following actions and schedule allowed maximum citizen participation in the review of the Milpitas' 2015-2016 Action Plan.

#### **January 2, 2015 and February 2, 2015**

Advertised Request for Community Development Block Grant proposals in the Milpitas Post Newspapers (Twice: January 2 and 16, 2015). Notices were also included in the City's Cable TV and Web Site. Public notices were available during the entire 30-day application acceptance period (January 2, 2015 - February 2, 2015).

#### **January 2, 2015 to February 2, 2015**

CDBG application period opened for 30 days to receive applications.

**February 20, 2015**

Advertised in Milpitas Post Newspaper for Community Advisory Committee (CAC) meeting to review CDBG application proposals (Meeting Date: March 4, 2015).

**March 4, 2015**

CAC meeting to listen to CDBG applicants' presentations, deliberate, and provide final recommendations to City Council.

**March 13, 2015 to April 13, 2015**

Advertised in Milpitas Post Newspaper for 30 days to provide the general public the opportunity to review and comment on the Draft Action Plan. Also, copies of the plan were sent to Service and Housing Providers and other interested parties. Copies were available in the Milpitas Public Library, City Hall Information Desk counter at City Hall.

**April 3, 2015**

Advertised in Milpitas Post Newspaper for City Council review of CDBG Funding Proposals and adoption of Draft Action Plan (City Council Meeting: April 21, 2015).

**April 21, 2015**

Milpitas City Council held a public hearing to obtain input and comments on the Draft Action Plan, Adopts Final Action Plan, and CDBG Funding for FY 2015-2016.

**May 15, 2015**

Submit Final Action Plan to HUD.

**August 15, 2015 to September 15, 2015**

Public review and comments Period Starts for Consolidated Annual Performance and Evaluation Report (CAPER) for FY 2014-2015.

**September 15, 2015**

Milpitas City Council holds public hearing to obtain input and comments on the Draft CAPER Report.

**September 25, 2015**

Submit Consolidated Annual Performance and Evaluation Report (CAPER) to HUD

City of Milpitas CDBG FY 2015-2016 Proposed Funding

| Organization                                                        | Project                                                                 | Proposed Funding | CDBG National Objective              | Desired Outcomes             |
|---------------------------------------------------------------------|-------------------------------------------------------------------------|------------------|--------------------------------------|------------------------------|
| Public Services                                                     |                                                                         |                  |                                      |                              |
| Child Advocates of Silicon Valley                                   | Advocacy Program for Foster Youth                                       | \$5,290.31       | Create a Suitable Living Environment | Availability/Accessibility   |
| Home First                                                          | Shelter and Supportive Services for Milpitas Homeless                   | \$5,025.25       | Create a Suitable Living Environment | Availability/Accessibility   |
| Live Oak Adult Day Services                                         | Adult Day Care                                                          | \$5,337.75       | Create a Suitable Living Environment | Availability/Accessibility   |
| Milpitas Food Pantry                                                | Milpitas Food Pantry & Clothes Closet                                   | \$14,519.00      | Create a Suitable Living Environment | Availability/Accessibility   |
| Next Door Solutions to Domestic Violence                            | The Shelter Next Door & Supportive Services                             | \$5,105.88       | Create a Suitable Living Environment | Availability/Accessibility   |
| Recreation Services Department                                      | Milpitas Recreation Program                                             | \$7,206.25       | Create a Suitable Living Environment | Availability/Accessibility   |
| Senior Adults Legal Assistance (SALA)                               | Legal Assistance to Elders                                              | \$5,109.81       | Create a Suitable Living Environment | Availability/Accessibility   |
| YWCA Silicon Valley                                                 | Domestic Violence Services for Milpitas Residents                       | \$5,078.56       | Create a Suitable Living Environment | Availability/Accessibility   |
| Project Sentinel                                                    | Milpitas Housing Services (Fair Housing & Tenant - Landlord Counseling) | *                | Create a Suitable Living Environment | Availability/Accessibility   |
| The Health Trust                                                    | Meals on Wheels                                                         | \$6,350.69       | Create a Suitable Living Environment | Availability/Accessibility   |
| Non-Public Services                                                 |                                                                         |                  |                                      |                              |
| Charities Housing Development Corporation/Milpitas Senior Homes LLC | Milpitas Senior Homes Improvements                                      | \$32,796.88      | Provide Decent Affordable Housing    | Affordability/Sustainability |
| City of Milpitas Public Works Department                            | Street Resurfacing Project                                              | \$60,648.25      | Create a Suitable Living Environment | Accessibility                |
| Rebuilding Together Silicon Valley                                  | Rebuilding Housing Repairs and Accessibility Modifications              | \$49,610.13      | Create a Suitable Living Environment | Affordability/Sustainability |
| Terrace Gardens Senior Housing, Inc.                                | Terrace Gardens Senior Housing                                          | \$112,713.25     | Create a Suitable Living Environment | Affordability/Sustainability |

\* Project Sentinel receives \$10,000 from CDBG Administration and \$15,000 from Milpitas Housing Authority

|                                |              |
|--------------------------------|--------------|
| Total                          | \$314,792.00 |
| Non-Public Service CDBG Budget | \$255,768.50 |
| Public Service CDBG Budget     | \$59,023.50  |
| CDBG Administration Budget     | \$78,698.00  |

# COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

## ANNUAL ACTION PLAN | PLANNED ACTIVITIES

### Fiscal Year 2015-2016

#### Public Services

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1. **Child Advocates of Silicon Valley \$5,290.31:** Provides court appointed special advocates (CASA) by using the CAC volunteers to provide stability for vulnerable children and teenagers up to the age of 21 years old in the foster care system. CASA volunteers are trained on various issues to child neglect, abuse, to provide the best guidance and support of the foster children. Approximately 10-16 Milpitas children will benefit from these services.
2. **HomeFirst Services of Santa Clara County \$5,025.25:** The project will provide shelter and supportive services to approximately 15-20 unduplicated homeless City residents with emergency shelter, hot meals and supportive services. HomeFirst will provide 500 person shelter days (psds) with supportive services that include, but not limited to: hot meals, case management, employment assistance, medical services, and financial assistance.
3. **Live Oak Adult Day Services \$5,337.75:** Live Oak will provide recreational adult day care for frail, dependent, low-income seniors with age-appropriate social activities. Also included with services are hot meals and dietary supplements. The program also provides respite for family caregivers. The program will benefit approximately 8-10 Milpitas residents.
4. **Milpitas Food Pantry \$14,519.00:** Milpitas Food Pantry provides the City of Milpitas' poorest residents by providing 3 days of emergency food but also provide week's worth of foods to families. Families can also receive toiletries and new clothing. The Milpitas Food Pantry serves 3,000-4500 Milpitas residents.
5. **Next Door Solutions to Domestic Violence \$5,105.88:** Next Door provides up to 30 days for victims of domestic abuse, including their children. Approximately, 20-30 Milpitas residents would be served by this organization.
6. **Project Sentinel \$25,000\*:** Provides fair housing services and investigation services of housing discrimination and complaints. The organization also provides tenant-landlord counseling services. All Milpitas residents can use these services.
7. **Recreation Assistance Program (City of Milpitas) \$7,206.25:** Provides assistance to low-income families or households that need financial assistance to participate in the many recreation services offered by the City. All the funds will go toward subsidizing each participant if qualified. Approximately 40-48 youths and seniors will benefit from this program.
8. **Senior Adults Legal Assistance (SALA) \$5,109.81:** Provides free legal services to Milpitas' senior citizens. Approximately 30-35 Milpitas seniors will benefit from the services.

9. **The Health Trust \$6,350.69**: The Health Trust provides meals on wheels to increase social interaction and additional wellness services to home-bound seniors. Approximately 6-8 homebound Milpitas Seniors will benefit from these services.
10. **YWCA Silicon Valley \$5,078.56**: Provides 24-hour comprehensive services for victims of domestic abuse and their children. Approximately 40-44 residents will benefit from these services.

**Total Public Service \$59,023.50**

*\*Project Sentinel will receive \$10,000 from CDBG Administrative Funds and \$15,000 from Milpitas Housing Authority for a total of \$25,000.*

## **Non-Public Services**

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1. **Charities Housing Development Corporation/Milpitas Senior Homes LLC \$32,796.88**: Charities Housing will preserve affordable housing to help 10 extremely low income seniors by preserving two properties. The two properties are in need of dire repair and renovation. This project will benefit 10 Milpitas senior residents.
2. **Public Works Department (City of Milpitas) \$60,648.25**: The project will provides a variety of pavement resurfacing that includes the installation of new ADA compliant, pedestrian accessible curb ramps at various locations within the City to assist disabled persons. This will benefit the all pedestrians in the City of Milpitas.
3. **Rebuilding Together Silicon Valley \$49,610.13**: The organization will help seniors and low to very low income homeowners that need safety repairs, accessibility improvements, and other home improvements to increase mobility. This will help approximately 20-27 Milpitas' households.
4. **Terrace Gardens Senior Housing, Inc. \$112,713.25**: Assist in the façade and exterior improvement of a senior housing project. The project will include mildew removal, scraping, sanding and a new paint project. A total of 184 residents will benefit from this project.
5. **Milpitas Housing Rehabilitation Loan Program (Revolving Loan) \$135,442.40\***: The funds will be used as rehabilitation loans to low to very low income households qualify for extensive and/or improving mobility and accessibility.

**Total Non-Public Service \$255,768.50**

**Total Housing Rehabilitation Loan Program\* \$135,442.40**

**Total of all Non-Public Service Funds \$391,210.90**

*\*Milpitas Housing Rehabilitation Loan Program will come from current revolving loan funds and do not come out from CDBG entitlement funds.*

## Project Administration

---

1. **General CDBG Program Administration \$78,698.00:** Funding will be used to administer and monitor the general CDBG program by City of Milpitas staff. \$10,000 of which will be allocated for Project Sentinel for Fair Housing Services.

|                   |                                             |
|-------------------|---------------------------------------------|
| \$78,698          | General Program Administration              |
| <u>(\$10,000)</u> | Project Sentinel for Fair Housing Services  |
| <b>\$68,698</b>   | <b>Total General Program Administration</b> |

2. **Milpitas Housing Rehabilitation Loan Administration Program \$33,860.60:** This funding will be used to implement and monitor the City's Housing and Rehabilitation Program by City staff.

**Total Project Administration \$102,558.60**

## Fiscal Year 2015 – 2016 Planned Activities Funds

---

|                                                                        |                     |
|------------------------------------------------------------------------|---------------------|
| <i>Public Service</i>                                                  | \$59,023.50         |
| <i>Non-Public Service</i>                                              | \$255,768.50        |
| <i>Program Administration</i>                                          | \$78,698.00         |
| <b><i>Total CDBG Grant Allocation FY 15-16</i></b>                     | <b>\$393,490.00</b> |
| <br>                                                                   |                     |
| <i>Estimated Program Income</i>                                        | \$50,000.00         |
| <i>Housing Rehabilitation Loan Program</i>                             | \$135,442.40        |
| <i>Housing Rehabilitation Loan Administration Program</i>              | \$33,860.60         |
| <b><i>Total Unused Revolving Loan Funds and Reprogrammed Funds</i></b> | <b>\$219,306.00</b> |

**Total FY 2015-2016 Funds \$612,796.00**

CDBG FY 2015-16 CAC TALLY SHEET

2B

PUBLIC SERVICES

| OrganizationProject |                                                   | BATILO                                                                  | KATHAPURKAR  | LEON         | MANASSAU     | MOHSIN       | ROSARIO      | SHARMA       | TRUONG       | Recommendation (AVERAGE) |
|---------------------|---------------------------------------------------|-------------------------------------------------------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------------------|
| 1                   | Child Advocates of Silicon Valley                 | Advocacy Program for Foster Youth                                       | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 7,322.50  | \$ 5,000.00  | \$ 5,290.31              |
| 2                   | Habitat for Humanity East Bay/Silicon Valley Inc. | City of Milpitas Financial Counseling                                   | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -                     |
| 3                   | Home First                                        | Shelter and Supportive Services for Milpitas Homeless                   | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,202.00  | \$ 5,000.00  | \$ 5,025.25              |
| 4                   | Live Oak Adult Day Services                       | Adult Day Care                                                          | \$ 7,500.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,202.00  | \$ 5,000.00  | \$ 5,337.75              |
| 5                   | Milpitas Food Pantry                              | Milpitas Food Pantry & Clothes Closet                                   | \$ 15,176.50 | \$ 15,000.00 | \$ 16,523.50 | \$ 19,523.50 | \$ 14,523.50 | \$ 10,000.00 | \$ 15,405.00 | \$ 14,519.00             |
| 6                   | Next Door Solutions to Domestic Violence          | The Shelter Next Door & Supportive Services                             | \$ 5,000.00  | \$ 8,000.00  | \$ 5,000.00  | \$ -         | \$ 5,000.00  | \$ 8,847.00  | \$ 9,000.00  | \$ 5,105.88              |
| 7                   | Recreation Services Department                    | Milpitas Recreation Program                                             | \$ 6,347.00  | \$ 6,000.00  | \$ 7,500.00  | \$ 7,500.00  | \$ 7,500.00  | \$ 7,803.00  | \$ 7,500.00  | \$ 7,206.25              |
| 8                   | Senior Adults Legal Assistance (SALA)             | Legal Assistance to Elders                                              | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,676.50  | \$ 5,202.00  | \$ 5,109.81              |
| 9                   | YWCA Silicon Valley                               | Domestic Violence Services for Milpitas Residents                       | \$ 5,000.00  | \$ 5,023.50  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 5,605.00  | \$ 5,000.00  | \$ 5,078.56              |
| 10                  | Catholic Charites of Santa Clara County           | Long Term Care Ombudsman Program                                        | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -                     |
| 11                  | Fresh Lifelines for Youth (FLY)                   | Law Program                                                             | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -                     |
| 12                  | Project Sentinel*                                 | Milpitas Housing Services (Fair Housing & Tenant - Landlord Counseling) | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -         | \$ -                     |
| 13                  | The Health Trust                                  | Meals on Wheels                                                         | \$ 5,000.00  | \$ 5,000.00  | \$ 5,000.00  | \$ 7,000.00  | \$ 7,000.00  | \$ 7,000.00  | \$ 7,282.00  | \$ 6,350.69              |
| Total               |                                                   | \$ 59,023.50                                                            | \$ 59,023.50 | \$ 59,023.50 | \$ 59,023.50 | \$ 59,023.50 | \$ 59,023.50 | \$ 59,023.50 | \$ 59,023.50 | \$ 59,023.50             |

Total Public Services Funding: CAC recommendation (\$59,023.50). \$ 59,023.50

Project Sentinel will receive \$10,000 from CDBG adminstrative funds and \$15,000 from Milpitas Housing Authority for a total of \$25,000 for the FY 2015-2016.

CDBG FY 2015-16 CAC TALLY SHEET

NON-PUBLIC SERVICES

| Organization                                                             | Project                                                       | BATILO        | KATHAPURKAR   | LEON          | MANASSAU      | MOHSIN        | ROSARIO       | SHARMA        | TRUONG        | Recommendation<br>(AVERAGE) |
|--------------------------------------------------------------------------|---------------------------------------------------------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|---------------|-----------------------------|
| Charities Housing Development<br>1 Corporation/Milpitas Senior Homes LLC | Milpitas Senior Homes Improvements                            | \$ 30,000.00  | \$ 30,000.00  | \$ 30,000.00  | \$ 30,000.00  | \$ 30,000.00  | \$ 30,000.00  | \$ 52,375.00  | \$ 30,000.00  | \$ 32,797                   |
| 2 City of Milpitas Public Works Department                               | Street Resurfacing Project                                    | \$ 65,768.50  | \$ 80,000.00  | \$ 61,598.50  | \$ 61,598.50  | \$ 61,598.50  | \$ 61,598.50  | \$ 31,425.00  | \$ 61,598.50  | \$ 60,648                   |
| 3 Rebuilding Together Silicon Valley                                     | Rebuilding Housing Repairs and Accessibility<br>Modifications | \$ 40,000.00  | \$ 20,000.00  | \$ 89,170.00  | \$ 39,170.00  | \$ 89,170.00  | \$ 39,170.00  | \$ 41,031.00  | \$ 39,170.00  | \$ 49,610                   |
| 4 Terrace Gardens Senior Housing, Inc.                                   | Terrace Gardens Senior Housing                                | \$ 120,000.00 | \$ 125,768.50 | \$ 75,000.00  | \$ 125,000.00 | \$ 75,000.00  | \$ 125,000.00 | \$ 130,937.50 | \$ 125,000.00 | \$ 112,713                  |
| Total                                                                    |                                                               | \$ 255,768.50 | \$ 255,768.50 | \$ 255,768.50 | \$ 255,768.50 | \$ 255,768.50 | \$ 255,768.50 | \$ 255,768.50 | \$ 255,768.50 | \$ 255,768.50               |

Total Non-Public Services Funding: CAC recommendation (\$255,768.50).

\$255,768.50



CDBG 2015-2016 Applications Cost Analysis

2C

| Project Name        |                                                                         | Subrecipient                                                        | Service                                        | Public Service/Non-Public | National Objective                                       | Project Description                                                                                                                                                                                                                                                                             | Grant Request | Total Project Cost | % of Federal Share (CDBG) | Local Share (other sources) | % of Local Share | (Recommended as of 2/3/15) Final Funded Amount | % From CDBG Funding | Total # Served From Project | # of Milpitas Residents | # of those Residens VL or Low Income                                                                                                                                                             | % of Low Income |
|---------------------|-------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------|---------------------------|----------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------|---------------------------|-----------------------------|------------------|------------------------------------------------|---------------------|-----------------------------|-------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| NON-PUBLIC SERVICES | Street Resurfacing Project                                              | City of Milpitas' Public Works Department                           | General Public                                 | Non-Public Services       | Benefit to Low and Moderate Income Persons or Households | Provide resurfacing in Milpitas needed streets and area while emphasizing ADA ramps for the disabled.                                                                                                                                                                                           | \$ 80,000     | \$ 80,000          | 100.00%                   | \$ -                        | 0.00%            | \$ 61,598.50                                   | 77.00%              | 24,256                      | 24,256                  | It is not possible to get exact income of each household as it is not available via Census. However, we can find the median income, the tracts we chose all were under the low mod income limits |                 |
|                     | Milpitas Senior Homes Improvements                                      | Charities Housing Development Corporation/Milpitas Senior Homes LLC | 1. Home Repair/Rehabilitation                  | Non-Public Services       | Benefit to Low and Moderate Income Persons or Households | Process of transitioning ownership of 2 single family homes from Senior Housing Solutions to continue to provide housing for low-income seniors. Project requires additional funding to mitigate negative cash flow to cover expenses of rehabilitation needs.                                  | \$ 30,000     | \$ 30,000          | 100.00%                   | \$ -                        | 0.00%            | \$ 30,000.00                                   | 100.00%             | 10                          | 10                      | 10                                                                                                                                                                                               | 100%            |
|                     | Rebuilding Housing Repairs and Accessibility Modifications              | Rebuilding Together Silicon Valley                                  | 1. Home Repair/Rehabilitation                  | Non-Public Services       | Benefit to Low and Moderate Income Persons or Households | Preserve and maintain affordable housing and safe environment through repair and maintenance activities to owner occupied units and community facilities.                                                                                                                                       | \$ 100,000    | \$ 123,065         | 81.26%                    | \$ 23,065                   | 18.74%           | \$ 39,170.00                                   | 31.83%              | 55                          | 55                      | 55                                                                                                                                                                                               | 100%            |
|                     | Terrace Gardens Senior Housing                                          | Terrace Gardens Senior Housing, Inc.                                | 3. Rental Apartment Rehabilitation             | Non-Public Services       | Benefit to Low and Moderate Income Persons or Households | Paint exterior of residential buildings which includes mildew removal, scraping, sanding, etc. that ensures at least 10 years of useful lifetime.                                                                                                                                               | \$ 200,000    | \$ 435,000         | 45.98%                    | \$ 235,000                  | 54.02%           | \$ 125,000.00                                  | 28.74%              | 184                         | 184                     | 184                                                                                                                                                                                              | 100%            |
| TOTAL               |                                                                         |                                                                     |                                                |                           |                                                          |                                                                                                                                                                                                                                                                                                 | \$ 410,000    | \$ 167,016         | 81.81%                    |                             |                  | \$ 255,768.50                                  |                     |                             |                         |                                                                                                                                                                                                  |                 |
| PUBLIC SERVICES     | Advocacy Program for Foster Youth                                       | Child Care Advocates of Silicon Valley                              | 2. Youth/Teen Services                         | Public Service            | Benefit to Low and Moderate Income Persons or Households | Provides children with one person to be supportive presence throughout foster care and remains with the child as a friend or mentor until he or she exits system.                                                                                                                               | \$ 10,000     | \$ 1,505,398       | 0.66%                     | \$ 1,495,398                | 99.34%           | \$ 5,000.00                                    | 0.33%               | 780                         | 32                      | 32                                                                                                                                                                                               | 100%            |
|                     | City of Milpitas Financial Counseling                                   | Habitat for Humanity East Bay/Silicon Valley, Inc.                  | 3. Homeless Sheltering/Services                | Public Service            | Benefit to Low and Moderate Income Persons or Households | Provide marketing and outreach to households to introduce homeownership and counseling.                                                                                                                                                                                                         | \$ 25,000     | \$ 52,650          | 47.48%                    | \$ 27,650                   | 52.52%           | \$ -                                           | 0.00%               | 70                          | 70                      | 67                                                                                                                                                                                               | 95%             |
|                     | Shelter and Supportive Services for Milpitas Homeless                   | Home First                                                          | 3. Homeless Sheltering/Services                | Public Service            | Benefit to Low and Moderate Income Persons or Households | Provide 20 unduplicated homeless City residents with emergency shelter, hot meals and supportive services. Project provides 500 Person Shelter Days with supportive services, hot meals, case management and employment to financial assistance.                                                | \$ 5,000      | \$ 388,520         | 1.29%                     | \$ 383,520                  | 98.71%           | \$ 5,000.00                                    | 1.29%               | 4,800                       | 20                      | 20                                                                                                                                                                                               | 100%            |
|                     | Adult Day Care                                                          | Live Oak Adult Day Services                                         | 1. Senior Services                             | Public Service            | Benefit to Low and Moderate Income Persons or Households | Provide a specialized program of recreational adult day care for frail, dependent, low-income seniors providing age-appropriate social activities and recreation.                                                                                                                               | \$ 5,000      | \$ 1,126,229       | 0.44%                     | \$ 1,121,229                | 99.56%           | \$ 5,000.00                                    | 0.44%               | 300                         | 10                      | 10                                                                                                                                                                                               | 100%            |
|                     | Milpitas Food Pantry & Clothes Closet                                   | Milpitas Food Pantry                                                | General Public                                 | Public Service            | Benefit to Low and Moderate Income Persons or Households | Serve extremely to very low income families, disabled, seniors and homeless with foods and clothes.                                                                                                                                                                                             | \$ 25,000     | \$ 90,000          | 27.78%                    | \$ 65,000                   | 72.22%           | \$ 12,676.50                                   | 14.09%              | 4,500                       | 3,825                   | 3,825                                                                                                                                                                                            | 100%            |
|                     | The Shelter Next Door & Supportive Services                             | Next Door Solutions to Domestic Violence                            | 5. Battered Women Sheltering/Services          | Public Service            | Benefit to Low and Moderate Income Persons or Households | Provide 24/7 bilingual English/Spanish shelter and supportive services for Milpitas victims and domestic violence (DV) and their children. Services include: food, clothing, peer counseling, legal advocacy, walk-in crisis counseling, support groups, 24-hour hotline and other DV services. | \$ 10,000     | \$ 30,154          | 33.16%                    | \$ 20,154                   | 66.84%           | \$ -                                           | 0.00%               | 2,800                       | 65                      | 62                                                                                                                                                                                               | 95%             |
|                     | Milpitas Recreation Program                                             | Recreation Services Department                                      | 1. Senior Services, 2. Youth and Teen Services | Public Service            | Benefit to Low and Moderate Income Persons or Households | Offer financial assistance to programs of senior services, youth and afterschool child care and other general recreation programs. Maximum of \$250/family for afterschool childcare or maximum of \$150 individual with 50/50 match on fees for other eligible programs.                       | \$ 25,000     | \$ 25,000          | 100.00%                   | \$ -                        | 0.00%            | \$ 7,500.00                                    | 30.00%              | 166                         | 166                     | 166                                                                                                                                                                                              | 100%            |
|                     | Legal Assistance to Elders                                              | Senior Adults Legal Assistance (SALA)                               | 1. Senior Services                             | Public Service            | Benefit to Low and Moderate Income Persons or Households | Free legal services to Milpitas seniors primarily by expanding appointments at Barbara Lee Senior Center and by serving seniors by phone that are homebound or with emergencies. In addition, with funds make one community outreach/presentation to City of Milpitas residents.                | \$ 5,000      | \$ 20,000          | 25.00%                    | \$ 15,000                   | 75.00%           | \$ 5,000.00                                    | 25.00%              | 38                          | 38                      | 36                                                                                                                                                                                               | 95%             |
|                     | Domestic Violence Services for Milpitas Residents                       | YWCA Silicon Valley                                                 | 5. Battered Women Sheltering/Services          | Public Service            | Benefit to Low and Moderate Income Persons or Households | Provide bilingual intervention and prevention services to women, children, and families and male survivors of domestic violence. Services includes comprehensive case management, counseling, therapy, education, etc.                                                                          | \$ 10,000     | \$ 1,406,862       | 0.71%                     | \$ 1,396,862                | 99.29%           | \$ 5,000.00                                    | 0.36%               | 1,200                       | 88                      | 82                                                                                                                                                                                               | 93%             |
|                     | Long Term Care Ombudsman Program                                        | Catholic Charities of Santa Clara County                            | 1. Senior Services                             | Public Services           | Benefit to Low and Moderate Income Persons or Households | Advocate for rights of seniors and disabled residents in long term care facilities. Main responsibilities of ombudsman is to investigate and resolve complaints made by or behalf of residents of quality care or abuse.                                                                        | \$ 5,000      | \$ 320,679         | 1.56%                     | \$ 315,679                  | 98.44%           | \$ -                                           | 0.00%               | 12,000                      | 100                     | 100                                                                                                                                                                                              | 100%            |
|                     | Law Program                                                             | Fresh Lifelines for Youth (FLY)                                     | 2. Youth/Teen Services                         | Public Services           | Benefit to Low and Moderate Income Persons or Households | Target incarcerated or at-risk Milpitas youth between the ages of 15-18 with two semesters of Law Program that inspires youth to change their behavior and build skills and confidence to make positive changes.                                                                                | \$ 20,000     | \$ 397,227         | 5.03%                     | \$ 397,227                  | 100.00%          | \$ 6,847.00                                    | 1.72%               | 50                          | 50                      | 50                                                                                                                                                                                               | 100%            |
|                     | Milpitas Housing Services (Fair Housing & Tenant - Landlord Counseling) | Project Sentinel                                                    | General Public                                 | Public Services           | Benefit to Low and Moderate Income Persons or Households | Provide fair housing and tenant-landlord disputes resolution and counseling services. Includes community outreach and education activities .                                                                                                                                                    | \$ 25,000     | \$ 51,592          | 48.46%                    | \$ 26,592                   | 51.54%           | \$ 10,000.00                                   | 19.38%              | 7,000                       | 225                     | 158                                                                                                                                                                                              | 70%             |
|                     | Meals on Wheels - Milpitas Project                                      | The Health Trust                                                    | 1. Senior Services                             | Public Services           | Benefit to Low and Moderate Income Persons or Households | Provides homebound seniors who are nutritional risk with home-delivered hot meals as well as provide wellness checks and case management.                                                                                                                                                       | \$ 10,000     | \$ 40,000          | 25.00%                    | \$ 30,000                   | 75.00%           | \$ 7,000.00                                    | 17.50%              | 650                         | 20                      | 10                                                                                                                                                                                               | 50%             |
| TOTAL               |                                                                         |                                                                     |                                                |                           |                                                          |                                                                                                                                                                                                                                                                                                 | \$ 180,000    | \$ 419,562         | 24.35%                    |                             |                  | \$ 59,023.50                                   |                     |                             |                         |                                                                                                                                                                                                  |                 |

City Council Priorities

- Non-Public Priorities**
- 1. Home Repair/Rehabilitation
  - 2. Affordable Housing
  - 3. Rental Apartment Rehabilitation

- Public Service Priorities**
- 1. Senior Services
  - 2. Youth/Teen Services
  - 3. Homeless Sheltering/Services
  - 4. Child Care
  - 5. Battered Women Sheltering/Services



## City of Milpitas

**2D**

Neighborhood Services Division | 455 E. Calaveras Boulevard, Milpitas, CA 95035

**DATE:** April 21, 2015

**TO:** City Council

**FROM:** Felix Reliford, Interim Principal Housing Planner

**SUBJECT:** **REVISED** 2015-2016 CDBG Application Process due to Updated Funding Allocation

City of Milpitas will receive \$393,490 in Community Development Block Grant (CDBG) funds from HUD as an entitlement city, for fiscal year 2015-2016. Seventeen (17) applications were received for CDBG funding; of which all qualify for funding. It is the task of the Community Advisory Commission to review the applications, hear from the applicants and members of the public, and develop funding recommendations, which will be forwarded to the City Council for final review and adoption.

Federal regulations limit funding public services activities to 15% of the amount of the City's CDBG grant (maximum \$59,024). Public services include, but not limited to such activities as: child care, job training, education programs, fair housing activities, services for senior citizens, and services for homeless persons, etc. A review of the eligible applications indicates that 13 of the 17 applications will compete for \$59,024 available to fund public service activities.

Federal regulations require the balance (65%) or \$255,769 to be allocated towards non-public services. The non-public service proposals submitted by the City of Milpitas' Public Works Department, Rebuilding Together, Charities Housing, and Terrace Gardens Senior Housing Inc. projects are not subject to the public service ceiling. Activities, which are exempt from the public service ceiling, include, but are not limited to, activities which involve: new construction, acquisition of land or existing buildings, rehabilitation, or installation of improvements or facilities. Therefore, there are four (4) agencies in competition for \$255,769.

Federal regulations also states a maximum of 20% of the City's CDBG grant may be used for Planning and Administration activities (maximum of \$78,698).

On December 18, 2014, the City Council adopted the two-year (2015-2016) funding priorities as guidelines to assist the CAC in evaluating the grant applications. For the public service category, the following priorities were established, in order of preference:

1. Senior Services
2. Youth Teen Services
3. Homeless Sheltering / Services
4. Child Care
5. Battered Women Sheltering / Services

For the non-public service applications, the following priorities were approved:

1. Home Repair / Rehabilitation
2. Affordable Housing
3. Rental Apartment Rehabilitation

As recommended by the CAC, the City Council, on December 18, 2014, also reaffirmed three established policies relating to the CDBG Program:

- 25% of all Public Service funds must be spent within the City of Milpitas. Based on the CDBG Program allocation for public services (\$59,024), 25% of these funds is \$14,756;
- A minimum funding level of \$5,000 shall be allocated for all public and non-public services; and
- \$10,000 from CDBG Program Administration for Fair Housing Services

Attached in your agenda packet is information to assist you during your review process. All program proposals subject to the public service ceiling are listed on page 1 and 2, and all program proposals, which are not subject to the ceiling on Page 3. Each page includes a column indicating the amount requested by each agency; the CDBG funding amount, if any, the Agency received from the City of Milpitas for fiscal year 2014-2015; and, a column titled 2015-2016 recommended funding for you to insert your funding recommendations. A separate table is also prepared which summarizes and compares the various applications; their relationship to adopted City funding priorities, their service to Milpitas residents and staff's funding recommendations.

On March 4, 2015, the CAC held a public hearing to review applications and prepare recommendations for City Council and on April 21, 2015, the City Council will review the CAC funding recommendations.

Please contact Felix Reliford at 408-586-3071 if you need assistance or additional information.

Thank you.

## MEETING MINUTES

### MILPITAS COMMUNITY ADVISORY COMMISSION Milpitas City Hall, Council Chambers Wednesday, March 4, 2015

- I. **Pledge of Allegiance** – Chair Batilo called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.
- II. **Roll Call** - Present: Chair Batilo, Vice Chair Mohsin, Commissioners Kathapurkar, Leon, Manassau, Rosario, Sharma, Truong  
  
Alternate Commissioners Present: Bilbao  
  
Absent: Beard
- III. **Seating of Alternates** – None
- IV. **Approval of Agenda** – Vice Chair Mohsin motioned, and Commissioner Sharma seconded, to remove item IX, Commissioners Round Table, from this meeting agenda. Motion carried unanimously.
- V. **Approval of Minutes – Minutes of February 4, 2015** – Commissioner Rosario motioned, and Vice Chair Mohsin seconded, for approval of the meeting minutes. Motion carried unanimously.
- VI. **Public Forum** – No items
- VII. **Announcements** – None
- VIII. **Liaison Report** – None
- IX. **Commissioners Round Table** – Continued to April meeting
- X. **New Business:**

#### **A. Review of Community Development Block Grant (CDBG) Applications for FY2015-16**

The Commission conducted an annual review of CDBG funding applications for FY 2015-16. There were 17 eligible applications received, 13 for public services and 4 for non-public services.

Staff provided a brief presentation to about the City's CDBG allocation in addition to the Council's requirements that include a minimum allocation of \$5,000 for public services. Applicants were provided three minutes to describe their application. Sixteen services providers presented their applications and then received questions from the Commission.

Following the presentations, Commissioner Sharma motioned, and Commissioner Leon seconded, to close the public hearing. Commissioner Leon said there should be advertising for these organizations providing services in Milpitas, possibly through utility bills. The Commission took a short break to deliberate the applications.

The Commission reviewed staff's funding recommendations and each Commissioner provided their own funding recommendations. After further deliberations, the Commission finalized their allocations that met the Council requirements.

Commissioner Kathapukar motioned, and Commissioner Troung seconded, to accept the tally amounts for Public Services and forward the recommendations to City Council.

Commissioner Mohsin motioned, and Commissioner Rosario seconded, to accept the tally amounts for Non-Public Services and forward the recommendations to City Council.

**B. Tree Planting Event**

Continue this item to another meeting.

Commissioner Kathapurkar motioned, and Commissioner Manassau seconded, to continue the item to another meeting.

**XI. Unfinished Business** – No items

**XII. Adjournment** – The meeting was adjourned at 11:00 pm to the next meeting of April 1, 2015.

**List of Attachments for Public Hearing No. 3**  
**Ordinance No. 38.822 Zoning Code Amendment**  
**Relating to Supportive and Transitional**  
**Housing and Manufactured Homes**

**Conduct a Public Hearing and Introduce Ordinance  
No. 38.822 to Amend the Zoning Code to Include  
Provisions Relating to Supportive and Transitional  
Housing and Manufactured Homes and Approve  
Addendum to Negative Declaration**

**(Staff Contact: Felix Reliford, 408-586-3071)**

**Attachments:**

3A – Ordinance No. 38.822

3B – Addendum to the Negative Declaration

3C – Initial Study Negative Declaration

PLEASE NOTE:

**3A**

This copy of Ordinance No. 38.822 is a “redlined” version for your convenience. Text additions are designated by an underline and text deletions are designated with a strikethrough.

**REGULAR**

**NUMBER: 38.822**

**TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING CHAPTER 10 OF TITLE XI OF THE MILPITAS MUNICIPAL CODE PERMITTING TRANSITIONAL AND SUPPORTIVE HOUSING IN MIXED USE ZONING DISTRICT AND MANUFACTURED HOMES IN RESIDENTIAL ZONING DISTRICT**

**HISTORY:** This Ordinance was introduced (first reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_ and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney



## **RECITALS AND FINDINGS:**

**WHEREAS**, Title XI, Chapter 10, Section 4 entitled “Residential Zones and Standards” of the Milpitas Zoning Code sets forth the permitted, conditionally permitted, and prohibited uses in the Residential Zoning District; and

**WHEREAS**, California Government Code Section 65852.3 requires that manufactured housing be allowed on lots zoned for conventional single family dwellings; and

**WHEREAS**, Table XI-10-4.02-1 entitled “Residential Zone Uses” of the Milpitas Zoning Code currently permits single family dwellings in R1 and R2 Zoning Districts, but permits manufactured housing only in R1 Zoning District; and

**WHEREAS**, Title XI, Chapter 10, Section 6 entitled “Mixed Use Zones and Standards” of the Milpitas Municipal Code sets forth the permitted, conditionally permitted, and prohibited uses in the Mixed Use Zoning District; and

**WHEREAS**, California Government Code Section 65583 requires transitional and supportive housing in all zoning districts that permit or conditionally permit residential uses; and

**WHEREAS**, Table XI-10-6.02-1 entitled “Mixed Use Zone Uses” currently permits multi-family housing in MXD, MXD2 and MXD3 Zoning Districts and does not permit transitional or supportive housing; and

**WHEREAS**, on February 25, 2015, the Planning Commission conducted a duly noticed public meeting and recommended the City Council adopt the 2015-2023 General Plan Housing Element Amendment; and

**WHEREAS**, the 2015-2023 Housing Element includes programs (Programs D.4.3 and D.5.3) which require that changes to the Milpitas Zoning Code be adopted in accordance with State law as described above. The changes will allow opportunities for transitional and supportive housing in the Mixed Use Zoning District in compliance with the provisions of California Government Code Section 65583(a)(5) and allow manufactured homes in the R-2 Zoning District in compliance with California Government Code Section 65852.3.

**NOW, THEREFORE**, the City Council of the City of Milpitas does ordain as follows:

### **SECTION 1. RECORD AND BASIS FOR ACTION**

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

### **SECTION 2. FINDINGS**

Zoning Text Amendment (Section XI-10-57.02(G)(3)) - The City Council makes the following findings based on the evidence in the public record in support of Zoning Text Amendment No. ZA15-0015:

- 1. The proposed amendment is consistent with the General Plan.*

The General Plan land use designation for both the MXD and R2 zoning district allow for residential uses. The proposed zone amendments clarify additional residential uses that are allowed in the zone districts in accordance with State law. Allowing supportive/transitional housing and manufactured housing in the MXD and R2 zone districts, respectively, is consistent with the Residential General Plan land use designation.

- 2. The proposed amendment will not adversely affect the public health, safety and welfare of the residents of Milpitas.*

The proposed zoning amendment is required under State law and will result in a more efficient use of land. The land use regulations will not affect the range of uses permitted or conditionally permitted. Residential uses are already allowed in both MXD and R2 zone districts and will continue to be allowed. Therefore, the general well-being of Milpitas residents will be maintained since the changes will still facilitate a broad range of land uses, but will encourage more a more diverse mix of housing opportunities for the City and residents.

### SECTION 3. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE XI, CHAPTER 10

Table XI-10-4.02-1 entitled “Residential Zone Uses” of the Milpitas Municipal Code is amended to read as follows:

Table XI-10-4.02-1  
Residential Zone Uses

| Use                                                                                  | R1             | R2                   | R3             | R4             | R5             |
|--------------------------------------------------------------------------------------|----------------|----------------------|----------------|----------------|----------------|
| 1. Commercial                                                                        |                |                      |                |                |                |
| Commercial services <sup>1,2</sup>                                                   | NP             | NP                   | C              | C              | C              |
| 2. Professional Offices and related uses                                             |                |                      |                |                |                |
| Offices <sup>1,2</sup>                                                               | NP             | NP                   | C              | C              | C              |
| 3. Public/Quasi-Public and Institutional Uses                                        |                |                      |                |                |                |
| Child care center                                                                    | C              | C                    | C              | C              | P              |
| Nursing home <sup>3</sup>                                                            | NP             | C                    | C              | C              | C              |
| Park, playground or community center (non-profit)                                    | C              | C                    | C              | C              | C              |
| Parking lots                                                                         | C              | C                    | C              | C              | C              |
| Public service structure                                                             | C              | C                    | C              | C              | C              |
| School (not trade or vocational)                                                     | C              | C                    | C              | C              | C              |
| Social hall, lodge, fraternal organization, club and religious assembly (non-profit) | C              | C                    | C              | C              | C              |
| 4. Residential Uses                                                                  |                |                      |                |                |                |
| Condominiums and condo conversions                                                   | NP             | SFR: C<br>Duplex: C  | C              | C              | C              |
| Duplex (Two dwellings)                                                               | NP             | P                    | NP             | NP             | NP             |
| Group dwelling                                                                       | NP             | NP                   | NP             | C              | C              |
| Guest house                                                                          | C              | NP                   | NP             | NP             | NP             |
| Manufactured home <sup>4</sup>                                                       | P              | <del>P</del>         | NP             | NP             | NP             |
| Multi-family dwellings (Three or more units)                                         | NP             | NP                   | P              | P              | P              |
| Planned unit development <sup>5</sup>                                                | P              | P                    | P              | P              | P              |
| Second residential dwelling unit <sup>6</sup>                                        | P              | SFR: P<br>Duplex: NP | NP             | NP             | NP             |
| Single family dwelling                                                               | P              | P                    | NP             | NP             | NP             |
| Single-room occupancy residences <sup>7</sup>                                        | NP             | NP                   | C              | C              | C              |
| Transitional and supportive housing                                                  | P <sup>8</sup> | P <sup>8</sup>       | P <sup>9</sup> | P <sup>9</sup> | P <sup>9</sup> |
| 5. Restaurants                                                                       |                |                      |                |                |                |
| Restaurants <sup>1,2</sup>                                                           | NP             | NP                   | C              | P/C            | P/C            |

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|                                        |    |    |   |    |    |
|----------------------------------------|----|----|---|----|----|
| 6. Unclassified Uses                   |    |    |   |    |    |
| Agriculture <sup>10</sup>              | P  | P  | P | NP | NP |
| Boarding house (three or more persons) | NP | C  | C | C  | C  |
| Golf course <sup>11</sup>              | C  | C  | C | NP | NP |
| Live work units <sup>12</sup>          | NP | NP | C | C  | C  |
| Model home complex <sup>13</sup>       | P  | P  | P | P  | P  |

<sup>1</sup> Refer to Subsection XI-10-4.03(A), Residential Zone Special Uses, of this Chapter, for standards.

<sup>2</sup> Refer to Subsection XI-10-4.03(B), Residential Zone Special Uses, of this Chapter, for standards.

<sup>3</sup> Licensed nursing home serving more than six persons, except when used primarily for contagious sickness, mental or drug alcohol addict cases.

<sup>4</sup> Refer to Subsection XI-10-13.07, Manufactured Homes, of this Chapter, for standards.

<sup>5</sup> Refer to Subsection XI-10-54.07, Planned Unit Developments, of this Title, for standards.

<sup>6</sup> In conjunction with an existing legal single-family dwelling. Refer to Subsection XI-10-13.08, Second Family Unit, of this Chapter, for standards.

<sup>7</sup> Refer to XI-10-13.13, Special Uses, Single Room Occupancy Residences, of this Chapter

<sup>8</sup> Permitted only in single family dwellings

<sup>9</sup> Permitted only in multi-family dwellings

<sup>10</sup> Except for the raising of animals or fowl for commercial purposes, or the sale of any products at retail on the premises.

<sup>11</sup> Except for driving tee or range, miniature course and similar uses operated for commercial purposes.

<sup>12</sup> Allowed commercial uses to be specified through the Conditional Use Permit process.

<sup>13</sup> Refer to Subsection XI-10-13.11(E), Model Home Complexes and Sales Offices, of this Chapter for temporary tract offices.

Table XI-10-6.02- entitled “Mixed Use Zone Uses” of the Milpitas Municipal Code is amended to read as follows:

Table XI-10-6.02-1  
Mixed Use Zone Uses

| Use                                             | MXD | MXD2                                      |                | MXD3 |
|-------------------------------------------------|-----|-------------------------------------------|----------------|------|
|                                                 |     | Ground Level<br>(Facing Retail<br>street) | Upper<br>Floor |      |
| 1. Commercial Uses                              |     |                                           |                |      |
| Alcohol beverage sales                          | C   | C                                         | C              | C    |
| Commercial services <sup>1</sup>                | MCS | MCS                                       | MCS            | MCS  |
| Grocery stores (supermarkets)                   | C   | C                                         | C              | C    |
| Pawnshops <sup>2</sup>                          | C   | C                                         | C              | C    |
| Pet shops                                       | C   | NP                                        | NP             | NP   |
| Retail stores, general merchandise <sup>3</sup> | MCS | MCS                                       | MCS            | MCS  |
| Tanning salons                                  | P   | P                                         | P              | P    |
| Thrift shops (used merchandise)                 |     |                                           |                |      |
| Retail                                          | P   | P                                         | P              | P    |
| With collections                                | C   | C                                         | C              | C    |
| 2. Entertainment and Recreation                 |     |                                           |                |      |
| Commercial athletic facilities                  | P   | P                                         | P              | P    |
| Motion picture theater (see 6 below)            |     |                                           |                |      |
| Recreation or entertainment facility            | C   | C                                         | C              | C    |
| 3. Health and Veterinarian Uses                 |     |                                           |                |      |
| Animal grooming (no boarding)                   | P   | P                                         | NP             | P    |
| Hospitals or sanitariums <sup>4</sup>           | C   | C                                         | C              | C    |

|                                                                               |     |     |     |     |
|-------------------------------------------------------------------------------|-----|-----|-----|-----|
| Massage establishment                                                         | C   | C   | C   | C   |
| Medical or dental offices and clinics                                         | P   | NP  | P   | P   |
| Medical support laboratories                                                  | P   | P   | P   | P   |
| Optician and optometrist shop                                                 | P   | P   | P   | P   |
| Pharmacy or drug store                                                        | P   | P   | P   | P   |
| Veterinarian clinic                                                           | P   | P   | P   | P   |
| 4. Lodging                                                                    |     |     |     |     |
| Bed and breakfast                                                             | P   | P   | NP  | NP  |
| Boarding houses (3 or more persons)                                           | C   | C   | C   | C   |
| Group dwellings                                                               | C   | C   | C   | C   |
| Hotels                                                                        | C   | P   | P   | P   |
| Motels                                                                        | C   | C   | C   | C   |
| 5. Professional Offices, Financial Institutions and Related Uses <sup>4</sup> |     |     |     |     |
| Financial institutions (banks, savings and loans, etc.)                       | MCS | NP  | MCS | P   |
| Offices <sup>3</sup>                                                          | MCS | NP  | MCS | P   |
| 6. Public/Quasi Public and Assembly Uses                                      |     |     |     |     |
| Child care                                                                    |     |     |     |     |
| Child care center                                                             | C   | P   | C   | P   |
| Day care school                                                               | C   | C   | C   |     |
| Large family child care home                                                  | P   | P   | C   | P   |
| Small family child care home                                                  | P   | P   | P   | P   |
| Instruction                                                                   |     |     |     |     |
| Group <sup>13</sup>                                                           | P   | NP  | NP  | NP  |
| Private                                                                       | P   | P   | P   | P   |
| Park, playground or community center <sup>5</sup>                             | O   | O   | O   | O   |
| Places of assembly <sup>4</sup>                                               | C   | C   | C   | C   |
| Public utilities                                                              | C   | C   | C   | C   |
| Schools, private (elementary, middle and high) <sup>4</sup>                   | C   | C   | C   | C   |
| Theaters (Indoor)                                                             | C   | C   | C   | C   |
| Trade and vocational schools <sup>4</sup>                                     | C   | C   | C   | C   |
| Transportation facilities <sup>2</sup>                                        | C   | C   | C   | C   |
| 7. Residential Uses                                                           |     |     |     |     |
| Multi-family housing <sup>7</sup>                                             | P   | NP  | P   | P   |
| Transitional and Supportive Housing <sup>7</sup>                              | P   | NP  | P   | P   |
| 8. Restaurants or Food Service                                                |     |     |     |     |
| Bar or nightclub                                                              | C   | C   | C   | C   |
| Brewery/Eateries <sup>10</sup>                                                | MCS | MCS | NP  | MCS |
| Catering establishments                                                       | C   | C   | C   | C   |

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|                                                                                                                      |     |     |     |     |
|----------------------------------------------------------------------------------------------------------------------|-----|-----|-----|-----|
| Restaurants <sup>2</sup>                                                                                             | P/C | P/C | NP  | P/C |
| With dancing and entertainment                                                                                       | C   | C   | C   | C   |
| With ancillary on-premise beer & wine with no separate bar                                                           | P   | P   | P   | P   |
| 9. Unclassified Uses                                                                                                 |     |     |     |     |
| Artisan Studios & Live-work units, woodworking or glassworking, plumbing or metalworking and sign shops <sup>2</sup> | MCS | MCS | MCS | MCS |
| Lobbies and entries for upper floor uses                                                                             | P   | P   | NP  | P   |
| Model home complex <sup>11</sup>                                                                                     | P   | P   | P   | P   |
| Mixed use developments <sup>12</sup>                                                                                 | P   | P   | P   | P   |
| Planned Unit Development <sup>13</sup>                                                                               | P   | P   | P   | P   |
| Temporary seasonal sales <sup>14</sup>                                                                               | P   | P   | P   | P   |
| 10. Vehicle-Related Repair, Sales and Services                                                                       |     |     |     |     |
| Auto sales and rental <sup>15</sup>                                                                                  | C   | C   | C   | C   |
| Auto broker (wholesale, no vehicles on site) <sup>2</sup>                                                            | MCS | MCS | MCS | MCS |
| Vehicle service uses <sup>16</sup>                                                                                   | C   | NP  | NP  | C   |

<sup>1</sup> Refer to Subsection XI-10-6.02-1(B), Performance standards for certain uses, of this Chapter, for standards.

<sup>2</sup> Refer to Subsection XI-10-6.02-1, Special Uses, of this Chapter, for standards.

<sup>3</sup> Refer to Subsection XI-10-6.02-1(B) Performance standards for certain uses, of this Chapter.

<sup>4</sup> Refer to Subsection XI-10-6.02-2, Quasi-Public Uses, of this Chapter, for standards.

<sup>5</sup> For parks, playgrounds or community center owned and operated by a government agency or a nonprofit community organization.

<sup>6</sup> Refer to XI-10-13.14, Special Uses, Emergency Shelters, of this Chapter

<sup>7</sup> Ground level residential is prohibited in the Ground Level Commercial Area as shown on the Midtown Specific Plan Land Use Map, Figure 3.1.

<sup>8</sup> Refer to XI-10-13.13, Special Uses, Single Room Occupancy Residences, of this Chapter

<sup>9</sup> Uses serving upper-floor residential uses, such as common gathering space, lobby, and resident services, may be allowed as ground floor uses where residential uses would otherwise not be permitted.

<sup>10</sup> Reserved

<sup>11</sup> Refer to Subsection XI-10-13.11(E), Model Home Complexes and Sales Offices, of this Chapter for temporary tract offices.

<sup>12</sup> Which include only permitted uses.

<sup>13</sup> Refer to Section XI-10-54.07, Planned Unit Developments, of this Chapter, for standards.

<sup>14</sup> Refer to Section XI-10-13.11(D), Temporary Seasonal Sales, of this Chapter.

<sup>15</sup> New and used auto, recreational vehicle and boat sales, excluding commercial vehicles, trucks, buses, vans, and farm equipment, with accessory repairs and services, only allowed if fully enclosed within a building. Bicycle and auto rental agency, excluding commercial vehicles, trucks, buses, vans, boats and RV rentals, only if fully enclosed within a building.

<sup>16</sup> Refer to Subsection XI-10-6.02-2, Special Uses, of this Chapter, for standards. Service stations shall follow the "General development policy: Gasoline service stations, and automotive service centers" adopted by the City Council on December 19, 1995.

#### SECTION 4. SEVERABILITY

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

#### SECTION 5. EFFECTIVE DATE AND POSTING

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.

## MEMORANDUM

DATE February 27, 2015  
TO Felix Reliford  
City of Milpitas  
FROM Terri McCracken  
SUBJECT Addendum to the City of Milpitas approved Zoning Ordinance Amendments: Housing Element Implementation Project Initial Study and Negative Declaration

This addendum to the *Zoning Ordinance Amendments: Housing Element Implementation Project Initial Study and Negative Declaration* approved in January 2014<sup>1</sup> has been prepared consistent with CEQA Guidelines Section 15164(b). As described below, consistent with CEQA Guidelines Section 15162, the additional Zoning Ordinance Amendments would not involve new significant information or environmental effects and no substantial changes are required to the 2014 approved Initial Study and Negative Declaration.

The proposed Project analyzed in the approved 2014 Initial Study would allow for special needs housing including emergency shelters, transitional and supportive housing, single room occupancy units, and reasonable accommodations consistent with the City's 2010 General Plan Housing Element.<sup>2</sup> Specifically, Housing Element Policy G-2 stated that the City will modify its Zoning Ordinance to ensure that there are opportunities for special needs housing.

The additional amendments to the Zoning Ordinance included in the Draft Housing Element Update also support the goals and policies of the City's General Plan Housing Element by allowing transitional and supportive housing in the MXD (mixed-use) Zoning District and manufactured housing in all districts where residential development is allowed. These types of housing are defined as follows:

- Transitional housing refers to buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the

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<sup>1</sup> A Negative Declaration (State Clearinghouse Number 2013092044) was prepared and circulated to the appropriate state and local agencies in September 2013. The City did not receive any substantial comments and concluded that no additional environmental assessment was required.

<sup>2</sup> A Negative Declaration (State Clearinghouse Number 2009052014) was prepared and circulated to the appropriate state and local agencies in May 2009. The City did not receive any comments and concluded that no additional environmental assessment was required.

assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months (pursuant to Health and Safety Code).

- Supportive housing is housing with no limit on length of stay that is occupied by the target population as defined in Section 11302 of Title 42 of the United States Code, and that is linked to onsite or offsite services that assist the resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (pursuant to Health and Safety Code).
- Manufactured housing refers to prefabricated housing assembled in factories and transported to sites of use.

The proposed amendments do not include actions that could directly or indirectly result in substantial physical changes to the environment. The proposed Zoning Ordinance amendments would enable future development to meet the needs of at-risk populations by providing housing types designed for these groups. No projects have been identified or are proposed as part of the amendments. When specific implementing projects are identified, the development applications for such individual projects, as required, would be submitted separately to the City for review, and would be subject, if necessary, to separate, site-specific CEQA analysis.

The potential future development permitted under the proposed Project that would allow for special needs housing would be restricted to the existing built environment in areas where residential and transient uses are currently permitted. The proposed Zoning Amendments would not increase development potential (i.e. not additional housing units, population or new automobile trips). The potential future development would be subject to the oversight and review processes and standards that are envisioned by the General Plan and to comply with the enumerated development standards in the City's Municipal Code within the City's Residential and Mixed Use Zones as set forth in City Municipal Code Sections (i.e. XI-10-4.04 [Residential] and XI-10-6.04 [Mixed-Use]) as well as other applicable federal, State, and local regulations as described in Sections I through XIII under the subheading "Environmental Checklist" of the Zoning Ordinance Amendments: Housing Element Implementation Project Initial Study dated September 23, 2013.



**City of Milpitas  
Initial Study Checklist  
Zoning Ordinance Amendments:  
Housing Element Implementation Project**

The proposed Zoning Ordinance Amendments: Housing Element Implementation is a project under the California Environmental Quality Act (CEQA). This Initial Study was prepared by The Planning Center | DC&E for the City of Milpitas (City), Planning & Neighborhood Services Department. This Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations).

1. **Title:** Zoning Ordinance Amendments: Housing Element Implementation
2. **Lead Agency Name and Address:** City of Milpitas  
Planning & Neighborhood Services Department  
455 East Calaveras Boulevard  
Milpitas, CA 95035
3. **Contact Person and Phone Number:** Felix J. Reliford, Principal Housing Planner  
(408) 586-3071
4. **Location:** Milpitas, CA
5. **Sponsor's Name and Address:** City of Milpitas  
Planning & Neighborhood Services Department  
455 East Calaveras Boulevard  
Milpitas, CA 95035
6. **General Plan Land Use Designations:** Residential, Mixed-Use and Commercial Land Uses
7. **Zoning:** Residential: Single-Family Residential (R1), One- and Two-Family Residential (R2), Multi-Family High Density Residential (R3), Multi-Family Very High Density Residential (R4), and Urban Residential (R5)  
Commercial: Highway Services (HS)  
Mixed-Use: Mixed Use (MXD), High Density Mixed Use (MXD2), and Very High Density Mixed Use (MXD3)
8. **Location, Setting, Project Description:** See page 3 of this Initial Study
9. **Other Required Approvals:** The Zoning Ordinance Amendments will be adopted by the City of Milpitas, without oversight or permitting by other agencies.



## ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below would be potentially affected by the proposed Project, involving at least one impact that is a Potentially Significant Impact, as indicated by the checklist on the following pages.

- |                                                   |                                                           |                                                             |
|---------------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Geology & Soils                    |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials    | <input type="checkbox"/> Hydrology & Water Quality          |
| <input type="checkbox"/> Land Use                 | <input type="checkbox"/> Mineral Resources                | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population & Housing     | <input type="checkbox"/> Public Services                  | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities & Service Systems      | <input type="checkbox"/> Mandatory Findings of Significance |

### Determination:

On the basis of this initial evaluation:

- XX ☐ I find that the proposed Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the City. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) will be prepared.
- ☐ I find that the proposed Project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

\_\_\_\_\_  
Signature

Felix J. Reliford  
Printed Name

\_\_\_\_\_  
Date

Principal Housing Planner  
Title

## LOCATION AND SETTING

The City of Milpitas (City) is situated on the eastern shore of the San Francisco Bay, in Santa Clara County, just south of Alameda County. The City encompasses about 13.64 square miles of land, and borders Fremont on the north, San Jose on the south and west, and unincorporated county to the east. See Figure 1 for map location.

## EXISTING CONDITIONS

The Zoning Ordinance of the City of Milpitas is found in Chapter 10 (Zoning) of Title XI (Zoning, Planning, and Annexation) of the Milpitas Municipal Code. The Zoning Ordinance establishes various districts within the boundaries of the city and restrictions for erecting, constructing, altering, or maintaining certain buildings, identifying certain trades or occupations, and makes certain uses of lands. The Zoning Ordinance includes performance standards that set forth the height and bulk limits of buildings, the open spaces limits that shall be required about buildings and other appropriate regulations to be enforced in each districts. The following sections of the Zoning Ordinance would be amended under the proposed Project:

- Section 2, Definitions, of the Zoning Ordinance, provides definitions of terms and phrases used in this Zoning Ordinance that are technical or specialized, or that may not reflect common usage.
- Section 4, Residential Zones and Standards, establishes land use regulations and development standards for residential zones in the city. Residential districts include Single-Family Residential (R1), One- and Two-Family Residential (R2), Multi-Family High Density Residential (R3), Multi-Family Very High Density Residential (R4), and Urban Residential (R5) Zone.
- Section 5, Commercial Zones and Standards, establishes land use regulations and development standards for commercial zones in the city. Commercial zones that would be affected by the proposed Project include the Highway Services (HS) designation.
- Section 6, Mixed Use Zones and Standards, establishes land use regulations and development standards for mixed-use zones in the city. Mixed Use Zones include Mixed Use (MXD), High Density Mixed Use (MXD2), and Very High Density Mixed Use (MXD3).
- Section 13, Special Uses, of the Zoning Ordinance identifies and regulates certain activities and uses that have special impacts upon the community, giving rise to a need for special review procedures or standards in order to ensure the maintenance of the public health, safety and welfare in accordance with the goals, objectives, policies, and implementation programs of the General Plan.
- Section 62 is a reserved section. Under the proposed Project, this section would be amended to provide the procedures for requesting Reasonable Accommodation. The proposed amendments are described below.

## PROJECT DESCRIPTION

This Initial Study evaluates the proposed Zoning Ordinance Amendments: Housing Element Implementation Project, herein referred to as “proposed Project.” The proposed Project would allow for special needs housing including emergency shelters, transitional and supportive housing, single room occupancy units, and reasonable accommodations consistent with the City’s 2010 General Plan Housing Element.<sup>1</sup> Specifically, Housing Element Policy G-2 states that the City will modify its Zoning Ordinance to ensure that there are opportunities for special needs housing.

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<sup>1</sup> A Negative Declaration (State Clearinghouse Number 2009052014) was prepared and circulated to the appropriate state and local agencies in May 2009. The City did not receive any comments and concluded that no additional environmental assessment is required. *City of Milpitas 2010 Housing Element*, page ii.

*Figure 1      Regional and Location Map*

The discussion below provides a brief description of the proposed amendments to the Zoning Ordinance sections listed above.

## **SECTION 2, DEFINITIONS**

Section XI-10-2.03 has been amended to include the following definitions:

### **Emergency Shelters**

Emergency shelter refers to housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay (pursuant to Health and Safety Code).

### **Single Room Occupancy**

Single room occupancy (SRO) residence is a multi-tenant building consisting of single room dwelling units that are the primary residence of its occupants, containing either individual or shared kitchen and bathroom facilities. These units are small, and provide a valuable source of affordable housing for individuals and can serve as an entry point into the housing market for formerly homeless people.

### **Supportive Housing**

Supportive housing is housing with no limit on length of stay that is occupied by the target population as defined in Section 11302 of Title 42 of the United States Code, and that is linked to onsite or offsite services that assist the resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community (pursuant to Health and Safety Code).

### **Transitional Housing**

Transitional housing refers to buildings configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months (pursuant to Health and Safety Code).

## **SECTION 4, RESIDENTIAL ZONES AND STANDARDS**

The uses identified in Table XI-10-4.02-1, Residential Zone Uses, below, shall be the primary uses allowed to occur on a property. All uses except for those noted shall be conducted entirely within enclosed structures. The primary uses identified in Table XI-10-4.02-1 shall be permitted or conditionally permitted, as indicated:

|     |                                                                                                                                                                                                                               |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| P   | Where the symbol “P” appears, the use shall be permitted.                                                                                                                                                                     |
| P/C | Where the symbol “P/C” appears the use may be permitted if certain criteria is met or otherwise a Conditional Use Permit shall be required, in accordance with Section XI-10-57.04, Conditional Use Permits, of this chapter. |
| C   | Where the symbol “C” appears, the use shall be permitted subject to the issuance of a Conditional Use Permit, in accordance with Section XI-10-57.04, Conditional Use Permits, of this chapter.                               |
| O   | Where the symbol “O” appears, the use is subject to an alternative review process described in a subsequent footnote.                                                                                                         |

Proposed amendments to this section are shown as underline as follows in Table IX-10-4.02-1:

**Table XI-10-4.02-1 Residential Zone Uses**

| Use                                                 | R1                   | R2                   | R3                   | R4                   | R5                   |
|-----------------------------------------------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| <b>4. Residential Uses</b>                          |                      |                      |                      |                      |                      |
| Condominiums and condo conversions                  | NP                   | SFR: C<br>Duplex: C  | C                    | C                    | C                    |
| Duplex (two dwellings)                              | NP                   | P                    | NP                   | NP                   | NP                   |
| Group dwelling                                      | NP                   | NP                   | NP                   | C                    | C                    |
| Guest house                                         | C                    | NP                   | NP                   | NP                   | NP                   |
| Manufactured home <sup>4</sup>                      | P                    | NP                   | NP                   | NP                   | NP                   |
| Multi-family dwellings (three or more units)        | NP                   | NP                   | P                    | P                    | P                    |
| Planned unit development <sup>5</sup>               | P                    | P                    | P                    | P                    | P                    |
| Second residential dwelling unit <sup>6</sup>       | P                    | SFR: P<br>Duplex: NP | NP                   | NP                   | NP                   |
| Single-family dwelling                              | P                    | P                    | NP                   | NP                   | NP                   |
| <u>Single-room occupancy residences<sup>7</sup></u> | <u>NP</u>            | <u>NP</u>            | <u>P/C</u>           | <u>P/C</u>           | <u>P/C</u>           |
| <u>Transitional and supportive housing</u>          | <u>P<sup>8</sup></u> | <u>P<sup>8</sup></u> | <u>P<sup>9</sup></u> | <u>P<sup>9</sup></u> | <u>P<sup>9</sup></u> |

<sup>7</sup> Refer to XI-10-13.13, Special Uses, Single Room Occupancy Residences, of this chapter.

<sup>8</sup> Permitted only in single-family dwellings.

<sup>9</sup> Permitted only in multi-family dwellings.

## SECTION 5, COMMERCIAL ZONES AND STANDARDS

Proposed amendments to Section 5 include additions shown as underline to the following tables:

The uses identified below in Table XI-10-5.02-1, Commercial Zone Uses, below, shall be the primary uses allowed to occur on a property. All uses except for those noted shall be conducted within enclosed structures. The primary uses identified in Table 5.02-1 shall be permitted or conditionally permitted, as indicated:

|            |                                                                                                                                                                                                                                                |
|------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| P          | Where the symbol “P” appears, the use shall be permitted.                                                                                                                                                                                      |
| MCS        | Where the symbol “MCS” appears the use shall be permitted subject to the issuance of a Minor Conditional Use Permit by staff, in accordance with Subsection 57.04, Conditional Use Permits and Minor Conditional Use Permits, of this chapter. |
| <u>P/C</u> | <u>Where the symbol “P/C” appears the use may be permitted if certain criteria is met or otherwise a Conditional Use Permit shall be required, in accordance with Section XI-10-57.04, Conditional Use Permits, of this chapter.</u>           |

|    |                                                                                                                                                                                                                                       |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| C  | Where the symbol "C" appears, the use shall be permitted subject to the issuance of a Conditional Use Permit, in accordance with Subsection 57.04, Conditional Use Permits and Minor Conditional Use Permits, of this Chapter.        |
| MC | Where the symbol "MC" appears, the use shall be permitted subject to the issuance of a Minor Conditional Use Permit, in accordance with Subsection 57.04, Conditional Use Permits and Minor Conditional Use Permits, of this chapter. |
| O  | Where the symbol "O" appears, the use is subject to an alternative review process described in a subsequent footnote.                                                                                                                 |

**Table XI-10-5.02-1 Commercial Zone Uses**

| Use                                                                       | CO        | C1        | C2        | HS         | TC        |
|---------------------------------------------------------------------------|-----------|-----------|-----------|------------|-----------|
| <b>9. Residential Uses</b>                                                |           |           |           |            |           |
| Caretaker (in conjunction with contractor's yard or mini-storage complex) | NP        | NP        | C         | C          | NP        |
| <u>Emergency shelters<sup>8</sup></u>                                     | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>P/C</u> | <u>NP</u> |
| Residential dwellings (between 1 and 40 d.u. per gross acre)              | NP        | NP        | NP        | NP         | C         |
| <u>Single-room occupancy residences<sup>9</sup></u>                       | <u>NP</u> | <u>NP</u> | <u>NP</u> | <u>P/C</u> | <u>NP</u> |

<sup>8</sup> Refer to XI-10-13.14, Special Uses, Emergency Shelters, of this chapter.

<sup>9</sup> Refer to XI-10-13.13, Special Uses, Single Room Occupancy Residences, of this chapter.

## SECTION 6, MIXED USE ZONES AND STANDARDS

Amendments to Section 6 include additions shown as underline to the following tables:

The uses identified in Table 6.02-1, Mixed Use Zone Uses, shall be the primary uses allowed to occur on a property. All uses except for those noted shall be conducted within enclosed structures. The primary uses identified in Table 6.02-1 shall be permitted or conditionally permitted, as indicated:

|            |                                                                                                                                                                                                                                              |
|------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| P          | Where the symbol "P" appears, the use shall be permitted.                                                                                                                                                                                    |
| MCS        | Where the symbol "MCS" appears, the use shall be permitted subject to the issuance of a Minor Conditional Use Permit by staff, in accordance with Section 57.04, Conditional Use Permits and Minor Conditional Use Permits, of this chapter. |
| <u>P/C</u> | <u>Where the symbol "P/C" appears the use may be permitted if certain criteria is met or otherwise a Conditional Use Permit shall be required, in accordance with Section XI-10-57.04, Conditional Use Permits, of this chapter.</u>         |
| C          | Where the symbol "C" appears, the use shall be permitted subject to the issuance of a Conditional Use Permit, in accordance with Section 57.04, Conditional Use Permits and Minor Conditional Use Permits, of this chapter.                  |

|    |                                                                                                                                                                                                                                    |
|----|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MC | Where the symbol "MC" appears, the use shall be permitted subject to the issuance of a Minor Conditional Use Permit, in accordance with Section 57.04, Conditional Use Permits and Minor Conditional Use Permits, of this chapter. |
| O  | Where the symbol "O" appears, the use is subject to an alternative review process described in a subsequent footnote.                                                                                                              |

**Table XI-10-6.02-1 Mixed Use Zone Uses**

| Use                                                 | MXD        | MXD2                                      |                | MXD3       |
|-----------------------------------------------------|------------|-------------------------------------------|----------------|------------|
|                                                     |            | Ground Level<br>(Facing Retail<br>Street) | Upper<br>Floor |            |
| 7. Residential Uses                                 |            |                                           |                |            |
| Multi-family housing <sup>7</sup>                   | P          | NP                                        | P              | P          |
| <u>Single-room occupancy residences<sup>8</sup></u> | <u>P/C</u> | <u>NP<sup>9</sup></u>                     | <u>P/C</u>     | <u>P/C</u> |
| <u>Transitional and supportive housing</u>          | <u>P</u>   | <u>NP<sup>9</sup></u>                     | <u>P</u>       | <u>P</u>   |

<sup>6</sup> Refer to XI-10-13.14, Special Uses, Emergency Shelters, of this Chapter.

<sup>7</sup> Ground level residential is prohibited in the Ground Level Commercial Area as shown on the Midtown Specific Plan Land Use Map, Figure 3.1.

<sup>8</sup> Refer to XI-10-13.13, Special Uses, Single Room Occupancy Residences, of this Chapter.

<sup>9</sup> Uses serving upper-floor residential uses, such as common gathering space, lobby, and resident services, may be allowed as ground floor uses where residential uses would otherwise not be permitted.

## SECTION 13, SPECIAL USES

Section 13 has been amended to include Section XI-10-13.13, Single Room Occupancy Residences and Section XI-10-13.14, Emergency Shelters as follows:

### XI-10-13.13 – Single Room Occupancy Residences

**A. Purpose and Intent.** The purpose of this Section is to provide for multi-tenant housing that is affordable to low-income individuals. Single Room Occupancy (SRO) residences house one to two persons in individual rooms, typically sharing bathrooms and/or kitchens. Units may, but are not required to, include full or partial kitchens and bathrooms.

**B. Applicability.** Standards for SRO residences contained in this section apply to all SRO residences where permitted by this Chapter.

**C. Minimum Performance Standards.**

1. An SRO shall be located:
  - a. At least ¼-mile away from schools, parks, day care centers, adult businesses and concentrations of two or more bars and/or liquor stores.

- b. Within ½-mile of fixed rail or buses with 30-minute minimum headways.
  - c. At least 1,000 feet from other SROs.
2. SRO units shall:
- a. Be a minimum of 150 square feet without individual kitchen or bathroom facilities, or a minimum of 300 square feet with full kitchen and bathroom facilities.
  - b. Contain a closet and storage area.
3. An SRO facility shall meet the following standards:
- a. If an individual full bath is not provided in each room, common bath facilities shall be provided that adequately serve the residents of the SRO.
  - b. If an individual full kitchen is not provided in each room, common kitchen facilities shall be provided that adequately serve the residents of the SRO.
  - c. Laundry facilities shall be provided in a separate room at the ratio of one washer, dryer and laundry tub with hot and cold running water for every 20 units, with at least one washer, dryer and laundry tub per floor.
  - d. A minimum of 200 square feet of interior useable common space shall be provided, excluding janitorial storage, laundry facilities and hallways.
  - e. A management plan shall be submitted to City staff for review and approval. A facility with 10 or more units shall provide on-site management.

#### **XI-10-13.14 – Emergency Shelters**

- A. Purpose and Intent.** The purpose of this section is to comply with State Government Code Section 65583(a)(4), which requires that emergency shelters be permitted by-right in at least one zone with sufficient capacity to accommodate the local need for emergency shelter.
- B. Applicability.** Standards for Emergency Shelters contained in this section apply to all Emergency Shelters where permitted by this Chapter.
- C. Minimum Performance Standards.**
- 1. The number of beds shall be limited to 30.
  - 2. Parking requirements shall be either one space per 300 square feet of habitable floor area, or sufficient to serve the parking demand determined in a study prepared by the applicant and approved by the Planning Division.
  - 3. The size of outdoor waiting areas shall be sufficient to accommodate the expected number of clients without infringing upon the public right-of-way.
  - 4. Onsite management shall be provided during the hours that the emergency shelter is in operation.
  - 5. An emergency shelter shall be located at least 300 feet from other emergency shelters.
  - 6. The length of stay at any emergency shelter shall not exceed 90 days, unless the management plan provides for longer residency by those enrolled and regularly participating in a training or rehabilitation program.
  - 7. Exterior lighting of the property shall be designed to provide a minimum maintained horizontal illumination of at least one foot-candle of light on parking surfaces and walkways that serve the facility.



8. Security shall be provided during the hours that the emergency shelter is in operation.

## **SECTION 62, REASONABLE ACCOMMODATIONS**

Under the proposed Project, Chapter XI-10-62, Reasonable Accommodation, will be added as follows:

### **XI-10-62 – Reasonable Accommodation**

- XI-10-62.01 Purpose
- XI-10-62.02 Applicability
- XI-10-62.03 Review Authority
- XI-10-62.04 Application Submittal and Review
- XI-10-62.05 Criteria for Decision
- XI-10-62.06 Conditions of Approval
- XI-10-62.07 Post-Decision Procedures

#### **XI-10-62.01 – Purpose**

This chapter establishes a procedure for requesting Reasonable Accommodation for persons with disabilities seeking equal access to housing. A Reasonable Accommodation is typically an adjustment to physical design standards to accommodate the placement of wheelchair ramps or other exterior modifications to a dwelling in response to the needs of a disabled resident.

#### **XI-10-62.02 – Applicability**

- A. Eligible Applicants.** A request for Reasonable Accommodation may be made by any person with a disability, their representative, or any entity, when the application of the Zoning Ordinance or other land use regulations, policy, or practice acts as a barrier to fair housing opportunities.
- B. Definition.** A person with a disability is a person who has a physical or mental impairment that limits or substantially limits one or more major life activities, anyone who is regarded as having this type of impairment, or anyone who has a record of this type of impairment.
- C. Eligible Request.** A request for Reasonable Accommodation may include a modification or exception to the rules, standards, and practices for the siting, development, and use of housing or housing-related facilities that would eliminate regulatory barriers and provide a person with a disability equal opportunity to housing of their choice.

#### **XI-10-62.03 – Review Authority**

- A.** The Planning Division shall take action on all Reasonable Accommodation applications.
- B.** The Planning Division may choose to refer any Reasonable Accommodation application to the Planning Commission for review and final decision.

#### **XI-10-62.04 – Application Submittal and Review**

An application for Reasonable Accommodation shall be filed and processed in the same manner as required for a Minor Site Development permit, as described in Sections 10-57 (Applications) and 10-64 (Development Review Process).

#### **XI-10-62.05 – Criteria for Decision**

The Planning Division shall make a written decision and either approve, approve with modifications, or deny a request for Reasonable Accommodation based on consideration of all of the following factors:

- A. Whether the housing which is the subject of the request will be used by an individual defined as disabled under the Americans with Disabilities Act;
- B. Whether the request for Reasonable Accommodation is necessary to make specific housing available to an individual with a disability under the Americans with Disabilities Act;
- C. Whether the requested Reasonable Accommodation would impose an undue financial or administrative burden on the City;
- D. Whether the requested Reasonable Accommodation would require a fundamental alteration in the nature of a City program or law, including but not limited to land use and zoning;
- E. Potential impacts on surrounding uses;
- F. Physical attributes of the property and structures; and
- G. Other Reasonable Accommodations that may provide an equivalent level of benefit.

#### **XI-10-62.06 – Conditions of Approval**

In approving a request for Reasonable Accommodation, the Planning Division may impose conditions of approval deemed reasonable and necessary to ensure that the Reasonable Accommodation will comply with the criteria required by Section 10-62.05 (Criteria for Decision).

#### **XI-10-62.07 – Post-Decision Procedures**

The procedures and requirements relating to notices of decision, effective dates, permit expiration, permit revocation, and changed plans shall apply to Reasonable Accommodations as provided in Section 64 (Development Review Process).

This section of the Zoning Ordinance complies with requirements of the Americans with Disability Act (ADA).

### **POTENTIAL PHYSICAL CHANGES**

The proposed amendments to the Zoning Ordinance support the goals and policies of the City's General Plan Housing Element. The proposed amendments relate to identifying Zoning districts within the city to accommodate emergency shelters, transitional and supportive housing, and single-room occupancy units. The amendments related to reasonable accommodations include procedural guidance for potential applicants. The proposed amendments do not include actions that could directly or indirectly result in substantial physical changes to the environment.

The proposed Zoning Ordinance amendments would enable future development to meet the needs of at-risk populations by providing housing types designed for these groups. No projects have been identified or are proposed as part of the amendments. When specific implementing projects are identified, the development applications for such individual projects, as required, would be submitted separately to the City for review, and would be subject, if necessary, to separate, site-specific CEQA analysis.

## ENVIRONMENTAL CHECKLIST

### I. AESTHETICS

| Would the Project:                                                                                                                                      | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?                                                                                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |

**DISCUSSION:**

a) Potential future development permitted under the proposed Project would have the potential to affect scenic vistas and/or scenic corridors if new or intensified development blocked views of areas that provide or contribute to such vistas. Potential effects could include blocking views of a scenic vista/corridor from specific publically accessible vantage points or the alteration of the overall scenic vista/corridor itself. Such alterations could be positive or negative, depending on the characteristics of individual future developments and the subjective perception of observers.

Scenic corridors are considered public views as seen along a linear transportation route and scenic vistas are views of a specific scenic feature. Scenic vistas are generally interpreted as long range views, while scenic corridors are comprised of short-, middle-, and long-range views. The Milpitas General Plan, in Chapter 4.7, Scenic Resources and Routes, designates scenic routes, corridors, connectors, and a variety of other scenic resources (e.g. foothills and the tree-lined Coyote Creek corridor).

Potential future development permitted under the proposed Project would allow for special needs housing within the City's Residential, Commercial and Mixed Use Zoning designations and some minor modifications to residential housing as required by the Americans with Disabilities Act. Potential future residential facilities permitted under the proposed Project would be subject to the general development standards for that particular zone as set forth in City Municipal Code Sections (i.e. XI-10-4.04 [Residential], XI-10-5.03 [Commercial], XI-10-6.04 [Mixed-Use]). The general development standards as well as the following General Plan policies identified in Chapter 4.7, Scenic Resources and Routes, address the preservation of scenic vistas and corridors in the city.

**Policy 4.g-I-1** Limit uses in Scenic Corridors to those uses allowed by right and conditionally in the R-1 Single-Family Residence and Park and Open Space Zoning Districts. Commercial development can only be allowed when its design will not result in a loss of any scenic potential.

**Policy 4.g-I-3** Development in the Scenic Corridor shall not exceed 17 feet in height. The 17-foot height limit may be waived by the City Council when the following two criteria are met: (1) taller buildings are allowed through the underlying zoning district or a PUD process; and (2) development that exceeds the 17-foot height limit does not significantly obstruct views of the Hillside based on the following guide-

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <p>lines:</p> <ul style="list-style-type: none"> <li>The development will not significantly obstruct scenic features including but not limited to ridgelines, stands of trees or other vegetation, geologic formations, historic, or scenic structures.</li> <li>The development is sited to avoid destruction of any distinctive physical characteristics with significant scenic value.</li> <li>The development will avoid architectural features such as unusually long blank walls, unbroken roof lines, and excessively steep roof pitches which would detract from the scenic characteristics of the site.</li> <li>The scale of the project is consistent with the scale of existing development in the immediate vicinity and within the Scenic Corridor.</li> <li>The bulk of the building(s) will not dominate views of the corridor.</li> <li>Building materials and colors will blend in and complement the rural “natural” hillside setting (i.e., earth tones, stucco, clay, stone, wood, etc.).</li> </ul> <p><b>Policy 4.g-I-4</b> Require all development within or abutting Scenic Corridors to be oriented away from the Corridors, with limited driveway access.</p> <p><b>Policy 4.g-I-5</b> New development within the Scenic Corridor will be subject to site and architectural review (“S” zone Approval) by the Planning Commission. The review will include:</p> <ul style="list-style-type: none"> <li>reviewing architectural design and site planning of all development;</li> <li>requiring development that adjoins natural environments to use materials that help to blend buildings into the surroundings; and</li> <li>requiring parking, storage, and other such areas to be screened-off from view by using trees and shrubs.</li> </ul> <p><b>Policy 4.g-I-6</b> Provide view turnouts, rest areas and picnic facilities at appropriate locations along Scenic Corridors.</p> <p>As discussed above, potential future development permitted under the proposed Project would involve special needs housing that would be subject to the general development standards within the City’s Municipal Code. Accordingly, the proposed Project would not be expected to significantly alter scenic viewsheds in Residential, Commercial and Mixed Use zones and overall impacts to scenic corridors and vistas within the city would be less than significant. Implementation of the listed General Plan policies would further ensure that impacts on scenic vistas would be <i>less than significant</i>.</p> <p>b) The City of Milpitas is not adjacent to a designated State scenic highway and therefore <i>no impact</i> would occur.<sup>2</sup></p> |                                |                                                    |                              |           |

<sup>2</sup> California Department of Transportation website, Officially Designated State Scenic Highways, [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/](http://www.dot.ca.gov/hq/LandArch/scenic_highways/), accessed August 30, 2013.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <p>c) As discussed in Section I.a above, potential special needs housing permitted as a result of the proposed Project would be restricted to the existing built environment in areas where residential and transient uses are currently permitted and would be required to comply with enumerated development standards set forth in the City's Municipal Code to ensure compatibility with adjoining land uses. Additionally, implementation of the General Plan policies listed in Section I.a would protect the existing visual character or quality of the city and its surroundings. Accordingly, future development permitted under the proposed Project would result in a <i>less-than-significant</i> impact to visual character.</p> <p>d) Substantial light and glare comes mainly from commercial areas, safety lighting, traffic on major arterials and the freeway, and street lights. Future potential development permitted under the proposed Project does not include any land use changes that would re-designate areas from residential to commercial. Light pollution in most of the city is restricted primarily to street lighting along major arterials streets and to night-time illumination of commercial buildings, shopping centers, and industrial buildings. Potential special needs housing permitted under the proposed Project would occur in already largely built-out areas where street and site lighting currently exist.</p> <p>The proposed Project includes minimum performance standards that dictate the design of exterior lighting for Emergency Shelters to provide a minimum maintained horizontal illumination of at least one foot-candle of light on parking surfaces and walkways that serve the facility. Implementation of this performance standard would limit adverse impacts on surrounding development with regards to Emergency Shelters. Similar to the discussions in Sections I.a and I.c above, potential future development permitted under the proposed Project would be required to comply with enumerated general development standards set forth in the City's Municipal Code to ensure compatibility with adjoining land uses. These factors contribute to a <i>less-than-significant</i> impact with respect to light and glare.</p> |                                |                                                    |                              |           |

## II. AGRICULTURE AND FORESTRY RESOURCES

| Would the Project:                                                                                                                                                                                                                            | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <b>DISCUSSION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                |                                                    |                              |                                     |
| <p>a) Maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency categorize land within the city as primarily Urban and Built-Up Land.<sup>3</sup> There are no agricultural lands identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the Zoning districts affected by the proposed Project, potential future development permitted as a result of the proposed Project would only occur within existing Residential, Commercial, and Mixed Use zoning designations. Therefore, there would be <i>no impact</i>.</p> <p>b) The California Land Conservation (Williamson) Act 2010 Status Report identifies land in Santa Clara County that is currently under Williamson Act contract.<sup>4</sup> However, as discussed in response to Section II.a, there is no agricultural land within the affected zoning districts, and, therefore, implementation of the proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. Consequently, there would be <i>no impact</i>.</p> <p>c) According to 2003 mapping data from the California Department of Forestry and Fire Protection, the city does not contain any woodland or forest land cover;<sup>5</sup> thus, the city does not contain land zoned for Timberland Production and <i>no impact</i> would occur.</p> <p>d) For the reasons provided in response to Sections II.a through II.c, there would be <i>no impact</i> in relation to the conversion of farmland to non-agricultural use or forest land to non-forest use.</p> <p>e) See Sections II.b, II.c, and II.d above.</p> |                                |                                                    |                              |                                     |

<sup>3</sup> California Resources Agency, Farmland Mapping and Monitoring Program. Santa Clara County Important Farmland 2010, [ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/regional/2010/bay\\_area\\_fmmp2010.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/regional/2010/bay_area_fmmp2010.pdf), accessed on August 29, 2013.

<sup>4</sup> California Department of Conservation, 2010, California Land Conservation (Williamson) Act 2010 Status Report, page 23, [http://www.conservation.ca.gov/dlrp/lca/stats\\_reports/Documents/2010%20Williamson-%20Act%20Status%20Report.pdf](http://www.conservation.ca.gov/dlrp/lca/stats_reports/Documents/2010%20Williamson-%20Act%20Status%20Report.pdf), accessed on August 30, 2013.

<sup>5</sup> California Department of Forestry and Fire Protection Fire and Resource Assessment Program, Land Cover map, [http://frap.cdf.ca.gov/webdata/maps/statewide/fvegwhr13\\_map.pdf](http://frap.cdf.ca.gov/webdata/maps/statewide/fvegwhr13_map.pdf) accessed on August 29, 2013.

### III. AIR QUALITY

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Expose sensitive receptors to substantial pollutant concentrations?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <p><b>DISCUSSION:</b></p> <p>The Bay Area Air Quality Management District (BAAQMD) is the regional air quality agency for the San Francisco Bay Area Air Basin (SFBAAB), which comprises all of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, and Santa Clara Counties; the southern portion of Sonoma County; and the southwestern portion of Solano County. Accordingly, the City is subject to the rules and regulations imposed by the BAAQMD, as well as the California ambient air quality standards adopted by the California Air Resources Board (CARB) and national ambient air quality standards adopted by the United States Environmental Protection Agency (U.S. EPA).</p> <p>a), b), d)</p> <p>Potential future development permitted under the proposed Project could potentially have significant impacts on air quality through additional automobile trips associated with an additional housing units. However, the BAAQMD does not require project specific analysis for projects proposing less than 520 apartments/condominiums or resulting in less than 2,000 vehicle trips per day. If a project does not exceed either of these thresholds, it is typically assumed to have a less than significant impact on air quality. While no projects have been identified or are proposed as part of the Zoning Ordinance Amendments, the proposed Project would not result in any potential future development that would meet or exceed the current BAAQMD standards for air quality impacts.</p> <p>Residential development in proximity to Interstates 680 and 880, State Route 237-Calaveras Boulevard, Montague Expressway, The Santa Clara Valley Transportation Authority (VTA) Light Rail line, the Union Pacific Railroad tracks could expose sensitive receptors to human health risks associated with toxic air contaminants (TACs). Concentrations of TACs such as diesel particulate matter are much higher near railroads traveled by locomotives and heavily traveled highways and intersections, and prolonged exposure can cause health risks such as cancer, birth defects, and neurological damage. Potential future development permitted under the proposed Project would not increase development potential, but rather would allow for special needs housing in Residential, Commercial and Mixed Use Zoning Districts where residential and transient uses are currently permitted. The HS Zoning District is located in several parts of the City and in some cases is near major thoroughfares. While no projects have been identified or are</p> |                                |                                                    |                                     |                                     |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>proposed as part of the Zoning Ordinance Amendments, potential future development permitted under the proposed Project, as necessary, would be subject to separate environmental review as required under CEQA.</p> <p>Given the proposed Project would not exceed BAAQMD standards of significance for air quality impacts and compliance with mandatory regulation (i.e. CEQA), potential future development permitted under the proposed Project will have <i>no impact</i> with respect to air quality.</p> <p>c) The Bay Area 2010 Clean Air Plan is the current control strategy to reduce ozone, particulate matter (PM), air toxins, and greenhouse gases (GHGs) for the City of Milpitas. The 2010 Clean Air Plan was based on the Association of Bay Area Governments' (ABAG) population and employment projections for the San Francisco Bay area, including growth that would be accommodated under the City's General Plan. The Bay Area Air Quality Management District (BAAQMD) monitors air quality at several locations in the San Francisco Bay Air Basin. Historically, problematic criteria pollutants in urbanized areas include ozone, particulate matter, and carbon monoxide. Combustion of fuels and motor vehicle emissions are a major source of each of these three criteria pollutants. Milpitas is within the San Francisco Bay Area Air Ozone non-attainment area as delineated by the U.S. Environmental Protection Agency (U.S. EPA).</p> <p>As discussed in Section III.a above, potential future development permitted under the proposed Project would not increase development potential (no new automobile trips or additional housing units), but rather would allow for new types of special needs housing where residential and transient housing is currently permitted and accounted for in the General Plan. Therefore, no increase of criteria air pollutants would occur as a result of potential future development permitted under the proposed Project and impacts would be <i>less than significant</i>.</p> <p>e) Odors are also an important element of local air quality conditions. Specific activities allowed within each land use category can raise concerns related to odors on the part of nearby neighbors. Major sources of odors include restaurants and wastewater treatment plants. While sources that generate objectionable odors must comply with air quality regulations, the public's sensitivity to locally produced odors often exceeds regulatory thresholds.</p> <p>The special needs housing that would be permitted under the proposed Project is not considered a major source of odor and would not create objectionable odors to surrounding sensitive land uses. Furthermore, Section XI-10-6.02, Mixed Use Regulations, and Section XI-10-5.04, Commercial Zone Special Development Standards, of the City's Municipal Code, provides regulations to prevent objectionable odors to sensitive receptors (i.e. residential housing). Compliance with these existing standards would result in <i>less-than-significant</i> odor impacts.</p> |                                |                                                    |                              |           |



#### IV. BIOLOGICAL RESOURCES

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
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| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>DISCUSSION:</b><br>a) Special status plants include those listed as “Endangered,” “Threatened,” or “Candidate for Listing” by the California Department of Fish and Wildlife (CDFW); the U.S. Fish and Wildlife Service (USFWS), that are included in the California Rare Plant Rank, or that are considered special-status in local or regional plans, policies, or regulations. Special status animals include those listed as “Endangered,” “Threatened,” or “Candidate for Listing” by the CDFW or the USFWS, that are designated as “Watch List,” “Species of Special Concern,” or “Fully Protected” by the CDFW, or that are considered “Birds of Conservation Concern” by the USFWS. There are occurrences of plant and animal species with special-status within the city limits. <sup>6</sup><br><br>Potential future development permitted under the proposed Project would not increase development |                                |                                                    |                                     |                                     |

<sup>6</sup> Milpitas General Plan, Chapter 4, Open Space and Environmental Conservation Element, Table 4-3 Species with Special Status and Table 4-4 Special California Department of Fish and Games Designation, Table 4-5 Inventory of Rare and Endangered Vascular Plants for Milpitas and Calaveras Reservoir Quads, page 4-8 and 4-9.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>potential, but rather would allow for new types of residential housing in the City's Residential, Commercial and Mixed Use Zoning designations. Potential impacts from construction of special needs housing would most likely be related to the removal of trees and other vegetation in these habitats during the nesting season of the migratory birds found in Milpitas.</p> <p>The following General Plan policies protect special-status species associated with potential future development.</p> <p><b>Policy 4.b-I-2</b> Preserve remaining stands of trees.</p> <p><b>Policy 4.b-I-4</b> Require a biological assessment of any project site where sensitive species are present, or where habitats that support known sensitive species are present.</p> <p><b>Policy 4.d-P-4</b> Where consistent with other policies, preserve, create, or restore riparian corridors and wetlands. Where possible, set back development from these areas sufficiently to maximize habitat values.</p> <p><b>Policy 4.b-I-5</b> Utilize sensitive species information acquired through biological assessments, project land use, planning and design.</p> <p>Implementation of these General Plan policies as well as compliance with Municipal Code Chapters 2, Tree Maintenance and Protection, federal and State laws, including but not limited to, the Migratory Bird Treaty Act, Clean Water Act, Federal and California Endangered Species Acts, and California Native Plant Protection Act would ensure impacts to special-status species associated with potential future development would be <i>less than significant</i>.</p> <p>b), c) As previously discussed the zoning designations affected through implementing the proposed Project include Residential, Commercial and Mixed Use zones. While there is riparian habitat (i.e. Coyote Creek, Calaveras Reservoir, Sandy Wool Lake) in the city limits and surrounding areas, as shown on the City's October 2012 Zoning Map and General Plan Land Use Map, these areas are not within the affected Zoning Districts under the proposed Project.</p> <p>Furthermore, wetlands and other waters are protected under the federal Clean Water Act and the State's Porter-Cologne Water Quality Control Act are under the jurisdiction of the U.S. Army Corps of Engineers and the San Francisco Bay Regional Water Quality Control Board. Federal and State regulations require avoidance of impacts to the extent feasible, and compensation for unavoidable losses of jurisdictional wetlands and waters. Compliance with the General Plan policies described in Section IV.a above would ensure <i>no impact</i> would occur to riparian and wetland habitats as a result of potential future development under the proposed Project..</p> <p>d) As discussed in Sections IV.b and IV.c, zoning districts affected by the proposed Project are not located on wildlife dispersal routes such as riparian corridors, and potential future development associated with special needs would not be expected to contribute to habitat fragmentation which would interfere with wildlife migration. Therefore, <i>no impact</i> to wildlife movement corridors would occur.</p> <p>e) Chapter 2 of the City's Municipal Code is known as the "Tree Maintenance and Protection Ord-</p> |                                |                                                    |                              |           |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>nance of the City of Milpitas” to preserve, when feasible, all trees and plantings on City property, and all protected plantings of significant size, age, and/or benefit to the community at large. If potential future development under the proposed Project were to impact an approved tree, it would be required to comply with the City’s Tree Maintenance and Protection Ordinance before any tree could be removed. Tree removal permits would be secured before any qualifying tree removal action occurred. Potential future housing development permitted under the proposed Project would have to comply with this City ordinance. With adherence to the General Plan policies described in Section IV.a and this ordinance, no conflicts are anticipated, and impacts would be considered <i>less than significant</i>.</p> <p>f) There are no habitat conservation plans or natural community conservation plans within the city limits, therefore implementation of the proposed Project will not conflict with any. Consequently, there would be <i>no impact</i>.</p> |                                |                                                    |                              |           |

## V. CULTURAL RESOURCES

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
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| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a)-d) As described in the City’s General Plan Open Space and Conservation Element, there are 15 sites officially designated and locally registered as Milpitas Cultural Resources. Cultural resources and historic districts are designated by the City Council on the advice of the Parks, Recreation, and Cultural Resources Commission. Procedures to identify and designate historical and cultural resources and to guide their preservation are outlined in the City’s Municipal Code Chapter, Cultural Resources Preservation Program.<sup>7</sup> In addition, Cultural resources are protected by federal and State regulations and standards, including, but not limited to the National Historic Preservation Act, the California Public Resources Code, and CEQA. Given the largely built-out nature of Milpitas, the possibility is low that undiscovered archeological and unique paleontological resources or human remains may be found in the course of construction activities under the proposed Project. Any future development that would occur under the proposed Project would be required to comply with the City’s Municipal Code and State and federal regulations. For example, future potential development carried out under the proposed Project would be</p> |                                |                                                    |                              |                                     |

<sup>7</sup> City of Milpitas General Plan, Chapter 4, Open Space and Conservation Element, page 4-17.

obligated to cease construction or other activities, and report any discovery of potentially significant resources in compliance with State law (Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code). Compliance with the City's Municipal Code as well as federal and State laws, would ensure *no impact* would occur to cultural resources associated with potential future development under the proposed Project.

## VI. GEOLOGY AND SOILS

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
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| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:<br>i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?<br>ii) Strong seismic ground shaking?<br>iii) Seismic-related ground failure, including liquefaction?<br>iv) Landslides, mudslides or other similar hazards?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2010), creating substantial risks to life or property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>DISCUSSION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                |                                                    |                                     |                                     |
| a) i.-iv) As described in Chapter 5, Seismic and Safety Element of the City's General Plan and shown on General Plan Figure 5-2, Seismic and Geotechnical Evaluation Requirements, shows the state-defined Special Studies Zone for Milpitas that traverses the center of the city in a north-south direction. Portions of the Zoning Districts affected by the proposed Project (i.e. Residential, Commercial and Mixed Use). Figure 5-2 also identifies the requirements for undertaking studies prior to development in areas with potential geotechnical hazards such as liquefaction and landslides. Title II, Building Regulations of the Municipal Code, includes the standards for building in Milpitas. The City has formally adopted the 2010 Edition of the California Building Code, Volumes 1 and 2, California Building Standards Code, known as the California Code of Regulations, Title 24, Part 2, in Chapter 3, Building Code, Section II-3-1.01. Potential future development would be subject to these standards that would minimize the potential risk of ground |                                |                                                    |                                     |                                     |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>shaking, ground failure, liquefaction, landslides mudslides, or similar hazards posed to people or structures. In addition, the following General Plan policies would apply to future development in Milpitas:</p> <p><b>Policy 5.a-I-1</b> Require all projects within the Alquist-Priolo Special Studies Zone to have geologic investigations performed to determine the locations of active fault traces before structures for human occupancy are built.</p> <p><b>Policy 5.a-I-2</b> Require applications of all projects in the Hillside Area and the Special Studies Zone to be accompanied by geotechnical reports ensuring safety from seismic and geologic hazards.</p> <p><b>Policy 5.a-I-3</b> Require projects to comply with the guidelines prescribed in the City's <i>Geotechnical Hazards Evaluation</i> manual.</p> <p>Compliance with existing federal, State, and local regulations and the policies listed above would ensure that the impacts associated with seismic hazards are minimized to the maximum extent practicable. Consequently, overall, associated seismic hazards impacts would be <i>less than significant</i>.</p> <p>b) Substantial soil erosion or loss of topsoil during construction could undermine structures and minor slopes, and this could be a concern future development in the City. However, compliance with existing regulatory requirements, such as implementation of erosion control measures as specified in Municipal Code Title II, Chapter 13, Section II-13-10, Erosion Control, includes requirements for control of erosion and sedimentation during grading and construction. Compliance with this Section would reduce impacts from erosion and the loss of topsoil. Therefore, through adherence to existing regulatory requirements impacts associated with substantial erosion and loss of topsoil during potential future development under the proposed Project would be <i>less than significant</i>.</p> <p>c), d) Unstable geologic units and expansive soils are known to be present within city and mapped in General Plan Figure 5-1, Geotechnical Hazards, of the Seismic and Safety Element. This map shows that portions of the Zoning Districts affected by the proposed Project are identified as having unstable soils. However, compliance with General Plan Policy 5.a-I-3, which requires projects to comply with the guidelines prescribed in the City's Geotechnical Hazards Evaluation manual, would reduce the potential impacts to future development from an unstable geologic unit or soil to a <i>less-than-significant</i> level.</p> <p>e) Potential future development under the proposed Project will only affect zones in the existing built environment in areas were residential and transient uses are currently permitted. Connection to the sewer system is available in these areas; therefore, <i>no impact</i> regarding the capacity of the soil in the area to accommodate septic tanks or alternate wastewater disposal systems would occur.</p> |                                |                                                    |                              |           |

## VII. GREENHOUSE GAS EMISSIONS

| Would the Project: | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
|                    |                                |                                                    |                              |           |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
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| a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHGs?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a), b) In 2006, California adopted Assembly Bill 32 (AB 32), the Global Warming Solutions Act of 2006. AB 32 established a statewide GHG emissions reduction goal to reduce statewide GHG emissions levels to 1990 levels by 2020. AB 32 established a legislative short-term (2020) mandate for state agencies in order to set the State on a path toward achieving the long-term GHG reduction goal of Executive Order S-03-05 to stabilize carbon dioxide (CO<sub>2</sub>) emissions by 2050. The City of Milpitas adopted a qualified <i>Climate Action Plan</i> (CAP) – A Qualified Greenhouse Gas Reduction Strategy to ensure consistency with state-wide efforts to reduce GHG emissions under AB 32 on May 7, 2013.</p> <p>The Zoning Ordinance is a regulatory document that establishes various districts within the boundaries of the city and restrictions for erecting, constructing, altering, or maintaining certain buildings, identifying certain trades or occupations, and makes certain uses of lands. The Zoning Ordinance includes performance standards that set forth the height and bulk limits of buildings, the open spaces limits that shall be required about buildings and other appropriate regulations to be enforced in each districts. The Zoning Ordinance does not directly result in development in and of itself. Before any development can occur in the city, all such development is required to be analyzed for conformance with the General Plan, Zoning Ordinance, and other applicable local and State requirements; comply with the requirements of CEQA; and obtain all necessary clearances and permits.</p> <p>Future development in Milpitas could contribute to global climate change through direct and indirect emissions of GHG from transportation sources, energy (natural gas and purchased energy), water/wastewater use, waste generation, and other off-road equipment (e.g. landscape equipment, construction activities). Potential future development under the proposed Project would not increase development potential in Milpitas beyond what was considered in the General Plan and the 2010 Housing Element. Consequently, implementation of the proposed Project would result in a <i>less-than-significant</i> impact related to contributing to GHG emissions that could have a significant effect on the environment and conflicting with an applicable plan adopted for the purpose of reducing GHG emissions.</p> |                                |                                                    |                                     |                          |

## VIII. HAZARDS AND HAZARDOUS MATERIALS

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
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| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <b>DISCUSSION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                |                                                    |                                     |                                     |
| a) State-level agencies, in conjunction with the U.S. Environmental Protection Agency (U.S. EPA) and Occupational Safety and Health Administration (OSHA) regulate removal, abatement, and transport procedures for asbestos-containing materials. Asbestos-containing materials (“ACM”) are materials that contain asbestos, a naturally-occurring fibrous mineral that has been mined for its useful thermal properties and tensile strength. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations and medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include warnings that must be heeded and practices that must be followed to reduce the risk for asbestos emissions and exposure. Finally, federal, State, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos. |                                |                                                    |                                     |                                     |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>Lead-based paint (“LBP”), which can result in lead poisoning when consumed or inhaled, was widely used in the past to coat and decorate buildings. Lead poisoning can cause anemia and damage to the brain and nervous system, particularly in children. Like ACM, LBP generally does not pose a health risk to building occupants when left undisturbed; however, deterioration, damage, or disturbance will result in hazardous exposure. In 1978, the use of LBP was federally banned by the Consumer Product Safety Commission. Therefore, only buildings built before 1978 are presumed to contain LBP, as well as buildings built shortly thereafter, as the phase-out of LBP was gradual.</p> <p>The U.S. EPA prohibited the use of Polychlorinated Biphenyls (PCBs) in the majority new electrical equipment starting in 1979, and initiated a phase-out for much of the existing PCB-containing equipment. The inclusion of PCBs in electrical equipment and the handling of those PCBs are regulated by the provisions of the Toxic Substances Control Act, 15 U.S.C. Section 2601 et seq. (TSCA). Relevant regulations include labeling and periodic inspection requirements for certain types of PCB-containing equipment and outline highly specific safety procedures for their disposal. The State of California likewise regulates PCB-laden electrical equipment and materials contaminated above a certain threshold as hazardous waste; these regulations require that such materials be treated, transported, and disposed accordingly. At lower concentrations for non-liquids, regional water quality control boards may exercise discretion over the classification of such wastes.</p> <p>The California Division of Occupational Safety and Health’s (Cal OSHA) Lead in Construction Standard is contained in Title 8, Section 1532.1 of the California Code of Regulations. The regulations address all of the following areas: permissible exposure limits (PELs); exposure assessment; compliance methods; respiratory protection; protective clothing and equipment; housekeeping; medical surveillance; medical removal protection (MRP); employee information, training, and certification; signage; record keeping; monitoring; and agency notification.</p> <p>In the event of a hazardous material emergency several agencies are responsible for timely response, depending on the extent, and type of the incident. The Santa Clara County Hazardous Materials Response Team is composed of representatives of the Santa Clara County Fire Department, California Department of Forestry, and member cities and responds to large-scale, emergency hazardous material incidents within the city. The Milpitas Fire Department is responsible for non-emergency hazardous materials reports within the city. If and when these non-emergency incidents become a threat to groundwater supplies, the Regional Water Quality Control Board takes control of the case. The Milpitas Fire Department also monitors above ground and underground storage tanks and combustible and flammable liquids for leaks and spills.</p> <p>Potentially hazardous building materials (i.e. ACM, lead-based paint, PCBs, mercury) may be encountered during the demolition of existing structures. The removal of these materials (if present) by contractors licensed to remove and handle these materials in accordance with existing federal, State, and local regulations would insure that risks associates with the transport, storage, use, and disposal of such materials would be <i>less than significant</i>.</p> <p>Common cleaning substances, building maintenance products, paints and solvents, and similar items would likely be stored, and used, at the future residential developments that could occur under the proposed Project. These potentially hazardous materials, however, would not be of a type or occur in sufficient quantities to pose a significant hazard to public health and safety or the environment. Consequently, associated impacts from implementation of the Plan Components would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |



| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>b) As described in Section VIII.a above, the storage and use of common cleaning substances, building maintenance products, paints and solvents in the potential development planned for under the proposed Project could likely occur; however, these potentially hazardous substances would not be of a type or occur in sufficient quantities on-site to pose a significant hazard to public health and safety or the environment. Consequently, overall, associated hazardous materials impacts would be <i>less than significant</i>.</p> <p>c) While the majority of schools in Milpitas are within ¼-mile of a zone affected by the proposed Project, the changes merely allow for new residential uses in Residential, Commercial, and Mixed Use zones. As such there would be no increase in the risk of hazardous emissions as discussed above in Sections VIII.a and VIII.b above. As a result impacts to schools would be a <i>less than significant</i>.</p> <p>d) There are no Department of Toxic Substance Control sites within the city included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.<sup>8</sup> Therefore, <i>no impact</i> would result.</p> <p>e), f) The nearest public use airport to the city is the Norman Y. Mineta San José International Airport, located in San José, California approximately 2 miles southwest of the city. The Comprehensive Land Use Plan for this airport indicates that portions of the city fall within the noise restriction area, height restriction area, and safety restriction areas of the Airport Influence Area.<sup>9</sup> The two closest private air facilities to Milpitas are the Flea Port Heliport the City of San Jose and McCandless Towers Heliport in the City of Santa Clara. However, neither of these facilities is considered in close proximity to the city. Nonetheless, potential future development under the proposed Project would involve special needs housing within the existing built environment in areas where residential and transient uses are currently permitted and would not negatively affect operation of an airport through resulting height, light interference, or land use incompatibility. Therefore, <i>no impact</i> would occur.</p> <p>g) The City participates in the ABAG Local Hazards Plan and adopted the 2005 City of Milpitas Emergency Plan.<sup>10</sup> The City maintains the Emergency Plan to deal with natural or man-made disasters. The objectives of the Emergency Plan are to prepare for and facilitate coordinated and effective responses to emergencies within the city and to provide assistance to other jurisdictions as needed. The Emergency Plan specifies actions for the coordination of operations, management and resources, and responsibilities of the different departments and governmental agencies during emergency events. Evacuation routes are to be determined as appropriate depending on the nature of the emergency.<sup>11</sup> Future potential development associated with the proposed project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The type of anticipated development associated with special needs housing would primarily be restricted to the existing built environment in areas where residential and transient uses are currently permitted; therefore, it would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Consequently, <i>no impact</i> would occur.</p> |                                |                                                    |                              |           |

<sup>8</sup> Department of Toxic Substances Control, <http://www.envirostor.dtsc.ca.gov/public>, accessed September 4, 2013.

<sup>9</sup> Comprehensive Land Use Plan, Santa Clara County, Norman Y. Mineta San José International Airport, adopted May 25, 2011.

<sup>10</sup> City of Milpitas <http://www.abag.ca.gov/bayarea/eqmaps/mitigation/Milpitas-Annex.pdf> accessed September 4, 2013.

<sup>11</sup> City of Milpitas General Plan, Chapter 5, Seismic and Safety Element, pages 5-12 and 5-13.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>h) The California Department of Forestry and Fire Hazard Protection (CAL FIRE) is responsible for the identification of very high fire hazard severity zones and transmission of these maps to local government agencies. According to maps prepared by CAL FIRE's, the entire city is categorized as a Non-Very High Fire Hazard Severity Zone under both Local Responsibility Area and State or Federal Responsibility Area.<sup>12</sup> Additionally, as discussed in Section VIII.g above, potential future development under the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The type of special needs housing associated with the proposed Project would occur within the highly urbanized areas of Milpitas and would not be surrounded by woodlands or vegetation that would provide fuel load for wildfires. Because the city is not designated as having high, very high, or extreme fire threat, as determined by CAL FIRE's Wildlife Urban Interface Fire Threat data, and any potential future development would be constructed pursuant to the standards set forth in Chapter 3, Building Code, Section II-3-1.01 for the City's Municipal Code, the California Fire Code and the Milpitas Fire Department Code, impacts would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |

## IX. HYDROLOGY AND WATER QUALITY

| Would the Project:                                                                                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements?                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level?                                               | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?                                        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm-water drainage systems?                                                                                                                                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

<sup>12</sup> Cal Fire [http://frap.cdf.ca.gov/webdata/maps/santa\\_clara/fhszl\\_map.43.pdf](http://frap.cdf.ca.gov/webdata/maps/santa_clara/fhszl_map.43.pdf) accessed September 4, 2013.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
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| f) Otherwise substantially degrade water quality?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a) The City collects and disposes its stormwater via a storm drainage network consisting of catch basins, conveyance piping, pump stations, and outfalls to creeks. The City has 123 miles of storm pipe, 3,000 catch basins, approximately 4 miles of drainage ditches and creeks, and stormwater pump stations. Stormwater collection efforts are guided by the Floodplain Management Plan, which is a compilation of different management sources, and is designed to be a flexible and growing instrument.<sup>13</sup></p> <p>Thirteen cities and towns in the Santa Clara Valley, Santa Clara County, and the Santa Clara Valley Water District, bound by a Memorandum of Agreement (MOA), formed the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP) to regulate, monitor, and improve Santa Clara Valley water quality and implement the National Pollutant Discharge Elimination System (NPDES) Municipal Storm Water Permit for the area. The City of Milpitas is a member of SCVURPPP, which works with participating cities and towns and the San Francisco Regional Water Quality Control Board (SFRWQCB) on solutions for controlling runoff quality, in compliance with NPDES Municipal Storm Water Permit.<sup>14</sup></p> <p>Title XI, Chapter 16 of the City's Municipal Code provides regulations and give legal effect to certain requirements of the Waste Discharge Requirements and NPDES permit for the discharge of stormwater runoff from the City's municipal separate storm sewer (MS4), issued by the SFRWQCB to the City of Milpitas. Title II, Chapter 13 of the Municipal Code includes requirements for control of erosion and sedimentation during grading and construction. Additionally, the following General Plan policies identified in Chapter 4, Open Space and Conservation Element protect water quality in Milpitas:</p> <p><b>Policy 4.d-P-1</b> Implement a comprehensive municipal stormwater pollution-prevention program in compliance with requirements of the Water Board's stormwater NPDES permit.</p> <p><b>Policy 4.d-P-3</b> Work cooperatively with other cities, towns, and the Santa Clara Valley Water District to comply with regulations, reduce pollutants in runoff, and protect and enhance water resources in the Santa Clara Basin.</p> <p><b>Policy 4.d-P-4</b> Where consistent with other policies, preserve, create, or restore riparian corridors and wetlands. Where possible, set back development from these areas sufficiently to maximize habitat values.</p> |                                |                                                    |                                     |                          |

<sup>13</sup> City of Milpitas General Plan, Chapter 2, Seismic and Safety Element, page 5-9 and 5-10.

<sup>14</sup> Santa Clara Valley Urban Runoff Pollution Prevention Program, About SCVURPPP, [http://www.scvurppp-w2k.com/about\\_scvurppp.shtml](http://www.scvurppp-w2k.com/about_scvurppp.shtml), accessed on August 30, 2013.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p><b>Policy 4.d-P-5</b> Where feasible, conform developments to natural landforms, avoid excessive grading and disturbance of vegetation and soils, retain native vegetation and significant trees, and maintain natural drainage patterns.</p> <p><b>Policy 4.d-P-6</b> Where possible, avoid new outfalls to natural or earthen channels.</p> <p><b>Policy 4.d-P-7</b> Applicable projects shall minimize directly connected impervious area by limiting the overall coverage of paving and roofs, directing runoff from impervious areas to adjacent pervious areas, and selecting permeable pavements and surface treatments.</p> <p><b>Policy 4.d-P-8</b> Applicable projects shall incorporate facilities (BMPs) to treat stormwater before discharge from the site. The facilities shall be sized to meet regulatory requirements.</p> <p><b>Policy 4.d-P-9</b> Applicable projects shall control peak flows and duration of runoff where required to prevent accelerated erosion of downstream watercourses.</p> <p><b>Policy 4.d-P-12</b> Construction sites shall incorporate measures to control erosion, sedimentation, and the generation of runoff pollutants to the maximum extent practicable. The design, scope and location of grading and related activities shall be designed to cause minimum disturbance to terrain and natural features. (Title II, Chapter 13 of the Municipal Code includes requirements for control of erosion and sedimentation during grading and construction.)</p> <p>Potential future development under the proposed Project would be subject to the oversight and review processes, and standards that are envisioned by the General Plan, established within the Municipal Code, and/or otherwise required by the State/federal regulations. Therefore, compliance with these existing regulations would result in <i>less than significant</i> water quality impacts.</p> <p>b) Potential future development under the proposed Project would have a significant environmental impact if it would result in a net deficit in aquifer volume or a lowering of the local groundwater table level. As shown above in Section IX.a above, General Plan Policy 4.d-P-7 states that applicable projects shall minimize directly connected impervious areas by limiting the overall coverage of paving and roofs, directing runoff from impervious areas to adjacent pervious areas, and selecting permeable pavements and surface treatments. Other physical changes that could occur as a result of implementing the proposed Project would occur within the existing built environment in areas where residential and transient uses are currently permitted and would not interfere with groundwater recharge. The proposed Project would not result in any additional development potential in the city beyond what was considered in the 2010 Housing Element and no additional water demand would occur. Consequently, impacts would be <i>less than significant</i>.</p> <p>c), d) The proposed Project would result in a significant environmental impact if it would require modifications to drainage patterns that could lead to substantial erosion of soils, siltation, or flooding. Such drainage pattern changes could be caused by grade changes, the exposure of soils for periods of time during which erosion could occur, or alterations to creekbeds. Potential future development as a result of the</p> |                                |                                                    |                              |           |

<sup>15</sup> City of Milpitas General Plan, Chapter 2, Seismic and Safety Element, page 5-9 and 5-10.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>proposed Project would occur within the built environment and would not involve the direct modification of any watercourse. If unforeseen excessive grading or excavation were required, then pursuant to the State Water Quality Control Board (SWQCB) Construction General Permit, a Storm Water Pollution Prevention Plan (SWPPP) would be required to be prepared and implemented for the qualifying projects under the proposed Project, which would ensure that erosion, siltation, and flooding is prevented to the maximum extent practicable during construction. Overall, construction associated with potential future development permitted under the proposed Project would not result in substantial erosion, siltation, or flooding either on- or off-site, and associated impacts would be <i>less than significant</i>.</p> <p>e) Physical changes that could occur as a result of implementing the proposed Project could increase impervious surfaces that could create or contribute to runoff water that would exceed the City's stormwater drainage systems. However, the type of anticipated development associated with special needs housing would primarily be restricted to the existing built environment in areas where residential and transient uses are currently permitted. Additionally, regulations in the General Plan including Policy 4.d-P-7 serve to minimize impermeable surfaces and decrease runoff. The combination of these two factors would ensure that impacts related to stormwater drainage runoff would be less than significant.</p> <p>f) A principal source of water pollutants is stormwater runoff containing petrochemicals and heavy metals from parking lots and roadways. Given that the proposed Project would not create such surfaces or increase vehicular use of existing parking lots and roadways, implementation of the proposed Project would not contribute to these types of water pollutants. As discussed under Section IX.c and IX.d, where excessive construction related grading or excavation is required, pursuant to the SWQCB Construction General Permit, a SWPPP would be required to be prepared and implemented for the qualifying projects under the proposed Project, which would reduce polluted runoff to the maximum extent practicable during construction phases. Furthermore, implementation of the proposed Project would be subject to the oversight and review processes and standards that are envisioned by the General Plan. As such, compliance with these existing regulations would result in <i>less-than-significant</i> water quality impacts.</p> <p>g), h) Milpitas is located within the East Zone of the Flood Control benefit Assessment District, the proceeds of which go to the Santa Clara Valley Water District to provide maintenance and an increased level of flood protection by accelerating construction projects throughout the County, some of which are in Milpitas. As shown on General Plan Figure 5-3, About half of the City's Planning Area Valley Floor lies within one of the Special Flood Hazard. Almost all land west of the Southern Pacific Railroad lies within the 100-year Flood Zone and all land west of Highway 680 is part of the 500-year Flood Zone. Zoning districts affected by implementing the proposed Project are within these identified flood zones.</p> <p>The type of anticipated development associated with special needs housing would primarily be restricted to the existing built environment in areas where residential and transient uses are currently permitted. Criteria for protection from a 100-year flood hazard is provided in Title XI, Chapter 15, Floodplain Management Regulations, of the Municipal Code. The following General Plan policies protect housing within the 100-year Flood Zone and restrict the placement of structures which would impede or redirect flood flows:</p> <p><b>Policy 5.b-I-1</b> Ensure that new construction or substantial improvements to any existing structure result in adequate protection from flood hazards. This includes ensuring that:</p> <ul style="list-style-type: none"> <li>• New residential development within the 100-year Flood Zone locate the lowest floor, including</li> </ul> |                                |                                                    |                              |           |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>basement, above the base flood elevation; and</p> <ul style="list-style-type: none"> <li>New non-residential development locate the lowest floor, including basement, above the base flood elevation or incorporate flood-proofing and structural requirements as spelled out in the Municipal Code (Title XI Chapter 15).</li> </ul> <p><b>Policy 5.b-I-2</b> Require all structures located within the 100-year Flood Zone to provide proof of flood insurance at the time of sale or transfer of title.</p> <p><b>Policy 5.b-I-3</b> Ensure that encroachment into designated floodways does not result in any increase in flooding hazards.</p> <p>Potential future development under the proposed Project would be required to comply with these existing regulations. Consequently, implementation of the proposed Project would result in <i>less-than-significant</i> impacts.</p> <p>i) According to the State Office of Emergency Services for Santa Clara County, parts of the City along the Calaveras Road area east of I-680 could be inundated by failure of the 38-foot high Sandy Wool Lake Dam, located in Ed Levine Park. This is shown on Figure 5-3 of the City's General Plan in Chapter 5, Seismic and Safety Element. The area could be inundated in as soon as 15 minutes from the time of dam failure, affecting a population of about 4,900. The Office of Emergency Services maintains an evacuation plan in the unlikely event that a failure of the dam were to occur.<sup>15</sup> As discussed above in Section VIII.c, the City maintains an Emergency Plan to deal with natural or man-made disasters. Evacuation routes are to be determined as appropriate depending on the nature of the emergency. Compliance with the General Plan Policy 5.b-I-4 calls for the City to continue working with the Office of Emergency Services to update and maintain the Sandy Wool Lake Dam failure evacuation plan. General Plan policies and regulations identified in Section IX.g and IX.h above would ensure impacts from dam failure would be <i>less than significant</i>.</p> <p>j) The city is not located close to a large body of water, tidal, or otherwise that could result in inundation by seiche or tsunami. The city is located approximately 30 miles east of the Pacific Ocean, approximately 5 miles south of San Francisco Bay, approximately 5 miles west of the Calaveras Reservoir, and 2 miles west of Sandy Wool Lake Dam, located in Ed Levine Park. Given its distance from these bodies of water, the city is not at risk of inundation in the event of tsunami or seiche and impacts would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |

## X. LAND USE AND PLANNING

| Would the Project:                             | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>DISCUSSION:</b><br>a) Implementation of the proposed Project would not involve any structures, land use designations or other features (i.e. freeways, railroad tracks) that would physically divide an established community. The type of anticipated development associated with special needs housing would primarily be restricted to the existing built environment in areas where residential and transient uses are currently permitted. Therefore <i>no impact</i> would result.<br><br>b) As previously described in the Project Description above, the purpose of the proposed Project is to amend Chapter 10 (Zoning) of Title XI (Zoning, Planning, and Annexation) of the Milpitas Municipal Code to allow for special needs housing including emergency shelters, transitional and supportive housing, single room occupancy units and reasonable accommodations consistent with the City's 2010 General Plan Housing Element. Therefore, impacts regarding conflicts with applicable plans, policies, or regulations would be <i>less than significant</i> .<br><br>c) As discussed above in Section IV.f above, there are no habitat conservation plans or natural community conservation plans within the city limits, therefore implementation of the proposed Project will not conflict with any. Consequently, there would be <i>no impact</i> . |                                |                                                    |                                     |                                     |

## XI. MINERAL RESOURCES

| Would the Project:                                                                                                                                                    | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

**DISCUSSION:**

a), b) The Planning Area considered in the Milpitas General Plan includes four areas identified by the State Geologist as containing Regionally Significant Construction Aggregate Resources. However, these areas are located outside of the city limits. The proposed Project will only have the potential to affect areas that are incorporated into the city of Milpitas. Therefore, the proposed project will have no impact with respect to know mineral resources.

**XII. NOISE**

| <b>Would the Project:</b>                                                                                                                                                                                                             | <b>Potentially Significant Impact</b> | <b>Less Than Significant With Mitigation Incorporated</b> | <b>Less Than Significant Impact</b> | <b>No Impact</b>         |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|-----------------------------------------------------------|-------------------------------------|--------------------------|
| a) Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?                                                             | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Expose persons to or generate excessive ground-borne vibration or ground borne noise levels?                                                                                                                                       | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?                                                                                              | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?                                                                                  | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) If located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) If within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels?                                                                                                     | <input type="checkbox"/>              | <input type="checkbox"/>                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |



| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p><b>DISCUSSION:</b></p> <p>a)-f) The type of anticipated development associated with special needs housing would primarily be restricted to the existing built environment in areas where residential and transient uses are currently permitted. The 2010 Housing Element and its Mitigated Negative Declaration anticipated and directly stipulated the proposed amendments to the Zoning Ordinance. The provisions of the proposed Project would not contravene any aspects of the General Plan, including land use designations, noise limits, or other restrictions that address noise impacts. Though future potential development permitted under the proposed Project may potentially be noise-generating during construction phases, all potential future development pursued under the proposed Project would be subject to the oversight and review processes and standards that are envisioned by the General Plan, established within the City Municipal Code, and/or otherwise required by the state and federal regulations.</p> <p>Title V (Public Health, Safety and Welfare), Chapter 213 (Noise Abatement) regulates excessive sound and vibration in residential areas of the City of Milpitas. Additionally, General Plan Chapter 6, Noise Element, includes policy statements to guide public and private planning to attain and maintain acceptable noise levels. For example, Policy 6-I-3 prohibits new construction where the exterior noise exposure is considered “clearly unacceptable” for the use proposed and Policy 6-I-5. All new residential development (single-family and multi-family) and lodging facilities must have interior noise levels of 45 decibels (dB) Day-Night Noise Level (DNL) or less. Mechanical ventilation will be required where use of windows for ventilation will result in higher than 45 dB DNL interior noise levels. Compliance with these existing regulations would ensure that the proposed Project would neither cause new noise impacts nor exacerbate any existing ones. Accordingly, noise impacts associated with implementing the proposed Project would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |

### XIII. POPULATION AND HOUSING

| Would the Project:                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?                                                                                               | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <b>DISCUSSION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                |                                                    |                              |           |
| <p>a) The proposed Project would be considered to result in a substantial and unplanned level of growth if estimated buildout exceeded local and regional growth projections (e.g., by proposing new homes or businesses). Implementation of the proposed Project would not result in any additional housing beyond what was considered in the 2010 General Plan Housing Element and thus would not directly induce substantial population growth. The proposed Project makes minor modifications to the uses currently permitted in the existing Zoning Districts in the city to allow for Emergency Shelters, SRO, and Supportive and Transitional housing, where other similar transient land uses are currently permitted. Additionally, the proposed Project would not extend roads or other infrastructure, and thus would not indirectly induce substantial population growth. Thus, a <i>less-than-significant</i> impact would occur in relation to population growth.</p> <p>b), c) Because the proposed Project only involves changes to the permitting of uses and in no way increases the restrictiveness of the Code, nothing in the Code would serve to displace housing or people. The proposed Zoning Ordinance Amendment prescribes standards, but doesn't mandate the exact use of the land. Therefore, market conditions and a variety of other factors will be the primary determinates of the increase or decrease in the number of housing units and residents in Milpitas. Consequently, impacts with respect to displacing housing units or residents would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |

#### XIV. PUBLIC SERVICES

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |                                |                                                    |                              |                                     |
| Fire protection?                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Police protection?                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Schools?                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Parks?                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Other public facilities                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <b>DISCUSSION:</b><br>a) The primary purpose of a public services impact analysis is to examine the impacts associated with physical improvements to public service facilities required to maintain acceptable service ratios, response times or other performance objectives. Public service facilities need improvements (i.e. construction of new, renovation or expansion of existing) as demand for services increases. Increased demand is typically driven by increases in population. The proposed Project would have a significant environmental impact if it would exceed the ability of public service providers to adequately serve the residents of the city, thereby requiring construction of new facilities or modification of existing facilities. As discussed in Section XII, Population and Housing, above, the proposed Project would not directly or indirectly result in population growth. The proposed Project does not include the construction of any new public service facilities or expansion of existing facilities. The proposed Project will not increase development potential beyond what was considered in the 2010 General Plan Housing Element. Further, the provisions of the proposed Project would not contravene any aspects of the General Plan, including land use designations and allowed building intensities that could impact demand for City services. Implementation of the proposed Project would therefore neither cause new impacts in regard to provision of City services nor exacerbate any existing ones; thus, <i>no impact</i> would occur. |                                |                                                    |                              |           |

#### XV.RECREATION

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <b>DISCUSSION:</b><br>a), b) Because implementation of the proposed Project would not directly or indirectly result in population growth as discussed in Section XII, Population and Housing, above, it also would not increase the use of existing parks or facilities. Additionally, implementation of the proposed Project does not include nor require the construction or expansion of recreational facilities. For these reasons, implementation of the proposed Project would have <i>no impact</i> on recreation. |                                |                                                    |                              |                                     |

## XVI. TRANSPORTATION/TRAFFIC

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County Congestion Management Agency for designated roads or highways?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>DISCUSSION:</b><br>a), b) The proposed Project will have no effect on the circulation system of Milpitas as it will not increase development potential and would not directly or indirectly result in population growth. As such, implementation of the proposed Project would not conflict with any applicable plan, ordinance or policy which establishes measures of effectiveness for the performance of the circulation system. Potential future development permitted as a result of the proposed Project will allow for special needs housing in Residential, Commercial and Mixed-Use Zoning designations where residential and transient uses are currently permitted. Consequently, impacts would be <i>less than significant</i> .<br><br>c) The proposed Project does not include any strategy or measure that would directly or indirectly affect air traffic patterns. Therefore, <i>no impact</i> would result.<br><br>d) The proposed Project does not include any strategy that would promote the development of hazardous road design features or incompatible uses. Rather, the proposed Project will allow for special needs housing in Residential, Commercial and Mixed Use Zoning designations where residential and transient uses are currently permitted. Therefore, <i>no impact</i> would occur. |                                |                                                    |                                     |                                     |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <p>e) No part of the proposed Project would result in the development of uses or facilities that would degrade emergency access. Therefore, there would be <i>no impact</i>.</p> <p>f) The proposed Project will have no impact on policies, plans or programs regarding public transit, bicycle, or pedestrian facilities. While the proposed Project does include provisions that are dependent on the location of public transit stops, potential future development permitted as a result of the proposed Project will only be reactive to the location of bus stops and will have no effect on the placement of bus stops or any other aspect of the public transportation system. Therefore, <i>no impact</i> will occur.</p> |                                |                                                    |                              |           |

## XVII. UTILITIES AND SERVICE SYSTEMS

| Would the Project:                                                                                                                                                                                                                                                                                                                                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?                                                                                                                                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, State, and local statutes and regulations related to solid waste?                                                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a)-c), e) The Milpitas Sanitary Sewer Collection System is owned and maintained by the City of Milpitas. Wastewater from the City of Milpitas is treated at the San Jose/Santa Clara Water Pollution Control Plant, located near Alviso. The City of Milpitas is contractually allowed a sanitary sewer flow of 14.25 mil-</p> |                                |                                                    |                                     |                          |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|----------------------------------------------------------------|------------------------------------|--------------|
| <p>lion gallons per day.<sup>16</sup> The proposed Project would allow for special needs housing in Residential, Commercial and Mixed Use Zoning designations where residential and transient uses are currently permitted and would not increase development potential beyond what was anticipated in the 2010 General Plan Housing Element. Therefore, construction and operation resulting from potential future development permitted under the proposed Project would have <i>less-than-significant</i> impacts with regard to the wastewater treatment requirements of the SFRWQCB and the capacity of the San Jose/Santa Clara Water Pollution Control Plant to serve the projected General Plan demand in addition to its existing commitments. Additionally, it would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.</p> <p>d) The proposed Project would allow for special needs housing in Residential, Commercial and Mixed Use Zoning designations where residential and transient uses are currently permitted and would not increase development potential beyond what was anticipated in the 2010 General Plan Housing Element. Given no additional demand to water supply would occur, impacts to water supply as a result of implementing the proposed Project would be <i>less than significant</i>.</p> <p>f), g) The City of Milpitas and Santa Clara County Integrated Waste Management Plans (IWMP) comply with state-mandated waste reduction goals specified in Public Resources Code (PRC) 40500 (Assembly Bill 939). PRC 40500 requires local agencies to implement source reduction, recycling, and composting activities to reduce solid waste generation by 25 percent by the year 1995, and by 50 percent by the year 2000. As a part of PRC 40500, each city and county is required to prepare a Source Reduction and Recycling Element (SRRE) and a Household Hazardous Waste Element (HHWE). Together, the SRRE and HHWE comprise the City's IWMP.<sup>17</sup> Newby Island landfill, located on Dixon Landing Road in San Jose serves the City. It is a Class III landfill, with an estimated lifespan of an additional 11 years (to 2021). However, the proposed Project would not increase development potential beyond what was anticipated in the 2010 General Plan Housing Element; accordingly, no additional demand on solid waste capacity would occur and impacts would be <i>less than significant</i>.</p> |                                      |                                                                |                                    |              |

<sup>16</sup> The City of Milpitas Waterstone EIR, [http://www.ci.milpitas.ca.gov/\\_pdfs/plan\\_eir\\_WaterStone\\_draft\\_a.pdf](http://www.ci.milpitas.ca.gov/_pdfs/plan_eir_WaterStone_draft_a.pdf). Accessed September 3, 2013.

<sup>17</sup> The City of Milpitas General Plan, Chapter 4 Environmental Open Space and Conservation Element, page 4-21.

## MANDATORY FINDINGS OF SIGNIFICANCE

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|--------------------------|
| a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>DISCUSSION:</b><br>a)-c) The 2010 Housing Element and its Mitigated Negative Declaration anticipated and directly stipulated the proposed amendments to the Zoning Ordinance. The provisions of the proposed Project would not contravene any aspects of the General Plan, including land use designations and allowed building intensities, that would lead to increased population or development, impacts to wildlife, cumulative effects, or other substantial adverse effects on human beings. All structures, programs, and projects pursued under the proposed Project would adhere to the vision established within the General Plan and all subsequent land use and zoning designations. Implementation of the proposed Project would therefore neither cause new impacts in regard to these issues nor would it exacerbate any existing impacts. Therefore, through mandatory regulatory compliance and consistency with General Plan policies, implementation of the proposed Project would have a <i>less-than-significant</i> impact with the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, nor have impacts that are individually limited, but cumulatively considerable, nor does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly. |                                |                                                    |                                     |                          |





# **List of Attachments for Public Hearing No. 4**

## **General Plan Draft Housing Element 2015-2023**

**Conduct a Public Hearing and Adopt Environmental Assessment (Negative Declaration) and General Plan Amendment Adopting the Draft Housing Element 2015-2023 and Revisions to the Seismic/Safety Element and Open Space and Conservation Element of the General Plan**  
**(Staff Contact: Felix Reliford, 408-586-3071)**

### **Attachments:**

- 4A – City Council Resolution
- 4B – Draft Housing Element
- 4C – Negative Declaration
- 4D – Letters from OPR (Governor's Office of Planning and Research) and DOT (Department of Transportation)
- 4E – Adopted Planning Commission Resolution No. 15-0008 February 25, 2015
- 4F – Letter from HCD (Department of Housing and Community Development)
- 4G – Response to Comment Letter, 1/23/2015
- 4H – Meeting Minutes of Planning Commission, 2/25/2015
- 4I – Two Non-Profit Letters

## RESOLUTION NO. \_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS ADOPTING A NEGATIVE DECLARATION AND APPROVING A GENERAL PLAN AMENDMENT UPDATING THE HOUSING ELEMENT 2015-2023, SEISMIC/SAFETY ELEMENT AND OPEN SPACE AND ENVIRONMENTAL CONSERVATION ELEMENT OF THE GENERAL PLAN**

**WHEREAS**, California Government Code Sections 65580 *et seq.* requires a Housing Element as a mandatory element of the General Plan and that Housing Elements are required to be updated every eight years; and

**WHEREAS**, State law requires that a general plan and its constituent elements “comprise” an integrated internally consistent and compatible statement of policies; and

**WHEREAS**, the previous Milpitas Housing Element was adopted by the City Council on June 15, 2010, and certified by the State of California, Department of Housing and Community Development (HCD) on February 10, 2010; and

**WHEREAS**, the updated Housing Element focuses on housing needs from January 1, 2015, through June 30, 2023, in accordance with the Housing Element planning period for San Francisco Bay Area jurisdictions established by law; and

**WHEREAS**, over the past year, the process to update the Housing Element in the City of Milpitas included: 1) obtaining housing information and data from local and regional housing agencies during the preparation of the updated plan; 2) conducting two publicly noticed community workshops on February 25 and March 11, 2014, to solicit input from the public on the City’s housing needs and to provide the public with an opportunity to shape the City’s housing goals, policies and objectives; 3) mailing notices of the meetings to 70 organizations and a variety of other groups and agencies; 4) conducting outreach for the meetings to recruit potential participants who would reflect the City’s full ethnic and economic diversity; and 5) providing appropriate opportunity for the general public to review and comment on the draft and final housing element documents; and

**WHEREAS**, the Milpitas Planning Commission held two (2) public hearings on May 14 and September 10, 2014 to obtain public input and comments on the Draft Housing Element Update; and

**WHEREAS**, the Milpitas City Council held a public hearing on September 16, 2014 to obtain public input and comments on the Draft Housing Element Update; and

**WHEREAS**, the public was provided a thirty (30) day review and comments period and copies of the Draft Housing Element Update was on file at the Milpitas City Hall, Milpitas Public Library and the City’s website for public review and comment; and

**WHEREAS**, the Association of Bay Area Governments (ABAG) determines the Regional Housing Needs Allocation (RHNA) for the Bay Area and allocated 3,290 residential units to the City of Milpitas for the next Housing Element cycle of 2015 to 2023; and

**WHEREAS**, a Draft General Plan Housing Element Update was forwarded to the HCD for their review and comments and the City of Milpitas received comments from HCD and responded to their comments; and

**WHEREAS**, on January 5, 2015, the HCD notified the City of Milpitas in writing that they had reviewed the Draft Milpitas General Plan Housing Element Update and found the document in compliance with State Housing Element Laws (Article 10.6 of the Government Code) when it was submitted to HCD pursuant to California Government Code Section 65585(g); and

**WHEREAS**, the revised Seismic and Safety Element of the General Plan includes an update to the required information related to Federal Emergency Management Agency (FEMA) Flood Rate Maps (FIRMs), dam, inundation zones, and City goals and policies to comply with State law (Assembly Bill 162 and California Government Code Section 65302); and

**WHEREAS**, the revised Open Space and Environmental Conservation Element includes updates to the Water Quality and Conservation Section, specifically, a map of rivers, creeks, streams, and riparian habitat to comply with State law (Assembly Bill 162); and

**WHEREAS**, General Plan Amendments (GPA) for Housing, Seismic and Safety and Open Space and Environmental Conservation Elements and Negative Declaration were prepared by the City of Milpitas and legally advertised for public review and comments; and

**WHEREAS**, pursuant to the California Environmental Quality Act (CEQA) an Initial Study was prepared and did not find any significant environmental impacts associated with the proposed projects. Based on the Initial Study finding of no significant impacts associated with the project, a Notice of Intent to Adopt a Negative Declaration was prepared and circulated for public review and comments from December 12, 2014, to January 12, 2015; and

**WHEREAS**, the Notice of Intent to Adopt a Negative Declaration and General Plan Amendments were advertised on February 13, 2015, for the Planning Commission meeting on February 25, 2015; and

**WHEREAS**, on February 25, 2015, the Planning Commission held a public hearing on the General Plan Amendments for Housing, Seismic and Safety, and Open Space and Environmental Conservation Elements and the Negative Declaration. The Planning Commission, among other documents and information, considered the report from staff on the General Plan Amendments for Housing, Seismic and Safety, and Open Space and Environmental Conservation Elements and the Negative Declaration and written and public testimony from property owners, business owners, outside agencies and other affected parties; and

**WHEREAS**, the Planning Commission did review and consider the Negative Declaration for the General Plan Amendments and determined that no significant impacts are associated with the General Plan Amendments for Housing, Seismic and Safety and Open Space and Environmental Conservation Elements; and

**WHEREAS**, on February 25, 2015, the Planning Commission adopted a Resolution recommending the City Council approve the Negative Declaration (Environmental Assessment No. EA14-0007) and General Plan Amendments No. GP14-0004); and

**WHEREAS**, on April 21, 2015, the City Council held a public hearing on the General Plan Amendments for Housing, Seismic and Safety, and Open Space and Environmental Conservation Elements and Negative Declaration. The City Council, among other documents and information, considered the report from staff on the General Plan Amendments for Housing, Seismic and Safety, and Open Space and Environmental Conservation Elements and the Negative Declaration and written and public testimony from property owners, business owners, outside agencies and other affected parties; and

**WHEREAS**, the City Council did review and consider the Negative Declaration for the General Plan Amendments and determined that no significant impacts are associated with the General Plan Amendments for Housing, Seismic and Safety and Open Space and Environmental Conservation Elements; and

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. An Initial Study and Negative Declaration pursuant to CEQA was prepared and circulated (SCH#2014122025) for the General Plan Amendments to the Updated Housing Element, Seismic and Safety Element and Open Space and Environmental Conversation Element. The Negative Declaration assumed no rezoning or changes to the General Plan or Zoning Districts for residential uses to the proposed project and the project has no potential to cause a significant effect on the environment.

Pursuant to Government Code Section 65457 (CEQA Guidelines Section 15073), there was a 30-day public review period from December 12, 2014 to January 12, 2015. The proposed project summary is included as follows:

### **Proposed Project Summary**

The proposed project includes an update to the current (2007-2014) Housing Element for the planning period 2015-2023. The proposed Project supports the goals and policies of the City's current Housing Element and provides policies and implementing programs to further the City's housing goals to meet its Regional Housing Needs Allocation (RHNA-3,290 units). No rezoning or changes to the General Plan or Zoning districts would be required to achieve this yield. The Seismic and Safety Element Amendment includes an update to required information related to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMS), dam inundation zones, and City goals and policies to comply with State law (specifically Assembly Bill 162). It also includes the adoption of Santa Clara County's multi-jurisdictional Local Hazard Mitigation Plan and the City of Milpitas' Local Hazard Mitigation Plan Annex to ensure that appropriate emergency measures are implemented when natural disaster occurs. The Open Space and Environmental Conservation Element Amendment include updates to the water Quality and Conservation Section, map of rivers, creeks, streams, and riparian habitat pursuant to Assembly Bill 162 and California Government Code Section 65302.

The City Council has reviewed the Initial Study and Negative Declaration, all supporting evidence and documentation, and considered public comments provided at or before the hearing of this matter. The Initial Study and Negative Declaration reflect the City Council's independent judgment and analysis as to the effects of the project on the environment. Based on the review of the entire record therein, including the Negative Declaration, the Initial Study, all supporting, referenced, and incorporated documents and all comments received, the City Council that there is no substantial evidence that the project will have a significant effect on the environment, and that the Negative Declaration, Initial Study and supporting documents provide an adequate description of the impacts of the project and comply with the CEQA and CEQA Guidelines. The City Council designates the Director of Planning & Neighborhood Services at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas, CA. 95035, as the custodian of documents and records of proceedings on which this decision is based. All documents are on file with Planning Division and available for inspection by interested person.

3. General Plan Amendments (XI-10-57.02.G.1) - The City Council makes the following findings based on the evidence in the public record in support of the amendments:

- a) *The proposed amendment is internally consistent with those portions of the General Plan which are not being amended.*

Government Code Section 65580 *et seq.* requires that Housing Elements as mandatory elements of the General Plan are updated every eight years and that a general plan and its constituent elements "comprise" an integrated internally consistent and compatible. Assembly Bill No. 162 requires amendments to the Seismic and Safety Element to address information relating to Federal Emergency Management Agency (FEMA), Flood Insurance Rate Maps (FIRMS) dam inundation zones and city goals and policies to comply with State law. Assembly Bill No. 162 requires amendments to the Open Space and Environmental Conversation Element to include update to Water Quality and Conversation Section, map of rivers, creeks, streams, and riparian habitat.

The proposed General Plan amendments are required and consistent with State law. The Updated Housing Element will cover the period from 2015 to 2013 and establishes short and long term goals for the City to meet its housing needs. The other changes to the General Plan are to update other elements to make then in conformance to changes in State law. The proposed changes will not affect any of the other elements or provisions of the General Plan and will not create any inconsistency.

- b) *The proposed amendment will not adversely affect the public health, safety, and welfare of the residents of Milpitas*

The proposed general plan amendments will require no rezoning or changes to the General Plan or Zoning districts. Transit Area and Midtown Specific Plan have appropriate number of housing sites to meet the Regional Housing Needs Allocation. Furthermore, the amendments will focus compliance with State laws achieving long-term housing goals and policies and addressing updated information relating to flooding and water quality and conversation.

4. General Plan Amendments.

- a) Section 4.4 of the Milpitas General Plan entitled “Water Quality and Conservation” is hereby amended to read as set forth in **Exhibit A** attached hereto and incorporated fully herein.
- b) Section 5.2 of the Milpitas General Plan entitled “Drainage, Flooding and Dam Inundation” is hereby amended to read as set forth in **Exhibit B** attached hereto and incorporated fully herein.
- c) Section 7 of the Milpitas General Plan entitled “Housing Element” is hereby amended in its entirety and replaced with an Updated Housing Element (2015-2023) attached hereto as **Exhibit C** attached hereto and incorporated fully herein.

5. The City Council of the City of Milpitas hereby adopts this Resolution approving a Negative Declaration (Environmental Assessment No. EA14-007) and approving General Plan Amendments No. GP14-004 relating to the Draft Housing Element (2015-2023) and revisions to the Seismic/Safety, Open Space/Environmental Conservation Elements of the General Plan.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVE:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael Ogaz, City Attorney

## **EXHIBIT A**

Section 4.4 of the Milpitas General Plan entitled “Water Quality and Conservation” is hereby amended to read as set forth below. Text deletions are indicated by a strikethrough and text additions are indicated by an underline.

### **4.4 Water Quality and Conservation**

For water supply, see Section 2.6: Public Utilities and Services.

The City lies at the base of the Diablo Range extending from the foothills to an alluvial plain of the Santa Clara Valley. The City is divided nearly in half between the eastern hillside area and the western low-lying plain. However, the hillside area is primarily undeveloped and designated as open space. Elevations range from sea level near Coyote Creek to approximately 2,400 feet above mean sea level (msl) near Monument Peak in the northeastern portion of the City.

Several intermittent streams/creeks flow out of the foothills and through Milpitas before eventually discharging into Coyote Creek, which is a perennial stream that borders the City of Milpitas to the west. Coyote Creek eventually becomes a tidal slough and discharges into San Francisco Bay. Figure 4-4 identifies the rivers, creeks, and streams that flow through the City of Milpitas.

The City of Milpitas is located in the Santa Clara Valley groundwater subbasin. The eastern hillside area of Milpitas contributes to groundwater recharge and much of this area is dedicated to open space. Given that the majority of soil in the western low-lying plains is either clay or clayey loam with very low infiltration rates, there is limited potential for groundwater recharge in this area. Some infiltration occurs in the stream beds of the streams and creeks that flow through the City where these creeks have not been channelized.

### **Urban Runoff (Stormwater) Pollution Prevention**

The San Francisco Bay Regional Water Control Board (RWQCB) is responsible for enforcing the state’s Porter-Cologne Water Quality Act and the Federal Clean Water Act. The Water Board’s *Water Quality Control Plan* (Basin Plan) identifies beneficial uses of San Francisco Bay and its tributaries and sets forth criteria and programs for protection of beneficial uses. The RWQCB has issued National Pollutant Discharge Elimination System (NPDES) permits to Bay Area counties, water districts and municipalities. The permits mandate comprehensive programs to reduce urban runoff pollution by targeting pollutant reduction and surface flow prevention from urban development activities. Milpitas, along with twelve other cities and towns in northern Santa Clara County, Santa Clara County, and the Santa Clara Valley Water District are Co-permittees under a single stormwater NPDES permit. The NPDES permit was issued in 1990 and reissued, with additional requirements, in 1995, 2001, and 2009.

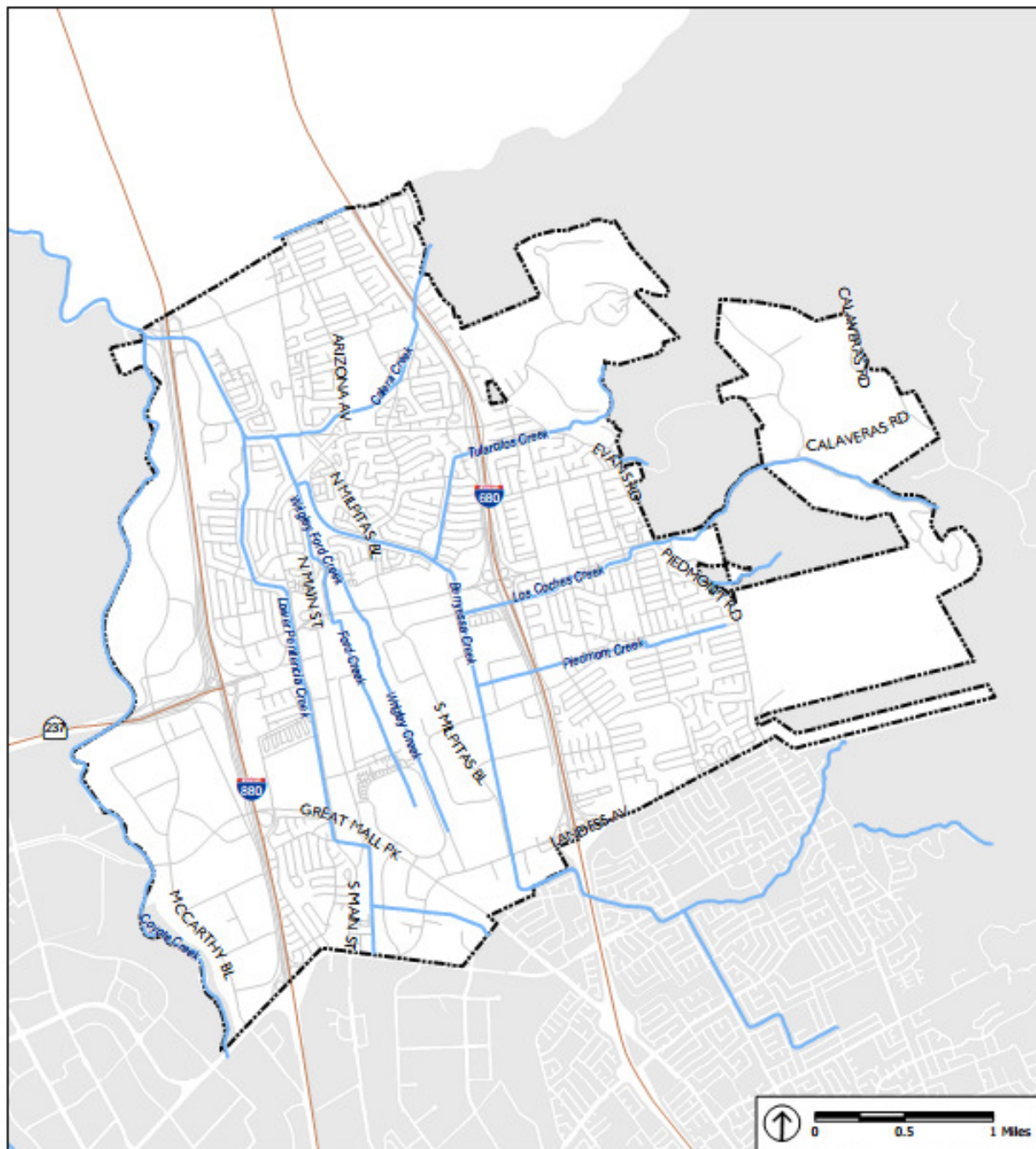
### **Water Conservation**

Prompted by the recent drought and water shortages, the City in 1993 adopted a Water Efficient Landscapes Ordinance and in 1994 adopted the Water Conservation Ordinance. The Ordinance seeks to promote conservation and efficient use of water by restricting new and rehabilitated landscaping for public agency projects, private commercial and industrial projects, and common-area landscaping in single-family and multifamily subdivisions and planned unit developments to maximum applied water allowances. It also requires preparation of landscape documentation packages for new and rehabilitated landscapes.

## Recycled Water

The City of Milpitas desires to conserve potable water supplies and encourages the use of recycled water for appropriate uses. Potable water shall not be used for irrigation if recycled water is available except as specified in the City Municipal Code.

### CITY OF MILPITAS OPEN SPACE & ENVIRONMENTAL CONSERVATION ELEMENT



Source: City of Milpitas, 2014; ESRI, 2010; FHWA, 2002; PlaceWorks, 2014.

- Rivers and Streams
- Milpitas City Limits
- Highway

FIGURE 4-4  
RIVERS AND STREAMS

ution No. \_\_\_\_

## **EXHIBIT B**

Section 5.2 of the Milpitas General Plan entitled “Drainage, Flooding and Dam Inundation” is hereby amended to read as set forth below. Text deletions are indicated by a strikethrough and text additions are indicated by an underline.

### **5.2 Drainage, Flooding and Dam Inundation**

#### **Drainage**

The City lies at the base of the Diablo Range extending from the foothills to an alluvial plain of the Santa Clara Valley. The City is divided nearly in half between the eastern hillside area and the western low-lying plain. However, the hillside area is primarily undeveloped and designated as open space. Elevations range from sea level near Coyote Creek to approximately 2,400 feet above mean sea level (msl) near Monument Peak in the northeastern portion of the City.

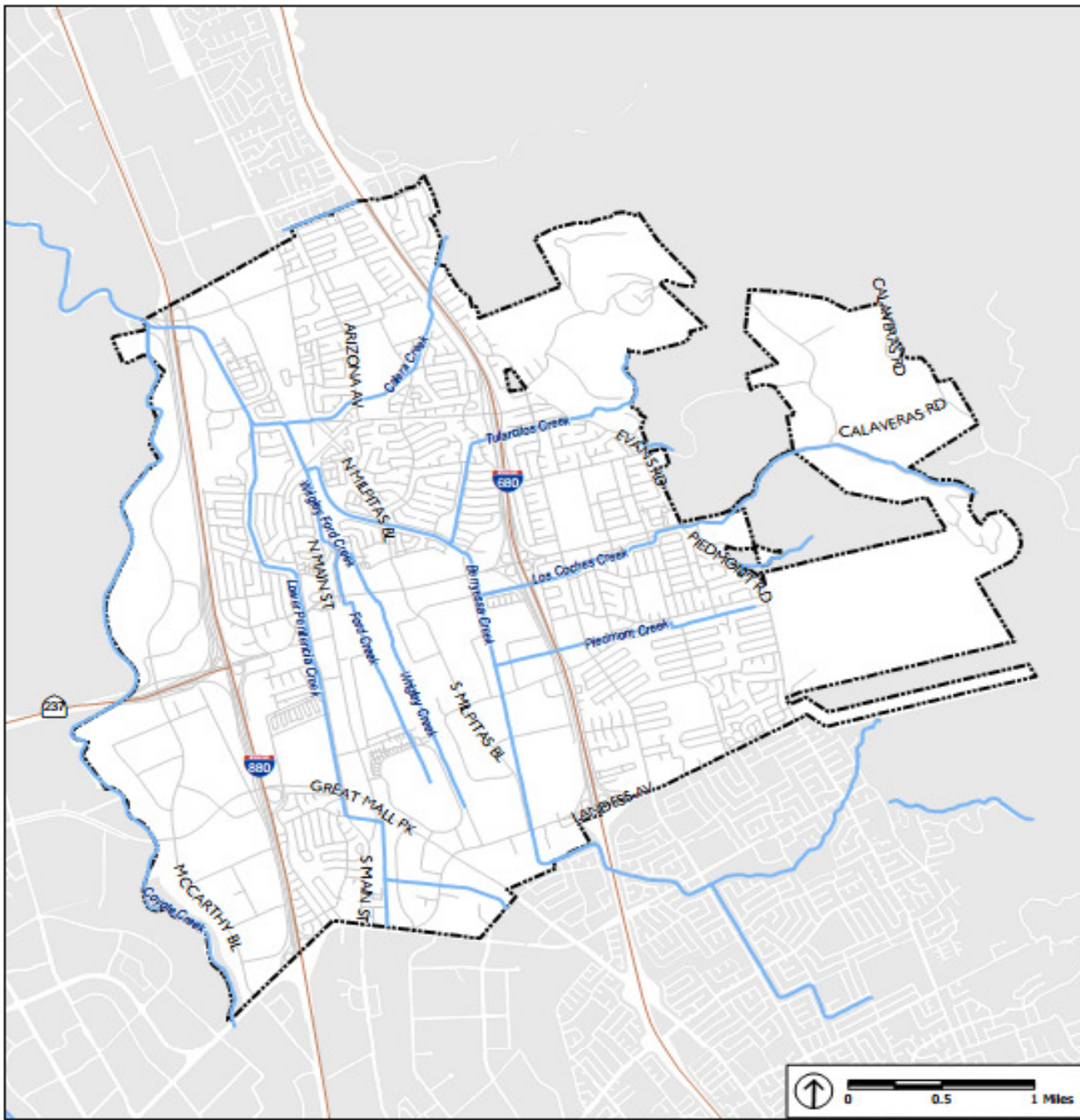
Drainage within the City is primarily from the southeast to the northwest. Several intermittent streams/creeks flow out of the foothills and through Milpitas before eventually discharging into Coyote Creek, which is a perennial stream that borders the City of Milpitas to the west. Coyote Creek eventually becomes a tidal slough and discharges into San Francisco Bay. These intermittent streams are identified as:

- Calera Creek
- Tularcitos Creek
- Los Coches Creek
- Piedmont Creek
- Berryessa Creek
- Wrigley-Ford Creek
- Lower Penitencia Creek

Figure 5-3 shows the locations of all of the creeks within the City of Milpitas. The intermittent creeks have been channelized along portions of their stream courses for flood control purposes. The City is located within the East Zone of the Flood Control Benefit Assessment District. The Santa Clara Valley Water District (SCVWD) is responsible for maintenance and measures for flood protection within the Assessment District. This is discussed in further detail in the annual reports provided by SCVWD entitled *Flood Control Benefit Assessments* (2013).

The City also maintains a storm drainage network consisting of street gutters, catch basins, conveyance piping, pump stations, and outfalls to creeks. The City has approximately 123 miles of storm drain piping, 3,000 catch basins, 4 miles of drainage ditches and creeks, and pump stations in low-lying areas. Storm water runoff typically is collected in a system of underground pipes and network of street gutters. Local runoff flows into the creeks and channels that run through the City, eventually discharging to San Francisco Bay. Storm drain systems close to the Bay tend to rely heavily on pumping facilities to convey the water.





Source: City of Milpitas, 2014; ESRI, 2010; FHA, 2002; PlaceWorks, 2014.

— Rivers and Streams  
 --- Milpitas City Limits  
 — Highway

FIGURE S-3  
RIVERS AND STREAMS

## Flooding

Flooding typically occurs within the City due to two interrelated factors: 1) the overflow of major creeks and channels due to limited capacity in relation to flood flows; and 2) inadequate capacity of local drainage facilities. The SCVWD manages the major creeks and channels that flow through the City, while the City of Milpitas maintains the storm drain system and is responsible for managing flow in Wrigley-Ford Creek.

Historical flooding has occurred in 1978, 1980, 1982, 1983, 1986, 1995, and 1998. In February 1998, localized flooding occurred in the areas of Hillview Drive, S. Milpitas Boulevard at Montague Expressway, and Gladding Court. Additional areas subject to historical flooding, as discussed in further detail in the City of Milpitas 2013 Storm Drain Master Plan, include:

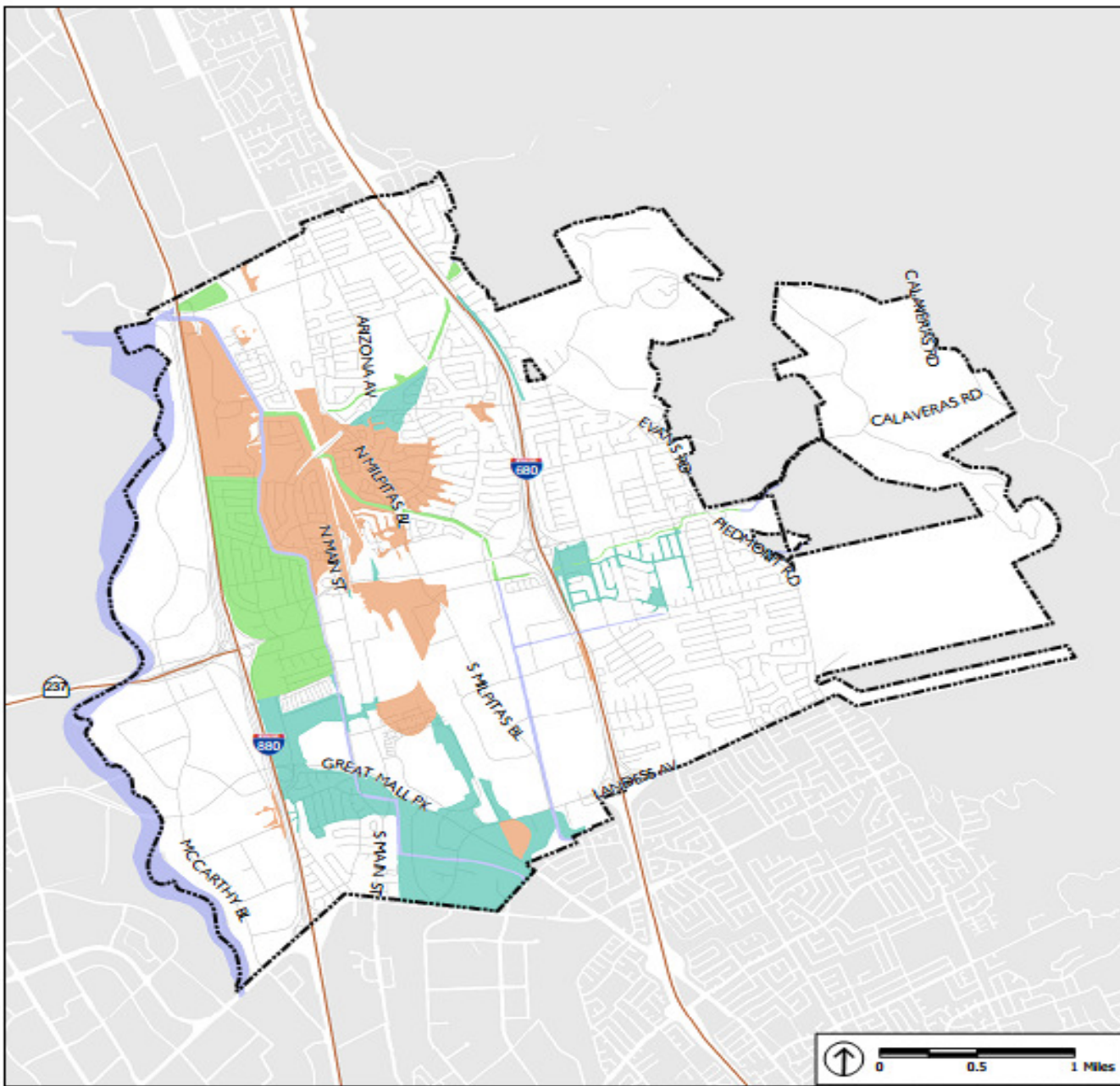
- Calera Creek – Storm runoff spills over the south bank upstream of North Park Victoria Road and Interstate 680, flooding the adjacent Higuera Adobe Park. Spills from the south bank downstream of Escuela Parkway flow toward Berryessa Creek, where levees trap the water at Hidden Lake and the Berryessa Pump Station. Flood waters that cannot be pumped into Berryessa Creek form a residual floodplain.
- Los Coches Creek – Upstream of Interstate 680, the channel does not have sufficient capacity to carry the 100-year discharge. Inadequate channel capacity at Old Piedmont Road causes floodwaters to spill to the south. Additional flows leave the channel upstream of I-680, eventually reaching the highway where they pond.
- Lower Penitencia Creek – The SCVWD has lined this creek with concrete and built floodwalls to protect adjacent properties throughout the City of Milpitas. Lower Penitencia Creek overflows to the west from just south of Elmwood Jail north to the Coyote Creek confluence. However, Highway 880 contains this spill. The east bank levee of Lower Penitencia Creek is fully accredited for published base flood discharges between the confluence with Berryessa Creek and Coyote Creek. Nuisance flooding and 10-year storm event ponding to the top of the curb occur along Abel Street north of Calaveras Boulevard.
- Berryessa Creek – This creek floods, on average, once every four years. The storm event in 1998 caused significant damage to homes and automobiles. A 100-year flood associated with this creek is expected to impact development in the area bounded by Lower Penitencia Creek to the west, Calaveras Boulevard to the north, and Montague Expressway to the south. The low area on Watson Court is particularly susceptible to flooding. A flood control project to reduce the potential for flooding along Berryessa Creek is discussed in further detail in the following Flood Control Projects section.
- Wrigley Creek – This creek overtops its banks at Montague Expressway because of an undersized culvert. Wrigley Creek has insufficient capacity to carry the 100-year flood event west of the Great Mall and runoff would spill into the Great Mall parking lot.
- Ford Creek – This creek would overtop its banks in the 100-year storm event and spill toward Lower Penitencia Creek before it is blocked by floodwalls. The inundation would cover the area west of Railroad Avenue north of Carlo Street and along North Abel Street. Localized flooding from a 100-year storm event would also affect Sinnott Lane. In Railroad Avenue, an undersized culvert would cause the creek to overtop its banks in the 100-year storm.
- Coyote Creek – In the past, flooding along Coyote Creek has been frequent with 12 major floods between 1903 and 1941. With the construction of Coyote and Anderson Reservoirs, the frequency of flooding has been reduced, but inadequate channel capacities along some portions of Coyote Creek have resulted in continued flood damage. Storms in January 1997 generated record runoff in Coyote Creek and the creek overtopped its banks at several locations but the area downstream of Montague Expressway was well protected by levee improvement projects. The area west of I-880 has been removed from the 100-year floodplain designation and is now mapped as Zone X.

The City is a participant in the National Flood Insurance Program (NFIP). The NFIP provides property owners and renters with federally backed flood insurance, reduces flood damage through a mandatory local floodplain management ordinance, and identifies and maps flood hazards. The NFIP requires the City to maintain a floodplain management ordinance based upon current FEMA Flood Insurance Rate Maps (FIRMs). The City meets this requirement through the

implementation of *Floodplain Management Regulations* specified in Section XI of the Milpitas Municipal Code. These maps identify Special Flood Hazard Areas (SFHAs) or areas subject to inundation from a 100-year storm.

Approximately 50% of the City is within the 100-year floodplain, as determined by the latest FEMA FIRM maps and as shown in Figure 5-4. The areas within the City include the following FIRM map designations:

- Zone A – Areas subject to inundation by the 1% annual (100-year) flood event. Because no detailed hydraulic analyses have been performed, no Base Flood Elevations (BFEs) or flood depths are shown.
- Zone AE – Areas subject to inundation by the 1% annual (100-year) flood event. BFEs are shown within these zones.
- Zone AH – Areas subject to inundation by a 1% chance of shallow flooding (usually areas of ponding) with average depths ranging from one to three feet. BFEs derived from detailed hydraulic analyses are shown in this zone.
- Zone AO – Areas subject to inundation by a 1% chance of shallow flooding (usually sheet flow) with average depths ranging from one to three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.



Source: PlaceWorks, 2014; ESRI 2010; FEMA 2002.

- Zone AH - Shallow flooding 1-3 feet usually as ponding areas.
- Zone AO - Shallow flooding 1-3 feet usually as sheet flow from a stream flood.
- Zone AE - Areas which base flood elevations have been determined.
- Zone A - Areas for which no base flood elevation has been determined.

- Milpitas City Limits
- Highway

FIGURE 5-4  
100-YEAR FLOODPLAIN ZONES

## **Flood Control Projects**

Flood control projects have recently been implemented or are scheduled for future implementation to reduce the impacts of flooding within City limits. The City of Milpitas is responsible for improvements to the storm drain system, as described in the *Storm Drain Master Plan* (July 2013). The SCVWD is responsible for improvements to the creeks and channels within the City, with the exception of Wrigley-Ford Creek, which is under the jurisdiction of the City.

Two large flood protection projects are scheduled by the SCVWD for Coyote/Berryessa Creek and Upper Penitencia Creek. The goal of the Coyote Creek Flood Protection Project is to provide protection to the surrounding area from the 100-year flood. The schedule is to start construction of the improvements for Reach 4, which extends from Montague Expressway to Charcot Avenue, between 2014 and 2016.

Berryessa Creek floods on average once every four years. The proposed SCVWD project would include setback levees, floodwalls, sediment control structures, and environmental restoration. This project will also include improvements to Calera Creek (reconfigure the channel and provide concrete floodwalls to contain peak flows) and Tularcitos Creek (construct a storm water pump station near the confluence of Berryessa Creek and construct short concrete floodwalls upstream of the pump station to provide adequate freeboard). These improvements to Berryessa Creek are slated for completion in 2017 contingent on continued funding.

In addition, the SCVWD completed work in Sierra Creek, Los Coches Creek, and Calera Creek in 2010. The activities included bank protection and sediment removal in Sierra Creek, and sediment removal in both Los Coches Creek and Calera Creek.

The 2013 *Storm Drain Master Plan* proposed a Capital Improvement Program to address storm drain inadequacies within the City. Storm drain inadequacies are primarily caused by undersized pipe or occasionally due to flat or adverse street grades. The areas designated as high priority for storm drain improvements, replacement, or relief drains include the following:

- Tularcitos Creek at Berryessa Confluence (BT1) – Traughber Street, Wool Drive, Park View Drive
- Coyote Creek at Oak Creek Pump Station (C1) – Sycamore Drive
- Los Coches Creek East of 680 (L2) – Dempsey Road and Edsel Drive
- Penitencia Creek at Manor Pump Station (P4) – Silvera Street
- Penitencia Creek at Berryessa Confluence (PB1) – Redwood Avenue, Abbott Avenue, Maple Avenue, Chestnut Avenue, Heath Street, North Abel Street, Vasona Street, Lexington Street, Coyote Street
- Piedmont Creek at Berryessa Confluence (PDB1) – Wrigley Way
- Tularcitos Creek East of 680 (T1) – Jacklin Road
- Wrigley/Tularcitos/Calera Creek at Jacklin Road (WTCA1) – N. Hillview Drive

## **Flood Goals, Policies, and Implementation Measures**

The goals, principles, and implementation measures adopted by the City to limit the negative impacts of flooding and demonstrate compliance with all applicable Federal and State regulations. These goals, principles, and implementation measures are provided in Section 5.5 of the Seismic and Safety Element – *Seismic/Safety Principles and Policies*.

In addition, the City of Milpitas has implemented provisions as specified in Section XI-15 *Floodplain Management Regulations* of the Municipal Code. These provisions require the developer to submit a permit application showing the development plans, in particular the measures that will be taken to prevent flood hazards or elevate buildings out of the floodplain.

All new residential construction must have the lowest floor built to at least one foot above the Base Flood Elevation (BFE), or in the case of areas within Zone AO, at least one foot about the depth number listed on the Flood Insurance Rate Map (FIRM), or three feet above the highest adjacent grade if no depth number is shown. For non-residential construction, the lowest floor elevation can be at BFE but the structure needs to be floodproofed and designed for buoyancy.

All new construction (residential and non-residential) with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Within Zone AH or AO, improvements shall be constructed so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures. Further details of these provisions can be found in the following sections of the City of Milpitas Municipal Code:

- Standards of Construction (Section XI-15-5.1) – Specify requirements for anchoring, construction materials and methods, and elevation and floodproofing
- Standards for Utilities (Section XI-15-5.2) – Specify requirements for new and replacement water supply and sanitary sewage systems, and on-site waste disposal systems
- Standards for Subdivisions (Section XI-15-5.3) – Specify the elevation of the proposed structure(s) and pad(s) and provide adequate drainage to reduce exposure to flood hazards
- Floodways (Section XI-15-5.6) – Specify requirements and constraints for encroachments and other flood hazard reduction provisions.

Any permit application for new construction within a FEMA-designated 100-year flood hazard will be reviewed by the City Manager, who is appointed as the Floodplain Administrator to enforce Section XI-15 of the Milpitas Municipal Code. The administrator will determine if all requirements specified in Section XI-15 have been satisfied and either grant or deny the permit.

In addition, while regional flooding mitigation will be handled by the SCVWD and the US Army Corps of Engineers for creek improvements, localized flooding mitigation will be handled by the City with storm drain improvements or individual developers in accordance with a developer-funded and City-approved Storm Drainage Plan.

### **Dam Inundation**

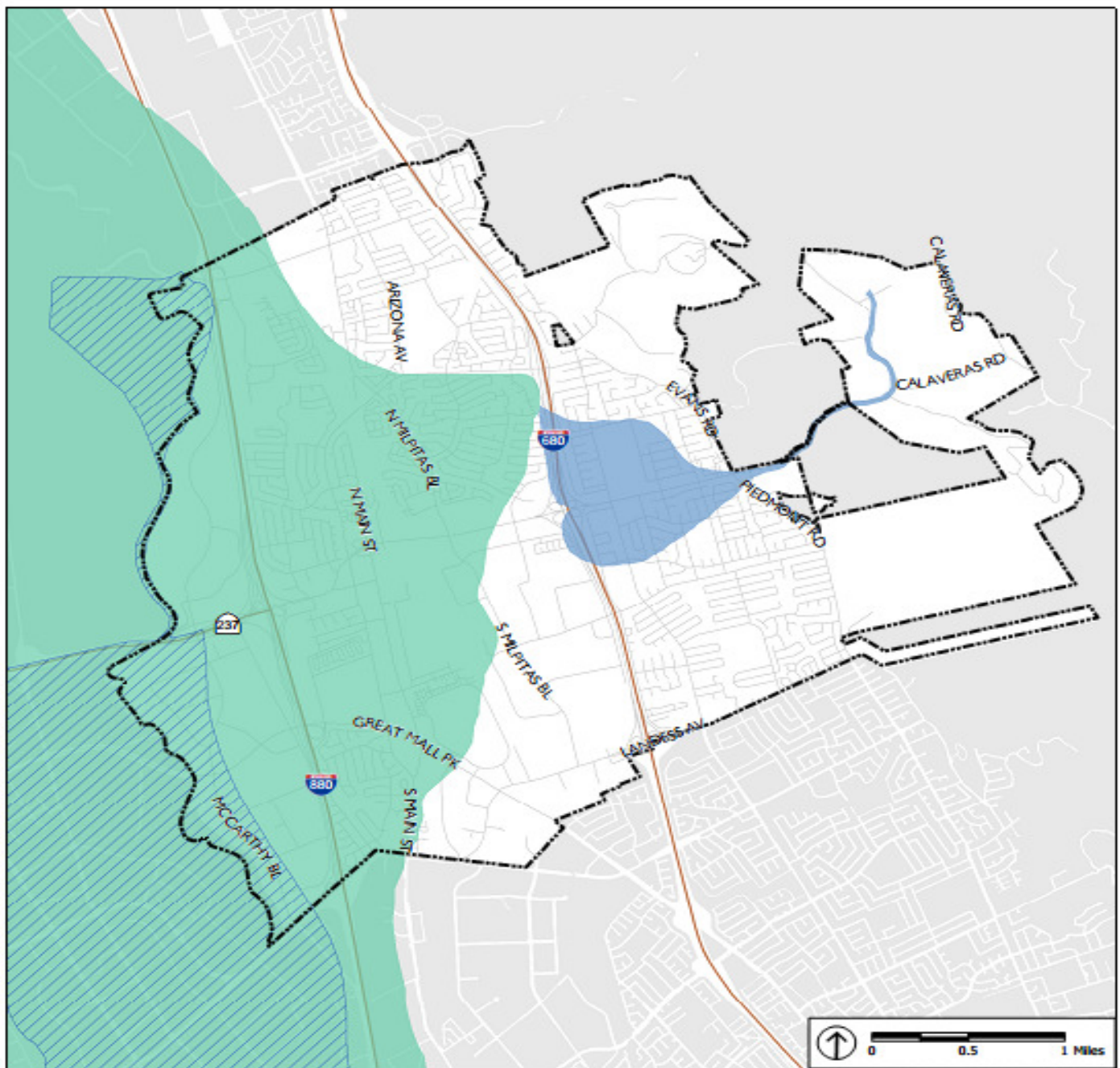
Dam failure is the uncontrolled release of impounded water from behind a dam. Flooding, earthquakes, blockages, landslides, lack of maintenance, improper operation, poor construction, or sabotage can all cause a dam to fail. Dam failure can result in downstream flooding that can affect property and life. However, there is no historical record of dam failure in Santa Clara County or the City of Milpitas. In addition, there is minimal risk in the Bay Area for dam failure due to safety protocols established by the State Division of Safety of Dams, according to Appendix C *Natural Hazard Risk Assessment of the ABAG Regional Hazard Mitigation Plan* (2010).

In the unlikely event of a dam failure, inundation maps have been developed by The Association of Bay Area Governments (ABAG) and SCVWD to aid in evacuation planning. Three dams have inundation zones within the City of Milpitas:

- Anderson Dam
- Coyote Dam
- Sandy Wool Lake Dam

A dam inundation map is provided as Figure 5-5, and additional information regarding the dams is provided in the following paragraphs.





Source: The Planning Center | DC&E, 2013; ESRI 2010; FEMA 2002.

- Anderson Dam
- Coyote Dam
- Sandy Wool Lake Dam
- Milpitas City Limits
- Highway

FIGURE S-5  
DAM INUNDATION

Anderson Dam and Coyote Dam operate in tandem with controlled releases to minimize the potential for downstream flooding along Coyote Creek. Coyote Dam is an earth and rock dam built in 1936 by SCVWD for water supply. Anderson Dam was built in 1950 by SCVWD for water supply and also is constructed of earth and rock. In 2011, a seismic study of Anderson Dam indicated that the foundation and base of the dam could weaken due to liquefaction from a 7.25 magnitude earthquake along the Calaveras Fault, which is located about 2 kilometers from the dam. As a result, the Division of Safety of Dam (DSOD) has established operating restrictions, reducing the amount of allowable storage to 68% of capacity. The dam is scheduled for seismic retrofit and the reservoir will be drained in 2015; completion of the retrofit is scheduled for 2018.

The latest dam inundation maps prepared by SCVWD in 2009 indicate that the arrival time of a flood wave into the City of Milpitas would be about 5 hours, 15 minutes for the inflow design flood (IDF) and 6 hours, 48 minutes for the fair weather flood. The inundation zone is confined to an area west of I-880 with a maximum elevation of 32 feet msl for the fair weather flood, which is defined as non-storm conditions at full capacity. A fair weather flood can occur under sunny (non-precipitation conditions) due to piping/internal erosion failure for an embankment dam or due to a monolith collapse resulting from sliding, foundation instabilities or a seismic event for a concrete dam. The inundation zone extends to I-680 north of Calaveras Boulevard with a maximum elevation of 35 feet for the IDF, which is defined as a dam failure occurring during a large storm event at maximum capacity. Since the dam is currently operating at 68% of capacity, these dam inundation zones are conservative and overestimate the flooding impact in the unlikely event that a dam failure occurs. The delayed arrival time of a flood wave would allow sufficient time for evacuation of City residents, if needed.

Coyote Dam is located upstream of Anderson Dam and has a dam inundation zone that includes the western edge of Milpitas in the area approximately 1,200 to 2,200 feet west of I-880. The arrival time of the flood wave for this dam is about 6 hours and 30 minutes, which is sufficient time for evacuation of City residents, if needed. Operating restrictions have also been implemented for this dam with a maximum allowable storage of 53% of its capacity, due to the presence of the Calaveras Fault under the dam. As a result, the dam inundation zone is much smaller than the mapped area.

The third dam with a dam inundation zone within the City is Sandy Wool Lake Dam, which is located in Ed Levine Park. According to the Office of emergency Services for Santa Clara County, parts of the City along the Calaveras Road area east of I-680 could be inundated by failure of this dam. The anticipated arrival of a flood wave is 15 minutes from the time of dam failure, affecting a population of about 4,900.

The State of California supervises all non-federal dams in California through the Dam Safety Program under the jurisdiction of DSOD. Engineers and engineering geologists review and approve plans and specifications for the design of dams and oversee their construction. In addition, the dams are inspected twice a year and continually monitored for seepage and settling. The Milpitas Fire Department Office of Emergency Services (OES) and the SCVWD coordinate preparedness efforts to mitigate against, plan for, respond to, and recover from natural hazards, including the possibility of dam failure.



## **EXHIBIT C**

Section 7 of the Milpitas General Plan is amended in its entirety and replaced with the Updated Housing Element for 2015-2023, as set out in the attached copy.



# City of Milpitas Draft Housing Element Update

2015 – 2023  
December 12, 2014

**4B**



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# 1. INTRODUCTION

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. 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 planned BART extension is scheduled to begin service to Milpitas in 2018.

Milpitas has experienced a recent 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 planned 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.

As Milpitas continues to usher in this transformation, providing a range of housing options at various price points will be an integral element of the City’s future development. The 2015-2023 Housing Element will assist the City in continuing its strong record of planning for housing for all segments of the population.

## **Preparation of the Housing Element Update**

The Housing Element is the chapter of the General Plan that local jurisdictions in California use to plan for current and future housing needs. California State Law requires that California cities have an adopted General Plan, which must contain a Housing Element. While many jurisdictions regularly revise and update various elements of the General Plan, the Housing Element is the only chapter that is mandated by State Law to be updated on regular basis and is the only chapter that requires approval from a State agency. State law dictates the issues that the Housing Element must address and requires the element to be reviewed by the California Department of Housing and Community Development (HCD) to assure that it meets the minimum requirements established by Government Code §65580-65589.8. This process is commonly referred to as “certifying” the Housing Element.

Each jurisdiction’s projected housing need during the Housing Element planning period is determined through the Regional Housing Needs Allocation (RHNA) process, which is based on projected Statewide growth in households as determined by HCD. Through the RHNA process, HCD distributes the Statewide projected housing need among the regions in the State. In turn, each regional council of government allocates the projected regional growth to local jurisdictions within the region. The total housing need for each jurisdiction is distributed among income categories, requiring each jurisdiction to plan to meet the need for housing for households at all income levels. The agency responsible for distributing the



RHNA in the Bay Area is the Association of Bay Area Governments (ABAG), which works closely with the Metropolitan Transportation Commission (MTC), the regional transportation planning agency for the Bay Area.

Each city and county in California is then required to produce a Housing Element that demonstrates the jurisdiction's ability to accommodate the housing need identified in its RHNA during the Housing Element planning period. This Housing Element covers the 2015-2023 Housing Element planning period, which differs from previous update cycles as a result of recent changes in State Law, which are discussed in the following section.

The prior Milpitas Housing Element, certified by HCD in 2010, covered the period between 2007 and 2014 and is the basis for the current Housing Element update. However, all sections in the 2010 Housing Element have been reviewed and updated to reflect changes to State Law, City housing policies and programs, and local demographic and real estate market conditions.

## **SB 375 and Changes to Housing Element Law**

In an effort to reduce greenhouse gas emissions associated with passenger cars, Senate Bill 375 (SB 375, 2008) calls for local jurisdictions and regional planning agencies to better coordinate land use plans with existing and planned transit investments and to plan for a greater proportion of residential and employment growth in areas accessible to transit. One outcome of the effort to coordinate housing and transit planning has been the eight-year planning period (2015-2023) for the upcoming Housing Element Update, rather than the five- to seven-year planning period that was used in previous Housing Element Update cycles, in order to coordinate the timing of the Housing Element Update with the Regional Transportation Plan.<sup>1</sup>

In response to SB 375, ABAG and MTC developed Plan Bay Area, a long-range integrated transportation and land use plan for the Bay Area that plans for the projected increase in housing and employment in the region through 2040. A key element of Plan Bay Area is the designation of Priority Development Areas (PDAs), locally-designated, transit-accessible areas that are ideal locations for an increase in residential and commercial development, throughout the region. By focusing growth in PDAs served by transit and working to make these PDAs more pedestrian- and bike-friendly, Plan Bay Area aims to reduce the need for automobiles and the associated greenhouse gas emissions in the region. ABAG and MTC have been supporting planning processes in PDAs in cities throughout the Bay Area, including Milpitas.

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<sup>1</sup> There are some exceptions to the eight-year planning period, none of which apply to Milpitas during the current update cycle.

## **Related Planning Efforts**

Milpitas recently adopted Specific Plans for two areas adjacent to the City's existing VTA station and planned BART station. The Midtown Specific Plan, adopted in 2002, anticipates development of approximately:

- 3,000 or more housing units,
- 720,000 square feet of office space,
- 326,000 square feet of general commercial uses, and
- 51,000 square feet of retail uses.

Development standards for the Midtown Specific Plan allow residential development up to 60 units per acre.

The Transit Area Specific Plan (TASP), adopted in 2008, covers a larger area than the Midtown Specific Plan and has more development potential. The TASP anticipates development of approximately:

- 6,440 to 9,360 new housing units,
- 496,922 square feet of new office space, and
- 281,000 to 357,000 square feet of new retail space.

Development standards for the TASP allow up to 75 units per acre, with a possible 25 percent density bonus.

## **Public Participation in the Housing Element Update**

Milpitas conducted extensive public outreach to provide information and solicit input from the public on the Housing Element Update. The City held three public meetings in addition to City Council and Planning Commission meetings prior to submission of the Housing Element Update to HCD, all of which encouraged dialogue between residents, stakeholders, and City staff. The first, held February 25, 2014, provided the public with information on the update process and housing needs in Milpitas. The second, held on March 11, 2014, focused on the City's housing opportunity sites, policies, and programs. The third, held on October 30, 2014, provided a final opportunity for community input after the draft document was released to the public and before the document was submitted to HCD.

The Housing Element was also discussed during Planning Commission meetings on May 14, 2014 and September 10, 2014 and during the City Council meeting on September 16, 2014. Prior to the September 16 City Council meeting, the City offered a 30-day review period during which the draft document was available to the public for review at City Hall, the public library, on the City website, and to individuals as requested. The public had the opportunity to attend all Planning Commission and City Council meetings and provide comments. Notices for all meetings and to alert the public that the draft document was available were broadly distributed by mailing to 80 organizations, publishing notices in the Milpitas Post and on the City's website, and showing ads on cable television. Minutes and video from all City Council and Planning Commission meetings are available on the City's website for public review. In addition, a summary of written comments received is provided in Appendix D.

In addition to these meetings, information on the Housing Element Update was posted on the City's website, at City Hall, and at the public library as well as advertised on cable television, in the Milpitas Post newspaper, and on the marquee board in front of City Hall. Residents were encouraged to contact the Planning & Neighborhood Services Department with comments and questions.

## **Housing Element Contents**

Following this introduction, the Housing Element includes the following major components:

- A review of the prior (2010) housing element, including an analysis of housing production in comparison to mandated housing goals.
- An analysis of the City's current and future housing needs.
- An inventory and analysis of housing resources.
- An analysis of governmental and non-governmental constraints to housing production.
- A housing plan setting forth goals, policies, programs, and quantified objectives to address the City's housing needs.

## 2. ASSESSMENT OF PRIOR HOUSING ELEMENT

This chapter reviews and evaluates the City's progress in implementing the 2010 Housing Element's programs and meeting the projected housing need (as defined by the RHNA numbers) between 2007 and 2014.

The City of Milpitas has demonstrated support for affordable housing and a strong commitment to facilitating a diversity of housing types. During the last housing element period, the City provided support to seven subsidized housing developments with a total of 863 units. In addition, the City provided funding to assist in the rehabilitation of 93 mobile homes in Milpitas. Furthermore, Milpitas continues to implement a range of policies and programs to aid in the production of affordable housing, including Zoning Ordinance provisions that encourage the inclusion of affordable units in market-rate developments and allow for high residential densities that support the development of affordable housing.

The following sections present information on the progress made by Milpitas in its implementation of the housing programs set forth in the 2010 Housing Element, as well as its progress in achieving its 2007-2014 RHNA goals.

### **Progress in Implementation of 2010 Housing Element Programs**

The City of Milpitas has established a strong housing program, which allowed the City to make considerable progress toward achieving its housing goals between 2007 and 2014. The Midtown and Transit Area Specific Plans accommodate high-density residential and mixed-use development, with maximum densities ranging from 20 to 60 units per acre, or up to 75 units per acre in high-density residential zones in the Transit-Oriented Overlay Zone. Projects in the Transit-Oriented Overlay Zone also benefit from reduced parking requirements. Additionally, the EIRs that were prepared for the Specific Plans can be used as programmatic environmental documents for future residential development in the Specific Plan Areas, allowing for expedited environmental review of new projects. The City has further aided residential development in the Specific Plan Areas by helping to pay for needed infrastructure in the area. A detailed list of the programs included in the last Housing Element and the City's progress toward implementation of each program is provided in Appendix A.

Other achievements include successful implementation of the condominium and mobile home conversion ordinances, operation of programs that rehabilitate and retrofit housing units, and the provision of financial assistance for facilities and services that provide services to homeless families and individuals.

Finally, the City has adopted policies to encourage that twenty percent of all new housing units in market-rate developments are affordable to moderate-, low-, or very low-income households. To help

developers meet this goal, the City has provided funds for mortgage financing, impact fees, and loans to help projects comply with the affordable housing requirement.

Many of the policies and programs from the 2010 Housing Element Update will be carried forward to the 2015-2023 Housing Element Update. These are presented in Chapter 6 of this Housing Element Update.

## Progress in Achieving RHNA Goals

During the 2007-2014 Housing Element Cycle, a total of 6,434 housing units were built or permitted in Milpitas, far exceeding the City's total RHNA for this period. Table 2.1 below shows the total number of housing units built or permitted in the City of Milpitas between 2007 and 2014 along with the City's RHNA numbers for the 2007-2014 Housing Element Update cycle. As shown, units built and permitted between 2007 and 2014 exceeded the City's RHNA for units targeted to households with above-moderate incomes, but did not meet the City's RHNA for units affordable to very low-, low-, and moderate-income households.

**Table 2.1: Progress toward RHNA Goals, Milpitas, 2007-2014**

| <b>Income Group</b> | <b>2007-2014<br/>RHNA</b> | <b>Units Built or<br/>Permitted</b> | <b>Balance<br/>of RHNA</b> | <b>Percent of<br/>RHNA Achieved</b> |
|---------------------|---------------------------|-------------------------------------|----------------------------|-------------------------------------|
| Very Low            | 689                       | 253                                 | 436                        | 36.7%                               |
| Low                 | 421                       | 44                                  | 377                        | 10.5%                               |
| Moderate            | 441                       | 174                                 | 267                        | 39.5%                               |
| Above Moderate      | <u>936</u>                | <u>5,963</u>                        | <u>N/A</u>                 | <u>637.1%</u>                       |
| <b>Total (a)</b>    | <b>2,487</b>              | <b>6,434</b>                        | <b>1,080</b>               | <b>56.6%</b>                        |

Note:

(a) Although the total number of units built or permitted in Milpitas between 2007-2014 exceeded the City's total RHNA goals, there was an unmet need for housing targeted to lower-income households totaling 880 units. This unmet need is reflected in the percent of RHNA achieved as reported in this table.

Sources: City of Milpitas, 2014; BAE, 2014.

### 3. HOUSING NEEDS ASSESSMENT

The purpose of the Housing Needs Assessment is to describe demographic, housing, and economic conditions in Milpitas, assess the demand for housing for households at all income-levels, and document the demand for housing to serve various special needs populations. The Needs Assessment also provides an analysis of assisted housing projects that are at risk of converting to market rate. The information provided in the Housing Needs Assessment is intended to assist Milpitas in developing housing goals and formulating policies and programs that address local housing needs.

To facilitate an understanding of demographic and housing trends in Milpitas, this Housing Needs Assessment presents data for Milpitas alongside comparable data for Santa Clara County and, where appropriate, for the San Francisco Bay Area. This Needs Assessment incorporates data from numerous sources, including the United States Census, the Association of Bay Area Governments (ABAG), the State of California Departments of Finance (DOF) and Housing and Community Development (HCD), and private demographic and real estate data vendors. Data provided by the Census Bureau include 2000 and 2010 decennial Census data as well as data from the American Community Survey (ACS). The ACS publishes estimates of demographic conditions based on statistical sampling conducted continuously over one-year, three-year, and five-year periods, depending on the type of data and size of the geography being sampled.<sup>2</sup> While these data cannot represent conditions at a specific point in time, as in the previous decennial censuses, they are updated on an annual basis and do offer a valuable means to compare characteristics across geographies.

#### **Population & Household Trends**

##### ***Population***

As presented in Table 3.1 below, Milpitas has experienced moderate population growth in recent years. The City's population increased from approximately 63,000 in 2000 to approximately 68,000 in 2013, an eight-percent increase. Population growth rates were comparable in Santa Clara County overall (nine percent) and the Bay Area as a whole (eight percent) between 2000 and 2013.

##### ***Households***

The number of households in Milpitas grew considerably between 2000 and 2013, outpacing the growth rate in Santa Clara County and the Bay Area. A household is defined as a person or group of persons living in a housing unit, regardless of the residents' relationship. This is differentiated from persons living in group quarters, such as dormitories, convalescent homes, or prisons. As shown in Table 3.1, there were approximately 19,000 households in Milpitas in 2013, representing a 13-percent increase

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<sup>2</sup> This data source replaces the information obtained in previous Censuses from the "long form" questionnaire. For more information on the ACS, see [www.census.gov/acs/www/about\\_the\\_survey/american\\_community\\_survey/](http://www.census.gov/acs/www/about_the_survey/american_community_survey/)

from 2000. Meanwhile, the number of households increased by eight percent in Santa Clara County and seven percent in the Bay Area overall.

### ***Average Household Size***

Households in Milpitas tend to be relatively large, but have decreased slightly in recent years. On average, there were 3.41 persons per household in Milpitas in 2013, substantially higher than the average household size in the County (2.96 persons per household) and region (2.73 persons per household), but slightly lower than the average household size in Milpitas in 2000 (3.47 persons per household). The slight decrease in average household size is consistent with the recent substantial growth in households coupled with more moderate population growth.

### ***Household Type***

Milpitas households consist of a large number of family households. “Family households” are defined as those consisting of two or more related persons living together, whereas “non-family households” include persons who live alone or in groups of unrelated individuals. As shown in Table 3.1, 81 percent of households in Milpitas were family households in 2013. This is a significantly higher proportion than in Santa Clara County (71 percent) and the Bay Area (65 percent). Similar to the County and region, Milpitas experienced little change in the proportion of family households in the City between 2000 and 2013.

### ***Household Tenure***

Although the majority of housing units in Milpitas are owner occupied, the share of renter-occupied households has increased slightly over time. Two thirds (67 percent) of all occupied housing units in Milpitas were owner-occupied in 2013, compared to 57 percent in Santa Clara County and 56 percent in the Bay Area overall. These figures represent a gradual decline in the share of owner-occupied units since 2000, which decreased by two to three percentage points in the City, County, and region between 2000 and 2013.

**Table 3.1: Population and Household Trends, 2000-2013**

|                           | 2000       | 2010       | 2013       | Change<br>2000-2013 | % Change<br>2000-2013 |
|---------------------------|------------|------------|------------|---------------------|-----------------------|
| <b>Milpitas</b>           |            |            |            |                     |                       |
| Population                | 62,698     | 66,790     | 67,894     | 5,196               | 8.3%                  |
| Households                | 17,132     | 19,184     | 19,300     | 2,168               | 12.7%                 |
| Average Household Size    | 3.47       | 3.34       | 3.41       |                     |                       |
| <b>Household Type</b>     |            |            |            |                     |                       |
| Families                  | 81.7%      | 81.4%      | 80.7%      |                     |                       |
| Non-Families              | 18.3%      | 18.6%      | 19.3%      |                     |                       |
| <b>Tenure</b>             |            |            |            |                     |                       |
| Owner                     | 69.8%      | 66.9%      | 66.7%      |                     |                       |
| Renter                    | 30.2%      | 33.1%      | 33.3%      |                     |                       |
| <b>Santa Clara County</b> |            |            |            |                     |                       |
| Population                | 1,682,585  | 1,781,642  | 1,842,254  | 159,669             | 9.5%                  |
| Households                | 565,863    | 604,204    | 611,426    | 45,563              | 8.1%                  |
| Average Household Size    | 2.92       | 2.90       | 2.96       |                     |                       |
| <b>Household Type</b>     |            |            |            |                     |                       |
| Families                  | 69.9%      | 70.6%      | 70.8%      |                     |                       |
| Non-Families              | 30.1%      | 29.4%      | 29.2%      |                     |                       |
| <b>Tenure</b>             |            |            |            |                     |                       |
| Owner                     | 59.8%      | 57.6%      | 57.4%      |                     |                       |
| Renter                    | 40.2%      | 42.4%      | 42.6%      |                     |                       |
| <b>Bay Area (a)</b>       |            |            |            |                     |                       |
| Population                | 6,783,760  | 7,150,739  | 7,327,626  | 543,866             | 8.0%                  |
| Households                | 2,466,019  | 2,606,288  | 2,628,762  | 162,743             | 6.6%                  |
| Average Household Size    | 2.69       | 2.69       | 2.73       |                     |                       |
| <b>Household Type</b>     |            |            |            |                     |                       |
| Families                  | 64.7%      | 64.6%      | 64.6%      |                     |                       |
| Non-Families              | 35.3%      | 35.4%      | 35.4%      |                     |                       |
| <b>Tenure</b>             |            |            |            |                     |                       |
| Owner                     | 57.7%      | 56.2%      | 56.0%      |                     |                       |
| Renter                    | 42.3%      | 43.8%      | 44.0%      |                     |                       |
| <b>California</b>         |            |            |            |                     |                       |
| Population                | 33,871,648 | 37,253,956 | 37,966,471 | 4,094,823           | 12.1%                 |
| Households                | 11,502,870 | 12,568,167 | 12,675,876 | 1,173,006           | 10.2%                 |
| Average Household Size    | 2.87       | 2.90       | 2.93       |                     |                       |
| <b>Household Type</b>     |            |            |            |                     |                       |
| Families                  | 68.9%      | 68.7%      | 68.5%      |                     |                       |
| Non-Families              | 31.1%      | 31.3%      | 31.5%      |                     |                       |
| <b>Tenure</b>             |            |            |            |                     |                       |
| Owner                     | 56.9%      | 55.9%      | 55.9%      |                     |                       |
| Renter                    | 43.1%      | 44.1%      | 44.1%      |                     |                       |

Notes:

(a) The Bay Area region consists of Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

Sources: US Census, 2000; California, Department of Finance, 2010, 2013; Nielsen, 2013; BAE 2013.

**Age Distribution**

The population in Milpitas has aged in recent years as baby boomers have begun to reach retirement age, consistent with national trends. The median age of the City's population was 33.4 in 2000 and by 2013 had reached 37.1, as shown in Table 3.2. The change in the median age during this period is reflected throughout the age distribution, which demonstrates a decrease in the share of the population



in all age cohorts under age 45 and a corresponding increase in the share of the population in all cohorts age 45 and older. While people between the age of 25 and 44 accounted for 38 percent of the City's population in 2000, by 2013 only 31 percent of the City's population was between the age of 25 and 44.

These Citywide trends mirrored Countywide trends, though the population of Milpitas aged at a slightly faster rate. The population in Milpitas was slightly younger than the population of Santa Clara County in 2000, with a larger proportion of residents between age of 25 and 44, a smaller proportion of residents age 55 and older, and a median age 0.6 years younger. However, by 2013 Milpitas was largely similar to the County with respect to the City's age distribution and median age.

**Table 3.2: Age Distribution, 2000, 2010 and 2013**

| Age Cohort        | Milpitas      |               |               | Santa Clara County |               |               |
|-------------------|---------------|---------------|---------------|--------------------|---------------|---------------|
|                   | 2000          | 2010          | 2013          | 2000               | 2010          | 2013          |
| Under 15          | 20.6%         | 19.2%         | 19.3%         | 20.9%              | 20.2%         | 20.3%         |
| 15 to 17          | 4.0%          | 3.7%          | 3.6%          | 3.9%               | 3.9%          | 3.9%          |
| 18 to 20          | 3.9%          | 3.8%          | 3.7%          | 3.9%               | 3.8%          | 3.7%          |
| 21 to 24          | 5.6%          | 5.0%          | 5.0%          | 5.4%               | 5.1%          | 5.1%          |
| 25 to 34          | 19.0%         | 16.3%         | 15.1%         | 17.8%              | 15.1%         | 14.0%         |
| 35 to 44          | 19.0%         | 16.3%         | 16.2%         | 17.6%              | 15.6%         | 15.3%         |
| 45 to 54          | 13.3%         | 15.2%         | 15.0%         | 13.0%              | 14.8%         | 14.8%         |
| 55 to 64          | 7.5%          | 10.9%         | 11.6%         | 8.0%               | 10.4%         | 11.3%         |
| 65 to 74          | 4.6%          | 5.7%          | 6.4%          | 5.2%               | 6.0%          | 6.6%          |
| 75 to 84          | 2.0%          | 3.0%          | 3.1%          | 3.3%               | 3.5%          | 3.5%          |
| 85 +              | 0.5%          | 0.8%          | 0.9%          | 1.1%               | 1.5%          | 1.6%          |
| <b>Total</b>      | <b>100.0%</b> | <b>100.0%</b> | <b>100.0%</b> | <b>100.0%</b>      | <b>100.0%</b> | <b>100.0%</b> |
| <b>Median Age</b> | <b>33.4</b>   | <b>36.1</b>   | <b>37.1</b>   | <b>34.0</b>        | <b>36.2</b>   | <b>37.0</b>   |

Sources: US Census, 2000 and 2010; Nielsen 2013; BAE 2013.

### ***Race and Ethnicity***

The racial and ethnic composition of the population in Milpitas has grown increasingly diverse, with people of Asian descent representing the largest share of the City's population. In 2000, approximately half (51 percent) of the population in Milpitas was of Asian descent; by 2010, people of Asian descent comprised almost two thirds (62 percent) of the City's population. The City's population of Asian descent includes people with Chinese, Filipino, Indian, and Vietnamese ancestry, along with other ethnic groups. During the same period, the City's White population decreased from 24 percent of the City's population to 15 percent of the population. The number of individuals of Hispanic or Latino origin increased at the same rate as population growth, keeping the share of the population of Hispanic or Latino origin stable at 17 percent. The share of the population in all other racial groups decreased slightly between 2000 and 2010.

Trends were similar in Santa Clara County and the Bay Area overall, with increases in the population of Asian descent and decreases in the White population. However, a much larger share of the population was of Asian descent in Milpitas (62 percent) compared to Santa Clara County (32 percent) and the Bay Area (23 percent) and a smaller share of the population was White. Additionally, the share of the

population of Hispanic or Latino origin was larger in the County (27 percent in 2010) and region (24 percent in 2010) and showed more significant increases between 2000 and 2010.

**Table 3.3: Race and Ethnicity, 2000 and 2010**

| Ethnicity                               | Milpitas      |                |               |                |                  |             |
|-----------------------------------------|---------------|----------------|---------------|----------------|------------------|-------------|
|                                         | 2000          |                | 2010          |                | Change 2000-2010 |             |
|                                         | Number        | Percent        | Number        | Percent        | Number           | Percent     |
| <b>Not Hispanic or Latino</b>           | <b>52,281</b> | <b>83.4%</b>   | <b>55,550</b> | <b>83.2%</b>   | <b>3,269</b>     | <b>6.3%</b> |
| White                                   | 14,917        | 23.8%          | 9,751         | 14.6%          | -5,166           | -34.6%      |
| Black or African American               | 2,187         | 3.5%           | 1,836         | 2.7%           | -351             | -16.0%      |
| American Indian and Alaska Native       | 240           | 0.4%           | 137           | 0.2%           | -103             | -42.9%      |
| Asian                                   | 32,281        | 51.5%          | 41,308        | 61.8%          | 9,027            | 28.0%       |
| Native Hawaiian/Pacific Islander        | 347           | 0.6%           | 316           | 0.5%           | -31              | -8.9%       |
| Some other race                         | 131           | 0.2%           | 93            | 0.1%           | -38              | -29.0%      |
| Two or more races                       | 2,178         | 3.5%           | 2,109         | 3.2%           | -69              | -3.2%       |
| <b>Hispanic or Latino (of any race)</b> | <b>10,417</b> | <b>16.6%</b>   | <b>11,240</b> | <b>16.8%</b>   | <b>823</b>       | <b>7.9%</b> |
| <b>Total</b>                            | <b>62,698</b> | <b>100.00%</b> | <b>66,790</b> | <b>100.00%</b> | <b>4,092</b>     | <b>6.5%</b> |

| Ethnicity                               | Santa Clara County |                |                  |                |                  |              |
|-----------------------------------------|--------------------|----------------|------------------|----------------|------------------|--------------|
|                                         | 2000               |                | 2010             |                | Change 2000-2010 |              |
|                                         | Number             | Percent        | Number           | Percent        | Number           | Percent      |
| <b>Not Hispanic or Latino</b>           | <b>1,279,184</b>   | <b>76.0%</b>   | <b>1,302,432</b> | <b>73.1%</b>   | <b>23,248</b>    | <b>1.8%</b>  |
| White                                   | 744,282            | 44.2%          | 626,909          | 35.2%          | -117,373         | -15.8%       |
| Black or African American               | 44,475             | 2.6%           | 42,331           | 2.4%           | -2,144           | -4.8%        |
| American Indian and Alaska Native       | 5,270              | 0.3%           | 4,042            | 0.2%           | -1,228           | -23.3%       |
| Asian                                   | 426,771            | 25.4%          | 565,466          | 31.7%          | 138,695          | 32.5%        |
| Native Hawaiian/Pacific Islander        | 5,040              | 0.3%           | 6,252            | 0.4%           | 1,212            | 24.0%        |
| Some other race                         | 3,522              | 0.2%           | 3,877            | 0.2%           | 355              | 10.1%        |
| Two or more races                       | 49,824             | 3.0%           | 53,555           | 3.0%           | 3,731            | 7.5%         |
| <b>Hispanic or Latino (of any race)</b> | <b>403,401</b>     | <b>24.0%</b>   | <b>479,210</b>   | <b>26.9%</b>   | <b>75,809</b>    | <b>18.8%</b> |
| <b>Total</b>                            | <b>1,682,585</b>   | <b>100.00%</b> | <b>1,781,642</b> | <b>100.00%</b> | <b>99,057</b>    | <b>5.9%</b>  |

| Ethnicity                               | Bay Area         |                |                  |                |                  |              |
|-----------------------------------------|------------------|----------------|------------------|----------------|------------------|--------------|
|                                         | 2000             |                | 2010             |                | Change 2000-2010 |              |
|                                         | Number           | Percent        | Number           | Percent        | Number           | Percent      |
| <b>Not Hispanic or Latino</b>           | <b>5,468,585</b> | <b>80.6%</b>   | <b>5,468,939</b> | <b>76.5%</b>   | <b>354</b>       | <b>0.0%</b>  |
| White                                   | 3,392,204        | 50.0%          | 3,032,903        | 42.4%          | -359,301         | -10.6%       |
| Black or African American               | 497,205          | 7.3%           | 460,178          | 6.4%           | -37,027          | -7.4%        |
| American Indian and Alaska Native       | 24,733           | 0.4%           | 20,691           | 0.3%           | -4,042           | -16.3%       |
| Asian                                   | 1,278,515        | 18.8%          | 1,645,872        | 23.0%          | 367,357          | 28.7%        |
| Native Hawaiian/Pacific Islander        | 33,640           | 0.5%           | 41,003           | 0.6%           | 7,363            | 21.9%        |
| Some other race                         | 18,451           | 0.3%           | 20,024           | 0.3%           | 1,573            | 8.5%         |
| Two or more races                       | 223,837          | 3.3%           | 248,268          | 3.5%           | 24,431           | 10.9%        |
| <b>Hispanic or Latino (of any race)</b> | <b>1,315,175</b> | <b>19.4%</b>   | <b>1,681,800</b> | <b>23.5%</b>   | <b>366,625</b>   | <b>27.9%</b> |
| <b>Total</b>                            | <b>6,783,760</b> | <b>100.00%</b> | <b>7,150,739</b> | <b>100.00%</b> | <b>366,979</b>   | <b>5.4%</b>  |

Sources: US Census 2000 and 2010; BAE 2013

### Household Income

Households in Milpitas tend to have relatively high incomes, with a median annual income of approximately \$94,000 in 2013. This median is eight percent higher than the median for Santa Clara County (approximately \$87,000) and 27 percent higher than the median for the Bay Area (approximately \$74,000). The high median household income in Milpitas is reflected throughout most of the City's income distribution, which shows a smaller number of households with annual incomes below \$50,000 than the income distribution for Santa Clara County or the region. However, Milpitas also has a smaller share of households earning more than \$250,000 per year, which constitute six percent of households in

Milpitas, nine percent of households in Santa Clara County, and seven percent of households in the Bay Area.

Although household incomes in Milpitas tend to be somewhat high, the City's large average household size means that household incomes typically support a relatively large number of people. As a result, the higher median household income for Milpitas relative to the County and region may not reflect an ability to pay more for housing after accounting for other expenses associated with supporting a large household.

**Table 3.4: Household Income Distribution, 2013**

| <b>Household Income</b>        | <b>Milpitas</b> | <b>Santa Clara County</b> | <b>Bay Area (a)</b> |
|--------------------------------|-----------------|---------------------------|---------------------|
| Less than \$15,000             | 5.8%            | 7.4%                      | 9.1%                |
| \$15,000 to \$24,999           | 5.8%            | 6.7%                      | 7.6%                |
| \$25,000 to \$34,999           | 4.0%            | 6.0%                      | 7.1%                |
| \$35,000 to \$49,999           | 8.9%            | 9.8%                      | 10.6%               |
| \$50,000 to \$74,999           | 15.5%           | 14.1%                     | 15.9%               |
| \$75,000 to \$99,999           | 13.2%           | 12.3%                     | 12.5%               |
| \$100,000 to \$149,999         | 24.9%           | 19.3%                     | 17.4%               |
| \$150,000 to \$249,999         | 16.3%           | 15.2%                     | 12.4%               |
| \$250,000 to \$499,999         | 4.9%            | 6.5%                      | 5.2%                |
| \$500,000 and over             | 0.9%            | 2.8%                      | 2.2%                |
| <b>Total (b)</b>               | <b>100.0%</b>   | <b>100.0%</b>             | <b>100.0%</b>       |
| <b>Median Household Income</b> | <b>\$94,218</b> | <b>\$87,343</b>           | <b>\$74,423</b>     |

Notes:

(a) Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

(b) Total number of households here may differ from population and household estimates provided by CA Department of Finance.

Sources: Nielsen, 2013; BAE, 2013.

### ***Household Growth Projections***

According to ABAG projections, Milpitas is anticipated to experience significant household growth between 2010 and 2040. As shown in Table 3.5, Milpitas is expected to gain approximately 12,500 households between 2010 and 2040, a 65 percent increase, considerably outpacing the growth rate in Santa Clara County (35 percent) and the Bay Area (27 percent). The relatively large amount of projected household growth in Milpitas aligns with the recent surge in residential construction in the City, which demonstrates the City's ability to attract and approve residential projects that are carried through to completion. Household growth in Milpitas is expected to occur at a relatively even pace throughout this period, at an average rate of 417 households per year.

**Table 3.5: Estimated Household Growth, Milpitas, Santa Clara County, and the Bay Area, 2010-2040**

|                    | 2010      | 2015      | 2020      | 2025      | 2030      | 2035      | 2040      | Total<br>Change<br>2010-2040 | % Change<br>2010-2040 |
|--------------------|-----------|-----------|-----------|-----------|-----------|-----------|-----------|------------------------------|-----------------------|
| Milpitas           | 19,184    | 21,230    | 23,330    | 25,340    | 27,490    | 29,560    | 31,680    | 12,496                       | 65.1%                 |
| Santa Clara County | 604,204   | 639,160   | 675,670   | 710,610   | 747,070   | 782,120   | 818,400   | 214,196                      | 35.5%                 |
| Bay Area (a)       | 2,608,023 | 2,720,410 | 2,837,680 | 2,952,910 | 3,072,920 | 3,188,330 | 3,308,090 | 700,067                      | 26.8%                 |

Notes:

(a) Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

Sources: ABAG, 2013; BAE, 2013.

## Employment Trends & Jobs/Housing Balance

Similar to employment throughout much of Santa Clara County, employment in Milpitas is strongly impacted by the Silicon Valley technology sector. According to the City's 2013 Comprehensive Annual Financial Report, the top three employers in Milpitas are Cisco Systems, KLA-Tencor, and SanDisk, which together accounted for over 6,000 jobs in 2013. The following section provides additional information on employment trends and projections in Milpitas.

### *Jobs by Industry Sector*

Milpitas has experienced strong employment growth in recent years, with an 11-percent increase in jobs located in the City between the third quarter of 2010 and the third quarter of 2012. Employment in Santa Clara County also increased during this period, but at a slightly slower rate (seven percent). Changes in employment varied at the industry level, with some industries experiencing growth and others with net job losses. The industries with the largest employment growth in Milpitas between the third quarter of 2010 and the third quarter of 2012 include manufacturing (1,550 net new jobs), administrative and waste services (612 net new jobs), and construction (435 net new jobs). The industry sector with the most significant decrease in employment during this period was professional, scientific, and technical services, which had a net loss of 302 jobs.

The industry data shown in Table 3.6 demonstrate that Milpitas has a strong manufacturing sector, which accounts for one third (33 percent) of all jobs in the City. Manufacturing is also the largest employment sector in Santa Clara County overall, but accounts for only 17 percent of jobs Countywide. However, these data do not necessarily indicate that a large amount of manufacturing is taking place in Milpitas or Santa Clara County. Technology companies, such as Cisco and KLA Tencor in Milpitas, are typically classified in the computer and electronics manufacturing industry. This means that all types of occupations within these companies, including management, product development, administrative, sales, and other occupations, are categorized as jobs in the manufacturing industry, despite that the production-related occupations associated with these companies are often located elsewhere.

Other significant employment industries in Milpitas include retail (12 percent of employment) and leisure and hospitality (12 percent of employment). These two industries, which together constitute approximately one quarter of all employment in Milpitas, tend to offer relatively low-wage jobs. This

suggests a need for a mix of housing types in Milpitas at various affordability levels in order to accommodate the housing need generated by the City's workforce.

**Table 3.6: Jobs by Sector, Q3 2010 and Q3 2012 (a)**

| Industry Sector (a)                      | Milpitas      |             |               |             |                       | Santa Clara County |             |                |             |                       |
|------------------------------------------|---------------|-------------|---------------|-------------|-----------------------|--------------------|-------------|----------------|-------------|-----------------------|
|                                          | Q3 2010       |             | Q3 2012       |             | % Change<br>2010-2012 | Q3 2010            |             | Q3 2012        |             | % Change<br>2010-2012 |
|                                          | #             | %           | #             | %           |                       | #                  | %           | #              | %           |                       |
| Agriculture, Forestry, Hunting, Mining   | 12            | 0.0%        | 12            | 0.0%        | 0.0%                  | 4,267              | 0.5%        | 4,100          | 0.5%        | -3.9%                 |
| Construction                             | 1,559         | 4.2%        | 1,994         | 4.9%        | 27.9%                 | 32,433             | 3.9%        | 35,433         | 3.9%        | 9.2%                  |
| Manufacturing                            | 12,016        | 32.5%       | 13,566        | 33.2%       | 12.9%                 | 152,367            | 18.1%       | 156,900        | 17.5%       | 3.0%                  |
| Wholesale Trade                          | 2,206         | 6.0%        | 2,547         | 6.2%        | 15.5%                 | 34,933             | 4.1%        | 35,100         | 3.9%        | 0.5%                  |
| Retail Trade                             | 4,965         | 13.4%       | 4,938         | 12.1%       | -0.6%                 | 76,167             | 9.0%        | 81,133         | 9.0%        | 6.5%                  |
| Transportation/Warehousing/Utilities (b) | N/A           | N/A         | N/A           | N/A         | N/A                   | 11,900             | 1.4%        | 12,900         | 1.4%        | 8.4%                  |
| Information                              | 663           | 1.8%        | 1,008         | 2.5%        | 52.1%                 | 44,967             | 5.3%        | 50,167         | 5.6%        | 11.6%                 |
| Finance/Insurance                        | 510           | 1.4%        | 442           | 1.1%        | -13.3%                | 18,233             | 2.2%        | 20,200         | 2.3%        | 10.8%                 |
| Real Estate                              | 259           | 0.7%        | 317           | 0.8%        | 22.2%                 | 12,433             | 1.5%        | 13,533         | 1.5%        | 8.8%                  |
| Professional/Scientific/Technical Svcs   | 3,216         | 8.7%        | 2,914         | 7.1%        | -9.4%                 | 105,500            | 12.5%       | 119,500        | 13.3%       | 13.3%                 |
| Management of Companies/Enterprises      | 152           | 0.4%        | 206           | 0.5%        | 35.5%                 | 9,800              | 1.2%        | 10,633         | 1.2%        | 8.5%                  |
| Administrative/Waste Services            | 1,342         | 3.6%        | 1,953         | 4.8%        | 45.6%                 | 47,567             | 5.6%        | 52,600         | 5.9%        | 10.6%                 |
| Educational Services                     | 369           | 1.0%        | 530           | 1.3%        | 43.5%                 | 33,233             | 3.9%        | 35,600         | 4.0%        | 7.1%                  |
| Health Care/Social Assistance            | 1,805         | 4.9%        | 1,924         | 4.7%        | 6.6%                  | 76,767             | 9.1%        | 79,833         | 8.9%        | 4.0%                  |
| Leisure & Hospitality                    | 4,417         | 11.9%       | 4,839         | 11.8%       | 9.6%                  | 75,133             | 8.9%        | 83,133         | 9.3%        | 10.6%                 |
| Other Services, excl. Public Admin       | 1,769         | 4.8%        | 1,748         | 4.3%        | -1.2%                 | 23,400             | 2.8%        | 24,633         | 2.7%        | 5.3%                  |
| Unclassified (b)                         | N/A           | N/A         | N/A           | N/A         | N/A                   | N/A                | N/A         | N/A            | N/A         | N/A                   |
| Government (b) (c)                       | N/A           | N/A         | 1,283         | 3.1%        | N/A                   | 83,267             | 9.9%        | 82,233         | 9.2%        | -1.2%                 |
| <b>Total</b>                             | <b>36,967</b> | <b>100%</b> | <b>40,876</b> | <b>100%</b> | <b>11%</b>            | <b>842,367</b>     | <b>100%</b> | <b>897,633</b> | <b>100%</b> | <b>7%</b>             |

Notes:

(a) Includes all wage and salary employment covered by unemployment insurance.

(b) Local employment for Transportation, Warehousing, and Utilities, Unclassified, and Government in Milpitas was suppressed by EDD due to the small number of firms in Milpitas reporting in this category. Total employment includes jobs in these categories.

(c) Government employment includes workers in all local, state and Federal sectors, not just public administration. For example, all public school staff are in the Government category.

Sources: California Employment Development Department, 2013; BAE, 2013.

### **Jobs to Workers Ratio**

As shown in Table 3.7, Milpitas has a considerable net inflow of workers to the City, with 1.7 jobs for every employed person in Milpitas in 2011. There is also a net inflow of workers to Santa Clara County overall, but the ratio of jobs to employed residents is lower than in Milpitas, at 1.1 jobs for every employed worker. These figures suggest a potential need for additional housing for people employed in Milpitas that currently commute from other areas. This need will likely be addressed in part by the ongoing residential construction activity in Milpitas.

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**Table 3.7: Jobs to Workers Ratio, 2011**

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|                                | <u>Milpitas</u> | <u>Santa Clara County</u> |
|--------------------------------|-----------------|---------------------------|
| <b>Total Jobs</b> (a) (b)      | 42,698          | 938,013                   |
| <b>Employed Residents</b> (a)  | 25,537          | 835,675                   |
| <b>Jobs/Employed Residents</b> | 1.7             | 1.1                       |

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**Notes:**

The American Community Survey (ACS) publishes demographic estimates based on statistical sampling conducted continuously in 2011.

(a) The universe consists of members of the Armed Forces and civilian workers age 16 and older who were at work the week prior to the survey.

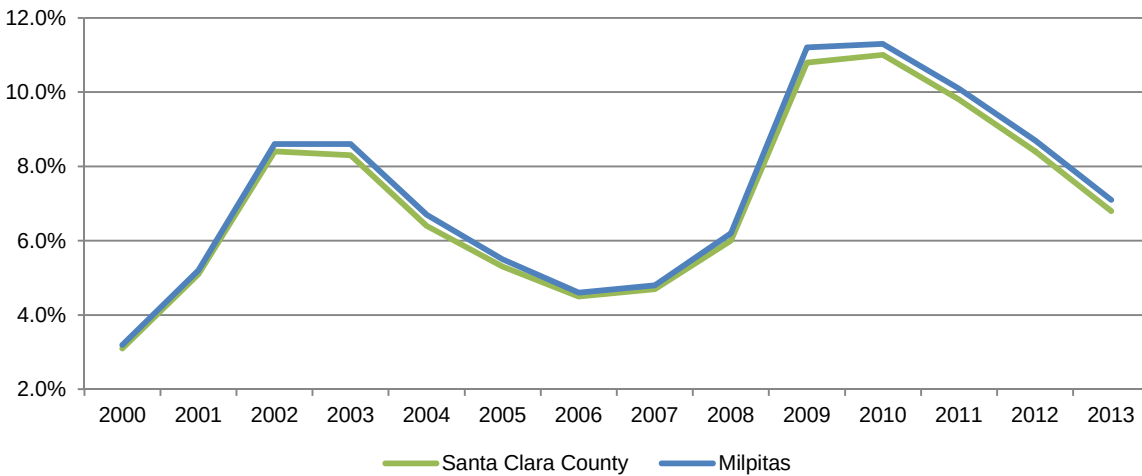
(b) Total number of jobs here may differ from estimates provided by the CA Employment Development Department.

Sources: American Community Survey, 2011; California Employment Development Department, 2013; BAE 2013.

***Employment Trends***

Similar to much of the rest of Silicon Valley and the Bay Area, Milpitas experienced an increase in unemployment beginning in 2007, followed by a gradual decrease in the unemployment rate in more recent years. As shown in Figure 3.1, the unemployment rate in Milpitas has mirrored trends in Santa Clara County since 2000, remaining just slightly higher (0.1 to 0.4 percentage points) than the unemployment rate for the County between 2000 and 2013. The unemployment rate in both the City and County was below five percent in 2006, but began to increase slightly at the start of the recession in 2007. At the peak in 2010, the unemployment rate reached 11.3 percent in Milpitas and 11.0 percent in Santa Clara County, more than twice the unemployment rate in 2006. The unemployment rate decreased in subsequent years, averaging approximately seven percent in the City and County in 2013, which suggests an ongoing economic recovery in the City and County and an associated increase in the employment rate.

**Figure 3.1: Unemployment, 2000-2013**



Notes:

Data are not seasonally adjusted.

Sources: CA EDD; BAE, 2014.

### ***Employment Projections***

According to ABAG projections, Milpitas is expected to experience moderate employment growth between 2010 and 2040. As shown in Table 3.8, ABAG estimates that there will be a 28-percent increase in the number of jobs in Milpitas between 2010 and 2040. During the same period, employment is expected to increase by 33 percent in Santa Clara County and the Bay Area overall, outpacing employment growth in Milpitas. The moderate employment growth rate in Milpitas relative to other areas and the substantial rate of household growth in Milpitas shown in Table 3.5 suggest that the City is poised to provide additional housing units that will help to reduce the disparity between jobs and employed residents identified Table 3.7, potentially offering additional housing opportunities for people employed in Milpitas.

Employment growth is expected to occur at a faster rate during the first ten years of the projection period (2010-2020) than in the subsequent twenty years. Milpitas is expected to gain 7,330 jobs between 2010 and 2020, at an average rate of over 733 jobs per year, and 2,010 jobs between 2020 and 2030, at an average rate of 201 jobs per year. Job growth is then projected to increase slightly between 2030 and 2040, with an average rate of 328 jobs per year.

Santa Clara County and the Bay Area are expected to have a similar growth pattern, with large employment increases between 2010 and 2020 and more moderate employment increases between 2020 and 2030, followed by a slight increase in the rate of employment growth between 2030 and 2040.

**Table 3.8: Estimated Job Growth, Milpitas, Santa Clara County, and the Bay Area, 2010 - 2040**

|                    | <b>2010</b> | <b>2015</b> | <b>2020</b> | <b>2025</b> | <b>2030</b> | <b>2035</b> | <b>2040</b> | <b>Total<br/>Change<br/>2010-2040</b> | <b>% Change<br/>2010-2040</b> |
|--------------------|-------------|-------------|-------------|-------------|-------------|-------------|-------------|---------------------------------------|-------------------------------|
| Milpitas           | 45,190      | 48,660      | 52,520      | 53,480      | 54,530      | 56,120      | 57,810      | 12,620                                | 27.9%                         |
| Santa Clara County | 926,270     | 1,003,780   | 1,091,270   | 1,118,320   | 1,147,020   | 1,187,010   | 1,229,520   | 303,250                               | 32.7%                         |
| Bay Area (a)       | 2,571,920   | 2,788,160   | 3,027,840   | 3,105,650   | 3,187,040   | 3,301,510   | 3,421,890   | 849,970                               | 33.0%                         |

Notes:

(a) Alameda, Contra Costa, Marin, Napa, San Francisco, San Mateo, Santa Clara, Solano, and Sonoma Counties.

Sources: ABAG, 2013; BAE, 2013.

## Housing Stock Characteristics

The following section provides information on the existing housing stock and recent building trends in Milpitas along with comparative data for Santa Clara County. This information helps to identify existing and anticipated future housing needs in Milpitas, which can inform the development of housing programs.

### *Housing Stock Conditions*

Milpitas has a relatively large number of new units in the housing stock, as shown in Table 3.9. According to ACS data collected in 2011, the median year built for housing units in Milpitas was 1977, five years newer than the median year built for Santa Clara County overall. Moreover, 73 percent of housing units in Milpitas were built in 1970 or later, compared to 61 percent of housing units in Santa Clara County.

Since housing units typically deteriorate with age, often requiring extensive maintenance or rehabilitation, the relatively new housing stock in Milpitas is likely an indication that a comparatively large number of units in Milpitas are in a state of good repair. Nonetheless, the owners of the limited number of older residential units in Milpitas may be in need of resources to be able to afford necessary maintenance. Milpitas Code Enforcement and Building Department staff estimates that approximately 37 percent of Milpitas homes built prior to 1970 (2,063 units, or 10 percent of the City's total housing stock) are in need of rehabilitation or major repairs.



**Table 3.9: Housing Units by Year Built, 2011**

| Year Built (a)           | Milpitas      |               | Santa Clara County |               |
|--------------------------|---------------|---------------|--------------------|---------------|
|                          | Number        | Percentage    | Number             | Percentage    |
| 2005 or later            | 1,593         | 7.8%          | 28,286             | 4.9%          |
| 2000 to 2004             | 383           | 1.9%          | 38,141             | 6.6%          |
| 1990 to 1999             | 2,767         | 13.5%         | 63,534             | 11.0%         |
| 1980 to 1989             | 3,135         | 15.4%         | 76,970             | 13.4%         |
| 1970 to 1979             | 6,966         | 34.1%         | 142,825            | 24.8%         |
| 1960 to 1969             | 3,831         | 18.8%         | 123,376            | 21.4%         |
| 1959 or earlier          | 1,747         | 8.6%          | 103,300            | 17.9%         |
| <b>Total</b>             | <b>20,422</b> | <b>100.0%</b> | <b>576,432</b>     | <b>100.0%</b> |
| <b>Median Year Built</b> | <b>1977</b>   |               | <b>1972</b>        |               |

Note:

(a) The American Community Survey (ACS) publishes demographic estimates based on statistical sampling conducted continuously in 2011.

Sources: American Community Survey, 2011; BAE, 2013.

### Structure Type

The majority of housing units in Milpitas are single-family detached homes, as shown in Table 3.10. According to estimates from the California Department of Finance, 76 percent of all homes in Milpitas are single-family homes (59 percent detached single-family and 17 percent attached single-family). This is a slighter higher proportion than in Santa Clara County (64 percent) and the Bay Area (63 percent), due mainly to the high proportion of attached single-family homes in Milpitas. Accordingly, Milpitas has a smaller share of units in multifamily structures (22 percent) than the County (33 percent) and region (35 percent). Mobile homes represent comparable proportions of units in the City (two percent), County (three percent), and region (two percent).

**Table 3.10: Housing Units by Type, 2013**

|                          | Milpitas        |                  | Santa Clara County |                  | Bay Area         |                  |
|--------------------------|-----------------|------------------|--------------------|------------------|------------------|------------------|
|                          | Number of Units | Percent of Total | Number of Units    | Percent of Total | Number of Units  | Percent of Total |
| Single Family Detached   | 11,703          | 58.7%            | 346,145            | 54.1%            | 1,505,153        | 53.6%            |
| Single Family Attached   | 3,363           | 16.9%            | 62,201             | 9.7%             | 258,633          | 9.2%             |
| Multifamily 2 to 4 Units | 1,384           | 6.9%             | 48,923             | 7.7%             | 278,450          | 9.9%             |
| Multifamily 5+Units      | 3,057           | 15.3%            | 163,124            | 25.5%            | 705,899          | 25.1%            |
| Mobile Home              | <u>418</u>      | <u>2.1%</u>      | <u>19,053</u>      | <u>3.0%</u>      | <u>59,673</u>    | <u>2.1%</u>      |
| <b>Total</b>             | <b>19,925</b>   | <b>100.0%</b>    | <b>639,446</b>     | <b>100.0%</b>    | <b>2,807,808</b> | <b>100%</b>      |

Sources: CA Department of Finance, E-5 2013; BAE, 2013.

### Residential Building Permit Trends

Residential building permit activity in Milpitas over the past ten years reflects regional and nationwide trends, with large amounts of activity prior to 2007 followed by a marked decrease in activity during the recent recession. However, building permit issuances in Milpitas also reveal the surge in residential construction that the City has experienced over the past few years. Prior to 2013, the peak of building permit activity in Milpitas during the past decade occurred in 2006, during which the City issued permits for 744 units, most (638) of which were in multifamily structures with five units or more. Building

permit activity decreased in 2007, with a total of 174 units permitted, and further decreased in 2008, with only 14 units permitted. Building permit activity in Milpitas has resumed in more recent years, totaling 373 units in 2011 and 131 units in 2012. In 2013, Milpitas issued permits for 842 new units, surpassing totals from any other year in the prior decade.

In contrast to the City's existing housing stock, the housing units recently permitted in Milpitas consist largely of multifamily units. Between 2003 and 2012, 77 percent of all units permitted in Milpitas were in structures with five or more units, and 20 percent were single-family homes. Although trends were similar Countywide, 64 percent of all units permitted in Santa Clara County between 2003 and 2012 were in structures with five or more units, representing a smaller share of building permit activity than in Milpitas. These trends suggest a shift over time toward increasingly high proportions of multifamily residential construction throughout the County and in Milpitas in particular.

**Table 3.11: Number of Units Issued Building Permits, 2003-2012**

| <b>Milpitas</b>           | <b>Units Permitted</b> |              |              |              |              |              |              |              |              |              |              | <b>Total</b>     | <b>Percent</b>   |
|---------------------------|------------------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|--------------|------------------|------------------|
|                           | <b>2003</b>            | <b>2004</b>  | <b>2005</b>  | <b>2006</b>  | <b>2007</b>  | <b>2008</b>  | <b>2009</b>  | <b>2010</b>  | <b>2011</b>  | <b>2012</b>  | <b>2013</b>  | <b>2003-2013</b> | <b>2003-2013</b> |
| Single Family             | 1                      | 5            | 26           | 103          | 79           | 5            | 57           | 6            | 7            | 65           | 212          | 566              | 20%              |
| 2 Units                   | 0                      | 0            | 0            | 0            | 0            | 0            | 0            | 0            | 0            | 0            | 0            | 0                | 0%               |
| 3 & 4 Units               | 0                      | 12           | 0            | 3            | 0            | 0            | 0            | 0            | 0            | 7            | 42           | 64               | 2%               |
| 5 or More Units           | <u>0</u>               | <u>201</u>   | <u>72</u>    | <u>638</u>   | <u>95</u>    | <u>9</u>     | <u>72</u>    | <u>56</u>    | <u>366</u>   | <u>59</u>    | <u>588</u>   | <u>2,156</u>     | <u>77%</u>       |
| <b>Total</b>              | <b>1</b>               | <b>218</b>   | <b>98</b>    | <b>744</b>   | <b>174</b>   | <b>14</b>    | <b>129</b>   | <b>62</b>    | <b>373</b>   | <b>131</b>   | <b>842</b>   | <b>2,786</b>     | <b>100%</b>      |
| <b>Santa Clara County</b> |                        |              |              |              |              |              |              |              |              |              |              |                  |                  |
| Single Family             | 2,468                  | 2,675        | 2,333        | 2,121        | 1,923        | 939          | 602          | 814          | 970          | 1,460        | 1,729        | 18,034           | 34%              |
| 2 Units                   | 62                     | 82           | 28           | 10           | 46           | 50           | 28           | 4            | 2            | 28           | 30           | 370              | 1%               |
| 3 & 4 Units               | 88                     | 126          | 202          | 90           | 40           | 49           | 7            | 23           | 50           | 62           | 104          | 841              | 2%               |
| 5 or More Units           | <u>4,388</u>           | <u>2,497</u> | <u>3,050</u> | <u>3,899</u> | <u>2,153</u> | <u>2,433</u> | <u>417</u>   | <u>3,291</u> | <u>2,043</u> | <u>3,941</u> | <u>5,758</u> | <u>33,870</u>    | <u>64%</u>       |
| <b>Total</b>              | <b>7,006</b>           | <b>5,380</b> | <b>5,613</b> | <b>6,120</b> | <b>4,162</b> | <b>3,471</b> | <b>1,054</b> | <b>4,132</b> | <b>3,065</b> | <b>5,491</b> | <b>7,621</b> | <b>53,115</b>    | <b>100%</b>      |

Sources: U.S. Census, 2013; BAE, 2013.

### **Overcrowding**

Although the City has some overcrowded households, overcrowding is not a particularly common problem in Milpitas. A housing unit is typically defined as overcrowded if it houses more than one more person per room (including bedrooms, kitchens, and dining rooms, but not bathrooms or porches) and severely overcrowded if it houses more than 1.5 persons per room.

As shown in Table 3.12, approximately eight percent of Milpitas households were overcrowded in 2011 and approximately three percent were severely overcrowded. Overcrowding is more prevalent among renter households, 13 percent of which were overcrowded, than among owner households, six percent of which were overcrowded. Rates of overcrowding were similar in Santa Clara County, but with a slightly higher rate of overcrowding among renter-occupied households (14 percent) and a lower rate of overcrowding among owner-occupied households (three percent).

**Table 3.12: Overcrowded Households, 2011**

|                           | Owner Households |               | Renter Households |               | All Households |               |
|---------------------------|------------------|---------------|-------------------|---------------|----------------|---------------|
|                           | Number           | Percent       | Number            | Percent       | Number         | Percent       |
| <b>Milpitas</b>           |                  |               |                   |               |                |               |
| Overcrowded (a)           | 708              | 5.6%          | 876               | 13.0%         | 1,584          | 8.2%          |
| Severely Overcrowded (b)  | 212              | 1.7%          | 311               | 4.6%          | 523            | 2.7%          |
| Not Overcrowded           | <u>11,932</u>    | <u>94.4%</u>  | <u>5,876</u>      | <u>87.0%</u>  | <u>17,808</u>  | <u>91.8%</u>  |
| <b>Total</b>              | <b>12,640</b>    | <b>100.0%</b> | <b>6,752</b>      | <b>100.0%</b> | <b>19,392</b>  | <b>100.0%</b> |
| <b>Santa Clara County</b> |                  |               |                   |               |                |               |
| Overcrowded (a)           | 10,764           | 3.1%          | 36,097            | 13.7%         | 46,861         | 7.7%          |
| Severely Overcrowded (b)  | 3,054            | 0.9%          | 15,477            | 5.9%          | 18,531         | 3.1%          |
| Not Overcrowded           | <u>332,978</u>   | <u>96.9%</u>  | <u>226,620</u>    | <u>86.3%</u>  | <u>559,598</u> | <u>92.3%</u>  |
| <b>Total</b>              | <b>343,742</b>   | <b>100.0%</b> | <b>262,717</b>    | <b>100.0%</b> | <b>606,459</b> | <b>100.0%</b> |

Notes:

(a) The U.S. Census defines an overcrowded unit as one occupied by more than 1 person per room (excluding bathrooms and kitchens).

(a) The U.S. Census defines a severely overcrowded unit as one occupied by more than 1.5 persons per room (excluding bathrooms and kitchens).

Sources: American Community Survey, 2011; BAE, 2013.

## Housing Market Conditions and Affordability

This section provides information on current housing market conditions in Milpitas, including costs and vacancy rates, and assesses the extent to which the housing market is providing for the needs of various economic segments of the local population. Although there are many ways to assess affordability, housing is typically defined as affordable for a given household if housing costs do not exceed 30 percent of household income. Households with housing costs that exceed this affordability threshold often have less money available to spend on other essential goods and services, such as food, healthcare, and transportation, or may have difficulty making rent or mortgage payments. Information on housing market conditions and local demographics helps to identify those segments of the population that face difficulties in securing affordable housing in Milpitas.

### *Vacancy Trends*

Milpitas has low vacancy rates among both rental and for-sale housing units. According to 2010 US Census data, three percent of rental units and one percent of for-sale units in Milpitas was vacant. Vacancy rates were slightly higher in Santa Clara County overall, where four percent of rental units and one percent of for-sale units were vacant, and the Bay Area overall, where six percent of rental units and two percent of for-sale units were vacant. These data indicate a tight residential market in Milpitas for rental and for-sale housing, which often leads to high housing costs and limited housing choices for existing and prospective residents.

**Table 3.13: Housing Occupancy and Vacancy Status, 2010**

| Occupancy Status                             | Milpitas      |               | Santa Clara County |              | California        |              |
|----------------------------------------------|---------------|---------------|--------------------|--------------|-------------------|--------------|
|                                              | Number        | Percent       | Number             | Percent      | Number            | Percent      |
| <b>Occupied Housing Units</b>                | <b>19,184</b> | <b>96.9%</b>  | <b>604,204</b>     | <b>48.9%</b> | <b>12,577,498</b> | <b>47.9%</b> |
| Renter                                       | 6,359         | 32.1%         | 255,906            | 20.7%        | 5,542,127         | 21.1%        |
| Owner                                        | 12,825        | 64.8%         | 348,298            | 28.2%        | 7,035,371         | 26.8%        |
| <b>Vacant Housing Units</b>                  | <b>622</b>    | <b>3.1%</b>   | <b>27,716</b>      | <b>2.2%</b>  | <b>1,102,583</b>  | <b>4.2%</b>  |
| For rent                                     | 206           | 1.0%          | 11,519             | 0.9%         | 374,610           | 1.4%         |
| For sale only                                | 152           | 0.8%          | 5,067              | 0.4%         | 154,775           | 0.6%         |
| Rented or sold, not occupied                 | 107           | 0.5%          | 2,222              | 0.2%         | 54,635            | 0.2%         |
| For seasonal, recreational or occasional use | 50            | 0.3%          | 3,000              | 0.2%         | 302,815           | 1.2%         |
| For migrant workers                          | 4             | 0.0%          | 50                 | 0.0%         | 2,100             | 0.0%         |
| Other vacant                                 | 103           | 0.5%          | 5,858              | 0.5%         | 213,648           | 0.8%         |
| <b>Total</b>                                 | <b>19,806</b> | <b>100.0%</b> | <b>1,236,124</b>   | <b>100%</b>  | <b>26,257,579</b> | <b>100%</b>  |
| <b>Rental Vacancy Rate</b>                   |               | <b>3.1%</b>   |                    | <b>4.3%</b>  |                   | <b>6.3%</b>  |
| <b>For Sale Vacancy Rate</b>                 |               | <b>1.2%</b>   |                    | <b>1.4%</b>  |                   | <b>2.2%</b>  |

Sources: US Census, 2010; BAE, 2013.

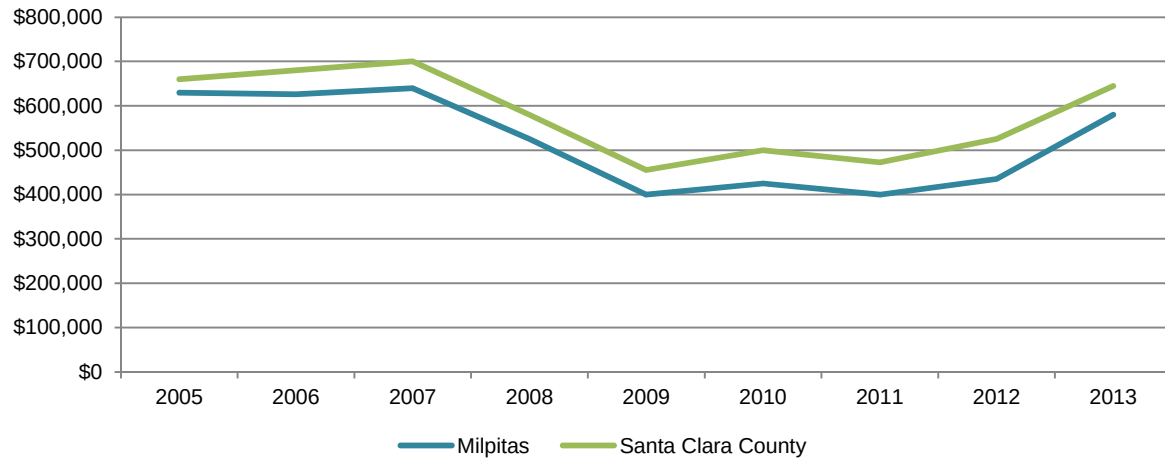
### ***Residential Sale Price Trends***

Housing prices in Milpitas fell substantially during the recent recession, but have begun to recover in recent years and are now approaching pre-recession levels. As shown in Figure 3.2, the median residential sale price in Milpitas peaked in 2007 at \$640,000. The median decreased by 38 percent in over the next two years, with a low of \$400,000 in 2009. The median residential sale price did not change significantly between 2009 and 2012, remaining between \$400,000 and \$435,000 in each year. However, the median sale price increased to \$580,000 in 2013, coming close to the median during the years prior to the recession.

Median sale price trends in Milpitas mirrored trends in Santa Clara County overall between 2005 and 2013. However, the median sale price in Milpitas was slightly lower than the Countywide median each year between 2005 and 2013, with a price difference ranging from \$30,000 to \$90,000.

The slightly lower median sale price for homes in Milpitas relative to Santa Clara County, coupled with the City's high median income, could suggest that households in Milpitas do not have difficulty affording homes in Milpitas. However, the City's large household size (3.41 people per household; see Table 3.1) means that household incomes in Milpitas tend to support a large number of people, and therefore many households still face difficulties affording housing along with other household expenses, as shown in Figure 3.8 below.

**Figure 3.2: Median Residential Sale Price, 2005-2013**



Sources: DQ News, 2006-2013; BAE, 2014.

Data on recent home sales in Milpitas demonstrate variation in price between single-family homes and condominiums, though the median sale price for both types of homes is relatively high. Among homes sold in Milpitas between January and August 2013, the median sale price was \$630,000, as shown in Table 3.14. Single family homes sold during this period tended to be relatively large; half had four or more bedrooms. The median sale price for condominiums sold during this period was \$402,000, approximately two thirds of the median among single-family homes. However, these units also tended to be much smaller; 55 percent were two-bedroom units.

**Table 3.14: Sale Price Distribution of Single Family Residences and Condominiums by Number of Bedrooms, Milpitas, January-August 2013**

| Sale Price Range         | Number of Units Sold (a) |           |           |           |           | % Total      |
|--------------------------|--------------------------|-----------|-----------|-----------|-----------|--------------|
|                          | 1 BRs                    | 2 BRs     | 3 BRs     | 4+ BRs    | Total     |              |
| Single-Family Residences |                          |           |           |           |           |              |
| Less than \$400,000      | 0                        | 1         | 18        | 13        | 32        | 14.8%        |
| \$400,000-\$599,999      | 0                        | 4         | 40        | 19        | 63        | 29.2%        |
| \$600,000-\$799,999      | 0                        | 3         | 35        | 33        | 71        | 32.9%        |
| \$800,000-\$999,999      | 0                        | 0         | 6         | 31        | 37        | 17.1%        |
| \$1,000,000 or more      | <u>0</u>                 | <u>1</u>  | <u>0</u>  | <u>12</u> | <u>13</u> | <u>6.0%</u>  |
| Total                    | 0                        | 9         | 99        | 108       | 216       | 100.0%       |
| % Total                  | 0.0%                     | 4.2%      | 45.8%     | 50.0%     | 100.0%    |              |
| Median Sale Price        | N/A                      | \$580,000 | \$555,500 | \$746,250 | \$630,000 |              |
| Average Sale Price       | N/A                      | \$712,444 | \$546,226 | \$721,593 | \$640,836 |              |
| Average Size (sf)        | N/A                      | 1,618     | 1,352     | 1,863     | 1,618     |              |
| Average Price/sf         | N/A                      | \$440     | \$404     | \$387     | \$396     |              |
| Condominiums             |                          |           |           |           |           |              |
| Less than \$200,000      | 1                        | 2         | 2         | 0         | 5         | 4.5%         |
| \$200,000-\$299,999      | 1                        | 14        | 3         | 0         | 18        | 16.2%        |
| \$300,000-\$399,999      | 4                        | 14        | 12        | 0         | 30        | 27.0%        |
| \$400,000-\$499,999      | 0                        | 22        | 6         | 0         | 28        | 25.2%        |
| \$500,000 or more        | <u>0</u>                 | <u>9</u>  | <u>20</u> | <u>1</u>  | <u>30</u> | <u>27.0%</u> |
| Total                    | 6                        | 61        | 43        | 1         | 111       | 100.0%       |
| % Total                  | 5.4%                     | 55.0%     | 38.7%     | 0.9%      | 100.0%    |              |
| Median Sale Price        | \$332,500                | \$400,000 | \$490,000 | \$672,000 | \$402,000 |              |
| Average Sale Price       | \$303,500                | \$380,357 | \$468,395 | \$672,000 | \$412,935 |              |
| Average Size (sf)        | 821                      | 1,100     | 1,326     | 1,764     | 1,178     |              |
| Average Price/sf         | \$370                    | \$346     | \$353     | \$381     | \$350     |              |

Note:

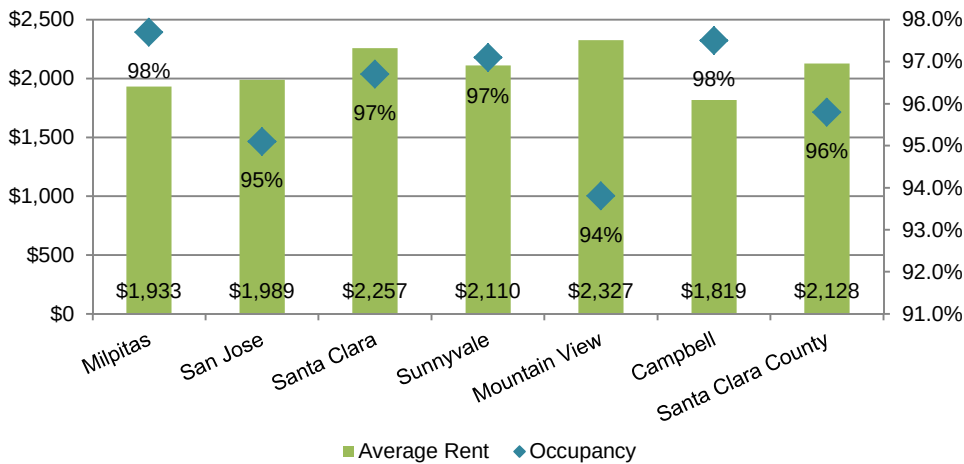
(a) Consists of all full and verified sales of single-family residences and condominiums in the 95035 ZIP code between 1/1/2013 and 8/15/2013.

Sources: DataQuick; BAE, 2013.

### **Rental Market Trends**

In general, residential rental properties in Milpitas have high occupancy rates paired with rental rates that are slightly lower than most other Santa Clara County jurisdictions. Data on occupancy and rental rates in Milpitas and other Santa Clara County jurisdictions were provided by RealFacts, which collects data on rental properties with 50 units or more. As shown in Figure 3.3, in the second quarter of 2013 the average rental rate in Milpitas was slightly lower than the average for Santa Clara County at \$1,933 per month. However, at 97.7 percent, the occupancy rate for properties in Milpitas was higher than the occupancy rate in most other Santa Clara County jurisdictions. Occupancy rates higher than 95 percent are conventionally thought to indicate a tight rental market, suggesting a potential need for additional rental units to allow for housing choice among existing and prospective tenants.

**Figure 3.3: Rental Rates and Vacancy, Second Quarter 2013**



Note:

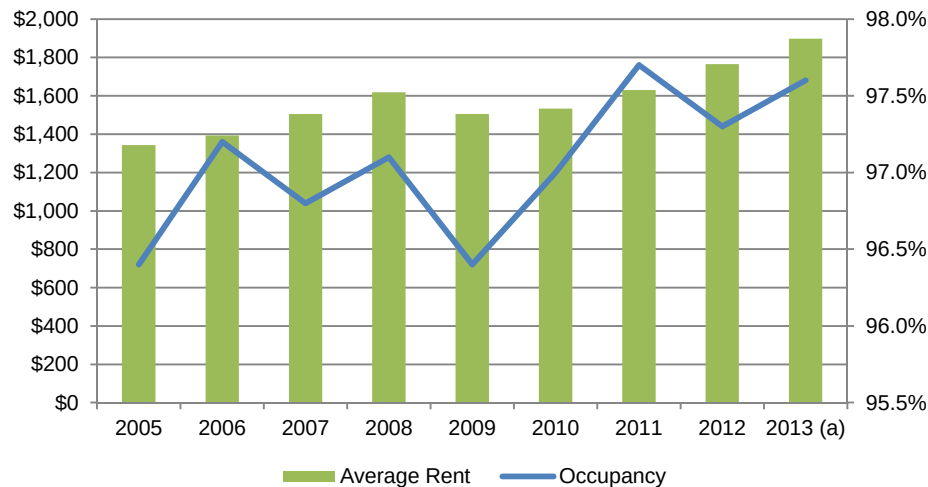
Data are for rental properties with 50 units or more.

Sources: RealFacts, 2013; BAE, 2014.

Rental and occupancy trends in Milpitas demonstrate fluctuations in the market during the past several years, but overall trends indicate increasingly strong occupancy and high rental rates over time. As shown in Figure 3.4, data from RealFacts indicate that the average rental rate in Milpitas increased steadily between 2005 and 2008, followed by a decrease in 2009. However, by 2011 the average rental rate in the City exceeded the 2008 average, and has increased in each subsequent year. The average rental rate during the first half of 2013 was \$1,898 per month, 41 percent higher than the 2005 average.

The occupancy rate in Milpitas has also varied in recent years, but suggests an increasingly tight rental market in the City over time. Between 2005 and 2013, the occupancy rate reported by RealFacts varied from 96.4 percent to 97.7 percent, remaining higher than the 95 percent occupancy rate that is typically thought to indicate a healthy balance between supply and demand. During the first six months of 2013, the average occupancy rate in Milpitas was 97.6 percent, 1.2 percentage points higher than in 2005.

**Figure 3.4: Rental Market Trends, Milpitas, 2005-2013**



Notes:

Data are for rental properties with 50 units or more.

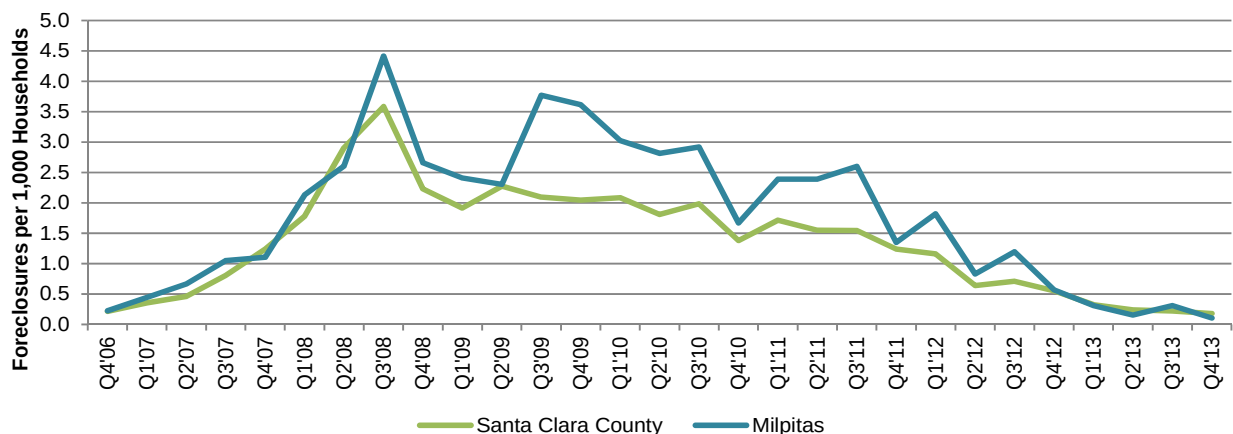
(a) Data for 2013 are for the first and second quarter of 2013 only.

Sources: RealFacts, 2013; BAE, 2014.

### Foreclosures

Similar to many Bay Area jurisdictions, Milpitas had a spike in foreclosures at the start of the recession in 2007 and 2008, but has demonstrated a gradual recovery, particularly in recent months. As shown in Figure 3.5, the rate reached 4.4 foreclosures per 1,000 households in the 3<sup>rd</sup> quarter of 2008, approximately 20 times higher than the rate in the 4<sup>th</sup> quarter of 2006. The foreclosure rate began to decrease gradually in the 4<sup>th</sup> quarter of 2008, but continued to fluctuate well above pre-recession levels through the 3<sup>rd</sup> quarter of 2012. However, the foreclosure rates during all four quarters of 2013 were comparable to the City's foreclosure rate in the fourth quarter of 2006, suggesting a recovery in the City's housing market. Compared to the County as a whole, Milpitas had a higher foreclosure rate during the recession and much of the subsequent recovery, but a comparable rate throughout 2013.

**Figure 3.5: Foreclosures per 1,000 Households, Milpitas & Santa Clara County, Sept 2012--Sept 2013**



Source: ForeclosureRadar.com, 2013; BAE, 2013.



## Affordability

As discussed above, housing is typically considered affordable if total housing costs do not exceed 30 percent of a household's gross income. For renter households, housing costs include rent plus any utilities paid by the household. For owner households, housing costs include mortgage payments, mortgage interest payments, taxes, insurance, utilities, and any homeowner association fees that apply to the property. Many lower-income households have housing costs that exceed this affordability threshold and therefore have difficulty paying for housing costs along with food, medical care, transportation, and other essential goods and services.

### *Income Limits*

In order to determine eligibility for various housing programs and to evaluate the affordability of housing to households at various income levels, households are often categorized based on the relationship between household income and the Area Median Income (AMI). The California Department of Housing and Community Development (HCD) establishes the AMI for each County in California annually, adjusted by household size, and the upper "income limit" of for extremely low-, very low-, low-, and moderate-income households. Table 3.15 shows the percent of AMI and the 2013 income limits for a four-person household in Santa Clara County that correspond to each income category. As shown, the median income for a four-person household in Santa Clara County was \$105,500 in 2013 and the income limit for a low-income household was \$84,900.

**Table 3.15: Household Income Limits, Santa Clara County, 2013**

| <b>Income Category</b>           | <b>% of Area Median Income</b> | <b>Top of Income Range (a)</b> |
|----------------------------------|--------------------------------|--------------------------------|
| Extremely Low Income             | 0% to 30%                      | \$31,850                       |
| Very Low Income                  | 31% to 50%                     | \$53,050                       |
| Low Income                       | 51% to 80%                     | \$84,900                       |
| Moderate                         | 80% to 120%                    | \$126,600                      |
| <i>Santa Clara County Median</i> | <i>100%</i>                    | <i>\$105,500</i>               |

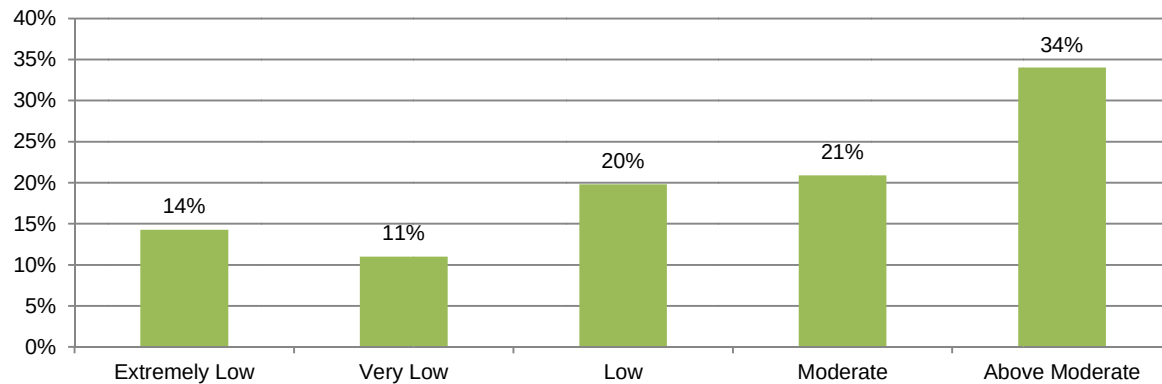
Notes:

(a) Based on HCD 2013 Household Income Limits for a household of four in Santa Clara County.

Sources: California Department of Housing and Community Development 2013; BAE, 2013.

Figure 3.6 shows the 2013 Milpitas household income distribution by AMI level for a four-person household in Santa Clara County. As shown, approximately 34 percent of Milpitas households have above-moderate incomes, 21 percent have moderate incomes, and 45 percent have low, very low, or extremely low incomes.

**Figure 3.6: Household Income Distribution by AMI Level for a Four-Person Household, Milpitas, 2013**



Note:

Income distribution shown here reflects the estimated distribution of existing households in Milpitas based on the HCD income limits for a four-person household, and represents an approximation of the distribution of households by income level as though all households are four-person households.

Sources: Nielsen, 2013; HCD, 2013; BAE, 2014.

To put these figures in context, Figure 3.7 shows households of various sizes and at different income levels, along with occupations that could support a household at each income level.

**Figure 3.7: Representative Households, Santa Clara County, 2013**

**Moderate Income Household (80% - 120% of AMI)**



Estimated Annual Income: \$115,000  
One parent is computer programmer, the other is a part time child care worker; they have two children.

**Low Income Household (50% - 80% AMI)**



Estimated Annual Income: \$60,265  
One parent is a receptionist, the other is a groundskeeper. They have two children.

**Very Low Income Household (50% - 80% AMI)**



Estimated Annual Income: \$44,900  
Single parent is a bookkeeper, and has two children.

**Extremely Low Income Household (Up to 30% AMI)**



Estimated Annual Income: \$19,300  
Parent works in a coffee shop at the counter; has one child

Sources: California Department of Housing and Community Development, 2013; California EDD, Labor Market Info, 2013; BAE, 2014.

### ***Ability to Purchase or Rent Homes***

Home sale prices and rental rates in Milpitas typically exceed the affordability threshold for lower-income households. As shown in Table 3.16, a household earning the median income for a four-person household in Santa Clara County can afford a single-family home with a sale price up to approximately \$476,000, three quarters of the median price of single-family homes recently sold in Milpitas. Just one quarter of single-family homes recently sold in Milpitas sold for \$476,000 or less. A smaller percentage of single-family homes were affordable to households earning less than the median income; only 14 percent were affordable to low-income households.

Condominiums provide a more affordable homeownership option for some households. As shown, a household earning the median income for a four-person household in Santa Clara County can afford a condominium sale price up to approximately \$408,000,<sup>3</sup> slightly more than the median sale price among condominiums recently sold in Milpitas. Households earning 80 percent of AMI for a four-person household in Santa Clara County can afford 25 percent of condominiums recently sold in Milpitas, provided that these households are able to afford a down payment.

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<sup>3</sup> The maximum affordable condominium sale price is lower than the maximum affordable single family home sale price to account for payment of monthly homeowner association fees for condominium properties.

**Table 3.16: Affordability of Market Rate For Sale Housing in Milpitas****Single-Family Residences**

| <b>Income Level</b>                  | <b>Income Limit (a)</b> | <b>Max. Affordable Sale Price (b)</b> | <b>Percent of SFRs Recently Sold Within Price Range (c)</b> |
|--------------------------------------|-------------------------|---------------------------------------|-------------------------------------------------------------|
| Extremely Low-Income (Up to 30% AMI) | \$31,850                | \$143,697                             | 1.9%                                                        |
| Very Low-Income (Up to 50% AMI)      | \$53,050                | \$239,345                             | 6.9%                                                        |
| Low-Income (Up to 80% AMI)           | \$84,900                | \$383,042                             | 13.9%                                                       |
| Median-Income (Up to 100% AMI)       | \$105,500               | \$475,983                             | 24.5%                                                       |
| Moderate-Income (Up to 120% AMI)     | \$126,600               | \$571,180                             | 39.8%                                                       |
| Median Sale Price                    |                         |                                       | \$630,000                                                   |
| Number of Units Sold                 |                         |                                       | 216                                                         |

**Condominiums**

| <b>Income Level</b>                  | <b>Income Limit (a)</b> | <b>Max. Affordable Sale Price (b)</b> | <b>Percent of Condos on Market Within Price Range (d)</b> |
|--------------------------------------|-------------------------|---------------------------------------|-----------------------------------------------------------|
| Extremely Low-Income (Up to 30% AMI) | \$31,850                | \$89,980                              | 0.0%                                                      |
| Very Low-Income (Up to 50% AMI)      | \$53,050                | \$181,647                             | 4.5%                                                      |
| Low-Income (Up to 80% AMI)           | \$84,900                | \$319,363                             | 25.2%                                                     |
| Median-Income (Up to 100% AMI)       | \$105,500               | \$408,435                             | 53.2%                                                     |
| Moderate-Income (Up to 120% AMI)     | \$126,600               | \$499,669                             | 73.0%                                                     |
| Median Sale Price                    |                         |                                       | \$402,000                                                 |
| Number of Units Sold                 |                         |                                       | 111                                                       |

**Notes:**

(a) Income limits published by California Department of Housing and Community Development for four-person household in Santa Clara County, 2013.

**(b) Mortgage terms:**

|                                                            |        |
|------------------------------------------------------------|--------|
| Annual Interest Rate (fixed)                               | 5.23%  |
| Term of mortgage (years)                                   | 30     |
| Percent of sale price as down payment                      | 20%    |
| Initial property tax (annual)                              | 1.148% |
| Mortgage Insurance as percent of loan amount               | 0.0%   |
| Annual homeowner's insurance rate as percent of sale price | 0.2%   |
| Homeowners Association Fee (monthly, condominiums only)    | \$276  |
| Percent of household income available for housing costs    | 30%    |

(c) Consists of all full and verified sales of single-family residences in the 95035 between 1/1/2013 and 8/15/2013

(d) Consists of all full and verified sales of condominiums in the 95035 between 1/1/2013 and 8/15/2013

Sources: California Department of Housing and Community Development, 2013; Freddie Mac, 2013; Santa Clara County Assessor's Office, 2013; CA Dept. of Insurance, 2013; condo.com, 2013; BAE, 2014.

Rental housing in Milpitas is typically affordable to moderate-income households, but average rental rates exceed the affordability threshold for low-, very low-, and extremely low-income households. As shown in Table 3.17, a household earning the median income for a four-person household in Santa Clara County can afford to pay \$2,450 in monthly rent. This is slightly more than the average rental rate for a two bedroom/two bathroom unit in Milpitas (\$1,986 per month) and slightly less than the average rental rate for a three bedroom/two bathroom unit in Milpitas (\$2,641 per month). Households earning 120 percent of AMI for a four-person household in Santa Clara County can afford to pay \$2,977 per month for rent and can therefore afford the average rent for a three bedroom/two bathroom unit in Milpitas.

However, the maximum affordable rent for households earning 80 percent of AMI for a four-person household in Santa Clara County is \$1,935 per month, slightly less than the average rent for a two bedroom/two bathroom unit in Milpitas, which suggests that low-income households often face difficulties finding adequate affordable units. Households with extremely low and very low incomes have lower affordability thresholds, and therefore many of these households are likely to have housing costs that exceed 30 percent of household income. In most Bay Area cities, rental subsidies or affordability restrictions are often necessary to produce housing affordable to very low- and extremely low-income households.

**Table 3.17: Affordability of Market-Rate Rental Housing in Milpitas, 2013**

| <b>Income Level</b>                  | <b>Income Limit (a)</b> | <b>Maximum Affordable Rent (b)</b> |
|--------------------------------------|-------------------------|------------------------------------|
| Extremely Low-Income (Up to 30% AMI) | \$31,850                | \$608                              |
| Very Low-Income (Up to 50% AMI)      | \$53,050                | \$1,138                            |
| Low-Income (Up to 80% AMI)           | \$84,900                | \$1,935                            |
| Median-Income (Up to 100% AMI)       | \$105,500               | \$2,450                            |
| Moderate-Income (Up to 120% AMI)     | \$126,600               | \$2,977                            |
|                                      | <b>2 Br/ 2 Ba Unit</b>  | <b>3 Br/2 Ba Unit</b>              |
| Average Rent in Milpitas (c)         | \$1,986                 | \$2,641                            |

Notes:

(a) Income limits published by CA Department of Housing and Community Development for four-person household in Santa Clara County, 2013.

(b) Assumes 30 percent of household income spent on rent and utilities, based on Santa Clara County Housing Authority utility allowance.

(c) Rental rates provided by RealFacts, Q1 2013.

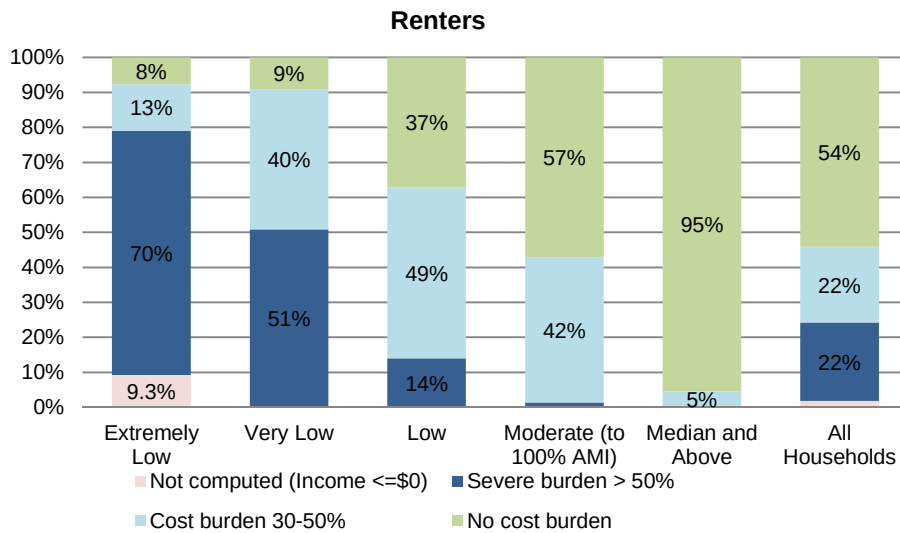
Sources: CA HCD, 2013; Contra Costa County Housing Authority, 2013; RealFacts, 2012; BAE, 2014.

### **Cost Burden**

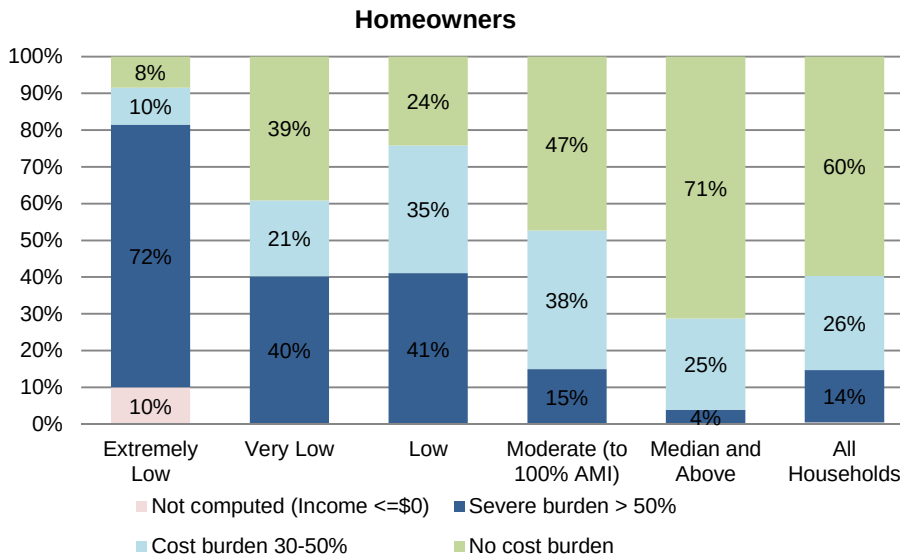
A large portion of Milpitas households have housing costs that exceed the affordability threshold, and therefore experience housing cost burden. Households are considered cost burdened if housing costs exceed 30 percent of household income and are considered severely cost burdened if housing costs exceed 50 percent of household income.

Housing cost burden is most prevalent among renters and lower-income households, as shown in Figure 3.8. According to ACS data collected between 2006 and 2010 (the most recent period for which these data are available), 44 percent of renter households and 38 percent of owner households had housing costs that exceed the affordability threshold. Among extremely low-income households, only eight percent of owners and renters had housing costs that did not exceed the affordability threshold. These findings are consistent with the affordability analysis presented above, which revealed a significant gap between housing costs and the amount that lower-income households can afford to pay for housing.

**Figure 3.8: Housing Cost Burden by Household Income Level, Milpitas**



Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.



Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.

## Assisted Housing at Risk of Conversion

State Law requires local Housing Elements to include an inventory of affordable housing developments that could be at risk of conversion to market rate during the 10-year period that follows the adoption of the Element. For those units found to be at risk of conversion, the Housing Element must estimate the cost to preserve or replace the at-risk units, to identify the resources available to help in the

preservation or replacement of those units, and to identify those organizations that could assist in these efforts.

***Inventory of Existing Affordable Units***

Milpitas has a total of 1,233 existing units with affordability restrictions and 15 additional units with affordability restrictions currently under construction. Projects that consist entirely of affordable units account for 456 of affordable units in the City, while 777 existing affordable units and the 15 affordable units that are under construction are in mixed-income projects. The City's large affordable housing stock in mixed-income projects is the result of City policies that encourage developers of market-rate residential projects to add affordability restrictions to a portion of units in each project. Table 3.18 shows the inventory of affordable housing units in Milpitas and the earliest dates of termination of affordability restrictions for each project.

**Table 3.18: Inventory of Affordable Rental Housing Units, Milpitas, 2014**

| <b>Affordable Developments</b>                                                                | <b>Affordable<br/>Units</b> | <b>Year<br/>Built</b> | <b>Tenure</b> | <b>Senior/<br/>Family</b> | <b>Target<br/>Affordability</b> | <b>Expiration<br/>Date</b> |
|-----------------------------------------------------------------------------------------------|-----------------------------|-----------------------|---------------|---------------------------|---------------------------------|----------------------------|
| <b>Terrace Gardens</b><br>186 Beresford Court                                                 | 148                         | 1989                  | Rental        | Senior                    | 148 L (Section 8)               | None (a)                   |
| <b>Summerfield Homes</b><br>Great Mall Parkway & S. Abel Street                               | 22                          | 1999                  | Ownership     | Family                    | 22 L                            | 2029                       |
| <b>Parc West</b><br>950 South Main Street                                                     | 68                          | 2005                  | Rental        | Family                    | 35 L, 33 M                      | 2045                       |
| <b>Senior Housing Solutions</b><br>751 Vasona                                                 | 5                           | 2007                  | Rental        | Family                    | 5 ELI Individuals               | None (a)                   |
| <b>Devries Place Senior Housing</b><br>163 N. Main Street                                     | 103                         | 2008                  | Rental        | Senior                    | 102 VL, 1 M                     | None (a)                   |
| <b>Scattered Sites on Edsel Court</b><br>(1129 and 1143) and Shirley<br>Drive (1116 and 1124) | 4                           | 2008                  | Rental        | Family                    | 4 VL                            | 2063                       |
| <b>Aspen Family Apartments</b><br>60 Mihalakis Drive                                          | 101                         | 2009                  | Rental        | Family                    | 100 VL, 1M                      | None (a)                   |
| <b>Senior Housing Solutions</b><br>1170 N. Park Victoria                                      | 5                           | 2011                  | Rental        | Senior                    | 5 ELI Individuals               | None (a)                   |
| <b>TOTAL</b>                                                                                  | <b>456</b>                  |                       |               |                           |                                 |                            |
| <b>Mixed-Income Projects</b>                                                                  |                             |                       |               |                           |                                 |                            |
| <b>Sunnyhills Apartments</b><br>1724 Sunnyhills Drive                                         | 149                         | 1971                  | Rental        | Family                    | Section 8                       | 2018                       |
| <b>Montevista Apartments</b><br>1001 S. Main Street                                           | 153                         | 2001                  | Rental        | Family                    | 77 VL, 76L                      | 2040                       |
| <b>Crossing at Montague</b><br>775 E. Capitol                                                 | 94                          | 2003                  | Rental        | Family                    | 94 VL                           | None (a)                   |
| <b>Parc Metro</b><br>S. Main Street and E. Curtis Avenue                                      | 28                          | 2005                  | Ownership     | Family                    | 10 L, 18 M                      | None (a)                   |
| <b>Parc Place</b><br>E. Curtis Avenue and Hammond Way                                         | 58                          | 2006                  | Ownership     | Family                    | 18 VL, 6 L, 34 M                | 2051                       |
| <b>Luna at Terra Serena</b><br>E. and W. Sides of Abel Street, N. of<br>Curtis Avenue         | 25                          | 2007                  | Ownership     | Family                    | 25 M                            | 2052                       |
| <b>Paragon</b><br>1696 S. Main Street                                                         | 29                          | 2007                  | Ownership     | Family                    | 9 VL, 20M                       | 2044                       |
| <b>Terra Serena</b><br>E. and W. Sides of Abel Street, N. of<br>Curtis Avenue                 | 63                          | 2007                  | Ownership     | Family                    | 63 M                            | 2062                       |
| <b>Centria East</b><br>Great Mall Parkway and Main Street                                     | 26                          | 2008                  | Ownership     | Family                    | 9 VL, 7 L, 10M                  | 2053                       |
| <b>Town Center Villas</b><br>300 Shaughnessy Drive                                            | 16                          | 2008                  | Ownership     | Family                    | 16 M                            | 2054                       |
| <b>Cerano Apartments</b><br>Murphy Ranch Road                                                 | 88                          | 2011                  | Rental        | Family                    | 20 VL, 30 L 38 M                | 2064                       |
| <b>South Main Street Senior Lifestyles</b><br>1600 S. Main                                    | 48                          | Under<br>Construction | Rental        | Family                    | 48 VL                           | 2069                       |
| <b>Shea Properties</b><br>S. Main and S. Abel                                                 | 8                           | Under<br>Construction | Rental        | Family                    | 8 VL                            | None (a)                   |
| <b>Coyote Creek</b><br>Murphy Ranch Road                                                      | 7                           | Under<br>Construction | Ownership     | Family                    | 7 L                             | 2059                       |
| <b>TOTAL</b>                                                                                  | <b>792</b>                  |                       |               |                           |                                 |                            |
| <b>GRAND TOTAL</b>                                                                            | <b>1,248</b>                |                       |               |                           |                                 |                            |

Note:

(a) Affordable units with no expiration date must remain affordable in perpetuity.

Sources: City of Milpitas, 2014; BAE, 2014.



As shown, most of the City's affordable units are subject to affordability restrictions that extend significantly beyond the ten-year period that follows adoption of the Housing Element Update. The exception is Sunnyhills, which provides 149 Section 8 units.

Originally financed under the Section 236 and Section 8 programs in 1981, the owner of Sunnyhills attempted to prepay their mortgage in 1990 under Sections 220 and 221 of the Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPHA). Originally a total of 104 units were supported through HUD project-based Section 8 vouchers. Through the efforts of the City and HUD, project sponsors entered into a revised Plan of Action in December 1991 in which project affordability restrictions were retained in exchange for a modest increase in rental payments and funding of an additional 45 project-based Section 8 units, for a total of 149 affordable units. Under this revised 20-year agreement between HUD and the JMK Sunnyhills Investors II, affordability restrictions were in place until October 1, 2011. The property owner renewed the contract with HUD in 2011 to continue affordability restrictions until 2014 and in 2014 again renewed the contract to continue affordability restrictions until 2018. Although the property owner has demonstrated an interest in maintaining the property as affordable by renewing the contract with HUD multiple times rather than taking opportunities to convert, Sunnyhills does have the potential to convert to market rate during the ten-year timeframe following Housing Element adoption.

### ***Cost of Replacement vs. Preservation***

In addition to quantifying the number of assisted units at risk of conversion, jurisdictions must estimate the costs associated with preserving the affordability of the at-risk units as well as the cost to replace the at-risk units with new affordable units. Although costs vary considerably between projects, Table 3.19 provides an estimated range of the cost to preserve or replace at-risk housing units.

In Project-Based Section 8 properties, such as Sunnyhills Apartments, the owner of the building receives rent from each unit equal to the HUD established Fair Market Rent (FMR) for the area. Where the FMR is less than actual market rents, the owner realizes less income from the property than he or she would without affordability restrictions. Hence, in order to incentivize a property owner to continue to contract out his or her buildings as a Project-Based Section 8 property once mortgage restrictions expire, an ongoing subsidy is required to make up for the gap between FMR and actual market rent. Table 3.19 shows the gap between FMR and actual market rents in Milpitas for various unit sizes. As shown, the monthly gap for Sunnyhills totals approximately \$43,000. If the property owner were willing to enter into a rental subsidy agreement with the City or some other entity that would subsidize the rents on behalf of the lower-income renters, this would require an ongoing annual payment of approximately \$514,000. Based on a 30-year mortgage term at six percent interest, it would take an initial investment of approximately \$7.1 million to reduce the monthly debt service by \$43,000 per month.

Alternatively, the City could attempt to preserve affordability at Sunnyhills by working with a nonprofit housing provider to negotiate the purchase of the building. Nonprofit housing providers that acquire buildings that are at risk of conversion to market rate often renovate or rehabilitate the property to bring the property up to current standards and become eligible for financing. As a result, the cost to

acquire a property in order to preserve affordability can be similar to the cost of new construction, after accounting for renovation or rehabilitation costs.

**Table 3.19: Estimated Costs to Preserve 149 Affordable Units at Sunnyhills Apartments**

| <b>Unit Type</b>                             | <b># Units</b> | <b>FMR (a)</b> | <b>Market Rents (b)</b> | <b>Per Unit Gap (c)</b> | <b>Total Gap (d)</b> |
|----------------------------------------------|----------------|----------------|-------------------------|-------------------------|----------------------|
| Studio                                       | 24             | \$1,105        | \$1,710                 | \$605                   | \$14,520             |
| 1 BR                                         | 39             | \$1,293        | \$1,690                 | \$397                   | \$15,483             |
| 2 BR                                         | 50             | \$1,649        | \$1,923                 | \$274                   | \$13,700             |
| 3 BR                                         | 31             | \$2,325        | \$2,295                 | -\$30                   | -\$930               |
| 4 BR                                         | 5              | \$2,636        | \$2,641                 | \$5                     | \$25                 |
| Total                                        | 149            |                |                         |                         | \$42,798             |
| <b>Yearly Cost to Preserve 149 Units (e)</b> |                |                |                         |                         | <b>\$513,576</b>     |
| <b>Total Cost to Preserve Units (f)</b>      |                |                |                         |                         | <b>\$7,138,348</b>   |

Notes:

(a) 2014 Fair Market Rents for Santa Clara County as established by HUD.

(b) Prevailing market rents in the City of Milpitas, as reported by RealFacts.

(c) Represents the difference between Fair Market Rents and prevailing market rents.

(d) The total difference between rents received by project sponsors and the potential rental income the project could receive if all units were rented at prevailing market rates.

(e) Represents the yearly cost to preserve current affordability levels in current 2014 dollars.

(f) Represents the net present value of the yearly rent subsidy based on a 30 year mortgage period and an interest rate of six percent.

Sources: RealFacts 2013; HUDUSER 2014; BAE 2014.

As shown Table 3.20, the estimated cost to replace the 149 affordable units at Sunnyhills are substantially higher than the preservation cost estimates shown in Table 3.19, ranging from \$30 million to \$73 million. Construction costs for replacement units were estimated based on construction costs for recently-constructed multifamily projects in the Bay Area and per-square foot costs estimated in RS Means, a standard source used to estimate construction costs. Land acquisition costs were assumed to range from zero (assuming a land donation from the City or another entity) to \$90 per square foot. The high end of this range was based on estimated land costs in Milpitas, as discussed in further detail in Chapter 5. Per-unit land costs are estimated using an assumed project density, with lower-density projects having a higher per-unit land cost. While this suggests that preservation is the more economical options, other factors,

**Table 3.20: Estimated Costs to Replace 149 Affordable Units at Sunnyhills Apartments**

| Replacement                                      | Cost per Unit       |                     |
|--------------------------------------------------|---------------------|---------------------|
|                                                  | Low Estimate        | High Estimate       |
| <b>Total Cost per Unit</b>                       | <b>\$201,000</b>    | <b>\$490,000</b>    |
| Land Acquisition                                 | \$0                 | \$196,000           |
| Construction                                     | \$175,000           | \$230,000           |
| Financing/Other                                  | \$26,000            | \$64,000            |
| <b>Total Cost - All Units</b>                    | <b>\$29,949,000</b> | <b>\$73,010,000</b> |
| <b>Assumptions</b>                               |                     |                     |
| Land Acquisition Costs (per sq. ft.) (a)         | \$0                 | \$90                |
| Residential Construction Costs (per sq. ft.) (b) | \$175               | \$230               |
| Units per Acre                                   | 60                  | 20                  |
| Average Sq. Ft/Unit (incl. common areas)         | 1,000               | 1,000               |
| At-Risk Units                                    | 149                 |                     |

**Notes:**

(a) Low estimate of land acquisition cost assumes no land cost due to land donation or use of City-owned property. High cost of land acquisition is based on current residential land prices in Milpitas, as discussed in Chapter 5.

(b) Residential construction costs are based on RS Means and information on recent multifamily projects in the Bay Area.

Sources: LoopNet, 2014; RS Means, 2013, BAE, 2014.

However, as noted above, the owner of Sunnyhills has preserved affordability at the property multiple times when affordability restrictions were set to expire, and may renew the HUD contract for the property again when it expires in 2018 without requiring subsidies from the City.

The City has access to funding sources that can be used to partially fund preservation or replacement costs to prevent the potential loss of affordable units when the HUD contract with Sunnyhills expires. The City could provide some financing from its CDBG Entitlement Funds or funding from the Milpitas Housing Authority. However, the City's available funds are limited, particularly with the loss of the City's Redevelopment Agency, and use of City funds must be prioritized to meet a wide range of affordable housing and community development needs.

Nonprofit developers also have access to a range of additional funding sources that can be used for the acquisition, rehabilitation, or development of affordable housing. These sources include:

- Mortgage Revenue Bonds
- State Grant Programs, such as MHP
- HOME Program
- Federal Grant Programs
- Low Income Housing Tax Credits
- Housing Trust Fund of Santa Clara County

### ***Qualified Entities***

Once the City becomes aware of an impending conversion, it will be necessary for to begin exploring the availability of funding from various sources at that particular time. In many cases, the City will find it advantageous to collaborate with private affordable housing developers or managers to develop and implement a viable plan to preserve affordable housing units. Private developers can often bring additional expertise and access to funding, such as tax credits.

HCD maintains a listing of affordable housing developers and property managers who have expressed an interest in working with local communities on preservation of affordable housing projects. This database lists organizations that are interested in working in any county within the State of California, including such well-known affordable housing providers as Mercy Housing, Inc., and EAH, Inc. The database also lists numerous organizations that have expressed interest in working on preservation projects in Santa Clara County in particular. This list includes such organizations as the Mid-Peninsula Housing Coalition and Eden Housing. A partial listing of these organizations is shown in Table 3.21. The organizations listed here represent some of the entities that the City of Milpitas might consider as potential partners in the event that it becomes necessary to assemble a team to preserve affordability at Sunnyhills if conversion to market rate housing is imminent.

**Table 3.21: Partial List of Qualified Entities for Santa Clara County, 2014**

| <b>Qualified Entity</b>                                      | <b>City</b>      | <b>Phone Number</b>  |
|--------------------------------------------------------------|------------------|----------------------|
| A. F. Evans Development, Inc.                                | Oakland          | (510) 891-9400       |
| Affordable Housing Foundation                                | San Francisco    | (415) 387-7834       |
| BRIDGE Housing Corporation                                   | San Francisco    | (415) 989-1111       |
| California Community Reinvestment Corp.                      | Glendale         | (818) 550-9800       |
| California Housing Finance Agency                            | Sacramento       | (916) 326-8801       |
| California Housing Partnership Corporation                   | San Francisco    | (415) 433-6804       |
| Cambrian Center, Inc.                                        | San Jose         | (408) 559-0330       |
| Charities Housing Development Corp.                          | San Jose         | (408) 282-1125       |
| Christian Church Homes of Northern California, Inc.          | Oakland          | (510) 632-6714       |
| Community Development & Preservation, LLC                    | Los Angeles      | (310) 208-1888       |
| Community Home Builders and Associates                       | San Jose         | (408) 977-1726       |
| Community Housing Assistance Program, Inc.                   | Orange           | (714) 744-6252       |
| Community Housing Developers, Inc.                           | San Jose         | 408) 279-7677        |
| Community Housing Improvement Systems & Planning Assoc. Inc. | Salinas          | (831) 757-6251       |
| EAH, Inc.                                                    | San Rafael       | (415) 258-1800       |
| Eden Housing, Inc.                                           | Hayward          | (510) 582-1460       |
| KDF Communities, LLC                                         | Newport Beach    | (949) 622-1888 x 207 |
| Linc Housing Corporation                                     | Long Beach       | (562) 684-1100       |
| Maximus Properties, LLC                                      | Calabasas        | (818)449-4004        |
| Mercy Housing California                                     | San Francisco    | 415-355-7160         |
| Mid-Peninsula Housing Coalition                              | Foster City      | (650) 356-2900       |
| National Affordable Housing Trust                            | Columbus         | (614) 451-9929       |
| National Church Residences                                   | Columbus         | (614) 451-2151       |
| National Housing Development Corporation                     | Rancho Cucamonga | (909) 291-1400       |
| National Housing Trust                                       | Walnut Creek     | (925) 945-1774       |
| Palo Alto Housing Corp                                       | Palo Alto        | (650) 321-9709       |
| Palo Alto Senior Housing Project, Inc.                       | Palo Alto        | (650) 494-1944       |
| Related Companies of California                              | Irvine           | (949)660-7272        |
| Resources for Community Development                          | Berkeley         | (510). 841.4410      |
| ROEM Development Corporation                                 | Santa Clara      | (408) 984-5600       |
| Satellite Housing Inc.                                       | Berkeley         | (510) 647-0700       |
| South County Housing, Inc                                    | Gilroy           | (408) 842-9181       |
| The John Stewart Company                                     | San Francisco    | (415) 345-4400       |
| The Trinity Housing Foundation                               | Lafayette        | (925) 385-0754       |

Sources: CA HCD, 2014; BAE, 2014.

## Special Housing Needs

In addition to planning for the total projected housing need in the City, the Housing Element must plan for housing needs among certain groups that tend to have particular challenges with respect to securing appropriate affordable housing. These groups are defined as groups with special housing needs and include large families, female-headed households, extremely low income households, persons with disabilities, senior households, farm workers, and homeless persons and families. This section profiles the populations with special housing needs in Milpitas to assist in identifying programs that might be needed to accommodate special needs populations.

### *Large Households*

Milpitas has a slightly larger proportion of large households than Santa Clara County, consistent with the City's large household size. As shown in Table 3.22, 2011 ACS data indicate that 16 percent of all households in Milpitas were large households (defined as households with five or more persons),

compared to 13 percent in Santa Clara County overall. Large households were particularly common among renters; 21 percent of renter households and 13 percent of owner households had five or more persons in 2011.

**Table 3.22: Household Size by Tenure, 2011**

|                           | Owner          |               | Renter         |               | Total          |               |
|---------------------------|----------------|---------------|----------------|---------------|----------------|---------------|
|                           | Number         | Percent       | Number         | Percent       | Number         | Percent       |
| <b>Milpitas</b>           |                |               |                |               |                |               |
| 1-4 persons               | 11,032         | 87.3%         | 5,360          | 79.4%         | 16,392         | 84.5%         |
| 5+ persons                | 1,608          | 12.7%         | 1,392          | 20.6%         | 3,000          | 15.5%         |
| <b>Total</b>              | <b>12,640</b>  | <b>100.0%</b> | <b>6,752</b>   | <b>100.0%</b> | <b>19,392</b>  | <b>100.0%</b> |
| <b>Santa Clara County</b> |                |               |                |               |                |               |
| 1-4 persons               | 302,751        | 88.1%         | 226,788        | 86.3%         | 529,539        | 87.3%         |
| 5+ persons                | 40,991         | 11.9%         | 35,929         | 13.7%         | 76,920         | 12.7%         |
| <b>Total</b>              | <b>343,742</b> | <b>100.0%</b> | <b>262,717</b> | <b>100.0%</b> | <b>606,459</b> | <b>100.0%</b> |

Sources: American Community Survey, 2011; BAE, 2013.

As suggested by the data on recent home sales shown in Table 3.14, Milpitas has a large number of homes with three or more bedrooms. As of 2011, 75 percent of units in Milpitas had three or more bedrooms, compared to 58 percent of units in Santa Clara County, as shown in Table 3.23. Large homes were more prevalent among owner-occupied homes, 88 percent of which had three or more bedrooms. Approximately half (51 percent) of renter-occupied homes had three or more bedrooms.

**Table 3.23: Existing Housing Stock by Number of Bedrooms, 2011**

|                           | Owner Households |               | Renter Households |               | Total          |               |
|---------------------------|------------------|---------------|-------------------|---------------|----------------|---------------|
|                           | Number           | Percent       | Number            | Percent       | Number         | Percent       |
| <b>Milpitas</b>           |                  |               |                   |               |                |               |
| No bedroom                | 116              | 0.9%          | 0                 | 0.0%          | 116            | 0.6%          |
| 1 bedroom                 | 207              | 1.6%          | 990               | 14.7%         | 1,197          | 6.2%          |
| 2 bedrooms                | 1,253            | 9.9%          | 2,286             | 33.9%         | 3,539          | 18.2%         |
| 3 bedrooms                | 5,861            | 46.4%         | 2,385             | 35.3%         | 8,246          | 42.5%         |
| 4 bedrooms                | 4,805            | 38.0%         | 786               | 11.6%         | 5,591          | 28.8%         |
| 5 or more bedrooms        | 398              | 3.1%          | 305               | 4.5%          | 703            | 3.6%          |
| <b>Total</b>              | <b>12,640</b>    | <b>100.0%</b> | <b>6,752</b>      | <b>100.0%</b> | <b>19,392</b>  | <b>100.0%</b> |
| <b>Santa Clara County</b> |                  |               |                   |               |                |               |
| No bedroom                | 1,705            | 0.5%          | 18,866            | 7.2%          | 20,571         | 3.4%          |
| 1 bedroom                 | 7,105            | 2.1%          | 80,235            | 30.5%         | 87,340         | 14.4%         |
| 2 bedrooms                | 51,346           | 14.9%         | 97,254            | 37.0%         | 148,600        | 24.5%         |
| 3 bedrooms                | 144,497          | 42.0%         | 46,608            | 17.7%         | 191,105        | 31.5%         |
| 4 bedrooms                | 108,093          | 31.4%         | 16,051            | 6.1%          | 124,144        | 20.5%         |
| 5 or more bedrooms        | 30,996           | 9.0%          | 3,703             | 1.4%          | 34,699         | 5.7%          |
| <b>Total</b>              | <b>343,742</b>   | <b>100.0%</b> | <b>262,717</b>    | <b>100.0%</b> | <b>606,459</b> | <b>100.0%</b> |

Sources: American Community Survey, 2011; BAE, 2013.

### ***Female-Headed Households***

Single-parent households often face difficulties affording housing because households with a single income typically have lower incomes than two-earner households, and may have additional childcare expenses that further reduce disposable income. Female-headed households are more likely than other households to have incomes below the poverty line and therefore often struggle to find suitable housing

that is affordable. Although affordability is often a primary consideration with respect to housing for female-headed households, proximity to low-cost childcare or other services is also essential for some families.

Milpitas has a relatively large proportion of female-headed families and female-headed families with children. According to ACS data, 15 percent of all households in Milpitas in 2011 were female-headed households and 11 percent were female-headed households with children under 18. In Santa Clara County overall, 11 percent of all households were female-headed families and six percent were female-headed families with children under 18. Moreover, 14 percent of all family households in Milpitas are female-headed families with children, compared to nine percent of family households in Santa Clara County.

**Table 3.24: Family Characteristics, 2011**

| Household Type                          | Milpitas      |               | Santa Clara County |               |
|-----------------------------------------|---------------|---------------|--------------------|---------------|
|                                         | Number        | Percent       | Number             | Percent       |
| <b>2 or more person household:</b>      | <b>16,861</b> | <b>86.9%</b>  | <b>472,879</b>     | <b>78.0%</b>  |
| Family households:                      | 15,927        | 82.1%         | 429,293            | 70.8%         |
| Married-couple family:                  | 11,919        | 61.5%         | 332,402            | 54.8%         |
| With own children under 18 years        | 6,011         | 31.0%         | 179,771            | 29.6%         |
| Other family:                           | 4,008         | 20.7%         | 96,891             | 16.0%         |
| Male householder, no wife present:      | 1,122         | 5.8%          | 31,298             | 5.2%          |
| With own children under 18 years        | 265           | 1.4%          | 16,592             | 2.7%          |
| Female householder, no husband present: | 2,886         | 14.9%         | 65,593             | 10.8%         |
| With own children under 18 years        | 2,175         | 11.2%         | 38,200             | 6.3%          |
| Nonfamily households:                   | 934           | 4.8%          | 43,586             | 7.2%          |
| Male householder                        | 859           | 4.4%          | 26,928             | 4.4%          |
| Female householder                      | 75            | 0.4%          | 16,658             | 2.7%          |
| <b>One-person household:</b>            | <b>2,531</b>  | <b>13.1%</b>  | <b>133,580</b>     | <b>22.0%</b>  |
| <b>Total Households</b>                 | <b>19,392</b> | <b>100.0%</b> | <b>606,459</b>     | <b>100.0%</b> |

Note:

The American Community Survey (ACS) publishes demographic estimates based on statistical sampling conducted continuously in 2011.

Sources: American Community Survey, 2011; BAE, 2013.

Although Milpitas has a small share of families with incomes below the poverty line, female-headed families are disproportionately impacted by poverty. As shown in Table 3.25, four percent of all families in Milpitas had incomes below the poverty line in 2011, compared to seven percent of families in Santa Clara County. However, the rate of poverty was significantly higher for female-headed families in Milpitas, 17 percent of which had incomes below the poverty line in 2011. The share of female-headed families with incomes below the poverty line was similarly high in Santa Clara County at 19 percent.

**Table 3.25: Poverty Status, 2011**

|                                          | <b>Total</b>   | <b>Total Below<br/>Poverty Level</b> | <b>Percent Below<br/>Poverty Level</b> |
|------------------------------------------|----------------|--------------------------------------|----------------------------------------|
| <b>Milpitas</b>                          |                |                                      |                                        |
| Married-couple Family                    | 11,919         | 212                                  | 1.8%                                   |
| Other Family                             |                |                                      |                                        |
| Male Householder, no Wife Present        | 1,122          | 0                                    | 0.0%                                   |
| Female Householder, no Husband Present   | 2,886          | 475                                  | 16.5%                                  |
| <b>Total Families Below Poverty Line</b> | <b>15,927</b>  | <b>687</b>                           | <b>4.3%</b>                            |
| <b>Santa Clara County</b>                |                |                                      |                                        |
| Married-couple Family                    | 332,402        | 14,420                               | 4.3%                                   |
| Other Family                             |                |                                      |                                        |
| Male Householder, no Wife Present        | 31,298         | 2,897                                | 9.3%                                   |
| Female Householder, no Husband Present   | 65,593         | 12,590                               | 19.2%                                  |
| <b>Total Families Below Poverty Line</b> | <b>429,293</b> | <b>29,907</b>                        | <b>7.0%</b>                            |

Sources: American Community Survey, 2011; BAE, 2013.

### ***Extremely Low-Income Households***

Extremely low-income households are defined as households earning less than 30 percent of area median income. Because of these households have highly limited incomes, deep income targeting is needed to provide housing affordable to extremely low-income households. Some extremely low-income households may benefit from specific housing solutions such as housing with supportive services or single-room occupancy units.

Approximately 1,900 Milpitas households have incomes below 30 percent of AMI, accounting for approximately ten percent of all households in the City. Extremely low-income households account for a relatively large share of renter households in Milpitas (20 percent) and a relatively small share of owner households (five percent). Although figures for Santa Clara County are similar to Milpitas, the County has a slightly larger proportion of extremely low-income households overall (13 percent), among renter households (22 percent) and among owner households (six percent). As shown in Figure 3.8, the vast majority of extremely low-income households in Milpitas experience housing cost burden.



**Table 3.26: Housing Problems among Extremely Low-Income Households**

|                                       | Milpitas |        |        | Santa Clara County |         |         |
|---------------------------------------|----------|--------|--------|--------------------|---------|---------|
|                                       | Renters  | Owners | Total  | Renters            | Owners  | Total   |
| Total Number of ELI Households (a)    | 1,240    | 645    | 1,885  | 53,020             | 22,375  | 75,395  |
| Percent with Any Housing Problems (b) | 83.9%    | 81.4%  | 83.0%  | 80.6%              | 71.4%   | 77.9%   |
| Percent with Cost Burden (c)          | 83.1%    | 82.2%  | 82.8%  | 79.0%              | 70.9%   | 76.6%   |
| Percent with Severe Cost Burden (d)   | 69.8%    | 72.1%  | 70.6%  | 66.8%              | 60.3%   | 64.9%   |
| Total Number of Households (d)        | 6,350    | 12,335 | 18,685 | 243,350            | 353,400 | 596,745 |
| Percent ELI Households                | 19.5%    | 5.2%   | 10.1%  | 21.8%              | 6.3%    | 12.6%   |

**Notes:**

(a) Extremely low income (ELI) households are those who earn less than 30 percent of area median income.

(b) Housing problems refers to housing units that lack complete kitchen or plumbing facilities, that are overcrowded, or contain households that are cost burdened. Does not include households for which cost burden data was unavailable.

(c) Includes all households that pay greater than 30 percent of household income towards housing costs. Does not include households for which cost burden data was unavailable.

(d) Includes all households that pay greater than 50 percent of household income towards housing costs. Does not include households for which cost burden data was unavailable.

Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.

**Seniors**

Senior households often have special housing needs due to mobility limitations and other physical limitations, restricted incomes, high healthcare costs, or a combination of these factors. Many seniors are able to live independently in standard housing units, particularly with installation of accessibility features such as ramps and grab bars. Some seniors that are able to live independently may choose to move to smaller housing units that require minimal maintenance or to homes with enhanced access to transit, health care, or other services. Other seniors will need housing that provides additional services on site, such as meals, housekeeping, or medical care. Regardless of the type of housing or additional services needed, housing affordability is a key issue for a large share of senior households, many of which have limited incomes.

Although Milpitas has a slightly smaller population age 65 or older than the County as a whole, the senior population in the City has grown substantially over the past decade. As shown in Table 3.27, people age 65 and older accounted for ten percent of the population of Milpitas in 2010, which represents a 44-percent increase in the senior population in Milpitas between 2000 and 2010. Countywide, the population age 65 and older accounted for 11 percent of the population in 2010, a 23 percent increase since 2000. These data suggest a potential need for additional senior housing units in Milpitas during coming years as the population continues to age and a portion of aging baby boomers begin to need or want special housing accommodations.

**Table 3.27: Senior Households, 2000 and 2010**

|                           | 2000             |               | 2010             |               | % Change<br>2000-2010 |
|---------------------------|------------------|---------------|------------------|---------------|-----------------------|
|                           | Number           | Percent       | Number           | Percent       |                       |
| <b>Milpitas</b>           |                  |               |                  |               |                       |
| Under 65                  | 58,287           | 93.0%         | 60,451           | 90.5%         | 3.7%                  |
| 65 and older              | 4,411            | 7.0%          | 6,339            | 9.5%          | 43.7%                 |
| 65 to 74                  | 2,877            | 4.6%          | 3,775            | 5.7%          | 31.2%                 |
| 75 to 84                  | 1,241            | 2.0%          | 2,031            | 3.0%          | 63.7%                 |
| 85 +                      | 293              | 0.5%          | 533              | 0.8%          | 81.9%                 |
| <b>Total</b>              | <b>62,698</b>    | <b>100.0%</b> | <b>66,790</b>    | <b>100.0%</b> | <b>6.5%</b>           |
| <b>Santa Clara County</b> |                  |               |                  |               |                       |
| Under 65                  | 1,522,058        | 90.5%         | 1,584,698        | 88.9%         | 4.1%                  |
| 65 and older              | 160,527          | 9.5%          | 196,944          | 11.1%         | 22.7%                 |
| 65 to 74                  | 87,193           | 5.2%          | 106,521          | 6.0%          | 22.2%                 |
| 75 to 84                  | 55,347           | 3.3%          | 62,948           | 3.5%          | 13.7%                 |
| 85 +                      | 17,987           | 1.1%          | 27,475           | 1.5%          | 52.7%                 |
| <b>Total</b>              | <b>1,682,585</b> | <b>100.0%</b> | <b>1,781,642</b> | <b>100.0%</b> | <b>5.9%</b>           |

Sources: US Census, 2000 and 2010; BAE 2014.

A large share of senior households, particularly senior renter households, has low incomes. As shown in Table 3.28, 87 percent of senior renter households and 49 percent of senior owner households have incomes below 80 percent of AMI. Moreover, 60 percent of senior renter households and 12 percent of senior owner households have incomes equal to or less than 30 percent of AMI. This underscores the importance of affordability for senior housing units in Milpitas.

**Table 3.28: Household Income of Senior Households by Tenure, Milpitas**

| <b>Senior Renter Households</b> | <b>Number</b> | <b>Percent</b> |
|---------------------------------|---------------|----------------|
| <=30% MFI                       | 490           | 59.8%          |
| >30% to <=50% MFI               | 145           | 17.7%          |
| >50% to <=80% MFI               | 75            | 9.1%           |
| >=80% MFI                       | 110           | 13.4%          |
| <b>Total</b>                    | <b>820</b>    | <b>100.0%</b>  |
| <b>Senior Owner Households</b>  | <b>Number</b> | <b>Percent</b> |
| <=30% MFI                       | 215           | 12.3%          |
| >30% to <=50% MFI               | 390           | 22.3%          |
| >50% to <=80% MFI               | 250           | 14.3%          |
| >=80% MFI                       | 895           | 51.1%          |
| <b>Total</b>                    | <b>1,750</b>  | <b>100%</b>    |

Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.

Because senior households tend to have low incomes, they often spend a large portion of their income on housing costs. As shown in Table 3.29, a significant share of senior households, particularly those that rent their homes, have housing costs that exceed the affordability threshold. Among senior renter households in Milpitas, 73 percent of all households have housing costs that exceed 30 percent of household income and 48 percent have housing costs that 50 percent of household income. The

prevalence of housing cost burden is highest for lower-income senior households in Milpitas; 87 percent of extremely low-income senior renter households and 72 percent of very low-income senior renter households have housing costs that exceed the affordability threshold.

A significantly smaller share of senior owner households in Milpitas has a housing cost burden. As shown, 34 percent of all senior owner households in Milpitas pay more than 30 percent of the household income on housing costs and 15 percent pay more than 50 percent of the household income on housing costs. Similar to extremely low-income senior renter households, 79 percent of extremely low-income senior owner households pay more than 30 percent of household income on housing costs. However, the prevalence of cost burden is significantly lower for very low-income owner households, 37 percent of which experience housing cost burden. Many lower-income senior owner households that do not have excessive housing costs are households that have owned the same home for many years and now own the home free and clear, and therefore no longer need to make mortgage payments.

**Table 3.29: Housing Cost Burden for Senior Households, Milpitas**

|                                  | <b>Extr. Low<br/>&lt;30% AMI</b> | <b>Very Low<br/>&lt;50% AMI</b> | <b>Low<br/>&lt;80% AMI</b> | <b>Moderate<br/>&gt;80% AMI</b> | <b>All Senior<br/>Households</b> |
|----------------------------------|----------------------------------|---------------------------------|----------------------------|---------------------------------|----------------------------------|
| <b>Elderly Renter Households</b> | <b>490</b>                       | <b>145</b>                      | <b>75</b>                  | <b>110</b>                      | <b>820</b>                       |
| % with any housing problems (a)  | 85.7%                            | 72.4%                           | 66.7%                      | 13.6%                           | 72.0%                            |
| % Cost Burden >30% (b)           | 86.7%                            | 72.4%                           | 66.7%                      | 13.6%                           | 72.6%                            |
| % Cost Burden >50% (c)           | 62.2%                            | 51.7%                           | 20.0%                      | 0.0%                            | 48.2%                            |
| <b>Elderly Owner Households</b>  | <b>215</b>                       | <b>390</b>                      | <b>250</b>                 | <b>895</b>                      | <b>1,750</b>                     |
| % with any housing problems (a)  | 81.4%                            | 37.2%                           | 46.0%                      | 18.4%                           | 34.3%                            |
| % Cost Burden >30% (b)           | 79.1%                            | 37.2%                           | 46.0%                      | 18.4%                           | 34.0%                            |
| % Cost Burden >50% (c)           | 51.2%                            | 16.7%                           | 28.0%                      | 1.1%                            | 14.6%                            |

**Notes:**

(a) Housing problems refers to housing units that lack complete kitchen or plumbing facilities, that are overcrowded, or contain households that are cost burdened.

(b) Includes all households who pay greater than 30 percent of household income towards housing costs. For renters, housing costs include rent paid by the tenant plus utilities. For owners, housing costs includes mortgage payments, taxes, insurance, and utilities.

(c) Includes all households who pay greater than 50 percent of household income towards housing costs. For renters, Sources: HUD, Comprehensive Housing Affordability Strategy (CHAS) special tabulations from the American Community Survey, 2006-2010; BAE, 2013.

Milpitas offers a number of housing resources for seniors. As shown in Table 3.30, there are seven residential care facilities, one skilled nursing facility, and three subsidized independent living housing developments in Milpitas for seniors. Residential care facilities for the elderly, also known as “assisted living” or “board and care” facilities, provide assistance with some activities of daily living while still allowing residents to be more independent than in most nursing homes. Skilled nursing facilities, also known as nursing homes, offer a higher level of care, with registered nurses on staff 24 hours a day.

In addition, Milpitas recently approved a 389-unit senior independent living development with 48 units affordable to very low-income households. The City of Milpitas donated the land for this project, which is valued at \$12.4 million. The development is approved but not yet constructed.

**Table 3.30: Housing Resources for Seniors, Milpitas 2013**

| <b>Residential Care Facilities for the Elderly</b>           | <b>Location</b>             | <b>Capacity</b> |
|--------------------------------------------------------------|-----------------------------|-----------------|
| Carmont Home                                                 | 1636 Edsel Drive            | 6               |
| Fla Care Homes                                               | 79 Heath Street             | 6               |
| Hamilton Residential Care Home                               | 998 Hamilton Avenue         | 6               |
| Jennison Care                                                | 878 Nieves Street           | 6               |
| Soriano Residential Care Home                                | 227 West Capitol Avenue     | 6               |
| Sunny Care Senior Home                                       | 239 S. Temple Drive         | 6               |
| Sweet Dreams Care Home                                       | 1187 Park Grove Drive       | 6               |
| <b>Total</b>                                                 |                             | <b>42</b>       |
| <b>Skilled Nursing Facilities</b>                            |                             |                 |
| Milpitas Care Center                                         | 120 Corning Avenue          | 35              |
| <b>Total</b>                                                 |                             | <b>35</b>       |
| <b>Subsidized Independent Senior Rental Housing</b>          |                             |                 |
| Devries Place Senior Apartments                              | 163 N. Main Street          | 103             |
| Terrace Gardens                                              | 186 Beresford Court         | 148             |
| Senior Housing Solutions (a)                                 | 1170 N. Park Victoria Drive | 10              |
| South Main Senior Lifestyles (approved; not yet constructed) | 1600 S Main St              | 48              |
| <b>Total</b>                                                 |                             | <b>309</b>      |

Note:

(a) Senior Housing Solutions consists of two single family homes, each occupied by five senior residents.

Source: California Department of Social Services, 2013; California Healthcare Foundation, 2013; City of Milpitas, 2014; BAE, 2014.

### ***Persons with Disabilities***

A disability is a physical or mental impairment that limits one or more major life activities. People with disabilities vary substantially in the manner and degree to which they are affected by the disability, and housing needs for persons with disabilities vary accordingly. Persons with disabilities may require units equipped with wheelchair accessibility or other special features that accommodate physical or sensory limitations. Depending on the severity of the disability, people may live independently with some assistance in their own homes, need car-free access to transportation and other services, or require assisted living and supportive services in special care facilities. Many persons with disabilities face barriers to finding employment and have limited incomes and are therefore unable to afford market-rate housing. In general, affordability, accessibility, and service provision are key considerations in providing housing for this special needs group.

Milpitas has a slightly smaller proportion of individuals with disabilities than Santa Clara County overall. According to ACS data, seven percent of Milpitas residents and eight percent of Santa Clara County residents reported having one or more disabilities in 2011, as shown in Table 3.31. Ambulatory difficulties were the most common type of disability reported; three percent of Milpitas residents and four percent of Santa Clara County residents reported having an ambulatory difficulty. Disabilities were most common among residents age 65 and older; 32 percent of Milpitas residents 65 and older and 34 percent of Santa Clara County residents age 65 and older reported having one or more disabilities.

**Table 3.31: Persons with Disabilities by Disability Type, 2011**

| Age Cohort (a)                            | Milpitas          |                 | Santa Clara County |                         |
|-------------------------------------------|-------------------|-----------------|--------------------|-------------------------|
|                                           | With a Disability | % of Age Cohort | Number             | % of Total Disabilities |
| <b>Under 5 Years with a Disability</b>    | <b>0</b>          | <b>0.0%</b>     | <b>939</b>         | <b>0.8%</b>             |
| <b>Ages 5-17 with a Disability</b>        | <b>294</b>        | <b>2.8%</b>     | <b>10,026</b>      | <b>3.3%</b>             |
| Hearing difficulty                        | 0                 | 0.0%            | 1,277              | 0.4%                    |
| Vision Difficulty                         | 0                 | 0.0%            | 2,248              | 0.7%                    |
| Cognitive disability                      | 160               | 1.5%            | 6,876              | 2.2%                    |
| Ambulatory disability                     | 188               | 1.8%            | 2,446              | 0.8%                    |
| Self-care disability                      | 23                | 0.2%            | 3,078              | 1.0%                    |
| <b>Ages 18-64 With a Disability</b>       | <b>2,007</b>      | <b>4.6%</b>     | <b>61,342</b>      | <b>5.3%</b>             |
| Hearing difficulty                        | 350               | 0.8%            | 11,593             | 1.0%                    |
| Vision Difficulty                         | 443               | 1.0%            | 8,613              | 0.7%                    |
| Cognitive disability                      | 902               | 2.1%            | 26,149             | 2.2%                    |
| Ambulatory disability                     | 770               | 1.8%            | 27,161             | 2.3%                    |
| Self-care disability                      | 453               | 1.0%            | 10,878             | 0.9%                    |
| Independent living disability             | 861               | 2.0%            | 24,673             | 2.1%                    |
| <b>Ages 65+ With a Disability</b>         | <b>2,089</b>      | <b>31.9%</b>    | <b>67,165</b>      | <b>33.5%</b>            |
| Hearing difficulty                        | 478               | 7.3%            | 27,392             | 13.6%                   |
| Vision Difficulty                         | 363               | 5.5%            | 12,449             | 6.2%                    |
| Cognitive disability                      | 431               | 6.6%            | 18,081             | 9.0%                    |
| Ambulatory disability                     | 1,173             | 17.9%           | 40,740             | 20.3%                   |
| Self-care disability                      | 434               | 6.6%            | 17,090             | 8.5%                    |
| Independent living disability             | 895               | 13.7%           | 33,384             | 16.6%                   |
| <b>Total Population With a Disability</b> | <b>4,390</b>      | <b>6.7%</b>     | <b>139,472</b>     | <b>7.8%</b>             |
| Hearing difficulty                        | 828               | 1.3%            | 40,262             | 2.2%                    |
| Vision Difficulty                         | 806               | 1.2%            | 23,310             | 1.3%                    |
| Cognitive disability                      | 1,493             | 2.3%            | 51,106             | 2.8%                    |
| Ambulatory disability                     | 2,131             | 3.3%            | 70,347             | 3.9%                    |
| Self-care disability                      | 910               | 1.4%            | 31,046             | 1.7%                    |
| Independent living disability             | 1,756             | 2.7%            | 58,057             | 3.2%                    |

Note:

The American Community Survey (ACS) data used in this table are estimates based on statistical sampling conducted continuously in 2011.

(a) Total population includes all noninstitutionalized civilians. Subtotals may not add to total due to persons reporting more than one type of difficulty.

Sources: American Community Survey, 2011; BAE 2013.

California Housing Element law was amended in 2011 to require that Housing Elements include an evaluation of special housing needs for persons with developmental disabilities. A developmental disability is defined as a disability that originates before an individual attains age 18 years, can be expected to continue indefinitely, and constitutes a substantial disability for that individual. Developmental disabilities include mental retardation, cerebral palsy, epilepsy, and autism, but do not include disabilities that are solely physical in nature.

The State Department of Developmental Services (DDS) provides community-based services to approximately 235,000 persons with developmental disabilities and their families. Services are delivered primarily through 21 regional centers, which are nonprofit agencies that contract with local businesses to provide services to individuals with developmental disabilities.

The San Andreas Regional Center provides these services in Santa Clara, Monterey, San Benito, and Santa Cruz Counties. According to information provided by the San Andreas Regional Center, there are 629 individuals with developmental disabilities currently living in Milpitas, approximately three percent of the population with developmental disabilities Countywide.

**Table 3.32: Persons with Developmental Disabilities, 2014**

| <b>Age Cohort</b> | <b>Milpitas</b> | <b>Santa Clara County</b> |
|-------------------|-----------------|---------------------------|
| Under 3           | 189             | 4,943                     |
| 3 to 17           | 339             | 12,808                    |
| 18 to 59          | 82              | 1,957                     |
| 60+               | <u>19</u>       | <u>1,198</u>              |
| <b>Total</b>      | <b>629</b>      | <b>20,906</b>             |

Sources: San Andreas Regional Center, 2014;  
BAE, 2014.

There are a number of different housing types that are appropriate for individuals with developmental disabilities, which reflect the range of housing needs among this group. Many individuals with developmental disabilities are able to live and work independently within a conventional housing environment and do not require housing that differs from the housing available to the population at large. Individuals with more severe developmental disabilities require a group living environment where services are provided. The most severely affected individuals may require an institutional environment where medical attention and physical therapy are provided.

Because developmental disabilities exist before adulthood, a key factor in supportive housing for persons with developmental disabilities is the transition from the person's living situation as a child to an appropriate level of independence as an adult. Additional considerations include housing accessibility modifications, proximity to services and transit, and the availability of group living opportunities. Incorporating 'barrier-free' design in all newly constructed multifamily housing (as required by California and Federal Fair Housing laws) is especially important to provide the widest range of choices for disabled residents. Similar to individuals with other types of disabilities, individuals with developmental disabilities often have limited employment options, so special consideration should be given to the affordability of housing for individuals with developmental disabilities.

As shown in Table 3.33 below, Milpitas has ten adult residential facilities with a combined capacity of 55 and two group homes with a combined capacity of ten. Adult residential facilities offer 24-hour non-medical care for adults that are unable to provide for their daily needs due to physical or mental disabilities. Group homes, small residential facilities that serve children or adults with chronic disabilities, provide 24 hour care by trained professionals.

**Table 3.33: Community Care Facilities, Milpitas, 2013**

| <b>Adult Residential Facilities</b>   | <b>Location</b>           | <b>Capacity</b> |
|---------------------------------------|---------------------------|-----------------|
| Capri Home II                         | 324 San Andreas Court     | 3               |
| Easter Home                           | 400 Easter Avenue         | 6               |
| Glacier Villa                         | 1257 Glacier Drive        | 6               |
| Helping Hands Residential Care Home 2 | 349 Spring Valley Lane    | 4               |
| JD-Len Care Home                      | 1250 Lassen Avenue        | 6               |
| La Crosse Home                        | 256 La Crosse Drive       | 6               |
| Our Lady of Manaoag Care Home         | 222 Autrey Street         | 6               |
| Santos Care Home                      | 1706 Mr. Ranier Avenue    | 6               |
| Sunrise House                         | 1221 Sunrise Way          | 6               |
| Victoria House                        | 539 N. Park Victoria Road | 6               |
| <b>Total</b>                          |                           | <b>55</b>       |
| <b>Group Homes</b>                    |                           |                 |
| Angel Group Home 1                    | 275 Rodrigues Avenue      | 4               |
| Angel Group home 2                    | 145 N. Gadsden Drive      | 6               |
| <b>Total</b>                          |                           | <b>10</b>       |

Source: California Department of Social Services, 2013; BAE, 2013.

### ***Farmworkers***

Agricultural workers often have difficulty securing decent affordable housing. In part, this difficulty is due to the low wages typically offered to farmworkers. Furthermore, a considerable amount of agricultural work is seasonal with jobs filled by migrant workers that need temporary accommodations. These workers often face complications with finding adequate affordable housing on a temporary basis. Because of these issues, farmworkers often live in overcrowded housing units, many of which are in poor condition. Communities with a strong agricultural sector typically have a need for programs to ensure the availability of decent and affordable farmworker housing.

Farmworkers constitute a small share of workers in Milpitas and Santa Clara County. As shown in Table 3.34, the USDA Census of Agriculture reported that there were approximately 5,600 farmworkers in Santa Clara County in 2007, the most recent year for which these data are available. Although the Census of Agriculture does not provide data specific to Milpitas, Table 3.6 indicates that there were only 12 jobs in the Agriculture, Forestry, Hunting, and Mining sector in the third quarter of 2012. Together, the data in Table 3.6 and Table 3.34 suggest that Milpitas has few farmworkers and that the need for farmworker housing in the City will be minimal during the 2015-2023 Housing Element Update cycle.

**Table 3.34: Farmworkers, Santa Clara County, 2007**

|                                                     | <b>Number</b> | <b>Percent of Total</b> |
|-----------------------------------------------------|---------------|-------------------------|
| Permanent Workers (employed for more than 150 days) | 2,842         | 50.8%                   |
| Seasonal Workers (employed less than 150 days)      | 2,747         | 49.2%                   |
| <b>Total</b>                                        | <b>5,589</b>  | <b>100.0%</b>           |

Note:

Workers consist of hired farm labor (workers on payroll).

Source: USDA Census of Agriculture, Table 7, 2007; BAE, 2013.

### ***Homeless Families and Individuals***

The causes of homelessness are complex and vary widely from one individual or family to the next. While difficulty affording housing is a primary cause of homelessness, other factors such as health conditions, trauma, a lack of social support systems, mental health issues, and problems with substance abuse can increase the likelihood that an individual or family will become homeless. Some families and individuals are homeless for a temporary period and experience one or a few episodes of homelessness during their lifetime, while others experience chronic homelessness, which lasts for a year or more or occurs several times within a few years.

Every two years, Santa Clara County conducts a comprehensive count and survey of the County's homeless population to better understand the nature and extent of homelessness in the County and determine how to best target resources to serve the homeless population. The most recent Homeless Census and Survey was conducted in 2013 and provides detailed data on the homeless population in Santa Clara County. According to the survey results, there were 7,067 individuals experiencing homelessness in the County at the time of the survey. An estimated 19,063 people in Santa Clara County experienced homelessness at some point during 2013. The survey found that the primary cause of homeless was job loss for 46 percent of homeless individuals, alcohol and drug use for 17 percent of homeless individuals, and eviction for 12 percent of homeless individuals. The County's homeless population included 2,518 chronically homeless individuals, 718 veterans, and 203 unaccompanied children under 18 years old.

The 2013 Santa Clara County Homeless Census and Survey found that there were 95 homeless individuals in Milpitas, a decrease of 44 people from the 2011 survey. However, due to the highly unstable nature of homelessness and the difficulties associated with counting the homeless population in a particular jurisdiction, these figures should not be assumed to broadly represent trends over time. All 95 homeless individuals in Milpitas were unsheltered, which includes individuals living on the street or in abandoned buildings, cars, vans, RVs, or encampment areas.

**Table 3.35: Homeless Individuals, 2013**

|                           | 2011         | 2013         | % Change<br>2011-2013 |
|---------------------------|--------------|--------------|-----------------------|
| <b>Milpitas</b>           |              |              |                       |
| Sheltered                 | 0            | 0            | N/A                   |
| Unsheltered               | <u>139</u>   | <u>95</u>    | <u>-31.7%</u>         |
| <b>Total</b>              | <b>139</b>   | <b>95</b>    | <b>-31.7%</b>         |
| <b>Santa Clara County</b> |              |              |                       |
| Sheltered                 | 1,898        | 1,957        | 3.1%                  |
| Unsheltered               | <u>5,169</u> | <u>5,674</u> | <u>9.8%</u>           |
| <b>Total</b>              | <b>7,067</b> | <b>7,631</b> | <b>12.9%</b>          |

Sources: Santa Clara County Homeless Census and Survey, 2013; BAE, 2014.

Milpitas provides CDBG funding to nearby service providers to aid in addressing the need for shelters and support services for homeless individuals and families. EHC Lifebuilders (EHC) is a primary provider of shelter and support services for the Milpitas homeless population, operating these services out of a



central location in San Jose. The City of Milpitas provides EHC with CDBG funding to cover the cost of 4,500 Person Shelter Days (PSD) for 55 unduplicated Milpitas residents at EHC's Reception Center on Little Orchard Street in San Jose, the closest overnight shelter that serves Milpitas' homeless population. The City also provides CDBG funding to the YMCA Domestic Violence Department Support Network Program and Next Door Solutions to Domestic Violence, both of which address domestic violence issues by providing supportive services and emergency shelters in Santa Clara County. The City of Milpitas also operates a "cooling and warming" shelter for the homeless in the City's Sports Center, but does not provide overnight housing there. In addition, the City provides daytime warming centers at the City's Community and Senior Centers during the winter.

Milpitas also collaborates with other jurisdictions in Santa Clara County to address the homeless problem regionally, due to the shifting nature of homelessness in Santa Clara County and the tendency of people to move between cities to find work or housing. This collaboration includes supporting regional efforts to build additional transitional and permanent housing with supportive services.

As of January 2014, Santa Clara County provided the following resources:

- 587 year-round shelter beds (192 for families, 375 for adult individuals, 20 for children only);
- 321 seasonal shelter beds;
- 1,214 transitional housing beds (755 for families, 459 for individuals), and
- 3,338 permanent supportive housing beds (1,429 for families, 1,909 for individuals).

The Santa Clara County Housing Authority implements a range of programs to help lower-income individuals afford rental units, many of which can help people who are homeless or at risk of homelessness. These include Section 8 Housing Choice Vouchers, the Veterans Affairs Supportive Housing Program, and the Shelter Plus Care Program. The Veterans Affairs and Shelter Plus Care programs provide supportive services in addition to housing payment assistance. However, the resources for all of these programs are limited, and individuals in need of these services are therefore not always able to access them.

## 4. SITES INVENTORY

This chapter of the Housing Element details the projected housing need in Milpitas between 2015 and 2023 according to the City's RHNA and assesses the City's capacity to accommodate the projected need during the planning period. The Housing Element Update process calls on each jurisdiction to demonstrate that there are enough residentially-zoned sites in the jurisdiction to accommodate the RHNA, as well as demonstrate that there are enough sites that are zoned to densities adequate to facilitate affordable housing. As this chapter will demonstrate, Milpitas has adequate sites zoned to sufficient densities to accommodate the City's RHNA during the 2015 to 2023 Housing Element Update period.

### Projected Housing Needs

The RHNA for Milpitas during the 2015-2023 Housing Element Update Cycle totals 3,290 units, as shown in Table 4.1. Of this total, approximately 31 percent is comprised of units affordable to very low-income households, 17 percent is comprised of units affordable to low-income households, 17 percent is comprised of units affordable to moderate-income households, and 35 percent is comprised of units affordable to above moderate-income households. The total allocation is equivalent to an annual average need of approximately 411 housing units for the eight-year time period.

**Table 4.1: Milpitas Regional Housing Needs Allocation, 2015-2023**

| <b>Income Category</b>            | <b>Projected Need</b> | <b>Percent of Total</b> |
|-----------------------------------|-----------------------|-------------------------|
| Very Low (0-50% of AMI)           | 1,004                 | 30.5%                   |
| Low (51-80% AMI)                  | 570                   | 17.3%                   |
| Moderate (81-120% of AMI)         | 565                   | 17.2%                   |
| Above Moderate (over 120% of AMI) | 1,151                 | 35.0%                   |
| <b>Total Units</b>                | <b>3,290</b>          | <b>100.0%</b>           |

Sources: ABAG, 2013; BAE, 2013.

Milpitas's 2015-2023 RHNA allocation represents approximately six percent of the total Santa Clara County RHNA figure of 58,836 housing units. It is noteworthy that Milpitas's share of the RHNA for the County is higher than the City's current share of the County's total households (three percent).

### Sites Inventory

The Housing Element Update is required to include an inventory of land suitable for residential development, including vacant sites and sites having the potential for redevelopment,<sup>4</sup> to demonstrate

<sup>4</sup> Sites refer to locations for potential housing development. In some instances, these sites are comprised of several parcels (identified by APN's).

that the City has sufficient land to accommodate its fair share of the region's housing needs during the upcoming Housing Element Cycle (2015-2023). The Housing Element is also required to analyze zoning and infrastructure serving these sites to ensure that residential development is feasible during the planning period. This section provides an overview of the City's inventory of potential residential sites. A detailed list of the sites is provided in Appendix B.

Milpitas has the capacity to accommodate at least 8,920 new residential units during the current Housing Element planning period, significantly exceeding the City's RHNA goals. The City's potential residential sites for the 2015-2023 Housing Element Update cycle include:

- Sites with planned or proposed residential projects in the development pipeline (6,146 units);
- Vacant or underutilized sites zoned for high-density residential development (1,729 units); and
- Vacant or underutilized sites zoned for mixed-use development with high-density residential development potential (1,011 units);
- Vacant or underutilized sites zoned for low-density residential development (34 units).

In addition to identifying adequate sites to meet the RHNA, Milpitas must also show that the available sites are capable of supporting housing demand from all economic segments of the community as specified by the City's RHNA. HCD develops default densities that are presumed to support the development of housing for lower-income households, and jurisdictions can reference these default densities to demonstrate that sites are capable of accommodating the City's RHNA goals for units affordable to lower-income households. The default density for Milpitas is 20 units per acre.<sup>5</sup> Although housing developed at a density of 20 units per acre often consists of market-rate units that are not affordable to lower-income households, the default densities provide a metric to demonstrate that it is possible to develop affordable housing on sites in the City's inventory, particularly if programs are in place to further facilitate affordable housing development.

### ***Projects in the Development Pipeline***

Milpitas has experienced a considerable amount of residential development activity in recent years; this momentum is continuing at present, with a large number of units in the City's development pipeline. As shown in Appendix B, there are 19 residential projects that are proposed, planned, or under construction in Milpitas, with a total of 6,146 units. The location of each pending project is shown in Figure 4.1. While most of these are market-rate units, 56 units will be subject to affordability restrictions that will make units affordable to very low-income households and 7 will be subject to affordability restrictions that will make units affordable to low-income households. All affordable units in the City's pipeline will be subject to affordability restrictions for 55 years.

Table 4.2 shows a summary of the projects in the City's development pipeline along with the RHNA numbers assigned to the City of Milpitas for the 2015-2023 planning period. As shown, Milpitas has

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<sup>5</sup> The default density is 20 units per acre for all cities in Santa Clara County with a population of fewer than 100,000 people ([http://www.hcd.ca.gov/hpd/housing\\_element2/SIA\\_zoning.php](http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php)).

enough units in the pipeline to greatly exceed the City's RHNA for units affordable to households with above-moderate incomes, but does not have enough units in the pipeline to meet the City's RHNA for units affordable to very low-, low-, and moderate-income households. If all units in the pipeline are built, there will be a remaining need for 948 units affordable to very low-income households, 563 units affordable to low-income households, and 565 units affordable to moderate-income households during this Element's planning period. The following sections in this chapter will address the City's capacity to meet this remaining need on sites that are zoned for residential or mixed-use development and that are not subject to pending development applications or currently under construction.

**Table 4.2: Pending Residential Projects, Milpitas, 2014**

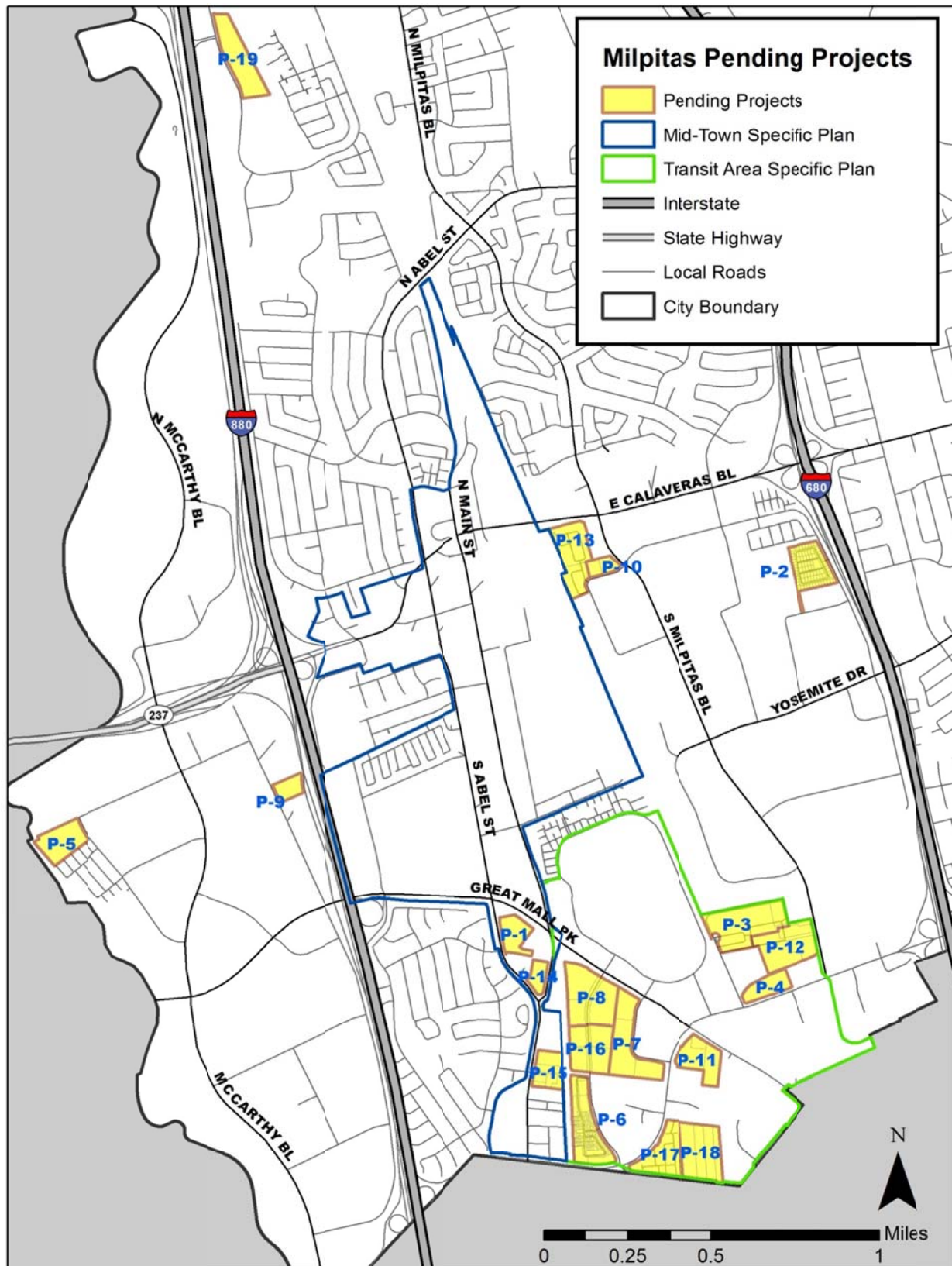
|                       | Income Group Served |            |            |                | Total<br>Units |
|-----------------------|---------------------|------------|------------|----------------|----------------|
|                       | Very Low            | Low        | Moderate   | Above Moderate |                |
| Pending Projects (a)  | 56                  | 7          | 0          | 5,807          | 5,870          |
| 2015-2023 RHNA        | <u>1,004</u>        | <u>570</u> | <u>565</u> | <u>1,151</u>   | <u>3,290</u>   |
| <b>Remaining Need</b> | <b>948</b>          | <b>563</b> | <b>565</b> | <b>N/A</b>     | <b>2,076</b>   |

Note:

(a) Pending projects include residential all projects planned, proposed or under construction in Milpitas.

Source: City of Milpitas, 2014; BAE, 2014.

Figure 4.1: Pending Residential Projects, Milpitas, 2014



### ***Potential Housing Sites***

In addition to the substantial pipeline, Milpitas has sufficient sites zoned and available to accommodate at least 2,774 additional new residential units between 2015 and 2023. Based on the default densities for Milpitas, these sites can accommodate at least 2,740 units affordable to very low-, low-, or moderate income households, exceeding the remaining RHNA need identified in Table 4.2. In addition, the City's available sites can accommodate 34 new units at a density lower than the City's default density, which would likely be affordable to households with above-moderate incomes. The inventory of potential sites that are not currently subject to development applications was developed from two sources:

- First, the City reviewed the list of available sites that were presented in the 2010 Housing Element. The 2010 Housing Element included information on 14 potential housing sites, many of which were comprised of more than one Assessor's Parcel Number (APN). To the extent that these sites are still available for residential development (i.e. have not been recently developed and are not subject to pending or approved development applications), the 2015-2023 Housing Element includes the sites in the inventory of housing opportunity sites.
- Additional sites in the Midtown Specific Plan and TASP areas that are zoned for residential or mixed-use development and are currently vacant or occupied by marginal commercial uses were added to the sites inventory. These sites have a high probability of being redeveloped within the Housing Element planning period, based on current market and development trends in Milpitas. The extension of BART service adjacent to these areas will further stimulate redevelopment of vacant or obsolete uses in the City's two Specific Plan areas.

All of the housing opportunity sites that have been identified as potential sites for meeting the City's RHNA for very low-, low-, and moderate-income households are located within the City's two Specific Plan Areas and are zoned at densities that meet or exceed the default density for Milpitas (20 units per acre). Opportunity sites in the Specific Plan areas have minimum densities ranging from 21 to 41 units per acre and maximum densities ranging from 40 to 94 units per acre. Opportunity sites vary in size from 0.7 acres to 9.5 acres, and all but one site measure one acre or more. Of the 20 sites identified in the Specific Plan Areas, 14 measure at least two acres.

Although some of the opportunity sites in the Specific Plan Areas are currently occupied by commercial uses, the City has re-zoned these parcels to allow for high-density residential uses in order to stimulate redevelopment in these areas. The rezoning has already led a number of developers to redevelop properties that were previously occupied by marginal commercial uses in both Specific Plan Areas, resulting in thousands of residential units that have recently been completed or are in the City's development pipeline in the two Plan Areas. As a result, the identified housing opportunity sites, including sites that are not currently vacant, are poised for redevelopment to residential uses during the 2015-2023 Housing Element planning period.

The inventory of potential high-density residential and mixed-use sites presumes that the opportunity sites will be developed at the lowest end of the allowable density range. This is a conservative assumption, as many pending and completed projects in Milpitas's Specific Plan areas have been developed or have pending applications at densities well above the minimum densities, and some have provided affordable units to become eligible for density bonuses that allow for densities in excess of the maximum that would otherwise apply. If each of the high-density sites are instead assumed to be developed at the midpoint of the allowable density range, the high-density residential sites can accommodate 2,419 units, exceeding the total remaining need identified in Table 4.2, and the mixed-use sites can accommodate 1,426 units.

In addition, the site inventory reduces the acreage by nine percent on mixed-use sites (MXD) to account for the potential development of non-residential uses. This adjustment is based on recent mixed-use developments in the Midtown and TASP Plan Areas that have been redeveloped with residential and commercial uses and is consistent with the methodology from the City's 2010 Housing Element. While it is possible for MXD sites to be developed entirely with non-residential uses, the recent trend within Milpitas is for parcels in these areas to be developed primarily with residential uses.

Although most of the sites identified in the site inventory are located within one of the City's Specific Plan areas, Table 4.3 and Appendix B include a 4.9-acre vacant parcel on North Park Victoria Drive that is zoned for single-family residential uses. The site is located along the west side of North Park Victoria Drive across from the intersection with Country Club Road, inside the Urban Growth Boundary. The location and size of this parcel suggest that it is most suitable for housing that is affordable to households with above-moderate incomes. This site could yield approximately 34 units under current zoning (R1-6 at seven units to the acre).

Table 4.3 provides a summary of the development potential on the City's residential opportunity sites, Figure 4.2 shows the location of each site, and detailed information on the sites is provided in Appendix B.

**Table 4.3: Summary of Potential Housing Sites, Milpitas, 2015-2023**

| <b>Site Number</b>                                                     | <b>Total Parcels</b> | <b>Acreage</b> | <b>Yield at<br/>Midpoint Density</b> | <b>Estimated Yield (a)</b> |
|------------------------------------------------------------------------|----------------------|----------------|--------------------------------------|----------------------------|
| <b>High-Density Residential/Potential Affordable Housing Sites (b)</b> |                      |                |                                      |                            |
| MFR-1                                                                  | 10                   | 7.6            | 383                                  | 311                        |
| MFR-2                                                                  | 1                    | 1.4            | 51                                   | 44                         |
| MRF-3                                                                  | 1                    | 2.2            | 78                                   | 68                         |
| MFR-4                                                                  | 2                    | 5.9            | 300                                  | 244                        |
| MFR-5                                                                  | 2                    | 7.4            | 499                                  | 304                        |
| MFR-6                                                                  | 2                    | 9.4            | 632                                  | 385                        |
| MFR-7                                                                  | 6                    | 7.4            | 376                                  | 305                        |
| MFR-8                                                                  | <u>2</u>             | <u>3.2</u>     | <u>99</u>                            | <u>68</u>                  |
| <b>Total</b>                                                           | <b>26</b>            | <b>44.6</b>    | <b>2,419</b>                         | <b>1,729</b>               |
| <b>Mixed-Use/Potential Affordable Housing Sites (c)</b>                |                      |                |                                      |                            |
| MXD-1                                                                  | 5                    | 2.1            | 48                                   | 40                         |
| MXD-2                                                                  | 5                    | 1.9            | 44                                   | 37                         |
| MRF-3                                                                  | 1                    | 1.3            | 31                                   | 25                         |
| MXD-4                                                                  | 1                    | 0.7            | 16                                   | 13                         |
| MXD-5                                                                  | 2                    | 2.8            | 65                                   | 54                         |
| MXD-6                                                                  | 2                    | 1.1            | 25                                   | 21                         |
| MXD-7                                                                  | 1                    | 9.5            | 580                                  | 353                        |
| MXD-8                                                                  | 1                    | 2.5            | 155                                  | 95                         |
| MXD-9                                                                  | 2                    | 2.1            | 98                                   | 80                         |
| MXD-10                                                                 | 3                    | 4.5            | 209                                  | 170                        |
| MXD-11                                                                 | 1                    | 1.0            | 47                                   | 38                         |
| MXD-12                                                                 | <u>2</u>             | <u>2.3</u>     | <u>106</u>                           | <u>86</u>                  |
| <b>Total</b>                                                           | <b>26</b>            | <b>31.9</b>    | <b>1,426</b>                         | <b>1,011</b>               |
| <b>Total Potential Affordable Housing Sites</b>                        |                      |                |                                      |                            |
|                                                                        | <b>52</b>            | <b>76.6</b>    | <b>3,844</b>                         | <b>2,740</b>               |
| <b>Low-Density Residential/Above-Moderate Income (d)</b>               |                      |                |                                      |                            |
| SFR-1                                                                  | 1                    | 4.9            | N/A                                  | 34                         |

**Notes:**

(a) The estimated yield for high-density residential and mixed-use sites uses the minimum density allowed by the zoning ordinance to provide a conservative estimate of the number of units that can be accommodated on each of the opportunity sites.

(b) High-density residential sites are defined as sites zoned for residential use at densities equal to or higher than the "default densities" for Milpitas (20 units/acre) and are therefore capable of accommodating housing affordable to very low-, low-, and moderate-income households.

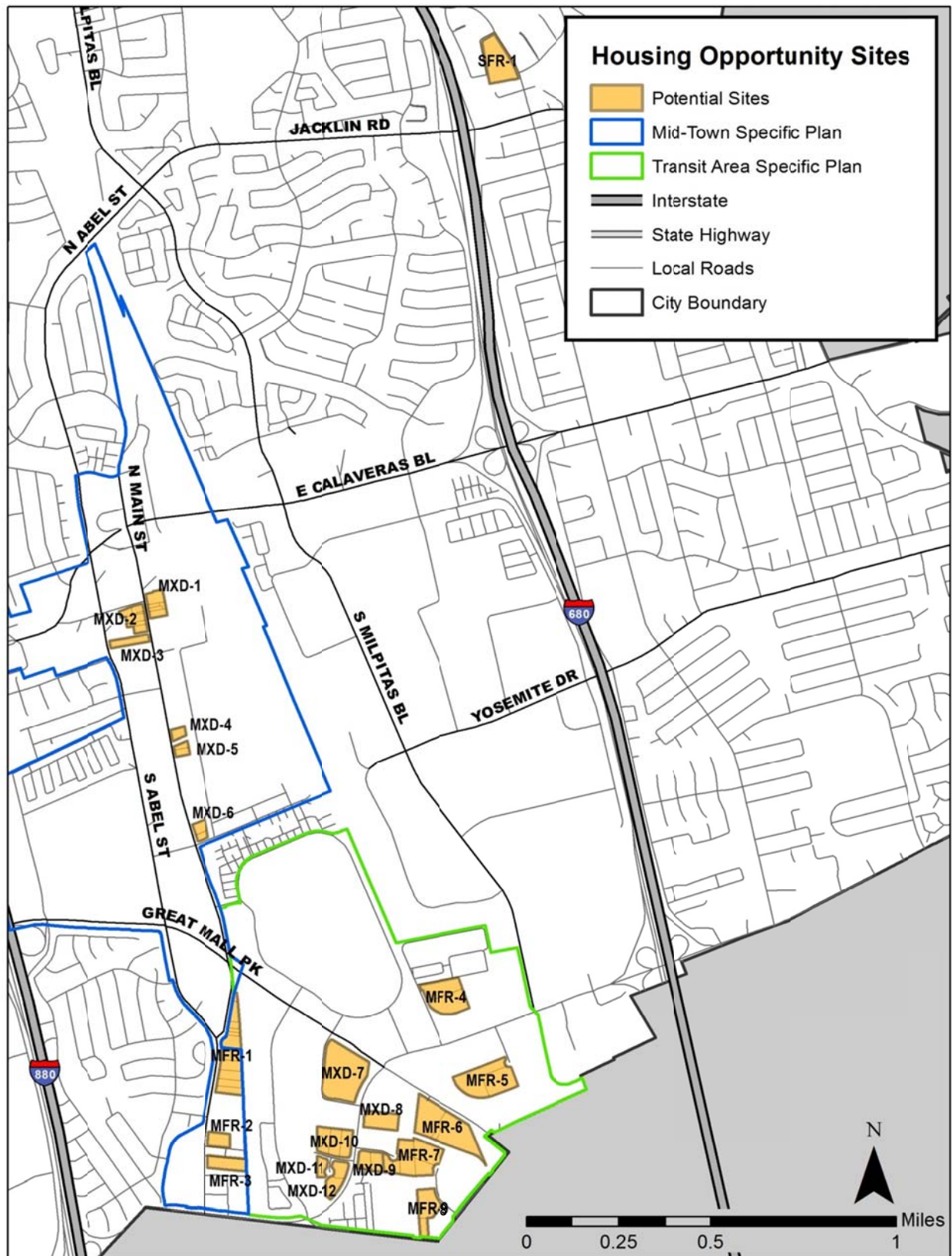
(c) All mixed-use sites shown are zoned at densities equal to or higher than the "default densities" for Milpitas (20 units/acre) and are therefore capable of accommodating housing affordable to very low-, low-, and moderate-income households.

(d) Low-density residential sites are defined as sites zoned for residential use at densities lower than the "default densities" for Milpitas (20 units/acre) and are therefore presumed to be sites for units serving above moderate-income households.

Source: BAE, 2014.



Figure 4.2: Housing Opportunity Sites, Milpitas, 2015-2023



## **Additional Considerations**

### ***Additional Sites Not Quantified***

Milpitas has a number of potential housing sites in addition to the sites listed in Table 4.3 and Appendix B that have not been quantified in this Housing Element Update. Sites that were not quantified include sites that would require zoning changes to allow residential development, sites on which residential development potential is limited, and sites that require a use permit for residential uses. While not needed to meet the City's RHNA goals, these sites are described here for informational purposes, because they do offer additional residential development potential beyond the figures shown in Table 4.3 and Appendix B, and could be used for residential development during the 2015-2023 planning period.

Sites that could accommodate housing after zoning changes include a set of City-owned parcels in the northern portion of the Midtown Specific Plan area that total 2.23 acres. The site is bound by North Main Street to the west and north, a Southern Pacific Railroad line to the east, and Weller Lane to the south. The site is currently vacant and is zoned for parks and open space, but the City has considered rezoning the site for residential uses. Existing residential uses abut the northwestern edge of the site. Because the site is City-owned, it would provide an opportunity for Milpitas to facilitate affordable housing development by providing low- or no-cost land to an affordable housing developer.

Additional sites that were not quantified in this Housing Element Update include the hillside areas, which allow for a limited amount of residential development. Due to the high cost associated with development on the hillside and extending services to this area, sites in the hillside areas would be suitable for high-end units that serve households with above-moderate incomes. While these sites continue to provide residential development opportunities within the City, significant development in the hillside areas is unlikely during the 2015-2023 planning period as a result of the high cost of hillside development, geologic hazards, and low-density zoning designations in the hillside areas. Because the units in the City's development pipeline greatly exceed the City's RHNA for above-moderate income households, the additional potential for high-end residential development that is offered in the hillside areas was not quantified in this Housing Element.

Finally, the Milpitas Zoning Ordinance allows for residential development subject to approval of a use permit in the Town Center (TC) zoning designation, which is intended primarily for commercial uses. With use permit approval, live-work units and residential uses are permitted in the TC zone at densities up to 40 units per acre. Two approved projects in the City's residential development pipeline are located on sites with the TC zoning designation, as shown in Appendix B. Additional residential development in these areas may be possible throughout the 2015-2023 planning period, but are not quantified in this Element.

### ***Adequacy of Infrastructure and Services***

The housing sites identified in this Chapter are largely infill sites served by existing infrastructure and services. However, the majority of the City's housing sites are located within the TASP and Midtown

Specific Plan Areas, and residential development on these sites would therefore involve the conversion of older industrial and commercial sites to residential and mixed land uses. In some cases, this transition requires infrastructure investments to provide service to new residential development.

Since the majority of the City's potential housing sites are located in the TASP and Midtown Specific Plan Areas, there is a considerable amount of existing and planned transportation infrastructure to serve the sites. The potential housing sites are generally located in close proximity to two major freeways, two light rail stations, and a future BART Station. However, traffic congestion can be problematic in Milpitas under current conditions, and future growth is expected to add to the existing traffic problems. The City has implemented a fee for new development in the TASP area to generate funding to address potential impacts resulting from development in the area. Furthermore, traffic impacts are expected to be mitigated somewhat because the Specific Plan areas have easy access to transit, allowing many residents to commute without the use of a car.

Aside from these potential transportation issues, remaining infrastructure, such as water, sewers, and storm drains, are adequate to support the planned growth in Milpitas. Chapter 5 of this Housing Element provides more detailed information on the adequacy of roads, water, wastewater, storm drainage, and solid waste removal to serve new residential development in Milpitas.

In addition to physical infrastructure needs, new development will require fire and emergency medical assistance services, which are provided throughout Milpitas by the Milpitas Fire Department (MFD). The TASP EIR identified a need to address potential limitations to the MFD's capacity to provide these services to new development, resulting in the creation of two community facilities districts (CFDs) in the TASP. Additional property taxes are assessed on properties in the CFDs, funds from which are used to support additional police, fire, and recreation services.

### ***Environmental Constraints***

Potential environmental constraints to developing the housing sites identified in this Housing Element include potential earthquakes, flooding, and hillside erosion. Similar to the rest of the Bay Area, Milpitas is subject seismic hazards due to proximity to active fault lines. However, none of the City's housing opportunity sites are located on landfill, reducing the potential extent of earthquake damage somewhat. All structures built in Milpitas are required to meet building code requirements for earthquake safety. Some of the City's housing sites in the Transit Area are located within the 100-year floodplain. Although flood depths would be very shallow, a combination of on-site and off-site improvements may still be required before building in areas that could experience potential flooding.

In addition, since many of the potential sites are located in a transitional area changing from older industrial and heavy commercial uses to a mixed-use community, it is possible that there are hazardous materials on some of the potential sites. While there are no known contamination issues on any of the potential opportunity sites, further study will be required before redevelopment of some sites, and some may require environmental remediation before development can take place.

A final environmental issue relates to vibration levels that may affect future development inside and outside the TASP area related to the UPRR and BART right-of-way. To make sure that vibration levels do not exceed acceptable levels, the TASP includes mitigation measures to address potential issues related to vibration, and development in the TASP is potentially subject to siting or construction features that to reduce the impacts of ground vibration. Housing Element sites outside the TASP but within 300 feet of an active UPRR and/or BART alignment are also subject to an analysis of vibration impacts and are required to provide for vibration reduction consistent with the direction of TASP policies.

## **Zoning for Special Housing Needs**

As discussed in Chapter 3, individuals and households with special housing needs often have difficulty securing housing that is adequate to meet those needs. In addition to identifying adequate sites to meet the City's RHNA, the Housing Element is required to ensure that there are sites that have the ability serve groups with special housing needs. As discussed below, Milpitas has taken key steps to facilitate the production of housing for individuals and households with special housing needs, including farmworker housing, manufactured housing, single-room occupancy developments, emergency shelters, and transitional and supportive housing.

### ***Farmworker Housing***

Although the need for farmworker housing is expected to be minimal in Milpitas during the 2015-2023 Housing Element planning period, the City facilitates a variety of housing types that can serve farmworkers and their families. During the previous (2007-2014) Housing Element Update period, Milpitas updated the City's Zoning Ordinance to allow farmworker housing by right in all agricultural zones. Additionally, many farmworker households can meet their housing needs through standard residential units, provided that units are affordable. As a result, zoning regulations and other programs that facilitate affordable housing production in Milpitas in general help to serve any potential need for farmworker housing in the City. In some cases, this housing need may be met by single-room occupancy units, which are discussed below.

### ***Manufactured Housing***

Although manufactured housing does not serve any special needs group in particular, it is generally less expensive to construct than other housing and therefore can provide a more affordable option for some households with special housing needs. During the previous (2007-2014) Housing Element planning period, Milpitas amended the City's Zoning Ordinance to allow manufactured housing in all single-family (R-1) zoning districts. Program D.5.3 states that the Milpitas will modify the City's zoning ordinance during the upcoming planning period to allow manufactured housing in all zoning districts where residential development is allowed, subject to the same architectural and development standards as other dwellings in the same zone.

### ***SRO Housing***

Single room occupancy (SRO) units typically serve extremely low-income households that are unable to afford market-rate housing or affordable housing targeted to households earning more than 30 percent

of AMI. SROs provide small units that may have shared kitchen and bathroom facilities or may provide a small bathroom or kitchenette in each unit. During the 2007-2014 Housing Element planning period, the City of Milpitas updated the City's Zoning Ordinance to allow SROs in all multifamily zoning districts, subject to approval of a conditional use permit.

### ***Emergency Shelters***

California Senate Bill 2 (SB 2) required that all jurisdictions designate at least one zoning district where emergency shelters are allowed by right. During the 2007-2014 Housing Element Update period, Milpitas amended the City's Zoning Ordinance to allow emergency shelters by right in the highway services (HS) Zoning District. According to the City's Land Use Plan, there are 271 acres of land designated as HS, of which 44 acres are undeveloped. Parcel sizes range from less than one-half acre to 23 acres. The median parcel size is 1.3 acres, and the average parcel size is about three acres. Fifteen parcels are below one acre in size. Thus, the HS zone has parcels that would be of an appropriate size for a homeless shelter. In addition, some properties in the HS zone have vacant commercial and other properties that could be converted to an emergency shelter, which is often more feasible than building an emergency shelter on vacant land.

The following locations include HS zoned parcels:

- West of I-880 and south of Calaveras Boulevard
- West of I-880, North of Montague Expressway
- Jacklin Road near I-680
- Along North Milpitas Boulevard near Minnis Circle

### ***Transitional and Permanent Supportive Housing***

In addition to requiring that jurisdictions zone for emergency shelters, SB 2 required that all jurisdictions explicitly identify transitional and supportive housing as an allowed use in all residential zoning districts, subject only to the restrictions that apply to other residential uses in the same zone. In 2013, Milpitas amended the City's Zoning Ordinance to identify transitional and supportive housing by right in all single-family and multifamily residential zones in compliance with SB 2. However, the Zoning Ordinance was not amended to explicitly allow transitional and supportive housing in mixed-use zoning districts. Chapter 6 of this Housing Element includes a program to amend the City's Zoning Ordinance to allow transitional and supportive housing in all zoning districts that allow residential uses (see Program D.4.3).

## **Financing and Subsidy Sources**

Along with a sufficient number of residential sites zoned to appropriate densities, affordable housing production in Bay Area jurisdictions requires local, State, and Federal financing sources to bridge the gap between affordable rent and sale prices and the prices needed to support new construction. Almost all affordable housing developments in the Bay Area rely on a combination of financing from several public and private sources in order to become financially feasible.

## ***Federal Programs***

**CDBG Program:** Through the CDBG program, the federal Department of Housing and Urban Development (HUD) provides funds to local governments for funding a wide range of housing and community development activities for low- and moderate-income individuals and households. Cities with at least 50,000 residents, including Milpitas, are designated CDBG entitlement communities and receive annual allocations directly from HUD.

Based on previous allocations, Milpitas expects to receive an annual allocation of approximately \$400,000 and an additional \$50,000 in Program Income from the Single Family Housing Rehabilitation Program for a total of \$450,000 per year (a substantial decline of approximately \$200,00 per year compared to the previous Housing Element cycle). Milpitas typically uses CDBG funds for site acquisition, rehabilitation, first-time homebuyer assistance, development of emergency and transitional shelters and fair housing/housing counseling activities. Additional activities in support of the new construction of affordable housing include site clearance and the financing of related infrastructure and public facility improvements.

**HOME Program:** The HOME Investment Partnership Program (HOME) provides grants to support a broad range of housing activities. Eligible activities include home purchase or rehabilitation financing for eligible homeowners and first-time buyers, site acquisition, and construction or rehabilitation of affordable housing. Milpitas does not receive HOME funds directly from HUD; however the City can compete for funds that are allocated by the State of California and can work with affordable housing developers to support applications for these funds.

**Section 8 Assistance:** The Section 8 program is a federal program that provides rental assistance to very-low income persons in need of affordable housing. Tenant-based Section 8 Assistance allows households to find housing in the private market, provided that the housing meets the program requirements. The program provides a rent voucher that pays the difference between the current fair market rent and what the household can afford to pay (defined as 30 percent of household income). At present, 627 Milpitas households receive Section 8 Vouchers. The Santa Clara County Housing Authority administers the Section 8 program for households in Milpitas.

In addition to tenant-based Section 8, HUD offers project-based Section 8 assistance to housing developments that provide units to low-income households. Similar to tenant-based Section 8, project-based Section 8 Assistance provides the difference between fair market rent and the rent that households can afford to pay.

## ***State Programs***

**California Housing Finance Agency (CalHFA):** The California Housing Finance Agency operates several programs that help to create affordable rental and ownership housing opportunities for low- and

moderate-income households. These programs, funded by the sale of tax-exempt bonds, provide permanent financing of affordable housing developments, as well as financing for homebuyers.

**Low Income Housing Tax Credit Program:** Created by the 1986 Tax Reform Act, the Low Income Housing Tax Credit (LIHTC) Program is one of the primary sources of financing for affordable housing. Although enabling legislation for LIHTC was passed at the federal level, allocations of the tax credits are made by the State of California.

Affordable housing developers utilize this program in combination with City and additional funding sources to encourage the construction and rehabilitation of rental housing for lower- income households. The program allows investors an annual tax credit over a ten-year period, provided that the housing meets affordable income requirements. The tax credit is typically sold to large investors at a syndication value.

To be eligible for a tax credit, 20 percent of the units in a housing development must rent to very-low-income households earning less than 50 percent of area median income, or 40 percent of the units must rent for incomes under 60 percent of the median. California law also requires that developments retain these levels of affordability for at least 55 years.

**Mortgage Credit Certificate (MCC) Program:** The Mortgage Credit Certificate Program (MCC), authorized by Congress in 1984, provides financial assistance in the form of a tax credit to first-time homebuyers. Similar to the LIHTC Program, the MCC Program was authorized by the federal government, but is administered by the State. The MCC reduces the amount of federal income taxes otherwise due to the federal government; however, the mortgage tax credit cannot be claimed as a refund. The MCC program enables program participants to reduce their federal income tax withholdings, creating additional net spendable household income.

Santa Clara County administers the MCC Program on behalf of all participating cities located in the County. Program eligibility requirements determine the maximum sale price of homes purchased through the MCC program and the maximum income for households that receive tax credits through the program. In 2014, the maximum sale price for homes purchased through the MCC program in Santa Clara County was \$673,616.<sup>6</sup> The maximum income for a household participating in the MCC program in Santa Clara County was \$81,040 per year for one- or two-person households and \$101,300 for households with three or more people.

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<sup>6</sup> The maximum eligible sale price is higher in specified “targeted areas”. However, the only Census tract in Santa Clara County that is designated a targeted area is located in San Jose, and therefore the targeted area maximum sale price does not apply to any areas in Milpitas.

## **Local Programs**

**Redevelopment Housing Set-aside Funds:** In 2011, the California legislature mandated the dissolution of all redevelopment agencies (RDAs) throughout the State. Prior to 2011, RDAs in California jurisdictions, including Milpitas, set aside 20 percent of all tax increment revenues generated from redevelopment project areas to fund housing projects that increased, improved, or preserved the supply of affordable housing. Housing developed with these set-aside funds were required to remain affordable to low- and moderate-income households for at least 55 years for rentals and 45 years for ownership housing. Prior to the dissolution of the RDA, Milpitas used these set-aside funds to facilitate the development of a significant number of affordable units in the City. Between 1999 and 2014, the City provided \$42.8 million in RDA-funded grants, loans, and land dedication to residential projects in Milpitas, assisting in the development of 874 units affordable to lower-income households (see Table 4.4 for a detailed list). Similar to many jurisdictions throughout the State, Milpitas will now face challenges with identifying funding sources to facilitate affordable housing production due to the loss of the City's RDA.

**Milpitas Housing Authority:** Following the dissolution of RDAs, jurisdictions have been able to retain the housing set-aside funds generated through redevelopment activity. Milpitas currently has approximately \$7 million of remaining set-aside funds that can be used to support affordable housing programs in the City. In addition, the City receives approximately \$200,000 to \$250,000 per year from repayments on loans previously issued through the use of RDA housing set-aside funds, which the city can use to support housing programs. However, these repayments amount to only a fraction of the funds previously generated on an annual basis from the RDA housing set-aside.

**Housing Trust of Silicon Valley:** The Housing Trust of Silicon Valley provides housing assistance throughout Santa Clara County through three core program areas: first-time homebuyer loans, multifamily loans, and the Finally Home Grant program. The multifamily loan program supports nonprofit developers constructing or rehabilitating affordable multifamily rental housing. The Finally Home Grant program provides grants for security deposits to assist families or individuals moving from homelessness or unsuitable housing into permanent housing. Between 2007 and 2014, the City of Milpitas contributed \$1.1 million to the Housing Trust of Silicon Valley.



**Table 4.4: Residential Projects Receiving Assistance from the Milpitas RDA, 2009-2014**

| Project Name                                 | Total Units | Total City Funding  | Type of Funding    |             |                     | Affordability Level |           |          |           | Tenure     |            |
|----------------------------------------------|-------------|---------------------|--------------------|-------------|---------------------|---------------------|-----------|----------|-----------|------------|------------|
|                                              |             |                     | Loans              | Grants      | Land                | Above Mod           | Mod       | Low      | Very Low  | Owner      | Renter     |
| 2009-2006                                    |             |                     |                    |             |                     |                     |           |          |           |            |            |
| DeVries Place Senior Housing                 | 103         | \$9,600,000         | \$9,600,000        |             |                     | 0                   | 1         | 0        | 102       | 0          | 103        |
| Aspen Family Apartments                      | 101         | \$2,300,000         | \$2,300,000        |             |                     | 0                   | 1         | 0        | 100       | 0          | 101        |
| Centria East                                 | 137         | \$770,000           | \$770,000          |             |                     | 111                 | 10        | 7        | 9         | 137        | 0          |
| Crossing at Montague Apartments              | 470         | \$1,190,000         | \$1,190,000        |             |                     | 376                 | 0         | 0        | 94        | 0          | 470        |
| Montevista Apartments                        | 306         | \$3,000,000         | \$3,000,000        |             |                     | 0                   | 153       | 76       | 77        | 0          | 306        |
| Parc Metro                                   | 382         | \$1,500,000         | \$1,500,000        |             |                     | 354                 | 18        | 10       | 0         | 382        | 0          |
| Senior Group Home (Senior Housing Solutions) | 1           | \$800,000           | \$800,000          |             |                     | 0                   | 0         | 0        | 1         | 0          | 1          |
| Parc Place                                   | <u>258</u>  | <u>\$1,974,000</u>  | <u>\$1,974,000</u> |             |                     | <u>200</u>          | <u>34</u> | <u>6</u> | <u>18</u> | <u>258</u> | <u>0</u>   |
| 1999-2007 Total                              | 1,758       | \$21,134,000        | \$21,134,000       | \$0         | \$0                 | 1,041               | 217       | 99       | 401       | 777        | 981        |
| 2007-2014                                    |             |                     |                    |             |                     |                     |           |          |           |            |            |
| Paragon                                      | 147         | \$1,199,997         | \$1,199,997        |             |                     | 118                 | 20        | 0        | 9         | 147        | 0          |
| Terra Serena                                 | 94          | \$6,500,000         | \$1,800,000        | \$4,700,000 |                     | 31                  | 63        | 0        | 0         | 94         | 0          |
| Town Center Villas                           | 65          | \$800,000           | \$800,000          |             |                     | 49                  | 16        | 0        | 0         | 65         | 0          |
| Senior Group Home (Senior Housing Solutions) | 1           | \$750,000           | \$750,000          |             |                     | 0                   | 0         | 0        | 1         | 0          | 1          |
| South Main Senior Lifestyles                 | <u>389</u>  | <u>\$12,400,000</u> |                    |             | <u>\$12,400,000</u> | 341                 | 0         | 0        | 48        | <u>0</u>   | <u>389</u> |
| 2007-2014 Total                              | 696         | \$21,649,997        | \$4,549,997        | \$4,700,000 | \$12,400,000        | 539                 | 99        | 0        | 58        | 306        | 390        |
| 1999-2014 TOTAL                              | 2,454       | \$42,783,997        | \$25,683,997       | \$4,700,000 | \$12,400,000        | 1,580               | 316       | 99       | 459       | 1,083      | 1,371      |

Sources: City of Milpitas, 2014; BAE, 2014.

## Opportunities for Energy Conservation

HCD requires that the Housing Element provide an assessment of opportunities for energy conservation in residential development and document City policies and programs that assist in curbing residential energy use. In addition to aiding in the attainment of environmental goals, reducing energy consumption often leads to lower gas and electricity bills, thereby reducing housing costs.

The City of Milpitas facilitates energy conservation through its residential development and zoning policies by encouraging high-density residential development near transit amenities. Through implementation of the Midtown and Transit Area Specific Plans, Milpitas has supported a significant amount of ongoing multifamily residential development in areas within walking distance to the City's future BART Station, scheduled to begin passenger service in 2018, and an existing VTA light rail station. As a result, the Specific Plans encourage transit use among occupants of new developments in the City, thereby reducing car trips and the associated energy usage.

Additionally, the City's Transit Area Specific Plan (TASP) promotes walking and biking for short internal trips. For example, the TASP requires new development to install sidewalks, and the City intends to provide pedestrian bridges over major streets, such as Great Mall Parkway, Capitol Avenue, and Montague Expressway, which will be constructed using funding generated by the TASP impact fees.

Milpitas promotes energy conservation in new construction through enforcement of Title 24, Part 6 of the California Code of Regulations (Energy Efficiency Standards for Residential and Nonresidential Buildings). These regulations were adopted in 1978 and most recently updated in 2013 (with changes going into effect July 1, 2014). All new construction must comply with the standards in effect on the date a building permit application is made.

Milpitas further promotes energy conservation in new construction through implementation of the City's Green Building Ordinance (adopted in 2008 and updated in January 2014), which applies to both residential and nonresidential construction. The City also implements additional green building policies, including:

- The U.S. Green Building Council's LEED rating system for non-residential buildings and Build It Green's GreenPoint Rated system for residential buildings have been adopted as the official green building standards for the City of Milpitas.
- Planning applications for new buildings must include a completed LEED or GreenPoint Rated checklist for informational purposes.
- New city buildings and renovation projects over 5,000 square feet are required to be evaluated for feasibility to achieve at least a LEED Silver certification.

In addition, the City provides outreach on an ongoing basis to inform residents about the Pacific Gas and Electric Energy Savings Assistance Program. This program provides income-qualified customers with

services to help reduce energy use and decrease energy costs, including minor home improvements, replacement of old appliances, and information on energy conservation.

## 5. HOUSING CONSTRAINTS

In addition to identifying adequate sites for housing, the Housing Element is required to analyze potential governmental and non-governmental constraints to housing production and present programs to mitigate these constraints to the extent necessary and possible (Government Code, Section 65583(a)). Governmental constraints typically consist of regulations that limit opportunities to develop housing, impose requirements that unnecessarily increase the cost to develop housing, or make the development process so arduous as to discourage housing development. Non-governmental constraints are often related to land prices, construction costs, the availability of financing, infrastructure capacity constraints, and environmental features. Although local governments have little control over non-governmental constraints, identification of these constraints can be helpful to Milpitas in formulating housing programs.

### **Governmental Constraints**

Government regulations can affect housing costs through local land use policies, zoning regulations and development standards, subdivision regulations, urban limit lines, and development fees. Lengthy approval and processing times may also constrain development.

Recent development trends in Milpitas indicate that the City's regulations and policies support residential development, particularly development of high-density housing near transit and other transportation corridors. The City's development pipeline, which consists of over 5,000 residential units, demonstrates the success of City policies in facilitating residential development. Recent housing construction in Milpitas has consisted primarily of multifamily developments built at significantly higher densities than the City's older housing stock, as intended by adoption of the Midtown and Transit Area Specific Plans.

### ***General Plan***

In 2014, the Milpitas City Council authorized funding for a comprehensive update to the City's General Plan, which will occur over the next two to three years. The last comprehensive update to the Milpitas General Plan occurred in 1994. In 2002 and 2008, the General Plan was amended to incorporate the land use designations, design guidelines, and other policies defined by the Midtown Specific Area Plan and the Transit Area Specific Plan (TASP), respectively. The General Plan was updated again in 2010 to integrate the City's Park and Recreation Master Plan and Bikeway Master Plan into the document and to provide updates to exhibits, tables, and figures. Concurrent with this Housing Element Update, the City is updating the Safety Element of the General Plan to address flooding hazards.

The General Plan distinguishes between land use designations on the Valley Floor and designations in the Hillside areas. On the Valley Floor, there are eight residential land use designations along with three mixed-use designations and one commercial designation that allow for residential development. The residential designations range in density from Single Family Low (three to five units per acre) to Very High Density Transit-Oriented Residential (41 to 75 units per acre, or up to 90 units per acre with a use permit).

The mixed-use zones that allow for residential development range in density from the Mixed-Use (Residential) designation, which allows 21 to 30 units per acre, to the Boulevard Very High Density Mixed-Use designation, which allows 41 to 75 units per acre. The Town Center designation, which allows for densities up to 40 units per acre provided that certain findings are made, is the only commercial designation that allows for residential development.

The three land use designations in the Hillside area are intended to provide for only a limited amount of residential development and therefore allow for only low-density residential development. The Very Low Density land use designation applies mostly to land outside of the City's Urban Service Area and Urban Growth Boundaries, and allows for one unit per ten acres. The Low and Medium Density designations allow for up to one and three units per acre, respectively.

The land use designations that allow for residential development are shown in Table 5.1 along with the residential density allowed in each.

**Table 5.1: General Plan Land Use Residential Designations**

| Land Use Designation                      | Residential Density (units/acre)                 |
|-------------------------------------------|--------------------------------------------------|
| <b>Valley Floor</b>                       |                                                  |
| <b>Residential</b>                        |                                                  |
| Single Family Low                         | 3 to 5                                           |
| Single Family Moderate                    | 6 to 15                                          |
| Multifamily Medium (a)                    | 7 to 11                                          |
| Multifamily High                          | 12 to 20; up to 40 with PUD approval             |
| Multifamily Very High                     | 31 to 40; 41 to 60 with TOD Overlay (b)          |
| Urban Residential                         | 41 to 75; up to 25% additional with CUP approval |
| Mobile Home Park                          | 6 to 7                                           |
| <b>Mixed Use</b>                          |                                                  |
| Mixed Use (Residential)                   | 21 to 30; 31-40 with TOD Overlay (b)             |
| Residential-Retail High Density Mixed Use | 31 to 50; Up to 60 with a Use Permit             |
| Boulevard Very High Density Mixed Use     | 41 to 75                                         |
| <b>Commercial</b>                         |                                                  |
| Town Center                               | Up to 40 (b)                                     |
| <b>Hillside</b>                           |                                                  |
| Very Low Density                          | Up to 0.1                                        |
| Low Density                               | Up to 1                                          |
| Medium Density                            | Up to 3                                          |

Notes:

(a) TOD Overlay does not change the standards for density and development intensity for the underlying land use designation.

(b) TOD Overlay is provided through the zoning ordinance rather than the General Plan.

(c) Findings are necessary to build residential in land with the Town Center designation.

Sources: City of Milpitas, 2010; BAE, 2014.

## Zoning Ordinance

The City's Zoning Ordinance facilitates residential development through implementation of high-density residential zoning designations. Milpitas has adopted two Specific Plans with many sites zoned for high-density residential development and created a TOD Overlay District that further augments allowable residential densities, reduces setbacks and parking requirements, and increases height limits in areas

near transit. Builders have responded to these changes by proposing and building many housing units in the City's Specific Plan Areas. While a large share of these have been market rate units and are therefore unaffordable to lower-income households, the City's affordable housing policies have also resulted in the development of affordable units in both Specific Plan Areas. The Zoning Ordinance, other development standards, and the permitting process do not constitute barriers to residential development in Milpitas.

The City's Zoning Ordinance has five basic residential zoning districts and three mixed-use zoning districts that allow residential development. Within the single family (R-1) zoning designation, there are eight subcategories to specify differences in minimum lot sizes. In addition, the City has overlay districts that modify the underlying zoning for the areas covered by the overlays, including a Mobile Home Park (MHP) Overlay, a High Rise (HR) Overlay, and a Transit Oriented Development (TOD) Overlay.

The City of Milpitas also enforces minimum site development standards for new residential developments through the City's Zoning Ordinance. These standards include lot width, setbacks, lot coverage, and maximum building height, along with other development standards. As with other stipulations of the Zoning Ordinance, some of the site development standards that apply to the base zoning districts are modified in areas located within the City's Overlay Districts.

Table 5.2 summarizes the allowable densities, development types, site development standards, and other requirements that apply to residential and mixed-use zoning districts and Table 5.3 shows the manner in which these standards and requirements are modified by various overlay districts.

**Base Zoning Densities and Permitted Land Uses:** Table 5.2 provides a summary of the base zoning regulations for the five residential and three mixed-use categories that allow residential development in Milpitas, before accounting for any modifications to the base zoning from overlay districts. As shown, the allowable densities range from very low densities ranging from 80 acres per dwelling unit in certain hillside areas to 60 units per acre in the R5 or MXD3 zone. Second units are permitted without a conditional use permit in all single family zoning districts, and all residential zones allow transitional and supportive housing, subject to the same requirements as other projects in the zoning district. Although transitional and supportive housing are not explicitly identified as permitted uses in mixed-use zoning districts, Program D.4.3 states that the City will amend the Zoning Ordinance to identify transitional and supportive housing as permitted uses in all mixed-use zoning districts that allow residential uses, subject to the same requirements that apply to other residential uses in each zone.

**Base Zoning Height Limits:** Consistent with the density ranges shown in Table 5.2, the development standards put forth in the Zoning Ordinance provide a range of residential height limits that vary substantially between zoning districts. Height limits range from 17 feet under certain conditions in the hillside (R1-H) zone to 150 feet in MXD3 zone. Most single-family zoning districts (R1 and R2) allow heights up to 30 feet, while multifamily and mixed-use zoning districts have height limits ranging from 35 feet to 150 feet.

**Base Zoning Setbacks:** Setback requirements for residential uses are somewhat similar between zoning districts, with the exception of the Hillside (R1-H) District. However, the setbacks in the R4, R5, and Mixed Use districts are slightly smaller in general than the setbacks in the R1 and R2 Districts to permit efficient utilization of sites. Setbacks in the R1-H District are larger than the setbacks in other residential districts, in keeping with the low-density designations for the City's hillside areas.

**Base Zoning Parking Requirements:** Table 5.2 also provides information on the parking requirements specified in the Zoning Ordinance. For the R1 and R2 residential districts, two spaces per unit are required for units with three or fewer bedrooms. Units with four or more bedrooms require three spaces per unit plus one additional space for each additional bedroom. Parking requirements for R3, R4, R5, and the MXD zones are as follows:

- Studios: one covered parking space/unit.
- One-bedroom units: 1.5 covered parking space/unit.
- Two- and three-bedroom units: two covered parking spaces/unit.
- Four-bedroom units: three parking spaces/unit, of which at least two must be covered.
- Five-bedroom units: four parking spaces/unit, of which at least two must be covered.
- Guest parking requirements: projects with structured parking must provide 15 percent additional parking spaces over the required number of spaces. All of these spaces may be uncovered. For projects with private garages, 20 percent additional parking spaces are required. All of these spaces may be uncovered.

**Table 5.2: Residential Zoning District Regulations**

| Zoning District | Density (units/acre)                                             | Minimum Lot Size (SF)                                            | Height                                                                 | Front Setback          | Side Setback                                                                                                                                                                           | Rear Setback                                                                       | Residential Types Permitted (w/o CUP) (a) | Parking Requirements                                                                                                                                                                                                                                                                                                                                                                       |
|-----------------|------------------------------------------------------------------|------------------------------------------------------------------|------------------------------------------------------------------------|------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| R1-H            | 0.002 to 0.1, depending on the average slope of the parcel (max) | 435,600                                                          | W side of crestline: 17' 1 story<br>E side of crestline: 27' 2 stories | 25' (b)                | 40'                                                                                                                                                                                    | 40'                                                                                | Single family & 2nd Unit                  | 3 bedrooms or fewer: 2 spaces per unit<br>4 + bedrooms: 3 per unit, plus 1 per each additional bedroom                                                                                                                                                                                                                                                                                     |
| R1-10           | 4 (max)                                                          | 10,000                                                           | 30'                                                                    | 25'                    | 8' one side; Total 20'                                                                                                                                                                 | 30' or 35' (c)                                                                     |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| R1-8            | 5 (max)                                                          | 8,000                                                            | 30'                                                                    | 25'                    | 7' one side; Total 17'                                                                                                                                                                 | 25' or 30' (c)                                                                     |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| R1-6            | 7 (max)                                                          | 6,000                                                            | 30'                                                                    | 20'                    | Adjacent to garage 6'<br>Total 13'                                                                                                                                                     | 25'                                                                                |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| R1-5            | 9 (max)                                                          | 5,000                                                            | 30'                                                                    | 20'                    | Adjacent to garage 6'<br>Total 10'                                                                                                                                                     | 20'                                                                                |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| R1-4            | 11 (max)                                                         | 4,000                                                            | 30'                                                                    | 20'                    | 6' one side                                                                                                                                                                            | 15' for single-story units;                                                        |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| R1-3            | 15 (max)                                                         | 3,000                                                            | 30'                                                                    | 20'                    | 5' one side                                                                                                                                                                            | 20' for units with 2+ stories                                                      |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| R1-2.5          | 17 (max)                                                         | 2,500                                                            | 30'                                                                    | 20'                    | 5' one side                                                                                                                                                                            |                                                                                    | Single family & Duplex                    |                                                                                                                                                                                                                                                                                                                                                                                            |
| R2              | 7 (min) to 11 (max)                                              | 6,000 (single family); 8,000 (duplex)                            | 30' (2.5 stories)                                                      | 20'                    | Single family, 1 story: 4' one side; total 12'<br>Single family, 2 story: 6' one side; total 15'<br>Duplex, 1 story: 7' one side; total 12'<br>Duplex, 2 story: 8' one side; total 20' | Single family: 25'<br>Duplex: 25' or 30' (c)                                       |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| R3              | 12 (min) to 20 (max)                                             | 2,000/dwelling unit                                              | 35' (3.5 stories)                                                      | 20'                    | 1 story: 5' one side; total 12'<br>2-2.5 story: 10' one side; total 25'<br>3-3.5 story: 12' one side; total 30'                                                                        | 1 story: 30'<br>2-2.5 story: 35'<br>3-3.5 story: 40'                               | Multifamily                               | Studio: 1 covered per unit<br>1 bedroom: 1.5 covered per unit<br>2-3 bedrooms: 2 covered per unit<br>4 + bedrooms: 3 per unit, plus 1 additional space for each additional bedroom (at least two covered)<br><br>Guest Parking: projects with structured parking: 15% of the total required, may be uncovered; projects with private garages: 20% of the total required, may be uncovered. |
| R4              | 31 (min) to 40 (max)                                             | None                                                             | 60' (4 stories)                                                        | 8' (min) to 15' (max)  | 10'                                                                                                                                                                                    | 10'                                                                                |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| R5              | 41 (min) to 60 (max)                                             |                                                                  | 75' (6 stories)                                                        | 12' (min) to 20' (max) | 15'; or 20' for buildings over 3 stories that abut residential uses                                                                                                                    | 15' or 20' for buildings over 3 stories that abut residential uses                 |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| MXD             | 21 (min) to 30 (max)                                             |                                                                  | 45' (3 stories)                                                        | 8' (min) to 15' (max)  | 0' (min) to 10' (max)                                                                                                                                                                  | 10'                                                                                |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| MXD2            | 31 (min) to 40 (max)                                             | Size must be large enough to accommodate all space requirements. | 75' (6 stories)                                                        |                        |                                                                                                                                                                                        | 10' or 15' when abutting residential use. 20' for buildings over 60' or 4 stories. |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |
| MXD3            | 41 (min) to 60 (max)                                             |                                                                  | 150' (12 stories, or 20 with CUP approval)                             | 12' (min) to 20' (max) | 15' or 20' when abutting residential use. 30' for buildings over 60' or 4 stories.                                                                                                     | 15' or 20' when abutting residential use. 30' for buildings over 60' or 4 stories. |                                           |                                                                                                                                                                                                                                                                                                                                                                                            |

Note:

(a) Transitional and supportive housing is a permitted use in all residential zones.

(b) This assumes that slope is less than 16 percent.

(c) First number applies to single story units. Second number applies to units with 2 or more stories.



**Overlay Districts:** As discussed above, Milpitas has a TOD Overlay, HR Overlay, and MHP Overlay that modify the underlying zoning for the areas covered by the overlay districts to allow additional residential density or flexibility in development standards or residential uses permitted. Table 5.3 shows the zoning district regulations as modified by each of these overlay districts. Only those zoning districts that are affected by each overlay district are shown in the table.

The TOD Overlay allows for considerable increases in density and building heights and reductions in parking requirements. Because the TOD Overlay is applied in areas near transit, the increased density provided by the Overlay helps to support transit use, potentially leading to a reduced need for car trips, which makes reductions in parking requirements feasible.

The HR Overlay is intended to allow for high-density residential development in the areas where it is applied, allowing up to 150 dwelling units per acre.

The main purpose of the MHP Overlay District is to promote the expansion and diversification of the available housing opportunities within the City of Milpitas by establishing standards for the creation of planned mobile home parks.<sup>7</sup> The MHP Overlay District establishes a zoning designation that permits and establishes regulations related to parking requirements, minimum mobile home park size, and maximum densities.

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<sup>7</sup> Paragraph A of Section XI-10-12.04 of the Zoning Code.

**Table 5.3: Residential Zoning District Regulations as Modified by Overlay Districts**

| Zoning District                      | Density (units/acre)                                                                   | Minimum Lot Size (SF) | Unit Types Permitted (w/o CUP)                                                            | Parking Requirements                                                | Height                                                    | Front Setback            | Side Setback                                           | Rear Setback                                           |
|--------------------------------------|----------------------------------------------------------------------------------------|-----------------------|-------------------------------------------------------------------------------------------|---------------------------------------------------------------------|-----------------------------------------------------------|--------------------------|--------------------------------------------------------|--------------------------------------------------------|
| Transit Oriented Development Overlay |                                                                                        |                       |                                                                                           |                                                                     |                                                           |                          |                                                        |                                                        |
| R3 (TOD)                             | 21 minimum<br>40 maximum                                                               | No change             | No change                                                                                 | Reduce by 20%.<br>Guest parking is the same.                        | 60' (4 stories)                                           | 8' (min) to 15' (max)    | 8' (min) to 15' (max)                                  | No change                                              |
| R4 (TOD)                             | 41 minimum<br>60 maximum                                                               |                       |                                                                                           |                                                                     | 75' (6 stories)                                           | 12' (min) to 20' (max)   | No change                                              | No change                                              |
| R5 (TOD)                             | 41 minimum<br>75 maximum                                                               |                       |                                                                                           |                                                                     | No change                                                 | No change                | No change                                              | No change                                              |
| MXD2 (TOD)                           | 31 minimum<br>50 maximum                                                               |                       |                                                                                           |                                                                     | No change                                                 | No change                | No change                                              | No change                                              |
| MXD3 (TOD)                           | 41 minimum<br>75 maximum                                                               |                       |                                                                                           |                                                                     | Up to 24 stories possible with Planning Commission review | No change                | No change                                              | No change                                              |
| High Rise Overlay                    |                                                                                        |                       |                                                                                           |                                                                     |                                                           |                          |                                                        |                                                        |
| MXD3                                 | 60 minimum<br>150 maximum                                                              | No change             | No change                                                                                 | No change                                                           | No change                                                 | No change                | No change                                              | No change                                              |
| Mobile Home Park Overlay             |                                                                                        |                       |                                                                                           |                                                                     |                                                           |                          |                                                        |                                                        |
| Highway Services (HS)                | 7 mobile homes. Can be increased to 8 homes/acre with findings by Planning Commission. | 25 acres per park     | Mobile Home Parks for single family dwelling uses and residential quarters for employees. | 2.5 spaces per home-one of which must be contiguous to mobile home. | No change                                                 | 35' from a public street | 25' if abutting a residential district. Otherwise 15'. | 25' if abutting a residential district. Otherwise 15'. |

Note:

Only those zoning districts for which development standards are modified by the overlay districts are listed.

No change = No change due to overlay district.

Sources: City of Milpitas, 2014; BAE, 2014.

### **Standards for Second Units**

Second units are allowed by right in all single-family (R1) zoning districts in Milpitas, subject to the standards specified in the City's Zoning Ordinance. Among other standards, the City's Zoning Ordinance requires that second units have a maximum of one bedroom, are no more than 15 feet in height (17 feet in Hillside areas), and that second units adhere to size and setback requirements. The original home must be owner-occupied at the time an application for a second unit is submitted. One parking space is required for second units, which can be uncovered and tandem. Overall, the City's regulations pertaining to second units are fairly flexible and do not pose a constraint to second unit production.

### **Urban Growth Boundary**

Milpitas voters approved an Urban Growth Boundary (UGB) in 1998 that substantially limits development in the hillside areas on the eastern side of the City by limiting the extension of City services to areas outside of the UGB. The primary goals of the UGB are to preserve the existing character of the hillside, protect the views of the hillside from the valley floor, and reduce the cost of extending public service and infrastructure to new development. The UGB is intended to remain in place through 2018 and can only be amended through a majority vote of the electorate.

The ordinance that enacted the City's UGB stipulates that the City will begin a comprehensive review of the UGB beginning in 2015, in preparation for the expiration of the UGB in 2018. Following this review, City Council will have the authority to determine whether to allow the UGB to expire, renew the UGB, or place a measure on a ballot to let Milpitas voters decide if the UGB will be renewed. However, the zoning that is in place would not be impacted as a result of the expiration of the UGB. Therefore, no changes in allowable density or other development standards in the hillside areas would result if the UGB is allowed to expire.

The Urban Growth Boundary primarily impacts the above moderate-income housing market and has had little or no impact on the feasibility of producing housing for low- and moderate-income households. Residential development in the hillside area would be unlikely to be affordable to lower-income households due to the high cost of hillside construction, the prestige associated with a view or hillside home, and the high cost of extending utility and road extensions to hillside areas. Additionally, developing high-density housing in the hillside area would require large-scale grading, cuts, and fills, and would have substantial adverse environmental impacts. A limited amount of residential development is permitted beyond the Growth Boundary, subject to a slope density formula that dictates minimum lot sizes, as reflected in the City's General Plan and Zoning Ordinance, discussed above.

The City has mitigated impacts from the growth boundary on the supply of housing by significantly increasing the residential development potential of land within the existing urbanized area. The increase in the City's residential development potential resulting from the rezoning of several hundred acres of former commercial and industrial sites within the Specific Plan Areas to very high residential densities and mixed use development greatly exceeds the loss of development potential outside the Urban Growth Boundary. Moreover, the viability of affordable housing in the Specific Plan Areas is far greater than it would be on sites in the hillsides, given the increased feasibility of high-density development on the valley floor and the areas' proximity to mass transit and urban services. Additionally, the UGB is in keeping with Plan Bay Area, which aims to focus new development within the existing urban footprint and in areas served by transit.

### ***Density Bonus Ordinance***

Milpitas adopted a Density Bonus Ordinance (Section XI-10-54-15 of the Zoning Code) in 2005 that provides increases in allowable densities for projects that provide a minimum proportion of affordable units. A number of recent projects in Milpitas, including Shea Properties, Edsel Court, and Summerfield Homes, have provided affordable units and received incentives in accordance with the City's Density Bonus Ordinance. The Density Bonus applies to all zoning districts that allow residential development and all projects with at least five dwelling units. In addition to providing higher densities, the Ordinance also allows reduced parking standards. Table 5.4 provides a summary of the key features of this Ordinance.

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**Table 5.4: Milpitas Density Bonus Ordinance**

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| <b>Attribute</b>                           | <b>Milpitas Housing Density Bonus (a)</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|--------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Percent of Units Required to be Affordable | 5% of units to be affordable to very low-income, or 10% of units to be affordable to lower-income households, or a senior housing development (no affordability restrictions), or 10% of units to be affordable to moderate-income households, if the development is a condominium.                                                                                                                                                                                                                                             |
| Resale/Rent Restrictions                   | For very low- and low-income housing, a 30-year restriction applies, if required by other funding programs or if the City provides at least one incentive in addition to the Density Bonus. Otherwise, there is a minimum 10-year restriction.                                                                                                                                                                                                                                                                                  |
| Maximum Amount of Density Bonus            | Sliding scale. Very low (percentage of very low-income units ranges from 5% to 11% and accompanying density bonus ranges from 20% to 35%); Low (percentage of low-income units ranges from 10% to 20% and accompanying density bonus ranges from 20% to 35%), and Moderate (percentage of moderate-income units ranges from 10% to 40% and accompanying density bonus ranges from 5% to 35%). For senior housing, since 100% of units in a development must be targeted to seniors, a uniform density bonus of 20% applies.     |
| Rounding of Density Bonus Units            | All fractions are rounded up to provide for more density.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Number of Incentives Provided (b)          | Under the minimum required percentage of units for very low-, low- and moderate-income households, one incentive is provided. If a project doubles the percentage of affordable units, e.g., 10% of units for very low-income; 20% of units for lower-income, or 20% of units for moderate, then two incentives are provided. If a project triples the percentage of affordable units, e.g., 15% of units for very low-income; 30% of units for lower-income, or 30% of units for moderate, then three incentives are provided. |
| Reduced Parking Incentive                  | There are three ways that the reduction in the number of parking spaces provides a cost benefit to developers. First, for developments outside the TOD Overlay District, the number of required spaces for each unit size is lower (except for four-bedroom units). Secondly, parking spaces do not need to be covered, and thirdly, there is no requirement for guest parking.                                                                                                                                                 |

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**Notes:**

(a) Excludes density bonuses related to provision of child care facilities in residential developments.

(b) The actual incentives are not defined. Incentives must result in more affordable housing costs.

Sources: City of Milpitas Zoning Ordinance, XI-10-54.15.

### ***Affordable Housing Goals***

Although the City of Milpitas does not have an Inclusionary Zoning Ordinance, the City's Zoning Ordinance includes an Affordable Housing Goal (Section XI-10-6.03) that stipulates that at least 20 percent of units in new residential developments should be affordable. To achieve this goal, the City negotiates with residential developers on a project-by-project basis for the inclusion of units affordable to lower-income households. As a result of these negotiations, market-rate developers have agreed to further the City's affordable housing goals by providing on-site inclusionary units, in-lieu fees, land dedication, and off-site development. The ordinance provides the City with flexibility to waive the requirement for a particular project if compliance would render a project financially infeasible.

The City offers a range of incentives to developers that agree to provide affordable units, including loans, grants, and fee reductions or waivers. In addition to financial assistance, the City may allow for modifications to development standards that intensify land utilization, thereby lowering per-unit land costs. Modifications to development standards may include reduced parking requirements, increased height limits, density bonuses, or reduced setbacks. The City provided these incentives to several recent residential projects, including Parc Place, Paragon, Aspen Apartments, DeVries Place, Shea Properties, Edsel Court, and Summerfield Homes, assisting in the provision of over 300 affordable units.

The Milpitas Zoning Ordinance does not specify the income group targeting for affordable units, allowing the City to negotiate with developers based on project specifics and prevailing market conditions. During the height of the recent recession (2008-09), the price for market-rate condominiums approached the price of deed-restricted units targeted to moderate-income households. Because prices were similar and deed-restricted units are subject to resale restrictions, the City and developers encountered problems in marketing deed-restricted moderate-income units. To respond to this challenge, the City devoted a portion of its redevelopment housing set-aside funds to offer second mortgages, making the deed-restricted units affordable to low-income buyers.<sup>8</sup>

Since the City's affordable housing goals do not provide specific affordability targets and some projects are exempted from providing affordable units, the program is flexible enough to mitigate any potential negative impacts on housing production. While compliance with the City's affordable housing target could result in a decrease in the profitability of residential development or an increase in the cost of market rate housing in the City, the flexibility in the City's policy has allowed Milpitas to continue to support market-rate residential development while providing affordable units, as evidenced by the City's considerable ongoing residential construction activity.<sup>9</sup>

The City's affordable housing goal has resulted in 967 affordable units in mixed-income developments built, under construction, or approved in Milpitas in addition to units provided in developments that are 100 percent affordable. A significant share of affordable units in mixed-income developments were produced during the previous Housing Element cycle with financial assistance from the City, with much of the City's financial assistance originating from the RDA, as shown in Table 4.4. Due to the dissolution of the RDA, Milpitas will need to rely more heavily on alternate mechanisms to incentivize the inclusion of affordable units in market-rate developments in the upcoming years. Incentives are likely to include fee waivers or reductions and modifications to development standards, which the City has a history of providing to developments with affordable units. Additionally, Chapter 6 of the Housing Element Update includes programs to generate additional funding for affordable housing production, which can

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<sup>8</sup> Since much of the new residential development is located in a former redevelopment project area, the City was able use its housing set-aside funds to support the affordable housing required under the City's Zoning Ordinance and California Redevelopment Law.

<sup>9</sup> Much of this boom can be attributed to higher densities and other development incentives provided under the City's two specific plans as well as to an increase in demand due to job growth in Silicon Valley.

be used to provide financial assistance to projects that provide affordable residential units (see Policy D.1).

### ***Building Codes and Enforcement***

The City of Milpitas has adopted the California Building Code (CBC), the California Electrical Code, the California Mechanical and Plumbing Code, and the California Fire Code. It also enforces California Energy Commission's Title 24 standards for energy efficiency. City codes are updated regularly to reflect changes made in state and national codes and standards.

The City has not adopted any special requirements beyond those in the CBC. Class B (or better) roofing is required in new residential construction on the Valley Floor. Structures on the hillsides are subject to special engineering criteria for high wind, fire-retardant roofing standards, and sprinkler requirements, representing an added cost for the small number of homes that may be built in these areas. The City allows the use of the more flexible State Historic Building Code for historic structures, although the number of eligible structures is small.

While the CBC contains no prohibitions on exterior building materials, the Midtown and Transit Area Specific Plans disallow certain materials, including vinyl, aluminum, and T-111 siding, and horizontal sliding or plastic snap-in windows. These prohibitions are not likely to affect housing affordability or the level of housing production. Affordable housing projects in the City have been constructed with stucco or wood exteriors, allowing them to better blend with the surrounding community and convey an image of quality and durability.

### ***Site Improvement Requirements***

Residential developers are responsible for constructing road, water, sewer, and storm drainage improvements to extend services to new housing sites when needed. Developers are also often responsible for offsetting the any off-site impacts from a project such as increased run-off or added congestion at a nearby intersection.

The City's Subdivision Ordinance establishes the requirements for new subdivisions, including local street rights-of-way and curb-to-curb widths, sanitary sewer and storm drainage lines, and easements. These requirements do not restrict market rate housing development and while there are no special provisions or exceptions for affordable units, the City Council has the discretion to consider such exceptions in order to enhance the feasibility of a project. The City allows narrower streets within new subdivisions if these streets are privately owned and maintained, and if safety and emergency access concerns are adequately addressed.

### ***Design Review***

The City of Milpitas requires design review for projects within the "S" overlay zoning district only, which generally applies in commercial, industrial, multifamily residential, and hillside areas. Since most single family homes are outside the S district, alterations to individual homes (such as remodels and additions)

are not usually subject to design review. New multifamily projects are typically evaluated through a site plan review process, which includes an evaluation of design attributes by the Planning Commission. The City does not have a design review process that is separate from Planning Commission review.

The City has not adopted citywide residential design guidelines, but has adopted guidelines for the Midtown and Transit Specific Plan Areas.<sup>10</sup> These Guidelines cover site planning and building design, including massing, windows, materials, color, roof design, landscaping, signage, and lighting. In addition, there are specific guidelines by building type, covering mixed-use and multifamily residential. These guidelines do not pose a constraint, and are intended to ameliorate concerns that could arise when new residential projects are proposed that have higher densities than most of the City's existing housing stock.

It has been the City's experience that these guidelines do not have a significant impact on development costs. Moreover, developers have reported that the guidelines are straightforward and help to provide certainty on the type of projects that can be approved in various locations in Milpitas.

### ***Permit Processing***

Lengthy permit processing times can serve as a constraint to housing production and affordability by adding to financing costs. However, permit processing times in Milpitas are reasonable and do not constitute a development constraint. Projects that are consistent with the City's Zoning Ordinance, General Plan, and any applicable specific plans typically receive planning entitlements (if needed) within six to eight months, provided that extensive environmental analysis is not necessary. Building permits are issued within 30 working days after the City receives a complete application.

**Processing Time for Planning Approvals.** Residential projects that are consistent with the General Plan and Zoning Ordinance typically receive planning approval within six to eight months from the date that a complete application is submitted, provided that an Environmental Impact report is not required. Projects for which an Environmental Impact Report is required under the California Environmental Quality Act may require a year before planning approvals are processed. Projects requiring a General Plan Amendment or a major rezoning may also require longer processing times.

Milpitas has taken steps to help to reduce processing times for new residential projects in the City's Specific Plan Areas by preparing plan-level Environmental Impact Reports (EIRs) for each of the City's Specific Plans prior to adoption. These plan-level EIRs enable new projects that are developed in either of the Specific Plan Areas to rely heavily on those documents to assess broad-based and cumulative impacts (such as geologic hazards and air quality), rather than preparing entirely new EIRs. Projects in the Midtown Specific Plan and TASP Areas only require additional environmental review if

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<sup>10</sup> The Appendix to the Transit Area Specific Plan provides detailed design guideline information for new residential construction in both Specific Plan Areas.

the project has the potential for impacts not already considered in the plan-level EIR, shortening the processing time associated with environmental review.

Table 5.5 identifies the typical processing time for various planning entitlements. Few projects will require all of the entitlements shown in the table (for example, small-scale projects consistent with General Plan and zoning designations do not generally require EIRs, General Plan Amendments, Rezones, or Variances), and some review and approval procedures may run concurrently, so processing times shown in the table are not additive. The City encourages the joint processing of related applications for a single project (for example, a rezone petition may be reviewed in conjunction with the required site plan, a tentative tract map, and any necessary variances for the same project). These procedures save time, money, and effort for both the public and private sector and often decrease the costs for the developer.

**Table 5.5: Permit Processing Times**

| <b>Type of Approval or Permit</b>  | <b>Typical Processing</b> | <b>Approval Body</b>                    |
|------------------------------------|---------------------------|-----------------------------------------|
| Minor Conditional Use Permi        | 1-2 weeks                 | City Staff                              |
| Site Plan Review (Building Permit) | 1 - 6 weeks               | City Staff                              |
| Minor Site Development Permit      | 4 – 6 weeks               | Planning Commission Subcommittee        |
| Site Development Permit            | 8 – 12 weeks              | Planning Commission                     |
| Conditional Use Permit             | 8 -12 weeks               | Planning Commission                     |
| Variance                           | 8 - 12 weeks              | Planning Commission                     |
| Zone Change                        | 12 - 24 weeks             | City Council                            |
| General Plan Amendment             | 12 - 24 weeks             | City Council                            |
| Final Subdivision Map              | 6 weeks                   | Community Development Director          |
| Tract Subdivision Maps             | 14 -16 weeks              | City Council                            |
| Parcel Subdivision Maps            | 8 -12 weeks               | Planning Commission                     |
| Negative Declaration               | 4 - 6 weeks (a)           | Planning Commission                     |
| Environmental Impact Report        | 4 - 6 months (a)          | Planning Commission or City Council (b) |

Notes:

(a) After project is deemed complete.

(b) Depending on entitlement.

Sources: City of Milpitas, 2014; BAE, 2014.

**Processing Time for Building Permits.** Once zoning approval is obtained, building permit processing times are relatively short. The City is in compliance with the Permit Streamlining Act and typically issues building permits within 30 working days after complete applications are received. To expedite the process, an applicant may request an outside Plan Checker from the City's approved list. Milpitas encourages developers to participate in pre-development conferences and meetings with staff before applications are submitted in order to address concerns early and avoid subsequent delays.

The Zoning Code stipulates the residential types permitted, conditionally permitted, or prohibited in each zone that allows residential uses. Permitted uses are those uses allowed without discretionary review, as long as the project complies with all development standards. Most conditionally permitted



uses require Planning Commission approval of a conditional use permit (CUP).<sup>11</sup> However, a Minor CUP can be approved at the staff level, which is usually completed within two weeks or less. While Minor CUPs do not apply to most residential uses, live-work spaces can be approved with a Minor CUP in some cases. Typical findings necessary to approve a CUP include that the project is consistent with the General Plan and that the use is compatible with surrounding uses. Table 5.6 shows which housing types are permitted, not permitted, or conditional uses in each residential zone.

**Table 5.6: Housing Types Permitted by Zoning District**

| Use                                 | Residential Zones |                      |        |        |        | Mixed Use Zones |                |              |        |
|-------------------------------------|-------------------|----------------------|--------|--------|--------|-----------------|----------------|--------------|--------|
|                                     | R1                | R2                   | R3     | R4     | R5     | MXD             | MXD 2 (ground) | MXD2 (upper) | MXD3   |
| Condominiums & Condo Conversions    | NP                | SFR: C<br>Duplex: C  | C      | C      | C      | C               | C              | C            | C      |
| Duplex (Two Dwellings)              | NP                | P                    | NP     | NP     | NP     | NP              | NP             | NP           | NP     |
| Group Dwelling                      | NP                | NP                   | NP     | C      | C      | NP              | NP             | NP           | NP     |
| Guest House                         | C                 | NP                   | NP     | NP     | NP     | NP              | NP             | NP           | NP     |
| Manufactured Home                   | P                 | NP (b)               | NP (b) | NP (b) | NP (b) | NP (b)          | NP (b)         | NP (b)       | NP (b) |
| Multifamily Dwellings (3+ Units)    | NP                | NP                   | P      | P      | P      | P               | NP             | P            | P      |
| Planned Unit Development            | P                 | P                    | P      | P      | P      | P               | P              | P            | P      |
| Second Units                        | P                 | SFR: P<br>Duplex: NP | NP     | NP     | NP     | NP              | NP             | NP           | NP     |
| Single Family Dwellings             | P                 | P                    | NP     | NP     | NP     | NP              | NP             | NP           | NP     |
| Single-room Occupancy Residences    | NP                | NP                   | C      | C      | C      | NP              | NP             | NP           | NP     |
| Transitional and Supportive Housing | P                 | P                    | P      | P      | P      | (a)             | NP             | (a)          | (a)    |

Notes:

C - Conditional Use Permit

P - Permitted

NP - Not Permitted

(a) Transitional and supportive housing are not identified as permitted uses in MXD districts. Program D.4.3 states that the City will amend the Zoning Ordinance to allow transitional and supportive housing in all mixed-use zoning districts that allow residential uses.

(b) Manufactured homes are permitted in the R1 zoning district but not in other zoning districts that allow residential development. Program D.5.3 states that the City will amend the Zoning Ordinance to allow manufactured homes in all zoning districts that allow residential uses.

Sources: City of Milpitas, 2014; BAE, 2014.

Projects proposed outside of the City's Site and Architectural and Hillside Overlay Districts that are consistent with the General Plan and zoning require only a building permit. Most single-family zoning districts in Milpitas are located outside of the Site and Architectural and Hillside Overlay Districts.

**Processing Times in the Site and Architectural and Hillside Overlay Districts.** Additional planning entitlements are required for projects proposed within the City's Site and Architectural and Hillside Overlay Districts. The City works closely with developers to expedite approval procedures to the extent possible in order to facilitate the development process.

<sup>11</sup> Parties wishing to appeal a Planning Commission decision can file an appeal with the City Council.

In most cases, the additional planning entitlements and review process that apply in the Site and Architectural Overlay District do not substantially impact housing affordability. Milpitas works to expedite the review process by maintaining a close working relationship between City staff, developers, and decision-making bodies. Furthermore, the Site and Architectural Overlay District overlaps substantially with the City's two Specific Plan Areas, which facilitate residential development through streamlined environmental review, high-density zoning designations, and other provisions, counterbalancing any potential impacts of enhanced review requirements. The substantial recent residential development activity in these areas demonstrates that these additional review processes do not pose a substantial constraint to development.

Although the additional review required for projects in the Hillside Overlay area may extend processing times somewhat, the Hillside zoning districts are intended to allow only a limited amount of development and do not constitute significant opportunities for residential projects. Moreover, geographical features generally make the development of affordable housing in these areas infeasible, regardless of the entitlements required.

### ***Development Fees***

Like cities throughout California, the City of Milpitas collects development fees to recover the capital costs of providing community services and the administrative costs associated with processing applications. New housing typically requires payment of impact fees for schools, parks, and traffic, connection fees for sewer, storm drainage, and water, and building permit fees, wastewater treatment plant fees, and a variety of service charges. In addition, developers of larger projects may incur costs in complying with the City's Affordable Housing Policy, either by building affordable units or by providing land or capital to affordable housing developers.

Table 5.7 shows total fees for two residential prototypes in Milpitas.

- The first prototype is a three-bedroom, two-story single family home measuring 2,000 square feet on a 5,000 square foot lot outside of the Hillside Combining District and the two Specific Plan Areas.
- The second prototype is a 150-unit multifamily development that is wood-frame construction on 4.5 acres (density is 34 units per acre). Each unit has two bedrooms and is 1,200 SF in size with 200 SF of parking space per unit. Fees for this prototype were calculated both outside the two Specific Plan Areas and within the TASP.

According to the estimates presented in Table 5.7, development fees for a single family home total approximately \$43,800 in development fees. Development fees for a multifamily project outside the TASP average approximately \$29,200 per unit, while development fees for a multifamily project inside the TASP average approximately \$42,800 per unit. These figures underestimate actual fees because they do not include the City's traffic impact fee, which varies by location and is difficult to model.

**Table 5.7: City of Milpitas Residential Development Fees, 2014**

| <b>Fee Type</b>                    | <b>Outside TASP</b>      |                        | <b>Inside TASP</b>     |
|------------------------------------|--------------------------|------------------------|------------------------|
|                                    | <b>Single Family (a)</b> | <b>Multifamily (b)</b> | <b>Multifamily (b)</b> |
| Sewer Connection                   | \$1,908                  | \$1,406                | \$1,406                |
| Water Connection                   | \$1,910                  | \$1,164                | \$1,164                |
| Storm Drainage Connection Fee      | \$1,100                  | \$503                  | \$503                  |
| Treatment Plant Fee                | \$880                    | \$690                  | \$0                    |
| Fire Fees                          | \$1,476                  | \$377                  | \$377                  |
| School Impact                      | \$6,520                  | \$3,912                | \$3,912                |
| Park In-Lieu Fee                   | \$22,370                 | \$18,427               | \$0                    |
| Total Building Department Fees (c) | \$7,315                  | \$2,463                | \$2,463                |
| Approvals Process Review (d)       | \$286                    | \$214                  | \$214                  |
| Transit Area Impact Fee            | <u>\$0</u>               | <u>\$0</u>             | <u>\$32,781</u>        |
| <b>Total (e)</b>                   | <b>\$43,765</b>          | <b>\$29,156</b>        | <b>\$42,820</b>        |

**Notes:**

(a) Single family fees based on a three-bedroom, two-story, 2,000 SF home situated on a 5,000 SF lot.

(b) Multifamily fees based on a wood-construction building with 150 units on 4.5 acres (34 units per acre) with 200 SF of parking per unit. Each unit is 1,200 SF in size.

(c) Includes building permit and plan check fees. Assumes there are no additional fees for a grading permit, Zoning or General Plan changes.

(d) Includes review by Planning, Engineering, Building Inspection and Fire Departments. Estimates are based on total staff review costs for a recent project.

(e) The City of Milpitas assesses traffic impact fees that vary greatly by street location. Since there is no uniform way to calculate these fees, they are not included in this table.

Sources: City of Milpitas, 2014; BAE, 2014.

In addition to development fees, the City charges planning fees to process planning applications as needed, as shown in Table 5.8. The majority of these fees would apply to subdivisions or multifamily housing, but some, such as a conditional use permit or variance, could also apply to single family housing. These fees are necessary to cover the staff time that is required to process applications associated with proposed developments.

**Table 5.8: City of Milpitas Residential Planning Fees, 2014**

| <b>Fee Category</b>      | <b>Amount</b>                                                           |
|--------------------------|-------------------------------------------------------------------------|
| Variance                 | Single-Family: \$375<br>Multifamily: \$3,000 initial deposit            |
| Conditional Use Permit   | Single-Family: \$375<br>Multifamily: \$3,000 initial deposit            |
| General Plan Amendment   | \$20,000 initial deposit                                                |
| Zoning Change            | \$5,000 initial deposit                                                 |
| Site Development Permit  | Minor: \$750 initial deposit<br>New Buildings: \$20,000 initial deposit |
| Planned Unit Development | \$20,000 initial deposit                                                |
| Specific Plan            | \$20,000 initial deposit                                                |
| Development Agreement    | \$20,000 initial deposit                                                |
| Tentative Tract Map      | \$10,000 initial deposit                                                |
| Tentative Parcel Map     | \$5,000 initial deposit                                                 |

Sources: City of Milpitas, 2014; BAE, 2014.

City staff report that the City's fees for projects outside of the TASP are generally comparable with other jurisdictions in Silicon Valley. The TASP impact fee brings fees for projects in the TASP slightly higher than average, but the fee is necessary to cover the cost of infrastructure improvements needed to serve new development.

Development fees have increased in Milpitas since the prior Housing Element Update, but have not constrained residential development. Due to high demand for housing in Silicon Valley, land use policies in Milpitas that facilitate high-density residential development, and the City's access to existing transportation amenities and a future BART station, Milpitas has maintained strong residential construction activity with the current fee rates. The City also has a history of working to provide fee reductions for developments that provide affordable units in order to mitigate potential constraints to the development of affordable housing.

## **Infrastructure and Public Facility Constraints**

Most of the housing sites shown in Chapter 4 are in developed areas that are fully served by infrastructure, primarily within the Midtown and Transit Area Specific Plan Areas. Although the conversion of older industrial and heavy commercial sites to residential and mixed land uses in the Specific Plan Areas requires that additional infrastructure investment be undertaken to serve new development, the EIRs that were prepared for these Specific Plans addressed the adequacy of infrastructure in both areas and established mitigation measures where necessary and possible. Because the EIR for the TASP was completed after the EIR for the Midtown Specific Plan, and therefore accounted for any potential infrastructure constraints arising from implementation of both Specific

Plans, the findings of the TASP EIR can be used to evaluate infrastructure constraints that would impact the development of the housing sites identified in Chapter 4.

**Roads:** Even in the absence of new development in the Transit Area, traffic congestion is often a problem in Milpitas during peak hours. The Environmental Impact Report for the Transit Area Specific Plan discusses impacts of planned growth in the area on the roads and highways in Milpitas. The EIR concludes that there will be significant, unavoidable environmental impacts on the transportation system, including the following:

- Freeway speeds and delays on I-680, I-880, and SR-237/Calaveras Blvd segments will be below the Congestion Management Program LOS Standards.
- There will be substandard roadway segment operation during peak hours along numerous roads.
- Growth in the Transit Area will contribute to substandard intersection operations during peak hours along 15 key intersections. However, impacts at two intersections are more easily mitigated than are impacts at other affected intersections.

In the detailed listing of impacts, 13 intersections are identified that could operate at unacceptable levels of service when the area is built out. These intersections are divided into two groups. The first group consists of roads that are not programmed for improvements and includes the following intersections:

1. Tasman/Alder Drive
2. McCarthy Boulevard/Alder Drive
3. Tasman Drive/N. First St.
4. Montague Expressway/Milpitas Boulevard
5. Montague Expressway/First Street

The second group consists of intersections that can be improved once funds are generated through the Transit Area Impact Fee:

1. Tasman Drive/I-880 SB Ramps
2. Great Mall Parkway/I-880 NB Ramps
3. Montague Expressway/McCarthy Boulevard-O'Toole Avenue
4. N. Capitol Avenue/Trade Zone Boulevard-Cropley Avenue
5. Great Mall Parkway-E. Capitol Avenue/Montague Expressway
6. Montague Expressway/Zanker Road
7. Montague Expressway/S. Main Street-Oakland Road
8. Montague Expressway/McCandless Drive-Trade Zone

Freeway congestion is a regional issue, and therefore requires a regional solution. In the long run, it is hoped that more development located near transit will reduce some of the auto trips throughout the Bay Area, including new trips associated with new development in the Transit Area. It is anticipated that

the light rail system and future BART extension to Milpitas will help to manage future congestion in the City, as will the improvement of bicycle and pedestrian facilities planned for the Specific Plan Areas.

**Water:** The City's current Urban Water Management Plan was adopted in June 2011. As described in the Plan, the City of Milpitas receives potable water from the San Francisco Public Utilities Commission (SFPUC) and the Santa Clara Valley Water District (SCVWD) and has one existing and one future groundwater well that can provide emergency water supply when necessary. In addition, the City operates and maintains a recycled water system owned by the City of San Jose South Bay Water Recycling Program (SBWR). During normal rainfall periods, the City has sufficient water supply to meet water demands through 2035. However, the City could be impacted by shortages in drought periods, during which the two water wholesalers may not have sufficient supplies to meet demand. If a shortage occurs, it may be necessary to reduce water deliveries through drought rationing options, such as calls for voluntary water conservation or mandatory reductions.

The Transit Area Development Impact Fee will fund the design and construction of a second SCVWD water connection to improve the City's water supply. The fee will also provide partial funding toward an additional water supply tank and pump station. These potable water supply improvements are anticipated to occur in five to ten years. The fee will also cover costs to extend the City's recycled water system, which provides water that can be used for irrigation and industrial processes. Some residential projects in the TASP (Harmony, Pace, and Milpitas Station) have already planned or constructed extensions.

In addition, new development is required to install water saving devices required by the Uniform Plumbing Code as adopted by the City of Milpitas. These devices reduce water consumption and reduce wastewater. New irrigation systems for landscaping must meet Statewide conservation requirements and shall be served by recycled water wherever possible.

**Wastewater:** Wastewater from Milpitas is directed to the San Jose/Santa Clara Water Pollution Control Plan (WPCP) for treatment. Improvements needed within the Transit Area to existing sewer mains are identified in the 2004 Sewer Master Plan Revisions and 2009 Sewer Master Plan Update. The Transit Area Development Impact Fee provides partial funds to construct the improvements necessary to transport wastewater from developing portions of the Transit Area to the City's sewage treatment trunk lines connecting the City to the treatment plant.

The additional capacity required to accommodate cumulative growth in the city, including buildout of the TASP, can be accommodated by the City's contracted capacity at the WPCP. The City has contractual rights to 14.25 mgd, but could need to acquire an additional 0.75 mgd of biochemical oxygen demand treatment capacity at the WPCP. The City will monitor the increase in demand generated by growth throughout the City, including the net increase attributable to the TASP, to determine when additional capacity will be needed.

**Storm Drainage:** Much of Milpitas, including portions of both Specific Plan Areas and some of the City's housing opportunity sites, is located within the lower floodplain areas of local watersheds and is subject to flood hazards. As a result, area-wide planning is required and special construction methods must be applied to development within much of the TASP and in some other areas in the City. Milpitas updated the City's Storm Drain Master Plan in 2013 to mitigate flooding risk in the City, including the two Specific Plan Areas. In addition, the Santa Clara Valley Transportation Authority has constructed several storm drain improvements that were needed for the planned BART extension to Milpitas.

In addition to area-wide improvements, storm drainage studies for new development projects are performed on a case-by-case basis, with mitigation measures determined for each project. These measures may include on-site improvements, such as raising development sites with fill or adding a storm water retention pond, and off-site improvements, such as the widening of channels or culverts downstream. These improvements are typically financed by the developer as a condition of approval.

Most of the large residential projects built during the last few years, including affordable projects, have been subject to storm drainage improvement requirements. While the storm drainage improvements add to development costs, they have not been a constraint to development, as evidenced by the recent construction of housing projects in the floodplain, and are necessary public safety measures.

**Solid Waste:** The City of Milpitas sends its recycling to the Republic Waste Services (Republic) Recyclery for processing and sends its garbage to the Newby Island Sanitary Landfill (NISL) for disposal. The City's collection and disposal contracts with Republic (and affiliate companies) end September 5, 2017. Recent studies estimate that the NISL may remain open until approximately 2025, dependent upon the facility obtaining an extension of its State permit. The City offers residential and commercial recycling programs and maintains outreach programs promoting source reduction and waste prevention.

Although residential and commercial development in the Transit Area will increase recycling and garbage generation, the Transit Area EIR states that development in the Transit Area will not cause an appreciable change in the filling rate of the NISL, due primarily to effective diversion rates (recycling program participation).

## **Environmental Constraints**

Both commercial and residential development in Milpitas are constrained by steep hillsides to the east, wetlands to the west, and City boundaries on the north and south. Although some development on the hillsides is possible, the area has significant seismic and landslide risks, and residents in the area are subject to ongoing geologic and wildfire risks. Additionally, hillside homes are expensive to construct and often have significant environmental impacts. Because of the City's various environmental constraints, future housing development in the City will consist largely of infill projects and redevelopment of existing uses. In most cases, properties that are redeveloped are expected to consist

of obsolete industrial buildings that will be redeveloped to accommodate high-density residential uses in the two Specific Plan Areas.

Like much of the Bay Area, the City of Milpitas is located in a seismically active area, with the Hayward Fault Zone located two miles to the east of the TASP area. In Milpitas and throughout the Bay Area, housing must meet building code standards which reflect the area's earthquake and liquefaction hazards.

The potential for flooding constitutes an additional environmental constraint that could limit housing production in Milpitas. Approximately 50 percent of the City, including some of the City's housing sites, is located within the 100-year floodplain. Although flood depths would be very shallow, a combination of on-site and off-site improvements may still be required before building in areas that could experience flooding. Milpitas is in the process of implementing the City's Storm Drain Master Plan, which was updated in 2013 to reduce the impacts of flooding in Milpitas. Concurrent with this Housing Element Update, the City is also updating the Safety Element of the General Plan to address current flooding hazards and establish goals, policies, and objectives to protect the community from the risk of flooding. The Santa Clara Valley Water District has scheduled additional projects that will further reduce the risk of flooding in Milpitas.

Although some environmental constraints might impact the cost of new housing, these constraints are relatively common in the Bay Area, and the City is limited in its ability to reduce their impact on housing costs without endangering public safety.

## **Housing for Persons with Disabilities**

Although many persons with physical disabilities do not require special housing, a proportion of the City's disabled population requires housing that is specially adapted to accommodate their disabilities. Housing can be made available to those individuals that require accessibility features by making modifications to existing housing units to make these units accessible and by ensuring that new housing units incorporate accessibility features. Some individuals with disabilities also benefit from living near transit and supportive services, and some may require housing with supportive services on site.

The City ensures that new housing developments comply with California building standards (Title 24 of the California Building Code), which have more rigorous accessibility requirements than the ADA, and provides applicants with a check list to assist them in developing plans that are compliant with Title 24 and ADA before they are submitted. Building Department staff is well versed in accessibility requirements and able to assist applicants when needed. In addition to requiring that residential buildings meet accessibility requirements, the City requires ADA-compliant parking, accessible entries, accessible paths of travel through areas being altered, and accessible restrooms, drinking fountains and public phones.



Pursuant to State law, Milpitas does not require discretionary review of small group homes (six or fewer residents) for persons with disabilities. The City allows small group homes in all residential zones and allows large group residential facilities in the R3 and R4 zones. Milpitas does not have any zoning, design review, or building code provisions that conflict with the goal of providing a barrier-free environment and does not impose zoning, building code, or permitting procedures to housing serving individuals with disabilities other than those allowed by State law. There are no City-mandated constraints on housing for persons with disabilities and no spacing requirements for group homes in Milpitas.

The City encourages residential retrofitting to make existing homes more accessible for persons with disabilities and provides funding for retrofits. During the last Housing Element planning period, Milpitas assisted 63 households with funding for home retrofits to accommodate accessibility features at a total cost of \$185,000. The City also works with applicants who need special accommodations in their homes to ensure that building code requirements do not create a constraint.

The City of Milpitas adopted Zoning Ordinance amendments in 2013 to establish a procedure for requesting reasonable accommodations for persons with disabilities and for City review of reasonable accommodation requests. In addition to these amendments, the Zoning Ordinance [Section 10-54.08(B)(9)] allows accessibility ramps and associated railings in any front, side or rear setback, provided that these features are no closer than three feet from the property line.

## **Potential Non-Governmental Constraints**

Apart from governmental constraints, there are often non-governmental constraints that limit the production of both market-rate and affordable housing. Non-governmental constraints to housing production often consist of market-related conditions, such as the cost of land and construction and the availability of financing, which can significantly constrain housing production for low- and moderate-income households in particular.

### ***Land Costs***

The cost of land has a considerable impact on development costs, and high land prices impact the feasibility of residential development throughout the Bay Area, including Milpitas. A study completed in July 2013 reported that recent land sales in Milpitas varied from approximately \$41 to \$78 per square foot, and data on recent land sales and currently selling properties indicate that current prices for land zoned for high-density residential development in Milpitas typically range from approximately \$70 to \$90 per square foot. However, the actual sale price of land in Milpitas could vary substantially from these figures based on a number of factors.

Jurisdictions can influence the impact of land prices on development costs by increasing the number of units that can be built on a given piece of land. Although land zoned at higher densities often costs more per acre than land zoned at low densities, higher-density zoning typically reduces the cost of land

on a per-unit basis. The densities allowed in the Midtown and Transit Area Specific Plan areas, as well as the increased densities allowed in the Transit Oriented Development Overlay District demonstrate that Milpitas has implemented higher densities to decrease housing development costs on a per-unit basis in key areas of the City.

In addition to zoning land at densities that help to reduce housing costs, Milpitas has facilitated residential development by providing City-owned land to residential developers at no cost. In 2013, Milpitas gave 5.94 acres to the developer of a senior housing project on Main Street, which is planned for 389 units, 48 of which will be affordable to lower-income households. Depending largely on the outcome of the Redevelopment Successor Agency's disposition agreement with the State, Milpitas may be able to provide affordable housing developers with additional sites that were formerly controlled by the City's Redevelopment Agency to at low or no cost in the future.

### ***Construction Costs***

According to RS Means, a standard source used to estimate construction costs, construction costs for an average-quality 1,600-square foot single-family home in Milpitas average approximately \$190,000 to \$265,000 per unit, or approximately \$120 to \$165 per square foot. However, construction costs vary substantially depending on product type, building design, and the quality of finishes, and construction costs are often considerably higher for custom or luxury-quality housing units. In addition, soft costs such as financing, permit fees, and marketing add to the total development costs for a project.

On a per-square-foot basis, construction costs for multifamily residential units tend to be slightly higher than construction costs for single-family homes. RS Means estimates that average construction costs range from approximately \$175 to \$230 per square foot for a one- to three-story multifamily project and approximately \$200 to \$230 for a four- to seven-story multifamily residential project in Milpitas. Assuming an average unit size of 1,200 square feet (including common areas), these estimates result in construction costs ranging from approximately \$210,000 to \$280,000 per unit in Milpitas. In addition to the cost of unit construction, parking adds substantial additional costs to multifamily construction, which vary considerably based on the type of parking provided. Structured parking can average \$30,000 or more per space, while underground parking can cost \$40,000 per space or substantially more.

The high land and development costs in Milpitas mean that, without subsidies, new rental units affordable to very low and low-income households are difficult to provide at a feasible rate of return to a developer or investor. This also tends to hold true for for-sale housing at the moderate income level.

### ***Financing***

Although the constrained availability of construction and permanent financing for new development projects has hindered housing production nationwide during the past several years, financing has become somewhat more accessible as the housing market recovers. Residential developers reported that lenders substantially restricted the availability of financing for new residential construction

following the 2007 mortgage crisis. While private lenders often offered loans equal to 70 to 90 percent of the building value prior to the crisis, many began limiting loans to 50 percent of the building value after 2007. Furthermore, lenders instituted strict standards to determine whether developers would qualify for loans, even at the reduced loan-to-value ratios. These lending standards significantly lowered the pace of new housing development throughout the Bay Area and nationally.

The availability of mortgages for homebuyers was also severely restricted following the 2007 subprime mortgage crisis, but lenders have begun to make financing more accessible as the housing market has shown signs of recovery. Prior to 2007, prospective homebuyers were often able to purchase homes with little or no down payment. However, in response to the 2007 mortgage crisis, lenders instituted strict lending standards, typically requiring a 20 percent down payment and high credit scores. One outcome of these stricter standards was reduced access to homeownership for low- and moderate-income households unable to afford the large down payment required to purchase a home.

As the housing market and economic conditions in general have improved, lenders have begun to relax some of the lending restrictions that were instituted after 2007. Although lending standards continue to be less flexible than they were prior to the mortgage crisis, and may remain so indefinitely, loans have become more accessible for developers and individual homebuyers in recent years than in the years immediately following the height of the housing crisis.

Current home mortgage interest rates for home loans are at historically low levels, averaging 3.98 percent in 2013 for a 30-year fixed-rate mortgage. This means that prospective homebuyers that are able to qualify for home loans under the more stringent current lending standards are often able to benefit from low interest rates, reducing ownership costs.

## 6. HOUSING PLAN

This chapter presents Milpitas's housing goals during the 2015-2023 planning period as well as policies and programs to support these goals. While Milpitas has long had an active set of housing programs, much of the activity was dependent on federal, state, and Redevelopment Agency funding resources. Given the limitations imposed by current budget constraints and reductions in available funding, this Housing Element adds policies and programs balanced with these limitations. All policies and programs have been reviewed to maximize development of affordable housing, effectively utilize funding for affordable housing activities, provide housing for special needs populations, and provide housing for all economic segments of the community. It should be noted that certain prior programs have been modified or deleted to reflect current market and fiscal conditions, as well as accomplishments during the previous Housing Element period.

### Housing Goals, Policies, and Programs

Housing policies and programs are grouped under six major goals:

- Goal A: Provide Adequate Sites.** Maintain adequate sites to accommodate the City's share of the regional housing need, including sites that are appropriate for the development of housing affordable to very low-, low-, moderate- and above moderate-income households.
- Goal B: Maintain and Preserve Housing Resources.** Maintain high-quality residential neighborhoods and preserve existing housing resources, including units affordable to extremely low-, very low-, low-, and moderate-income households and market rate units.
- Goal C: Facilitate New Housing Production.** Promote new housing development and remove public infrastructure constraints to new housing development.
- Goal D: Support Housing Diversity and Affordability.** Support the development of a diverse range of housing types, including rental and ownership units, housing affordable to all economic segments of the community, and housing for individuals with special housing needs.
- Goal E: Eliminate Housing Discrimination.** Ensure equal housing opportunity for all households and equal access to the City's housing resources.
- Goal F: Promote Energy Conservation.** Promote energy efficiency in residential development in Milpitas, including reduction of energy use through better design and construction in individual homes and energy-efficient urban design.

**Goal A: Provide Adequate Sites**

*Ensure provision of adequate sites to accommodate the City's share of the regional housing need, including sites that are appropriate for the development of housing affordable to very low-, low-, moderate- and above moderate-income households.*

**Policy A.1: Facilitate land acquisition and site assembly.**

**Program A.1.1:** The City will continue to work with local property owners to assemble small sites for future developments.

Responsible Department: Planning & Neighborhood Services

Funding Source: Department Budget for Staff

Time Frame: Ongoing

**Policy A.2: Consider land use re-designations as needed**

**Program A.2.1:** Although the City is able to accommodate its share of the regional housing need without rezoning during the current Housing Element period, the City will consider land use re-designations as needed in order to accommodate specific residential projects.

Responsible Department: Planning & Neighborhood Services

Funding Source: Department Budget

Time Frame: Ongoing

**Goal B: Maintain and Preserve Housing Resources**

*Maintain high-quality residential neighborhoods and preserve existing housing resources, including units affordable to extremely low-, very low-, low-, and moderate-income households and market rate units.*

**Policy B.1: Enforce housing codes and regulations to correct code violations while minimizing the displacement of residents.**

**Program B.1.1:** The City will continue to enforce its existing codes through its Code Enforcement Program. This program has been strengthened through the passage of the Neighborhood Beautification Ordinance (NBO), which establishes guidelines for the overall maintenance and preservation of neighborhoods citywide.

Responsible Department: Planning & Neighborhood Services

Funding Source: General Fund

Time Frame: Ongoing

**Program B.1.2:** Through its Replacement/Relocation Program, the City will assist any households displaced through code enforcement activities to relocate to other suitable housing that is affordable to the households that are displaced.

Responsible Department: Planning & Neighborhood Services  
Funding Source: City Housing Authority  
Time Frame: Ongoing

**Policy B.2:** **Provide assistance for the rehabilitation of housing units occupied by very low-income and low-income households.**

**Program B.2.1:** Through the Housing Rehabilitation Program, the City will provide funds to assist very low- and low-income owner households to undertake repairs to their homes to bring them up to standard condition and prolong the useful life of the local housing stock. The City will give priority for participation in this program to very low-, and low-income homeowners who are subject to code enforcement actions that could otherwise lead to displacement of residents. Assuming adequate CDBG funding, the City will continue assisting between 16 and 24 low-income homeowners over the course of the planning period.

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG, City Housing Authority  
Time Frame: Ongoing

**Program B.2.2:** The City will continue to provide CDBG funds to Rebuilding Together to provide safety, accessibility, and mobility repairs to mobile and single family homes owned by very low- and low-income households.

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG  
Time Frame: Ongoing

**Program B.2.3:** The City will continue to support Project Sentinel, which provides fair housing assistance, landlord-tenant mediation services, and mortgage default counseling to Milpitas residents.

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG, City Housing Authority  
Time Frame: Ongoing

**Policy B.3:**               **Monitor the need to replace infrastructure as needed to conserve older neighborhoods.**

**Program B.3.1:**       When updating its Capital Improvement Program and associated budget, the City will allocate resources to rehabilitate and/or replace infrastructure in older neighborhoods whose infrastructure is approaching obsolescence.

Responsible Department:   Engineering  
Funding Source:               Department Budget (CIP)  
Time Frame:                   Ongoing

**Policy B.4:**               **Collaborate with other public and private entities to ensure that no extremely low-, very low-, or low-income residents are adversely impacted by the conversion of existing affordable housing projects to market rate rents.**

**Program B.4.1:**       The City will continue to monitor the status of the 149 units at risk of conversion to market rates at Sunnyhills Apartments. The City will work with the Santa Clara County Housing Authority, U.S. Department of Housing and Urban Development, and the property owner to ensure the continuation of subsidies to the 149 low-income renters. If notice is received that the owner will convert the property to market rate use, the City will implement the following actions:

- Establish contact with public and non-profit organizations, such as Mid-Peninsula Housing Coalition, BRIDGE Housing, and other non-profit housing providers working in the Santa Clara area to inform them of the potential conversion status of Sunnyhills Apartments and to determine interest in purchasing and/or managing units at-risk.
- Provide technical assistance and support to these organizations with respect to financing to acquire or replace these units.
- Work with tenants of at-risk units and provide them with education regarding tenant rights and conversion procedures, Section 8 vouchers available through the Santa Clara Housing Authority, and other housing opportunities in the City for low-income households.
- Assist tenants to obtain priority status on the Section 8 Waiting List.

Responsible Department:   Planning & Neighborhood Services  
Funding Source:               Department Budget  
Time Frame:                   Beginning in 2017, in anticipation of the expiration of the current contract between HUD and the property owner

**Policy B.5:** **Maintain the existing stock of housing affordable to extremely low-, very low-, low-, and moderate-income households that is provided through the private market and provide tenant protections for apartment units at risk of condominium conversion.**

**Program B.5.1:** The City will continue to administer its condominium conversion ordinance to minimize the negative impacts of conversions on the rental market.

Responsible Department: Planning & Neighborhood Services

Funding Source: Department Budget

Time Frame: Ongoing

**Program B.5.2:** The City will continue to administer its mobile home rent control ordinance, which regulates rental rates and the rights and responsibilities of tenants and property owners for the three mobile home parks in Milpitas.

Responsible Department: Planning & Neighborhood Services

Funding Source: N/A

Time Frame: Ongoing

***Goal C: Facilitate New Housing Production.***

*Promote new housing development and remove public infrastructure constraints to new housing development.*

**Policy C.1:** **Continue to facilitate housing production through implementation of the TASP and Midtown Specific Plan.**

**Program C.1.1:** Continue to expedite environmental review in the TASP area by utilizing the Specific Plan EIR for projects that are consistent with the TASP.

Responsible Department: Planning & Neighborhood Services

Funding Source: N/A

Time Frame: Ongoing

**Program C.1.2:** The City will continue to implement the planning and design guidelines specified in the Midtown and Transit Area Specific Plans, including minimum densities, intensive land utilization, and mixed-use zoning.

Responsible Department: Planning & Neighborhood Services

Funding Source: Department Budget, TASP Impact Fee

Time Frame: Ongoing



**Policy C.2:**            **Address public infrastructure constraints to housing production where feasible.**

**Program C.2.1:**    The City will continue to coordinate sanitary and storm sewer improvements with the Cities of San Jose and Santa Clara and other relevant agencies if needed to acquire sufficient wastewater capacity to serve residential development. Measures to be explored include the reduction of wastewater flows (through water conservation programs) and the purchase of surplus capacity from other agencies using the regional water pollution control plant.

Responsible Department:   Planning & Neighborhood Services, Engineering  
Funding Source:                Department Budgets  
Time Frame:                      Ongoing

**Program C.2.2:**    The City will continue to work with the Santa Clara Valley Water District to reduce the extent of the flood plain on the housing sites identified in the Midtown Specific Plan in accordance with the Safety Element Update currently in progress.

Responsible Department:   Planning & Neighborhood Services, Engineering  
Funding Source:                Department Budgets  
Time Frame:                      Ongoing

**Program C.2.3:**    On an ongoing basis, the City will explore alternatives to the on-site retention of stormwater on each housing site, including the development of an area-wide retention pond or allowances for porous pavement and other surfaces that can absorb runoff.

Responsible Department:   Planning & Neighborhood Services, Engineering  
Funding Source:                Department Budgets  
Time Frame:                      Ongoing

**Program C.2.4:**    The City will continue to pursue State and federal grants and other financing to reduce the cost of off-site traffic improvements for housing developers in the City.

Responsible Department:   Planning & Neighborhood Services, Engineering  
Funding Source:                Department Budgets, TASP Impact Fee  
Time Frame:                      Ongoing

**Program C.2.5:** The City will continue to monitor additional infrastructure improvements needed for access to the Union Pacific Site.

Responsible Department: Planning & Neighborhood Services, Engineering  
Funding Source: Department Budgets  
Time Frame: Ongoing

**Policy C.3:** **Facilitate development of executive-luxury style housing to support the City's economic development strategy.**

**Program C.3.1:** The City will continue to work with builders developing high-rise buildings and with custom homebuilders to assist in the creation of additional executive-luxury style housing within the City.

Responsible Department: Planning & Neighborhood Services  
Funding Source: Department Budget  
Time Frame: Ongoing

***Goal D: Support Housing Diversity and Affordability***

*Support the development of a diverse range of housing types, including rental and ownership units, housing affordable to all economic segments of the community, and housing for individuals with special housing needs.*

**Policy D.1:** **Seek out new funding sources to support the development and preservation of housing that is affordable to extremely low-, very low-, low-, and moderate-income households and housing for individuals with special housing needs.**

**Program D.1.1:** Advocate for policies and legislation at the State and Federal level that increase the funding available to support the development and preservation of housing that is affordable to extremely low-, very low-, low-, and moderate-income households.

Responsible Department: Planning & Neighborhood Services  
Funding Source: N/A  
Time Frame: Ongoing

**Program D.1.2:** The City will continue to monitor federal, State, and other public and private funding sources that support the development and preservation of housing that is affordable to extremely low-, very low-, low-, and moderate-income households and submit applications for funding as appropriate.

Responsible Department: Planning & Neighborhood Services  
Funding Source: N/A  
Time Frame: Ongoing

**Policy D.2:** **Facilitate the development of at least 565 new housing units affordable to moderate-income households, 570 units affordable to low-income households and 1,004 new housing units affordable to very low-income households.**

**Program D.2.1:** The City will continue to operate its Below-Market Rate Financing Program for new construction.

Responsible Department: Planning & Neighborhood Services  
Funding Source: City Housing Authority, developer contributions  
Time Frame: Ongoing

**Program D.2.2:** The City will continue to promote affordable units in residential projects. In conformance with Section XI-10-6.03 of the City's Zoning Ordinance, affordable housing requirements are negotiated on a project-by-project basis, aiming for a minimum percentage (20 percent) of units in all housing developments to be affordable to extremely low-, very low-, low-, and/or moderate-income households.

Responsible Department: Planning & Neighborhood Services  
Funding Source: N/A  
Time Frame: Ongoing

**Program D.2.3:** The City will continue to provide density bonuses in accordance to the City's Density Bonus Ordinance.

Responsible Department: Planning & Neighborhood Services  
Funding Source: Department Budget, City Housing Authority  
Time Frame: Ongoing

**Program D.2.4:** When possible, the City will continue to provide fee reductions, waivers, or financial assistance to cover the cost of fees for housing developments that provide units that are affordable to extremely low-, very low-, low-, or moderate-income households.

Responsible Department: Planning & Neighborhood Services  
Funding Source: Department Budget, City Housing Authority  
Time Frame: Ongoing

**Program D.2.5:** When possible, the City will allow for deviations from development standards or provide other incentives to developers that agree to provide community benefits such as housing that is affordable extremely low-, very low-, low-, and/or moderate-income households.

Responsible Department: Planning & Neighborhood Services  
Funding Source: City Housing Authority  
Time Frame: Ongoing

**Policy D.3:** **Promote homeownership opportunities for low- and moderate-income households.**

**Program D.3.1:** The City will continue to provide assistance to first-time homebuyers to purchase below market rate units.

Responsible Department: Planning & Neighborhood Services  
Funding Source: City Housing Authority  
Time Frame: Ongoing

**Policy D.4:** **Support the development of housing for individuals and households with special housing needs.**

**Program D.4.1:** The City will encourage affordable housing developers to include units for extremely low-income households in future developments and will provide its housing trust funds to help subsidize development costs to achieve affordability targeting to extremely low-households.

Responsible Department: Planning & Neighborhood Services  
Funding Source: City Housing Authority, Housing Trust of Silicon Valley  
Time Frame: Ongoing

**Program D.4.2:** The City will continue to facilitate the development of emergency and transitional housing through financial and/or other incentives.

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG  
Time Frame: Ongoing

**Program D.4.3:** The City will modify its Zoning Ordinance to allow transitional and supportive housing in all mixed-use zoning districts that allow residential uses, subject to the same requirements as other residential uses in the same zones.

Responsible Department: Planning & Neighborhood Services  
Funding Source: Department Budget  
Time Frame: 2015

**Program D.4.4:** The City will continue to support emergency services and housing resources consistent with the City's ongoing commitment to and participation in the Santa Clara County Continuum of Care Plan.

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG  
Time Frame: Ongoing

**Program D.4.5:** Milpitas will continue to provide funds (through CDBG and other programs) to local non-profits such as Rebuilding Together to assist residents with home retrofits.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: CDBG & Department Budgets  
Time Frame: Ongoing

**Program D.4.6:** Milpitas will require units that are accessible to individuals with disabilities in new housing developments.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: CDBG & Department Budgets  
Time Frame: Ongoing

**Program D.4.7:** Milpitas will continue to enforce Title 24 of the California Building Code and the Americans with Disabilities Act (ADA) when reviewing proposed development plans.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: CDBG & Department Budgets  
Time Frame: Ongoing

**Program D.4.8:** The City will provide information on housing resources and suitable housing opportunities in Milpitas to individuals with disabilities.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: CDBG & Department Budgets  
Time Frame: Ongoing

**Program D.4.9:** Working with the San Andreas Regional Center, Milpitas will implement an outreach program that informs residents on housing and services available for persons with developmental disabilities. The program could include the development of an informational brochure, updating the City's housing assistance resource web page to provide additional information on services, and providing housing-related training for individuals and families through workshops.

Responsible Department: Planning & Neighborhood Services  
Funding Source: Department Budgets, City Housing Authority  
Time Frame: 2015

**Program D.4.10:** During project review, City staff shall encourage the inclusion of studio and four-bedroom units in new projects as feasible and provide financial and regulatory incentives when possible.

Responsible Department: Planning & Neighborhood Services  
Funding Source: N/A  
Time Frame: Ongoing

**Policy D.5:** **Support alternative housing types such as live/work lofts and manufactured housing.**

**Program D.5.1:** Consistent with the Midtown Specific Plan, the City will favorably consider applications for live-work units in zoning districts where live-work units are a permitted or conditionally-permitted use.

Responsible Department: Planning & Neighborhood Services  
Funding Source: N/A  
Time Frame: Ongoing

**Program D.5.2:** The City will continue to permit manufactured housing in R1 zones subject to the same architectural requirements and development standards as other dwellings in the same zone.

Responsible Department: Planning & Neighborhood Services  
Funding Source: N/A  
Time Frame: Ongoing

**Program D.5.3:** The City will modify the zoning ordinance to allow manufactured housing in all zoning districts where residential development is allowed, subject to the same

architectural requirements and development standards as other dwellings in the same zone.

Responsible Department: Planning & Neighborhood Services  
Funding Source: Department Budget  
Time Frame: 2015

**Policy D.6: Support the inclusion of space for childcare facilities in new residential developments.**

**Program D.6.1:** The City will continue to encourage new residential developers to provide space for childcare facilities to promote the integration of this needed service in residential areas as they are developed.

Responsible Department: Planning & Neighborhood Services, Child Care Coordinator  
Funding Source: Department Budget  
Time Frame: Ongoing

***Goal E: Eliminate Housing Discrimination***

*Ensure equal housing opportunity and equal access to the City's housing resources for all households.*

**Policy E.1: Work to eliminate all unlawful discrimination in housing with respect to age, race, gender, sexual orientation, marital or familial status, ethnic background, medical condition, or other arbitrary factors, so that all residents can obtain decent housing throughout the City.**

**Program E.1.1:** The City will work with appropriate local, State, and federal agencies to ensure that fair housing laws are enforced.

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG, Department Budget  
Time Frame: Ongoing

**Program E.1.2:** The City will continue to implement its ordinances and policies prohibiting discrimination in housing practices.

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG, Department Budget  
Time Frame: Ongoing

**Program E.1.3:** The City will carry out necessary actions to address any impediments to fair housing choice identified in the City’s HUD-mandated Analysis of Impediments to Fair Housing (AI).

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG, Department Budget  
Time Frame: Through 2017 for impediments identified in the most recent (2012-2017) AI; 2017-2022 for impediments identified in the upcoming AI (to be completed prior to 2017).

**Program E.1.4:** The City will continue to distribute information on fair housing laws through flyers, brochures, public service announcements, and other means.

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG, Department Budget  
Time Frame: Ongoing

**Program E.1.5:** The City will continue to fund an appropriate agency, such as Project Sentinel, to advocate for Milpitas households that may have experienced unfair or illegal housing practices.

Responsible Department: Planning & Neighborhood Services  
Funding Source: CDBG, Department Budget  
Time Frame: Ongoing

***Goal F: Promote Energy Conservation***

*Promote energy efficiency in residential development in Milpitas, including reduction of energy use through better design and construction in individual homes and energy-efficient urban design.*

**Policy F.1: Promote energy efficiency in new and existing residential development.**

**Program F.1.1:** The City will continue to partner with local utility providers to promote participation of Milpitas’ low-income residents in available energy efficiency programs, such as PG&E’s Energy Partners Program.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: Department Budgets  
Time Frame: Ongoing



**Program F.1.2:** The City will continue to promote use of passive solar devices and promote energy audits of existing homes.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: Department Budgets  
Time Frame: Ongoing

**Program F.1.3:** Milpitas will continue to implement the City's Green Building Ordinance.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: Department Budgets  
Time Frame: Ongoing

**Program F.1.4:** The City will continue to encourage the incorporation of energy- and water-saving principles in the design and planning of new residential developments, including features such as solar orientation and the use of recycled water.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: Department Budgets  
Time Frame: Ongoing

**Program F.1.5:** The City will continue to encourage mixed-use and transit-oriented development at transit nodes.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: Department Budgets  
Time Frame: Ongoing

**Program F.1.6:** In accordance with the Green Building Policy Resolution adopted in February 2008, the City will continue to require that planning applications for new buildings include a completed LEED checklist.

Responsible Department: Planning & Neighborhood Services, Building  
Funding Source: Department Budgets  
Time Frame: Ongoing

## **Quantified Objectives**

The following table summarizes the quantified objectives for the construction, rehabilitation, and conservation of housing in the City of Milpitas for the 2015-2023 Housing Element period.

**Table 6.1: Summary of Quantified Objectives, City of Milpitas, 2015-2023**

|                          | <b>Construction (a)</b> | <b>Rehabilitation</b> | <b>Conservation/<br/>Preservation (b)</b> |
|--------------------------|-------------------------|-----------------------|-------------------------------------------|
| <b>Total Units</b>       | <b>3,290</b>            | <b>60</b>             | <b>149</b>                                |
| Extremely Low Income (c) | 502                     | 0                     | 149                                       |
| Very Low-Income          | 502                     | 25                    | 0                                         |
| Low Income               | 570                     | 35                    | 0                                         |
| Moderate Income          | 565                     | 0                     | 0                                         |
| Above Moderate Income    | 1,151                   | 0                     | 0                                         |

(a) Construction goal reflects housing need defined by the RHNA numbers. As of 2014, a significant number of new units are already under construction, approved or are in the planning process.

(b) This figure does not include mobile home units rented to seniors on fixed incomes.

(c) The quantified objective for extremely low-income housing units is assumed to be one-half the total of the very low-income units required.

Sources: City of Milpitas, 2014; BAE, 2014.

The figures shown in Table 6.1 are based the following:

- New construction goals reflect the RHNA figures for Milpitas for the 2015-2023 planning period.
- Rehabilitation goals are based on the current funding provided by the City's CDBG Rehabilitation Program.
- The conservation goal is based on the need to preserve or replace the 149 affordable units at-risk to market conversion at Sunnyhills Apartments. In addition, there are 544 mobile home units in the City's three mobile home parks. The City administers a Mobile Home Rent Control Ordinance to maintain affordability for those units occupied by low-income seniors, which are estimated to comprise approximately 65 percent of mobile home residents in Milpitas.

## **APPENDIX A: MILPITAS HOUSING ELEMENT ACCOMPLISHMENTS, 2007-2014**

**Table B-1: Evaluation of Programs in the 2007-2014 Housing Element**

| 2007-2014 Housing Element Program                                                                                                                                                                                                                                       | 2007-2014 Achievements                                                                                                                                                                                                                                         | Appropriateness for 2015-2023 Housing Element                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| <b>A. Identification of Adequate Sites</b>                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                |                                                                                             |
| <b>Goal A-1: Provide Adequate Sites for Housing Development in the City of Milpitas</b>                                                                                                                                                                                 |                                                                                                                                                                                                                                                                |                                                                                             |
| <b>Policy A-1: Facilitate land acquisition and assembly</b>                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                |                                                                                             |
| Facilitate land acquisition and site assembly                                                                                                                                                                                                                           | Milpitas facilitated the land acquisition and site assembly as needed throughout the planning period.                                                                                                                                                          | Ongoing Program 2014-2022                                                                   |
| <b>Policy A-2: Modify land use designation as necessary</b>                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                |                                                                                             |
| Study land use redesignation as needed                                                                                                                                                                                                                                  | Due to the adoption of the Transit Area and Midtown Specific Plans, the City had sufficient sites to accommodate residential development throughout the planning period. As a result, no redesignations were necessary.                                        | Ongoing Program 2014-2022                                                                   |
| <b>B. Housing and Neighborhood Conservation</b>                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                             |
| <b>Goal B-1: Maintain High Quality Residential Environments</b>                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                |                                                                                             |
| <b>Goal B-2: Preserve Housing Resources</b>                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                |                                                                                             |
| <b>Policy B-1: Continue to enforce housing codes and regulations</b>                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                |                                                                                             |
| Operate Code Enforcement Program                                                                                                                                                                                                                                        | Code Enforcement Staff continue to implement citywide Neighborhood Beautification Ordinance to address code violations.                                                                                                                                        | On-Going Program 2014-2022                                                                  |
| Operate Replacement/Relocation Program to assist any households displaced through code enforcement activities                                                                                                                                                           | Code enforcement activities did not displace any households during the planning period and therefore no replacement or relocation assistance was needed.                                                                                                       | Continue to monitor any replacement/relocation of households and provide funding as needed. |
| <b>Policy B-2: Provide assistance for rehabilitation to lower-income households</b>                                                                                                                                                                                     |                                                                                                                                                                                                                                                                |                                                                                             |
| Continue to operate the CDBG Rehabilitation Program                                                                                                                                                                                                                     | Milpitas provided \$1.3 million through the CDBG Rehabilitation Program during the planning period, providing assistance to 21 low-income households.                                                                                                          | On-Going Program 2014-2022                                                                  |
| Operate a Lift Program where needed                                                                                                                                                                                                                                     | Milpitas was unable to implement this program during the planning period due to limited property owner interest.                                                                                                                                               | Program will not be continued during the 2014-2022 Housing Element period.                  |
| Continue to support Rebuilding Together to preserve affordable housing                                                                                                                                                                                                  | Milpitas provided \$355,000 to Rebuilding Together to assist in the preservation of affordable housing units during the planning period.                                                                                                                       | On-Going Program 2014-2022                                                                  |
| Continue to support Project Sentinel                                                                                                                                                                                                                                    | Continued to support Fair Housing Services                                                                                                                                                                                                                     | On-Going Program 2014-2022                                                                  |
| <b>Policy B-3: Replace infrastructure as needed</b>                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                |                                                                                             |
| Provide priority in Capital Improvement Program to rehabilitate/replace infrastructure in older neighborhoods                                                                                                                                                           | Milpitas Capital Improvement Program and Housing Authority has provided funding to address needs of older neighborhoods                                                                                                                                        | On-Going Program 2014-2022                                                                  |
| <b>Policy B-4: Preserve or replace affordable housing that converts to market rate</b>                                                                                                                                                                                  |                                                                                                                                                                                                                                                                |                                                                                             |
| Continue to monitor at-risk Sunnyhills Apartments. If notice to convert is received, the City will: 1) Contact public and non-profit agencies to inform them of potential conversion; 2) Provide technical assistance and support to agencies; 3) Help at-risk tenants. | Milpitas has worked with the Housing Authority of Santa Clara County to renew the Section 8 Vouchers for tenants of Sunnyhills Apartments to maintain long-term affordability and prevent units from being at-risk. Milpitas continues to monitor the project. | On-Going monitoring 2014-2022                                                               |

**Table B-1: Evaluation of Programs in the 2007-2014 Housing Element**

| 2007-2014 Housing Element Program                                                                                                                                      | 2007-2014 Achievements                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Appropriateness for 2015-2023 Housing Element |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------|
| <b>Policy B-5: Preserve affordable housing provided by the market</b>                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                               |
| Continue to administer the Condominium Conversion Ordinance                                                                                                            | No condominium conversions were proposed during the 2007-2014 Housing Element Update cycle.                                                                                                                                                                                                                                                                                                                                                                                | On-Going monitoring 2014-2022                 |
| Continue to administer the Mobile Home Rent Control Ordinance                                                                                                          | Milpitas continued to administer the ordinance throughout the planning period.                                                                                                                                                                                                                                                                                                                                                                                             | On-Going Program 2014-2022                    |
| <b>C. New Housing Production</b>                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                               |
| <b>Goal C-1: Facilitate New Housing Production</b>                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                               |
| <b>Policy C-1: Continue to use planning tools to facilitate housing production</b>                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                               |
| Use Transit Area Specific Plan EIR to expedite environmental review for projects located in the area                                                                   | The TASP EIR was used to expedite environmental review of all projects approved within the TASP area during the 2007-2014 Housing Element Update cycle.                                                                                                                                                                                                                                                                                                                    | On-Going 2014-2022                            |
| Continue to implement planning and design guidelines in the Midtown and Transit Area Specific Plans                                                                    | The Mid-Town and TASP design guidelines were implemented during project review throughout the planning period.                                                                                                                                                                                                                                                                                                                                                             | On-Going 2014-2022                            |
| <b>Policy C-2: Address Infrastructure constraints to housing production where feasible</b>                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                               |
| Continue to coordinate sanitary and storm sewer improvements with the Cities of San Jose and Santa Clara                                                               | Developers of projects in the TASP area provided upgrades to the sanitary and storm sewer systems to serve the new developments. No additional improvements were needed during the planning period.                                                                                                                                                                                                                                                                        | On-Going 2014-2022                            |
| Continue to work with the Santa Clara Valley Water District to reduce flood plain issues on specific sites                                                             | Milpitas has worked with Santa Clara Valley Water District to identify any flood plain issues and has updated Master Flood Plain Map and documents to address potential flood issues in the future                                                                                                                                                                                                                                                                         | On-Going 2014-2022                            |
| Explore alternatives to on-site retention of storm water                                                                                                               | On an going basis, Milpitas will continue to explore alternatives to on-site retention of storm water on each housing site including the development of an area wide retention pond or allowances for porous pavement and other pervious surfaces which can absorb runoff. Storm water retention strategies have been explored. However, the residential development community does not require the need at this time. The City will continue to monitor any future needs. | On-Going 2014-2022                            |
| Pursue grants to reduce cost of off-site traffic improvements.                                                                                                         | Milpitas pursued and received Federal, State and Regional grants and used part of the revenue generated by the TASP impact fee to address traffic improvements.                                                                                                                                                                                                                                                                                                            | On-Going 2014-2022                            |
| Continue to monitor additional infrastructure improvements needed for access to the Pacific Union site                                                                 | Milpitas did not approve any developments that necessitated infrastructure improvements to the Pacific Union site during the 2007-2014 Housing Element Update period.                                                                                                                                                                                                                                                                                                      | On-Going 2014-2022                            |
| <b>Policy C-3: Facilitate the development of executive-luxury style housing to support economic development strategy</b>                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                               |
| Continue to work with builders developing high-rise buildings and with custom homebuilders to assist in the creation of executive-luxury style housing within the City | Milpitas approved several developments in the TASP and Midtown Specific Plan Areas that include executive-luxury style units between 2007 and 2014.                                                                                                                                                                                                                                                                                                                        |                                               |

**Table B-1: Evaluation of Programs in the 2007-2014 Housing Element**

| 2007-2014 Housing Element Program                                                                                                                                                                                                                                            | 2007-2014 Achievements                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Appropriateness for 2015-2023 Housing Element    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| <b>D. Housing Diversity and Affordability</b><br><b>Goal D-1: Promote Housing Affordability for Renters and Homeowners</b><br><b>Goal D-2: Support Housing to Meet Special Needs</b><br><b>Goal D-3: Support Housing Diversity and Creativity in Residential Development</b> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                  |
| <b>Policy D-1: Facilitate the development of at least 441 new housing units affordable to moderate-income households, 421 units affordable to low income households and 689 new housing units affordable to very low income households</b>                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                  |
| Continue to operate the Below-Market Rate Financing Program for new construction                                                                                                                                                                                             | Milpitas provided grants and loans totaling \$21,649,997 to support the development of 99 units affordable to moderate-income households and 62 units affordable to very low income households between 2007 and 2014.                                                                                                                                                                                                                                                                                                           | On-Going seeking other funds sources, 2014-2022  |
| <b>Policy D-2: Continue to target the provision of 20 percent affordable units within new multifamily projects</b>                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                  |
| Continue to promote affordable units in new residential projects                                                                                                                                                                                                             | Milpitas approved 13 projects with a total of 791 units affordable to lower-income households (351 very low-income, 194 low-income, and 174 moderate-income units) between 2007 and 2014.                                                                                                                                                                                                                                                                                                                                       | On-Going seeking other funds sources, 2014-2022  |
| <b>Policy D-3: Provide incentives for affordable units</b>                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                  |
| Continue to provide density bonuses to new residential development                                                                                                                                                                                                           | Two projects in Milpitas received density bonuses between 2007 and 2014: Shea Properties, which includes 8 units affordable to very low-income households, and S. Main St Senior Housing, with includes 48 units affordable to 48-income households.                                                                                                                                                                                                                                                                            | On-Going 2014-2022                               |
| Continue to assist developers in paying development fees for low-income and special needs units included in new residential projects                                                                                                                                         | Milpitas provided \$5.3 million in development fee reductions and waivers to assist in the development of 308 units affordable to very low-, low-, or moderate-income households between 2007 and 2014.                                                                                                                                                                                                                                                                                                                         | On-Going seeking other funds sources 2014-2022   |
| <b>Policy D-4: Promote homeownership for lower- and moderate-income households</b>                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                  |
| Continue to provide assistance to first-time homebuyers                                                                                                                                                                                                                      | Between 2007 and 2014, Milpitas assisted 227 first-time homebuyer households in the purchase of homes through the City's first-time homebuyer program.                                                                                                                                                                                                                                                                                                                                                                          | On-Going seeking other funds sources 2014-2022   |
| <b>Policy D-5: Expand housing opportunities for extremely low-income households</b>                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                  |
| Encourage affordable housing developers to include units for extremely low-income households in future developments. Provide additional financial support for these units.                                                                                                   | Milpitas has provided previous Redevelopment 20% Low-Income Housing Set-Aside funds and Community Development Block Grant (CDBG) funds for purchase two (2) single-family homes (& rehabilitation) for 10 extremely low-income Milpitas Seniors. A total of 5 ELI Seniors live in each home. Approximately \$1.4 million was used to purchase these units. The City also has provided CDBG funding (\$40,000) to Emergency Housing Consortium to provide shelter and services to 78 Milpitas residents to prevent homelessness. | On-Going seeking other funding sources 2014-2022 |
| <b>Policy D-6: Support housing for the homeless</b>                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                  |
| Continue to facilitate development of emergency and transitional housing through financial and other incentives                                                                                                                                                              | Milpitas adopted Zoning Ordinance Amendments (Fall 2013) to facilitate the development of emergency and transitional housing.                                                                                                                                                                                                                                                                                                                                                                                                   | On-Going seeking other funding sources 2014-2022 |

**Table B-1: Evaluation of Programs in the 2007-2014 Housing Element**

| 2007-2014 Housing Element Program                                                                                                                             | 2007-2014 Achievements                                                                                                                                                                                                                                                                                            | Appropriateness for 2015-2023 Housing Element                                                                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Continue to support emergency services and housing resources through ongoing commitment to and participation in the Santa Clara County Continuum of Care Plan | Milpitas provides a financial contribution every two years to support the Countywide homeless census and survey, which is used by the County to apply for Emergency Shelter Grant funds. Milpitas also ensures that the City's five-year Consolidated Plan remains consistent with County Continuum of Care plan. | On Going 2014-2022                                                                                                                                                                  |
| <b>Policy D-7: Promote housing for persons with disabilities</b>                                                                                              |                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                     |
| Provide funds to local non-profits to assist residents with home retrofits                                                                                    | Milpitas provided \$185,000 in CDBG funding to provide 63 households with funding to assist residents with home retrofits.                                                                                                                                                                                        | On-Going 2014-2022                                                                                                                                                                  |
| Include accessible units within new residential developments                                                                                                  | All residential developments constructed in Milpitas between 2007 and 2014 included accessible units in accordance with the City's Building Code.                                                                                                                                                                 | On-Going 2014-2022                                                                                                                                                                  |
| Enforce Title 24 of the Building Code and the ADA when reviewing proposed development plans                                                                   | The Milpitas Building Department continues to enforce Title 24 of the Building Code and the ADA through the plan approval process. Developers are able to access information about accessibility requirements on the City website and at City Hall.                                                               | On-Going 2014-2022                                                                                                                                                                  |
| Provide information on housing resources to disabled residents                                                                                                | The City provides information on housing resources for residents with disabilities at City Hall and on the City's website. Milpitas also provides information on housing resources for residents with disabilities in pamphlets distributed to service providers.                                                 | On-Going 2014-2022                                                                                                                                                                  |
| Modify Zoning Ordinance to include a statement specifying reasonable accommodation for persons with disabilities                                              | Milpitas adopted Zoning Ordinance Amendments (Fall 2013) to address reasonable accommodations.                                                                                                                                                                                                                    | Not needed. Program was completed with adoption of ordinance.                                                                                                                       |
| <b>Policy D-8: Continue to encourage developers to provide new units meeting the needs of both very small and large households</b>                            |                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                     |
| Encourage developers to include studio and four-bedroom units in new projects as feasible through incentives                                                  | Projects approved or built in Milpitas between 2007 and 2014 included 16 studio units and 24 four-bedroom units.                                                                                                                                                                                                  | On-Going 2014-2022                                                                                                                                                                  |
| <b>Policy D-9: Provide outreach to encourage community acceptance of affordable housing</b>                                                                   |                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                     |
| Consider establishing a public education campaign that provides positive examples of affordable housing                                                       | By encouraging the inclusion of affordable units in high-quality developments in the City, Milpitas has facilitated in providing positive examples of affordable housing in the community. However, public education campaign was not established.                                                                | Remove                                                                                                                                                                              |
| <b>Policy D-10: Support housing alternatives, such as live/work lofts and manufactured housing</b>                                                            |                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                     |
| The City will favorably review applications for live work lofts in R4 and R5 districts                                                                        | 16 live/work units were approved in Milpitas between 2007 and 2014. The City continues to review applications for live work units favorably.                                                                                                                                                                      | On-Going 2014-2022                                                                                                                                                                  |
| The City will modify the Zoning Ordinance to permit manufactured housing in R1 zones                                                                          | Milpitas Zoning Ordinance was amended to permit manufactured housing in R-1 zones                                                                                                                                                                                                                                 | Program was completed through amendment to the Zoning Ordinance. Milpitas will continue to allow for manufactured housing through continued implementation of the Zoning Ordinance. |
| <b>Policy D-11: Support the inclusion of space for child care facilities in new residential communities</b>                                                   |                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                     |
| The City will explore the feasibility of encouraging developers of large residential projects to include space on-site for child care facilities              | Two residential projects with on-site child care facilities were constructed in Milpitas between 2007 and 2014 (Terra Serena and Aspen Family Apts).                                                                                                                                                              | On-Going 2014-2022                                                                                                                                                                  |

**Table B-1: Evaluation of Programs in the 2007-2014 Housing Element**

| 2007-2014 Housing Element Program                                                                                                                                               | 2007-2014 Achievements                                                                                                                                                                                                      | Appropriateness for 2015-2023 Housing Element                                                      |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| <b><u>E. Fair Housing</u></b>                                                                                                                                                   |                                                                                                                                                                                                                             |                                                                                                    |
| <b>Goal E-1: Eliminate Housing Discrimination</b>                                                                                                                               |                                                                                                                                                                                                                             |                                                                                                    |
| <b>Policy E-1: Work to eliminate all forms of unlawful discrimination so that residents can obtain decent housing through the City</b>                                          |                                                                                                                                                                                                                             |                                                                                                    |
| Ensure that fair housing laws are enforced                                                                                                                                      | Milpitas continues to work with Project Sentinel to enforce fair housing laws.                                                                                                                                              | On-Going 2014-2022                                                                                 |
| Continue to implement City ordinances and policies that prohibit discrimination in housing                                                                                      | Milpitas continues to review and implement ordinances and policies to address housing discrimination                                                                                                                        | On-Going 2014-2022                                                                                 |
| In the event that the Analysis of Impediments identifies any impediments, the City will take appropriate actions to address them                                                | Milpitas has monitored and addressed all impediments identified in the most recent AI Report.                                                                                                                               | On-Going review 2014-2022                                                                          |
| Continue to distribute information on fair housing laws                                                                                                                         | The City distributes information on fair housing laws through the City website, cable television, and at City Hall.                                                                                                         | On-Going 2014-2022                                                                                 |
| Continue to fund Project Sentinel to assist Milpitas households that experience discrimination in the housing market                                                            | Milpitas provided \$165,000 to Project Sentinel between 2007 and 2014 to assist households that experience discrimination in the housing market.                                                                            | On-Going 2014-2022                                                                                 |
| <b><u>F. Energy Conservation</u></b>                                                                                                                                            |                                                                                                                                                                                                                             |                                                                                                    |
| <b>Promote Energy Conservation in Residential Development</b>                                                                                                                   |                                                                                                                                                                                                                             |                                                                                                    |
| <b>Policy F-1: Continue to work to achieve energy efficiency in residential developments</b>                                                                                    |                                                                                                                                                                                                                             |                                                                                                    |
| Promote PG&E's Energy Partners Program                                                                                                                                          | Milpitas continues to promote PG&E's Energy Partners Program through information provided on cable television and the City's website.                                                                                       | On-Going 2014-2022                                                                                 |
| Promote use of passive solar devices and energy audits of existing homes                                                                                                        | Milpitas adopted a green building ordinance in 2008 that promotes green building practices in new construction and renovations in accordance with the ordinance.                                                            | On-Going 2014-2022                                                                                 |
| Adopt a Green Building Ordinance                                                                                                                                                | Milpitas adopted a Green Building Ordinance in 2008 and updated the ordinance in Jan. 2014.                                                                                                                                 | Program was completed through adoption of the Ordinance.                                           |
| Encourage the adoption of energy-saving design in new residential developments, including solar orientation                                                                     | Milpitas has adopted policies to encourage energy-saving design                                                                                                                                                             | On-Going review 2014-2022                                                                          |
| Encourage mixed-use and development at transit nodes                                                                                                                            | Milpitas adopted the Midtown Specific Plan in 2002 and the TASP in 2008, both of which encourage mixed use development at transit nodes and have facilitated the development of a number of projects between 2007 and 2014. | On-Going through continued implementation of the TASP and Midtown Specific Plan.                   |
| Require the inclusion of a completed LEED checklist in planning applications for new buildings                                                                                  | Milpitas adopted a LEED checklist for planning applications during the planning period.                                                                                                                                     | Program completed. Use of the LEED checklist will continue in the 2014-2022 Housing Element cycle. |
| <b><u>G. Remove Government Constraints</u></b>                                                                                                                                  |                                                                                                                                                                                                                             |                                                                                                    |
| <b>Goal G-1: Continue to Promote Land Use Policies and Development Standards to Facilitate Housing Production</b>                                                               |                                                                                                                                                                                                                             |                                                                                                    |
| <b>Goal G-2: Remove Government Constraints on the Production of Special Needs Housing</b>                                                                                       |                                                                                                                                                                                                                             |                                                                                                    |
| <b>Policy G-1: Continue to enforce policies and standards that facilitate affordable housing production</b>                                                                     |                                                                                                                                                                                                                             |                                                                                                    |
| Continue to enforce development standards that encourage multifamily housing. These include minimum residential densities, higher densities near transit, and mixed-use zoning. | Milpitas adopted the Midtown Specific Plan in 2002 and the TASP in 2008, both of which encourage multifamily housing through minimum residential densities, higher densities near transit, and mixed-use zoning.            | Ongoing through continued implementation of the TASP and Midtown Specific Plan.                    |



**Table B-1: Evaluation of Programs in the 2007-2014 Housing Element**

| 2007-2014 Housing Element Program                                                                                                                                                                                                                                          | 2007-2014 Achievements                                                                                                                                                                                                   | Appropriateness for 2015-2023 Housing Element                                                                                                                                                                                                                                                                                                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Policy G-2: Modify Zoning Ordinance to ensure there are opportunities for special needs housing in multifamily developments.</b>                                                                                                                                        |                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                       |
| Modify Zoning Ordinance to allow homeless shelters as a use "by right" in the Highway Services Zone. Adopt development standards that subject shelters to the same standards that apply to other allowed uses within this Zone.                                            | The City adopted an ordinance in November 2013 to allow emergency shelters by right in the Highway Services zone.                                                                                                        | Zoning Ordinance amendment was completed during the 2007-2014 Housing Element cycle. Emergency shelters will continue to be allowed through implementation of the City's Zoning Ordinance.                                                                                                                                                            |
| Modify Zoning Ordinance to allow transitional housing as a use "by right" in residential zones. Adopt development standards that subject transitional housing to the same restrictions that apply to other residential uses of the same type in this zone.                 | The City adopted an ordinance in November 2013 to allow transitional housing by right in residential zones, subject to the same restrictions that apply to other residential uses of the same type in each zone.         | Zoning Ordinance amendment was completed during the 2007-2014 Housing Element cycle. Transitional housing will continue to be allowed through implementation of the City's Zoning Ordinance.                                                                                                                                                          |
| Modify Zoning Ordinance to allow permanent supportive housing as a use "by right" in residential zones. Adopt development standards that subject permanent supportive housing to the same restrictions that apply to other residential uses of the same type in this zone. | The City adopted an ordinance in November 2013 to allow permanent supportive housing by right in residential zones, subject to the same restrictions that apply to other residential uses of the same type in each zone. | Zoning Ordinance amendment was completed during the 2007-2014 Housing Element cycle to allow transitional and supportive housing in all residential zones. The 2015-2023 Housing Element includes a program to amend the Zoning Ordinance to allow transitional and supportive housing in all mixed-use zoning districts that allow residential uses. |
| Modify Zoning Ordinance to identify zones for farmworker housing as a use "by right."                                                                                                                                                                                      | Farmworker housing is allowed by right on agricultural land.                                                                                                                                                             | Farmworker housing is allowed by right on land zoned for agricultural use.                                                                                                                                                                                                                                                                            |
| Modify Zoning Ordinance to identify zones for SRO units as a use "by right."                                                                                                                                                                                               | The Zoning Ordinance was modified to allow SRO units in all multifamily zoning districts, subject to approval of a conditional use permit.                                                                               | Zoning Ordinance amendment was completed during the 2007-2014 Housing Element cycle. SRO units will continue to be allowed through implementation of the City's Zoning Ordinance.                                                                                                                                                                     |

Source: City of Milpitas, 2014; BAE, 2014.

## APPENDIX B: DETAILED SITE INVENTORY

**Table B-1: Pending Residential Projects, Milpitas, August 2014**

| Site ID | APN                     | Plan Area | Address                              | Zoning | Overlay | Acres | Planned Units | Income Mix |     |      |            | Comments               |
|---------|-------------------------|-----------|--------------------------------------|--------|---------|-------|---------------|------------|-----|------|------------|------------------------|
|         |                         |           |                                      |        |         |       |               | Very Low   | Low | Mod. | Above Mod. |                        |
| P-1     | 8612021                 | Midtown   | S Abel St & Great Mall Pwy           | R4     | TOD     | 5.24  | 366           | 0          | 0   | 0    | 366        | Apex                   |
| P-2     | 8670001 through 8670082 | N/A       | Sinclair Frontage Rd & Los Coches St | R1-3   |         | 7.27  | 80            | 0          | 0   | 0    | 80         | Belcourt               |
| P-3     | 8632037                 | TASP      | Piper Drive & Montague Expy          | R3     | TOD     | 15.52 | 732           | 0          | 0   | 0    | 732        | Citation               |
| P-4     | 8632029                 | TASP      | Montague Expy & Piper Dr             | MXD3   | TOD     | 4.94  | 381           | 0          | 0   | 0    | 381        | Citation II            |
| P-5     | 8601041                 | N/A       | Murphy Ranch Road                    | R4     |         | 7.59  | 285           | 0          | 7   | 0    | 278        | Coyote Creek           |
| P-6     | (a)                     | TASP      | McCandless Dr & Montague Expy        | R3     |         | 12.34 | 276           | 0          | 0   | 0    | 276        | Harmony                |
| P-7     | 8633086                 | TASP      | Centre Pointe Dr                     | MXD2   | TOD     | 3.13  | 342           | 0          | 0   | 0    | 342        | Integral Centre Pointe |
|         | 8633087                 | TASP      |                                      | MXD2   | TOD     | 2.66  |               |            |     |      |            |                        |
|         | 8633088                 | TASP      |                                      | R3     | TOD     | 4.19  |               |            |     |      |            |                        |
|         | 8633089                 | TASP      |                                      | MXD3   | TOD     | 2.93  |               |            |     |      |            |                        |
|         |                         |           |                                      |        |         | 12.91 |               |            |     |      |            |                        |
| P-8     | 8633092                 | TASP      | McCandless Dr & Great Mall Pwy       | MXD2   | TOD     | 4.96  | 954           | 0          | 0   | 0    | 954        | Integral Properties    |
|         | 8633101                 | TASP      |                                      | MXD2   | TOD     | 5.77  |               |            |     |      |            |                        |
|         | 8633093                 | TASP      |                                      | MXD2   | TOD     | 2.57  |               |            |     |      |            |                        |
|         |                         |           |                                      |        |         | 13.30 |               |            |     |      |            |                        |
| P-9     | 8601034                 | N/A       | Baber Ln (Old Chev.Site)             | MXD3   | HR      | 3.00  | 375           | 0          | 0   | 0    | 375        | Landmark Tower         |
| P-10    | 8639001                 | N/A       | S. Milpitas Bl. & Los Coches St      | TC     |         | 1.48  | 32            | 0          | 0   | 0    | 32         | Live Work              |
|         | 8639002                 | N/A       |                                      | TC     |         | 1.17  |               |            |     |      |            |                        |
|         |                         |           |                                      |        |         | 2.65  |               |            |     |      |            |                        |
| P-11    | 8637021                 | TASP      | Montague Expy & Capitol Ave          | R5     | TOD     | 3.48  | 451           | 0          | 0   | 0    | 451        | Lyon Montague          |
|         | 8637004                 | TASP      |                                      | MXD3   | TOD     | 0.90  |               |            |     |      |            |                        |
|         | 8637020                 | TASP      |                                      | MXD3   | TOD     | 3.69  |               |            |     |      |            |                        |
|         |                         |           |                                      |        |         | 8.07  |               |            |     |      |            |                        |
| P-12    | 8632040                 | TASP      | Piper Dr & Montague Expy             | R3     | TOD     | 0.56  | 303           | 0          | 0   | 0    | 303        | Milpitas Station       |
|         | 8632038                 | TASP      |                                      | R3     | TOD     | 2.34  |               |            |     |      |            |                        |
|         | 8632033                 | TASP      |                                      | R3     | TOD     | 2.86  |               |            |     |      |            |                        |
|         | 8632041                 | TASP      |                                      | R4     | TOD     | 4.96  |               |            |     |      |            |                        |
|         | 8632039                 | TASP      |                                      | R3     | TOD     | 1.97  |               |            |     |      |            |                        |
|         |                         |           |                                      |        |         | 12.69 |               |            |     |      |            |                        |
| P-13    | 8628041                 | N/A       | S Main St & Los Coches St            | TC     |         | 7.62  | 80            | 0          | 0   | 0    | 80         | Orchid Residential     |
|         | 8639003                 |           |                                      | TC     |         | 3.92  |               |            |     |      |            |                        |
|         |                         |           |                                      |        |         | 11.54 |               |            |     |      |            |                        |
| P-14    | 8616100                 | Midtown   | S Main St and S. Abel St             | R4     | TOD     | 2.68  | 200           | 8          | 0   | 0    | 192        | Shea Properties        |

**Table B-1: Pending Residential Projects, Milpitas, August 2014**

| Site ID      | APN     | Plan Area | Address                           | Zoning | Overlay | Acres        | Planned Units | Income Mix |          |          |              | Comments                 |
|--------------|---------|-----------|-----------------------------------|--------|---------|--------------|---------------|------------|----------|----------|--------------|--------------------------|
|              |         |           |                                   |        |         |              |               | Very Low   | Low      | Mod.     | Above Mod.   |                          |
| P-15         | 8622027 | Midtown   | 1600 S Main St                    | R4     | TOD     | 1.17         | 389           | 48         | 0        | 0        | 341          | South Main Sr Lifestyles |
|              | 8622042 | Midtown   |                                   | R4     | TOD     | 0.98         |               |            |          |          |              |                          |
|              | 8622041 | Midtown   |                                   | R4     | TOD     | 0.83         |               |            |          |          |              |                          |
|              | 8622034 | Midtown   |                                   | R4     | TOD     | 0.52         |               |            |          |          |              |                          |
|              | 8622033 | Midtown   |                                   | R4     | TOD     | 0.39         |               |            |          |          |              |                          |
|              | 8622028 | Midtown   |                                   | R4     | TOD     | 2.05         |               |            |          |          |              |                          |
|              |         |           |                                   |        |         | <b>5.94</b>  |               |            |          |          |              |                          |
| P-16         | 8633095 | TASP      | McCandless Dr                     | R3     | TOD     | 2.24         | 200           | 0          | 0        | 0        | 200          | Taylor Morrison          |
|              | 8633098 | TASP      |                                   | R3     | TOD     | 2.72         |               |            |          |          |              |                          |
|              | 8633099 | TASP      |                                   | R3     | TOD     | 2.77         |               |            |          |          |              |                          |
|              | 8633094 | TASP      |                                   | R3     | TOD     | 1.94         |               |            |          |          |              |                          |
|              |         |           |                                   |        |         | <b>9.67</b>  |               |            |          |          |              |                          |
| P-17         | 8636043 | TASP      | Montague Expy & Trade Zone Blvd   | R3     |         | 9.31         | 134           | 0          | 0        | 0        | 134          | Trumark                  |
| P-18         | 8636005 | TASP      | Montague Expy & Trade Zone Blvd   | R3     | TOD     | 2.95         | 206           | 0          | 0        | 0        | 206          | Traverse                 |
|              | 8636003 | TASP      |                                   | R3     | TOD     | 2.02         |               |            |          |          |              |                          |
|              | 8636006 | TASP      |                                   | R3     | TOD     | 4.48         |               |            |          |          |              |                          |
|              | 8636004 | TASP      |                                   | R3     | TOD     | 2.93         |               |            |          |          |              |                          |
|              |         |           |                                   |        |         | <b>12.37</b> |               |            |          |          |              |                          |
| P-19         | 2237012 | N/A       | California Cir & Dixon Landing Rd | R1-2.5 |         | 5.27         | 84            | 0          | 0        | 0        | 84           | Waterstone               |
|              | 2237011 | N/A       |                                   | R1-2.5 |         | 5.42         |               |            |          |          |              |                          |
|              |         |           |                                   |        |         | <b>10.69</b> |               |            |          |          |              |                          |
| <b>TOTAL</b> |         |           |                                   |        |         |              | <b>6,146</b>  | <b>56</b>  | <b>7</b> | <b>0</b> | <b>6,083</b> |                          |

Note:

(a) Prior to approval, the Harmony site consisted of APNs 8641019, 8641020, 8641021, and 8641022. The site has subsequently been subdivided into over 100 parcels.

Source: City of Milpitas, 2014; BAE, 2014.

**Table B-2: High-Density Residential Opportunity Sites, Milpitas**

| Site ID | APN     | Plan Area | Address           | Existing Use | Zoning | Overlay | Acres       | Minimum Density (du/acre) | Maximum Density (du/acre) | Midpoint Density (du/acre) | Yield at Midpoint Density (du) | Estimated Density (du/acre) (a) | Estimated Yield (du) | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|---------|---------|-----------|-------------------|--------------|--------|---------|-------------|---------------------------|---------------------------|----------------------------|--------------------------------|---------------------------------|----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MFR-1   | 8622029 | Midtown   | 1474 S Main St    | Commercial   | R4     | TOD     | 0.85        | 41                        | 60                        | 50.5                       | 383                            | 41                              | 311                  | Nine of these parcels contain commercial uses, including several auto-related uses, an old restaurant and commercial services, and a sixth is vacant. Commercial structures on some of the sites appear to vacant and/or in disrepair. They are adjacent to the new Great Mall Light Rail station and new residential developments and have strong potential for reuse. Six of these parcels comprised Site # 7 in the 2007-2014 Housing Element. |
|         | 8622030 | Midtown   | 1452 S Main St    | Commercial   | R4     | TOD     | 0.87        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         | 8622031 | Midtown   | 1440 S Main St    | Commercial   | R4     | TOD     | 0.99        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         | 8623004 | TASP      | 1362 S Main St    | Commercial   | R4     | TOD     | 0.22        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         | 8623006 | TASP      | 1312 S Main St    | Commercial   | R4     | TOD     | 0.37        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         | 8623011 | TASP      | 1380 S Main St    | Commercial   | R4     | TOD     | 1.10        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         | 8623013 | TASP      | 1300 S Main St    | Commercial   | R4     | TOD     | 0.94        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         | 8623014 | Midtown   | 1430 S Main St    | Commercial   | R4     | TOD     | 1.00        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         | 8623015 | Midtown   | 1400 S Main St    | Commercial   | R4     | TOD     | 1.04        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         | 8623016 | TASP      | 1338 S Main St    | Vacant       | R4     | TOD     | 0.21        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         |         |           |                   |              |        |         | <b>7.59</b> |                           |                           |                            |                                |                                 |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| MFR-2   | 8622024 | Midtown   | 1640 S Main St    | Commercial   | R4     |         | <b>1.43</b> | 31                        | 40                        | 35.5                       | 51                             | 31                              | 44                   | Multi-tenant commercial space occupied primarily by auto-oriented uses. Adjacent to planned and completed new residential developments.                                                                                                                                                                                                                                                                                                           |
| MFR-3   | 8634009 | Midtown   | 1680 S Main St    | Commercial   | R4     |         | <b>2.21</b> | 31                        | 40                        | 35.5                       | 78                             | 31                              | 68                   | Self-storage facility adjacent to new residential development.                                                                                                                                                                                                                                                                                                                                                                                    |
| MFR-4   | 8632042 | TASP      | 1300 Piper Dr     | Commercial   | R4     | TOD     | 3.21        | 41                        | 60                        | 50.5                       | 300                            | 41                              | 244                  | Single-story, low-density office and light industrial space. Close to light rail station and planned BART station.                                                                                                                                                                                                                                                                                                                                |
|         | 8632043 | TASP      | 1250 Piper Dr     | Commercial   | R4     | TOD     | 2.73        | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         |         |           |                   |              |        |         | <b>5.95</b> |                           |                           |                            |                                |                                 |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| MFR-5   | 9208002 | TASP      | 1523 Gladding Ct  | Vacant       | R5     | TOD     | 4.25        | 41                        | 94 (b)                    | 67.4                       | 499                            | 41                              | 304                  | Manufacturing and distribution operations and vacant land.                                                                                                                                                                                                                                                                                                                                                                                        |
|         | 9208003 | TASP      | 1535 Gladding Ct  | Commercial   | R5     | TOD     | 3.16        | 41                        | 94 (b)                    | 67.4                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         |         |           |                   |              |        |         | <b>7.41</b> |                           |                           |                            |                                |                                 |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| MFR-6   | 8637015 | TASP      | W Capitol Ave     | Vacant       | R5     | TOD     | 0.33        | 41                        | 94 (b)                    | 67.4                       | 632                            | 41                              | 385                  | Sites have two warehouse structures surrounded by a large amount of vacant land. In close proximity to the light rail station and planned BART station. Parcels 8637015 and 8637027 comprised Site #11 in the 2007-2014 Housing Element.                                                                                                                                                                                                          |
|         | 8637026 | TASP      | 730 E Capitol Ave | Commercial   | R5     | TOD     | 3.96        | 41                        | 94 (b)                    | 67.4                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         | 8637027 | TASP      | 750 E Capitol Ave | Commercial   | R5     | TOD     | 5.10        | 41                        | 94 (b)                    | 67.4                       |                                | 41                              |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|         |         |           |                   |              |        |         | <b>9.39</b> |                           |                           |                            |                                |                                 |                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                   |

**Table B-2: High-Density Residential Opportunity Sites, Milpitas**

| Site ID      | APN     | Plan Area | Address             | Existing Use | Zoning | Overlay | Acres        | Minimum Density (du/acre) | Maximum Density (du/acre) | Midpoint Density (du/acre) | Yield at Midpoint Density (du) | Estimated Density (du/acre) (a) | Estimated Yield (du) | Comments                                                                                                                                                                |
|--------------|---------|-----------|---------------------|--------------|--------|---------|--------------|---------------------------|---------------------------|----------------------------|--------------------------------|---------------------------------|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MFR-7        | 8636011 | TASP      | Sango Ct            | Commercial   | R4     | TOD     | 0.44         | 41                        | 60                        | 50.5                       | 376                            | 41                              | 305                  | Low-density warehouse and light industrial properties with manufacturing, auto service, and car rental uses. Could be combined with Site MXD-9 to create a larger site. |
|              | 8636012 | TASP      | 1700 Sango Ct       | Commercial   | R4     | TOD     | 1.31         | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                         |
|              | 8636013 | TASP      | 355 Sango Ct        | Commercial   | R4     | TOD     | 1.27         | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                         |
|              | 8636030 | TASP      | 1841 Tarob Ct       | Commercial   | R3     | TOD     | 2.52         | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                         |
|              | 8636037 | TASP      | 328 Sango Ct        | Commercial   | R4     | TOD     | 0.72         | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                         |
|              | 8636041 | TASP      | 1905 Tarob Ct       | Commercial   | R4     | TOD     | 1.17         | 41                        | 60                        | 50.5                       |                                | 41                              |                      |                                                                                                                                                                         |
|              |         |           |                     |              |        |         | <b>7.44</b>  |                           |                           |                            |                                |                                 |                      |                                                                                                                                                                         |
| MFR-8        | 8636033 | TASP      | 1951 Tarob Ct       | Commercial   | R3     | TOD     | 2.55         | 21                        | 40                        | 30.5                       | 99                             | 21                              | 68                   | Site consists of one parcel with low-density manufacturing use and one with auto services.                                                                              |
|              | 8636046 | TASP      | 635 Trade Zone Blvd | Commercial   | R3     | TOD     | 0.70         | 21                        | 40                        | 30.5                       |                                | 21                              |                      |                                                                                                                                                                         |
|              |         |           |                     |              |        |         | <b>3.25</b>  |                           |                           |                            |                                |                                 |                      |                                                                                                                                                                         |
| <b>TOTAL</b> |         |           |                     |              |        |         | <b>44.65</b> |                           |                           |                            | <b>2,419</b>                   |                                 | <b>1,729</b>         |                                                                                                                                                                         |

Notes:

(a) This analysis estimates that the density on each site will be equal to the minimum density required in order to provide a conservative approach to estimating total yield on each site. However, the actual density of projects built on these sites is likely to be higher than the minimum required density, as demonstrated by recent projects in Milpitas.

(b) Maximum density is 75 units/acre by right, or up to 25 percent additional density with a use permit.

Sources: City of Milpitas, 2014; BAE, 2014.

**Table B-3: Mixed-Use Opportunity Sites, Milpitas**

| Site ID | APN     | Plan Area | Address       | Existing Use | Zoning | Overlay | Acres       | Effective Acreage (a) | Minimum Density (du/acre) | Maximum Density (du/acre) | Midpoint Density (du/acre) | Yield at Midpoint Density (du) | Estimated Density (du/acre) (a) | Est. Yield (du) | Comments                                                                                                                                                                                                                                                                          |
|---------|---------|-----------|---------------|--------------|--------|---------|-------------|-----------------------|---------------------------|---------------------------|----------------------------|--------------------------------|---------------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MXD-1   | 8627019 | Midtown   | 174 S Main St | Commercial   | MXD    |         | 0.23        | <b>1.90</b>           | 21                        | 30                        | 25.5                       | 48                             | 21                              | 40              | This site is located at the heart of Old Town Milpitas and includes several adjacent parcels under separate ownership. This was Site #2 in the 2007-2014 Housing Element.                                                                                                         |
|         | 8627037 | Midtown   | 154 S Main St | Commercial   | MXD    |         | 0.96        |                       | 21                        | 30                        | 25.5                       |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         | 8627039 | Midtown   | 166 S Main St | Commercial   | MXD    |         | 0.19        |                       | 21                        | 30                        | 25.5                       |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         | 8627041 | Midtown   | S Main St     | Commercial   | MXD    |         | 0.15        |                       | 21                        | 30                        | 25.5                       |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         | 8627040 | Midtown   | 196 S Main St | Commercial   | MXD    |         | 0.56        |                       | 21                        | 30                        | 25.5                       |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         |         |           |               |              |        |         | <b>2.09</b> |                       |                           |                           |                            |                                |                                 |                 |                                                                                                                                                                                                                                                                                   |
| MXD-2   | 8608023 | Midtown   | 209 S Main St | Commercial   | MXD    |         | 0.33        | <b>1.74</b>           | 21                        | 30                        | 25.5                       | 44                             | 21                              | 37              | This site is located at the heart of Old Town Milpitas and includes several adjacent parcels under separate ownership. Affordable housing would be most likely if the parcels are assembled to form a larger development site. This was Site #3 in the 2007-2014 Housing Element. |
|         | 8608024 | Midtown   | 227 S Main St | Commercial   | MXD    |         | 0.46        |                       | 21                        | 30                        | 25.5                       |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         | 8608048 | Midtown   | 187 S Main St | Commercial   | MXD    |         | 0.06        |                       | 21                        | 30                        | 25.5                       |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         | 8608030 | Midtown   | 195 S Main St | Commercial   | MXD    |         | 0.64        |                       | 21                        | 30                        | 25.5                       |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         | 8608045 | Midtown   | Serra Way     | Vacant       | MXD    |         | 0.42        |                       | 21                        | 30                        | 25.5                       |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         |         |           |               |              |        |         | <b>1.91</b> |                       |                           |                           |                            |                                |                                 |                 |                                                                                                                                                                                                                                                                                   |
| MXD-3   | 8608012 | Midtown   | Main St       | Vacant       | MXD    |         | <b>1.32</b> | <b>1.20</b>           | 21                        | 30                        | 25.5                       | 31                             | 21                              | 25              | This is a flat, unconstrained lot with excellent transportation access and frontage along both Abel Street and South Main Street. This was Site #4 in the 2007-2014 Housing Element.                                                                                              |
| MXD-4   | 8625011 | Midtown   | 526 S Main St | Vacant       | MXD    |         | <b>0.68</b> | <b>0.62</b>           | 21                        | 30                        | 25.5                       | 16                             | 21                              | 13              | Vacant, unconstrained site separated from MXD-5 by a 0.37-acre park. This constituted a portion of Site #5 in the 2007-2014 Housing Element.                                                                                                                                      |
| MXD-5   | 8625013 | Midtown   | 542 S Main St | Commercial   | MXD    |         | 0.34        | <b>2.55</b>           | 21                        | 30                        | 25.5                       | 65                             | 21                              | 54              | Uses on these sites consist of a car wash and a business that offers boat repair, parts, and accessories. The site is separate from Site #4 by a 0.37-acre park. This site constituted a portion of Site #4 from the 2007-2014 Housing Element.                                   |
|         | 8625012 | Midtown   | 554 S Main St | Commercial   | MXD    |         | 0.46        |                       | 21                        | 30                        |                            |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         |         |           |               |              |        |         | <b>2.81</b> |                       |                           |                           |                            |                                |                                 |                 |                                                                                                                                                                                                                                                                                   |
| MXD-6   | 8625020 | Midtown   | 850 Main St   | Vacant       | MXD    |         | 0.41        | <b>0.99</b>           | 21                        | 30                        | 25.5                       | 25                             | 21                              | 21              | This site consists of a contractor's storage yard with an adjoining vacant lot under separate ownership. It is adjacent to new multifamily housing. This was Site #6 in the 2007-2014 Housing Element.                                                                            |
|         | 8625021 | Midtown   | 808 Main St   | Commercial   | MXD    |         | 0.68        |                       | 21                        | 30                        |                            |                                | 21                              |                 |                                                                                                                                                                                                                                                                                   |
|         |         |           |               |              |        |         | <b>1.08</b> |                       |                           |                           |                            |                                |                                 |                 |                                                                                                                                                                                                                                                                                   |

**Table B-3: Mixed-Use Opportunity Sites, Milpitas**

| Site ID | APN     | Plan Area | Address              | Existing Use | Zoning | Overlay | Acres | Effective Acreage (a) | Minimum Density (du/acre) | Maximum Density (du/acre) | Midpoint Density (du/acre) | Yield at Midpoint Density (du) | Estimated Density (du/acre) (a) | Est. Yield (du) | Comments                                                                                                                                                                                                                                                                                                                                                        |
|---------|---------|-----------|----------------------|--------------|--------|---------|-------|-----------------------|---------------------------|---------------------------|----------------------------|--------------------------------|---------------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MXD-7   | 8633102 | TASP      | 1646 Centre Point Dr | Commercial   | MXD3   | TOD     | 9.47  | 8.61                  | 41                        | 94 (c)                    | 67.4                       | 580                            | 41                              | 353             | Single-story commercial property with a mix of retail, office, commercial service, and other uses. Adjacent to planned residential projects, some of which are under construction, and in close proximity to the light rail station and the planned BART station.                                                                                               |
| MXD-8   | 8637019 | TASP      | 400 E Montague Expy  | Commercial   | MXD3   | TOD     | 2.53  | 2.31                  | 41                        | 94 (c)                    | 67.4                       | 155                            | 41                              | 95              | Site occupied by an industrial use and is adjacent to the Light Rail Station and planned BART station. This site was a portion of Site #10 in the 2007-2014 Housing Element.                                                                                                                                                                                    |
| MXD-9   | 8636044 | TASP      | 368 Montague Expy    | Commercial   | MXD3   |         | 1.02  | 1.94                  | 41                        | 60                        | 50.5                       | 98                             | 41                              | 80              | Sites are occupied by low-density office and warehouse structures occupied by a commercial services company and a religious organization. Site could be combined with Site MFR-7 to create a larger project. Site is adjacent to residential projects that are currently under construction and in close proximity to the light rail and planned BART stations. |
|         | 8636036 | TASP      | 308 Sango Ct         | Commercial   | MXD3   |         | 1.11  |                       | 41                        | 60                        |                            |                                | 41                              |                 |                                                                                                                                                                                                                                                                                                                                                                 |
|         |         |           |                      |              |        |         | 2.14  |                       |                           |                           |                            |                                |                                 |                 |                                                                                                                                                                                                                                                                                                                                                                 |
| MXD-10  | 8641034 | TASP      | 231 Houret Dr        | Commercial   | MXD3   |         | 1.71  | 4.14                  | 41                        | 60                        | 50.5                       | 209                            | 41                              | 170             | Partially-occupied warehouse and manufacturing buildings. There is some potential for sites MXD-10, MXD-11, and MXD-12 to be combined to create a larger site.                                                                                                                                                                                                  |
|         | 8641033 | TASP      | 247 Houret Dr        | Commercial   | MXD3   |         | 1.45  |                       | 41                        | 60                        |                            |                                | 41                              |                 |                                                                                                                                                                                                                                                                                                                                                                 |
|         | 8641032 | TASP      | 271 Houret Dr        | Commercial   | MXD3   |         | 1.39  |                       | 41                        | 60                        |                            |                                | 41                              |                 |                                                                                                                                                                                                                                                                                                                                                                 |
|         |         |           |                      |              |        |         | 4.55  |                       |                           |                           |                            |                                |                                 |                 |                                                                                                                                                                                                                                                                                                                                                                 |
| MXD-11  | 8641009 | TASP      | 1757 Houret Ct       | Commercial   | MXD3   |         | 1.03  | 0.94                  | 41                        | 60                        | 50.5                       | 47                             | 41                              | 38              | Partially-occupied warehouse and manufacturing buildings. There is some potential for sites MXD-10, MXD-11, and MXD-12 to be combined to create a larger site.                                                                                                                                                                                                  |



**Table B-3: Mixed-Use Opportunity Sites, Milpitas**

| Site ID      | APN     | Plan Area | Address        | Existing Use | Zoning | Overlay | Acres        | Effective Acreage (a) | Minimum Density (du/acre) | Maximum Density (du/acre) | Midpoint Density (du/acre) | Yield at Midpoint Density (du) | Estimated Density (du/acre) (a) | Est. Yield (du) | Comments                                                                                                                                                                                                  |
|--------------|---------|-----------|----------------|--------------|--------|---------|--------------|-----------------------|---------------------------|---------------------------|----------------------------|--------------------------------|---------------------------------|-----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| MXD-12       | 8641010 | TASP      | 1752 Houret Ct | Commercial   | MXD3   |         | 1.05         | 2.09                  | 41                        | 60                        | 50.5                       | 106                            | 41                              | 86              | Partially-occupied warehouse and manufacturing buildings with a mix of auto services and other uses. There is some potential for sites MXD-10, MXD-11, and MXD-12 to be combined to create a larger site. |
|              | 8641011 | TASP      | 1810 Houret Ct |              | MXD3   |         | 1.25         |                       | 41                        | 60                        |                            |                                | 41                              |                 |                                                                                                                                                                                                           |
|              |         |           |                |              |        |         | 2.30         |                       |                           |                           |                            |                                |                                 |                 |                                                                                                                                                                                                           |
| <b>TOTAL</b> |         |           |                |              |        |         | <b>31.91</b> | <b>29.04</b>          |                           |                           |                            | <b>1,426</b>                   |                                 | <b>1,011</b>    |                                                                                                                                                                                                           |

Notes:

(a) Effective acreage for mixed-use sites reduces the acreage of each site by nine percent to account for the potential development of non-residential uses.

(b) This analysis estimates that the density on each site will be equal to the minimum density required in order to provide a conservative approach to estimating total yield on each site. However, the actual density of projects built on these sites is likely to be higher than the minimum required density, as demonstrated by recent projects in Milpitas.

(c) Maximum density is 75 units/acre by right, or up to 25 percent additional density with a use permit.

**Table B-4: Low-Density Residential Opportunity Sites, Milpitas**

| Site ID | APN     | Plan Area | Address                 | Existing Use | Zoning | Overlay | Acres | Min. Density (units/acre) | Max. Density (units/acre) | Est. Density (units/acre) (a) | Estimated Yield (units) | Comments                                                                                                                                                                                                                |
|---------|---------|-----------|-------------------------|--------------|--------|---------|-------|---------------------------|---------------------------|-------------------------------|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SFR-01  | 2904040 | N/A       | 1005 N Park Victoria Dr | Vacant       | R1-6   | N/A     | 4.90  | N/A                       | 7                         | 7                             | 34                      | This is the largest vacant single-family housing site in Milpitas. It is in a desirable location, adjacent to existing single-family neighborhoods. This would be a site for market-rate housing, given current zoning. |

## **APPENDIX C: OTHER REQUIREMENTS**

### **Consistency with the General Plan**

A comprehensive update of the City's General Plan was conducted in 1994 and several amendments have occurred subsequently. Changes were made to the General Plan to incorporate the Midtown and Transit Area Specific Plans, which encompass most of the City's housing opportunity sites, including revisions to the General Plan land use map and text for consistency among these planning documents. The 2015-2023 Housing Element is consistent with the General Plan.

In 2014, the Milpitas City Council allocated funding to initiate a comprehensive update to the City's General Plan. In the event that the forthcoming update to General Plan or future changes to the Zoning Ordinance or other regulations governing the City of Milpitas result in any inconsistencies between the Housing Element policies and the General Plan, the City will determine the most appropriate means to achieve overall General Plan consistency.

### **Notification to Water and Sewer Providers**

Upon adoption and certification of this Housing Element, the City of Milpitas will provide a copy of the Housing Element to the San Francisco Public Utilities Commission, the Santa Clara Valley Water District, and the Milpitas Department of Engineering in the City of Milpitas, pursuant to Government Code Section 65589.7. The purpose of this notification is to ensure that these providers of water and sewer services place a priority for proposed housing developments for lower-income households in their current and future resource or service allocations.

### **Review of Conservation and Safety Elements Pursuant to AB 162**

Assembly Bill 162 requires that the City of Milpitas review and, if necessary, identify new information for its Conservation Element at the time the Housing Element is revised. The purpose of this review is to identify rivers, creeks, streams, flood corridors, riparian habitat, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management. In addition, Milpitas is undertaking an update to the City's Safety Element concurrent with the Housing Element Update to identify information regarding flood hazards in the City.

## APPENDIX D: SUMMARY OF WRITTEN COMMENTS RECIEVED

**Table D-1: Summary of Written Comments Received**

| # | Comment                                                                                                                                                                                                                                                           | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1 | City should do more to encourage public participation.                                                                                                                                                                                                            | City engaged in an extensive public participation process, including three community meetings, two Planning Commission meetings, and one City Council meeting. Notice of all meetings was distributed to over 80 organizations, agencies, and special interest groups as well as the general public. All six public meetings were advertised in the Milpitas Post, the City's website, and City Cable television. Copies of documents were available for public review and comment on the City's website, at Milpitas City Hall, and at the Milpitas Public Library. Copies were also forwarded to interested parties as requested. The public participation process is discussed in more detail in the public participation section of the Housing Element document. |
| 2 | City should provide a better analysis of the progress and outcomes from the prior Housing Element & analyze the reasons for the not meeting housing unit production goals during the previous planning period.                                                    | Due to the considerable difficulties associated with developing affordable housing, most cities are unable to meet RHNA production goals. Milpitas' zoning standards and other programs and policies led to production of a large number of market-rate and affordable units during the previous planning period relative to other jurisdictions. The progress and outcomes from the prior Housing Element are analyzed in Chapter 2 and Appendix A.                                                                                                                                                                                                                                                                                                                  |
| 3 | City should include policies to connect households with special housing needs to resources that meet these needs (e.g. large units, housing adjacent to services).                                                                                                | Programs C.1.1, C.1.2, and D.6.1 facilitate the production of housing in mixed-use areas and adjacent to transit and other amenities. Programs D.4.1, D.4.2, D.4.3, D.4.6, D.4.7, D.4.10, and D.6.1 facilitate the production of housing that serves households with special housing needs. Programs D.4.8 and D.4.9 ensure the City will provide information about housing resources to individuals with disabilities.                                                                                                                                                                                                                                                                                                                                               |
| 4 | Housing Element should include a deeper analysis of economic displacement and include policies that will prevent displacement of low-income residents.                                                                                                            | Because the City's most feasible residential and non-residential development sites do not have existing residential uses, and there is little risk of conversion of existing affordable units to market rate, direct displacement of existing residents is not a likely result of new development in Milpitas. However, the increase in housing costs in Milpitas and throughout the region and associated decrease in affordability are documented in the Housing Element on pages 20-30. Programs listed under Goal B aim to mitigate displacement and programs listed under Goals C and D aim to facilitate production of new affordable units, which could serve any households that are displaced due to increases in housing costs.                             |
| 5 | Housing Element should further analyze community resistance as a constraint to the development of affordable housing.                                                                                                                                             | City staff has not found community resistance to affordable housing to be a constraint in Milpitas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| 6 | The Housing Element should analyze the City's decision to not set aside boomerang funds as a constraint to the development of affordable housing and include a program to commit a portion of the yearly tax increment funds received towards affordable housing. | While the high costs of development are identified as a constraint, the City is not expected to identify the use of specific funding streams for uses other than affordable housing as a constraint. Boomerang funds and any funds that will revert to the City rather than the RDA have been committed to other City functions.                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 7 | Inventory of at-risk units should include the type of subsidy attached to each property and ensure that properties shown to have no expiration date for affordability do not have restrictions that will expire.                                                  | Inventory has been edited to clarify that affordable units with no expiration date are affordable in perpetuity.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| 8 | Add a program to conduct a nexus study for a housing impact fee.                                                                                                                                                                                                  | City Council considered and declined to include a program in the Housing Element that will consider adoption of a Housing Impact Fee during September 16, 2014 meeting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |

**Table D-1: Summary of Written Comments Received**

| #  | Comment                                                                                                                             | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----|-------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 9  | Add a program to conduct a nexus study for a commercial linkage fee.                                                                | City Council considered and declined to include a program in the Housing Element that will consider adoption of a Commercial Linkage Fee during September 16, 2014 meeting.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| 10 | Adopt source of income protections for Section 8 voucher holders.                                                                   | Because the requirements of the Section 8 program can present operational challenges that would be overly burdensome to some property owners, this is not a program that the City wishes consider at this time.                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| 11 | Enact a rent stabilization ordinance.                                                                                               | Milpitas has adopted rent control for its mobile home parks, which provide long-term affordable housing to mobile home residents. There are also over 1,200 rental units in Milpitas with long-term affordability restrictions (as shown in Table 3.18 in the document). Units with long-term affordability restrictions are means-tested, allowing these units to serve extremely low-, very low-, low-, and moderate-income households more effectively than rent control in many cases. The City does not intend to expand rent control to other market-rate units at this time.                                                                                             |
| 12 | Enact a just cause eviction ordinance.                                                                                              | Milpitas currently provides CDBG funding and Housing Authority funds to Project Sentinel, which provides fair housing assistance and landlord-tenant mediation services, including services to tenants that may have experienced an unlawful eviction. Programs B.2.3 and E.1.5 state that Milpitas will continue to provide funding to Project Sentinel or another appropriate agency throughout the planning period.                                                                                                                                                                                                                                                          |
| 13 | Include a program to track employment growth by income for the same period used to track population growth.                         | Milpitas monitors the City's jobs/housing ratio on an annual basis to assess its employment, types of jobs created, and housing needs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 14 | Adopt a program to monitor jobs housing fit in the City for renters and homeowners.                                                 | Milpitas monitors the City's jobs/housing ratio on an annual basis to assess its employment, types of jobs created, and housing needs.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 15 | Adopt a program to improve low wage jobs and affordable housing fit.                                                                | The gap between low-wage jobs and housing affordable to lower-income households is addressed through programs that facilitate the production of housing affordable to extremely low-, very low-, and low-income households, particularly policies and programs listed under Goal C.                                                                                                                                                                                                                                                                                                                                                                                             |
| 16 | Adopt program to complete a yearly annual progress report and public meeting to discuss progress prior to submitting report to HCD. | Milpitas completes its annual progress report to HCD and makes information from the report available on the City's website along with other housing documents for public review. Housing staff reports to the City Council on housing programs every two years in a public meeting.                                                                                                                                                                                                                                                                                                                                                                                             |
| 17 | Adopt program to prioritize housing for very low- and low-income workers, especially in key transportation corridors.               | Milpitas' housing goals aim to provide housing for all economic segments of the community, including very low- and low-income workers, and support housing near transit and along key transportation corridors. By negotiating with developers for the inclusion of units affordable to extremely low-, very low-, low-, and moderate-income households in all market-rate developments (see Program D.2.2) and other programs that encourage mixed-income housing (Programs D.2.1, D.2.3, D.2.4, and D.2.5), Milpitas seeks to ensure that units affordable to very low- and low-income workers are included among the priorities for all new housing development in the City. |

**Table D-1: Summary of Written Comments Received**

| #  | Comment                                                                                                                                                                                                                         | Response                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18 | Identify additional housing opportunity sites that are located within priority development areas, near key transportation corridors, and near key services to maximize LIHTC viability.                                         | Due to the competitive nature of the LIHTC program, there are few sites in Milpitas that will maximize LIHTC viability. To the extent that sites adjacent to the City's VTA light rail station and future BART station are not already developed with or planned for residential uses and are reasonably likely to be developed with residential uses during the planning period, these parcels have been identified as housing opportunity sites. Almost all opportunity sites identified in the Housing Element are located within the two Specific Plan areas, which puts the sites in areas that are adjacent to transit and other services. Programs listed under Policy D.1 aim to expand the funding sources available for affordable housing, which would help to decrease developers' dependence on the LIHTC program to produce affordable housing in Milpitas. |
| 19 | Include a program to conduct further research and a public meeting on a potential housing overlay zone, community benefits policy, or other creative land use and zoning solutions.                                             | During the September 16, 2014 meeting, Milpitas City Council considered and declined to include a program in the Housing Element that would call for the City to explore creative land use and zoning solutions.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| 20 | Include a program to identify all publicly owned parcels and brownfield sites.                                                                                                                                                  | All publicly-owned parcels have been identified in previous Redevelopment Agency and Milpitas Housing Authority documents, which are available to the public. There are no brownfield sites in Milpitas.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
| 21 | Include a program to develop a policy to prioritize, require, or incentivize housing affordable to those making 80% of AMI or less on public land.                                                                              | In the past, Milpitas has donated land, provided financial assistance for land acquisition, and provided fee reductions or waivers to developers building affordable housing. The City has also worked with developers to assist in obtaining tax credits and provided a range of incentives to assist in the development of housing affordable to extremely low-, very low-, low-, and moderate-income households. As City-owned land becomes available, Milpitas will continue to consider use of these properties to support affordable housing projects as financially feasible, but will need to balance the need for affordable housing with other City priorities.                                                                                                                                                                                                 |
| 22 | The Housing Element should identify the low-density zoning designation in the hillside areas as a constraint.                                                                                                                   | The Housing Element provides an analysis of the City's low-density zoning designation in the hillside areas and the Urban Growth Boundary on page 75 and 76. As discussed in the text, these regulations are unlikely to have an impact on housing that serves any income group other than above moderate-income households due to the high cost of developing in hillside areas and other factors.                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| 23 | The Housing Element should identify the use of development agreements to achieve 20% affordable housing in all market-rate developments should be identified as a potential government constraint.                              | It is not appropriate to identify this use of development agreements as a constraint because the City is not able to require that developers include affordable units in new developments due to recent State court decisions that invalidated the use of mandatory inclusionary ordinances.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| 24 | The Housing Element should provide additional information on funding available for the preservation of at-risk units at Sunnyhills and actions that the City will take to engage with entities willing to preserve these units. | As discussed on page 34, the owner of Sunnyhills has demonstrated an interest in maintaining the property as affordable by renewing contracts with HUD multiple times rather than taking opportunities to convert to market rate. Therefore, the existing affordability agreement is likely to be extended to fund the preservation of affordability and the risk of conversion of these units is relatively low. Program B.4.1 provides specific actions that the City will take to preserve affordability at Sunnyhills if the property owner does allow the existing contract to expire at the end of the term.                                                                                                                                                                                                                                                        |

**Table D-1: Summary of Written Comments Received**

| #  | Comment                                                                                                                                                                  | Response                                                                                                                                                                                                                                                                                                                                                                                                     |
|----|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 25 | The Housing Element should provide additional information on the development potential of non-vacant housing opportunity sites.                                          | The Housing Element has been revised to provide additional information on market trends (page 55) that have supported the redevelopment of a large number of non-vacant sites to high-density residential uses. These trends are expected to continue to result in the redevelopment of the housing opportunity sites.                                                                                       |
| 26 | The site inventory assumes that every single unit developed on higher density parcels will be affordable to low- and very-low income households, which is not realistic. | The City's RHNA calls for 1,574 units affordable to very low- or low-income households, and the estimated yield from the sites inventory is 2,740 units on higher-density parcels, considerably more than the RHNA for very low- or low-income households. Moreover, the estimated yield is based on the minimum density for each site, and therefore likely underestimates the actual yield from each site. |
| 27 | The site inventory includes many very small parcels that are less than an acre and therefore may not realistically support the development of affordable housing.        | While many individual parcels measure less than one acre, parcels are aggregated to form larger housing opportunity sites. As shown in Table 4.3 and Appendix C, the City's housing opportunity sites range from 0.7 acres to 9.5 acres, with only one site measuring less than one acre. Sites measuring 0.7 acres or more are more than adequate to develop high-density multifamily housing.              |





## NOTICE OF INTENT TO ADOPT A NEGATIVE DECLARATION

### HOUSING ELEMENT UPDATE AND AMENDMENTS TO THE SEISMIC AND SAFETY, AND OPEN SPACE AND ENVIRONMENTAL CONSERVATION ELEMENTS PROJECT

City of Milpitas  
Planning & Neighborhood Services Department  
455 East Calaveras Boulevard  
Milpitas, CA 95035

PHONE: (408) 586-3071  
freliford@ci.milpitas.ca.gov

The City of Milpitas is intending to adopt a Negative Declaration for the Housing Element Update and Amendments to the Seismic and Safety, and Open Space and Environmental Conservation Elements Project in accordance with the California Environmental Quality Act.

**SUMMARY PROJECT DESCRIPTION:** The proposed Project includes an update to the current (2007-2014) Housing Element for the planning period 2015-2023 in compliance with Government Code Section 65580 et seq. The City of Milpitas' allocation for the 2014-2022 Regional Housing Needs Allocation (RHNA) period is 3,290 dwelling units. The proposed Project supports the goals and policies of the city's current Housing Element (2007-2014) and provides policies and implementing programs to further the city's housing goals. The identified sites (2,774 units), including the committed sites (6,146), would allow the City to meet its RHNA with a total capacity of 8,920 units, resulting in a surplus above the required RHNA. No rezoning or changes to General Plan designations or Zoning districts would be required to achieve this yield; the housing sites are already planned and zoned to accommodate the level of development. The Seismic and Safety Element Amendment includes an update to required information related to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs), dam inundation zones, and City goals and policies to comply with State law (specifically Assembly Bill 162 and California Government Code 65302). It also includes the adoption of Santa Clara County's multi-jurisdictional Local Hazard Mitigation Plan and the City of Milpitas' Local Hazard Mitigation Plan Annex to ensure that appropriate emergency measures are implemented when natural disasters occur. The Open Space and Environmental Conservation Element Amendment include updates to the Water Quality and Conservation Section. Specifically, a map of rivers, creeks, streams, and riparian habitat as per AB 162 has been added.

**LOCATION OF PROJECT:** City of Milpitas

**FINDING:** On the basis of the Initial Study, the City has determined that the proposed project would not have a significant adverse effect on the environment.

**PUBLIC REVIEW PERIOD:** The Initial Study and proposed Negative Declaration are available for public review at the following locations:

City of Milpitas-City Hall (1<sup>st</sup> Floor Public Information Desk)  
455 E. Calaveras Blvd.  
Milpitas, CA 95035

Milpitas Public Library (Public Reference Desk)  
160 North Main Street  
Milpitas, CA 95035

City of Milpitas Website: [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov). (Department of Planning & Neighborhood Services)

The Initial Study and Proposed Negative Declaration are available for a 30-day review period beginning Friday, December 12, 2014 through Monday, January 12, 2015. Comments on the Negative Declaration must be submitted in writing within the 30-day review period and sent by mail or email to:

City of Milpitas  
Attn: Felix J. Reliford, Principal Housing Planner  
455 East Calaveras Boulevard  
Milpitas, CA 95035  
freliford@ci.milpitas.ca.gov

**PUBLIC MEETINGS:** Meetings at which actions would be undertaken are listed below with tentative dates identified for each meeting. The Milpitas City Council is the decision-making body responsible for adopting the proposed Negative Declaration and approving the proposed project.

**Planning Commission Hearing**

Wednesday, February 25, 2015, 7:00 p.m.

City Hall Council Chambers  
455 East Calaveras Boulevard  
Milpitas, CA 95035

**City Council Hearing**

Tuesday, March 17, 2015, 7:00 p.m.

City Hall Council Chambers  
455 East Calaveras Boulevard  
Milpitas, CA 95035

Please contact Felix J. Reliford, Principal Housing Planner at (408) 586-3071 if you have questions regarding this Notice.



City of Milpitas  
Initial Study Checklist  
Housing Element Update and  
Amendments to the Seismic and Safety, and  
Open Space and Environmental Conservation Elements Project

The proposed Housing Element Update and Amendments to the Seismic and Safety, and Open Space and Environmental Conservation Elements Project is a project under the California Environmental Quality Act (CEQA). This Initial Study was prepared by PlaceWorks for the City of Milpitas (City), Planning & Neighborhood Services Department. This Initial Study was prepared pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code Sections 21000 et seq.), CEQA Guidelines (Title 14, Section 15000 et seq. of the California Code of Regulations).

1. **Title:** Housing Element Update and Amendments to the Seismic and Safety, and Open Space and Environmental Conservation Elements Project
2. **Lead Agency Name and Address:** City of Milpitas  
Planning & Neighborhood Services Department  
455 East Calaveras Boulevard  
Milpitas, CA 95035
3. **Contact Person and Phone Number:** Felix J. Reliford, Principal Housing Planner  
(408) 586-3071
4. **Location:** Milpitas, CA
5. **Sponsor's Name and Address:** City of Milpitas  
Planning & Neighborhood Services Department  
455 East Calaveras Boulevard  
Milpitas, CA 95035
6. **General Plan Land Use Designations:** Residential and Mixed-Use
7. **Zoning:** Residential: Single-Family Residential (R1), One- and Two-Family Residential (R2), Multi-Family High Density Residential (R3), Multi-Family Very High Density Residential (R4), and Urban Residential (R5)  
Mixed-Use: Mixed Use (MXD), High Density Mixed Use (MXD2), and Very High Density Mixed Use (MXD3)
8. **Location, Setting, Project Description:** See page 5 of this Initial Study

**9. Other Required Approvals:**

The Housing Element Update and Amendments to the Seismic and Safety, and Open Space and Environmental Conservation Elements Project will be adopted by the City of Milpitas, without oversight or permitting by other agencies.

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED**

The environmental factors checked below would be potentially affected by the proposed Project, involving at least one impact that is a Potentially Significant Impact, as indicated by the checklist on the following pages.

- |                                                   |                                                           |                                                             |
|---------------------------------------------------|-----------------------------------------------------------|-------------------------------------------------------------|
| <input type="checkbox"/> Aesthetics               | <input type="checkbox"/> Agriculture & Forestry Resources | <input type="checkbox"/> Air Quality                        |
| <input type="checkbox"/> Biological Resources     | <input type="checkbox"/> Cultural Resources               | <input type="checkbox"/> Geology & Soils                    |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials    | <input type="checkbox"/> Hydrology & Water Quality          |
| <input type="checkbox"/> Land Use                 | <input type="checkbox"/> Mineral Resources                | <input type="checkbox"/> Noise                              |
| <input type="checkbox"/> Population & Housing     | <input type="checkbox"/> Public Services                  | <input type="checkbox"/> Recreation                         |
| <input type="checkbox"/> Transportation/Traffic   | <input type="checkbox"/> Utilities & Service Systems      | <input type="checkbox"/> Mandatory Findings of Significance |

**Determination:**

On the basis of this initial evaluation:

- ☒ I find that the proposed Project COULD NOT have a significant effect on the environment and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that, although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the City. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) will be prepared.
- ☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Signature

Felix J. Reliford

Printed Name

Date

Dec. 1, 2014  
Principal Housing Planner

Title



This Initial Study evaluates the proposed Housing Element Update and subsequent amendments to the Seismic and Safety Element and Open Space and Conservation Element, herein referred to as “proposed Project.”

## LOCATION AND SETTING

The City of Milpitas (City) is situated on the eastern shore of the San Francisco Bay, in Santa Clara County, just south of Alameda County. The City encompasses about 13.64 square miles of land, and borders Fremont on the north, San Jose on the south and west, and unincorporated county to the east. See Figure 1 for map location.

## EXISTING CONDITIONS

The proposed Project includes an update to the current Housing Element and amendments to the Seismic and Safety Element, and the Open Space and Environmental Conservation Element.

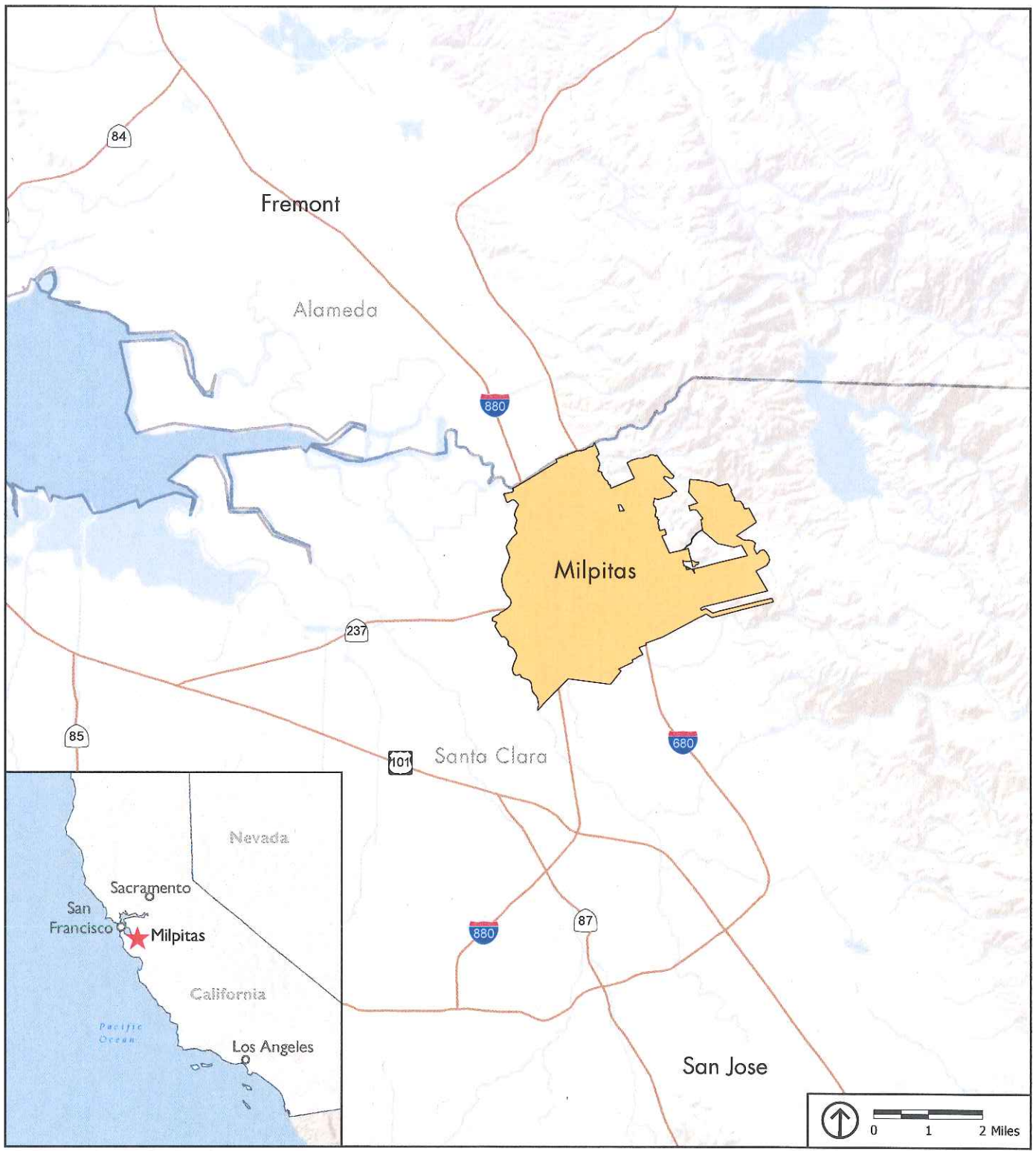
### **Housing Element**

The Housing Element is one of seven State-mandated elements of the City’s General Plan. Housing Element law requires local jurisdictions to plan for and allow the construction of a share of the region’s projected housing needs. This share is called the Regional Housing Needs Allocation (RHNA). State law mandates that each jurisdiction provide sufficient land to accommodate a variety of housing opportunities for all economic segments of the community, so as to meet or exceed the RHNA. The Association of Bay Area Governments (ABAG), as the regional planning agency, calculates the RHNA for individual jurisdictions within Santa Clara County, including Milpitas.

The City’s General Plan was adopted in 1994 and since then minor amendments have occurred. The most recent update was made in 2008 to include the revisions to the adopted 2002 Midtown Specific Plan and the 2008 Transit Area Specific Plan. The Midtown Specific Plan anticipates the development of approximately 3,000 or more new housing units and the Transit Area Specific Plan anticipates development of approximately 6,400 to 9,360 new housing units. As of April 2013, approximately 2,300 new housing units have been constructed or approved for construction under the Midtown Specific Plan and 3,698 under the Transit Area Specific Plan. As envisioned in these Specific Plans, most new housing in Milpitas will be multi-family housing in transit-oriented development areas.

During the 2007-2014 Housing Element Cycle, a total of 6,434 housing units were built or permitted in Milpitas, far exceeding the City’s total RHNA of 2,487 units for this period. Under the 2007-2014 Housing Element Cycle, the City was required to demonstrate that it could accommodate up to 1,110 housing units for lower income (very low income and low income) households. The City did not meet the lower income RHNA requirement for the 2007-2014 Housing Element Cycle by 813 housing units. The City was also required to demonstrate that it could accommodate up to 441 housing units for moderate income households. This requirement was also not met, leaving a remaining RHNA balance of 267 moderate income households. However, the City was required to demonstrate it could accommodate up to 936 above moderate income households. Accordingly, the City exceeded this RHNA requirement by 5,027 units.

CITY OF MILPITAS  
HOUSING ELEMENT UPDATE AND AMENDMENTS TO THE SEISMIC AND SAFETY, AND  
OPEN SPACE AND ENVIRONMENTAL CONSERVATION ELEMENTS INITIAL STUDY



Source: The Planning Center | DC&E, 2013; ESRI 2010; FHWA 2002.

- Milpitas City Limits
- Highway

FIGURE I  
REGION AND LOCATION MAP

### **Seismic and Safety Element**

The Seismic and Safety Element includes goals, policies and programs to reduce the potential risk of death, injuries, property damage, and economic and social dislocation resulting from fires, floods, earthquakes, landslides, and other hazards. The safety element identifies hazards and hazard abatement provisions to guide local decisions related to zoning, subdivisions, and entitlement permits.

In October 2007, Assembly Bill 162 (AB 162) was signed into law. AB 162 strengthens flood protection in California by requiring jurisdictions, upon the next revision of the mandatory Housing Element, on or after January 1, 2009, to update flood related information in its General Plan.

### **Open Space and Environmental Conservation Element**

The Open Space and Environmental Conservation Element includes goals, policies and programs to assure the conservation, development and use of natural resources including water, forests, soils, rivers, fisheries, wildlife, minerals and other natural resources. This element also assures the continued availability of land for the managed production of resources (such as food and fiber), to protect the enjoyment of scenic beauty and ensure provision of recreation, to identify and preserve lands whose indiscriminate development could compromise public health and safety, and to preserve natural resources.

State law also requires that an Open Space Element contain an action program consisting of specific programs to implement the open space plan. Milpitas' open space action plan is the sum total of the open space and conservation policies in this Element of the General Plan and the open space proposals depicted on the General Plan Land Use Diagram.

## **PROJECT DESCRIPTION**

The prior Milpitas Housing Element certified by the State Housing and Community Development Department (HCD) in 2010, covered the period between 2007 and 2014 and is the basis for the current Housing Element update. However, all sections in the 2010 Housing Element have been reviewed and updated to reflect changes to State Law, City housing policies and programs, and local demographic and real estate market conditions.

The proposed Housing Element update, which supports the goals and policies of the City's General Plan, provides policies and implementing programs under which new housing development would be allowed. The proposed Seismic and Safety Element amendment would ensure flooding hazards to residential development would be minimized to the maximum extent feasible. The proposed amendment to the Open Space and Conservation Element would ensure consistency between the Seismic and Safety Element and the Open Space Conservation Element.

The following describes the three key components of the proposed Project:

### **Housing Element Update (2015-2023)**

The proposed Project updates the City's current Housing Element (2007-2014) in compliance with Government Code Section 65580 et seq. The policies and housing programs that are intended to guide the City's housing efforts through the 2015-2023 RHNA planning period have been updated as part of the proposed Project, and the following are the goals in the Housing Element, which the policies and programs help to implement:

- **Goal A: Provide Adequate Sites.** Maintain adequate sites to accommodate the City's share of the regional housing need, including sites that are appropriate for the development of housing affordable to very low-, low-, moderate- and above moderate-income households.
- **Goal B: Maintain and Preserve Housing Resources.** Preserve and enhance Concord's residential neighborhoods and improve the quality of life for all residents.
- **Goal C: Facilitate New Housing Production.** Promote new housing development and remove public infrastructure constraints to new housing development.
- **Goal D: Support Housing Diversity and Affordability.** Support the development of a diverse range of housing types, including rental and ownership units, housing affordable to all economic segments of the community, and housing for individuals with special housing needs.
- **Goal E: Eliminate Housing Discrimination.** Ensure equal housing opportunity for all households and equal access to the City's housing resources.
- **Goal F: Promote Energy Conservation.** Promote energy efficiency in residential development in Milpitas, including reduction of energy use through better design and construction in individual homes and energy-efficient urban design.

California cities are required to provide a wide range of housing options for all income levels. ABAG, as a regional agency, develops a RHNA based on demographic projection to distribute the regional share of the statewide housing need at different income levels to the cities and counties within the Bay Area. Milpitas' RHNA has been determined to be a total of 3,290 units, and Table 1 shows Milpitas' allocation distributed among different income levels:

**Table 1 Milpitas' Regional Housing Needs Allocation (RHNA)**

| INCOME LEVEL   | UNITS        |
|----------------|--------------|
| Very Low       | 1,004        |
| Low            | 570          |
| Moderate       | 565          |
| Above Moderate | 1,151        |
| <i>TOTAL</i>   | <i>3,290</i> |

Milpitas has the capacity to accommodate at least 8,920 new residential units during the current Housing Element planning period, significantly exceeding the City's RHNA goals. The City's potential residential sites for the 2015-2023 Housing Element Update cycle include:

- Sites with planned or proposed residential projects in the development pipeline (6,146 units);
- Vacant or underutilized sites zoned for high-density residential development (1,729 units); and
- Vacant or underutilized sites zoned for mixed-use development with high-density residential development potential (1,011 units);
- Vacant or underutilized sites zoned for low-density residential development (34 units).

Milpitas has experienced a considerable amount of residential development activity in recent years; this momentum is continuing at present, with a large number of units in the City's development pipeline. There are 19 residential projects that are proposed, planned, or under construction in Milpitas, with a total of 6,146 units.



In addition to the substantial pipeline, Milpitas has sufficient sites zoned and available to accommodate at least 2,774 additional new residential units between 2015 and 2023. Based on the default densities (20 dwelling units per acre)<sup>1</sup> for Milpitas, these sites can accommodate at least 2,740 units affordable to very low-, low-, or moderate income households, exceeding the remaining RHNA need identified in Table 2. These sites are shown on Figure 2.

**Table 2 Summary of Potential Housing Sites, Milpitas, 2015-2023**

| Site Number                                                            | Total Parcels | Acreage | Yield at Midpoint<br>Density | Estimated Yield (a) |
|------------------------------------------------------------------------|---------------|---------|------------------------------|---------------------|
| <b>High-Density Residential/Potential Affordable Housing Sites (b)</b> |               |         |                              |                     |
| MFR-1                                                                  | 10            | 7.6     | 383                          | 311                 |
| MFR-2                                                                  | 1             | 1.4     | 51                           | 44                  |
| MRF-3                                                                  | 1             | 2.2     | 78                           | 68                  |
| MFR-4                                                                  | 2             | 5.9     | 300                          | 244                 |
| MFR-5                                                                  | 2             | 7.4     | 499                          | 304                 |
| MFR-6                                                                  | 2             | 9.4     | 632                          | 385                 |
| MFR-7                                                                  | 6             | 7.4     | 376                          | 305                 |
| MFR-8                                                                  | 2             | 3.2     | 99                           | 68                  |
| Total                                                                  | 26            | 44.6    | 2,419                        | 1729                |
| <b>Mixed-Use/Potential Affordable House Sites</b>                      |               |         |                              |                     |
| MXD-1                                                                  | 5             | 2.1     | 48                           | 40                  |
| MXD-2                                                                  | 5             | 1.9     | 44                           | 37                  |
| MRF-3                                                                  | 1             | 1.3     | 31                           | 25                  |
| MXD-4                                                                  | 1             | 0.7     | 16                           | 13                  |
| MXD-5                                                                  | 2             | 2.8     | 65                           | 54                  |
| MXD-6                                                                  | 2             | 1.1     | 25                           | 21                  |
| MXD-7                                                                  | 1             | 9.5     | 580                          | 353                 |
| MXD-8                                                                  | 1             | 2.5     | 155                          | 95                  |
| MXD-9                                                                  | 2             | 2.1     | 98                           | 80                  |
| MXD-10                                                                 | 3             | 4.5     | 209                          | 170                 |
| MXD-11                                                                 | 1             | 1.0     | 47                           | 38                  |
| MXD-12                                                                 | 2             | 2.3     | 106                          | 86                  |

<sup>1</sup> The default density is 20 units per acre for all cities in Santa Clara County with a population of fewer than 100,000 people ([http://www.hcd.ca.gov/hpd/housing\\_element2/SIA\\_zoning.php](http://www.hcd.ca.gov/hpd/housing_element2/SIA_zoning.php)).

**Table 2 Summary of Potential Housing Sites, Milpitas, 2015-2023**

| Site Number                                              | Total Parcels | Acres | Yield at Midpoint<br>Density | Estimated Yield (a) |
|----------------------------------------------------------|---------------|-------|------------------------------|---------------------|
| Total                                                    | 26            | 31.9  | 1,426                        | 1,011               |
| <b>Total Potential Affordable Housing Sites</b>          |               |       |                              |                     |
|                                                          | 52            | 76.6  | 3,844                        | 2,740               |
| <b>Low-Density Residential/Above-Moderate Income (d)</b> |               |       |                              |                     |
| SFR-1                                                    | 1             | 4.9   | N/A                          | 34                  |

**Notes:**

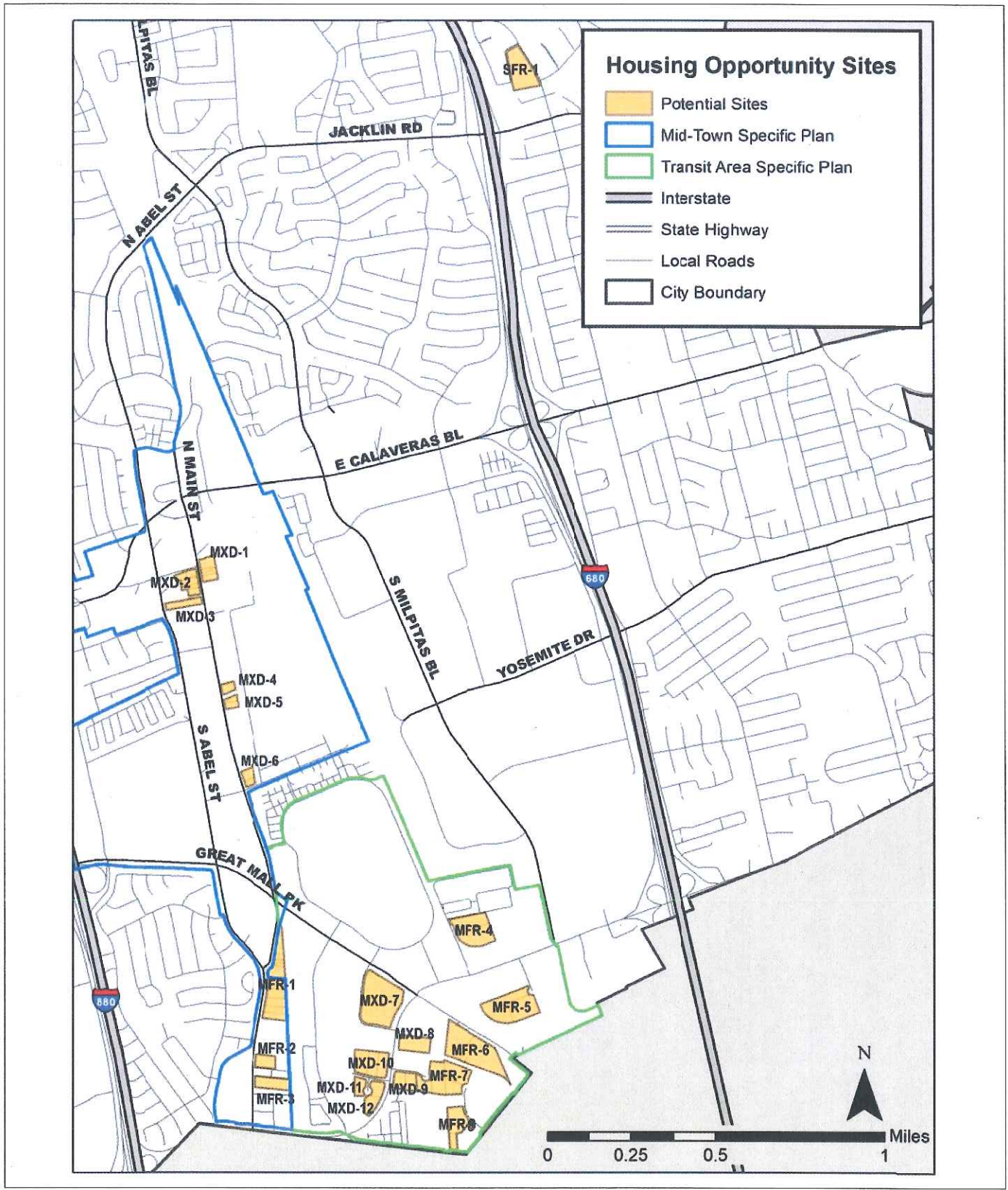
(a) The estimated yield for high-density residential and mixed-use sites uses the minimum density allowed by the zoning ordinance to provide a conservative estimate of the number of units that can be accommodated on each of the opportunity sites.

(b) High-density residential sites are defined as sites zoned for residential use at densities equal to or higher than the "default densities" for Milpitas (20 units/acre) and are therefore capable of accommodating housing affordable to very low-, low-, and moderate-income households.

(c) All mixed-use sites shown are zoned at densities equal to or higher than the "default densities" for Milpitas (20 units/acre) and are therefore capable of accommodating housing affordable to very low-, low-, and moderate-income households.

(d) Low-density residential sites are defined as sites zoned for residential use at densities lower than the "default densities" for Milpitas (20 units/acre) and are therefore presumed to be sites for units serving above moderate-income households.

Source: Table 4.3 Draft Housing Element, BAE, 2014.



Source: Draft Housing Element, August 2014.

FIGURE 2  
HOUSING OPPORTUNITY SITES

### Seismic and Safety Element Amendment

The Seismic and Safety Element Amendment includes an update to required information related to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs), dam inundation zones, and City goals and policies to comply with State law (specifically AB 162 and California Government Code 65302). It also includes the adoption of Santa Clara County's multi-jurisdictional Local Hazard Mitigation Plan and the City of Milpitas' Local Hazard Mitigation Plan Annex to ensure that appropriate emergency measures are implemented when natural disasters occur.

### Open Space and Environmental Conservation Element Amendment

The Open Space and Environmental Conservation Element Amendment include updates to the Water Quality and Conservation Section. Specifically, a map of rivers, creeks, streams, and riparian habitat as per AB 162 has been added.

### POTENTIAL PHYSICAL CHANGES

Altogether, the proposed Project does not include actions that could directly or indirectly result in substantial physical changes to the environment. The potential future housing permitted under the proposed Project would not increase development potential, but rather would enable the City of Milpitas to meet its housing needs, including the facilitation of future development to meet the needs of at-risk populations by providing housing types designed for these groups, and ensure hazards from flooding are reduced to the maximum extent feasible.

Environmental factors, such as topography, soils, landslides and seismic hazards, and noise, as well as the lack of infrastructure, such as roads, water, and sewer lines, are potential constraints to housing development in the city. However, most of the housing sites identified by the City are not affected by such constraints. The General Plan has taken these factors into account in establishing policies and land use designations for residential and mixed use development. Where development is planned, any site constraints that remain can be mitigated through appropriate design and environmental planning.

The potential future housing that could occur under the proposed Project would not increase development potential in Milpitas. Instead, the Housing Element identifies sites that can accommodate housing under existing zoning and land use regulations at development intensities that have already been analyzed and approved in the EIRs prepared for the General Plan, the Midtown Specific Plan and the Transit Area Specific Plan projects. The City can accommodate the 2014-2022 RHNA without the need for redesignation or rezoning of new housing sites.

The Housing Element is a policy-level regulatory document that establishes goals and policies that guide development. It does not include any site-specific designs or proposals nor does it grant any entitlements for development; therefore, the proposed Project does not directly result in development in and of itself. When specific implementing programs and development projects are identified, the program and/or development applications for such individual projects, as required, would be submitted separately to the City for review. All such development is required to be analyzed for conformance with the General Plan, Zoning Code, and other applicable federal, State, and local requirements; comply with the applicable requirements of CEQA; and obtain all necessary clearances and permits.



## ENVIRONMENTAL CHECKLIST

### I. AESTHETICS

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Have a substantial adverse effect on a scenic vista?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and historic buildings within a State scenic highway?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <p><b>DISCUSSION:</b></p> <p>a) Potential future development permitted under the proposed Project would have the potential to affect scenic vistas and/or scenic corridors if new or intensified development blocked views of areas that provide or contribute to such vistas. Potential effects could include blocking views of a scenic vista/corridor from specific publically accessible vantage points or the alteration of the overall scenic vista/corridor itself. Such alterations could be positive or negative, depending on the characteristics of individual future developments and the subjective perception of observers.</p> <p>Scenic corridors are considered public views as seen along a linear transportation route and scenic vistas are views of a specific scenic feature. Scenic vistas are generally interpreted as long range views, while scenic corridors are comprised of short-, middle-, and long-range views. The Milpitas General Plan, in Chapter 4.7, Scenic Resources and Routes, designates scenic routes, corridors, connectors, and a variety of other scenic resources (e.g. foothills and the tree-lined Coyote Creek corridor).</p> <p>Potential future development permitted under the proposed Project would allow for housing within the City's Residential and Mixed Use Zoning designations. Potential future residential facilities permitted under the proposed Project would be subject to the general development standards for that particular zone as set forth in City Municipal Code Sections (i.e. XI-10-4.04 [Residential], XI-10-6.04 [Mixed-Use]). The general development standards as well as the following General Plan policies identified in Chapter 4.7, Scenic Resources and Routes, address the preservation of scenic vistas and corridors in the city.</p> <p><b>Policy 4.g-I-1</b> Limit uses in Scenic Corridors to those uses allowed by right and conditionally in the R-1 Single-Family Residence and Park and Open Space Zoning Districts. Commercial development can only be allowed when its design will not result in a loss of any scenic potential.</p> <p><b>Policy 4.g-I-3</b> Development in the Scenic Corridor shall not exceed 17 feet in height. The 17-foot height limit may be waived by the City Council when the following two criteria are met: (1) taller buildings are allowed through the underlying zoning district or a PUD [planned unit development] process; and (2) development that exceeds the 17-foot height limit does not significantly obstruct views of the Hillside based on the following guidelines:</p> |                                |                                                    |                                     |                                     |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <ul style="list-style-type: none"> <li>▪ The development will not significantly obstruct scenic features including but not limited to ridge-lines, stands of trees or other vegetation, geologic formations, historic, or scenic structures.</li> <li>▪ The development is sited to avoid destruction of any distinctive physical characteristics with significant scenic value.</li> <li>▪ The development will avoid architectural features such as unusually long blank walls, unbroken roof lines, and excessively steep roof pitches which would detract from the scenic characteristics of the site.</li> <li>▪ The scale of the project is consistent with the scale of existing development in the immediate vicinity and within the Scenic Corridor.</li> <li>▪ The bulk of the building(s) will not dominate views of the corridor.</li> <li>▪ Building materials and colors will blend in and complement the rural “natural” hillside setting (i.e. earth tones, stucco, clay, stone, wood, etc.).</li> </ul> <p><b>Policy 4.g-I-4</b> Require all development within or abutting Scenic Corridors to be oriented away from the Corridors, with limited driveway access.</p> <p><b>Policy 4.g-I-5</b> New development within the Scenic Corridor will be subject to site and architectural review (“S” zone Approval) by the Planning Commission. The review will include:</p> <ul style="list-style-type: none"> <li>▪ reviewing architectural design and site planning of all development;</li> <li>▪ requiring development that adjoins natural environments to use materials that help to blend buildings into the surroundings; and</li> <li>▪ requiring parking, storage, and other such areas to be screened-off from view by using trees and shrubs.</li> </ul> <p><b>Policy 4.g-I-6</b> Provide view turnouts, rest areas and picnic facilities at appropriate locations along Scenic Corridors.</p> <p>As discussed above, potential future development permitted under the proposed Project would involve housing that would be subject to the general development standards within the City’s Municipal Code. Accordingly, the proposed Project would not be expected to significantly alter scenic viewsheds in Residential and Mixed Use zones and overall impacts to scenic corridors and vistas within the city would be less than significant. Implementation of the listed General Plan policies would further ensure that impacts on scenic vistas would be <i>less than significant</i>.</p> <p>b) The City of Milpitas is not adjacent to a designated State scenic highway and therefore <i>no impact</i> would occur.<sup>2</sup></p> |                                |                                                    |                              |           |

<sup>2</sup> California Department of Transportation website, Officially Designated State Scenic Highways, [http://www.dot.ca.gov/hq/LandArch/scenic\\_highways/](http://www.dot.ca.gov/hq/LandArch/scenic_highways/), accessed October 6, 2014.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| c) As discussed in Section I.a above, potential housing permitted as a result of the proposed Project would be restricted to the existing built environment in areas where residential uses are currently permitted and would be required to comply with enumerated development standards set forth in the City's Municipal Code to ensure compatibility with adjoining land uses. Additionally, implementation of the General Plan policies listed in Section I.a would protect the existing visual character or quality of the city and its surroundings. Accordingly, future development permitted under the proposed Project would result in a <i>less-than-significant</i> impact to visual character.                                                                                                                                                                                                                                                                                                                                                                                       |                                |                                                    |                              |           |
| d) Substantial light and glare comes mainly from commercial areas, safety lighting, traffic on major arterials and the freeway, and street lights. Future potential development permitted under the proposed Project does not include any land use changes that would re-designate areas from residential to commercial. Light pollution in most of the city is restricted primarily to street lighting along major arterials streets and to night-time illumination of commercial buildings, shopping centers, and industrial buildings. Potential housing permitted under the proposed Project would occur in already largely built-out areas where street and site lighting currently exist. Similar to the discussions in Sections I.a and I.c above, potential future development permitted under the proposed Project would be required to comply with enumerated general development standards set forth in the City's Municipal Code to ensure compatibility with adjoining land uses. These factors contribute to a <i>less-than-significant</i> impact with respect to light and glare. |                                |                                                    |                              |           |

## II. AGRICULTURE AND FORESTRY RESOURCES

| Would the Project:                                                                                                                                                                                                                                                                         | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Convert Prime Farmland, Unique Farmland or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Result in the loss of forest land or conversion of forest land to non-forest use?                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of farmland to non-agricultural use or of conversion of forest land to non-forest use?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a) Maps pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency categorize land within the city as primarily Urban and Built-Up Land.<sup>3</sup> There are no agricultural lands identified as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance within the Zoning districts affected by the proposed Project. Potential future development permitted as a result of the proposed Project would only occur within existing Residential and Mixed Use zoning designations. Therefore, there would be <i>no impact</i>.</p> <p>b) The California Land Conservation (Williamson) Act 2010 Status Report identifies land in Santa Clara County that is currently under Williamson Act contract.<sup>4</sup> However, as discussed in response to Section II.a, there is no agricultural land within the affected zoning districts, and, therefore, implementation of the proposed Project would not conflict with existing zoning for agricultural use, or a Williamson Act contract. Consequently, there would be <i>no impact</i>.</p> <p>c) According to 2003 mapping data from the California Department of Forestry and Fire Protection, the city does not contain any woodland or forest land cover;<sup>5</sup> thus, the city does not contain land zoned for Timberland Production and <i>no impact</i> would occur.</p> <p>d) For the reasons provided in response to Sections II.a through II.c, there would be <i>no impact</i> in relation to the conversion of farmland to non-agricultural use or forest land to non-forest use.</p> <p>e) See Sections II.b, II.c, and II.d above.</p> |                                |                                                    |                              |                                     |

### III. AIR QUALITY

| Would the Project:                                                              | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

<sup>3</sup> California Resources Agency, Farmland Mapping and Monitoring Program. Santa Clara County Important Farmland 2010, [ftp://ftp.consrv.ca.gov/pub/dlrp/1/MMP/pdf/regional/2010/bay\\_area\\_fmmp2010.pdf](ftp://ftp.consrv.ca.gov/pub/dlrp/1/MMP/pdf/regional/2010/bay_area_fmmp2010.pdf), accessed October 6, 2014.

<sup>4</sup> California Department of Conservation, 2010, California Land Conservation (Williamson) Act 2010 Status Report, page 23, [http://www.conservation.ca.gov/dlrp/lca/stats\\_reports/Documents/2010%20Williamson-%20Act%20Status%20Report.pdf](http://www.conservation.ca.gov/dlrp/lca/stats_reports/Documents/2010%20Williamson-%20Act%20Status%20Report.pdf), accessed October 6, 2014.

<sup>5</sup> California Department of Forestry and Fire Protection Fire and Resource Assessment Program, Land Cover map, [http://frap.cdf.ca.gov/webdata/maps/statewide/fvegwhr13\\_map.pdf](http://frap.cdf.ca.gov/webdata/maps/statewide/fvegwhr13_map.pdf) accessed October 6, 2014.



| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project area is in non-attainment under applicable federal or State ambient air quality standards (including releasing emissions which exceed quantitative thresholds for ozone precursors)?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Expose sensitive receptors to substantial pollutant concentrations?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Create objectionable odors affecting a substantial number of people?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>The City of Milpitas is within the San Francisco Bay Area Air Basin (SFBAAB) which is under the jurisdiction of the Bay Area Air Quality Management District (BAAQMD). The SFBAAB is a nonattainment area for ozone (O<sub>3</sub>) and fine inhalable particulate matter (PM<sub>2.5</sub>) under the state and federal ambient air quality standards (AAQS) and coarse inhalable particulate matter (PM<sub>10</sub>) under the state AAQS. The air basin is in attainment for carbon monoxide (CO), nitrogen dioxide (NO<sub>2</sub>), and sulfur dioxide (SO<sub>2</sub>).<sup>6</sup></p> <p>a) An air quality plan describes air pollution control strategies to be implemented by a city, county, or region classified as a nonattainment area. The main purpose of an air quality plan is to bring the area into compliance with the requirements of federal and state air quality standards. A consistency determination plays an important role in local agency project review by linking local planning and individual projects to the BAAQMD 2010 Bay Area Clean Air Plan.<sup>7</sup> Projects are consistent with BAAQMD's 2010 Bay Area Clean Air Plan if they are consistent with the existing land use plans used to forecast emissions. In general, zoning changes, specific plans, general plan amendments and similar land use plan changes that do not increase dwelling unit density, vehicle trips, or increase vehicle miles traveled (VMT) are deemed to be consistent with the BAAQMD 2010 Bay Area Clean Air Plan.</p> <p>The proposed Project presents housing goals during the 2015-2023 planning period as well as policies and programs to support these goals that would enable the City to meet its 2014-2022 RHNA. Because the housing assessment in the RHNA is determined by the ABAG, the proposed Project would accommodate increases in population based on ABAG's demographic projections. The Project would be consistent with the Bay Area 2010 Clean Air Plan because it is based on demographic projections for the City, which form the basis of the regional emissions inventories for the SFBAAB. Therefore, the proposed Project would not conflict with BAAQMD's 2010 Clean Air Plan and there would be <i>no impact</i>.</p> <p>b) Development facilitated by the Housing Element program has the potential to result in criteria air pollu-</p> |                                |                                                    |                                     |                                     |

<sup>6</sup> California Air Resources Board. 2014a, June. Area Designations: Activities and Maps.  
<http://www.arb.ca.gov/desig/adm/adm.htm>.

<sup>7</sup> Bay Area Air Quality Management District (BAAQMD), 2012. Bay Area 2010 Clean Air Plan.  
<http://www.baaqmd.gov/Divisions/Planning-and-Research/Plans/Clean-Air-Plans.aspx>.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>tant emissions during construction and operational phases.</p> <p><b>Construction Impacts</b></p> <p>Air pollution emissions associated with the Project could occur over the short-term for demolition, site preparation, and construction activities. Air quality impacts may occur during the site preparation and construction activities of individual projects as anticipated under the 2007-2014 Housing Element. Major sources of emissions during this phase include exhaust emissions generated during demolition of an existing structure, site preparation, and subsequent structure erection, and fugitive dust generated as a result of soil disturbances. The proposed Project would result in changes at the policy level and does not include specific development proposals.</p> <p>The proposed Project would result in changes at the policy level and does not include specific development proposals. The Housing Element establishes programs for facilitating housing development pursuant to adopted land use plans. Thus, the proposed Project would not directly result in any construction-related criteria air pollutant emissions. Potential future development under the proposed Project would be required to comply with BAAQMD standards including the Basic Construction Measures for reducing dust and exhaust from construction. Therefore, construction-related impacts to any air quality standard due to the proposed Project would result in a <i>less-than-significant</i> impact.</p> <p><b>Operational Impacts</b></p> <p>Development facilitated by the Housing Element program has the potential to result in criteria air pollutant emissions due to new vehicle trips, use of equipment, and natural gas generation from the long-term operation of the potential additional units. The proposed Project does not include specific development proposals and would result in overall consistency between the City's General Plan land use designations and zoning and its Housing Element. Thus, the proposed Project would not directly result in any criteria air pollutant emissions. However, any future developments would be subject to review on a project-by-project basis. Therefore, operational phase-related impacts due to the proposed Project would result in a <i>less-than-significant</i> impact.</p> <p>c) The SFBAAB is a nonattainment area for O<sub>3</sub>, PM<sub>2.5</sub>, and PM<sub>10</sub>.<sup>8</sup> New development would generate pollutant emissions due to new vehicle trips, use of equipment, and off-site power and natural gas generation. Future projects would be subject to CEQA review and would determine whether emissions would be in excess of State or federal AAQS. Additionally, any new development would be required to comply with BAAQMD regulations to mitigate or prevent the generation of criteria pollutant emissions. The proposed Project would result in changes at the policy level and does not include specific development proposals. Thus, the proposed Project would not directly result in any criteria air pollutant emissions. Therefore, impacts to air quality from implementation of the proposed Project would be <i>less than significant</i>.</p> <p>d) <b>Localized Construction Emissions</b></p> <p>Sensitive receptors in the vicinity of the housing opportunity sites could be affected by demolition and construction. The potential construction of additional housing units could lead to fugitive emissions and toxic air contaminants (TACs) affecting adjacent sensitive land uses. The proposed Project would result</p> |                                |                                                    |                              |           |

<sup>8</sup> Bay Area Air Quality Management District (BAAQMD), 2013. Air Quality Standards and Attainment Status. April, [http://hank.baaqmd.gov/pln/air\\_quality/ambient\\_air\\_quality.htm](http://hank.baaqmd.gov/pln/air_quality/ambient_air_quality.htm). Access January 2014.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>in changes at the policy level and does not include specific development proposals. Thus, the proposed Project would not directly result in any construction-related criteria air pollutant emissions. Air quality analyses would be completed on a site-specific basis to determine whether emissions from proposed development would expose sensitive receptors to substantial pollutant concentrations during construction. The impacts of localized construction emissions due to the proposed Project would result in a <i>less-than-significant</i> impact.</p> <p><b>Carbon Monoxide Hotspots</b><br/>With the turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology, the SFBAAB is in attainment of the California and National AAQS, and carbon monoxide (CO) concentrations in the SFBAAB have steadily declined. Because CO Concentrations have improved, intersection volumes during the peak hour in the SFBAAB would not typically reach the level required to result in a CO hotspot.<sup>9</sup> <i>No impact</i> would occur.</p> <p><b>Community Risk and Hazards</b><br/>TAC sources within the City of Milpitas include stationary sources permitted by BAAQMD, railroads, roadways with more than 10,000 annual average daily traffic (AADT), and highways or freeways. Stationary sources in Milpitas were identified using BAAQMD's Stationary Source Screening Analysis Tool. There are approximately 164 potential stationary sources in the city. Of these sources, approximately 23 are gas stations, 11 are emergency diesel generators, 11 are auto body repair and refinishing facilities, six are dry cleaners, and 113 are miscellaneous sources (e.g. industrial uses, technology companies, printing shops, etc.).</p> <p>The Southern Pacific Railroad and high-volume roadways with over 10,000 vehicles per day were also identified. High volume roadways were identified within 1,000 feet of the sites including Interstate 680, Interstate 880, California State Route 237, Montague Expressway, South Abel Street, East Calaveras Boulevard, Great Mall Parkway, Jacklin Road, and East Capitol Avenue. The proposed Project would result in changes at the policy level and does not include specific development proposals. Potential future development under the proposed Project would be required to comply with the latest State Office of Environmental Health Hazard Assessment (OEHHA) and BAAQMD guidance including preparing more refined analysis or site-specific health risk assessment (HRA) for new sensitive sources that are sited within 1,000 feet of major sources of TACs. Accordingly, impacts would be <i>less than significant</i>.</p> <p>e) Land uses that are sources of objectionable odors that may affect substantial numbers of people include wastewater treatment facilities, landfills, refineries, chemical manufacturing facilities, feed lots, and dairies. The proposed Project would not directly create objectionable odors and would not result in an impact. It is unlikely that any future residential development proposed would create objectionable odors. In addition, BAAQMD controls emissions of odorous substances through implementation of BAAQMD Regulation 7, Odorous Substances, which places general limitations on odorous substances and specific emission limitations on certain odorous compounds. Therefore, implementation of the proposed Project would not create odors and <i>no impact</i> would occur.</p> |                                |                                                    |                              |           |

<sup>9</sup> Bay Area Air Quality Management District (BAAQMD), 2010 (Revised 2011). California Environmental Quality Act Air Quality Guidelines.

#### IV. BIOLOGICAL RESOURCES

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
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| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State habitat conservation plan?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>DISCUSSION:</b><br>a) Special status plants include those listed as "Endangered," "Threatened," or "Candidate for Listing" by the California Department of Fish and Wildlife (CDFW); the U.S. Fish and Wildlife Service (USFWS), that are included in the California Rare Plant Rank, or that are considered special-status in local or regional plans, policies, or regulations. Special status animals include those listed as "Endangered," "Threatened," or "Candidate for Listing" by the CDFW or the USFWS, that are designated as "Watch List," "Species of Special Concern," or "Fully Protected" by the CDFW, or that are considered "Birds of Conservation Concern" by the USFWS. There are occurrences of plant and animal species with special-status within the city limits. <sup>10</sup> |                                |                                                    |                                     |                                     |

<sup>10</sup> Milpitas General Plan, Chapter 4, Open Space and Environmental Conservation Element, Table 4-3 Species with Special Status and Table 4-4 Special California Department of Fish and Games Designation, Table 4-5 Inventory of Rare and Endangered Vascular Plants for Milpitas and Calaveras Reservoir Quads, page 4-8 and 4-9.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Potentially<br>Significant<br>Impact | Less Than<br>Significant With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact |
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| <p>Potential future development permitted under the proposed Project would not increase development potential, but rather would allow for residential housing in the City's Residential and Mixed Use Zoning designations. Potential impacts from construction of housing would most likely be related to the removal of trees and other vegetation in these habitats during the nesting season of the migratory birds found in Milpitas.</p> <p>The following General Plan policies protect special-status species associated with potential future development.</p> <p><b>Policy 4.b-I-2</b> Preserve remaining stands of trees.</p> <p><b>Policy 4.b-I-4</b> Require a biological assessment of any project site where sensitive species are present, or where habitats that support known sensitive species are present.</p> <p><b>Policy 4.d-P-4</b> Where consistent with other policies, preserve, create, or restore riparian corridors and wetlands. Where possible, set back development from these areas sufficiently to maximize habitat values.</p> <p><b>Policy 4.b-I-5</b> Utilize sensitive species information acquired through biological assessments, project land use, planning and design.</p> <p>Implementation of these General Plan policies as well as compliance with Municipal Code Chapters 2, Tree Maintenance and Protection, federal and State laws, including but not limited to, the Migratory Bird Treaty Act, Clean Water Act, Federal and California Endangered Species Acts, and California Native Plant Protection Act would ensure impacts to special-status species associated with potential future development would be <i>less than significant</i>.</p> <p>b), c) As previously discussed the zoning designations affected through implementing the proposed Project include Residential and Mixed Use zones. While there is riparian habitat (i.e. Coyote Creek, Calaveras Reservoir, Sandy Wool Lake) in the city limits and surrounding areas, as shown on the City's October 2012 Zoning Map and General Plan Land Use Map, these areas are not within the affected Zoning Districts under the proposed Project.</p> <p>Furthermore, wetlands and other waters protected under the federal Clean Water Act and the State's Porter-Cologne Water Quality Control Act are under the jurisdiction of the US Army Corps of Engineers and the San Francisco Bay Regional Water Quality Control Board. Federal and State regulations require avoidance of impacts to the extent feasible, and compensation for unavoidable losses of jurisdictional wetlands and waters. Compliance with the General Plan policies described in Section IV.a above would ensure <i>no impact</i> would occur to riparian and wetland habitats as a result of potential future development under the proposed Project.</p> <p>c) As discussed in Sections IV.b and IV.c, zoning districts affected by the proposed Project are not located on wildlife dispersal routes such as riparian corridors, and potential future development associated with special needs would not be expected to contribute to habitat fragmentation which would interfere</p> |                                      |                                                             |                                    |              |



| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| with wildlife migration. Therefore, <i>no impact</i> to wildlife movement corridors would occur.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                |                                                    |                              |           |
| d) Chapter 2 of the City's Municipal Code is known as the "Tree Maintenance and Protection Ordinance of the City of Milpitas" to preserve, when feasible, all trees and plantings on City property, and all protected plantings of significant size, age, and/or benefit to the community at large. If potential future development under the proposed Project were to impact an approved tree, it would be required to comply with the City's Tree Maintenance and Protection Ordinance before any tree could be removed. Tree removal permits would be secured before any qualifying tree removal action occurred. Potential future housing development permitted under the proposed Project would have to comply with this City ordinance. With adherence to the General Plan policies described in Section IV.a and this ordinance, no conflicts are anticipated, and impacts would be considered <i>less than significant</i> . |                                |                                                    |                              |           |
| e) There are no habitat conservation plans or natural community conservation plans within the city limits, therefore implementation of the proposed Project will not conflict with any. Consequently, there would be <i>no impact</i> .                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                                                    |                              |           |

#### V. CULTURAL RESOURCES

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
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| a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| DISCUSSION:<br>a)-d) As described in the City's General Plan Open Space and Conservation Element, there are 15 sites officially designated and locally registered as Milpitas Cultural Resources. Cultural resources and historic districts are designated by the City Council on the advice of the Parks, Recreation, and Cultural Resources Commission. Procedures to identify and designate historical and cultural resources and to guide their preservation are outlined in the City's Municipal Code Chapter, Cultural Resources Preservation Program. <sup>11</sup> In addition, Cultural resources are protected by federal and State regulations and standards, including, but not limited to the National Historic Preservation Act, the California Public Resources Code, and CEQA. Given the largely built-out nature of Milpitas, the possibility is low that undiscovered archaeological and unique paleontological resources or human remains may be found in the course of construction activities under the proposed Project. Any future development that would occur under the |                                |                                                    |                              |                                     |

<sup>11</sup> City of Milpitas General Plan, Chapter 4, Open Space and Conservation Element, page 4-17.

proposed Project would be required to comply with the City's Municipal Code and State and federal regulations. For example, future potential development carried out under the proposed Project would be obligated to cease construction or other activities, and report any discovery of potentially significant resources in compliance with State law (Section 7050.5 of the Health and Safety Code and Section 5097.94 of the Public Resources Code). Compliance with the City's Municipal Code as well as federal and State laws, would ensure *no impact* would occur to cultural resources associated with potential future development under the proposed Project.

## VI. GEOLOGY AND SOILS

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury or death involving:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                |                                                    |                                     |                                     |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| ii) Strong seismic ground shaking?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                |                                                    |                                     |                                     |
| iii) Seismic-related ground failure, including liquefaction?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                |                                                    |                                     |                                     |
| iv) Landslides, mudslides or other similar hazards?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                |                                                    |                                     |                                     |
| b) Result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on expansive soil, as defined in Section 1803.5.3 of the California Building Code (2010), creating substantial risks to life or property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of wastewater?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <b>DISCUSSION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                |                                                    |                                     |                                     |
| a) i.-iv) As described in Chapter 5, Seismic and Safety Element of the City's General Plan and shown on General Plan Figure 5-2, Seismic and Geotechnical Evaluation Requirements, shows the state-defined Special Studies Zone for Milpitas that traverses the center of the city in a north-south direction. Portions of the Zoning Districts affected by the proposed Project (i.e. Residential and Mixed Use). Figure 5-2 also identifies the requirements for undertaking studies prior to development in areas with potential geotechnical hazards such as liquefaction and landslides. Title II, Building Regulations of the Municipal Code, includes the standards for building in Milpitas. The City has formally adopted the 2010 Edition of the Cali- |                                |                                                    |                                     |                                     |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>California Building Code, Volumes 1 and 2, California Building Standards Code, known as the California Code of Regulations, Title 24, Part 2, in Chapter 3, Building Code, Section II-3-1.01. Potential future development would be subject to these standards that would minimize the potential risk of ground shaking, ground failure, liquefaction, landslides mudslides, or similar hazards posed to people or structures. In addition, the following General Plan policies would apply to future development in Milpitas:</p> <p><b>Policy 5.a-I-1</b> Require all projects within the Alquist-Priolo Special Studies Zone to have geologic investigations performed to determine the locations of active fault traces before structures for human occupancy are built.</p> <p><b>Policy 5.a-I-2</b> Require applications of all projects in the Hillside Area and the Special Studies Zone to be accompanied by geotechnical reports ensuring safety from seismic and geologic hazards.</p> <p><b>Policy 5.a-I-3</b> Require projects to comply with the guidelines prescribed in the City's <i>Geotechnical Hazards Evaluation</i> manual.</p> <p>Compliance with existing federal, State, and local regulations and the policies listed above would ensure that the impacts associated with seismic hazards are minimized to the maximum extent practicable. Consequently, overall, associated seismic hazards impacts would be <i>less than significant</i>.</p> <p>b) Substantial soil erosion or loss of topsoil during construction could undermine structures and minor slopes, and this could be a concern future development in the city. However, compliance with existing regulatory requirements, such as implementation of erosion control measures as specified in Municipal Code Title II, Chapter 13, Section II-13-10, Erosion Control, includes requirements for control of erosion and sedimentation during grading and construction. Compliance with this Section would reduce impacts from erosion and the loss of topsoil. Therefore, through adherence to existing regulatory requirements impacts associated with substantial erosion and loss of topsoil during potential future development under the proposed Project would be <i>less than significant</i>.</p> <p>c), d) Unstable geologic units and expansive soils are known to be present within city and mapped in General Plan Figure 5-1, Geotechnical Hazards, of the Seismic and Safety Element. This map shows that no portions of the Zoning Districts affected by the proposed Project are identified as having unstable soils. If unstable soils were identified in the future, compliance with General Plan Policy 5.a-I-3, which requires projects to comply with the guidelines prescribed in the City's Geotechnical Hazards Evaluation manual, would reduce the potential impacts to future development from an unstable geologic unit or soil to a <i>less-than-significant</i> level.</p> <p>e) Potential future development under the proposed Project will only affect zones in the existing urbanized environment in areas where residential uses are currently permitted. Connection to the sewer system is available in these areas; therefore, <i>no impact</i> regarding the capacity of the soil in the area to accommodate septic tanks or alternate wastewater disposal systems would occur.</p> |                                |                                                    |                              |           |



## VII. GREENHOUSE GAS EMISSIONS

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
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| a) Generate greenhouse gas (GHG) emissions, either directly or indirectly, that may have a significant impact on the environment?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with an applicable plan, policy, or regulation of an agency adopted for the purpose of reducing GHGs?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a) The proposed Project would result in changes at the policy level and does not include specific development proposals. Implementation of the proposed Project would result in consistency between the City's Housing Element and General Plan land use and zoning designations. The Housing Element establishes programs for facilitating housing development pursuant to adopted land use plans. Development facilitated by the Housing Element program has the potential to result in GHG emissions due to new vehicle trips, use of stationary equipment, natural gas use, and indirect emissions from use of electricity, water demand and wastewater treatment, and solid waste disposal. Any future developments would be subject to measures within City's Climate Action Plan in addition to statewide measures to reduce GHG emissions. GHG emissions due to the proposed Project would be <i>less than significant</i>.</p> <p>b) The City of Milpitas has adopted a Climate Action Plan which identifies strategies to reduce energy, water use, and other measures that also reduce GHG emissions. Other applicable plans adopted for the purpose of reducing GHG emissions include CARB's Scoping Plan and the Metropolitan Transportation Commission's (MTC's) and ABAG's Plan Bay Area. A consistency analysis with these plans is presented below.</p> <p><b>CARB Scoping Plan</b></p> <p>In accordance with AB 32, CARB developed the Scoping Plan to outline the state's strategy to achieve 1990 level emissions by year 2020. To estimate the reductions necessary, CARB projected statewide 2020 Business as Usual (BAU) GHG emissions and identified that the state as a whole would be required to reduce GHG emissions by 28.5 percent from year 2020 business as usual (BAU) to achieve the targets of AB 32.<sup>12</sup> Since the release of the 2008 Scoping Plan, CARB has updated the 2020 GHG BAU forecast to reflect GHG emissions in light of the economic downturn and measures not previously considered in the 2008 Scoping Plan baseline inventory. The revised BAU 2020 forecast shows that the state would have to reduce GHG emissions by 21.6 percent from BAU without "Pavley" and the 33 percent Renewable Portfolio Strategy (RPS), or 15.7 percent from the adjusted baseline (i.e. with Pavley – regulations that reduce GHG emissions in new passenger vehicles – and 33 percent RPS).<sup>13</sup></p> <p>Since adoption of the 2008 Scoping Plan, State agencies have adopted programs identified in the plan, and the legislature has passed additional legislation to achieve the GHG reduction targets. Statewide strategies to reduce GHG emissions include the Low Carbon Fuel Standard, California Appliance Energy Efficiency regulations, California Building Standards (i.e. CALGreen and the 2013 Building and Energy Efficiency Standards), 33 percent RPS, and changes in the corporate average fuel economy standards (e.g.</p> |                                |                                                    |                                     |                          |

<sup>12</sup> California Air Resources Board (CARB). 2008, October. Climate Change Proposed Scoping Plan, a Framework for Change.

<sup>13</sup> California Air Resources Board (CARB). 2012. Status of Scoping Plan Recommended Measures.

[http://www.arb.ca.gov/cc/scopingplan/status\\_of\\_scoping\\_plan\\_measures.pdf](http://www.arb.ca.gov/cc/scopingplan/status_of_scoping_plan_measures.pdf)

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Potentially<br>Significant<br>Impact | Less Than<br>Significant With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact |
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| <p>Pavley I and California Advanced Clean Cars [Pavley II]). The proposed Project would not obstruct implementation of the CARB Scoping Plan. Additionally, as discussed below, the City has adopted a Climate Action Plan that would support the statewide measures to reduce GHG emissions. Therefore, the impact is <i>less than significant</i>.</p> <p><b>MTC and ABAG Plan Bay Area</b></p> <p>Plan Bay Area is a regional growth management strategy that targets per capita GHG reduction from passenger vehicles and light duty trucks in the Bay Area region.<sup>14</sup> Plan Bay Area incorporates local land use projections and circulation networks in General Plans of cities and counties. The projected regional development pattern, including location of land uses and residential densities included in local General Plans, when integrated with the proposed regional transportation network identified in Plan Bay Area, would reduce per capita vehicular travel-related GHG emissions and achieve the subregional GHG reduction per capita targets for the ABAG region. The proposed Project would enable the City to meet its 2014-2022 RHNA. As the housing assessment in the RHNA is determined by ABAG, the proposed Project would accommodate increases in population based on ABAG's demographic projections. The Project would be consistent with Plan Bay Area because it is based on demographic projections for the City that form the basis of the Plan Bay Area. Therefore, the impact would be <i>less than significant</i>.</p> <p><b>City of Milpitas Climate Action Plan</b></p> <p>The City of Milpitas adopted its Climate Action Plan (CAP) in May 2013.<sup>15</sup> It implements goals and measures that would assure compliance with the GHG reduction strategies identified by CARB in the 2008 Scoping Plan. The following measures and associated actions from the CAP are applicable to future residential development constructed in accordance with the Housing Element:</p> <ul style="list-style-type: none"> <li>▪ Measure 1.5 – Urban Cooling. Achieve urban cooling through voluntary and mandatory standards for new development and additions. <ul style="list-style-type: none"> <li>• Action E. Reduce heat gain from surface parking lots in new development for a minimum of 50 percent of the site's hardscape. Develop standards to provide shade from the existing tree canopy or from appropriately selected new trees that complement site characteristics and maximize drought tolerance. Where feasible, use open-grid pavement systems (at least 50 percent pervious, which would also satisfy the stormwater Low Impact Development requirement.</li> </ul> </li> <li>▪ Measure 1.6 – Smart Grid Integration. Phase in requirements for the use of smart-grid integrated appliances and energy monitors in all new development by 2018, as such appliance become commercial available and economically feasible. <ul style="list-style-type: none"> <li>• Action A. Adopt new development standards to encourage the integration of smart-grid ap-</li> </ul> </li> </ul> |                                      |                                                             |                                    |              |

<sup>14</sup> Metropolitan Transportation Commission (MTC) and Association of Bay Area Governments (ABAG). 2013, July 18. Plan Bay Area: Strategy for a Sustainable Region.

<sup>15</sup> City of Milpitas. 2013, May. City of Milpitas Climate Action Plan and Qualified Greenhouse Gas Reduction Strategy. [https://www.ci.milpitas.ca.gov/\\_pdfs/Climate\\_ActionPlan.pdf](https://www.ci.milpitas.ca.gov/_pdfs/Climate_ActionPlan.pdf).

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Potentially<br>Significant<br>Impact | Less Than<br>Significant With<br>Mitigation<br>Incorporated | Less Than<br>Significant<br>Impact | No<br>Impact |
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| <p>pliances.</p> <ul style="list-style-type: none"> <li>▪ Measure 2.1 – Energy Efficiency in New Development. Encourage new development and remodels to exceed the minimum building standards for energy efficiency and continue implementation of the adopted Green Building Ordinance. <ul style="list-style-type: none"> <li>• Action A. Incentivize new development to exceed minimum building standards through permit fee reductions.</li> <li>• Action C. Continue to require new multi-family buildings to complete a LEED or Green Point Rated checklist [Milpitas Municipal Code (MMC) II-20-3.01(a)].</li> </ul> </li> <li>▪ Measure 3.1 – Renewable Energy in New Development. Adopt new standards to require renewable energy in new development and encourage renewable energy facilities through the discretionary process. <ul style="list-style-type: none"> <li>• Action B. Require all new single-family and multi-family residential development to comply with the Homebuyer Solar Option, either to provide prewiring for photovoltaic roof systems or to provide an in-lieu fee for off-site solar facilities, building on current standards of the Transit Area Specific Plan.</li> </ul> </li> <li>▪ Measure 5.1 – Increased Densities. <ul style="list-style-type: none"> <li>• Action A. Require new development to include two or more uses per building if located along identified corridors or in a specific plan area.</li> <li>• Action B. Ensure pedestrian accessibility for all new development.</li> <li>• Action C. When new streets are necessary, offset with a new pedestrian-only area.</li> </ul> </li> <li>▪ Measure 12.1 – Lawn and Garden Equipment. <ul style="list-style-type: none"> <li>• Action C. Require new buildings to provide accessible exterior electrical outlets to charge electric-powered lawn and garden equipment</li> </ul> </li> <li>▪ Measure 12.2 – Construction Best Management Practices. <ul style="list-style-type: none"> <li>• Action A. The City will encourage new development to comply with applicable BAAQMD best management practices that reduce GHGs, including use of alternative-fueled vehicles and equipment, use of local recycled materials, and recycling of construction or demolition materials</li> </ul> </li> </ul> <p>The following Policy and Implementation Programs in the Housing Element are consistent with the</p> |                                      |                                                             |                                    |              |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>City's CAP, including Measure 2.1 Action C and Measure 5.1 Action A:</p> <p><b>Policy F.1</b> Promote energy efficiency in new and existing residential development.</p> <ul style="list-style-type: none"> <li>▪ Program F.1.2: The City will continue to promote use of passive solar devices and promote energy audits of existing homes.</li> <li>▪ Program F.1.3: Milpitas will continue to implement the City's Green Building Ordinance.</li> <li>▪ Program F.1.4: The City will continue to encourage the incorporation of energy- and water-saving principles in the design and planning of new residential developments, including features such as solar orientation and the use of recycled water.</li> <li>▪ Program F.1.5: The City will continue to encourage mixed-use and transit-oriented development at transit nodes.</li> <li>▪ Program F.1.6: In accordance with the Green Building Policy Resolution adopted in February 2008, the City will continue to require that planning applications for new buildings include a completed LEED checklist.</li> </ul> <p>The City's CAP includes a development checklist (Appendix C of the CAP) for new development to ensure projects are consistent with the measures and actions in the CAP. The development checklist includes a list of mandatory measures and recommended measures as follows:</p> <p><b>Required Measures</b></p> <ul style="list-style-type: none"> <li>▪ New developments shall reduce heat gain from surface parking lots in new development for a minimum of 50 percent of the site's hardscape. Where feasible, new development shall use open-grid pavement systems (at least 50 percent pervious), which would also satisfy the stormwater Low Impact Development requirement.</li> <li>▪ New developments shall comply with the Homebuyer Solar Option, either to provide prewiring for photovoltaic roof systems or to provide an in-lieu fee for off-site solar facilities, building on current standards of the Transit Area Specific Plan.</li> <li>▪ New development shall ensure pedestrian accessibility.</li> <li>▪ When new streets are necessary, new development shall offset with a new pedestrian-only area.</li> <li>▪ New developments shall provide accessible exterior electrical outlets to charge electric-powered lawn and garden equipment.</li> </ul> <p><b>Recommended Measures</b></p> <ul style="list-style-type: none"> <li>▪ New development shall consider constructing residential units that exceed minimum building standards.</li> <li>▪ New development construction post-2018 shall consider integration of smart-grid appliances.</li> </ul> |                                |                                                    |                              |           |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>▪ New developments shall consider implementing applicable BAAQMD best management practices that reduce GHGs, including measures to encourage use of alternative-fueled vehicles and equipment, use of local recycled materials in building construction, and increasing recycling of construction or demolition materials to achieve a 75 percent diversion rate.</p> <p>Future residential development in accordance with the Housing Element would be required to complete the development checklist and include and implement GHG emissions reduction measures identified in the City of Milpitas CAP.</p> <p>Implementation of the proposed Project would not change land use designations and would not increase development potential in Milpitas beyond what was previously considered. Consequently, implementation of the proposed Project would result in a <i>less-than-significant</i> impact related to contributing to GHG emissions that could have a significant effect on the environment and conflicting with an applicable plan adopted for the purpose of reducing GHG emissions.</p> |                                |                                                    |                              |           |

#### VIII. HAZARDS AND HAZARDOUS MATERIALS

| Would the Project:                                                                                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials?                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances or waste within one-quarter mile of an existing or proposed school?                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| d) Be located on a site which is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, create a significant hazard to the public or the environment?                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
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| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| <p><b>DISCUSSION:</b></p> <p>a) State-level agencies, in conjunction with the United States Environmental Protection Agency (USEPA) and Occupational Safety and Health Administration (OSHA) regulate removal, abatement, and transport procedures for asbestos-containing materials. Asbestos-containing materials (“ACM”) are materials that contain asbestos, a naturally-occurring fibrous mineral that has been mined for its useful thermal properties and tensile strength. Releases of asbestos from industrial, demolition, or construction activities are prohibited by these regulations and medical evaluation and monitoring is required for employees performing activities that could expose them to asbestos. Additionally, the regulations include warnings that must be heeded and practices that must be followed to reduce the risk for asbestos emissions and exposure. Finally, federal, State, and local agencies must be notified prior to the onset of demolition or construction activities with the potential to release asbestos.</p> <p>Lead-based paint (“LBP”), which can result in lead poisoning when consumed or inhaled, was widely used in the past to coat and decorate buildings. Lead poisoning can cause anemia and damage to the brain and nervous system, particularly in children. Like ACM, LBP generally does not pose a health risk to building occupants when left undisturbed; however, deterioration, damage, or disturbance will result in hazardous exposure. In 1978, the use of LBP was federally banned by the Consumer Product Safety Commission. Therefore, only buildings built before 1978 are presumed to contain LBP, as well as buildings built shortly thereafter, as the phase-out of LBP was gradual.</p> <p>The USEPA prohibited the use of Polychlorinated Biphenyls (PCBs) in the majority new electrical equipment starting in 1979, and initiated a phase-out for much of the existing PCB-containing equipment. The inclusion of PCBs in electrical equipment and the handling of those PCBs are regulated by the provisions of the Toxic Substances Control Act, 15 USC Section 2601 et seq. (TSCA). Relevant regulations include labeling and periodic inspection requirements for certain types of PCB-containing equipment and outline highly specific safety procedures for their disposal. The State of California likewise regulates PCB-laden electrical equipment and materials contaminated above a certain threshold as hazardous waste; these regulations require that such materials be treated, transported, and disposed accordingly. At lower concentrations for non-liquids, regional water quality control boards may exercise discretion over the classification of such wastes.</p> <p>The California Division of Occupational Safety and Health’s (Cal OSHA) Lead in Construction Standard is contained in Title 8, Section 1532.1 of the California Code of Regulations. The regulations address all of the following areas: permissible exposure limits (PELs); exposure assessment; compliance methods; respiratory protection; protective clothing and equipment; housekeeping; medical surveillance; medical removal protection (MRP); employee information, training, and certification; signage; record keeping; monitoring; and agency notification.</p> |                                |                                                    |                                     |                                     |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>In the event of a hazardous material emergency several agencies are responsible for timely response, depending on the extent, and type of the incident. The Santa Clara County Hazardous Materials Response Team is composed of representatives of the Santa Clara County Fire Department, California Department of Forestry, and member cities and responds to large-scale, emergency hazardous material incidents within the city. The Milpitas Fire Department is responsible for non-emergency hazardous materials reports within the city. If and when these non-emergency incidents become a threat to groundwater supplies, the Regional Water Quality Control Board takes control of the case. The Milpitas Fire Department also monitors above ground and underground storage tanks and combustible and flammable liquids for leaks and spills.</p> <p>Potentially hazardous building materials (i.e. ACM, lead-based paint, PCBs, mercury) may be encountered during the demolition of existing structures. The removal of these materials (if present) by contractors licensed to remove and handle these materials in accordance with existing federal, State, and local regulations would insure that risks associated with the transport, storage, use, and disposal of such materials would be <i>less than significant</i>.</p> <p>Common cleaning substances, building maintenance products, paints and solvents, and similar items would likely be stored, and used, at the future residential developments that could occur under the proposed Project. These potentially hazardous materials, however, would not be of a type or occur in sufficient quantities to pose a significant hazard to public health and safety or the environment. Consequently, associated impacts from implementation of the proposed Project would be <i>less than significant</i>.</p> <p>b) As described in Section VIII.a above, the storage and use of common cleaning substances, building maintenance products, paints and solvents in the potential development planned for under the proposed Project could likely occur; however, these potentially hazardous substances would not be of a type or occur in sufficient quantities on-site to pose a significant hazard to public health and safety or the environment. Consequently, overall, associated hazardous materials impacts would be <i>less than significant</i>.</p> <p>c) While the Marshall Pomeroy and Pearl Zanker Elementary Schools, Thomas Russell Middle School, and Milpitas High School are within ¼-mile of a zone affected by the proposed Project, the proposed Project merely allows for new residential uses in Residential and Mixed Use zones. As such there would be no increase in the risk of hazardous emissions as discussed above in Sections VIII.a and VIII.b above. As a result impacts to schools would be a <i>less than significant</i>.</p> <p>d) There are no Department of Toxic Substance Control sites within the city included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5.<sup>16</sup> Therefore, <i>no impact</i> would result.</p> <p>e), f) The nearest public use airport to the city is the Norman Y. Mineta San José International Airport, located in San José, California approximately 2 miles southwest of the city. The Comprehensive Land Use</p> |                                |                                                    |                              |           |

<sup>16</sup> Department of Toxic Substances Control, <http://www.envirostor.dtsc.ca.gov/public>, accessed October 15, 2014.



| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>Plan for this airport indicates that portions of the city fall within the noise restriction area, height restriction area, and safety restriction areas of the Airport Influence Area.<sup>17</sup> The two closest private air facilities to Milpitas are the Flea Port Heliport the City of San Jose and McCandless Towers Heliport in the City of Santa Clara. However, neither of these facilities is considered in close proximity to the city. Nonetheless, potential future development under the proposed Project would involve housing within the existing built environment in areas where residential uses are currently permitted and would not negatively affect operation of an airport through resulting height, light interference, or land use incompatibility. Therefore, <i>no impact</i> would occur.</p> <p>g) The City participates in the ABAG Local Hazards Plan and adopted the 2005 City of Milpitas Emergency Plan.<sup>18</sup> The City maintains the Emergency Plan to deal with natural or man-made disasters. The objectives of the Emergency Plan are to prepare for and facilitate coordinated and effective responses to emergencies within the city and to provide assistance to other jurisdictions as needed. The Emergency Plan specifies actions for the coordination of operations, management and resources, and responsibilities of the different departments and governmental agencies during emergency events. Evacuation routes are to be determined as appropriate depending on the nature of the emergency.<sup>19</sup> Future potential development associated with the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The type of anticipated development associated with housing would primarily be restricted to the existing urbanized environment in areas where residential uses are currently permitted; therefore, it would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Consequently, <i>no impact</i> would occur.</p> <p>h) The California Department of Forestry and Fire Hazard Protection (CAL FIRE) is responsible for the identification of very high fire hazard severity zones and transmission of these maps to local government agencies. According to maps prepared by CAL FIRE's, the entire city is categorized as a Non-Very High Fire Hazard Severity Zone under both Local Responsibility Area and State or Federal Responsibility Area.<sup>20</sup> Additionally, as discussed in Section VIII.g above, potential future development under the proposed Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The type of housing associated with the proposed Project would occur within the highly urbanized areas of Milpitas and would not be surrounded by woodlands or vegetation that would provide fuel load for wildfires. Because the city is not designated as having high, very high, or extreme fire threat, as determined by CAL FIRE's Wildlife Urban Interface Fire Threat data, and any potential future development would be constructed pursuant to the standards set forth in Chapter 3, Building Code, Section II-3-1.01 for the City's Municipal Code, the California Fire Code and the Milpitas Fire Department Code, impacts would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |

<sup>17</sup> Comprehensive Land Use Plan, Santa Clara County, Norman Y. Mineta San José International Airport, adopted May 25, 2011.

<sup>18</sup> City of Milpitas <http://www.abag.ca.gov/bayarea/eqmaps/mitigation/Milpitas-Annex.pdf> accessed October 15, 2014.

<sup>19</sup> City of Milpitas General Plan, Chapter 5, Seismic and Safety Element, pages 5-12 and 5-13.

<sup>20</sup> Cal Fire [http://frap.cdf.ca.gov/webdata/maps/santa\\_clara/fhszl\\_map.43.pdf](http://frap.cdf.ca.gov/webdata/maps/santa_clara/fhszl_map.43.pdf) accessed October 15, 2014.



## IX. HYDROLOGY AND WATER QUALITY

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|--------------------------|
| a) Violate any water quality standards or waste discharge requirements?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table level?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned storm-water drainage systems?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Otherwise substantially degrade water quality?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <b>DISCUSSION:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                |                                                    |                                     |                          |
| <p>a) The development of new and additional housing elements could result in impacts to water quality during construction with the clearing and grading of sites resulting in the release of sediments, oil and grease, and other chemicals to receiving water bodies. With post-construction increases in impervious surfaces, there is a greater potential for urban runoff from roadways, parking lots, rooftops, and landscaped areas to impact water quality. However, nearly all of the housing sites are in already built out areas of the city, including the Midtown Specific Plan and Transit Area Specific Plan areas. Therefore, new development will occur in areas already covered with impervious surfaces.</p> <p>During construction, new housing projects will be required to comply with the NPDES General Construction Permit (GCP) as well as prepare a Storm Water Pollution Prevention Plan (SWPPP) if one or</p> |                                |                                                    |                                     |                          |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>more acres of land will be disturbed. The GCP requires the incorporation of Best Management Practices (BMPs) to control sedimentation, erosion, and contaminated runoff during construction. In addition, all projects must submit an erosion control plan to the City of Milpitas prior to the issuance of grading permits, in accordance with the City's Municipal Code.<sup>21</sup></p> <p>Water quality in stormwater runoff is regulated locally by the Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP). Milpitas is one of thirteen cities and towns in the Santa Clara Valley, along with Santa Clara County and the Santa Clara Valley Water District, that formed the SCVURPPP to regulate, monitor, and improve Santa Clara Valley water quality and implement the National Pollutant Discharge Elimination System (NPDES) Municipal Regional Storm Water Permit (MRP) for the area. All new development projects that create or replace 10,000 square feet or more of impervious surface must incorporate site design, source control, and treatment measures to the maximum extent practicable. Also, the City of Milpitas requires new development or redevelopment projects to submit a Stormwater Management Plan and Stormwater Control Operation and Maintenance Plan, in accordance with the SCVURPPP C.3 Stormwater Handbook, and incorporate low impact development (LID) measures in accordance with Chapter 16 of the Municipal Code.<sup>22</sup></p> <p>Additionally, the following General Plan policies identified in Chapter 4, Open Space and Conservation Element protect water quality in Milpitas:</p> <p><b>Policy 4.d-P-1</b> Implement a comprehensive municipal stormwater pollution-prevention program in compliance with requirements of the Water Board's stormwater NPDES permit.</p> <p><b>Policy 4.d-P-3</b> Work cooperatively with other cities, towns, and the Santa Clara Valley Water District to comply with regulations, reduce pollutants in runoff, and protect and enhance water resources in the Santa Clara Basin.</p> <p><b>Policy 4.d-P-4</b> Where consistent with other policies, preserve, create, or restore riparian corridors and wetlands. Where possible, set back development from these areas sufficiently to maximize habitat values.</p> <p><b>Policy 4.d-P-5</b> Where feasible, conform developments to natural landforms, avoid excessive grading and disturbance of vegetation and soils, retain native vegetation and significant trees, and maintain natural drainage patterns.</p> <p><b>Policy 4.d-P-6</b> Where possible, avoid new outfalls to natural or earthen channels.</p> <p><b>Policy 4.d-P-7</b> Applicable projects shall minimize directly connected impervious area by limiting the overall coverage of paving and roofs, directing runoff from impervious areas to adjacent pervious areas, and selecting permeable pavements and surface treatments.</p> <p><b>Policy 4.d-P-8</b> Applicable projects shall incorporate facilities (BMPs) to treat stormwater before discharge from the site. The facilities shall be sized to meet regulatory requirements.</p> |                                |                                                    |                              |           |

<sup>21</sup> City of Milpitas, 2014. Municipal Code 11-13-10, *Erosion Control Plan*.

<sup>22</sup> City of Milpitas, 2014. Municipal Code, Chapter 16, *Stormwater and Urban Runoff Pollution Control*.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p><b>Policy 4.d-P-9</b> Applicable projects shall control peak flows and duration of runoff where required to prevent accelerated erosion of downstream watercourses.</p> <p><b>Policy 4.d-P-12</b> Construction sites shall incorporate measures to control erosion, sedimentation, and the generation of runoff pollutants to the maximum extent practicable. The design, scope and location of grading and related activities shall be designed to cause minimum disturbance to terrain and natural features. (Title II, Chapter 13 of the Municipal Code includes requirements for control of erosion and sedimentation during grading and construction.)</p> <p>Potential future development for the Housing Element Update would be subject to these oversight and review processes, policies envisioned by the General Plan, Municipal Code requirements, and State/federal regulations. Therefore, compliance with these existing regulations and requirements would result in <i>less than significant</i> water quality impacts. No water quality impacts are associated with the Seismic and Safety Element update or the Open Space and Environmental Conservation Element update.</p> <p>b) Potential future development under the proposed Project would have a significant environmental impact if it would result in a net deficit in aquifer volume or a lowering of the local groundwater table level. Housing sites could result in the construction of additional impervious surfaces and the diversion of groundwater to surface water. However, the housing opportunity sites are in areas that have already been developed with a high percentage of impervious surfaces.</p> <p>The new housing projects would need to implement site design measures, LID, and BMPs, including infiltration features, that will contribute to groundwater recharge and minimize stormwater runoff. Also, General Plan Policy 4.d-P-7 states that applicable projects shall minimize directly connected impervious areas by limiting the overall coverage of paving and roofs, directing runoff from impervious areas to adjacent pervious areas, and selecting permeable pavements and surface treatments.</p> <p>While buildout of the proposed Project could lead to an increased demand for water, which could lead to an increase in groundwater pumping, the proposed Project would not result in any additional development potential in the city beyond what was previously considered and no additional water demand would occur. Consequently, impacts to groundwater with implementation of the Housing Element Update would be <i>less than significant</i>. No impacts are associated with implementation of the Seismic and Safety Element Update or the Open Space and Environmental Conservation Element amendments.</p> <p>c), d) The proposed Project would result in a significant environmental impact if it would result in modifications to drainage patterns that could lead to substantial erosion, siltation, or flooding. Development of new housing could result in an increase in stormwater runoff, higher peak discharges to drainage channels, and the potential to cause erosion or sedimentation during construction. Increased runoff volumes and velocities could create nuisance flooding in areas without adequate drainage facilities. However, potential future development as a result of the proposed Project would occur within the built environment with an existing storm drain infrastructure and would not involve the direct modification of any watercourse.</p> <p>All new housing projects would be required, pursuant to the SCVURPPP and MRP, to implement construction phase BMPs, post-construction design measures the encourage infiltration in pervious areas, and post-construction source control measures to keep pollutants out of stormwater. In addition, post-construction treatment measures are required for projects that create or replace 10,000 square feet or</p> |                                |                                                    |                              |           |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>more of impervious surface.</p> <p>Post-construction stormwater quantity (flow peak, volume, and duration) controls are also required for projects in locations that create or replace one acre or more of impervious surface and may cause downstream erosion, as determined by the Hydromodification Management Plan (HMP) Applicability Map, City of Milpitas.<sup>23</sup> All of the housing sites are outside of areas requiring hydromodification, except for an undeveloped housing site north of Jacklin Road and east of Interstate 680. For this project, flow controls would be required so that post-project runoff does not exceed pre-project runoff rates and durations. Implementation of these provisions would minimize the amount of stormwater runoff from new housing projects associated with the Housing Element Update.</p> <p>During construction, housing project applicants would be subject to the NPDES construction permit requirements, including preparation of a SWPPP. In addition, the City's Municipal Code (11-13-10 - <i>Erosion Control Plan</i>) sets requirements for erosion control during construction, including the prevention of sediment or damage to off-site properties. These control measures would further reduce the potential for substantial erosion or siltation and would ensure that generated runoff is protective of the beneficial uses of receiving waters. Once constructed, the requirements for new development or redevelopment would include source control measures and site design measures that address stormwater runoff and would reduce the potential for erosion or siltation.</p> <p>In addition, Provisions C.3 of the MRP require new development and redevelopment projects, meeting certain criteria, to implement stormwater treatment measures to contain site runoff, using specific numeric sizing criteria based on volume and flow rate. For hydromodification projects, post-project runoff shall not exceed estimated pre-project rates and durations where the increased stormwater discharge rates and durations would result in increased potential for erosion.<sup>24</sup></p> <p>Additionally, the General Plan policies identified in IX.a, as well as the following policy in Chapter 4 of the Open Space and Conservation Element would further minimize erosion, siltation, and flooding:</p> <p><b>Policy 4.d-P-9</b> Applicable projects shall control peak flows and duration of runoff where required to prevent accelerated erosion of downstream watercourses.</p> <p>With implementation of these erosion and sediment control measures and regulatory provisions to limit runoff for new development and redevelopment sites, the new housing that would be part of the Housing Element Update would not result in significant increases in erosion and sedimentation or contribute to on-site or off-site flooding. Therefore, implementation of the proposed Project would have a <i>less-than-significant</i> impact with respect to alterations in drainage patterns contributing to erosion, siltation, and/or flooding. There would be no impact associated with the Seismic and Safety Element update or the Open Space and Environmental Conservation Element update.</p> |                                |                                                    |                              |           |

<sup>23</sup> Santa Clara Valley Urban Runoff Pollution Prevention Program (SCVURPPP), 2014. *HMP Applicability Map*, City of Milpitas. Accessed on October 3, 2014 at [http://www.scvurppp-w2k.com/HMP\\_app\\_maps/Milpitas\\_HMP\\_Map.pdf](http://www.scvurppp-w2k.com/HMP_app_maps/Milpitas_HMP_Map.pdf).

<sup>24</sup> Santa Clara Valley Urban Runoff Pollution Prevention Program, 2014. Website: [http://www.scvurppp-w2k.com/nd\\_wp.shtml#](http://www.scvurppp-w2k.com/nd_wp.shtml#) other accessed on August 25, 2014.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>e) As discussed previously, an increase in impervious surface with new housing could result in an increase in stormwater runoff that could exceed the capacity of existing or planned stormwater drainage systems. However, nearly all of the housing sites are located in already built-out areas of the City that are connected to the existing storm drain system.</p> <p>The City collects and disposes its stormwater via a storm drainage network consisting of catch basins, conveyance piping, pump stations, and outfalls to creeks. The City has 123 miles of storm pipe, 3,000 catch basins, approximately 4 miles of drainage ditches and creeks, and stormwater pump stations. Stormwater collection efforts are guided by the Floodplain Management Plan, which is a compilation of different management sources, and is designed to be a flexible and growing instrument.<sup>25</sup> The City of Milpitas is responsible for improvements to the storm drain system, as described in the <i>Storm Drain Master Plan</i> (July 2013). The SCVWD is responsible for improvements to the creeks and channels within the City, with the exception of Wrigley-Ford Creek, which is under the jurisdiction of the City.</p> <p>One housing site (SFR-1 on Figure 4.2 of the Housing Element) is in an area subject to hydromodification requirements. To meet these requirements, post-project stormwater runoff rates must be less than or equal to pre-project values. All other new housing projects would be required to provide hydrologic and hydraulic calculations comparing existing and post-development conditions in the SWMP. The site design and hydrology calculations would be subject to City review to verify that any increased project flows could be accommodated by the existing drainage system. In addition, there are C.3 provisions of the MRP that require the implementation of on-site stormwater treatment measures to contain site runoff, using specific numeric sizing criteria based on volume and flow rates.</p> <p>Additionally, Policy 4.d-P-7 in the General Plan serves to minimize impermeable surfaces and decrease runoff and Policy 4.d-P-9 states that projects shall control peak flows and duration of runoff to prevent erosion of downstream watercourses.</p> <p>Development associated with the Housing Element Update would not require significant expansions of the existing stormwater drainage infrastructure, because the majority of the housing sites involve redevelopment of already developed properties that have an existing storm drainage system. With implementation of the regulatory requirements for new development and redevelopment projects, storm drain impacts would be <i>less than significant</i>. No impact is associated with the Seismic and Safety and Open Space and Environmental Conservation Element Updates.</p> <p>f) Pollutants commonly associated with construction sites that can impact stormwater are sediments, nutrients, trace metals, pesticides, oil, grease, fuels, and miscellaneous construction wastes. Pollutants generated from the operational phase of the project may include sediment, nutrients, organic compounds, trash and debris, oxygen-demanding substances, bacteria and viruses, oil and grease, and pesticides/herbicides.</p> <p>As required by City and SCVURPPP storm water management guidelines, Best Management Practices (BMPs) will be implemented across the project site during both construction and operation of the proposed Project. These BMPs will control and prevent the release of sediment, debris, and other pollutants into the storm drain system. Implementation of BMPs during construction will be in accordance with the</p> |                                |                                                    |                              |           |

<sup>25</sup> City of Milpitas General Plan, Chapter 2, Seismic and Safety Element, page 5-9 and 5-10.

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>provisions of the SWPPP, which will minimize the release of sediment, soil, and other pollutants. Operational BMPs will be required to meet the C.3 provisions of the MRP and the applicant will be required to submit a SWMP and Stormwater Control Operation and Maintenance Plan. These requirements include the incorporation of site design, source control, and treatment control measures to treat and control run-off before it enters the storm drain system. With implementation of these BMPs in accordance with City and SCVURPPP requirements, the potential impact on water quality will be <i>less than significant</i>.</p> <p>g), h) The City of Milpitas is a participant in the National Flood Insurance Program (NFIP). The NFIP provides property owners and renters with federally backed flood insurance, reduces flood damage through a mandatory local floodplain management ordinance, and identifies and maps flood hazards. The NFIP requires the City to maintain a floodplain management ordinance based upon current FEMA Flood Insurance Rate Maps (FIRMs). The City meets this requirement through the implementation of Floodplain Management Regulations specified in Section XI of the Milpitas Municipal Code. These maps identify Special Flood Hazard Areas (SFHAs) or areas subject to inundation from a 100-year storm. The areas within the City include the following FIRM map designations:</p> <ul style="list-style-type: none"> <li>▪ Zone A – Areas subject to inundation by the 1% annual (100-year) flood event. Because no detailed hydraulic analyses have been performed, no Base Flood Elevations (BFEs) or flood depths are shown.</li> <li>▪ Zone AE – Areas subject to inundation by the 1% annual (100-year) flood event. BFEs are shown within these zones.</li> <li>▪ Zone AH – Areas subject to inundation by a 1% chance of shallow flooding (usually areas of ponding) with average depths ranging from one to three feet. BFEs derived from detailed hydraulic analyses are shown in this zone.</li> <li>▪ Zone AO – Areas subject to inundation by a 1% chance of shallow flooding (usually sheet flow) with average depths ranging from one to three feet. Average flood depths derived from detailed hydraulic analyses are shown within this zone.</li> </ul> <p>As shown on General Plan Figure 5-4, approximately 50 percent of the city between Interstate 880 and Interstate 680 is within the 100-year floodplain and the remainder of the land in this area lies within the 500-year Flood Zone. For the housing sites within the Transit Area Specific Plan, 11 of the 14 sites lie partially or entirely within the 100-year floodplain. Sites MFR-2 through MFR-4 are outside of the 100-year floodplain. The housing sites within the Midtown Specific Plan area are outside of the 100-year floodplain, with the exception of MXD-6, and the housing site north of Jacklin Road and east of I-680 (SFR-1) is outside of the 100-year floodplain.</p> <p>If housing will be constructed within the 100-year floodplain, the provisions of the City's Municipal Code (Section XI-15 - Floodplain Management Regulations) require the developer to submit a permit application showing the development plans, in particular the measures that will be taken to prevent flood hazards or elevate buildings out of the floodplain.</p> <p>All new residential construction must have the lowest floor built to at least one foot above the Base</p> |                                |                                                    |                              |           |



| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>Flood Elevation (BFE), or in the case of areas within Zone AO, at least one foot above the depth number listed on the Flood Insurance Rate Map (FIRM), or three feet above the highest adjacent grade if no depth number is shown. For non-residential construction, the lowest floor elevation can be at BFE but the structure needs to be floodproofed and designed for buoyancy.</p> <p>All new residential construction with fully enclosed areas below the lowest floor (excluding basements) that are usable solely for parking of vehicles, building access or storage, and which are subject to flooding, shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwater. Within Zone AH or AO, improvements shall be constructed so that there are adequate drainage paths around structures on slopes to guide flood waters around and away from proposed structures. Further details of these provisions can be found in the following sections of the City of Milpitas Municipal Code:</p> <ul style="list-style-type: none"> <li>▪ Standards of Construction (Section XI-15-5.1) – Specify requirements for anchoring, construction materials and methods, and elevation and floodproofing</li> <li>▪ Standards for Utilities (Section XI-15-5.2) – Specify requirements for new and replacement water supply and sanitary sewage systems, and on-site waste disposal systems</li> <li>▪ Standards for Subdivisions (Section XI-15-5.3) – Specify the elevation of the proposed structure(s) and pad(s) and provide adequate drainage to reduce exposure to flood hazards</li> <li>▪ Floodways (Section XI-15-5.6) – Specify requirements and constraints for encroachments and other flood hazard reduction provisions.</li> </ul> <p>Any permit application for new construction within a FEMA-designated 100-year flood hazard will be reviewed by the City Manager, who is appointed as the Floodplain Administrator to enforce Section XI-15 of the Milpitas Municipal Code. The administrator will determine if all requirements specified in Section XI-15 have been satisfied and either grant or deny the permit.</p> <p>The following General Plan policies also apply to housing within the 100-year Flood Zone and restrict the placement of structures which would impede or redirect flood flows:</p> <p><b>Policy 5.b-I-1</b> Ensure that new construction or substantial improvements to any existing structure result in adequate protection from flood hazards. This includes ensuring that:</p> <ul style="list-style-type: none"> <li>▪ New residential development within the 100-year Flood Zone locate the lowest floor, including basement, above the base flood elevation; and</li> <li>▪ New non-residential development locate the lowest floor, including basement, above the base flood elevation or incorporate flood-proofing and structural requirements as spelled out in the Municipal Code (Title XI Chapter 15).</li> </ul> <p><b>Policy 5.b-I-2</b> Require all structures located within the 100-year Flood Zone to provide proof of flood insurance at the time of sale or transfer of title.</p> |                                |                                                    |                              |           |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p><b>Policy 5.b-I-3</b> Ensure that encroachment into designated floodways does not result in any increase in flooding hazards.</p> <p>New housing sites would be required to comply with these requirements. Consequently, implementation of the Housing Element Update would result in <i>less-than-significant</i> impacts.</p> <p>The Seismic and Safety Element has also been revised and updated in accordance with State law (Assembly Bill 162 and California Government Code 65302) in conjunction with the revision of the Housing Element. It includes information regarding flood hazards, maps of flood zones based on the most recent FEMA FIRMs, historical data on flooding, and current and future flood control projects. In addition, the Open Space and Environmental Conservation Element has been revised to include a map providing rivers, creeks, streams, and flood corridors that may accommodate floodwater. There is no impact associated with these revisions in terms of flooding potential.</p> <p>i) Dam failure is the uncontrolled release of impounded water from behind a dam. Flooding, earthquakes, blockages, landslides, lack of maintenance, improper operation, poor construction, or sabotage can all cause a dam to fail. Dam failure can result in downstream flooding that can affect property and life. However, there is no historical record of dam failure in Santa Clara County or the City of Milpitas. In addition, there is minimal risk in the Bay Area for dam failure due to safety protocols established by the State Division of Safety of Dams (DSOD), according to Appendix C <i>Natural Hazard Risk Assessment</i> of the ABAG <i>Regional Hazard Mitigation Plan</i> (2010). Three dams have inundation zones within the City of Milpitas: 1) Anderson Dam, 2) Coyote Dam, and 3) Sandy Wool Lake Dam. The inundation zones are shown on Figure 5-5 of the City's General Plan, Chapter 5, Seismic and Safety Element.</p> <p>According to maps compiled by the Association of Bay Area Governments (ABAG) and the California Office of Emergency Services (OES),<sup>26</sup> the housing sites within the Midtown Specific Plan and the housing sites west of Main Street in the Transit Area Specific Plan would be within the dam inundation zone of Anderson Dam. The housing site east of I-680 and north of Jacklin Road (SFR-1) is not within a dam inundation zone.</p> <p>Anderson Dam and Coyote Dam operate in tandem with controlled releases to minimize the potential for downstream flooding along Coyote Creek. Anderson Dam was built in 1950 by Santa Clara Valley Water District (SCVWD) for water supply and is constructed of earth and rock. In 2011, a seismic study of Anderson Dam indicated that the foundation and base of the dam could weaken due to liquefaction from a 7.25 magnitude earthquake along the Calaveras Fault, which is located about 2 kilometers from the dam. As a result, the DSOD has established operating restrictions, reducing the amount of allowable storage to 68 percent of capacity. The dam is scheduled for seismic retrofit and the reservoir will be drained in 2015; completion of the retrofit is scheduled for 2018.</p> <p>The latest dam inundation maps prepared by SCVWD in 2009 indicate that the arrival time of a flood wave into the City of Milpitas would be about 5 hours, 15 minutes for the inflow design flood (IDF) and</p> |                                |                                                    |                              |           |

<sup>26</sup> Association of Bay Area Governments, 2014. *Dam Inundation Hazard Map for Milpitas*. Website [www.abag.ca.gov/cgi-bin/pickdamx.pl](http://www.abag.ca.gov/cgi-bin/pickdamx.pl) (accessed October 4, 2014).



| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
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| <p>6 hours, 48 minutes for the fair weather flood. Since the dam is currently operating at 68% of capacity, these dam inundation zones are conservative and overestimate the flooding impact in the unlikely event that a dam failure occurs. The delayed arrival time of a flood wave would allow sufficient time for evacuation of City residents, if needed.</p> <p>The State of California supervises all non-federal dams in California through the Dam Safety Program under the jurisdiction of DSOD. Engineers and engineering geologists review and approve plans and specifications for the design of dams and oversee their construction. In addition, the dams are inspected twice a year and continually monitored for seepage and settling. Dam owners are also required to maintain Emergency Action Plans (EAPs) that include procedures for damage assessment and emergency warnings.</p> <p>The City of Milpitas in conjunction with Santa Clara County addresses the possibility of dam failure in the Local Hazard Mitigation Plan, which also provides emergency response actions. The Milpitas Fire Department Office of Emergency Services (OES) and the SCVWD coordinate preparedness efforts to mitigate against, plan for, respond to, and recover from natural hazards, including the possibility of dam failure. In addition, the City maintains an Emergency Plan to deal with natural or man-made disasters. Evacuation routes are determined as appropriate, depending on the nature of the emergency. Therefore, implementation of the Housing Element Update would not expose people or structures to a significant risk of loss, injury, or death in the case of dam failure and impacts are considered to be <i>less than significant</i>.</p> <p>The Seismic and Safety Element was also updated in conjunction with the Housing Element to address dam inundation and provide the latest dam inundation maps. There is no impact associated with this revision.</p> <p>j) The housing sites are located in relatively flat areas of the City that are not in mapped areas of landslides or debris flows. Similarly, the housing sites are not located close to large bodies of water that could result in inundation by seiche or tsunami. Milpitas is located approximately 30 miles east of the Pacific Ocean, approximately 5 miles south of San Francisco Bay, approximately 5 miles west of the Calaveras Reservoir, and 2 miles west of Sandy Wool Lake Dam, located in Ed Levine Park. Given the distance from these bodies of water, the city is not at risk of inundation in the event of tsunami or seiche and impacts would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |

## X. LAND USE AND PLANNING

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Physically divide an established community?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a) Implementation of the proposed Project would not involve any structures, land use designations, or other features (i.e. freeways, railroad tracks) that would physically divide an established community. The type of anticipated development associated with the Housing Element would be restricted to the existing urbanized environment where residential uses are currently allowed. Future development that could occur under the Housing Element would be required to comply with the goals, policies, and programs under the General Plan, which establish goals to maintain and enhance the existing land use pattern, as well as identify areas that are appropriate for change. Further, since the adoption of the Housing Element alone would not result in the direct physical development, nor does it propose specific projects for development and therefore would not physically divide an established community, <i>no impact</i> would occur.</p> <p>b) As previously described, the Housing Element identifies sites currently zoned for residential uses. Although the adoption of the Housing Element alone would not result in direct physical impacts, implementation of the Housing Element would result in the construction of future residential units. However, as mentioned, the sites identified are currently designated for residential uses under the adopted General Plan and Zoning Code. These are the primary planning documents for the City of Milpitas. The proposed Project would enable the City of Milpitas to meet its housing needs required by State law and facilitate future development to meet the needs of at-risk populations by providing housing types designed for these groups consistent with the City's 2015-2023 General Plan Housing Element. Additionally, future potential development that could occur under the proposed Project does not include any land use or zoning changes that would re-designate land uses or zoning districts. Therefore, there would be no impacts regarding conflicts with applicable plans, policies, or regulations.</p> <p>c) As discussed above in Section IV.f above, there are no habitat conservation plans or natural community conservation plans within the city limits, therefore implementation of the proposed Project will not conflict with any. Consequently, there would be <i>no impact</i>.</p> |                                |                                                    |                              |                                     |

## XI. MINERAL RESOURCES

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <b>DISCUSSION:</b><br>a), b) The Planning Area considered in the Milpitas General Plan includes four areas identified by the State Geologist as containing Regionally Significant Construction Aggregate Resources. However, these areas are located outside of the city limits. The proposed Project will only have the potential to affect areas that are incorporated into the City of Milpitas. Therefore, the proposed Project will have <i>no impact</i> with respect to known mineral resources. |                                |                                                    |                              |                                     |

## XII. NOISE

| Would the Project:                                                                                                                                                                                                                    | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|--------------------------|
| a) Expose persons to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Expose persons to or generate excessive ground-borne vibration or ground borne noise levels?                                                                                                                                       | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?                                                                                              | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?                                                                                  | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) If located within an airport land use plan or where such a plan has not been adopted, within two miles of a public airport or public use airport, expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) If within the vicinity of a private airstrip, expose people residing or working in the project area to excessive noise levels?                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <p><b>DISCUSSION:</b></p> <p>a)-f) The type of anticipated development associated with housing would primarily be restricted to the existing built environment in areas where residential uses are currently permitted. The provisions of the proposed Project would not contravene any aspects of the General Plan, including land use designations, noise limits, or other restrictions that address noise impacts. Though future potential development permitted under the proposed Project may potentially be noise-generating during construction phases, all potential future development pursued under the proposed Project would be subject to the oversight and review processes and standards that are envisioned by the General Plan, established within the City Municipal Code, and/or otherwise required by the state and federal regulations.</p> <p>Title V (Public Health, Safety and Welfare), Chapter 213 (Noise Abatement) regulates excessive sound and vibration in residential areas of the City of Milpitas. Additionally, General Plan Chapter 6, Noise Element, includes policy statements to guide public and private planning to attain and maintain acceptable noise levels. For example, Policy 6-I-3 prohibits new construction where the exterior noise exposure is considered “clearly unacceptable” for the use proposed and Policy 6-I-5. All new residential development (single-family and multi-family) and lodging facilities must have interior noise levels of 45 decibels (dB) Day-Night Noise Level (DNL) or less. Mechanical ventilation will be required where use of windows for ventilation will result in higher than 45 dB DNL interior noise levels. Compliance with these existing regulations would ensure that the proposed Project would neither cause new noise impacts nor exacerbate any existing ones. Accordingly, noise impacts associated with implementing the proposed Project would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |

### XIII. POPULATION AND HOUSING

| Would the Project:                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|--------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?                                                                                               | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |



| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <p><b>DISCUSSION:</b></p> <p>a) The proposed Project would be considered to result in a substantial and unplanned level of growth if estimated buildout exceeded local and regional growth projections (e.g. by proposing new homes or businesses). By definition, the Housing Element is intended to facilitate the production of housing in the city and remove impediments to housing construction. Implementation of the proposed Project would not result in any additional housing beyond what was previously considered and thus would not directly induce substantial population growth. Additionally, the proposed Project would not extend roads or other infrastructure, and thus would not indirectly induce substantial population growth. Thus, a <i>less-than-significant</i> impact would occur in relation to population growth.</p> <p>b), c) Because the proposed Project in no way increases the restrictiveness of the existing zoning on any of the proposed housing sites, nothing in the proposed Housing Element would serve to displace housing or people. The proposed Project prescribes standards, but does not mandate the exact use of the land. Therefore, market conditions and a variety of other factors will be the primary determinates of the increase or decrease in the number of housing units and residents in Milpitas. Consequently, impacts with respect to displacing housing units or residents would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |

#### XIV. PUBLIC SERVICES

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |                                |                                                    |                              |                                     |
| Fire protection?                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Police protection?                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Schools?                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Parks?                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| Other public facilities                                                                                                                                                                                                                                                                                                                                                                                                     | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <p><b>DISCUSSION:</b></p> <p>a) The primary purpose of a public services impact analysis is to examine the impacts associated with physical improvements to public service facilities required to maintain acceptable service ratios, response times or other performance objectives. Public service facilities need improvements (i.e. construction of new, renovation or expansion of existing) as demand for services increases. Increased demand is typically driven by increases in population. The proposed Project would have a significant environmental impact if it would exceed the ability of public service providers to adequately serve the residents of the city, thereby requiring construction of new facilities or modification of existing facilities. As discussed in Section XII, Population and Housing, above, the proposed Project would not directly or indirectly result in population growth. The proposed Project does not include the construction of any new public service facilities or expansion of existing facilities. The proposed Project will not increase development potential beyond what was previously considered. Further, the provisions of the proposed Project would not contravene any aspects of the General Plan, including land use designations and allowed building intensities that could impact demand for City services. Implementation of the proposed Project would therefore neither cause new impacts in regard to provision of City services nor exacerbate any existing ones; thus, <i>no impact</i> would occur.</p> |                                |                                                    |                              |           |

#### XV. RECREATION

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-------------------------------------|
| a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| b) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>     | <input checked="" type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a), b) Because implementation of the proposed Project would not directly or indirectly result in population growth as discussed in Section XII, Population and Housing, above, it also would not increase the use of existing parks or facilities. Additionally, implementation of the proposed Project does not include nor require the construction or expansion of recreational facilities. For these reasons, implementation of the proposed Project would have <i>no impact</i> on recreation.</p> |                                |                                                    |                              |                                     |

## XVI. TRANSPORTATION/TRAFFIC

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|-------------------------------------|
| a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the County Congestion Management Agency for designated roads or highways?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/>            |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input type="checkbox"/>            | <input checked="" type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a), b) The proposed Project will have no effect on the circulation system of Milpitas as it will not increase development potential and would not directly or indirectly result in population growth. As such, implementation of the proposed Project would not conflict with any applicable plan, ordinance or policy which establishes measures of effectiveness for the performance of the circulation system. Potential future development permitted as a result of the proposed Project will allow for housing in Residential and Mixed-Use Zoning designations where residential uses are currently permitted. Consequently, impacts would be <i>less than significant</i>.</p> <p>c) The proposed Project does not include any strategy or measure that would directly or indirectly affect air traffic patterns. Therefore, <i>no impact</i> would result.</p> <p>d) The proposed Project does not include any strategy that would promote the development of hazardous road design features or incompatible uses. Rather, the proposed Project will allow for housing in Residential and Mixed Use Zoning designations where residential uses are currently permitted. Therefore, <i>no impact</i> would occur.</p> |                                |                                                    |                                     |                                     |

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| e) No part of the proposed Project would result in the development of uses or facilities that would degrade emergency access. Therefore, there would be <i>no impact</i> .                                                                                                                                                                                                                                                                                                                                                                  |                                |                                                    |                              |           |
| f) The proposed Project will have no impact on policies, plans or programs regarding public transit, bicycle, or pedestrian facilities. While the proposed Project does include provisions that are dependent on the location of public transit stops, potential future development permitted as a result of the proposed Project will only be reactive to the location of bus stops and will have no effect on the placement of bus stops or any other aspect of the public transportation system. Therefore, <i>no impact</i> will occur. |                                |                                                    |                              |           |

## XVII. UTILITIES AND SERVICE SYSTEMS

| Would the Project:                                                                                                                                                                                                                | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|--------------------------|
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?                                                                                                                               | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs?                                                                                                            | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| g) Comply with federal, State, and local statutes and regulations related to solid waste?                                                                                                                                         | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| DISCUSSION:                                                                                                                                                                                                                       |                                |                                                    |                                     |                          |
| a)-c), e) The Milpitas Sanitary Sewer Collection System is owned and maintained by the City of Milpitas. Wastewater from the City of Milpitas is treated at the San Jose/Santa Clara Water Pollution Control                      |                                |                                                    |                                     |                          |



| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact | No Impact |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|------------------------------|-----------|
| <p>Plant, located near Alviso. The City of Milpitas is contractually allowed a sanitary sewer flow of 14.25 million gallons per day.<sup>27</sup> The proposed Project would allow for housing in Residential and Mixed Use Zoning designations where residential uses are currently permitted and would not increase development potential beyond what was previously considered. Therefore, construction and operation resulting from potential future development permitted under the proposed Project would have <i>less-than-significant</i> impacts with regard to the wastewater treatment requirements of the SFRWQCB and the capacity of the San Jose/Santa Clara Water Pollution Control Plant to serve the projected General Plan demand in addition to its existing commitments. Additionally, it would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.</p> <p>d) The proposed Project would allow for housing in Residential and Mixed Use Zoning designations where residential uses are currently permitted and would not increase development potential beyond what was previously considered. Given no additional demand to water supply would occur, impacts to water supply as a result of implementing the proposed Project would be <i>less than significant</i>.</p> <p>f), g) The City of Milpitas and Santa Clara County Integrated Waste Management Plans (IWMP) comply with state-mandated waste reduction goals specified in Public Resources Code (PRC) 40500 (Assembly Bill 939). PRC 40500 requires local agencies to implement source reduction, recycling, and composting activities to reduce solid waste generation by 25 percent by the year 1995, and by 50 percent by the year 2000. As a part of PRC 40500, each city and county is required to prepare a Source Reduction and Recycling Element (SRRE) and a Household Hazardous Waste Element (HHWE). Together, the SRRE and HHWE comprise the City's IWMP.<sup>28</sup> Newby Island landfill, located on Dixon Landing Road in San Jose serves the City. It is a Class III landfill, with an estimated lifespan of an additional 11 years (to 2021). However, the proposed Project would not increase development potential beyond what was previously considered; accordingly, no additional demand on solid waste capacity would occur and impacts would be <i>less than significant</i>.</p> |                                |                                                    |                              |           |

<sup>27</sup> The City of Milpitas Waterstone EIR, [http://www.ci.milpitas.ca.gov/\\_pdfs/plan\\_cir\\_WaterStone\\_draft\\_a.pdf](http://www.ci.milpitas.ca.gov/_pdfs/plan_cir_WaterStone_draft_a.pdf). Accessed October 15, 2014.

<sup>28</sup> The City of Milpitas General Plan, Chapter 4Environmental Open Space and Conservation Element, page 4-21.

## MANDATORY FINDINGS OF SIGNIFICANCE

| Would the Project:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Potentially Significant Impact | Less Than Significant With Mitigation Incorporated | Less Than Significant Impact        | No Impact                |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|----------------------------------------------------|-------------------------------------|--------------------------|
| a) Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| c) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>       | <input type="checkbox"/>                           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| <p><b>DISCUSSION:</b></p> <p>a)-c) The provisions of the proposed Project would not contravene any aspects of the General Plan, including land use designations and allowed building intensities, which would lead to increased population or development, impacts to wildlife, cumulative effects, or other substantial adverse effects on human beings. All structures, programs, and projects pursued under the proposed Project would adhere to the vision established within the General Plan and all subsequent land use and zoning designations. Implementation of the proposed Project would therefore neither cause new impacts in regard to these issues nor would it exacerbate any existing impacts. Therefore, through mandatory regulatory compliance and consistency with General Plan policies, implementation of the proposed Project would have a <i>less-than-significant</i> impact with the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory, nor have impacts that are individually limited, but cumulatively considerable, nor does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.</p> |                                |                                                    |                                     |                          |



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

January 13, 2015

RECEIVED

JAN 21 2015

HNP DIVISION

Felix J. Reliford  
City of Milpitas  
455 E. Calaveras Boulevard  
Milpitas, CA 95035

Subject: Housing Element Update & Amendments to the Seismic/Safety & Open Space/Environmental  
Conservation Element  
SCH#: 2014122025

Dear Felix J. Reliford:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on January 12, 2015, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

  
Scott Morgan  
Director, State Clearinghouse

Enclosures  
cc: Resources Agency

## State Clearinghouse Data Base

**SCH#** 2014122025  
**Project Title** Housing Element Update & Amendments to the Seismic/Safety & Open Space/Environmental  
**Lead Agency** Conservation Element  
Milpitas, City of

**Type** Neg Negative Declaration  
**Description** The Project includes an update to the 2007-2014 Housing Element for the planning period 2015-2023 in compliance with Government Code Section 65580 et seq. The identified sites (2,774 units), including the committed sites (6,146), would allow the City to meet its RHNA with a total capacity of 8,920 units, resulting in a surplus above the required RHNA (3,290 units). No rezoning or changes to General Plan designations would be required to achieve this yield. The Seismic and Safety Element Amendment includes an update to required information related to Federal Emergency Management Agency Flood Insurance Rate Maps, dam inundation and City goals and policies to comply with State law (AB162, Government Code 65302). The Open Space and Environmental Conservation Element Amendment includes a revised map of rivers, creeks, and riparian habitat.

### Lead Agency Contact

**Name** Felix J. Reliford  
**Agency** City of Milpitas  
**Phone** 408 586 3071  
**email**  
**Address** 455 E. Calaveras Boulevard  
**City** Milpitas  
**Fax**  
**State** CA **Zip** 95035

### Project Location

**County** Santa Clara  
**City** Milpitas  
**Region**  
**Lat / Long**  
**Cross Streets** Citywide  
**Parcel No.** citywide  
**Township** **Range** **Section** **Base**

### Proximity to:

**Highways**  
**Airports**  
**Railways**  
**Waterways**  
**Schools**  
**Land Use** Residential and Mixed-Use Zoning Districts

**Project Issues** Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Population/Housing Balance; Public Services; Recreation/Parks; Schools/Universities; Septic System; Sewer Capacity; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Growth Inducing; Landuse; Cumulative Effects; Other Issues

**Reviewing Agencies** Resources Agency; Department of Conservation; Department of Fish and Wildlife, Region 3; Cal Fire; Department of Parks and Recreation; San Francisco Bay Conservation and Development Commission; Department of Water Resources; Office of Emergency Services, California; California Highway Patrol; Caltrans, District 4; Department of Housing and Community Development; Air Resources Board; Regional Water Quality Control Board, Region 2; Native American Heritage Commission

## State Clearinghouse Data Base

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|                      |            |                        |            |                      |            |
|----------------------|------------|------------------------|------------|----------------------|------------|
| <i>Date Received</i> | 12/12/2014 | <i>Start of Review</i> | 12/12/2014 | <i>End of Review</i> | 01/12/2015 |
|----------------------|------------|------------------------|------------|----------------------|------------|

## DEPARTMENT OF TRANSPORTATION

DISTRICT 4

P.O. BOX 23660

OAKLAND, CA 94623-0660

PHONE (510) 286-6053

FAX (510) 286-5559

TTY 711

www.dot.ca.gov

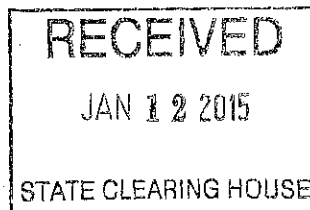
CLEAR

1-12-15

E

Serious Drought.  
Help save water!

January 12, 2015

SCL000150  
SCL/GEN/PM VAR  
SCH# 2014122025

Mr. Felix Reliford  
Planning Division  
City of Milpitas  
455 East Calaveras Boulevard  
Milpitas, CA 95035

Dear Mr. Reliford:

**2015-2035 Housing Element and Amendments to the Seismic and Safety, and Open Space and Environmental Conservation Elements Project – Negative Declaration (ND)**

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the project referenced above. We have reviewed the ND have the following comments to offer.

***Traffic Impact Analysis (TIA)***

California Public Resources Code 21159.28 provides for streamlined analysis of impacts from cars and light duty truck trips on the State Highway System (SHS) provided certain conditions are met. 21159.28(c) states (when referencing streamlining provisions) that "nothing in the foregoing relieves any project from a requirement to comply with any conditions, exactions, or fees for the mitigation of the project's impacts on the structure, safety or operations of the regional transportation network or local streets and roads."

If projects proposed under this Plan do not qualify for streamlining provisions under SB 375 regarding traffic impact analysis, or there are impacts to the structure, safety or operations of the SHS, based on the project's location and potential for significant traffic impacts, Caltrans requests a TIA to assess the impact of this project on the SHS and the adjacent road network. We recommend using Caltrans' *Guide for the Preparation of Traffic Impact Studies (TIS Guide)* for determining which scenarios and methodologies to use in the analysis. The TIS Guide is a starting point for collaboration between the lead agency and Caltrans in determining when a TIA is needed. It is available at the following website address:  
[http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_ccqa\\_files/tisguide.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ccqa_files/tisguide.pdf).

Caltrans views all transportation improvements as opportunities to improve safety, access, and mobility for all travelers in California and recognizes bicycle, pedestrian, and transit modes as integral elements of the transportation system.

#### ***Vehicle Trip Reduction***

Caltrans encourages the City to locate any needed housing, jobs and neighborhood services near major mass transit centers, with connecting streets configured to facilitate walking and biking, as a means of promoting mass transit use and reducing regional vehicle miles traveled and traffic impacts on the State highways.

Caltrans also encourages the City to develop and assess the benefits of specific Travel Demand Management (TDM) measures that promote walking, bicycling and transit to reduce congestion on State facilities. These measures could include lower parking ratios, car-sharing programs, bicycle parking and showers for residents and employees, and providing transit passes to residents and employees, among others.

In addition, secondary impacts on pedestrians and bicyclists resulting from any traffic impact mitigation measures should be recognized and analyzed in project-specific TIAs for projects under this Plan. The analysis should describe any pedestrian and bicycle mitigation measures and safety countermeasures that would in turn be needed as a means of maintaining and improving access to transit facilities and reducing vehicle trips and traffic impacts on State highways.

#### ***CEQA Streamlining***

Local jurisdictions and land use development infill project proponents should and are encouraged to coordinate and consult early with Caltrans District Local Development – Intergovernmental Review (LD-IGR) office on any land use proposal, based on the project's location and potential for significant traffic impacts, to enable consideration of the potential site specific drainage, visual, access, and operational safety impacts. Even if cumulative impacts were addressed in a prior environmental clearance document there may be direct impacts of concern with the project-level proposal. A CEQA exemption is still an adequate environmental clearance as long as any necessary mitigation features are included as part of the project.

#### ***Voluntary Contribution Program***

State highway facilities are critical to regional and interregional traffic in the San Francisco Bay region. They are vital to commuting, freight, and recreational traffic and are among the most congested regional facilities. Given the scale of the Plan and the expected traffic generated, this Plan is likely to have a cumulatively significant regional impact to the already congested SHS.

Caltrans encourages the City to participate in Santa Clara Valley Transportation Authority's (VTA) voluntary contribution program and plan for the impact of future growth on the regional transportation system. Contributions would be used to help fund regional transportation programs that improve the transportation system to lessen future traffic congestion, improve mobility by reducing time delays, and maintain reliability on major roadways throughout the San Francisco Bay Area. Reducing delays on State facilities will not only benefit the region, but also reduce any queuing on local roadways caused by highway congestion.

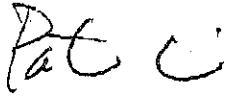
Mr. Felix Reliford/City of Mulpitas

January 12, 2015

Page 3

Should you have any questions regarding this letter, please contact Brian Brandert at (510) 286-5505 or [brian.brandert@dot.ca.gov](mailto:brian.brandert@dot.ca.gov).

Sincerely,



PATRICIA MAURICE

Acting District Branch Chief

Local Development - Intergovernmental Review

c: Scott Morgan, State Clearinghouse

Robert Swierk, Santa Clara Valley Transportation Authority (VTA) – electronic copy

Robert Cunningham, Santa Clara Valley Transportation Authority (VTA) – electronic copy



**RESOLUTION NO. 15-0008****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS  
RECOMMENDING THE CITY COUNCIL ADOPT A NEGATIVE DECLARATION  
AND TO APPROVE A GENERAL PLAN AMENDMENT UPDATING THE HOUSING  
ELEMENT 2015-2013, SEISMIC/SAFETY ELEMENT AND OPEN  
SPACE/ENVIRONMENTAL CONSERVATION ELEMENT OF THE GENERAL  
PLAN**

**WHEREAS**, California Government Code Sections 65580 et seq. requires a Housing Element as a mandatory element of the General Plan and that Housing Elements are required to be updated every eight years; and

**WHEREAS**, State Law requires that a general plan and its constituent elements “comprise” an integrated internally consistent and compatible statement of policies; and

**WHEREAS**, the previous Milpitas Housing Element was adopted by the City Council on June 15, 2010 and certified by the State of California, Department of Housing and Community Development (HCD) on February 10, 2010; and

**WHEREAS**, the updated Housing Element focuses on housing needs from January 1, 2015 through June 30, 2023 in accordance with the Housing Element planning period for San Francisco Bay Area jurisdictions established by law; and

**WHEREAS**, over the past year, the process to update the Housing Element in the City of Milpitas included: 1) obtaining housing information and data from local and regional housing agencies during the preparation of the updated plan; 2) Two publicly noticed community workshops on February 25 and March 11, 2014 to solicit input from the public on the City’s housing needs and to provide the public with an opportunity to shape the City’s housing goals, policies and objectives; 3) Mailed notices of the meetings to 70 organizations and a variety of other groups and agencies; 4) Conducted outreach for the meetings, to recruit potential participants who would reflect the City’s full ethnic and economic diversity; and 5) Provided appropriate opportunity for the general public to review and comment on the draft and final housing element documents; and

**WHEREAS**, the Milpitas Planning Commission held two (2) public hearings on May 14 and September 10, 2014 to obtain public input and comments on the Draft Housing Element Update; and

**WHEREAS**, the public was provided a thirty (30) day review and comments period and copies of the Draft Housing Element Update was on file at the Milpitas City Hall, Milpitas Public Library and City’s Website for public review and comment; and

**WHEREAS**, the Association of Bay Area Governments (ABAG) determines the Regional Housing Needs Allocation (RHNA) for the Bay Area and allocated 3,290 residential units to the City of Milpitas for the next Housing Element cycle of 2015 to 2023; and

**WHEREAS**, a Draft General Plan Housing Element Update was forwarded to the HCD for their review and comments and the City of Milpitas received comments from HCD and responded to their comments; and

**WHEREAS**, on January 5, 2015, the HCD notified the City of Milpitas in writing that they had reviewed the Draft Milpitas General Plan Housing Element Update and found the document in compliance with State Housing Element Laws (Article 10.6 of the Government Code) when it was submitted to HCD pursuant to Government Code Section 65585(g); and

**WHEREAS**, the revised Seismic and Safety Element of the General Plan includes an update to the required information related to Federal Emergency Management Agency (FEMA) Flood Rate Maps (FIRMs), dam, inundation zones, and City goals and policies to comply with State Law (Assembly Bill 162 and CA Government Code Section 65302); and

**WHEREAS**, the revised Open Space and Environmental Conservation Element includes updates to the Water Quality and Conservation Section, specifically, a map of rivers, creeks, streams, and riparian habitat to comply with State Law (Assembly Bill 162); and

**WHEREAS**, General Plan Amendments (GPA) for Housing, Seismic and Safety and Open Space and Environmental Conservation Elements and Negative Declaration was prepared by the City of Milpitas and legally advertised for public review and comments; and

**WHEREAS**, pursuant to California Environmental Quality Act (CEQA) an Initial Study was prepared and did not find any significant environmental impacts associated with the proposed projects. Based on the Initial Study of no significant impacts associated with the project, a Notice of Intent to Adopt a Negative Declaration was prepared and circulated for public review and comments on December 12, 2014-January 12, 2015; and

**WHEREAS** Notice of Intent to Adopt a Negative Declaration and General Plan Amendments were advertised on February 13, 2015 for the Planning Commission meeting on February 25, 2015; and

**WHEREAS**, on February 25, 2015, the Planning Commission held a public hearing on the General Plan Amendments for Housing, Seismic and Safety, and Open Space and Environmental Conservation Element and Negative Declaration. The Planning Commission, among other documents and information, considered the report from staff on the General Plan Amendments for Housing, Seismic and Safety, and Open Space and Environmental Conservation Element and Negative Declaration and written and public testimony from property owners, business owners, outside agencies and other affected parties; and

**WHEREAS**, the Planning Commission did review and consider the Negative Declaration for the GPA and determined that no significant impacts are associated with the General Plan Amendments for Housing, Seismic and Safety and Open Space and Environmental Conservation Elements; and

NOW THEREFORE, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

**Section 1:** The Planning Commission has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the Planning Commission. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

**Section 2:** A Initial Study and Negative Declaration pursuant to the California Environmental Quality Act (CEQA) was prepared and certified (SCH#2014122025) for the General Plan Amendments to the Updated Housing Element, Seismic and Safety Element and Open Space and Environmental Conservation Element on January 13, 2015. The Negative Declaration assumed no rezoning or changes to the General Plan or Zoning Districts for residential uses to the proposed project and the project has no potential to cause a significant effect on the environment.

Pursuant to Government Code Section 65457 (CEQA Guidelines Section 15073) a 30-day public review period prior to adoption of negative declaration. The negative declaration was advised from December 12, 2014-January 12, 2015. The proposed project summary is included:

**Proposed Project Summary**

The proposed project includes an update to the current (2007-2014) Housing Element for the planning period 2015-2023. The proposed Project supports the goals and policies of the City's current Housing Element and provides policies and implementing programs to further the city's housing goals to meet its Regional Housing Needs Allocation (RHNA-3,290 units). No rezoning or changes to the General Plan or Zoning districts would be required to achieve this yield. The Seismic and Safety Element Amendment includes an update to required information related to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMS), dam inundation zones, and City goals and policies to comply with State law (specifically Assembly Bill 162). It also includes the adoption of Santa Clara County's multi-jurisdictional Local Hazard Mitigation Plan and the City of Milpitas' Local Hazard Mitigation Plan Annex to ensure that appropriate emergency measures are implemented when natural disaster occur. The Open Space and Environmental Conservation Element Amendment include update to the water Quality and Conservation Section, map of rivers, creeks, streams, and riparian habitat as per AB 162 has been added.

The Planning Commission has reviewed the Initial Study and Negative Declaration, all supporting evidence and documentation, and considered public comments provided at or before the hearing of this matter. The Initial Study and Negative Declaration reflect the Planning Commission's independent judgment and analysis as to the effects of the project on the environment. Based on the review of the entire record therein, including the Negative Declaration, the Initial Study, all supporting, referenced, and incorporated documents and all comments received, the Planning Commission finds that there is no substantial evidence that the project will have a significant effect on the environment, and that the Negative Declaration, Initial Study and supporting documents provide an adequate description of the impacts of the project and comply with the CEQA and CEQA Guidelines.

**Section 3:** General Plan Amendments - The Planning Commission makes the following findings based on the evidence in the public record in support of the amendments:

- a) *The proposed amendment is internally consistent with those portions of the General Plan which are not being amended.*

Government Code Sections 65580 et seq. requires Housing Elements as mandatory elements of the General Plan are updated every eight years and that a general plan and its constituent elements “comprise” an integrated internally consistent and compatible. Assembly Bill No. 162 requires amendments to the Seismic and Safety Element to address information relating to Federal Emergency Management Agency (FEMA), Flood Insurance Rate Maps (FIRM’s) dam inundation zones and city goals and policies to comply with state law. Assembly Bill No. 162 requires amendments to the Open Space and Environmental Conversation Element to include update to Water Quality and Conversation Section, map of rivers, creeks, streams, and riparian habitat.

The proposed General Plan amendments are required under State law. The proposed changes will not affect any of the other elements or provisions of the General Plan and will not create any inconsistency.

- b) *The proposed amendment will not adversely affect the public health, safety, and welfare of the residents of Milpitas*

The proposed general plan amendments will require no rezoning or changes to the General Plan or Zoning districts. Transit Area and Midtown Specific Plan have appropriate number of housing sites to meet the Regional Housing Needs Allocation. Furthermore, the amendments will focus compliance with State Laws achieving long term housing goals and policies and addressing updated information relating to flooding and water quality and conversation.

**Section 5.** The Planning Commission of the City of Milpitas hereby adopts **Resolution No. 15-0008 recommending that the City Council approve a Negative Declaration Environmental Assessment No. EA14-007 and approve the General Plan Amendments No. GP14-004 relating to the Draft Housing Element (2015-2023) and revisions to the Seismic/ Safety Element and Open Space/ Environmental Conversation Element of the General Plan. A copy of the General Plan Amendments are attached to the staff report for this item.**

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Milpitas on February 25, 2015.

  
Chair

**TO WIT:**

**I HEREBY CERTIFY** that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on February 25, 2015, and carried by the following roll call vote:

| COMMISSIONER            | AYES | NOES | ABSENT | ABSTAIN |
|-------------------------|------|------|--------|---------|
| Zeya Mohsin (alternate) |      |      |        |         |
| Ray Maglalang           | ✓    |      |        |         |
| Hon Lien                | ✓    |      |        |         |
| Demetress Morris        | ✓    |      |        |         |
| Rajeev Mandnawat        | ✓    |      |        |         |
| Gurdev Sandhu           | ✓    |      |        |         |
| Larry Ciardella         | ✓    |      |        |         |
| Sudhir Mandal           | ✓    |      |        |         |



DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT  
DIVISION OF HOUSING POLICY DEVELOPMENT

2020 W. El Camino Avenue, Suite 500  
Sacramento, CA 95833  
(916) 263-2911 / FAX (916) 263-7453  
www.hcd.ca.gov



December 30, 2014

Mr. Felix Reliford, Principal Housing Planner  
Planning and Neighborhood Services Department  
City of Milpitas  
455 E. Calaveras Blvd.  
Milpitas, CA 95035

Dear Mr. Reliford:

**RE: City of Milpitas' 5<sup>th</sup> Cycle (2015-2023) Draft Housing Element**

Thank you for submitting Milpitas' draft element update which was received for review on November 5, 2014, along with additional revisions received on December 16, 2014. Pursuant to Government Code (GC) Section 65585(b), the Department is reporting the results of its review. Our review was facilitated by communications with you and the City's consultant, Ms. Stephanie Hagar of BAE Urban Economics. In addition, the Department considered comments from the Law Foundation of Silicon Valley and the Non-Profit Housing Association of Northern California pursuant to GC Section 65585(c).

The draft element with revisions meets the statutory requirements of State housing element law. The draft element with revisions will comply with State housing element law (GC, Article 10.6) when they are adopted and submitted to the Department, in accordance with GC Section 65585(g).

To remain on an eight year planning cycle, pursuant to Senate Bill 375 (Chapter 728, Statutes of 2008) the City must adopt its element within 120 calendar days from the statutory due date of January 31, 2015 for ABAG localities. If adopted after this date, GC Section 65588(e)(4) requires the element be revised every four years until adopting at least two consecutive revisions by the statutory deadline. For additional information on housing element adoption requirements, please visit the Department's website at: [http://www.hcd.ca.gov/hpd/hrc/plan/he/he\\_review\\_adoptionsteps110812.pdf](http://www.hcd.ca.gov/hpd/hrc/plan/he/he_review_adoptionsteps110812.pdf).

Public participation in the development, adoption and implementation of the housing element is essential to effective housing planning. Throughout the housing element process, the City must continue to engage the community, including organizations that represent lower-income and special needs households, by making information regularly available and considering and incorporating comments where appropriate.

The Department appreciates your efforts and dedication in preparation of the housing element and looks forward to receiving Milpitas' adopted element. If you have any questions or need additional technical assistance, please contact Jess Negrete, of our staff, at (916) 263-7437.

Sincerely,

Glen A. Campora  
Assistant Deputy Director

## MEMORANDUM

DATE January 23, 2015  
TO Felix Reliford  
City of Milpitas  
FROM Terri McCracken  
SUBJECT Response to Comment Letter on the Housing Element Update and Amendments to the Seismic and Safety, and Open Space and Environmental Conservation Elements Project

The City of Milpitas received the following two letters in response to the Notice of Intent (NOI) submitted to the State Clearinghouse on Friday, December 12, 2014 for a 30-day review period ending on Monday, January 12, 2015.

- 1) Patricia Maurice, Acting District Branch Chief, Local Development – Intergovernmental Review, California Department of Transportation, January 12, 2015.
- 2) Scott Morgan, Director of State Clearinghouse, Office of Planning and Research, State Clearinghouse and Planning Unit, January 13, 2015.

The comment letter received on January 12, 2015 from the California Department of Transportation (Caltrans) provides information on Caltrans' traffic impact analysis (TIAs) and CEQA streamlining procedures. The letter also states Caltrans recommendations to reduce vehicle miles traveled and promote mass transit, including, but not limited to, locating housing, jobs and neighborhood services near major mass transit centers, with connecting streets configured to facilitate walking and biking, and encouraging Travel Demand Management measures that promote alternative modes of transportation to single-driver automobiles. Caltrans requests that secondary impacts to pedestrians and bicyclists resulting from traffic impact mitigation measures be addressed in future TIA's for individual projects under the proposed Project. Caltrans also encourages the City to participate in the Santa Clara Valley Transportation Authority's Voluntary Contribution Program, which helps to fund regional transportation programs that improve the transportation system. These comments do not state specific concerns or questions regarding the sufficiency of the analysis or mitigation measures contained in the Initial Study. As discussed in the Initial Study on page 45, the proposed Project will have no effect on the circulation system of Milpitas or the surrounding area as it will not increase development potential and would not directly or indirectly result in population growth. As shown on Figure 2, Housing Opportunity Sites, Milpitas, 2015-2023, the proposed housing sites would be located in the Midtown Specific Plan and Transit Area Specific Plan areas. As envisioned in these Specific Plans, most new housing in Milpitas will be multi-family housing in transit-oriented development areas. The Caltrans comments are acknowledged and will be forwarded to the decision-making bodies for their consideration in reviewing the project.

The comment letter from the State Clearinghouse dated January 13, 2015 acknowledges the City has complied with the State Clearinghouse review requirements for draft environmental review documents pursuant to the California Environmental Quality Act (CEQA). No response is required.

## MEETING MINUTES

### MILPITAS PLANNING COMMISSION Milpitas City Hall, Council Chambers 455 E. Calaveras Blvd., Milpitas, CA

Wednesday, February 25, 2015

- |                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>I. PLEDGE OF ALLEGIANCE</b>             | <b>Chair Mandal</b> called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>II. ROLL CALL/ SEATING OF ALTERNATE</b> | <p><b>Commissioners</b></p> <p><b>Present:</b> Chair Sudhir Mandal, Vice Chair Larry Ciardella, Commissioners Gurdev Sandhu, Rajeev Madnawat, Demetress Morris, Hon Lien, Ray Maglalang, Alternate Member Zeya Mohsin</p> <p><b>Absent:</b> All commissioners present</p> <p><b>Staff:</b> Steven McHarris, Johnny Phan, Felix Reliford, Tracy Tam, Adam Petersen</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>III. PUBLIC FORUM</b>                   | <b>Chair Mandal</b> invited members of the audience to address the Commission and there was one speaker who spoke about earthquakes and broken water pipes.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>IV. APPROVAL OF MEETING MINUTES</b>     | <p><b>Chair Mandal</b> called for approval of the February 11, 2015 meeting minutes of the Planning Commission.</p> <p><b>Motion</b> to approve Planning Commission meeting minutes as submitted.</p> <p>Motion/Second: Commissioner Sandhu/Vice Chair Ciardella</p> <p>AYES: 7</p> <p>NOES: 0</p> <p>ABSTAIN: 0</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>V. ANNOUNCEMENTS</b>                    | <p>Planning Director Steven McHarris announced that the Milpitas Vision Plans for California Circle and Main at Serra received the 2015 American Institute of Certified Planners (AICP) National Award for outstanding student project that contributes to advances in the field of planning.</p> <p>Mr. McHarris said staff has been working with St. Elizabeth Church on their Parish Hall project that the Planning Commission approved last year and there was a condition that the applicant review the possible relocation of the trash enclosure. He said staff has been working with the applicant and is having difficulty finding an ideal location and it is staff's recommendation to have the enclosure remain at its present location. He added that the enclosure will be updated with a solid concrete block wall, and the truck operations will cause less noise for the neighbors at this location.</p> <p>Chair Mandal said that since upper staff reviewed the request and determined this to be the best location, and since there have been no complaints made, he has no objections to leaving the trash enclosure where it is.</p> |



Vice Chair Ciardella reminded everyone that next Friday is the Milpitas Chamber of Commerce Crab Feed. He also reported that he received a presentation through the Chamber about a month ago regarding the Serra Center.

Commissioner Madnawat announced that MUSD and Milpitas Community Educational Endowment (MCEE) will hold the third annual Tech Symposium on Saturday, March 14 from 9:00 am to noon at 1285 Escalon Parkway and all are invited to attend.

Commissioner Mohsin announced that on Saturday, February 28<sup>th</sup> the Milpitas Democratic Club will host a resident forum in the Milpitas Police Community Room from 2:00-4:00 and all are welcome.

## **VI. CONFLICT OF INTEREST**

**Assistant City Attorney Johnny Phan** asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.

There were no reported conflicts.

## **VII. APPROVAL OF AGENDA**

**Chair Mandal** asked if staff or Commissioners had changes to the agenda. Mr. McHarris requested exchanging Public Hearing item number IX-1 with IX-3 so that the Town Center Amendment item could be heard first.

**Motion** to approve the February 25, 2015 agenda with requested change.

Motion/Second: Commissioner Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

## **VIII. CONSENT CALENDAR**

**No Items**

## **IX. PUBLIC HEARING**

### **IX-3**

**TOWN CENTER AMENDMENT – ALL TOWN CENTER DESIGNATED PARCELS – GP15-0001; ZA14-0011 and EA15-0001:** A General Plan Amendment, Zoning Text Amendment and Environmental Impact Assessment to the Town Center land use designation and zoning district that would prohibit any new residential uses.

Project Planner Adam Petersen provided a PowerPoint presentation.

Commissioner Sandhu asked why the change is coming now and Mr. Petersen said this is the direction of the City Council. Mr. McHarris provided background information, stating that the last action in the Town Center was to expand the Town Center zoning district south of Calaveras and that action introduced the potential for residential use with no minimum density. This resulted in several single-family residential subdivisions along the south side of Calaveras. Staff reviewed residential uses that would be consistent with the Town Center zone and recommended mixed-use with no ground floor residential to the Planning Commission, whom in turn made the same

recommendation to the City Council. The City Council directed staff to remove residential altogether so the item has returned to the Planning Commission for their consideration.

Vice Chair Ciardella asked if commercial can be located on the bottom floor and office space above and Mr. Petersen said he believes this would be allowed.

Commissioner Madnawat asked about dry cleaning not being permitted in the town center and Mr. McHarris said dry-cleaning businesses are permitted however dry cleaning plants where chemical cleaning is done is not permitted in the Town Center.

Chair Mandal opened the public hearing and there were two speakers.

The owner at 500 E Calaveras believes mixed use should be acceptable but ruling out residential is something the commission should think twice about. He believes it should be kept mixed use.

A gentleman referred to pages 7 of the staff report regarding natural disasters and suggested adding “or man caused disaster” to the text. He also commented that higher buildings in the downtown area can be accomplished if one looks at how other cities have done it.

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Vice Chair Ciardella

AYES: 7

NOES: 0

**Motion** to adopt Resolution No. 15-009 recommending the City Council adopt General Plan Amendment No. GP15-0001, Zoning Amendment No. ZA14-0011, and approving Environmental Impact Assessment EA15-0001 to prohibit all new residential uses from the Town Center Zoning District.

Motion/Second: Commissioner Madnawat/Commissioner Morris

AYES: 6

NOES: 1 Lien

## IX-2

**GENIUS KIDS CUP – 487 & 495 Jacklin Road – UP14-0014:** A request for a Conditional Use Permit to operate a daycare and afterschool tutoring facility with a total of 75 children within an existing commercial building.

Project Planner Tracy Tam provided a PowerPoint presentation reviewing the project.

Chair Mandal asked about the lighting in the play area and Ms. Tam said the applicant has expressed interest in including lighting in that area and Chair Mandal said he feels this is important for the safety of the children. Chair Mandal also asked about the surface of the play area and Ms. Tam said it will be engineered bark which has been compressed to a certain level so that dust is not produced when the children play outdoors.

Vice Chair Ciardella asked about the play equipment and Ms. Tam said that during the review process there was a proposal for play equipment but it is no longer proposed due to staff's concern with the surrounding residential uses. The applicant will be providing

art easels and sand boxes.

Rennu Dhillon, Genius Kids franchise owner, was present to discuss the project. Chair Mandal asked her for clarification on the ground material being used in the play area and she said there are different choices available, including engineered wood chips or rubber mulch, and what is allowed in a public park is different than that allowed in a preschool, but added that they do not have a preference as long as it meets Department of Social Services standards.

Chair Mandal asked Ms. Dhillon about the lighting and she said there are some lights in the back of the building but not enough for the playground, so they are open to adding more lighting and feels using solar powered lights would be a good idea.

Commissioner Mohsin asked what time of play equipment will be included if there are no play structures and Ms. Dhillon said they will have picnic tables and the school is focused on science and plans to have a lot of hands on learning and projects outside, including gardening.

Chair Mandal opened the public hearing and there were no speakers.

**Motion** to close the public hearing.

Motion/Second: Commissioner Morris/Commissioner Sandhu

AYES: 7

NOES: 0

**Motion** to adopt Resolution No. 15-011 approving Conditional Use Permit No. UP14-0014 to operate a daycare and an afterschool tutoring facility with a total of 75 children within an existing commercial building located at 487 and 495 Jacklin Road, subject to findings and Conditions of Approval, and an amendment to include a condition that the outdoor play area will have rubberized ground material.

Motion/Second: Commissioner Sandhu/Vice Chair Ciardella

AYES: 7

NOES: 0

## **IX-1**

**HOUSING ELEMENT, SEISMIC/SAFETY ELEMENT, AND OPEN SPACE/ENVIRONMENTAL CONSERVATION OF THE GENERAL PLAN – EA14-0007 and GP14-0004:** A request for Adoption of a Negative Declaration and a General Plan Amendment Approving the Draft Housing Element 2015-2023, and revisions to the Seismic/Safety Element and Open Space/Environmental Conservation Element of the General Plan.

Principal Planner Felix Reliford provided a PowerPoint presentation.

Commissioner Madnawat asked about fees for affordable housing and there was discussion about the Nexus study and City Council's decision not to pursue it. Commissioner Madnawat asked how many affordable housing units were provided in Milpitas last year and Mr. Reliford said approximately 65 units. Commissioner Madnawat feels this is an insignificant amount of housing and the City is not creating fees to provide affordable housing which is contradictory to what state law requires. Mr. Reliford said staff is researching incentives, such as density bonuses.

Commissioner Maglalang referenced page six of the Draft Housing Element which states that the City did not meet its RHNA goals for very low to low moderate income households and asked the reason for this. Mr. Reliford said that no city meets 100% of their RHNA number and most cities seldom meet 50%.

Chair Mandal opened the public hearing and there were no speakers.

**Motion** to close the public hearing.

Motion/Second: Commissioner Sandhu/Vice Chair Ciardella

AYES: 7

NOES: 0

Commissioner Morris suggests revisiting the subject of a Nexus study and returning to the City Council.

Commissioner Madnawat feels the City has not achieved any of its affordable housing targets and has only provided 2% affordable housing. He believes the City is required to have some policies to try to achieve these goals and he does not see any policies to support this.

**Motion** to adopt Resolution No. 15-0008 recommending the City Council adopt a Negative Declaration (Environmental Assessment No. EA14-0007) and approve General Plan Amendment No. GP14-0004 relating to the Draft Housing Element 2015-2023 and revisions to the Seismic/Safety Element and Open Space/Environmental Conservation Element of the General Plan with an amendment to return to City Council with a recommendation for a Nexus study for affordable housing and setting aside funding for affordable housing.

Motion/Second: Commissioner Madnawat/Commissioner Morris

AYES: 7

NOES: 0

## **X. NEW BUSINESS**

### **X-1 SERRA CENTER STUDY SESSION**

Senior Planner Adam Petersen said the study session would consist of two purposes, a review of City policies and zoning designation for the Serra Center, and a discussion on future development potential of the center, and showed a PowerPoint presentation reviewing the Serra Center.

Chair Mandal feels this is the main entrance into Milpitas and the center currently gives him the wrong impression about the city, and he said this is an opportunity to have an area that is an icon of the city. He asked how much input the Economic Development Commission (EDC) has had on the project thus far.

Mr. McHarris said the EDC has not been agendized as this is the first City commission review of this center. Chair Mandal feels it is important that the EDC review the development of this center and that input is received from them.

Commissioner Maglalang said he prefers one straight building similar to Santana Row with underground parking.

Commissioner Madnawat commented that the Cal Poly students had great plans in their study and he would like to see them incorporated into this project.

Gary Wong said the Serra Center was previously presented to the Planning Commission and City Council but it did not go far due to the recession; however, it is being brought back to reality with his team and the Serra way partners. He said in the past they were given the concept that mixed use was allowed, then they were sidetracked because residential was not allowed in the new General Plan policy, and the design plans they are showing are based on mixed use, which they want to introduce into this project.

Mr. Wong showed a PowerPoint of the proposed project and reviewed their future plans for the site.

Commissioner Madnawat asked about the timeline of the project. Mr. Wong said there are a number of leases that do not end for some time so they are proposing starting development on the east side working toward the west when those leases expire. He said they hope to break ground some time next year and that development will happen in four phases.

The latter part of their presentation was to receive input from the commissioners and below is a summary of comments received from the Planning Commission:

- Take item to Economic Development Commission
- Enhance Economic Support of City
- Obtain ideas from an economic team
- Do not underestimate Milpitas
- Look at Fremont Pacific Commons Center as example
- Provide staff with experience in similar past project examples
- Incorporate Cal Poly vision study
- Work with Cal Poly to further the concept
- Santana Row style activity
- Revisit Floor Area Ratio
- Gateway to the City
- Residential will be above commercial (no ground floor residential)
- Iconic appearance needed
- Affordable commercial and residential rents
- Serra Center theme, historic.
- Look at Alviso Park for history
- Attractive, enjoyable spaces and experience
- Incorporate alternative energy solutions
- Beautify and orient toward adjacent creek channel
- Emphasize pedestrian design
- Design for convertible internal street(s) (can be closed for festivals, events)
- Not in favor of residential along Junipero
- Consider moving parking structure closer to Junipero, no residential
- Work on Serra/Calaveras “pork chop” for gateway design

Serra Center owner Sam Ying thanked the commission for their time and said their goal is to build a place where families can spend time and a center that Milpitas will be proud of.

## **XI. ADJOURNMENT**

The meeting was adjourned at 11:10 PM to the next meeting scheduled on Wednesday, March 11, 2015.

**Motion** to adjourn to the next meeting.

Motion/Second: Commissioner Madnawat/Commissioner Sandhu

AYES: 7

NOES: 0

*Meeting Minutes submitted by  
Planning Secretary Elia Escobar*

HONOR THE PAST. LOOK TO THE FUTURE

December 8, 2014

To: Jess Negrete, [Jess.Negrete@hcd.ca.gov](mailto:Jess.Negrete@hcd.ca.gov)  
Cc: Felix Reliford, [freliford@ci.milpitas.ca.gov](mailto:freliford@ci.milpitas.ca.gov)  
Steven McHarris, [smcharris@ci.milpitas.ca.gov](mailto:smcharris@ci.milpitas.ca.gov)

**Re: City of Milpitas Housing Element**

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Dear Mr. Negrete:

For the past 35 years, the Non-Profit Housing Association of Northern California (NPH) has served as the collective voice of those who support, build and finance affordable housing. We promote the proven methods of the non-profit sector and focus government policy on housing solutions for lower-income people who suffer disproportionately from the housing affordability crisis. On behalf of our members, I respectfully submit the following comments on the City of Milpitas' draft housing element (HE) for your consideration.

**A. Housing Needs Assessment**

Between 2000 and 2010, the population of the City of Milpitas grew by 6.53%. In contrast, the City *grew the number of jobs by 11% in two years* (2010-2012). Employment growth within the City significantly outpaces residential growth.

Data collected by the UC Davis Center for Regional Change<sup>1</sup> demonstrates the extent of the mismatch between existing low-wage jobs and the housing that is available to these workers. Specifically, UC Davis analyzed the mismatch between the number of low-wage jobs paying \$15,000 per year<sup>2</sup> versus the number of homes affordable to these workers, which at 30% of income amounts to \$750 per month for rent.

The resulting jobs to housing fit (JHFIT) ratio shows that the City has *9.85 low paying jobs for every affordable home* in the City. *Although 18.7% of jobs within the City pay very-low income wages, only 7.1% of the current housing stock is affordable to these workers.*

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<sup>1</sup> UC Davis data and methodology available at <http://bit.ly/1p40cws>

<sup>2</sup> Data utilized originated from the Longitudinal Employer Household Dynamics (LEHD) Origin-Destination Employment Statistics Dataset (LODES) collected and disseminated by the US Census tracks this data via the Workplace Area Characteristics file. This data can be downloaded here - <http://lehd.ces.census.gov/data/>



The Voice of  
Affordable Housing

Assuming that two very-low wage earners reside in a single apartment, fair market rent would be \$1,500, well below the average rent for Santa Clara County pegged at \$2,580 per month as of October 2014. In the past year alone, average rents in the County have increased by 11.3 percent whereas average incomes increased marginally by 1 percent.

Continuing to grow the number of jobs in the City through commercial development without addressing the accompanying housing growth for those new employees exacerbates housing problems not only for the City but also for nearby cities and runs counter to the regional effort to reduce driving.

NPH strongly suggests the City include the following programs in the draft housing element:

- *A program to monitor jobs housing fit (JHF) in the City for renters and homeowners. JHF is defined as the ratio of low-wage jobs (those paying \$1,250 per month or less) to affordable rental (apartments that cost \$750 per month or less) or affordable homes (owner-occupied or vacant for sale housing units at \$150,000 or less).*
- *A program to improve low wage jobs and affordable housing fit currently pegged at 9.85.*

#### **B. RHNA Progress**

Based on our review of the City's Annual Progress Reports, it appears that the City's performance during the 2007-2014 planning period fell short of meeting the City's housing need, especially with respect to lower-income households, while significantly exceeding the above moderate income housing production allocation. Performance values shown as % of total RHNA for each affordability level:

- Very low income (0-50% AMI) - 49%
- Low income (51-80% AMI) - 26%
- Moderate (81-120% AMI) - 60%
- Above moderate income (120% AMI+) - 598%

Because of the existing deficit of homes available to those earning less than 80% of the area median income, the shortage of available land, and the continued employment growth in the coming decades<sup>3</sup>, the City must incentivize and prioritize the production of housing affordable to all income segments, especially within the established Priority Development Area (PDA), key transportation corridors, and publicly owned land.

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<sup>3</sup> Plan Bay Area projects that the number of jobs in the City will grow by as much as 28% between 2010 and 2040.



## C. Housing Resources

### *Low Income Housing Tax Credits (LIHTC) Scoring*

Prior to their dissolution in 2011, cities relied on Redevelopment Agencies (RDA) to provide funds for affordable housing production. Since the dissolution of RDA, non-profit housing developers have had to rely on very competitive federal tax credits, namely the Low Income Housing Tax Credit (LIHTC), to finance a housing project affordable to those making less than 80% AMI. In order to qualify to apply for LIHTC, projects must be consistent with site and amenity criteria for public transportation and services/amenities.

Appendix C provides a detailed site inventory anticipated to accommodate the City's allocation of 3,290 units. An analysis of LIHTC viability of the identified opportunity sites shows that only 3 of the parcels<sup>4</sup> identified score well against the LIHTC criteria. **The maximum feasible number of units that could be built through tax credits is 192 units, significantly below the 3,290 units necessary.**

As such, the City should identify other programs to mitigate its affordable housing need. One such program is prioritizing affordable housing on publicly owned land. By signing of AB 2135: Surplus Land for Affordable Housing (Ting) the Governor strengthened the Right of First Refusal enjoyed by affordable housing when local agencies – including special districts such as transportation authorities – dispose of surplus land. The City should work with the Santa Clara Valley Transportation Authority (VTA) to identify agency owned parcels that may be suitable for redevelopment and prioritize these for housing affordable to those earning 80% AMI or less.

NPH strongly suggests the city include the following programs in the draft housing element:

- *A program to identify all publicly owned parcels and develop a policy to prioritize, require, or incentivize housing affordable to those making 80% AMI or less on public land.*

### *Financing Tools*

The loss of redevelopment funds, as well as the *Palmer* decision, has severely limited the development of affordable housing across the region. Given the high costs of land and the overall market strength in the city not-for-profit developers cannot against market rate developers to acquire land for development. In order to adequately house current and future workers across all income levels, NPH strongly suggests the city include the following programs in the draft housing element:

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<sup>4</sup> The 3 parcels that scored well against LIHTC are as follows: 7027 acre parcel at Sinclair Frontage Rd & Los Coches St.; 2.65 acre parcel at S. Milpitas Bl & Los Coches St.; and 11.54 acre parcel at S Main St & Los Coches St.

- *A program to conduct a non-residential nexus study to lay the groundwork for a future commercial linkage fee.* The commercial linkage fee requires developers to ameliorate some of the housing impacts generated by new commercial development by requiring developers to pay fees for the development of affordable housing. As demonstrated by the cities of Sunnyvale and Mountain View, a well thought through commercial linkage fee does not deter commercial development. In high-development areas like Milpitas, a commercial linkage fee will provide a continuous funding source for the development of affordable housing.
- *A program to conduct a residential nexus study to lay the groundwork for a future housing impact fee.* Many local jurisdictions, such as Mountain View and most recently Emeryville, Daly City and San Jose, have established housing impact fees to ameliorate the loss of RDA. Housing impact fees provide a continuous local funding source for the development of affordable housing.
- *A program to set aside 20% of annually recurring tax increment funds ("boomerang funds") for affordable housing.* The City of Milpitas declined to set-aside one-time former redevelopment "boomerang" funds for affordable housing. By doing so the City failed to take advantage of a match offered by Santa Clara County which would have resulted in close to \$1.9 million for affordable housing. Given the significant dearth of funding for affordable housing and the very high need for affordable homes, the City should include a program to commit 20% of the yearly tax increment funds they receive towards affordable housing.

Thank you for the opportunity to provide comments on the city's housing element. Please feel free to contact me regarding any questions.

Sincerely,

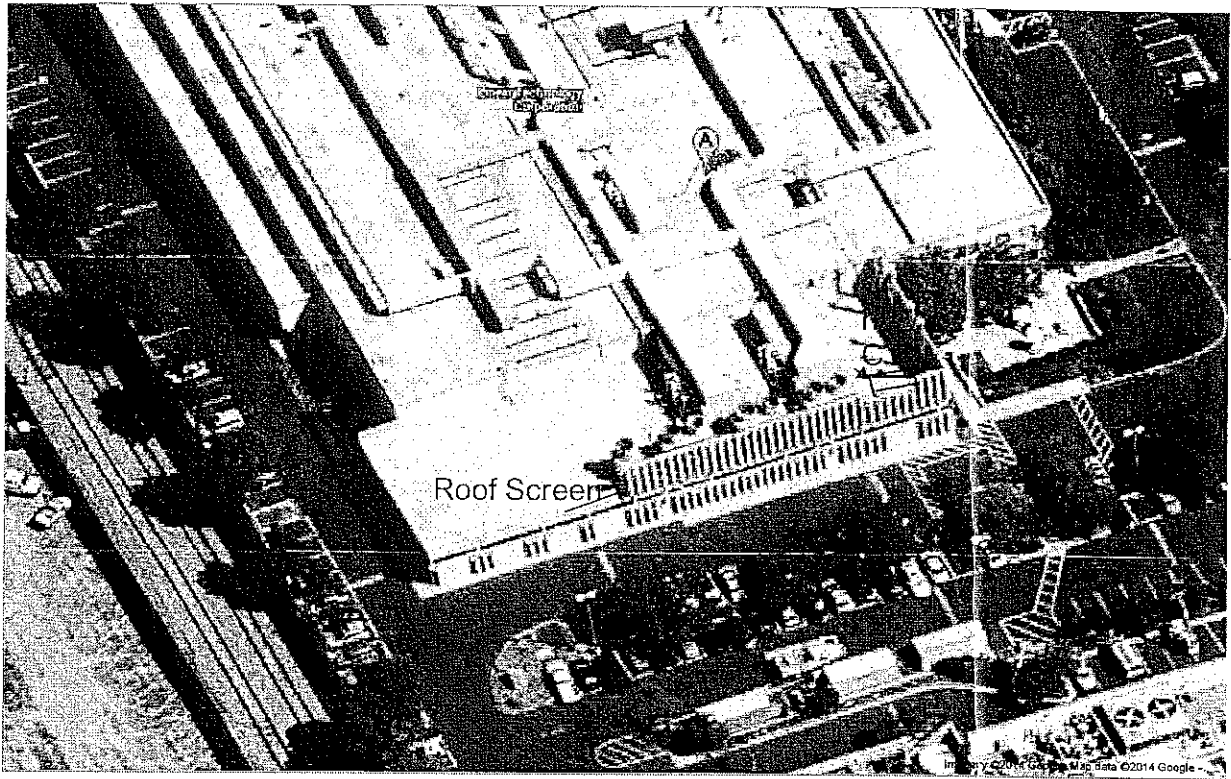


Pilar Lorenzana-Campo  
Regional Policy Manager  
Non-Profit Housing Association of Northern California  
[pilar@nonprofithousing.org](mailto:pilar@nonprofithousing.org)

cc  
Paul McDougall, [Paul.McDougall@hcd.ca.gov](mailto:Paul.McDougall@hcd.ca.gov)

Google

To see all the details that are visible on the screen, use the "Print" link next to the map.



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December 5, 2014

SENT VIA E-MAIL: jess.negrete@hcd.ca.gov

Jess Negrete  
Housing and Policy Division  
Housing and Community Development  
1800 3<sup>rd</sup> Street  
PO Box 952053  
Sacramento, CA 94252-2053

**Re: Comments on Milpitas's Draft Housing Element**

Dear Mr. Negrete:

Public Interest Law Firm and Fair Housing Law Project (programs of the Law Foundation of Silicon Valley)<sup>1</sup> write to provide written comments regarding the City of Milpitas's ("City") Draft 2015-2023 Housing Element ("Housing Element") on behalf of low-income residents of Milpitas. Our review of the City's Housing Element concludes that the City is failing to meet its obligations under the Housing Element. The Housing Element fails to do a sufficient analysis of the prior Housing Element, fails to identify adequate sites, and does not include specific programs. Moreover, the City has taken affirmative steps through the Housing Element to discourage including programs in its Housing Element that would promote the development of affordable housing.

**Public Participation**

We are dismayed that the City has failed to seriously consider comments provided by the Law Foundation and other advocacy groups during the public participation process. The comments specifically encourage the City to consider a program to permanently fund of affordable housing, such as housing impact fees, and to amend the programs to include anti-displacement policies. The Planning Commission did engage with advocates, and instructed City Staff to amend the Housing Element to include specific programs that would permanently fund affordable housing, such as considering impact fees. However, the City Council instructed staff to remove those specific programs, and to remove any references to any programs that would consider funding

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<sup>1</sup> PILF's mission is to protect the human rights of individuals and groups in Silicon Valley who are underrepresented in the civil justice system. PILF accomplishes its mission by leveraging the skills and resources of pro bono attorneys to provide high-quality representation in class action and impact litigation, advocacy in state and local government, and litigation support to local legal services programs. One of PILF's five litigation and advocacy priorities is to preserve affordable housing.

The mission of FHLP is to ensure that all people may freely choose a place to live without regard to their race, color, religion, sex, age, national origin, sexual preference, marital status, source of income, operation of a licensed day care, disability, or whether they have children in their family.

for affordable housing. In fact, the only change we recognized between the draft initially made public and the one submitted to HCD was the removal of this paragraph from Program D1<sup>2</sup> – “Advocate for policies and legislation at the State and Federal level that increase the funding available to support the development and preservation of affordable housing”:

*“NOTE: Following the loss of Redevelopment Agencies in California, jurisdictions throughout the State are facing increased challenges with respect to funding the development and preservation of affordable housing. . Many cities already have, or are considering, adopting various programs that can be used to create or preserve affordable housing, including inclusionary zoning requirements, housing impact fees, and commercial linkage fees. Although these programs are not required by HCD for Housing Element certification, implementing one or more of these programs would provide a more robust set of housing policies and programs in the City of Milpitas. These local mechanisms are particularly vital to the City as 99 it builds out more than 6,000 market rate units without any codified mechanism in place to capture part of this value for the benefit of low income residents of Milpitas.”*

### **Review & Revise**

The draft Housing Element does not adequately analyze the progress and outcomes from the prior Housing Element. The draft Housing Element states that the number of housing units built exceeded the RHNA, but the City did not meet its obligations for very-low-, low-, and moderate-income households.<sup>3</sup> In fact, the City developed 637.1% of its RHNA for above moderate families but only 36.7% of its RHNA for very low income families, 10.5% of its RHNA for low-income families, and 39.5% of its RHNA for moderate income families.<sup>4</sup> Further, although the City enumerated the number of affordable units built, the City does not describe where they were built. As discussed in the Sites Analysis, the City may be including the South Main Senior lifestyles property towards the current and past RHNA allocations for very low income families.

The HCD building blocks require an analysis of the effectiveness of each element. Specifically, HCD requires “For each program, the analysis should compare significant differences between what was projected or planned in the earlier element and what was achieved. Analyze the differences to determine where the previous housing element met, exceeded, or fell short of what was anticipated.”<sup>5</sup> There is no analysis as to why the City failed to meet its affordable housing obligations for low-income individuals and performed so poorly during the past planning period.<sup>6</sup> The City needs to engage in an analysis in order to adequately update its program to address this shortfall.

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<sup>2</sup> Draft Housing Element, p. 98.

<sup>3</sup> Draft Housing Element, p. 6.

<sup>4</sup> Id.

<sup>5</sup> Government Code Section 65588, HCD Review and Revise,

[http://www.hcd.ca.gov/hpd/housing\\_element2/GS\\_reviewandrevise.php](http://www.hcd.ca.gov/hpd/housing_element2/GS_reviewandrevise.php).

<sup>6</sup> Id.

### **Potential Governmental and Non-Governmental Restraints**

The draft Housing Element fails to address the following restraints:

- **Land-use controls:** The City must analyze land-use controls, such as zoning and growth controls, as potential government constraint.<sup>7</sup> A housing element must identify and “analyze the impact of the growth management or controls process and procedure on the cost and affordability of housing. Even if the growth control ordinance allows the community to meet its entire RHNA, the ordinance may still be a constraint that requires mitigation because of increased processing costs or timing delays.”<sup>8</sup> Currently, Milpitas’ hillside area is zoned for low and very low density, some areas as low as 0.1 units per acre.<sup>9</sup> This is a land use control that would hinder the development of multi-family housing and should be identified as a governmental constraint to the development of affordable housing.

- **Affordable Housing:** The City is required to identify potential and actual constraints to the development of housing for low-income families.<sup>10</sup> The City has identified the use of development agreements as the main source of achieving a 20% affordable housing goal.<sup>11</sup> However, the City has clearly failed to meet this affordable housing goal, although there has been significant residential development in the City. Therefore, the use of development agreements and the lack of a permanent source of affordable housing must be identified as a potential governmental constraint.

- **Boomerang Funds:** The City of Milpitas declined to set-aside former redevelopment “boomerang” funds for affordable housing.<sup>12</sup> However, this is not addressed as a constraint to the development of affordable housing. The Housing Element should analyze the city’s decision to not set aside boomerang funds as a constraint to the development of affordable housing.

### **Non-Government Constraints:**

- **Economic Displacement & Rent Burden:** We are greatly concerned with the displacement of low-income residents from the City of Milpitas. There has been a 41% increase in rent in Milpitas since 2005 and 44% of Milpitas renters face a rent burden.<sup>13</sup> With no policies protecting low-income residents from rent increases or displacement, many low-income residents are being forced out of the City. We believe that this is a pressing issue

<sup>7</sup> Government Code, Section 65583(a), “Land-Use Controls, available at [http://www.hcd.ca.gov/hpd/housing\\_element2/CON\\_landuse.php](http://www.hcd.ca.gov/hpd/housing_element2/CON_landuse.php)).

<sup>8</sup> Id.

<sup>9</sup> Draft Housing Element, p. 69.

<sup>10</sup> Government Code Section 65583(a)(6).

<sup>11</sup> Draft Housing Element, p. 76.

<sup>12</sup> Hepler, Lauren, “Who’s Footing the Bill for Silicon Valley’s Housing?”, Silicon Valley Business Journal, June 14, 2014. Available at:

<http://www.bizjournals.com/sanjose/news/2014/06/17/whos-footing-the-bill-for-silicon-valleys-housing.html?page=al>

<sup>13</sup> Draft Housing Element, p. 29 and p. 33.

that is only superficially addressed in the Housing Element. The Housing Element should do a deeper analysis of the economic displacement and recommend policies that will prevent displacement of low-income residents.

### **At-Risk Units**

The City must do more to describe efforts to preserve at-risk units during the planning period. The inventory of affordable housing units lists several housing developments without expiration dates and does not identify the type of subsidy, such as whether the units are part of the BMR program, LIHTC, or have some other subsidy, as required by the statute.<sup>14</sup>

As to the units that the City has identified as at-risk, the City fails to comply with the regulations as there is little detail about the City's effort to engage with qualified entities who might preserve the at-risk units or the City's efforts to potential funding.<sup>15</sup> Specifically, the HCD building blocks require the City to "consider the use of all federal, state, and local financing and subsidy programs," identify the amounts of funding for each program, and which funding will be targeted for the preservation efforts.<sup>16</sup> The City only states the City does not have enough funding to support preservation and only lists general funding sources without describing how such funding could be used to support the preservation of the at-risk units at SunnyHills apartment or what the City will do to try to get such funding.<sup>17</sup> Further, the City's analysis fails to include specific actions that the City will take to engage with entities willing to preserve the housing or efforts to encourage getting federal grants, low-income tax credits, or funding through the Housing Trust. HCD should require the City to detail preservation efforts, and describe more specific funding sources and specific plans to reach out to entities who may be interested in the preservation of Sunny Hills.

### **Sites Inventory and Analysis**

The City is including 56 very-low income units to be built at South Main Senior Lifestyles towards its RHNA obligation for the next planning period.<sup>18</sup> However, it seems that the same property, South Main Senior Lifestyles, is included and counted in the current Housing Element towards the RHNA obligation for the 2007-2014.<sup>19</sup> As the City has not specified the sites that were used to meet its RHNA obligations during the current planning period in the draft Housing Element, it is unclear whether the South Main Senior Lifestyles is being counted for both planning periods. HCD should require that the City clarify whether the very low-income units at South Main Senior Lifestyles re being counted towards the current or future RHNA obligation.

As a general matter, the sites inventory and analysis in the draft Housing Element is inadequate. The draft Housing Element is missing a comprehensive analysis of the sites as required by HCD.

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<sup>14</sup> Gov't Code Sec. 65583(a)(9)

<sup>15</sup> Gov't Section 65583(a)(9)(d).

<sup>16</sup> (HCD, Identification and Analysis of Developments At-Risk of Conversion [http://www.hcd.ca.gov/hpd/housing\\_element2/EHN\\_atrisk.php](http://www.hcd.ca.gov/hpd/housing_element2/EHN_atrisk.php)).

<sup>17</sup> Draft Housing Element, p. 35.

<sup>18</sup> Draft Housing Element, 117.

<sup>19</sup> Milpitas Housing Element 2007-2014, p. 7-70, available at [http://www.hcd.ca.gov/hpd/housing\\_element2/GS\\_reviewandrevise.php](http://www.hcd.ca.gov/hpd/housing_element2/GS_reviewandrevise.php).

HCD calls for analysis of “[t]he condition or age of existing uses and the potential for such uses to be discontinued and replaced with housing (within the planning period)” for each site that a city plans to include as underutilized.<sup>20</sup> The description of the sites are limited to one chart and do not have sufficient detail; they do not describe what specific business or retailers are on the site, nor any efforts to reach out to business owners about their interest in redevelopment. There is no map for each specific site, nor any pictures showing the existing use or future planned use. There is no indication that the extant businesses are blighted, outdated or have any plans to move. The vast majority of the sites are not vacant, and there is no analysis as to why redevelopment could potentially occur on the sites.

The sites inventory contains no “explanation of the methodology to determine development potential considering factors, including the extent to which existing uses may constitute an impediment to additional residential development, development trends, market conditions and regulatory or other incentives to encourage additional residential development.”<sup>21</sup> In other words, there is no explanation as to why the sites, most of which have existing commercial uses, have the potential to be developed into high-density residential use within the next planning period.

In general, the City assumes that every single unit developed on higher density parcels will be affordable to low- and very low-income households. This is a highly unrealistic assumption given the difficulty of developing such housing and the current market’s strong emphasis on market-rate housing. The City should do a deeper of analysis of what sites could be suitable for affordable housing financing and how such financing could be secured

As to listed sites (Table C-2), many are very small parcels that are less than an acre (some as small as 0.21 acres)). These parcels are unlikely to actually support affordable housing, despite the high current allowable densities for these sites (41-60 dwelling units per acre). Milpitas has no program for lot-consolidation that would facilitate the consolidation of smaller parcels. Because the sites will only allow for the development of a small number of units, it is unclear whether these sites could realistically support the development of housing affordable to lower-income households.

As HCD states . . .

. . . while it may be possible to build housing on a small lot, the nature and conditions (i.e., development standards) necessary to construct the units often render the provision of affordable housing infeasible. For example, assisted housing developments utilizing State or federal financial resources typically

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<sup>20</sup> HCD, Analysis of Non-vacant and Underutilized Sites  
[http://hcd.ca.gov/hpd/housing\\_element2/SIA\\_zoning.php#nonvacant/](http://hcd.ca.gov/hpd/housing_element2/SIA_zoning.php#nonvacant/)

<sup>21</sup> Government Section 65583(c) and (c)7.



include 50-80 units. To utilize small sites to accommodate the jurisdictions share of the regional housing need for lower-income households, the element must consider the impact of constraints associated with small lot development on the ability of a developer to produce housing affordable to lower-income households.<sup>22</sup>

These small parcels are unlikely to support affordable housing and the City must provide justification for their inclusion. Moreover, it is unlikely that they will be eligible for competitive financing, like low income housing tax credits. HCD should require that the City to a deeper analysis of the opportunity sites, including a detailed description of what parcels could be developed into affordable housing *and* how such financing could be secured.

### **Qualified Objectives and Housing Programs**

The City needs to revise its Qualified Objectives and Housing Programs to include more specific actions or timelines. The programs in the draft Housing Element lack specific actions or timelines for implantation as required. Nearly all the programs have an “ongoing timeline.” The Housing Element must be revised to include specific program with specification actions during a specific timeline.

Many of the programs offered in the draft Housing Element are exactly the same as the prior planning period. The housing programs do not include any programs to address Milpitas’ poor performance in meeting its RHNA obligations for very-low, low, and moderate income families during the past planning period. As many of the programs are the same, it is unlikely that Milpitas will meet its RHNA obligations for very-low, low, and moderate income families during the 2015-2023 planning period.

Moreover, HCD requires that the Housing Element include programs to assist in the development of housing for extremely low, very low, and moderate income households.<sup>23</sup> The City must update its housing programs to include *specific* programs that will promote the development of affordable housing, in order to demonstration that it will meet its RHNA obligations during the next planning period. HCD should require the City to consider programs that would promote the development of affordable housing, and more specifically, support a permanent source of affordable housing, such as a nexus study to look at housing mitigation or commercial linkage fees. Moreover, the City must include programs to address constraints, such as updating zoning for hillside areas, taking more specific actions to preserve at-risk units, and developing programs to prevent the displacement of low-income families from the City.

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<sup>22</sup> (HCD, Analysis of Sites and Zoning, avail. at [http://hcd.ca.gov/hpd/housing\\_element2/SIA\\_zoning.php#capacity](http://hcd.ca.gov/hpd/housing_element2/SIA_zoning.php#capacity)).

<sup>23</sup> Government Code Section 65583(c)(2).

We would be happy to speak with you to discuss these comments further. If you have any questions, please feel free to contact Nadia Aziz at (408) 280-2453.

Sincerely,

/s/

Nadia Aziz, Senior Attorney  
Fair Housing Law Project

Cc: Paul McDougall, HCD, via email to [paul.mcdougall@hcd.gov](mailto:paul.mcdougall@hcd.gov)  
Felix Reliford, Planner, via e-mail to [freliford@ci.milpitas.ca.gov](mailto:freliford@ci.milpitas.ca.gov)

**List of Attachments for Public Hearing No. 5**  
**Vesting Tentative Map, Conditional Use Permit,**  
**Site Development Permit at 450 Montague**  
**Expressway**

**Conduct a Public Hearing and Adopt a Resolution to Approve Vesting Tentative Map, Conditional Use Permit and Site Development Permit for a 489 Units Development on 10.47 Acres in Two Structures Subject to Conditions of Approval at 450 Montague Expressway**

**(Staff Contact: Darryl Boyd, 408-586-3287)**

**Attachments:**

5A – Planning Commission Staff Report, 3/25/2015

5B – Adopted Planning Commission Resolution No. 15-003,  
March 25, 2015

5C – Planning Commission Meeting Minutes, 3/25/2015

5D – Initial Study and Categorical Exemption

5E – Plan Set

5F – Parks, Recreation and Cultural Resources Commission  
(PRCRC) material, 2/2/2015

5G – Parks, Recreation and Cultural Resources Commission  
(PRCRC) material, 3/2/2015

5H – Three Layout Design Figures

5I – Draft City Council Resolution



## **MILPITAS PLANNING COMMISSION STAFF REPORT**

**March 25, 2015**

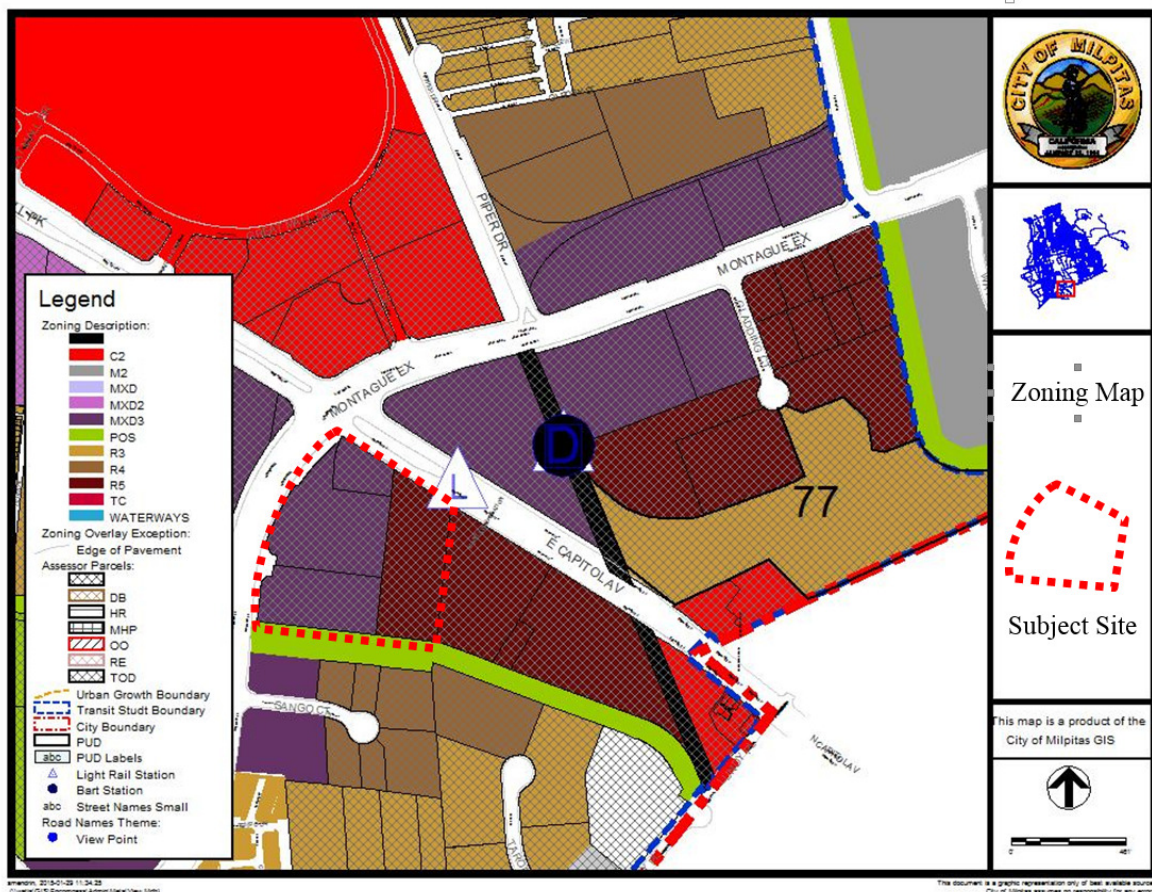
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|                           |                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|---------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>APPLICATION:</b>       | <b>LENNAR 450 MONTAGUE – 450 Montague – Site Development Permit No. SD14-0017, Conditional Use Permit UP14-0024, and Vesting Tentative Map No. MT14-0004</b> - A request to allow development of 489 dwelling units on 10.47 acres (46.7 dwellings/acre) with 351 Units in one five story building with amenities located over the centralized garage and 138 units in stacked flat units with associated on-site parking and landscaping. |
| <b>RECOMMENDATION:</b>    | <b>Staff recommends that the Planning Commission Conduct a Public Hearing and adopt Resolution No. 15-003 Recommending the City Council Approve Site Development Permit No. SD14-0017, Conditional Use Permit UP14-0024, and Vesting Tentative Map No. MT14-0004 subject to the conditions of approval.</b>                                                                                                                                |
| <b>LOCATION:</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Address/APN:              | 450 Montague Expressway (APNs: 86-037-004, -019, -020, and -021)                                                                                                                                                                                                                                                                                                                                                                           |
| Area of City:             | Northeast Corner of the Montague Expressway and East Capitol Avenue Intersection.                                                                                                                                                                                                                                                                                                                                                          |
| <b>PEOPLE:</b>            |                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Project Applicant:        | Lennar Multifamily Communities                                                                                                                                                                                                                                                                                                                                                                                                             |
| Property/Business Owner:  | Milpitas Montague LLC, c/o Lyon Capitol Ventures (4901 Birch Street, Newport Beach, California 92660); Uffda LLC (400 E. Montague Expressway, Milpitas, CA 95035)                                                                                                                                                                                                                                                                          |
| Project Planner:          | Shaunn Mendrin, Senior Planner                                                                                                                                                                                                                                                                                                                                                                                                             |
| <b>LAND USE:</b>          |                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| General Plan Designation: | Boulevard Very High Density Mixed Use (BVMU)/Urban Residential (UR)                                                                                                                                                                                                                                                                                                                                                                        |
| Zoning District:          | Mixed Use Very High Density (MXD3)/ Urban Residential (R5)                                                                                                                                                                                                                                                                                                                                                                                 |
| Overlay District:         | Site and Architectural (-S) and Transit Oriented Development (-TOD)                                                                                                                                                                                                                                                                                                                                                                        |
| <b>ENVIRONMENTAL:</b>     | Categorically Exempt pursuant to Sections 15168(c)(2) of the California Environmental Quality Act (CEQA).                                                                                                                                                                                                                                                                                                                                  |

## EXECUTIVE SUMMARY

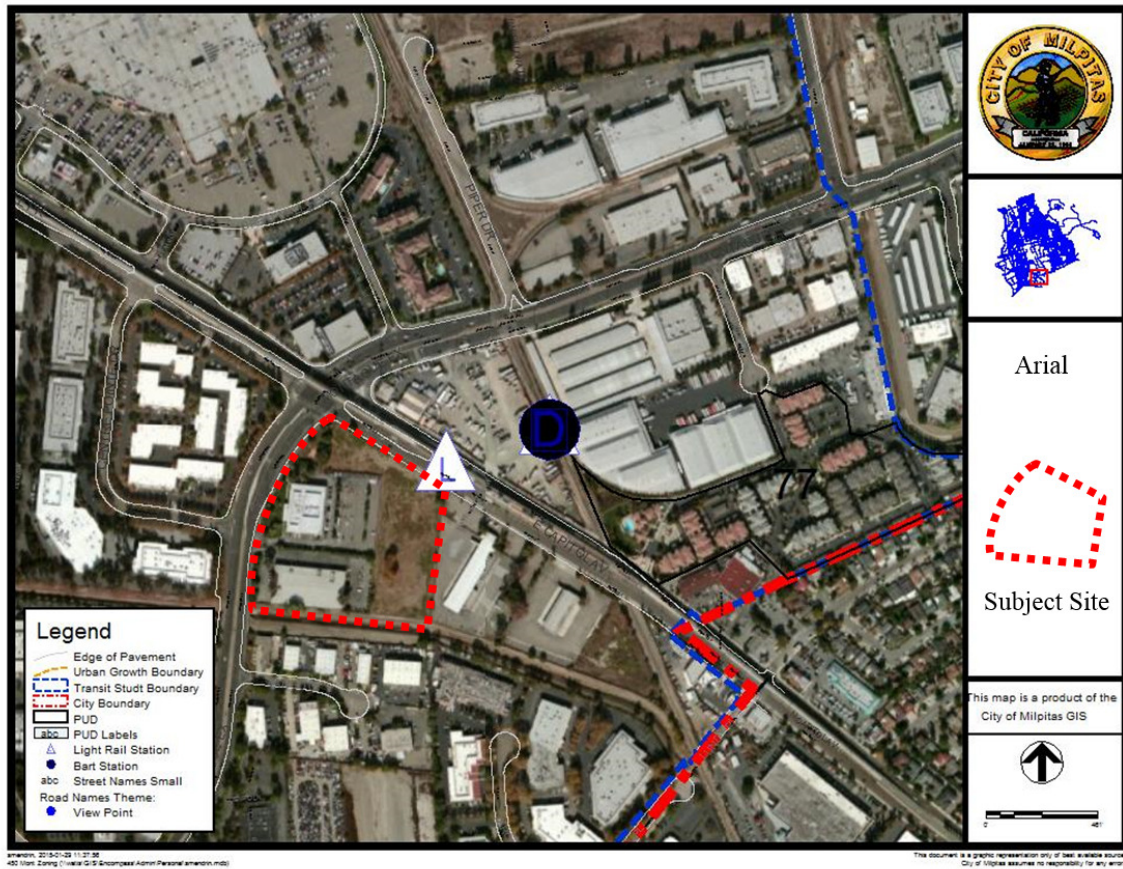
The applicant is requesting a Site Development Permit, Conditional Use Permit and Vesting Tentative Map to allow the development of 489 dwelling units in one five-story building and seventeen staked flat townhouse buildings. The project would also include the development of two parks, a linear park, on-site parking, landscaping and other associated landscape improvements. The project applicant will also fund the development of construction drawings for the Milpitas Boulevard Extension and vehicular/pedestrian bridge over Penitencia Creek and the Pedestrian Bridge over Montague Expressway connecting to Centrepont. The approval of this permit will rescind and replace previously approved entitlements for 474 dwelling units and associated improvements formerly approved for Lyon Communities on the same site (Site Development Permit No. SD12-0009, Conditional Use Permit UP12-0024, and Tentative Map No. MT12-0005).

**Map 1**  
**Project Site-Zoning Map**





## Map 2 Project Site



**Context Pictures – View from Montague**



**Context Picture – View from Corner of Montague and E Capitol**



**Context Picture – View E Capitol**



**BACKGROUND**

On June 3, 2008, the City Council adopted the Transit Area Specific Plan. The Plan encompasses 437 acres and promotes the development of 7,109 dwelling units, 287,075 square feet of retail space, 993,843 square feet of office space and industrial. The plan includes development standards, goals and policies guiding development within the plan area. Because of the physical characteristics of the area, including major streets, railroads and creeks, the plan also established sub-districts with specific goals and policies to accommodate those unique characteristics.

On December 18, 2012, the City Council adopted Resolution No. 8216 approving Site Development Permit No. SD12-0009, Conditional Use Permit No. UP12-0025 and Tentative Map No. MT12-0005 for the development of 474 residential units located at the subject site.

On October 23, 2014, an application was submitted by Lennar Multi-Family Communities to amend and replace the prior the entitlements to allow for the development of one five story building with 351 dwelling units located over a podium with two levels of parking below and 138 stacked flat townhouses with associated landscaping and site improvements. The project also includes the development of two park areas (A, B and a Linear Park Trail parallel to Penitencia Creek and improvements to the existing maintenance road along the creek). The proposed project is located within the Trade Zone-Montague Sub-District of the Transit Area Specific Plan. The sub-district is located near the future BART station and the existing VTA Light Rail Station.

### ***The Application***

The project proposed by Lennar Multi-Family requires Planning Commission and City Council review pursuant to Section 57 of the Milpitas Zoning Code and consideration of the following Planning Applications:

- *Site Development Permit:* to allow the development of 489 dwelling units, site design and landscaping.
- *Conditional Use Permit:* to allow for deviations from the Transit Area Specific plan in regards to driveway access, park space configuration and underground garage structure height, and exception from Zoning Code requirements for private open space and to allow tandem parking spaces.
- *Major Vesting Tentative Map:* to allow the subdivision of the land for condominium purposes.

## **PROJECT DESCRIPTION**

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### ***Overview***

The project is located on four parcels totaling 10.47 acres along East Capitol Avenue and Montague Expressway. The subject property is located within the Transit Area Specific Plan and is partially zoned Mixed Use Very High Density and Urban Residential with Transit Oriented Development with Site and Architectural Overlays. A vicinity map and context photos of the subject site are included on the previous pages.

The project includes two housing products types. First, is a 351 unit five-story building (Building 1) located over a partially submerged two-story parking garage. Building 1 will include a central podium level open space with landscaping and pool for the residents. The second product is a 138 Stacked Flat housing units ranging from three to four stories and all have garages at the ground floor (see Attachment C). The project proposes to deviate from the Transit Area Specific Plan's circulation component, park reconfiguration, and the amount of the garage that extends above the grade for Building 1. Thus, the project is required to demonstrate a public benefit (see discussion below).

In addition, the project proposes to dedicate approximately one acre of parkland and they will design and construct this area for park purposes. The project will also design and construct a linear trail on-site parallel to Penitencia Creek and they will also construct the multiuse trail along East Penitencia creek on the maintenance road from Montague Expressway to the eastern



boundary of the project connecting to a sidewalk leading up to Park B for the interim. The next developments to the east will extend the trail to the east to Lundy Place.

### ***Location and Context***

The project is located on the southeast corner at the intersection of Montague Expressway and East Capitol Avenue within the Tradzone/Montague Subdistrict. The site is approximately 10 acres and is currently occupied by two vacant industrial buildings of approximately 20,000 square feet located in the southwest corner of the site. The remainder of the site is vacant with various types trees on the site. All existing site improvement and vegetation will be removed and replaced with the proposed project, site improvements and landscaping.

## **PROJECT ANALYSIS**

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### ***General Plan and Zoning Conformance***

The General Plan Designation for this site is Boulevard Very High Density Mixed Use (BVMU) for the parcels abutting Montague Expressway and Urban Residential (URR) for the parcel abutting East Capitol Avenue. These designations were identified as appropriate land uses during the development of TASP due to the proximity to the existing VTA station and future BART station. These designations require a minimum density of 41 dwelling units per acre and it does allow for retail space at the ground floor (although it is not required in this area). The intent of this designation is to locate high density residential adjacent to local mass transit options such as VTA and BART. The proposed project is consistent with the General Plan and TASP land use designations and densities. In addition, the project is consistent with the Zoning Designations of Very High Density Mixed Use (MXD3) and Urban Residential (R5) which reflect the General Plan land use designations.

### ***Architectural & Site Design***

The project's architecture represents a contemporary style that is consistent with the design guidelines of the TASP. The proposed architecture is a contemporary vernacular that uses modern interpretations on traditional forms. For example, the large protruding bay elements provide a modern industrial feel in combination with the contrasting color palate and stone materials. The colors and materials provide a base to the building and pedestrian scale at the street level. The corner elements have been enhanced with storefront glazing to provide a visually large leasing and amenities area and the second lobby on Montague has been enhanced to establish the entry. Staff has included several conditions requiring minor refinements to the architecture, which some have been addressed in the submittal before you tonight. The additional changes are intended to refine the quality of the building and to establish a stronger base for the structures. The proposed site layout is consistent with the TASP in that the street and trail frontages comply with TASP sections and details.

### ***Development Standards***

The table below demonstrates how the project is consistent with the development standards of the Very High Density Mixed Use (MXD3) and Urban Residential (R5) zoning districts.

**Table 1:**  
**Summary of Development Standards**

|                                                                                    | <b>Zoning Ordinance/TASP</b>                                        | <b>Proposed</b>                                                        |
|------------------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------------------------------|
| <u>Density</u> (Min/Max)                                                           | 41-75 units/acre                                                    | 46.7 units/acre                                                        |
| <u>Setbacks</u> (Minimum)                                                          |                                                                     |                                                                        |
| Capitol Avenue                                                                     | 49'                                                                 | 49'                                                                    |
| Montague Expressway                                                                | 45'                                                                 | 45'                                                                    |
| East                                                                               | 20'                                                                 | 41'                                                                    |
| South                                                                              | 20'                                                                 | 25'                                                                    |
| <u>Building Height</u> (Maximum)                                                   | 12 stories                                                          | 5 stories                                                              |
| <u>Parking</u> (Minimum)                                                           | 668 residential + 121 guest =<br>780                                | 834 spaces (272 Tandem)*                                               |
| <u>Maximum encroachment into setbacks by patios, stoops, etc.</u>                  | ± 6'                                                                | 6'                                                                     |
| <u>Open Space</u>                                                                  | Min 40 sq. ft. for balconies<br>and Min of 50 sq. ft. for<br>patios | Short 16% for some studios<br>and 1 bedroom units on<br>Capitol Ave. * |
| * Indicates a Conditional Use Permit is required to allow the proposed deviations. |                                                                     |                                                                        |

The proposed project is generally consistent with Development Standards noted above with the approval of a Conditional Use Permit (CUP) as allowed by Code. The following discussion will provide an overview of the project and highlight those elements that require consideration of a Conditional Use Permit.

### ***Parking***

Parking for the project complies with the Milpitas Municipal Code, which is a minimum of 780 parking spaces for the entire project based on the bedroom count and parking type (individual garage versus parking structure). The following table summarizes the parking required and provided for the project:

**Table 2**  
**Parking Summary**

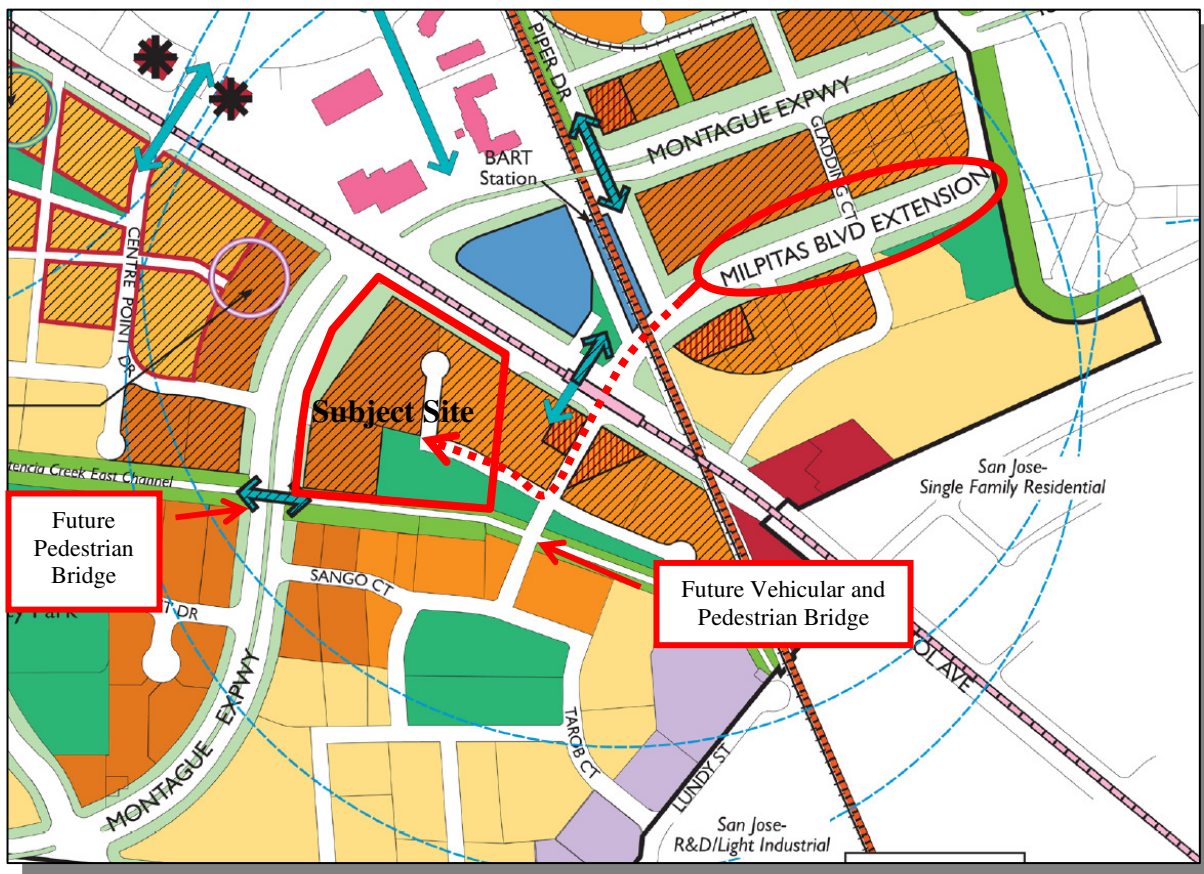
| <b>5-Story Rental Building</b>                                |                        |                        |                      |
|---------------------------------------------------------------|------------------------|------------------------|----------------------|
| <b>Unit Type</b>                                              | <b>Number of Units</b> | <b>Spaces Provided</b> | <b>Parking Ratio</b> |
| Studios                                                       | 45                     | 384                    | 1.09                 |
| 1BR                                                           | 202                    |                        |                      |
| 2BR                                                           | 104                    |                        |                      |
| <b>Total</b>                                                  | <b>351</b>             |                        |                      |
| <b>Tandem Parking Allowed (75% of total required parking)</b> |                        | 128                    | 25%                  |
| <b>Guest Parking (15% of residential parking)</b>             |                        | 67                     | 15%                  |
| <b>Total</b>                                                  |                        | <b>579</b>             | 1.45                 |
| <b>Total Required by Code</b>                                 |                        | <b>510</b>             |                      |
| <b>Stacked Flat Units</b>                                     |                        |                        |                      |
| <b>Unit Type</b>                                              | <b>Number of Units</b> | <b>Spaces Provided</b> | <b>Parking Ratio</b> |
| 2BR                                                           | 42                     | 126                    | 1.95                 |
| 3BR                                                           | 92                     |                        |                      |
| 4BR                                                           | 4                      |                        |                      |
| <b>Total</b>                                                  | <b>138</b>             |                        |                      |
| <b>Tandem Parking Allowed (50% of total required parking)</b> |                        | 144<br>(63)            | 53%*<br>(50%)        |
| <b>Guest Parking (20% of residential parking)</b>             |                        | 52                     | 23%                  |
| <b>Total</b>                                                  |                        | <b>270</b>             | 1.95                 |
| <b>Total Required by Code</b>                                 |                        | <b>268</b>             |                      |
| <i>* See discussion below about parking</i>                   |                        |                        |                      |

Parking is provided in the parking structure under Building 1 and private garages in the Staked Flat units and open on-site spaces. The project includes tandem spaces which has different requirements for structured parking vs. private garage. The amount proposed in Building 1 is below the maximum allowed of 75% of the total required parking. However, the Stacked Flats exceed the maximum allowed of 50%, with a total of 53%. The project meets the requirements for the remaining parking for the residential units and guest parking. The total parking provided on site meets the minimum required. A Conditional Use Permit is required to allow the use of tandem parking spaces, which has been discussed below under the CUP discussion.

### ***Access & Circulation***

The site is accessed through two main access points from Montague Expressway and East Capitol Avenue. The site will also be accessed from the future Milpitas Boulevard extension and frontage road paralleling Penitencia Creek. The access from both Montague and Capitol will be right in and right out as a temporary measure until the Milpitas Boulevard Extension is constructed. Once constructed, both entry points will be right in only and access out of the site will be focused through the new Milpitas Boulevard Extension. The podium building garage will be partially submerged and will have to distinct levels and access points. The lower level will be accessed from the ramp off of Drive Isle 1 (near the Montague side) and the second level will be accessed off Street B. Pedestrian circulation will be provided around the perimeter of the site with the installation of new sidewalks and landscape. In addition, pedestrians will be able to walk through the site to the two public parks through the pedestrian trail adjacent to the creek, connecting paseos through the site and on-site sidewalks.

**FIGURE 1**  
**TASP Area and Future Improvements**



### ***Landscaping & Open Space Design***

The proposed project site will result in the removal of several existing trees that will be replaced at a two to one ratio as per the Zoning Code. The landscape improvements will establish the pedestrian realm along Montague Expressway and East Capitol Avenue by adding in a wide planter bed, wide sidewalk and street trees. In addition, the project will include a pedestrian walking trail on the subject site parallel to the trail. Open space will include two parks, with one located in the center of the site with a tot-lot and the second will be located on the east edge of the site adjacent to the five-story building. Additional open space, including a pool, will be located on the podium level for residents of the larger building. In addition, most units will provide private balconies, except for a few units located on the larger building (see CUP discussion below). There are two linkages from the linear park to the interior of the site. The site will be irrigated with reclaimed water for all common areas except for the podium plantings and pool. These two areas will require an Exception from the Urgency Ordinance (No. 240.2) by the City Council (see discussion below). The landscape palate is consistent with the TASP and staff has included some minor refinements to the planting plan to deter skate boarding on planter walls and enhancement of the overall plant palate. Staff notes that the proposed park location is different than what is noted in the TASP and has included a discussion under the CUP section of the report below.

### ***Urgency Ordinance (240.2) Exception Request***

On August 26<sup>th</sup>, 2014, the City Council adopted Urgency Ordinance No. 240.2, which implemented water use restrictions. Specifically as it relates to this project, the Urgency Ordinance prohibited the use of potable water for the installation of new landscape unless it is served by Reclaimed Water (5.07). Section 5.08 of the Urgency Ordinance allows the City Council to grant exceptions as needed. The subject site will be extending the reclaimed water line from Centere Point to the west side of the proposed Milpitas Boulevard Extension, which will be used on the site perimeter and all common areas. Reclaimed water is not allowed to be used on the podium level in the five-story building and for the proposed pool. Staff is in support of the proposed exception since the potable water use will be for small raised planter beds which are consistent with the Water Efficient Landscape Ordinance and for the proposed pool which will serve as a great amenity for the 351 residents in the main building.

### ***Grading, Drainage and Stormwater***

The proposed project will require grading to allow for the construction of the garage, streets and pad for the staked flat units. Site drainage will be treated through a combination of Low Impact Development (LID) measures, which include bio-treatment planters and some mechanical filtration units. These are allowed for projects with higher densities located near mass transit.

### ***Utilities***

The site will be served by City water and sewer and San Jose reclaimed water. All other utilities will be either underground or may be relocated to accommodate new utilities or site improvements. The site does have two PG&E electrical distribution towers which cannot be placed underground and will remain in place and they may be relocated later by the County to accommodate improvements to Montague Expressway. The actual timeframe has not been

determined as of yet. The proposed trees under these utilities have been vetted with PG&E and are an acceptable species due to the mature growth height of the tree (Red Maple).

### ***Climate Action Plan Conformance***

The proposed project includes numerous measure identified in the CAP including waste reduction, bikeways, water conservation, recycled water and green building. The project will be achieving 80 Build it Green points through the implementation of several measures which will be further refined during the development of the construction drawings.

### ***Conditional Use Permit***

According to the TASP, exceptions to the TASP standards are allowed through a Conditional Use Permit. In addition to the standard findings for a CUP, the following two additional findings must be met:

*The deviation from the Transit Area Specific Plan standard meets the design intent identified within the Specific Plan and does not detract from the overall architecture landscaping and site planning integrity of the proposed development.*

*The deviation from the Transit Area Specific Plan standard allows for a public benefit not otherwise obtainable through the strict application of the zoning standard.*

The TASP is a conceptual land use document designed in 2008 and it is being implemented at a faster rate as we near the opening of the future BART station. The document also acknowledged that there may be some deviations from the plan as they relate to development standards and it established a process for consideration. The proposed project includes the following deviations from the adopted plan:

- *Driveway access on Montague Expressway and East Capitol Avenue.*  
The TASP street network requires vehicular access to the proposed project from the Milpitas Boulevard extension. However, the Milpitas Extension has not been constructed and it is located on land not owned or controlled by the applicant. The extension will be constructed at a future date when the adjacent property is redeveloped. In the interim, staff is proposing to allow a temporary right turn access from East Capitol Avenue until the Milpitas Boulevard Extension has been constructed.
- *Underground garage extending more than 5 feet above grade.*  
The TASP limits the amount of an underground garage that may extend above the grade to 5 feet. The proposed garage does extend up to 6 feet in some places on the site, which is a result of the site topography. The project uses raised planters planter beds and site landscaping to shield these elements from view which reduces the visual impacts of these sections.

- *Roadway Network Change*

The TASP originally laid out a road network for these properties front on E Capitol Avenue based on the projected layout of the plan. Since the construction of the BART station, a major high pressure gas line was relocated in the middle of the block further limiting the development area of 730 E Capitol Avenue. Since that time, the road network has been adjust to push the east west road further to the south to parallel Penitencia Creek and the linear park. This location has been reviewed internally and it still achieves the same goal of an internal road network to remove traffic off of Montague and Capitol.

- *Park Location*

The TASP also called out for a larger park location closer to Penitencia Creek for the 450 Montague site. The applicant proposed the park at a more internal location to better benefit the site. The parks will still be open to the public and they will be required to provide way finding signage. Furthermore, staff has presented the proposed park locations to the Park, Recreation and Cultural Resources Commission for their input and possible names for the park. The following provides an overview of the PRCRC comments:

*Park Recreation and Cultural Resources Commission (PRCRC)*

Staff presented the proposed park layout and design to the Parks, Recreation and Cultural resources Commission (PRCRC) on Monday, February 1, 2015. Staff reviewed the proposed layout, park elements and requested that the PRCRC provide names for the City Council to consider for the parks. The applicants Landscape Architect presented additional information about the proposed project and answered questions. The PRCRC was receptive to the park and recommended the City Council approve the design and recommended that the Council decide on one of the four names including; J.W. Johnson, Captain Calvin Valpey, O.H.P. Vennum and Charles Beverson for Park A (being West) and Park B (being East). The staff report and minutes have been included in Attachment E.

Staff brought the proposed park layout back to the PRCRC on March 2, 2015 due to change in the location of the Emergency Vehicle Access, relocation of the trash enclosure and removal of a connecting paseo. The PRCRC was also receptive of the change and comfortable with the additional conditions that staff included. The staff report and minutes are included in Attachment F.

In addition to the TASP Conditional Use Permit allowances, the Zoning Code also requires approval of a Conditional Use Permit for deviations from code provisions for the following:

Tandem parking: The Zoning Code allows the uses of tandem parking spaces with the approval of a Conditional Use Permit. The Zoning Code allows a maximum of 75% for structured garage spaces and 50% for private garages. The proposed development includes 128 tandems spaces in the structured garage (25%) and 144 spaces in private garages (53%). The amount proposed for the Stacked Flats is slightly above the maximum allowed. Staff is in support of the slightly higher number since the proposed product type (one level unit) is one that is not commonly built in the area. This type of unit provides housing opportunities for a larger age group range of residents. Each

building will have a main lobby and elevator to each floor. Each garage space has a private entrance into the building leading to the main lobby and elevator. In addition, the site is in close proximity to the Light Rail and the future BART station; therefore staff is in support of the proposal. In addition, staff has added a Condition of Approval requiring the applicant to enter into an agreement with VTA for the Residential Eco Pass program. This will allow residents to receive the Eco Passes (or Clipper Cards) at a discounted rate due to the developments proximity to VTA Light Rail and BART.

**Private Open Space:** The Zoning code requires a minimum of 40 square feet for balconies and 50 square feet for patios for all development. The applicant is proposing that the 55 units do not have balconies in Building 1. They are a mix of studios and junior one bedrooms. Their justification is that site will be providing ample outdoor spaces for residents in this will also allow for more livable space in each unit, which is needed in smaller units. The project will have podium open space and the two parks and trail on the site.

### ***Public Benefit***

Since the project is requesting a Condition Use Permit through the TASP, the project is required to provide a public benefit at part of the development. Staff has worked with the applicant to design several important components related to the subject site and the remaining site to the east. You may refer to Figure 1 in the report, which identifies these elements. The applicant has agreed to the following:

- Fund a Feasibility Study for the Milpitas Avenue Extension Vehicular and Pedestrian Bridge that will span Penitencia Creek and eventually connect to Sango Court.
- Prepare Construction Drawings for the proposed bridge once the Feasibility Study has been vetted through the City and the Santa Clara Valley Water District and other require agencies.
- Fund the design and construction drawings for the Milpitas Avenue Extension from E Capitol Avenue to the new bridge.
- Provide cost estimates for the construction of the Milpitas Avenue Extension.
- Contribute 53% of the total costs for the construction of the Milpitas Avenue Extension.
- Fund a Feasibility Study for the new Pedestrian Bridge over Montague Expressway near Penitencia Creek.
- Prepare Construction drawings and cost estimates for the construction of the new Pedestrian Bridge.

Overall, the applicant will be providing a substantial amount of funding to design several key elements within the TASP, which are key elements for these several parcels.

### ***Major Vesting Tentative Map***

A Major Vesting Tentative Map is required to allow the subdivision of land to allow the creation of 18 building lots for the residential structures. Seventeen of the lot will be created for condominium units in the Staked Flats. The map will also allow Building 1 to be sold off separately to the Rental Division of Lennar. Staff has included a condition requiring the recordation of a Density Averaging Agreement prior to recordation of the Final Map, this acknowledges that the development has been considered as a whole for density calculations and



that no changes in the number of units may change. The requested map is consistent with the General Plan, TASP and Zoning Code in regards to lots sizes and allowable densities.

## **FINDINGS FOR APPROVAL**

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Staff has included Findings for Approval in Attachment A for reference. Staff found that the development is consistent with the General Plan, Zoning Code and TASP Goals and Policies. In addition, the project is providing a substantial public benefit by designing several key circulation elements for this subdistrict.

## **ENVIRONMENTAL REVIEW**

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The Planning Division conducted an initial environmental assessment of the project in accordance with the California Environmental Quality Act (CEQA). The project is exempt from further environmental review pursuant to Section 15168(c)(2) of the CEQA Guidelines because of its consistency with the certified EIR for the Transit Area Specific Plan adopted on June 3, 2008 by the City Council (See Attachment B).

## **PUBLIC COMMENT/OUTREACH**

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Staff provided public notice the application in accordance with City and State public noticing requirements. At the time of writing this report, there have been no inquiries from the public. A notice was published in the Milpitas Post on January 30, 2015. (Two Fridays before the meeting) In addition, 124 notices were sent to owners and occupants within 1,000 feet of the project site. A public notice was also provided on the project site, on the City's Website, [www.ci.milpitas.ca.gov](http://www.ci.milpitas.ca.gov), and posted at City Hall.

## **CITY COUNCIL REVIEW**

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This project requires review by the City Council and is tentatively scheduled on the April 21, 2015 Council agenda.

## **CONCLUSION**

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The project represents a high quality, high density compact project near the future BART station. The project would anchor a prominent intersection in the TASP. While the project includes some deviations the project's public benefits will outweigh the exceptions.

## **RECOMMENDATION**

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STAFF RECOMMENDS THAT the Planning Commission:

1. Open and Close Public Hearing; and
2. Adopt Resolution No. 15-003 Recommending that the City Council approve the proposed project Site Development Permit No. SD14-0017, Conditional Use Permit No. UP14-0024, And Tentative Map No. MT14-0004 for the Lennar residential project located at 450 Montague Expressway based on the finding and subject to the Conditions of Approval in Exhibit 1.

## **ATTACHMENTS**

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- A: Resolution 15-003
- B: Initial Study and Categorical Exemption
- C: Plan Set
- D: Parks, Recreation and Cultural Resources Commission, Packet and Draft Minutes February 2, 2015
- E: Parks, Recreation and Cultural Resources Commission, Packet and Draft Minutes March 2, 2015

**RESOLUTION NO. 15-003****A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS  
RECOMMENDING THE CITY COUNCIL APPROVAL OF SITE DEVELOPMENT  
PERMIT NO. SD14-0017, CONDITIONAL USE PERMIT UP14-0024, AND TENTATIVE  
MAP NO. MT14-0004 FOR THE LENNAR RESIDENTIAL PROJECT LOCATED AT  
450 MONTAGUE EXPRESSWAY**

**WHEREAS**, on October 23, 2014, an application was submitted by Lennar Communities to allow the development of 489 dwelling units on 10.47 acres (46.70 dwellings/acre) in a multi-story building and stacked flat units building with three and four stories located at 450 Montague Expressway (APNs: 86-037-004, -019, and -020) zoned Mixed Use Very High Density/Urban Residential with Transit Oriented Development & Site and Architectural Overlays (MXD3/R5-TOD-S) within the Transit Area Specific Plan; and

**WHEREAS**, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and the Planning Commission recommended that the City Council determine this project exempt and that it is consistent with the TASP EIR approved on June 3, 2008; and

**WHEREAS**, on March 25, 2015, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties and unanimously recommended approval to the City Council of the project; and

**NOW THEREFORE**, the Planning Commission of the City of Milpitas hereby finds, determines and resolves as follows:

1. The Planning Commission has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The project is exempt pursuant to Section 15168(c) (2) of the CEQA Guidelines because staff determined that the project is consistent with the certified EIR for the Transit Area Specific Plan adopted on June 3, 2008 by the City Council; and
3. The project is consistent with the Milpitas Zoning Ordinance in that the project site meets the density and land use requirements.
4. The project is consistent with the Milpitas General Plan in that the project meets the density and land use requirements.
5. The project conforms to the intent and the specific requirements of the Transit Area Specific Plan, including the Development Standards and Design Guidelines in that the project creates a high density residential project, and a component of public open space with trail.

6. Site Development Permit (Section XI-10-57-03(F))

- a. The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.

As detailed in the staff report and herein, the proposed Project is consistent with this finding because the proposed development is of a higher quality architecture located adjacent to the new BART station and existing VTA station. The proposed project will implement the TASP streetscape along all frontages and install parks and trails as identified in the TASP. Although there will not be any other residential building immediately adjacent to the site, it will be the first on the block and will act as an important anchor for the intersection.

- b. The project is consistent with the Milpitas Zoning Ordinance.

The proposed Project is consistent with this finding because the site located in TASP and consistent with required density and requested a Conditional Use permit for minor deviations from the TASP as allowed in the TASP. The remaining portions of the development are consistent with setbacks open spaces and other development standards. The table below indicates the project setbacks, height, parking and density.

**Table 1:**  
**Summary of Development Standards**

|                                                                                       | <b>Zoning Ordinance/TASP</b>                                        | <b>Proposed</b>                                                        |
|---------------------------------------------------------------------------------------|---------------------------------------------------------------------|------------------------------------------------------------------------|
| <u>Density</u> (Min/Max)                                                              | 41/75 units/acre                                                    | 46.7 units/acre                                                        |
| <u>Setbacks</u> (Minimum)                                                             |                                                                     |                                                                        |
| Capitol Avenue                                                                        | 49'                                                                 | 49'                                                                    |
| Montague Expressway                                                                   | 45'                                                                 | 45'                                                                    |
| East                                                                                  | 20'                                                                 | 41'                                                                    |
| South                                                                                 | 20'                                                                 | 25'                                                                    |
| <u>Building Height</u><br>(Maximum)                                                   | 12 stories                                                          | 5 stories                                                              |
| <u>Parking</u> (Minimum)                                                              | 668 residential + 121 guest =<br>780                                | 834 spaces (272 Tandem)*                                               |
| <u>Maximum encroachment</u><br><u>into setbacks by patios,</u><br><u>stoops, etc.</u> | ± 6'                                                                | 6'                                                                     |
| <u>Open Space</u>                                                                     | Min 40 sq. ft. for balconies<br>and Min of 50 sq. ft. for<br>patios | Short 16% for some studios<br>and 1 bedroom units on<br>Capitol Ave. * |
| * Indicates a Conditional Use Permit is required to allow the proposed deviations.    |                                                                     |                                                                        |

Parking for the project complies with the Milpitas Municipal Code, which is a minimum of 780 parking spaces for the entire project based on the bedroom count and parking type (individual garage versus parking structure). The following table summarizes the parking required and provided for the project:

**Table 2**  
**Parking Summary**

| <b>5-Story Rental Building</b>                                |                        |                        |                      |
|---------------------------------------------------------------|------------------------|------------------------|----------------------|
| <b>Unit Type</b>                                              | <b>Number of Units</b> | <b>Spaces Provided</b> | <b>Parking Ratio</b> |
| Studios                                                       | 45                     | 317                    | 1.10                 |
| 1BR                                                           | 202                    |                        |                      |
| 2BR                                                           | 104                    |                        |                      |
| <b>Total</b>                                                  | <b>351</b>             |                        |                      |
| <b>Tandem Parking Allowed (75% of total required parking)</b> |                        | 128                    | 25%                  |
| <b>Guest Parking (15% of residential parking)</b>             |                        | 67                     | 15%                  |
| <b>Total</b>                                                  |                        | <b>512</b>             |                      |
| <b>Total Required by Code</b>                                 |                        | <b>511</b>             |                      |
| <b>Stacked Flat Units</b>                                     |                        |                        |                      |
| <b>Unit Type</b>                                              | <b>Number of Units</b> | <b>Spaces Provided</b> | <b>Parking Ratio</b> |
| 2BR                                                           | 42                     | 126                    | 1.09                 |
| 3BR                                                           | 92                     |                        |                      |
| 4BR                                                           | 4                      |                        |                      |
| <b>Total</b>                                                  | <b>138</b>             |                        |                      |
| <b>Tandem Parking Allowed (50% of total required parking)</b> |                        | 112                    | 50%                  |
| <b>Guest Parking (20% of residential parking)</b>             |                        | 52                     | 23%                  |
| <b>Total</b>                                                  |                        | <b>322</b>             |                      |
| <b>Total Required by Code</b>                                 |                        | <b>269</b>             |                      |

Parking is provided in the parking structure under Building 1 and private garages in the Staked Flat units and open on-site spaces. The project includes tandem spaces which has different requirements for structured parking vs. private garage. The amount proposed in Building 1 is below the maximum allowed of 75% of the total required parking at 25%. The Stacked Flats are at

the maximum allowed of 50%. The project meets the requirements for the remaining parking for the residential units and guest parking. The total parking provided on site meets the minimum required. A Conditional Use Permit is required to allow the use of tandem parking spaces, which has been discussed in the Conditional Use Permit Section.

- c. The project is consistent with the Milpitas General Plan and TASP.

The proposed Project is consistent with this finding as discussed previously in the staff report, and because the approved use is allowed in the TASP and it is consistent with the minimum density. The project furthers the goals and policies of the land use element by further implementing the project residential units within the TASP.

- d. Specifically, the project supports the following General Plan principles and policies:

| Guiding Principles and Implementing Policies                                                                                                                                                                     | Consistency Finding |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <i>2.a-G-2: Maintain a relatively compact urban form.</i>                                                                                                                                                        | <b>Consistent</b>   |
| <i>2.a-G3: Provide for a variety of housing types and densities that meet the needs of individuals and families.</i>                                                                                             | <b>Consistent</b>   |
| <i>2.a-G-5 A park-like setting will be created by a series of local parks, school sites, trails, and a greenway system laced throughout all living areas.</i>                                                    | <b>Consistent</b>   |
| <i>2.a-G-7 When considering development proposals, seek "community benefit", such as upgrading infrastructure facilities, constructing new infrastructure facilities, and funding contributions to programs.</i> | <b>Consistent</b>   |
| <i>2.a-I-1 New developments should not exceed the building intensity limits established in the General Plan.</i>                                                                                                 | <b>Consistent</b>   |
| <i>2.a I-2 Promote development within the incorporated limits which acts to fill-in the urban fabric rather than providing costly expansion of urban services into outlying areas.</i>                           | <b>Consistent</b>   |
| <i>2.a-I-8 Establish redevelopment projects to secure funds that can be used to attract commercial, industrial, and residential development in order to eliminate blight and improve an area.</i>                | <b>Consistent</b>   |

| <b>Guiding Principles and Implementing Policies</b>                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Consistency Finding</b> |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| <i>2.a 1-31 Develop the Transit area, as shown on the Transit Area Plan, as attractive, high density, urban neighborhoods with a mix of land uses around the light rail stations and the future BART station. Create pedestrian connections so that residents, visitors, and workers will walk, bike, and take transit. Design streets and public spaces to create a lively and attractive street character, and a distinctive identity for each sub-district.</i> | <b>Consistent</b>          |
| <i>2.a 1-32 Require development in the Transit area to conform to the adopted design guidelines/requirements contained in the Transit Area Plan.</i>                                                                                                                                                                                                                                                                                                               | <b>Consistent</b>          |
| <i>2.b-I-3 Provide housing opportunities in Milpitas by meeting the City's regional fair-share housing obligations.</i>                                                                                                                                                                                                                                                                                                                                            | <b>Consistent</b>          |

7. Conditional Use Permit Amendment (Section XI-10-57-04-(F)(1&2))

- 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.

The proposed project is located with the Transit Area Specific Plan and is consistent with the Goals, Policies and Development Standards of the TASP. The project will improve the property frontages by installing new sidewalks, street trees, street lights and landscaping to enhance the area and to provide safe pedestrian access around the site. The requested deviations from the TASP development standards and Zoning Code standards have been found to be acceptable by staff as noted in the staff report. Overall, the development will improve the site and enhance the intersection of Montague Expressway and E Capitol Avenue.

- b. The proposed use is consistent with the Milpitas General Plan; and

See discussion above.

- c. The proposed use is consistent with the Milpitas Zoning Ordinance.

In addition to the TASP Conditional Use Permit allowances, the Zoning Code also requires approval of a Conditional Use Permit for deviations from code provisions for the following:

- Tandem parking: The Zoning Code allows the uses of tandem parking spaces with the approval of a Conditional Use Permit. The Zoning Code allows a maximum of 75% for structured garage spaces and 50% for private garages. The proposed development includes 128 tandems spaces in the garage (25%) and 112 spaces in private garages (50%). The proposed tandem spaces are within the maximums allowed. In addition, this type of unit provides housing opportunities for a larger age group range of residents. Each building will have a main lobby and elevator to each floor. Each garage space has a private entrance into the building leading to the main lobby and elevator. The site is in close proximity to the Light Rail and the future BART station; therefore staff is in support of the proposal. In addition, staff has added a Condition of Approval requiring the applicant to enter into an agreement with VTA for the Residential Eco Pass program. This will allow residents to receive the Eco Passes (or Clipper Cards) at a discounted rate due to the developments proximity to VTA Light Rail and BART.
- Private Open Space: The Zoning code requires a minimum of 40 square feet for balconies and 50 square feet for patios for all development. The applicant is proposing that the 55 units do not have balconies in Building 1. They are a mix of studios and junior one bedrooms. Their justification is that site will be providing ample outdoor spaces for residents in this will also allow for more livable space in each unit, which is needed in smaller units. The project will have podium open space and the two parks and trail on the site.

Based on the analysis above, staff recommends support of the requested deviations through the Conditional Use Permit process.

- d. The proposed use is consistent with the Specific Plan.

The TASP is a conceptual land use document designed in 2008 and it is being implemented at a faster rate as we near the opening of the future BART station. The document also acknowledged that there may be some deviations from the plan as they relate to development standards and it established a process for consideration through a Conditional Use Permit. The proposed project includes the following deviations from the adopted plan:

- *Driveway access on Montague Expressway and Capitol Expressway.*  
The proposed project is only able to be accessed from Montague and Capitol Expressway since the Milpitas Extension has not been constructed and it is located on land not controlled by the applicant. The access for both driveway will be right in and right out with the driveway on Capitol being reduced to right in only once the Milpitas Extension has been constructed.
- *Underground garage extending more than 5 feet above grade.*



The TASP limits the amount of an unground garage that may extend above the grade to 5 feet. The proposed garage does extend more than 5 feet in some places on the site, which is a result of the site topography. The project uses raised planters planter beds and site landscaping to shield these elements from view which reduces the visual impacts of these sections.

- *Park Location*

The TASP also called out for a larger park location closer to Penitencia Creek for the 450 Montague site. The applicant proposed the park at a more internal location to better benefit the site. The parks will still be open to the public and they will be required to provide way finding signage. Furthermore, staff has presented the proposed park locations to the Park, Recreation and Cultural Resources Commission for their input and possible names for the park. The following provides an overview of the PRCRC comments:

*Park Recreation and Cultural Resources Commission (PRCRC)*

Staff presented the proposed park layout and design to the Parks, Recreation and Cultural resources Commission (PRCRC) on Monday, February 1, 2015. Staff reviewed the proposed layout, park elements and requested that the PRCRC provide names for the City Council to consider for the parks. The applicants Landscape Architect presented additional information about the proposed project and answered questions. The PRCRC was receptive to the park and recommended the City Council approve the design and recommended that the Council decide on one of the four names including; J.W. Johnson, Captain Calvin Valpey, O.H.P. Vennum and Charles Beverson for Park A (being West) and Park B (being East). The staff report and minutes have been included in Attachment E.

Staff brought the proposed park layout back to the PRCRC on March 2, 2015 due to change in the location of the Emergency Vehicle Access, relocation of the trash enclosure and removal of a connecting paseo. The PRCRC was also receptive of the change and comfortable with the additional conditions that staff included. The staff report and minutes are included in Attachment F.

The requested TASP deviations can be supported as they can and will be mitigated with the development or future roadway improvements. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to the public health, safety, and general welfare in that project will improve the area.

The deviation from the Transit Area Specific Plan Standard meets the design intent identified within the Specific Plan and does not detract

from the overall architectural, landscaping and site planning integrity of the proposed development in that the streetscape treatment to the access off of Montague Expressway and E Capitol will be consistent with the TASP standards as conditioned.

The deviation from the Transit Area Specific Plan Standard allows for a public benefit not otherwise obtainable through the strict application of the Zoning Standard in that the project will provide the following:

- Fund a Feasibility Study for the Milpitas Avenue Extension Vehicular and Pedestrian Bridge that will span Penitencia Creek and eventually connect to Sango Court.
- Prepare Construction Drawings for the proposed bridge once the Feasibility Study has been vetted through the City and the Santa Clara Valley Water District and other require agencies.
- Fund the design and construction drawings for the Milpitas Avenue Extension from E Capitol Avenue to the new bridge.
- Provide cost estimates for the construction of the Milpitas Avenue Extension.
- Contribute 53% of the total costs for the construction of the Milpitas Avenue Extension.
- Fund a Feasibility Study for the new Pedestrian Bridge over Montague Expressway near Penitencia Creek.
- Prepare Construction drawings and cost estimates for the construction of the new Pedestrian Bridge.

8. Major Tentative Map Findings (Section XI-1-20.01)

- a. The tentative subdivision map is consistent with the Milpitas General Plan

As discussed in detail in the staff report and herein, the subdivision map complies with the TC Zoning District and to the development standards of the General Plan. The proposed Project type, density and size are all consistent with the Town Center General Plan Land Use Designation.

9. The Planning Commission recommends the City Council to approve Site Development Permit No. SD14-0017, Conditional Use Permit No. UP14-0024, and Tentative Map No. MT14-0004 for the Lennar Residential Project at 450 Montague Expressway, subject to the above findings, and the Conditions of Approval attached hereto as Exhibit 1.

**PASSED AND ADOPTED** at a regular meeting of the Planning Commission of the City of Milpitas on March 25, 2015:

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Chair

**TO WIT:**

**I HEREBY CERTIFY** that the following resolution was duly adopted at a regular meeting of the Planning Commission of the City of Milpitas on March 25, 2015 and carried by the following roll call vote:

| COMMISSIONER            | AYES | NOES | ABSENT | ABSTAIN |
|-------------------------|------|------|--------|---------|
| Sudhir Mandal           | ✓    |      |        |         |
| Lawrence Ciardella      | ✓    |      |        |         |
| Hon Lien                | ✓    |      |        |         |
| Rajeev Madnawat         |      |      | ✓      |         |
| Ray Maglalang           | ✓    |      |        |         |
| Zeya Mohsin (Alternate) |      |      | ✓      |         |
| Demetress Morris        | ✓    |      |        |         |
| Gurdev Sandhu           |      |      | ✓      |         |

## **EXHIBIT 1**

### **CONDITIONS OF APPROVAL**

#### **SITE DEVELOPMENT PERMIT NO. SD14-0017, CONDITIONAL USE PERMIT UP14-0024, TENTATIVE MAP NO. MT14-0004 AND EXCEPTION TO URGENCY ORDINANCE 204.2 FOR THE LENNAR RESIDENTIAL PROJECT INCLUDING A 5-STORY PODIUM BUILDING WITH 351 DWELLING UNITS AND 138 CONDOMINIUM STAKED FLAT UNITS LOCATED AT 450 MONTAGUE EXPRESSWAY.**

### **GENERAL CONDITIONS**

1. **General Compliance.** The applicant and owner, including all successors in interest (collectively "Permittee") shall comply with each and every condition set forth in this Permit. This DEVELOPMENT PERMIT NO. SD14-0017, CONDITIONAL USE PERMIT UP14-0024, TENTATIVE MAP NO. MT14-0004 (collectively "Permit") shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed and this Resolution has been recorded by the Permittee with the Santa Clara County's Recorder Office and a copy shall be provided to the Planning Department. (P)
2. **Effective Date.** Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the decision-making body approved this Permit.
3. **Acceptance of Permit.** Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following:
  - a. Acceptance of this Permit by Permittee; and
  - b. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all of the terms, obligations, and conditions of this Permit.
4. **Modifications to project.** Any deviation from the approved site plan, floor plans, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the Permittee shall be required to apply for review and obtain approval of the Planning Commission or City Council, in accordance with the Zoning Ordinance. (P)
5. **Previous Planning Application:** Previously approved Planning Applications for a Site Development Permit No. SD12-0009, Conditional Use Permit UP12-0024, and Tentative Map No. MT12-0005 to allow the development of 474 dwelling units on 7.98 acres (59 dwellings/acre) in a multi-story building located at 450 Montague Expressway (APN: 86-037-004, -020, and -021) shall be rescinded and replaced completely with the adoption of this Resolution. (P)
6. **Conditions of Approval.** As part of the issuance of building permits, the Permittee shall include within the first four pages of the working drawings for a plan check, a list of all conditions of approval imposed by the final approval of the project. (P)

7. Written Response to Conditions. The Permittee shall provide a written response to the Conditions of Approval indicating how each condition has been addressed with the building permit application submittal. **(ALL)**
8. Permit Expiration. Pursuant to Section XI-10-64-06 of the Milpitas Zoning Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Section XI-10-64.06(B) of the Milpitas Zoning Code, an activity permitted by this Permit shall be deemed to have commenced when the project:
  - a. Completes a foundation associated with the project; or
  - b. Dedicates any land or easement as required from the zoning action; or
  - c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner. **(P)**
9. Time Extension. Pursuant to Section XI-10-64.07 of the Milpitas Zoning Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Division prior to the expiration date of the approval. **(P)**
10. Project Job Account. If Permittee's project job account is at any time delinquent or below the required deposit amount, City will not continue to review or process the application until Permittee's private job account is paid in full and the required deposit has been made. Additionally, prior to the issuance of any building permit or occupancy permit, as applicable, Permittee shall pay in full the project account balance and establish a remaining balance of at least twenty-five percent (25%) of the required initial deposit. **(P)**
11. Notice. Pursuant to California Government Code Section 66020, any protest filed in court relating to the imposition of fees, dedication, reservations, or other exactions to be imposed on the development project shall be filed within ninety (90) days after the date of the adoption of this Resolution. This provision serves as notice from the local agency to the Permittee that the ninety (90) day period in which the Permittee may file a protest has begun under California Government Code Section 66020(d)(1). **(P)**
12. Cost and Approval. Permittee shall fully complete and satisfy each and every condition set forth in this Resolution and any other condition applicable to the project to the sole satisfaction of the City. Additionally, Permittee shall be solely responsible and liable for the cost to satisfy each and every condition. Permittee shall pay all required fees and charges to City at the rate in effect at time of building permit issuance, or, the rate in effect when the fees and charges are due and paid in full to City. There is no vesting of any fees or charges with the adoption of this Resolution. **(P)**
13. Conditions. Each and every condition set forth in this Exhibit shall apply to the project and continue to apply to the project so long as the Permittee is operating the project under the permits and approvals in this Resolution.
14. Compliance with Laws. The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state, and federal laws, rules, regulations, guidelines, requirements, and policies. **(CA/P)**

Indemnification. To the fullest extent permitted by law, Permittee shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the project, including but not limited to, the approval of the discretionary permits, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, and (ii) Permittee's construction, operation, use, or related activity under this Permit. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. Permittee shall indemnify the City for all of City's costs, attorneys' fees, and damages which City incurs in enforcing the indemnification provisions set forth in this condition. Permittee shall pay to the City upon demand or, as applicable, to counsel of City's choosing, any amount owed pursuant to the indemnification requirements prescribed in this condition.

15. Revocation, Suspension, Modification. This Permit may be suspended, revoked, or modified in accordance with Section XI-10-63.06 of the Milpitas Zoning Code.
16. Severability. If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision, or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding, and fully enforceable. **(P)**
17. Permittee shall develop the approved project in conformance with the approved plans approved by the Planning Commission on March 25, 2015, in accordance with these Conditions of Approval. Any deviation from the approved site plan, elevations, materials, colors, landscape plan, or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the City Council or City Council, as applicable, in accordance with the Milpitas Zoning Code. **(P)**
18. Compliance with Fire Department and CA Fire Code. The Project shall comply with the requirements of the Milpitas Fire Department and the CA Fire Code. Changes to the site plan and/or building(s) requires review and approval by the Fire Department. **(F)**
19. CEQA REVIEW (2008 TASP FEIR & 2015 INITIAL: STUDY) : The project shall be subject to all applicable mitigation measures identified with the adopted 2008 TASP DEIR and FEIR (SCH# 2006032091) and those carried over into the 2015 Initial Study that was prepared for the project. The Permittee shall include a written response to the Mitigations identified in the

2015 Initial Study Document with the building permit submittal indicating how each mitigation has been addressed. **(P)**

20. Climate Action Plan Compliance. Prior to issuance of any building permit, the Permittee shall provide a final version of the Appendix C of the Climate Action Plan (CAP). The applicant shall clearly demonstrate compliance with the CAP. **(P)**
21. Project Phasing Plan: The Permittee shall submit a separate project phasing plan to the Building Department for review. The phasing plan shall be consistent with all construction timing conditions contained within the approval and address access, public safety, fire safety and solid waste access during construction. The Permittee shall contact the Building Department for complete building permit submittal requirements. **(ALL)**
22. Garage Parking for the Stacked Flats: The garages spaces for the stacked flats shall be maintained and available for parking for two cars at all times. In addition, the upper panel of the garage doors shall be maintained with clear glass to allow for visual inspection by the property management or Home Owners Association (HOA), this shall be noted in the CC&Rs. The property manager or HOA shall be responsible for enforcement of parking in private garages. **(P)**
23. On-Site Security: The Permittee shall provide 24 hour security of the site to ensure that no additional vandalism occurs on the site until the existing buildings have been demolished and the entire site is secured. The applicant shall keep the site clean and free of debris. **(P)**

## **PROJECT SPECIFIC CONDITIONS**

24. Construction Timing: Building Permit for no more than 69 of the stacked flat units may be issued before issuance of the podium structure building permit (building 1). No more than 103 of the stacked flats may receive occupancy before completion of the podium for the apartment building and occupancy has been received for the first phase. The actual numbers of the stacked flats may vary slightly to accommodate the building type and phasing plan subject to review and approval by the Director of Planning and Neighborhood Services. **(ALL)**
25. Architectural Details. Prior to issuance of any building permit, the following shall be demonstrated in the construction plans for the project:
  - a. The stucco texture for the walls of the building shall be of sand 20/30 finish.
  - b. The stucco for all trim features around windows and doors shall be a trowel smooth finish.
  - c. The plans shall clearly demonstrate a 1.5"-2" inch recess for all windows located in stucco wall faces. The applicant may propose alternatives to achieve the recess subject to review by the Planning Director.
  - d. The Cementitious Panels shall be mounted in a manner that is clean and consistent with the architectural style. The applicant shall provide a mock-up for staff review and approval prior building permit issuance.
  - e. The raised planter beds located around the podium building shall be consistent with the masonry veneer (color and texture) located at the leasing lobby and second entrance.
  - f. The white bay elements on building 1-foot shall be reduced in height by 1 foot.

- g. The exterior material for the white bay elements shall be further refined to enhance the elements by using a smooth three coat hand troweled stucco surface.
  - h. Final details for the balcony railings for both product types shall be provided to Planning Division for review and approval. The railings shall be a high quality material and provide architectural interest.
  - i. The entry elements for Stacked Flats Buildings B and E (6-Plex) shall be further enhanced with the use of specimen trees adjacent to the entry and enhance entry awning.
- All architectural conditions shall be reviewed and approved by the Director of Planning and Neighborhood Services prior to issuance of building permits for any construction. **(P)**

26. Landscape/Hardscape. Prior to issuance of any building permit, the following shall be demonstrated in the construction plans for the project:
- a. All benches and low walls shall be constructed with a patterned inset to discourage skateboarding.
  - b. The plant material palette shall be enhanced to include additional seasonally fragrant plants. The landscape plan legend shall clearly identify fragrant plant species.
  - c. Plantings around the trash enclosure shall be enhanced to include climbing vines on the enclosure and taller evergreen screening such as Fern Pine (*Podocarpus*).
  - d. An alternate plant for *Sequoia Sempervirens* will need to be included in the building permit set. This species will not grow with reclaimed water.
  - e. Raised planter beds around the stacked flats shall be covered in a material that is complimentary to the development.
  - f. Exposed CMU or split faced CMU is not allowed. All CMU will need to be treated appropriately to compliment the buildings and site. **(P)**
27. Public Parks: Both public parks and associated amenities shall be fully constructed and accepted by City before the 75% occupancy of the development. **(P)**
28. Creek Trail Connection: The trail shall provide a connection (along the private property) to the adjacent site to the east (730 E Capitol). The pedestrian path will need to extend along the side of the trash enclosure to the EVA and consistent with TASP Figure 3-6. In addition, the Permittee shall install a new decomposed granite trail along the creek on the maintenance road. That Permittee shall be responsible for all permitting required from the SCVWD and other agencies. **(P)**
29. Mechanical Venting: All horizontal mechanical venting shall be located on the balconies of each unit or a return wall. If neither option is available, then venting shall be directed through chase to the roof. All vent covers on the exterior shall be the minimum size needed, painted to match the building and be clearly indicated on the architectural elevations. Venting for the on-demand water heaters shall be a high quality material (see Taylor Morrison on McCandless) and may be located above the garage doors for the stacked flats and on the balconies in Building 1 if used. The Permittee may propose some alternatives to achieve the goal of screening all mechanical venting, the applicant shall submit a proposal for review by the Planning Director. **(P)**
30. Signs: The Permittee shall submit project identification signs for the review by the Planning Division prior to any Building Permit issuance. **(P)**



31. Density Averaging Agreement: Prior to Final Map approval, the Permittee shall be required to enter into a Density Averaging Agreement. The Density Averaging Agreement shall be signed by the Permittee and recorded prior to approval of the Final map. **(P)**
32. County Transportation Approval: The Permittee shall obtain final approval from the County Transportation Department prior to issuance of building permits for any site improvement adjacent to County right of way. **(P)**
33. Santa Clara Valley Water District (SCVWD): The Permittee shall obtain final approval from the SCVWD for trail improvements on along the creek maintenance road. Final approval and construction shall be completed prior to final occupancy for the last phase in the development (the Phasing Plan shall clearly denote this requirement). **(P)**
34. Public Improvements. Prior to final map approval, the Permittee shall obtain design approval and bond for all necessary public improvements along Capitol Avenue and Montague Expressway including but not limited to the following:
- a. Right of Way. The Permittee shall dedicate all necessary rights-of-way and public easements to the City for the proposed public sidewalk improvements and utilities to the satisfaction of the City Engineer.
  - b. Frontage Improvements. Prior to final map approval, Permittee shall submit improvement plans for the frontage improvements along Montague Expressway and Capitol Avenue including curbs, gutters, sidewalks, pavement, striping, hardscape, streetlights, landscaping, trees, irrigation, and utilities in conformance with the Transit Area Specific Plan, City Standard Drawings and guidelines to the satisfaction of the Planning Director and the City Engineer.
  - c. Pedestrian Creek Trail. Prior to final approval or building permit issuance, the Permittee shall submit improvement plans for the Pedestrian Creek Trail. The trail shall be designed to drain away from the Penitencia Creek. All run-off from impervious surface shall be treated prior to discharge to the creek or the public storm drain system. Permittee shall submit written approval from the Santa Clara Valley Water District for the trail plans.
  - d. Utility Relocation. Underground utilities (such as joint trench conduit, utility boxes, etc.) shall be relocated and adjusted as necessary to accommodate the approved frontage sections to the satisfaction of the Planning Director and the City Engineer.
  - e. Occupancy. All public improvements shall be installed and accepted prior to the issuance of the first Certificate of Occupancy. **(E)**
35. Onsite Improvements.
- a. Plan Set Coordination. Permittee shall coordinate all plans showing landscape, utility, and hardscape improvements in order to resolve conflicts. **(ALL)**
  - b. Modifications to the Site Plan. Any modifications to the site plan shall require an amendment to the tentative map unless otherwise directed by the Planning Director and the City Engineer.
  - c. Storm Water Control Plan (SWCP). Prior to building permit issuance, the Permittee shall revise the SWCP to increase the amount of LID treatment within the project boundary.

Credit for Special Project status will not be applied until all LID treatment opportunities are exhausted on the site to the satisfaction of the City Engineer. All changes shall be reflected on the SWCP report and plan sheet. The treatment summary sheet shall be updated.

- d. Interim Bioretention Treatment. Permittee shall maintain the interim 100% LID treatment facility located on the future Building 18 site until issuance of the building permit for the superstructure of Building 1.
- e. Utility Meter Layout. The Permittee shall include a detail in the Site Improvement plan set showing the size, dimensions, and layout of all utility meters and associated appurtenances. The layout design shall comply with all separation and access requirement.
- f. Building Permit Issuance. The Permittee shall follow the floodplain removal protocol outlined in the project's floodplain analysis. Construction permits will not be issued until each milestone in the analysis is achieved.
- g. Floodproofing. The Permittee shall provide a separate floodproofing report describing the floodproofing for all structures that are not removed from the Special Flood Hazard Area. The report shall demonstrate compliance with NFIP Regulations and technical bulletins. The report shall include the floodproofing of mechanical equipment, elevator shaft and equipment, and utilities. Floodproofing details shall also be included in the site improvement plan set and on the floodplain management sheet.
- h. Site Improvement Plan Set. Prior to any building permit issuance, the Permittee shall submit a complete site improvement plan set, including but not limited to a separate plan sheet for floodplain management, storm water control, emergency vehicle access, and solid waste handling.
- i. Retaining Wall at Street B. The Permittee shall revise the design of the retaining wall to allow for the capture/conveyance of runoff received at the property line. **(E)**

36. Transportation & Traffic Engineering.

- a. Emergency Vehicle Access (EVA). The Permittee shall provide a 26' Emergency Vehicle Access easement along Street B on the subject site. **(P/E)**
- b. Temporary Right-Out Access to Capital Avenue. Right-out vehicular access on to Capital Avenue is authorized on a temporary basis until the West Leg of S. Milpitas Boulevard Extension (WLSMBE) and the private street along Penitencia Creek are constructed and open to the public. Upon the acceptance of WLSMBE, right-out access to Capital Avenue shall be revoked and the Permittee, and all successors in ownership, shall design and construct all on-site and off-site improvements necessary to restrict the vehicular access on to Capital Avenue to the satisfaction of the City Traffic Engineer. Prior to building permit issuance, the Permittee shall include the design of the ultimate vehicular access to Capital Avenue in the construction documents submitted for onsite and offsite approvals. The Permittee shall provide full disclosure of the temporary right-out access on Capital Avenue to all future residents, tenants, and home owners/property management associations of this

- development. This condition and all associated exhibits shall be included in the Conditions, Covenants, and Restrictions (CC&R) for both associations. **(E)**
- c. Right-Out Access to Montague Expressway. Prior to final map approval, the Permittee shall obtain Santa Clara County Roads and Airports' (County) approval of the final access design for right-in and right-out vehicular access to Montague Expressway. If County approval is not obtained, the Permittee shall revise the site plan and amend the tentative map to the satisfaction of the Planning Director and the City Engineer. **(E)**
  - d. Montague Expressway Pedestrian Bridge Overcrossing & Land Dedication: The Permittee shall be responsible for the design, construction drawings and land dedication to accommodate the Montague Expressway Pedestrian Bridge Overcrossing as identified in the TASP. The following items shall be required:
    - i) Conceptual Design Study: The Permittee shall submit conceptual designs for the pedestrian overcrossing over Montague Expressway adjacent to Penitencia Creek prior to Final Map Approval. The Conceptual Design shall include studies, survey information and three bridge design alternatives for architectural design. The applicant shall also coordinate with the County during the development of the design document.
    - ii) Construction Drawings: The Permittee shall submit 30% construction drawings prior to First Occupancy and Final Construction drawings by 75% occupancy of the project. The final construction documents shall include all studies, reports, estimates, easements, and dedications required to complete the design and shall be submitted to the City for review and approval. Final construction drawings shall not commence until the conceptual design is approved by the City and the Santa Clara County Roads and Airports. The City Engineer and Planning Director may grant additional time to satisfy this condition due to coordination with outside agencies. The Permittee shall request changes in the timeline in writing and included a revised project schedule for review and approval. The Permittee shall dedicate all land and easements required to construct, access, and maintain the overcrossing structure and landing.
    - iii) TASP Credit: The pedestrian overcrossing over Montague Expressway is an identified Transit Area Specific Plan (TASP) item and costs for the design and construction drawings will be credited through the TASP Fee Structure. Fee credit will not be provided until all items above have been completed and all supporting documentation verifying all associated costs. All costs shall be tracked separately from the Penitencia Creek Bridge costs. Final credit will be subject to City review of all materials provided. Prior to Final Map Approval, a separate Fee Credit shall be entered into between the parties. **(P/E)**
  - e. West Leg of S. Milpitas Boulevard Extension (WLSMBE). The construction of WLSMBE is a required improvement for the ultimate circulation of the 450 Montague Expy, 730 E Capital, and 750 E Capital developments. The design of WLSMBE shall include the design of the East Penitencia Creek Vehicular/Pedestrian Crossing and all related utility relocations. The roadway dedication, design, permitting, and construction of WLSMBE and all associated designs, studies, reports, permits and improvements are a shared cost between the three developments and the costs are distributed in proportion to each development's land area. The Permittee shall comply with the following:

- i) East Penitencia Creek Vehicular/Pedestrian Crossing Feasibility Study. Prior to Final Map Approval, the Permittee shall submit a study analyzing:

- (1) the feasibility of a vehicular/pedestrian bridge across East Penitencia Creek,
- (2) the feasibility of alternative crossings, and
- (3) a final recommendation based on cost, design, constructability, schedule, permitting (including CEQA), and maintenance.
- (4) the feasibility of incorporating potable water and recycled water pipelines in the bridge deck.

The study shall include outside agency coordination, utility relocation, and engineering estimates for design, construction and permitting of each alternative. The feasibility study shall also identify the required permitting for each alternative.

- ii) East Penitencia Creek Vehicular/Pedestrian Crossing. Prior to first occupancy, the Permittee shall submit construction documents, including plans, studies, reports, and estimates for the alternative identified in the feasibility study or as directed by the City Engineer for review and approval.

- iii) East Penitencia Creek Vehicular/Pedestrian Crossing. The East Penitencia Creek Vehicular/Pedestrian Crossing is an identified Transit Area Specific Plan (TASP) item and costs for the feasibility study and construction drawings will be credited through the TASP Fee Structure in a separate Fee Credit Agreement to be approved by the City Council prior to final map approval. Final reimbursement would occur after all documents have been provided to the City for review and approval and all supporting documentation for all costs associated with the study and design. These documents shall be tracked separately from the WLSMBE and Pedestrian Overcrossing documents. The Permittee will receive the reimbursement once all materials have been received and processed. (E)

- iv) WLSMBE Design. Prior to Final Map, the Permittee shall prepare design documents for the WLSMBE Extension. WLSMBE shall extend from Capitol Avenue to East Penitencia Creek and shall align with the proposed S. Milpitas Boulevard Extension from Montague Expressway to Capital Avenue. The WLSMBE typical cross-section shall conform to the TASP approved sections and shall include, but not be limited to, one 11' southbound lane, one 11' northbound lane, one 11' northbound right turn lane, a Class II bike lane in each direction of travel, a 4' minimum raised median island, an 8' parking lane on one side of the street, a 7' planting strip, and 5' sidewalk on each side of the street or as directed by the Planning Director and the City Engineer. WLSMBE design shall include buried utilities such as potable water pipe, pressure reducing valve and vault, recycled water pipe, storm drain pipe, and sanitary sewer pipe. The pressure reducing valve shall be connected into the Zone 2 piping on the east side of Capitol Avenue and the Zone 1 piping on the west side of Capitol Avenue. The WLSMBE street elevation shall be designed and constructed to accommodate the future crossing over East Penitencia Creek pursuant to the TASP-designated street network and the East Penitencia Creek Crossing feasibility study.

- v) WLSMBE Improvements. Prior to first occupancy, the Permittee shall submit construction documents, including plans, studies, reports, and estimates for the WLSMBE Improvements to the City for review and approval. The construction documents shall include all related improvements such as the relocation of existing utilities and the installation of traffic signals. Prior to the issuance of any Certificate of Occupancy, the Permittee shall pay for WLSMBE improvements pursuant to the condition below to the satisfaction of the City Engineer.
  - vi) WLSMBE Cost Share. Prior to first occupancy, the Permittee shall submit an engineer's estimate for all associated costs for the WLSMBE design, construction, management, and land cost assumption of 12% of the total cost of the project and an ENR Construction Cost Index projected out 5 years to the satisfaction of the City Engineer. The Permittee shall pay to the City a fair share contribution of 53% (based on site area of 10.47 acres) of the estimated costs. The Permittee fair share contribution shall be credited for all design costs. The Permittee shall pay the fair share contribution at Final Occupancy or final approval of construction plans or whichever occurs first. (E)
  - f. Future Traffic Signal at Capitol and WLSMBE. Prior to building permit issuance, the Permittee shall pay a fair share contribution for the construction of a new traffic signal at the E. Capitol Avenue and WLSMBE intersection. (E)
37. Utilities. The Permittee shall comply with the following conditions:
- a. Water System. Project shall be served by SCVWD Zone 1. A Water Supply Assessment is not required. Contractual water capacity is available. (E)
  - b. Water Service. Building 1 shall be served by separate water meters for domestic and fire services. All landscape located inside the Building 1 footprint shall be served by a separate irrigation meter. Buildings 2-18 may be served by a combined domestic and fire service. Each parcel shall have independent service or shall provide recorded documents allowing reciprocal shared rights. Permittee is alerted that on-site pumping to upper floors may be required. Permittee shall provide backflow protection on all water connections, including fire services, in accordance with City guidelines and USC Manual of Cross Connection Control. (E)
  - c. Hydraulic modeling is required to verify capacity of the adjacent water system piping and determine points of connection to the water and sanitary sewer systems. Permittee shall authorize the City to proceed with hydraulic modeling. All charges shall be applied to Permittee's PJ Account. (E)  
Waterline Relocation. Permittee is proposing to relocate the public water line in Montague Expressway. The water pipeline shall be located in Montague Expressway, subject to the City and County discretion on the location. Permittee shall connect the southern point of the relocated water line to the water line at Centre Pointe Drive in order to insure reliability looping. (E)
  - d. Montague Expressway Waterline Easement. Prior to final map approval, the Permittee shall secure an easement, for the City of Milpitas benefit, from Santa Clara County for the installation and future maintenance of the relocated water line within the Montague

Expressway right-of-way. The water line shall be placed into service prior to issuance of the first occupancy. If the easement is not needed the Permittee may provide a letter from the County indicating that is not needed and it will be subject to review by the City Engineer. (E)

- e. Public Landscaping. Street frontage landscaping shall be served by recycled water. The public portion of the proposed recycled water pipelines shall be a minimum of 8 inches in diameter. The Permittee shall install a gate valve and blind flange on the southerly leg of tee to accommodate future extension of the recycled water system. (E)
- f. Water Supply Emergency. The City Council has declared a water supply emergency and enacted a Water Shortage Contingency Plan. The project is required to use recycled water for construction purposes such as dust control and compaction. Landscape planting shall be deferred for any areas designated to use potable water, such as internal podium areas. (E)
- g. Existing Utilities. All existing public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas. (E)
- h. Multistory Buildings. The apartment building shall require water supply pressures above that which the city can normally supply. Additional evaluations by the Permittee are required to assure proper water supply (potable or fire services). The Permittee shall submit an engineering report detailing how adequate water supply pressures will be maintained to the satisfaction of the City Engineer and the Fire Marshall. (E)
- i. Utilities near Buildings. Building foundations adjacent to public utilities shall be designed to be self-supporting such that the building weight is not required to be supported during shoring and excavation of adjacent utilities.
- j. Solid Waste Service. This site is recommended to use roll-off style solid waste service. The Permittee shall provide sufficient facilities for on-site storage and collection of solid waste and recyclables. Permittee shall provide a Solid Waste Handling Plan showing how materials will be transferred from Buildings 1-18 to the trash enclosure/external collection point. The Solid Waste Handling Plan shall also address other requirements, such as compaction, chute shut-off, sufficient number of bins, and property management responsibility for bin management and positioning. The Permittee shall demonstrate that sufficient space is provided at Building 1 basement trash areas to house extra containers and the vehicle that will transport the containers to the compactor. Applicant to demonstrate that the site plan provides sufficient space for the solid waste vehicle to perform collection and turn around on-site or provide proof of easement from adjacent property. Permittee shall procure sufficient service frequency and shall provide a minimum of 15 feet vertical (overhead) clearance at the trellis. Permittee shall provide a plan showing solid waste setout locations for Buildings 2-18 that do not block parking spaces. All solid waste collection facilities shall comply with City guidelines. The compactors



shall be installed and functional prior to issuance of occupancy of the 80th dwelling unit.  
(E)

- k. Solid Waste. Prior to issuance of any certificate of occupancy, Permittee shall construct a new trash enclosure to serve the project. The enclosure shall accommodate the required two self-contained compactors at minimum to serve this development. The proposed enclosure shall be designed per the Development Guidelines for Solid Waste Services and enclosure drains must discharge to sanitary sewer line. The enclosure will be subject to the City's review/approval prior to construction of the enclosure. (E)
- l. Off-Site Recycled Water. Prior to final map approval, the Permittee shall submit construction documents, including plans, studies, reports, and estimates to extend the City's recycled water pipeline. The work consists of installing approximately 1,800 linear feet of new 8 inch diameter recycled water pipeline in Great Mall Parkway starting at Centre Pointe, crossing Montague Expressway, running along Capitol Avenue, and tying into the Valley Transportation Authority's planned recycled water pipeline extension at South Milpitas Boulevard. Applicant shall secure an easement for the City of Milpitas benefit, from Santa Clara County for the installation and future maintenance of the relocated water line within Montague Expressway. Prior to the first certificate of occupancy, the Permittee shall construct the off-site recycled water pipeline. The Permittee may be reimbursed through the TASP Fee program for the portions of the recycled waterline not in front of their property. The Permittee shall keep accurate records of all construction costs for the installation and shall confer with Utility Staff regarding the segments that need to be tracked separately.

## FEES

38. Development Fees: Permittee shall submit the following items with the building permit application and pay the related estimated fees prior to building permit issuance:
  - a. Sewer Needs Questionnaire and/or Industrial Waste Questionnaire
  - b. Water Service Agreement(s) for water meter(s), detector check(s), and double check detector assembly.
  - c. Storm water connection fee of \$21,562 per acre.
  - d. Water, sewer and treatment plant fees will be calculated at the time of building plan check submittal.
  - e. Calaveras Blvd Widening Traffic Impact Fee of \$235 per residential unit and (in 2009 dollars) prior to building permit issuance. Fee shall be adjusted per ENR index rate at the time of building permit issuance.

Contact the Land Development Section of the Engineering Division at (408) 586-3328 to obtain the form(s). *The above fees are preliminary estimates and subject to change.* There is no vesting of the fees with the adoption of this Resolution. (E)

36. Transit Area Specific Plan (TASP) Fees - Prior to any building permit issuance, Permittee shall pay a Transit Area Development Impact fee. The amount of fee to be paid shall be the amount

in effect pursuant to the implementing City Council ordinance or resolution at the time full payment is made to the City at the time of building permit issuance.

37. Fee Adjustments: All applicable fees for the Project may be adjusted prior to building permit issuance. The amount of fee to be paid shall be the amount in effect pursuant to the implementing City Council ordinance or resolution at the time full payment is made to the City at the time of building permit issuance. (E)
38. Building Permit Automation Fee: Prior to any building permit issuance, Permittee shall pay all applicable development fees, as determined by the City Engineer in accordance with the most current approved fee schedule adopted by the City Council, including but not limited to, connection fees (water, sewer and storm), Transit Area impact fee, plan check and inspection deposit, and 2.5% building permit automation fee as approved by City Council Resolution No. 7590. (E)

#### **FINAL MAP (STANDARD)**

39. Community Facilities District (CFD) Annexation: Prior to final map approval, Permittee shall submit an executed consent to annex the subject property into CFD 2008-1 and shall agree to pay the special taxes levied by CFD 2008-1 for the purpose of maintaining the public services. The petition to annex into the CFD shall be finalized concurrently with the final map recordation or prior to any building permit issuance, whichever occurs first. Permittee shall comply with all rules, regulations, policies, and practices established by State Law and by the City with respect to the CFD including, without limitation, the requirements for notice and disclosure to future owners and residents. (E)
40. Final Map: Prior to issuance of any building permit, the final map shall be recorded. The final map submittal shall meet the following requirements:
- a. Provide a current title report with your final map submittal, not more than 90 days old.
  - b. All final maps shall designate all common lots and easements as lettered lots or lettered easements.
  - c. The final map shall clearly delineate the project property line and the County right of way line. County right of way and Project boundary should be contiguous.
  - d. All final maps shall be tied to the North America Datum of 1983 (NAD 83), California Coordinate of 1983, zone 3.
  - e. Permittee shall dedicate all necessary easements for public utilities, emergency vehicle access, solid waste collection, pedestrian corridors, sidewalks, trails, paths, parks and public access on the final map for acceptance by the City in compliance with the City's Engineering Guidelines and the approved Tentative Map.
  - f. Prior to recordation of any final map, Permittee shall submit to the City a digital copy of the approved final map in AutoCAD and GIS format. (E)
41. Homeowners/Property Management Association: Prior to final map approval, Permittee shall establish a Homeowners/Property Management Association ("Association"). The Association shall be responsible for the maintenance of the landscaping, walls, buildings, private street lights, common area and private streets and shall have assessment power. The Association



shall manage the onsite water, recycled water, storm, and sewer system and implement the Solid Waste handling plan. This information shall be clearly included in the Conditions, Covenants, and Restrictions (CC&R) and recorded documents. The CC&R document shall be submitted for review and approval by the City Engineer. **(E)**

## **CONSTRUCTION (STANDARD)**

42. Improvement Plans: Prior to final map approval, Permittee shall obtain design approval and bond for all necessary public improvements, including but not limited to the following:

- a. Removal and installation of new curb, gutter, and sidewalk, median modification or installation, signage and striping, street lights, street trees, fire hydrants, bus stop, and storm, water, and sewer service installation.
- b. All improvements plans shall be prepared using Vertical Datum of 1988 (NAVD 88). The specific city benchmark used for the project shall be indicated on the cover sheet of each improvement plan set.
- c. Plans for all public improvements shall be prepared on Mylar (24"x36" sheets) with City Standard Title Block and developer shall submit a digital copy of the Record Drawings AutoCAD and GIS format upon completion of improvements to the satisfaction of the City Engineer.
- d. Permittee shall also execute a secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials. The public facilities such as water meters, RP backflow preventers, sewer clean outs, etc., shall be placed so access is maintained and kept clear of traffic. **(E)**

43. Initial Acceptance: All improvements must be installed in accordance with the City of Milpitas standard drawing and specification, and shall be constructed to the City Engineer's satisfaction and accepted by the City prior to issuance of any final certificate of occupancy of any unit. **(E)**

44. Utility Undergrounding: Prior to issuance of the first Certificate of Occupancy, Permittee shall underground all existing wires and overhang utilities (except the distribution lines located at the upper end of the metal towers, lower lines shall be undergrounded) and remove all related poles within the proposed development and along all street frontages. All proposed utilities within the subdivision shall also be undergrounded. The improvement plans shall show all existing utilities within and bordering the proposed development, and clearly identify the existing PG&E wire towers and state wire voltage. All utility vaults, boxes, cabinets, and pedestals shall be identified and labeled on the improvement plans. Above ground utility facilities shall be underground, relocated, or screened to the satisfaction of the City Engineer and the Planning Director. **(E)**

45. Joint Trench Relocation: The joint trench shall be relocated in the field, if necessary, to accommodate the approved street layout (sidewalks, trees, streetlights, etc.) to the satisfaction of the City Engineer and the Planning Director. All joint trench structures (vaults, boxes, cabinets, etc.) shall be adjusted to the final grade. **(E)**

46. Encroachment Permit: Prior to any work within the public right of way or City easement, Permittee shall obtain an encroachment permit from City of Milpitas Engineering Division. Prior to installing offsite improvements, Permittee shall obtain an encroachment permit from the City of Milpitas and all necessary encroachment permits from other affected agencies and private parties, including but not limited to, Pacific Gas and Electric, SBC, Comcast, Santa Clara Valley Water District, Santa Clara County road and Airport Department, and Santa Clara Valley Transportation Agency (VTA). Copies of any approvals or permits shall be submitted to the City of Milpitas Engineering Division as a part of the encroachment permit review. (E)
47. Agency Approval: It is the responsibility of the Owner or Designee to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric, SBC, Comcast, Santa Clara Valley Water District and Caltrans. Copies of any approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
48. Construction Schedule: Prior to start of any construction, Permittee shall submit a construction schedule and monitoring plan for City Engineer review and approval. The construction schedule and monitoring plan shall include, but not be limited to, construction staging area, parking area for the construction workers, personnel parking, temporary construction fencing, and construction information signage and establish a neighborhood hotline to record and respond to neighborhood construction related concerns. Permittee shall coordinate their construction activities with other construction activities in the vicinity of this project. Permittee's contractor is also required to submit updated monthly construction schedules to the City Engineer for the purpose of monitoring construction activities and work progress. (E)
49. Demolition: All utilities shall be properly disconnected before the building can be demolished. Show (state) how the water service(s), sewer service(s) and storm service(s) will be disconnected. The water service shall be locked off in the meter box and disconnected or capped at main line in the street if the water meter is not to be used. The sanitary sewer shall be capped at the clean out near the property line or approved location if it is not to be used. The storm drain shall be capped off at a manhole or inlet structure or approved location if it is not to be used. (E)
50. Maximum Slopes: All slopes adjacent to public sidewalks and streets shall be designed to a maximum grade of 4:1 slope. The grading design shall also provide a 1' flat bench at the top and bottom of the slope adjacent to the public sidewalks, streets, or pathways. (E)
51. Tree Removal Permit: In accordance with COMC Chapter 2, Title X (Ord. 201), Permittee may be required to obtain a permit for removal of any existing tree(s). Contact the Public Works Department at (408) 586-2600 to obtain the requirements and forms. (E)
52. Underground Service Alert (USA): Permittee shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hrs prior to construction for location of utilities. (E)
53. Mailboxes: Prior to installation of mailboxes, Permittee shall obtain approval from the US Postal Services and submit documentation to the City for review. Structures to protect

mailboxes may be required as a result of the Building, Engineering and Planning Divisions review. (E)

## **FLOODPLAIN MANAGEMENT (STANDARD)**

54. Special Flood Hazard Area: The proposed development is located within the Special Flood Hazard Area (SFHA), and, therefore, shall comply with the National Flood Insurance Program (NFIP) Title 44 of the Code of Federal Regulations and the City of Milpitas (City) Flood Plain Management Regulations, City of Milpitas Code (COMC) Title XI Chapter 15. Prior to final map approval or any building permit issuance, Permittee shall obtain a Conditional Letter of Map Revision (CLOMR) or a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA), conditionally approving the revised floodplain or the removal of the development from the SFHA. Permittee shall also obtain a Letter of Map Revision (LOMR) or a Letter of Map Revision based on Fill (LOMR-F) and shall provide all elevation certificates prior to final building inspection or issuance of certificate of occupancy for any portion of the development. The proposed grading plan shall comply with the established BFE as determined in the final flood study report, the approved CLOMR or CLOMR-F, or the official FEMA Federal Insurance Rate Map (FIRM). (E)
55. Floodplain Management Ordinance: Per Chapter 15, Title XI of Milpitas Municipal Code (Ord. No. 209.4) the lowest floor elevation (finished floor) of each structure shall be at least one foot above the Base Flood Elevation (BFE). The structure pad(s) shall be properly designed by a registered civil engineer and compacted to meet FEMA's criterion. In addition, the pad(s) shall extend beyond the building walls before dropping below the base flood elevation, and shall have appropriate protection from erosion and scour. All electrical equipment, mechanical equipment, and utility type equipment servicing the structure shall be located above the BFE, or shall be flood proofed, and shall be constructed to prevent damage from flooding events. Any trailers, modular buildings, or pre-manufactured dwelling units located on this site for periods of time greater than one year, shall be adequately anchored to resist flotation, collapse and lateral movements per Floodplain Management Ordinance. The Owner or Designee's civil engineer shall complete and submit several FEMA Elevation Certificates to the City at different stages of the construction. Flood insurance is required for any construction that is financed with government backed loans. (E)
56. Flood Study: Prior to final map approval or any building permit issuance, Permittee shall submit a Flood Study for the project demonstrating, to the satisfaction of the City Engineer, that the proposed development has NO adverse impact to the surrounding flood plain within the SFHA and to flood carrying capacity of the area. The study should include cumulative effects of existing and proposed developments demonstrating the combined effects will not increase the water surface elevation of the Base Flood (BFE) more than one foot at any point. For the AO Flood Zone, the flood study is required to establish the BFE, and set the building elevation accordingly. The flood study shall be consistent with the requirements in accordance with Title 44 of the Code of Federal Regulations by establishing a hydraulic model and HEC-RAS. (E)

57. Drainage Study: Prior to final map approval or any building permit issuance, Permittee shall submit a final grading plan and hydrologic/hydraulic study prepared by a registered Civil Engineer, consistent with the approved CLOMR. The drainage study shall analyze the existing and ultimate conditions and facilities. The study shall be reviewed and approved by the City Engineer and Permittee shall satisfy the conclusions and recommendations of the approved drainage study. **(E)**
58. Elevation Certificates: Permittee shall submit an elevation certificate for each lot or structure that is to be removed from the SFHA:
- a. Prior to any grading permit issuance, based on an approved grading plan. This elevation certificate shall contain all proposed grades applicable and shall be required in order to receive community acknowledgement for the CLOMR or CLOMR-F application.
  - b. Prior to building foundation pour, based on finished formwork while the building is under construction. If Permittee intends to apply for a LOMR or LOMR-F prior to finished construction, this elevation certificate shall be submitted after the foundation pour and shall be based on existing finished floor and adjacent grades. It shall be required in order to receive community acknowledgement for the LOMR or LOMR-F application.
  - c. Prior to occupancy of each building or structure, based on finished construction. This elevation certificate shall contain all required finished grades and shall be based on existing information.
  - d. Prior to final occupancy, Permittee shall submit a binder containing all the elevation certificates produced for the each phase of the project. **(E)**

#### **CLEAN WATER (STANDARD)**

59. Construction Storm Water Quality: Permittee shall comply with the requirements of the National Pollution Elimination Discharge System (NPDES) permit as administered by the California State Water Resources Control Board (State Board) and the San Francisco Bay Regional Water Quality Control Board (Regional Board). Prior to the issuance of any building, demolition, or grading permit, Permittee shall submit an Erosion and Sediment Control Plan (Erosion Control Plan) as a part of the improvement plan submittal. The erosion control plan shall show all construction best management practices (BMPs) and shall comply with the requirements of the NPDES, the Municipal Regional Permit Order R2-2009-0074 (MRP), and the City's stormwater and urban runoff pollution control standards and guidelines (City's Clean Water Program). Permittee shall ensure that all contractors and sub-contractors install and regularly maintain all construction BMPs as required by the approved erosion control plan, the COMC, and the City's Clean Water Program. **(E)**
60. Construction General Permit Compliance: Permittee shall comply with the requirements of the Construction General Permit as administered by the State and Regional Boards. Permittee shall obtain a Construction Activities Storm Water General Permit (State Permit) from the State Board. Prior to any construction activities and prior to the issuance of any building, demolition, or grading permit, Permittee shall submit:

- a. a complete Storm Water Pollution Prevention Plan (SWPPP) with the project Waste Discharge Identification Number (WDID) displayed on the cover,
- b. a copy of the approved Notice of Intent (NOI) from the State Board, and
- c. an erosion control plan and a site monitoring plan meeting the satisfaction of the City Engineer.

Permittee shall ensure that all contractors and sub-contractors install and regularly maintain all storm water quality control measures as required by the approved SWPPP, the approved erosion control plan, the COMC, and the City's Clean Water Program.

Prior to final occupancy, Permittee shall submit an approved Notice of Termination (NOT). For phased occupancy, Permittee shall submit a Change of Information (COI) or an NOT approved by the State Board that removes each phase of occupancy from the boundaries of the State Permit prior to the issuance of occupancy for that phase. Contact the State and Regional Boards for questions regarding your specific project. For general information, contact the City of Milpitas Engineering Division at (408) 586-3329. (E)

- 61. Post-Construction Storm Water Quality: Permittee shall comply with the requirements of the MRP for post-construction storm water treatment (provision C.3 regarding new development and redevelopment requirements for regulated projects) and the City's Clean Water Program. Permittee shall submit a final, certified storm water quality control plan (SWCP), a SWCP sheet, and a post-construction BMP operations and maintenance plan (O&M) in accordance with the City's Clean Water Program and meeting the satisfaction of the City Engineer. (E)
- 62. Storm Water Quality Control Plan (SWCP): Prior to final map approval or any building permit issuance, Permittee shall submit a separate final or amended existing SWCP that incorporates post-construction BMPs for the treatment of storm water run off from all areas of the parcels. The SWCP shall incorporate source control, site design, and storm water treatment consistent with the MRP requirements and the City's Clean Water Program.
  - a. The SWCP shall comply with all "Model Conditions of Approval for Stormwater Quality" as shown in the Stormwater Section of the Engineering Plans and Map Procedures and Guidelines, dated July 15, 2010 and are hereby incorporated as conditions of project approval.
  - b. The final SWCP shall be certified by a third party reviewer from the MRP approved list of certifiers. The third party reviewer shall certify that the SWCP complies with the MRP requirements. A list of qualified reviewers can be found at the Santa Clara Valley Urban Runoff Pollution Prevention Plan (SCVRPPP) website (<http://www.scvrppp-w2k.com/>)
  - c. O&M Plan: The final SWCP shall include an Operation and Maintenance (O&M) Plan, acceptable to the City Engineer, describing the operation and maintenance procedures needed to insure that storm water treatment measures continue to work as intended and do not create a nuisance (including vector control). The plan shall include all BMP details, a location map, a maintenance schedule, and inspection and reporting templates. The

treatment measures shall be maintained for the life of the project. The storm water control operation and maintenance plan shall include the Permittee's signed statement accepting responsibility for maintenance until the responsibility is legally transferred.

- d. O&M Agreement: Prior to final occupancy, Permittee shall execute and record an O&M Agreement with the City for the operation, maintenance, and annual inspection of the C.3 treatment facilities. Permittee shall submit documentation of inspection and maintenance to the City's Utility Section annually for reporting to the Regional Board.
- e. Permittee shall include language in the approved CC&R providing the City with an annual inspection report in conformance with the approved O&M plan and agreement. If the City does not receive the report, the City will conduct the field inspection and report for the site and the applicant and its successor shall be responsible to pay all associated costs.
- f. Format: The SWCP shall comply with the City's Standard SWCP formatting policy.
- g. All permit applications shall be consistent with the applicant's final Storm Water Control Plan and approved special conditions, and shall include drawings and specifications necessary to implement all measures described in the approved Plan. Onsite improvement plans shall show the details and methods of construction for site design features, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants. Site design shall limit directly connected impervious areas. Any changes to the final Storm Water Control Plan shall require Site & Architectural ("S" Zone) Amendment application review.
- h. Storm Water Control Plan Sheet: A plan sheet shall be included in the offsite and onsite improvement plans for Storm Water Control. The sheet will show and label all drainage areas, treatment measures, drainage flow lines, high points, and low points. Each treatment measure shall have an independent drainage area which shall be designated. The sheet will provide sections and details for grading, drainage, and treatment measures. The sheet will include a table correlating the drainage areas to the treatment measures and summarizing the treatment provided.
- i. Storm Water Control Inspection: Prior to initial acceptance of public improvements or initial occupancy for private improvements, the Third Party Certifier of the SWCP shall submit post-construction certification verifying that the post-construction BMPs have been installed correctly and are functioning properly. **(E)**

## **UTILITIES (STANDARD)**

63. Utility Protection. All existing public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas. **(E)**

64. Utility Capacity. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval. (E)
65. Utility Studies. Prior to final map recordation, Permittee shall submit and obtain approval from the City Engineer of the water, sewer, and storm drainage studies for this development. These studies shall identify the development's effect on the City's present Master Plans and the impact of this development on the trunk lines. If the results of the study indicate that this development contributes to the over-capacity of the trunk line, it is anticipated that the developer will be required to mitigate the overflow or shortage by construction of a parallel line or pay a mitigation charge, if acceptable, to the satisfaction of the City Engineer. (E)
66. Utility Modeling. Hydraulic modeling is required to verify the capacity of the adjacent water and sewer system piping and determine points of connection. Permittee shall authorize the City to proceed with hydraulic modeling and the costs of the modeling shall be charged to Applicant's PJ Account. (E)
67. Sanitary Sewer Discharge. Prior to any discharge into the sanitary sewer system, Permittee shall obtain all required industrial wastewater discharge approvals from San Jose/Santa Clara Water Pollution Control Plant (WPCP) by calling WPCP at (408) 277-2755. (E)
68. Per Chapter 6, Title VIII of Milpitas Municipal Code (Ord. No. 240); the landscape irrigation systems for street landscape, Park A, Park B, and the project site must be designed to meet the City's recycled water guidelines and connect to recycled water system. To meet the recycle water guideline the developer shall:
- a. Design the landscape irrigation for recycled water use. Use of recycled water applies to all existing rehabilitated and/or new landscape.
  - b. Design the irrigation system in conformance to the South Bay Water Recycling Guidelines and City of Milpitas Supplemental Guidelines. Prior to building permit issuance the City will submit the plans to the California Department of Public Health (CDPH) for approval; this approval requires additional processing time. The owner is responsible for all costs for designing and installing site improvements, connecting to the recycled water main, and processing of City and CDPH approvals. Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain copies of design guidelines and standards.
  - c. Protect outdoor eating areas from overspray or wind drift of irrigation water to minimize public contact with recycled water. Recycled water shall not be used for washing eating areas, walkways, pavements, and any other uncontrolled access areas.
- (E)

- d. The on-site recycled water irrigation system shall be split into several parallel systems to the satisfaction of the City Engineer. The purpose is to match construction phasing in order to allow recycled water use at the final occupancy for each phase. For example: Parks A and B would be on one meter, the podium building would be on one meter, the street landscape would be on a separate meter, and the landscaping around the condominiums would be served by two separate meters.

69. Landscaping Ordinance 238. In accordance with the provisions of Chapter 5, Title VIII (Ordinance 238) of the COMC for new or rehabilitated landscaping areas equaling 2500 square feet or greater, the applicant shall:

- a. Provide separate water meters for domestic water service & irrigation service.
- b. Provide separate domestic meters for each proposed use (Residential, Food Services, Commercial/Office).
- c. Comply with all the requirements of Ordinance 238.
- d. Submit two sets of landscape and irrigation improvement plans to the Building Division with the building permit plan check package. Prior to any building permit issuance, Approval from the Land Development Section of the Engineering Division is required prior to any building permit issuance, and submittal of the Certificate of Substantial Completion is required prior to final occupancy inspection. (E)

Contact the Land Development Section of the Engineering Division at (408) 586-3329 for information on the submittal requirements and approval process. (E)

#### **SOLID WASTE MANAGEMENT & RECYCLING (STANDARD)**

70. Solid Waste Handling Plan (Report). Prior to Final Map approval or any building permit issuance, Permittee shall submit a final Solid Waste Handling Plan that incorporates the following solid waste handling requirements and meeting the satisfaction of the City Engineer:

- a. A description of the Solid Waste Services required for the development per the Development Guidelines for Solid Waste Services (Development Guidelines). The description shall include sizing calculations, type of service (front load bins, roll-off compactors, etc.), size of bins, and level of service (e.g. number of pick ups per week).
- b. A description of the Solid Waste Operation at ultimate build out and for each phase of the development.
- c. A detail of the solid waste enclosure designed per the Development Guidelines for Solid Waste Services to house all service described above and all necessary equipment. The enclosure design shall provide adequate access for the solid waste truck, and allocate enough space for the solid waste truck operation without impacting the proposed private street. The access to the location and size of the enclosure shall be designed to the City Engineer's satisfaction and shown on the plans prior to any building permit issuance.
- d. A solid waste handling plan sheet shall be incorporated in the site improvement plan set containing the enclosure detail, a sizing table, a service table, a description of the solid waste operations, and truck turning templates for collection vehicles.



- e. The enclosure drains shall discharge to the sanitary sewer line. Storm drain inlets shall be located at least 25 feet away from enclosures to prevent accidental spills from entering storm drains. Enclosures are not permitted within public utility easements.
  - f. The Homeowners Association shall be responsible for solid waste handling. The Solid Waste Handling Plan shall include detailed, step-by-step instructions describing the management of solid waste from generation to disposal. The plan shall demonstrate how recycling and waste will be separately handled and maintained.
  - g. Permittee shall complete the construction of the new trash enclosure to serve the Project prior to issuance of the First Certificate of Occupancy. **(E)**
71. Solid Waste Management. Per Chapter 200, Solid Waste Management, V-200-3.10, *General Requirement*, Permittee shall not keep or accumulate, or permit to be kept or accumulated, any solid waste of any kind and is responsible for proper keeping, accumulating and delivery of solid waste. In addition, according to V-200-3.20 *Owner Responsible for Solid Waste, Recyclables, and Yard Waste*, Permittee shall subscribe to and pay for solid waste services rendered. Prior to issuance of any certificate of occupancy, Permittee shall provide evidence to the City that a sufficient level of trash and recycling service has been secured using a Service Agreement with Republic Services (formally BFI). After Permittee has full occupancy, Permittee shall contact the Republic Services commercial representative to review the adequacy of the solid waste level of services. If services are determined to be inadequate, Permittee shall increase the service to the level determined by the evaluation. **(E)**
72. Recycling Report, Part I. Prior to demolition permit issuance, Permittee's contractor shall submit Part I of a Recycling Report on business letterhead to the Building Division, for forwarding to the Engineering Section. This initial report shall be approved by the City's Utility Engineering and Solid Waste Section (Utility Section) prior to demolition permit issuance. The report shall describe the following resource recovery activities:
- a. What materials will be salvaged?
  - b. How materials will be processed during demolition?
  - c. Intended locations or businesses for reuse or recycling.
  - d. Quantity estimates in tons (both recyclable and for landfill disposal). Estimates for recycling and disposal tonnage amounts by material type shall be included as separate items in all reports to the Building Division before demolition begins.
- Permittee's contractor shall make every effort to salvage materials for reuse and recycling. **(E)**
73. Recycling Report, Part II. Prior to final approval of the demolition permit or any building permit issuance, Permittee shall submit Part II of the Recycling Report to the Building Division for forwarding to the Utility Section in order to confirm the information described on Part I of the Recycling Report, especially materials generated and actual quantities of recycled materials. Part II of the Recycling Report shall be supported by copies of weight tags and receipts of "end dumps." Actual reuse, recycling, and disposal tonnage amounts (and estimates for "end dumps") shall be submitted to the Building Division for approval by the Utility Section prior to inspection by the Building Division. **(E)**

74. Demolished Material Removal. All demolished materials including, but not limited to, broken concrete, asphalt paving, pipe, vegetation, excess earth, building debris, and other unsuitable materials, etc., shall be removed from the job site for recycling or disposal by Permittee's contractor, to the satisfaction of the City Engineer. Permittee's contractor shall, to the maximum extent possible, reuse any useful construction materials generated during the demolition and construction of the site. Permittee's contractor shall recycle all building and paving materials including, but not limited to roofing materials, wood, drywall, metals, and miscellaneous and composite materials, aggregate base material, asphalt, and concrete. Permittee's contractor shall perform all recycling and/or disposal by removal from the job site. (E)

**Planning Commission Added Conditions:**

75. Landscaping and Public Art: Applicant to work with staff and City arborist regarding species of trees for site landscaping, the addition of art for the project and energy efficiency improvements for the project. (P)

**Key:**

- (P) = Planning  
(B) = Building  
(E) = Engineering  
(F) = Fire Prevention  
(CA) = City Attorney

## MEETING MINUTES

### MILPITAS PLANNING COMMISSION Milpitas City Hall, Council Chambers 455 E. Calaveras Blvd., Milpitas, CA

**Wednesday, March 25, 2015**

- |                                            |                                                                                                                                                                                                                                                                                                                                                                                      |
|--------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>I. PLEDGE OF ALLEGIANCE</b>             | <b>Chair Mandal</b> called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.                                                                                                                                                                                                                                                                                       |
| <b>II. ROLL CALL/ SEATING OF ALTERNATE</b> | <p><b>Commissioners</b></p> <p><b>Present:</b> Chair Sudhir Mandal, Vice Chair Larry Ciardella, Commissioners Rajeev Madnawat, Demetress Morris, Hon Lien, Ray Maglalang</p> <p><b>Absent:</b> Gurdev Sandhu and Zeya Mohsin</p> <p>Commissioner Madnawat left the meeting at 8:05 PM</p> <p><b>Staff:</b> Steven McHarris, Johnny Phan, Adam Petersen, Shaunn Mendrin, Tim Wong</p> |
| <b>III. PUBLIC FORUM</b>                   | <b>Chair Mandal</b> invited members of the audience to address the Commission and there were no speakers.                                                                                                                                                                                                                                                                            |
| <b>IV. APPROVAL OF MEETING MINUTES</b>     | <p><b>Chair Mandal</b> called for approval of the March 11, 2015 meeting minutes of the Planning Commission.</p> <p><b>Motion</b> to approve Planning Commission meeting minutes as submitted.</p> <p>Motion/Second: Commissioner Maglalang/Commissioner Madnawat</p> <p>AYES: 6</p> <p>NOES: 0</p> <p>ABSTAIN: 0</p>                                                                |
| <b>V. ANNOUNCEMENTS</b>                    | Vice Chair Ciardella announced that he met with the developer for the Lennar project.                                                                                                                                                                                                                                                                                                |
| <b>VI. CONFLICT OF INTEREST</b>            | <p><b>Assistant City Attorney Johnny Phan</b> asked if any member of the Commission had any personal or financial conflict of interest related to any of the items on the agenda.</p> <p>There were no reported conflicts.</p>                                                                                                                                                       |
| <b>VII. APPROVAL OF AGENDA</b>             | <p><b>Chair Mandal</b> asked if staff or Commissioners had changes to the agenda and Planning Director Steven McHarris announced that item VIII-1 was deferred to the next meeting.</p> <p><b>Motion</b> to approve the March 25, 2015 agenda.</p> <p>Motion/Second: Commissioner Madnawat/Vice Chair Ciardella</p> <p>AYES: 6</p>                                                   |

NOES: 0

## VIII. CONSENT CALENDAR

- VIII-1 PRESENTATION OF THE PROPOSED 2015-20 CAPITAL IMPROVEMENT PROGRAM (CIP):** Presentation of the CIP program, providing an overview of the Proposed 2015-20 CIP Annual Report.

Item deferred to the next meeting.

## IX. PUBLIC HEARING

- IX-1 PUBLIC STORAGE REMODEL – 1600, 1601 Watson Ct / 1080 Pecten Ct. – EA14-0001, SD14-0004, UP14-0007:** A request for a Site Development Permit for the complete demolition of nine buildings and partial demolition of five buildings and construction of two new three-story storage buildings and a two-story mini storage building on three existing mini storage parcels and a Conditional Use Permit to allow mini-storage use on the Heavy Industrial Zoning District and apply for an increase in FAR for the additional square footage proposed. A Mitigated Negative Declaration has been prepared and circulated for this project.

Project Planner Adam Petersen reviewed a PowerPoint presentation discussing the project.

Vice Chair Ciardella asked about the location of the 90 parking spaces and asked if they would be rented out. Mr. Petersen showed the location and said the parking spots will be used for patrons of the public storage.

Chair Mandal said he is concerned with RV or boat parking at the site. Mr. Petersen said the spaces are 9'x18' and that it would be difficult to park an RV or a boat in a space that size.

Chair Mandal asked if there is consideration for public art and Mr. Petersen said the applicant has not proposed public art and the public art ordinance has not gone into effect yet.

Applicant Jim Fitzpatrick, Senior Vice President, said there is a demand for public storage and that their internal studies show this as a good location, and he said the parking spaces are for customers and there will not be parking for RV's or boats.

Chair Mandal opened the public hearing and Milpitas resident Robert Marini asked what will happen to the items in the buildings that are being demolished and how they would be relocated, and if there are elevators for access to the 2<sup>nd</sup> floor.

Mr. Petersen said there are storage units on the 2<sup>nd</sup> floor and that each building that has more than one floor has an elevator.

**Motion** to close the public hearing.

Motion/Second: Commissioner Madnawat/Vice Chair Ciardella

AYES: 6

NOES: 0

**Motion** to adopt Resolution No. 15-014 approving Site Development Permit SD14-0004, Use Permit UP14-0007, and Environmental Impact Assessment EA14-0001 to allow the demolition of nine existing public storage buildings and partial demolition of five existing public storage buildings in order to construct two new three-story storage buildings and a two-story mini-storage building and a Conditional Use Permit to allow mini-storage use in the Heavy Industrial Zoning District and an increase in the Floor Area Ratio at 1600 and 1601 Watson Court and 1080 Pecten Court (APN 092-08-093; -042; -051) as submitted with the recommendation that the applicant work with staff regarding the species of trees for the site and the addition of public art for the project.

Motion/Second: Commissioner Madnawat/Vice Chair Ciardella

AYES: 6

NOES: 0

## **IX-2**

**LENNAR 450 MONTAGUE – 450 Montague:** A request for a Site Development Permit No. SD14-0017, Conditional Use Permit No. UP14-0024 and a Major Tentative Map No. MT14-0004 for a 351 unit 5-story building and 138 condominium units located on a 10.5 acre site (APNs: 86-037-004, -019, -020, and -021) zoned Mixed Use Very High Density with Transit Oriented Development & Site and Architectural Overlays (MXD3-TOD-S) within the Transit Area Specific Plan (TASP).

Project Planner Shaunn Mendrin reviewed a PowerPoint presentation discussing the project.

Commissioner Madnawat asked if the parks at this project are public or private and Mr. Mendrin said they will be public parks maintained by the developer.

Commissioner Madnawat recused himself and left the meeting at 8:05 PM.

Chair Manda asked what type of energy efficient options are being built into the project and Mr. Mendrin responded that the applicant has to meet a Build it Green checklist and achieve 80 points by including a combination of things such as window types, insulation and energy efficient appliances.

Applicant Alex Waterbury of Lennar Multifamily Communities provided background on the project.

Kevin Ma of Lennar Homes showed a PowerPoint presentation which included a project summary and park overview.

Jessica Musick of KTGy, the design architects and planners on the project, showed a presentation which included photos of the different views of the buildings and discussed architectural aspects of the project.

Chair Mandal asked for an explanation of the energy efficient options for this project and Mr. Ma made reference to the Build it Green compliance program and said they will use high efficiency windows which will help control the temperature in the units and the units they are building are much more efficient in their layout.

Commissioner Morris asked about the trees selected for the site and Colin Bly of Guzzardo Partnership Inc discussed the trees that were selected and said they can work with the city arborist regarding the species of trees.

Chair Mandal opened the public hearing and there were two speakers.

Milpitas resident Robert Marini said there is a shortage of water in the community, City residents have been asked to cut their water use by 20% if possible, yet the City continues to approve more projects and additional units increases the number of gallons of water needed annually. He said the water fee has doubled in a five year span and the cost of living to the residents increases when more housing is added.

Bob Lawler said his family owns a trucking business located at 730 E Capitol next door to the Lennar project and he is very much in favor of their project. He said he would like to sell the business to a developer but that there has been difficulty doing so due to the uncertainty of the Milpitas Road extension. He discussed Resolution 15-014 Item #36 and said he is concerned with the methodology of 12% of building costs for the construction of the road and is very much against it.

**Motion** to close the public hearing.

Motion/Second: Commissioner Maglalang/Vice Chair Ciardella

AYES: 5

NOES: 0

Chair Mandal asked about public art for the project and Mr. Mendrin said the public art ordinance has not yet been adopted by City Council but a condition can be added to require public art.

Commissioner Maglalang wants it on the record that he approves of the project but wishes the developer would reconsider including affordable housing.

**Motion** to adopt Resolution No. 15-003 recommending the City Council Approve Site Development Permit No. SD14-0017, Conditional Use Permit UP14-0024, and Tentative Map No. MT14-0004 with additional conditions that the applicant work with staff and the City arborist regarding the species of trees for site landscaping, the addition of art for the project and energy efficiency improvements for the project.

Motion/Second: Commissioner Morris/Vice Chair Ciardella

AYES: 5

NOES: 0

### **IX-3**

**SUPPORTIVE AND MANUFACTURED HOUSING ZONE AMENDMENTS:** To conform to State law and to implement two Housing Element programs, the City of Milpitas is considering revising its MXD and R2 zoning code. The proposed ordinance revision would permit supportive and transitional housing in the MXD zone and allow manufactured housing in the R2 zoning district. An Addendum to the Housing Element Negative Declaration has been prepared pursuant to Section 15164(b) of the CEQA Guidelines.

Mr. McHarris explained that the Housing Element has been certified by the state but requires zone amendments and staff decided it would be best to return to the Planning Commission and then bring this and the Housing Element together to City Council.

Project Planner Tim Wong provided a PowerPoint presentation.

Chair Mandal opened the public hearing and there were no speakers.

**Motion** to close the public hearing.

Motion/Second: Vice Chair Ciardella/Commissioner Maglalang

AYES: 5

NOES: 0

**Motion** to adopt Resolution No. 15-0015 recommending the City Council approve Zoning Amendment No. ZA15-015 and the Addendum to the 2013 Zoning Ordinance Amendments: Housing Element Implementation Project Initial Study and Negative Declaration.

Motion/Second: Commissioner Morris/Commissioner Maglalang

AYES: 5

NOES: 0

## **X. NEW BUSINESS**

**No Items**

**XI. ADJOURNMENT** The meeting was adjourned at 9:30 PM to the next meeting scheduled on Wednesday, April 8, 2015.

**Motion** to adjourn to the next meeting.

Motion/Second: Commissioner Morris/Commissioner Maglalang

AYES: 5

NOES: 0

*Meeting Minutes submitted by  
Planning Secretary Elia Escobar*

**M E M O R A N D U M**

**DATE:** March 19, 2015

**TO:** Shaunn Mendrin, AICP, Senior Planner, City of Milpitas

**FROM:** Judith H. Malamut, AICP, Principal, Amy Paulsen, AICP, Associate/Project Manager and Nicole Catalano, Assistant Planner

**SUBJECT:** California Environmental Quality Act (CEQA) Exemption Memo for the 450 Montague Project, Milpitas, California

This memorandum and attachments provide a description of the 450 Montague Project (project) and substantial evidence to confirm that the potential project is exempt from further environmental analysis per Section 15168(c) of the California Environmental Quality Act (CEQA). The approximately 10.5-acre project site is located at 400 and 450 Montague Expressway in Milpitas, Santa Clara County, at the corner of Montague Expressway and East Capitol Avenue. The proposed project would involve the demolition of all existing structures and associated pavements on the site and grading and construction of 489 residential units.

Attachment A provides a project description of the 450 Montague Project (project). This attachment includes a description of the project, location, existing site characteristics, the proposed project and required approvals and entitlements. The City of Milpitas (City) is the CEQA lead agency for the project.

The responses in an environmental checklist (Attachment B) prepared for the project demonstrate for each CEQA topic that because the proposed project was evaluated and impacts were mitigated to the degree possible as part of the Milpitas Transit Area Specific Plan (Specific Plan) Project and EIR, no additional CEQA review is required. CEQA Guidelines 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a program EIR. The responses contained in the checklist confirm that the project was considered within the scope of the evaluation within the TASP EIR and no new impacts were identified and no new mitigation measures are required.

The City can approve the 450 Montague project as being within the scope of the Specific Plan covered by its EIR and no new environmental document for the purposes of CEQA clearance is required. Pursuant to Public Resources Code section 21166 and CEQA Guideline 15168, the 450 Montague project is exempt from further review under CEQA. This analysis finds that a Notice of Exemption may be prepared for the project and filed with the Santa Clara County Clerk.



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**ATTACHMENT A**  
**PROJECT DESCRIPTION**

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## PROJECT DESCRIPTION

The following describes the 450 Montague Project (project). This section includes a description of the project, location, existing site characteristics, the proposed project and required approvals and entitlements. The City of Milpitas (City) is the CEQA lead agency for the project.

### A. PROJECT SITE

The following section describes the location and site characteristics and provides a brief overview of the existing land uses within and in the vicinity of the site.

#### 1. Location

The approximately 10.5-acre project site is located at 400 and 450 Montague Expressway in Milpitas, Santa Clara County, at the corner of Montague Expressway and East Capitol Avenue. The irregularly-shaped site is bounded by Montague Expressway to the west, Capitol Expressway to the north, Penitencia Creek Channel to the south, and office development to the east. Figure 1 shows the site's regional and local context.

Regional vehicular access to the project site is provided by Interstate 80 (I-880), located approximately 3 miles west of the site and by Interstate 680 (I-680), located approximately 1.5 miles east of the site. The future Bay Area Rapid Transit (BART) Milpitas station is currently under construction and will be co-located with the Montague VTA light rail station, approximately 0.30 miles northeast of the project site.

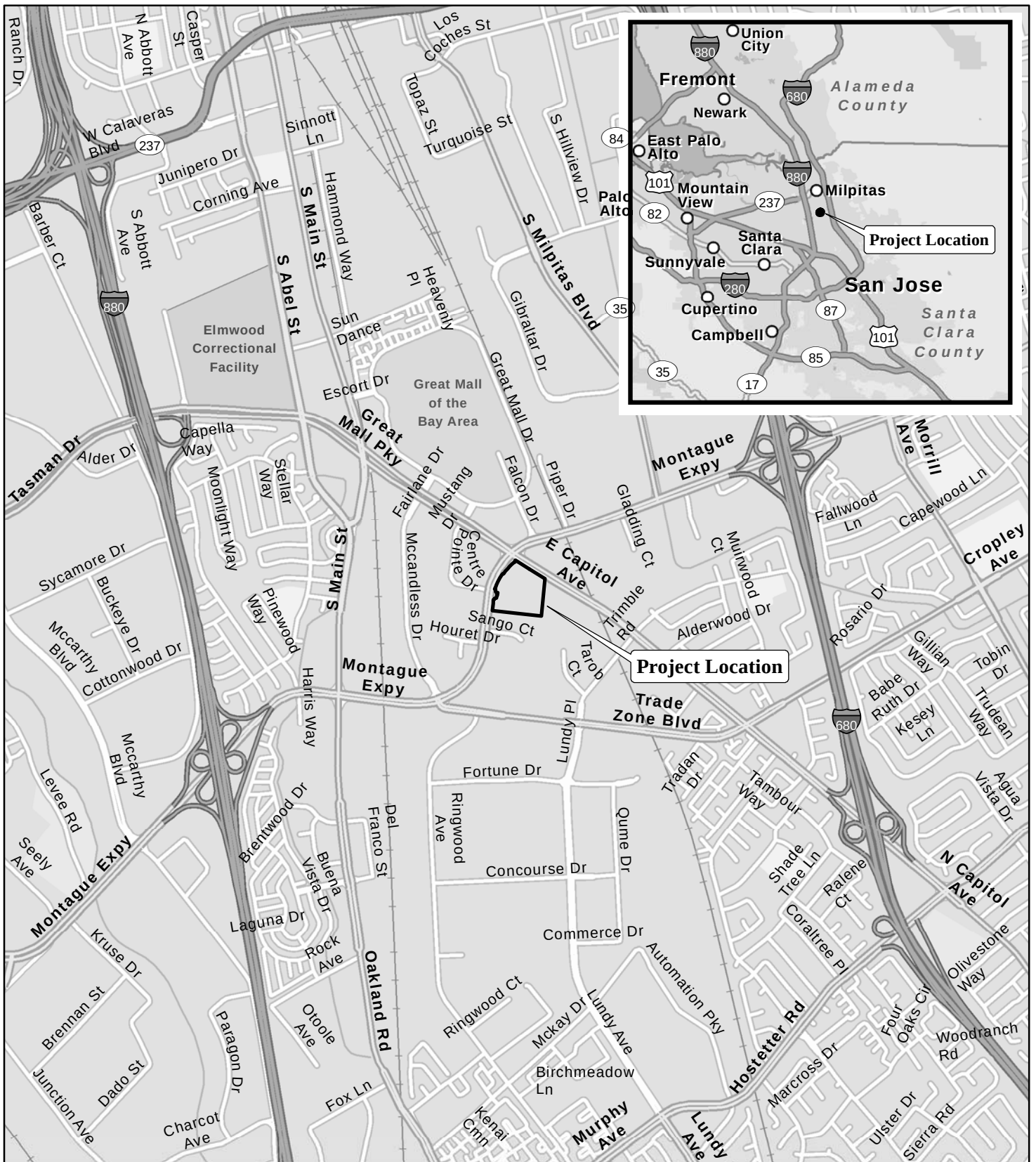
#### 2. Site Characteristics and Current Site Conditions

The generally level project site (Assessor's Parcel Number [APN] 086-37-019, 086-37-020, 086-37-004, and 086-37-021) is located in the southern, light-industrial land use corridor of Milpitas. Approximately 44 percent of the site is currently covered with impervious surfaces, consisting of buildings and paved parking lots, driveways, and walkways. The remainder of the site (approximately 56 percent) consists of pervious vegetated areas.<sup>1</sup>

Two existing office buildings, and their associated surface parking lots, are located on the western portion of the project site. Both structures are one-story in height and are accessible via Montague Expressway. A median island separates the two driveway approaches to the two buildings from Montague Expressway. A row of ornamental trees and other vegetation extends between the two structures. In addition, an electric utility box is also located in the vegetated area between the two properties. The northern building (located at 450 Montague Expressway) is approximately 30,000 square feet and the southern building (located at 400 Montague Expressway) is approximately 40,000 square feet in size.

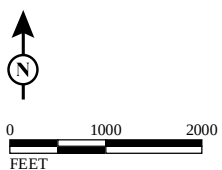
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<sup>1</sup> Carlson, Barbee & Gibson, Inc., 2014. *Stormwater C3 Control Plan*. December 12.



LSA

FIGURE 1



SOURCE: ESRI StreetMap North America (2012).

I:\MLP1501 450 Montague\figures\Fig\_1.ai (1/13/15)

450 Montague Project  
Project Location and Regional Vicinity Map

The eastern and northern portion of the project site is largely undeveloped, including the area directly east of the two office buildings, extending north to the corner of Montague Expressway and East Capitol Avenue. This undeveloped area includes grass vegetation with a few shrubs and trees. An unused driveway approach is located near the northeastern edge of the project site along East Capitol Avenue and is surfaced with gravel and rock.

Mature street trees and landscaped areas border the site on the western edge of the project site near Montague Expressway. Approximately 45 trees (which are greater than 15 inches in diameter at breast height) are located within, or immediately adjacent to, the site. A vegetated channel of the Penitencia Creek is located directly south of the project site. Water was flowing in the creek during the site visit on January 14, 2015. A high-pressure gas transmission line is located south of the Penitencia Creek channel.

There are no existing sidewalks along the portions of Montague Expressway and East Capitol Avenue that front the project site.

### **3. Existing General Plan and Zoning**

The project site is currently designated as Boulevard Very High Density Mixed Use and Urban Residential in the City's General Plan. The site is zoned as Mixed Use Very High Density (MXD-3) and Urban Residential (R5). Permitted uses in the Boulevard Very High Density Mixed Use designation include residential, office, commercial and medical. The project would require a Site Development Permit, a Conditional Use Permit and a Major Tentative Map entitlement.

### **4. Milpitas Transit Area Specific Plan**

In 2008, the City of Milpitas adopted the Milpitas Transit Area Specific Plan<sup>2</sup> (Specific Plan) for the area in the vicinity of the future BART and current VTA station. The goal of the Specific Plan is to transform the area into a high-density, mixed-use neighborhood that meets the demand for housing, offices and shopping and that is within walking distance to the future Milpitas BART station. Environmental impacts associated with implementation of the Specific Plan were evaluated in the Milpitas Transit Area Specific Plan Draft Environmental Impact Report (TASP EIR).<sup>3</sup> A Final EIR was released in 2008. The project site was included within the area evaluated within the TASP EIR.

The Specific Plan identifies subdistricts within the Specific Plan area, each having their own policies related to street design, land use, building height, setbacks, parks and building design. The project site is located within two overlapping subdistricts within the Specific Plan: the Montague Corridor Subdistrict and the Trade Zone/Montague Subdistrict.

As noted above, the TASP EIR evaluated the environmental impacts associated with implementation of the Specific Plan. Table 1 shows the housing units and population assumptions evaluated within the TASP EIR and also shows existing and proposed housing development.

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<sup>2</sup> Dyett & Bhatia, 2008. *Milpitas Transit Area Specific Plan*, June, (amended December 2011).

<sup>3</sup> Dyett & Bhatia, 2007. *Draft Environmental Report, Milpitas Transit Area Specific Plan*, October.

**Table 1: Existing and Proposed Housing Units and Population with the Specific Plan Area**

|               | <b>Evaluated<br/>Within The<br/>TASP EIR</b> | <b>Approved<br/>Units</b> | <b>Under<br/>Construction</b> | <b>450 Montague<br/>Project</b> | <b>Remaining<br/>Development<br/>Available</b> |
|---------------|----------------------------------------------|---------------------------|-------------------------------|---------------------------------|------------------------------------------------|
| Housing Units | 7,109 <sup>a</sup>                           | 2,122                     | 1,548                         | 489                             | 2,950                                          |
| Population    | 17,915 <sup>a</sup>                          | 5,348 <sup>b</sup>        | 3,901 <sup>b</sup>            | 1,233 <sup>b</sup>              | 7,443                                          |

<sup>a</sup> Milpitas, City of, 2008. *Final Transit Area Specific Plan EIR*.

<sup>b</sup> Estimated population associated with approved units, under construction units, and the proposed project was determined by using the residents per unit evaluated within the TASP EIR (17,915 residents / 7,109 units = 2.52 residents per unit).

Source: LSA Associates, Inc., 2015.

## 5. Surrounding Land Uses

The project site is located within a light industrial land use corridor of Milpitas that is predominantly developed with commercial office parks and other buildings for industrial uses. The project site is in close proximity to the Great Mall shopping center in Milpitas, located approximately 0.5 miles northwest of the project site. A Heald College campus and a Marriott Courtyard hotel are also located directly northwest of the project site. Commercial office uses associated with Centerpointe Drive are located directly west of the project site on the other side of Montague Expressway, and a combination of office and light industrial uses surround the project site to the east, south and northeast.

## B. PROPOSED PROJECT

This section provides a description of the proposed project as identified in the materials provided by the project applicant that are dated October 17, 2014, and December 15, 2014. The proposed project would involve the demolition of all existing structures and associated pavements on the site and grading and construction of 489 residential units. Figure 2 depicts the proposed conceptual site plan for the project site, and Figures 3a and 3b provide representative conceptual elevations of the project. The proposed project components are described in detail below.

### 1. Residential Development

The proposed project would develop 489 residential units. The project would feature a combination of two different building types: one multi-story building that features 351 podium flats (apartment units) and 17 individual multi-story buildings that feature a total of 138 stacked flats (townhome units). The podium building (Building 1) would front on East Capitol Avenue and Montague Expressway, with five levels of rental residential units above two levels of subterranean parking. Types of units include studio units (690 square feet), one-bedroom units (719 to 1,083 square feet) and two-bedroom units (1,029 to 1,391 square feet). The ground floor of the podium building would contain a 1,330-square-foot leasing lobby, a 725-square-foot sky deck, and a 6,022-square-foot, two-story indoor amenity.

The project would also include the development of 17 multi-story buildings that include 138 for-sale townhomes. The townhomes (Buildings 2 through 18) would vary in size from 1,057 to 1,779 square feet and would include two- and three-bedroom units. The interior of the building configuration would be varied with 3-plex, 6-plex and 9-plex structures. Building heights for the stacked townhome units would reach four stories plus a roof, extending no more than 45 feet in height. Each townhome would be provided a two-car, above-ground garage.

Building heights along East Capitol Avenue would reach 5.5 stories, and building heights along Montague Expressway would range from 3 stories to 5.5 stories.

In addition to the residential development, the project would build two new driveways, two private roads, landscaped paseos, parks, drive aisles, open space improvements, and improvements to public sidewalks and roadways.

The 450 Montague Project would develop in the lower range of the density and intensity standards than what was assumed in the TASP EIR. The Specific Plan allows a density range from 41 to 75 dwelling units per acre and the project proposes a density of 47 dwelling units per acre. In addition, TASP development policies allow the construction of buildings up to 12 stories in height. The proposed project proposes development that will not exceed 5.5 stories in height. Impervious surface area would not exceed 70 percent. Front yard setbacks would conform to the City's standards: 45-foot landscape setback from the curb on Montague Expressway, plus 15- to 20- foot setback from back of sidewalk; 24-foot planting strips; and 10-foot sidewalks for units facing East Capitol Avenue. Other street facing yards would have 12- to 14-foot setback. Side yard setbacks between buildings would average approximately 20 feet. The Penitencia Creek setback would start at 25 feet from the top of the creek with an additional 18-foot setback to buildings.

## **2. Open Space and Landscaping**

The proposed project would include approximately 86,648 square feet (approximately 1.99 acres) of open space on the site, including two interior courtyards and two interior parks. The majority of the units would have private open space in the form of balconies. However, 16 percent of the podium apartment units would not have balconies (mostly studio and one-bedroom units) due to overall unit size and proximity to noise from a major arterial. The podium building would provide additional open space via two courtyards and a sky deck. There would be two parks (Park A and Park B) within the development, totaling 1.48 acres that would serve as open space and transition areas between the housing types. The project would include two trails for future residents. One trail (Park B extension) would be located between Building 14 and Building 15 and would connect Park B to Linear Park and other local trails and parks in the area. Another trail (Linear Park) would include a 0.49-acre linear park adjacent and parallel to Penitencia Creek on the southern boundary of the project site. In addition, the proposed project would install a decomposed granite trail over the existing maintenance road along the creek in efforts to support the development of public trails along Lower Penitencia Creek.

Approximately 8.0 acres (70 percent) of the project site would be covered with impervious surface and about 3.5 acres (30 percent) would be covered with landscaped areas including lawns, shrubs, and trees. There are 45 protected trees on and immediately bordering the project site, all of which would be removed with development of the proposed project and would be replaced according to City standards.<sup>4</sup> Approximately 324 new trees would be planted along existing public streets and within the project site. Landscaping would be provided throughout the site, including planting strips along public roadways.

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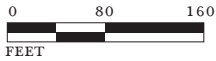
<sup>4</sup> Neck of the Woods Tree Service. 2014. *Arborist Report for 400 and 450 Montague Expressway*. October 12.





FIGURE 2

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SOURCE: KTG GROUP, INC., JANUARY 23, 2015

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450 Montague Project  
Conceptual Site Plan



L S A

FIGURE 3a





View of the Townhouses from Internal Road

LSA

FIGURE 3b

Sidewalks would be constructed on the perimeter of the project site, along Montague Expressway, East Capitol Avenue, the southern boundary of the site by Penitencia Creek (an 8-foot sidewalk is proposed in this location), and the eastern boundary of the project site by Street B. A pedestrian connection would be developed along Penitencia Creek and would terminate at the boundary of the project site to allow future extension by the City.

### **3. Access, Circulation and Parking**

All existing driveway approaches and median islands would be removed. Two new driveways would be constructed to provide access to the development from Montague Expressway and East Capitol Avenue. In addition, two new internal private roads would be built within the development (Street A and Street B) as shown on Figure 2. Street A would be accessible directly from Montague Expressway and Street B would be accessible directly from East Capitol Avenue via the new driveways. Street A would intersect the stacked flats and terminate at its intersection with Street B. The two new streets would vary between 26 and 40 feet in width. Vehicular access to each home in the stacked flats would be provided by 10 private drive aisles.

The two new driveways would both be right-turn only and would have one inbound and one outbound lane. The first driveway would be located on Montague Expressway that would prohibit turns from accessing the eastbound left turn pocket on Montague Expressway at Great Mall Parkway/Capitol Avenue. The second driveway would be a temporary driveway and would be located on East Capitol Avenue, approximately 630 feet south of the Montague Expressway/Capitol Avenue intersection. Access from this driveway to the existing southbound left turn pocket on Capitol Avenue at Montague Station would also be prohibited. All project traffic destined for westbound Montague Expressway would most likely make u-turns at the future intersection of Capitol Avenue/Milpitas Avenue extension, proceed northbound on Capitol Avenue, and turn left at the intersection of Montague Expressway/Great Mall Parkway/Capitol Avenue. A future roadway is planned just south of the project site, which would link the proposed project to the future Capitol Avenue/Milpitas Boulevard extension traffic signal. All movements (left and right turn) would be permitted to and from the project site onto Capitol Avenue at the future location, which is not scheduled to be completed until the properties directly south of the proposed project are redeveloped.

A two-level subterranean parking garage would be located below the podium apartment building. The garage height will vary above grade at some points due to the topography and water table, but would be mostly at grade at major entry points. Entrance into the parking garage would be made accessible via Street B and also by Drive Aisle 1 between Building 2 and Building 3. Ramps to the lower level would be located near these entry points. There is no direct access from Montague Expressway or East Capitol Avenue to the parking garage.

A total of 839 parking spaces will be provided for the entire development, including a total of 111 guest parking spaces. The podium apartment building would have 512 parking spaces in the form of standard, compact and tandem parking. The stacked flats would have 327 parking spaces, mostly in the form of garages and minimal surface parking. A total of 127 short-term and long-term bicycle parking spaces would be provided, a majority of which are for the future residents of the podium flats.

### **4. Utilities and Infrastructure**

The project site is located in an urban area and is currently served by existing utilities, including: water, sanitary sewer, storm drainage, electricity, and telecommunications infrastructure. The

majority of existing utilities within the boundary of the project site would be removed. Existing and proposed utility connections are discussed below.

- a. Water.** Water service in the City of Milpitas is provided by the Santa Clara County Water District (SCVWD). Existing water mains within the vicinity of the site are located on Montague Expressway and East Capitol Avenue. One water line would be relocated, from Montague Expressway to the center of the travel lane on Montague Expressway. The applicant proposes to secure an easement from Santa Clara County for the installation and future maintenance of the relocated water line within the Montague Expressway right-of-way. In addition, two existing fire hydrants would also be relocated.
- b. Wastewater.** The San José/Santa Clara Water Pollution Control Plant (WPCP) provides wastewater treatment for Milpitas. The City of Milpitas maintains existing sanitary sewer lines within the vicinity of the site. Residential units built as part of the proposed project would connect directly to these lines, which are located on Montague Expressway and East Capitol Avenue.
- c. Stormwater.** The Santa Clara Valley Water District owns and maintains most of the storm-water infrastructure within the City of Milpitas, including the project site. Existing storm drainage infrastructure surrounding the site includes two principle drainage areas:
  - Drainage Area 'A': Approximately 3.5 acres of the northern portion of the project site will discharge into the existing storm drain line in Montague Expressway which ultimately flows through an existing outfall into Penitencia Creek. Water discharging from the project site will be treated by a combination of bioretention, raised planters, and media filtration before entering the storm drain system.
  - Drainage Area 'B': Approximately 8.0 acres of the southern portion of the project site will discharge into the existing storm drain stub on the project site, which ultimately flows through an existing outfall into Penitencia Creek. Water discharging from the project site will be treated by a combination of bioretention and media filtration before entering the storm drain system.

In addition, bioretention areas will be incorporated into the landscape design to provide appropriate vegetation and water quality treatment, including in open spaces, street frontages, and paseos. On site drainage has been designed consistent with the C3 requirements for Low Impact Development and Special Project Categories. All walkways within the open space area of the development will be sloped to drain onto the surrounding landscaping.

This project would extend the existing recycled water main in Centre Pointe Drive to the project site to provide recycled water for irrigation.

- d. Electricity and Natural Gas.** Electricity and natural gas services to the site are provided by Pacific Gas and Electric Company (PG&E). Existing underground utility connections and gas mains provide electricity and gas to the project site. The proposed project would connect to these existing lines and any new electrical lines would be installed underground.

To reduce energy usage, the project would incorporate green building measures in compliance with CALGreen's 2013 standard building measures for residential buildings and Title 24 requirements.

## **C. APPROVALS/PERMITS**

The following approvals and permits would be required for the project:

- Site Development Permits
- Conditional Use Permits
- Major Tentative Map Permits
- Demolition Permits
- Building Permits
- Off-Site (Encroachment) Permits
- Tree Removal Permits

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**ATTACHMENT B**

**PROGRAM EIR CHECKLIST  
PURSUANT TO CEQA GUIDELINE 15168**



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## PROGRAM EIR CHECKLIST PURSUANT TO CEQA GUIDELINE 15168

CEQA Guidelines 15168(c)(4) recommends using a written checklist or similar device to confirm whether the environmental effects of a subsequent activity were adequately covered in a program EIR. This checklist confirms that the 450 Montague Project is within the scope of the Transit Area Specific Plan EIR (TASP EIR) and will have no effects and no new mitigation measures are required, and as such, the City can approve the 450 Montague project as being within the scope of the TASP covered by its EIR and no new environmental document is required. Pursuant to Public Resources Code section 21166 and CEQA Guideline 15168, the 450 Montague project is exempt from further review under CEQA.

### ENVIRONMENTAL CHECKLIST

|                                                                                                                                                          | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>I. AESTHETICS.</b> Would the project:                                                                                                                 |                                      |                                                       |                                    |                                     |
| a) Have a substantial adverse effect on a scenic vista?                                                                                                  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State scenic highway? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Substantially degrade the existing visual character or quality of the site and its surroundings?                                                      | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?                                    | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

### DISCUSSION

As described in more detail in the project description (Attachment A), the 10.5-acre site currently includes two vacant one-story light industrial buildings, paved driveways and parking areas, an undeveloped area, and trees and landscaping. The proposed project would involve: (1) the demolition of all existing structures; (2) the removal of existing pavement, landscaping and trees; (3) the construction of 18 buildings, housing 489 residential townhomes and apartment units; and (4) the installation of parks, landscaping, trees, and other site improvements. The proposed buildings would be between three to five-and-a-half stories along Montague Expressway.

The project site (400/450 Montague Expressway) is located within two overlapping subdistricts identified in the Specific Plan: the Montague Corridor Subdistrict and the Trade Zone/Montague Subdistrict. Specific policies that apply to each district are outlined further below and would be applicable to the proposed project.

As noted in the TASP EIR, the Specific Plan will enhance the visual and aesthetic character of the planning area by incorporating specific development standards to ensure that impacts to visual resources are less than significant. These development standards and design guidelines are detailed in Section 5 of the Specific Plan and include policies related to street design, land use, building height, setbacks, parks and building design in order to create a unique character for each subdistrict within the Specific Plan area.

The primary potentially significant impact to scenic resources identified in the TASP EIR was the potential for 12- to 24-story buildings along Montague Expressway to block scenic views of the eastern foothills (Impact 3.2-1). The proposed project would include buildings that would be between three to five-and-a-half stories along Montague Expressway, which is significantly shorter than what was assumed in the TASP EIR (12- to 24-story buildings). Additionally, given the varied heights of the proposed structures on the project site, intermittent views of the hills would still be available from the site. Therefore, the proposed project would have a less severe effect on scenic views of the foothills than was identified in the TASP EIR.

The TASP EIR determined that Specific Plan policies related to aesthetics ensure that impacts are less than significant. The design style and materials proposed for the 450 Montague project are consistent with policies of the Specific Plan.

The TASP EIR also addressed the loss of mature trees that serve as visual or scenic resource in the area, specifically on McCandless Drive. The proposed project is not located on or near McCandless Drive and, as such, would have no impact on the mature trees that exist on McCandless Drive. Other than the scenic trees on McCandless Drive, there are no scenic resources located within the Planning area.<sup>1</sup>

The project would involve removal of all existing trees on the site (including 45 trees that are 15 inches or more in diameter as measured at breast height). Any tree removal on the project site would be conducted in compliance with the City ordinance which requires a tree removal permit for the removal of any protected tree and compensation for lost trees as may be requested by the City. The proposed project includes the planting of approximately 314 trees, which is significantly more than the number of trees currently on the project site.

The TASP EIR found that there are potential significant impacts resulting from the introduction of new light and glare in the area (Impact 3.2-2), but concludes that Specific Plan Development Standards related to lighting will minimize light and glare impacts. The proposed project will not cause any new light and glare impacts.

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<sup>1</sup> Dyett and Bhatia, *Draft Environmental Impact Report, Milpitas Transit Area Specific Plan*, October 2007; and *Final Environmental Impact Report, Milpitas Transit Area Specific Plan*, May 2008.

The 450 Montague project is generally consistent with the type of development analyzed in the TASP EIR, it reduces the height of the buildings from what was assumed in the TASP EIR, it is consistent with the Specific Plan policies relating to aesthetics, and it would greatly increase the number of trees on the property and within the area. As such, there is no new impact on visual and aesthetic resources.

### **APPLICABLE MITIGATION**

No new mitigation measures are required.

### **APPLICABLE POLICIES TO REDUCE THE IMPACT**

#### **Midtown Plan Policies**

- *Policy 6.13: Require the undergrounding of new utilities.*
- *Policy 6.14: Prioritize the undergoing of existing above ground facilities within the Midtown Area for the use of PG&E Rural 20A money. Consider using other financial resources to complete the undergoing of utilities, as necessary.*

#### **Specific Plan Development Standards**

- Utilities shall be underground or in subsurface conduits and accessible.

#### **Specific Plan Policies**

These policies apply specifically to the Montague Corridor Subdistrict:

- *Policy 4.4: A 40 foot wide, landscaped setback is required from the future right of way line of Montague Expressway. A landscaped setback creates a strong attractive image for the Transit Area, offers an attractive view to residents or employees in the buildings, and provides a buffer from the heavy traffic volumes and automobile exhaust. The setback will contain a double row of trees and a continuous sidewalk, as shown in the Street Sections in Chapter 5. The future right of way refers to Montague Expressway after its planned expansion to eight through-lanes.*
- *Policy 4.6: Buildings will be designed with facades facing Montague Expressway. A building entrance shall be provided facing onto Montague Expressway. The facades facing Montague Expressway shall not have blank walls, service entrances, or other features that make the façade look like the back side of a building. Building facades should contain punched openings similar to window openings, cornice or other details at the top of the building, and any sloping floors must be concealed. Parking structures may only front on Montague Expressway if the façade facing the expressway is of a design quality equivalent to habitable space.*

These policies apply specifically to the Trade Zone/Montague Subdistrict:

- *Policy 4.46: Create a deep landscape setback along Capitol Avenue to separate residences from noise and heavy traffic on Capitol Avenue. See Figure 5-11, Chapter 5 of the Specific Plan.*

This policy applies to the entire Planning Area:

- *Policy 6.41: Construct a continuous trail network as delineated in the Transit Area Plan through land dedication and improvements by property owners in coordination with the Santa Clara Valley Water District and the City of Milpitas.*

Other Specific Plan Development Standards:

5. *Lighting*

- a. Lighting should be designed and placed to direct lighting to appropriate surfaces and minimize glare into adjacent areas.
- b. The light source used in outdoor lighting should provide a white light for better color representation and to create a more pedestrian-friendly environment.
- c. Low pressure sodium lamps are prohibited.
- d. To reinforce the pedestrian character of the area, light standards along sidewalks should be approximately 12 to 16 feet in height.
- e. The use of uplighting to accent interesting architectural features or landscaping is encouraged

## CONCLUSION

The TASP EIR adequately evaluated the potential aesthetic impacts of the 450 Montague project.

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|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>II. AGRICULTURAL AND FORESTRY RESOURCES.</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                      |                                                       |                                    |                                     |
| In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project: |                                      |                                                       |                                    |                                     |
| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to a non-agricultural use?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

There are no agricultural or forestry resources located within or near the project site. The Specific Plan area is predominantly urbanized and is classified as "Urban and Built-Up Land" by the State Department of Conservation. The City of Milpitas does contain prime farmland between North McCarthy Boulevard and Coyote Creek, north of Route 237. However, this prime farmland is not located within the boundaries of the Specific Plan. The proposed project is also not located on land that is currently under the Williamson Act contract. In addition, the City does not contain woodland or forestland cover, nor land zoned for timberland production

Therefore, the proposed project would not result in a significant impact to agriculture or forestry resources.

## APPLICABLE MITIGATION

No new mitigation measures are required.

## CONCLUSION

There would be no agriculture or forestry impacts associated with the 450 Montague project.

|                                                                                                                                                                                                                                                                                             | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>III. AIR QUALITY.</b> Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:                                                      |                                      |                                                       |                                    |                                     |
| a) Conflict with or obstruct implementation of the applicable air quality plan?                                                                                                                                                                                                             | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?                                                                                                                                                                          | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Expose sensitive receptors to substantial pollutant concentrations?                                                                                                                                                                                                                      | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Create objectionable odors affecting a substantial number of people?                                                                                                                                                                                                                     | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The TASP EIR includes a detailed analysis of the air quality impacts related to the construction and operation of projects associated with implementation of the Specific Plan. The TASP EIR summarizes the air quality impacts on page 3.6-14 as follows:

Air quality impacts resulting from the implementation of the proposed Specific Plan fall into two categories: short-term impacts due to construction and long-term impacts due to operation. Construction activities pursuant to development under the Specific Plan would affect local particulate concentrations primarily due to fugitive dust sources and an increase in other criteria pollutant emissions from equipment exhaust.

Over the long-term, the full implementation of the proposed Specific Plan would result in an increase in criteria pollutant emissions primarily due to related motor vehicle trips. Stationary sources and area sources would result in lesser quantities of criteria pollutant emissions. These pollutant emissions would add to the regional pollution burden and conflict with the implementation of the 2005 Ozone Strategy. Stationary sources and diesel-fueled mobile sources would also generate emissions of TACs including diesel particulate matter that could pose a health risk.

The Bay Area Air Quality Management District's (BAAQMD) guidelines were referenced to determine if a project would conflict with or obstruct implementation of an applicable air quality plan, which for the TASP EIR was the 2005 Bay Area Ozone Strategy.<sup>2</sup> For a plan to be consistent with an air quality plan it must be consistent with population and vehicle miles traveled thresholds, which are:

- The population growth for the jurisdiction should not exceed the values included in the current regional air quality plan, and
- The rate of increase in vehicle miles traveled (VMT) for the jurisdiction should be equal to or lower than the rate of increase in population.

In forecasting future stationary and mobile source emissions and preparing the regional air quality plan, the BAAQMD uses growth projections prepared by ABAG.<sup>3</sup> The 2005 Bay Area Ozone Strategy is based on population projections in the 2003 ABAG Projections. The TASP EIR found that the increase in population in the City is anticipated to exceed the population increase accounted for by the 2003 ABAG Projections, thus resulting in a significant and unavoidable impact (Impact 3.6-1) related to consistency with the applicable Clean Air Plan.

The population growth associated with the 450 Montague project is consistent with the Specific Plan and would not result in any new impacts related to consistency with the applicable air quality plan.

The TASP EIR determined that construction activities that would occur as part of the Specific Plan would generate substantial amounts of dust primarily from “fugitive” sources and lesser amounts of other criteria air pollutants primarily from the operation of heavy equipment construction machinery (primarily diesel operated) and construction worker automobile trips (primarily gasoline generated). The TASP EIR found that with implementation of BAAQMD dust control measures, construction emissions would not be expected to impede attainment or maintenance of ozone standards in the Bay Area. The Specific Plan also developed policies that would reduce construction and demolition

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<sup>2</sup> Bay Area Air Quality Management District, 2006. *Bay Area 2005 Ozone Strategy*.

<sup>3</sup> Association of Bay Area Governments, 2003. *Projections 2003*.



related air quality impacts to less-than-significant levels. The 450 Montague project would be required to comply with BAAQMD dust control measures as described in Specific Plan Policy 5.16, which are designed to address short term air pollutants caused by construction and demolition activities.

The TASP EIR analyzed the Specific Plan's long-term impact on localized air quality from increases in traffic. The analysis indicated no violations of ambient carbon monoxide standards at any of the intersections analyzed. Worst-case carbon monoxide concentrations in the vicinity of the intersections would be well below the State and federal ambient air quality standards. Therefore, the 450 Montague project is not anticipated to result in new air quality impacts related to carbon monoxide hot-spots.

As noted in the TASP EIR, the Bay Area is currently designated "non-attainment" for State (1-hour and 8-hour) and national (8-hour) ozone standards and for the State PM<sub>10</sub> and PM<sub>2.5</sub> standards. Development of projects associated with the Specific Plan (including the 450 Montague project) could further contribute to non-attainment of air quality standards. The TASP EIR identified this impact is significant and unavoidable (Impact 3.6-5).

Additionally, implementation of the Specific Plan could place sensitive land uses near roadways associated with air pollutant emissions that expose sensitive receptors to substantial pollutant concentrations. The TASP EIR analyzed the impact of toxic air emissions (TACs) on sensitive receptors, such as future residents of the 450 Montague project. The TASP EIR found that compliance with Policy 5.25 and BAAQMD's construction BMPs would ensure that impacts are less than significant. Policy 5.25 requires new residential developers to inform future residents of TAC related health effects.

In compliance with Policy 5.25, the project applicant hired ENVIRON International Corporation to conduct an analysis<sup>4</sup> of the impact of roadways within 500 feet of new residential receptors if traffic on the roadways exceeds 100,000 vehicles per day. The roadways within 500 feet of the proposed project are Montague Expressway, East Capitol Avenue, Great Mall Parkway, Center Point Drive and Sango Court. The results of the analysis found that the total daily traffic volume from all roadways within 500 feet of the project site is approximately 74,000 trips per day, which is below the threshold of 100,000 vehicles per day identified in Policy 5.25. Therefore, the analysis concluded that the City of Milpitas does not require further analysis of TACs from roadway traffic to determine the necessity of the exposure minimization measures for future residents, as residents would not be exposed to substantial pollutant concentrations.

The 450 Montague project is consistent with the type of development analyzed in the TASP EIR and is consistent and therefore, implementation of the project would not result in any new air quality impacts.

## **APPLICABLE MITIGATION**

No new mitigation measures are required.

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<sup>4</sup> ENVIRON, 2014. *CEQA Toxic Air Contaminant Roadway Screening Analysis for Proposed Residential Development at 450 Montague Expressway, Milpitas, California*. November 6.

## APPLICABLE POLICIES

### General Plan Policies

- Policy 3.d-G-2: Provide adequate bicycle parking and end-of trip support facilities for bicyclists at centers of public and private activity.
- Policy 3.d-I-9: Require developers to make new projects as bicycle and pedestrian “friendly” as feasible, especially through facilitating pedestrian and bicycle movements within sites and between surrounding activity centers.
- Policy 3.d-I-10: Encourage developer contributions toward pedestrian and bicycle capital improvement projects and end-of-trip support facilities.
- Policy 3.d-I-14: Include evaluation of bicycle facility needs in all planning applications for new developments and major remodeling or improvement projects.
- Policy 3.d-I-15: Encourage new and existing developments to provide end-of-trip facilities such as secure bicycle parking, on-site showers and clothing storage lockers, etc.
- Policy 2.b-I-2: Consider locating housing in close proximity to industrial developments where they can be served by existing city services and facilities.

### Specific Plan Policies

- *Policy 3.21: Provide continuous pedestrian sidewalks and safe bike travel routes throughout the entire Transit Area and within development projects. New development shall install sidewalks per the street design standards in Chapter 5 [of the Specific Plan]. The City and/or private property owner shall install sidewalks in areas where they currently do not exist, and where new development is not anticipated during the Plan timeframe. City staff will review individual development applications to ensure that adequate pedestrian facilities are provided and are consistent with the Transit Area Plan's pedestrian improvements.*
- *Policy 3.22: Private development shall be encouraged to provide direct walking and biking routes to schools and major destinations, such as parks and shopping, through their property.*
- *Policy 3.27: Every resident of the Transit Area shall be able to safely walk and bike to the BART and VTA light rail stations. As projects are constructed, make sure that all the routes are continuous and designed to be attractive and safe for pedestrians.*
- *Policy 3.33: Require new development within the Transit Area to facilitate the use of alternative modes of transportation through programs such as carpool parking, the VTA's EcoPass Program, shuttles to transit stations and lunchtime destinations, assistance to regional and local ridesharing organizations, alternative work schedules, telecommuting, etc. Establish a Transportation Demand Management (TDM) program for this purpose, as described in Policy 3.16.*
- *Policy 5.23: Require project sponsors to inform future and/or existing sensitive receptors (such as day care facilities, schools, nursing homes) of any potential health impacts resulting from nearby sources of dust, odors, or toxic air contaminants, and where mitigation cannot reduce these impacts.*

- *Policy 5.24: Allow only natural gas fireplaces, pellet stoves or EPA-Certified wood-burning fireplaces or stoves. Conventional open-hearth fireplaces shall not be permitted.*
- *Policy 5.16: During review of specific development proposals made to the City, sponsors of individual development projects under the Specific Plan shall implement the BAAQMD's approach to dust abatement. This calls for "basic" control measures that should be implemented at all construction sites, "enhanced" control measures that should be implemented in addition to the basic control measures at construction sites greater than four acres in area, and "optional" control measures that should be implemented on a case-by-case basis at construction sites that are large in area, located near sensitive receptors or which, for any other reason, may warrant additional emissions reductions (BAAQMD, 1999).*
- *Policy 5.25: For new residential development that is proposed within 500 feet of active rail lines where vehicles emit diesel exhaust, or roadways where total daily traffic volumes from all roadways within 500 feet of such location exceed 100,000 vehicles per day, will, as part of its CEQA review, include an analysis of toxic air contaminants (which includes primarily diesel particulate matter (DPM)). If the results show that the carcinogenic human health risk exceeds the 10 people in a million standard for carcinogenic human health impacts established by the BAAQMD, the City may require upgraded ventilation systems with high efficiency filters, or other equivalent mechanisms, to minimize exposure of future residents.*

## CONCLUSION

The TASP EIR adequately covered the air quality impacts of the 450 Montague project. In addition, ENVIRON International Corporation conducted a CEQA toxic air contaminant (TAC) roadway screening analysis for the proposed project which determined that impacts would be less-than-significant and that further analysis is not required.

|                                                                                                                                                                                                                                                                                                                  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>IV. BIOLOGICAL RESOURCES.</b> Would the project:                                                                                                                                                                                                                                                              |                                      |                                                       |                                    |                                     |
| a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

|                                                                                                                                                                                                                                                                      | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?                   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) Through direct removal, filling, hydrological interruption, or other means? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?                                   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?                                                                                                                                  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan or other approved local, regional, or State habitat conservation plan?                                                                                  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The majority of the Specific Plan area is already developed and there are no sensitive habitats identified within the area. The TASP EIR found that the Specific Plan would largely have minimal impacts on biological resources. However, the TASP EIR concluded that proposed development within the Specific Plan would result in removal of landscaping and disturbance to habitat, which could affect wildlife including burrowing owl, nesting birds and common wildlife species (Impacts 3.8-1 and 3.8-2). The TASP EIR also found that development activities near jurisdictional hydrologic features, such as Lower Penitencia Creek, could result in significant impacts (Impacts 3.8-4 and 3.8-5). The TASP EIR concluded that implementation of the proposed policies of the General Plan and Specific Plan would ensure that the impact on biological resources is less than significant.

The only record of special-status species occurring in the area is the burrowing owl. The TASP EIR notes that development of vacant and ruderal lots could result in a loss of burrowing owls or their nests. Since 55 percent of the project site is not developed, the proposed project must adhere to General Plan Policies 4.b-I-4 and 4.b-I-5, and Specific Plan Policy 5.25 to reduce this potential impact to less-than-significant levels.

H.T. Harvey & Associates Ecological Consultants was hired to conduct a burrowing owl survey for the 450 Montague project site on October 17, 2014.<sup>5</sup> The result of the survey found that burrowing owls are currently absent from the site, the site does not currently provide suitable nesting and foraging habitat, and that it is highly unlikely that burrowing owls will occupy the site or immediately adjacent areas given the low quality of habitat on and adjacent to the site. The survey did find evidence of ground squirrel burrows along the Penitencia Creek Channel area that could potentially be used by burrowing owls, but found this to be highly unlikely due to the presence of human activity, the presence of feral cats, and the highly disturbed conditions surrounding the potential burrowing owl habitat. Furthermore, the project would be required to comply with Specific Plan Policy 5.26 requiring pre-construction surveys 30 days before the beginning of construction to ensure that no owls occupy the site.

The TASP EIR found that the removal of trees could have an impact on non-listed special-status nesting raptors and other birds, as trees do provide habitat for birds and have biological value (Impact 3.8-2). Specific Plan Policy 5.26 addresses the impacts of tree removal and non-listed special-status raptors and nesting birds.

The City has a tree and planting ordinance to protect significant trees,<sup>6</sup> which require removal permits. According to the City ordinance, any tree that is located on developed commercial or industrial property or on vacant, undeveloped property is protected if the trunk measures 37 inches or greater circumference at 4.5 feet above the ground. The arborist report for the project site identified 45 trees on the project site greater than 15 inches diameter measured at breast height, all of which will be removed. A tree removal permit is required to remove any protected tree and compensation for lost trees may be requested by the City. Tree removal will also comply with all City requirements to minimize impacts on biological resources during removal. As part of the landscape plan, the applicant proposes to plant 314 trees within and along the street frontage of the project site.

Penitencia Creek is protected under Section 404 of the Clean Water Act. The TASP EIR found that while development could have an impact on wetlands and other waterways associated with Penitencia Creek (Impacts 3.8-4 and 3.8-5), direct impacts on the creek are not likely to occur due to required setbacks from the creek (a minimum of 25 feet from top of bank or from a maintenance road if one exists for creation of a public trail) in addition to required side or rear yard setbacks. The General Plan also requires the project applicant to coordinate with appropriate agencies such as the Corps, California Fish and Game (CDFG), and Resource Water Quality Control Board (RWQCB) if necessary. The General Plan and Specific Plan policies outlined below ensure that impacts would be less than significant. In addition, the 450 Montague Project would have no direct impact on Penitencia Creek and meets the setback requirements for all structures.

The 450 Montague project is consistent with the type of development analyzed within the TASP EIR. Tree removal will be conducted in conformance with the City's Tree Ordinance. As such, there is no new impact on biological resources.

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<sup>5</sup> H.T. Harvey & Associates Ecological Consultants, 2014. *Lennar-Milpitas Burrowing Owl Survey and Habitat Assessment Report (HTH #7647)*. October 23.

<sup>6</sup> Milpitas, City of. Municipal Code, Title X, Street and Sidewalks, Section 7 – Tree Protection and Heritage Tree Program.

## APPLICABLE MITIGATION

No new mitigation measures are required.

## APPLICABLE POLICIES

### General Plan Policies

- Policy 4.b-I-4 Require a biological assessment of any project site where sensitive species are present, or where habitats that support known sensitive species are present.
- Policy 4.b-I-5 Utilize sensitive species information acquired through biological assessments, project land use, planning and design.

### Specific Plan Policies

- *Policy 5.26: For any project sites that are either undeveloped or vacant and support vegetation, or project sites which are adjacent to such land, a pre-construction survey shall be conducted by a qualified biologist within 30 days of the onset of construction. This survey shall include two early morning surveys and two evening surveys to ensure that all owl pairs have been located. If preconstruction surveys undertaken during the breeding season (February 1st through July 31st) locate active nest burrows, an appropriate buffer around them (as determined by the project biologist) shall remain excluded from construction activities until the breeding season is over. During the non-breeding season (August 15th through January 31st), resident owls may be relocated to alternative habitat. The relocation of resident owls shall be according to a relocation plan prepared by a qualified biologist in consultation with the California Department of Fish and Game (CDFG). This plan shall provide for the owl's relocation to nearby lands possessing available nesting habitat. Suitable development-free buffers shall be maintained between replacement nest burrows and the nearest building, pathway, parking lot, or landscaping. The relocation of resident owls shall be in conformance with all necessary state and federal permits.*
- *Policy 5.27: To mitigate impacts on non-listed special-status nesting raptors and other nesting birds, a qualified biologist will survey the site for nesting raptors and other nesting birds within 14 days prior to any ground disturbing activity or vegetation removal. Results of the surveys will be forwarded to the U.S. Fish and Wildlife Service (USFWS) and CDFG (as appropriate) and, on a case-by-case basis, avoidance procedures adopted. These can include construction buffer areas (several hundred feet in the case of raptors) or seasonal avoidance. However, if construction activities occur only during the non-breeding season between August 31 and February 1, no surveys will be required.*
- *Policy 5.29: Per Figure 5-23 G and Tables 5-1 and 5-2 [of the Specific Plan], a minimum 25 foot setback from the top of bank of any creek or drainage channel, or from a maintenance road if one exists, shall be provided.*
- *Policy 5.30: Prior to new development in areas that border creeks and with potential riparian habitat, applicants will be required to coordinate with the CDFG, as required by law. Coordination will include evaluation of existing riparian habitat and development of*

avoidance, minimization, and/or compensatory measures sufficient to procure a Streambed Alteration Agreement with the CDFG.

- *Policy 5.31: For properties adjacent to any waterway in the study area, the following requirements shall apply:*
  - *Any plans for construction over the Santa Clara Valley Water District (SCVWD) fee or easement lands require review and issuance of a permit.*
  - *The SCVWD's Milpitas Pipeline, located at the north end of the study area and adjacent and parallel to the rail line continuing south onto Capitol Avenue at the southern end of the study area, shall be shown on all future plans.*
  - *Projects should generally be consistent with the recommendations developed by the Water Resources Protection Collaborative in the "Guidelines and Standards for Land Use Near Streams."*
- *Policy 5.32: Consistent with current City practice, all new development located on or adjacent to Penitencia and Berryessa Creek will be required to comply with the standards and guidelines for land uses near streams, as adopted by the City of Milpitas. Any development or construction activity to be conducted on or adjacent to SCVWD property or easements, such as creek crossings, shall be required to obtain applicable permits from the SCVWD prior to such construction activity.*

## CONCLUSION

The TASP EIR adequately evaluated the potential biological impacts of the 450 Montague Project.

|                                                                                                               | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|---------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>V. CULTURAL RESOURCES.</b> Would the project:                                                              |                                      |                                                       |                                    |                                     |
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?    | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?       | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Disturb any human remains, including those interred outside of formal cemeteries?                          | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The TASP EIR concluded that the potential impact of development within the Specific Plan area on cultural resources, including historic, archeological and paleontological resources and human remains was less than significant. However, the TASP EIR concluded that a disturbance to cultural resources could occur during grading and development of individual projects within the Specific Plan area, and that there is a reasonable possibility that archeological deposits could be uncovered and identified during grading (Impacts 3.13-2 and 3.13-3). The TASP EIR identifies several national, State and local laws and policies in the General Plan, Midtown Plan and Specific Plan that would reduce the potential impacts on known or undiscovered cultural resource to less than significant levels.

There are no known historic or cultural resources within the project site.<sup>7</sup> The existing structures that would be demolished as part of the project are approximately 35 years, are typical of light industrial buildings located throughout the State, and are not likely to yield important information about the State or region's history. The project applicant would be required to adhere to all applicable State laws if human remains are discovered, and would be required to follow Specific Plan Policies 5.34 and 5.35 during earth moving activities. Construction of the 450 Montague project would not result in any new impacts to cultural resources.

## APPLICABLE MITIGATION

No new mitigation measures are required.

## APPLICABLE POLICIES

Pursuant to CEQA Guidelines 15064.5 (f), if potentially significant cultural resources are discovered during ground-disturbing activities associated with project preparation, construction, or completion, work shall halt in that area until a qualified archaeologist can assess the significance of the find, and, if necessary, develop appropriate treatment measures in consultation with Santa Clara County and other appropriate agencies and interested parties. For example, a qualified archaeologist shall follow accepted professional standards in recording any find including submittal of the standard Department of Parks and Recreation (DPR) Primary Record forms (Form DPR 523) and locational information to the California Historical Resources Information Center Office (Northwest Information Center). The consulting archaeologist shall also evaluate such resources for significance per California Register of Historical Resources eligibility criteria (Public Resources Code Section 5024.1; Title 14 CCR Section 4852). If the archaeologist determines that the find does not meet the CEQA standards of significance, construction shall proceed. On the other hand, if the archaeologist determines that further information is needed to evaluate significance, the Planning Department staff shall be notified and a data recovery plan shall be prepared.

All future development in the Planning Area will be in accordance with State laws pertaining to the discovery of human remains. Accordingly, if human remains of Native American origin are discovered during project construction, the developer and/or the Planning Department would be

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<sup>7</sup> Milpitas, City of, 2015. Cultural Resources Register. Available online at: [www.ci.milpitas.ca.gov/pdfs/plan\\_cultural\\_resources.pdf](http://www.ci.milpitas.ca.gov/pdfs/plan_cultural_resources.pdf) (accessed on January 13).



required to comply with state laws relating to the disposition of Native American burials, which fall within the jurisdiction of the Native American Heritage Commission (PRC Sec. 5097). Sections 21083.2 and 21084.1 of the PRC states that if any human remains are discovered or recognized in any location on the project site, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains until:

- The Santa Clara County Coroner/Sheriff has been informed and has determined that no investigation of the cause of death is required; and
- If the remains are of Native American origin,
  - The descendants of the deceased Native Americans have made a recommendation to the landowner or the person responsible for the excavation work, for means of treating or disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98, or
  - The Native American Heritage Commission was unable to identify a descendant or the descendant failed to make a recommendation within 24 hours after being notified by the commission

### Specific Plan Policies

- *Policy 5.34: Any future ground disturbing activities, including grading, in the Transit Area shall be monitored by a qualified archaeologist to ensure that the accidental discovery of significant archaeological materials and/or human remains is handled according to CEQA Guidelines § 15064.5 regarding discovery of archeological sites and burial sites, and Guidelines §15126.4(b) identifying mitigation measures for impacts on historic and cultural resources. (Reference CEQA §§ 21083.2, 21084.1.) In the event that buried cultural remains are encountered, construction will be temporarily halted until a mitigation plan can be developed. In the event that human remains are encountered, the developer shall halt work in the immediate area and contact the Santa Clara County coroner and the City of Milpitas. The coroner will then contact the Native American Heritage Commission (NAHC) which will in turn contact the appropriate Most Likely Descendent (MLD). The MLD will then have the opportunity to make a recommendation for the respectful treatment of the Native American remains and related burial goods.*
- *Policy 5.35: All grading plans for development projects involving ground displacement shall include a requirement for monitoring by a qualified paleontologist to review underground materials recovered. In the event fossils are encountered, construction shall be temporarily halted. The City's Planning Department shall be notified immediately, a qualified paleontologist shall evaluate the fossils, and steps needed to photo-document or to recover the fossils shall be taken. If fossils are found during construction activities, grading in the vicinity shall be temporarily suspended while the fossils are evaluated for scientific significance and fossil recovery, if warranted.*

### CONCLUSION

The TASP EIR adequately evaluated the potential cultural resource impacts of the 450 Montague Project.

|                                                                                                                                                                                                                                                                                        | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>VI. GEOLOGY AND SOILS.</b> Would the project:                                                                                                                                                                                                                                       |                                      |                                                       |                                    |                                     |
| a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:                                                                                                                                                       | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42. | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| ii) Strong seismic ground shaking?                                                                                                                                                                                                                                                     | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| iii) Seismic-related ground failure, including liquefaction?                                                                                                                                                                                                                           | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| iv) Landslides?                                                                                                                                                                                                                                                                        | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil?                                                                                                                                                                                                                          | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?                                                     | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?                                                                                                                                       | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?                                                                                                   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The TASP EIR concluded that the geologic and soil impacts in the Specific Plan area are primarily related to potential ground shaking and associated ground failure (liquefaction), soil expansion, settlement and soil erosion during construction activities. Since the Specific Plan area is not located within an Earthquake Fault Hazard Zone, the likelihood of surface fault rupture is minimal. In addition, the TASP EIR found that slope instability hazards are also minimal because the surface area in the Specific Plan area is relatively level.

The TASP EIR determined that impacts related to ground shaking, liquefaction, settlement and soil erosion are less than significant when projects are built in accordance with General Plan Policy 5.a.-I-3, the City of Milpitas Municipal Code and NPDES General Construction Permit requirements (Impacts 3.5-1, 3.5-2, and 3.5-3). Specifically, the TASP EIR states that State of California building codes and construction standards contained in Title 24 of the CCR reduce impacts to a less-than-significant level. The 450 Montague project would be designed and constructed in accordance with these requirements.

Projects associated with implementation of the Specific Plan would be required to comply with NPDES General Construction Permit requirements. Project applicants would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) to minimize the discharge of pollutants, including silt and sediment, during construction. The SWPP would need to include measures to control erosion and effectively manage runoff and retain sediment on-site during construction.

Additionally, in accordance with the City Code, building permit applications for subdivisions must be accompanied by a preliminary soils report. The report must address site soil conditions, including expansive soils, settlement, and erosion, and provide recommendations to offset potential soils problems. Compliance with the recommendations included in the preliminary soils report and geotechnical investigation would help reduce potential liquefaction hazards to less-than-significant levels.

The 450 Montague Project is consistent with the type of development analyzed in the TASP EIR and is required to adhere to General Plan and Specific Plan policies relating to building standards and emergency service needs. The 450 Montague Project submitted a Stormwater Control Plan on December 12, 2014.<sup>8</sup>

In addition, the applicant hired Rockridge Geotechnical to prepare a preliminary soils report on January 7, 2014, which was submitted to the City on December 14, 2014. The findings of the preliminary soil report indicated that the project site is bound by the following geotechnical constraints: 1) the presence of 1 to 3 feet of undocumented fill on the site; 2) the presence of highly expansive near-surface fill and native clay; and 3) the potential for differential settlement under static foundation loads due to compression of the thin, light over-consolidated clay layers between depths of 10 and 20 feet.<sup>9</sup> The preliminary geotechnical report makes specific recommendations to lessen these constraints, including: moisture conditioning; blending and re-compacting of the undocumented fill; moisture conditioning the expansive soil and adding non-expansive fill or lime treated soil; the use of supporting foundations below the moisture zone, or the use of stiff, shallow foundations; and the use of conventional shallow foundations to resist the effect of highly expansive near-surface soil.<sup>10</sup> The report also recommends that the expansion potential of the soil and the potential impact on the 450 Montague Project should be further evaluated during the final geotechnical investigation of the

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<sup>8</sup> Carlson, Barbee & Gibson, Inc., 2014. *Stormwater Control Plan for 450 Montague, Milpitas, CA*. December 14.

<sup>9</sup> Rockridge Geotechnical, 2014. *Preliminary Geotechnical Study Due Diligence Evaluation*. January 17.

<sup>10</sup> Ibid.

project once a proposed grading plan has been established.<sup>11</sup> Implementation of measures identified in the geotechnical report would be required as a Condition of Approval.

Since the 450 Montague Project would comply with Specific Plan policies, including implementing the recommendations of the preliminary geo-technical report, there is no new impact on geology and soil.

## **APPLICABLE MITIGATION**

No new mitigation measures are required.

## **APPLICABLE POLICIES**

### **General Plan Policies**

- *Policy 5.a-I-3: Require projects to comply with the guidelines prescribed in the City's Geotechnical Hazards Evaluation manual. Mandatory compliance with building codes and construction standards established in the California Building Code, the requirements of the Seismic Hazards Mapping Act and the City of Milpitas Municipal Code, and policies contained in the City of Milpitas General Plan would reduce seismic-related ground shaking and liquefaction to less than significant levels.*

### **Specific Plan Policies**

- *Specific Plan Policy 5.36: Require construction projects that disturb one or more acres to prepare a Stormwater Pollution Prevention Plan (SWPPP) that, when properly implemented, would reduce or eliminate impacts on surface water quality during construction.*
- *Specific Plan Policy 5.37: Require construction projects to comply with the Santa Clara County National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharges.*

## **CONCLUSION**

The TASP EIR adequately evaluated the potential geology and soil impacts of the 450 Montague Project.

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<sup>11</sup> Ibid.

|                                                                                                                                  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|----------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>VII. GREENHOUSE GAS EMISSIONS.</b> Would the project:                                                                         |                                      |                                                       |                                    |                                     |
| a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?      | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The TASP EIR found that the primary source of greenhouse gas (GHG) emissions related to urban development in the Specific Plan area are anticipated to continue to be from combustion of fossil fuels by motor vehicles and from electric power generation. Short-term impacts are anticipated from construction activity that will occur during the implementation of the Plan. Since the GHG emission rate is related to growth, the Specific Plan promotes policies that reduce energy consumption and fuel usage by encouraging development patterns that will reduce the vehicles miles traveled (VMT) per capita and proposes a variety of actions and policies that can reduce emissions to less-than significant levels.

The TASP EIR found that the rate of increase in VMT would be less than the rate of increase in population due to the mixed-use and transit area nature of new development proposed under the Specific Plan. The TASP EIR found that while the population is expected to increase significantly in the area, a large percentage of that population would use transit options made available to them which in turn would reduce vehicle use. The TASP EIR also found that the increase in VMT will not prevent the reduction of statewide greenhouse gas emissions to 1990 levels.

In 2013, the City adopted the Milpitas Climate Action Plan (CAP),<sup>12</sup> which is considered a Qualified GHG Reduction Strategy by the Bay Area Air Quality Management District (BAAQMD). If the project is consistent with the CAP, it can be presumed that the project will not have significant GHG emissions under CEQA and no further GHG analysis would be required for the project. As shown in Appendix A to this document, the City and the project applicant prepared the Development Checklist from Appendix C of the CAP. Based on the features incorporated into the project by the applicant, the project would be consistent with the CAP.

Additionally, the TASP EIR identifies several Specific Plan policies that reduce the impacts of greenhouse gas emissions associated with growth: planting trees, establishing and implementing a travel demand management program to encourage alternate modes of transportation, providing

<sup>12</sup> Milpitas, City of, 2013. *Climate Action Plan. A Qualified Greenhouse Gas Reduction Strategy*. May 27.

pedestrian and bike routes, providing continuous bicycle circulation routes, requiring provision of bicycle and pedestrian facilities, and requiring new development to facilitate the use of alternate modes of transportation through various programs. These policies are outlined further below and would be applicable to the proposed project.

Regarding electricity consumption, the TASP EIR found that the increase in total demand for electrical energy as a result of the Specific Plan will be reduced to less-than-significant levels by requiring compliance with State, local and Specific Plan energy efficiency policies. These policies (outlined below) will ensure that the additional energy that homes and businesses consume will not impede achievement of the statewide reduction in emissions mandated by the California Climate Solutions Act of 2006 and will ensure that the impact of increased energy consumption in the Specific Plan area is less than significant.

The 450 Montague Project adheres to the building guidelines of the Specific Plan, is consistent with the Milpitas CAP, and promotes reductions in greenhouse gas emissions through high-density development in close proximity to transit. Additionally, while the proposed project would remove all existing trees, the project proposes to plant approximately 314 trees, which will help offset greenhouse gas emissions. The proposed project would result in no new impacts related to greenhouse gas emissions and further analysis is not required.

## **APPLICABLE MITIGATION**

No new mitigation measures are required.

## **APPLICABLE POLICIES**

### **Specific Plan Policies related to Greenhouse Gas Emissions**

- *Policy 3.16: Establish and implement a travel demand management (TDM) program in order to encourage alternate modes of travel and thereby reduce automobile trips. Establish a funding mechanism to pay for the costs of the program, including the cost of a transportation coordinator to administer the program. The program would include a ride-matching program, coordination with regional ride-sharing organizations, and provision of transit information; and could also include sale of discounted transit passes and provision of shuttle service to major destinations.*
- *Policy 3.21: Provide continuous pedestrian sidewalks and safe bike travel routes throughout the entire Transit Area and within development projects.*
- *Policy 3.22: Private development shall provide direct walking and biking routes to schools and major destinations, such as parks and shopping, through their property.*
- *Policy 3.23: Encourage children to walk or bike to school by expanding existing safe walking and bicycling routes to schools into the Transit Area.*
- *Policy 3.28: Provide continuous bicycle circulation through the project site and to adjacent areas by closing existing gaps in bicycle lanes and bicycle routes, per Figure 3-5 [of the Specific Plan].*

- *Policy 3.31: Require provision of bicycle and pedestrian facilities such as weather protected bicycle parking, direct and safe access for pedestrians and bicyclists to adjacent bicycle routes and transit stations, showers and lockers for employees at the worksite, secure short-term parking for bicycles, etc.*
- *Policy 3.33: Require new development within the Transit Area to facilitate the use of alternative modes of transportation through programs such as carpool parking, the VTA's EcoPass Program, shuttles to transit stations and lunchtime destinations, assistance to regional and local ridesharing organizations, alternative work schedules, telecommuting, etc. Establish a Transportation Demand Management (TDM) program for this purpose, as described in Policy 3.16.*
- *Policy 5.6: Require the use of Energy Star appliances and equipment in new residential and commercial development, and new City facilities.*
- *Policy 5.7: Require at least 50 percent of all new residential development to be pre-wired for optional photovoltaic roof energy systems and/or solar water heating.*
- *Policy 5.8: Incorporate cost-effective energy conservation measures into all buildings being constructed by the City in the Transit Area, including construction, operations and maintenance. These measures can include but are not limited to:*
  - *Energy efficient light fixtures, including solar powered systems, for streetscapes, parks, and public buildings which have limited glare and spillover;*
  - *Automatic lighting systems in public buildings and offices; and*
  - *Life-cycle costing of capital projects so that the environmental, societal, and economic costs are evaluated over the project's long-term operation.*

## CONCLUSION

The TASP EIR adequately covered the greenhouse gas emissions impacts of the 450 Montague Project and no new impacts related to greenhouse gas emissions are anticipated.

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|                                                                                                                                                                                                                                                                  | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>VIII. HAZARDS AND HAZARDOUS MATERIALS.</b>                                                                                                                                                                                                                    |                                      |                                                       |                                    |                                     |
| Would the project:                                                                                                                                                                                                                                               |                                      |                                                       |                                    |                                     |
| a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?                                                                                                                          | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?                                                                  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?                                                                                                  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?                                   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?                                                                                              | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?                                                                                                                                        | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?                                             | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |



## DISCUSSION

The TASP EIR concluded that due to past land uses and previously reported hazardous material releases and spills, there are potential impacts associated with existing soil and groundwater contamination in areas of the Specific Plan (Impact 3.4-1). These potential impacts include the risk of upset during demolition and construction activities and could pose a health risk to humans and the environment. All projects implemented as part of the Specific Plan are subject to existing hazardous materials regulations for the use, transport and disposal of hazardous materials. The TASP EIR found that any impact from potential exposure during construction can be reduced to a less-than-significant level with implementation of Specific Plan policies.

Existing structures that would be demolished in the Specific Plan area could potentially include hazardous building materials such as asbestos, PCBs or lead-based paint. Specific Plan Policy 5.21 requires applicants to submit information to the City regarding asbestos-containing building materials, PCBs, and lead-based paint in existing buildings proposed for demolition. The 450 Montague Project would be required to comply with Policy 5.21, reducing this impact to a less-than-significant level.

All new development within the Specific Plan area must comply with Section 19827.5 of the California Health and Safety Code, which requires that local agencies not issue demolition or alteration permits until an applicant has demonstrated compliance with notification requirements under applicable federal regulations regarding hazardous air pollutants, including asbestos. Full compliance with Title 17 and Title 8 of the California Code of Regulations is also required, which includes implementing work practice standards related to the evaluation and abatement of lead in public and residential buildings and covers construction work where an employee may be exposed to lead.

Advanced Environmental Concepts, Inc. (AEC) prepared a Phase I hazards report for the 450 Montague project site in October 2012. The results of this study identified the following Recognized Environmental Condition:<sup>13</sup>

Subsurface investigations of soil gas, soil, and groundwater conducted by Enviro Soil Tech and Environmental Guidance have identified concentrations of volatile organic compounds in the three media that exceed applicable regulatory action levels such as the Bay Area ESLs and water quality MCLs. However, the site is under the supervision of the Bay Area RWQCB (Mr. Mark Johnson), and Mr. Johnson has informed both the current consultant of record (Tim Becker of Environmental Guidance) and AEC that due to the low onsite concentrations of VOCs in shallow groundwater that it does not warrant remedial measures.

Therefore, AEC recommends completion of the required groundwater sampling events and obtaining a letter of no further action from the RWQCB. In addition, AEC recommends preparation of a Soil Management Plan to address contingencies that may be identified during the demolition of the existing building and proposed new development.

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<sup>13</sup> Advanced Environmental Concepts, Inc., 2012. *Phase I Site Assessment for 450 Montague Expressway*. October.

Arcadis US, Inc. (Arcadis) prepared a Phase I Environmental Site Assessment (ESA) report on March 7, 2014 for the portion of the project site located at 400 Montague Expressway. The findings of this report did not identify environmental concerns related to the historical development and current use of the site other than the following Recognized Environmental Conditions:

- The prior agricultural use of the site indicates the potential for residual pesticides in shallow surface soil.
- The prior use of the site by Vickers for minor vehicle servicing and washing indicates a potential for a release of automotive-related fluids to the site surface.
- The adjacent property north of the site (450 Montague Expressway) had a release of VOCs that impacted groundwater. Based on the hydraulically cross-gradient location, there is a potential that contaminated groundwater has migrated beneath the site.

The applicant will comply with Policy 5.2 and will prepare a Phase I for the 2369 E. Capitol Avenue and 620 E. Capitol Avenue parcels prior to the issuance of the site development permits.

Arcadis later prepared a Limited Phase II hazards report in July 2014 for the 450 Montague portion of the project site, the Capitol Avenue portions, as well as some portions of the 400 Montague site. The purpose of the Phase II hazards report was to assess whether chemicals, primarily volatile organic compounds (VOCs) are present. The report concluded that VOC concentrations in soil and groundwater samples collected during the investigations were below their corresponding residential environmental screening levels (ESLs). However, several VOCs were detected in soil vapor samples that exceeded their corresponding ESLs by one or two orders of magnitude. Arcadis found that the VOC-impacted soil vapor to be limited to the parking lot behind the existing building at 450 Montague and recommend that it can be remediated with soil excavation during site development and that it does not appear that VOC-affected groundwater is a source of VOCs in the soil vapor.

In addition, Arcadis reported that based on RWQCB data, the concentrations of VOCs were declining at the 450 Montague portion of the project site and that the RWQCB issued a letter on December 2013 to the property owner stating that they were considering a “low threat closure” of the property if an Environmental Covenant and Deed Restriction to restrict the use of groundwater was recorded and if a Soil Management Plan was prepared for possible redevelopment of the property with a residential use.

Implementation of the above-mentioned remediation actions, including those associated with soil excavation and the development of a soil management plan, would be required as a Condition of Approval for the project. Implementation of the remediation measures identified in the various environmental reports, as well as a deed restriction, would also be required as a Condition of Approval. In addition, Specific Plan Policy 5.22 requires Risk Management Plans at sites with known contamination issues. As noted above, a Phase II hazards report identified VOC-impacted soil vapor above the associated screening level. The proposed project would be required to develop a Risk Management Plan.

Hazardous materials transportation, use, and disposal would be subject to State and federal hazardous materials laws and regulations. Hazardous materials would be required to be transported under DOT regulations as well as ordinances administered by the Milpitas Fire Department and Santa Clara County department of Environmental Health.

The project site is not located within 2 miles of a public airport. Additionally, the proposed project would not be expected to impair implementation or interfere with an adopted emergency plan. Specific Plan Policies 6.49, 6.50, and 6.52 would ensure that adequate emergency services are available.

The 450 Montague Project is consistent with the overall vision of transforming the area from industrial to a new, transit-oriented, mixed-use neighborhood. Since the proposed project would comply with Specific Plan policies, including Policy 5.20, 5.21 and 5.22, there are no new impacts on hazards and hazardous materials.

### **APPLICABLE MITIGATION**

No new mitigation measures are required.

### **APPLICABLE POLICIES**

#### **Specific Plan Policies**

- *Policy 5.20: Property owners shall work with the City of Milpitas Fire Department, the Santa Clara County Department of Environmental Health (SCCDEH), the California Department of Toxic Substances Control (DTSC), and/or the State Water Resources Control Board (SWRCB), whichever has jurisdiction, to resolve issues related to contamination that could potentially impact future land uses in the project area. The lateral and vertical extent of contamination shall be determined, remediation activities completed, and land use restrictions implemented, as necessary, prior to the issuance of development permits on parcels with known contamination.*

*For parcels with known contamination, appropriate human health risk assessments (HHRAs) shall be conducted based on proposed land uses by a qualified environmental professional. The HHRAs shall compare maximum soil, soil gas, and groundwater concentrations to relevant environmental screening levels (ESLs<sup>2</sup>) and evaluate all potential exposure pathways from contaminated groundwater and soil. Based on the findings of the HHRAs, if appropriate, engineering controls and design measures shall be implemented to mitigate the potential risk of post-development vapor intrusion into buildings.*

*For parcels with no identified contamination, a Phase I study shall be completed to review potential for ground water, soil, or other contamination related to previous land uses. If any potential for contamination is determined to exist that could adversely affect human health for residential uses, a Phase II level analysis shall be conducted per City, State, and Federal requirements. If contamination is found to exist, procedures for contaminated sites as described in the paragraph above shall be followed.*

- *Policy 5.21: Project applicants shall submit information to the City regarding the presence of asbestos-containing building materials, PCBs, and lead-based paint in existing buildings proposed for demolition, additions, or alterations. The information shall be verified prior to the issuance of demolition permits by the City of Milpitas Building Inspection Division for any existing structures or buildings in the project area. If it is found that painted surfaces contain lead-based paint and/or the structures contain asbestos-containing*

building materials, measures to ensure the safe demolition of site structures shall be incorporated into the project Demolition Plan. The Demolition Plan shall address both onsite and offsite chemical and physical hazards. Prior to demolition, hazardous building materials associated with lead-based paint and asbestos-containing building materials shall be removed and appropriately disposed of in accordance with all applicable guidelines, laws, and ordinances. The demolition of buildings containing asbestos would require retaining contractors who are licensed to conduct asbestos abatement work and notifying the Bay Area Air Quality Management District (BAAQMD) ten days prior to initiating construction and demolition activities. Regarding lead based paint, Cal-OSHA regulates all worker exposure during construction activities associated with lead-based paint. The Cal-OSHA-specified method of compliance includes respiratory protection, protective clothing, housekeeping, hygiene facilities, medical surveillance, and training.

- *Policy 5.22: At sites with known contamination issues, a Risk Management Plan (RMP) shall be prepared to protect the health and safety of construction workers and site users adjacent to construction activities. The RMP shall include engineering controls, monitoring, and security measures to prevent unauthorized entry to the construction site and to reduce hazards outside of the construction site. The RMP shall address the possibility of encountering subsurface hazards and include procedures to protect workers and the public. The RMP shall also include procedures for managing soils and groundwater removed from the site to ensure that any excavated soils and/or dewatered groundwater with contaminants are stored, managed, and disposed of in accordance with applicable regulations and permits. Protocols for the handling, transport, and disposal of both known and previously unidentified hazardous materials that may be encountered during project development shall be specified. If prescribed exposure levels are exceeded, personal protective equipment shall be required for workers in accordance with OSHA regulations. Finally, the RMP shall also include procedures for the use, storage, disposal, of hazardous materials used during construction activities to prevent the accidental release of these materials into the environment during construction.*
- *Policy 6.50: The Fire Department shall conduct a “standards of cover” analysis to determine the Transit Plan’s precise impact on the department’s staffing and equipment, and any required facility needs. Identify and evaluate potential sites for an expanded or new fire station near the Transit Area if the standards of cover analysis determines it is warranted.*
- *Policy 6.51: Additional fire department staff will be hired, equipment purchased, and facilities built to provide an adequate level of service—as determined by City Council—for the residents, workers, and visitors of the Transit Area. New equipment and facilities shall be funded by the Community Facilities District fee and new staff paid from the City’s General Fund. These facilities are not expected to be sited within the Transit Area.*
- *Policy 6.53: The Fire Department shall update the City’s emergency and disaster response plans to take the location and type of new development, and future traffic levels, into account.*

## CONCLUSION

The TASP EIR adequately evaluated potential impacts related to hazards and hazardous materials at or affecting the 450 Montague Project.

|                                                                                                                                                                                                                                                                                                                                                                                               | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>IX. HYDROLOGY AND WATER QUALITY.</b> Would the project:                                                                                                                                                                                                                                                                                                                                    |                                      |                                                       |                                    |                                     |
| a) Violate any water quality standards or waste discharge requirements?                                                                                                                                                                                                                                                                                                                       | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?                                                                                                                                                            | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?                                                                                                                     | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?                                                                                                                                                                                                         | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Otherwise substantially degrade water quality?                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?                                                                                                                                                                                                                          | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

|                                                                                                                                                                       | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?                                                                   | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding of as a result of the failure of a levee or dam? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| j) Inundation by seiche, tsunami, or mudflow?                                                                                                                         | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The TASP EIR identified that implementation of the Specific Plan would have minimal impacts on the hydrology and water quality of the Specific Plan area. Potential impacts to groundwater and to streams and rivers are not likely to occur, and the Specific Plan area is expected to maintain the same drainage pattern upon build-out, utilizing existing street gutters and storm drains. Furthermore, the Specific Plan area is also not subject to inundation by seiche, tsunami or mudflow. Potential impacts would be related to stormwater and flooding (Impacts 3.10-3) and water quality (Impacts 3.10-1 and 3.10-2). The TASP EIR concluded compliance with specific municipal policies, General Plan and Specific Plan policies would reduce the impacts related to stormwater quality, runoff, and flooding to less-than-significant levels.

During the construction period, grading and excavation activities would result in exposure of soil to runoff, potentially causing erosion and entrainment of sediment in runoff. This condition could cause erosion and increase sedimentation in storm drains or waterways within the area. In addition, there is the potential for release of chemicals such as fuels, oils, paints and solvents from construction sites. The chemicals could be transported to nearby surface waterways, groundwater in stormwater runoff, wash water and dust control water. General Plan Policies 4.d-G-1 and 4.d-I-1 and Specific Plan Policies 5-36 and 5-37 would help reduce construction related water quality impacts to less-than-significant levels.

In addition, construction projects are required to prepare a Stormwater Control Plan, which requires implementing Best Management Practices (BMPs) to control stormwater peak flows and pollutant levels. This requirement is stipulated in Provision C.3 of the Santa Clara County National Pollutant Discharge Elimination System (NPDES). All projects within the Specific Plan area must comply with NPDES requirements, including the proposed project.

The proposed increase in population and traffic associated with the project could increase discharge of pollutants in stormwater runoff beyond current levels after partial or full build-out of the Specific Plan. However, full compliance with the Santa Clara County NPDES permit guidelines for stormwater discharge, General Plan Policy 4.d-G-1, Midtown Policy 6.8, and Specific Plan Policies 5-36 and 5-37 would ensure the impacts would be less than significant.

The Specific Plan area is within a FEMA-designated floodplain. As such, the City has conducted area-wide storm drainage planning that includes Master Grading and Storm Drainage Plans for each subdistrict of the Specific Plan area. The proposed project must comply with the requirements of the Master Grading and Storm Drainage Plans for the Montague Corridor and Trade Zone/Montague subdistricts. Additional impacts related to the floodplain could occur, however, several local and Specific Plan policies identified in the TASP EIR would reduce the impact to less-than-significant levels.

Since the 450 Montague project site is located in a FEMA special flood area, a flood study was conducted for the property by Schaaf & Wheeler Associates on October 21, 2014.<sup>14</sup> The analysis found that the project site has impacts of less than 0.3 feet, neighboring projects would not adversely impact one another, and cumulative impacts would be less than 1 foot. The report found that the proposed project complies with the City of Milpitas Floodplain Ordinance Section XI-15-4.3 (a)(4) and XI-15-5.1 (c)(1), which requires residential finish floor elevations be one foot above the base flood elevation.

The 450 Montague Project conforms to the TASP EIR, and, therefore, there is no new impact on hydrology and water quality.

#### **APPLICABLE MITIGATION**

No new mitigation measures are required.

#### **APPLICABLE POLICIES**

##### **City of Milpitas Municipal Policies**

- Standards of Construction (Section XI-15-5.1) – specify requirements for anchoring, construction materials and methods, and elevation and flood-proofing
- Standards for Utilities (Section XI-15-5.2) – specify requirements for new and replacement water supply and sanitary sewage systems, and on-site waste disposal systems
- Standards for Subdivisions (Section XI-15-5.3)
- Floodways (Section XI-15-5.6) – specify requirements and constraints for encroachments, and other flood hazard reduction provisions.

##### **General Plan Policies**

- Policy 4.d-G-1: Protect and enhance the quality of water resources in the Planning Area.
- Policy 4.d-I-1: Continue implementing the National Pollutant Discharge Elimination System (NPDES) requirements of the Regional Water Quality Control Board – this is implemented through Chapter 16 of the City's Zoning Ordinance.

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<sup>14</sup> Schaaf & Wheeler Consulting Civil Engineers, 2014. *450 Montague Flood Study*. October 21.

### Specific Plan Policies

- *Policy 5.36: Require construction projects that disturb one or more acres to prepare a Stormwater Pollution Prevention Plan (SWPPP) that, when properly implemented, would reduce or eliminate impacts on surface water quality during construction.*
- *Policy 5.37: Require construction projects to comply with the Santa Clara County National Pollutant Discharge Elimination System (NPDES) permit for stormwater discharge.*
- *Policy 6.1: Minimize damage associated with flooding events and comply with regulations stipulated by FEMA and the National Flood Insurance Program.*
- *Policy 6.2: New development within a FEMA-designated flood hazard zone must follow the City's construction standards for such areas, as currently laid out in Section XI-15 'Floodplain Management Regulations' of the Milpitas Municipal Code.*
- *Policy 6.3: New development must maintain the Transit Area's urban design standards. In particular, first floor commercial space must be within two feet of the elevation of the public sidewalk. The design and development standards in Chapter 5 [of the proposed Plan] must be followed, as well as the FEMA construction standards. This policy is particularly important regarding the location and appearance of on-site parking and the accessibility of ground floor retail from sidewalks. FEMA's construction standards require a building's floor plate to be one foot above flood level. Rather than elevate a building on stilts and require store access via stairs or ramps, the ground floor should be accessible via a sloping sidewalk. On streets fronted by ground floor commercial, no sidewalk shall be more than two feet above or below the floor level of adjacent commercial space, as specified in Chapter 5. The sidewalk needs to be designed so that the grade of its slope complies with federal, state, and local standards for disabled access.*
- *Policy 6.4: Provide storm drain infrastructure to adequately serve new development and meet City standards.*
- *Policy 6.5: Ensure that runoff in storm drains does not lower water quality within or outside of the Transit Area by implementing Best Management Practices (BMPs) in new developments within the Transit Area.*
- *Policy 6.6: Construct the improvements within the Transit Area that were identified in the 2001 Storm Drainage Master Plan, and any other improvements identified in updates to the Master Plan.*
- *Policy 6.7: Prepare Master Grading and Storm Drainage Plans for each subdistrict of the Transit Area prior to approval of Zoning Permits for new buildings in that subdistrict.*

### Midtown Specific Plan Policies

- *Policy 6.8: Encourage creativity in design of new development in order to reduce stormwater runoff, increase percolation, and improve water quality.*



## CONCLUSION

The TASP EIR adequately evaluated the hydrology and water quality impacts of the 450 Montague Project.

|                                                                                                                                                                                                                                                                                                             | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>X. LAND USE AND PLANNING.</b> Would the project:                                                                                                                                                                                                                                                         |                                      |                                                       |                                    |                                     |
| a) Physically divide an established community?                                                                                                                                                                                                                                                              | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan?                                                                                                                                                                                                           | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The TASP EIR concluded that while implementation of the Specific Plan would significantly change the land use designations and pattern of development for the area, impacts related to land use would be minimal. The Specific Plan does not divide an established community because the area was primarily developed with industrial uses prior to the development of the Specific Plan. In addition, there is no habitat conservation or natural community conservation plans within the Specific Plan area.

Existing land use designations in the Specific Plan would change from industrial to residential, mixed-use, and parks/community facilities over a period of 20 years. The changes that occur as a result of the Specific Plan are seen as positive and will include the development of street and trail connections and pedestrian bridges across major arterials to connect resident and employees with jobs, services, parks and transit. New zoning districts associated with the Specific Plan include: MXD2, MXD3, and R5 and edits the “- TOD” Combining District to include MXD2-TOD, MXD3-TOD, R3-TOD, R5-TOD, and MPTOD and revises C2-TOD. These amendments ensure that potential impacts related to inconsistency and altered land use designations are less than significant.

Under the Specific Plan, the proposed project has two land use designations: Boulevard Very High Density Mixed Use and Very High Density Transit Oriented Residential. Permitted uses under the Boulevard Very High Mixed Use designation include residential, office, commercial and medical.

A 1.5 maximum gross FAR and density of FAR of 2.5 may be permitted on individual sites in this land use designation. In addition, building heights of 4-12 stories (20 stories with CUP) are permitted. Permitted densities for residential uses range from a minimum of 41 units per acre minimum average gross density to 60 units per acre maximum average gross density. Small local-serving retail, office, and live/work uses are permitted at ground floor levels.

Permitted uses under the Very High Density Transit Oriented Residential include only residential with densities ranging from 41 units per acre minimum to 60 units per acre maximum gross density. Building heights in this land use designated area range from 4 to 6 stories, with 12 stories permitted near arterials and 20 stories permitted with CUP.<sup>15</sup> The 450 Montague Project complies with the standards of both of these land use designations and would develop in the lower range of the density and intensity standards from what was assumed in the TASP EIR.

The TASP EIR also found that proposed uses would be more compatible with the adjacent residential and commercial uses than existing uses. However, over the planning horizon, the City expects there would be temporary incompatible land uses in the area until the build-out of the Specific Plan is complete. Policies are included in the Specific Plan to address temporary neighboring incompatible land uses. The Specific Plan includes streets, landscaped areas, parks and linear parks that create buffers between the different types of land uses. Conformance with Specific Plan policies (outlined below) will ensure that temporary conflicts between land uses would be less than significant.

The Specific Plan area is intended to be a cohesive neighborhood identified by a similar look and feel in its public spaces and a consistent orientation toward walking and transit usage. However, the area is currently bisected by regional arterial roadways and rail lines that create discrete areas with varying development environments. As a planning and development strategy, the Specific Plan created subdistricts to capitalize on and accommodate these identified areas. Each subdistrict has a carefully chosen plan of land uses, local street grid, and open space assigned to it to generate a character that takes into account existing and future physical conditions as well as expected market demand. Each subdistrict has individual development criteria for setbacks and building location and placement, which would reduce the impact of interactions between adjacent potentially incompatible uses.

The proposed project is within the overlapping Montague Corridor and Trade/Montague subdistricts. The Montague Corridor subdistrict encompasses the area fronting Montague Expressway, which is a broad, high volume roadway that is anticipated to become wider and experience an even greater volume of traffic by the time the Specific Plan is built out. The goal of the corridor is to create a grand boulevard style neighborhood with intense development that is near a major transit station.

The Trade Zone/Montague subdistrict is located east of Montague Expressway and south of Capitol Avenue, extending to the City limits on Trade Zone Boulevard and Lundy Street. The goal of this subdistrict is to create an attractive residential district, with ample green space in the form of a sports field and a creekside park, plus trails along Penitencia Creek. Land Use Policy 4.44 for the Trade Zone/Montague Subdistrict of the Specific Plan requires all projects within this subdistrict to create an interior street parallel to Capitol Avenue in an effort to create a “quiet front door” and “residential

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<sup>15</sup> Dyett and Bhatia, *Draft Environmental Impact Report, Milpitas Transit Area Specific Plan*, October 2007; and *Final Environmental Impact Report, Milpitas Transit Area Specific Plan*, May 2008; Chapter 3.

character” for the residents.<sup>16</sup> The proposed project includes two internal roads, Street A and Street B. Street A conforms to Policy 4.44 as it is parallel to East Capitol Avenue and would be extended in the future by adjacent properties as they redevelop. As such, the proposed project would conform to the development standards of both subdistricts, which lessens the impact of incompatible adjacent uses.

Since the land use impacts of the 450 Montague Project are consistent with the impacts identified in the TASP EIR, and because the project would comply with the building standards of the Specific Plan, there is no new impact on land use.

### **APPLICABLE MITIGATION**

No new mitigation measures are required.

### **APPLICABLE POLICIES**

#### **Specific Plan Policies**

- *Policy 3.8: Allow contiguous developments to build at higher or lower residential densities, so long as their average density falls between the designated minimum and maximum.*
- *Policy 3.9: Maintain the Midtown Plan’s gross floor area policy, which excludes all areas of a building devoted to parking from FAR calculations.*
- *Policy 3.38: The open space requirements of the Midtown Milpitas Specific Plan (Policy 3.2.4) shall apply to the entire area of the Transit Area Specific Plan.*

#### **Montague Corridor Subdistrict Policies**

- *Policy 4.1 (MON): High rise buildings are encouraged along Montague Expressway.*
- *Policy 4.2 (MON): New curb cuts and auto access onto Montague Expressway are strongly discouraged, unless specifically indicated on the Plan map.*
- *Policy 4.3 (MON): Parcels fronting Montague Expressway are permitted to contain residential, employment, or hotel uses.*
- *Policy 4.4 (MON): A 45 foot wide, landscaped setback is required from the future right of way line of Montague Expressway.*
- *Policy 4.5 (MON): New development along Montague Expressway must dedicate land, such that a total of 79 feet from the roadway centerline is provided, to accommodate the future Montague Expressway widening project.*
- *Policy 4.6 (MON): Buildings will be designed with facades facing Montague Expressway.*

#### **Trade/Montague District Policies**

- *Policy 4.43 (TR-M): Create a new street that aligns with the Milpitas Boulevard Extension with a traffic signal that allows left and right turns from Capitol Avenue.*

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<sup>16</sup> Dyett and Bhatia, *City of Milpitas Transit Area Specific Plan*, June 2008. Chapter 4.

- *Policy 4.44 (TR-M): Create an interior street parallel to Capitol Avenue.*
- *Policy 4.45 (TR-M): Do not locate curb cuts for driveway or garage access on Capitol Avenue.*
- *Policy 4.46 (TR-M): Create a deep landscape setback along Capitol Avenue to separate residences from noise and heavy traffic on Capitol Avenue. See Figure 5-11, Chapter 5 of the Specific Plan.*
- *Policy 4.47 (TR-M): Create a street connection between Sango Court and the new residential area to the south and east when the Sango Court area redevelops for residential use.*
- *Policy 4.48 (TR-M): Provide street connections from residential and mixed use development on Montague Expressway to the park and residential neighborhoods within this subdistrict.*
- *Policy 4.49 (TR-M): Create street connections, bike connections, and pedestrian connections across the creek channel.*
- *Policy 4.50 (TR-M): Prevent cut-through traffic avoiding the Montague/Capitol intersection.*
- *Policy 4.51 (TR-M): Create a deep landscape setback along Trade Zone Boulevard to buffer residential uses from the office/R&D/industrial uses across the street in San Jose, and to provide an overall attractive street appearance.*
- *Policy 4.52 (TR-M): Access to private parking should be from local streets that do not abut a park.*
- *Policy 4.53 (TR-M): Provide 30 foot landscape setbacks with a double row of trees between the BART track and residential buildings.*
- *Policy 4.54 (TR-M): Provide very high-density residential near BART and light rail stations, served by a linear park along the drainage-way. Provide high-density residential development at the interior of the subdistricts, serviced by neighborhood parks with sports fields.*
- *Policy 4.58 (TR-M): Buildings fronting on Capitol Avenue must be designed to minimize impacts of traffic, noise and pollution on the residential units that face Capitol Avenue.*

## CONCLUSION

The TASP EIR adequately evaluated the land use impacts of the 450 Montague Project.

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|                                                                                                                                                                       | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>XI. MINERAL RESOURCES.</b> Would the project:                                                                                                                      |                                      |                                                       |                                    |                                     |
| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?                                | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The City of Milpitas General Plan does not identify mineral resources within the Specific Plan area. Therefore, the 450 Montague Project has no new impact on mineral resources.

## CONCLUSION

The TASP EIR adequately evaluated the mineral resource impacts of the 450 Montague Project.

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|                                                                                                                                                                                     | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>XII.NOISE.</b> Would the project result in:                                                                                                                                      |                                      |                                                       |                                    |                                     |
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?                                                                           | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?                                                      | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?                                          | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

|                                                                                                                                                                                                                                                                     | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?                                                                                                      | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The TASP EIR found that the implementation of the Specific Plan would result in temporary and intermittent construction-related noise impacts (Impact 3.7-4) as well as long-term operational impacts from the increase in roadside noise levels (Impact 3.7-1) and the exposure of sensitive receptors to noise levels above the standards (Impact 3.7-2). The TASP EIR also found that due to the transit-oriented and mixed-use nature of the Specific Plan area, there would be exposure to groundborne noise and vibration from future BART activity (Impact 3.7-3). The TASP EIR cites General Plan and Specific Plan policies to ensure that these impacts are less than significant.

Traffic-related noise levels would increase on local roadways within the Specific Plan area. Significant noise impacts, as a result of traffic, are expected for segments of Great Mall Parkway and East Capitol Avenue, which are adjacent to the project site. Noise analysis conducted as part of the TASP EIR found that these segments would reach traffic specific noise level estimates of 70.4 dBA by 2030.<sup>17</sup> In addition, peak-hour noise levels along Montague Expressway would expose future residents to noise levels of 65 to 70 dBA, placing the proposed project in an area considered “conditionally acceptable” per the land use noise compatibility guidelines of the City of Milpitas General Plan.<sup>18</sup> Noise impacts to new multi-family residential or hotel development along these road segments would be mitigated to a less-than-significant level by policies in the General Plan and Specific Plan.

General Plan Policy 6-I-2 requires that projects within “conditionally acceptable” or “normally unacceptable” exterior noise exposure areas prepare a an acoustical analysis and implement measures to reduce noise to acceptable levels. A noise study was conducted on October 30, 2014 by Charles M. Salter and Associates for the 450 Montague Project, which analyzed noise from traffic and the VTA light-rail line that runs along East Capitol Avenue. The study found that current noise levels at the

<sup>17</sup> Dyett and Bhatia, *Draft Environmental Impact Report, Milpitas Transit Area Specific Plan*, October 2007; and *Final Environmental Impact Report, Milpitas Transit Area Specific Plan*, May 2008; Section 3.7-14. Table 3.7-4.

<sup>18</sup> Dyett and Bhatia, *Draft Environmental Impact Report, Milpitas Transit Area Specific Plan*, October 2007; and *Final Environmental Impact Report, Milpitas Transit Area Specific Plan*, May 2008; Section 3.7-23.

project site are at normally unacceptable levels.<sup>19</sup> The study provides recommendations to reduce sound levels to acceptable levels, including the use of sound-rated assemblies for exterior façades, windows, and doors and the use of mechanical ventilation. Pursuant to General Plan Policy 6-I-2 and 6-I-4, the project must include measures identified in the noise study as well as Specific Plan policies to reduce sound levels to acceptable levels. A detailed analysis of the noise reduction requirements must be made as well as noise insulation features included in the design. Implementation of these actions would be required as a Condition of Approval for the proposed project.

The Santa Clara Valley's VTA's BART Extension SEIR<sup>20</sup> has developed specific mitigation measures to reduce future noise and vibration impacts as a result of the new BART extension project in Milpitas. Additional Specific Plan policies 5.13 and 5.14 also address these impacts.

The TASP EIR identifies temporary, short-term noise impacts as a result of construction activity that would occur intermittently during the implementation of the Specific Plan. The TASP EIR concludes that these impacts would be less than significant with implementation of several policies, including General Plan Policy 6-I-13 and Specific Plan Policy 5.15. As the 450 Montague project would be required to comply with the Specific Plan and General Plan policies, the project's construction would not result in additional noise impacts, beyond those analyzed in the TASP EIR.

## **APPLICABLE MITIGATION**

No new mitigation measures are required.

## **APPLICABLE POLICIES**

### **General Plan Policies**

- Policy 6-G-1: Maintain land use compatibility with noise levels similar to those set by State guidelines.
- Policy 6-G-2: Minimize unnecessary, annoying, or injurious noise.
- Policy 6-I-2: Require an acoustical analysis for projects located within a “conditionally acceptable” or “normally unacceptable” exterior noise exposure area. Require mitigation measures to reduce noise to acceptable levels.
- Policy 6-I-3: Prohibit new construction where the exterior noise exposure is considered “clearly unacceptable” for the use proposed.
- Policy 6-I-4: Where actual or projected rear yard and exterior common open space noise exposure exceeds the “normally acceptable” levels for new single-family and multifamily residential projects, use mitigation measures to reduce sound levels in those areas to acceptable levels.

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<sup>19</sup> Charles M. Salter and Associates, 2014. *Due Diligence Environmental Noise Study 450 Montague Expressway*. October 30.

<sup>20</sup> Santa Clara Valley Transportation Authority, 2007. *Draft Supplemental EIR*, January; and *Final Supplemental EIR*, May.

- Policy 6-I-5: All new residential development (single family and multifamily) and lodging facilities must have interior noise levels of 45 dB DNL or less. Mechanical ventilation will be required where use of windows for ventilation will result in higher than 45 dB DNL interior noise levels.
- Policy 6-I-6: Assist in enforcing compliance with noise emissions standards for all types of vehicles, established by the California Vehicle Code and by federal regulations, through coordination with the Milpitas Police Department, Santa Clara County Sheriff's Department, and the California Highway Patrol.
- Policy 6-I-9: Enforce the provisions of the City of Milpitas Noise Ordinance and the use of established truck routes.
- Policy 6-I-13: Restrict the hours of operation, technique, and equipment used in all public and private construction activities to minimize noise impact. Include noise specifications in requests for bids and equipment information.

### **Specific Plan Policies**

- *Policy 5.10: New development in the Transit Area shall adhere to the standards and guidelines in the Milpitas General Plan that govern noise levels. The particular policies of note are Policies 6-I-1 through 6-I-16.*
- *Policy 5.11: Construct masonry walls to buffer residential uses from BART and UPRR train tracks. These walls will be constructed by residential developers. They may be located within the landscaped buffer along the tracks*
- *Policy 5.13: Apply the FTA groundborne vibration criteria (presented in Table 5-5) as review criteria for development projects in the vicinity of vibration sources such as BART trains and heavy rail trains.*
- *Policy 5.14: Project applicants shall conduct a vibration impact analysis for any sites adjacent to or within 300 feet of active UPRR and BART alignments to demonstrate that interior vibration levels within all new residential development (single family and multifamily) and lodging facilities would be at acceptable levels. If needed, require mitigation measure to reduce vibration to acceptable levels.*
- *Policy 5.15: Prior to issuance of building permits, applicants shall demonstrate that noise exposure to sensitive receptors from construction activities has been mitigated to the extent feasible pursuant to the City's Noise Abatement Ordinance. Mitigation may include a combination of techniques that reduce noise generated at the source, increase the noise insulation of the receptor or increase the noise attenuation rate as noise travels from the source to the receptor.*
- *Policy 5.17: In all rental and sale agreements, provide disclosures to future residents about all surrounding industrial uses, including UPRR train tracks and operations, and permanent rights of such industrial uses to remain. Describe potential impacts including but not limited to: noise, groundborne and airborne vibration, odors, and use of hazardous materials.*
- *Policy 5.18: Day care facilities, schools, nursing homes, and other similar sensitive receptors shall be located away from sites which store or use hazardous materials, in accordance with State and City standards. Adequate buffers to protect occupants of these*



*sensitive uses shall be provided, including but not limited to walls, fences, landscaping, large building setbacks, and additional exit routes over and above minimum code requirements.*

- *Policy 5.19: Require the installation of temporary buffers—fences, walls, or vegetation—when residential uses are developed adjacent to existing industrial uses. The type of buffer must be reviewed and approved by the City Planning Department. The temporary buffers may be removed if and when an adjacent site is redeveloped as a non-industrial use.*

## CONCLUSION

The TASP EIR, with incorporation as a Condition of Approval of the noise reduction measures identified in the project's noise impact analysis, adequately covered the noise impacts of the 450 Montague Project.

|                                                                                                                                                                                                           | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>XIII. POPULATION AND HOUSING.</b> Would the project:                                                                                                                                                   |                                      |                                                       |                                    |                                     |
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?                                                                                     | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?                                                                                               | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

Implementation of the Specific Plan would transform a predominantly industrial area by adding high intensity residential developments near transit to maximize transit ridership and to create a vibrant residential community that is in close proximity to jobs, parks and retail uses.

The TASP EIR evaluated potential environmental impacts associated with approximately 7,100 residential units and 18,000 new residents within the Specific Plan area. The TASP EIR assumes that the population growth is concentrated in this area and that the Specific Plan would increase the City's

housing stock by 39 percent and its population by 28 percent based on 2006 estimates from the California Department of Finance.<sup>21</sup>

The TASP EIR concluded that the population and growth impacts associated with the Specific Plan are adequately addressed by the City's Housing Element. Table 1 below includes the housing and population assumptions evaluated within the TASP EIR and also shows existing and proposed housing development within the Specific Plan area. As the population and housing units proposed by the project would fall within the total development anticipated by the TASP EIR, the project would result in no new impacts associated with population and housing.

**Table 1: Existing and Proposed Housing Units and Population with the Specific Plan Area**

|               | <b>Evaluated<br/>Within The<br/>TASP EIR</b> | <b>Approved<br/>Units</b> | <b>Under<br/>Construction</b> | <b>450 Montague<br/>Project</b> | <b>Remaining<br/>Development<br/>Available</b> |
|---------------|----------------------------------------------|---------------------------|-------------------------------|---------------------------------|------------------------------------------------|
| Housing Units | 7,109 <sup>a</sup>                           | 2,122                     | 1,548                         | 489                             | 2,950                                          |
| Population    | 17,915 <sup>a</sup>                          | 5,348 <sup>b</sup>        | 3,901 <sup>b</sup>            | 1,233 <sup>b</sup>              | 7,443                                          |

<sup>a</sup> Dyett and Bhatia, *Draft Environmental Impact Report, Milpitas Transit Area Specific Plan*, October 2007; and *Final Environmental Impact Report, Milpitas Transit Area Specific Plan*, May 2008.

<sup>b</sup> Estimated population of the associated approved units, under construction units, and the proposed project was determined by using the residents per unit evaluated within the TASP EIR (17,915 residents / 7,109 units = 2.52 residents per unit).

Source: LSA Associates, Inc., 2015.

## APPLICABLE MITIGATIONS

No new mitigation measures are required.

## CONCLUSION

The TASP EIR adequately evaluated the population and housing impacts of the 450 Montague Project.

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<sup>21</sup> Dyett and Bhatia, *Draft Environmental Impact Report, Milpitas Transit Area Specific Plan*, October 2007; and *Final Environmental Impact Report, Milpitas Transit Area Specific Plan*, May 2008.

|                                                                                                                                                                                                                                                                                                                                                                                                                             | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>XIV. PUBLIC SERVICES.</b>                                                                                                                                                                                                                                                                                                                                                                                                |                                      |                                                       |                                    |                                     |
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: |                                      |                                                       |                                    |                                     |
| i. Fire protection?                                                                                                                                                                                                                                                                                                                                                                                                         | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| ii. Police protection?                                                                                                                                                                                                                                                                                                                                                                                                      | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| iii. Schools?                                                                                                                                                                                                                                                                                                                                                                                                               | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| iv. Parks?                                                                                                                                                                                                                                                                                                                                                                                                                  | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| v. Other public facilities?                                                                                                                                                                                                                                                                                                                                                                                                 | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The Specific Plan area contains portions of three school districts: the Milpitas Unified School District (MUSD), Berryessa Union School District, and East Side Union School District. The TASP EIR evaluated the impact that the Specific Plan's anticipated 18,000 residents, and associated increase in expected student population, would have on the three school districts. The TASP EIR concluded that build-out of the Specific Plan will require at least one new elementary school within MUSD and the expansions of existing facilities. The TASP EIR identified a significant and unavoidable impact related to an increased demand for school facilities (Impact 3.9-1).

The project site falls within the Berryessa Union School District and the East Side Union School District attendance boundaries. Projected student enrollment rates associated with the build-out of the TASP are as follows: 233 students for East Side Union High School District and 330 students for Berryessa Union School District.<sup>22</sup>

Due to the project's location, school-aged children would be expected to attend Northwood Elementary and Morrill Middle School in the Berryessa Union School District.<sup>23</sup> Northwood Elementary has a

<sup>22</sup> Dyett and Bhatia, 2008. *Milpitas Transit Area Specific Plan*, p. 3.9-8. May.

<sup>23</sup> Berryessa Union School District, 2015. Margot Sandoval, Administrative Assistant, Business Services. Written communication with LSA Associates. January 27.

current student enrollment of 446 and a capacity of 648.<sup>24</sup> The TASP identifies the elementary school student generation rate for the district as 0.046 students per unit.<sup>25</sup> As such, the proposed project would generate 22.5 new students that would attend Northwood Elementary. Morrill Middle School has a current enrollment of 730 students and a capacity of 1,024 students.<sup>26</sup> The TASP identifies the middle-school student generation rate to be 0.016 students per unit.<sup>27</sup> Based on this rate, the proposed project would generate 7.8 students that would attend Morrill Middle School. The number of elementary and middle-school students generated by the proposed project would be within the capacity range of these two schools.

High-school aged students would be expected to attend Independence High School in the East Side Union High School District.<sup>28</sup> Independence High School has a current enrollment of 3,126 students and a capacity to serve a total of 3,744 high school students.<sup>29</sup> The student generation rate for Independence High School is 0.078 students per multi-family housing unit.<sup>30</sup> Since the proposed project would develop 489 residential units, the expected number of high school-aged students generated from the proposed project would be 38.2, which is within the existing capacity of Independence High School.

Policies in the General Plan, Midtown Plan and Specific Plan would reduce the impact and include coordination with the school districts to update their comprehensive facilities plans, update school fees for developers, and consider joining use agreements for potential shared facilities; as well as applicant payment of school impact fees pursuant to State Government Code 65995 to 65998, which is a means of offsetting development's school impacts. As the above information illustrates, residential growth associated with implementation of the proposed project would fall within the growth parameters evaluated within the TASP EIR and the proposed project's impacts on schools have been adequately analyzed in the TASP EIR; as such, the project would not result in a new impact to school facilities.

The TASP EIR concluded that the fire department would need to expand an existing fire station and/or construct a new station, in addition to providing additional staff and equipment, to adequately serve the development associated with implementation of the Specific Plan (Impact 3.9-2). The TASP EIR noted that under the National Fire Protection Association (NFPA) standard of one firefighter per 1,000 residents, 18 new firefighters would be needed. Policies contained in the Milpitas General Plan and the Specific Plan would help to ensure that even with new development anticipated in the Specific Plan, Milpitas Fire Department response times remain consistent with National Fire Protection Association Standard 1710. Given this, less-than-significant impacts to the provision of

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<sup>24</sup> Berryessa Union School District, 2015. Margot Sandoval, Administrative Assistant, Business Services. Written communication with LSA Associates. February 26.

<sup>25</sup> Dyett and Bhatia, 2008. *Milpitas Transit Area Specific Plan*, p. 3.9-7. May.

<sup>26</sup> Berryessa Union School District, 2015, op. cit.

<sup>27</sup> Ibid.

<sup>28</sup> East Side Union High School District, 2015. Marcus Battle, Associate Superintendent. Written communication with LSA Associates. January 28.

<sup>29</sup> Ibid.

<sup>30</sup> Ibid.

fire services are anticipated. As the population and housing units proposed by the project would fall within the total development anticipated by the TASP EIR, the project would result in no new impacts associated with fire services.

As noted in the TASP EIR, implementation of the Specific Plan would increase the long-term demand for police assistance and new staff and equipment would be required (Impact 3.9-3); however, a new police station would not be warranted. An addition of 26.3 police officers would be needed to service the Specific Plan's increase in population. Policy 6.45 of the Specific Plan would ensure that there are adequate police services in place to serve the Specific Plan area, including the proposed project. As such, the TASP EIR concluded that the impacts to police services would be less than significant. The 450 Montague Project also adheres to policies in the Specific and General Plan, and because the population and housing units proposed by the project would fall within the total development anticipated by the TASP EIR, the project would result in no new impacts associated with fire services.

The TASP EIR concluded that the combination of Parks/Plazas and Linear Parks meets the expected park requirements for the Planning Area given the anticipated population associated with implementation of the Specific Plan. All land shown in the Specific Plan as parks or landscape buffers with trails must be dedicated as public parks to meet the requirements (or an equivalent amount of land if park locations are adjusted). The TASP EIR concludes that the impacts to parks would be less than significant because of various policies regarding open space requirements, park land dedication and in-lieu fees for new development. The Specific Plan also provides numerous policies related to parks which are incorporated into the Parks and Recreation section (Section XV, Recreation) of this checklist. The 450 Montague project would comply with all applicable policies regarding the provision and design of open space and parks, and would include the provision of two parks on site, connection to the new trail along Penitencia Creek. Additionally, the proposed project would install a decomposed granite trail over the existing maintenance road along the creek in efforts to support Policy 3.54 of the Specific Plan, which is focused on developing a network of public trails along Penitencia Creek.

The TASP EIR adequately evaluates public service impacts and the proposed project's impacts are adequately included in and analyzed by the TASP EIR. Therefore, the 450 Montague Project has no new impact on public services.

## **APPLICABLE MITIGATION**

No new mitigation measures are required.

## **APPLICABLE POLICIES**

### **General Plan Policies**

- Policy 2.c-I-1: Continue working with Milpitas Unified School District (MUSD), Berryessa Union High School District, and East Side Union School District in its update of the comprehensive facilities plan and to ensure adequate provision of school facilities.
- Policy 2.c-I-3: Work with MUSD, Berryessa Union High School District, and East Side Union School District to monitor statutory changes and modify school fees when necessary

to comply with statutory changes. Following this policy will permit the MUSD to update school fees for developers to cover the cost of constructing a new school and expanding Milpitas High School.

- Policy 5.c-I-1 Maintain a response time of four minutes or less for all urban service areas.

### **Midtown Specific Plan Policies**

- *Policy 6.20: Coordinate with the school districts in planning for adequate public school facilities.*

### **Specific Plan Policies**

- *Policy 6.46: Coordinate with the affected school districts on facilities needed to accommodate new students and define actions the City can take to assist or support them in their efforts.*
- *Policy 6.44: The City will ensure that all school impact fees are paid from individual projects prior to the issuance of any building permits.*
- *Policy 6.44: The City and the school districts located in the Transit Area should consider entering into a joint use agreement, allowing public use of a new school's playfields when not in use by students, and public use of rooms in the school building for community meetings and events. Any new school site should include outdoor active recreation facilities, which would be counted toward the Transit Area's public parks requirement. The school building should include facilities that can be accessed and used for community events.*
- *Policy 6.50: The Fire Department shall conduct a "standards of cover" analysis to determine the Transit Plan's precise impact on the department's staffing and equipment, and any required facility needs. Identify and evaluate potential sites for an expanded or new fire station near the Transit Area if the standards of cover analysis determines it is warranted.*
- *Policy 6.51: Additional fire department staff will be hired, equipment purchased, and facilities built to provide an adequate level of service—as determined by City Council—for the residents, workers, and visitors of the Transit Area. New equipment and facilities shall be funded by the Community Facilities District fee and new staff paid from the City's General Fund. These facilities are not expected to be sited within the Transit Area.*
- *Policy 6.52: If a new fire station is built to meet the service needs of the Transit Area, it must be sited and developed in such a way to not create substantial adverse physical impacts or significant environmental impacts. The new station should be chosen to minimize noise and traffic impacts on existing land uses.*
- *Policy 6.53: The Fire Department shall update the City's emergency and disaster response plans to take the location and type of new development, and future traffic levels, into account.*
- *Policy 5.3: All streets (public & private) shall be consistent with the street sections in Chapter 5 [of the proposed Plan] and shall meet any additional Milpitas Fire Department fire apparatus design requirements for access and firefighting operations.*

## CONCLUSION

The TASP EIR adequately evaluated the public service impacts of the 450 Montague Project.

|                                                                                                                                                                                                                | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>XV. RECREATION.</b>                                                                                                                                                                                         |                                      |                                                       |                                    |                                     |
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?                        | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

Public parks identified in the Specific Plan have three main forms: Parks/Plazas, Linear Parks, and Landscape Buffers. The TASP EIR concluded that the combination of Parks/Plazas and Linear Parks would meet the expected park requirements for the Specific Plan area given the anticipated population at full implementation of the Specific Plan. All land shown in the Plan as parks or landscape buffers with trails must be dedicated as public parks to meet the requirements (or an equivalent amount of land if the park locations are adjusted), and recreation impacts would be considered less than significant.

The proposed project would include approximately 86,648 square feet (approximately 1.99 acres) of open space on the site, including two interior courtyards and two interior parks. The majority of the units would have private open space in the form of balconies. However, 16 percent of the podium apartment units would not have balconies (mostly studio and one-bedroom units) due to overall unit size and proximity to noise from a major arterial. The podium building would provide additional open space via two courtyards and a sky deck. There would be two parks (Park A and Park B) within the development, totaling 1.48 acres that would serve as open space and transition areas between the housing types. The project would include two trails for future residents. One trail (Park B extension) would be located between Building 14 and Building 15 and would connect Park B to Linear Park and other local trails and parks in the area. Another trail (Linear Park) would include a 0.49-acre linear park adjacent and parallel to Penitencia Creek on the southern boundary of the project site. In addition, the proposed project would install a decomposed granite trail over the existing maintenance road along the creek in efforts to support the development of public trails along Lower Penitencia

Creek. The City's Parks, Recreation and Cultural Resources Commission would review the proposed park layout and design prior to submitting the project to the City Council for approval.

The TASP EIR adequately evaluated the environmental impacts associated with implementation of the Specific Plan, including parks and recreation impacts. Development of the proposed project would fall within the development assumptions evaluated within the TASP EIR. Therefore, the proposed project has no new impact on parks and recreation.

### **APPLICABLE MITIGATION**

No new mitigation measures are required.

### **APPLICABLE POLICIES**

#### **Midtown Plan Policies**

- *Policy 3.24: Require new residential development to provide public parks at a ratio of 3.5 acres per 1,000 persons, of which up to 1.5 acres per 1,000 persons can be developed as private or common open space.*
- *Policy 3.26: Encourage new or expanding office and public/quasi-public uses to provide publicly accessible outdoor open spaces (plazas, gardens, arcades) as a part of new development. Ensure that open spaces are linked to sidewalks and pedestrian paths.*

#### **Specific Plan Policies**

- *Policy 3.38: The open space requirements of the Midtown Milpitas Specific Plan (Policy 3.24) shall apply to the entire area of the Transit Area Specific Plan. Parks are required at a ratio of 3.5 acres per 1,000 people, with at least 2.0 of those acres publicly accessible. Land dedicated for public parks or trails shall fulfill the park land requirements. In addition, 20 percent of a landscape buffer area along a street or public right of way may count towards the public park requirements, when it includes trails or wide sidewalks connected to an overall pedestrian/bike circulation network.*
- *Policy 3.39: Develop between 32 and 47 acres of public park space in the Transit Area, with a goal of around 36 acres. This target is based on the Midtown Milpitas Specific Plan's parks standard of 2.0 acres of public park land per 1,000 residents, applied against the minimum and maximum population expected in the Transit Area. The 36 acre goal, which includes parks, plazas and linear parks, is generated from the Transit Area's expected final population.*
- *Policy 3.40: Locate and size parks as shown on Figure 3-6, Parks, Public Spaces, and Trails [of the Specific Plan]. Minor adjustments to the location of parks may be necessary to facilitate a better site plan, respond to site specific constraints, or to accommodate phasing of a project. Smaller parks may be combined to form a larger neighborhood park within the same subdistrict as long as there is no reduction in park area. Complete elimination or relocation of a park outside of a subdistrict requires an amendment to the Specific Plan. If a school is located on a site designated as a park, it may be counted as a park if a joint use agreement is established to allow public use of open space and buildings*



*for recreation purposes after school hours and on weekends. If no such joint use agreement is established, an alternative park site shall be designated.*

- *Policy 3.41: Park land dedication and in-lieu fees required of new development. Park land shall be dedicated as part of the approval of any new development, if a park site is designated on the property as shown in Figure 3-6 [of the Specific Plan]. Land dedication is required for Parks/Plazas/Community Facilities and Linear Parks and Trails in the locations and amounts shown on Figure 3-6 [of the Specific Plan].*

*Dedication of the land shown on Figure 3-6 cannot be substituted by in-lieu fees. If a development's parkland obligation as determined by City ordinances is not satisfied by the require land dedication, it must pay an in-lieu fee which shall be spent to acquire and develop other parks within the Transit Area. If a development provides more than its fair share of park land, it will be compensated by the City at fair market value, using in-lieu fees paid by new development and other available sources.*

- *Policy 3.42: If a public utility easement (such as the one existing between Capitol Avenue and Penitencia Creek East Channel) is developed as a publicly-accessible pathway or linear park that connects two public streets, it can be counted toward a development's park dedication requirement.*
- *Policy 3.43: New development must pay for the construction of public parks and streets surrounding the parks (or half-streets if bordering an adjacent development site). In addition to dedicating or contributing toward the land for new public parks, projects under this Specific Plan must also pay for the improvement of the parks with appropriate landscaping and recreation facilities. Covering this cost can be handled by paying a fee to the City or by direct development of parkland, or both. The cost and/or actions expected of projects will be determined by the City.*
- *Policy 3.44: The design and programming of new parks must be approved by the City's Parks and Recreation Department.*
- *Policy 3.45: Private development within the Transit Area must meet the private open space requirements on a project-by-project basis.*
- *Policy 3.48: The park along the Penitencia Creek East Channel shall provide a pedestrian path along the creek; BBQ's; a tot lot; open space areas for frisbee and similar informal recreation, and other passive recreation facilities.*
- *Policy 3.50: The park in the center of the Trade Zone/Montague subdistrict shall provide sports fields for soccer, baseball, basketball, and/or other sports that have a high demand in Milpitas. There shall be ample perimeter landscaping to create an attractive setting for the surrounding housing; and a tot lot shall be included. A community center could also be included. Sports fields should serve both children and adult sports leagues.*
- *Policy 3.51: Parks will have public streets abutting at least three sides. Parks shall be surrounded by streets on three sides in order to: provide parking for the park on the street; enhance security of the park by having residents overlook the park and police vehicles able to drive by; and provide noise and visual separation for residents and offices from the activities in the park. If approved by the City, a park can also have public streets on two sides and a public right-of-way, such as a trail, or a railroad right-of-way along the third side.*

- *Policy 3.54: Include a network of trails along Penitencia Creek and railroad right of ways. These bike/pedestrian trails will connect into the citywide trail network, pedestrian overcrossings of expressways, and the Transit Area's continuous network of bike lanes. They will be located on both sides of Lower Penitencia Creek and on the east side of the Union Pacific railroad tracks that run between Main Street and McCandless Drive.*
- *Policy 3.55: Complete a Trail Loop connecting the whole Transit Area. The trail loop goes from McCandless Drive and Lower Penitencia Creek; along Penitencia Creek East Channel, across Montague Expressway, west along the creek channel, then northeast across Capitol Avenue, then across Montague Expressway, along Piper Drive, and across the Great Mall back to Centre Point and McCandless. It is shown on Figure 3-6 [of the Specific Plan].*
- *The Trail Loop provides a clear and easy way for people to access the BART and LRT station, move between different subareas of the Transit Area, and offers a roughly 1.5 to 2 mile jogging and walking and biking path for recreational use.*
- *Policy 3.56: Connections shall be created across Montague Expressway with overhead bridges or undercrossings to create a continuous trail network; allow pedestrians and bicyclists to cross safely; and connect neighborhoods, schools, and parks. One connection will be where the Penitencia Creek East Channel crosses Montague, via ramps in the creek channel area or on adjacent park land, and another will be at Piper Drive, connected to the BART station, with elevators at both ends.*
- *Policy 3.57: All properties along the trail network will need to set aside land for the trails. This land will count towards the required public park land dedication requirement. Refer to Figure 3-7 [of the Specific Plan] for required dimensions. If trail easements already exist or are acquired within the rail line or flood control right of way, these easements may be used in lieu of land on development sites.*

## CONCLUSION

The TASP EIR adequately evaluated the recreation impacts of the 450 Montague Project.

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|                                                                                                                                                                                                                                                                                | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>XVI. TRANSPORTATION/TRAFFIC.</b> Would the project:                                                                                                                                                                                                                         |                                      |                                                       |                                    |                                     |
| a) Cause an increase in traffic which is substantial in relation to the existing load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?                                                                                                           | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?                                                                                                                | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?                                                                                                                         | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Result in inadequate emergency access?                                                                                                                                                                                                                                      | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?                                                                                         | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION

The TASP EIR concluded that the build-out of the Specific Plan would result in significant changes in transportation patterns and use. Implementation of the Specific Plan would have significant near-term impacts to 15 key intersections, four freeways systems, and to existing bicycle, pedestrian and transit facilities (Impacts 3.3-1 through 3.3-21). The TASP EIR found that year 2030 impacts would occur at the majority of roadway segments within the Specific Plan area. The TASP EIR states that while compliance with Specific Plan policies would reduce impacts to less-than-significant levels, there will still be significant and unavoidable impacts for key intersections, freeways and roadway segments.

The TASP EIR identified intersections in the Specific Plan area that would have traffic that would exceed existing standards. Specific Plan policies require developers to pay two new traffic impact fees, one for the City and one for the County. Payment of the traffic impact fees would contribute funding towards road improvements to alleviate traffic related impacts; however, intersections that cannot widen lanes would result in significant and unavoidable impacts. In particular, relative to the proposed 450 Montague Project, the following three intersections would have level-of-service (LOS)

conditions that would be significant and unavoidable: 1) the intersection of the Great Mall Parkway and East Capitol Avenue and Montague Expressway; 2) the intersection of Montague Expressway and McCandless Drive/Trade Zone Boulevard; and 3) the intersection of Montague Expressway and Milpitas Boulevard. The City proposes an extension of Milpitas Boulevard as part of VTA's BART Extension project between Montague Expressway and East Capitol Avenue to partially mitigate this impact. However, the TASP EIR found that feasible mitigation measures are not available to reduce impacts at these intersections to less-than-significant levels.

The TASP EIR found that build-out of the Specific Plan would exacerbate unacceptable operations for four freeway segments and multiple roadway segments, making the impacts significant and unavoidable despite the numerous freeway and roadway improvements that are planned for the area.

The TASP EIR concluded that the Specific Plan area is deficient in sidewalks and bicycle paths (Impact 3.3-19) and therefore will not meet the future demand associated with high-density residential housing. Specific Plan policies 3.15, 3.28 and 3.29 are designed to reduce this impact to less than significant, and require the development of sufficient pedestrian and bicycle facilities and pathways that are consistent with TASP circulation standards.

Increased vehicle trips from new residential development could be reduced with use of public transportation including the new Bart line extension and existing use of the VTA light rail system. The TASP EIR concluded that the VTA would likely adjust the transit schedule and frequency to accommodate future demand. Specific Plan policy 3.32 would reduce this impact to a less-than-significant level.

The TASP EIR concluded that the mix of proposed land uses in the Specific Plan reduces the amount of vehicle trips by providing opportunities for residents to link trips, including walking and biking to destinations in lieu of driving, thereby reducing parking demand. However, a Court of Appeals decision held that parking is not part of the permanent physical environment, and that parking conditions change over time as people change their travel patterns. Therefore, unmet parking demand created by a project need not be considered a significant environmental effect under CEQA unless it would cause significant secondary effects. The development of residential units adjacent to transit and employment could reduce vehicle use and parking demand, and the project provides parking for the residential units. The TASP EIR found the impacts to parking would be less than significant.

Hexagon Transportation Consultants, Inc. conducted a traffic analysis for the proposed project in December 2014. The report includes an analysis of the project's two proposed driveways as well as the nearby intersections of Montague Expressway/Great Mall Parkway/Capitol Avenue and the future Capitol Avenue/Milpitas Boulevard extension. The results of the analysis determined that the proposed project would generate an estimated total of 3,107 daily trips, with 243 trips occurring during the AM peak hour and 289 trips occurring during the PM peak hour period.<sup>31</sup> This trip generation estimate does not include any deductions for public transit usage on the adjacent light rail system.

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<sup>31</sup> Hexagon Transportation Consultants, Inc. 2014. *400 & 450 Montague Expressway Traffic Operations, Milpitas, CA*. December 24.

In addition, the results of the analysis concluded that the proposed project driveways would not cause significant operational problems on Montague Expressway or Capitol Avenue under near term conditions. The signalized intersection of Montague Expressway and Great Mall Parkways currently operates at LOS E during the AM peak hour and LOS F during the PM peak hour. The proposed driveway on Montague Expressway is expected to operate at LOS A during the AM peak hour and LOS C during the PM peak hour. The analysis concluded that no adverse impacts to traffic flow on Montague Expressway as a result of this proposed driveway.<sup>32</sup> However, the report notes that if the driveway is moved further east on Montague Expressway, the level of service could degrade because eastbound traffic queues on Montague Expressway could block the driveway during peak hours. The temporary driveway proposed on East Capitol Avenue would operate at LOS A during the AM peak hour and LOS E during the PM peak hour. The poor LOS during the PM commute period is due to heavy southbound traffic on Capitol Avenue. The analysis notes that while southbound vehicle queues could block the temporary driveway on Capitol Avenue during the PM commute period, it is not usual to occur at properties located adjacent to major arterial streets. Therefore, the analysis concluded that there would be adequate gaps for project traffic to enter the traffic stream after the adjacent queues clear.<sup>33</sup>

Hexagon also conducted a Sight Distance Analysis and concluded that the sight distance provided by the proposed driveways would comply with Caltrans Highway Design Manual (HDM) standards. Sight distance at the existing driveway on Montague Expressway is currently obscured by a monument sign for the adjacent office building and also by a utility pole that is within 100 feet west of the existing driveway. The report noted that the signage would be removed as part of the proposed project and the fact that drivers could see around the pole for at least 715 feet along Montague Expressway. As such, the analysis concluded that the proposed driveway on Montague Expressway complies with HDM standards. The report also determined that the sight distance for the temporary driveway on Capitol Avenue was also in excess of 605 feet, which is in compliance with HDM standards.<sup>34</sup>

Since development of 450 Montague Project falls within the development parameters anticipated in the Specific Plan and evaluated in the TASP EIR, there are no new transportation impacts associated with the proposed project. Moreover, the 450 Montague Project would be required to comply with all policies within the Specific Plan and the applicant would be required to pay the TASP Mitigation Fee of approximately \$32,781 per unit and the CFD Maximum Annual Special Tax Rate of \$559.86 per market-rate unit which would be used for circulation improvements. These fees are updated annually.

## **APPLICABLE MITIGATION**

No new mitigation measures are required.

## **APPLICABLE POLICIES**

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<sup>32</sup> Ibid.

<sup>33</sup> Ibid.

<sup>34</sup> Ibid.

## Specific Plan Policies

- *Policy 3.12: Preserve adequate right-of-way along Capitol Avenue, Great Mall Parkway, and Montague Expressway to accommodate future regional roadway improvements. Final dimensions of right-of-way acquisition are not yet known. The detailed street sections in Chapter 5 [of the Specific Plan] include notes about right-of-way acquisition, to the extent that information is currently available.*
- *Policy 3.15: Review individual development applications to ensure that adequate street right-of-way, bicycle facilities, pedestrian facilities and landscaping are provided and are consistent with the Transit Area Plan circulation policies and street design standards in Chapter 5 [of the Specific Plan].*
- *Policy 3.16: Establish and implement a travel demand management (TDM) program in order to encourage alternate modes of travel and thereby reduce automobile trips. Establish a funding mechanism to pay for the costs of the program, including the cost of a transportation coordinator to administer the program. The program would include a ride-matching program, coordination with regional ride-sharing organizations, and provision of transit information; and could also include sale of discounted transit passes and provision of shuttle service to major destinations.*
- *Policy 3.17: New streets shall be located as generally shown on the Street System Map, Figure 3-2.*
- *Policy 3.18: New development must dedicate land for new public streets and pay for their construction.*
- *Policy 3.21: Provide continuous pedestrian sidewalks and safe bike travel routes throughout the entire Transit Area and within development projects.*
- *Policy 3.22: Private development shall provide direct walking and biking routes to schools and major destinations, such as parks and shopping, through their property.*
- *Policy 3.28: Provide continuous bicycle circulation through the project site and to adjacent areas by closing existing gaps in bicycle lanes and bicycle routes, per Figure 3-5 [of the Specific Plan]. Gaps exist on Capitol Avenue between Montague Expressway and Trimble Road, and on Trade Zone Boulevard between Montague Expressway and Lundy Place. Capitol Avenue only needs to be re-stripped to add a bike lane. Trade Zone Boulevard generally contains sufficient width to accommodate two travel lanes and bike lanes in each direction; however, the westbound lanes on Trade Zone jog south slightly, so right-of-way acquisition will likely be required to push the curb further north to maintain a consistent section and to add bike lanes. Bike routes should be upgraded to bike lanes as part of any Montague widening project.*
- *Policy 3.29: A Class III bicycle route shall be created on the internal roadways (from the Milpitas Boulevard Extension/Capitol Avenue intersection to Tarob Court) to provide a continuous bicycle connection between Milpitas Boulevard and the existing bicycle lanes on Lundy Street, as indicated on Figure 3-5 [of the Specific Plan].*
- *Policy 3.32: Coordinate with VTA to provide sufficient amenities (such as transit shelters) at all transit stops within the Transit Area.*

- *Policy 6.32: The City shall establish and assess a transportation impact fee program, known as the Regional Traffic Fee, to contribute toward traffic improvements to be undertaken in whole or in part by the County of Santa Clara or City of San Jose. This fee will go toward the East/West Corridor Study, Montague Expressway Widening project, and Calaveras Boulevard (SR 237) Overpass Widening project, as well as other local and regional improvements.*
- *Policy 6.33: The City shall establish and assess a transportation impact fee program to provide improvements to mitigate future traffic operations on the roadway segments within the City of Milpitas. All projects within the Transit Area Plan will be required to pay this fee.*
- *Policy 6.34: The new traffic impact fee program should include fair-share payments toward the following improvement: At the West Calaveras Boulevard/I-880 northbound ramps, convert the northbound center left turn lane to a shared left-turn/right-turn lane. The City of Milpitas will coordinate with Caltrans to implement this improvement.*
- *Policy 6.35: The new traffic impact fee program should include fair-share payments toward the following improvement: At the intersection of Tasman Drive/McCarthy Boulevard, the southbound (McCarthy Boulevard) shared through/right-turn lane will be converted to an exclusive right-turn lane with overlap signal phasing. The southbound right-turn will have a green arrow and enter the intersection at the same time as the eastbound left-turn movement. Eastbound left-turns will be prohibited. The City of Milpitas will implement this improvement.*
- *Policy 6.36: The new traffic impact fee program should include fair-share payments toward the following improvement: Coordinate the traffic signals at the Tasman Drive / I-880 southbound ramps and the Great Mall Parkway/I-880 northbound ramps with one another as well as adjacent intersections, particularly Tasman Drive/Alder Drive, in order to improve operations in the Great Mall Parkway/Tasman Drive corridor north of the Transit Area. The City of Milpitas will coordinate with Caltrans to implement this improvement.*

## CONCLUSION

The TASP EIR adequately evaluated the transportation impacts of the 450 Montague Project. The proposed project would be required to comply with Specific Plan policies related to transportation including the traffic impact fees and City of Milpitas 2008 CFD (TASP area) tax rates.

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|                                                                                                                                                                                                                                   | Potentially<br>Significant<br>Impact | Less Than<br>Significant<br>Impact with<br>Mitigation | Less Than<br>Significant<br>Impact | No New<br>Impact                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------|------------------------------------|-------------------------------------|
| <b>XVII. UTILITIES AND SERVICE SYSTEMS.</b> Would the project:                                                                                                                                                                    |                                      |                                                       |                                    |                                     |
| a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?                                                                                                                               | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                            | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?                                     | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?                                                                            | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments? | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?                                                                                                            | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |
| g) Comply with federal, State, and local statutes and regulations related to solid waste?                                                                                                                                         | <input type="checkbox"/>             | <input type="checkbox"/>                              | <input type="checkbox"/>           | <input checked="" type="checkbox"/> |

## DISCUSSION:

The TASP EIR concluded that development associated with implementation of the Specific Plan would result in less-than-significant impacts on utilities and services systems, including water supply, wastewater treatment, stormwater drainage and solid waste disposal. The TASP EIR anticipates impacts related to additional demand for water, sewer flow capacity, and recycled water lines (Impacts 3.11-1, 3.11-2, 3.11-3, 3.11-4, 3.11-5, and 3.11-6). Policies are included in the Specific Plan that address these impacts and include the installation of additional pipes, water efficiency measures and the purchase of water and sewer treatment capacity as needed. The TASP EIR also describes how the Specific Plan area is already developed and therefore will require upgrading of existing infrastructure in lieu of adding new infrastructure.



The TASP EIR describes how the transition from industrial to high density residential in the Specific Plan area will decrease the amount of stormwater runoff. The Specific Plan area would add more landscaping and the amount of impervious surface area over time will actually decrease, resulting in less stormwater runoff in the area. Therefore, implementation of the Specific Plan would not require any storm drain improvements.

The TASP EIR concluded that there would be a substantial increase in water demand as a result of the build-out of the Specific Plan -- average daily demand would be 2.65 mgd in comparison to the City's 2002 Master Water Plan prediction of 1.55 mgd (Impact 3.11-1). This increase in demand for water would require improvements to existing water infrastructure both in the Specific Plan area and affected pressure zones. The capacity of the existing turnout delivering water from the Santa Clara Valley Water District (SCVWD) system could be exceeded during peak hours of demand. As such, an additional 20-inch turnout would be needed to supply the additional water needed to the Specific Plan area which would eliminate the need for any pipeline improvements in the SCVWD pressure zones. The Specific Plan includes additional policies that would ensure that impacts to the provision of water would be less than significant.

The TASP EIR found that additional allotments of water needed to serve new growth (Impact 3.11-2) would be approximately 1.0 mgd, and that this increase would be offset by the supplies available from the SCVWD. During droughts, the City has the ability to run emergency wells and increase the use of recycled water to offset potable water demand. The Specific Plan includes numerous policies that would provide additional water supply allocations, including the use of recycled water.

The TASP EIR determined that sewer flow capacity as a result of the build-out of the Specific Plan would exceed the capacity planned for in the City's Sewer Master Plan (Impact 3.11-3) by a total of 2.20 mgd over 2007 conditions. This increased demand for capacity would require extensive improvements to the sewer pipelines within the Specific Plan area. Policies in the Specific Plan would reduce the impact to less than significant. In addition, the TASP EIR found that no improvements are needed for the City's Main Pump Station, as wet weather flow is not expected to exceed capacity.

The TASP EIR found that citywide cumulative wastewater generation would exceed the City's current WPCP capacity rights and would be considered cumulatively considerable (Impact 3.11-4). Policies in the Specific Plan are in place that would help meet wastewater treatment capacity demands, including the purchase of additional treatment plant capacity from the cities of San Jose and Santa Clara, the owners of the WPCP. This additional capacity would enable the City to meet the cumulative wastewater treatment demands generated by cumulative growth and development throughout the City, including the net increase in demand attributable to the Specific Plan area. However, the City's need to acquire an additional 1.0 mgd of WPCP capacity is based on the ability to serve all planned growth and development within the City. The need for this additional WPCP capacity will not be triggered until such time in the future when full General Plan build-out and Transit Area Specific Plan build-out is realized.

The TASP EIR found that the build-out of the Specific Plan would generate approximately 2.20 mgd of additional sewage flows above current levels and, when added to the existing wastewater disposal rate at the WPCP, it would be below the RWQCB trigger threshold of 120 mgd. Therefore the Specific Plan estimated sewage flow would be considered less than significant. However, the RWQCB has specific requirements designed to off-set cumulative regional increases in sewer flows

and discharge into the San Francisco Bay, primarily through water recycling and water conservation. The TASP EIR concluded that the amount of recycled water demand associated with the Specific Plan is not sufficient to fully offset the increased sewer flows and discharge into the Bay. Specific Plan policies 6.16, 6.17 and 6.20 are designed to reduce this impact to a less-than-significant level.

The TASP EIR concluded that new mainlines for water recycling would need to be installed and would have a less than significant impact because they would be installed on existing and proposed roads.

The increase in residential density under the Specific Plan would cause an increase in the amount of solid waste generation by approximately 7,400 pounds per day. The TASP EIR concludes that policies to implement recycling programs as well as solid waste source and reduction programs would reduce the impacts to less than significant. The City is also required to negotiate new agreements to handle long-term solid waste disposal after closure of the Newby landfill in 2023, which would also reduce the impact to a less-than-significant level.

Since the TASP EIR adequately addresses utilities and service systems, and the development associated with the 450 Montague Project's falls within the development assumptions evaluated in the TASP EIR, the proposed project has no new impact on utilities and public services. In addition, the 450 Montague Project must comply with the Municipal Code requirements and Conditions of Approval identified by the City related to utilities and service systems, including water supply, water easement, sewer, storm drainage, solid waste and property management.

## **APPLICABLE MITIGATION MEASURES**

No new mitigation measures are required.

## **APPLICABLE POLICIES**

### **Specific Plan Policies**

- *Policy 6.22: Upgrade and expand the water distribution system such that it will be adequate to serve new development in the Transit Area.*
- *Policy 6.13: Provide water supply for the Transit Area from the Santa Clara Valley Water District per the Water Supply Assessment.*
- *Policy 6.17: The City of Milpitas will require that water saving devices, as required by the California Plumbing Code, be installed in all residential, commercial, industrial and institutional facilities within the Transit Area. Such devices are capable of reducing the amount of water used indoors, resulting in substantial wastewater flow reductions.*
- *Policy 6.18: Construct recycled water mains along Great Mall Parkway, Capitol Avenue, as Montague Expressway, Sango Court, and into the Piper/Montague subdistrict, as shown in Figure 6-3 [of the Specific Plan].*
- *Policy 6.19: Per the Midtown Specific Plan, require new development to include recycled water lines for irrigation.*

- *Policy 6.21: Require existing irrigation users to convert to recycled water when it becomes available.*
- *Policy 6.9: The City of Milpitas will implement improvements to the Main Sewage Pump Station and the force mains which convey flows to the WPCP in general accordance with those improvements identified in the "Functionality and Operation Report" as prepared for the City by Winzler & Kelly Engineers, November 2005.*
- *Policy 6.10: The City of Milpitas will acquire up to 1.0 mgd of wastewater treatment capacity at the WPCP if necessary. The final amount to be acquired, if any, and the timing of the acquisition will be based on studies of actual usage and the pace of development in the city. The City shall monitor the increase in actual sewage flows and the amount of new development approved on an annual basis to determine when additional capacity is required.*
- *Policy 6.16: Reduce water consumption through a program of water conservation measures, such as use of recycled water, water-saving features, and drought-tolerant landscaping.*
- *Policy 6.20: The City of Milpitas will require that recycled water be used to irrigate all parks, plazas, community facilities, linear parks, landscaped front yards and buffer zones. Recycled water may also be used for landscape irrigation on vegetated setbacks and private common areas. The City shall also require, where reasonable and feasible, that commercial uses, schools and non-residential mixed use developments be provided with dual plumbing to enable indoor recycled water use for non-potable uses to the extent feasible.*
- *Policy 6.23: All new development shall participate to the maximum extent practical in solid waste source reduction and diversion programs.*
- *Policy 6.24: Before the expiration of its current waste disposal contract, the City shall negotiate new agreements to handle the long-term disposal of its solid waste past the closure of the Newby Island Sanitary Landfill.*

#### **Midtown Specific Plan Policies**

- *Policy 6.17 Implement existing recycling programs in the Midtown Area.*
- *Policy 6.18 Promote recycling of demolition and construction debris*

#### **CONCLUSION**

The TASP EIR adequately evaluated the utilities and service system impacts of the 450 Montague Project. In addition, the 450 Montague Project must comply with the Municipal Code requirements and Conditions of Approval identified by the City related to utilities and service systems, including water supply, water easement, sewer, storm drainage, solid waste and property management.

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## REPORT PREPARATION

### A. REPORT PREPARERS

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### B. REFERENCES

Advanced Environmental Concepts, Inc., 2012. *Phase I Site Assessment for 450 Montague Expressway*. October.

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## **APPENDIX A**

### **CAP Development Checklist**

(Appendix C of the Milpitas Climate Action Plan)



# Appendix C:

## Development Checklist

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### DEVELOPMENT CHECKLIST

The following checklist has been developed to assist project applicants and City staff to determine whether a proposed project complies with the Climate Action Plan.

If the proposed project's expected GHG emissions were not considered in the GHG emissions 2020 and 2035 forecast included in **Appendix A** of the CAP, this checklist is provided for informational use but may not preclude preparation of separate GHG analysis for the project. Examples of projects that may not be incorporated into the City's forecast include stationary source emissions regulated by the Bay Area Air Quality Management District, General Plan amendments, new specific plans that exceed the City's proposed population and job growth forecasts, and GHG emissions used in specific manufacturing processes that are not easily tracked at a community-wide level.

### PROJECT DESCRIPTION/CHARACTERISTICS

Please identify the applicable land uses included in the proposed project and provide a brief description of the proposed project (or the project description to be used for the associated environmental document).

Identify the applicable land uses:

☒ Residential ☐ Commercial ☐ Industrial ☐ Manufacturing ☒ Other

Project Description:

The project is located at 400 and 450 Montague and consists of 351 units of rental apartment homes, 138 for sale stacked flats, approx. 10,000 sf of non-residential space, and multiple public parks across approximately 10 acres. The project will be located across the street from the new Milpitas BART station.



# Appendix C:

## Development Checklist

### AMENDMENTS REQUESTED

Does the project require an amendment to any of the following planning documents?

General Plan: ☐ Yes ☒ No ☐ Not Sure

Midtown Specific Plan: ☐ Yes ☒ No ☐ Not Sure

Transit Area Specific Plan: ☐ Yes ☒ No ☐ Not Sure

### GHG EMISSIONS INCORPORATED WITHIN CITY GHG FORECAST

Was this project, and its potential GHG emissions sources, considered in the City's GHG inventory and forecast?

☒ Yes ☐ No ☐ To be determined by staff

### PROJECT SOURCES OF GHG EMISSIONS CONSIDERED IN CITY INVENTORY

Identify the activities and sources of GHG emissions anticipated by the proposed project during either the construction or operational phases of the project.

| Potential GHG Emissions Sources:                              |                                                           |                                                              |
|---------------------------------------------------------------|-----------------------------------------------------------|--------------------------------------------------------------|
| <input checked="" type="checkbox"/> Electricity Use           | <input checked="" type="checkbox"/> Res./Comm./Ind. Waste | <input checked="" type="checkbox"/> Gasoline or Diesel Use   |
| <input checked="" type="checkbox"/> Natural Gas Use           | <input checked="" type="checkbox"/> Wastewater Disposal   | <input checked="" type="checkbox"/> Transportation (On-Road) |
| <input checked="" type="checkbox"/> Const. & Demolition Waste | <input checked="" type="checkbox"/> Water Use             | <input checked="" type="checkbox"/> Off-Road Equipment       |
| <input type="checkbox"/> Other _____                          |                                                           |                                                              |

### APPLICABLE MEASURES/COMPLIANCE

Identify in the checklist below the applicable measures that will be implemented as part of the proposed project to demonstrate consistency with the City's Climate Action Plan.

#### Required Measures

This list includes measures and actions included in the CAP that are (1) required to be included in the project design and implementation and (2) currently being implemented by the City. By following these two conditions and meeting the requirements identified below, the project demonstrates consistency with the CAP. As the City implements additional CAP measures, they will be added to this list.

# Appendix C: Development Checklist

| Measure                                         | Action | Applicability | Compliance*                                                                                      |
|-------------------------------------------------|--------|---------------|--------------------------------------------------------------------------------------------------|
| <b>Waste reduction</b>                          |        |               | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| <b>New multi-family development</b>             |        |               | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| <b>Bikeways master plan</b>                     |        |               | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| <b>Municipal solar power purchase agreement</b> |        |               | <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A |
| <b>Water conservation</b>                       |        |               | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| <b>Recycled water</b>                           |        |               | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
| <b>Green building</b>                           |        |               | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |

\* All measures that are considered applicable on this list are required to be implemented in order to demonstrate consistency with the CAP.

## RECOMMENDED MEASURES

This list includes measures and actions identified in the CAP, or programs and regulations that have yet to be adopted by the City, which would apply to a project of this type. These measures should be included in the project design as feasible and, once implemented or adopted by the City, be included in the list of required measures above.

| Measure | Action | Applicability | Compliance*                                                                           |
|---------|--------|---------------|---------------------------------------------------------------------------------------|
|         |        |               | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
|         |        |               | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
|         |        |               | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |

# Appendix C: Development Checklist

| Measure | Action | Applicability | Compliance*                                                                           |
|---------|--------|---------------|---------------------------------------------------------------------------------------|
|         |        |               | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
|         |        |               | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |
|         |        |               | <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> N/A |

\* All measures considered applicable on this list should be considered for implementation in order to demonstrate consistency with the CAP.

## OTHER GHG REDUCTION MEASURES IMPLEMENTED

List and describe any additional measures that this project will incorporate to reduce GHG emissions that are not included in the CAP. If available, provide the estimated GHG reductions that would occur on an annual basis from implementing the measure, in MTCO<sub>2</sub>e.

| Additional Measure                                                                                                                                                                                  | Estimated Annual GHG Reductions (MTCO <sub>2</sub> e) |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------|
| <b>Project is located across the street from a VTA light rail station and the new Milpitas BART station. The project's location will reduce vehicle miles travelled for the project's residents</b> | TBD                                                   |
|                                                                                                                                                                                                     |                                                       |
|                                                                                                                                                                                                     |                                                       |
|                                                                                                                                                                                                     |                                                       |





## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

Lennar Multifamily Communities  
100 Pine Street, Suite 2260  
San Francisco, CA 94111

**LENNAR**

Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

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450 MONTAGUE



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SHEET INDEX

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

| Architectural         |                                              | AS5.8  | Stacked Flat Unit Plans              |
|-----------------------|----------------------------------------------|--------|--------------------------------------|
| A0.0                  | Cover Sheet                                  | AS5.9  | Stacked Flat Unit Plans              |
| A0.1                  | Sheet Index                                  | AS5.10 | Stacked Flat Unit Plans              |
| A0.5                  | Zoning & Code Analysis & Project Conformance | AS5.11 | Stacked Flat Unit Plans              |
| A0.6                  | Project Data                                 | AS7.0  | Color and Materials Board - Scheme 1 |
|                       |                                              | AS7.1  | Color and Materials Board - Scheme 2 |
| A1.0                  | Master Site Plan                             | AS8.0  | Trash Enclosure Plan & Elevation     |
| A1.1                  | Site Section                                 |        |                                      |
| A1.2                  | Conceptual Perspectives                      |        |                                      |
| A1.3                  | Conceptual Perspectives                      |        |                                      |
| A1.4                  | Conceptual Perspectives                      |        |                                      |
| A1.5                  | Conceptual Perspectives                      |        |                                      |
| A1.6                  | Conceptual Perspectives                      |        |                                      |
| A1.7                  | Conceptual Perspectives                      |        |                                      |
| A1.8                  | Conceptual Perspectives                      |        |                                      |
| Type III Podium:      |                                              |        |                                      |
| AP2.0                 | Elevations                                   |        |                                      |
| AP2.1                 | Elevations                                   |        |                                      |
| AP3.0                 | Basement 2 Plan                              |        |                                      |
| AP3.1                 | Basement 1 Plan                              |        |                                      |
| AP3.2                 | Podium Level Plan (Level 1)                  |        |                                      |
| AP3.3                 | Level 2 Plan                                 |        |                                      |
| AP3.4                 | Level 3 & 4 Plan                             |        |                                      |
| AP3.5                 | Level 5 Plan                                 |        |                                      |
| AP3.6                 | Roof Plan                                    |        |                                      |
| AP4.0                 | Building Section                             |        |                                      |
| AP5.0                 | Unit Plans                                   |        |                                      |
| AP6.0                 | Details                                      |        |                                      |
| AP6.1                 | Conceptual Unit Exhaust Diagram              |        |                                      |
| AP7.0                 | Color and Materials Board                    |        |                                      |
| Type V Stacked Flats: |                                              |        |                                      |
| AS2.0                 | Building "A" 3-Plex Elevations               |        |                                      |
| AS2.1                 | Building "B" 6-Plex Elevations               |        |                                      |
| AS2.2                 | Building "B" 6-Plex Elevations               |        |                                      |
| AS2.3                 | Building "C" 9-Plex Elevations               |        |                                      |
| AS2.4                 | Building "C" 9-Plex Elevations               |        |                                      |
| AS2.5                 | Building "C Alt." 9-Plex Elevations          |        |                                      |
| AS2.6                 | Building "C Alt." 9-Plex Elevations          |        |                                      |
| AS2.7                 | Building "D" 9-Plex Elevations               |        |                                      |
| AS2.8                 | Building "D" 9-Plex Elevations               |        |                                      |
| AS2.9                 | Building "E" 6-Plex Elevations               |        |                                      |
| AS2.10                | Building "E" 6-Plex Elevations               |        |                                      |
| AS3.0                 | Building "A" 3-Plex Building Plan            |        |                                      |
| AS3.1                 | Building "B" 6-Plex Building Plan            |        |                                      |
| AS3.2                 | Building "C" 9-Plex Building Plan            |        |                                      |
| AS3.3                 | Building "C" 9-Plex Building Plan            |        |                                      |
| AS3.4                 | Building "C Alt." 9-Plex Building Plan       |        |                                      |
| AS3.5                 | Building "C Alt." 9-Plex Building Plan       |        |                                      |
| AS3.6                 | Building "D" 9-Plex Building Plan            |        |                                      |
| AS3.7                 | Building "D" 9-Plex Building Plan            |        |                                      |
| AS3.8                 | Building "D" 9-Plex Building Plan            |        |                                      |
| AS3.9                 | Building "E" 6-Plex Building Plan            |        |                                      |
| AS3.10                | Building "E" 6-Plex Building Plan            |        |                                      |
| AS5.0                 | Stacked Flat Unit Plans                      |        |                                      |
| AS5.1                 | Stacked Flat Unit Plans                      |        |                                      |
| AS5.2                 | Stacked Flat Unit Plans                      |        |                                      |
| AS5.3                 | Stacked Flat Unit Plans                      |        |                                      |
| AS5.4                 | Stacked Flat Unit Plans                      |        |                                      |
| AS5.5                 | Stacked Flat Unit Plans                      |        |                                      |
| AS5.6                 | Stacked Flat Unit Plans                      |        |                                      |
| AS5.7                 | Stacked Flat Unit Plans                      |        |                                      |

Civil

|        |                                                            |
|--------|------------------------------------------------------------|
| TM.01  | Vesting Tentative Subdivision Map for Condominium Purposes |
| TM.02  | Existing Conditions                                        |
| TM.03  | Site Plan                                                  |
| TM.04  | Preliminary Grading & Drainage Plan                        |
| TM.05  | Flood Plain Map                                            |
| TM.06  | Preliminary Utility Plan                                   |
| TM.07A | Preliminary Stormwater Control Plan                        |
| TM.07B | Preliminary Stormwater Control Plan Details                |
| TM.08  | Fire Truck Access Plan                                     |
| TM.09  | Solid Waste Management Plan                                |
| TM.10  | Parking Plan                                               |
| TM.11  | Conditions of Approval                                     |

Landscape

|    |                               |
|----|-------------------------------|
| L1 | Landscape Plan                |
| L2 | Podium Courtyard Enlargements |
| L3 | Park Enlargement              |
| L4 | Planting & Irrigation         |
| L5 | Landscape Imagery             |

A0.1

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|                                         | MILPITAS TRANSIT AREA SPECIFIC PLAN (TASP)<br>DEVELOPMENT STANDARDS<br>(2008, UPDATED 2011, TABLE 5-1)                                                                                               |                                                                                                                                   | PROPOSED IN<br>PROJECT SITE                                                                                                                                                             | DEPATURES<br>(IF ANY)                                                                                                                      | REASON FOR DEPARTURE<br>(IF ANY) |
|-----------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|
|                                         | Boulevard Very High Density<br>Mixed Use (MXD3-TOD)                                                                                                                                                  | Very High Density Transit<br>Oriented Residential (R5-TOD)                                                                        |                                                                                                                                                                                         |                                                                                                                                            |                                  |
| Density:                                | Maximum FAR: 2.5 with CUP<br>MXD3-TOD: 41-75 du/gross acre<br>(average density)<br>Max FAR: 1.88                                                                                                     | 41-75 du/gross acre                                                                                                               | Average over the project<br>site is: 46.7 du/gross<br>acre (acreage based<br>on existing property<br>boundary)                                                                          | N/A                                                                                                                                        | N/A                              |
| Transit-Oriented<br>Density Bonus:      | MXD3-TOD: Up to 25% additional<br>density increase with Use Permit                                                                                                                                   | Up to 25% additional density<br>increase with Use Permit                                                                          | None                                                                                                                                                                                    | N/A                                                                                                                                        | N/A                              |
| Block Size:                             | <ul style="list-style-type: none"><li>Min 2.0 acres</li><li>Max 4.0 acres</li></ul>                                                                                                                  |                                                                                                                                   | Block size range: +/-3.25<br>acres to +/-3.5 acres                                                                                                                                      | N/A                                                                                                                                        | N/A                              |
| Block<br>Dimension:                     | Maximum 500 feet between publicly accessible paths of travel                                                                                                                                         |                                                                                                                                   | maximum dimension:<br>+/-485 feet frontage on<br>Capitol Ave.                                                                                                                           | N/A                                                                                                                                        | N/A                              |
| Maximum<br>Buiding Height:              | 12 stories along Montague<br>Expressway                                                                                                                                                              | 75 feet, 12 stories along Capitol<br>Ave, Montague Expressway                                                                     | 5.5 stories along<br>Capitol Ave and ranges<br>from 3 stories to 5.5<br>stories along Montague<br>Expressway                                                                            | N/A                                                                                                                                        | N/A                              |
| Front Setback<br>(Major Streets):       | 45 feet landscape setback from<br>the (original) curb on Montague<br>Expressway, plus 15-20 feet<br>setback from back of sidewalk                                                                    | 24 feet planting strip and 10 feet<br>sidewalk off Capitol Ave. (per<br>figure 5-11). Plus 15 feet setback<br>from sidewalk       | Project conforms; See<br>Site Plan sheet A1.0 for<br>dimensions.                                                                                                                        | N/A                                                                                                                                        | N/A                              |
| Other Street<br>Facing Yards:           | 12-20 feet from back fo sidewalk                                                                                                                                                                     | 12-20 feet from back of sidewalk                                                                                                  | Between 12 to 14 feet is<br>provided.                                                                                                                                                   | N/A                                                                                                                                        | N/A                              |
| Side Yard<br>minimum:                   | <ul style="list-style-type: none"><li>10 feet minimum</li><li>15 feet when abutting residential</li><li>20 feet for portions of buildings<br/>over 60 feet or 4 stories tall</li></ul>               | <ul style="list-style-type: none"><li>15 feet</li><li>20 feet for buildings over 3<br/>stories when abuuing residential</li></ul> | +/-20 feet provided<br>between buildings on<br>site. See sheet A1.0 for<br>exact dimensions.                                                                                            | Building 1 side yard less<br>than 20 feet; Building 16<br>side yard less than 15<br>feet; +/-20 feet between<br>Building 1 and Building 16 | Site Geometry                    |
| Rear Yard<br>minimum:                   | <ul style="list-style-type: none"><li>15 feet minimum, 20 feet when<br/>abutting residential use.</li><li>Minimum 30 feet for portions<br/>of buildings over 60 feet or 4<br/>stories tall</li></ul> | <ul style="list-style-type: none"><li>15 feet</li><li>20 feet for buildings over 3<br/>stories when abuting residential</li></ul> | N/A                                                                                                                                                                                     | N/A                                                                                                                                        | N/A                              |
| From Creeks:                            | Minimum 25 feet from top of bank                                                                                                                                                                     |                                                                                                                                   | 25 feet from top of Creek<br>with additional +/- 18 feet<br>setback to buildings for<br>+/- 43 feet total.                                                                              | N/A                                                                                                                                        | N/A                              |
| Projections into<br>required yards:     | Allowed up to 6 feet for porches, stairs, balconies, bay windows, and<br>awnings                                                                                                                     |                                                                                                                                   | Project conforms; See<br>Site Plan sheet A1.0.                                                                                                                                          | N/A                                                                                                                                        | N/A                              |
| Building<br>Orientation &<br>Entrances: | Building must face the street; and primary building entrances must be<br>oriented towards the street                                                                                                 |                                                                                                                                   | The Podium building has<br>frontages along Capitol<br>Ave. and Montague<br>Expressway. The stacked<br>flat product are alley<br>loaded so that buildings<br>all have a street frontage. | N/A                                                                                                                                        | N/A                              |
| Parking & Auto<br>Access:               | (Per Table 5-3)                                                                                                                                                                                      |                                                                                                                                   |                                                                                                                                                                                         |                                                                                                                                            |                                  |
| Residential<br>uses:                    | minimum                                                                                                                                                                                              | max                                                                                                                               | Project meets<br>parking requirements<br>per development<br>standards. See Project<br>Data on sheet A0.6 for<br>more information.                                                       | N/A                                                                                                                                        | N/A                              |
| Studio:                                 | 0.8 covered                                                                                                                                                                                          | 1.0 covered                                                                                                                       |                                                                                                                                                                                         |                                                                                                                                            |                                  |
| 1-bedroom:                              | 1.2 covered                                                                                                                                                                                          | 1.5 covered                                                                                                                       |                                                                                                                                                                                         |                                                                                                                                            |                                  |
| 2-3 bedroom:                            | 1.6 covered                                                                                                                                                                                          | 2.0 covered                                                                                                                       |                                                                                                                                                                                         |                                                                                                                                            |                                  |
| 4+bedroom:                              | 2.6 plus 1.0 per each additonal<br>bedroom (2.0 covered minimum)                                                                                                                                     | Depends on min required                                                                                                           |                                                                                                                                                                                         |                                                                                                                                            |                                  |
| Guest:                                  | <ul style="list-style-type: none"><li>Projects with parking structures: 15% of required total</li><li>Projects with private garages: 20% of required total</li></ul>                                 |                                                                                                                                   |                                                                                                                                                                                         |                                                                                                                                            |                                  |

450 MONTAGUE

|                                                               | MILPITAS TRANSIT AREA SPECIFIC PLAN (TASP)<br>DEVELOPMENT STANDARDS<br>(2008, UPDATED 2011, TABLE 5-1)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                | PROPOSED IN<br>PROJECT SITE                                                                                                                                                                 | DEPATURES<br>(IF ANY)                                                                                                                                                                                                            | REASON FOR DEPARTURE<br>(IF ANY)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                               | Boulevard Very High Density<br>Mixed Use (MXD3-TOD)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | Very High Density Transit<br>Oriented Residential (R5-TOD)                                                                                                                                                                                                                                                                     |                                                                                                                                                                                             |                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Bicycle<br>Parking:                                           | <ul style="list-style-type: none"><li>1 for every 4 spaces (exempting units with private garages)</li><li>Plus 5% of total required for short term</li><li>Short-term bike parking for residential shall be located on a public street within site of a front door and spaced evenly throughout the development</li><li>Long-term bike parking should be located within the parking structure</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                | Project meets bicycle parking requirements. See Project Data sheet on sheet A0.6 for more information, and sheet AP3.1 and L1 for location information.                                     | N/A                                                                                                                                                                                                                              | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Parking Design<br>Standards:                                  | <ul style="list-style-type: none"><li>No parking allowed within front or street side setback areas.</li><li>At least 70% of the street facing perimeter shall be wrapped with habitable space</li><li>Parking may also be designed so that is partially above ground, provided that no more than 5 feet is above grade, and above grade portion is wrapped with continuous landscaping that screens parking garage openings</li><li>Individual garages may not occupy more than 50% of Ground Level Frontage facing the street.</li><li>Maximum of 2 curb cuts per lot per street frontage. Exceptions allowed through achritectural review process.</li><li>Width of parking garage entrances must be minimized (20-25 feet) and the parking access point set back from the curb</li><li>Tandem parking may be allowed pursuant City's Off Street Parking Requirements</li></ul> |                                                                                                                                                                                                                                                                                                                                | See sheet AP3.0 and AP3.1 for garage plans and sheet A1.1 for site section.                                                                                                                 | Podium building garage height above grade varies along Capitol Ave and Montague Expressway; some points will be more than 5 feet above grade                                                                                     | Working with the water table, topography and liveability on major arterials, the garage height above grade will vary and at some points and be above the 5 feet allowed. However, the garage is complety at or below grade at building main entry points (Lobby and Leasing along Capitol Ave.) for accessibility. All above grade garage openings have proposed landscape screening mechanisms such as planter boxes. The additional heigh of the garage above grade will help with privacy and livability of the ground floor units along a busy street. |
| Parks and Open<br>Space:                                      | <ul style="list-style-type: none"><li>All residential projects within the TASP shall provide park land at the ratio of 3.5 acres/1,000 population: 2.0 acres that is public park land, and 1.5 acres of it may be satisfied by provision of private recreational areas</li><li>Per Figure 3-6 of the TASP, this project site in conjunction with surrounding projects totals an approximate 2.31 acres of park and open space for the area</li><li>20% of landcape buffers count towards park requirements, if they include trails or wide sidewalks connected to the City Trail System</li></ul>                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                | See sheet A0.6 for more information.                                                                                                                                                        | N/A                                                                                                                                                                                                                              | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Private Open<br>Space:                                        | (Per Zoning Sec.XI-10-6.04.G.2.b) <ul style="list-style-type: none"><li>Balconies (above ground level): minimum 40 sq.ft.; or</li><li>Patios and porches (at ground level): minimum 50 sq.ft.</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | (Per Zoning Sec.XI-10-4.05.E.2.b.ii) <ul style="list-style-type: none"><li>Balconies (above ground level): minimum 40 sq.ft.; or</li><li>Patios and porches (at ground level): minimum 50 sq.ft.</li><li>Balconies, porches, or roof decks, with a minimum dimension of 4.5 feet may be considered usable open space</li></ul> | See sheet A0.6 for more information.                                                                                                                                                        | All of the 138 units in the Stacked Flat product and 296 units out 251 units in the Podium builing (84%) provide the required private open space. Approximately 16% of units in the Podium building does not private open space. | Studio units and a few 1 bedrooms (located along Capitol Ave) do not have private open space due to overall unit size and proximity to a major arterial. Although the project deviates from the private open space requirement, ample common open space is provided in 2 courtyards and a sky deck on the podium building. Limited balconies along Capitol Ave also helps with noise attenuation in the units and offers a building design that speaks to a more urban edge fronting the VTA station and future BART station.                              |
| Garbage Truck<br>Access and<br>Trash/Recycling<br>Enclosures: | <ul style="list-style-type: none"><li>Large refuse and recycling containers used by the multifamily and mixed-use buildings shall not be visible from a public or private street. Such containers shall be stored either within the parking facility of the building or within a vehicular accessway with appropriate screening</li><li>Trash receptacle pads shall be integrated within design of residential lanes (private streets)</li><li>All enclosure walls shall incorporate building materials and colors to match architecture of building, and they shall include appropriate landscape for screening</li></ul>                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                | A trash compactor is located in the SE corner of the site. Location and design of waste management follows the City's Waste Management Guidelines. Also see Trash Management Plan document. | N/A                                                                                                                                                                                                                              | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Emergency<br>Vehicle Access:                                  | Primary access for emergency vehicles shall be from public streets; streets shall not be eliminated because this will compromise emergency access                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                | See sheet TM.08 for more information                                                                                                                                                        | N/A                                                                                                                                                                                                                              | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Utilities                                                     | <ul style="list-style-type: none"><li>Utilities shall be underground or in subsurface conduits and accessible</li><li>All mechanical equipment shall be adequately screened with planting, berms or with an enclosure</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                | <ul style="list-style-type: none"><li>Utilities are proposed to be underground.</li><li>Roof top equipment shall be screened by parapet and screens; see sheets AP3.6, AS3.0-3.7.</li></ul> | N/A                                                                                                                                                                                                                              | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| Lighting:                                                     | <ul style="list-style-type: none"><li>Shall be designed and placed to direct lighting to appropriate surfaces and minimize glare onto adjacent areas</li><li>The light source used in outdoor lighting should provide a white light</li><li>Low pressure sodium lamps are prohibited</li><li>Light standards along sidewalks should be approximately 12' to 16'</li><li>Uplighting is encouraged to accent architectural features or landscaping</li></ul>                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                | See sheet L1 for more information                                                                                                                                                           | N/A                                                                                                                                                                                                                              | N/A                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

ZONING & CODE ANALYSIS & PROJECT CONFORMANCE



| PROJECT SUMMARY |                                                             |                |  |
|-----------------|-------------------------------------------------------------|----------------|--|
| Address         | 450 Montague                                                |                |  |
| Zone:           | MXD3-TOD & R5-TOD                                           |                |  |
| Site Acreage:   | 10.47 ac (existing property boundary)                       |                |  |
|                 | 10.04 net ac (after right-of-way vacations and dedications) |                |  |
| Total Units:    | Podium:                                                     | 351 d.u.       |  |
|                 | Stacked Flats:                                              | 138 d.u.       |  |
|                 |                                                             | 489 d.u. total |  |
| Density:        | 46.70 d.u./ac                                               |                |  |
| F.A.R.:         | 1.36                                                        |                |  |
| UNIT SUMMARY    |                                                             |                |  |

|               | Unit Type       | Unit Area   | D.U. | Total | %    |
|---------------|-----------------|-------------|------|-------|------|
| Podium        | Studio          | 690         | 45   | 351   | 9%   |
|               | 1 Bedroom       | 719-1,083   | 202  |       | 41%  |
|               | 2 Bedroom       | 1,029-1,391 | 104  |       | 21%  |
| Stacked Flats | 2 Bedroom       | 1,056-1,400 | 42   | 138   | 9%   |
|               | 3 Bedroom       | 1,453-2,030 | 92   |       | 19%  |
|               | 4 Bedroom       | 2,289-2,344 | 4    |       | 1%   |
|               | Total           | 499,502     | 489  |       | 100% |
|               | Average Unit SF | 1,021       |      |       |      |

Podium Building Net Area: measured to face of exterior stud +1" air gap; includes all shafts; does not reflect 2" window recess  
Stacked Flat Net Area: measured to inside face of stud, includes all shafts

| PARKING SUMMARY               |                 |       |       |          |            |
|-------------------------------|-----------------|-------|-------|----------|------------|
| Residential Parking Required: |                 |       |       |          |            |
|                               | Unit Type       | Ratio | Units | Required | Total Req. |
| Podium                        | Studio          | 0.8   | 45    | 36       | 444        |
|                               | 1 Bedroom       | 1.2   | 202   | 242      |            |
|                               | 2 Bedroom       | 1.6   | 104   | 166      |            |
| Stacked Flats                 | 2 Bedroom       | 1.6   | 42    | 67       | 224        |
|                               | 3 Bedroom       | 1.6   | 92    | 147      |            |
|                               | 4 Bedroom       | 2.6   | 4     | 10       |            |
|                               |                 |       |       |          | 668        |
| Guest Parking Required:       |                 |       |       |          |            |
| Podium                        | 15% of required |       |       |          | 67         |
| Stacked Flats                 | 20% of required |       |       |          | 45         |
|                               |                 |       |       |          | 112        |

|  |                           |
|--|---------------------------|
|  | 780 total spaces required |
|--|---------------------------|

| Parking Provided: |                               |                        |                                                              |                               |              |     |
|-------------------|-------------------------------|------------------------|--------------------------------------------------------------|-------------------------------|--------------|-----|
|                   |                               |                        | Guest<br>Located<br>within<br>Residential<br>Parking<br>Area | Separated<br>Guest<br>Parking |              |     |
|                   | Space Type                    | Residential<br>Parking |                                                              |                               | Total        | %   |
| Podium            | Standard                      | 284                    | 39                                                           | 21                            | 344          | 41% |
|                   | Compact                       | 33                     | -                                                            | 7                             | 40           | 5%  |
|                   | Tandem (Parking<br>Structure) | 128                    | -                                                            | -                             | 128          | 33% |
| Stacked<br>Flats  | Tandem Garage                 | 144                    | -                                                            | -                             | 144          |     |
|                   | Side-by-side Garage           | 126                    | -                                                            | -                             | 126          | 15% |
|                   | Surface Parking               | -                      | -                                                            | 52                            | 52           | 6%  |
|                   | Total                         |                        |                                                              |                               | 834 provided |     |
|                   | Parking Ratio                 |                        |                                                              |                               | 1.71 sp/d.u. |     |

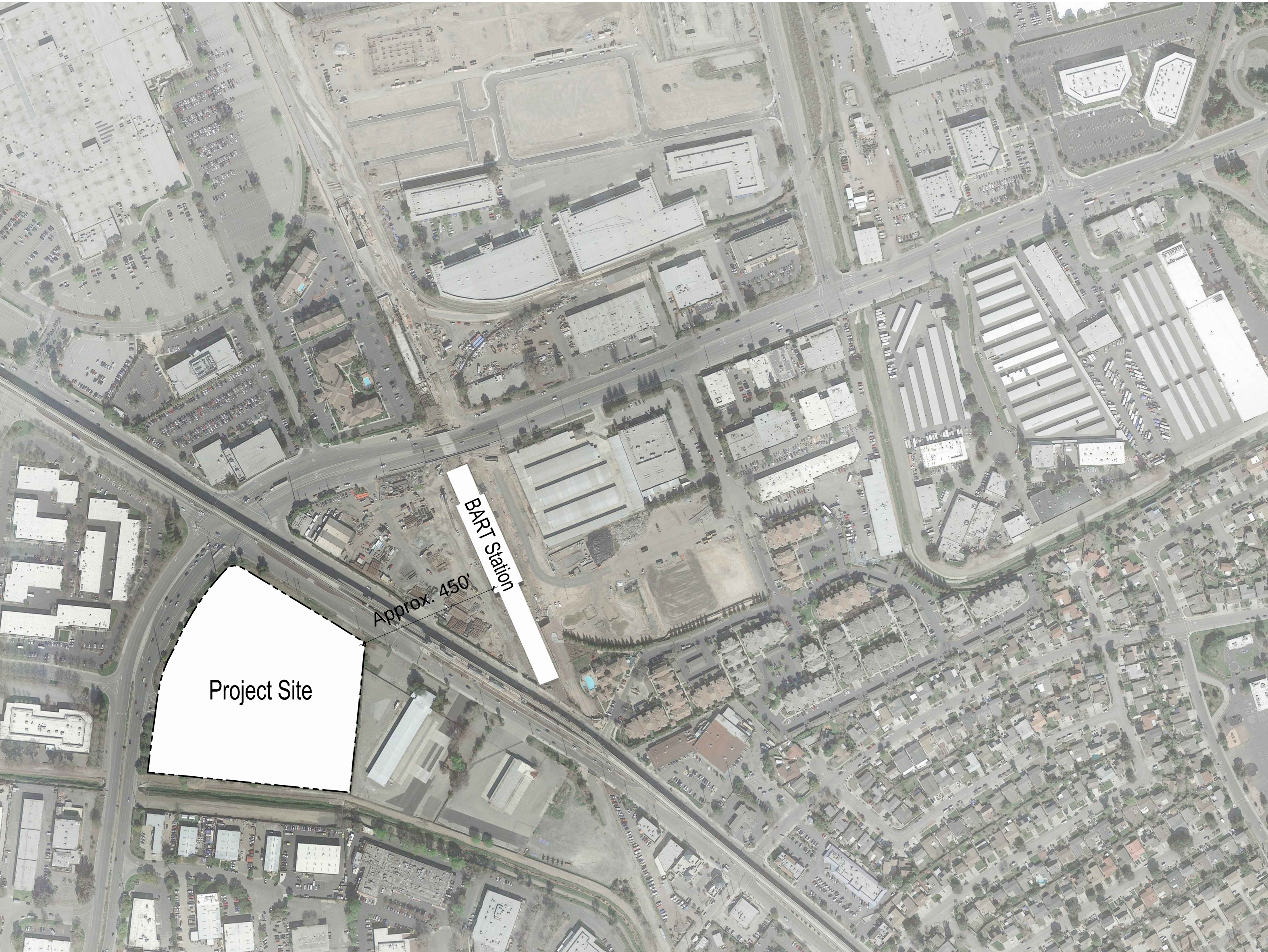
| Bicycle Parking: |            |                     |          |     |
|------------------|------------|---------------------|----------|-----|
|                  | Ratio      | Required            | Provided |     |
| Podium           | Long Term  | 1 per every 4 units | 88       | 88  |
|                  | Short Term | 5% Res. Required    | 26       | 26  |
| Stacked Flats    | Long Term  | n/a                 | 0        | 0   |
|                  | Short Term | 5% Res. Required    | 13       | 13  |
|                  | Total      |                     | 127      | 127 |

| NON-RESIDENTIAL AREA SUMMARY |  |       |
|------------------------------|--|-------|
|                              |  | SF    |
| Podium                       |  | 8,840 |
| Stacked Flats                |  | 0     |
| Total                        |  | 8,840 |

| FLOOR AREA CALCULATIONS |                |             |               |                   |             |            |         |
|-------------------------|----------------|-------------|---------------|-------------------|-------------|------------|---------|
| Podium                  | Building Level | Residential | Stacked Flats | Area Per Building | Total Bldgs | Total Area |         |
|                         | Level 1        | 74,600      |               | Type A            | 5,639       | 1 5,639    |         |
|                         | Level 2        | 67,214      |               | Type B            | 9,785       | 1 9,785    |         |
|                         | Level 3        | 75,979      |               | Type C            | 15,794      | 6 94,764   |         |
|                         | Level 4        | 75,979      |               | Type C Alt.       | 15,832      | 6 94,992   |         |
|                         | Level 5        | 72,790      |               | Type D            | 20,987      | 1 20,987   |         |
|                         | Total          | 366,562     |               | Type E            | 14,356      | 2 28,712   |         |
| Combined Floor Area     |                | 621,441     |               |                   |             | Total      | 254,879 |

| OPEN SPACE SUMMARY                                                                                                                       |                                                                                                     |
|------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------|
| Private Open Space:                                                                                                                      |                                                                                                     |
| Podium                                                                                                                                   | 296 d.u. out of 351 d.u. have balconies complying with the minimum area and dimension requirements* |
| Stacked Flats                                                                                                                            | All 138 d.u. have balconies complying with the minimum area and dimension requirements*             |
| *Per Zoning XI-10-4.05.E: minimum dimension 4.5 feet, balconies above ground level: minimum 40 SF, patios at ground level: minimum 50 SF |                                                                                                     |

|                              |             |           |
|------------------------------|-------------|-----------|
| Parks and Common Open Space: |             |           |
| Podium                       | Common      | SF        |
|                              | Courtyard A | 7,231 SF  |
|                              | Courtyard B | 14,949 SF |
| Site Open Space              |             |           |
| Park                         |             | 1.46 ac   |



Vicinity Map N.T.S.

## 450 MONTAGUE

LENNAR  
MULTIFAMILY COMMUNITIES

Lennar Multifamily Communities  
100 Pine Street, Suite 2260  
San Francisco, CA 94111

LENNAR

Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

## PROJECT DATA

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

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## A0.6





\*Refer to civil sheets TM.01-TM.11 for all site dimensions, property line, easements, and setbacks.

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

Lennar Multifamily Communities  
100 Pine Street, Suite 2260  
San Francisco, CA 94111

**LENNAR**

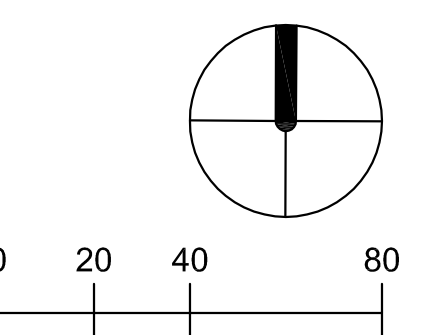
Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

## SITE PLAN

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

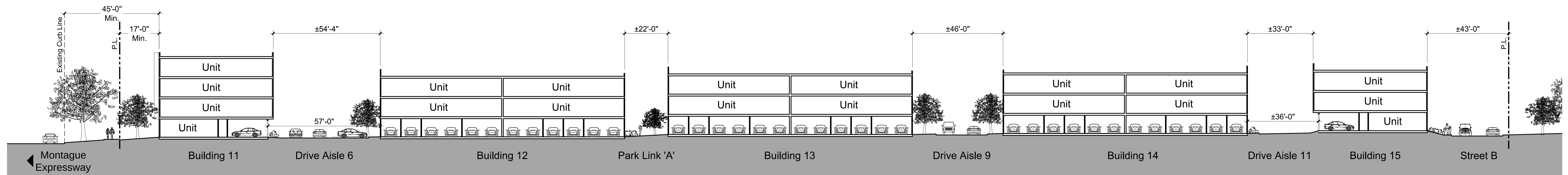
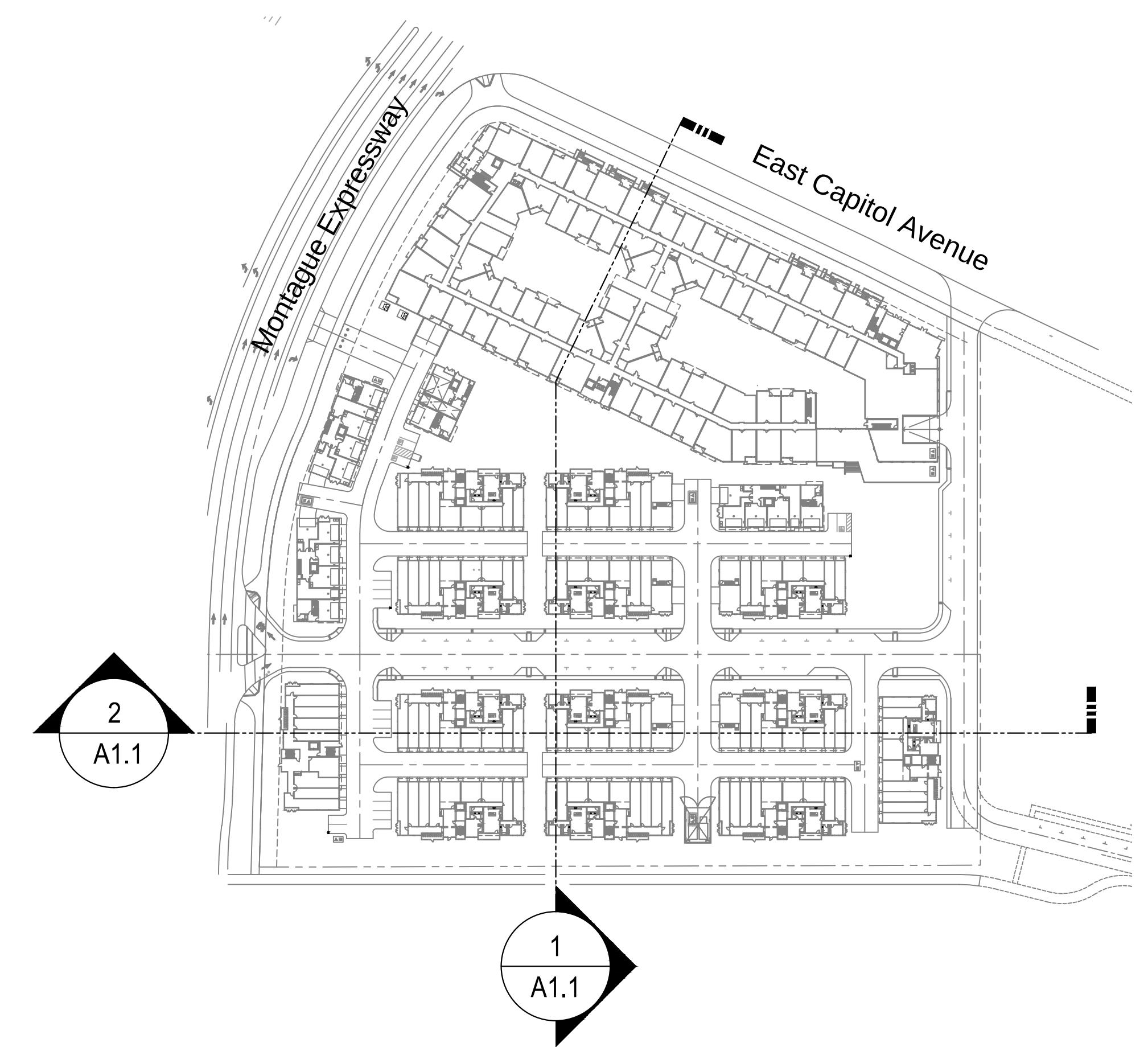


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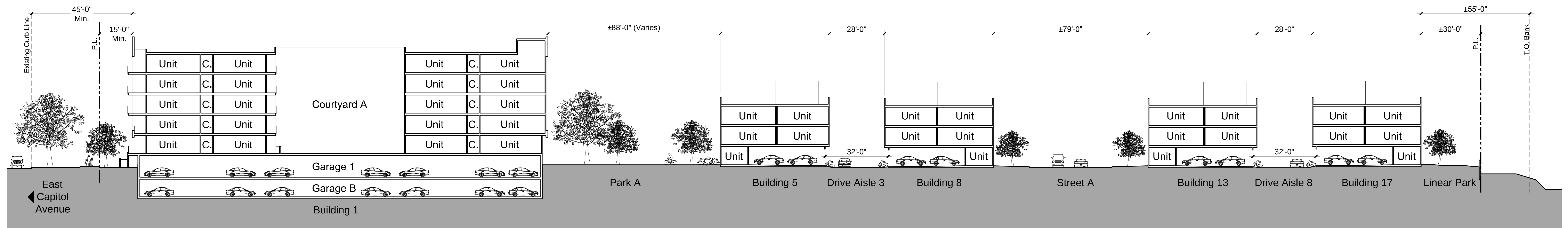
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2. Section



\*Refer to elevation sheets for building height information

1. Section

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

Lennar Multifamily Communities  
100 Pine Street, Suite 2260  
San Francisco, CA 94111

**LENNAR**

Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

## SITE SECTION

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

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A1.1





Key Map n.t.s.

1. View of Leasing Lobby and Amenities from Capitol Avenue

\*Refer to Landscape sheets for plant species and placement

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

Lennar Multifamily Communities  
100 Pine Street, Suite 2260  
San Francisco, CA 94111

**LENNAR**

Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

## CONCEPTUAL PERSPECTIVES

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

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A1.2





Key Map n.t.s.



2. Corner View of Amenity Terrace and Park 'B'

\*Refer to Landscape sheets for plant species and placement

## 450 MONTAGUE

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**LENNAR**

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San Ramon, CA 94583

## CONCEPTUAL PERSPECTIVES

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

A1.3

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Key Map n.t.s.

3. Leasing Lobby View from Capitol Avenue

\*Refer to Landscape sheets for plant species and placement

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## CONCEPTUAL PERSPECTIVES

MILPITAS, CA

KTGY # 2013-0551

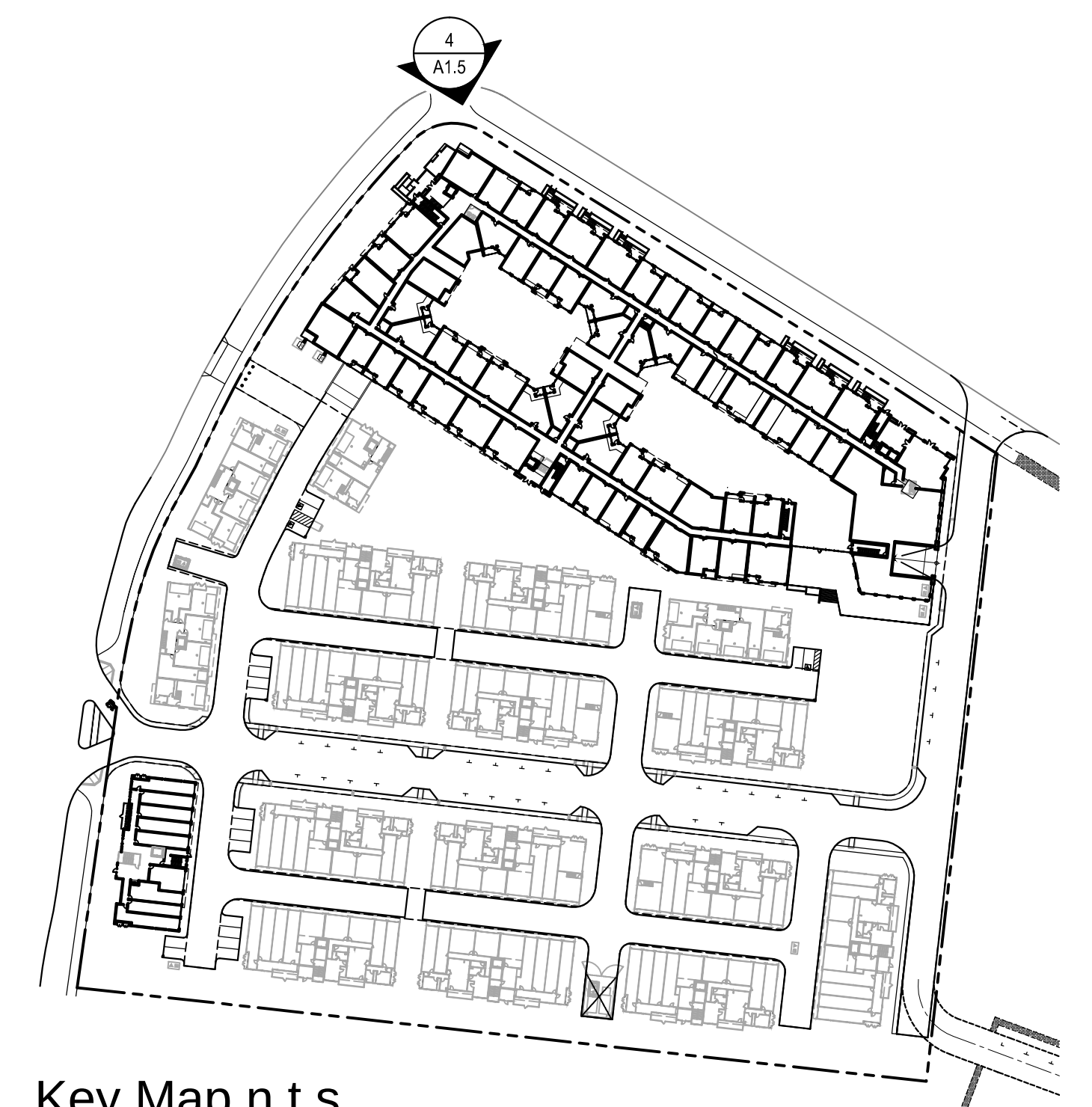
02.26.2015

A1.4

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Key Map n.t.s.



4. View from Montague Expressway and Capitol Avenue

\*Refer to Landscape sheets for plant species and placement

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## CONCEPTUAL PERSPECTIVES

MILPITAS, CA

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A1.5





Key Map n.t.s.

5. View from Capitol Avenue

\*Refer to Landscape sheets for plant species and placement

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## CONCEPTUAL PERSPECTIVES

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A1.6





Key Map n.t.s.



6. View of Townhomes from Internal Road

\*Refer to Landscape sheets for plant species and placement

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## CONCEPTUAL PERSPECTIVES

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# A1.7

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Key Map n.t.s.



7. View of Townhomes from Internal Road

\*Refer to Landscape sheets for plant species and placement

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## CONCEPTUAL PERSPECTIVES

MILPITAS, CA

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A1.8

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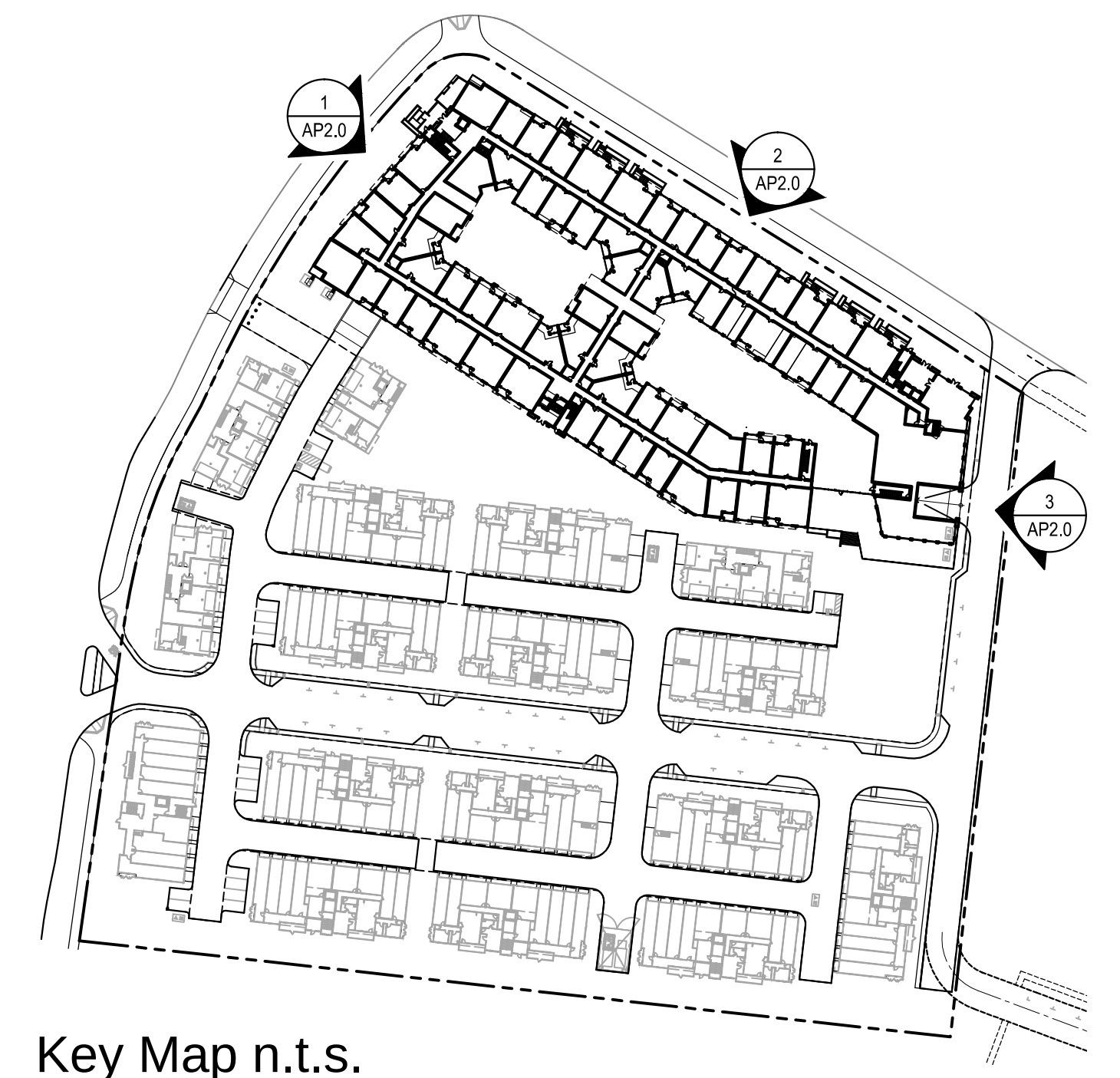






#### Material Legend

1. Stucco
2. Trim
3. Fiber Cement Siding
4. Smooth Plaster
5. Decorative Panel
6. Metal Panel
7. Metal Awning
8. Masonry Veneer
9. Metal Railing
10. Metal Railing w/ Decorative Panel
11. Glass Railing
12. Decorative Light Fixture
13. Vinyl Window
14. Storefront Window
15. Window Wall System



\*Refer to Landscape sheets for plant species and placement

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## PODIUM BUILDING - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 8 16 32  
**AP2.0**

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- Material Legend
1. Stucco
  2. Trim
  3. Fiber Cement Siding
  4. Smooth Plaster
  5. Decorative Panel
  6. Metal Panel
  7. Metal Awning
  8. Masonry Veneer
  9. Metal Railing
  10. Metal Railing w/ Decorative Panel
  11. Glass Railing
  12. Decorative Light Fixture
  13. Vinyl Window
  14. Storefront Window
  15. Window Wall System



5. Park 'A' Elevation



4. Park 'B' Elevation

\*Refer to Landscape sheets for plant species and placement

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PODIUM BUILDING - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

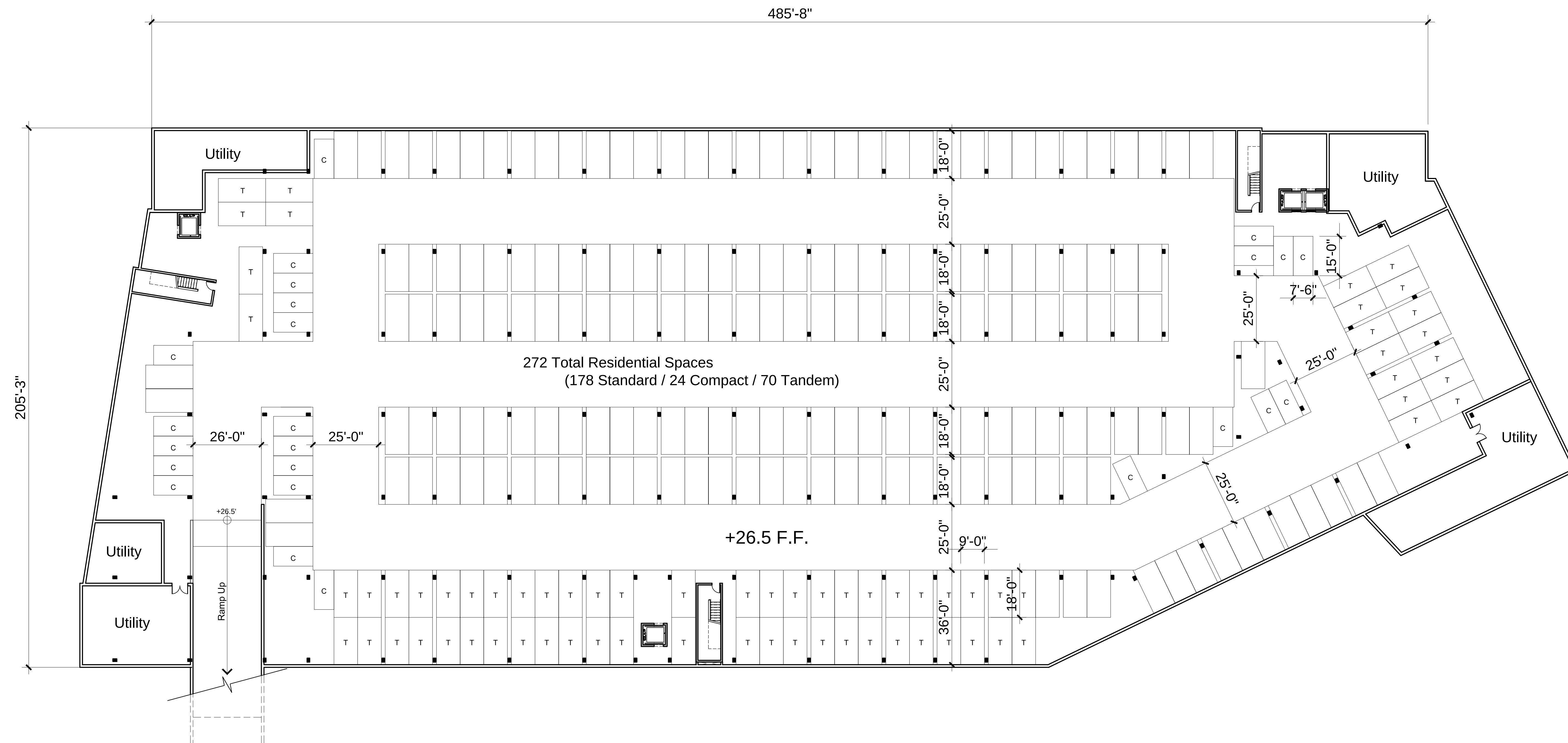
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AP2.1

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San Ramon, CA 94583

## BASEMENT 2 PLAN

MILPITAS, CA

KTGY # 2013-0551

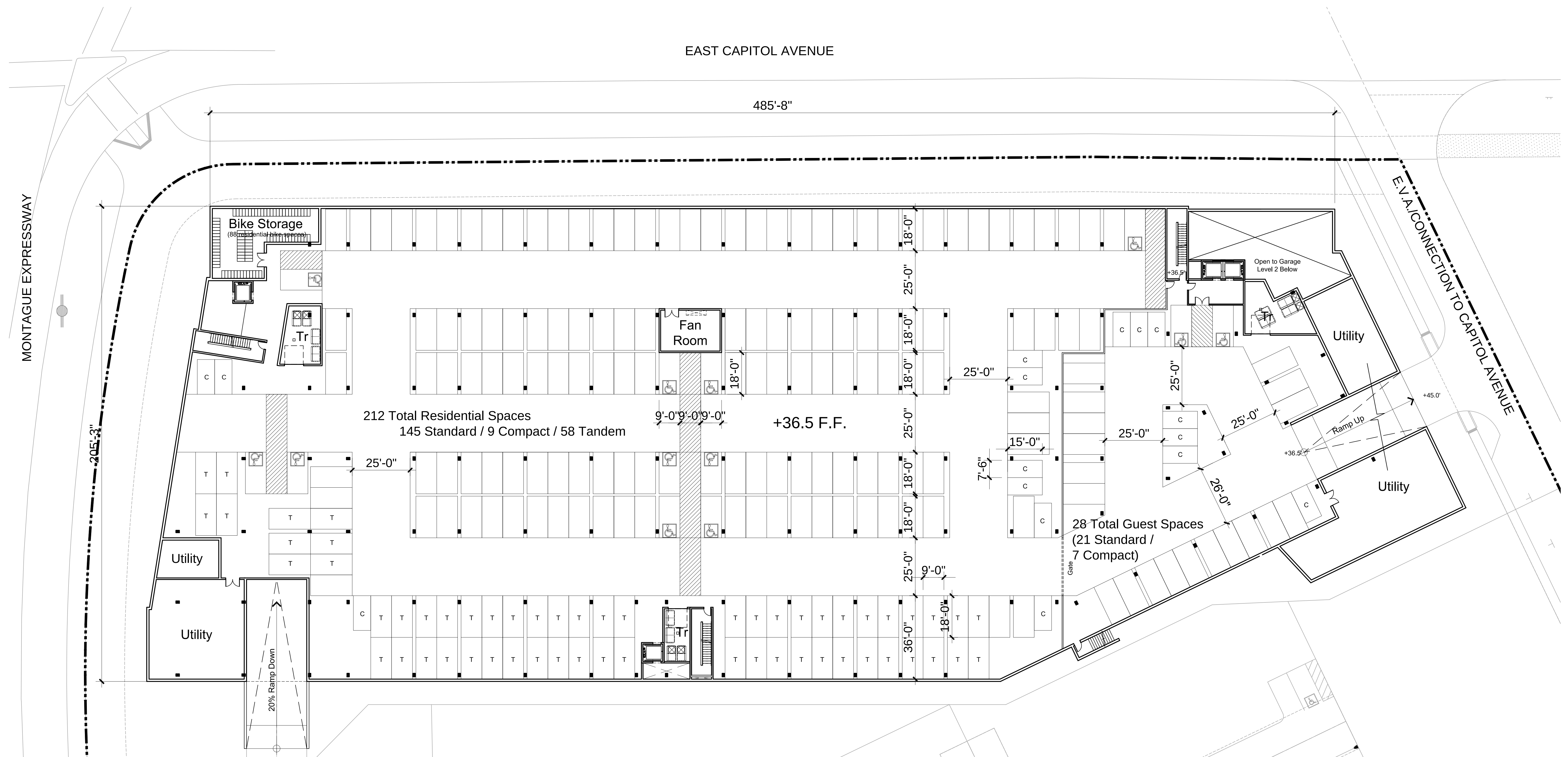
02.26.2015

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**AP3.0**

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## 450 MONTAGUE

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## BASEMENT I PLAN

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02.26.2015

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AP3.1

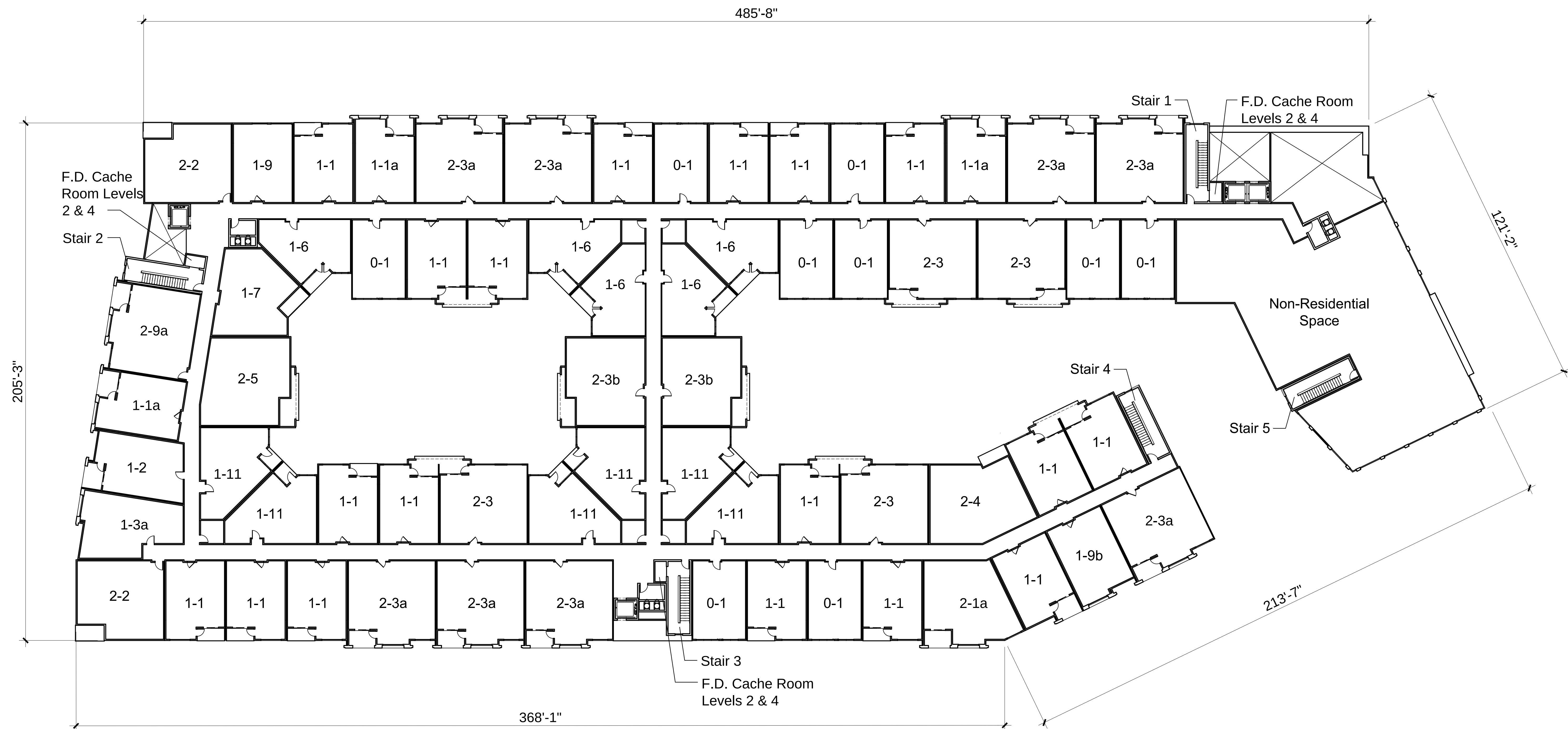
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## LEVEL 2 PLAN

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0 10 20 40

AP3.3

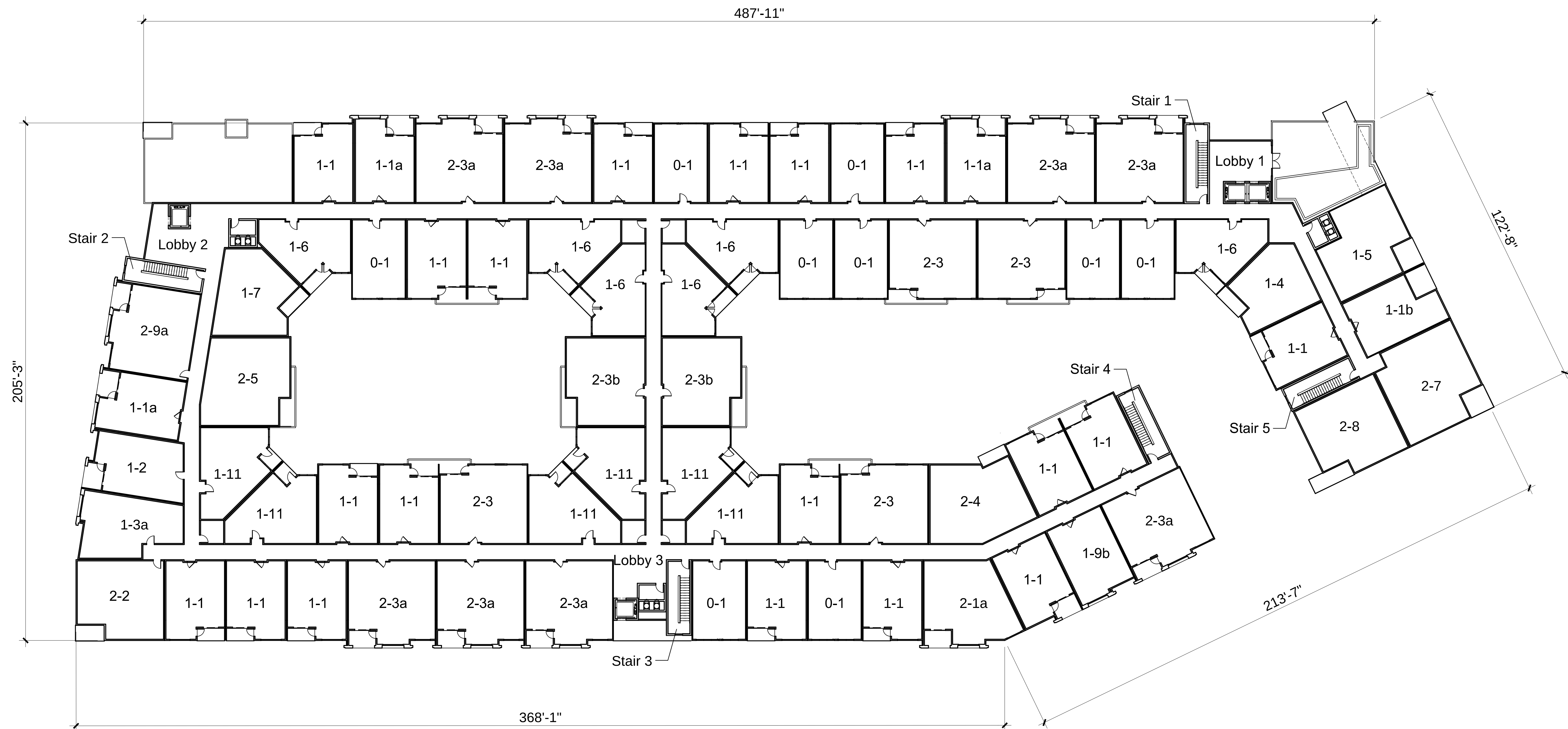
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## BUILDING PLAN - LEVEL 5

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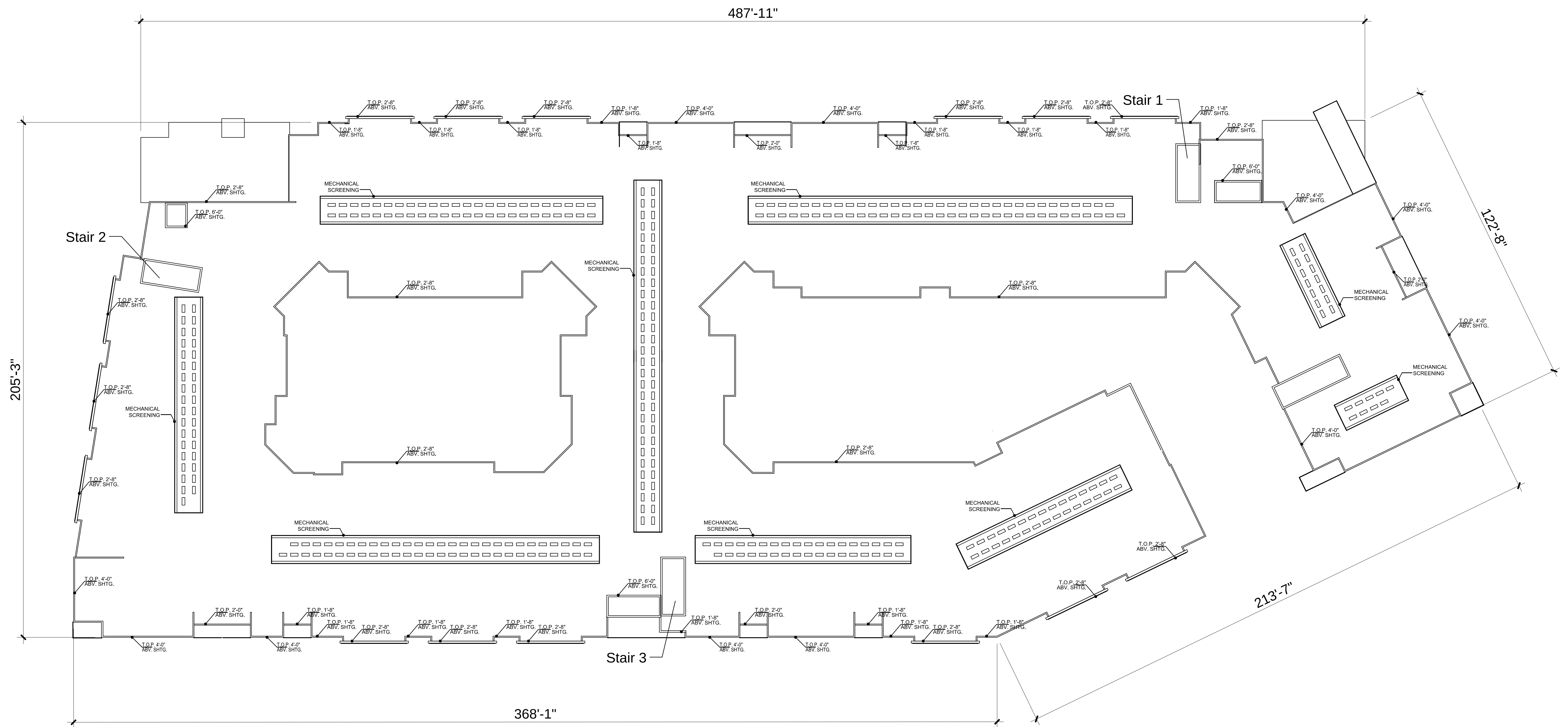
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AP3.5

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\*All mechanical equipment to be screened

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## ROOF PLAN

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

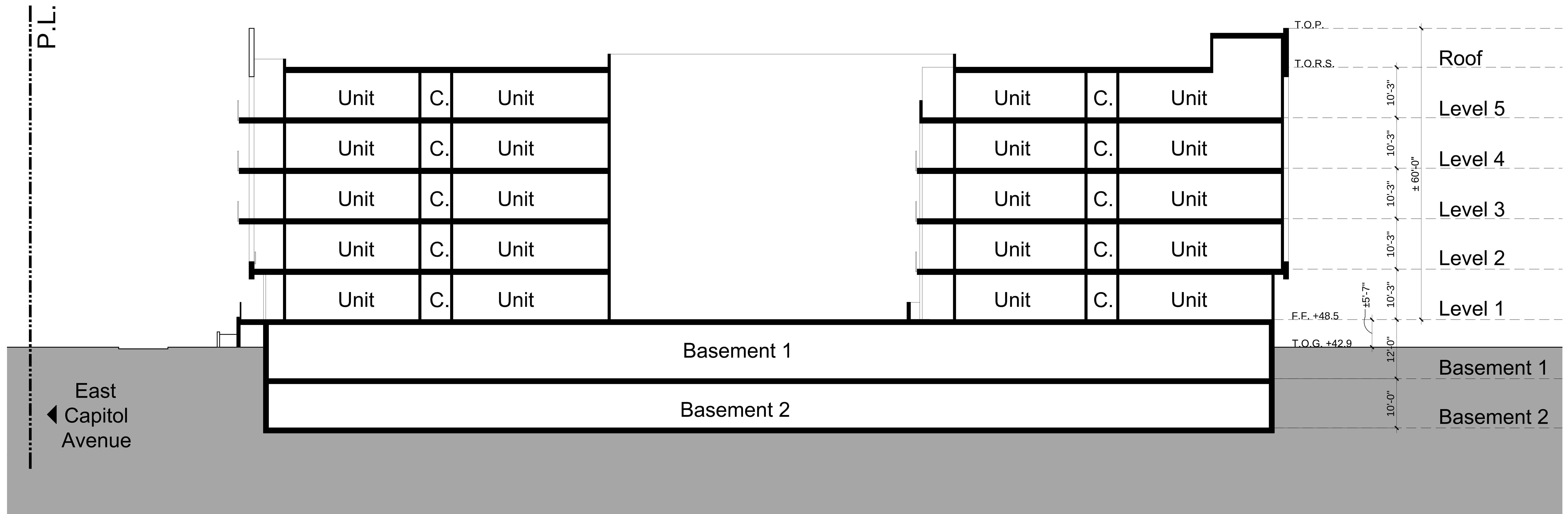
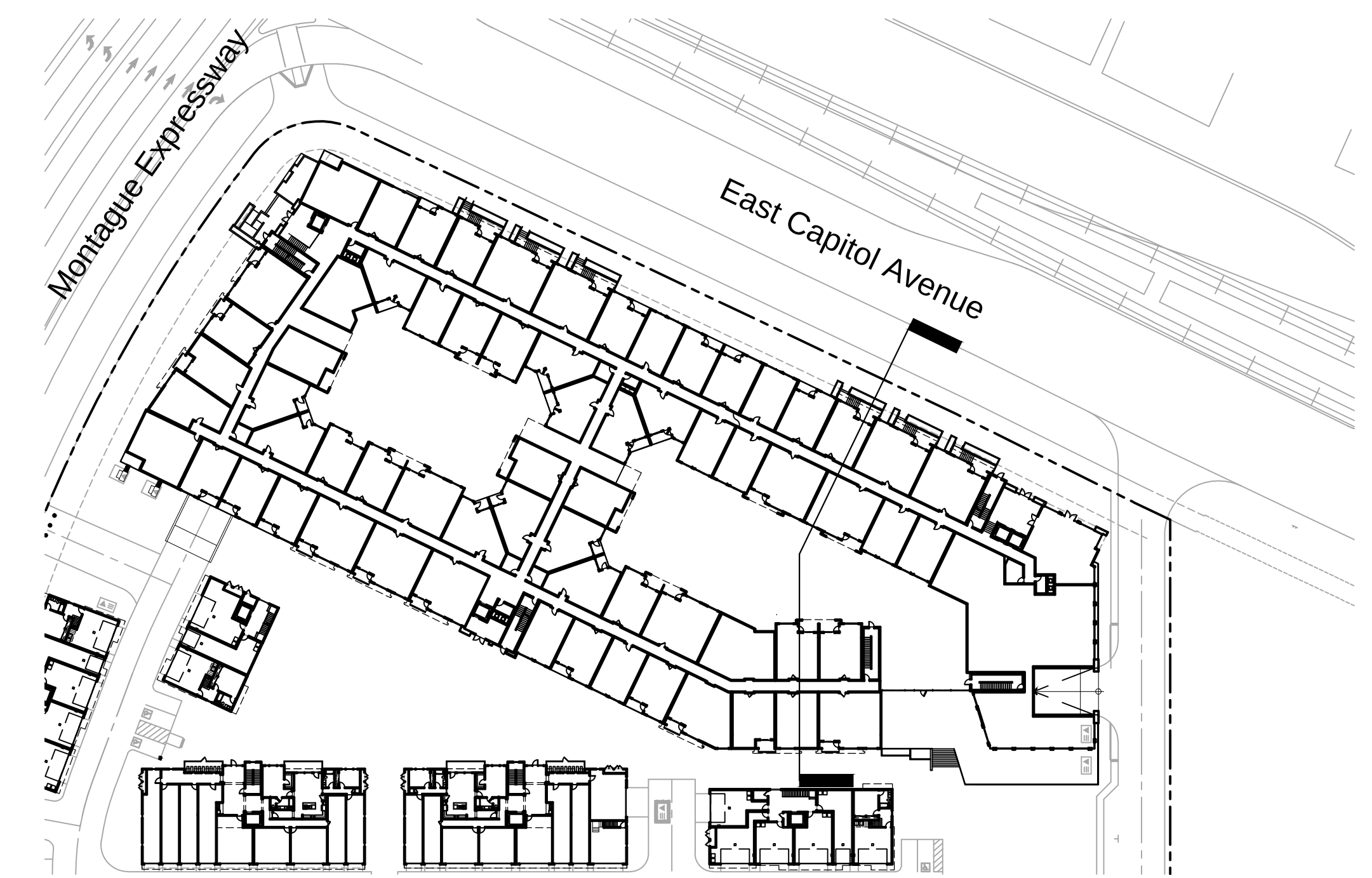
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AP3.6

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BUILDING SECTION

MILPITAS, CA

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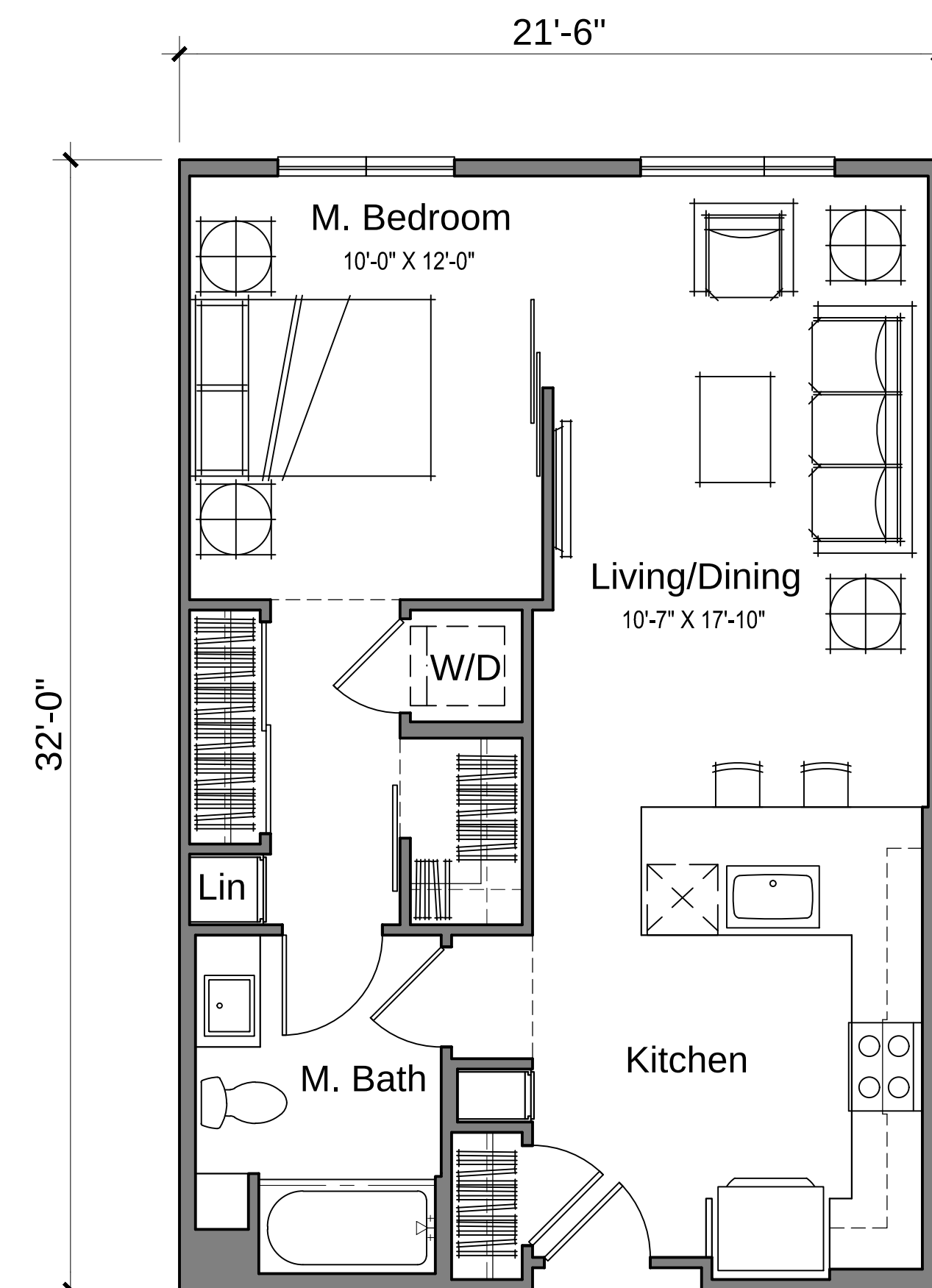
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AP4.0

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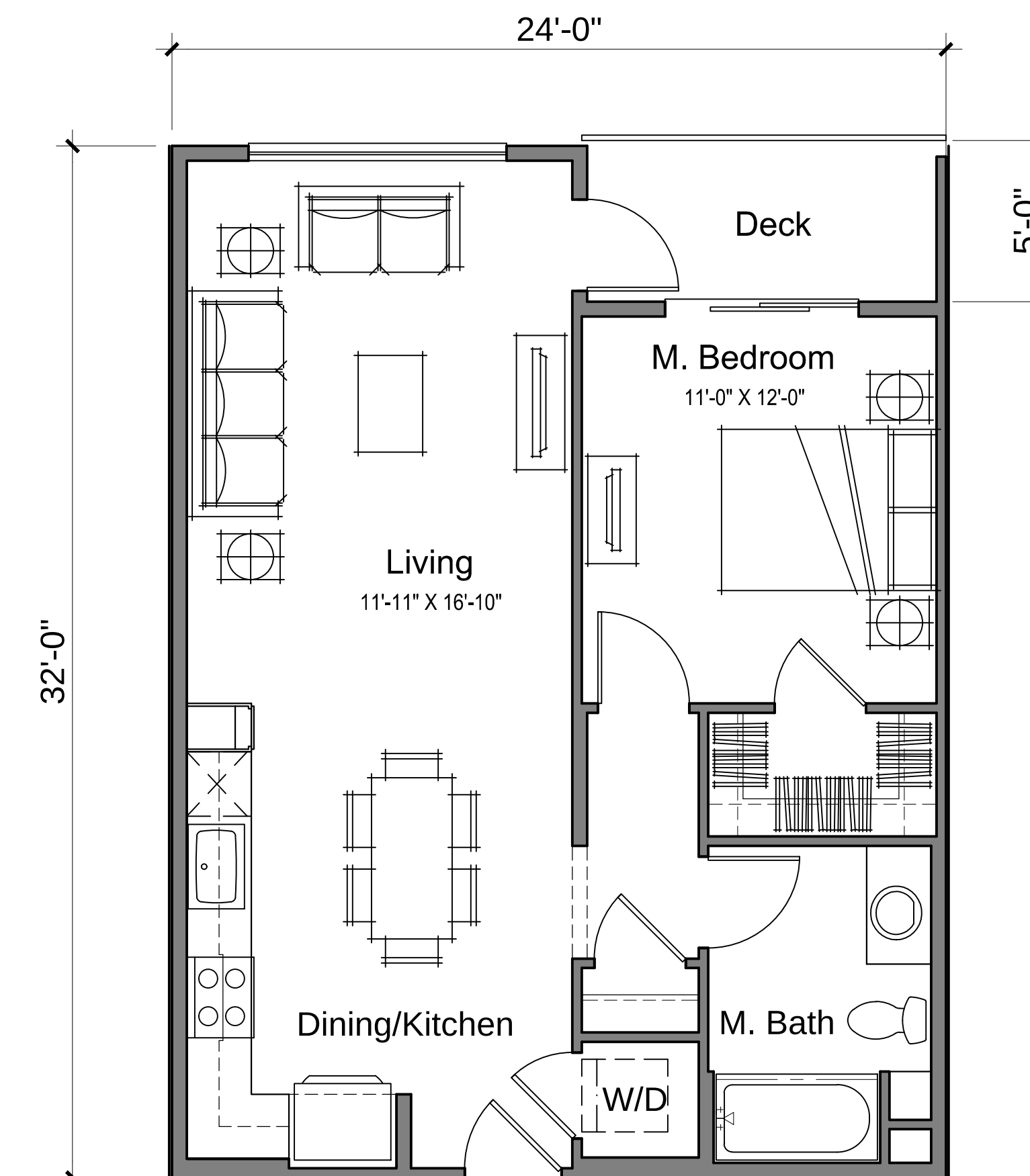






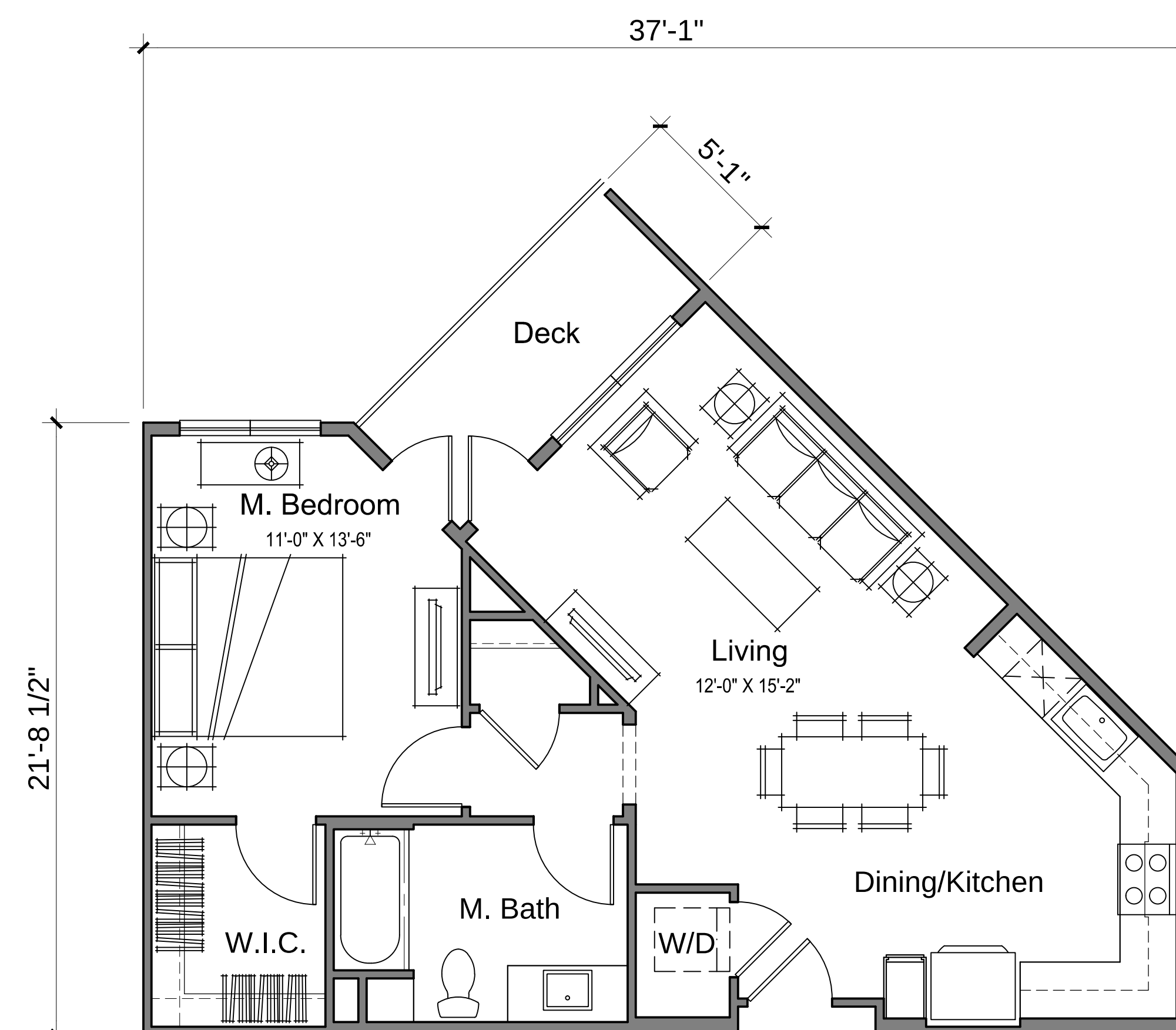
**Unit Plan 0-1**  
JR 1 BR / 1 BA  
UNIT AREA: 690 NSF  
DECK AREA: 0 SF

45 D.U.  
13% of total units



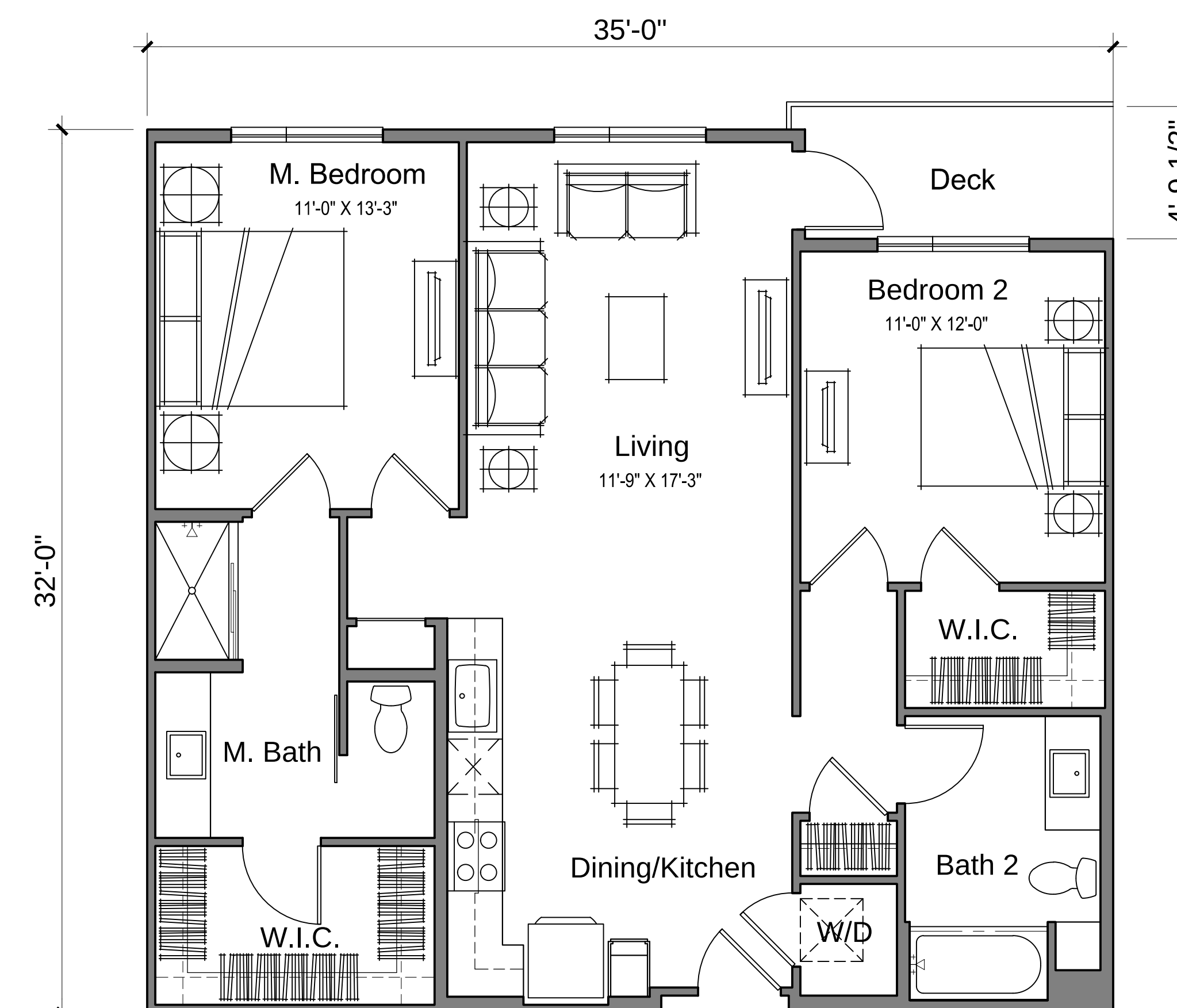
**Unit Plan 1-1**  
1 BR / 1 BA  
UNIT AREA: 719 NSF  
DECK AREA: 54 SF

96 D.U.  
27% of total units



**Unit Plan 1-6**  
1 BR / 1 BA  
UNIT AREA: 740 NSF  
DECK AREA: 61 SF

28 D.U.  
8% of total units



**Unit Plan 2-3**  
2 BR / 2 BA  
UNIT AREA: 1078 NSF  
DECK AREA: 54 SF

28 D.U.  
8% of total units

\*Net rentable area: face of exterior stud +1" air gap; does not reflect 2" recess at windows; includes all shafts

## 450 MONTAGUE

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**LENNAR**

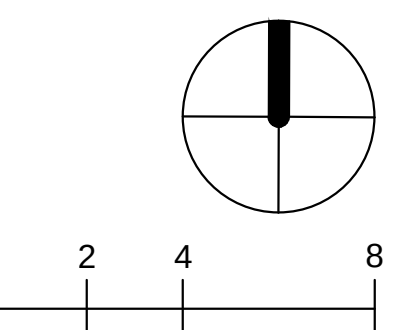
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## UNIT PLANS

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**AP5.0**

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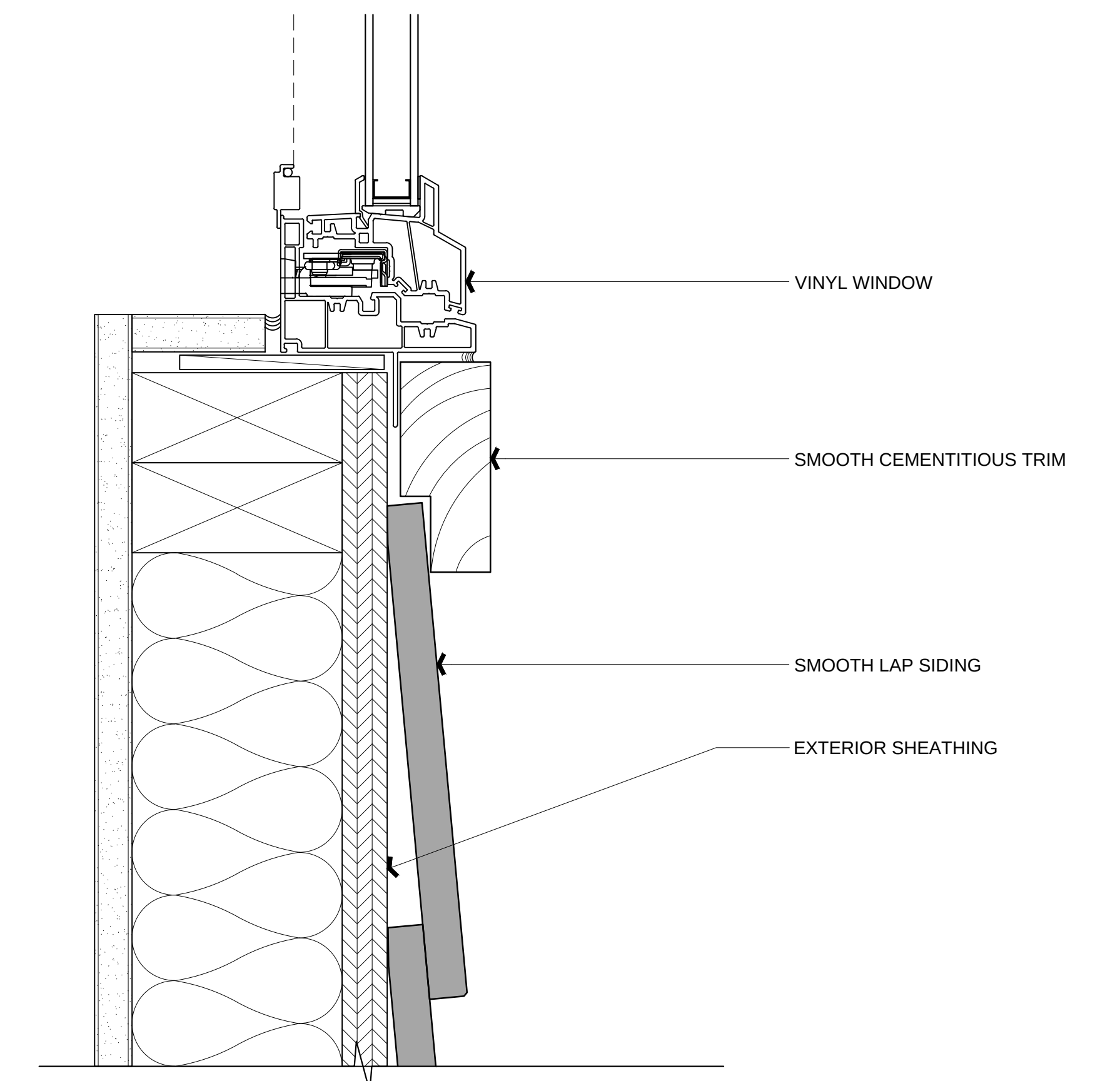
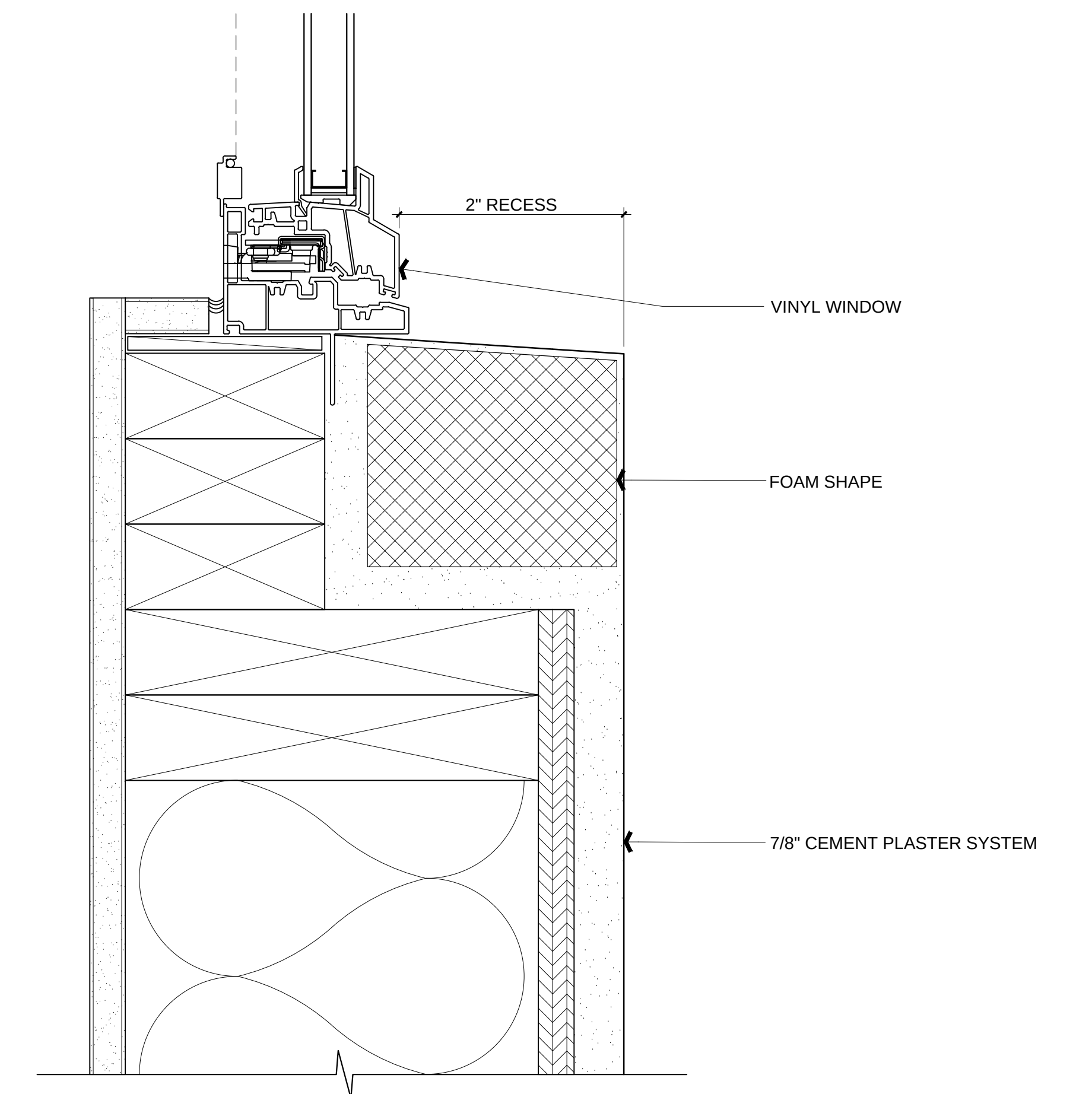
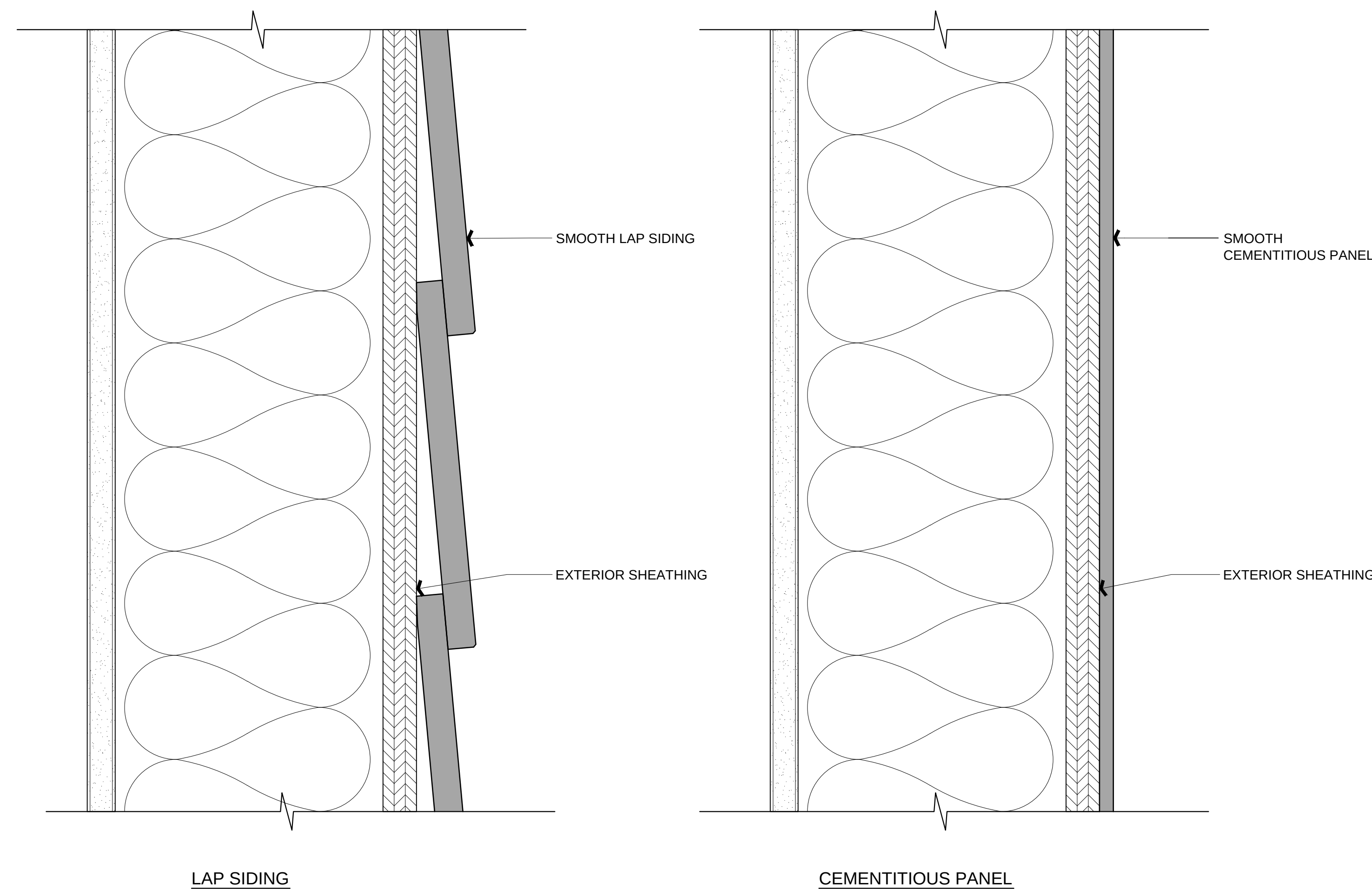
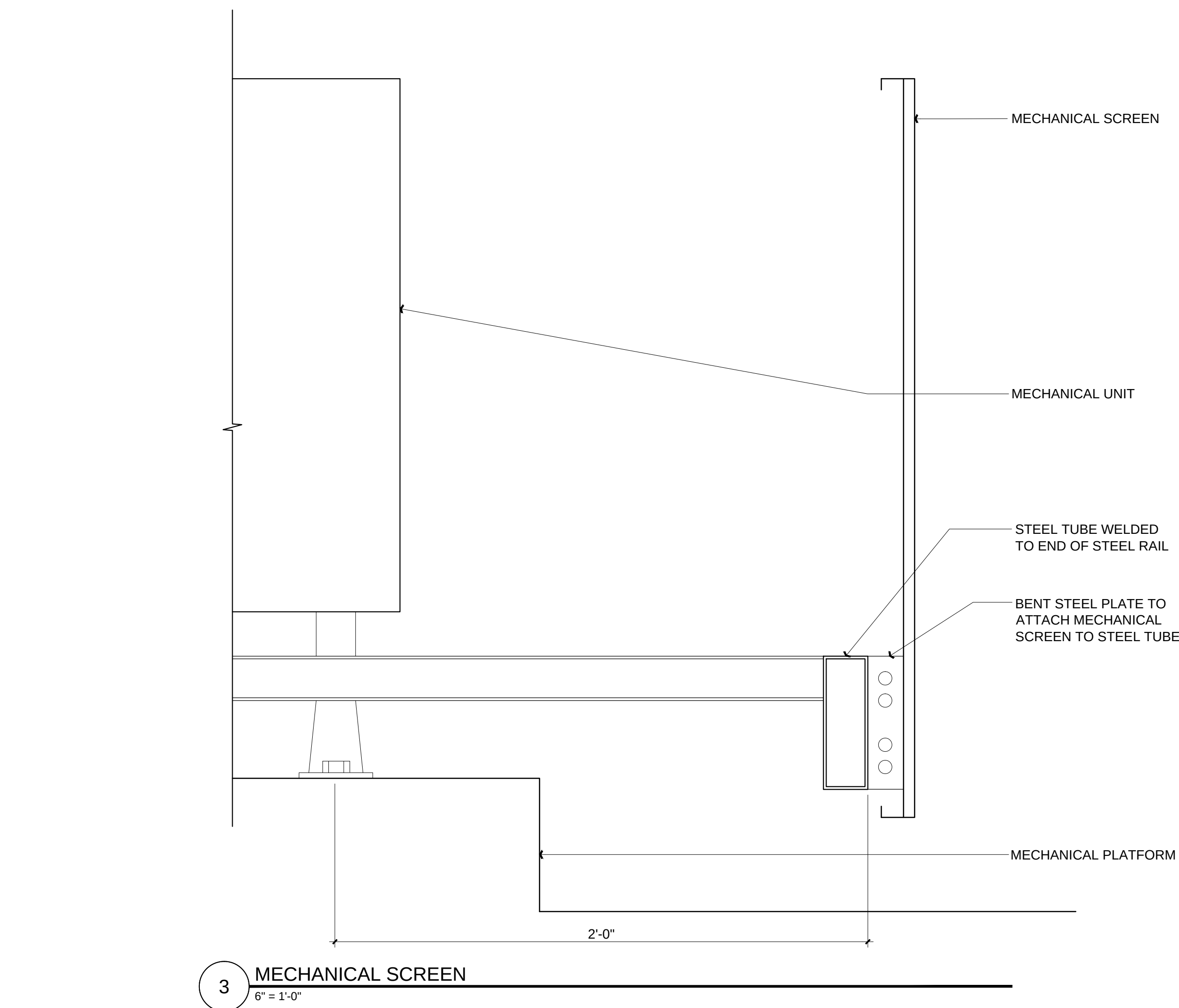




EXAMPLE: CEMENTITIOUS LAP SIDING



EXAMPLE: CEMENTITIOUS PANEL



Note: Details are conceptual and will continue to develop. Final review will occur at building permit submittal.

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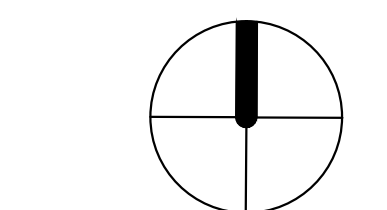
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## DETAILS

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02.26.2015



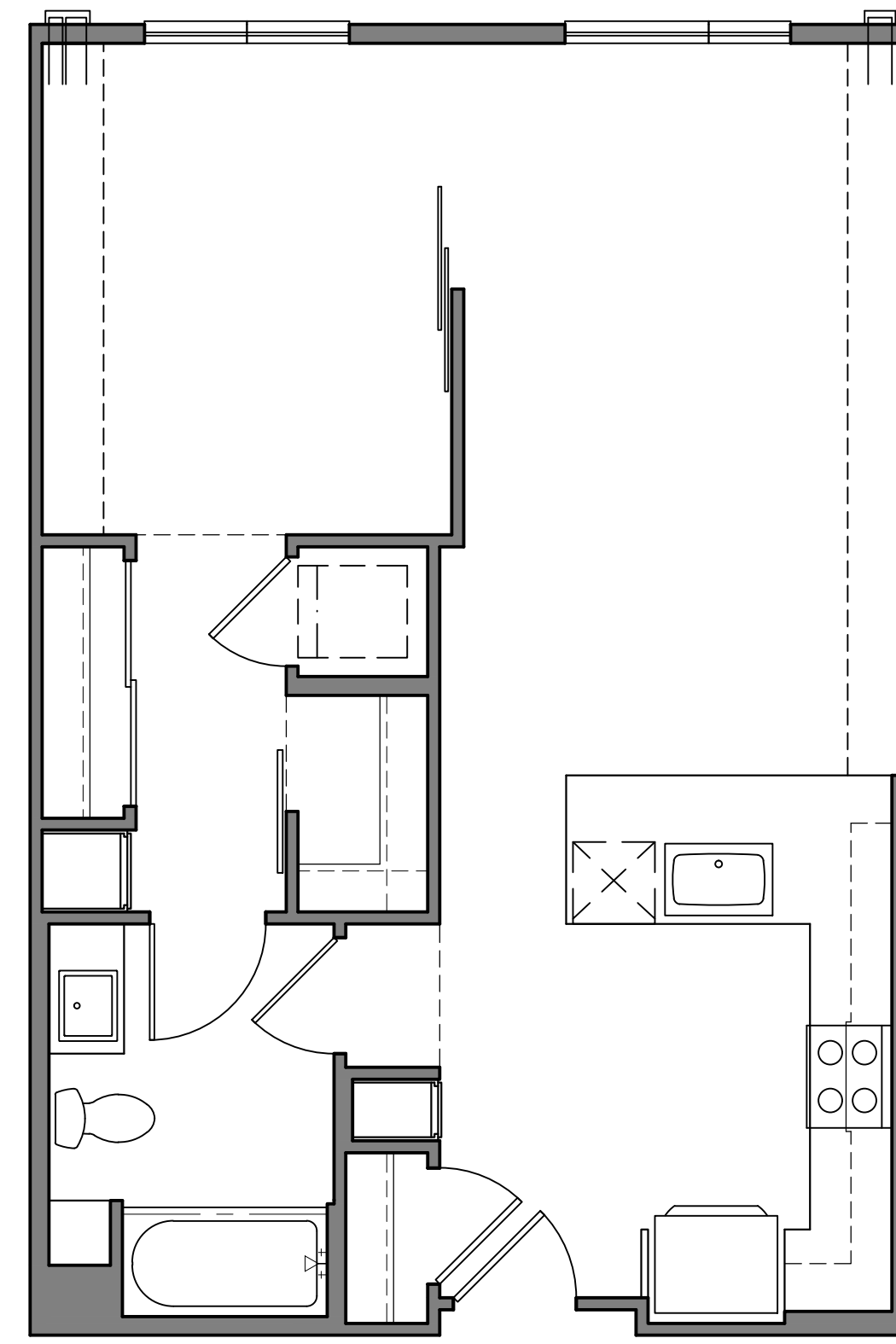
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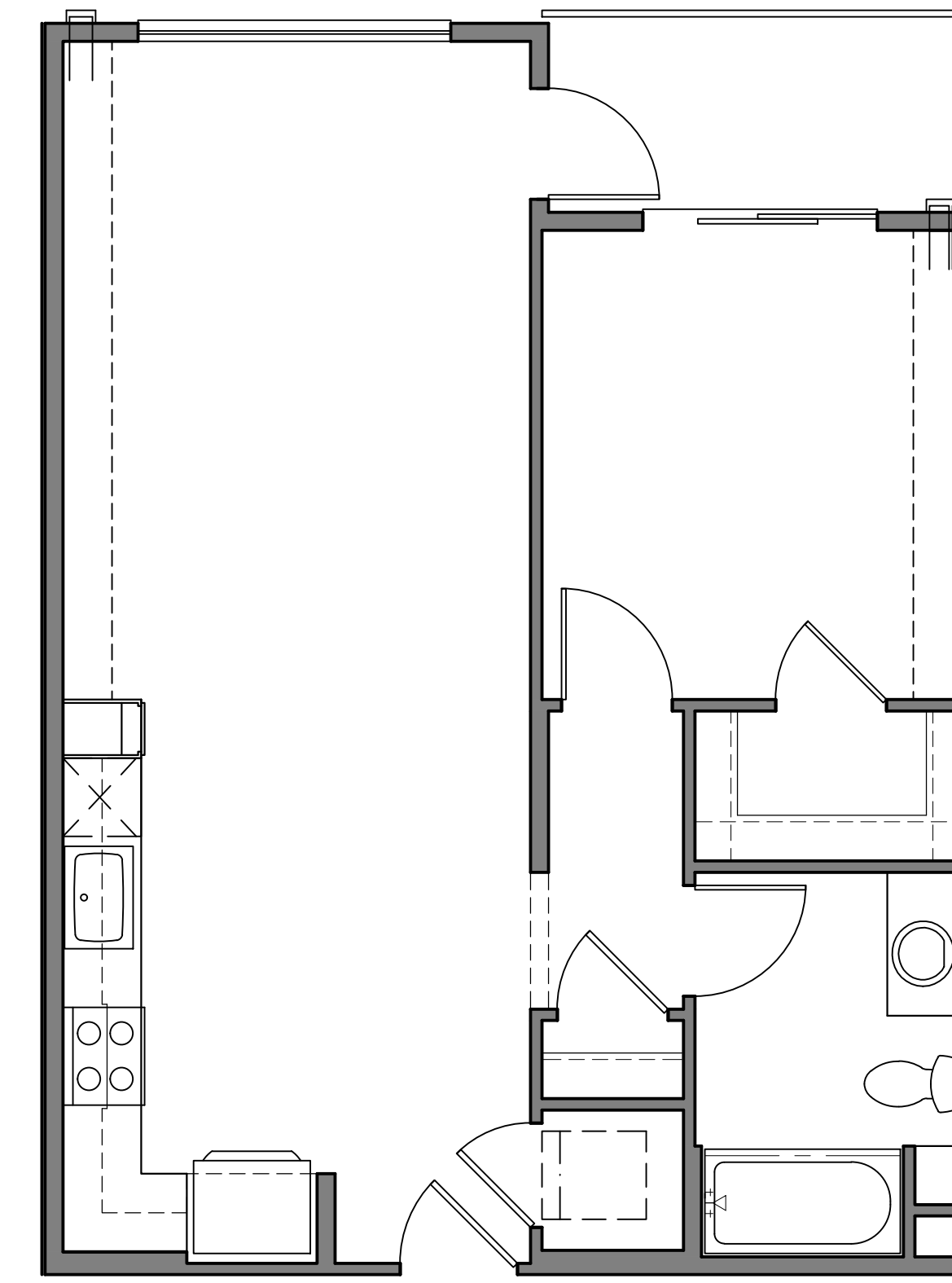
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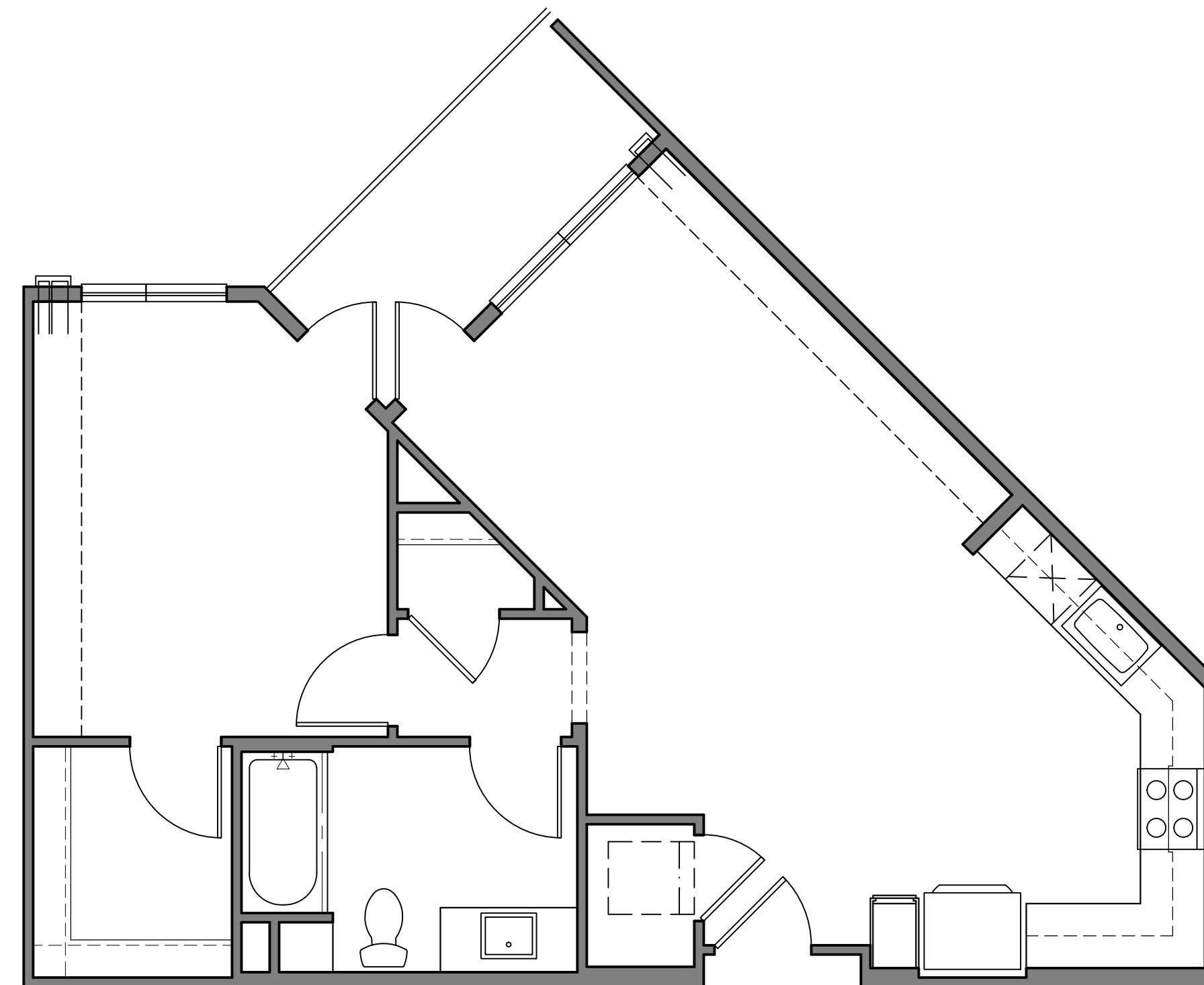




Unit Plan 0-1  
JR 1 BR / 1 BA



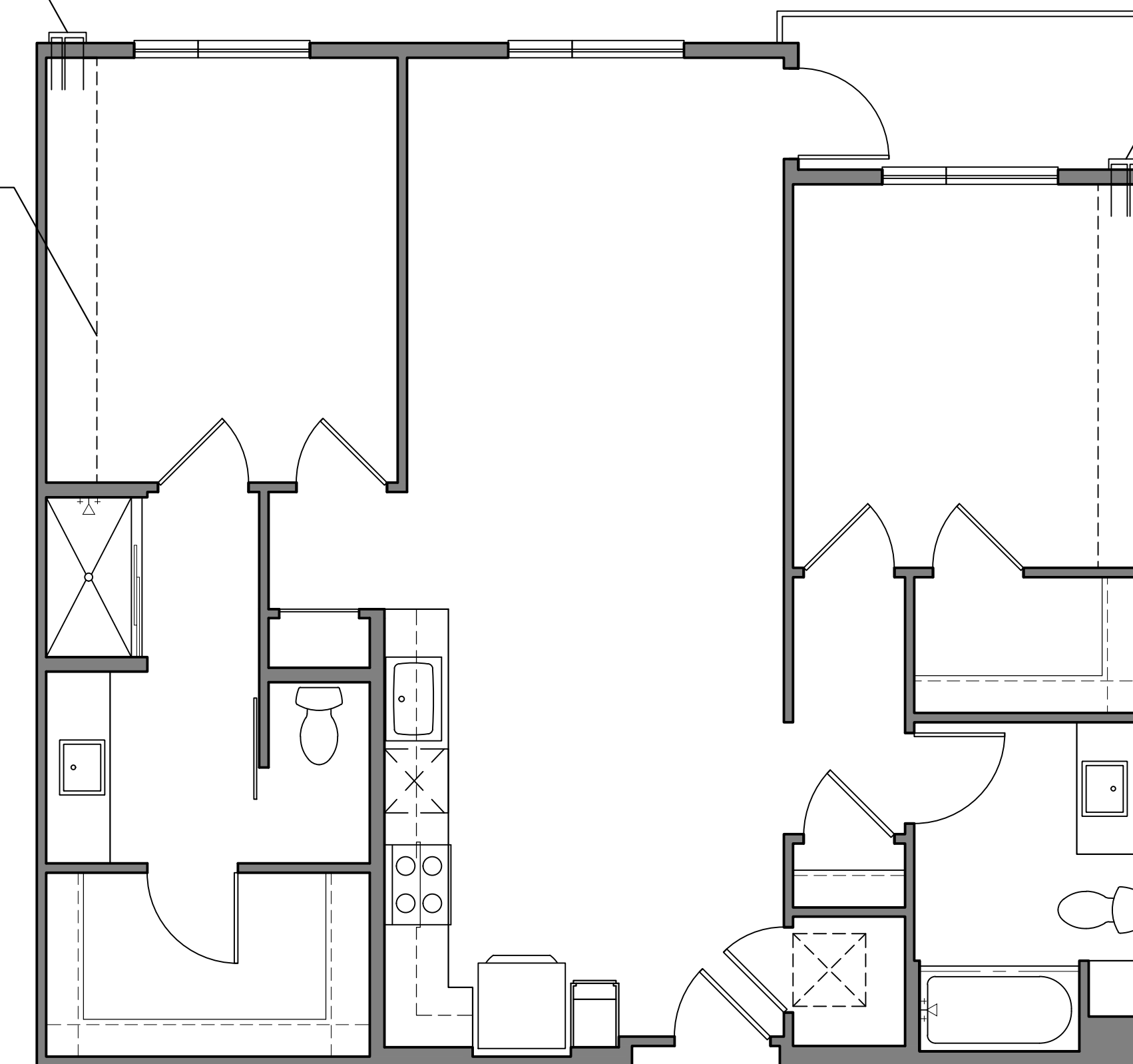
Unit Plan 1-1  
1 BR / 1 BA



Unit Plan 1-6  
1 BR / 1 BA

Vent Cap: Ducts  
ganged together where  
possible.

Dropped soffit in unit to  
accommodate ducts



Unit Plan 2-3  
2 BR / 2 BA

Vent cap in recessed  
patio

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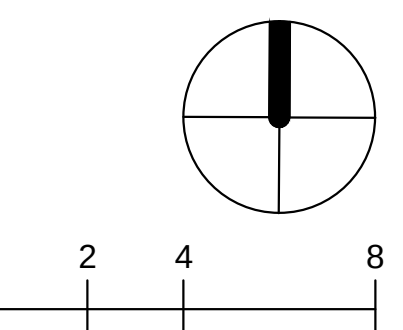
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## CONCEPTUAL UNIT EXHAUST DIAGRAM

MILPITAS, CA

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AP6.1

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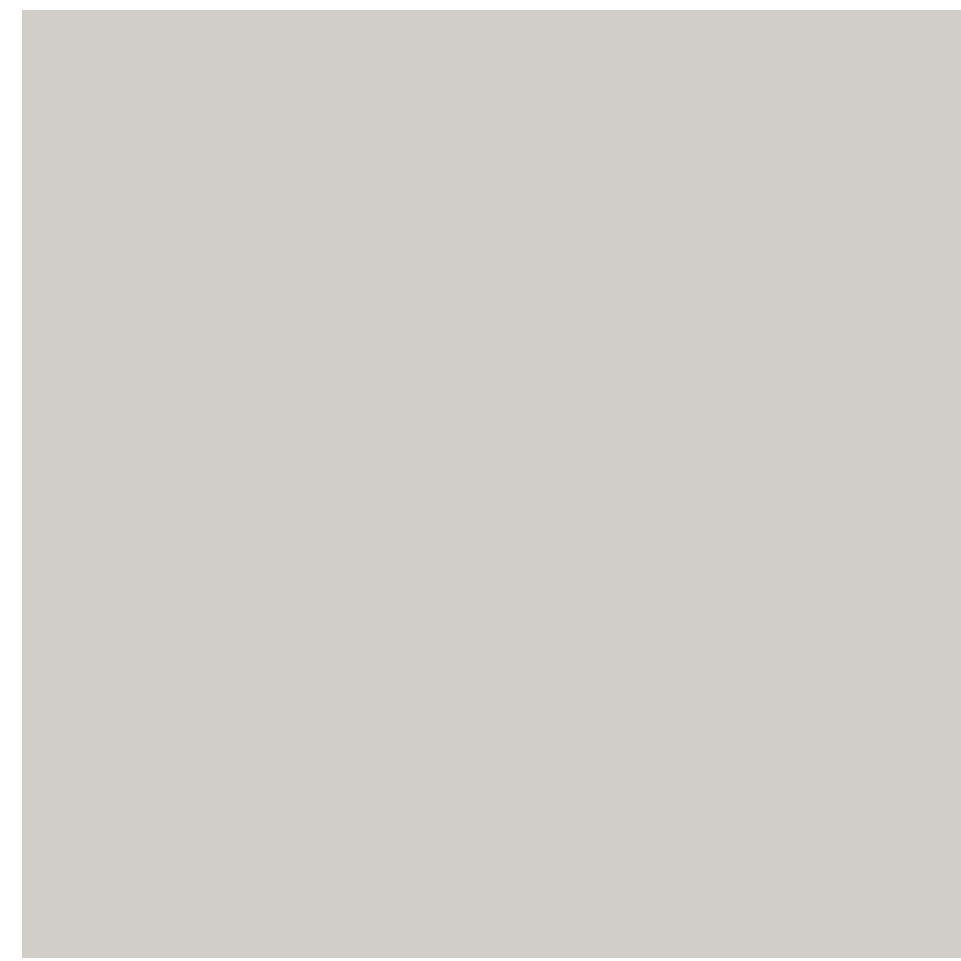




STUCCO 1  
SW 7671



STUCCO 2  
SW 7065



SMOOTH PLASTER 1  
SW 7671



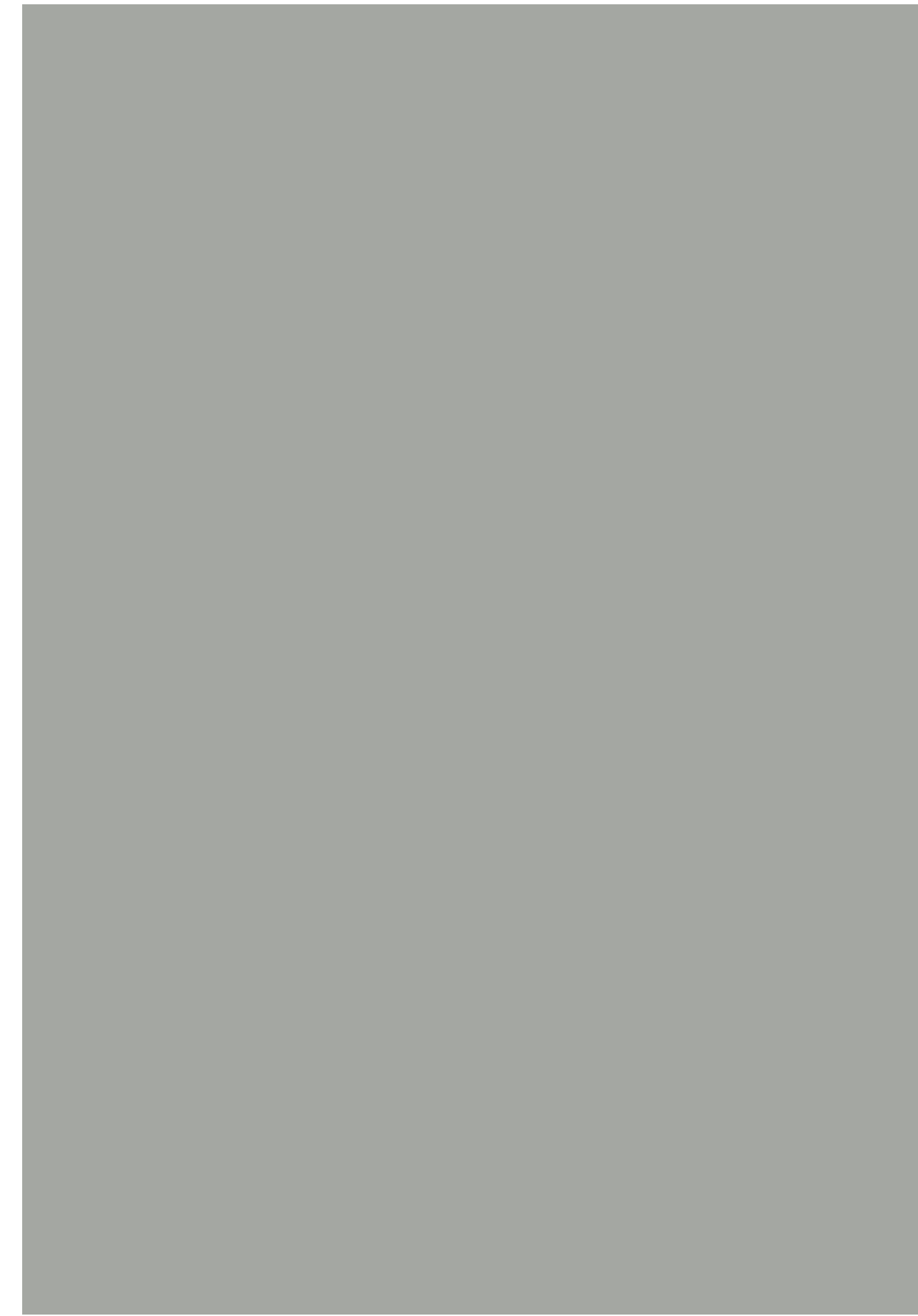
SMOOTH PLASTER 2  
SW 2839



MASONRY VENEER  
MONSOON



CEMENTITIOUS SIDING/TRIM 1  
SW 7068



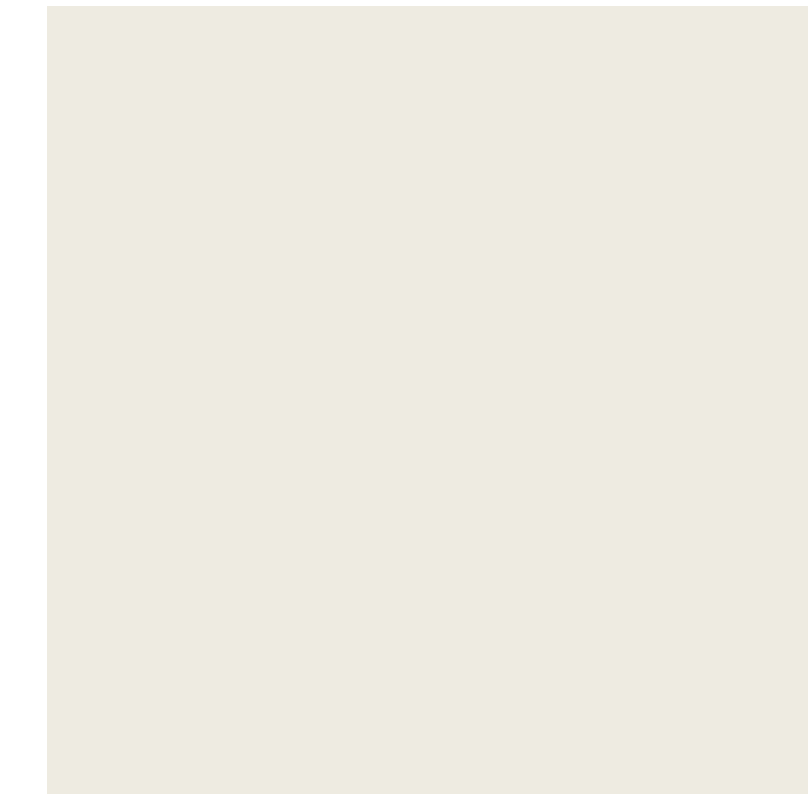
CEMENTITIOUS SIDING/TRIM 2  
SW 7066



METAL 1  
SW 7073



METAL 2  
SW 7027



METAL 3  
SW 7008



METAL 4  
RAL 7040



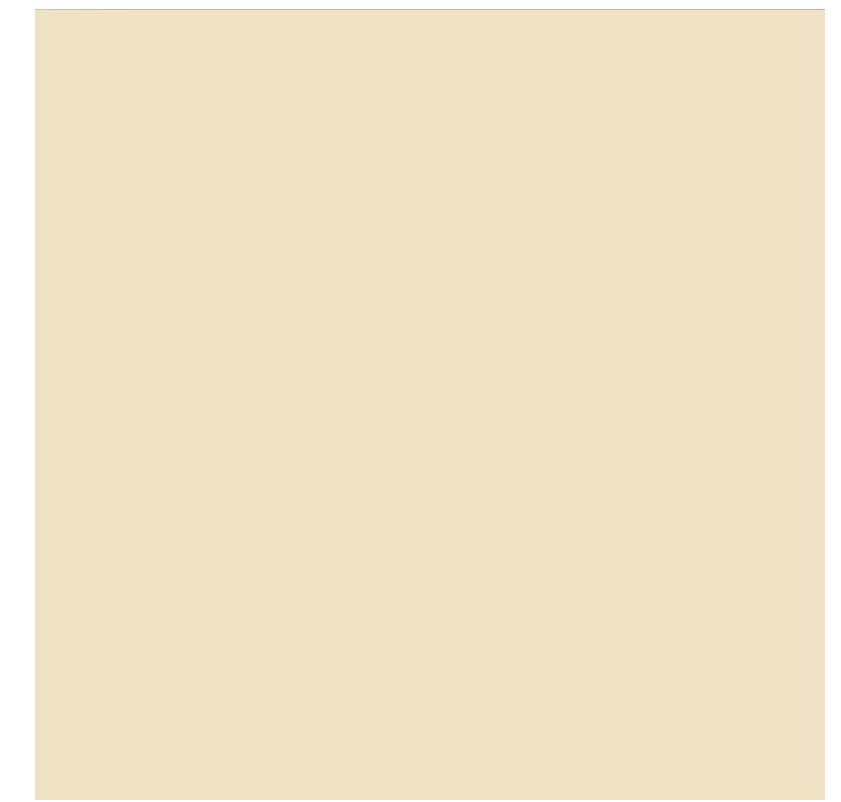
METAL 5  
SW 2839



METAL 6  
SW 2802



ACCENT 1  
SW 7675



VINYL WINDOW  
TAN



Building A - Capitol Street Elevation  
NTS

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## COLOR AND MATERIALS BOARD

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

## AP7.0

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Front Elevation - Dark Color Scheme



Rear Elevation - Dark Color Scheme



Right Elevation - Dark Color Scheme



Left Elevation - Dark Color Scheme



Key Map n.t.s.

#### Material Legend

1. Stucco
2. Cementitious Lap Siding
3. Cementitious Panel
4. Metal Awning
5. Metal Railing
6. Vinyl Window
7. Metal Column
8. Metal Panel Garage Door

450 MONTAGUE

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San Ramon, CA 94583

## STYLE I BUILDING "A" 3-PLEX - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 4 8 16  
**AS2.0**

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Front Elevation - Light Color Scheme



Right Elevation - Light Color Scheme



Key Map n.t.s.

#### Material Legend

1. Stucco
2. Cementitious Lap Siding
3. Cementitious Panel
4. Metal Awning
5. Metal Railing
6. Vinyl Window
7. Metal Column
8. Metal Panel Garage Door

450 MONTAGUE

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## STYLE I BUILDING "B" 6-PLEX - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 4 8 16

AS2.1

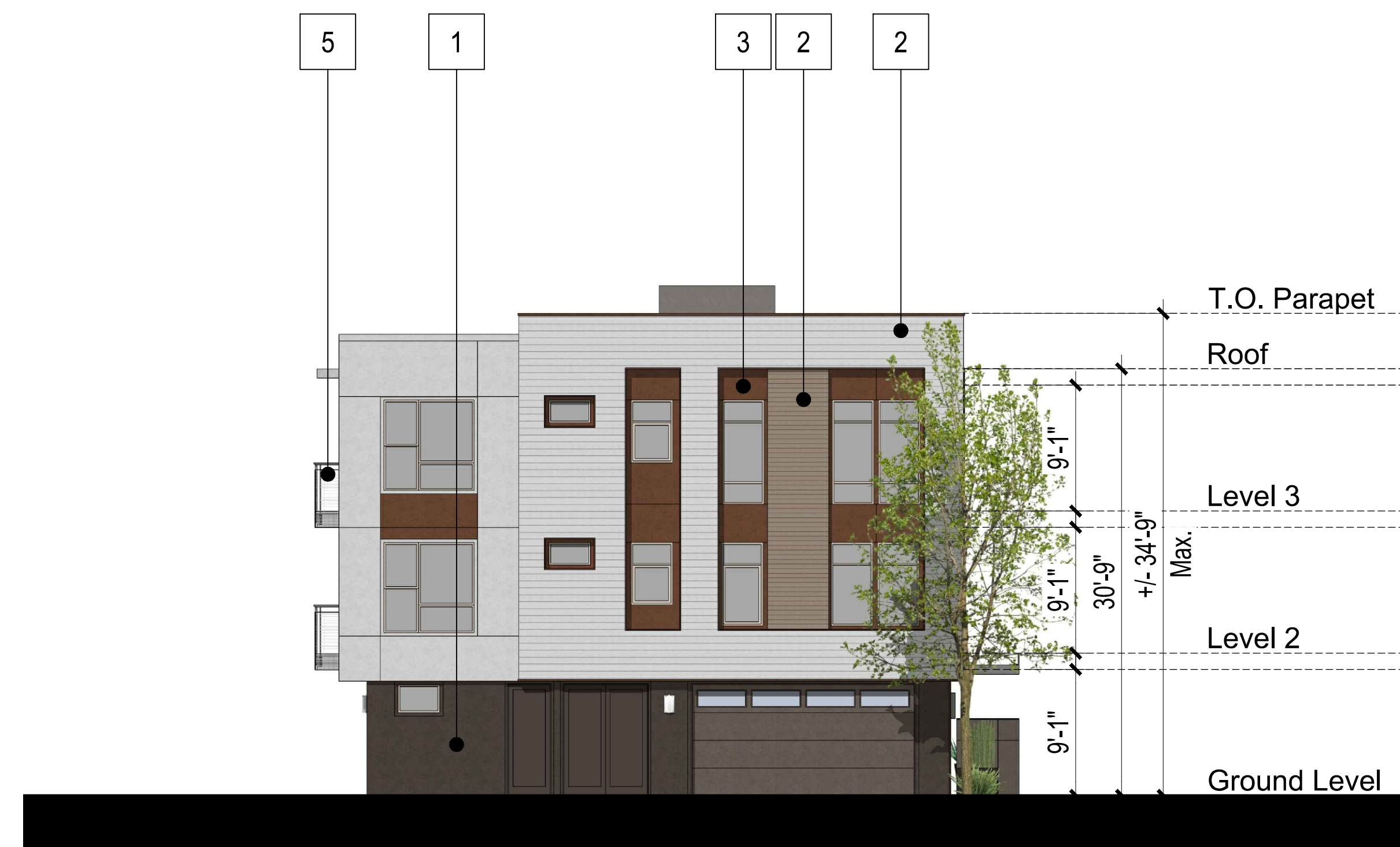
**KTGY Group, Inc.**  
**Architecture+Planning**  
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510.272.2910  
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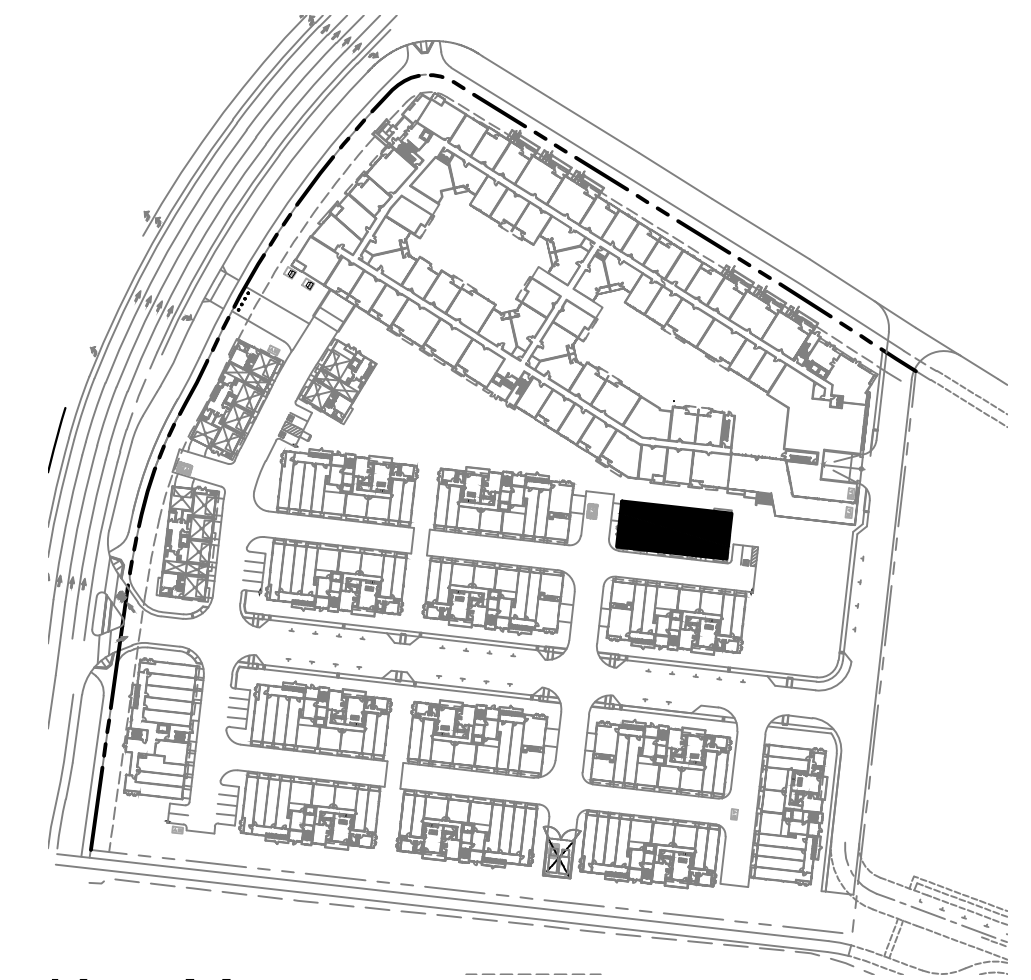




Rear Elevation - Light Color Scheme



Left Elevation - Light Color Scheme



Key Map n.t.s.

#### Material Legend

1. Stucco
2. Cementitious Lap Siding
3. Cementitious Panel
4. Metal Awning
5. Metal Railing
6. Vinyl Window
7. Metal Column
8. Metal Panel Garage Door

450 MONTAGUE

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## STYLE I BUILDING "B" 6-PLEX - ELEVATIONS

MILPITAS, CA

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02.26.2015

0 4 8 16  
**AS2.2**

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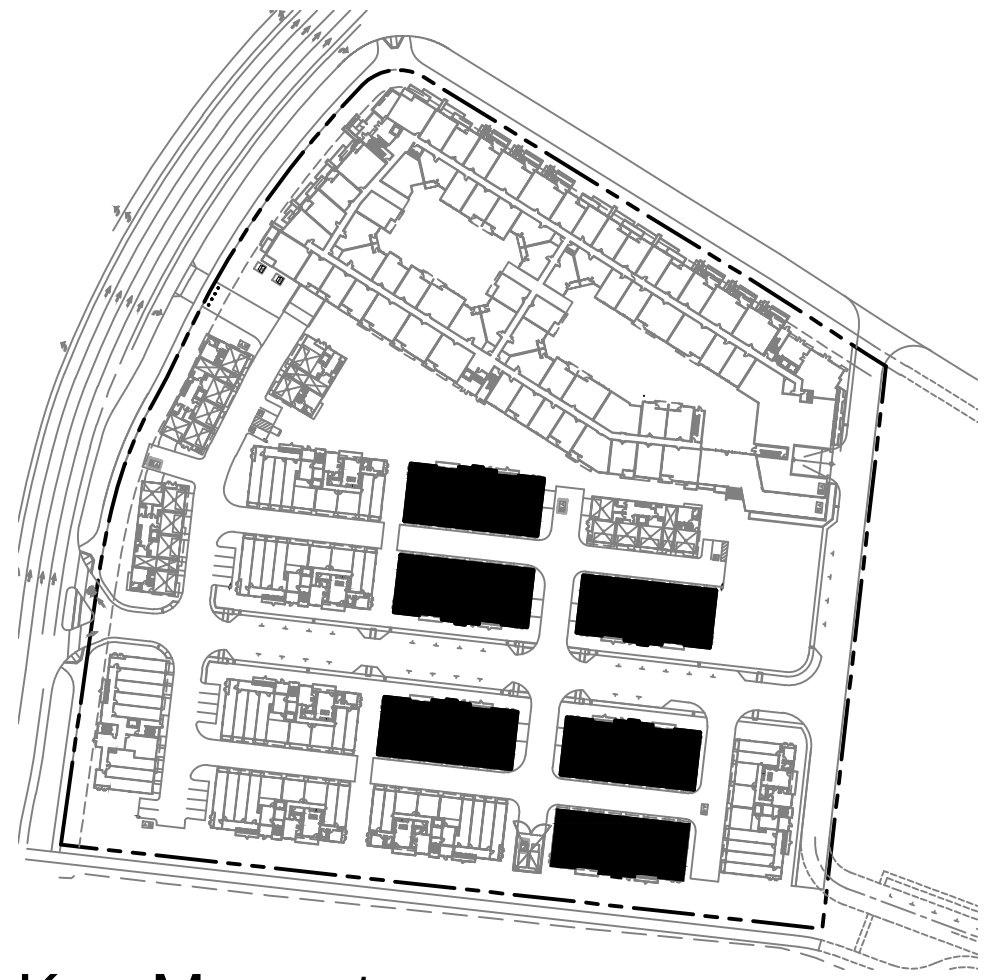




Front Elevation - Dark Color Scheme



Right Elevation - Dark Color Scheme



Key Map n.t.s.

Material Legend

- 1. Stucco
- 2. Cementitious Lap Siding
- 3. Cementitious Panel
- 4. Metal Awning
- 5. Metal Railing
- 6. Vinyl Window
- 7. Metal Column
- 8. Metal Panel Garage Door

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San Ramon, CA 94583

STYLE I  
BUILDING "C" 9-PLEX - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 4 8 16

AS2.3

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Oakland, CA 94607  
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ktgy.com



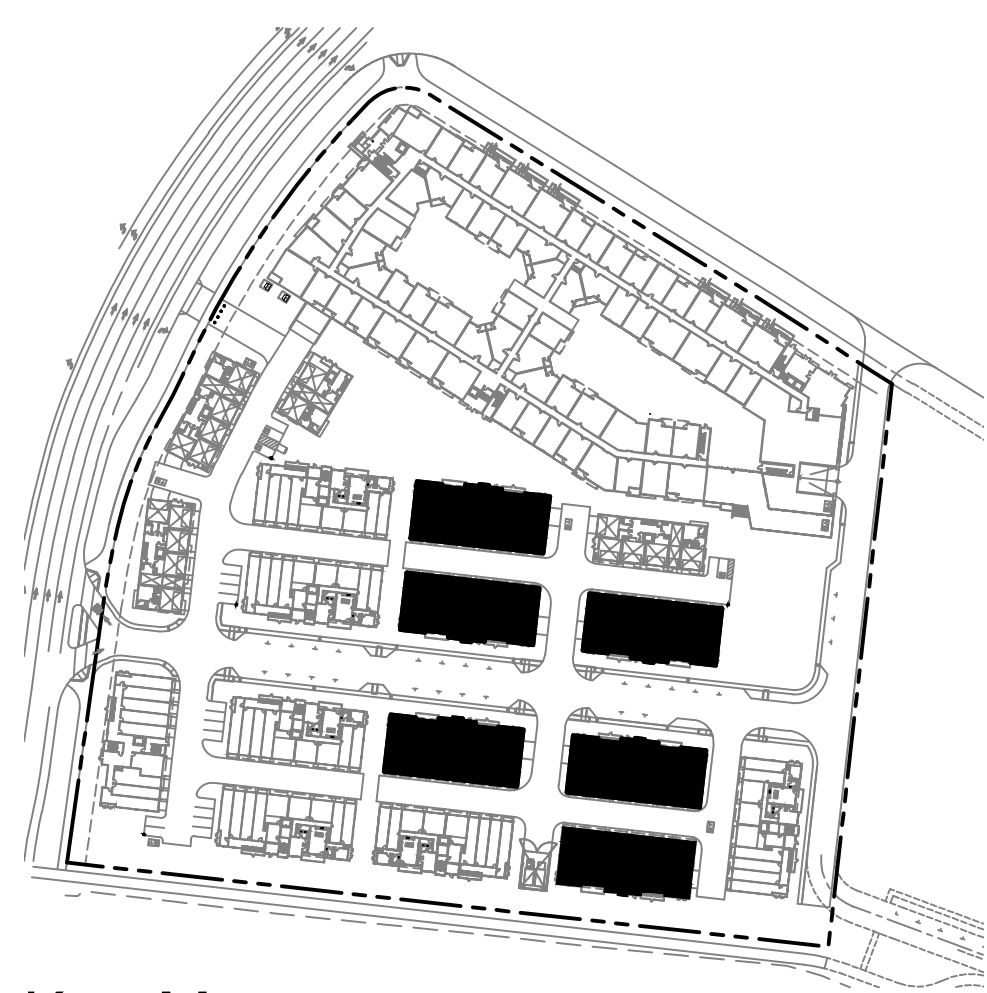




Rear Elevation - Dark Color Scheme



Left Elevation - Dark Color Scheme



Key Map n.t.s.

Material Legend

1. Stucco
2. Cementitious Lap Siding
3. Cementitious Panel
4. Metal Awning
5. Metal Railing
6. Vinyl Window
7. Metal Column
8. Metal Panel Garage Door

450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

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**LENNAR**

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San Ramon, CA 94583

STYLE I  
BUILDING "C" 9-PLEX - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 4 8 16  
**AS2.4**

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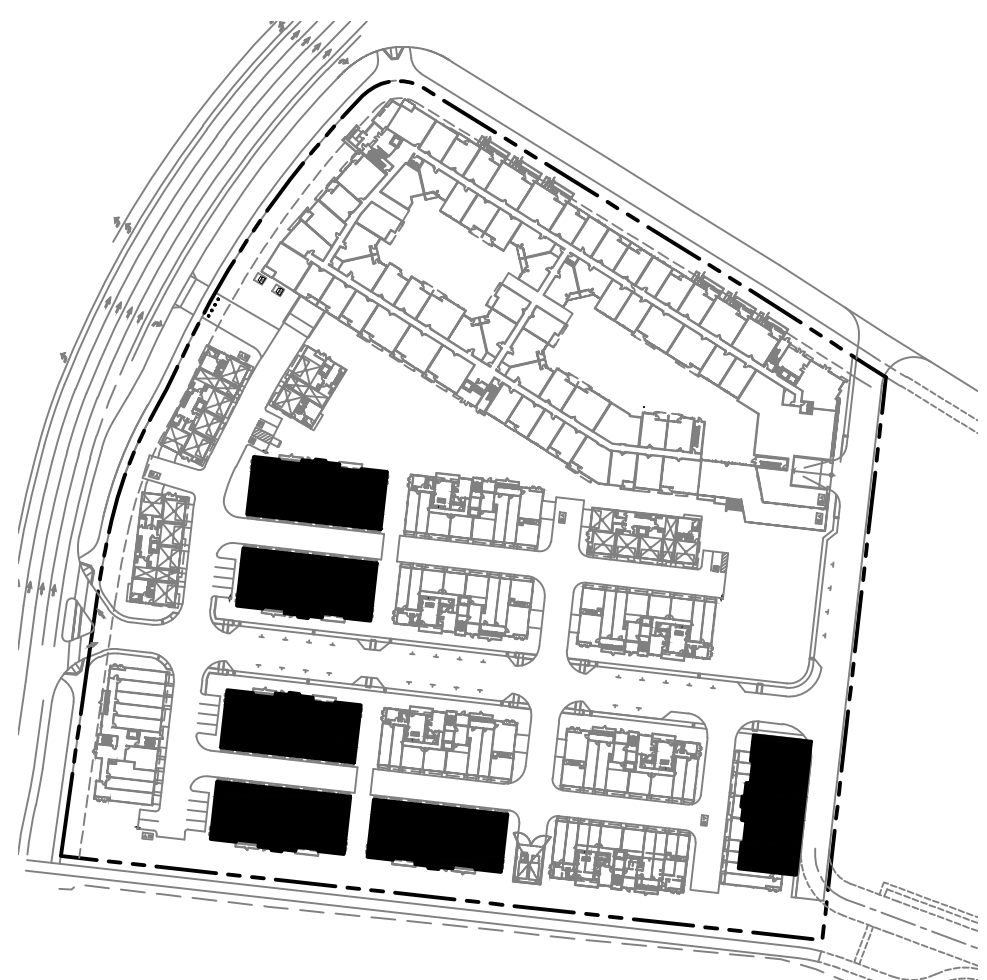




Front Elevation - Light Color Scheme



Right Elevation - Light Color Scheme



Key Map n.t.s.

**Material Legend**

- 1. Stucco
- 2. Cementitious Lap Siding
- 3. Cementitious Panel
- 4. Metal Awning
- 5. Metal Railing
- 6. Vinyl Window
- 7. Metal Column
- 8. Metal Panel Garage Door

**450 MONTAGUE**



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**STYLE 2  
BUILDING "C ALT." 9-PLEX - ELEVATIONS**

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 4 8 16

**AS2.5**

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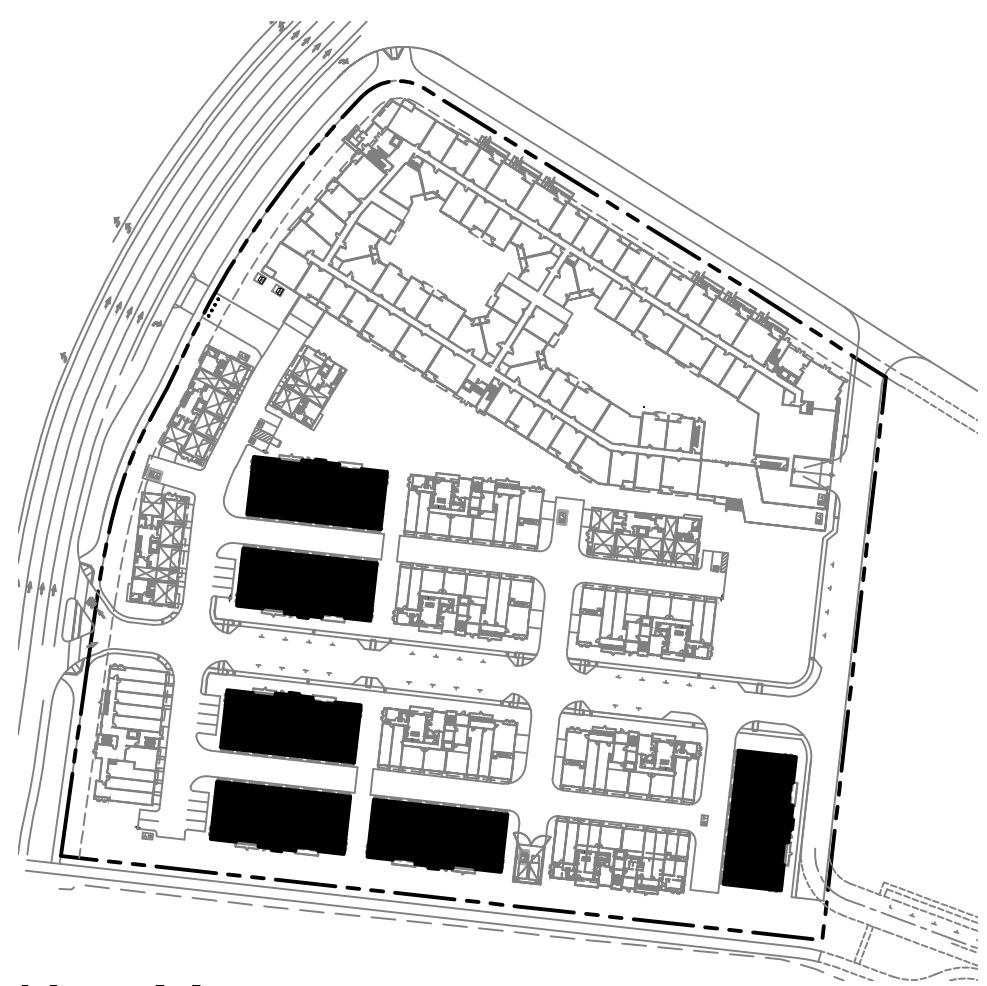




Rear Elevation - Light Color Scheme



Left Elevation - Light Color Scheme



Key Map n.t.s.

Material Legend

- 1. Stucco
- 2. Cementitious Lap Siding
- 3. Cementitious Panel
- 4. Metal Awning
- 5. Metal Railing
- 6. Vinyl Window
- 7. Metal Column
- 8. Metal Panel Garage Door

450 MONTAGUE



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STYLE 2  
BUILDING "C ALT." 9-PLEX - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 4 8 16

AS2.6

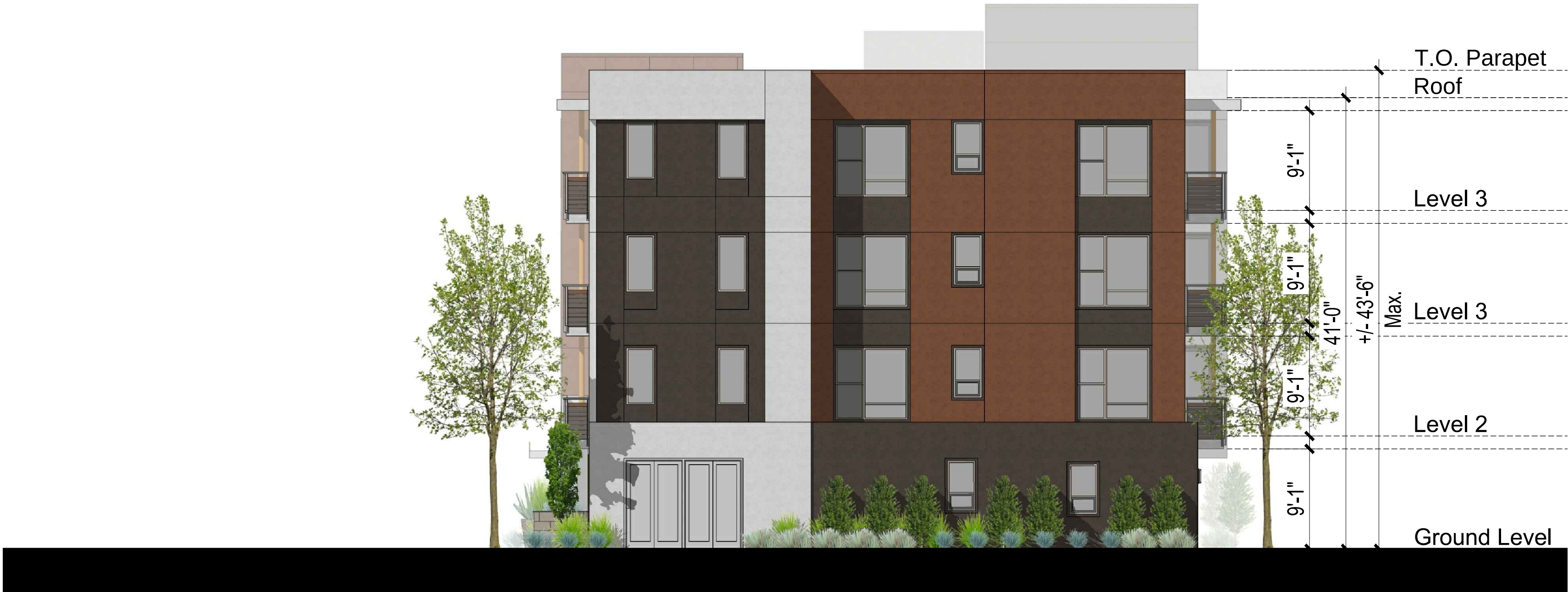
KTGY Group, Inc.  
Architecture+Planning  
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Oakland, CA 94607  
510.272.2910  
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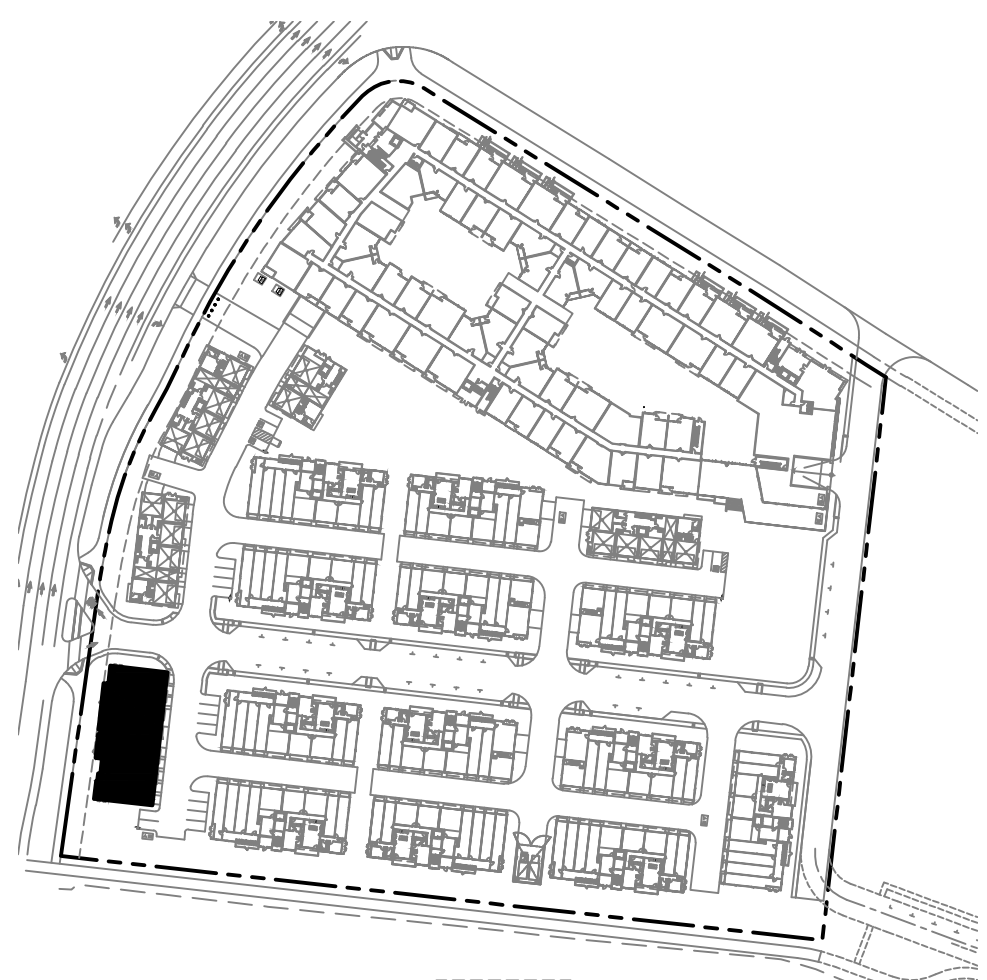




Front Elevation - Light Color Scheme



Right Elevation - Light Color Scheme



Key Map n.t.s.

**Material Legend**

- 1. Stucco
- 2. Cementitious Lap Siding
- 3. Cementitious Panel
- 4. Metal Awning
- 5. Metal Railing
- 6. Vinyl Window
- 7. Metal Column
- 8. Metal Panel Garage Door

# 450 MONTAGUE



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# BUILDING "D" 9-PLEX - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 4 8 16

AS2.7

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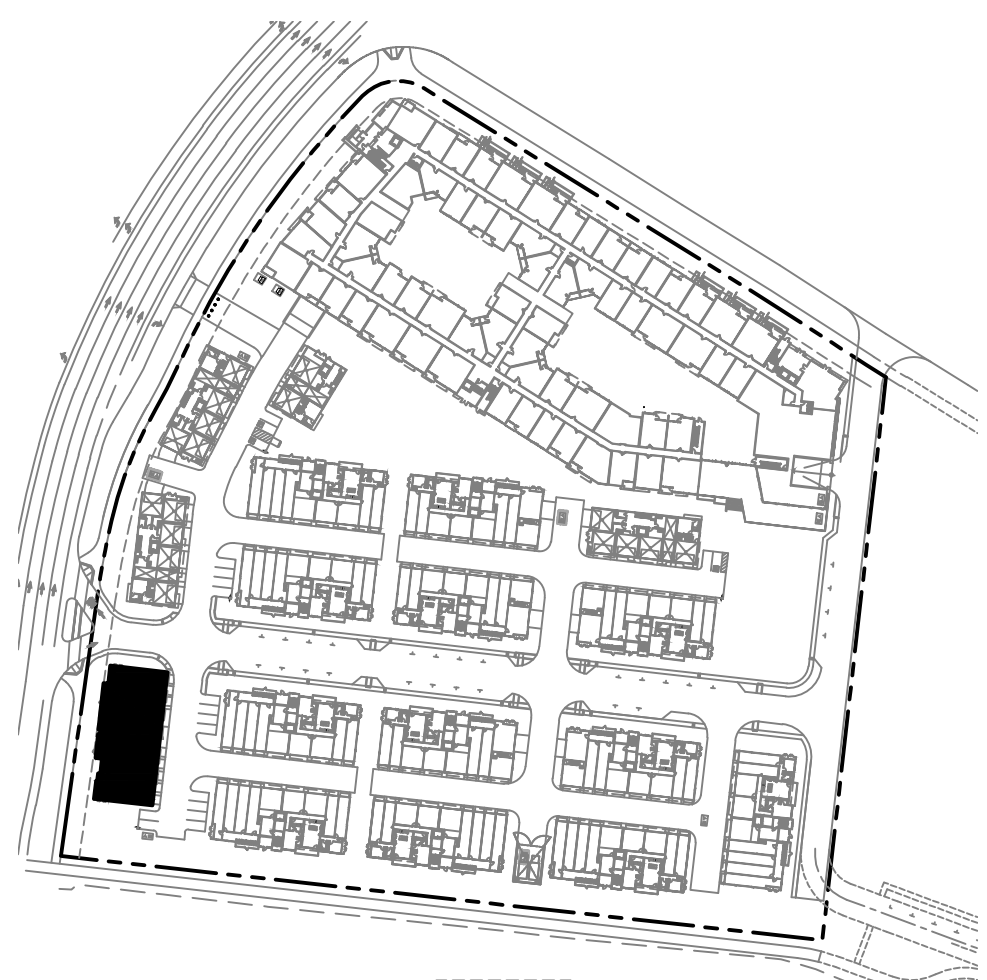




Rear Elevation - Light Color Scheme



Left Elevation - Light Color Scheme



Key Map n.t.s.

**Material Legend**

- 1. Stucco
- 2. Cementitious Lap Siding
- 3. Cementitious Panel
- 4. Metal Awning
- 5. Metal Railing
- 6. Vinyl Window
- 7. Metal Column
- 8. Metal Panel Garage Door

# 450 MONTAGUE



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# BUILDING "D" 9-PLEX - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 4 8 16

AS2.8

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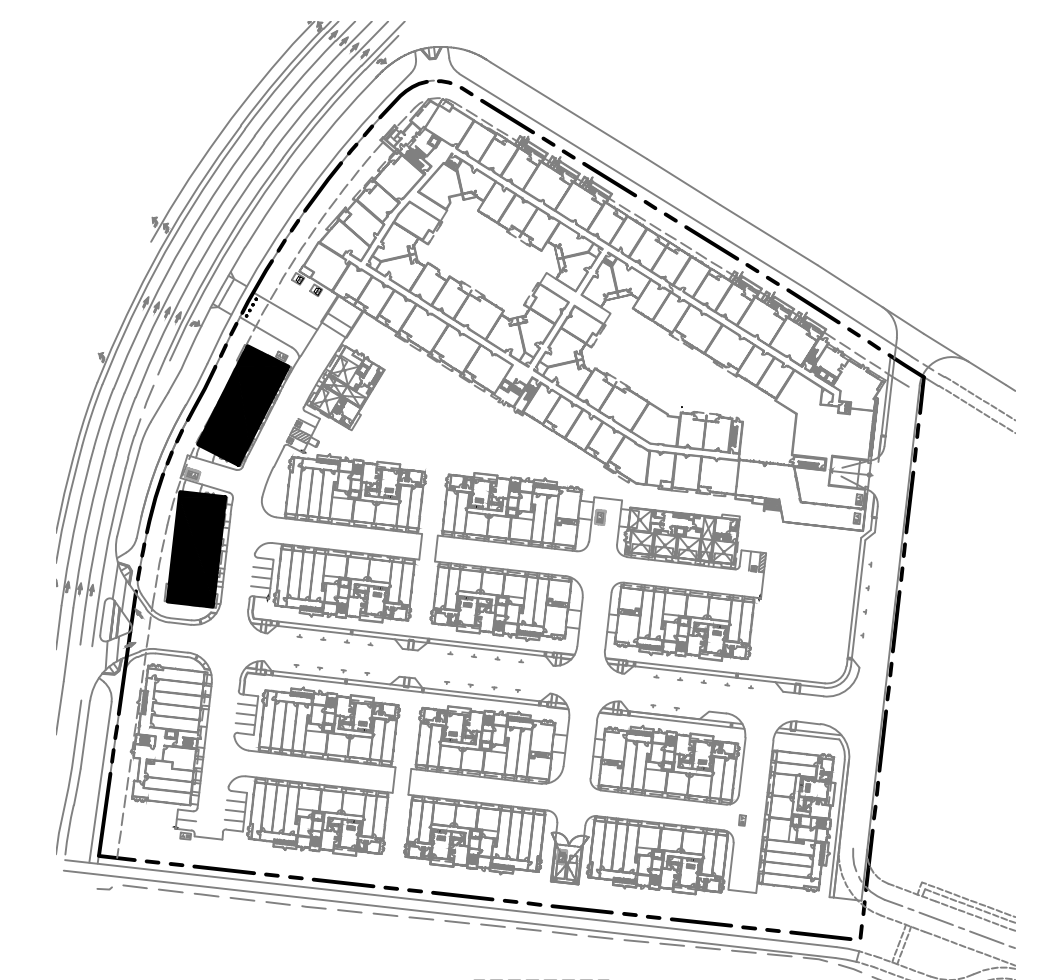




Front Elevation - Light Color Scheme



Right Elevation - Light Color Scheme



Key Map n.t.s.

#### Material Legend

1. Stucco
2. Cementitious Lap Siding
3. Cementitious Panel
4. Metal Awning
5. Metal Railing
6. Vinyl Window
7. Metal Column
8. Metal Panel Garage Door

450 MONTAGUE

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## STYLE I BUILDING "E" 6-PLEX - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 4 8 16  
**AS2.9**

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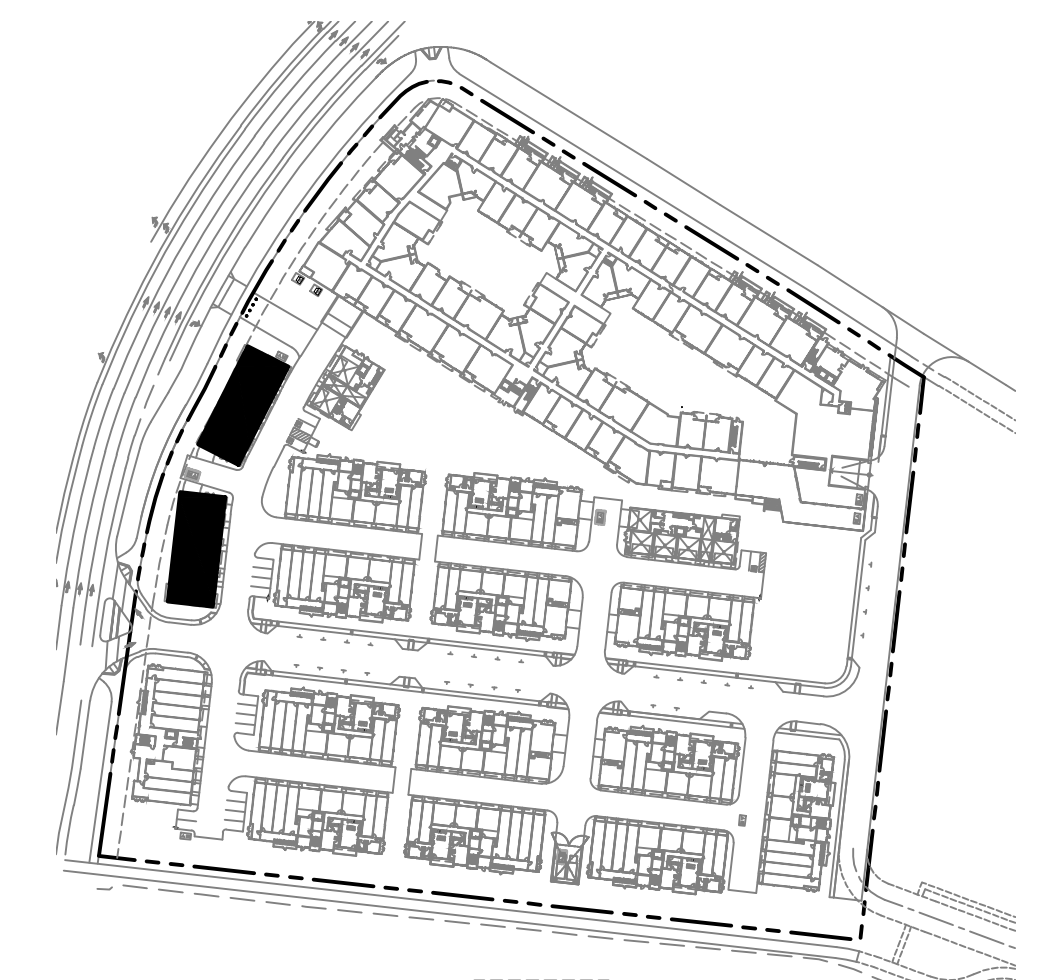




Rear Elevation - Light Color Scheme



Left Elevation - Light Color Scheme



Key Map n.t.s.

#### Material Legend

1. Stucco
2. Cementitious Lap Siding
3. Cementitious Panel
4. Metal Awning
5. Metal Railing
6. Vinyl Window
7. Metal Column
8. Metal Panel Garage Door

450 MONTAGUE

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## STYLE I BUILDING "E" 6-PLEX - ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

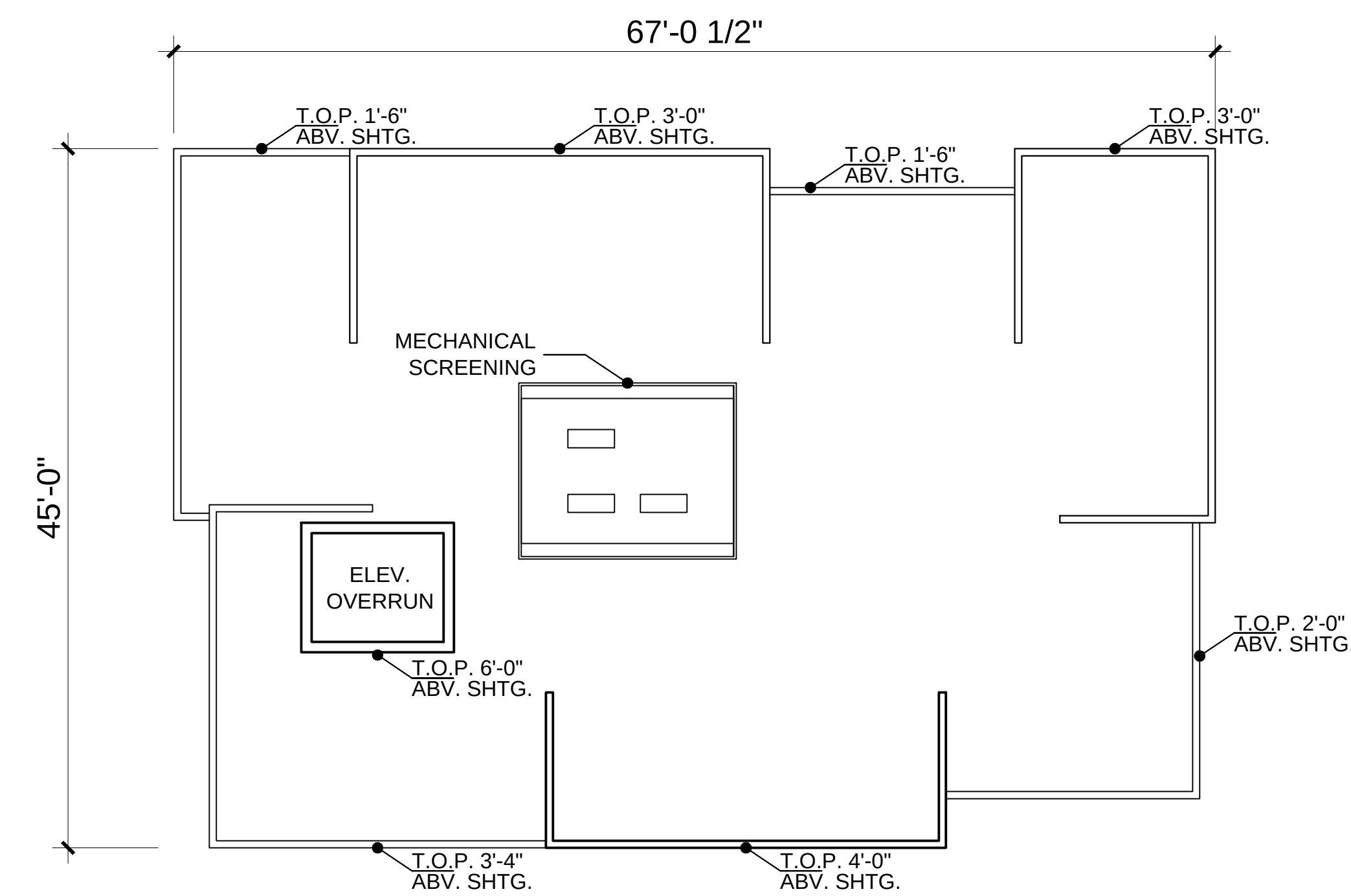
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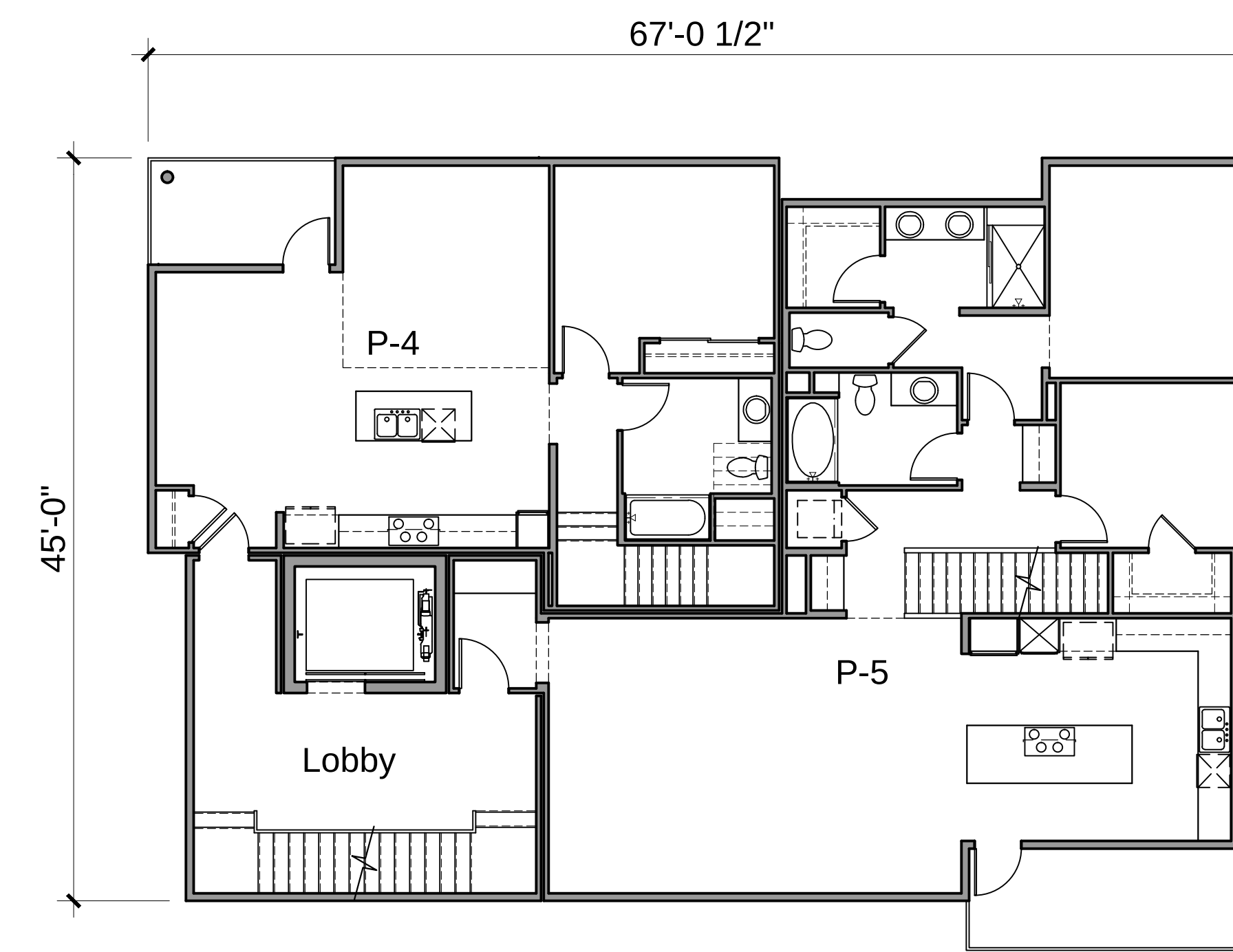
**KTGY Group, Inc.**  
**Architecture+Planning**  
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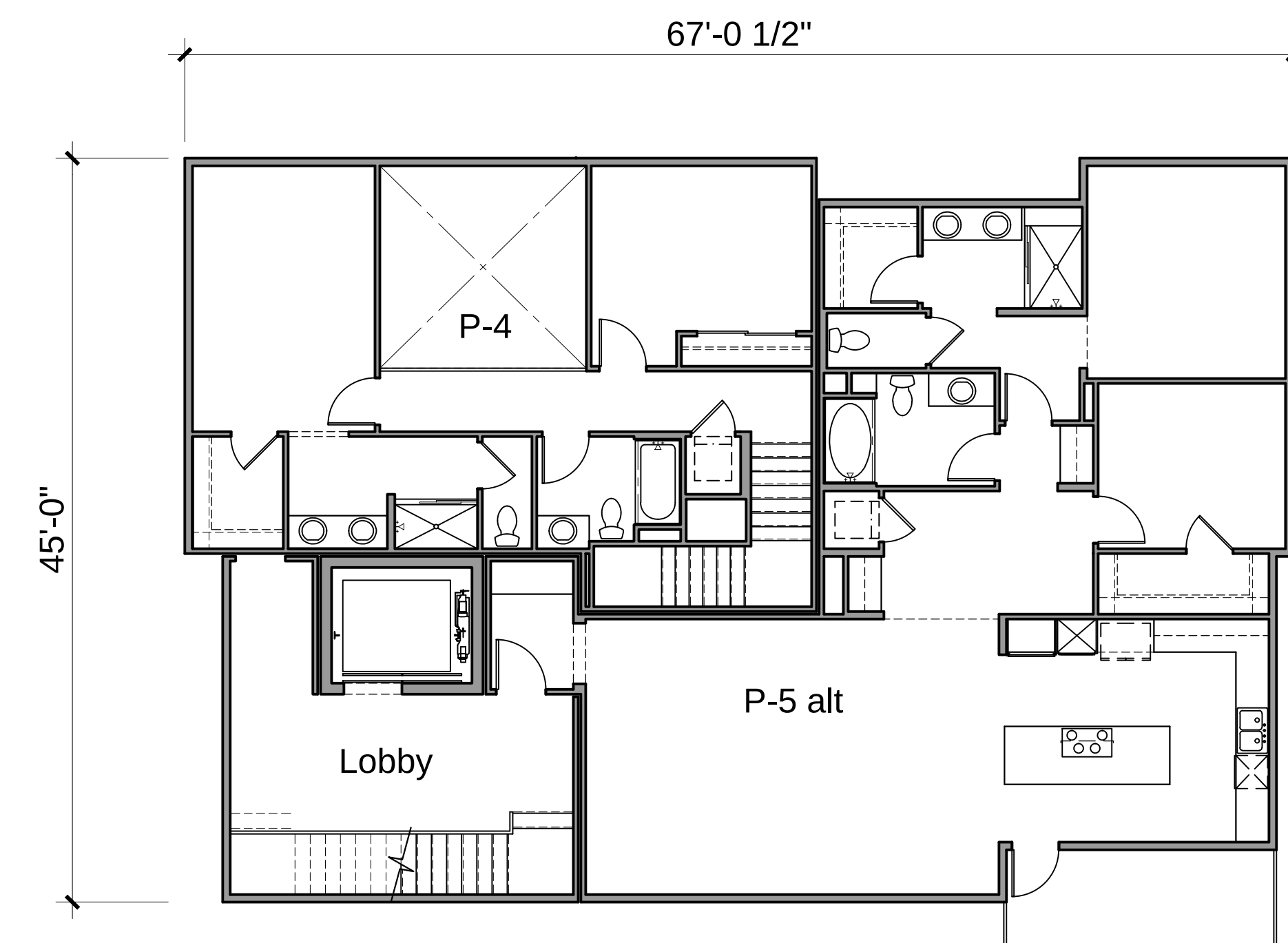




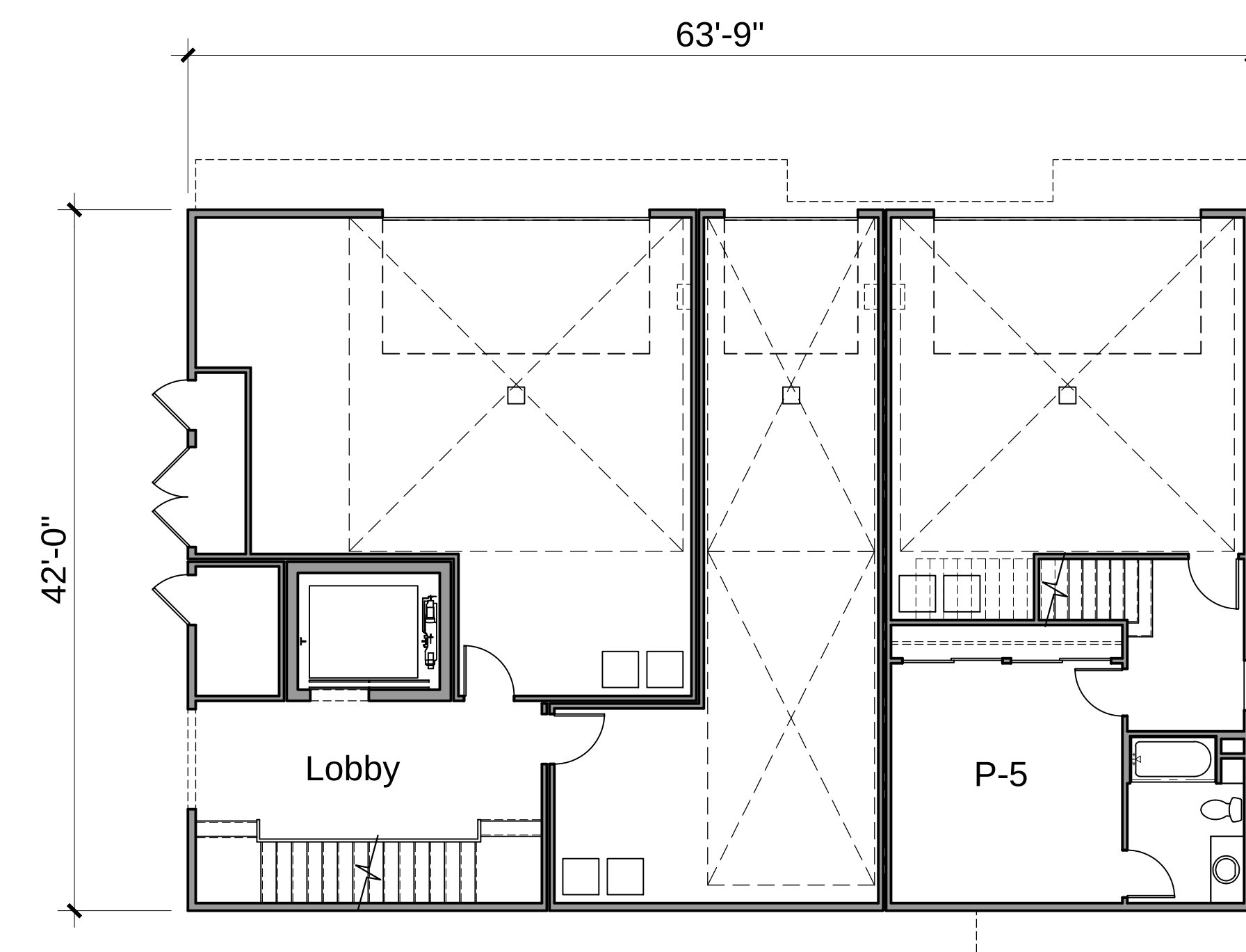
Roof



Level 2



Level 3



Ground Level

Note: All rooftop mechanical equipment to be screened.

## 450 MONTAGUE

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## BUILDING "A" 3-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

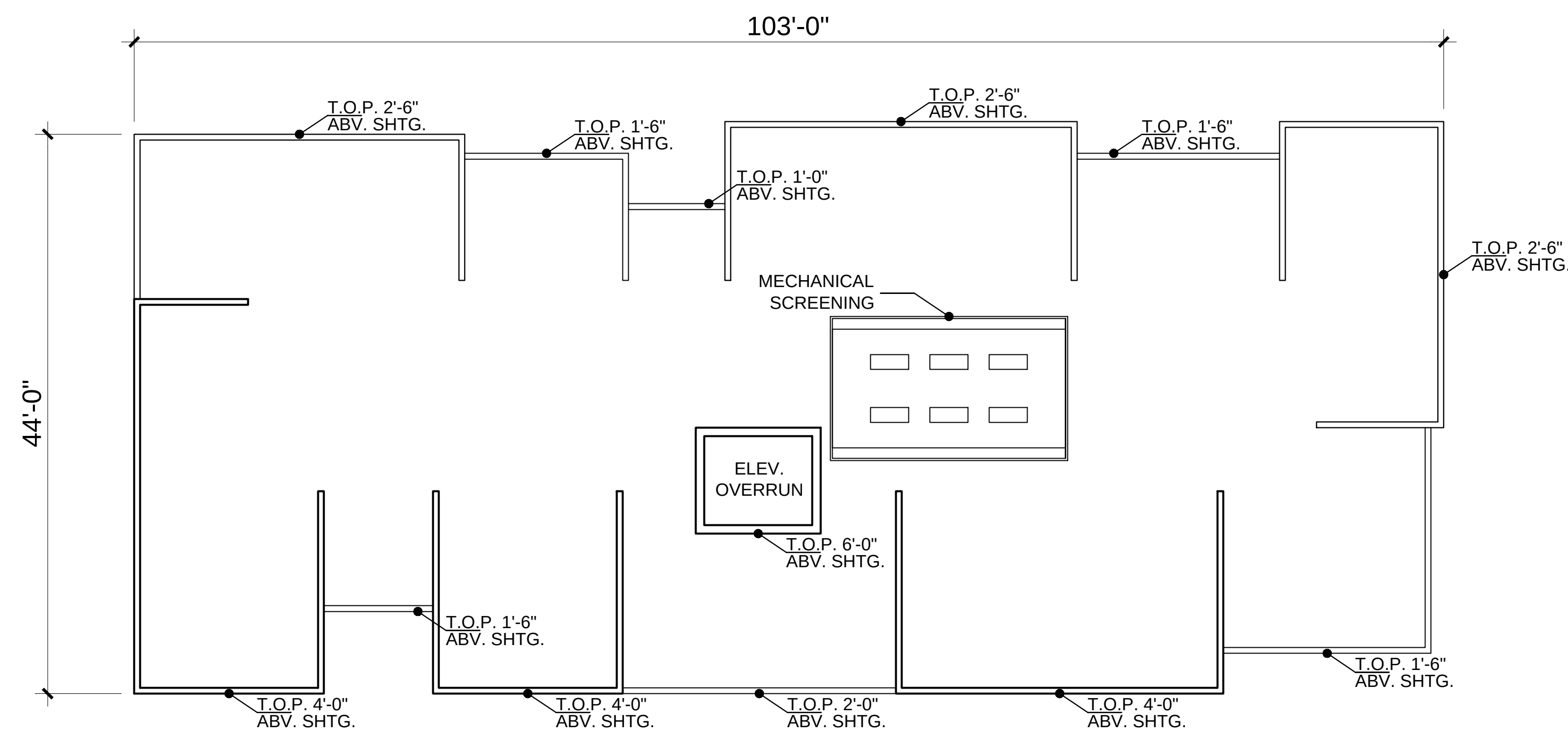
02.26.2015

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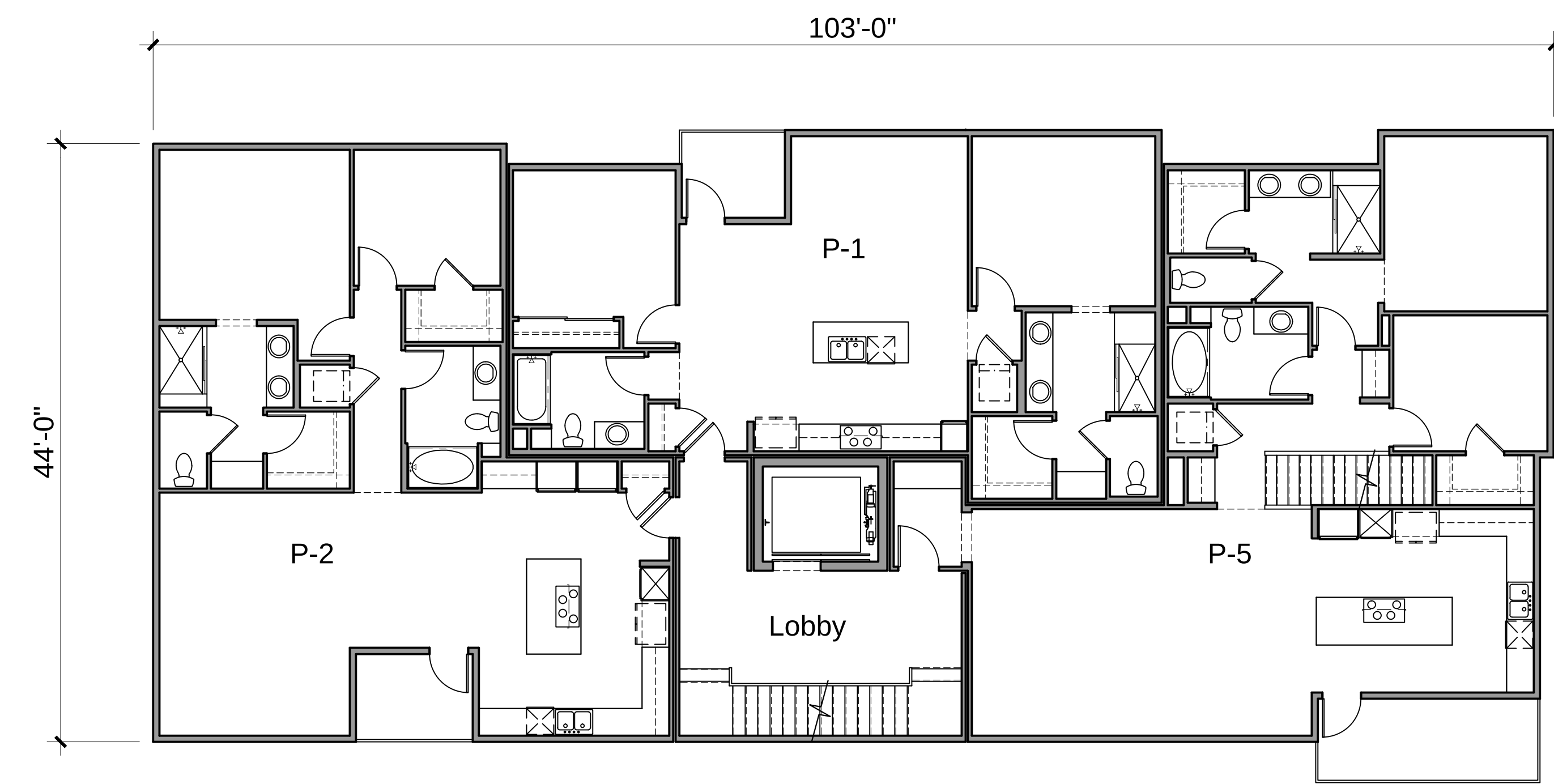
**KTGY Group, Inc.**  
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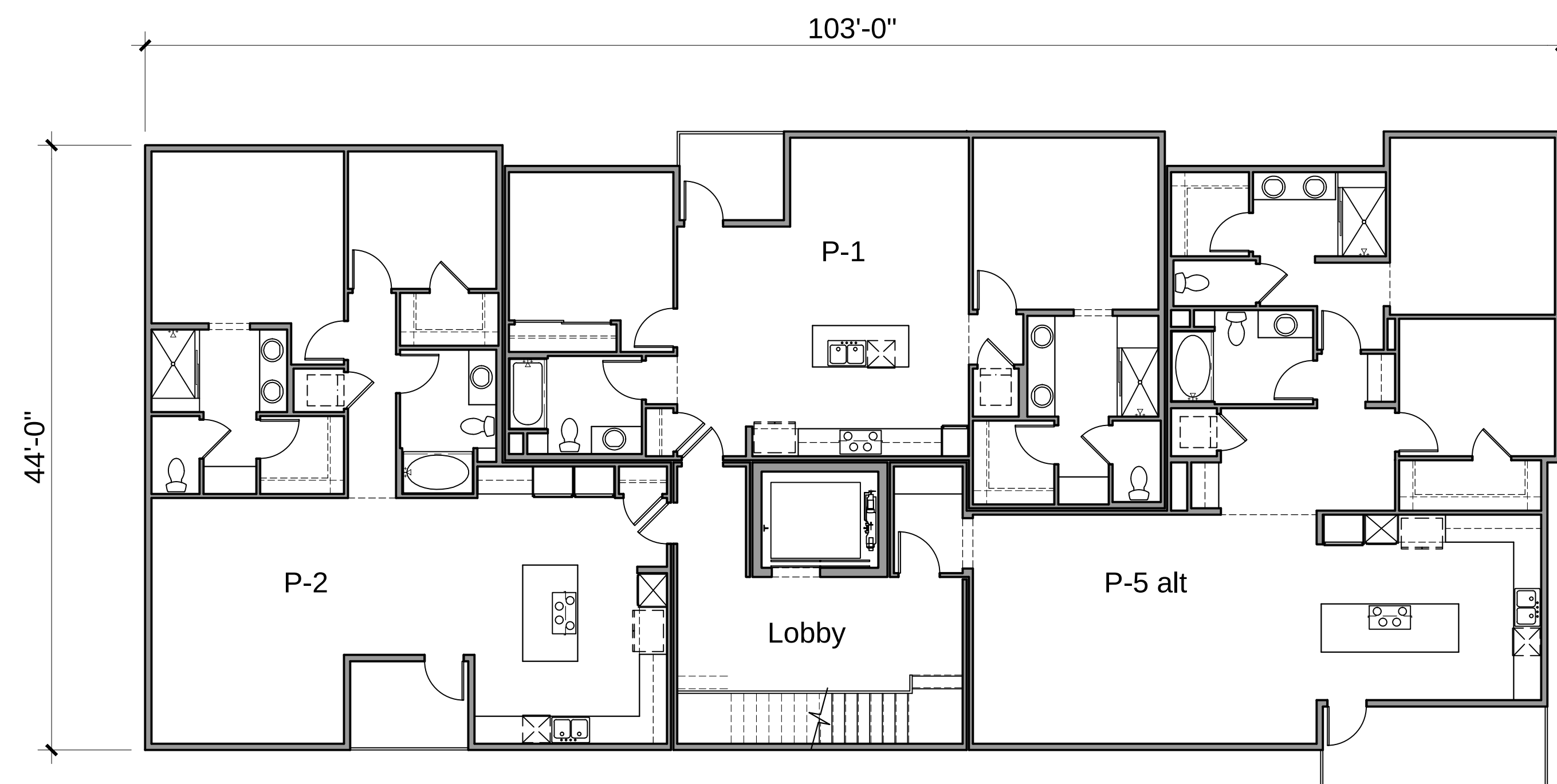




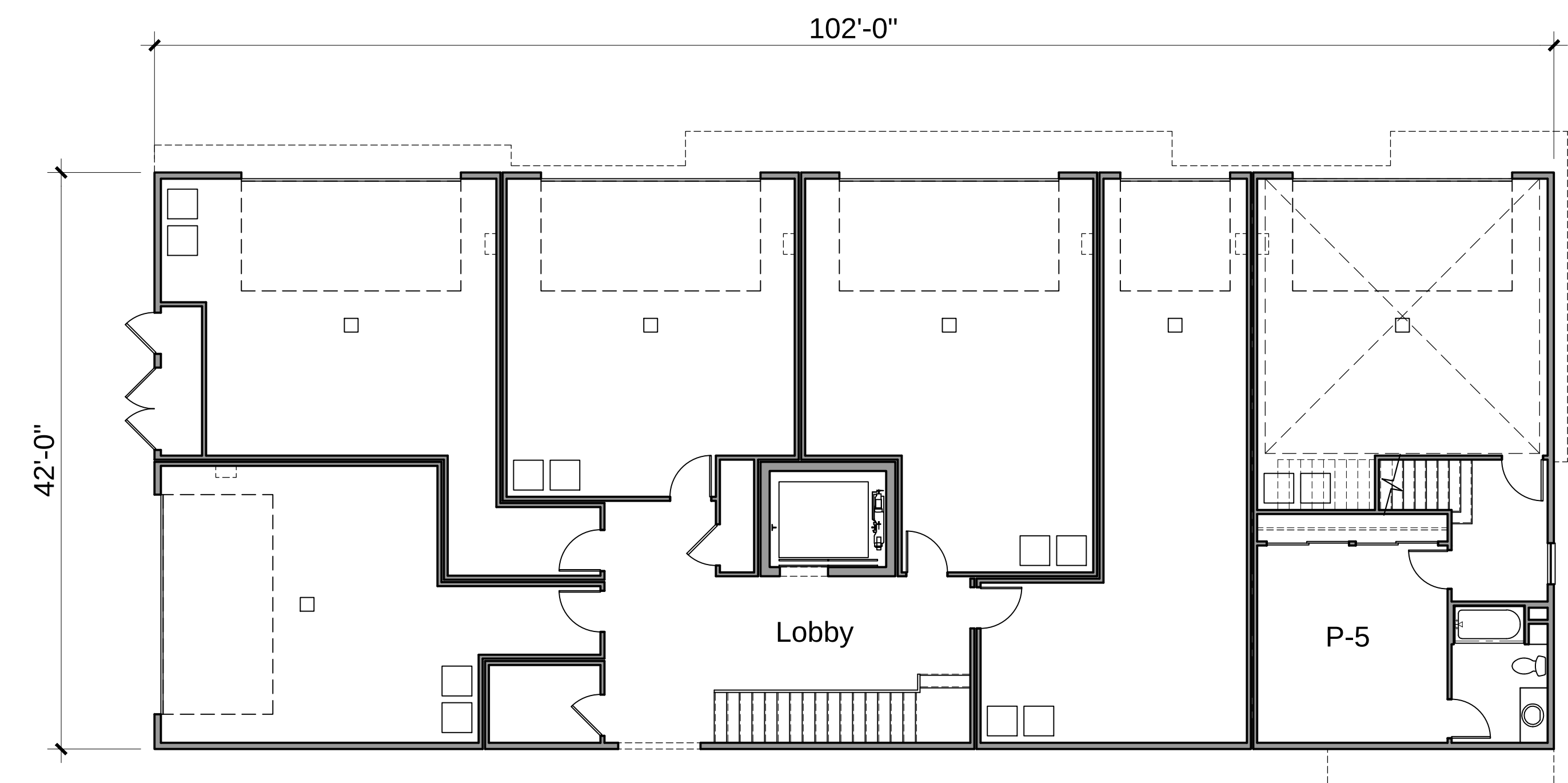
Roof



Level 2



Level 3



Ground Level

Note: All rooftop mechanical equipment to be screened.

## 450 MONTAGUE

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## BUILDING "B" 6-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

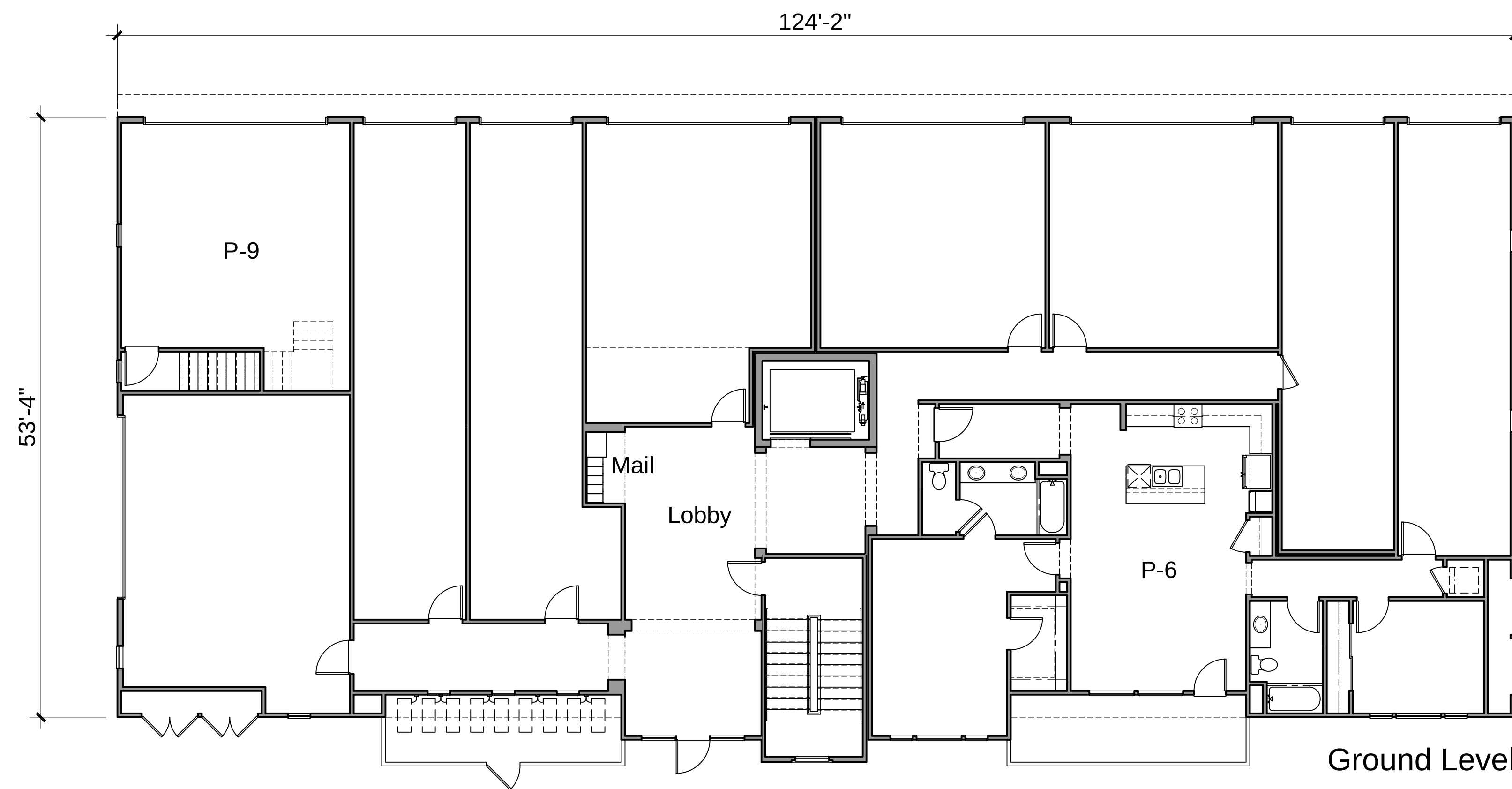
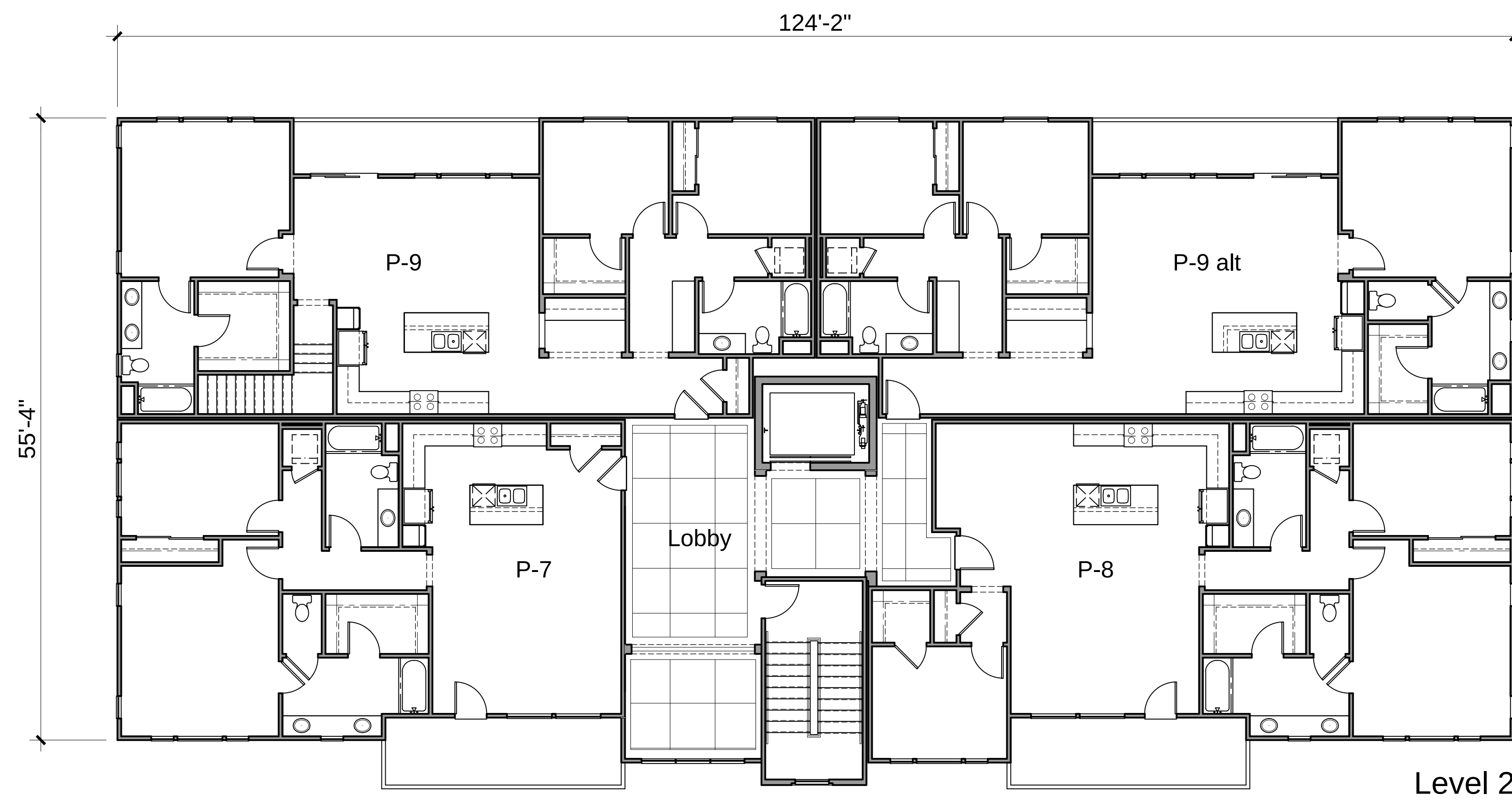
0 4 8 16

AS3.1

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## BUILDING "C" 9-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

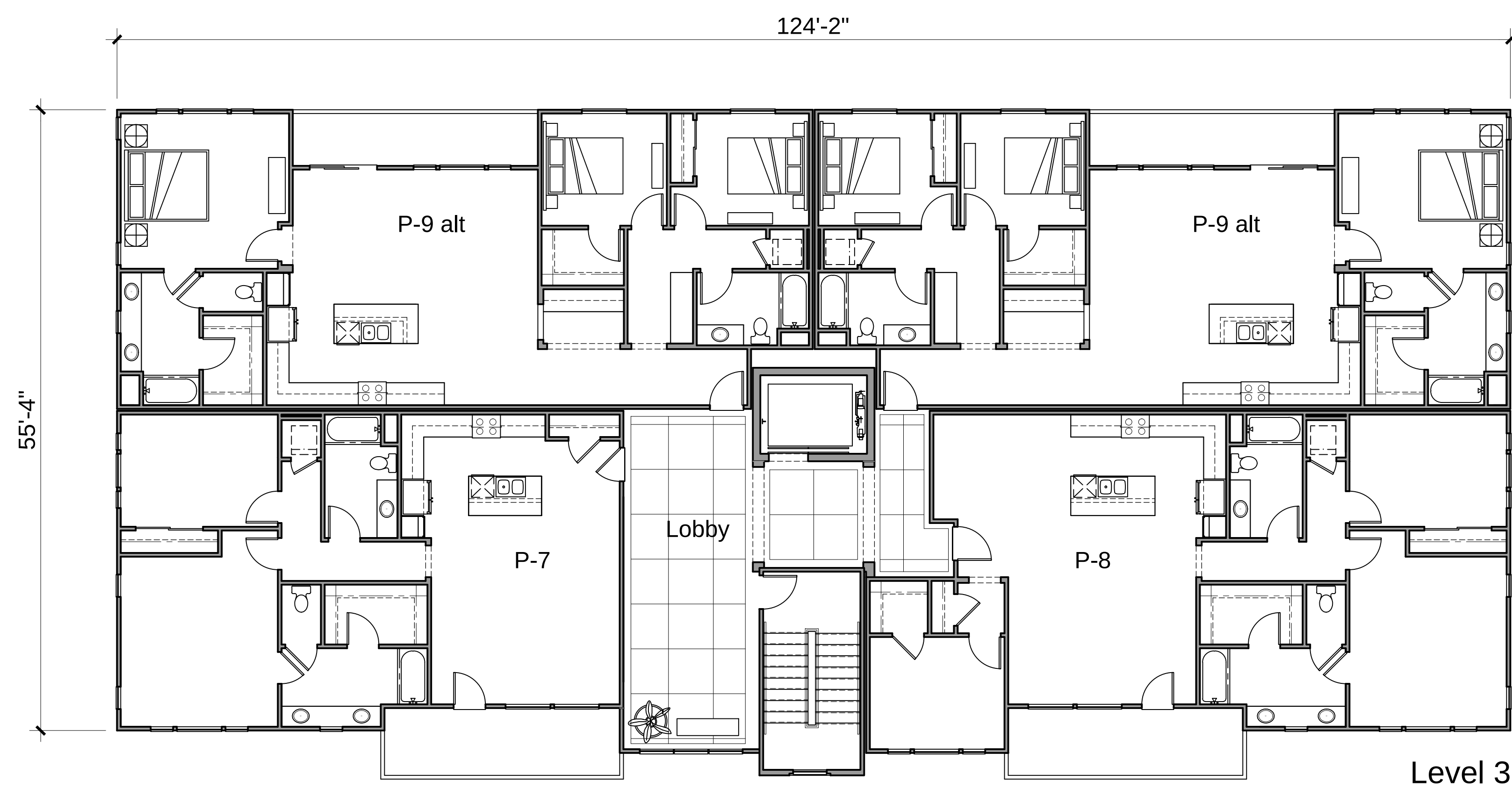
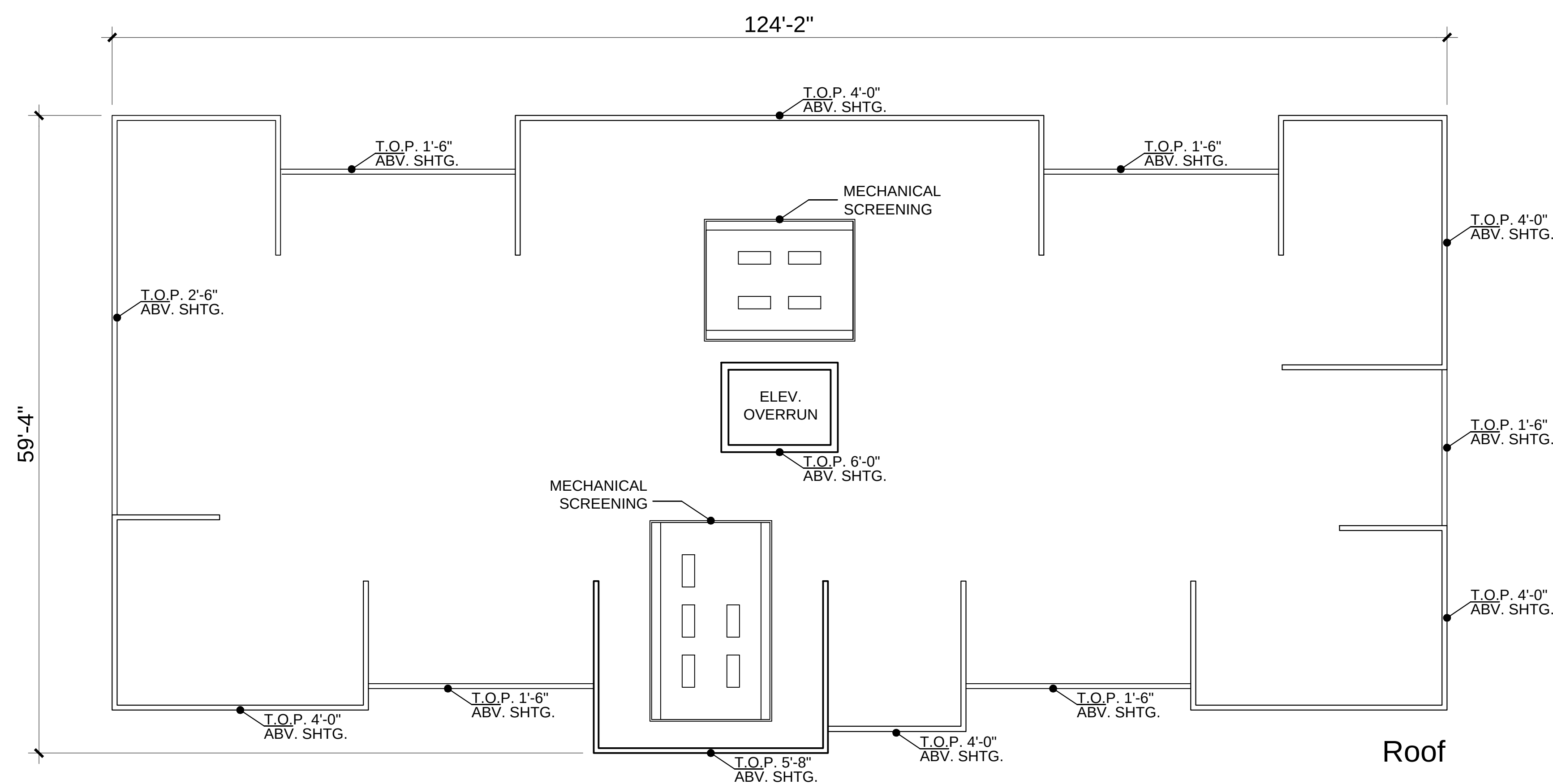
0 4 8 16

AS3.2

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Note: All rooftop mechanical equipment to be screened.

## 450 MONTAGUE

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## BUILDING "C" 9-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

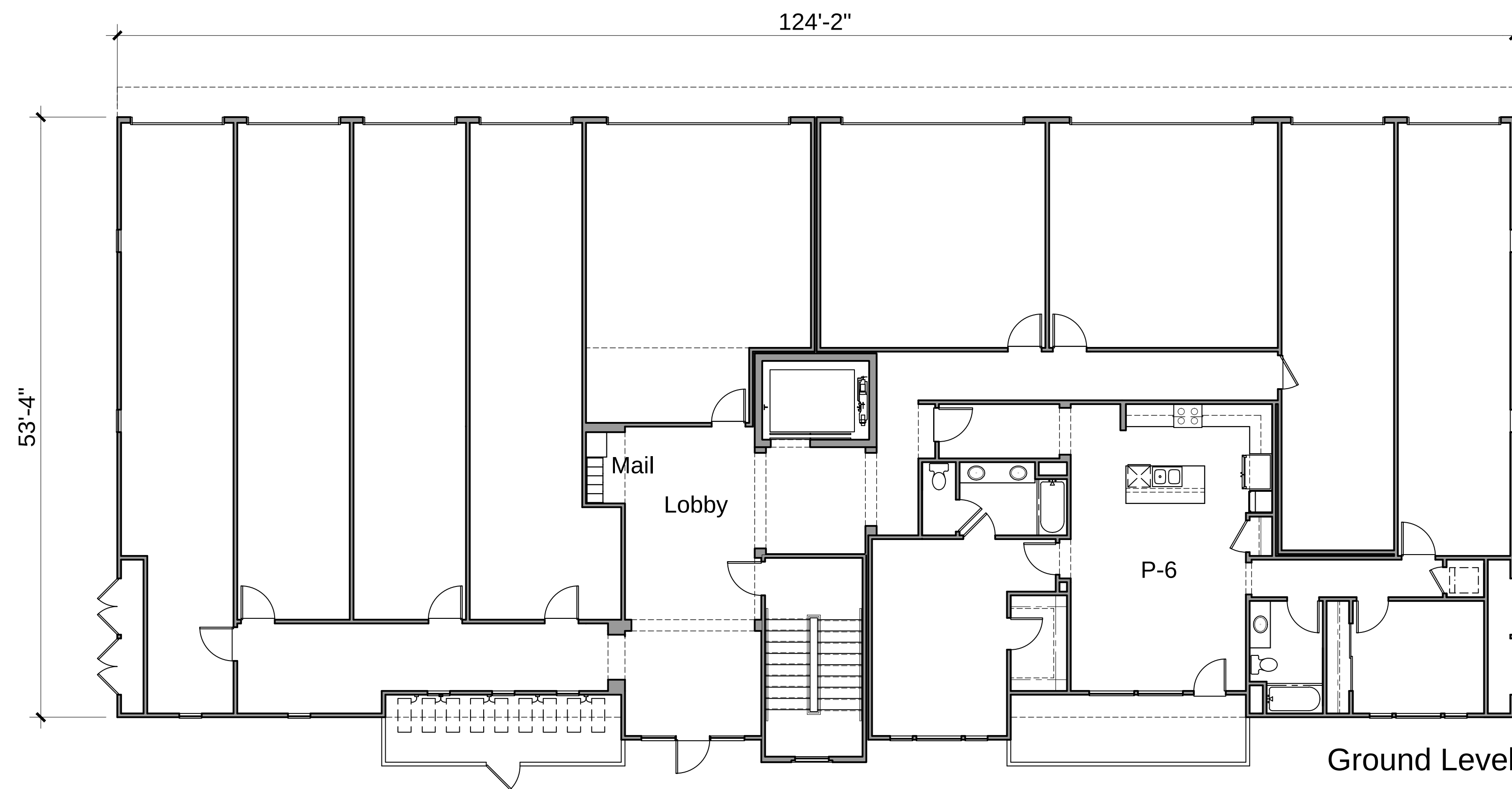
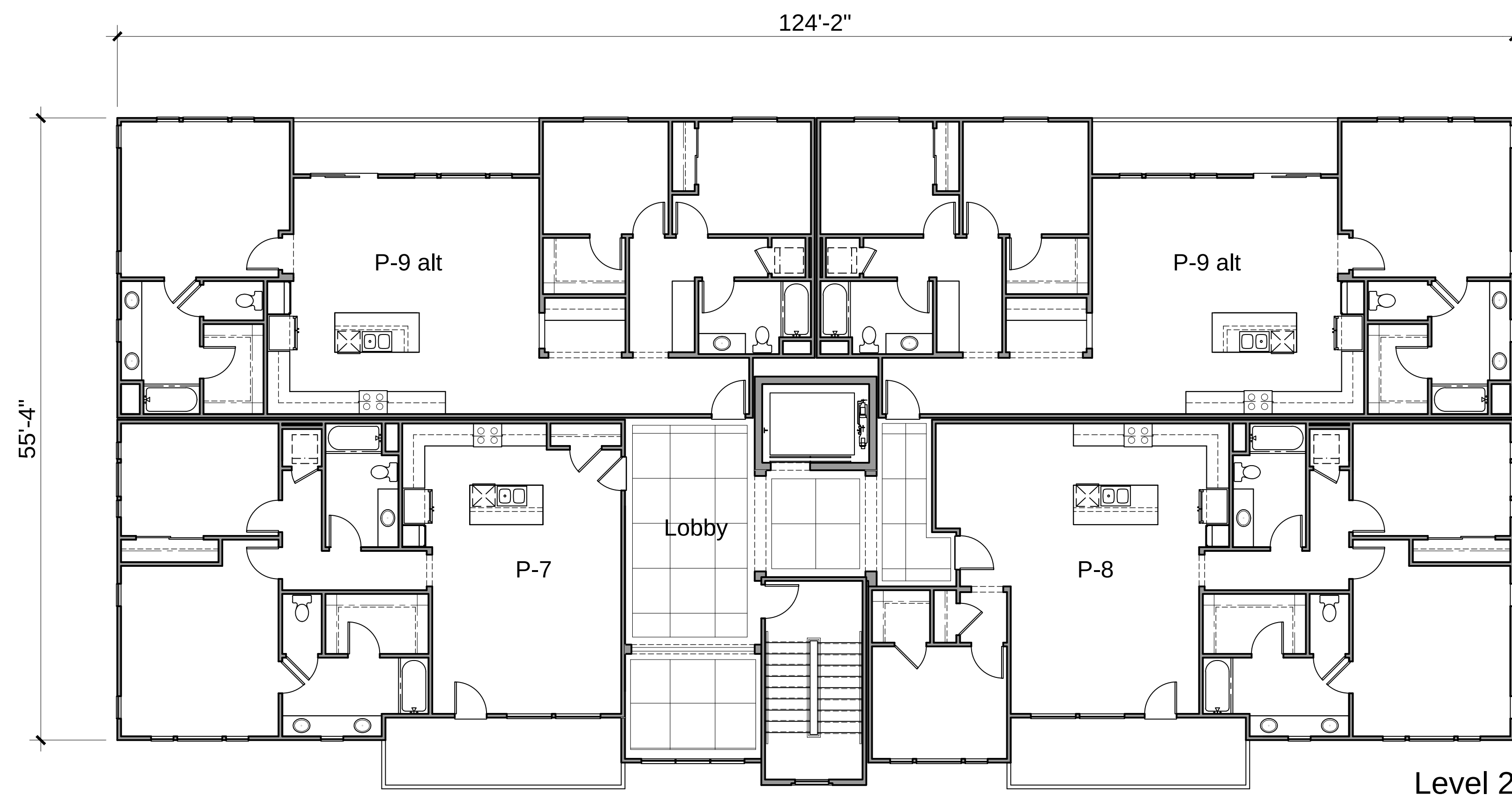
0 4 8 16

AS3.3

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## BUILDING "C ALT." 9-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

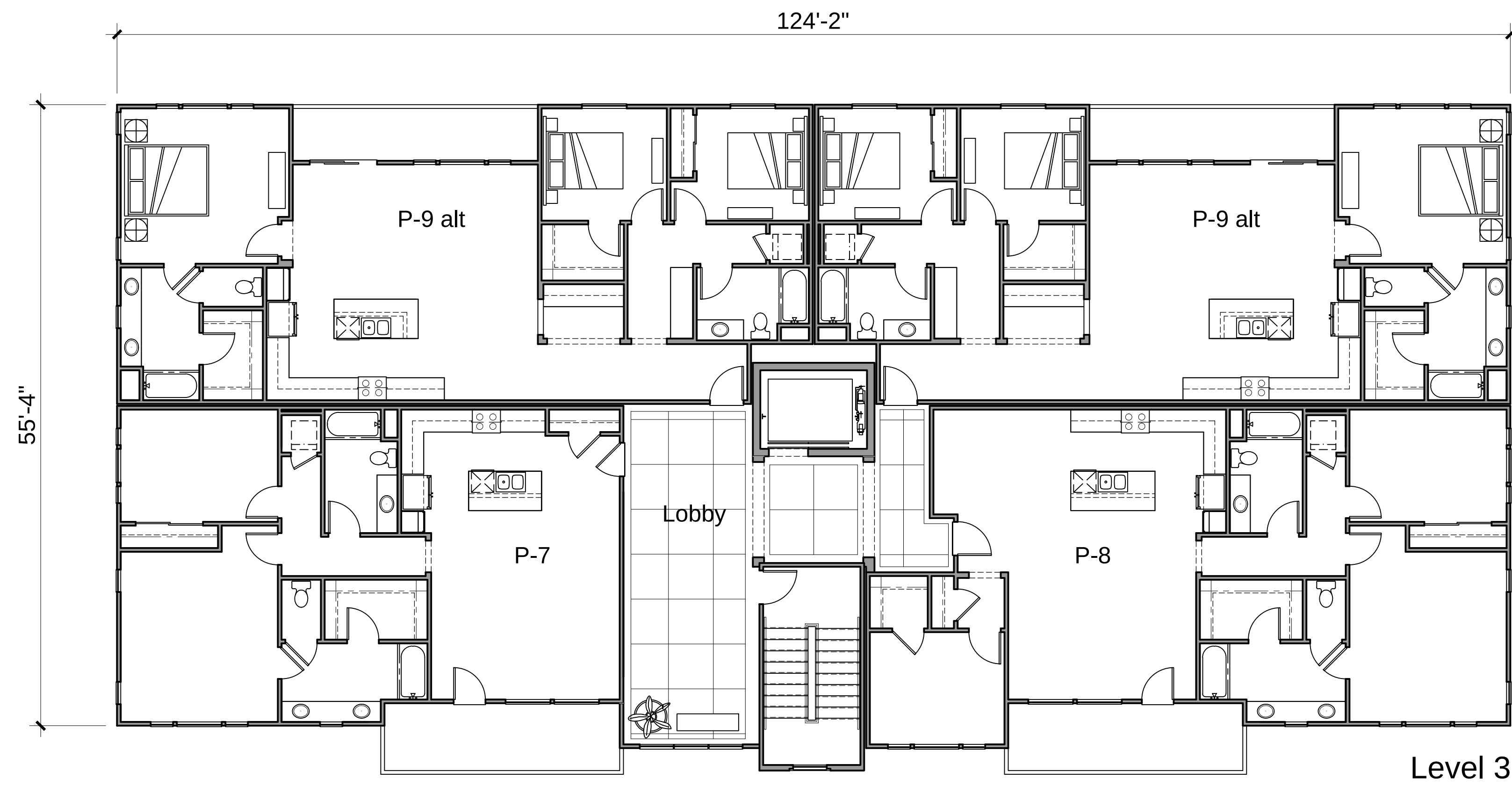
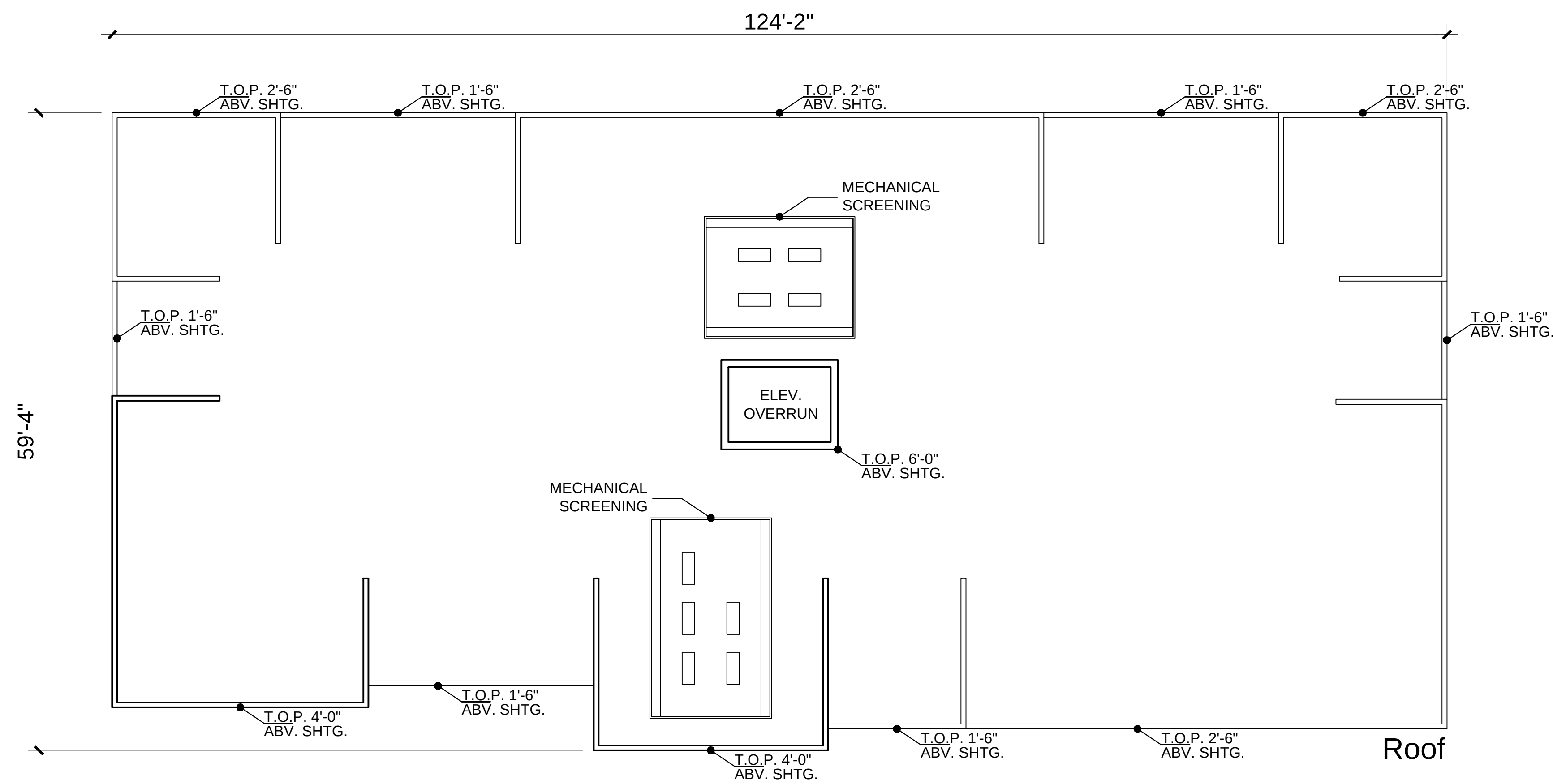
0 4 8 16

AS3.4

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Note: All rooftop mechanical equipment to be screened.

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## BUILDING "C ALT." 9-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

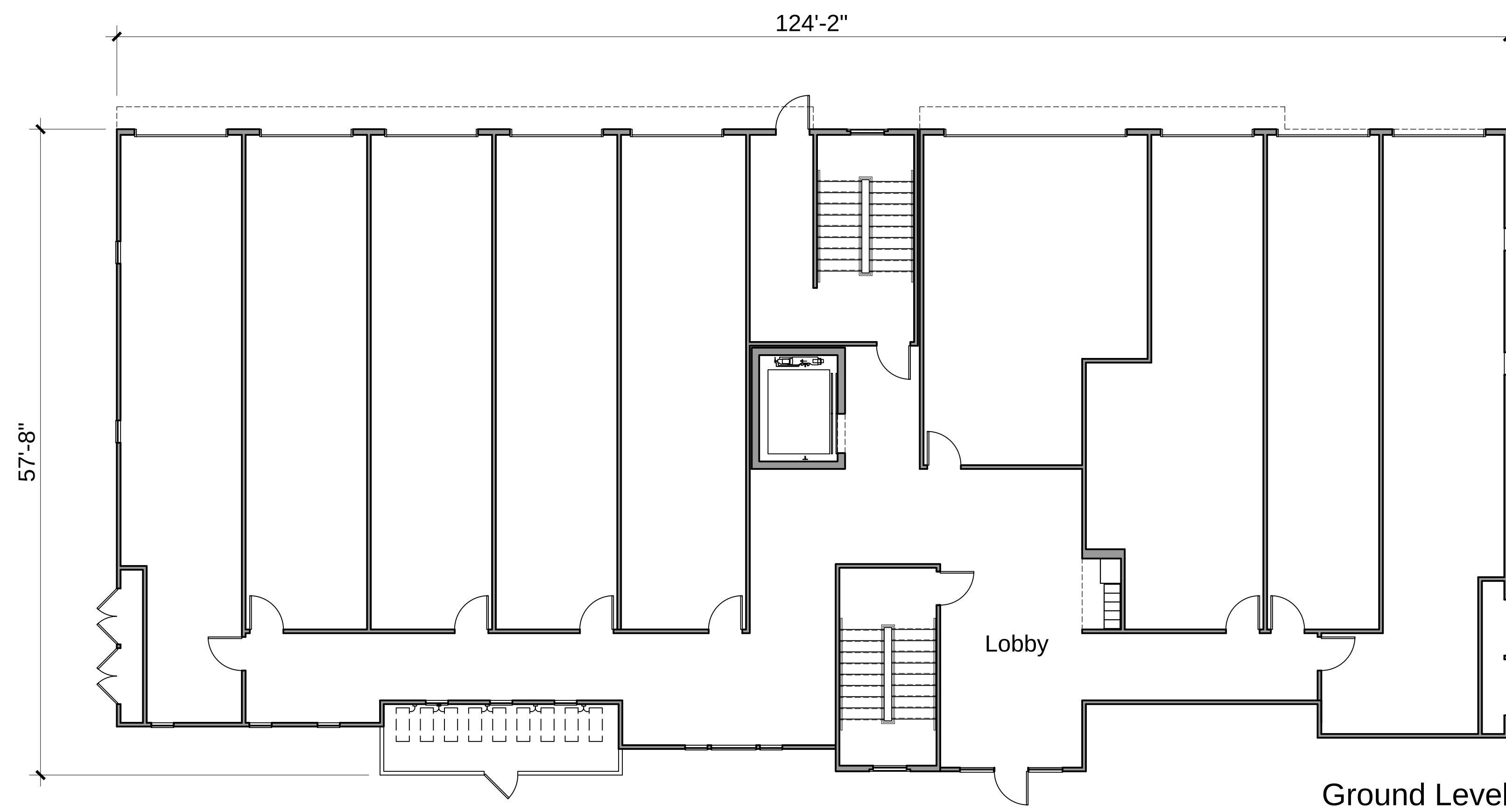
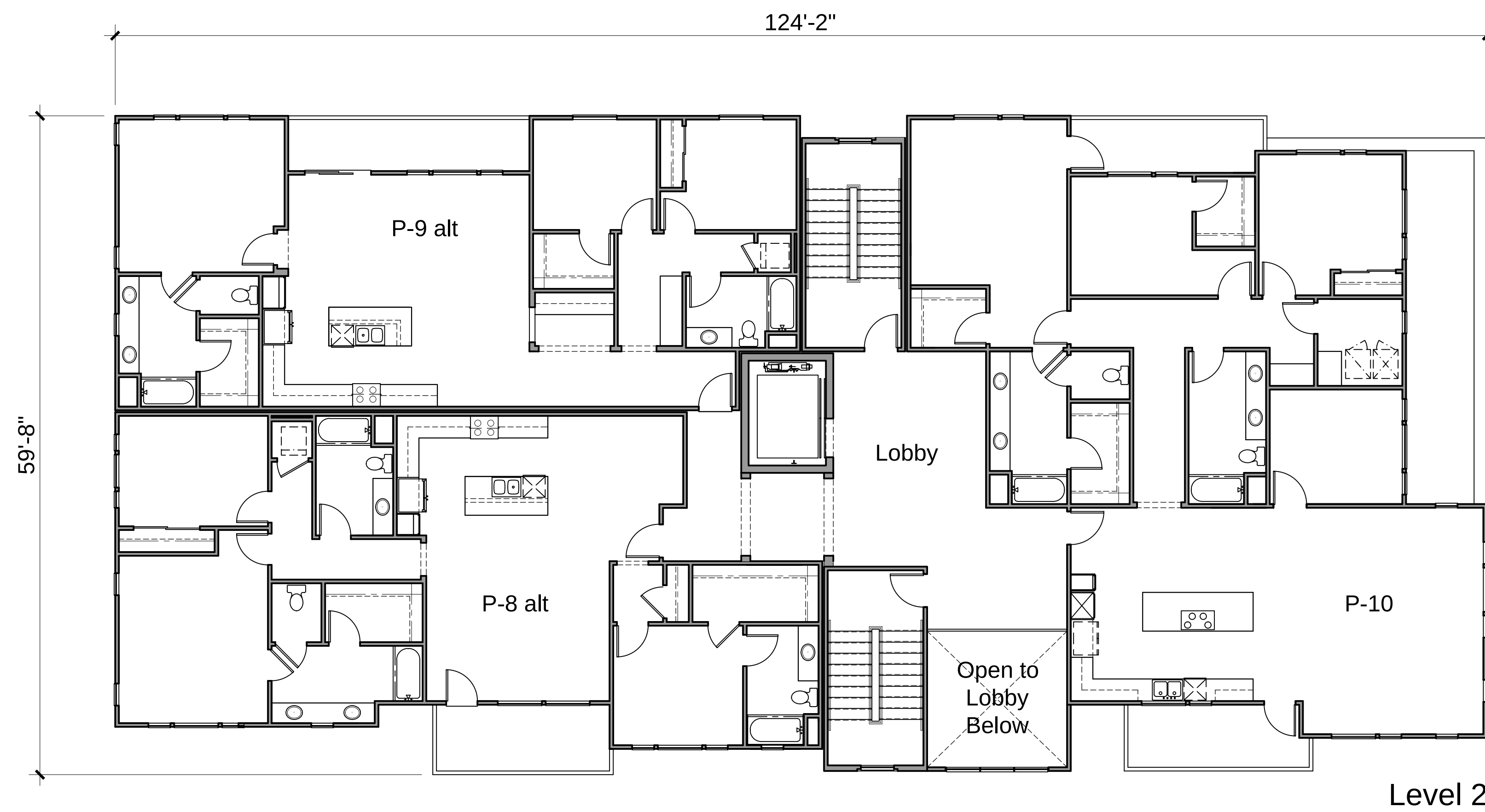
02.26.2015

0 4 8 16  
**AS3.5**

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## BUILDING "D" 9-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

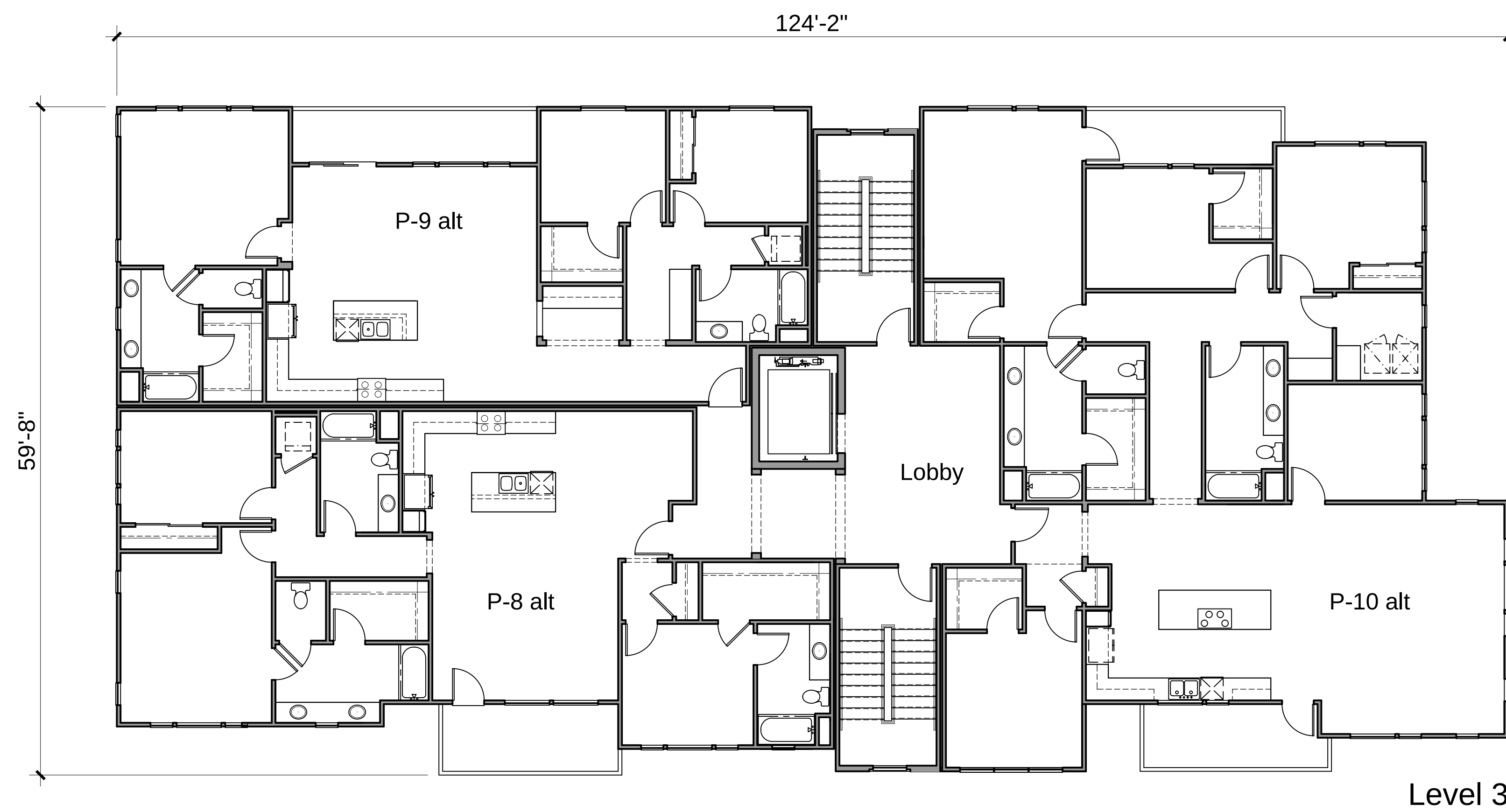
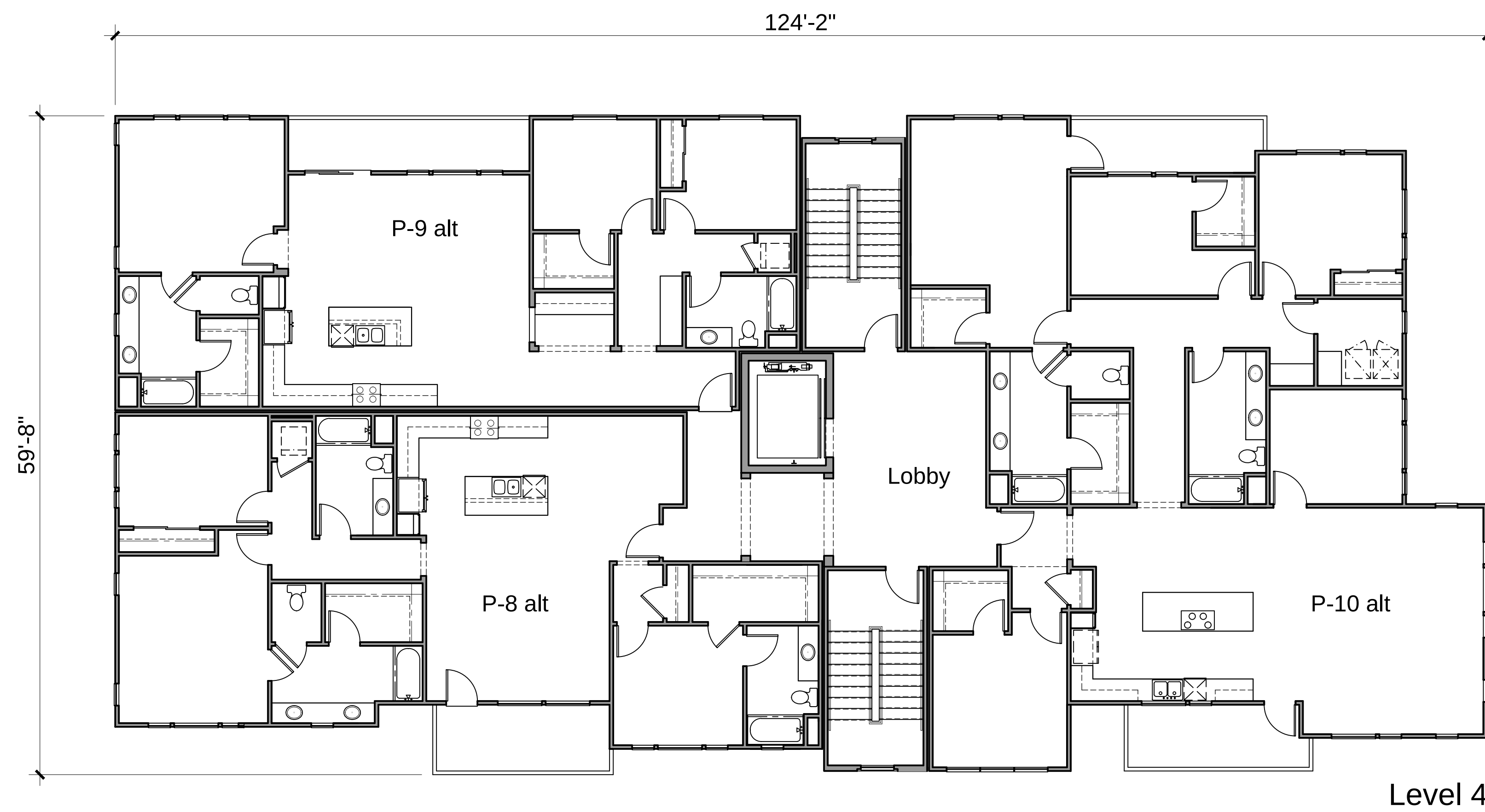
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AS3.6

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## BUILDING "D" 9-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

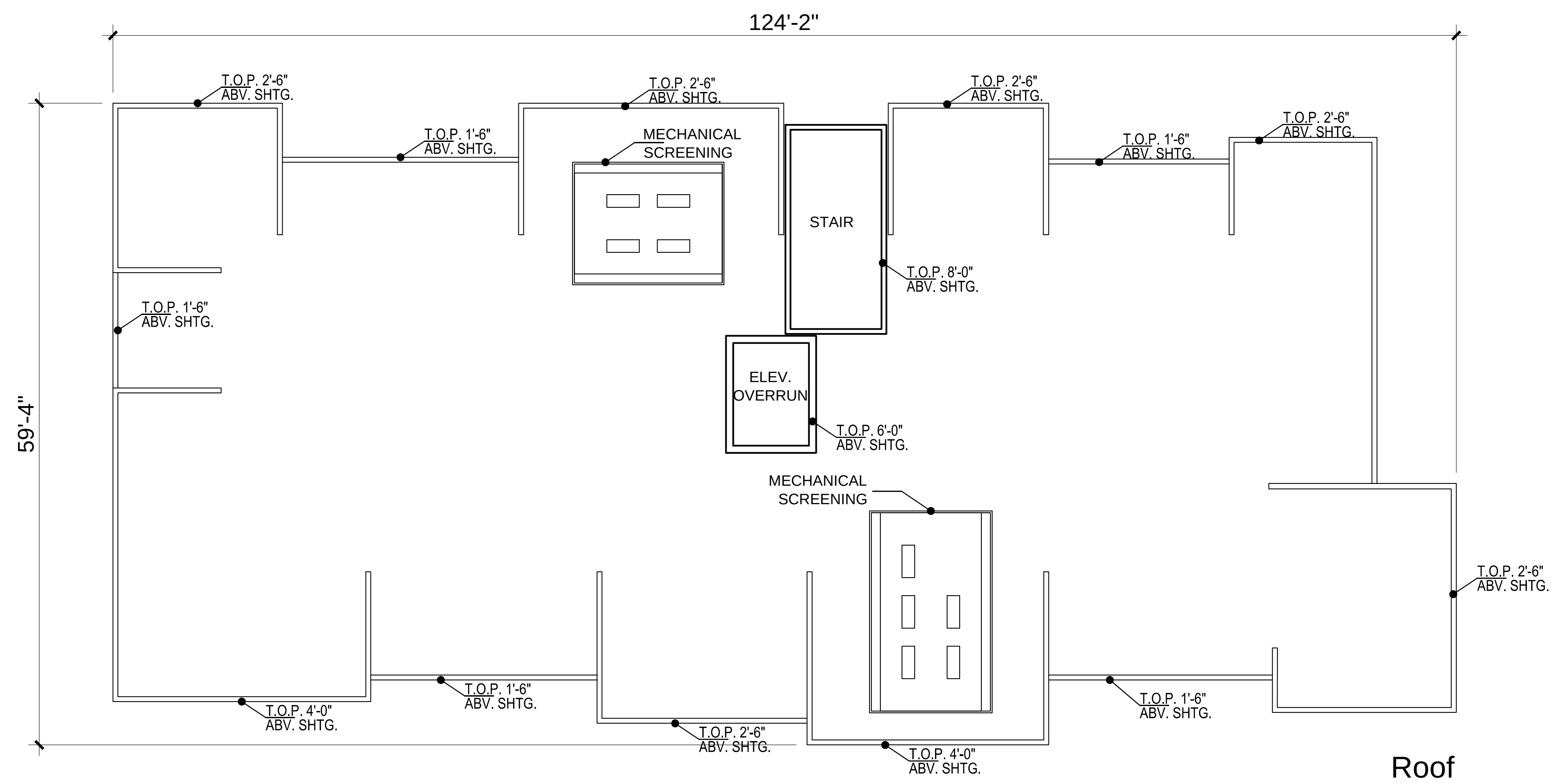
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0 4 8 16  
**AS3.7**

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Note: All rooftop mechanical equipment to be screened.

## 450 MONTAGUE

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## BUILDING "D" 9-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

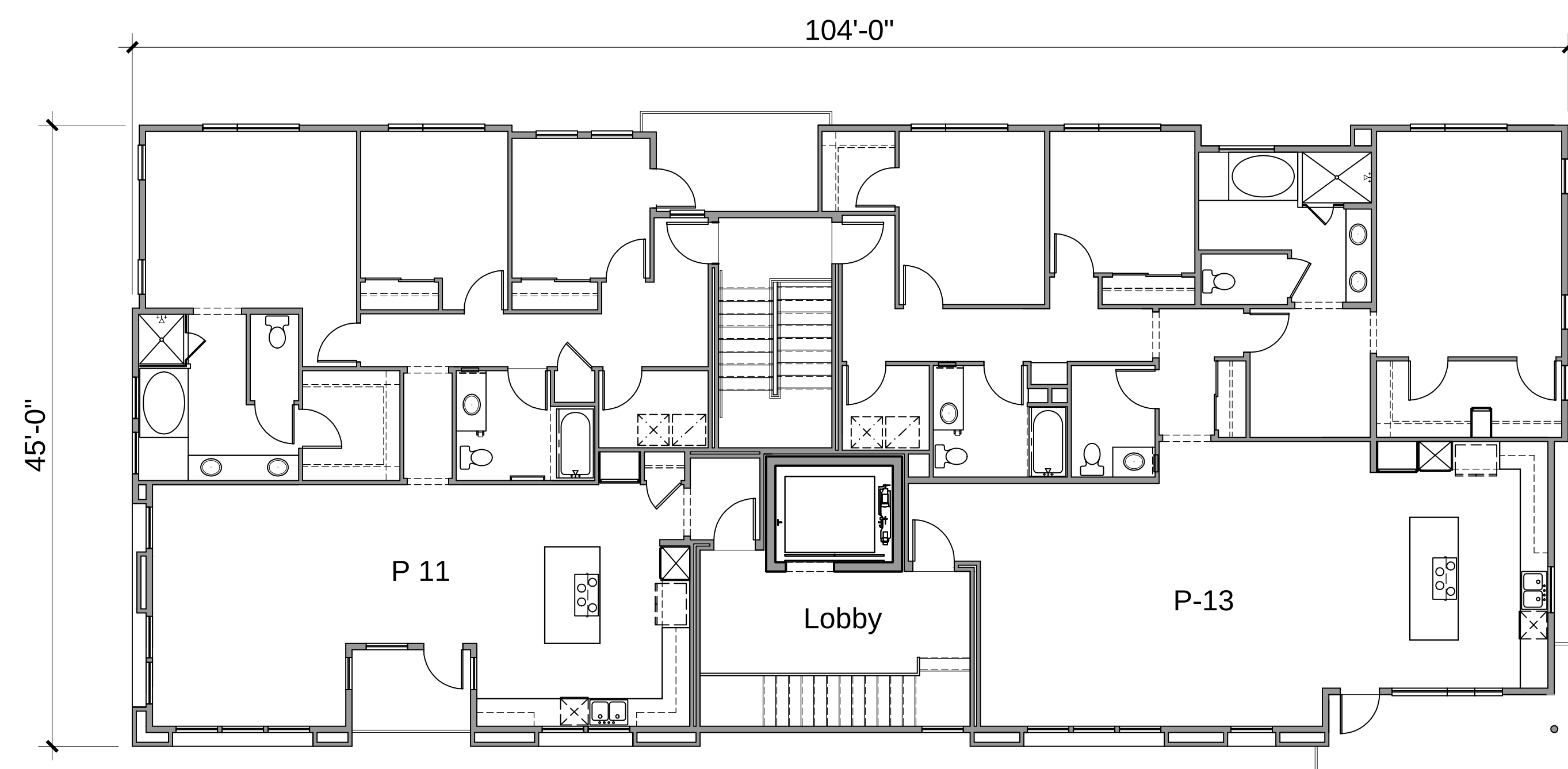
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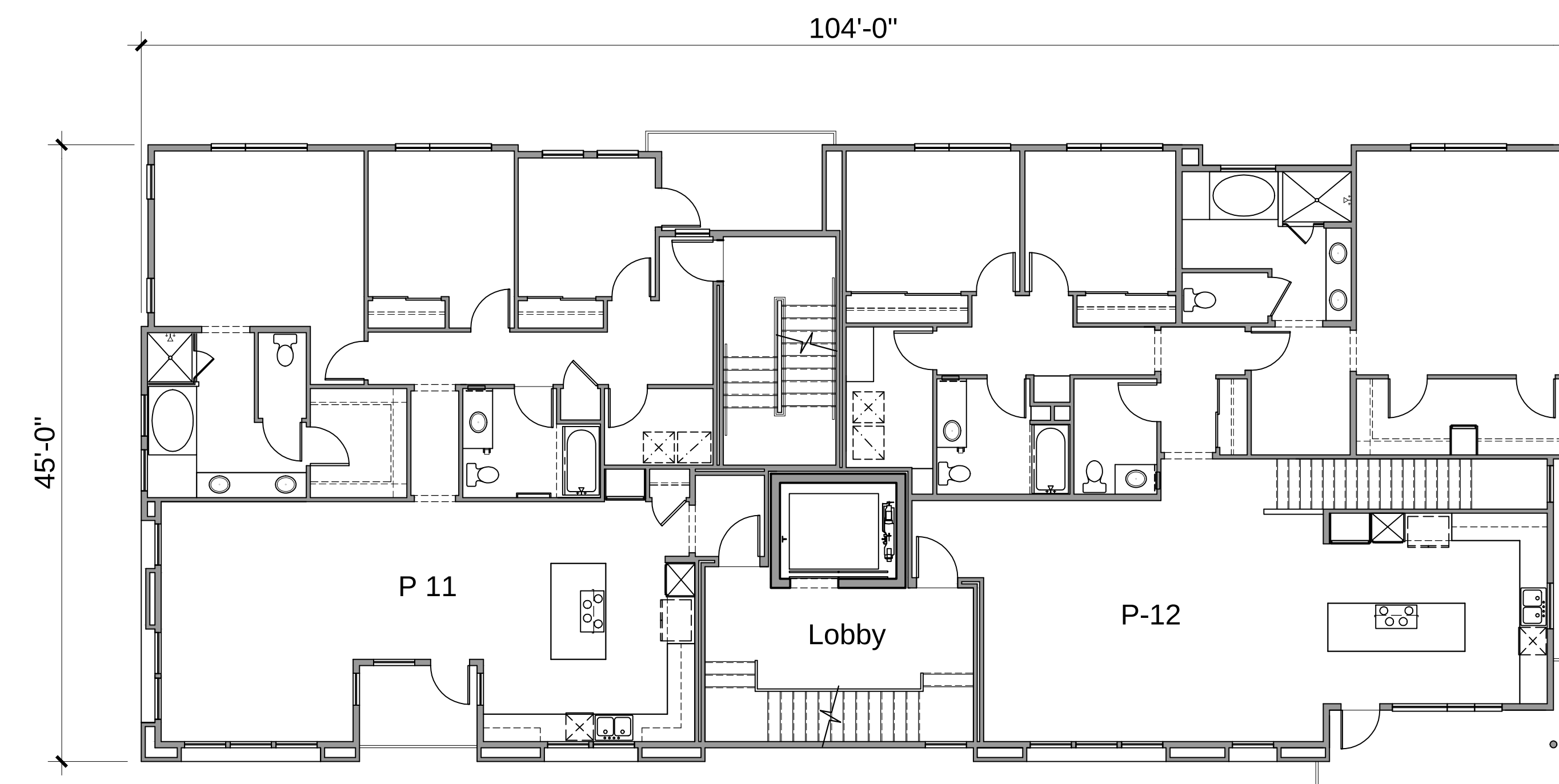
**KTGY Group, Inc.**  
**Architecture+Planning**  
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510.272.2910  
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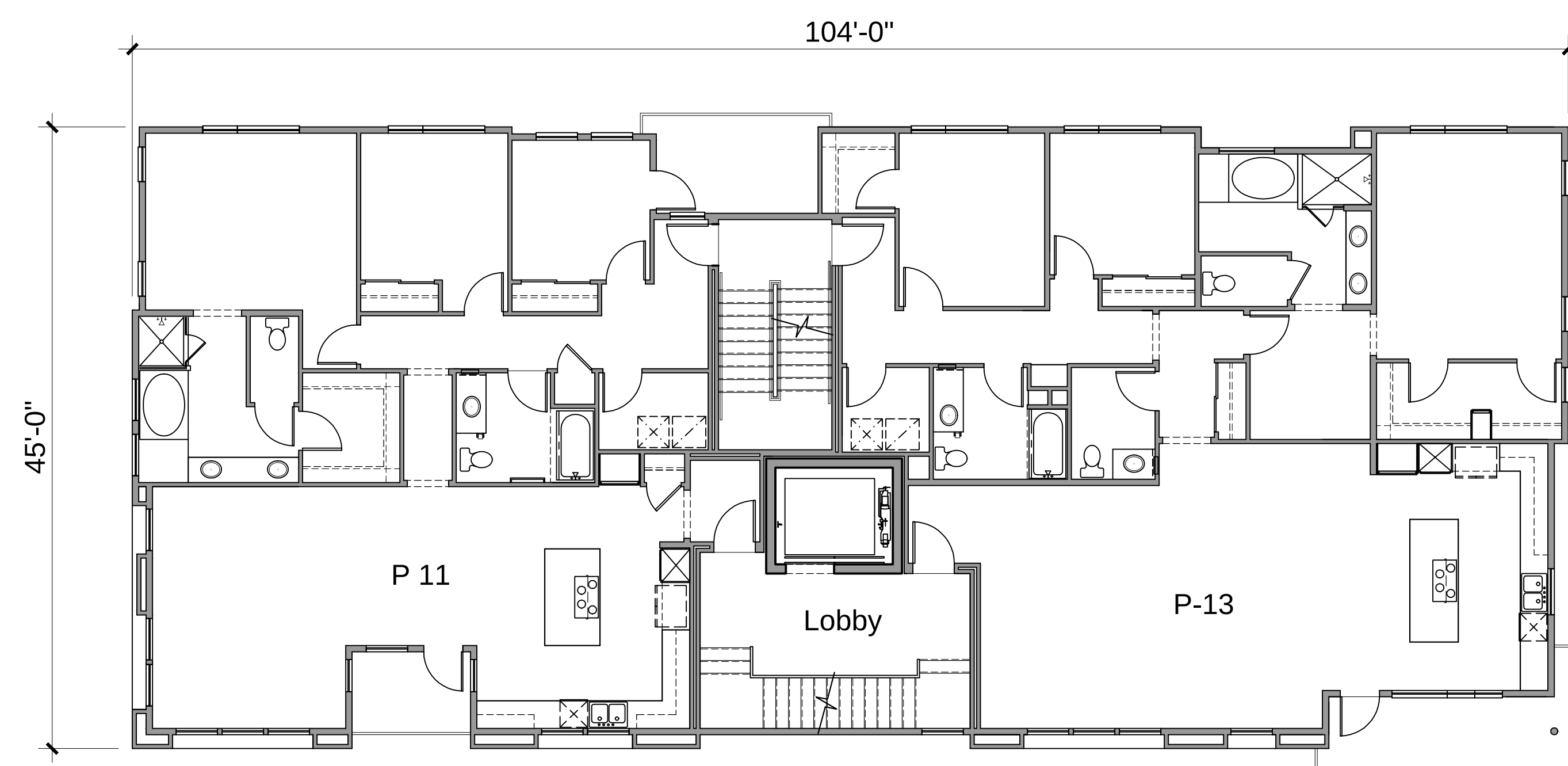




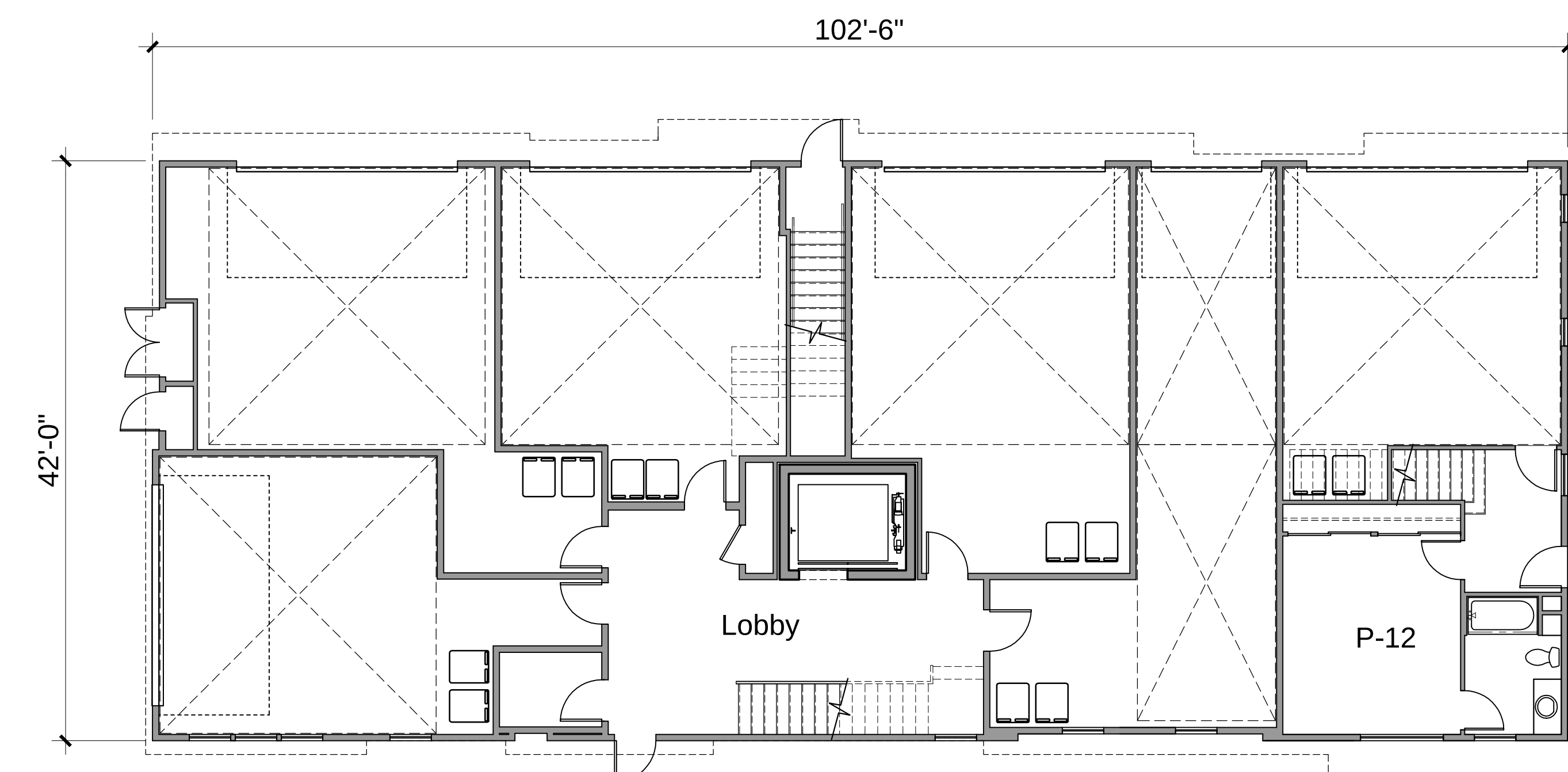
Level 4



Level 2



Level 3



Ground Level

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

Lennar Multifamily Communities  
100 Pine Street, Suite 2260  
San Francisco, CA 94111

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San Ramon, CA 94583

## BUILDING "E" 6-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

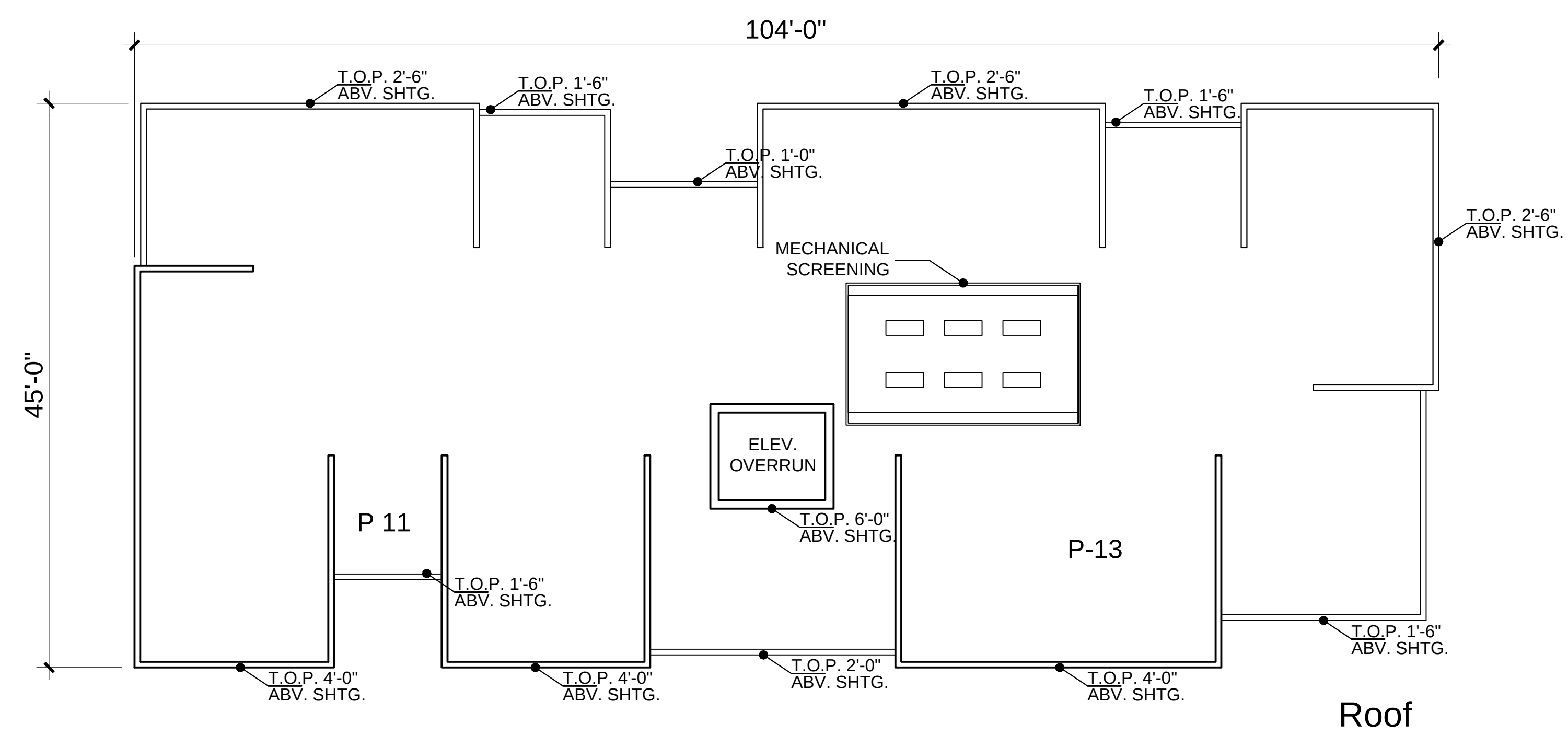
0 4 8 16

AS3.9

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Note: All rooftop mechanical equipment to be screened.

## 450 MONTAGUE

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San Ramon, CA 94583

## BUILDING "E" 6-PLEX - PLANS

MILPITAS, CA

KTGY # 2013-0551

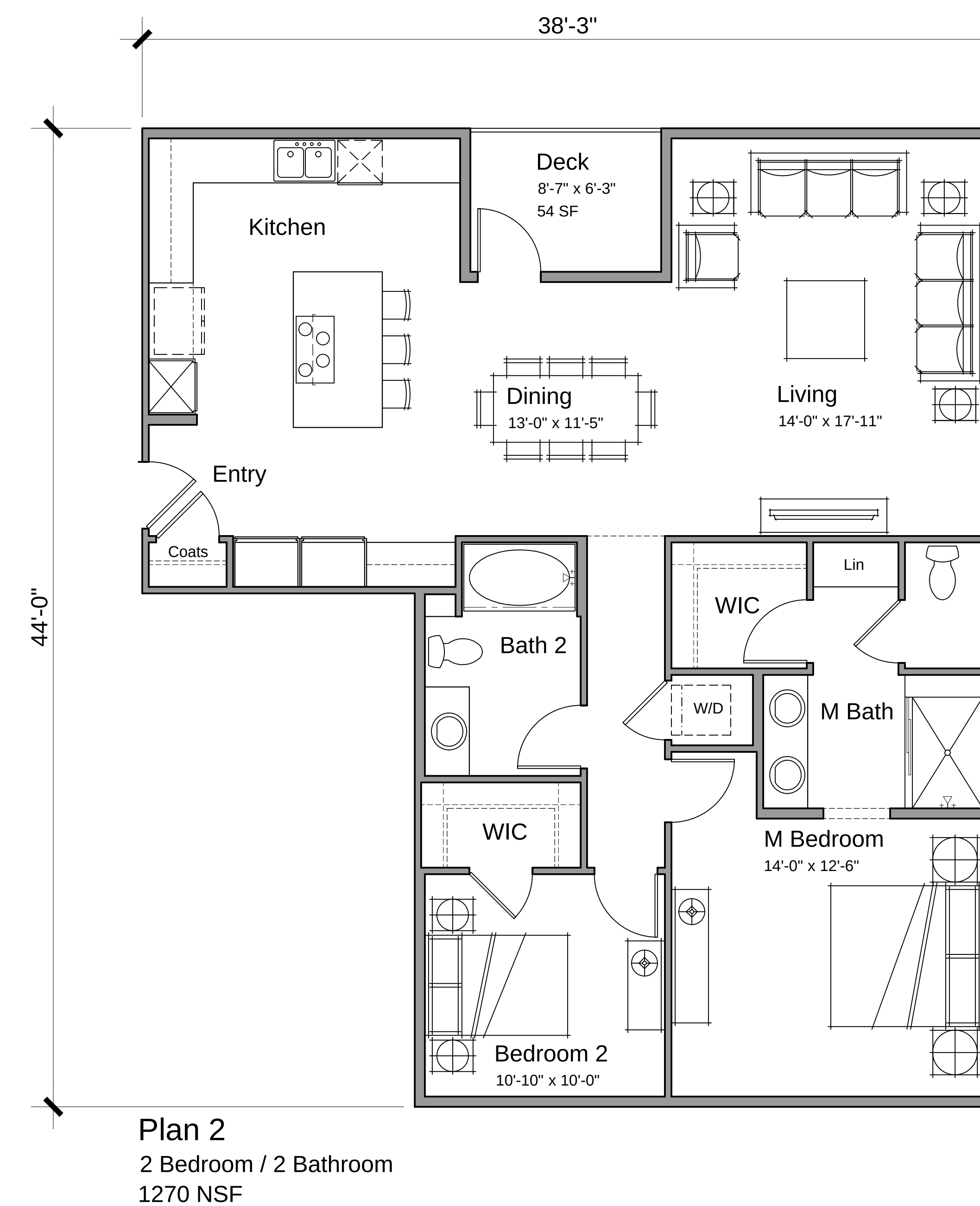
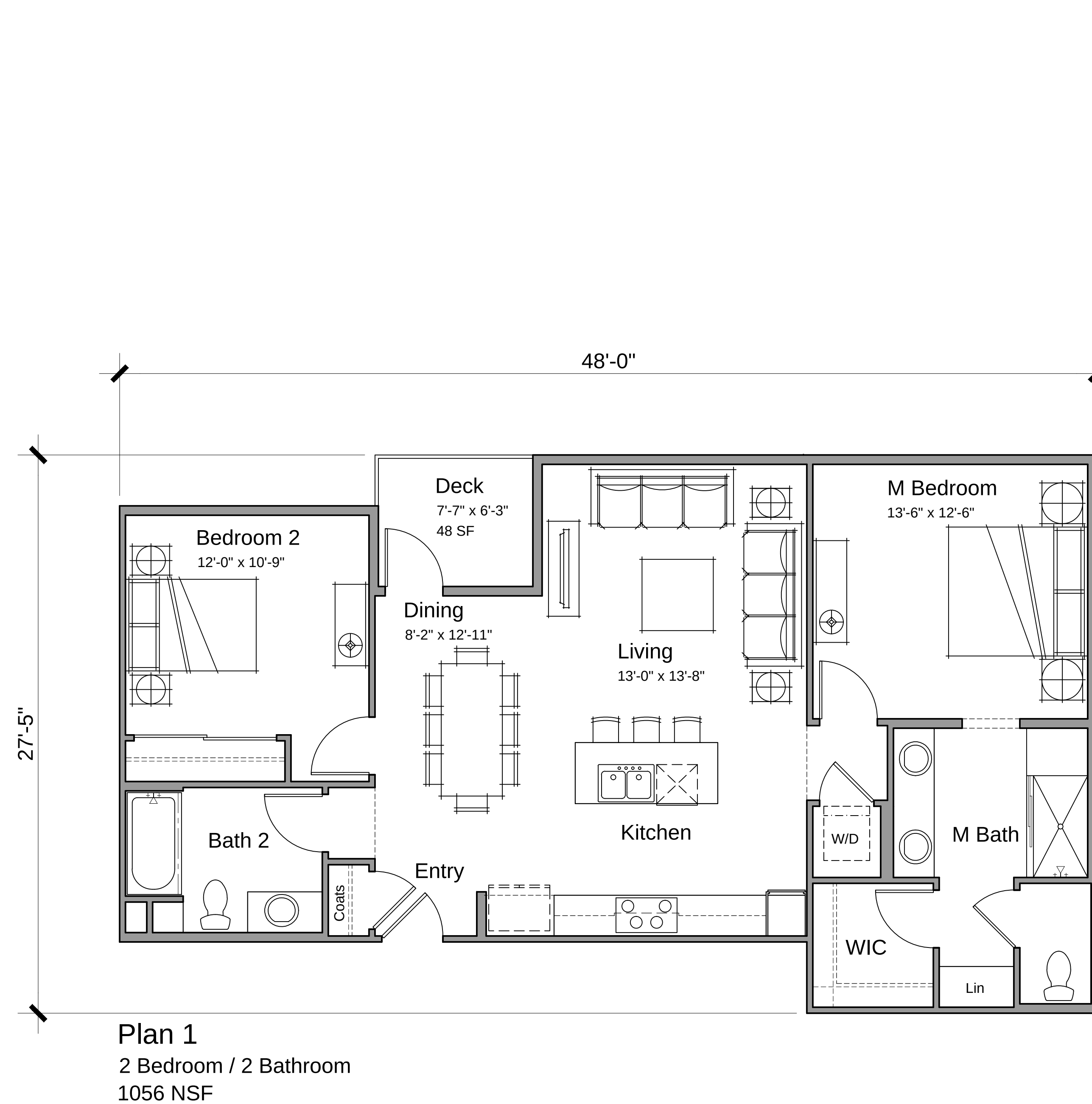
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0 4 8 16  
**AS3.10**

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**Architecture+Planning**  
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\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

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San Ramon, CA 94583

## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

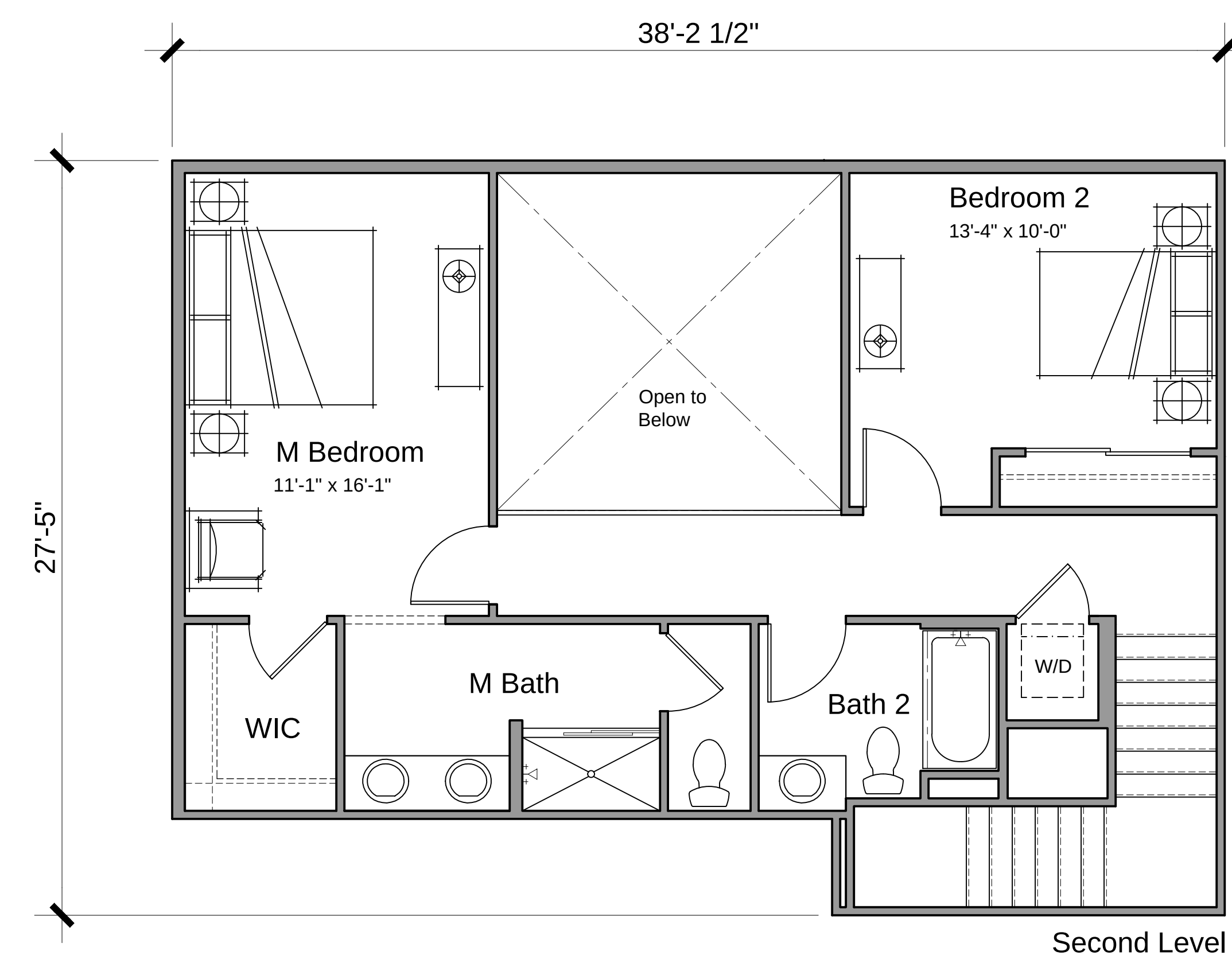
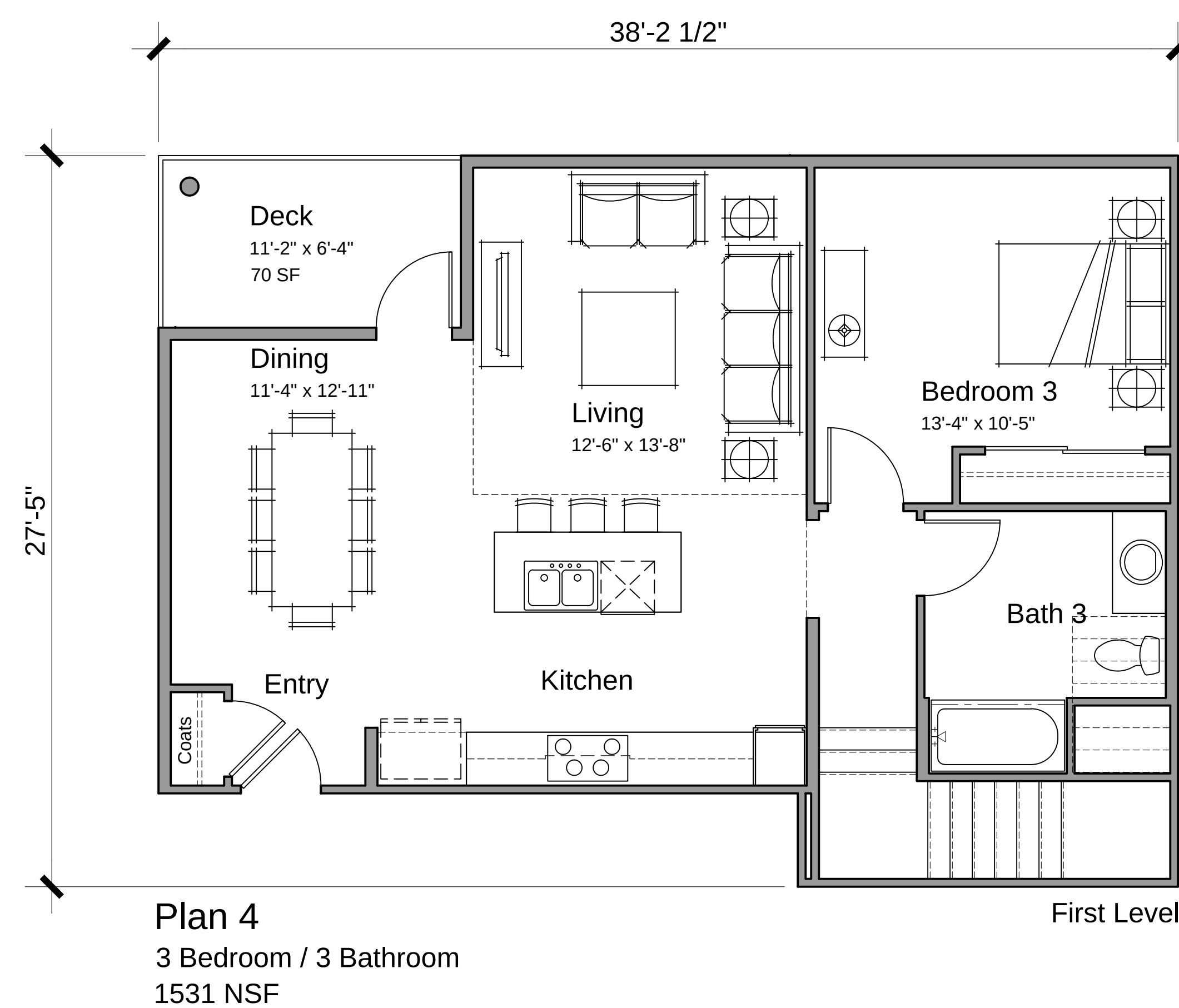
02.26.2015

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0 2 4 8  
**AS5.0**





\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

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## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

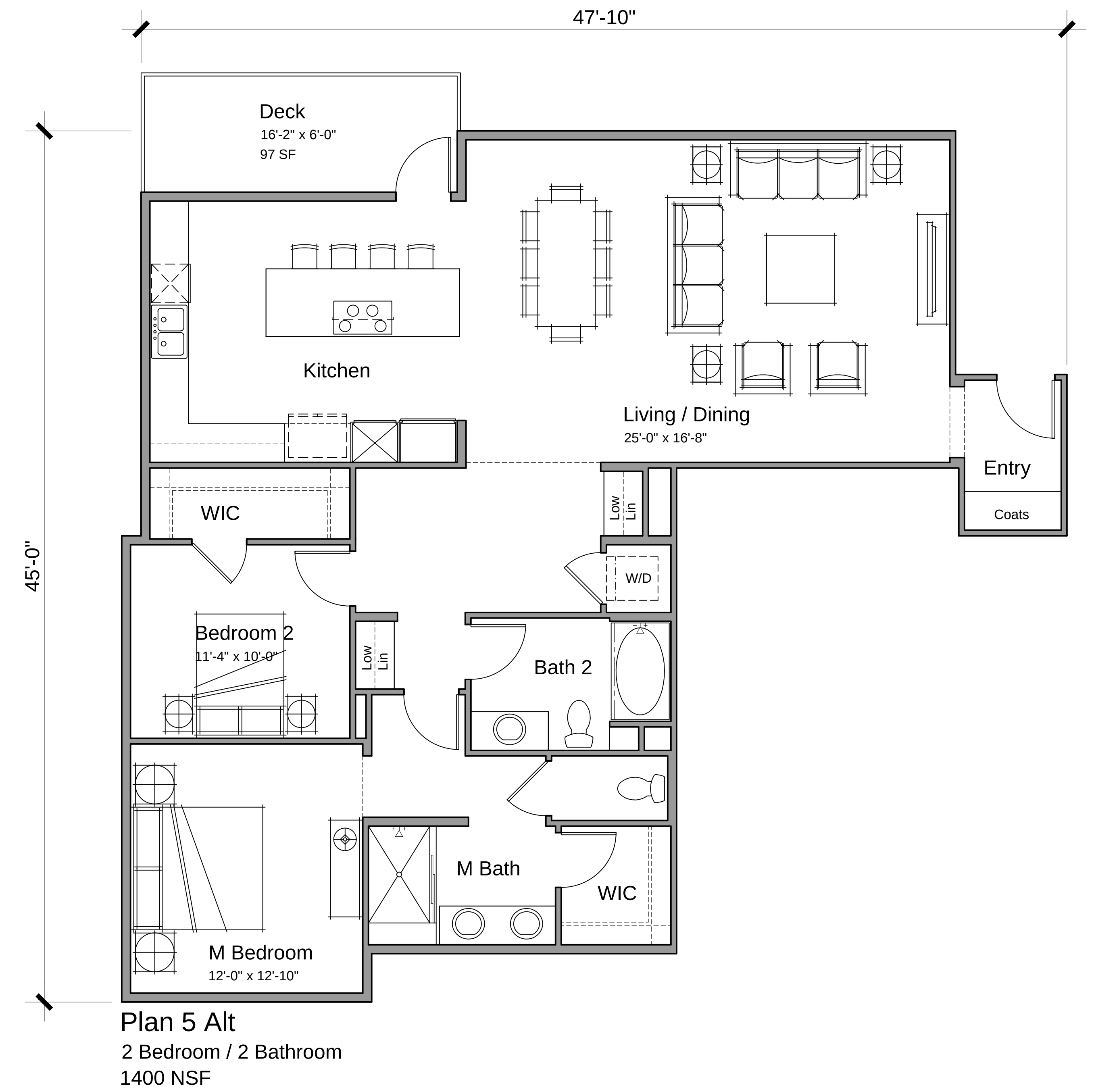
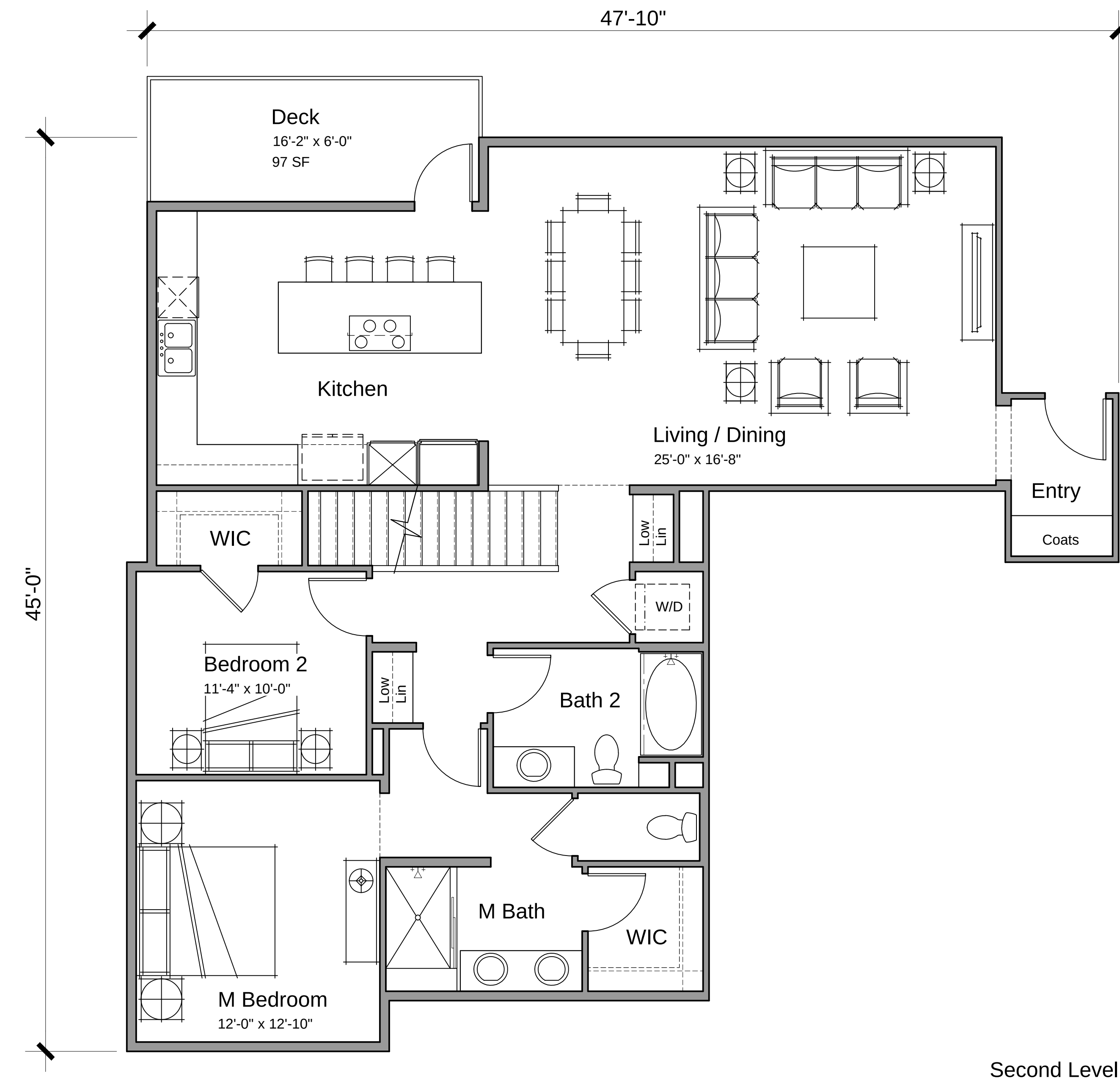
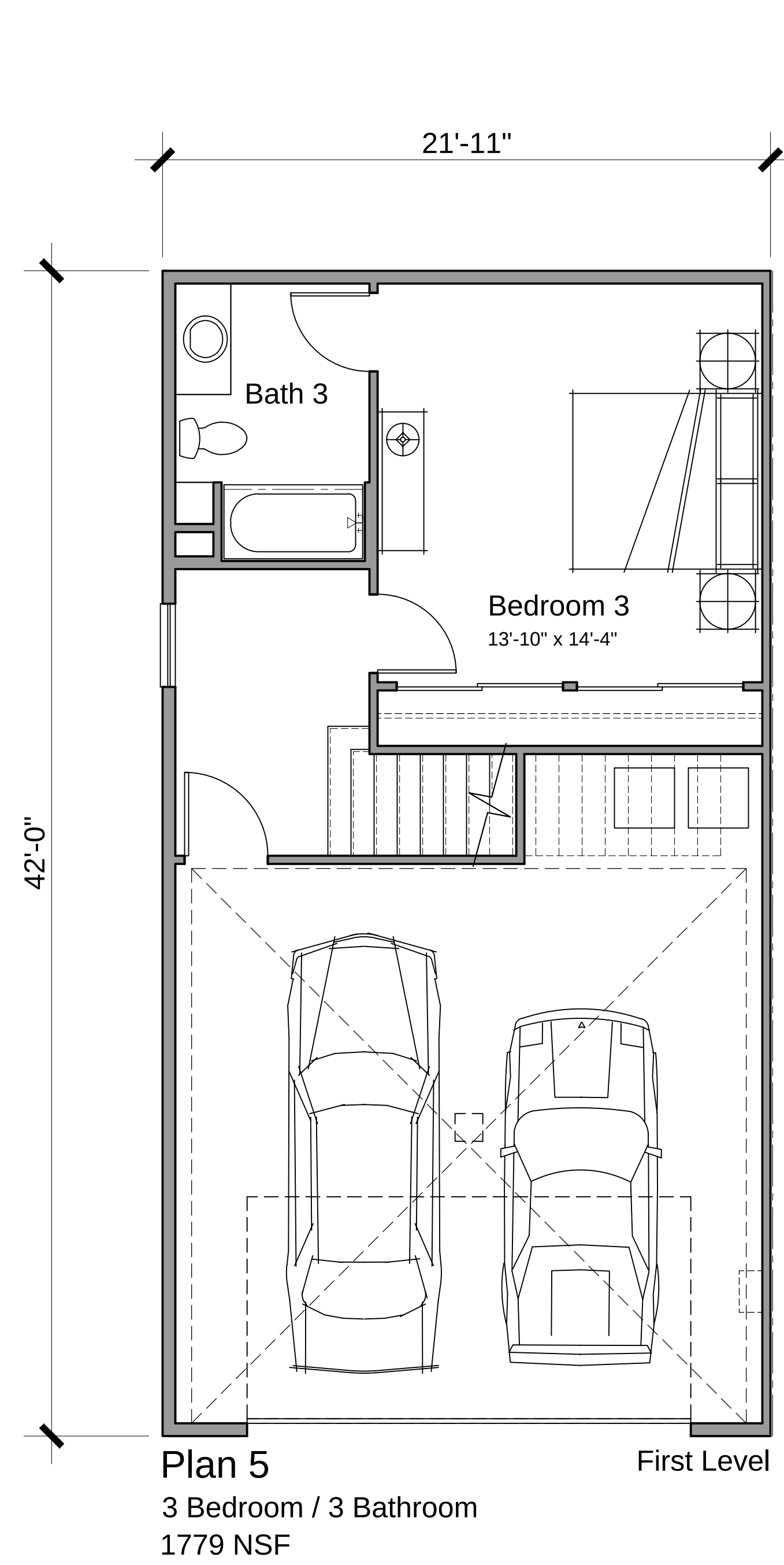
02.26.2015

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ktgy.com



0 2 4 8  
**AS5.1**





\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

Lennar Multifamily Communities  
100 Pine Street, Suite 2260  
San Francisco, CA 94111

**LENNAR**

Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

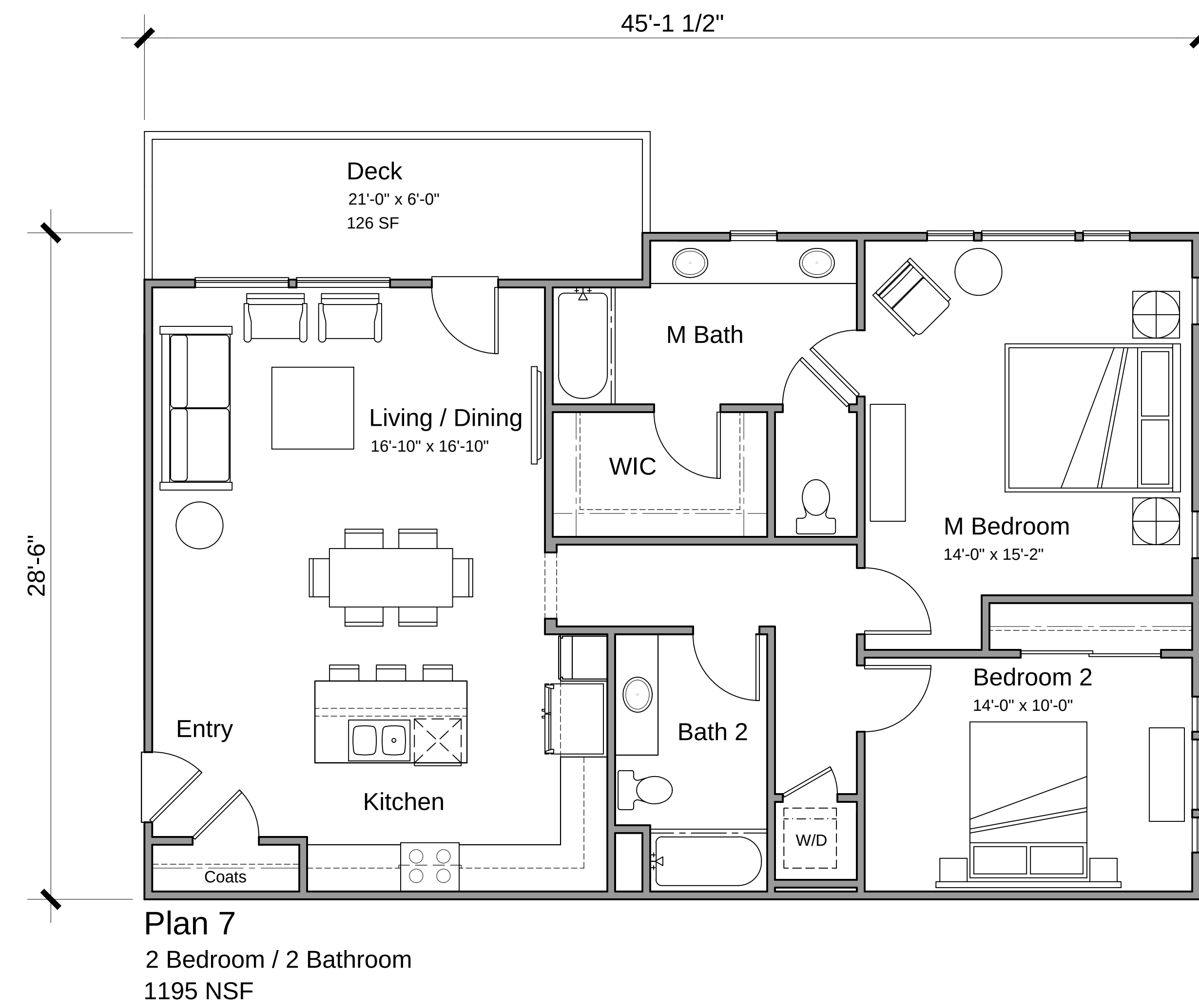
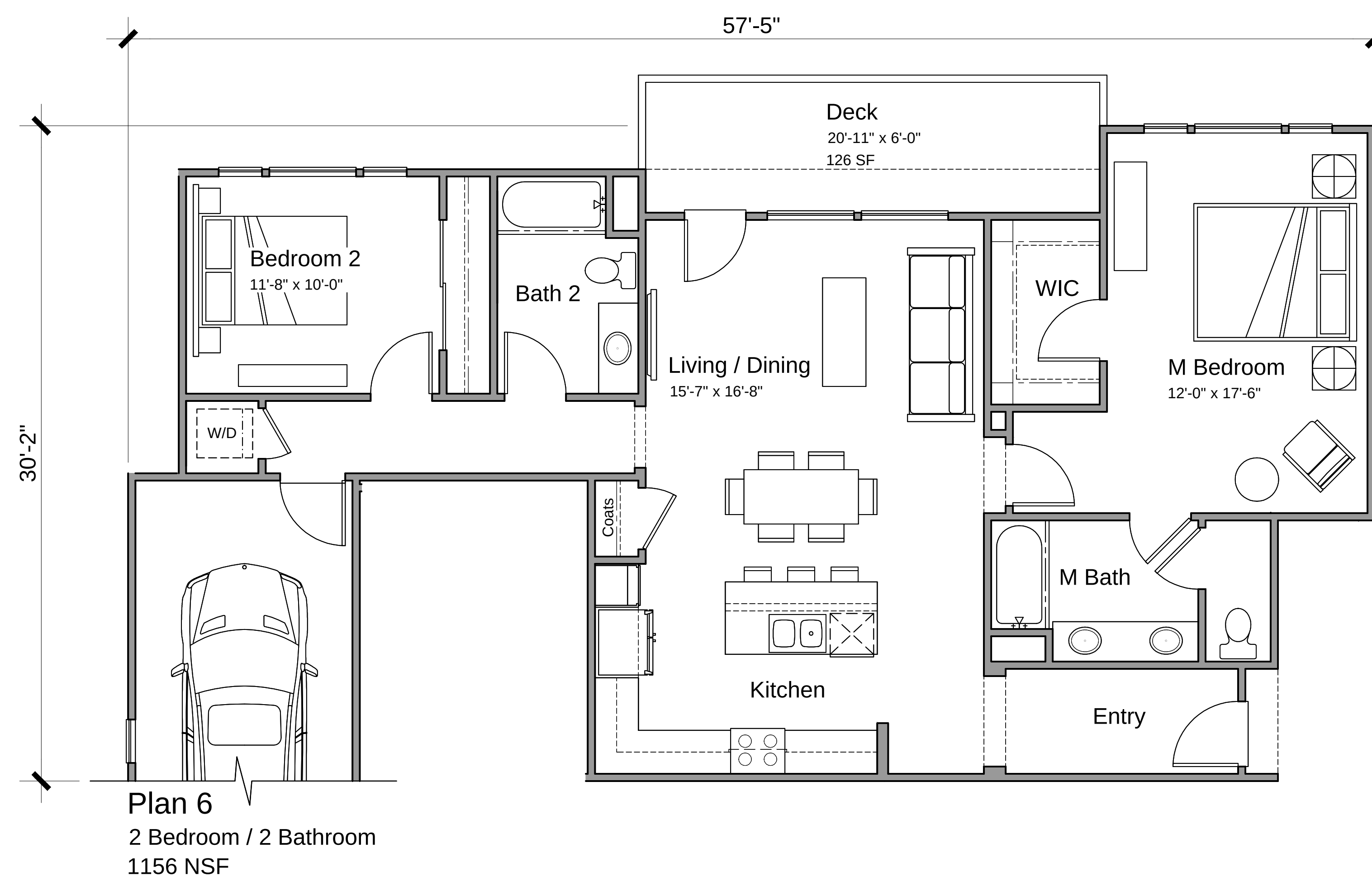
02.26.2015

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0 2 4 8  
**AS5.2**





\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

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San Francisco, CA 94111

**LENNAR**

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San Ramon, CA 94583

## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

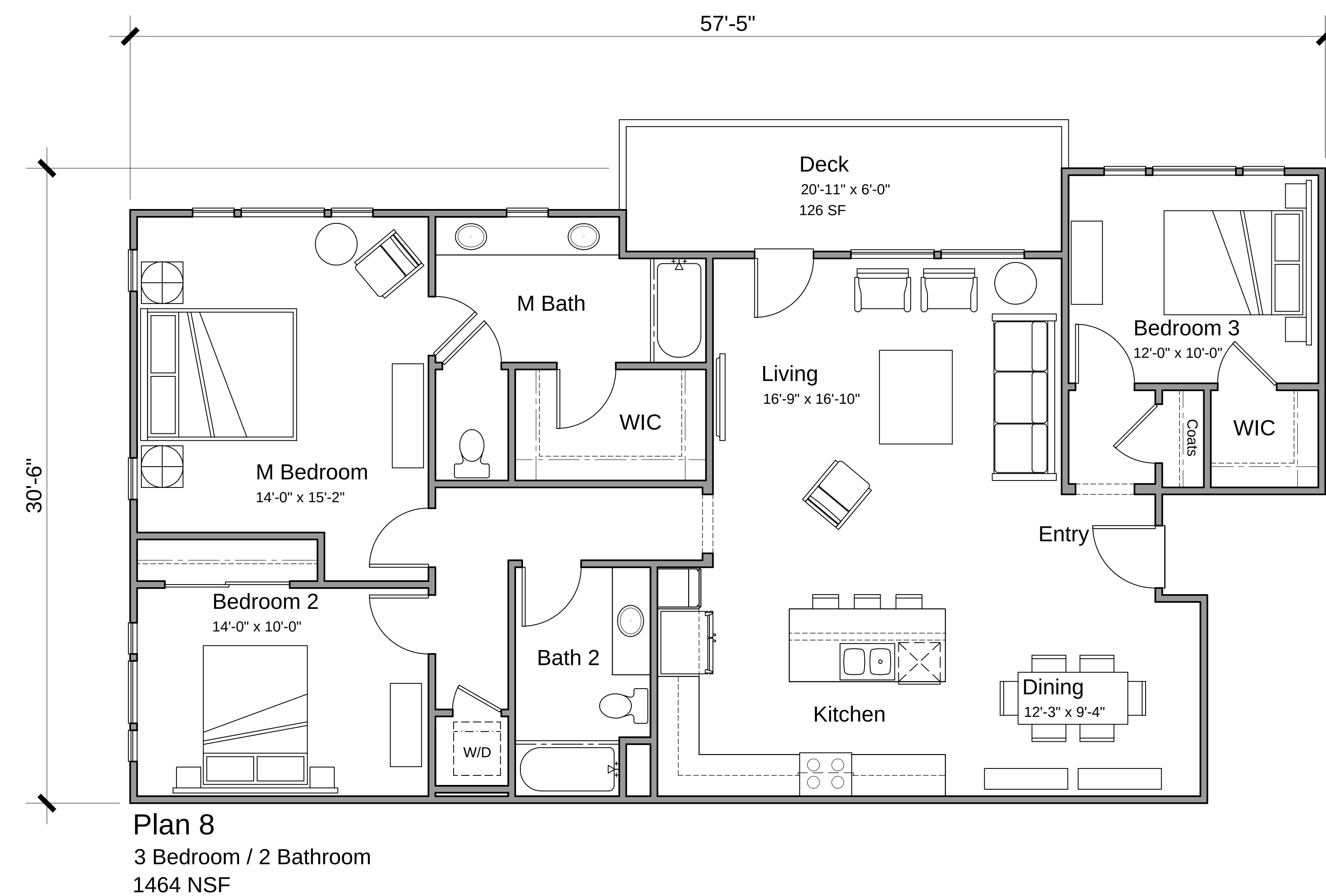
02.26.2015

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0 2 4 8  
**AS5.3**





\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

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**LENNAR**

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San Ramon, CA 94583

## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

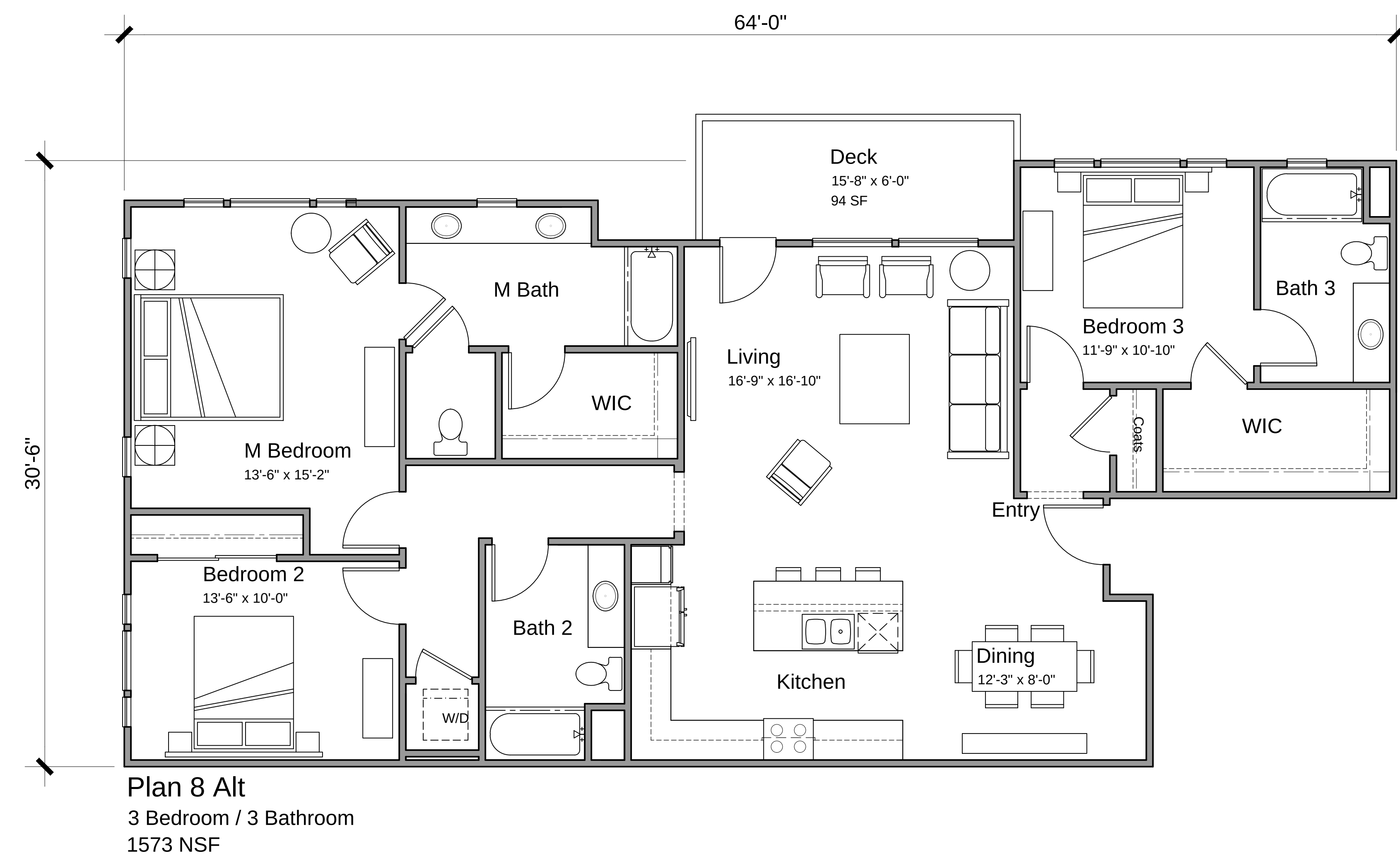
0 2 4 8

AS5.4

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\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

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San Ramon, CA 94583

## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

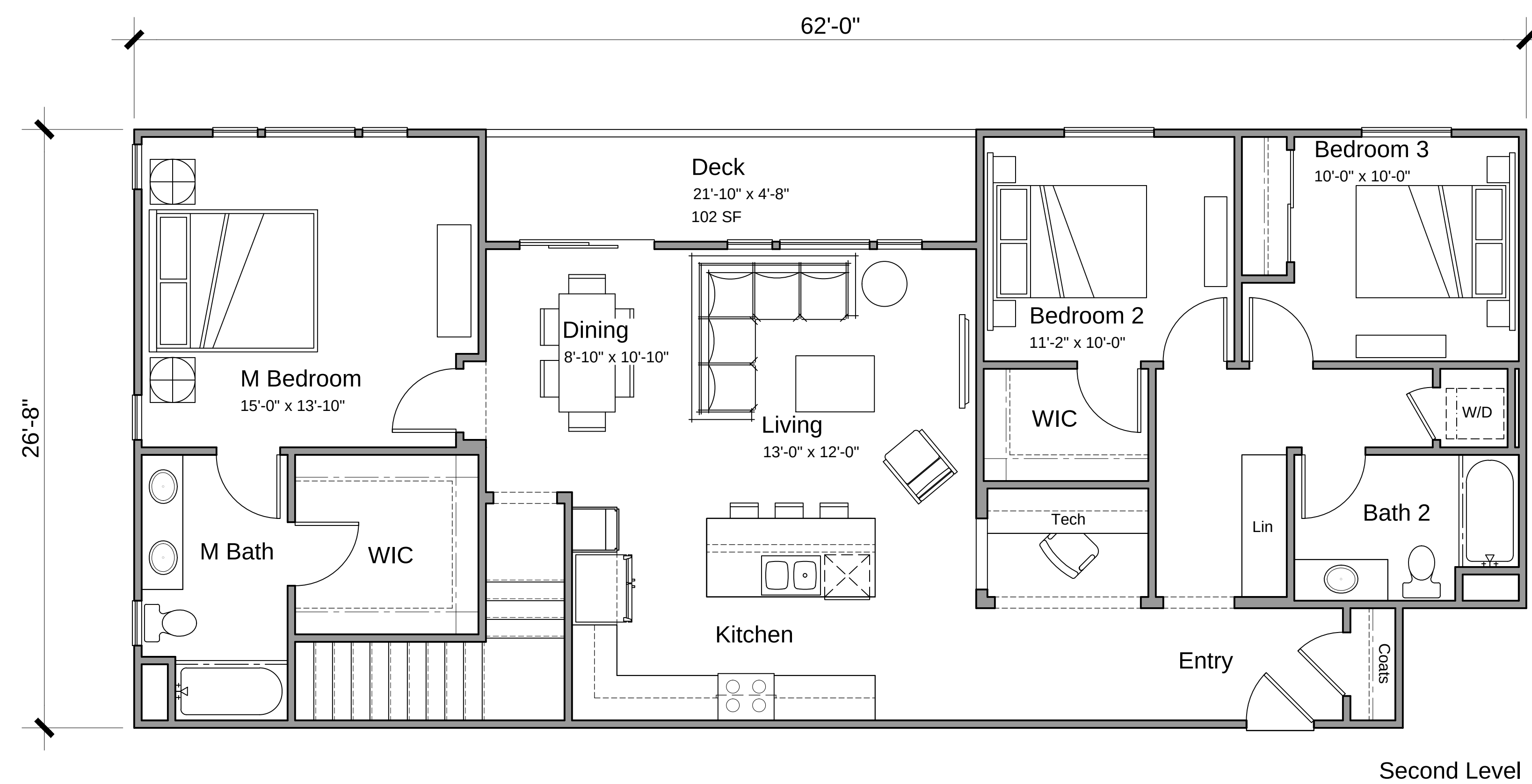
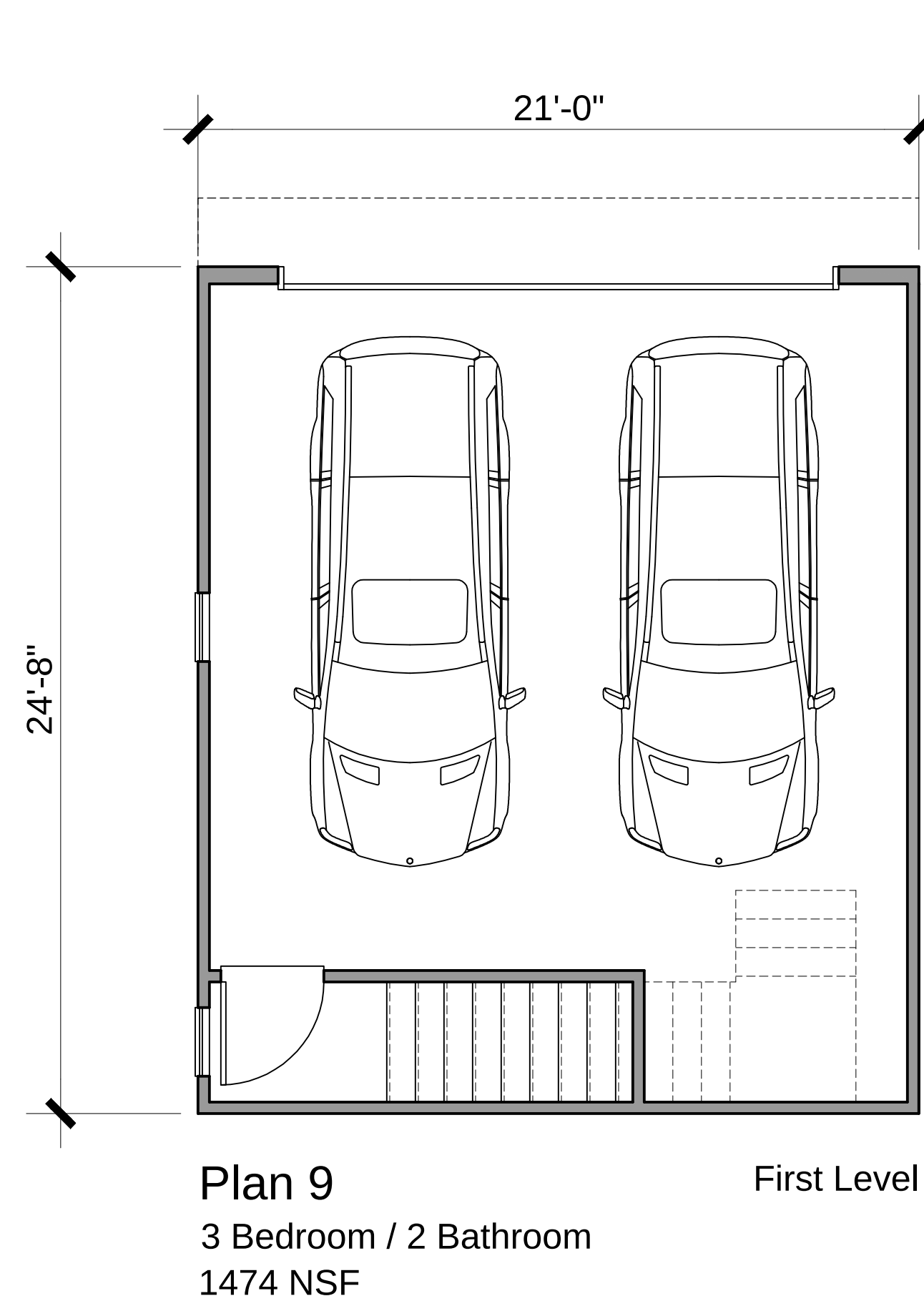
02.26.2015

0 2 4 8  
**AS5.5**

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\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

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## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

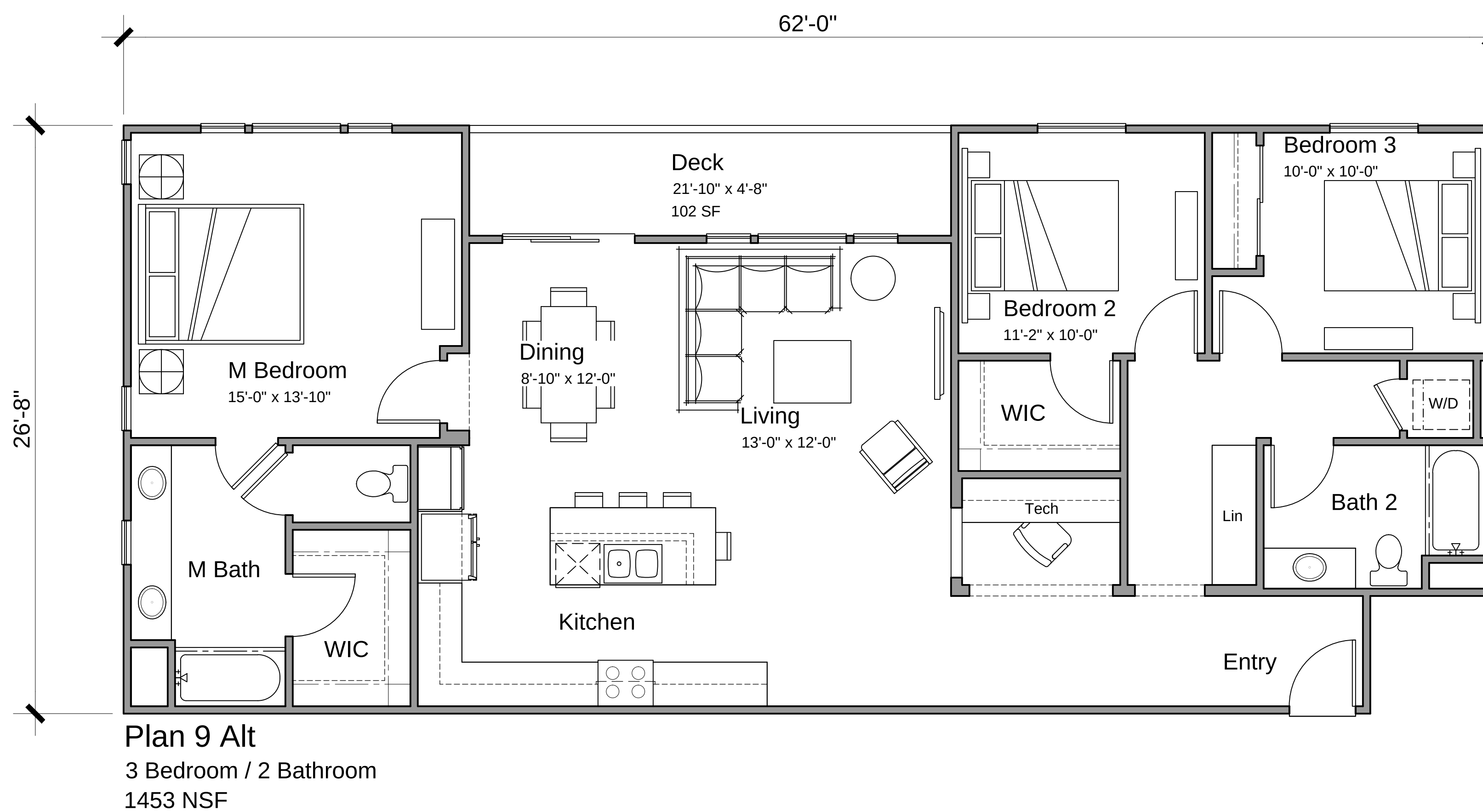
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0 2 4 8  
**AS5.6**





\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

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San Ramon, CA 94583

## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

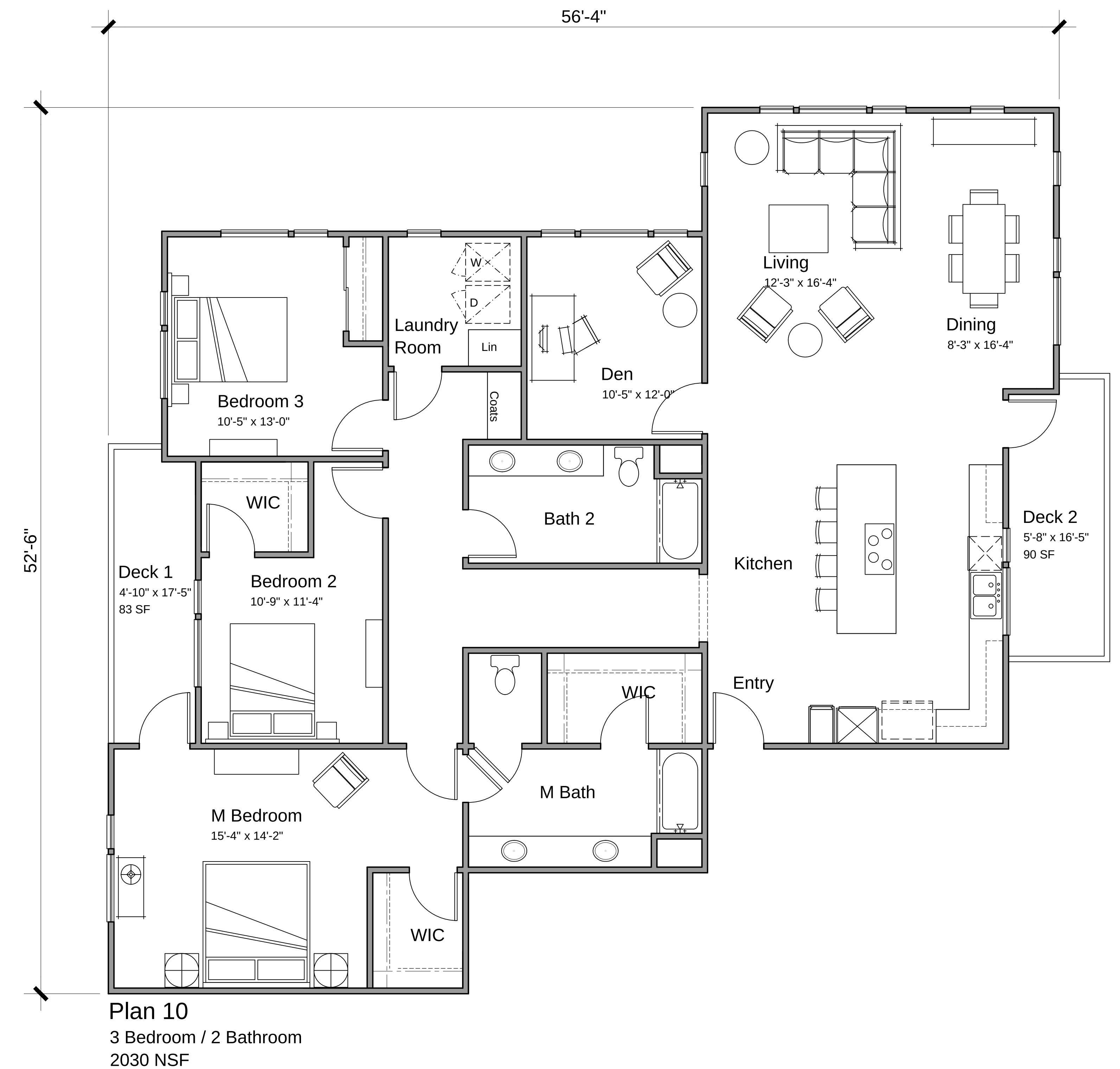
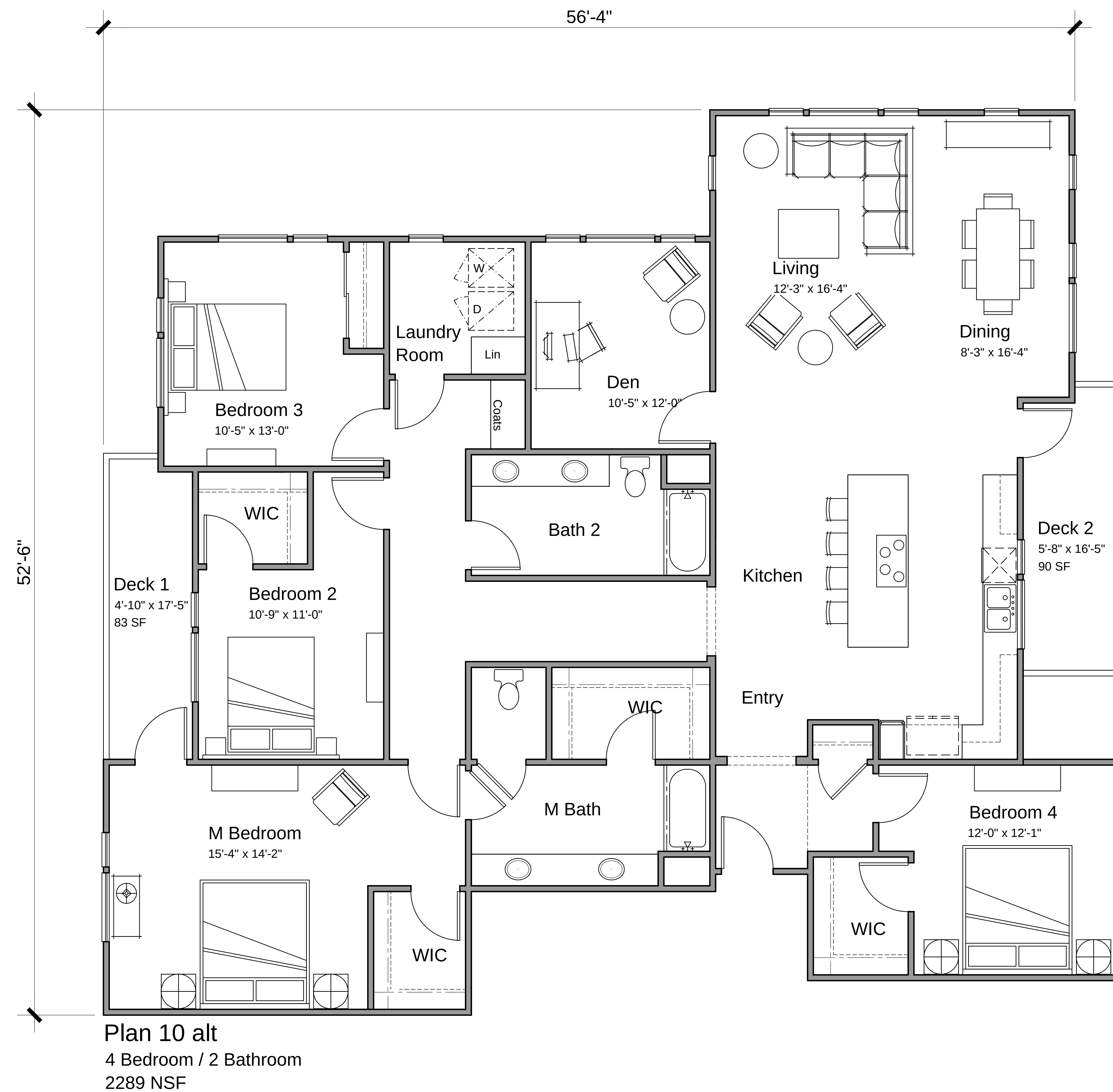
02.26.2015

0 2 4 8  
**AS5.7**

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\*Net rentable area: measured to inside face of stud; includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

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MULTIFAMILY COMMUNITIES

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San Ramon, CA 94583

## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

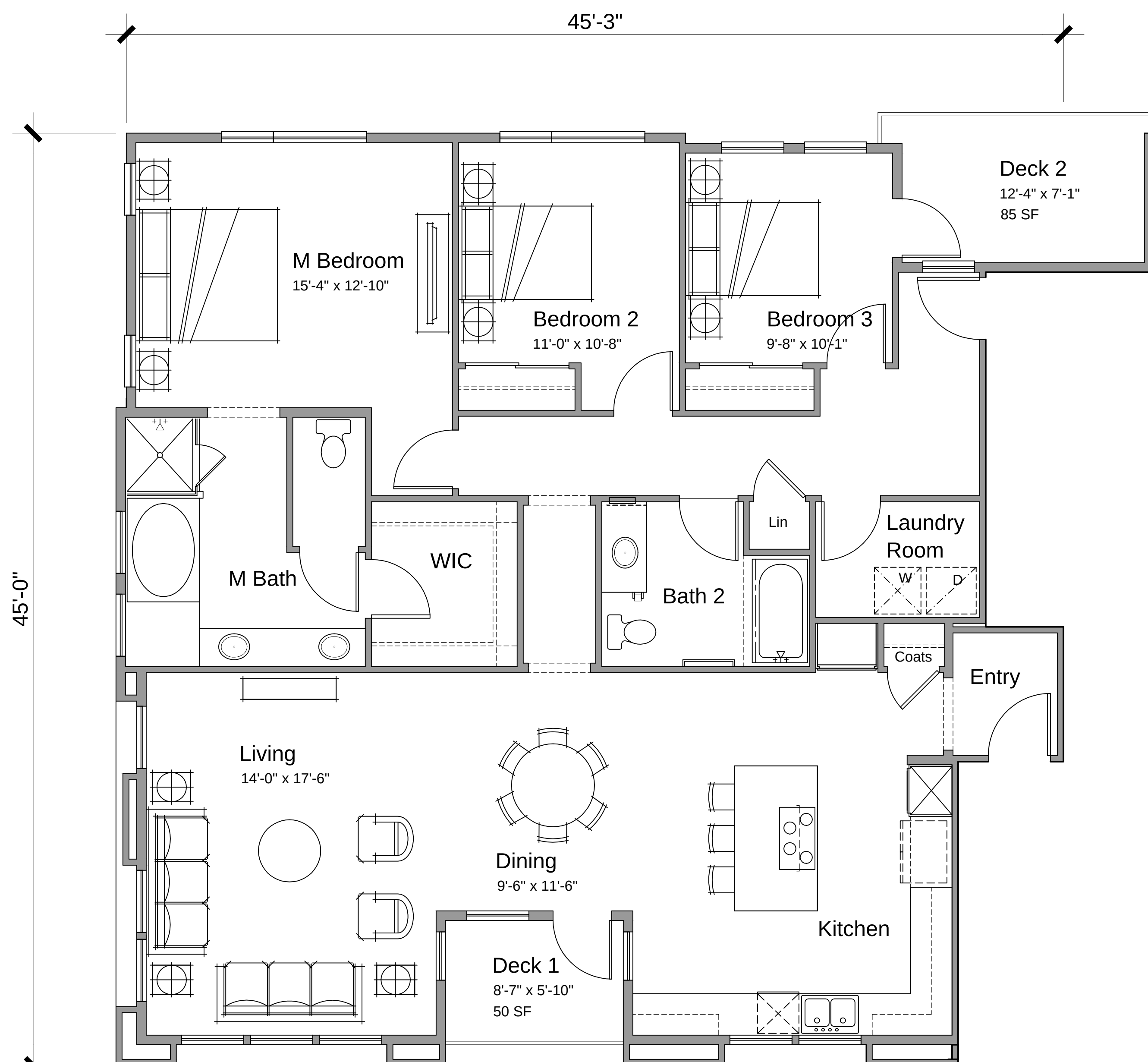
02.26.2015

0 2 4 8  
**AS5.8**

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**Plan 11**  
3 Bedroom / 2 Bathroom  
1669 NSF

\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

# 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

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San Francisco, CA 94111

**LENNAR**

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6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

# STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

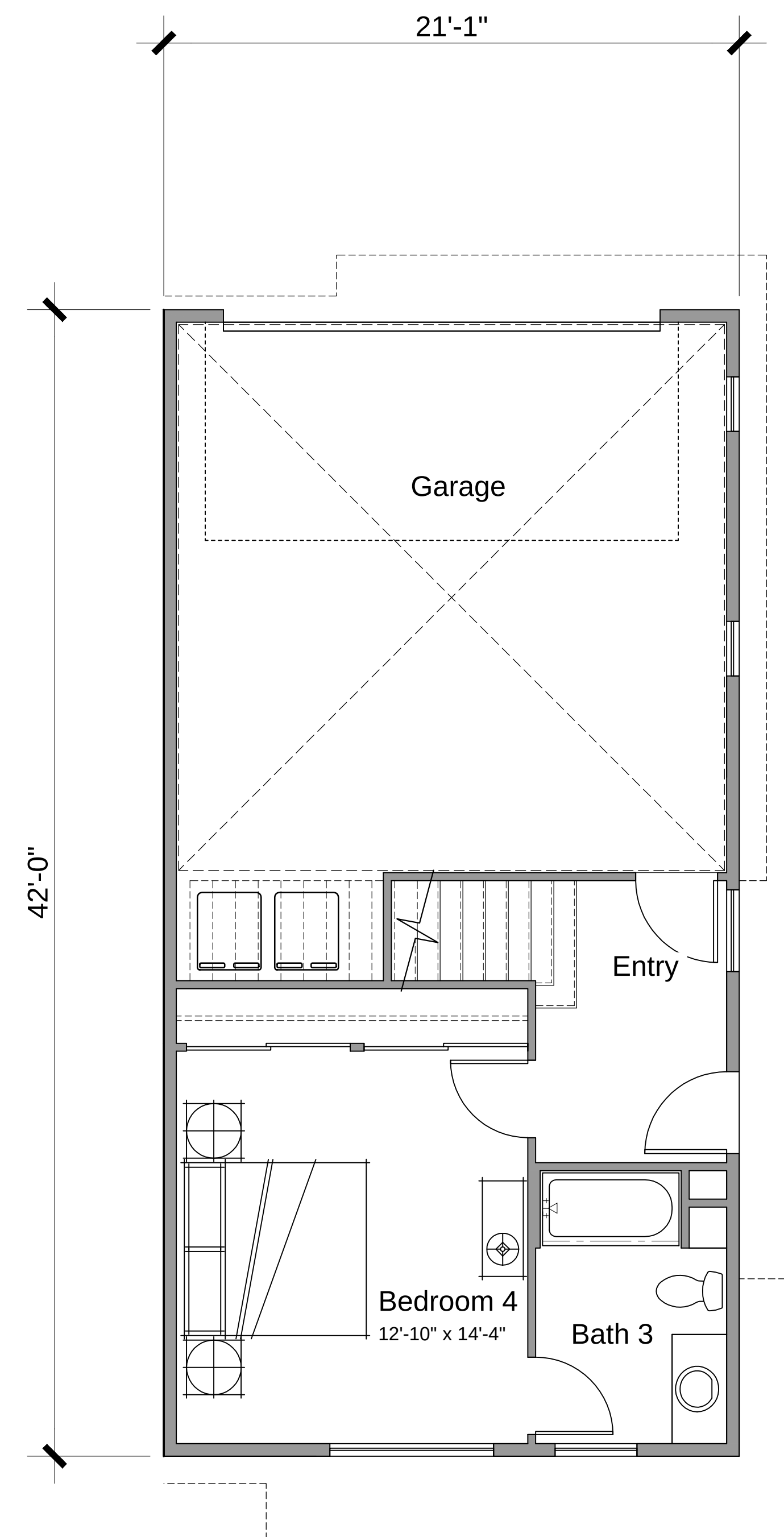
02.26.2015

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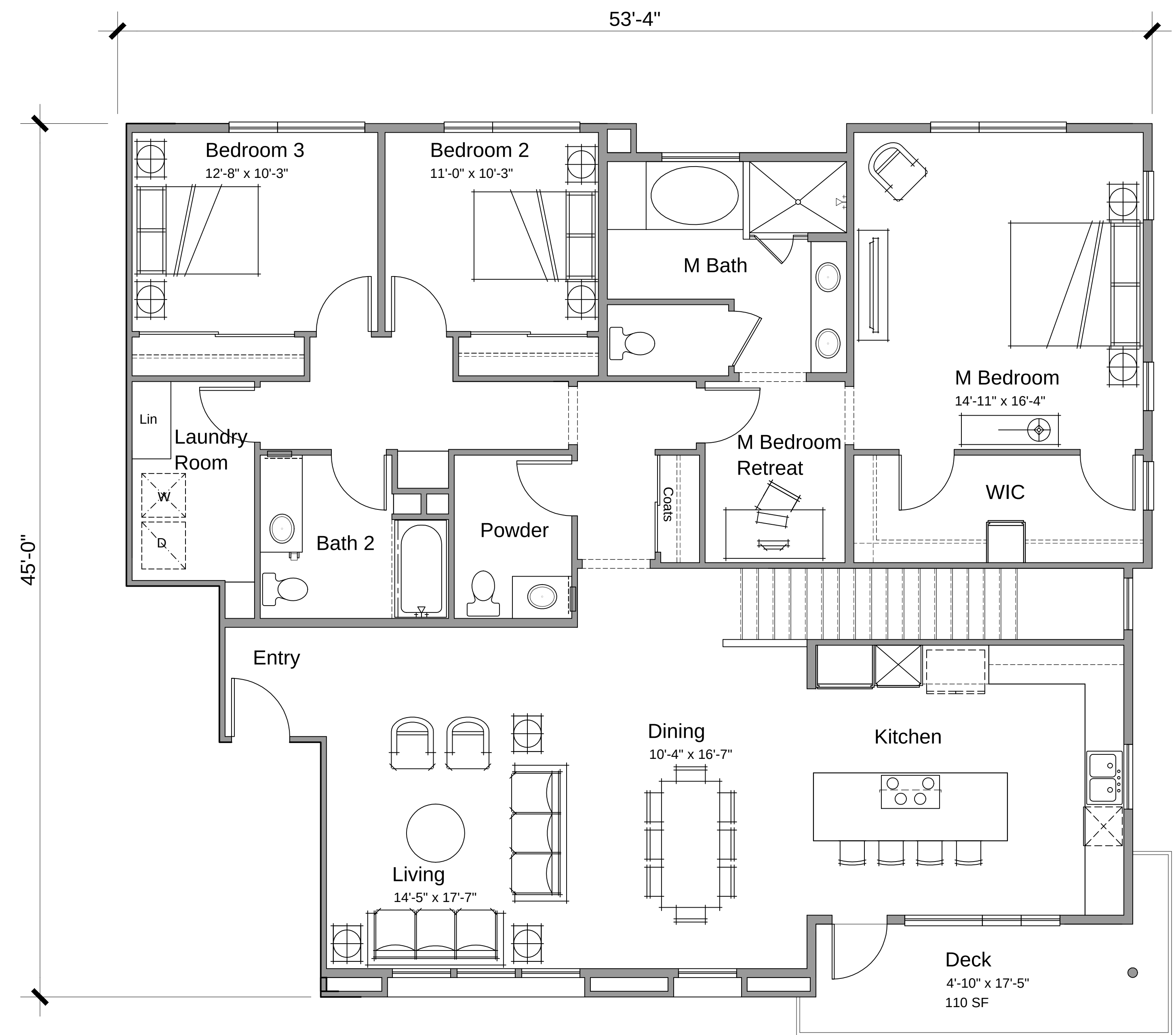
**AS5.9**





**Plan 12**  
4 Bedroom / 3.5 Bathroom  
2344 NSF

First Level



Second Level

\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

Lennar Multifamily Communities  
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San Francisco, CA 94111

**LENNAR**

Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

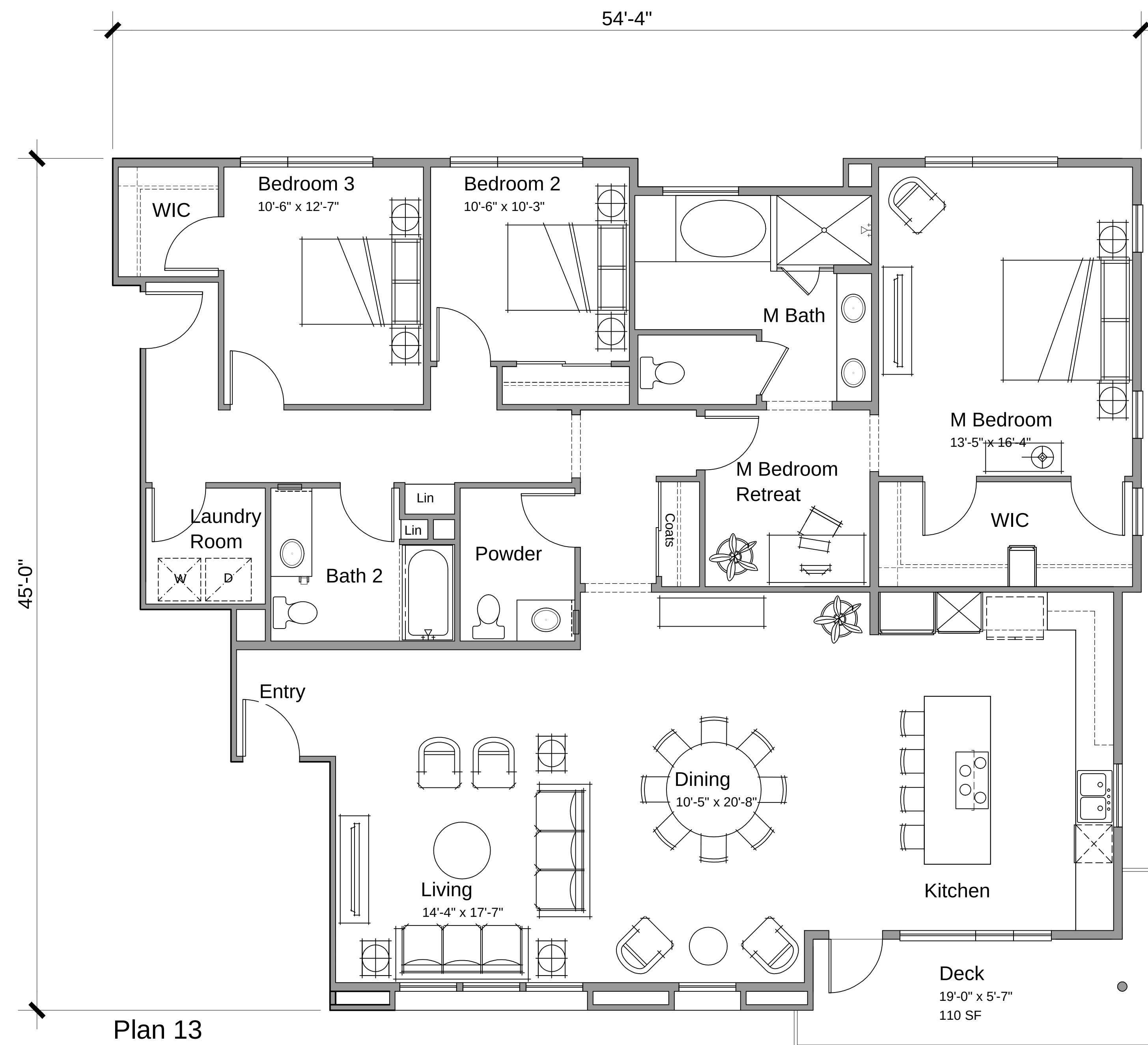
02.26.2015

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0 2 4 8  
**AS5.10**





**Plan 13**  
3 Bedroom / 2.5 Bathroom  
2013 NSF

\*Net rentable area: measured to inside face of stud, includes all shafts; does not reflect 2" window recess; excludes furred wall

## 450 MONTAGUE

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MULTIFAMILY COMMUNITIES

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**LENNAR**

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## STACKED FLATS - UNIT PLANS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

0 2 4 8  
**AS5.11**

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STUCCO 1  
SW 7048



STUCCO 2  
SW 6062



STUCCO 3  
SW 7064



STUCCO 4  
SW 7054



CEMENTITIOUS PANEL  
SW 6062



CEMENTITIOUS SIDING/TRIM 1  
SW 7064



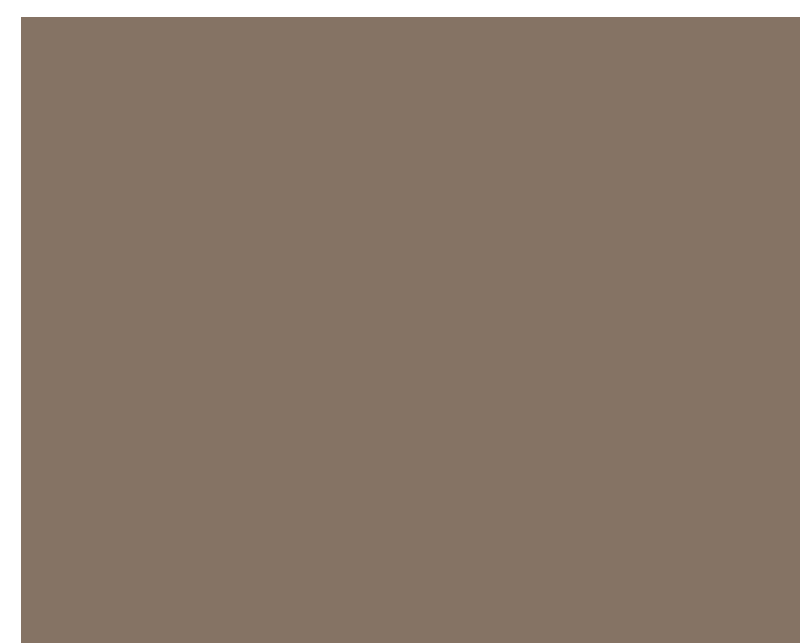
CEMENTITIOUS SIDING/TRIM 2  
SW 7038



ACCENT 1  
SW 7023



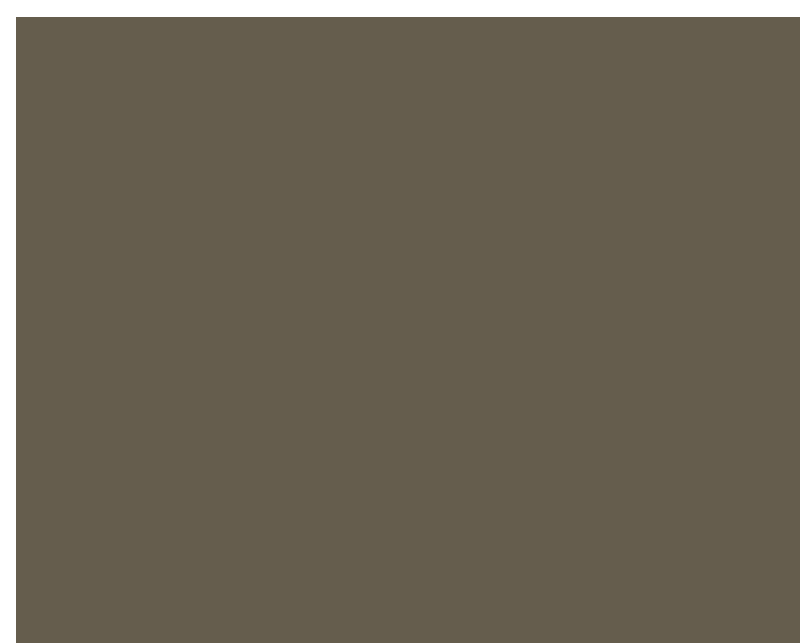
ACCENT 2  
SW 7038



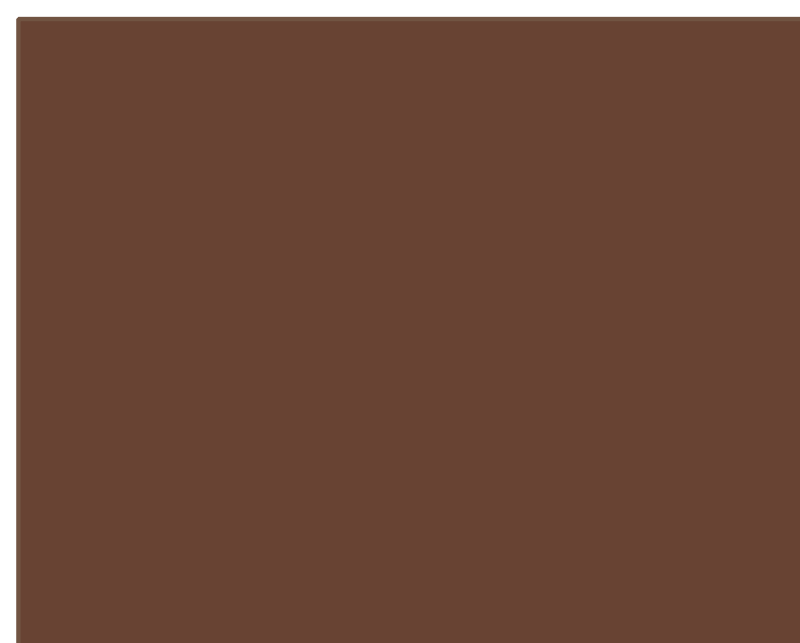
ACCENT 3  
SW 7509



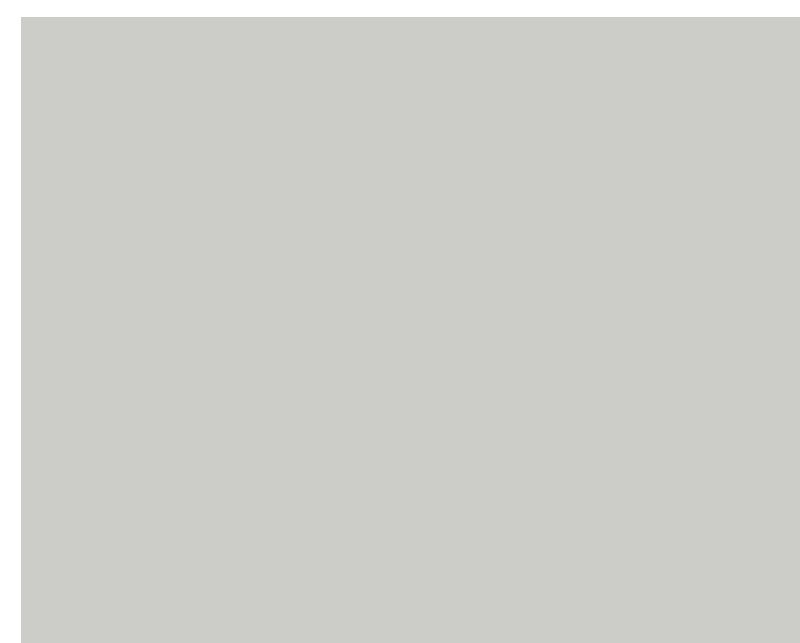
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SW 6670



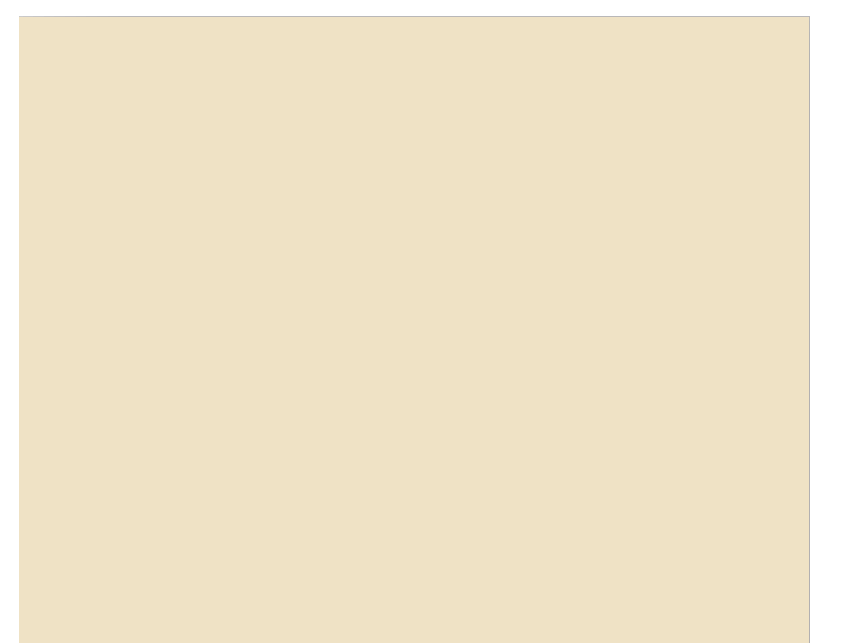
ACCENT 5  
SW 7054



ACCENT 6  
SW 6062



METAL 1  
SW 7064



VINYL WINDOW  
TAN



Rear Elevation



Building C Alt - Style 2 - Front Elevation  
NTS



Rear Elevation



Building B - Style 1 - Front Elevation  
NTS

## 450 MONTAGUE

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San Ramon, CA 94583

## COLOR AND MATERIALS BOARD - SCHEME I

MILPITAS, CA

KTGY # 2013-0551

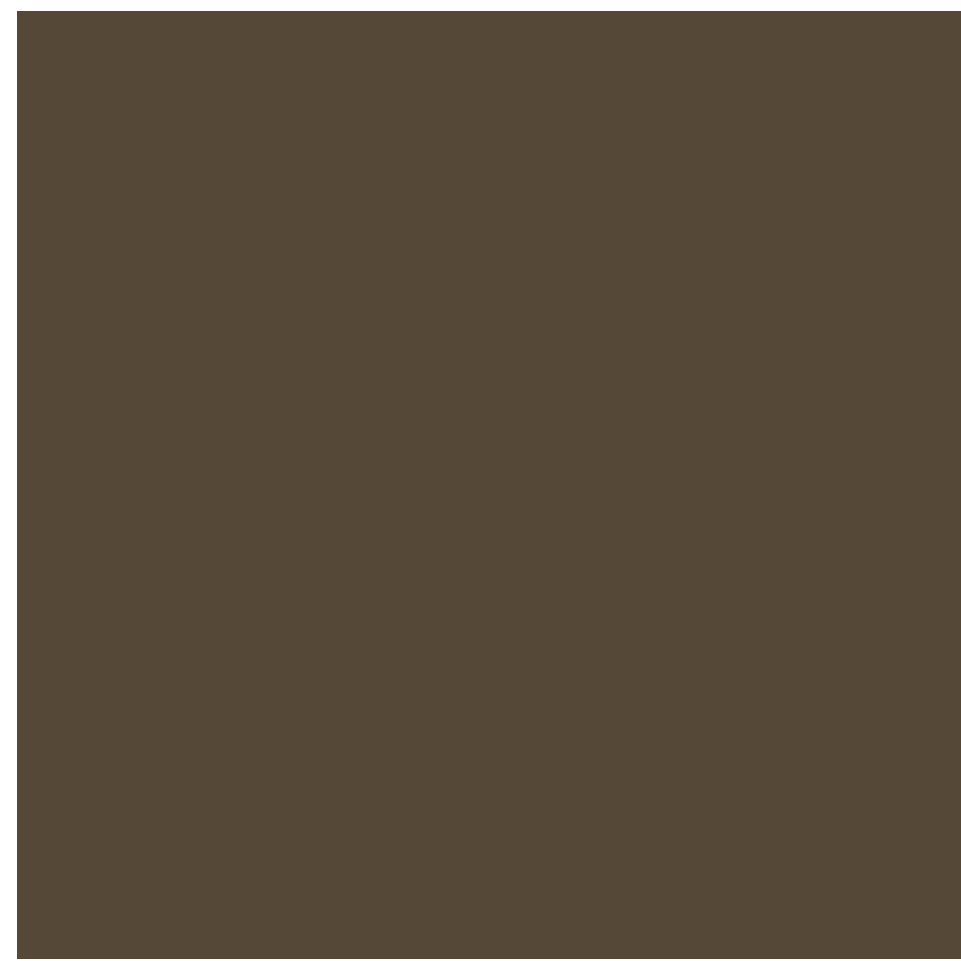
02.26.2015

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# AS7.0





STUCCO 1  
SW 7041



STUCCO 2  
SW 7038



CEMENTITIOUS PANEL  
SW 7041



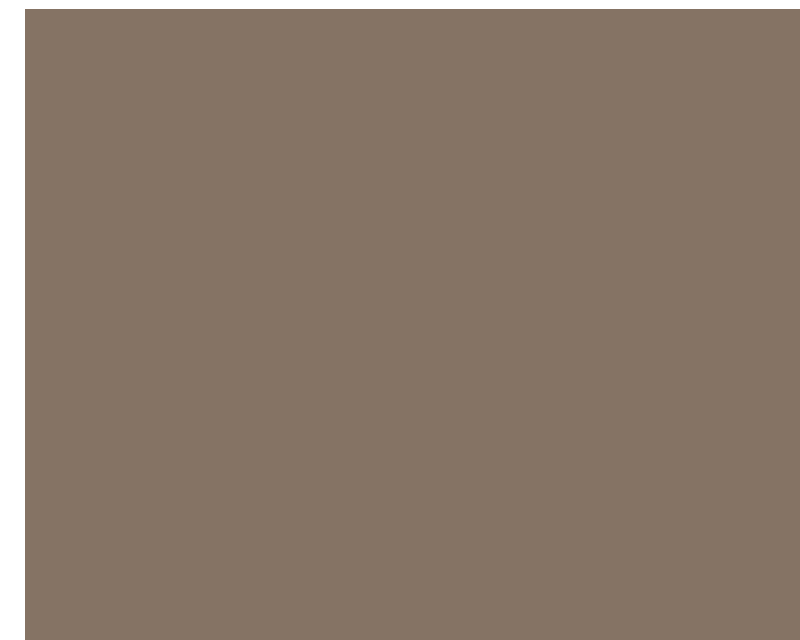
CEMENTITIOUS SIDING/TRIM 1  
SW 7615



CEMENTITIOUS SIDING/TRIM 2  
SW 7044



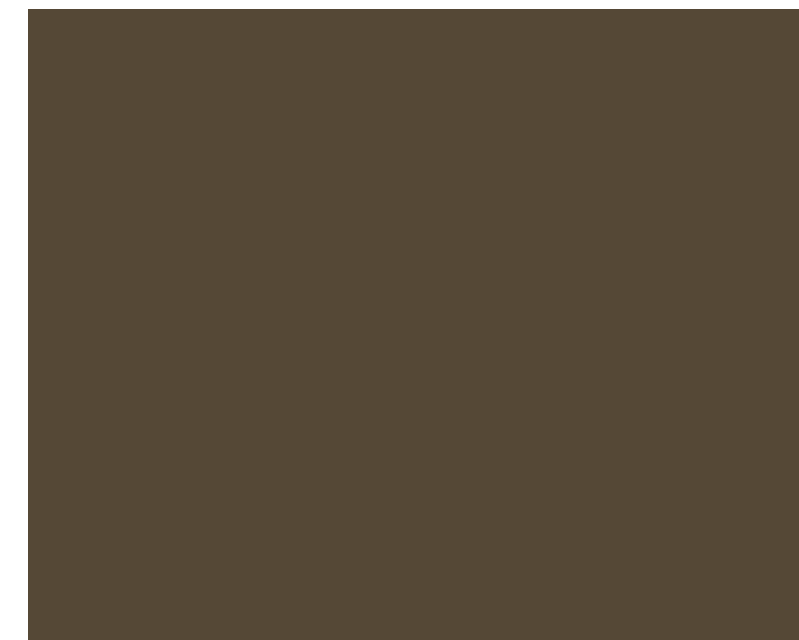
ACCENT 1  
SW 7674



ACCENT 2  
SW 7509



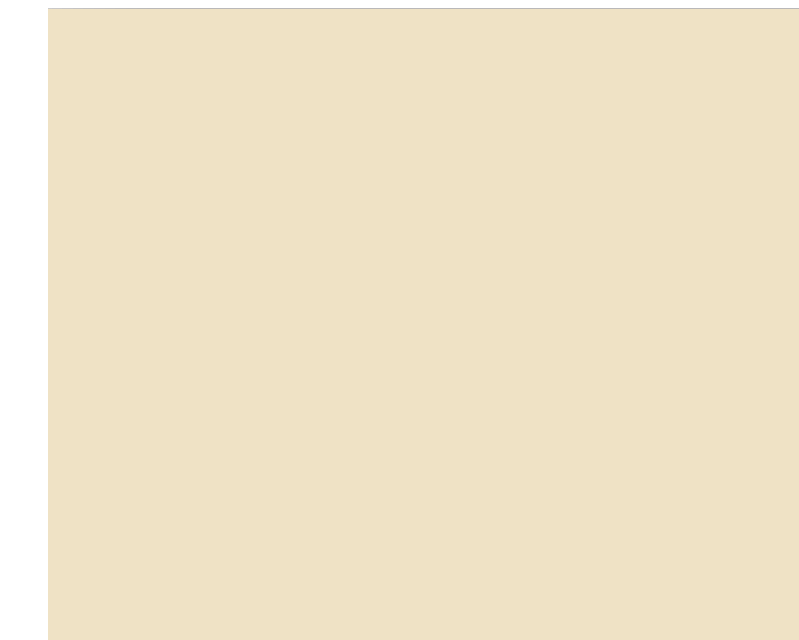
ACCENT 3  
SW 6902



ACCENT 4  
SW 7041



METAL 1  
SW 7064



VINYL WINDOW  
TAN



Rear Elevation



Building C - Style 1 - Front Elevation  
NTS



Rear Elevation



Building A - Style 1 - Front Elevation  
NTS

## 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

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100 Pine Street, Suite 2260  
San Francisco, CA 94111

**LENNAR**

Lennar Homes  
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San Ramon, CA 94583

## COLOR AND MATERIALS BOARD - SCHEME 2

MILPITAS, CA

KTGY # 2013-0551

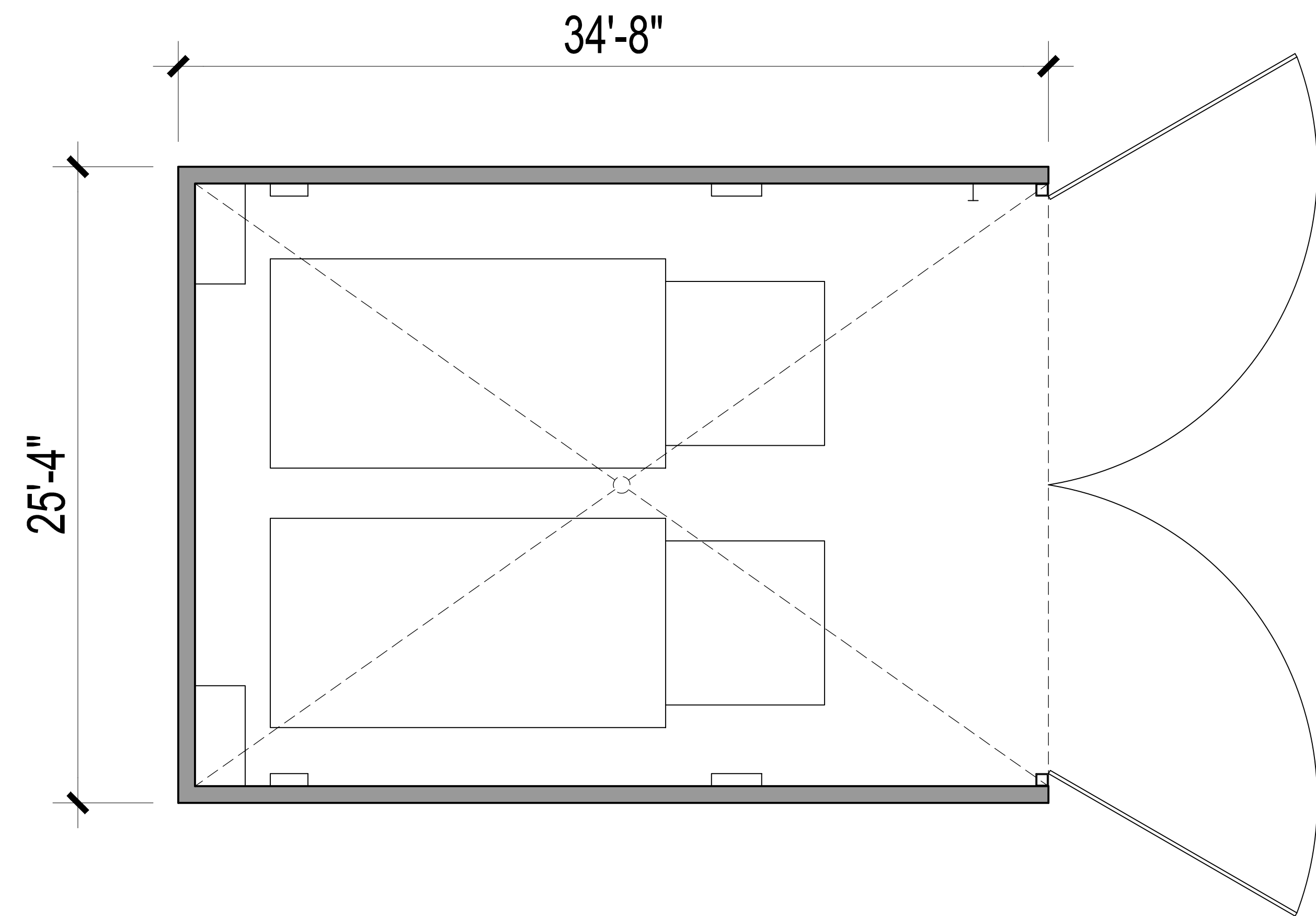
02.26.2015

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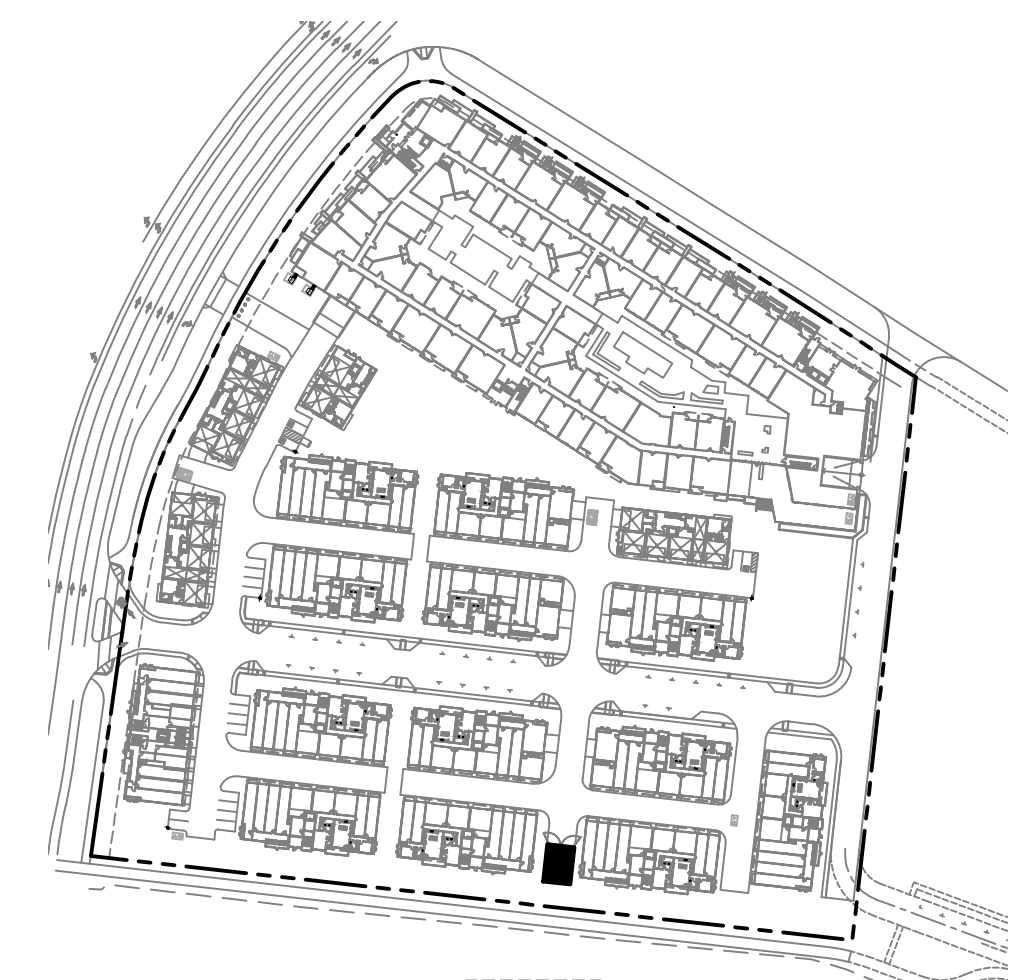


# AS7.1





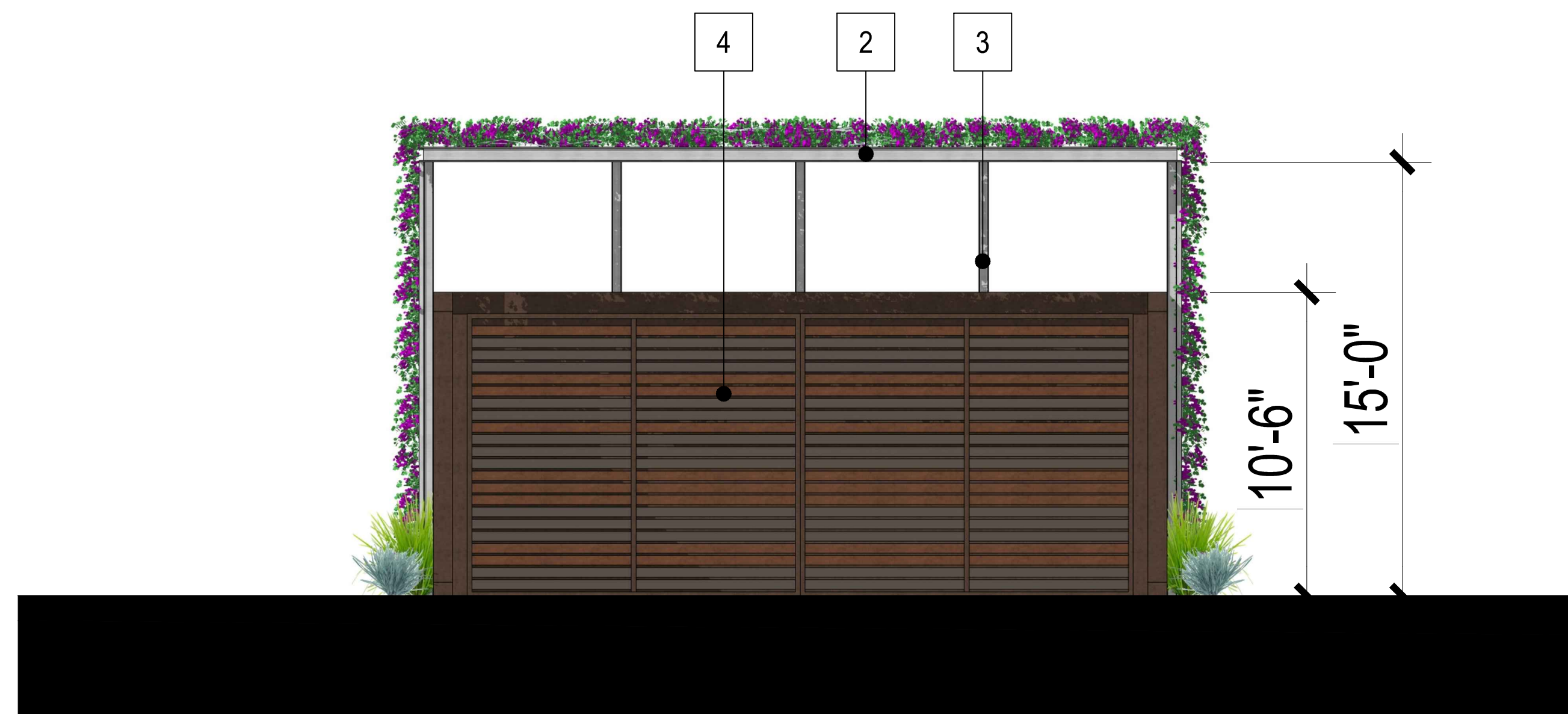
Plan



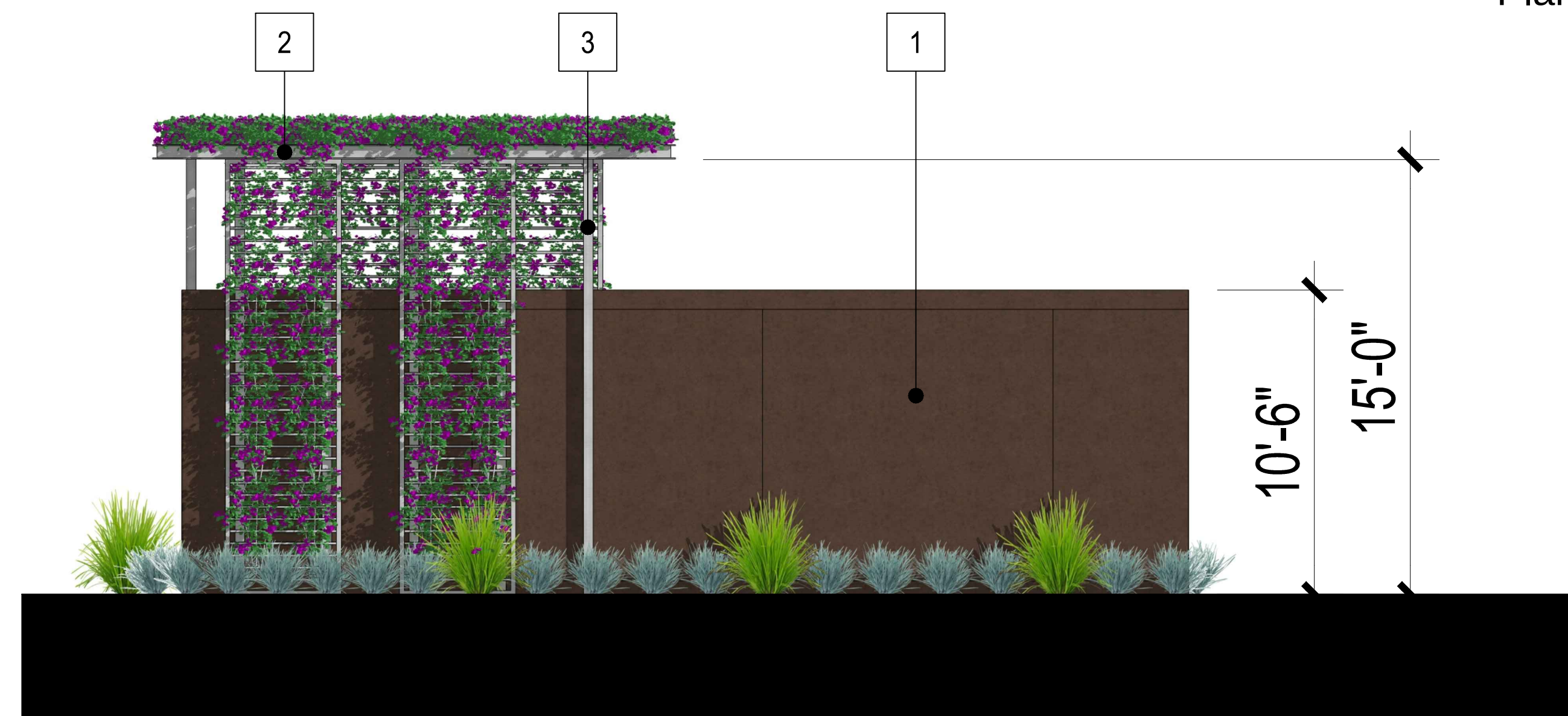
Key Map n.t.s.

**Material Legend**

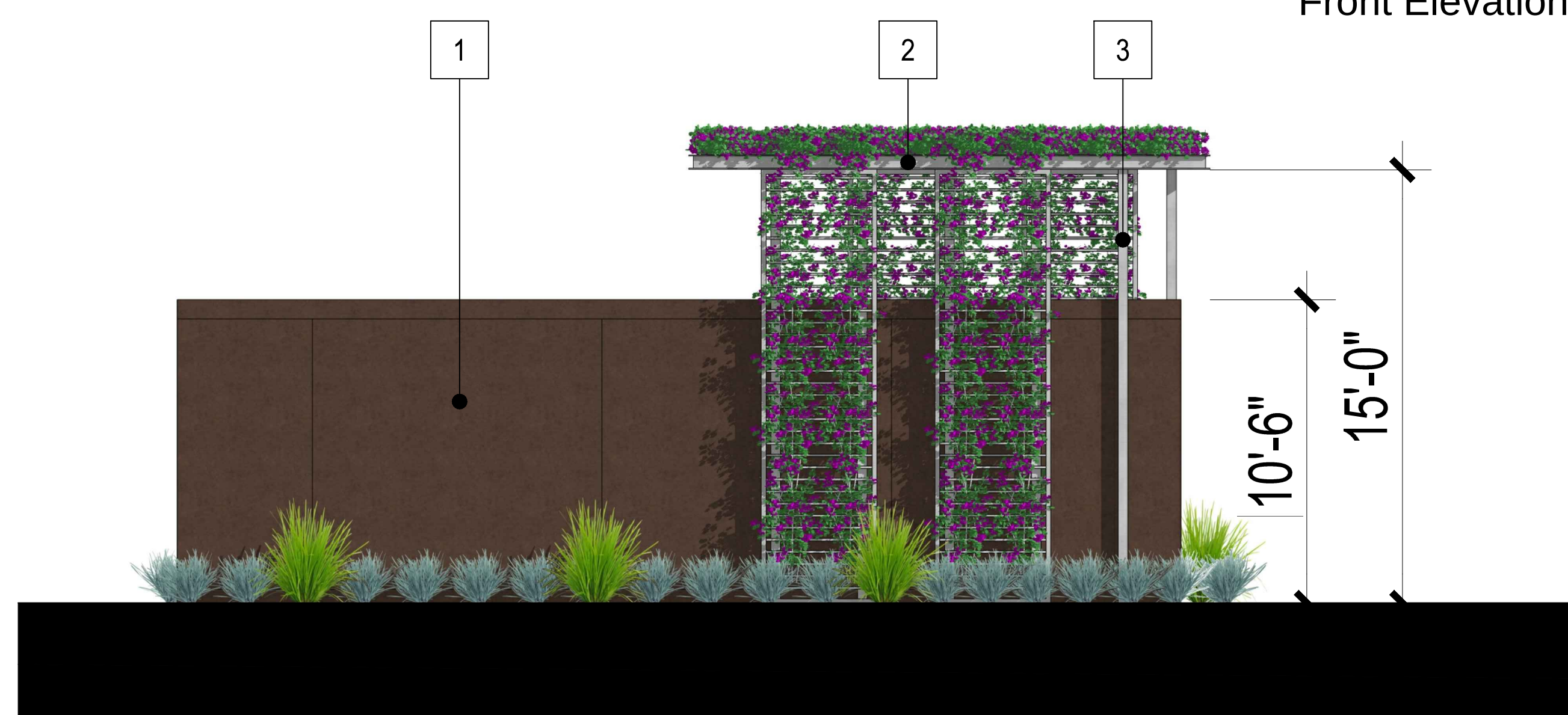
1. Stucco
2. Metal Trellis
3. Metal Column
4. Metal Gate



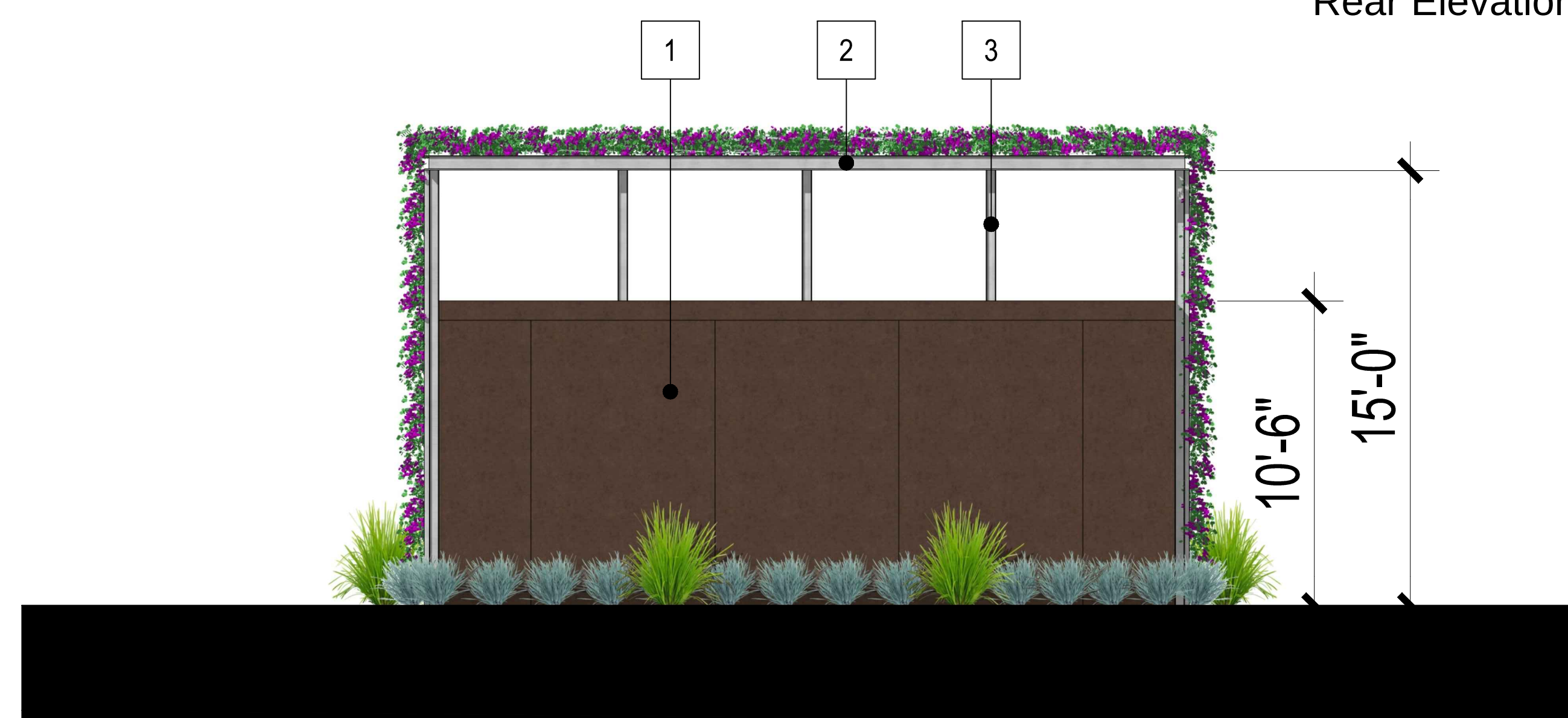
Front Elevation



Rear Elevation



Right Elevation



Left Elevation

450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES

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San Francisco, CA 94111

**LENNAR**

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San Ramon, CA 94583

TRASH ENCLOSURE PLAN & ELEVATIONS

MILPITAS, CA

KTGY # 2013-0551

02.26.2015

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0 2 4 8  
**AS8.0**



|    |                 |                                                                                                                                  |
|----|-----------------|----------------------------------------------------------------------------------------------------------------------------------|
| 1. | SUBDIVIDER:     | LENNAR MULTIFAMILY COMMUNITIES, LLC<br>100 PINE STREET, SUITE 2260<br>SAN FRANCISCO, CA 94111<br>(415) 975-4989<br>KEVIN MA      |
| 2. | ENGINEER:       | CARLSON, BARBEE & GIBSON, INC<br>2633 CAMINO RAMON, SUITE 350<br>SAN RAMON, CA 94583<br>(925) 886-0322<br>JASON NERI, RCPE 59136 |
| 3. | SOILS ENGINEER: | ROCKRIDGE GEOTECHNICAL<br>270 GRAND AVENUE<br>OAKLAND, CA 94610<br>(510) 420-5738                                                |

|                                         |                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ASSESSORS PARCEL NO:                    | 086-37-004, 086-37-019, 086-37-020, 086-37-021                                                                                                                                                                                                                                                                                                                  |
| 2. SITE ADDRESS:                        | 400 & 450 MONTAGUE EXPRESSWAY<br>MILPITAS, CA                                                                                                                                                                                                                                                                                                                   |
| 3. SITE AREA:                           | 10.47± ACRES                                                                                                                                                                                                                                                                                                                                                    |
| 4. DWELLING UNITS:                      | 351 APARTMENTS<br>138 STACKED FLATS<br>489 TOTAL UNITS                                                                                                                                                                                                                                                                                                          |
| 5. EXISTING ZONING:<br>PROPOSED ZONING: | LIGHT INDUSTRIAL/ R&D DISTRICT<br>MIXED USE VERY HIGH DENSITY WITH TRANSIT<br>ORIENTED DEVELOPMENT OVERLAY (MXD3-100)                                                                                                                                                                                                                                           |
| DENSITY:<br>NET DENSITY:                | 46.7 DU/AC<br>48.7 DU/AC                                                                                                                                                                                                                                                                                                                                        |
| 6. EXISTING USE:<br>PROPOSED USE:       | INDUSTRIAL<br>MULTI-FAMILY RESIDENTIAL                                                                                                                                                                                                                                                                                                                          |
| 7. MINIMUM LOT SIZE:                    | 7,500 SF (LOT 3)                                                                                                                                                                                                                                                                                                                                                |
| 8. BASIS OF BEARINGS:                   | CENTERLINE OF McCANDLESS DRIVE PER PARCEL<br>MAP 536 M 41                                                                                                                                                                                                                                                                                                       |
| 9. BENCHMARK:                           | CITY OF MILPITAS BENCHMARK "CED-MAI": BRASS<br>DISK IN MONUMENT WALL AT THE INTERSECTION OF<br>CEDAR WAY AND SOUTH MAIN STREET.<br>EL. 33,940 FEET (NGVD 29)<br>CITY OF MILPITAS LEVEL GPS SURVEY 12/1999 TO<br>2/2000                                                                                                                                          |
| 10. EXISTING STRUCTURES:                | ALL EXISTING BUILDINGS, PAVEMENT AND TREES<br>WITHIN BOUNDARY TO BE REMOVED UNLESS<br>OTHERWISE NOTED.                                                                                                                                                                                                                                                          |
| 11. EXISTING UTILITIES:                 | ALL EXISTING UTILITIES WITHIN THE BOUNDARY TO<br>BE REMOVED UNLESS OTHERWISE NOTED.                                                                                                                                                                                                                                                                             |
| 12. STREETS:                            | ALL STREETS WITHIN THE SUBDIVISION WILL BE<br>PRIVATE STREETS AND WILL BE PRIVATELY<br>MAINTAINED. ALL PRIVATE STREETS WILL BE WITHIN<br>PSUE'S (MINIMUM LONGITUDINAL SLOPE = 0.6%).<br>ACCESS EASEMENTS WILL BE PROVIDED TO UTILITY<br>OWNERS AS REQUIRED. RECIPROCAL ACCESS<br>EASEMENTS WILL BE PROVIDED OVER STREETS FOR<br>THE BENEFIT OF THE DEVELOPMENT. |
| 13. STREET LIGHTS:                      | EXISTING STREET LIGHTS ALONG EAST CAPITOL<br>AVENUE AND MONTAGUE EXPRESSWAY TO REMAIN,<br>UNLESS OTHERWISE NOTED, AND WILL BE PUBLICLY<br>OWNED AND MAINTAINED. STREET LIGHTS ALONG<br>PRIVATE STREETS WILL BE PRIVATELY MAINTAINED.                                                                                                                            |
| 14. WALLS:                              | ALL WALLS WILL BE PRIVATE FACILITIES AND WILL<br>BE PRIVATELY MAINTAINED.                                                                                                                                                                                                                                                                                       |
| 15. UTILITIES:                          | ALL UTILITIES WITHIN EAST CAPITOL AVENUE,<br>MONTAGUE EXPRESSWAY, AND THE RECYCLED<br>WATER MAIN IN STREET A WILL BE PUBLIC<br>FACILITIES TO BE OWNED AND MAINTAINED BY THE<br>CITY OF MILPITAS.<br>ALL OTHER UTILITIES WITHIN THE PROPOSED<br>SUBDIVISION ARE PRIVATELY OWNED AND<br>MAINTAINED, INCLUDING BUT NOT LIMITED TO,<br>WATER, STORM AND SEWER.      |
| 16. EASEMENTS:                          | EXISTING EASEMENTS MAY REQUIRE VACATION OR<br>RELOCATION TO FACILITATE DEVELOPMENT. ALL<br>PROPOSED, EXISTING, RELOCATED AND VACATED<br>EASEMENTS TO BE SHOWN ON THE FINAL MAP.                                                                                                                                                                                 |
| 17. LANDSCAPING:                        | LANDSCAPING WITHIN THE CITY RIGHT-OF-WAY TO<br>BE OWNED AND MAINTAINED BY THE CITY OF<br>MILPITAS.<br>ALL LANDSCAPING OUTSIDE OF THE PUBLIC<br>RIGHT-OF-WAY TO BE PRIVATELY OWNED AND<br>MAINTAINED.                                                                                                                                                            |
| 18. FLOOD ZONE:                         | ZONE AO (DEPTH 1')<br>REFER TO:<br>FLOOD INSURANCE RATE MAP<br>06085C0067J (FEBRUARY 19, 2014)<br>ALL PROPOSED STRUCTURES TO BE REMOVED<br>FROM SPECIAL FLOOD HAZARD AREA (SFHA).                                                                                                                                                                               |
| 19. WELLS ONSITE:                       | ALL EXISTING WELLS TO BE DECOMMISSIONED PER<br>CITY OF MILPITAS REQUIREMENTS.                                                                                                                                                                                                                                                                                   |
| 20. WATER:                              | CITY OF MILPITAS                                                                                                                                                                                                                                                                                                                                                |
| 21. STORM:                              | CITY OF MILPITAS                                                                                                                                                                                                                                                                                                                                                |
| 22. SEWER:                              | CITY OF MILPITAS                                                                                                                                                                                                                                                                                                                                                |
| 23. GAS & ELECTRIC:                     | PG&E                                                                                                                                                                                                                                                                                                                                                            |
| 24. TELEPHONE:                          | AT&T                                                                                                                                                                                                                                                                                                                                                            |
| 25. CABLE TV:                           | AT&T BROADBAND                                                                                                                                                                                                                                                                                                                                                  |
| 26. CONDOMINIUM MAP:                    | A CONDOMINIUM MAP WILL BE RECORDED FOR                                                                                                                                                                                                                                                                                                                          |

- 1 10' PUBLIC SERVICE UTILITY EASEMENT IN FAVOR OF SANTA CLARA COUNTY TRANSIT DISTRICT PER 15084324
- 2 SLOPE EASEMENT IN FAVOR OF CITY OF MILPITAS PER B842 OR 712
- 3 15' PUBLIC SERVICE UTILITY EASEMENT IN FAVOR OF SANTA CLARA COUNTY TRANSIT DISTRICT PER 15084322
- 4 10' PUBLIC SERVICE UTILITY EASEMENT IN FAVOR OF CITY OF MILPITAS PER 420 M 22
- 5 ABUTTER'S RIGHTS RELINQUISHMENT PER H639 OR 655 AND H639 OR 660
- 6 10' SANITARY SEWER EASEMENT IN FAVOR OF MILPITAS SANITARY DISTRICT PER 8694 OR 326
- 7 10' SANITARY SEWER EASEMENT IN FAVOR OF MILPITAS SANITARY DISTRICT PER 8879 OR 480
- 8 12' PUBLIC SERVICE UTILITY EASEMENT IN FAVOR OF CITY OF MILPITAS PER 420 M 22
- 9 ROADWAY, SIDEWALK & UTILITY EASEMENT IN FAVOR OF STUART LEEB, ROBERT J BRAUD & CHRISTINE BRAUD PER H653 OR 471
- 10 ABUTTER'S RIGHTS RELINQUISHMENT PER H639 OR 665

| EXISTING                                                                          | PROPOSED                                                                          |                                   |
|-----------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------|
|  |  | PROJECT BOUNDARY                  |
|  |  | RIGHT-OF-WAY LINE                 |
|  |  | PROPERTY LINE                     |
|  |  | EASEMENT LINE                     |
|  |  | RELINQUISHMENT OF ABUTTERS RIGHTS |
|  |  | CURB, GUTTER & SIDEWALK           |
|  |  | ADJACENT PROPERTY                 |

|       |                                   |
|-------|-----------------------------------|
| BD    | BOUNDARY                          |
| BFE   | BASE FLOOD ELEVATION              |
| BRC   | BACK OF ROLLED CURB               |
| EX    | DRIVEWAY                          |
| EX    | EXISTING                          |
| EVAE  | EMERGENCY VEHICLE ACCESS EASEMENT |
| FC    | FACE OF CURB                      |
| OB    | OVERBUILD                         |
| PSUE  | PUBLIC SERVICE UTILITY EASEMENT   |
| R     | RADIUS                            |
| R/W   | RECYCLED WATER                    |
|       | RIGHT-OF-WAY                      |
| SCVWD | SANTA CLARA VALLEY WATER DISTRICT |
| SD    | STORM DRAIN                       |
| SS    | SANITARY SEWER                    |
| SSE   | SANITARY SEWER EASEMENT           |
| W     | WATER                             |

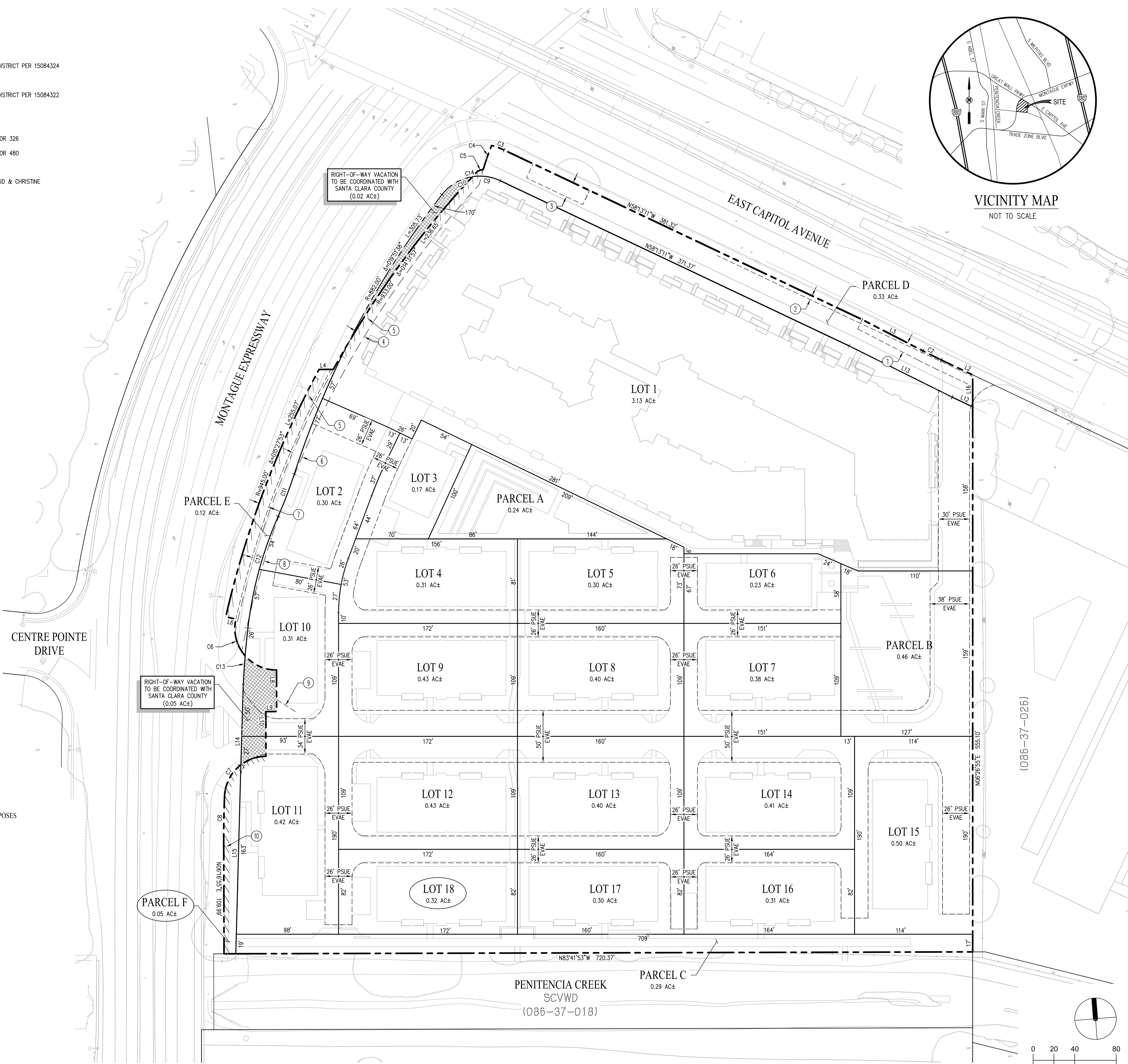
| LINE TABLE |             |         | CURVE TABLE |         |           |         |
|------------|-------------|---------|-------------|---------|-----------|---------|
| NO         | BEARING     | LENGTH  | NO          | RADIUS  | DELTA     | LENGTH  |
| L2         | N58°09'20"W | 33.54'  | C2          | 606.03' | 150°51"   | 19.54'  |
| L3         | N56°18'29"W | 65.61'  | C3          | 70.00'  | 10°34'32" | 12.92'  |
| L4         | N83°42'50"W | 13.69'  | C4          | 255.00' | 5°26'28"  | 24.22'  |
| L6         | N70°36'37"W | 10.00'  | S5          | 100.00' | 3°16'19"  | 5.71'   |
| L8         | N06°17'10"E | 40.30'  | C6          | 40.00'  | 10°30'55" | 71.98'  |
| L9         | N83°42'50"W | 10.00'  | C7          | 40.00'  | 87°24'53" | 61.03'  |
| L10        | N06°17'10"E | 43.00'  | C8          | 923.00' | 2°35'22"  | 41.73'  |
| L12        | N58°06'37"W | 21.89'  | C9          | 46.00'  | 34°06'42" | 27.39'  |
| L13        | N57°06'54"E | 10.00'  | C10         | 46.00'  | 43°25'37" | 34.87'  |
| L14        | N08°09'19"E | 77.55'  | C11         | 428.00' | 5°29'39"  | 43.53'  |
| L15        | N07°58'55"E | 181.82' | C12         | 372.00' | 17°11'20" | 111.60' |
| L16        | N06°28'55"E | 30.83'  | C13         | 844.00' | 3°41'16"  | 54.32'  |
|            |             |         | C14         | 46.00'  | 77°32'18" | 62.25'  |

|        |                                                            |
|--------|------------------------------------------------------------|
| TM.01  | VESTING TENTATIVE SUBDIVISION MAP FOR CONDOMINIUM PURPOSES |
| TM.02  | EXISTING CONDITIONS                                        |
| TM.03  | SITE PLAN                                                  |
| TM.04  | PRELIMINARY GRADING & DRAINAGE PLAN                        |
| TM.05  | FLOOD PLAIN MAP                                            |
| TM.06  | PRELIMINARY UTILITY PLAN                                   |
| TM.07A | PRELIMINARY STORMWATER CONTROL PLAN                        |
| TM.07B | PRELIMINARY STORMWATER CONTROL PLAN DETAILS                |
| TM.08  | FIRE TRUCK ACCESS PLAN                                     |
| TM.09  | SOLID WASTE MANAGEMENT PLAN                                |
| TM.10  | PARKING PLAN                                               |
| TM.11  | CONDITIONS OF APPROVAL                                     |

City Engineer \_\_\_\_\_ Date \_\_\_\_\_

Recommended for Approval by the Milpitas Planning Commission, this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_, and Approved by the Milpitas City Council this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_.

Planning and Neighborhood Services Director \_\_\_\_\_ Date \_\_\_\_\_

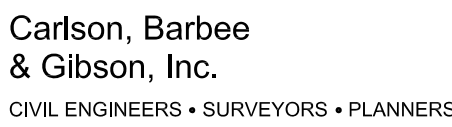


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KTGY # 2013-0551

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12.12.2014 2nd SUBMITTAL



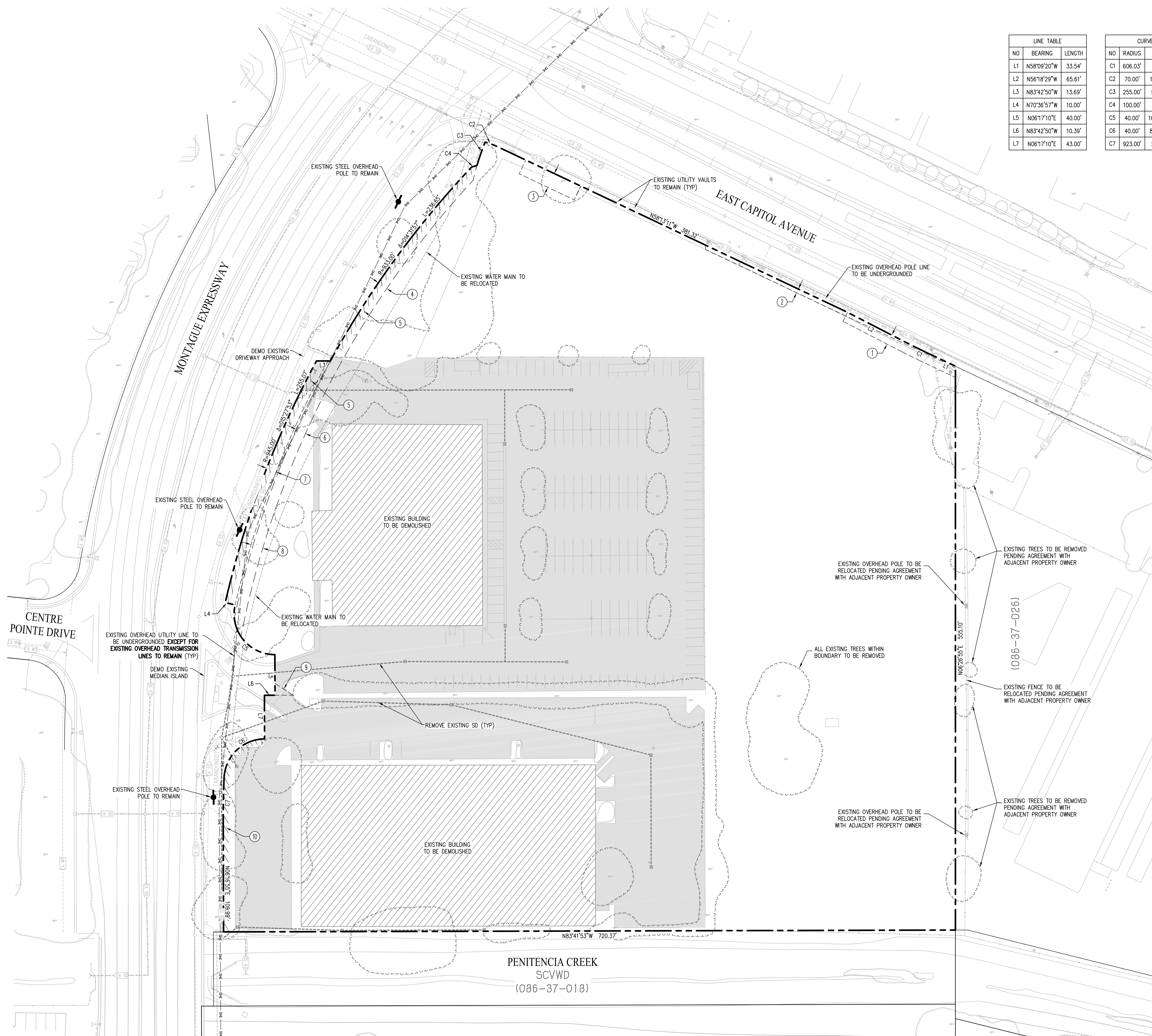
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# TM.01





| LINE TABLE |             |        |
|------------|-------------|--------|
| NO         | BEARING     | LENGTH |
| L1         | N58°09'20"W | 33.54' |
| L2         | N56°18'29"W | 65.61' |
| L3         | N83°42'50"W | 13.69' |
| L4         | N70°36'57"W | 10.00' |
| L5         | N06°17'10"E | 40.00' |
| L6         | N83°42'50"W | 10.39' |
| L7         | N06°17'10"E | 43.00' |

| CURVE TABLE |         |            |        |
|-------------|---------|------------|--------|
| NO          | RADIUS  | DELTA      | LENGTH |
| C1          | 606.03' | 1°50'51"   | 19.54' |
| C2          | 70.00'  | 10°34'32"  | 12.92' |
| C3          | 255.00' | 5°26'28"   | 24.22' |
| C4          | 100.00' | 3°16'19"   | 5.71'  |
| C5          | 40.00'  | 103°05'53" | 71.98' |
| C6          | 40.00'  | 87°24'53"  | 61.03' |
| C7          | 923.00' | 2°35'22"   | 41.71' |

EXISTING EASEMENTS

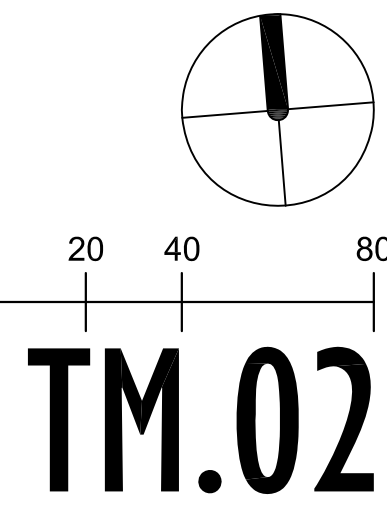
- 1 10" PUBLIC SERVICE UTILITY EASEMENT IN FAVOR OF SANTA CLARA COUNTY TRANSIT DISTRICT PER 15084324
- 2 SLOPE EASEMENT IN FAVOR OF CITY OF MILPITAS PER B842 OR 712
- 3 15" PUBLIC SERVICE UTILITY EASEMENT IN FAVOR OF SANTA CLARA COUNTY TRANSIT DISTRICT PER 15084322
- 4 10" PUBLIC SERVICE UTILITY EASEMENT IN FAVOR OF CITY OF MILPITAS PER 420 M 22
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- 10 ABUTTER'S RIGHTS RELINQUISHMENT PER H639 OR 665

LEGEND

- PROJECT BOUNDARY
- EASEMENT LINE
- EXISTING UTILITY TO BE REMOVED
- EXISTING BUILDING TO BE DEMOLISHED
- EXISTING PAVEMENT/CONCRETE TO BE DEMOLISHED
- EXISTING TREE TO BE REMOVED

450 MONTAGUE

EXISTING CONDITIONS

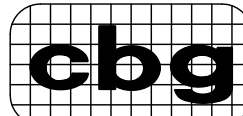


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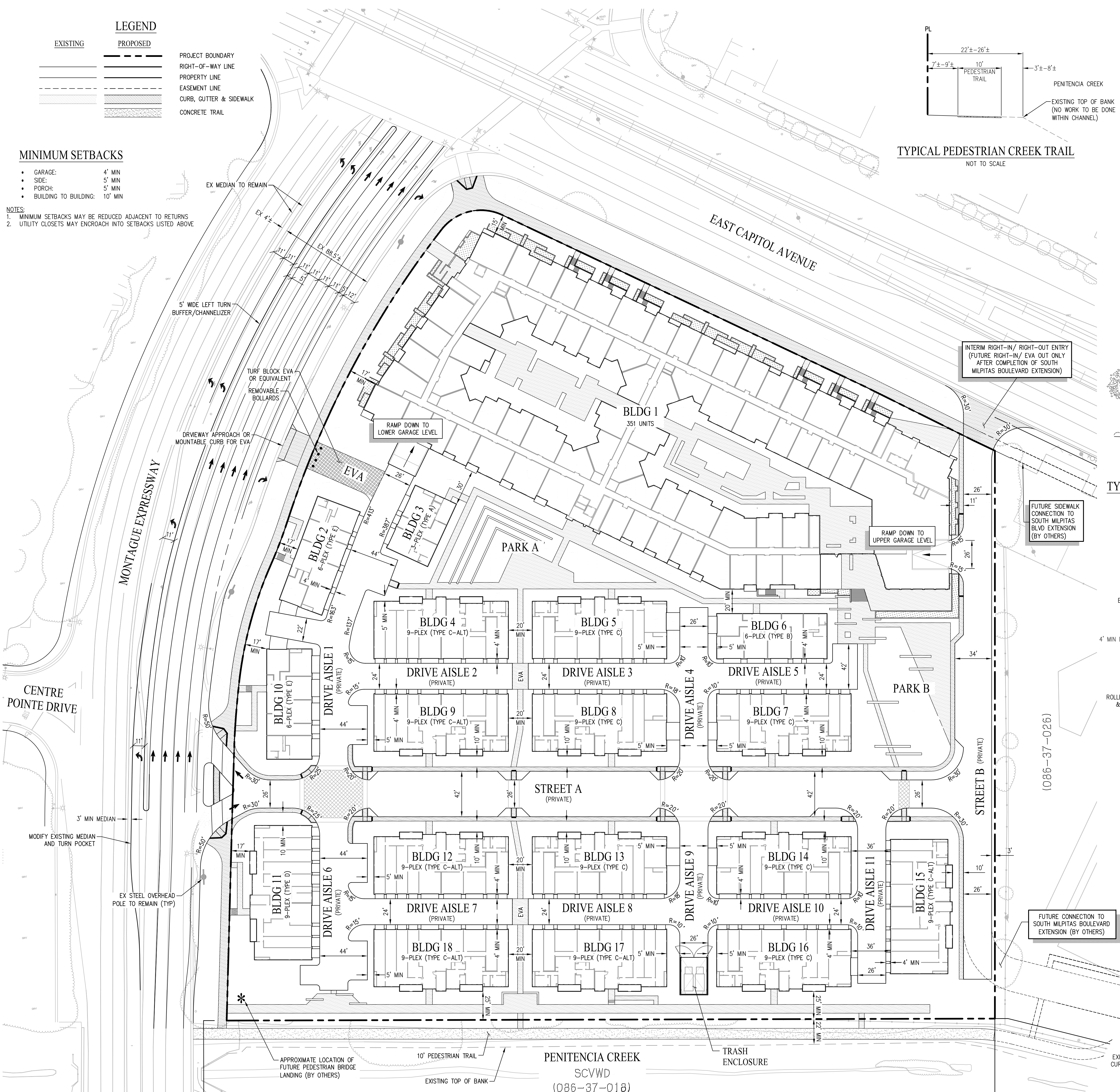


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**LEGEND**

EXISTING  
PROPOSED

PROJECT BOUNDARY  
RIGHT-OF-WAY LINE  
PROPERTY LINE  
EASEMENT LINE  
CURB, GUTTER & SIDEWALK  
CONCRETE TRAIL

- MINIMUM SETBACKS**
- GARAGE: 4' MIN
  - SIDE: 5' MIN
  - PORCH: 5' MIN
  - BUILDING TO BUILDING: 10' MIN
- NOTES:**
- MINIMUM SETBACKS MAY BE REDUCED ADJACENT TO RETURNS
  - UTILITY CLOSETS MAY ENCRoACH INTO SETBACKS LISTED ABOVE

**UNIT SUMMARY**

| BUILDING TYPE     | BUILDING COUNT | UNIT COUNT |
|-------------------|----------------|------------|
| TYPE A            | 3-PLEX         | 1          |
| TYPE B            | 6-PLEX         | 1          |
| TYPE C            | 9-PLEX         | 6          |
| TYPE C-ALT        | 9-PLEX         | 6          |
| TYPE D            | 9-PLEX         | 1          |
| TYPE E            | 6-PLEX         | 2          |
| SUBTOTAL          | 17             | 138        |
| PODIUM APARTMENTS | 1              | 351        |
| TOTAL             | 18             | 489        |

**TYPICAL PEDESTRIAN CREEK TRAIL**  
NOT TO SCALE

**STREET A**  
NOT TO SCALE

**STREET B**  
NOT TO SCALE

**STREET B (AT BUILDING 15)**  
NOT TO SCALE

**TYPICAL 26' DRIVE AISLE (CROWN)**  
(DRIVE AISLES 4 & 9)  
NOT TO SCALE

**TYPICAL 26' DRIVE AISLE (CROSS SLOPE)**  
(DRIVE AISLE 11)  
NOT TO SCALE

**TYPICAL 24' DRIVE AISLE (CROSS SLOPE)**  
(DRIVE AISLES 2, 3, 5, 7, 8 & 10)  
NOT TO SCALE

**TYPICAL 26' DRIVE AISLE (CROSS SLOPE)**  
(DRIVE AISLES 1 & 6)  
NOT TO SCALE

**EAST CAPITOL AVENUE (HALF-STREET SECTION)**  
NOT TO SCALE

**MONTAGUE EXPRESSWAY (HALF-STREET SECTION)**  
AT PROJECT ENTRY FRONTAGE  
NOT TO SCALE

**MONTAGUE EXPRESSWAY (HALF-STREET SECTION)**  
AT GREAT MALL PARKWAY/EAST CAPITOL AVENUE INTERSECTION  
NOT TO SCALE

450 MONTAGUE

SITE PLAN

TM.03

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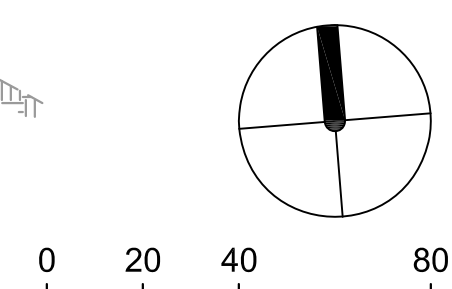
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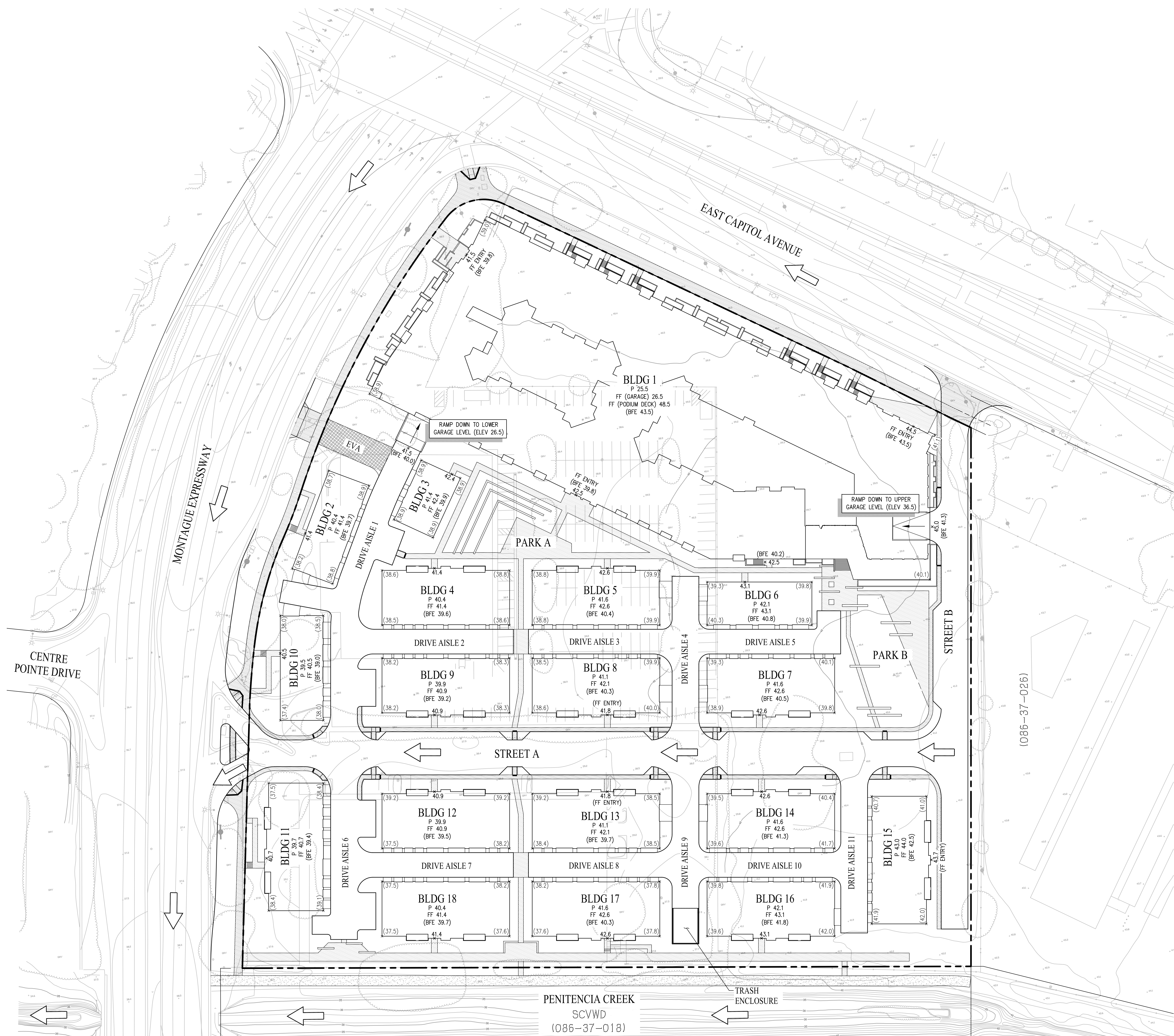




# PRELIMINARY GRADING & DRAINAGE PLAN

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EXISTING

PROPOSED

PROJECT BOUNDARY

EASEMENT LINE

CURB, GUTTER & SIDEWALK

SPOT ELEVATION

APPROXIMATE ELEVATION AT BUILDING CORNERS

FLOOD WATER OVERLAND FLOW PATH

←

| BASE FLOOD ELEVATION (BFE) SUMMARY |                               |                            |                 |
|------------------------------------|-------------------------------|----------------------------|-----------------|
| BUILDING NUMBER                    | FINISHED FLOOR ELEVATION (FF) | BASE FLOOD ELEVATION (BFE) | DIFFERENCE (FT) |
| 1                                  | 48.5 (44.5)                   | 43.5                       | 5.0 (1.0)       |
| 2                                  | 41.4                          | 39.7                       | 1.7             |
| 3                                  | 42.4                          | 39.9                       | 2.5             |
| 4                                  | 41.4                          | 39.6                       | 1.8             |
| 5                                  | 42.6                          | 40.4                       | 2.2             |
| 6                                  | 43.1                          | 40.8                       | 2.3             |
| 7                                  | 42.6                          | 40.5                       | 2.1             |
| 8                                  | 42.1 (41.8)                   | 40.3                       | 1.8 (1.5)       |
| 9                                  | 40.9                          | 39.2                       | 1.7             |
| 10                                 | 40.5                          | 39.0                       | 1.5             |
| 11                                 | 40.7                          | 39.4                       | 1.3             |
| 12                                 | 40.9                          | 39.5                       | 1.4             |
| 13                                 | 42.1 (41.8)                   | 39.7                       | 2.4 (2.1)       |
| 14                                 | 42.6                          | 41.3                       | 1.3             |
| 15                                 | 44.0                          | 42.5                       | 1.5             |
| 16                                 | 43.1                          | 41.8                       | 1.3             |
| 17                                 | 42.6                          | 40.3                       | 2.3             |
| 18                                 | 41.4                          | 39.7                       | 1.7             |

- NOTES:
- PROJECT SITE IS WITHIN AO FLOOD AREA (DEPTH 1') PER FLOOD INSURANCE RATE MAP 06085C0067J (FEBRUARY 19, 2014). ALL PROPOSED STRUCTURES TO BE REMOVED FROM SPECIAL FLOOD HAZARD AREA (SFHA).
  - PER CITY OF MILPITAS REQUIREMENTS, FINISH FLOOR ELEVATIONS MUST BE GREATER THAN OR EQUAL TO ONE FOOT ABOVE THE BASE FLOOD ELEVATION.
  - BASE FLOOD ELEVATIONS (BFE'S) LISTED FOR EACH BUILDING ARE PER THE MEMO GENERATED BY SCHAAF & WHEELER ENTITLED 400-450 MONTAGUE 100-YEAR FLOODPLAIN ANALYSIS DATED OCTOBER 21, 2014. BFE'S ARE CALCULATED FOR EACH BUILDING BY ADDING 1' (AO FLOOD DEPTH) TO THE HIGHEST ELEVATION OF THE FOLLOWING:
    - AVERAGE EXISTING ELEVATION (BLDGs 2-15)
    - ADJACENT TOP OF CURB ELEVATION (BLDG 1)
    - CREEK PROFILE (BLDGs 16-18)
  - BUILDINGS 1, 8 AND 13 HAVE DEPRESSED ENTRIES. FINISHED FLOOR ELEVATIONS LISTED IN PARENTHESES INDICATE ELEVATION AT THESE DEPRESSED ENTRIES. ALL DEPRESSED ENTRIES STILL REMAIN ABOVE THE BASE FLOOD ELEVATION.

450 MONTAGUE

FLOOD PLAIN MAP

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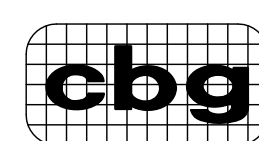
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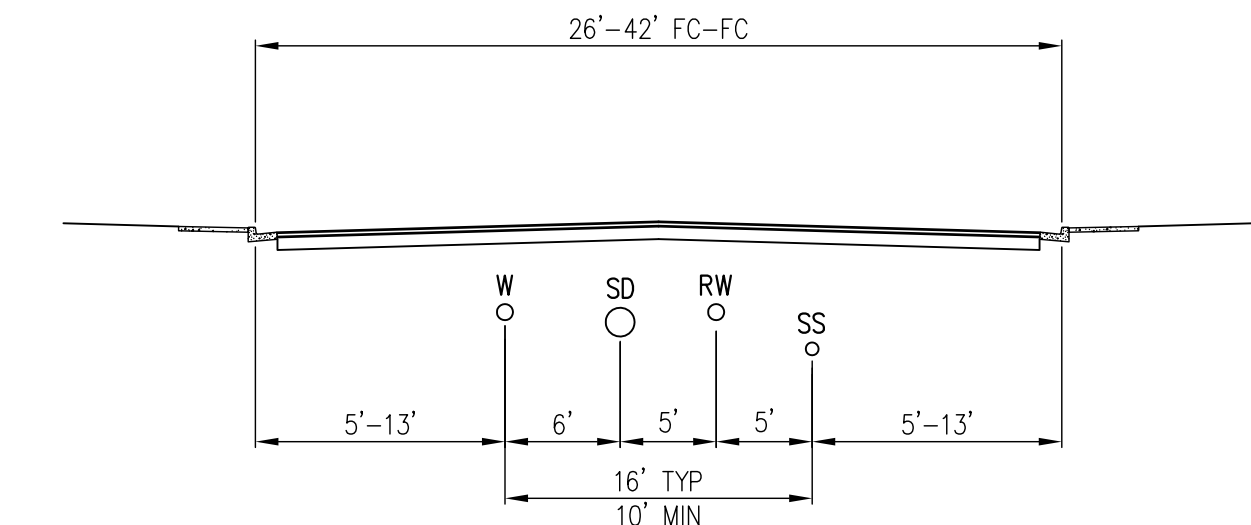
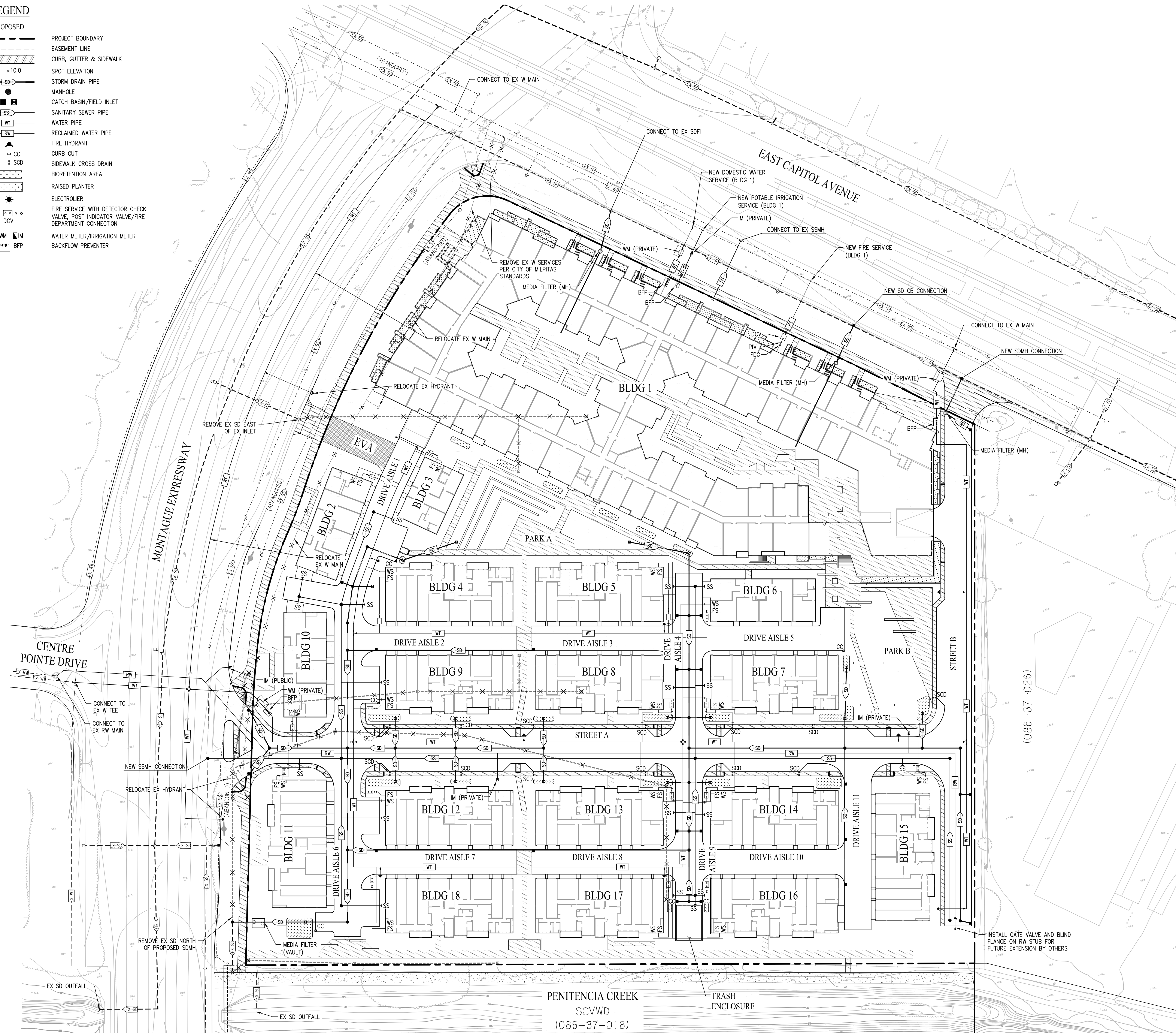
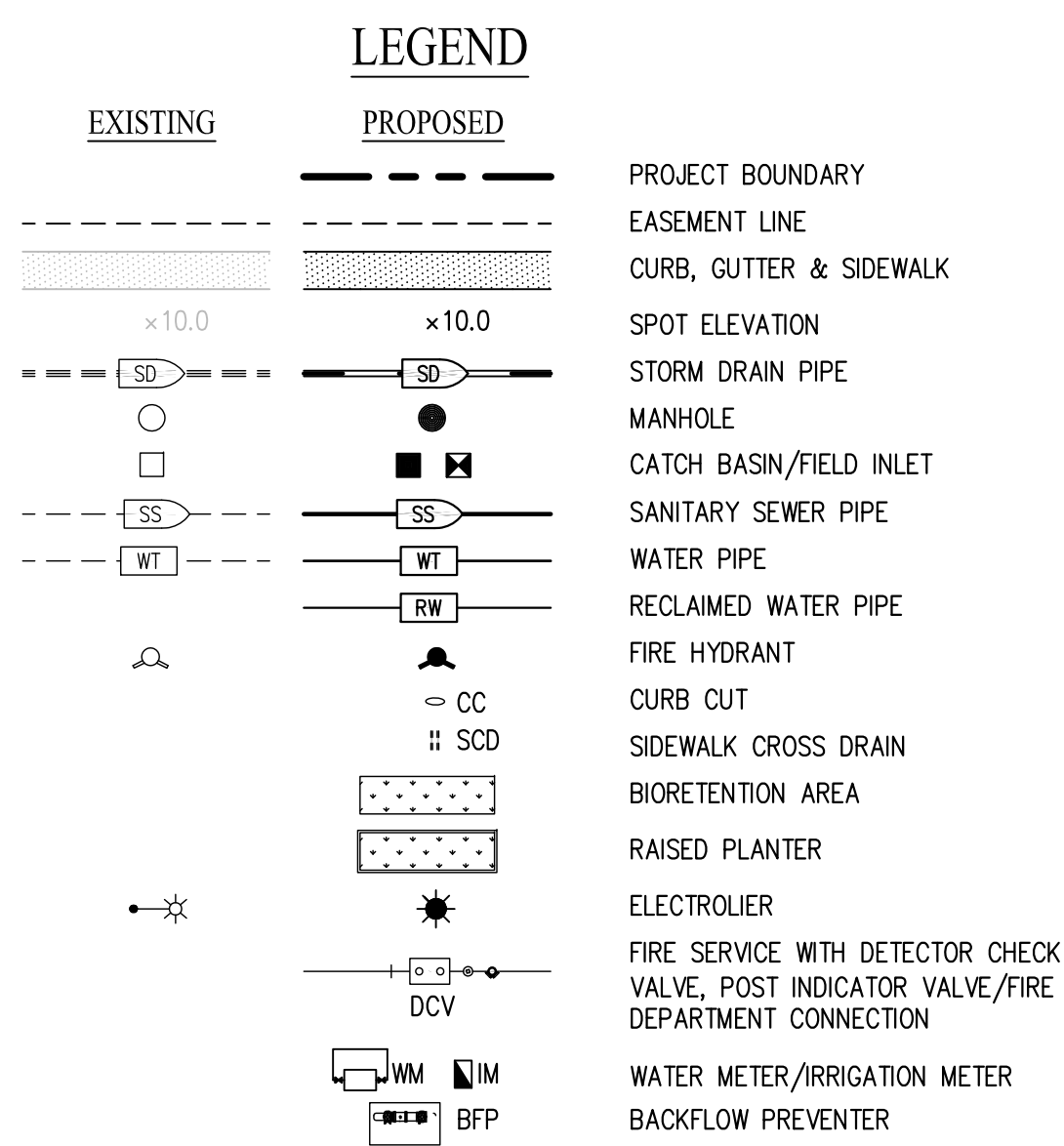


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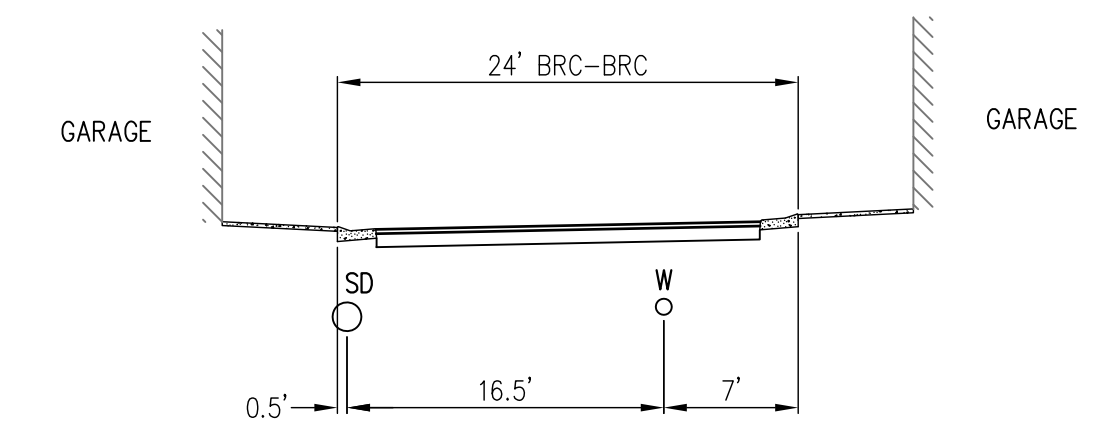
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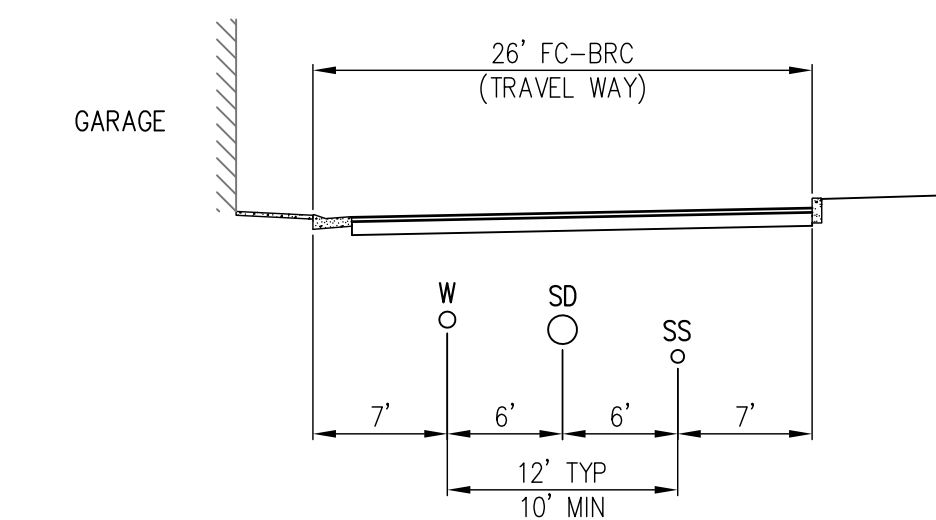




TYPICAL STREET UTILITY SECTION  
NOT TO SCALE



TYPICAL 24' DRIVE AISLE UTILITY SECTION  
NOT TO SCALE



TYPICAL 26' DRIVE AISLE UTILITY SECTION  
NOT TO SCALE

**UTILITY NOTES**

1. UTILITIES SHOWN ON THIS PLAN ARE PRELIMINARY AND SUBJECT TO CHANGE PENDING FINAL DESIGN. FINAL DESIGN SHALL ADHERE TO CITY OF MILPITAS STANDARDS.
2. PUBLIC RECYCLED WATER MAIN TO BE 8" DIAMETER MINIMUM.

450 MONTAGUE

PRELIMINARY UTILITY PLAN

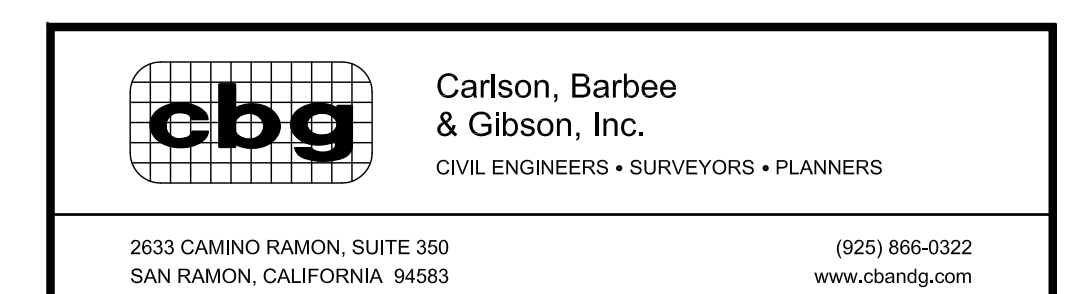
TM.06

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LEGEND

EXISTING

PROPOSED

PROJECT BOUNDARY

CURB, GUTTER & SIDEWALK

STORM DRAIN PIPE

CURB CUT

SIDEWALK CROSS DRAIN

BIORETENTION AREA

RAISED PLANTER

DRAINAGE AREA BOUNDARY

DRAINAGE AREA ID

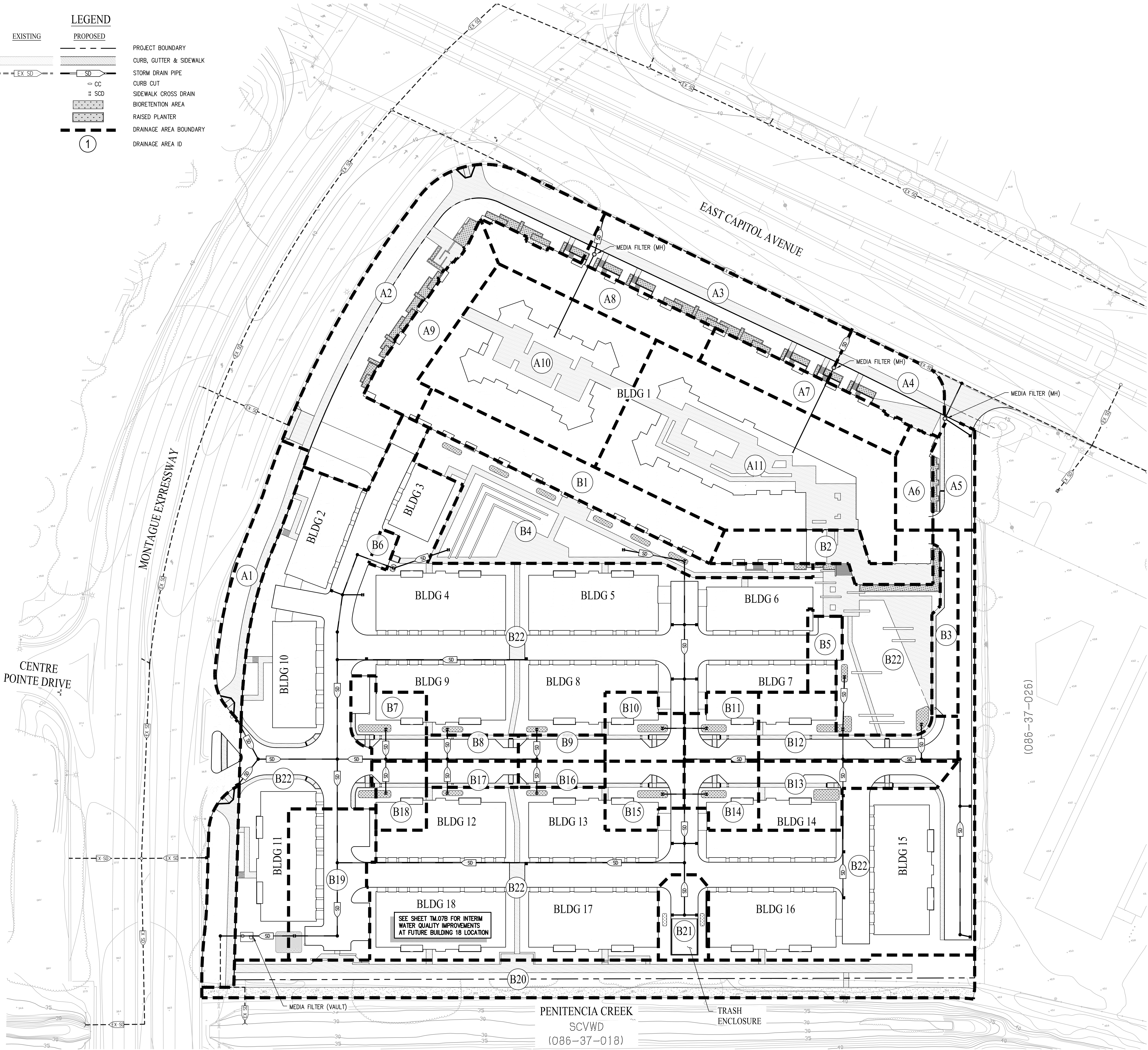
1

SEE SHEET TM.07B FOR STORMWATER  
CONTROL PLAN DETAILS AND  
INTERIM BIORETENTION AREA

PRELIMINARY STORMWATER TREATMENT SUMMARY

| AREA ID        | TREATMENT TYPE       | IMPERVIOUS AREA (SF) | TREATMENT AREA REQUIRED (SF) | TREATMENT AREA PROVIDED (SF) |
|----------------|----------------------|----------------------|------------------------------|------------------------------|
| A1             | SELF-RETAINING       | 2,440                | 1,220                        | 4,730                        |
| A2             | SELF-RETAINING       | 5,680                | 2,840                        | 22,010                       |
| A3             | SELF-RETAINING       | 3,390                | 1,695                        | 10,600                       |
| A4             | SELF-RETAINING       | 2,640                | 1,320                        | 4,110                        |
| A5             | MEDIA FILTER (MH)    | 3,170                | N/A                          | N/A                          |
| A6             | RAISED PLANTER       | 3,160                | 126                          | 205                          |
| A7             | RAISED PLANTER       | 7,130                | 285                          | 780                          |
| A8             | RAISED PLANTER       | 7,920                | 317                          | 1,330                        |
| A9             | RAISED PLANTER       | 7,680                | 307                          | 1,285                        |
| A10            | MEDIA FILTER (MH)    | 18,540               | N/A                          | N/A                          |
| A11            | MEDIA FILTER (MH)    | 26,070               | N/A                          | N/A                          |
| A12            | SELF-RETAINING       | 1,770                | 885                          | 3,450                        |
| B1             | BIORETENTION         | 10,920               | 437                          | 580                          |
| B2             | RAISED PLANTER       | 6,630                | 265                          | 795                          |
| B3             | BIORETENTION         | 3,950                | 180                          | 220                          |
| B4             | SELF-RETAINING       | 6,620                | 3,310                        | 14,200                       |
| B5             | BIORETENTION         | 2,130                | 85                           | 95                           |
| B6             | BIORETENTION         | 630                  | 25                           | 30                           |
| B7             | BIORETENTION         | 3,500                | 140                          | 215                          |
| B8             | BIORETENTION         | 2,100                | 84                           | 95                           |
| B9             | BIORETENTION         | 2,050                | 82                           | 95                           |
| B10            | BIORETENTION         | 3,590                | 144                          | 195                          |
| B11            | BIORETENTION         | 3,390                | 136                          | 160                          |
| B12            | BIORETENTION         | 7,170                | 287                          | 290                          |
| B13            | BIORETENTION         | 6,270                | 251                          | 250                          |
| B14            | BIORETENTION         | 3,340                | 134                          | 160                          |
| B15            | BIORETENTION         | 3,580                | 143                          | 195                          |
| B16            | BIORETENTION         | 2,050                | 82                           | 95                           |
| B17            | BIORETENTION         | 2,090                | 84                           | 95                           |
| B18            | BIORETENTION         | 2,670                | 107                          | 215                          |
| B19            | BIORETENTION         | 9,110                | 364                          | 495                          |
| B20            | SELF-RETAINING       | 12,120               | 6,060                        | 14,200                       |
| B21            | BIORETENTION         | 2,180                | 87                           | 95                           |
| B22 (INTERIM)  | BIORETENTION         | 159,050              | 6,362                        | 6,650                        |
| B22 (ULTIMATE) | MEDIA FILTER (VAULT) | 159,050              | N/A                          | N/A                          |

- NOTES:
- ALL TREATMENT MEASURES AND TECHNICAL REQUIREMENTS FOR THIS PROJECT ARE BASED UPON THE SANTA CLARA VALLEY URBAN RUNOFF POLLUTION PREVENTION PROGRAM (SCVURPPP) C.3 STORMWATER HANDBOOK DATED APRIL 2012.
  - REQUIRED SURFACE AREA OF THE BIORETENTION TREATMENT AREA IS EQUAL TO 4% OF THE CONTRIBUTING IMPERVIOUS SURFACE AREA. THIS CALCULATION IS BASED UPON THE UNIFORM INTENSITY METHOD ASSUMING RAINFALL INTENSITY OF 0.2 INCHES/HR AND A BIORETENTION SOIL MIX WITH A 5 INCHES/HR INFILTRATION RATE.
  - REQUIRED SURFACE AREA OF LANDSCAPE WITHIN SELF-RETAINING AREAS IS EQUAL TO 50% OF THE TRIBUTARY IMPERVIOUS SURFACE.
  - THIS PROJECT IS A CATEGORY C SPECIAL PROJECT AND SUBJECT TO 70% LID TREATMENT REDUCTION CREDIT. MEDIA FILTRATION WILL BE USED TO TREAT A MAXIMUM OF 70% OF THE PROPOSED IMPERVIOUS SURFACE ON THE SITE. PRIOR TO CONSTRUCTION OF PODIUM BUILDING (BLDG 1), AN INTERIM BIORETENTION AREA WILL BE INSTALLED AT FUTURE BLDG 18 LOCATION IN ORDER TO PROVIDE 100% LID TREATMENT FOR STACKED FLAT PRODUCT. (SEE SHEET TM.07B FOR DETAILS.)
  - HYDROMODIFICATION IS NOT REQUIRED BECAUSE THE PROJECT IS IN A CATCHMENT AREA WITH GREATER THAN 65% IMPERVIOUSNESS.
  - ALL STORMWATER TREATMENT MEASURES AND SIZING SHOWN ON THIS EXHIBIT IS PRELIMINARY AND SUBJECT TO CHANGE PENDING FINAL DESIGN.
  - SEE 450 MONTAGUE STORMWATER CONTROL PLAN BY CARLSON, BARBEE & GIBSON FOR DETAILED SIZING CALCULATIONS.



450 MONTAGUE

PRELIMINARY STORMWATER CONTROL PLAN

TM.07A

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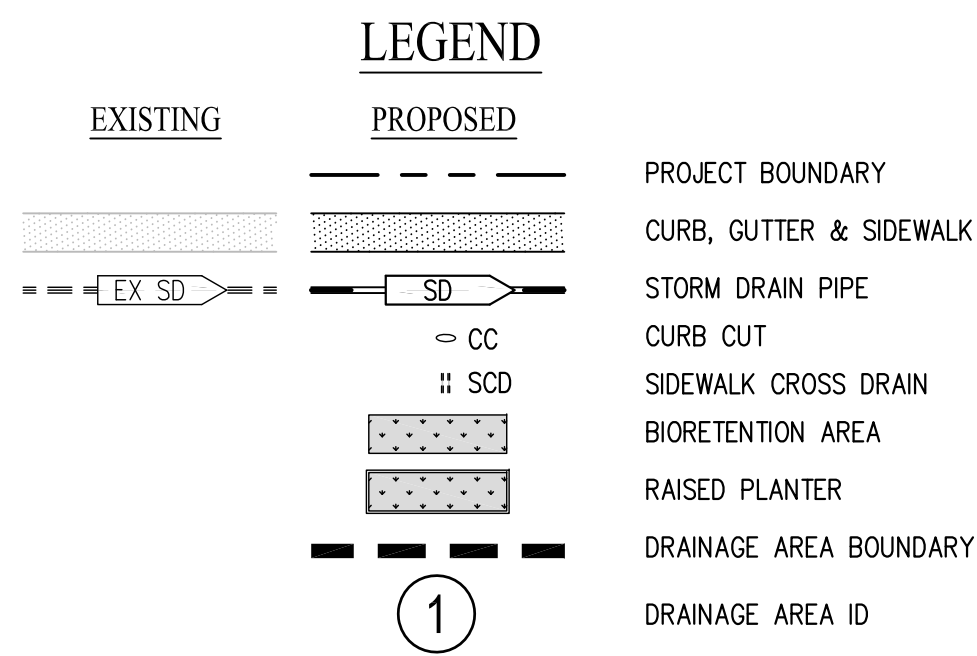
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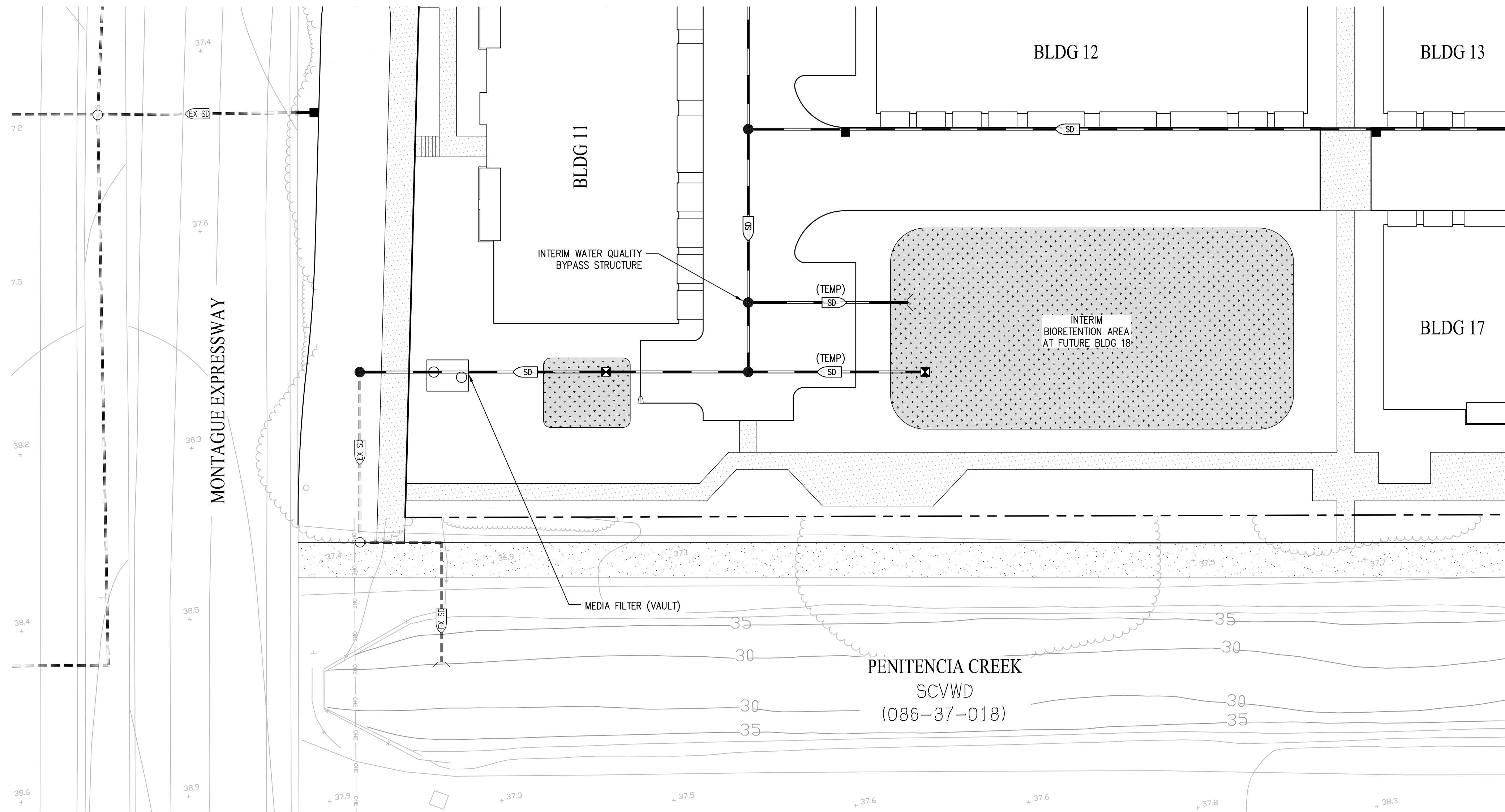
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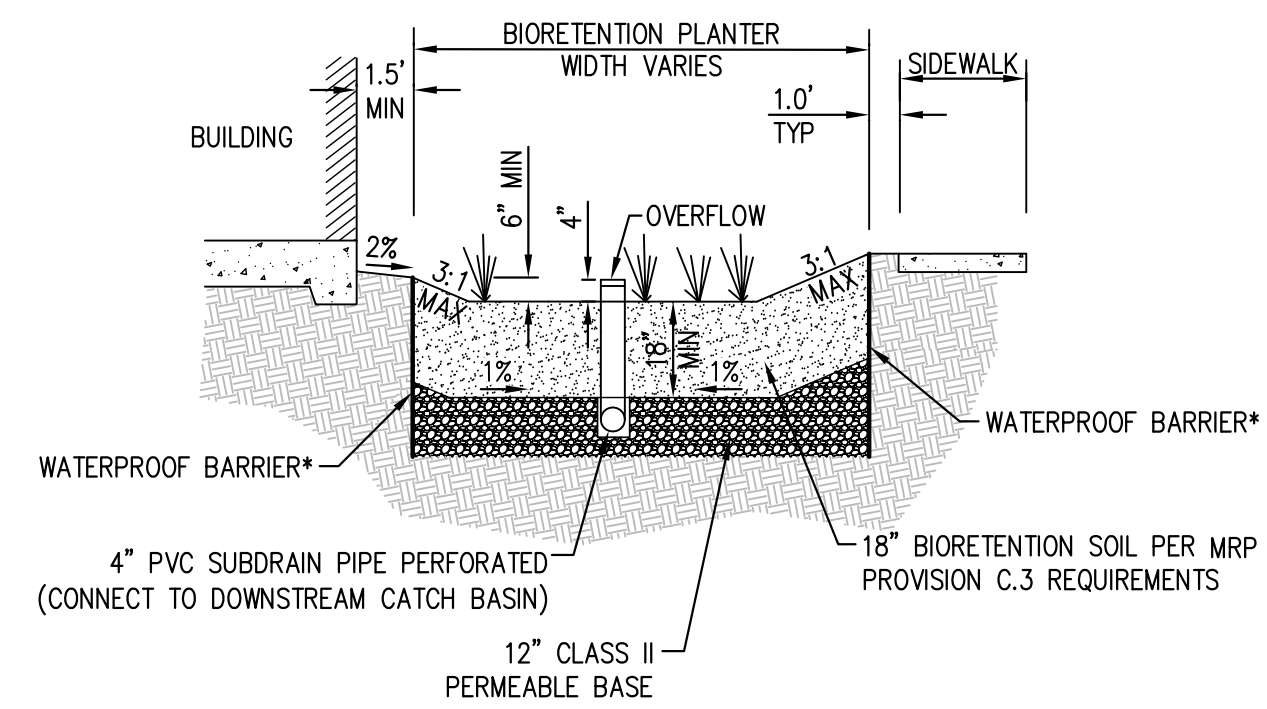
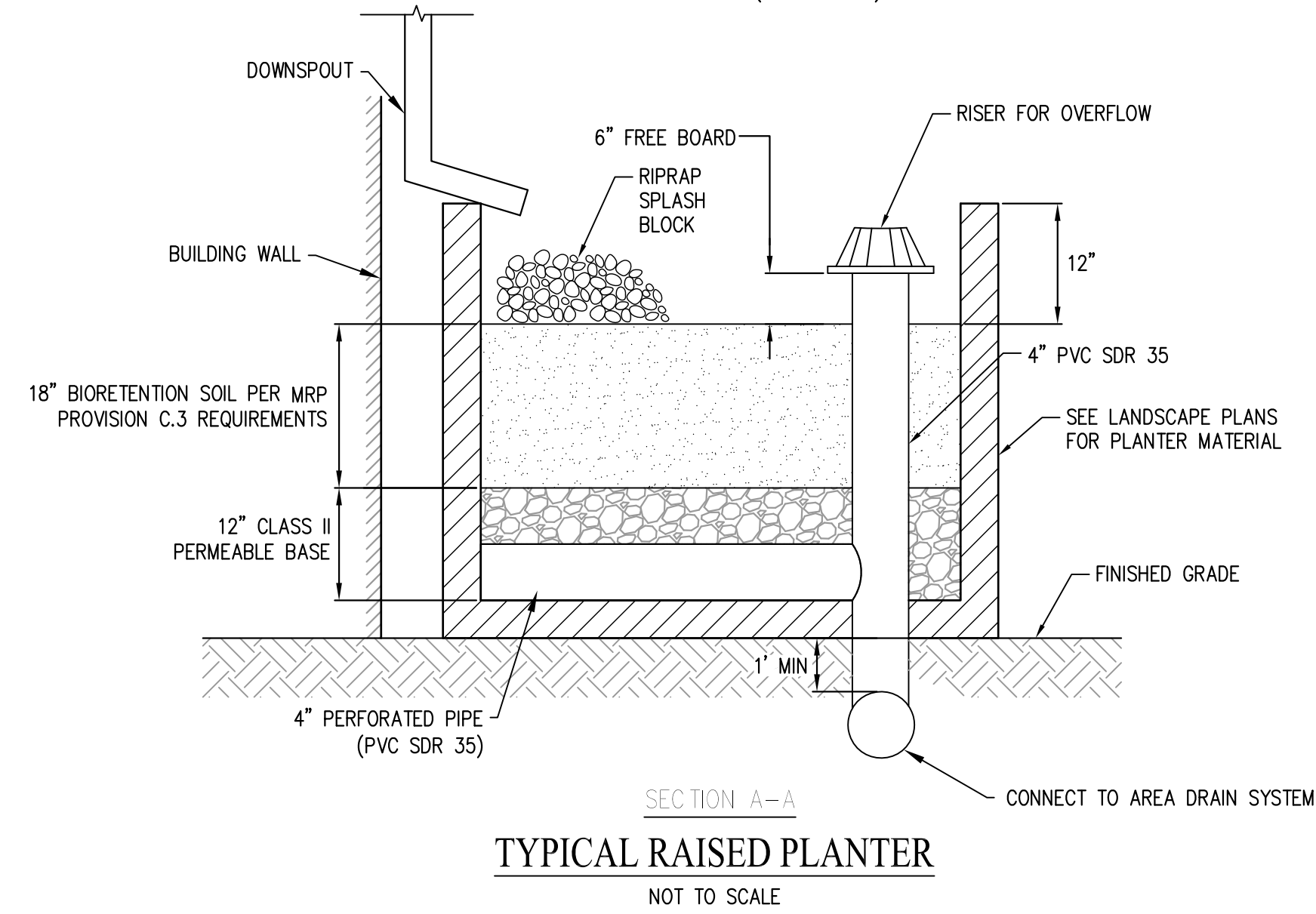
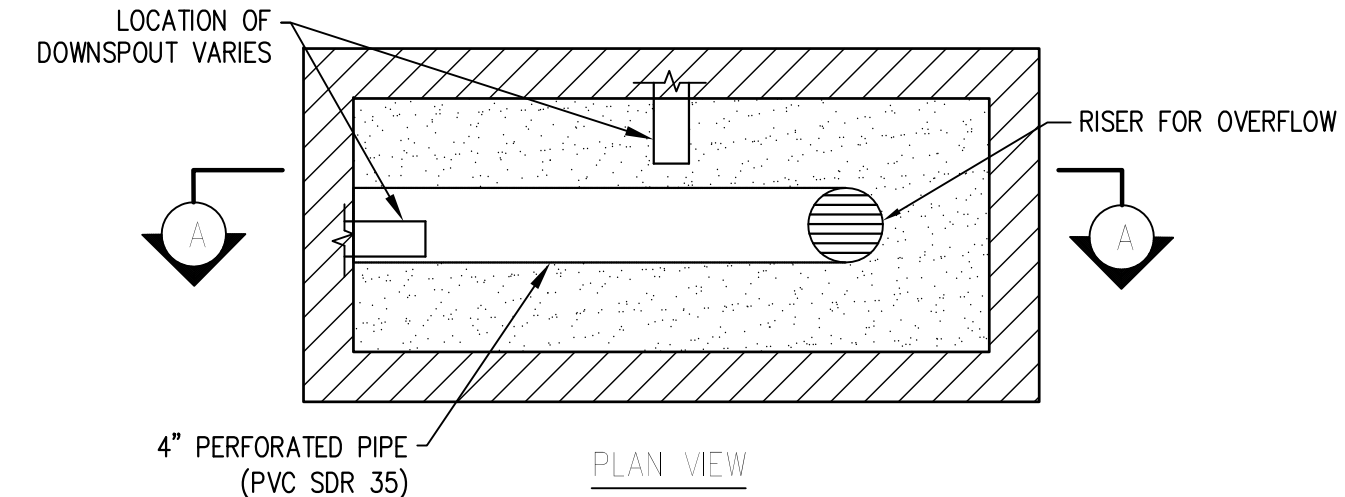
SEE SHEET TM.07A FOR ULTIMATE  
STORMWATER CONTROL PLAN



INTERIM BIORETENTION AREA ENLARGEMENT

SCALE: 1" = 20'

NOTES:  
INTERIM BIORETENTION AREA TO BE INSTALLED AT FUTURE BUILDING 18  
LOCATION IN ORDER TO PROVIDE 100% LID TREATMENT FOR STACKED FLATS  
UNTIL CONSTRUCTION BEGINS ON PODIUM BUILDING (BUILDING 1). FOLLOWING  
CONSTRUCTION OF BUILDING 1, THE INTERIM BIORETENTION AREA AND  
ASSOCIATED STORM DRAIN BYPASS FACILITIES WILL BE REMOVED AND BUILDING  
18 WILL BE CONSTRUCTED IN ITS PLACE.



TYPICAL BIORETENTION AREA

NOT TO SCALE

\*NOTE:  
INSTALL DEEPENED CURB IN ADDITION TO WATERPROOF BARRIER  
WHERE NECESSARY PER GEOTECHNICAL RECOMMENDATIONS

450 MONTAGUE

PRELIMINARY STORMWATER CONTROL PLAN DETAILS

TM.07B

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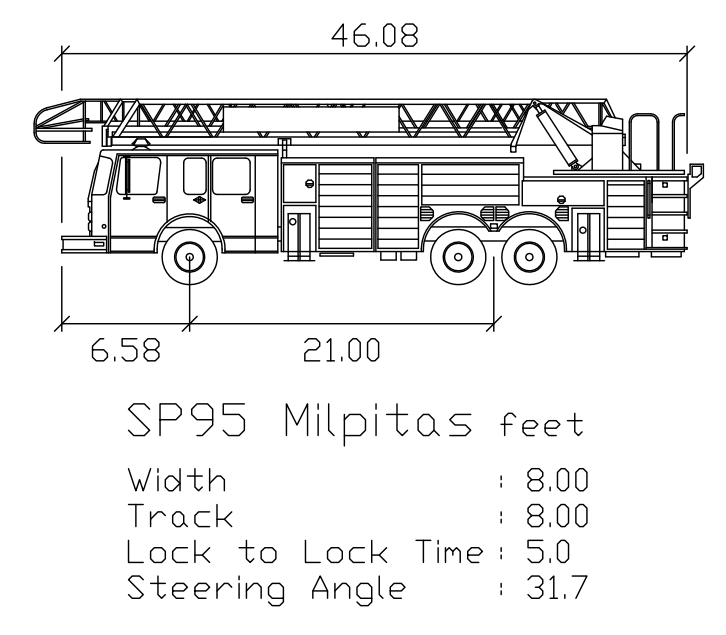
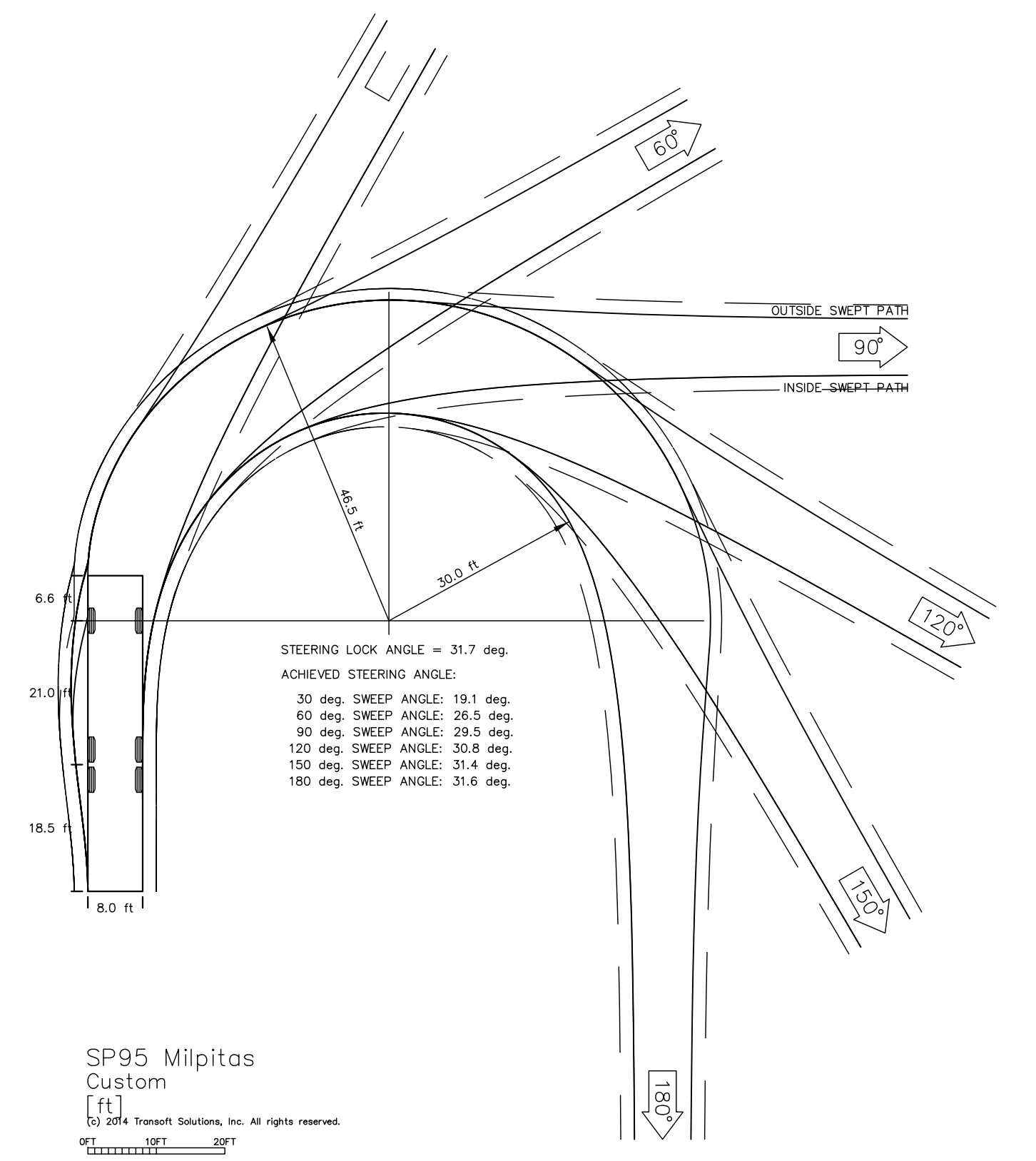
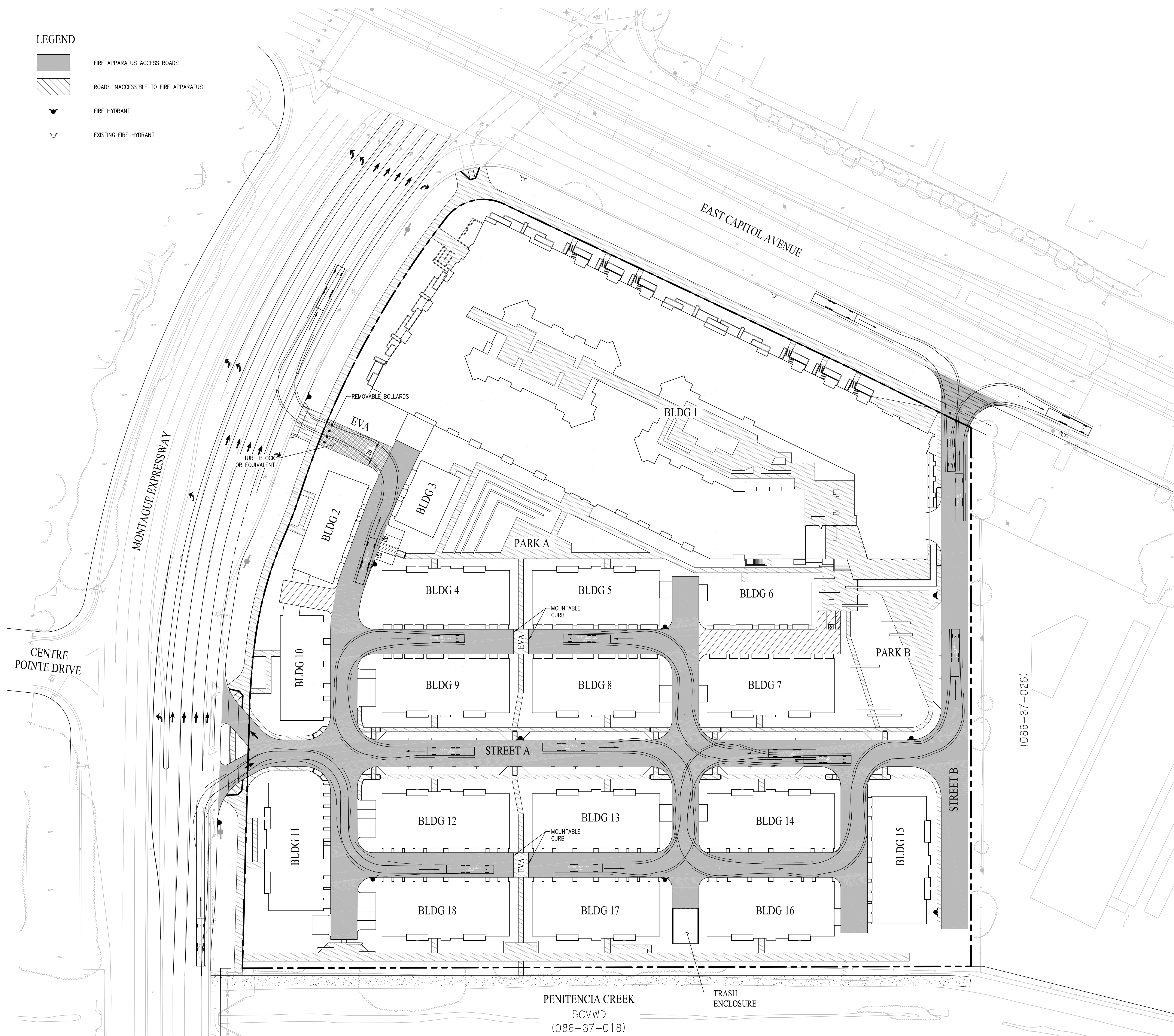
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LEGEND

- FIRE APPARATUS ACCESS ROADS
- ROADS INACCESSIBLE TO FIRE APPARATUS
- FIRE HYDRANT
- EXISTING FIRE HYDRANT



450 MONTAGUE

FIRE TRUCK ACCESS PLAN

TM.08

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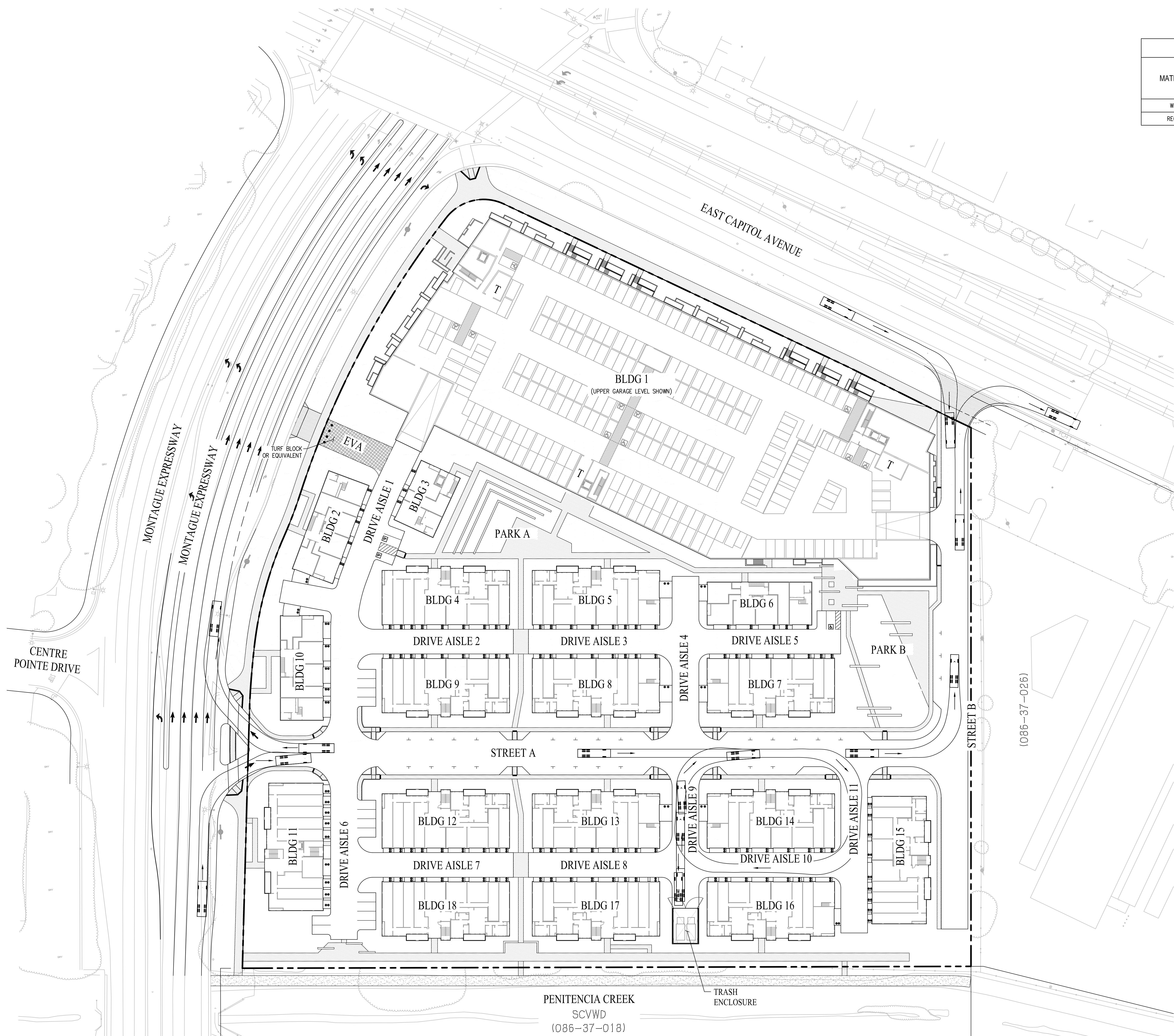
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| SOLID WASTE HANDLING SUMMARY |                                     |                                           |                                              |                                      |                                              |                                    |
|------------------------------|-------------------------------------|-------------------------------------------|----------------------------------------------|--------------------------------------|----------------------------------------------|------------------------------------|
| MATERIALS                    | WASTE FACTOR PER UNIT PER WEEK (CY) | WEEKLY WASTE GENERATION - APARTMENTS (CY) | WEEKLY WASTE GENERATION - STACKED FLATS (CY) | TOTAL WASTE GENERATION PER WEEK (CY) | COMPACTED CUBIC YARDS (3:1 COMPACTION RATIO) | PROJECTED PICKUPS PER WEEK (30 CY) |
| WASTE                        | 0.340                               | 124                                       | 56                                           | 180                                  | 60                                           | 2                                  |
| RECYCLE                      | 0.155                               | 57                                        | 26                                           | 82                                   | 27                                           | 1                                  |

- NOTES:
- WASTE GENERATION CALCULATIONS ARE BASED UPON 365 APARTMENT UNITS AND 185 STACKED FLAT UNITS FOR A CONSERVATIVE ASSUMPTION.
  - SEE TRASH MANAGEMENT PLAN BY AMERICAN TRASH MANAGEMENT DATED DECEMBER 11, 2014 FOR DETAILED WASTE GENERATION CALCULATIONS.

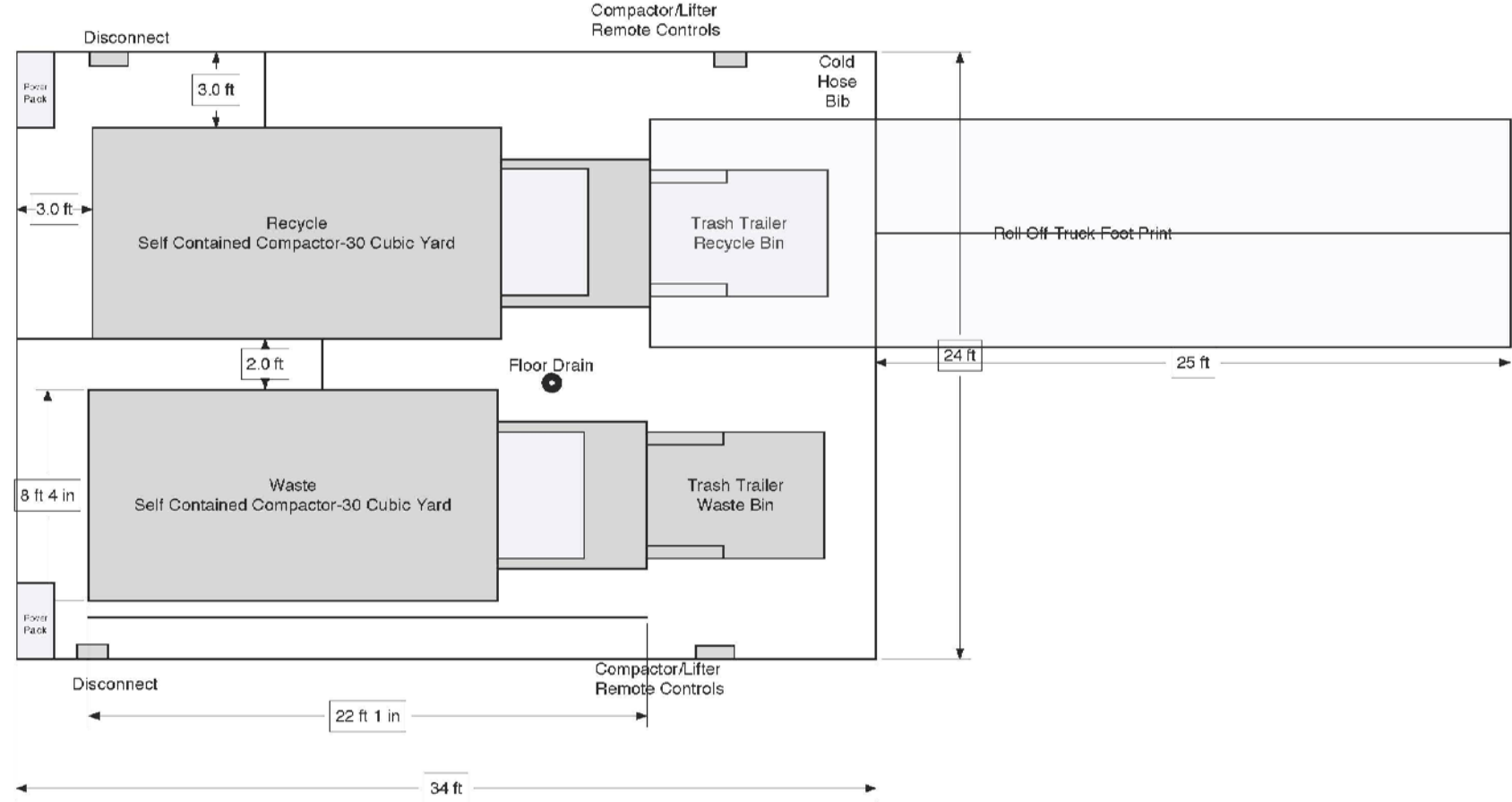
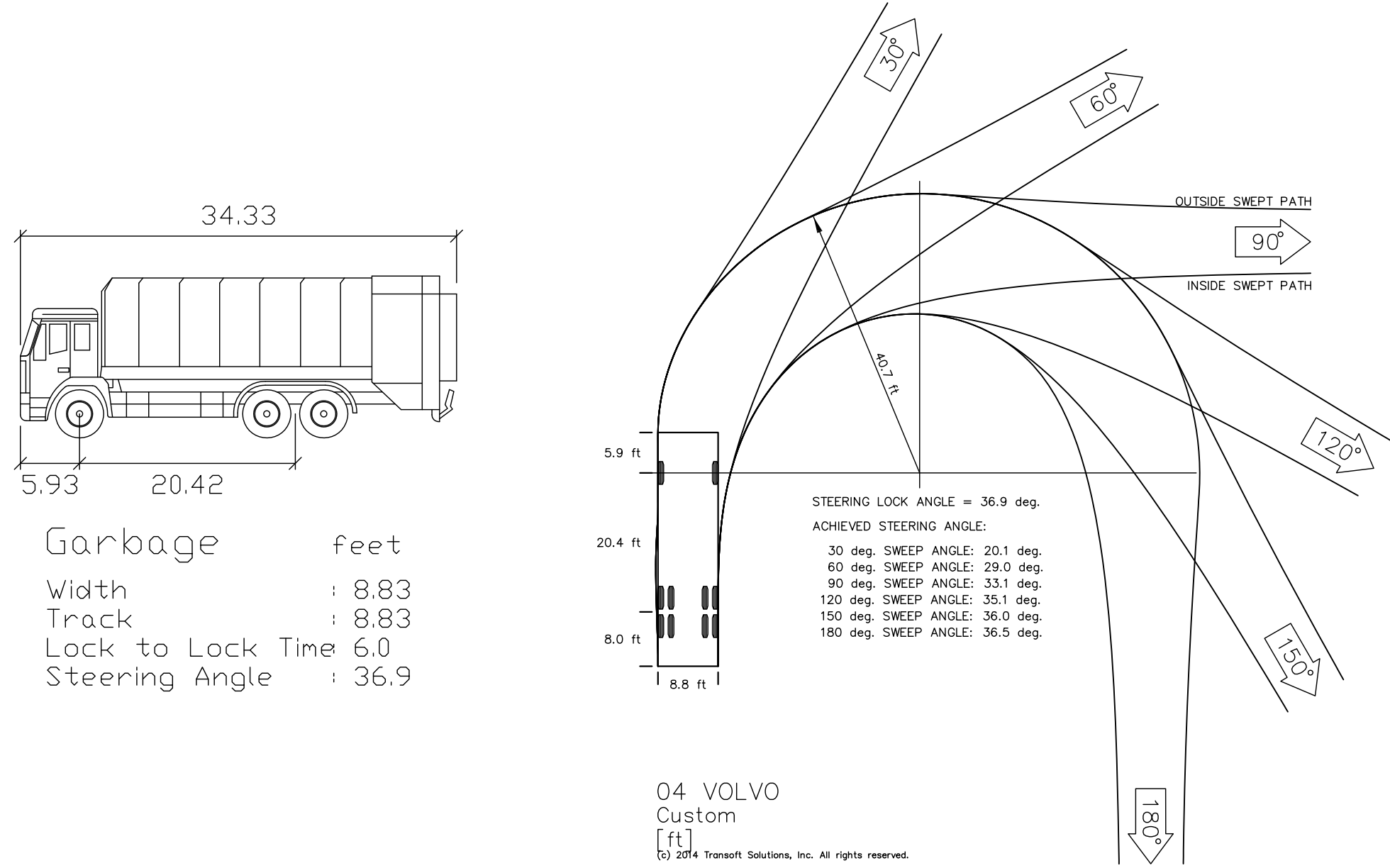
LEGEND

- WASTE AND RECYCLING TRASH BAGS
- WASTE BAG: BLACK/GRAY
- RECYCLING BAG: WHITE/CLEAR
- T TRASH ROOM

- NOTES:
- ALL TRASH BAGS PLACED ON DRIVEWAY FOR PICK UP TO COMPLY WITH SECTION V-200-3.30 OF MILPITAS MUNICIPAL CODE.
  - TURNING MOVEMENTS SHOWN REPRESENT REPUBLIC SERVICES COLLECTION VEHICLE TO AND FROM TRASH ENCLOSURE.

WASTE COLLECTION PROCESS

- STACKED FLAT BUILDINGS: RESIDENTS TO PLACE TRASH BAGS OUTSIDE GARAGE DOORS ON INDIVIDUAL DRIVEWAYS ON DESIGNATED TRASH DAY (ONE DAY PER WEEK).  
  
PODIUM BUILDING: RESIDENTS TO DEPOSIT TRASH FROM INDIVIDUAL UNITS INTO GRAVITY TRASH CHUTES WHICH EMPTY INTO LOOSE BINS OR COMPACTORS WITHIN TRASH ROOMS ON THE GARAGE LEVEL OF THE BUILDING.
- INDEPENDENT CONTRACTOR TO TRANSPORT TRASH BAGS FROM INDIVIDUAL DRIVEWAYS OF STACKED FLAT BUILDINGS AND LOOSE BINS/COMPACTORS FROM TRASH ROOMS WITHIN PODIUM GARAGE TO THE CENTRAL TRASH ENCLOSURE USING STANDARD UTILITY VEHICLE OR PICK-UP TRUCK TOWING TRAILER OR CARTS. INDEPENDENT CONTRACTOR SERVICES TO BE COORDINATED BY PROJECT HOMEOWNERS ASSOCIATION.
- REPUBLIC SERVICES TO PICK UP TRASH FROM CENTRAL ENCLOSURE ONCE PER WEEK.



TRASH ENCLOSURE DETAIL  
NOT TO SCALE

450 MONTAGUE

SOLID WASTE MANAGEMENT PLAN

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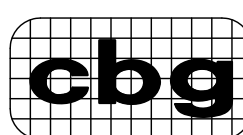
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LEGEND

-  GARAGE PARKING STALL
-  ACCESSIBLE PARKING STALL
-  VAN ACCESSIBLE PARKING STALL
-  UNCOVERED PARKING STALL

PARKING SUMMARY

STACKED FLATS

| DESCRIPTION     | UNIT COUNT | PARKING REQUIRED     | PARKING PROVIDED     |
|-----------------|------------|----------------------|----------------------|
| GARAGE          | 138        | 224                  | 270                  |
| ON-STREET GUEST | —          | 45<br>(20% REQUIRED) | 52<br>(23% PROVIDED) |
| TOTAL           | —          | 269                  | 322                  |

NOTES:

1. STANDARD GARAGE PARKING INCLUDES 6 VAN ACCESSIBLE SPACES. THE UNITS WITH ACCESSIBLE SPACES WILL ONLY HAVE 1 PARKING SPACE PER UNIT.
2. GUEST PARKING INCLUDES 2 STANDARD ACCESSIBLE AND 1 VAN ACCESSIBLE SPACES.
3. PROVIDED GUEST PARKING IS BASED ON PRELIMINARY DESIGN. ACTUAL PARKING PROVIDED MAY VARY WITH FINAL DESIGN IN ACCORDANCE WITH MINIMUM GUEST PARKING REQUIREMENTS.

PODIUM APARTMENTS

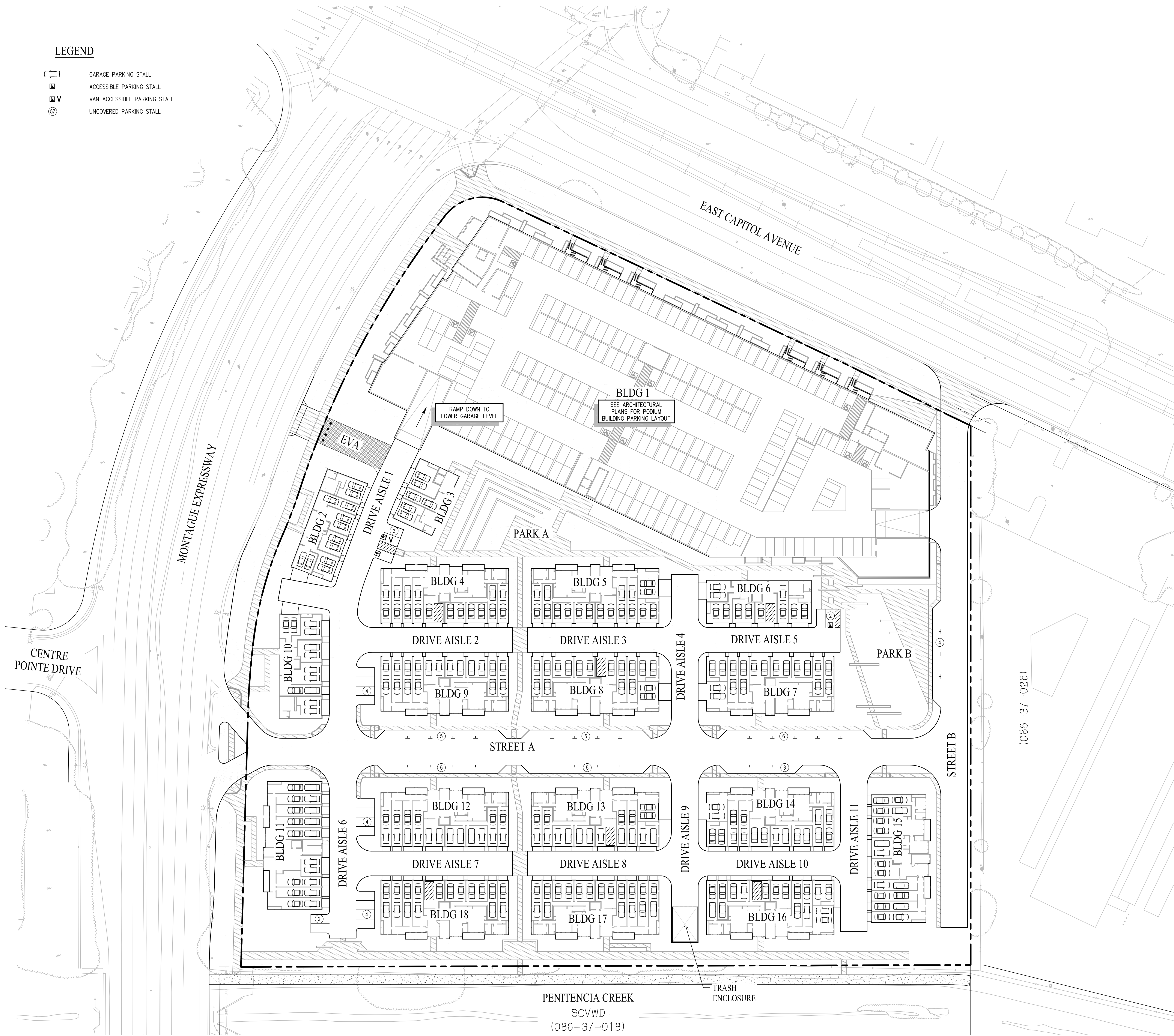
| DESCRIPTION       | UNIT TYPE    | UNIT COUNT | PARKING REQUIRED       |                  | PARKING PROVIDED       |                  |
|-------------------|--------------|------------|------------------------|------------------|------------------------|------------------|
|                   |              |            | REQUIRED PARKING RATIO | PARKING REQUIRED | PROVIDED PARKING RATIO | PARKING PROVIDED |
| GARAGE (RESIDENT) | JR 1 BEDROOM | 45         | 0.8 SPACES/DU          | 36               | 0.8 SPACES/DU          | 36               |
|                   | 1 BEDROOM    | 202        | 1.2 SPACES/DU          | 242              | 1.2 SPACES/DU          | 242              |
|                   | 2 BEDROOM    | 104        | 1.6 SPACES/DU          | 166              | 1.6 SPACES/DU          | 167              |
|                   | SUBTOTAL     | 351        | —                      | 444              | —                      | 445              |
| GARAGE (GUEST)    |              | —          | 15% OF REQUIRED        | 67               | 15% OF REQUIRED        | 67               |
| TOTAL             |              | —          | —                      | 511              | —                      | 512              |

NOTES:

1. SEE ARCHITECTURAL PLANS FOR LOCATIONS OF ACCESSIBLE PARKING SPACES.
2. PROVIDED GUEST PARKING IS BASED ON PRELIMINARY DESIGN. ACTUAL PARKING PROVIDED MAY VARY WITH FINAL DESIGN IN ACCORDANCE WITH MINIMUM GUEST PARKING REQUIREMENTS.

OVERALL PROJECT

| PRODUCT       | PARKING PROVIDED | PARKING PROVIDED | %    |
|---------------|------------------|------------------|------|
| PODIUM        | STANDARD         | 344              | 41%  |
|               | COMPACT          | 40               | 5%   |
|               | TANDEM           | 128              | 33%  |
| STACKED FLATS | TANDEM           | 144              | 15%  |
|               | STANDARD         | 126              | 15%  |
|               | ON-STREET        | 52               | 6%   |
| TOTAL         |                  | 834              | 100% |



450 MONTAGUE

PARKING PLAN

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CITY NOTES AND CONDITIONS OF APPROVAL

450 MONTAGUE

CONDITIONS OF APPROVAL



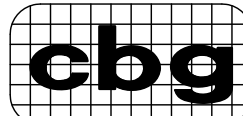
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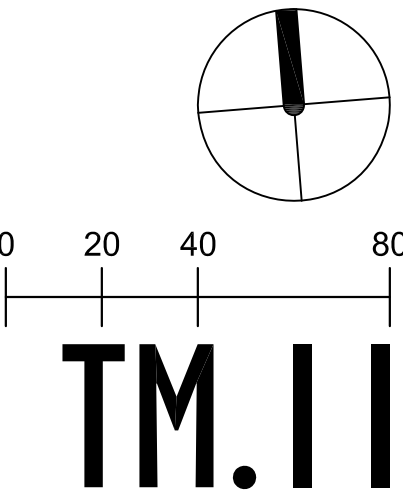
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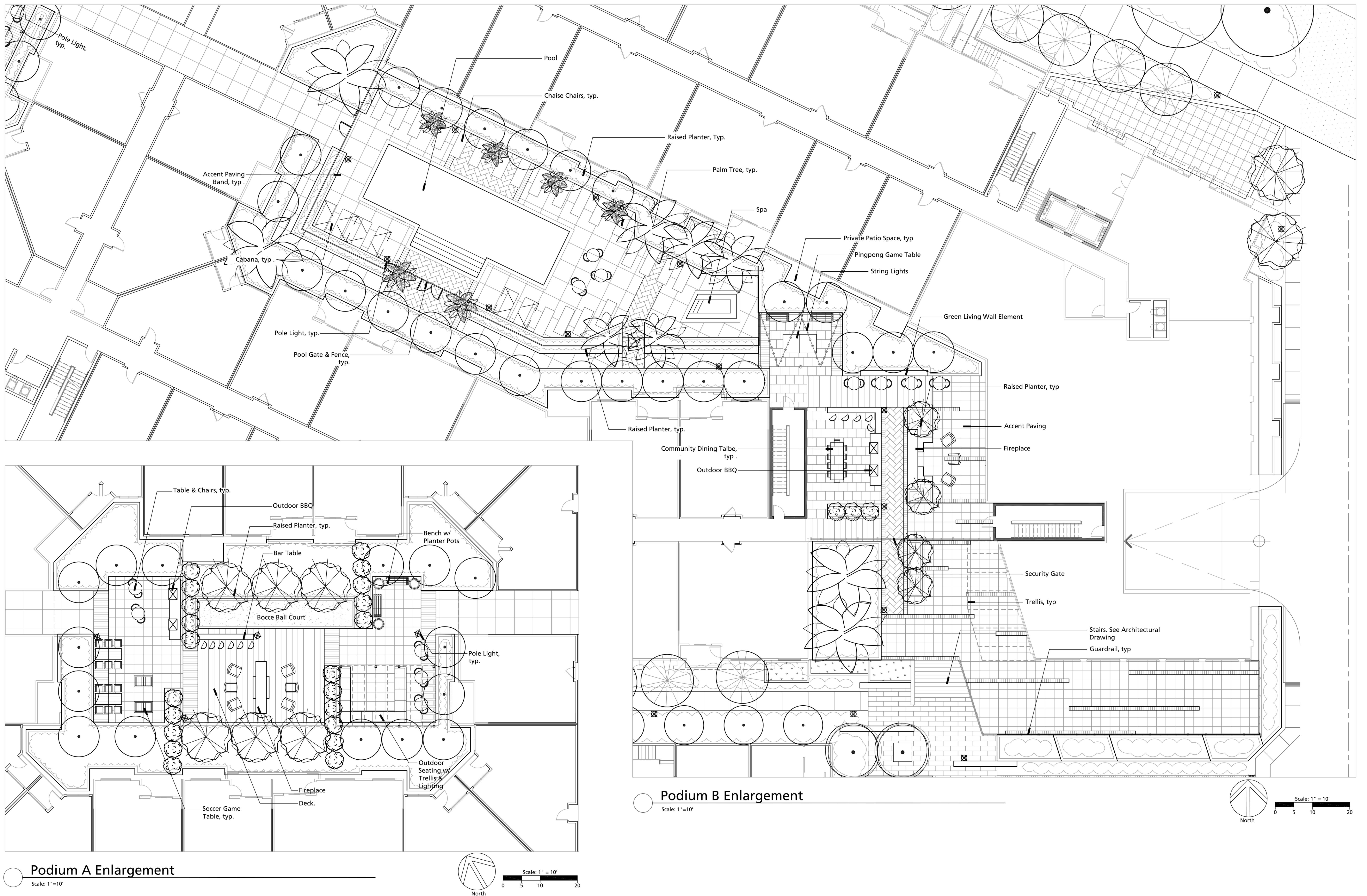


TM.II









## 450 MONTAGUE

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## PODIUM COURTYARD ENLARGEMENTS

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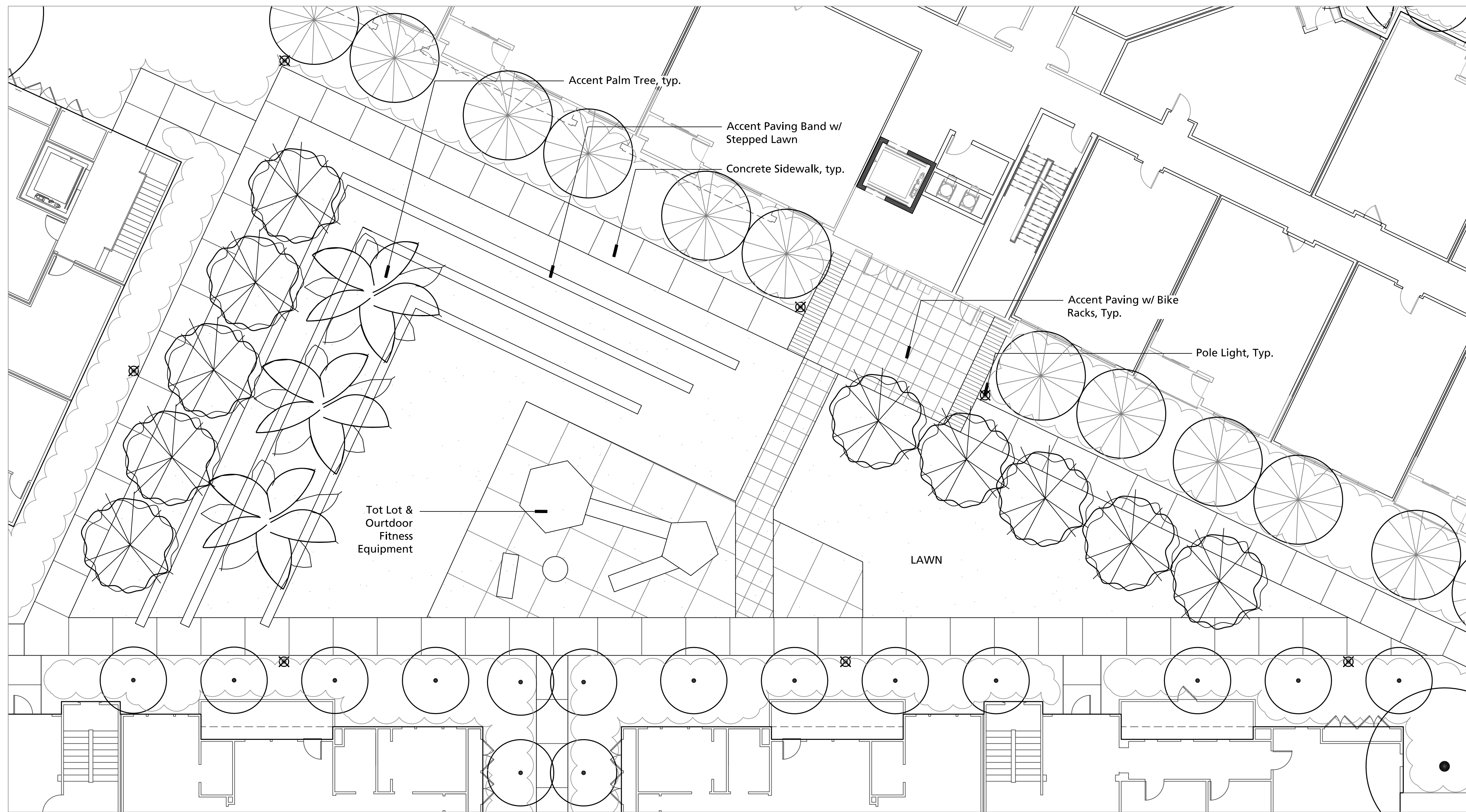
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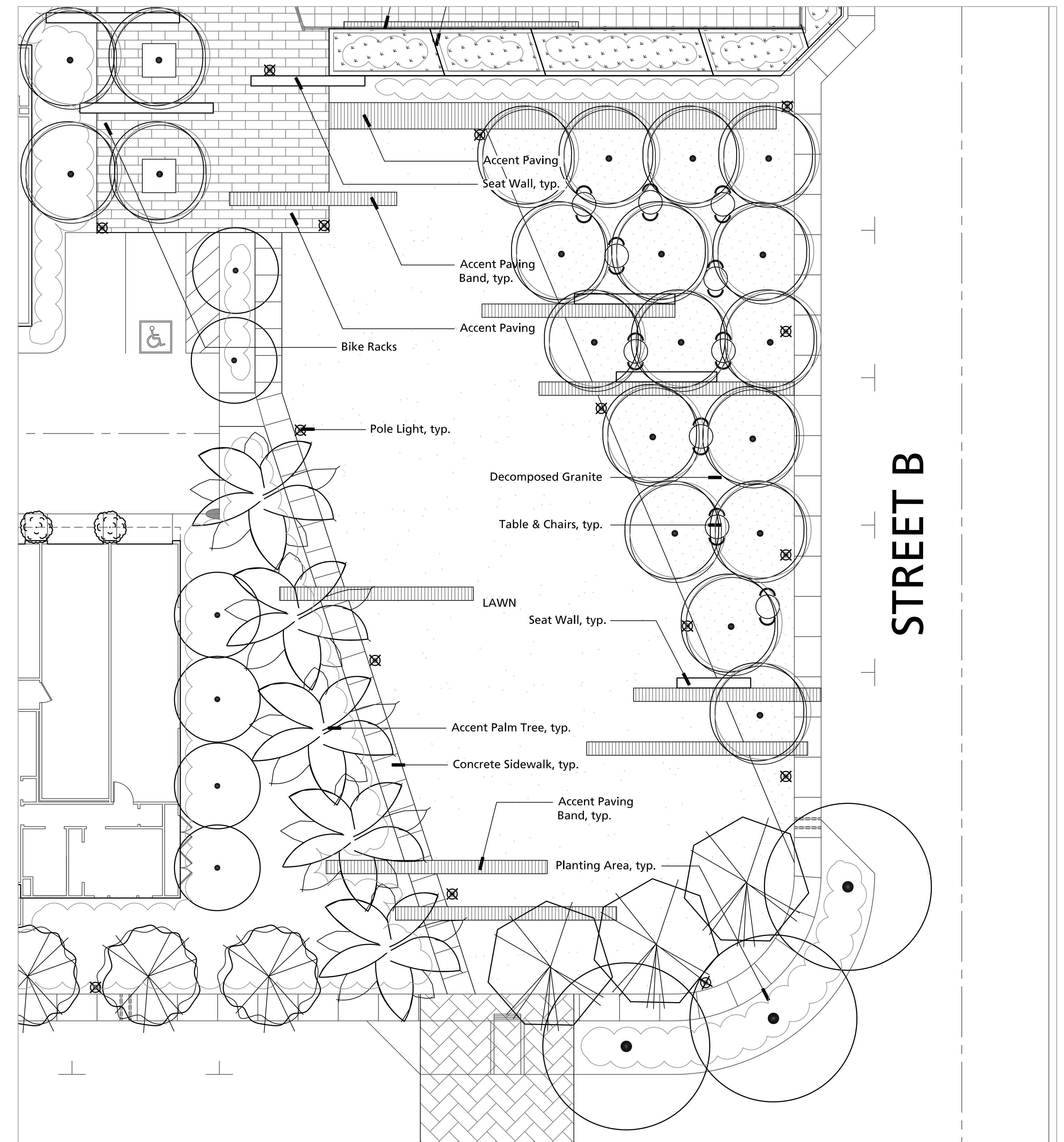
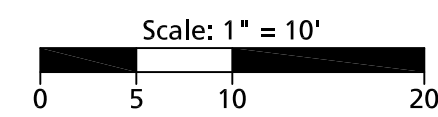
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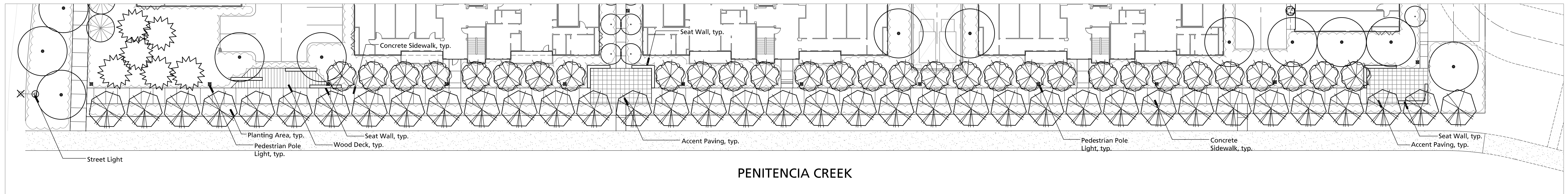
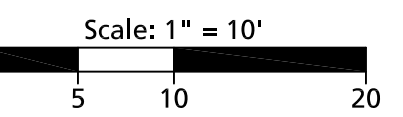




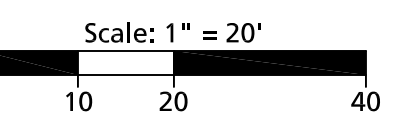
**Park A Enlargement**  
Scale: 1"=10'



**Park B Enlargement**  
Scale: 1"=10'



**Linear Park Enlargement**  
Scale: 1"=20'



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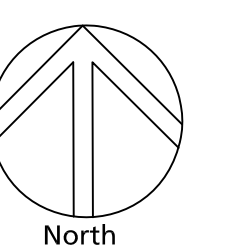
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PARK ENLARGEMENTS

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| SHRUBS |       |                                   |                               |          |          |
|--------|-------|-----------------------------------|-------------------------------|----------|----------|
| KEY    | SIZE  | BOTANICAL NAME                    | COMMON NAME                   | COMMENTS | QUANTITY |
| AV     | 5 gal | Agave geminiflora                 | Twin-Flowered Agave           |          | 150      |
| AT     | 15gal | Agave attenuata                   | Foxtail Agave                 |          | 150      |
| AA     | 15gal | Agave americana sp.               | Century Plant                 |          | 300      |
| AM     | 5 gal | Aloe marlothii                    | Marlothii Aloe                |          | 400      |
| AZ     | 5 gal | Aeonium Zwarfork                  | Aeonium                       |          | 120      |
| AM     | 5 gal | Acanthus mollis                   | Bear's Breech                 |          | 110      |
| BT     | 15gal | Bambusa textilis                  | Weaver's Bamboo               |          | 250      |
| BA     | 15gal | Bambusa multiplex 'Alphonse Karr' | 'Alphonse Karr' Bamboo        |          | 200      |
| DB     | 5 gal | Dietes bicolor                    | Fountain Lily                 | 30" O.C. | 175      |
| DV     | 15gal | Dodonaea viscosa Purpurea         | Hopsea Bush                   |          | 130      |
| GT     | 15gal | Gunnera tinctoria                 | Gunnera                       |          | 350      |
| HH     | 15gal | Himalayacalamus hookerianus       | Blue Bamboo                   |          | 280      |
| IL     | 5gal  | Ilex vomitoria 'Nana'             | Dwarf Yaupon                  |          | 350      |
| PN     | 15gal | Phyllostachys nigra               | Black Bamboo                  |          | 200      |
| PM     | 15gal | Podocarpus 'Maki'                 | Maki Fern Pine                |          | 50       |
| LC     | 5 gal | Loropetalum chinense              | Loropetalum                   | 36" O.C. | 320      |
| GU     | 5 gal | Gardenia jasminoides              | Gardenia                      |          | 340      |
| LD     | 5 gal | Leucodendron discolor 'Pom Pom'   | Leucodendron Pom Pom          |          | 275      |
| MR     | 5 gal | Muhlenbergia rigens               | Deer Grass                    | 36" O.C. | 350      |
| PZ     | 5 gal | Phormium 'Maori Maiden'           | Maori Maiden New Zealand Flax |          | 160      |
| PG     | 5 gal | Phormium 'Guardsman'              | Guardsman New Zealand Flax    |          | 230      |
| SN     | 15gal | Strelitzia nicotina               | Giant Bird of Paradise        |          | 220      |
| YS     | 5 gal | Strelitzia reginae                | Bird of Paradise              | 24" O.C. | 110      |
| YF     | 15gal | Yucca filamentoosa 'Variegata'    | Variegated Adam's Needle      |          | 275      |

| VINES |       |                          |                        |  |     |
|-------|-------|--------------------------|------------------------|--|-----|
| BO    | 5 gal | Bougainvillea 'Oo-La-La' | Oo La La Bougainvillea |  | 160 |
| CA    | 5 gal | Clematis armandii        | Evergreen Clematis     |  | 122 |

**\*\*NOTE:** Plant quantities listed are approximate. The above plants have been selected as being representative of the overall planting design intent. This plant palette is suggested for use, but does not preclude use of other appropriate plant material. Water-conserving plants and other climate appropriate varieties of trees, shrubs and ground covers have been selected to complement the character of the project.

The final construction documents will provide the contractor with an understanding of the design intent for the maintenance of the planting areas regarding care and pruning of the site. The maintenance contractor shall furnish all labor, equipment, materials and supervision required to properly maintain the landscaped areas in an attractive condition and as described in the project maintenance specifications.

Total Landscape Area 152,300 Sqft

| Water Budget Calculation Worksheet                                                                                                                                             |                                            |                        |                        |                              |                                             |             |                                         |                     |                                   |                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------|------------------------|------------------------|------------------------------|---------------------------------------------|-------------|-----------------------------------------|---------------------|-----------------------------------|-------------------------------------------|
| Maximum Applied Water Allowance (MAWA)                                                                                                                                         |                                            |                        |                        |                              |                                             |             |                                         |                     |                                   |                                           |
| The maximum allowed water to be used on a site is calculated based on the formula below.                                                                                       |                                            |                        |                        |                              |                                             |             |                                         |                     |                                   |                                           |
| 45.3                                                                                                                                                                           | 0.62                                       | 0.70                   | 153,300                | 0                            |                                             |             |                                         |                     |                                   |                                           |
| ETO                                                                                                                                                                            | Conversion<br>from inches to<br>gallons.   | ETAF                   | Landscape<br>Area      | Special<br>Landscape<br>Area | =                                           | 2,994,248   | Gallons                                 |                     |                                   |                                           |
| Estimated Total Water Use Savings                                                                                                                                              |                                            |                        |                        |                              |                                             |             |                                         |                     |                                   |                                           |
| 1,079,774                                                                                                                                                                      |                                            |                        |                        |                              |                                             |             |                                         |                     |                                   |                                           |
| Irrigation System Design Factors                                                                                                                                               |                                            |                        |                        |                              |                                             |             |                                         |                     |                                   |                                           |
| Hydzone<br>Category<br>(WUCOLS)                                                                                                                                                | Plant Material<br>(from landscape<br>plan) | Species<br>Factor (Ks) | Density Factor<br>(Kd) | Microclimate<br>Factor (Kmc) | Average<br>Landscape<br>Coefficient<br>(Kc) | Area (Sqft) | Plant Water<br>Requirement<br>(Gallons) | System Type         | Estimated<br>Design<br>Efficiency | Hydzone water<br>Requirement<br>(Gallons) |
| High<br>Water Use                                                                                                                                                              | MIXED                                      | 0.8                    | 1                      | 1                            | 0.8                                         | 15,230      | 342,200                                 | Sub Surface<br>Drip | 0.90                              | 380,222                                   |
| High<br>Water Use                                                                                                                                                              | WATER<br>FEATURES                          | 0.8                    | 1                      | 1                            | 0.8                                         | 200         | 4,494                                   | Line                | 0.90                              | 4,993                                     |
| Medium                                                                                                                                                                         | MIXED                                      | 0.5                    | 1                      | 1                            | 0.5                                         | 30,260      | 424,941                                 | Drip                | 0.80                              | 531,176                                   |
| Low Water<br>Use                                                                                                                                                               | MIXED                                      | 0.3                    | 1                      | 1                            | 0.3                                         | 106,610     | 898,275                                 | Sub Surface<br>Drip | 0.90                              | 998,083                                   |
| TOTALS                                                                                                                                                                         |                                            |                        |                        |                              |                                             | 152,300     | 1,669,909                               |                     |                                   | 1,914,474                                 |
| The information included on this sheet and associated landscape and irrigation plans represent the landscape water allowance and estimated water requirements of this project. |                                            |                        |                        |                              |                                             |             |                                         |                     |                                   |                                           |
| Total Estimated Irrigation Requirement                                                                                                                                         |                                            | 1,914,474              |                        |                              |                                             |             |                                         |                     |                                   |                                           |

[illegible]

- ## NOTES OF DESIGN INTENT
1. IRRIGATION SYSTEM SHALL BE DESIGNED IN ACCORDANCE WITH LOCAL WATER EFFICIENT LANDSCAPE ORDINANCE.
  2. IRRIGATION CONTROLLER SHALL BE "SMART" SELF ADJUSTING BASED ON DAILY ET REQUIREMENTS OF THE PLANT MATERIAL.
  3. DEDICATED IRRIGATION SYSTEM WATER METER SHALL CONNECT TO A LOOPED IRRIGATION SYSTEM SUPPLYLINE.
  4. LOW PRECIPITATION RATE IRRIGATION SPRAY HEADS SHALL BE USED WHEREVER PLANTING MATERIAL AND WATER EFFICIENT LANDSCAPE ORDINANCE WILL ALLOW.
  5. HIGH EFFICIENCY Drip IRRIGATION SHALL BE USED WHEREVER PRACTICABLE WITHIN GRASS AND SHRUB AREAS.
  6. DEDICATED IRRIGATION ZONES FOR TREES SHALL BE DESIGNED WITH BUBBLER IRRIGATION.
  7. VALVE BOX LOCATIONS SHALL BE IN GRASS COVER AREAS WHEREVER POSSIBLE.

- | PROPOSED EQUIPMENT LIST                |                                              |  |            |
|----------------------------------------|----------------------------------------------|--|------------|
| DOMESTIC WATER METER -2"               | -ANY OTHER SECTION OF CONTRACT               |  |            |
| IRRIGATION BACKFLOW PREVENTION DEVICE  | -E-100S-375-1/2"                             |  |            |
| FLUSH VALVE                            | -1000-250-27-01 -21"                         |  |            |
| FLOP DISC                              | -1000-250-27-01 -21"                         |  |            |
| FERTIGATION SYSTEM (20 GALLON)         | -NUTRIFLO-PP200-1"                           |  |            |
| ELECTRIC CONTROLLER ASSEMBLIES         | -2-1/2-10-1"                                 |  |            |
| REMOTE CONTROL VALVES                  | -B-100-100-3/4"                              |  |            |
| DRIP REMOTE CONTROL VALVES             | -1000-P220 SERIES WITH DRIP CONTROL ASSEMBLY |  |            |
| QUICK COUPLING VALVES                  | -B-100-350C                                  |  |            |
| DAVE VALVES -1/2" SIZE                 | -SEE DETAIL                                  |  |            |
| DIGITAL SOL MORTISE SINK               | -EX-SINK-1/2 BENSINGER                       |  |            |
| RAIN GUN/SPIR                          | -T-100-1/2"                                  |  |            |
| FLUSH VALVE                            | -SEE DETAIL                                  |  |            |
| PLASTIC PIP FOR IRRIGATION             | -SEE DETAIL                                  |  |            |
| TRICK BUBBLERS                         | -T-100-1/2-100-1/2"                          |  |            |
| IRRIGATION SUPPLYLINE -DOMESTIC SYSTEM | -1150-300/SCHEDULE 40 PVC PIPE               |  | -24" COVER |
| IRRIGATION SPRINKLERLINE               | -1150-300/SCHEDULE 40 PVC PIPE               |  | -12" COVER |
| ELECTRICAL CONTROL-WIRE AS INDICATED   | -1150-300/SCHEDULE 40 PVC PIPE               |  | -24" COVER |
| IRRIGATION -1/2" NUTRIENT INJECTED     | -1150-300/SCHEDULE 40 PVC PIPE               |  | -24" COVER |
| IRRIGATION SUBSURFACE EMITTER LINE     | -NUTRIFLO-L-1/2-1"                           |  | -4" COVER  |







# MEMORANDUM

*Department of Planning and Neighborhood Services*

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**5F**

**To:** Parks, Recreation, and Cultural Resources Commission

**From:** Shaunn Mendrin, Senior Planner

**Subject:** 450 Montague Park

**Date:** February 2, 2015

---

**Background:**

In June 2008, the City Council adopted the Transit Area Specific Plan (TASP), which includes the vision for approximately 7,000 dwelling units, 900,000 square feet of office and 280,000 square feet of retail space over a 437 acre area. The plan also anticipates 36 acres of public park land. The transit area is intended to be a cohesive neighborhood with consistent focus towards walking and transit usage. However, the planning area is divided by creeks, roadways, railways and various developed parcels. As a planning strategy, the specific plan created sub-districts with specific planning and vision criteria to take advantage of local characteristics. This report is on the Trade Zone/Montague sub-district.

For this subdistrict, the TASP envisioned a larger park located off Sango and a smaller linear park paralleling Penetencia Creek between Montague and Lundy. 450 Montague is currently in process for consideration of a new residential development and park space. The proposed project is located over three parcels and includes linear park and larger park areas. The proposed park is comprises of three areas

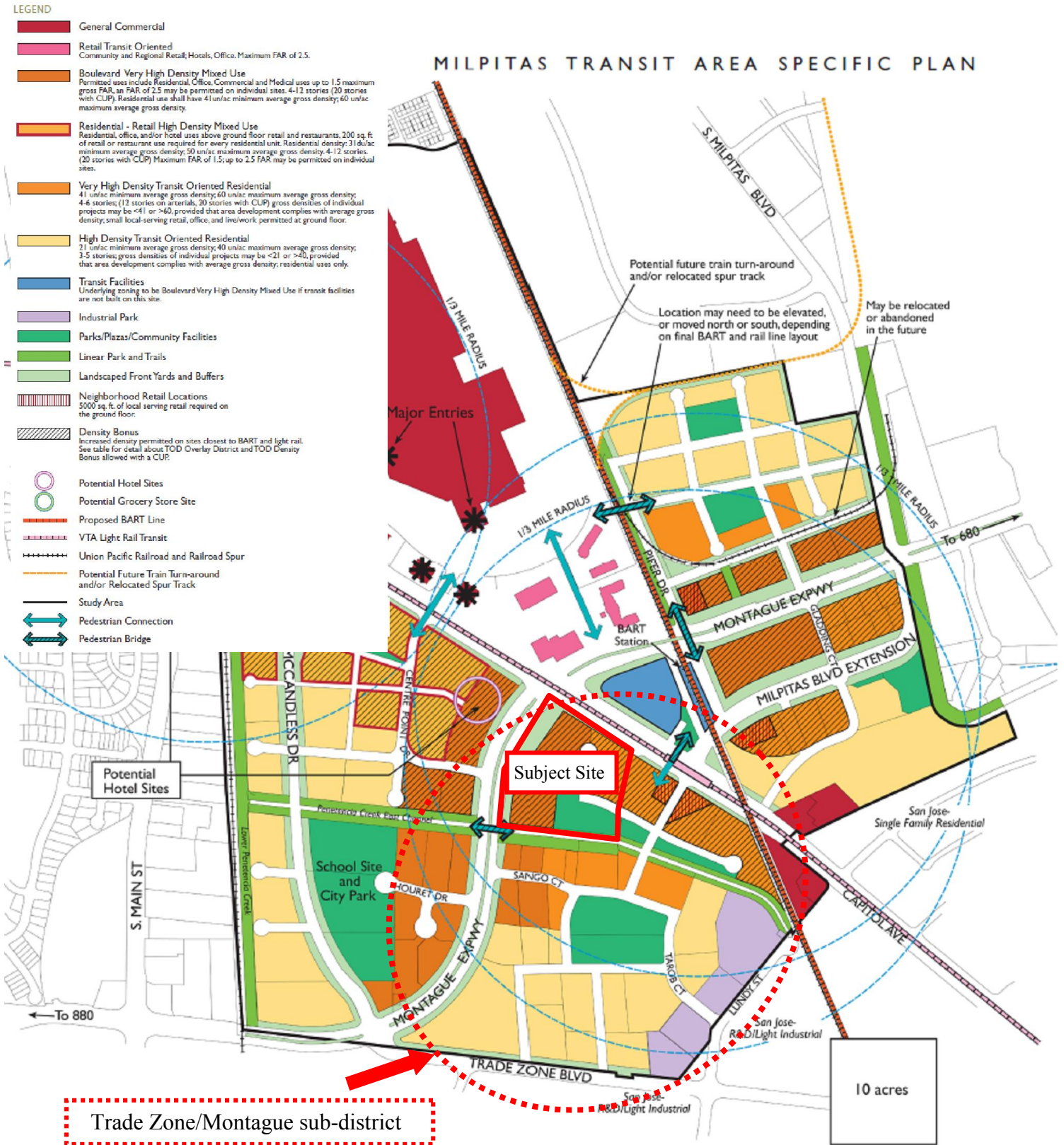
**Recommendation:**

Receive proposed parks, identify park name and forward to City Council for final approval.

**Attachments:**

A- Transit Area Specific Plan- Land Uses & Subdistrict

# Attachment A – TASP Land Use Plan



## Attachment B

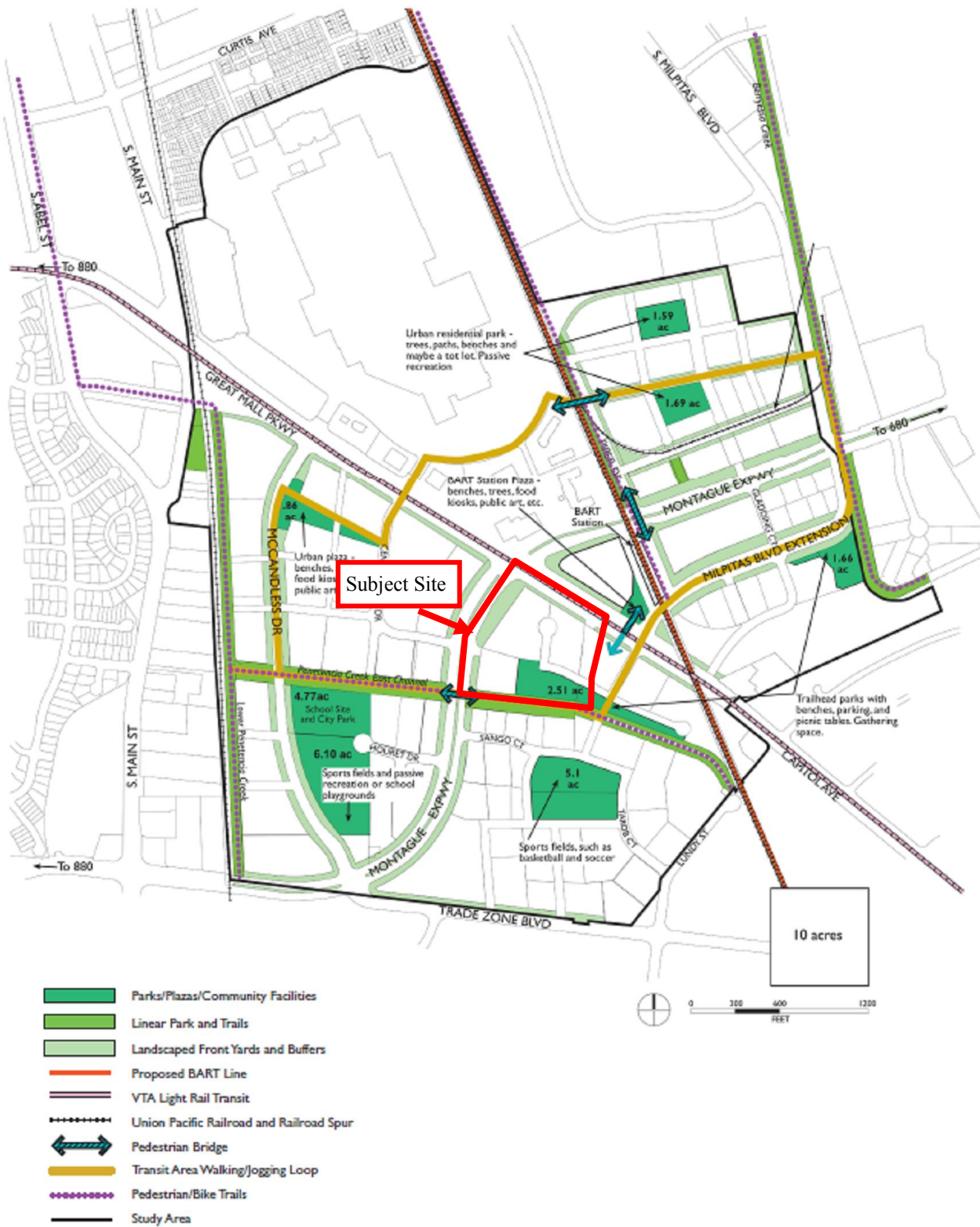






Exhibit Index:

|   |                                                |
|---|------------------------------------------------|
| 1 | Landscape Plan                                 |
| 2 | Site Plan - Park Area Summary                  |
| 3 | Park Enlargements                              |
| 4 | Conceptual Park Imagery                        |
| 5 | Section Through Linear Park & Park B Extension |
| 6 | Park B Extension Plan and Conceptual Imagery   |
| 7 | Park Paseo - Link Between Park A & B           |
| 8 | Park Paseo Conceptual Perspective              |

## 450 MONTAGUE



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San Francisco, CA 94111



Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

## PARKS EXHIBIT

MILPITAS, CA

KTGY # 2013-0551

01.23.2015

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**Architecture+Planning**  
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Oakland, CA 94607  
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## 450 MONTAGUE

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## LANDSCAPE PLAN

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Park Area Summary

|                       | Acres       |
|-----------------------|-------------|
| Park 'A'              | 0.33        |
| Park 'B'              | 0.31        |
| Linear Park           | 0.50        |
| Park Link 'A'         | 0.13        |
| Park Link 'B'         | 0.14        |
| Park Paseo            | 0.07        |
| <b>Total Provided</b> | <b>1.48</b> |



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SITE PLAN - PARK AREA SUMMARY

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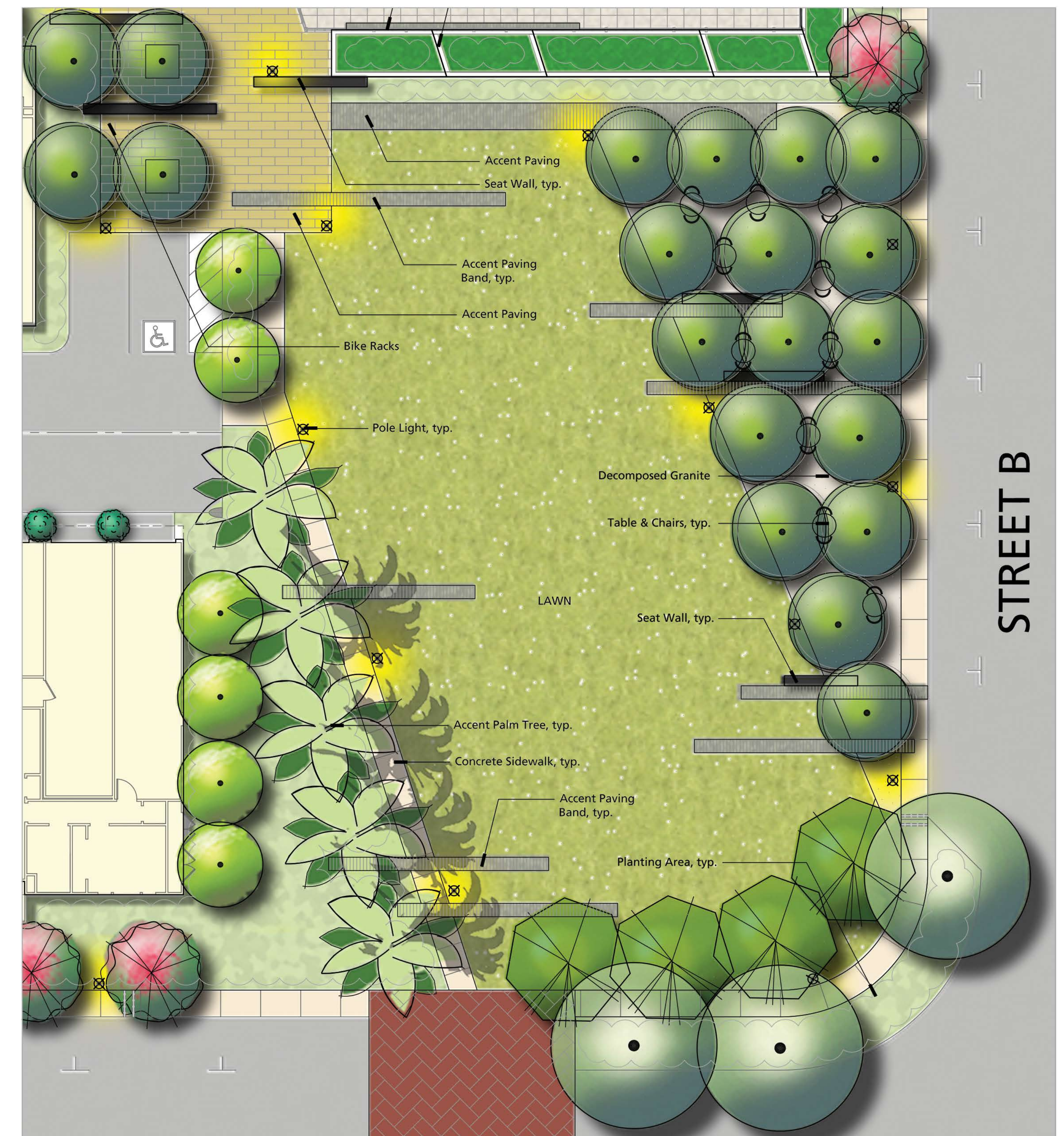
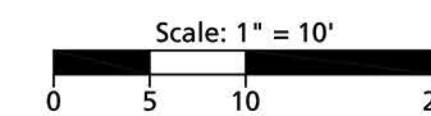






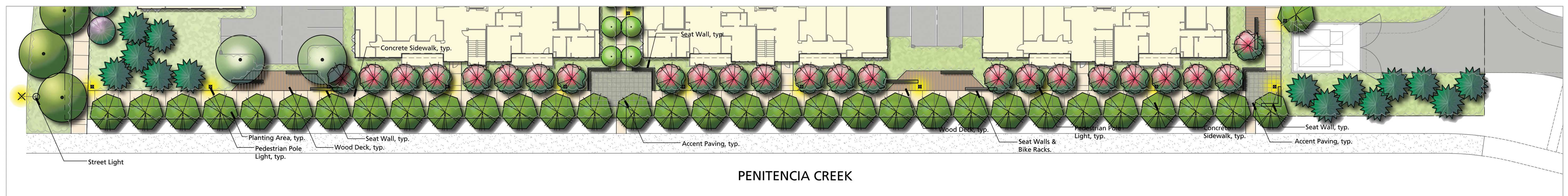
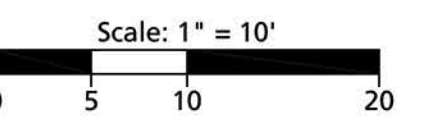
**Park A Enlargement**

Scale: 1"=10'



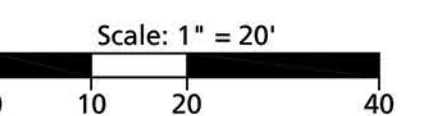
**Park B Enlargement**

Scale: 1"=10'



**Linear Park Enlargement**

Scale: 1"=20'



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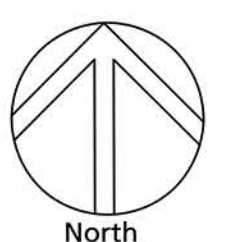
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**PARK ENLARGEMENTS**

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# CONCEPTUAL PARK IMAGERY

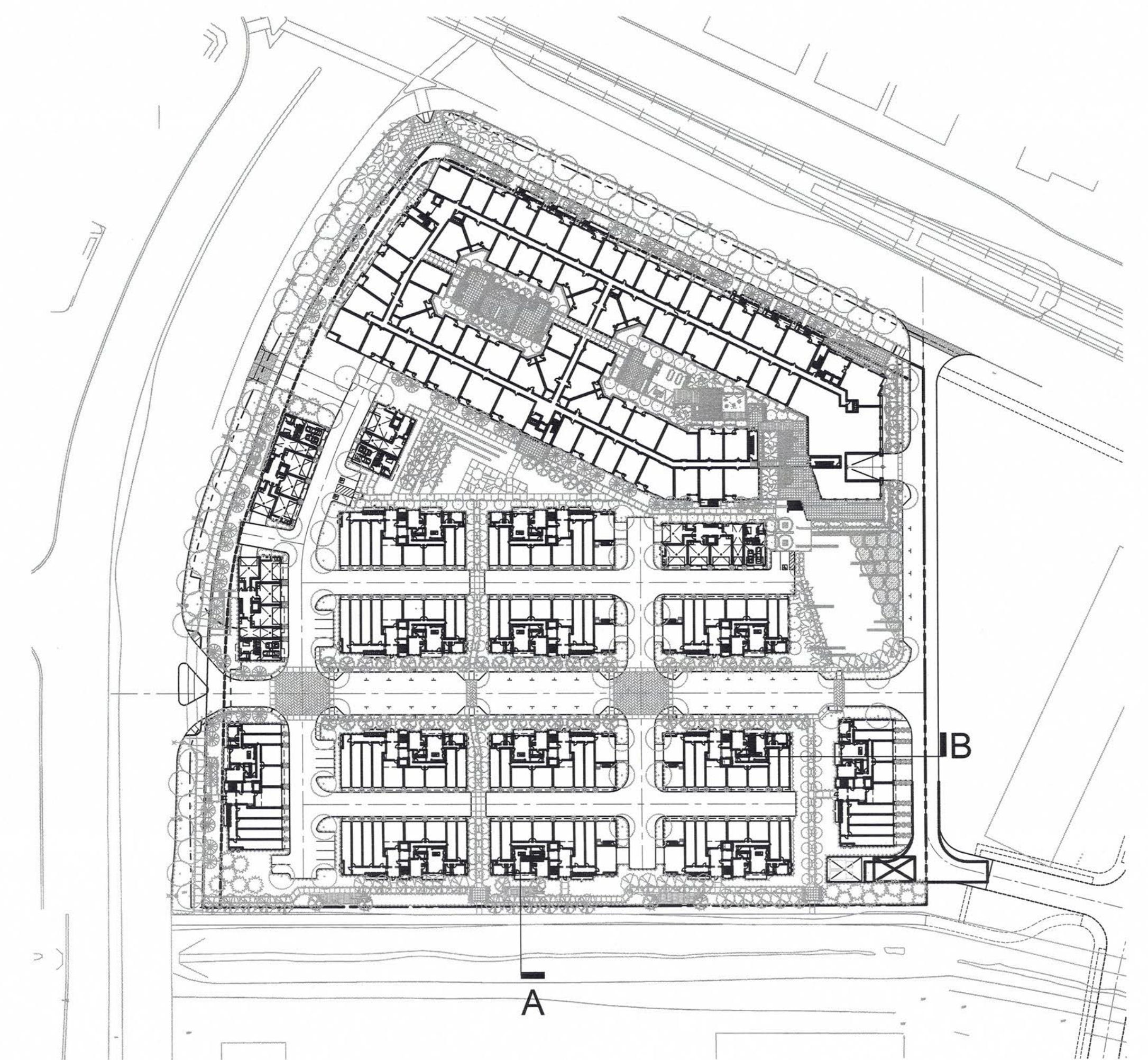
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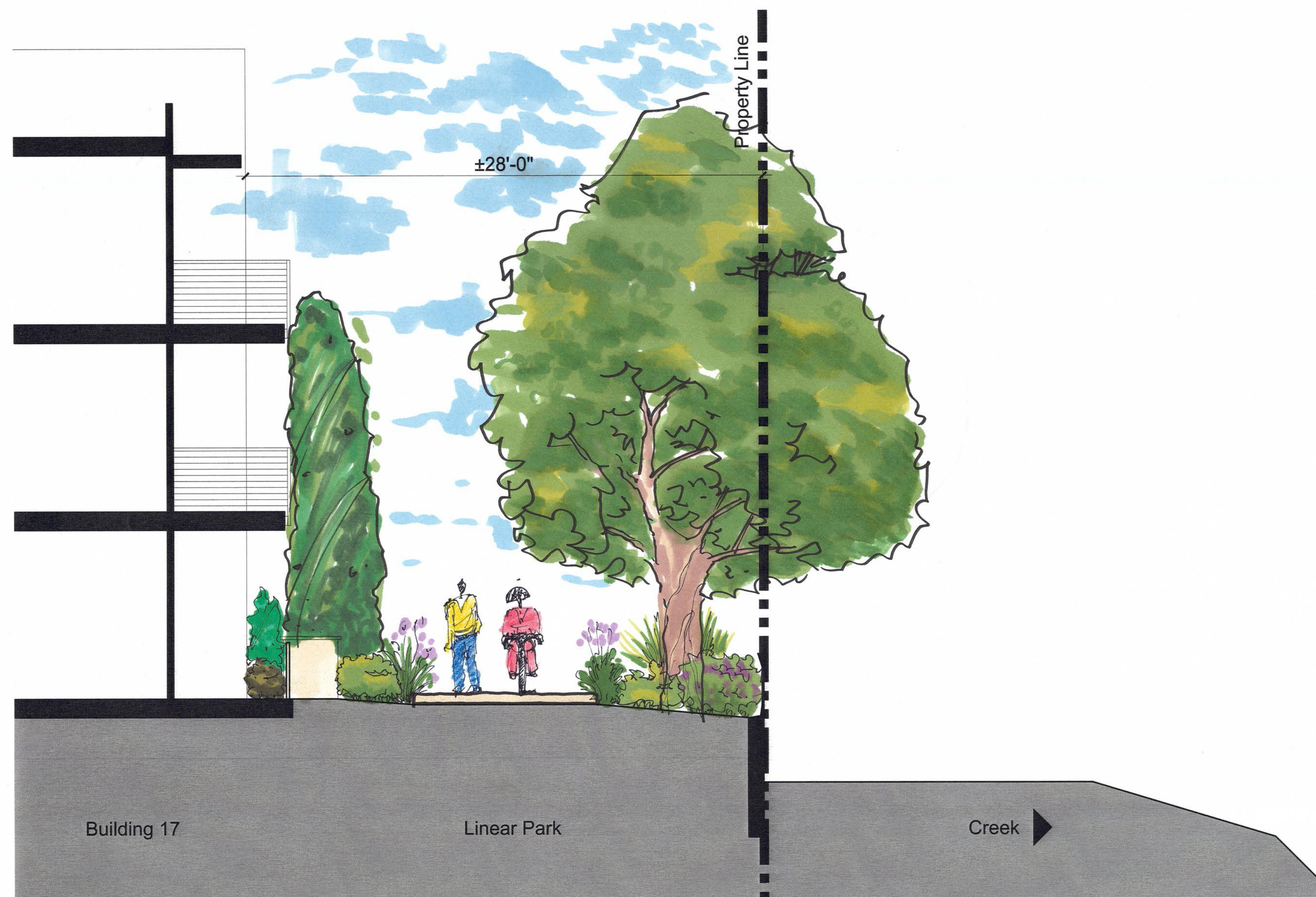
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Keymap



1. Section A Through Linear Park



2. Section Through Park B Extension

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SECTION THROUGH LINEAR PARK & PARK B EXTENSION

MILPITAS, CA

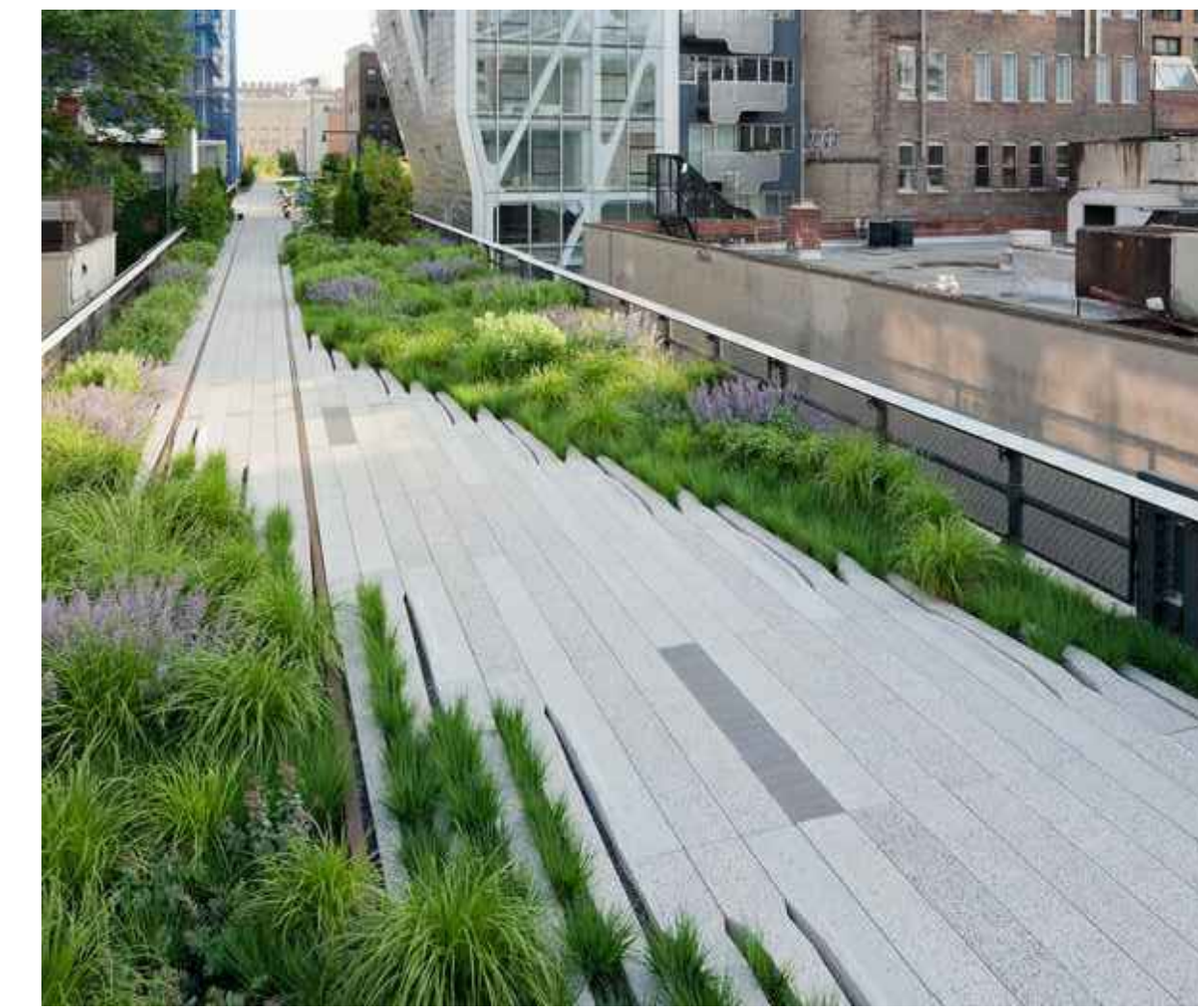
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High Line Park, NY



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## PARK B EXTENSION PLAN AND CONCEPTUAL IMAGERY

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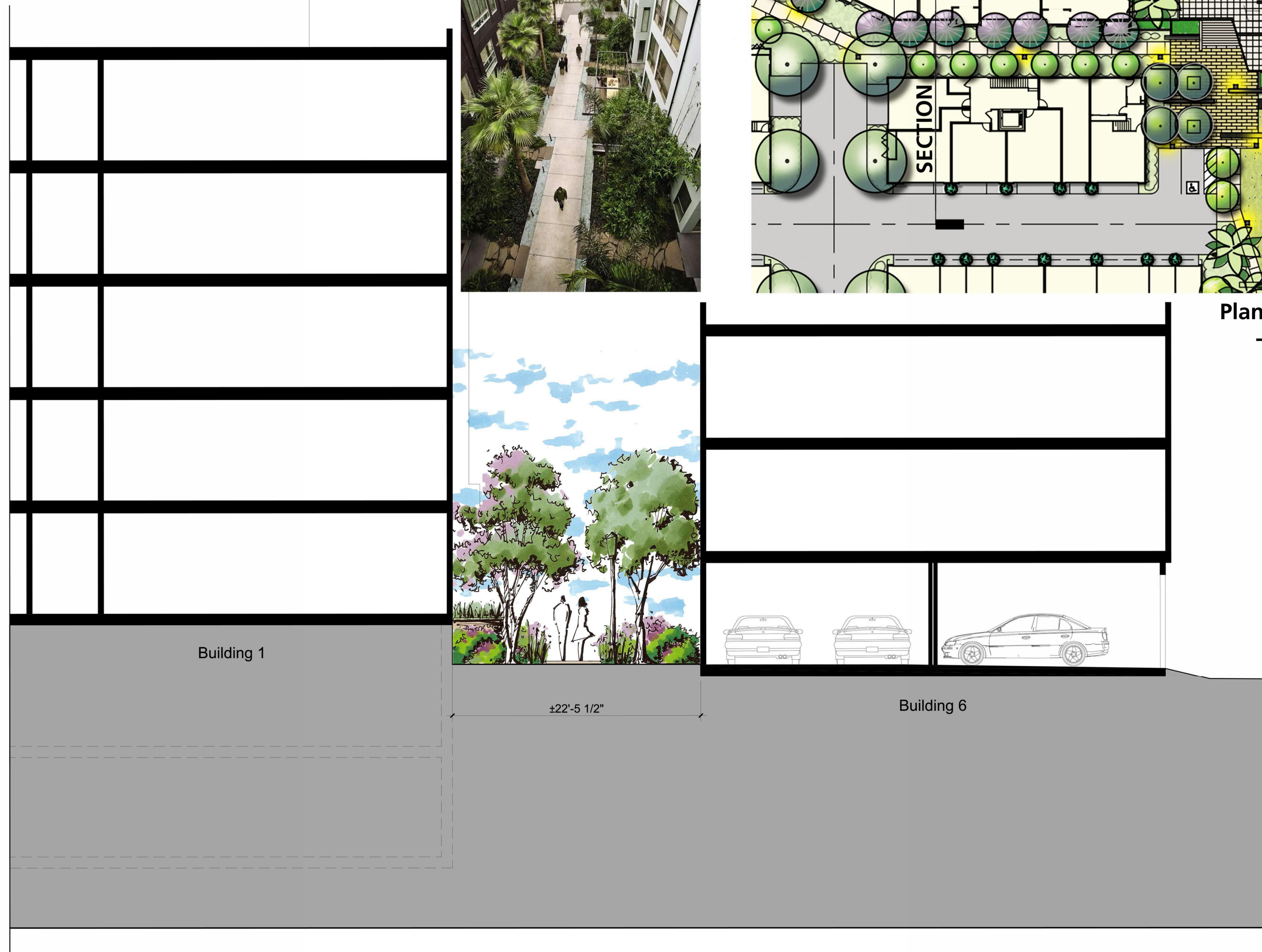
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Plan Enlargement  
- Not to Scale

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PARK PASEO - LINK BETWEEN PARK A & B

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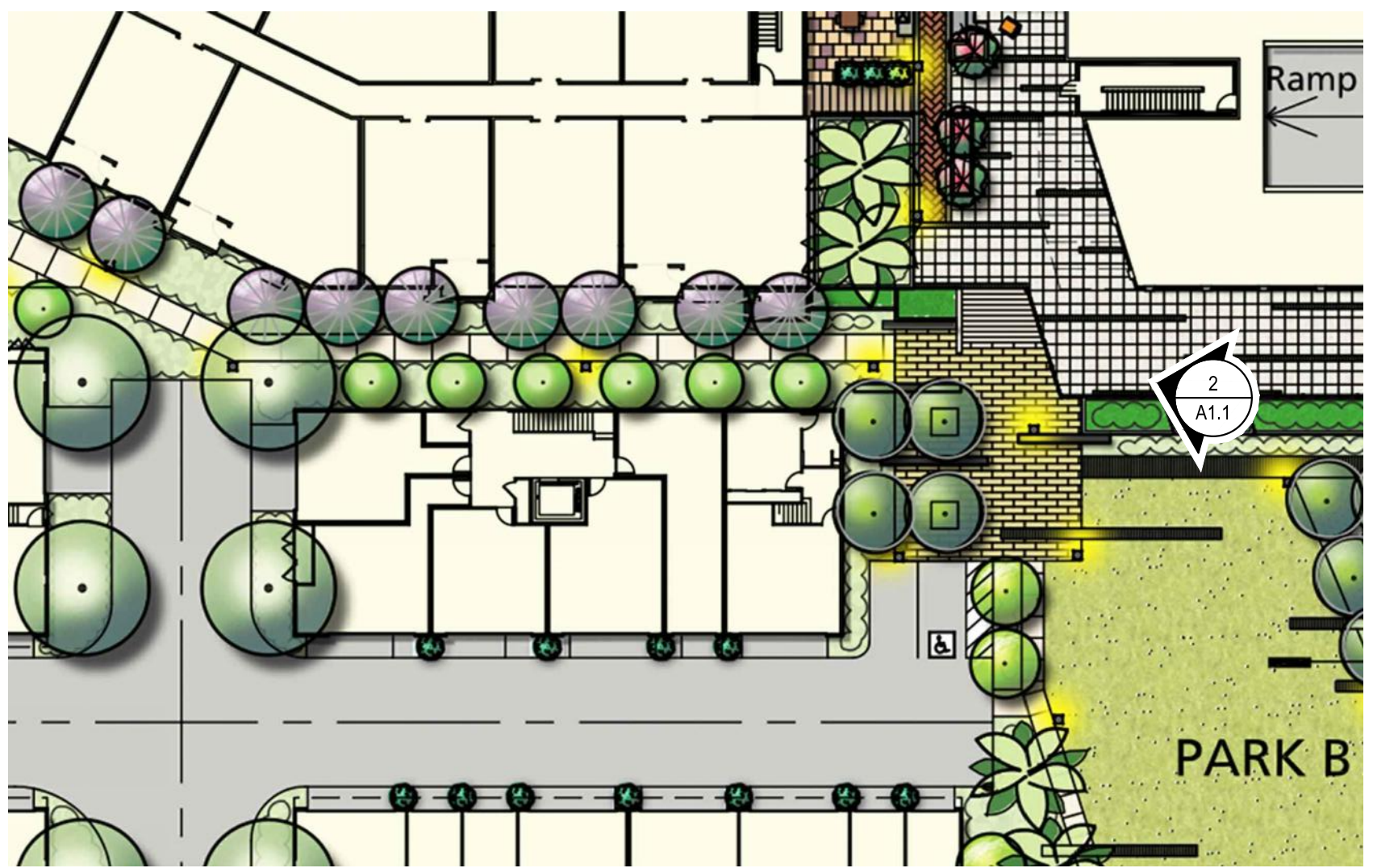
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0 2 4 8





Key Map n.t.s.

2. Aerial View of Park Paseo

\*Refer to Landscape sheets for plant species and placement

# 450 MONTAGUE

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# PARK PASEO CONCEPTUAL PERSPECTIVE

MILPITAS, CA

KTGY # 2013-0551

01.23.2015

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**CITY OF MILPITAS  
MINUTES**

**PARKS, RECREATION AND CULTURAL RESOURCES COMMISSION**

- Minutes:** Regular Meeting of the Parks, Recreation and Cultural Resources Commission
- Date of Meeting:** February 2, 2015
- Place of Meeting:** Milpitas Community Center: Auditorium, 457 E. Calaveras Blvd.
- I. Call to Order:** Chair Sharma called the meeting to order at 7:05pm.
- II. Roll Call:** Commissioners Present: Bansal, Matau, Munzel, Ramirez, Sharma and Singh  
Commissioners Excused: Fong and Mathur  
Commissioner Unexcused: None  
City Staff Present: Jaime Chew – Recreation Services Supervisor  
Lisa Ciardella – Public Services Clerk  
City Council Liaison Present: Council Member Barbadillo
- III. Seating of Alternates:** Bansal
- IV. Approval of Agenda:** MOTION to approve the agenda for February 2, 2015 as submitted.  
M/S: Munzel/Matau Ayes: All
- V. Approval of Minutes:** MOTION to approve the minutes from January 5, 2015 and January 21, 2015 as submitted.  
M/S: Matau/Sharma Ayes: All
- VI. Public Forum:** None

**VII. Announcements and Correspondence**

Jaime Chew announced that this will be her last meeting with the Commission. Recreation Services Supervisor Stephanie Douglas will be the Commission Liaison while she is on Maternity Leave. When she returns from leave, she and Lisa Ciardella will be moving to the Arts Commission and Recreation Services Manager Renee Lorentzen will be the Staff Liaison to the PRCRC Commission and Public Services Assistant Justin Yount will be the Recording Secretary.

**VIII. New Business**

**1. Public Parks and Naming at 450 Montague**

City Planner, Shaunn Mendrin presented the Commission with the proposed project at 450 Montague. There will be three public parks within the project that will be the responsibility of the Home Owner's Association. The project will be presented to the Planning Commission on February 11, 2015 and to the City Council on March 3, 2015.

Representatives from Lennar Corporation and the Builder for the project presented the information to the Commission. They presented the details of the three parks. Park A will be between the buildings. There will be a lawn area for active and passive recreation. There will be a tot lot with a shade structure as well as seating and adult fitness elements. Park B will also have a lawn area for active and passive



recreation. It will be lined with palm trees with seating available underneath. Street parallel parking will also be available. Sidewalks will line both parks A and B. The third area will be a Linear Park along the creek with a par course. There are no restrooms planned as it is within the complex and although they are considered public parks, they will more than likely be utilized by the residents of the complex. Commissioner Munzel questioned if the grass in the parks, especially park A, would receive enough sun light as it is between the buildings. Lennar staff said they felt it would as the buildings are approximately 20-25 feet away. Commissioner Munzel stated that he would like to see water permeable landscape and to make sure there are no toxic plants.

The Commission questioned Mr. Mendrin if the project met the per capita ratio of residents to park space. Mr. Mendrin stated that it does.

The Commission also discussed the possible names for Park A and Park B. The choices that they would like to pass on for consideration by City Council are J.W. Johnson, Captain Calvin Valpey, O.H.P. Vennum and Charles Beverson.

MOTION to forward to City Council proposed parks and locations and the list of 4 proposed names of J.W. Johnson, Captain Calvin Valpey, O.H.P. Vennum and Charles Beverson for Park A and Park B for final approval of 450 Montague  
M/S: Sharma/Ramirez Ayes: All

**IX. Staff Report**

None.

**X. Liaison Reports**

1. City Council:
2. Community Advisory Commission:
3. Senior Advisory Commission: None.
4. Planning Commission: None.
5. Youth Advisory Commission: None.
6. Milpitas Historical Society
7. Arts Commission: None
8. Recycling and Source Reduction Advisory Commission: None.

Santa Clara County Parks & Recreation:

**XI. Future Agenda Items**

**XII. Adjournment:**

With there being no further business, the meeting was adjourned at 9:15 p.m. to the next scheduled meeting on Monday March 2, 2015 at 7:00pm.



# **Agenda**

## **City of Milpitas**

### **Parks, Recreation and Cultural Resources Commission**

Monday, March 2, 2015  
**City Hall Committee Room**  
 455 E. Calaveras Blvd.  
 7:00 PM

- I. Call to Order**
- II. Flag Salute**
- III. Roll Call**
- IV. Seating of Alternates**
- V. Approval of Agenda: March 2, 2015**
- VI. Approval of Minutes: February 2, 2015**
- VII. Public Forum**

Members of the audience are invited to address the Commission on any subject not on the agenda. Speakers must state their name and address for the record, and limit their remarks to under three minutes. As an unagendized item, no response is required of City staff or the Commission; however, the Commission may agendize the item for a future meeting.

#### **VIII. Announcements and Correspondence**

- New Commission Alternate – Samu Tiumalu

#### **IX. Old Business**

##### **1. Youth Sport User Fee (Stephanie Douglas, Recreation Supervisor)**

**Background:** At the October 2014 PRCRC meeting, the Commission requested an update on the Youth Sports User Fee at the February 2015 meeting. At the February 2015 meeting the Commission requested to continue this item to the March meeting. Staff has prepared a presentation to update the Commission.

**Recommendation:** Receive presentation.

#### **X. New Business**

##### **1. Little League Farm Field Dedication (Renee Lorentzen, Recreation Manager)**

**Background:** Milpitas Resident and Little League player, Christian Dalugdug passed away at the age of 8 years old on December 27, 2014. A third grader at Weller Elementary, Christian loved playing baseball. He

played on the Milpitas Sports Center's Farm fields for two years before his passing. Christian's family and friends and the President of Milpitas Little League are asking for the Commission's support in dedicating the Milpitas Sports Center Little League Farm Field to Christian Dalugdug with a plaque. The last field dedication was for Michael De Jesus, at Gill Park in 2008.

**Recommendation:** Discuss and make recommendation to City Council on dedicating the Milpitas Sports Center's Little League Farm Field to Christian Dalugdug.

**2. Review and Recommend the Parks Projects in the Proposed Capital Improvement Program 2015-2020 to the City Council (Steven Machida, City Engineer)**

**Background:** City Staff will provide an overview of the current Parks Capital Improvement Program, including a progress report on work underway. Staff will also present the Parks section of the proposed 5 year Capital Improvement Program (2015-2020) for review and recommendation to the City Council.

**Recommendation:** Receive Staff Report and recommend the Parks projects in the Proposed 2015-2020 Capital Improvement Program to the City Council for final approval.

**3. Review International Park Concept at Tom Evatt Park (Steven McHarris, Planning Director)**

**Background:** The City has received requests from international organizations, representing Philippines, India, Korea, and Vietnam to have a public place to represent the culture of each respective country. Additional country representation is anticipated. Preliminary discussions have resulted in a concept of an "International Park" in Milpitas, and Tom Evatt Park was identified as a possible location due to its central and accessible midtown location.

The International Park concept is to provide a public space with an educational non-political theme of culture, arts, history, architecture, geography, native plants for each participating international group. The park could be divided into small delineated areas with the first to be located on the east side of Main Street. The concept could be expanded to the west side of main Street dependent on other organizations participation interest. If the concept moves forward, staff would develop policies, procedures and specifications for size of each area.

**Recommendation:** Although there are no preliminary design plans to review, Staff will discuss with the Commission and request the Commission review the concept and provide feedback

**4. Minor Public Parks Changes to 450 Montague (Shaunn Mendrin, Senior Planner)**

**Background:**

In June 2008, the City Council adopted the Transit Area Specific Plan (TASP), which includes the vision for approximately 7,000 dwelling units, 900,000 square feet of office and 280,000 square feet of retail space over a 437 acre area. The plan also anticipates 36 acres of public park land. The transit area is intended to be a cohesive neighborhood with consistent focus towards walking and transit usage. However, the planning area is divided by creeks, roadways, railways and various developed parcels. As a planning strategy, the specific plan created sub-districts with specific planning and vision criteria to take advantage of local characteristics. This report is on the Trade Zone/Montague sub-district.

For this subdistrict, the TASP envisioned a larger park located off Sango and a smaller linear park paralleling Penitencia Creek between Montague and Lundy. 450 Montague is currently in process for consideration of a new residential development and park space. The proposed project is located over three parcels and includes linear park and two larger park areas. The linear park area will parallel Penitencia

Creek with a larger park (Park A) located within the development and it will include passive areas and a Tot Lot. The second larger park (Park B) will be located on the edge of the development adjacent to a North South local roadway. Pedestrians may access the parks from Montague or Capitol or from the linear park through a large Paseo connecting to Park B and a smaller Paseo connecting from Park B to Park A. The proposed project will be conditioned to include way finding signs from the public right of way and linear trail. See Attachment A for park plans and materials and Attachment B for suggested names.

The PRCRC reviewed the item on February 2, 2015 and concurred with the proposed park layout and included some suggested four names for the City Council including J.W. Johnson, Captain Calvin Valpey, O.H.P. Venum and Charles Beverson for Park A and Park B. Since February 2, 2015, the applicant has made revisions to the north south vehicular access from E Capitol, moving the entire access road onto the subject site (originally it was shared with the adjacent property). This has resulted in a reconfiguration of the orientation of Building 15 located at the southeast corner of the site. The resulting change has eliminated the connecting paseo originally located between Building 15 and Buildings 14 & 16. The frontage of Building 15 will be conditioned to include a wider sidewalk with double row of trees to enhance the connection. In addition, staff will also include a condition requiring a future minor realignment of the road transition onto the property to the east near Penitencia Creek to allow for a wider connection to the linear park along the creek. This change would not happen until the adjacent site redevelops.

**Recommendation:**

Review the modification and forward recommendation to City Council for final approval.

**XI. Staff Report**

**XIII. Liaison Reports**

1. City Council – Council Member Garry Barbadillo
2. Community Advisory Commission – Chair Sharma
3. Senior Advisory Commission – Commissioner Ramirez
4. Planning Commission – Commissioner Mathur
5. Youth Advisory Commission – Commissioner Fong
6. Milpitas Historical Society – Vice Chair Munzel
7. Arts Commission/Public Art Committee - Commissioner Matau
8. Recycling and Source Reduction Advisory Commission- Commissioner Singh
9. Santa Clara County Parks & Recreation – Vice Chair Munzel

**XIV. Future Agenda Items**

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p style="text-align: center;"><b>KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE</b></p> <p>Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.</p> <p>Materials related to an item on this agenda submitted to the Parks, Recreation and Cultural Resources Commission after initial distribution of the agenda packet are available for public inspection at the Community Center office, 457 E. Calaveras Blvd., Milpitas during normal business hours.</p> <p>For more information on your rights under the Open Government Ordinance or to report a violation of the ordinance, contact the City Attorney's office at Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035</p> <p style="text-align: center;">E-mail: <a href="mailto:mogaz@ci.milpitas.ca.gov">mogaz@ci.milpitas.ca.gov</a> / Fax 408/586-3056 / Phone 408/586-3040</p> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**XV. Adjournment**





Approved by PRCRC 2-2-15

## 450 MONTAGUE

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## LANDSCAPE PLAN

MILPITAS, CA

KTGY # 2013-0551

01.23.2015

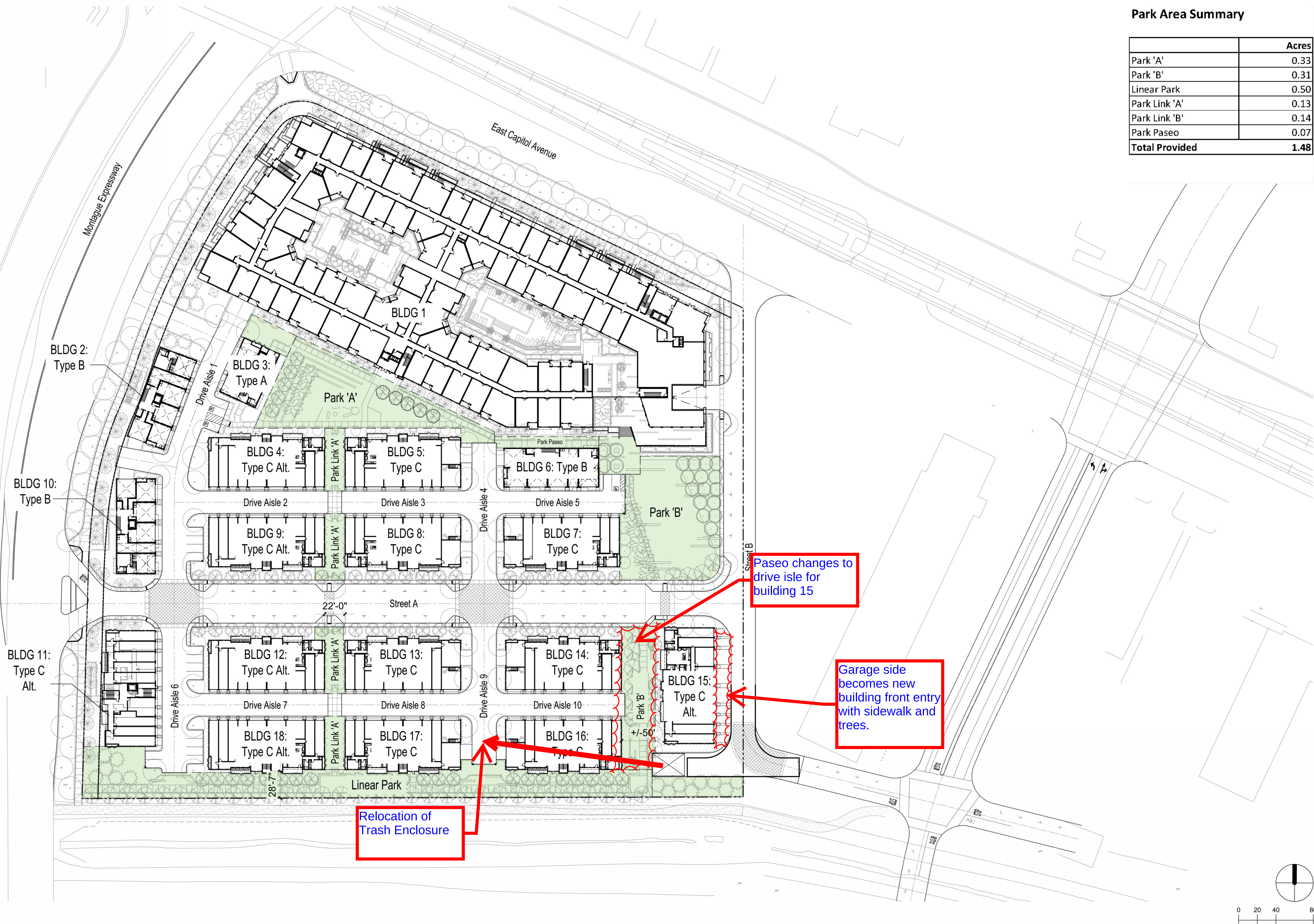
**KTGY Group, Inc.**  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





Park Area Summary

|                       | Acres       |
|-----------------------|-------------|
| Park 'A'              | 0.33        |
| Park 'B'              | 0.31        |
| Linear Park           | 0.50        |
| Park Link 'A'         | 0.13        |
| Park Link 'B'         | 0.14        |
| Park Paseo            | 0.07        |
| <b>Total Provided</b> | <b>1.48</b> |



450 MONTAGUE

LENNAR  
MULTIFAMILY COMMUNITIES

Lennar Multifamily Communities  
100 Pine Street, Suite 2260  
San Francisco, CA 94111

LENNAR

Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

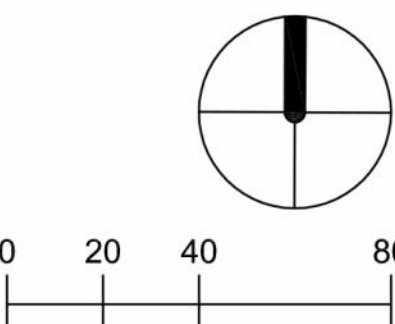
SITE PLAN - PARK AREA SUMMARY

MILPITAS, CA

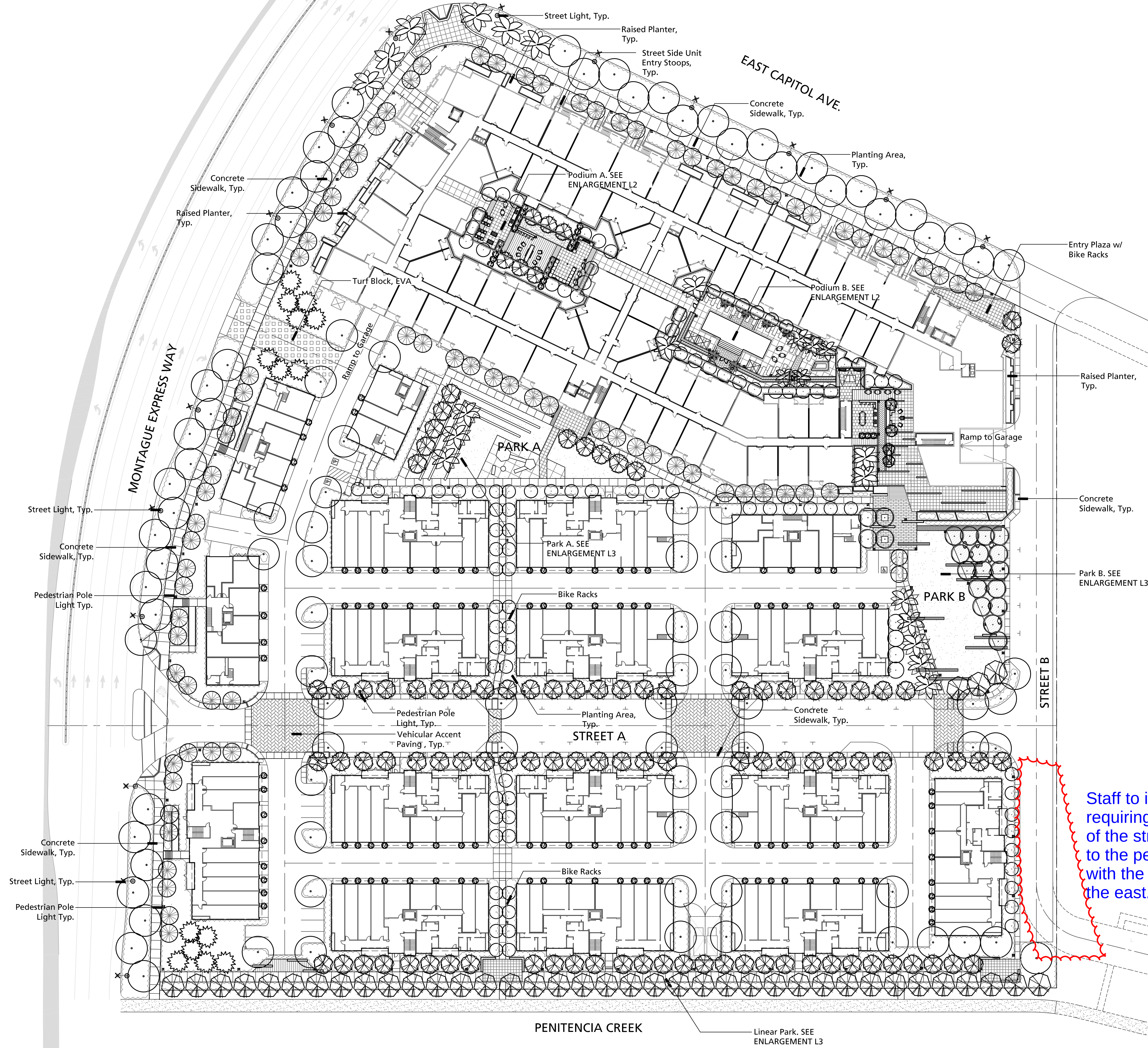
KTGY # 2013-0551

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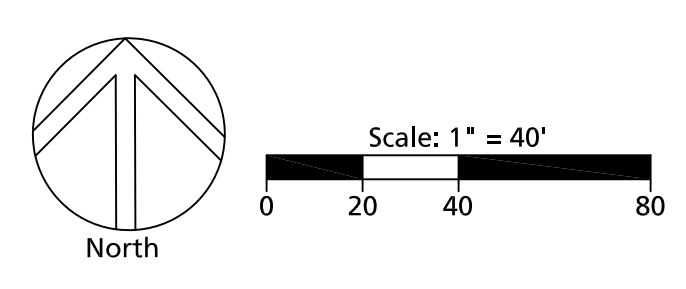
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Staff to include a condition of approval requiring future movement of the curvature of the street to provide a stronger linkage to the pedestrian trail. This would occur with the redevelopment of the property to the east.



Proposed Changes Around Building 15

# 450 MONTAGUE

**LENNAR**  
MULTIFAMILY COMMUNITIES  
Lennar Multifamily Communities  
100 Pine Street, Suite 2260  
San Francisco, CA 94111

**LENNAR**  
Lennar Homes  
6111 Bollinger Canyon Rd, Suite 550  
San Ramon, CA 94583

**THE GUZZARDO PARTNERSHIP INC.**  
Landscape Architects • Land Planners  
181 Greenwich Street  
San Francisco, CA 94111  
T 415 433 4672  
F 415 433 5003

# LANDSCAPE PLAN

MILPITAS, CA  
KTGY # 2013-0551 02.24.15

**KTGY Group, Inc.**  
Architecture+Planning  
580 Second St., Suite 200  
Oakland, CA 94607  
510.272.2910  
ktgy.com





**CITY OF MILPITAS  
MINUTES**

**PARKS, RECREATION AND CULTURAL RESOURCES COMMISSION**

- Minutes:** Regular Meeting of the Parks, Recreation and Cultural Resources Commission
- Date of Meeting:** March 2, 2015
- Place of Meeting:** Milpitas City Hall: Committee Conference Room, 455 E. Calaveras Blvd.
- I. Call to Order:** Vice Chair Munzel called the meeting to order at 7:00pm.
- II. Roll Call:** Commissioners Present: Bansal, Fong, Munzel, Singh and Tiumalu  
Commissioners Excused: Matau, Mathur, Ramirez and Sharma  
Commissioner Unexcused: None  
City Staff Present: Renee Lorentzen – Recreation Services Manager  
Stephanie Douglas – Recreation Services Supervisor  
Lisa Ciardella – Public Services Assistant  
City Council Liaison Excused: Council Member Barbadillo
- III. Seating of Alternates:** Bansal and Tiumalu
- IV. Approval of Agenda:** MOTION to approve the agenda for March 2, 2015 as submitted.  
M/S: Bansal/Fong Ayes: All
- V. Approval of Minutes:** MOTION to approve the minutes from February 2, 2015 as submitted.  
M/S: Matau/Sharma Ayes: All
- VI. Public Forum:** None
- VII. Announcements and Correspondence**  
Stephanie Douglas announced that Jaime Chew gave birth to a baby girl. She also welcomed Samu Tiumalu as the new alternate commissioner.
- VIII. Old Business**
- 1. Youth Sport User Fee**
- IX. New Business**
- 1. Little League Farm Field Dedication**
- 2. Review and Recommend the Parks Projects in the Proposed Capital Improvement Program 2015-2020 to the City Council**
- 3. Review International Park Concept at Tom Evatt Park**  
The City of Milpitas has received requests from international organizations representing the Philippines, India, Korea and Vietnam to have a public place to represent the culture of each respective country. Preliminary discussions have led to a concept of an “International Park” in Milpitas with the anticipation of other country representation in the future. Tom Evatt was identified as a possible



location due to its central and accessible midtown location. The thought is to start on the east side of the park and expand to the west side of Main St. dependent on other organizations interest. The location was questioned by the Commission as they did not feel that there is ample parking at the Tom Evatt park location. The suggested that parking be planned as part of the Main Street Improvements to allow for parallel street parking near the park, for the park. It was also mentioned to have the International Park idea represented at different parks throughout the city.

A group of San Jose State Students were in attendance to fulfill a class requirement. Vice Chair asked for their opinion of the park idea. They also felt that it would bring unity throughout the City, if the idea was spread out to several parks, rather than just isolating it to one park. They also gave the idea, if feasible to offer diagonal parking on the street rather than parallel parking to provide more spaces.

#### **4. Minor Public Parks Changes to 450 Montague**

At the February 2, 2015 PRCRC meeting a presentation was made about the proposed parks at 450 Montague. The Commission concurred with the proposed park layouts and suggested four names for the parks to be presented to City Council. Since that meeting the applicant has made revisions to the north/south vehicular access from E Capitol, moving the entire access road onto the subject site. That resulted in a reconfiguration of the orientation of Building 15 located at the southeast corner of the site. The change has eliminated the connecting paseo originally located between Building 15 and Buildings 14 and 16. The frontage of Building 15 will be conditioned to include wider sidewalks with double rows of trees to enhance the connection. Staff will also include a condition requiring a future minor realignment of the road transition onto the property to the east near Penitencia Creek to allow for a wider connection to the linear park along the creek. That change would not happen until the adjacent site redevelops.

MOTION to approve the modification of the orientation of Building 15 and the changed pathways and forward to City Council for final approval.

M/S: Bansal/Singh

Ayes: All

#### **IX. Staff Report**

None.

#### **X. Liaison Reports**

1. City Council: None.
2. Community Advisory Commission: None.
3. Senior Advisory Commission: None.
4. Planning Commission: None.
5. Youth Advisory Commission: None.
6. Milpitas Historical Society:
7. Arts Commission: None

8. Recycling and Source Reduction Advisory Commission: None.

9. Santa Clara County Parks & Recreation:

#### **XI. Future Agenda Items**

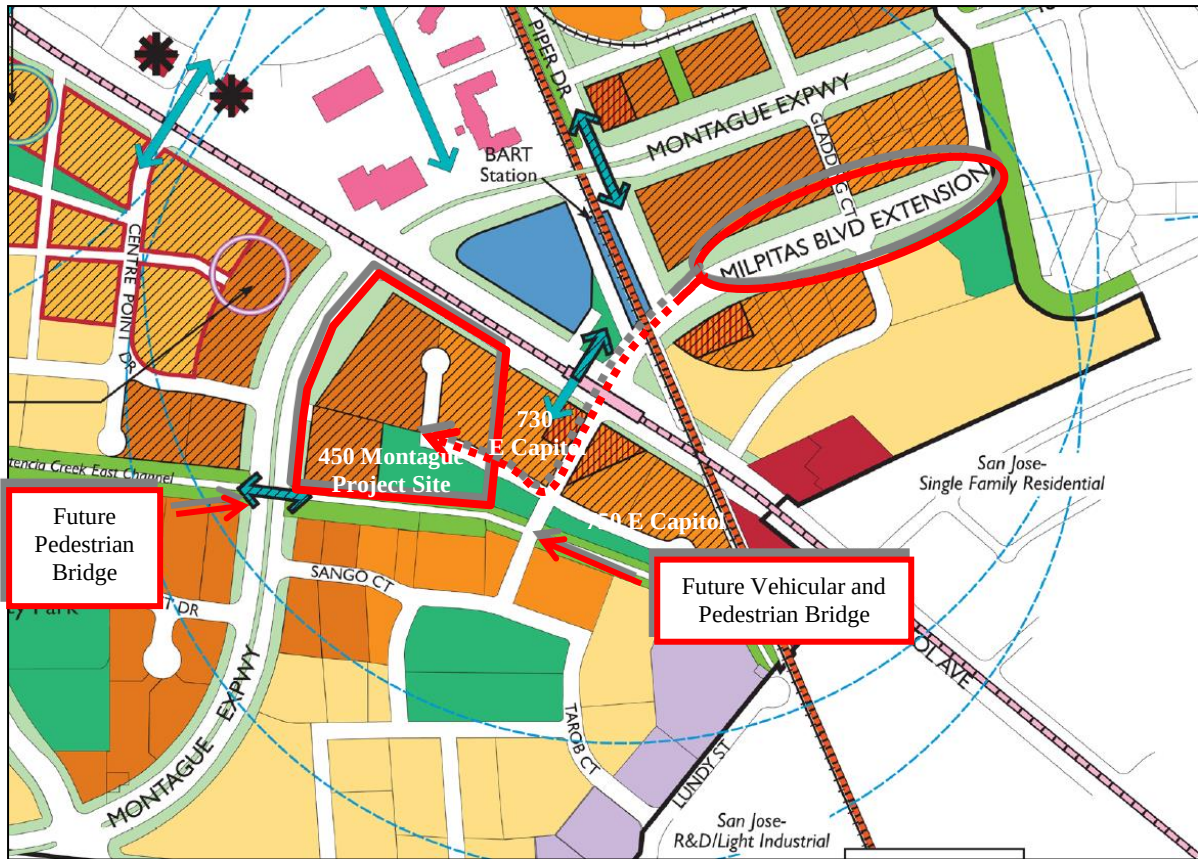
#### **XII. Adjournment:**

With there being no further business, the meeting was adjourned at 8:25 p.m. to the next scheduled meeting on Monday April 6, 2015 at 7:00pm.

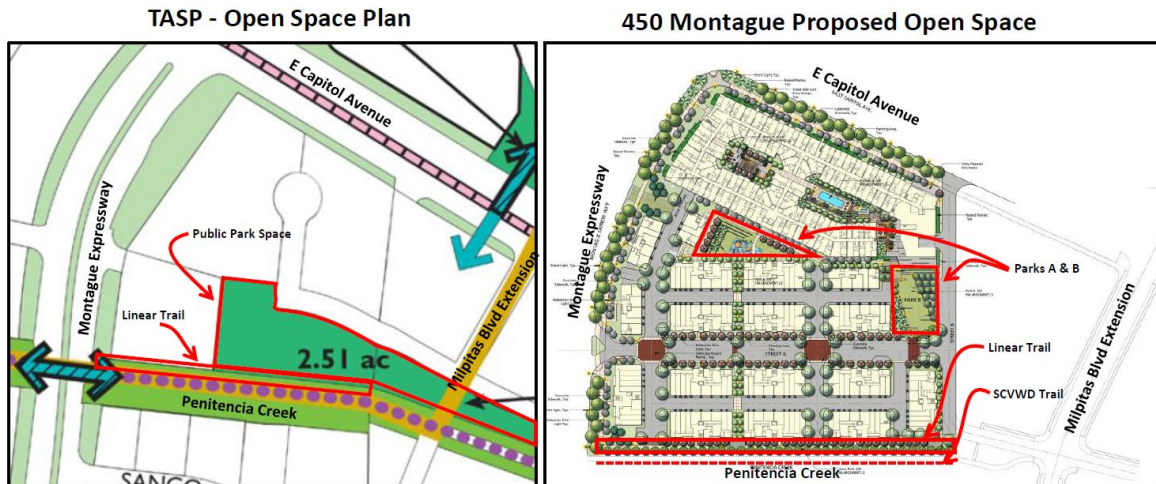
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**FIGURE 2**  
**TASP Area and Future Improvements**



**FIGURE 3**  
**Open Space Comparison**



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING SITE DEVELOPMENT PERMIT NO. SD14-0017, CONDITIONAL USE PERMIT NO. UP14-0024, AND TENTATIVE MAP NO. MT14-0004 FOR THE LENNAR RESIDENTIAL PROJECT LOCATED AT 450 MONTAGUE EXPRESSWAY**

**WHEREAS**, on October 23, 2014, an application was submitted by Lennar Communities for the development of 489 dwelling units on 10.47 acres (46.70 dwellings/acre) in a multi-story building and stacked flat units building with three and four stories located at 450 Montague Expressway (APNs: 86-037-004, -019, and -020) zoned Mixed Use Very High Density/Urban Residential with Transit Oriented Development & Site and Architectural Overlays (MXD3/R5-TOD-S) within the Transit Area Specific Plan; and

**WHEREAS**, the Planning Division completed an environmental assessment for the project in accordance with the California Environmental Quality Act (CEQA), and the Planning Commission recommended that the City Council determine this project exempt and that it is consistent with the Transit Area Specific Plan EIR approved on June 3, 2008; and

**WHEREAS**, on March 25, 2015, the Planning Commission held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties and unanimously recommended approval to the City Council of the project; and

**WHEREAS**, on April 21, 2015, the City Council held a duly noticed public hearing on the subject application, and considered evidence presented by City staff, the applicant, and other interested parties; and

**NOW THEREFORE**, the City Council of the City of Milpitas hereby finds, determines and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The project is exempt pursuant to Section 15168(c) (2) of the CEQA Guidelines because the project is consistent with the certified EIR for the Transit Area Specific Plan adopted on June 3, 2008, by the City Council.
3. The project is consistent with the Milpitas Zoning Ordinance in that the project site meets the density and land use requirements.
4. The project is consistent with the Milpitas General Plan in that the project meets the density and land use requirements.
5. The project conforms to the intent and the specific requirements of the Transit Area Specific Plan, including the Development Standards and Design Guidelines in that the project creates a high-density residential project, and a component of public open space with trail.
6. Site Development Permit (Section XI-10-57-03(F))
  - a. The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.

As detailed in the staff report and herein, the proposed project is consistent with this finding because the proposed development is of a higher quality architecture located adjacent to the new BART station and existing VTA station. The proposed project will implement the TASP streetscape along all frontages and install parks and trails as identified in the TASP. Although there will not be any other

residential building immediately adjacent to the site, it will be the first on the block and will act as an important anchor for the intersection.

- b. The project is consistent with the Milpitas Zoning Ordinance.

The proposed project is consistent with this finding because the site is located in TASP and consistent with required density and requested a Conditional Use permit for minor deviations from the TASP as allowed in the TASP. The remaining portions of the development are consistent with setbacks, open spaces and other development standards. The table below indicates the project setbacks, height, parking and density.

**Table 1:**  
**Summary of Development Standards**

|                                                                                    | <b>Zoning Ordinance/TASP</b>                                  | <b>Proposed</b>                                                  |
|------------------------------------------------------------------------------------|---------------------------------------------------------------|------------------------------------------------------------------|
| <u>Density</u> (Min/Max)                                                           | 41/75 units/acre                                              | 46.7 units/acre                                                  |
| <u>Setbacks</u> (Minimum)                                                          |                                                               |                                                                  |
| Capitol Avenue                                                                     | 49'                                                           | 49'                                                              |
| Montague Expressway                                                                | 45'                                                           | 45'                                                              |
| East                                                                               | 20'                                                           | 41'                                                              |
| South                                                                              | 20'                                                           | 25'                                                              |
| <u>Building Height</u> (Maximum)                                                   | 12 stories                                                    | 5 stories                                                        |
| <u>Parking</u> (Minimum)                                                           | 668 residential + 121 guest = 780                             | 834 spaces (272 Tandem)*                                         |
| <u>Maximum encroachment into setbacks by patios, stoops, etc.</u>                  | ± 6'                                                          | 6'                                                               |
| <u>Open Space</u>                                                                  | Min 40 sq. ft. for balconies and Min of 50 sq. ft. for patios | Short 16% for some studios and 1 bedroom units on Capitol Ave. * |
| * Indicates a Conditional Use Permit is required to allow the proposed deviations. |                                                               |                                                                  |

Parking for the project complies with the Milpitas Municipal Code, which is a minimum of 780 parking spaces for the entire project based on the bedroom count and parking type (individual garage versus parking structure). The following table summarizes the parking required and provided for the project:

**Table 2**  
**Parking Summary**

| <b>5-Story Rental Building</b>                                |                        |                        |                      |
|---------------------------------------------------------------|------------------------|------------------------|----------------------|
| <b>Unit Type</b>                                              | <b>Number of Units</b> | <b>Spaces Provided</b> | <b>Parking Ratio</b> |
| Studios                                                       | 45                     | 317                    | 1.10                 |
| 1BR                                                           | 202                    |                        |                      |
| 2BR                                                           | 104                    |                        |                      |
| <b>Total</b>                                                  | <b>351</b>             |                        |                      |
| <b>Tandem Parking Allowed (75% of total required parking)</b> |                        | 128                    | 25%                  |
| <b>Guest Parking (15% of residential parking)</b>             |                        | 67                     | 15%                  |
| <b>Total</b>                                                  |                        | <b>512</b>             |                      |



| <i>Total Required by Code</i>                                 |                        | <i>511</i>             |                      |
|---------------------------------------------------------------|------------------------|------------------------|----------------------|
|                                                               |                        |                        |                      |
| <b>Stacked Flat Units</b>                                     |                        |                        |                      |
| <b>Unit Type</b>                                              | <b>Number of Units</b> | <b>Spaces Provided</b> | <b>Parking Ratio</b> |
| 2BR                                                           | 42                     | 126                    | 1.09                 |
| 3BR                                                           | 92                     |                        |                      |
| 4BR                                                           | 4                      |                        |                      |
| <i>Total</i>                                                  | <i>138</i>             |                        |                      |
| <b>Tandem Parking Allowed (50% of total required parking)</b> |                        | 112                    | 50%                  |
| <b>Guest Parking (20% of residential parking)</b>             |                        | 52                     | 23%                  |
| <b>Total</b>                                                  |                        | <b>322</b>             |                      |
| <i>Total Required by Code</i>                                 |                        | <i>269</i>             |                      |

Parking is provided in the parking structure under Building 1 and private garages in the Stacked Flat units and open on-site spaces. The project includes tandem spaces, which has different requirements for structured parking vs. private garage. The amount proposed in Building 1 is below the maximum allowed of 75% of the total required parking at 25%. The Stacked Flats are at the maximum allowed of 50%. The project meets the requirements for the remaining parking for the residential units and guest parking. The total parking provided on site meets the minimum required. A Conditional Use Permit is required to allow the use of tandem parking spaces, which has been discussed in the Conditional Use Permit Section.

- c. The project is consistent with the Milpitas General Plan and Transit Area Specific Plan.

The proposed Project is consistent with this finding as discussed previously in the staff report and herein because the approved use is allowed in the TASP and it is consistent with the minimum density. The project furthers the goals and policies of the land use element by further implementing the project residential units within the TASP.

- d. Specifically, the project supports the following General Plan principles and policies:

| <b>Guiding Principles and Implementing Policies</b>                                                                                                                                                              | <b>Consistency Finding</b> |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------|
| <i>2.a-G-2: Maintain a relatively compact urban form.</i>                                                                                                                                                        | <b>Consistent</b>          |
| <i>2.a-G3: Provide for a variety of housing types and densities that meet the needs of individuals and families.</i>                                                                                             | <b>Consistent</b>          |
| <i>2.a-G-5 A park-like setting will be created by a series of local parks, school sites, trails, and a greenway system laced throughout all living areas.</i>                                                    | <b>Consistent</b>          |
| <i>2.a-G-7 When considering development proposals, seek “community benefit,” such as upgrading infrastructure facilities, constructing new infrastructure facilities, and funding contributions to programs.</i> | <b>Consistent</b>          |
| <i>2.a-I-1 New developments should not exceed the building intensity limits established in the General Plan.</i>                                                                                                 | <b>Consistent</b>          |
| <i>2.a I-2 Promote development within the incorporated limits which acts to fill-in the urban fabric rather than providing costly expansion of urban services into outlying areas.</i>                           | <b>Consistent</b>          |

| Guiding Principles and Implementing Policies                                                                                                                                                                                                                                                                                                                                                                                                                      | Consistency Finding |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| 2.a-I-8 <i>Establish redevelopment projects to secure funds that can be used to attract commercial, industrial and residential development in order to eliminate blight and improve an area.</i>                                                                                                                                                                                                                                                                  | <b>Consistent</b>   |
| 2.a I-31 <i>Develop the Transit area, as shown on the Transit Area Plan, as attractive, high density, urban neighborhoods with a mix of land uses around the light rail stations and the future BART station. Create pedestrian connections so that residents, visitors and workers will walk, bike, and take transit. Design streets and public spaces to create a lively and attractive street character, and a distinctive identity for each sub-district.</i> | <b>Consistent</b>   |
| 2.a I-32 <i>Require development in the Transit area to conform to the adopted design guidelines/requirements contained in the Transit Area Plan.</i>                                                                                                                                                                                                                                                                                                              | <b>Consistent</b>   |
| 2.b-I-3 <i>Provide housing opportunities in Milpitas by meeting the City's regional fair-share housing obligations.</i>                                                                                                                                                                                                                                                                                                                                           | <b>Consistent</b>   |

7. Conditional Use Permit Amendment (Section XI-10-57-04-(F)(1&2))

- 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.

The proposed project is located with the Transit Area Specific Plan and is consistent with the Goals, Policies and Development Standards of the TASP. The project will improve the property frontages by installing new sidewalks, street trees, streetlights and landscaping to enhance the area and to provide safe pedestrian access around the site. The requested deviations from the TASP development standards and Zoning Code standards have been found to be acceptable by staff as noted in the staff report. Overall, the development will improve the site and enhance the intersection of Montague Expressway and East Capitol Avenue.

- b. The proposed use is consistent with the Milpitas General Plan.

See discussion above.

- c. The proposed use is consistent with the Milpitas Zoning Ordinance.

In addition to the TASP Conditional Use Permit allowances, the Zoning Code also requires approval of a Conditional Use Permit for deviations from Code provisions for the following:

- Tandem parking: The Zoning Code allows the uses of tandem parking spaces with the approval of a Conditional Use Permit. The Zoning Code allows a maximum of 75% for structured garage spaces and 50% for private garages. The proposed development includes 128 tandem spaces in the garage (25%) and 112 spaces in private garages (50%). The proposed tandem spaces are within the maximums allowed. In addition, this type of unit provides housing opportunities for a larger age group range of residents. Each building will have a main lobby and elevator to each floor. Each garage space has a private entrance into the building leading to the main lobby and elevator. The site is in close proximity to the Light Rail and the future BART station; therefore, staff is in support of the proposal. In addition, staff has added a Condition of Approval requiring the applicant to enter into an agreement with VTA for the Residential Eco Pass program. This will allow residents to receive the Eco

Passes (or Clipper Cards) at a discounted rate due to the developments proximity to VTA Light Rail and BART.

- Private Open Space: The Zoning Code requires a minimum of 40 square feet for balconies and 50 square feet for patios for all development. The applicant is proposing that the 55 units do not have balconies in Building 1. They are a mix of studios and junior one bedrooms. The site will be providing ample outdoor spaces for residents and this will also allow for more livable space in each unit, which is needed in smaller units. The project will have podium open space and the two parks and trail on the site.

Based on the analysis above, the City Council supports the requested deviations through the Conditional Use Permit process.

- d. The proposed use is consistent with the Transit Area Specific Plan.

The TASP is a conceptual land use document designed in 2008 and it is being implemented at a faster rate as we near the opening of the future BART station. The TASP plan also acknowledged that there may be some deviations from the plan as they relate to development standards and it established a process for consideration through a Conditional Use Permit. The proposed project includes the following deviations from the adopted TASP plan:

- *Driveway access on Montague Expressway and Capitol Expressway.*  
The proposed project can only be accessed from Montague Expressway and East Capitol Avenue since the Milpitas Boulevard Extension has not been constructed and the future Milpitas Boulevard Extension is located on land not owned or controlled by the applicant. The access for both driveways will be right in and right out with the driveway on Capitol being reduced to right in only once the Milpitas Extension has been constructed.
- *Underground garage extending more than 5 feet above grade.*  
The TASP limits the amount that an underground garage may extend above the grade to 5 feet. The proposed garage does extend more than 5 feet in some places on the site, which is a result of the site topography. The project uses raised planters, planter beds and site landscaping to shield these elements from view, which reduces the visual impacts of these sections.
- *Park Location*  
The TASP also called for a larger park location closer to Penitencia Creek for the 450 Montague site. The applicant proposed the park at an internal location to benefit the site. The parks will still be open to the public and they will be required to provide way-finding signage. Furthermore, staff has presented the proposed park locations to the Park, Recreation and Cultural Resources Commission for their input and possible names for the park.

The requested TASP deviations can be supported, as they will be mitigated with the development or future roadway improvements. The proposed use, at the proposed location will not be detrimental or injurious to property or improvements in the vicinity or to the public health, safety, and general welfare in that the project will improve the area.

The deviation from the Transit Area Specific Plan Standard meets the design intent of the Specific Plan and does not detract from the overall architectural, landscaping and site planning integrity of the proposed development in that the streetscape treatment to the access off of Montague Expressway and E Capitol will be consistent with the TASP standards as conditioned.

The deviation from the Transit Area Specific Plan Standard allows for a public benefit not otherwise obtainable through the strict application of the Zoning Standard in that the project will complete the following:

- A Feasibility Study for the Milpitas Avenue Extension Vehicular and Pedestrian Bridge that will span Penitencia Creek and eventually connect to Sango Court.
- Prepare Construction Drawings for the proposed bridge once the Feasibility Study has been vetted through the City and the Santa Clara Valley Water District and other require agencies.
- Design and construction drawings for the Milpitas Avenue Extension from East Capitol Avenue to the new bridge.
- Provide construction cost estimates for the Milpitas Avenue Extension.
- Contribute 53% of the total construction costs of the Milpitas Avenue Extension.
- A Feasibility Study for the new Pedestrian Bridge over Montague Expressway near Penitencia Creek.
- Prepare Construction drawings and cost estimates for the construction of the new Pedestrian Bridge.

8. Major Tentative Map Findings (Section XI-1-20.01)

- a. The tentative subdivision map is consistent with the Milpitas General Plan

As discussed in detail in the staff report and herein, the subdivision map complies with the TC Zoning District and to the development standards of the Zoning Code and General Plan. The proposed Project type, density and size are all consistent with the General Plan Land Use Designation for the site.

9. The City Council approves Site Development Permit No. SD14-0017, Conditional Use Permit No. UP14-0024, and Tentative Map No. MT14-0004 for the Lennar Residential Project at 450 Montague Expressway, subject to the above findings, and the Conditions of Approval attached hereto as **Exhibit 1**.
10. The City Council formally adopts the name of \_\_\_\_\_ West for Park A and \_\_\_\_\_ East for Park B located at 450 Montague Expressway.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney



## EXHIBIT 1

### CONDITIONS OF APPROVAL

**SITE DEVELOPMENT PERMIT NO. SD14-0017, CONDITIONAL USE PERMIT NO. UP14-0024, TENTATIVE MAP NO. MT14-0004 AND EXCEPTION TO WATER CONSERVATION ORDINANCE NO. 204.2 FOR THE LENNAR RESIDENTIAL PROJECT INCLUDING A 5-STORY PODIUM BUILDING WITH 351 DWELLING UNITS AND 138 CONDOMINIUM STACKED FLAT UNITS LOCATED AT 450 MONTAGUE EXPRESSWAY**

### GENERAL CONDITIONS

1. **General Compliance.** The applicant and owner, including all successors in interest (collectively “Permittee”) shall comply with each and every condition set forth in this Permit. This SITE DEVELOPMENT PERMIT NO. SD14-0017, CONDITIONAL USE PERMIT NO. UP14-0024, TENTATIVE MAP NO. MT14-0004 (collectively “Permit”) shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed and this Resolution has been recorded by the Permittee with the Santa Clara County’s Recorder Office and a copy shall be provided to the Planning Department. (P)
2. **Effective Date.** Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the decision-making body approved this Permit.
3. **Acceptance of Permit.** Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following:
  - a. Acceptance of this Permit by Permittee; and
  - b. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all of the terms, obligations, and conditions of this Permit.
4. **Modifications to project.** Any deviation from the approved site plan, floor plans or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the Permittee shall be required to apply for review and obtain approval of the Planning Commission or City Council, in accordance with the Zoning Ordinance. (P)
5. **Previous Planning Application:** Previously approved Planning Applications for a Site Development Permit No. SD12-0009, Conditional Use Permit UP12-0024, and Tentative Map No. MT12-0005 to allow the development of 474 dwelling units on 7.98 acres (59 dwellings/acre) in a multi-story building located at 450 Montague Expressway (APN: 86-037-004, -020, and -021) shall be rescinded and replaced completely with the adoption of this Resolution. (P)
6. **Conditions of Approval.** As part of the issuance of building permits, the Permittee shall include within the first four pages of the working drawings for a plan check, a list of all conditions of approval imposed by the final approval of the project. (P)
7. **Written Response to Conditions.** The Permittee shall provide a written response to the Conditions of Approval indicating how each condition has been addressed with the building permit application submittal. (ALL)
8. **Permit Expiration.** Pursuant to Section XI-10-64-06 of the Milpitas Zoning Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Section XI-10-64.06(B) of the Milpitas Zoning Code, an activity permitted by this Permit shall be deemed to have commenced when the project:
  - a. Completes a foundation associated with the project; or
  - b. Dedicates any land or easement as required from the zoning action; or
  - c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner. (P)

9. Time Extension. Pursuant to Section XI-10-64.07 of the Milpitas Zoning Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Division prior to the expiration date of the approval. **(P)**
10. Project Job Account. If Permittee's project job account is at any time delinquent or below the required deposit amount, City will not continue to review or process the application until Permittee's private job account is paid in full and the required deposit has been made. Additionally, prior to the issuance of any building permit or occupancy permit, as applicable, Permittee shall pay in full the project account balance and establish a remaining balance of at least twenty-five percent (25%) of the required initial deposit. **(P)**
11. Notice. Pursuant to California Government Code Section 66020, any protest filed in court relating to the imposition of fees, dedication, reservations, or other exactions to be imposed on the development project shall be filed within ninety (90) days after the date of the adoption of this Resolution. This provision serves as notice from the local agency to the Permittee that the ninety (90) day period in which the Permittee may file a protest has begun under California Government Code Section 66020(d)(1). **(P)**
12. Cost and Approval. Permittee shall fully complete and satisfy each and every condition set forth in this Resolution and any other condition applicable to the project to the sole satisfaction of the City. Additionally, Permittee shall be solely responsible and liable for the cost to satisfy each and every condition. Permittee shall pay all required fees and charges to City at the rate in effect at time of building permit issuance, or, the rate in effect when the fees and charges are due and paid in full to City. There is no vesting of any fees or charges with the adoption of this Resolution. **(P)**
13. Conditions. Each and every condition set forth in this Exhibit shall apply to the project and continue to apply to the project so long as the Permittee is operating the project under the permits and approvals in this Resolution.
14. Compliance with Laws. The construction, use and all related activity authorized under this Permit shall comply with all applicable local, state and federal laws, rules, regulations, guidelines, requirements and policies. **(CA/P)**
15. Indemnification. To the fullest extent permitted by law, Permittee shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees, and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the project, including but not limited to, the approval of the discretionary permits, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, and (ii) Permittee's construction, operation, use, or related activity under this Permit. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by applicant, City, and/or the parties initiating or bringing such proceeding. Permittee shall indemnify the City for all of City's costs, attorneys' fees, and damages, which City incurs in enforcing the indemnification provisions set forth in this condition. Permittee shall pay to the City upon demand or, as applicable, to counsel of City's choosing, any amount owed pursuant to the indemnification requirements prescribed in this condition.
16. Revocation, Suspension, Modification. This Permit may be suspended, revoked, or modified in accordance with Section XI-10-63.06 of the Milpitas Zoning Code.
17. Severability. If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision, or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding, and fully enforceable. **(P)**
18. Permittee shall develop the approved project in conformance with the approved plans approved by the City Council on April 21, 2015, in accordance with these Conditions of Approval. Any deviation from the approved site plan, elevations, materials, colors, landscape plan, or other approved submittal shall require that, prior to the issuance of

building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the City Council or City Council, as applicable, in accordance with the Milpitas Zoning Code. (P)

19. Compliance with Fire Department and CA Fire Code. The Project shall comply with the requirements of the Milpitas Fire Department and the CA Fire Code. Changes to the site plan and/or building(s) requires review and approval by the Fire Department. (F)
20. CEQA REVIEW (2008 TASP FEIR & 2015 INITIAL: STUDY) : The project shall be subject to all applicable mitigation measures identified with the adopted 2008 TASP DEIR and FEIR (SCH# 2006032091) and those carried over into the 2015 Initial Study that was prepared for the project. The Permittee shall include a written response to the Mitigations identified in the 2015 Initial Study Document with the building permit submittal indicating how each mitigation has been addressed. (P)
21. Climate Action Plan Compliance. Prior to issuance of any building permit, the Permittee shall provide a final version of the Appendix C of the Climate Action Plan (CAP). The Permittee shall clearly demonstrate compliance with the CAP. (P)
22. Project Phasing Plan: The Permittee shall submit a separate project-phasing plan to the Building Department for review. The phasing plan shall be consistent with all construction-timing conditions contained within the approval and address access, public safety, fire safety and solid waste access during construction. The Permittee shall contact the Building Department for complete building permit submittal requirements. (ALL)
23. Garage Parking for the Stacked Flats: The garages spaces for the stacked flats shall be maintained and available for parking for two cars at all times. In addition, the upper panel of the garage doors shall be maintained with clear glass to allow for visual inspection by the property management or Home Owners Association (HOA); this shall be noted in the CC&Rs. The property manager or HOA shall be responsible for enforcement of parking in private garages. (P)
24. On-Site Security: The Permittee shall provide 24-hour security of the site to ensure that no additional vandalism occurs on the site until the existing buildings have been demolished and the entire site is secured. The Permittee shall keep the site clean and free of debris. (P)

## PROJECT SPECIFIC CONDITIONS

25. Construction Timing: No more than sixty-nine (69) building permits for the stacked flat units shall be issued before issuance of the podium apartment building permit (Building One (1) on the site plan). No more than one hundred and three (103) stacked flats residential units shall receive a Certificate of Occupancy (temporary or final) before completion of the podium for Building One and a Certificate of Occupancy (temporary or final) has been received for the first phase of the apartment building. The first apartment building phase (approximately 80 units) shall be precisely determined prior to the issuance of the first building permit. The actual numbers of the stacked flats may vary slightly to accommodate the building type and phasing plan subject to review and approval by the Director of Planning and Neighborhood Services. (ALL)
26. Architectural Details. Prior to issuance of any building permit, the following shall be demonstrated in the construction plans for the project:
  - a. The stucco texture for the walls of the building shall be of sand 20/30 finish.
  - b. The stucco for all trim features around windows and doors shall be a trowel smooth finish.
  - c. The plans shall clearly demonstrate a 1.5"-2" inch recess for all windows located in stucco wall faces. The Permittee may propose alternatives to achieve the recess subject to review by the Planning Director.
  - d. The Cementitious Panels shall be mounted in a manner that is clean and consistent with the architectural style. The Permittee shall provide a mock-up for staff review and approval prior building permit issuance.
  - e. The raised planter beds located around the podium building shall be consistent with the masonry veneer (color and texture) located at the leasing lobby and second entrance.
  - f. The white bay elements on building 1-foot shall be reduced in height by 1 foot.

- g. The exterior material for the white bay elements shall be further refined to enhance the elements by using a smooth three coat hand troweled stucco surface.
- h. Final details for the balcony railings for both product types shall be provided to Planning Division for review and approval. The railings shall be a high quality material and provide architectural interest.
- i. The entry elements for Stacked Flats Buildings B and E (6-Plex) shall be further enhanced with the use of specimen trees adjacent to the entry and enhance entry awning.

All architectural conditions shall be reviewed and approved by the Director of Planning and Neighborhood Services prior to issuance of building permits for any construction. **(P)**

27. Landscape/Hardscape. Prior to issuance of any building permit, the following shall be demonstrated in the construction plans for the project:
  - a. All benches and low walls shall be constructed with a patterned inset to discourage skateboarding.
  - b. The plant material palette shall be enhanced to include additional seasonally fragrant plants. The landscape plan legend shall clearly identify fragrant plant species.
  - c. Plantings around the trash enclosure shall be enhanced to include climbing vines on the enclosure and taller evergreen screening such as Fern Pine (Podocarpus).
  - d. An alternate plant for Sequoia Sempervrens will need to be included in the building permit set. This species will not grow with reclaimed water.
  - e. Raised planter beds around the staked flats shall be covered in a material that is complimentary to the development.
  - f. Exposed CMU or split faced CMU is not allowed. All CMU will need to be treated appropriately to compliment the buildings and site. **(P)**
28. Public Parks: Both public parks (Park A and Park B) and associated amenities shall be fully constructed and accepted by City prior to the issuance of Certificate of Occupancy (temporary or final) for seventy-five percent (75%) of the total residential units in the development. **(P)**
29. Southern End of Emergency Vehicle Access: When 730 East Capitol Avenue redevelops, the alignment of the southern bend of the EVA shall be reevaluated to allow for a larger paseo connection from the linear trail up to Park B. The Permittee and future HOA shall agree to the proposed changes and enhancements, which will be at the expense of the developer of 730 E Capitol Avenue. The proposed changes shall be subject to review and approval by the Director of Planning and Neighborhood Services and the Public Works Director. **(P)**
30. Creek Trail Connection: The trail shall provide a connection (along the private property) to the adjacent site to the east (730 E Capitol). The pedestrian path will need to extend along the side of the trash enclosure to the EVA and be consistent with TASP Figure 3-6. In addition, the Permittee shall install a new decomposed granite trail along the creek on the maintenance road. Permittee shall solely be responsible for all permitting required from the SCVWD and other agencies. **(P)**
31. Mechanical Venting: All horizontal mechanical venting shall be located on the balconies of each unit or a return wall. If neither option is available, then venting shall be directed through chase to the roof. All vent covers on the exterior shall be the minimum size needed, painted to match the building and be clearly indicated on the architectural elevations. Venting for the on-demand water heaters shall be a high quality material (see Taylor Morrison on McCandless) and may be located above the garage doors for the staked flats and on the balconies in Building 1 if used. The Permittee may propose some alternatives to achieve the goal of screening all mechanical venting, provided the Permittee shall submit a proposal for review by the Planning Director. **(P)**
32. Signs: The Permittee shall submit project identification signs for the review by the Planning Division prior to any Building Permit issuance. **(P)**
33. Density Averaging Agreement: Prior to Final Map approval, the Permittee shall be required to enter into a Density Averaging Agreement approved by City Attorney and Planning Director. The Density Averaging Agreement shall be signed by the Permittee and recorded prior to approval of the Final map. **(P)**



34. County Transportation Approval: The Permittee shall obtain final approval from the County Transportation Department prior to issuance of any building permit for any site improvement adjacent to County right of way. **(P)**
35. Santa Clara Valley Water District (SCVWD): The Permittee shall obtain final approval from the SCVWD for trail improvements on along the creek maintenance road. Final approval and construction shall be completed prior to final Certificate of Occupancy for the last phase in the development (the Phasing Plan shall clearly denote this requirement). **(P)**
36. Public Improvements. Prior to final map approval, the Permittee shall obtain design approval and bond for all necessary public improvements along Capitol Avenue and Montague Expressway including but not limited to the following:
- a. Right of Way. The Permittee shall dedicate all necessary rights-of-way and public easements to the City for the proposed public sidewalk improvements and utilities to the satisfaction of the City Engineer.
  - b. Frontage Improvements. Prior to final map approval, Permittee shall submit improvement plans for the frontage improvements along Montague Expressway and Capitol Avenue including curbs, gutters, sidewalks, pavement, striping, hardscape, streetlights, landscaping, trees, irrigation, and utilities in conformance with the Transit Area Specific Plan, City Standard Drawings and guidelines to the satisfaction of the Planning Director and the City Engineer.
  - c. Pedestrian Creek Trail. Prior to final approval or building permit issuance, the Permittee shall submit improvement plans for the Pedestrian Creek Trail. The trail shall be designed to drain away from the Penitencia Creek. All run-off from impervious surface shall be treated prior to discharge to the creek or the public storm drain system. Permittee shall submit written approval from the Santa Clara Valley Water District for the trail plans.
  - d. Utility Relocation. Underground utilities (such as joint trench conduit, utility boxes, etc.) shall be relocated and adjusted as necessary to accommodate the approved frontage sections to the satisfaction of the Planning Director and the City Engineer.
  - e. Occupancy. All public improvements shall be installed and accepted prior to the issuance of the first Certificate of Occupancy. **(E)**
37. Onsite Improvements.
- a. Plan Set Coordination. Permittee shall coordinate all plans showing landscape, utility, and hardscape improvements in order to resolve conflicts. **(ALL)**
  - b. Modifications to the Site Plan. Any modifications to the site plan shall require an amendment to the tentative map unless otherwise directed by the Planning Director and the City Engineer.
  - c. Storm Water Control Plan (SWCP). Prior to any building permit issuance, the Permittee shall revise the SWCP to increase the amount of Low Impact Development (LID) treatment within the project boundary. Credit for Special Project status will not be applied until all LID treatment opportunities are exhausted on the site to the satisfaction of the City Engineer. All changes shall be reflected on the SWCP report and plan sheet. The treatment summary sheet shall be updated.
  - d. Interim Bioretention Treatment. Permittee shall maintain the interim 100% LID treatment facility located on the future Building 18 site until issuance of the building permit for the superstructure of Building 1.
  - e. Utility Meter Layout. The Permittee shall include a detail in the Site Improvement plan set showing the size, dimensions and layout of all utility meters and associated appurtenances. The layout design shall comply with all separation and access requirement.
  - f. Building Permit Issuance. The Permittee shall follow the floodplain removal protocol outlined in the project's floodplain analysis. Construction permits will not be issued until each milestone in the analysis is achieved.
  - g. Floodproofing. The Permittee shall provide a separate flood proofing report describing the floodproofing for all structures that are not removed from the Special Flood Hazard Area. The report shall demonstrate compliance with NFIP Regulations and technical bulletins. The report shall include the floodproofing of mechanical

equipment, elevator shaft and equipment, and utilities. Flood proofing details shall also be included in the site improvement plan set and on the floodplain management sheet.

- h. Site Improvement Plan Set. Prior to any building permit issuance, the Permittee shall submit a complete site improvement plan set, including but not limited to a separate plan sheet for floodplain management, storm water control, emergency vehicle access, and solid waste handling.
- i. Retaining Wall at Street B. The Permittee shall revise the design of the retaining wall to allow for the capture/conveyance of runoff received at the property line. **(E)**

38. Transportation & Traffic Engineering.

- a. Emergency Vehicle Access (EVA). The Permittee shall provide a twenty-six feet (26') Emergency Vehicle Access easement along Street B on the subject site. **(P/E)**
- b. Temporary Right-Out Access to Capital Avenue. Right-out vehicular access on to Capital Avenue is authorized on a temporary basis until the West Leg of S. Milpitas Boulevard Extension (WLSMBE) and the private street along Penitencia Creek are constructed and open to the public. Upon the acceptance of WLSMBE, right-out access to Capital Avenue shall be revoked and the Permittee, and all successors in ownership, shall design and construct all on-site and off-site improvements necessary to restrict the vehicular access on to Capital Avenue to the satisfaction of the City Traffic Engineer. Prior to any building permit issuance, the Permittee shall include the design of the ultimate vehicular access to Capital Avenue in the construction documents submitted for onsite and offsite approvals. The Permittee shall provide full disclosure of the temporary right-out access on Capital Avenue to all future residents, tenants, and home owners/property management associations of this development. This condition and all associated exhibits shall be included in the Conditions, Covenants, and Restrictions (CC&R) for both associations. **(E)**
- c. Right-Out Access to Montague Expressway. Prior to final map approval, the Permittee shall obtain Santa Clara County Roads and Airports' (County) approval of the final access design for right-in and right-out vehicular access to Montague Expressway. If County approval is not obtained, the Permittee shall revise the site plan and amend the tentative map to the satisfaction of the Planning Director and the City Engineer. **(E)**
- d. Montague Expressway Pedestrian Bridge Overcrossing & Land Dedication: The Permittee shall be responsible for the design, construction drawings and land dedication to accommodate the Montague Expressway Pedestrian Bridge Overcrossing as identified in the TASP. The following items shall be required:
  - i) Conceptual Design Study: The Permittee shall submit conceptual designs for the pedestrian overcrossing over Montague Expressway adjacent to Penitencia Creek prior to Final Map Approval. The Conceptual Design shall include studies, survey information and three bridge design alternatives for architectural design. The Permittee shall also coordinate with the County during the development of the design document.
  - ii) Construction Drawings: Subject to City review and approval, the Permittee shall complete thirty percent (30%) construction drawings prior to First Certificate of Occupancy (temporary or final) for any residential units and Final Construction drawings prior to the Certificate of Occupancy (temporary or final) for seventy-five percent (75%) of the total residential units in the project. The final construction documents shall include all studies, reports, estimates, easements, and dedications required to complete the design and shall be submitted to the City for review and approval. Final construction drawings shall not commence until the conceptual design is approved by the City and the Santa Clara County Roads and Airports. The City Engineer and Planning Director may grant additional time to satisfy this condition due to coordination with outside agencies. The Permittee shall request changes in the timeline in writing and include a revised project schedule for review and approval. The Permittee shall dedicate all land and easements required to construct, access, and maintain the overcrossing structure and landing.
  - iii) TASP Credit: The pedestrian overcrossing over Montague Expressway is an identified Transit Area Specific Plan (TASP) public improvement and costs for the design and construction drawings will be credited through the TASP Fee Structure. Fee credit will not be provided until all items above have been completed and all supporting documentation verifying all associated costs. All costs shall be tracked separately from the Penitencia Creek Bridge costs. Final credit will be subject to City review of all materials provided. Prior to Final Map Approval, a separate Fee Credit shall be entered into between the parties subject to City Attorney and City Engineer approval. **(P/E)**

- e. West Leg of S. Milpitas Boulevard Extension (WLSMBE). The construction of WLSMBE is a required improvement for the ultimate circulation of the 450 Montague Expressway, 730 East Capitol Avenue, and 750 East Capitol Avenue developments. The design of WLSMBE shall include the design of the East Penitencia Creek Vehicular/Pedestrian Crossing and all related utility relocations. The roadway dedication, design, permitting, and construction of WLSMBE and all associated designs, studies, reports, permits and improvements are a shared cost between the three developments and the costs are distributed in proportion to each development's land area. The Permittee shall comply with the following:
- i) East Penitencia Creek Vehicular/Pedestrian Crossing Feasibility Study. Prior to Final Map Approval, the Permittee shall submit a study analyzing:
    - (1) the feasibility of a vehicular/pedestrian bridge across East Penitencia Creek,
    - (2) the feasibility of alternative crossings, and
    - (3) a final recommendation based on cost, design, constructability, schedule, permitting (including CEQA), and maintenance.
    - (4) the feasibility of incorporating potable water and recycled water pipelines in the bridge deck.

The study shall include outside agency coordination, utility relocation, and engineering estimates for design, construction and permitting of each alternative. The feasibility study shall also identify the required permitting for each alternative.
  - ii) East Penitencia Creek Vehicular/Pedestrian Crossing. Prior to issuance of first Certificate of Occupancy (temporary or final) for any residential unit, the Permittee shall submit construction documents, including plans, studies, reports, and estimates for the alternative identified in the feasibility study or as directed by the City Engineer for review and approval.
  - iii) East Penitencia Creek Vehicular/Pedestrian Crossing. The East Penitencia Creek Vehicular/Pedestrian Crossing is an identified Transit Area Specific Plan (TASP) item and costs for the feasibility study and construction drawings will be credited through the TASP Fee Structure in a separate Fee Credit Agreement to be approved by the City Council prior to final map approval. Final credit would occur after all documents have been provided to the City for review and approval and all supporting documentation for all costs associated with the study and design. These documents shall be tracked separately from the WLSMBE and Pedestrian Overcrossing documents. **(E)**
  - iv) WLSMBE Design. Prior to Final Map Approval, the Permittee shall prepare design documents for the WLSMBE Extension. WLSMBE shall extend from Capitol Avenue to East Penitencia Creek and shall align with the proposed S. Milpitas Boulevard Extension from Montague Expressway to Capital Avenue. The WLSMBE typical cross-section shall conform to the TASP approved sections and shall include, but not be limited to, one 11' southbound lane, one 11' northbound lane, one 11' northbound right turn lane, a Class II bike lane in each direction of travel, a 4' minimum raised median island, an 8' parking lane on one side of the street, a 7' planting strip, and 5' sidewalk on each side of the street or as directed by the Planning Director and the City Engineer. WLSMBE design shall include buried utilities such as potable water pipe, pressure reducing valve and vault, recycled water pipe, storm drainpipe, and sanitary sewer pipe. The pressure reducing valve shall be connected into the Zone 2 piping on the east side of Capitol Avenue and the Zone 1 piping on the west side of Capitol Avenue. The WLSMBE street elevation shall be designed and constructed to accommodate the future crossing over East Penitencia Creek pursuant to the TASP-designated street network and the East Penitencia Creek Crossing feasibility study.
  - v) WLSMBE Improvements. Prior to issuance of first Certificate of Occupancy (temporary or final) for any residential unit, the Permittee shall submit construction documents, including plans, studies, reports, and estimates for the WLSMBE Improvements to the City for review and approval. The construction documents shall include all related improvements such as the relocation of existing utilities and the installation of traffic signals. Prior to the issuance of any Certificate of Occupancy, the Permittee shall pay for WLSMBE improvements pursuant to the condition below to the satisfaction of the City Engineer.

vi) WLSMBE Cost Share. Prior to issuance of the first Certificate of Occupancy (temporary or final) for any residential unit, the Permittee shall submit an engineer's estimate for all associated costs for the WLSMBE design, construction, management, and land cost assumption of 12% of the total cost of the project and an ENR Construction Cost Index projected out 5 years to the satisfaction of the City Engineer, or land value may be based on fair market value completed by an appraiser subject to City review and approval. The Permittee shall pay to the City a fair share contribution of 53% (based on site area of 10.47 acres) of the estimated costs. The Permittee fair share contribution will be credited for all design costs. The Permittee shall pay the fair share contribution at issuance of Certificate of Occupancy (temporary or final) for any residential unit or final approval of the WLSMBE construction plans, whichever occurs first. (E)

f. Future Traffic Signal at Capitol and WLSMBE. Prior to any building permit issuance, the Permittee shall pay a fair share contribution for the construction of a new traffic signal at the E. Capitol Avenue and WLSMBE intersection as approved by City Engineer. (E)

39. Utilities. The Permittee shall comply with the following conditions:

a. Water System. Project shall be served by SCVWD Zone 1. A Water Supply Assessment is not required. Contractual water capacity is available. (E)

b. Water Service. Separate water meters for domestic and fire services shall serve building one. All landscape located inside the Building 1 footprint shall be served by a separate irrigation meter. Buildings 2-18 may be served by a combined domestic and fire service. Each parcel shall have independent service or shall provide recorded documents allowing reciprocal shared rights. Permittee is alerted that on-site pumping to upper floors may be required. Permittee shall provide backflow protection on all water connections, including fire services, in accordance with City guidelines and USC Manual of Cross Connection Control. (E)

c. Hydraulic modeling is required to verify capacity of the adjacent water system piping and determine points of connection to the water and sanitary sewer systems. Permittee shall authorize the City to proceed with hydraulic modeling. All charges shall be applied to Permittee's PJ Account. (E)

Waterline Relocation. Permittee is proposing to relocate the public water line in Montague Expressway. The water pipeline shall be located in Montague Expressway, subject to the City and County discretion on the location. Permittee shall connect the southern point of the relocated water line to the water line at Centre Pointe Drive in order to insure reliability looping. (E)

d. Montague Expressway Waterline Easement. Prior to final map approval, the Permittee shall secure an easement, for the City of Milpitas benefit, from Santa Clara County for the installation and future maintenance of the relocated water line within the Montague Expressway right-of-way. The water line shall be placed into service prior to issuance of the first Certificate of Occupancy (temporary or final) for any residential unit. If the easement is not needed the Permittee may provide a letter from the County indicating that is not needed and it will be subject to review by the City Engineer. (E)

e. Public Landscaping. Street frontage landscaping shall be served by recycled water. The public portion of the proposed recycled water pipelines shall be a minimum of 8 inches in diameter. The Permittee shall install a gate valve and blind flange on the southerly leg of tee to accommodate future extension of the recycled water system. (E)

f. Water Supply Emergency. The City Council has declared a water supply emergency and enacted a Water Shortage Contingency Plan. The project is required to use recycled water for construction purposes such as dust control and compaction. Landscape planting shall be deferred for any areas designated to use potable water, such as internal podium areas. (E)

g. Existing Utilities. All existing public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas. (E)

h. Multistory Buildings. The apartment building shall require water supply pressures above that which the City can normally supply. Additional evaluations by the Permittee are required to assure proper water supply (potable or



fire services). The Permittee shall submit an engineering report detailing how adequate water supply pressures will be maintained to the satisfaction of the City Engineer and the Fire Marshall. (E)

- i. Utilities near Buildings. Building foundations adjacent to public utilities shall be designed to be self-supporting such that the building weight is not required to be supported during shoring and excavation of adjacent utilities.
- j. Solid Waste Service. This site is recommended to use roll-off style solid waste service. The Permittee shall provide sufficient facilities for on-site storage and collection of solid waste and recyclables. Permittee shall provide a Solid Waste Handling Plan showing how materials will be transferred from Buildings 1-18 to the trash enclosure/external collection point. The Solid Waste Handling Plan shall also address other requirements, such as compaction, chute shut-off, sufficient number of bins, and property management responsibility for bin management and positioning. The Permittee shall demonstrate that sufficient space is provided at Building 1 basement trash areas to house extra containers and the vehicle that will transport the containers to the compactor. Permittee to demonstrate that the site plan provides sufficient space for the solid waste vehicle to perform collection and turn around on-site or provide proof of easement from adjacent property. Permittee shall procure sufficient service frequency and shall provide a minimum of 15 feet vertical (overhead) clearance at the trellis. Permittee shall provide a plan showing solid waste setout locations for Buildings 2-18 that do not block parking spaces. All solid waste collection facilities shall comply with City guidelines. The compactors shall be installed and functional prior to issuance of Certificate of Occupancy of the eightieth (80<sup>th</sup>) residential unit. (E)
- k. Solid Waste. Prior to issuance of any certificate of occupancy, Permittee shall construct a new trash enclosure to serve the project. The enclosure shall accommodate the required two self-contained compactors at minimum to serve this development. The proposed enclosure shall be designed per the Development Guidelines for Solid Waste Services and enclosure drains must discharge to sanitary sewer line. The enclosure will be subject to the City's review/approval prior to construction of the enclosure. (E)
- l. Off-Site Recycled Water. Prior to final map approval, the Permittee shall submit construction documents, including plans, studies, reports, and estimates to extend the City's recycled water pipeline. The work consists of installing approximately 1,800 linear feet of new 8 inch diameter recycled water pipeline in Great Mall Parkway starting at Centre Pointe, crossing Montague Expressway, running along Capitol Avenue, and tying into the Valley Transportation Authority's planned recycled water pipeline extension at South Milpitas Boulevard. Permittee shall secure an easement for the City of Milpitas benefit, from Santa Clara County for the installation and future maintenance of the relocated water line within Montague Expressway. Prior to the issuance of the first certificate of occupancy (temporary or final) for any residential unit, the Permittee shall construct the off-site recycled water pipeline. The Permittee may receive credit through the TASP Fee program for the portions of the recycled waterline not in front of their property. The Permittee shall keep accurate records of all construction costs for the installation and shall confer with Utility Staff regarding the segments that need to be tracked separately. Any credit shall be a part of the Fee Credit Agreement approved by the City Council prior to final map approval.

## FEES

40. Development Fees: Permittee shall submit the following items with the building permit application and pay the related estimated fees prior to building permit issuance:
  - a. Sewer Needs Questionnaire and/or Industrial Waste Questionnaire
  - b. Water Service Agreement(s) for water meter(s), detector check(s), and double check detector assembly.
  - c. Storm water connection fee of \$21,562 per acre.
  - d. Water, sewer and treatment plant fees will be calculated at the time of building plan check submittal.
  - e. Calaveras Blvd Widening Traffic Impact Fee of \$235 per residential unit and (in 2009 dollars) prior to building permit issuance. Fee shall be adjusted per ENR index rate at the time of building permit issuance.

Contact the Land Development Section of the Engineering Division at (408) 586-3328 to obtain the form(s). *The above fees are preliminary estimates and subject to change.* There is no vesting of the fees with the adoption of this Resolution. (E)

40. Transit Area Specific Plan (TASP) Fees - Prior to any building permit issuance, Permittee shall pay a Transit Area Development Impact fee. The amount of fee to be paid shall be the amount in effect pursuant to the implementing City Council ordinance or resolution at the time full payment is made to the City at the time of building permit issuance or at the time the full amount is paid to City. There is no vesting of the fees with the adoption of this Resolution.
41. Fee Adjustments: All applicable fees for the Project may be adjusted prior to building permit issuance. The amount of fee to be paid shall be the amount in effect pursuant to the implementing City Council ordinance or resolution at the time full payment is made to the City at the time of building permit issuance, or when full payment is made to City. (E)
42. Building Permit Automation Fee: Prior to any building permit issuance, Permittee shall pay all applicable development fees, as determined by the City Engineer in accordance with the most current approved fee schedule adopted by the City Council, including but not limited to, connection fees (water, sewer and storm), Transit Area impact fee, plan check and inspection deposit, and 2.5% building permit automation fee as approved by City Council Resolution No. 7590. (E)

#### **FINAL MAP (STANDARD)**

43. Community Facilities District (CFD) Annexation: Prior to final map approval, Permittee shall submit an executed consent to annex the subject property into CFD 2008-1 and shall agree to pay the special taxes levied by CFD 2008-1 for the purpose of maintaining the public services. The petition to annex into the CFD shall be finalized concurrently with the final map recordation or prior to any building permit issuance, whichever occurs first. Permittee shall comply with all rules, regulations, policies, and practices established by State Law and by the City with respect to the CFD including, without limitation, the requirements for notice and disclosure to future owners and residents. (E)
44. Final Map: Prior to issuance of any building permit, the final map shall be recorded. The final map submittal shall meet the following requirements:
- a. Provide a current title report with your final map submittal, not more than 90 days old.
  - b. All final maps shall designate all common lots and easements as lettered lots or lettered easements.
  - c. The final map shall clearly delineate the project property line and the County right of way line. County right of way and Project boundary should be contiguous.
  - d. All final maps shall be tied to the North America Datum of 1983 (NAD 83), California Coordinate of 1983, zone 3.
  - e. Permittee shall dedicate all necessary easements for public utilities, emergency vehicle access, solid waste collection, pedestrian corridors, sidewalks, trails, paths, parks and public access on the final map for acceptance by the City in compliance with the City's Engineering Guidelines and the approved Tentative Map.
  - f. Prior to recordation of any final map, Permittee shall submit to the City a digital copy of the approved final map in AutoCAD and GIS format. (E)
45. Homeowners/Property Management Association: Prior to final map approval, Permittee shall establish a Homeowners/Property Management Association ("Association"). The Association shall be responsible for the maintenance of the landscaping, walls, buildings, private streetlights, common area and private streets and shall have assessment power. The Association shall manage the onsite water, recycled water, storm and sewer system and implement the Solid Waste handling plan. This information shall be clearly included in the Conditions, Covenants, and Restrictions (CC&R) and recorded documents. The CC&R document shall be submitted for review and approval by the City Engineer. (E)

#### **CONSTRUCTION (STANDARD)**

46. Improvement Plans: Prior to final map approval, Permittee shall obtain design approval and bond for all necessary public improvements, including but not limited to the following:

- a. Removal and installation of new curb, gutter, and sidewalk, median modification or installation, signage and striping, street lights, street trees, fire hydrants, bus stop, and storm, water, and sewer service installation.
  - b. All improvements plans shall be prepared using Vertical Datum of 1988 (NAVD 88). The specific city benchmark used for the project shall be indicated on the cover sheet of each improvement plan set.
  - c. Plans for all public improvements shall be prepared on Mylar (24"x36" sheets) with City Standard Title Block and developer shall submit a digital copy of the Record Drawings AutoCAD and GIS format upon completion of improvements to the satisfaction of the City Engineer.
  - d. Permittee shall also execute a secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials. The public facilities such as water meters, RP backflow preventers, sewer clean outs, etc., shall be placed so access is maintained and kept clear of traffic. (E)
47. Initial Acceptance: All improvements must be installed in accordance with the City of Milpitas standard drawing and specification, and shall be constructed to the City Engineer's satisfaction and accepted by the City prior to issuance of any final certificate of occupancy of any residential unit. (E)
48. Utility Undergrounding: Prior to issuance of the first Certificate of Occupancy (temporary or final) for any residential unit, Permittee shall underground all existing wires and overhang utilities (except the distribution lines located at the upper end of the metal towers, lower lines shall be undergrounded) and remove all related poles within the proposed development and along all street frontages. All proposed utilities within the subdivision shall also be undergrounded. The improvement plans shall show all existing utilities within and bordering the proposed development, and clearly identify the existing PG&E wire towers and state wire voltage. All utility vaults, boxes, cabinets and pedestals shall be identified and labeled on the improvement plans. Above ground utility facilities shall be underground, relocated, or screened to the satisfaction of the City Engineer and the Planning Director. (E)
49. Joint Trench Relocation: The joint trench shall be relocated in the field, if necessary, to accommodate the approved street layout (sidewalks, trees, streetlights, etc.) to the satisfaction of the City Engineer and the Planning Director. All joint trench structures (vaults, boxes, cabinets, etc.) shall be adjusted to the final grade. (E)
50. Encroachment Permit: Prior to any work within the public right of way or City easement, Permittee shall obtain an encroachment permit from City of Milpitas Engineering Division. Prior to installing offsite improvements, Permittee shall obtain an encroachment permit from the City of Milpitas and all necessary encroachment permits from other affected agencies and private parties, including but not limited to, Pacific Gas and Electric, SBC, Comcast, Santa Clara Valley Water District, Santa Clara County road and Airport Department, and Santa Clara Valley Transportation Agency (VTA). Copies of any approvals or permits shall be submitted to the City of Milpitas Engineering Division as a part of the encroachment permit review. (E)
51. Agency Approval: It is the responsibility of the Permittee to obtain any necessary encroachment permits from affected agencies and private parties, including but not limited to, Pacific Gas and Electric, SBC, Comcast, Santa Clara Valley Water District and Caltrans. Copies of any approvals or permits must be submitted to the City of Milpitas Engineering Division. (E)
52. Construction Schedule: Prior to start of any construction, Permittee shall submit a construction schedule and monitoring plan for City Engineer review and approval. The construction schedule and monitoring plan shall include, but not be limited to, construction staging area, parking area for the construction workers, personnel parking, temporary construction fencing and construction information signage and establish a neighborhood hotline to record and respond to neighborhood construction related concerns. Permittee shall coordinate their construction activities with other construction activities in the vicinity of this project. Permittee's contractor is also required to submit updated monthly construction schedules to the City Engineer for the purpose of monitoring construction activities and work progress. (E)
53. Demolition: All utilities shall be properly disconnected before the building can be demolished. Show (state) how the water service(s), sewer service(s) and storm service(s) will be disconnected. The water service shall be locked off in the meter box and disconnected or capped at main line in the street if the water meter is not to be used. The sanitary sewer shall be capped at the clean out near the property line or approved location if it is not to be used. The storm drain shall be capped off at a manhole or inlet structure or approved location if it is not to be used. (E)

54. Maximum Slopes: All slopes adjacent to public sidewalks and streets shall be designed to a maximum grade of 4:1 slope. The grading design shall also provide a 1' flat bench at the top and bottom of the slope adjacent to the public sidewalks, streets, or pathways. (E)
55. Tree Removal Permit: In accordance with COMC Chapter 2, Title X (Ord. 201), Permittee may be required to obtain a permit for removal of any existing tree(s). Contact the Public Works Department at (408) 586-2600 to obtain the requirements and forms. (E)
56. Underground Service Alert (USA): Permittee shall call Underground Service Alert (U.S.A.) at (800) 642-2444, 48 hours prior to construction for location of utilities. (E)
57. Mailboxes: Prior to installation of mailboxes, Permittee shall obtain approval from the US Postal Services and submit documentation to the City for review. Structures to protect mailboxes may be required as a result of the Building, Engineering and Planning Divisions review. (E)

## **FLOODPLAIN MANAGEMENT (STANDARD)**

58. Special Flood Hazard Area: The proposed development is located within the Special Flood Hazard Area (SFHA), and, therefore, shall comply with the National Flood Insurance Program (NFIP) Title 44 of the Code of Federal Regulations and the City of Milpitas (City) Flood Plain Management Regulations, City of Milpitas Code (COMC) Title XI Chapter 15. Prior to final map approval or any building permit issuance, Permittee shall obtain a Conditional Letter of Map Revision (CLOMR) or a Conditional Letter of Map Revision based on Fill (CLOMR-F) from the Federal Emergency Management Agency (FEMA), conditionally approving the revised floodplain or the removal of the development from the SFHA. Permittee shall also obtain a Letter of Map Revision (LOMR) or a Letter of Map Revision based on Fill (LOMR-F) and shall provide all elevation certificates prior to final building inspection or issuance of certificate of occupancy for any portion of the development. The proposed grading plan shall comply with the established BFE as determined in the final flood study report, the approved CLOMR or CLOMR-F, or the official FEMA Federal Insurance Rate Map (FIRM). (E)
59. Floodplain Management Ordinance: Per Chapter 15, Title XI of Milpitas Municipal Code (Ord. No. 209.4) the lowest floor elevation (finished floor) of each structure shall be at least one foot above the Base Flood Elevation (BFE). The structure pad(s) shall be properly designed by a registered civil engineer and compacted to meet FEMA's criterion. In addition, the pad(s) shall extend beyond the building walls before dropping below the base flood elevation, and shall have appropriate protection from erosion and scour. All electrical equipment, mechanical equipment, and utility type equipment servicing the structure shall be located above the BFE, or shall be flood proofed, and shall be constructed to prevent damage from flooding events. Any trailers, modular buildings, or pre-manufactured dwelling units located on this site for periods of time greater than one year, shall be adequately anchored to resist flotation, collapse and lateral movements per Floodplain Management Ordinance. The Permittee's civil engineer shall complete and submit several FEMA Elevation Certificates to the City at different stages of the construction. Flood insurance is required for any construction that is financed with government backed loans. (E)
60. Flood Study: Prior to final map approval or any building permit issuance, Permittee shall submit a Flood Study for the project demonstrating, to the satisfaction of the City Engineer that the proposed development has NO adverse impact to the surrounding flood plain within the SFHA and to flood carrying capacity of the area. The study should include cumulative effects of existing and proposed developments demonstrating the combined effects will not increase the water surface elevation of the Base Flood (BFE) more than one foot at any point. For the AO Flood Zone, the flood study is required to establish the BFE, and set the building elevation accordingly. The flood study shall be consistent with the requirements in accordance with Title 44 of the Code of Federal Regulations by establishing a hydraulic model and HEC-RAS. (E)
61. Drainage Study: Prior to final map approval or any building permit issuance, Permittee shall submit a final grading plan and hydrologic/hydraulic study prepared by a registered Civil Engineer, consistent with the approved CLOMR. The drainage study shall analyze the existing and ultimate conditions and facilities. The study shall be reviewed and approved by the City Engineer and Permittee shall satisfy the conclusions and recommendations of the approved drainage study. (E)



62. Elevation Certificates: Permittee shall submit an elevation certificate for each lot or structure that is to be removed from the SFHA:
- a. Prior to any grading permit issuance, based on an approved grading plan. This elevation certificate shall contain all proposed grades applicable and shall be required in order to receive community acknowledgement for the CLOMR or CLOMR-F application.
  - b. Prior to building foundation pour, based on finished formwork while the building is under construction. If Permittee intends to apply for a LOMR or LOMR-F prior to finished construction, this elevation certificate shall be submitted after the foundation pour and shall be based on existing finished floor and adjacent grades. It shall be required in order to receive community acknowledgement for the LOMR or LOMR-F application.
  - c. Prior to occupancy of each building or structure, based on finished construction. This elevation certificate shall contain all required finished grades and shall be based on existing information.
  - d. Prior to final occupancy, Permittee shall submit a binder containing all the elevation certificates produced for the each phase of the project. (E)

#### **CLEAN WATER (STANDARD)**

63. Construction Storm Water Quality: Permittee shall comply with the requirements of the National Pollution Elimination Discharge System (NPDES) permit as administered by the California State Water Resources Control Board (State Board) and the San Francisco Bay Regional Water Quality Control Board (Regional Board). Prior to the issuance of any building, demolition, or grading permit, Permittee shall submit an Erosion and Sediment Control Plan (Erosion Control Plan) as a part of the improvement plan submittal. The erosion control plan shall show all construction best management practices (BMPs) and shall comply with the requirements of the NPDES, the Municipal Regional Permit Order R2-2009-0074 (MRP), and the City's stormwater and urban runoff pollution control standards and guidelines (City's Clean Water Program). Permittee shall ensure that all contractors and sub-contractors install and regularly maintain all construction BMPs as required by the approved erosion control plan, the COMC, and the City's Clean Water Program. (E)
64. Construction General Permit Compliance: Permittee shall comply with the requirements of the Construction General Permit as administered by the State and Regional Boards. Permittee shall obtain a Construction Activities Storm Water General Permit (State Permit) from the State Board. Prior to any construction activities and prior to the issuance of any building, demolition, or grading permit, Permittee shall submit:
- a. a complete Storm Water Pollution Prevention Plan (SWPPP) with the project Waste Discharge Identification Number (WDID) displayed on the cover,
  - b. a copy of the approved Notice of Intent (NOI) from the State Board, and
  - c. an erosion control plan and a site monitoring plan meeting the satisfaction of the City Engineer.

Permittee shall ensure that all contractors and sub-contractors install and regularly maintain all storm water quality control measures as required by the approved SWPPP, the approved erosion control plan, the COMC, and the City's Clean Water Program.

Prior to issuance of final Certificate of Occupancy for any residential unit, Permittee shall submit an approved Notice of Termination (NOT). For phased occupancy, Permittee shall submit a Change of Information (COI) or an NOT approved by the State Board that removes each phase of occupancy from the boundaries of the State Permit prior to the issuance of occupancy for that phase. Contact the State and Regional Boards for questions regarding your specific project. For general information, contact the City of Milpitas Engineering Division at (408) 586-3329. (E)

65. Post-Construction Storm Water Quality: Permittee shall comply with the requirements of the MRP for post-construction storm water treatment (provision C.3 regarding new development and redevelopment requirements for regulated projects) and the City's Clean Water Program. Permittee shall submit a final, certified storm water quality control plan (SWCP), a SWCP sheet, and a post-construction BMP operations and maintenance plan (O&M) in accordance with the City's Clean Water Program and meeting the satisfaction of the City Engineer. (E)
66. Storm Water Quality Control Plan (SWCP): Prior to final map approval or any building permit issuance, Permittee shall submit a separate final or amended existing SWCP that incorporates post-construction BMPs for the treatment of

storm water runoff from all areas of the parcels. The SWCP shall incorporate source control, site design, and storm water treatment consistent with the MRP requirements and the City's Clean Water Program.

- a. The SWCP shall comply with all "Model Conditions of Approval for Stormwater Quality" as shown in the Stormwater Section of the Engineering Plans and Map Procedures and Guidelines, dated July 15, 2010 and are hereby incorporated as conditions of project approval.
- b. The final SWCP shall be certified by a third party reviewer from the MRP approved list of certifiers. The third party reviewer shall certify that the SWCP complies with the MRP requirements. A list of qualified reviewers can be found at the Santa Clara Valley Urban Runoff Pollution Prevention Plan (SCVRPPP) website (<http://www.scvrppp-w2k.com/>)
- c. O&M Plan: The final SWCP shall include an Operation and Maintenance (O&M) Plan, acceptable to the City Engineer, describing the operation and maintenance procedures needed to insure that storm water treatment measures continue to work as intended and do not create a nuisance (including vector control). The plan shall include all BMP details, a location map, a maintenance schedule, and inspection and reporting templates. The treatment measures shall be maintained for the life of the project. The storm water control operation and maintenance plan shall include the Permittee's signed statement accepting responsibility for maintenance until the responsibility is legally transferred.
- d. O&M Agreement: Prior to issuance of final Certificate of Occupancy for any residential unit, Permittee shall execute and record an O&M Agreement with the City for the operation, maintenance, and annual inspection of the C.3 treatment facilities. Permittee shall submit documentation of inspection and maintenance to the City's Utility Section annually for reporting to the Regional Board.
- e. Permittee shall include language in the approved CC&R providing the City with an annual inspection report in conformance with the approved O&M plan and agreement. If the City does not receive the report, the City will conduct the field inspection and report for the site and the applicant and its successor shall be responsible to pay all associated costs.
- f. Format: The SWCP shall comply with the City's Standard SWCP formatting policy.
- g. All permit applications shall be consistent with the applicant's final Storm Water Control Plan and approved special conditions, and shall include drawings and specifications necessary to implement all measures described in the approved Plan. Onsite improvement plans shall show the details and methods of construction for site design features, pervious pavements, self-retaining areas, treatment BMPs, permanent source control BMPs, and other features that control storm water flow and potential storm water pollutants. Site design shall limit directly connected impervious areas. Any changes to the final Storm Water Control Plan shall require Site & Architectural ("S" Zone) Amendment application review.
- h. Storm Water Control Plan Sheet: A plan sheet shall be included in the offsite and onsite improvement plans for Storm Water Control. The sheet will show and label all drainage areas, treatment measures, drainage flow lines, high points, and low points. Each treatment measure shall have an independent drainage area, which shall be designated. The sheet will provide sections and details for grading, drainage, and treatment measures. The sheet will include a table correlating the drainage areas to the treatment measures and summarizing the treatment provided.
- i. Storm Water Control Inspection: Prior to initial acceptance of public improvements or initial occupancy for private improvements, the Third Party Certifier of the SWCP shall submit post-construction certification verifying that the post-construction BMPs have been installed correctly and are functioning properly. (E)

## UTILITIES (STANDARD)

67. Utility Protection. All existing public utilities shall be protected in place and if necessary relocated as approved by the City Engineer. No permanent structure is permitted within City easements and no trees or deep-rooted shrubs are permitted within City utility easements, where the easement is located within landscape areas. (E)
68. Utility Capacity. The issuance of building permits to implement this land use development will be suspended if necessary to stay within (1) available water supplies, or (2) the safe or allocated capacity at the San Jose/Santa Clara Water Pollution Control Plant, and will remain suspended until water and sewage capacity are available. No vested right to the issuance of a Building Permit is acquired by the approval of this land development. The foregoing provisions are a material (demand/supply) condition to this approval. (E)
69. Utility Studies. Prior to final map recordation, Permittee shall submit and obtain approval from the City Engineer of the water, sewer, and storm drainage studies for this development. These studies shall identify the development's effect on the City's present Master Plans and the impact of this development on the trunk lines. If the results of the study indicate that this development contributes to the over-capacity of the trunk line, it is anticipated that the developer will be required to mitigate the overflow or shortage by construction of a parallel line or pay a mitigation charge, if acceptable, to the satisfaction of the City Engineer. (E)
70. Utility Modeling. Hydraulic modeling is required to verify the capacity of the adjacent water and sewer system piping and determine points of connection. Permittee shall authorize the City to proceed with hydraulic modeling and the costs of the modeling shall be charged to Applicant's PJ Account. (E)
71. Sanitary Sewer Discharge. Prior to any discharge into the sanitary sewer system, Permittee shall obtain all required industrial wastewater discharge approvals from San Jose/Santa Clara Water Pollution Control Plant (WPCP) by calling WPCP at (408) 277-2755. (E)
72. Per Chapter 6, Title VIII of Milpitas Municipal Code (Ord. No. 240); the landscape irrigation systems for street landscape, Park A, Park B, and the project site must be designed to meet the City's recycled water guidelines and connect to recycled water system. To meet the recycle water guideline the developer shall:
- Design the landscape irrigation for recycled water use. Use of recycled water applies to all existing rehabilitated and/or new landscape.
  - Design the irrigation system in conformance to the South Bay Water Recycling Guidelines and City of Milpitas Supplemental Guidelines. Prior to building permit issuance the City will submit the plans to the California Department of Public Health (CDPH) for approval; this approval requires additional processing time. The Permittee is responsible for all costs for designing and installing site improvements, connecting to the recycled water main, and processing of City and CDPH approvals. Contact the Land Development Section of the Engineering Division at (408) 586-3329 to obtain copies of design guidelines and standards.
  - Protect outdoor eating areas from overspray or wind drift of irrigation water to minimize public contact with recycled water. Recycled water shall not be used for washing eating areas, walkways, pavements, and any other uncontrolled access areas. (E)
  - The on-site recycled water irrigation system shall be split into several parallel systems to the satisfaction of the City Engineer. The purpose is to match construction phasing in order to allow recycled water use at the final occupancy for each phase. For example: Parks A and B would be on one meter, the podium building would be on one meter, the street landscape would be on a separate meter, and the landscaping around the condominiums would be served by two separate meters.
73. Landscaping Ordinance 238. In accordance with the provisions of Chapter 5, Title VIII (Ordinance 238) of the COMC for new or rehabilitated landscaping areas equaling 2500 square feet or greater, the Permittee shall:
- Provide separate water meters for domestic water service & irrigation service.
  - Provide separate domestic meters for each proposed use (Residential, Food Services, Commercial/Office).
  - Comply with all the requirements of Ordinance 238.
  - Submit two sets of landscape and irrigation improvement plans to the Building Division with the building permit plan check package. Prior to any building permit issuance, Approval from the Land Development Section of the Engineering Division is required prior to any building permit issuance, and submittal of the Certificate of Substantial Completion is required prior to final occupancy inspection. (E)

Contact the Land Development Section of the Engineering Division at (408) 586-3329 for information on the submittal requirements and approval process. (E)

## **SOLID WASTE MANAGEMENT & RECYCLING (STANDARD)**

74. Solid Waste Handling Plan (Report). Prior to Final Map approval or any building permit issuance, Permittee shall submit a final Solid Waste Handling Plan that incorporates the following solid waste handling requirements and meeting the satisfaction of the City Engineer:
- A description of the Solid Waste Services required for the development per the Development Guidelines for Solid Waste Services (Development Guidelines). The description shall include sizing calculations, type of service (front load bins, roll-off compactors, etc.), size of bins, and level of service (e.g. number of pick ups per week).
  - A description of the Solid Waste Operation at ultimate build out and for each phase of the development.
  - A detail of the solid waste enclosure designed per the Development Guidelines for Solid Waste Services to house all service described above and all necessary equipment. The enclosure design shall provide adequate access for the solid waste truck, and allocate enough space for the solid waste truck operation without impacting the proposed private street. The access to the location and size of the enclosure shall be designed to the City Engineer's satisfaction and shown on the plans prior to any building permit issuance.
  - A solid waste handling plan sheet shall be incorporated in the site improvement plan set containing the enclosure detail, a sizing table, a service table, a description of the solid waste operations, and truck turning templates for collection vehicles.
  - The enclosure drains shall discharge to the sanitary sewer line. Storm drain inlets shall be located at least 25 feet away from enclosures to prevent accidental spills from entering storm drains. Enclosures are not permitted within public utility easements.
  - The Homeowners Association shall be responsible for solid waste handling. The Solid Waste Handling Plan shall include detailed, step-by-step instructions describing the management of solid waste from generation to disposal. The plan shall demonstrate how recycling and waste will be separately handled and maintained.
  - Permittee shall complete the construction of the new trash enclosure to serve the Project prior to issuance of the First Certificate of Occupancy. (E)
75. Solid Waste Management. Per Chapter 200, Solid Waste Management, V-200-3.10, *General Requirement*, Permittee shall not keep or accumulate, or permit to be kept or accumulated, any solid waste of any kind and is responsible for proper keeping, accumulating and delivery of solid waste. In addition, according to V-200-3.20 *Owner Responsible for Solid Waste, Recyclables, and Yard Waste*, Permittee shall subscribe to and pay for solid waste services rendered. Prior to issuance of any certificate of occupancy, Permittee shall provide evidence to the City that a sufficient level of trash and recycling service has been secured using a Service Agreement with Republic Services (formally BFI). After Permittee has full occupancy, Permittee shall contact the Republic Services commercial representative to review the adequacy of the solid waste level of services. If services are determined to be inadequate, Permittee shall increase the service to the level determined by the evaluation. (E)
76. Recycling Report, Part I. Prior to demolition permit issuance, Permittee's contractor shall submit Part I of a Recycling Report on business letterhead to the Building Division, for forwarding to the Engineering Section. This initial report shall be approved by the City's Utility Engineering and Solid Waste Section (Utility Section) prior to demolition permit issuance. The report shall describe the following resource recovery activities:
- What materials will be salvaged?
  - How materials will be processed during demolition?
  - Intended locations or businesses for reuse or recycling.
  - Quantity estimates in tons (both recyclable and for landfill disposal). Estimates for recycling and disposal tonnage amounts by material type shall be included as separate items in all reports to the Building Division before demolition begins.

Permittee's contractor shall make every effort to salvage materials for reuse and recycling. (E)



77. Recycling Report, Part II. Prior to final approval of the demolition permit or any building permit issuance, Permittee shall submit Part II of the Recycling Report to the Building Division for forwarding to the Utility Section in order to confirm the information described on Part I of the Recycling Report, especially materials generated and actual quantities of recycled materials. Part II of the Recycling Report shall be supported by copies of weight tags and receipts of “end dumps.” Actual reuse, recycling, and disposal tonnage amounts (and estimates for “end dumps”) shall be submitted to the Building Division for approval by the Utility Section prior to inspection by the Building Division. **(E)**

78. Demolished Material Removal. All demolished materials including, but not limited to, broken concrete, asphalt paving, pipe, vegetation, excess earth, building debris, and other unsuitable materials, etc., shall be removed from the job site for recycling or disposal by Permittee’s contractor, to the satisfaction of the City Engineer. Permittee’s contractor shall, to the maximum extent possible, reuse any useful construction materials generated during the demolition and construction of the site. Permittee’s contractor shall recycle all building and paving materials including, but not limited to roofing materials, wood, drywall, metals, and miscellaneous and composite materials, aggregate base material, asphalt, and concrete. Permittee’s contractor shall perform all recycling and/or disposal by removal from the job site. **(E)**

**Planning Commission Added Conditions:**

79. Landscaping and Public Art: Permittee to work with staff and City arborist regarding species of trees for site landscaping, the addition of art for the project and energy efficiency improvements for the project. **(P)**

**Key:**

(P) = Planning

(B) = Building

(E) = Engineering

(F) = Fire Prevention

(CA) = City Attorney

## RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF INTENTION TO APPROVE AN  
AMENDMENT TO THE CONTRACT  
BETWEEN THE  
BOARD OF ADMINISTRATION  
CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM  
AND THE  
CITY COUNCIL OF THE CITY OF MILPITAS**

**WHEREAS**, the Public Employees' Retirement Law permits the participation of public agencies and their employees in the Public Employees' Retirement System by the execution of a contract, and sets forth the procedure by which said public agencies may elect to subject themselves and their employees to amendments to said Law; and

**WHEREAS**, one of the steps in the procedure to amend this contract is the adoption by the governing body of the public agency of a resolution giving notice of its intention to approve an amendment to said contract, which resolution shall contain a summary of the change proposed in said contract; and

**WHEREAS**, the following is a statement of the proposed change:

To provide Section 20516 (Employees Sharing Additional Cost) of 3% for local fire members in the International Association of Firefighters Local Union 1699.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Milpitas does hereby give notice of intention to approve an amendment to the contract between the City of Milpitas and the Board of Administration of the Public Employees' Retirement System, a copy of said amendment is attached, as an "Exhibit" hereto and by this reference made a part hereof.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Mike Ogaz, City Attorney



California  
Public Employees' Retirement System

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**AMENDMENT TO CONTRACT**

Between the  
Board of Administration  
California Public Employees' Retirement System  
and the  
City Council  
City of Milpitas

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The Board of Administration, California Public Employees' Retirement System, hereinafter referred to as Board, and the governing body of the above public agency, hereinafter referred to as Public Agency, having entered into a contract effective July 1, 1962, and witnessed June 15, 1962, and as amended effective March 1, 1963, April 1, 1973, September 28, 1973, January 1, 1974, July 1, 1976, July 1, 1980, May 13, 1984, May 21, 1989, April 22, 1990, July 6, 1990, October 4, 1992, September 17, 1993, December 6, 1996, May 8, 1998, July 18, 1999, July 16, 2000, June 2, 2002, October 6, 2002, October 15, 2006, June 24, 2007, October 9, 2011 and April 8, 2012 which provides for participation of Public Agency in said System, Board and Public Agency hereby agree as follows:

A. Paragraphs 1 through 17 are hereby stricken from said contract as executed effective April 8, 2012, and hereby replaced by the following paragraphs numbered 1 through 17 inclusive:

1. All words and terms used herein which are defined in the Public Employees' Retirement Law shall have the meaning as defined therein unless otherwise specifically provided. "Normal retirement age" shall mean age 55 for local miscellaneous members entering membership in the miscellaneous classification on or prior to October 9, 2011, age 60 for local miscellaneous members entering membership for the first time in the miscellaneous classification after October 9, 2011, age 50 for local safety members entering membership in the safety classification on or prior to April 8, 2012 and age 55 for local safety members entering membership for the first time in the safety classification after April 8, 2012.

2. Public Agency shall participate in the Public Employees' Retirement System from and after July 1, 1962 making its employees as hereinafter provided, members of said System subject to all provisions of the Public Employees' Retirement Law except such as apply only on election of a contracting agency and are not provided for herein and to all amendments to said Law hereafter enacted except those, which by express provisions thereof, apply only on the election of a contracting agency.
3. Public Agency agrees to indemnify, defend and hold harmless the California Public Employees' Retirement System (CalPERS) and its trustees, agents and employees, the CalPERS Board of Administration, and the California Public Employees' Retirement Fund from any claims, demands, actions, losses, liabilities, damages, judgments, expenses and costs, including but not limited to interest, penalties and attorneys fees that may arise as a result of any of the following:
  - (a) Public Agency's election to provide retirement benefits, provisions or formulas under this Contract that are different than the retirement benefits, provisions or formulas provided under the Public Agency's prior non-CalPERS retirement program.
  - (b) Any dispute, disagreement, claim, or proceeding (including without limitation arbitration, administrative hearing, or litigation) between Public Agency and its employees (or their representatives) which relates to Public Agency's election to amend this Contract to provide retirement benefits, provisions or formulas that are different than such employees' existing retirement benefits, provisions or formulas
  - (c) Public Agency's agreement with a third party other than CalPERS to provide retirement benefits, provisions, or formulas that are different than the retirement benefits, provisions or formulas provided under this Contract and provided for under the California Public Employees' Retirement Law.
4. Employees of Public Agency in the following classes shall become members of said Retirement System except such in each such class as are excluded by law or this agreement:
  - a. Local Fire Fighters (herein referred to as local safety members);
  - b. Local Police Officers (herein referred to as local safety members);
  - c. Employees other than local safety members (herein referred to as local miscellaneous members).



5. In addition to the classes of employees excluded from membership by said Retirement Law, the following classes of employees shall not become members of said Retirement System:

**NO ADDITIONAL EXCLUSIONS**

6. Public Agency and the Milpitas Fire Protection District have agreed to a merger of their contracts, and this contract shall be a continuation of the benefits of the contract of the Milpitas Fire Protection District, pursuant to Section 20567.5 of the Government Code. Such merger is effective as of July 1, 1962. Legislation repealed said Section effective January 1, 1988.
7. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members in employment before and not on or after June 2, 2002 shall be determined in accordance with Section 21354 of said Retirement Law, subject to the reduction provided therein for service prior to December 31, 1972, termination of Social Security, for members whose service has been included in Federal Social Security (2% at age 55 Full and Modified).
8. The percentage of final compensation to be provided for each year of credited prior and current service for local miscellaneous members in employment on or after June 2, 2002 and not entering membership for the first time in the miscellaneous classification after October 9, 2011 shall be determined in accordance with Section 21354.5 of said Retirement Law, subject to the reduction provided therein for service prior to December 31, 1972, termination of Social Security, for members whose service has been included in Federal Social Security (2.7% at age 55 Full and Modified).
9. The percentage of the final compensation to be provided for each year of credited current service as a local miscellaneous member entering membership for the first time in the miscellaneous classification after October 9, 2011 shall be determined in accordance with Section 21353 of said Retirement Law (2% at age 60 Full).
10. The percentage of final compensation to be provided for each year of credited prior and current service as a local safety member entering membership in the safety classification on or prior to April 8, 2012 shall be determined in accordance with Section 21362.2 of said Retirement Law (3% at age 50 Full).
11. The percentage of final compensation to be provided for each year of credited current service as a local safety member entering membership for the first time in the safety classification after April 8, 2012 shall be determined in accordance with Section 21363.1 of said Retirement Law (3% at age 55 Full).

12. Public Agency elected and elects to be subject to the following optional provisions:

- a. Section 21573 (Third Level of 1959 Survivor Benefits) for local miscellaneous members and local fire members only.
- b. Section 20425 ("Local Police Officer" shall include employees of a police department who were employed to perform identification or communication duties on August 4, 1972 and who elected to be local safety members).
- c. Section 20042 (One-Year Final Compensation) for local safety members and those local miscellaneous members entering membership on or prior to October 9, 2011.
- d. Section 20965 (Credit for Unused Sick Leave).
- e. Section 21024 (Military Service Credit as Public Service).
- f. Section 20434 ("Local Fire Fighter" shall include any officer or employee of a fire department employed to perform firefighting, fire prevention, fire training, hazardous materials, emergency medical services, or fire or arson investigation services as described in Government Code Section 20434).
- g. Section 20903 (Two Years Additional Service Credit).
- h. Section 21427 (Improved Nonindustrial Disability Allowance) for local police members only.
- i. Section 21548 (Pre-Retirement Option 2W Death Benefit) for local police members only.
- j. Section 21574 (Fourth Level of 1959 Survivor Benefits) for local police members only.
- k. Section 21547.7 (Alternate Death Benefit for Local Fire Members Credited with 20 or More Years of Service).
- l. Section 20475 (Different Level of Benefits). Section 21353 (2% @ 60 Full formula) and Section 20037 (Three-Year Final Compensation) are applicable to local miscellaneous members entering membership for the first time in the miscellaneous classification after October 9, 2011.

Section 21363.1 (3% @ 55 Full formula) is applicable to local safety members entering membership for the first time in the safety classification after April 8, 2012.

m. Section 20516 (Employees Sharing Additional Cost):

From and after the effective date of this amendment to contract, 3% for local fire members in the International Association of Firefighters Local Union 1699.

13. Public Agency, in accordance with Government Code Section 20790, ceased to be an "employer" for purposes of Section 20834 effective on July 1, 1976. Accumulated contributions of Public Agency shall be fixed and determined as provided in Government Code Section 20834, and accumulated contributions thereafter shall be held by the Board as provided in Government Code Section 20834.
14. Public Agency shall contribute to said Retirement System the contributions determined by actuarial valuations of prior and future service liability with respect to local miscellaneous members and local safety members of said Retirement System.
15. Public Agency shall also contribute to said Retirement System as follows:
  - a. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21573 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local miscellaneous members and local fire members.
  - b. Contributions required per covered member on account of the 1959 Survivor Benefits provided under Section 21574 of said Retirement Law. (Subject to annual change.) In addition, all assets and liabilities of Public Agency and its employees shall be pooled in a single account, based on term insurance rates, for survivors of all local police members.
  - c. A reasonable amount, as fixed by the Board, payable in one installment within 60 days of date of contract to cover the costs of administering said System as it affects the employees of Public Agency, not including the costs of special valuations or of the periodic investigation and valuations required by law.
  - d. A reasonable amount, as fixed by the Board, payable in one installment as the occasions arise, to cover the costs of special valuations on account of employees of Public Agency, and costs of the periodic investigation and valuations required by law.

16. Contributions required of Public Agency and its employees shall be subject to adjustment by Board on account of amendments to the Public Employees' Retirement Law, and on account of the experience under the Retirement System as determined by the periodic investigation and valuation required by said Retirement Law.
17. Contributions required of Public Agency and its employees shall be paid by Public Agency to the Retirement System within fifteen days after the end of the period to which said contributions refer or as may be prescribed by Board regulation. If more or less than the correct amount of contributions is paid for any period, proper adjustment shall be made in connection with subsequent remittances. Adjustments on account of errors in contributions required of any employee may be made by direct payments between the employee and the Board.

B. This amendment shall be effective on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BOARD OF ADMINISTRATION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

CITY COUNCIL  
CITY OF MILPITAS

BY \_\_\_\_\_  
RENEE OSTRANDER,  
ASSISTANT DIVISION CHIEF  
CUSTOMER ACCOUNT SERVICES DIVISION  
PUBLIC EMPLOYEES' RETIREMENT SYSTEM

BY \_\_\_\_\_  
PRESIDING OFFICER

\_\_\_\_\_  
Witness Date

Attest:

\_\_\_\_\_  
Clerk



**REGULAR**

**NUMBER:** 101.23

**TITLE:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AUTHORIZING AN AMENDMENT TO THE CONTRACT BETWEEN THE CITY COUNCIL OF THE CITY OF MILPITAS AND THE BOARD OF ADMINISTRATION OF THE CALIFORNIA PUBLIC EMPLOYEES' RETIREMENT SYSTEM

**HISTORY:** This Ordinance was introduced (first reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_ and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_ upon motion by \_\_\_\_\_. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Michael J. Ogaz, City Attorney

**THE CITY COUNCIL OF THE CITY OF MILPITAS DOES ORDAIN AS FOLLOWS:**

**SECTION 1.**

An amendment to the contract between the City Council of the City of Milpitas and the Board of Administration, California Public Employee's Retirement System is hereby authorized, a copy of said amendment being attached hereto, marked "Exhibit," and by such reference made a part hereof as though herein set out in full.

**SECTION 2.**

The Mayor of the City Council of the City of Milpitas is hereby authorized, empowered, and directed to execute said amendment for and on behalf of the City Council of the City of Milpitas.

**SECTION 3.**

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS FINDING THE  
NEWBY ISLAND RESOURCE AND RECOVERY PARK AND ITS OPERATIONAL  
ACTIVITIES TO CONSTITUTE A PUBLIC NUISANCE**

**WHEREAS**, numerous areas within the City of Milpitas are currently and repeatedly subject to inundations of particulates and/or gaseous matter causing obnoxious odors and potentially creating adverse health effects to persons residing, working or traveling within the City of Milpitas; and

**WHEREAS**, it has come to the attention of the citizens and City Council of the City of Milpitas that the Newby Island Resource and Recovery Park (Newby Island), located in the City of San Jose adjacent to the City of Milpitas including public and private properties located within Milpitas, is a continuing source of odors to the Milpitas community; and

**WHEREAS**, citizens of Milpitas and other affected persons have concluded that the source of the odors plaguing the region is the combined activities taking place at Newby Island, including the composting facility, the recycling facility, the landfill facility, and transportation of refuse and other materials to and from Newby Island; and

**WHEREAS**, numerous persons have sent signed postcards to City Hall voicing opposition to the expansion of Newby Island, concluding it is a public nuisance affecting schools and children's health, and demanding a halt to the expansion of the landfill and permits that would allow it to increase in height by 95 feet and thus to expand and extend the life span of the landfill, and

**WHEREAS**, it has been reported in a March 16, 2015, Milpitas Engineering Report that the Bay Area Air Quality Management District (BAAQMD) had recently issued three (3) Public Nuisance Violations to the Newby Island Landfill and two (2) to the Recyclery at Newby Island; and

**WHEREAS**, the City of Milpitas Odor Complaint Hotline has received 678 odor complaints in calendar year 2014, 156 odor complaints just in the month of December 2014, 394 odor complaints in the month of January 2015, and 110 odor complaints in the month of February 2015; and

**WHEREAS**, in a more recent BAAQMD report of March 30, 2015, the District connects the odors detected at Milpitas City Hall on December 8, 2014, to Newby Island; and

**WHEREAS**, citizens from Milpitas have testified at numerous public meetings and complained of the odor problem, stating their belief that the cause of these obnoxious odors is Newby Island, that many are of the opinion that numerous health-related conditions have been caused by the ongoing odors from Newby Island, and that such odors constitute a risk to public health and safety.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. That the operational activities taking place at Newby Island have an adverse and negative effect on the Milpitas community, mainly resulting in chronic odor emissions blanketing

the Milpitas community, its private properties, parks and public spaces on an ongoing basis, and those activities and the property upon which they are located within the City of San Jose are therefore hereby declared a public nuisance.

3. That issuance of the PD Permit PD14-014, currently pending before the San Jose Planning Commission would constitute an environmental impact as a result of the odors created at the Newby Island site, as found herein, and will cause an unacceptable negative effect on adjacent properties, namely on all public and private properties within the City of Milpitas and that issuance of that proposed Permit would be detrimental to the public interest, health and safety.
4. That the aforementioned Newby Island property, located in the City of San Jose on property to the west of the Milpitas border and adjoining the City of Milpitas border, which constitutes a public nuisance should be subject to an odor study to determine which activities are the specific sources of odor from the Newby Island site so that appropriate remediation can be crafted for any and all odor causing activities at Newby Island.
5. That BAAQMD, as a primary regulatory agency regarding odors at Newby Island, put in place sufficient regulatory reporting requirements and restraints to abate odors from Newby Island and to maintain an odor-free condition. To achieve this result, BAAQMD should participate in the aforementioned odor study and assure its credibility and implement its findings in creating future restrictions and enforcement.
6. That San Jose as the Lead Enforcement Agency (LEA) regarding the Solid Waste Permit at Newby Island place additional regulatory requirements and restraints to abate odors from Newby Island and regularly report to the public its inspections, investigations and findings regarding compliance with law at Newby Island.
7. The City Council directs the City Clerk to forward a copy of this Resolution to the City of San Jose Planning Commission, the City of San Jose LEA, Republic Industries, BAAQMD and CalRecycle.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney



**Utility Engineering Updates:**

**Water Program:**

- The State Water Resources Control Board (SWRCB) adopted additional emergency regulations relating to the drought and water conservation on March 17 – see attached media announcement. Staff will prepare an ordinance for adoption.
- Staff attended a regional retailer coordination meeting at SCVWD on March 18, 2015.

**Urban Runoff Program:** Staff attended the monthly SCVURPPP coordination meeting.

**Solid Waste Program:** Staff attended the Bay Area Air Quality Management District Board Meeting on March 16 to hear a presentation on the Milpitas Area Odor Issue (see attached power point presentation). BAAQMD staff noted they have issued 3 Public Nuisance Violations to Newby Island Landfill and 2 to the Recyclery. Staff identified potential odor sources, continue to investigate odor complaints, will review the complaint process, and will amend their odor regulations. Staff will conduct a public hearing in Milpitas on April 23.

**Montague Station to Close Temporarily for VTA's BART Silicon Valley Project Construction**

*Source: VTA*

Beginning Monday, March 23, 2015, the Montague Light Rail Station in Milpitas will be completely closed for approximately five months. Modifications will be made to the station to accommodate the new pedestrian overcrossing over Capitol Avenue to the future Milpitas BART Station.

View a video with details at [www.MassTransitmag.com/12053931](http://www.MassTransitmag.com/12053931)

During the station closure, a shuttle will operate approximately every 15 minutes (same headway as light rail) between Capitol Avenue near the Montague Light Rail Station and Great Mall/Main Transit Center. Scheduled hours of operation for the shuttle are:

- Weekdays from 6 a.m. to 11 p.m.
- Saturdays from 6 a.m. to 10 p.m.
- Sundays from 7 a.m. to 9 p.m.

Construction activities during the five months will include the reconstruction of the existing stairs, elevator modifications, installation of a new escalator and construction of a deck connecting the bridge to the future Milpitas BART Station. When the station reopens in fall 2015, riders will be able to use the new station stairs; however the new escalator and the pedestrian overcrossing to the Milpitas BART Station will be completed in a later phase of construction. Once BART opens, the Milpitas Station will be served by two lines providing access to the entire BART system. The station campus will feature a bus transit center with connections to VTA, private shuttles, passenger drop-off/pick-up areas, parking facilities with ground floor retail, and convenient bicycle and pedestrian connections and storage. VTA has already reached the half way mark of construction on this major transportation improvement, the largest in Santa Clara County's history. The project is ahead of schedule with planned service to begin as early as fall 2017.

Advanced communications about the closure include rider notifications, directional signage to shuttle stops, station platform signage, social media, outreach to surrounding businesses and residents, and VTA Ambassadors will be available days before the closure to answer questions. For more information please visit [vta.org/bart/milpitas](http://vta.org/bart/milpitas), email [vtabart@vta.org](mailto:vtabart@vta.org) or call our project hotline at 408-934-2662.



BAY AREA  
AIR QUALITY  
MANAGEMENT  
DISTRICT

939 ELLIS STREET  
SAN FRANCISCO, CA 94109  
(415) 771-6000

**\*9C**

City Manager  
APR 03 2015  
RECEIVED

RACHELLE CURRIE  
455 EAST CALAVERAS BLV  
Milpitas, CA 95035

March 30, 2015

Dear RACHELLE CURRIE,

The enclosed report presents the results of an investigation conducted by our inspection staff regarding your air pollution complaint (# 218184 ) on December 08, 2014. If you have any questions regarding the information or conclusions in this investigation report, please contact Arnold Argao, at (415) 749-4979.

For more information regarding the Bay Area Air Quality Management District in general, please visit our web site at [www.baaqmd.gov](http://www.baaqmd.gov). Thank you for your interest in air quality.

Sincerely,

A handwritten signature in black ink, reading "Kelly J. Wee".

Kelly J. Wee  
Director of Compliance and Enforcement Division



**City Manager COMPLAINT REPORT**

APR 03 2015

| Routing           |            |         |
|-------------------|------------|---------|
|                   | Init       | Date    |
| Supv Insp         | <i>pan</i> | 3/26/15 |
| Com Center Update | JF         | 3/30/15 |

☒ CHANGES

**RECEIVED**

**ALLEGED SITE**

|                          |                              |                     |
|--------------------------|------------------------------|---------------------|
| <input type="checkbox"/> | Name: <b>NONE (UNKNOWN)</b>  | Site # <b>P8700</b> |
| <input type="checkbox"/> | Address: <b>(none given)</b> |                     |
| <input type="checkbox"/> | City: <b>Milpitas</b>        | Zip: <b>95035</b>   |

**DESCRIPTION**

|                          |                                                                                                      |
|--------------------------|------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Type: <b>Odor</b>                                                                                    |
| <input type="checkbox"/> | Description: <b>Bad</b>                                                                              |
| <input type="checkbox"/> | Occurrence Date: <b>12/8/14</b> Time: <b>1530</b> hours <input checked="" type="checkbox"/> On-going |
| <input type="checkbox"/> | Pertinent Data:                                                                                      |

**COMPLAINANT ("C")**

|                          |                                                                                   |                             |                                    |
|--------------------------|-----------------------------------------------------------------------------------|-----------------------------|------------------------------------|
| <input type="checkbox"/> | Last Name: <b>Currie</b>                                                          | First Name: <b>Rachelle</b> | <input type="checkbox"/> Anonymous |
| <input type="checkbox"/> | Address: <b>455 East Calaveras Boulevard</b>                                      |                             |                                    |
| <input type="checkbox"/> | City: <b>Milpitas</b>                                                             | Zip: <b>95035</b>           |                                    |
| <input type="checkbox"/> | Phone number where "C" can be reached within 30-60 minutes: <b>(408) 586-3051</b> |                             |                                    |
| <input type="checkbox"/> | Alternate phone number: ( ) -                                                     |                             |                                    |
| <input type="checkbox"/> | Referral from: <b>N/A</b>                                                         | Petition - # of people:     |                                    |
| <input type="checkbox"/> | How "C" contacted: <b>In Person</b>                                               | Date: <b>12/8/14</b>        | Time: <b>1616</b> hours            |

**RESPONSE**

|                                                                                      |                                                                                   |                         |
|--------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-------------------------|
| First destination: <b>Complainant's location</b>                                     | Date: <b>12/8/14</b>                                                              | Time: <b>1616</b> hours |
| Confirmed site: <b>Different from the alleged</b>                                    | If the confirmed site is different than alleged, show exact site name and address |                         |
| Name: <b>BFI- Newby Island Organics</b>                                              | Site # <b>A5472</b>                                                               |                         |
| Address: <b>1601 Dixon Landing Road</b>                                              |                                                                                   |                         |
| City: <b>Milpitas</b>                                                                | Zip: <b>95035</b>                                                                 |                         |
| Contact:                                                                             |                                                                                   |                         |
| Type of site: <b>Plant</b>                                                           |                                                                                   |                         |
| Referred to LEA: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |                                                                                   |                         |

**CONCLUSION**

|                                                              |
|--------------------------------------------------------------|
| This complaint is: <b>Confirmed</b>                          |
| Reason - <b>Emission detected with "C"; traced to source</b> |
| NOV# issued for                                              |
| NOV# issued for                                              |
| NOV# issued for                                              |

**FOLLOW UP ACTION**

|                                                                                                                                     |
|-------------------------------------------------------------------------------------------------------------------------------------|
| "C" requests the following:                                                                                                         |
| <input checked="" type="checkbox"/> A copy of the written complaint report.                                                         |
| <input type="checkbox"/> The final disposition of any enforcement action (NOV#) that may result from the filing of their complaint. |

Inspector: **Arnold Argao**

I# **551**

Date: **3/19/15**

H:/pub\_data/FORMS-Inspections/complaint (REVISED 2/05)

**OBSERVATION**Wind direction: **from NW**Wind speed (mph): **0-10**☐ NALocation taken at: **Complainant's location****For odor complaints:**

♦ Odor detected with complainant:

☒ yes ☐ no

♦ Same odor detected at the alleged site:

☒ yes ☐ no

♦ Same odor detected upwind of the alleged site:

☐ yes ☒ no

♦ Odor detected without the complainant within 60 minutes of the time of the allegation:

☐ yes ☒ no

Is the odor from a compost operation:

☒ yes ☐ no

Did the complainant allege health affects:

☐ yes ☒ no

If unconfirmed, are there other sources in the area that may be the alleged source:

☐ yes ☐ no**For visible emissions, asbestos, fire-in, smoke, fire-out, soot, and dust complaints:**☐ Fire-in (visible smoke from chimney) observed:☐ yes ☐ no☐ Visible emissions observed:☐ yes ☐ no

Emissions exceed BAAQMD standard:

☐ yes ☐ no☐ Open burning observed:☐ yes ☐ no

Allowable fire:

☐ yes ☐ no☐ Fallout observed on the property:☐ yes ☐ no☐ Sample taken:☐ yes ☐ no

Lab No.

☐ Asbestos – sample taken:☐ yes ☐ no

Lab No.

**Additional investigation:**☐ A request has been made to the group.**STATEMENTS**

Complainant- "Our IS Department in another part of the City is also getting the odor. Odors happen all the time and it stinks. It has been smelling for many years. It got inside the building today as you can see, or smell. Today it was not the manure odor. I called Bob Bates at the City of San Jose LEA."

**COMMENTS**

LEA and non-District jurisdiction.

Mutual detection of the odor made with complainant. Odor was steady and non-fleeting. RI verified odor description with complainant. Odor detected was same characteristic compost odor previously and historically determined and observed and known to be sourced from large-scale composting operations at Site #A5472. On-site wind direction supports confirmation of the odor source. RI advised complainant her complaint was confirmed. One additional odor complaint (C #218191) for same odor was confirmed. Six total odor complaints were filed from the same location of Milpitas City Hall.

RI advised complainant Site #A9013- International Disposal Co. of CA & Newby Island- Republic Services Landfill, at the same location as Site #A5472, is also a potential known odor source. RI advised complainant of both operations and odor sources, and jurisdictional issues with the LEA (City of SJ Code Enforcement).

**A confirmed complaint does not automatically indicate a violation of the state or Federal law or BAAQMD regulation.**

Inspector: **Arnold Argao**# **551**Date: **3/19/15**



RI investigated complaint as back-up for Inspector Patel, who was advised of complaint/investigation results. RI advised Site #A5472 of the confirmed complaint, and referred any additional Site #A5472 contact/follow up to Inspector Patel. RI to conduct further surveillance as necessary. NFA on this complaint by RI. The complaint is confirmed.

☒ The complainant was contacted with the results of the investigation.

A confirmed complaint does not automatically indicate a violation of the state or Federal law or BAAQMD regulation.

Inspector: **Arnold Argao**

# **551**

Date: **3/19/15**

# CITY OF MILPITAS

## COMMISSION/COMMITTEE APPLICATION RECEIVED

Economic Development Commission  
COMMISSION APPLYING FOR ↑

PROVIDE COMPLETE INFORMATION (in black ink)

☐ Mr.

☒ Mrs./Ms./Miss

Name: TERI First CHRISTENSON Middle OWENS Last

Address: 160 Zinfandel Circle Number Scotts Valley Street (apt. # if needed) CA 95066 City & Zip Code

Telephone Number(s) (408) 368-1438 e-mail address Teri.owens@hilton.com

Present Employer Embassy Suites Milpitas Business Telephone (408) 876-3000

Business Address 901 E. Calaveras Blvd Milpitas Occupation General Manager

Education: If Youth Advisory Commission applicant, indicate your grade/school: \_\_\_\_\_

| College, Professional, Vocational, or other schools attended | Major Subject | Date      | Degree |
|--------------------------------------------------------------|---------------|-----------|--------|
| UC Santa Barbara                                             | Sociology     | 1988-1992 | B.A.   |
|                                                              |               |           |        |

List community organizations to which you belong or have belonged (additional information may be attached). If application is for **Veterans Commission**, indicate branch and service in any U.S. military organization (retired or active duty).

| Date      | Name of Organization or Branch of Military | Officer / Member   |
|-----------|--------------------------------------------|--------------------|
| 2004-2011 | Santa Clara Tourism Improvement District   | Vice Chair (3 yrs) |
|           |                                            |                    |
|           |                                            |                    |

Briefly describe the personal qualifications you possess which you believe would be an asset (additional information may be attached):

I have worked in the hospitality business for 22 years. I have 2003 been General Manager of 2 hotels - Embassy Suites Santa Clara (2003-2011) and Embassy Suites Milpitas (2011-present). I am a pro-active self-starter, highly analytical and solutions driven.

I have sufficient time to devote to this responsibility and will attend the required meetings if I am appointed to fill a future vacancy. I hereby certify that all statements contained in this application are true.

Teri Owens  
Signature

2/6/15  
Date

Appointments to Commissions or Committees are made by the Mayor with the concurrence of the City Council. Applications not acted upon will expire after one year from the date submitted unless renewed by the applicant.

NOTE: ALL COMMISSION APPLICATIONS ARE PUBLIC RECORD

Mail, email or drop off your completed application to:

City Clerk, 455 E. Calaveras Blvd., Milpitas, CA 95035, email: [mlavello@ci.milpitas.ca.gov](mailto:mlavello@ci.milpitas.ca.gov)

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
 (CCR Title 25 §6202 )

**\*12A**

**Jurisdiction**      City of Milpitas  
**Reporting Period**      1/1/2014 - 12/31/2014

**Table A**

**Annual Building Activity Report Summary - New Construction**  
**Very Low-, Low-, and Mixed-Income Multifamily Projects**

| Housing Development Information                                 |               |                               |                                    |            |                 | Housing with Financial Assistance and/or Deed Restrictions |                         | Housing without Financial Assistance or Deed Restrictions |                                          |                       |                                                                                                                                                                                                               |
|-----------------------------------------------------------------|---------------|-------------------------------|------------------------------------|------------|-----------------|------------------------------------------------------------|-------------------------|-----------------------------------------------------------|------------------------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1                                                               | 2             | 3                             | 4                                  |            |                 |                                                            | 5                       | 5a                                                        | 6                                        | 7                     | 8                                                                                                                                                                                                             |
| Project Identifier<br>(may be APN No., project name or address) | Unit Category | Tenure<br>R=Renter<br>O=Owner | Affordability by Household Incomes |            |                 |                                                            | Total Units per Project | Est. # Infill Units*                                      | Assistance Programs for Each Development | Deed Restricted Units | Note below the number of units determined to be affordable without financial or deed restrictions and attach an explanation how the jurisdiction determined the units were affordable. Refer to instructions. |
|                                                                 |               |                               | Very Low-Income                    | Low-Income | Moderate-Income | Above Moderate-Income                                      |                         |                                                           | See Instructions                         | See Instructions      |                                                                                                                                                                                                               |
|                                                                 |               |                               |                                    |            |                 |                                                            |                         |                                                           |                                          |                       |                                                                                                                                                                                                               |
| Waterstone                                                      |               |                               |                                    |            |                 | 84                                                         | 84                      |                                                           |                                          |                       |                                                                                                                                                                                                               |
| I Star                                                          |               |                               |                                    |            |                 | 149                                                        | 149                     |                                                           |                                          |                       |                                                                                                                                                                                                               |
| 75 S. Milpitas Blvd.                                            |               |                               |                                    |            |                 | 25                                                         | 25                      |                                                           |                                          |                       |                                                                                                                                                                                                               |
| The District (Bldgs.204)                                        |               |                               |                                    |            |                 | 583                                                        | 583                     |                                                           |                                          |                       |                                                                                                                                                                                                               |
|                                                                 |               |                               |                                    |            |                 |                                                            |                         |                                                           |                                          |                       |                                                                                                                                                                                                               |
|                                                                 |               |                               |                                    |            |                 |                                                            |                         |                                                           |                                          |                       |                                                                                                                                                                                                               |
|                                                                 |               |                               |                                    |            |                 |                                                            |                         |                                                           |                                          |                       |                                                                                                                                                                                                               |
|                                                                 |               |                               |                                    |            |                 |                                                            |                         |                                                           |                                          |                       |                                                                                                                                                                                                               |
| (9) Total of Moderate and Above Moderate from Table A3 ▶ ▶      |               |                               | 0                                  | 0          | 0               |                                                            |                         |                                                           |                                          |                       |                                                                                                                                                                                                               |
| (10) Total by income Table A/A3 ▶ ▶                             |               |                               |                                    |            |                 | 841                                                        | 841                     |                                                           |                                          |                       |                                                                                                                                                                                                               |
| (11) Total Extremely Low-Income Units*                          |               |                               |                                    |            |                 |                                                            |                         |                                                           |                                          |                       |                                                                                                                                                                                                               |

\* Note: These fields are voluntary

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
(CCR Title 25 §6202 )

**Jurisdiction** City of Milpitas  
**Reporting Period** 1/1/2014 - 12/31/2014

**Table A2**

**Annual Building Activity Report Summary - Units Rehabilitated, Preserved and Acquired pursuant to GC Section 65583.1(c)(1)**

Please note: Units may only be credited to the table below when a jurisdiction has included a program in its housing element to rehabilitate, preserve or acquire units to accommodate a portion of its RHNA which meet the specific criteria as outlined in GC Section 65583.1(c)(1)

| Activity Type                     | Affordability by Household Incomes |                 |            |             | (4) The Description should adequately document how each unit complies with subsection (c )(7) of Government Code Section 65583.1 |
|-----------------------------------|------------------------------------|-----------------|------------|-------------|----------------------------------------------------------------------------------------------------------------------------------|
|                                   | Extremely Low-Income*              | Very Low-Income | Low-Income | TOTAL UNITS |                                                                                                                                  |
| (1) Rehabilitation Activity       | 15                                 | 6               | 1          | 22          |                                                                                                                                  |
| (2) Preservation of Units At-Risk | 10                                 |                 |            | 10          | Financial Assistance to preserve two Senior group homes with 5 VLI seniors in each home.                                         |
| (3) Acquisition of Units          | 0                                  |                 |            | 0           |                                                                                                                                  |
| (5) Total Units by Income         | 25                                 | 6               | 1          | 32          |                                                                                                                                  |

\* Note: This field is voluntary

**Table A3**

**Annual building Activity Report Summary for Above Moderate-Income Units  
(not including those units reported on Table A)**

|                                                     | 1.<br>Single Family | 2.<br>2 - 4 Units | 3.<br>5+ Units | 4.<br>Second Unit | 5.<br>Mobile Homes | 6.<br>Total | 7.<br>Number of<br>infill units* |
|-----------------------------------------------------|---------------------|-------------------|----------------|-------------------|--------------------|-------------|----------------------------------|
| No. of Units Permitted for<br><b>Moderate</b>       |                     |                   |                |                   |                    | 0           |                                  |
| No. of Units Permitted for<br><b>Above Moderate</b> |                     |                   |                |                   |                    | 0           |                                  |

\* Note: This field is voluntary



# ANNUAL ELEMENT PROGRESS REPORT

## *Housing Element Implementation*

(CCR Title 25 §6202 )

Jurisdiction City of Milpitas

Reporting Period 1/1/2014 - 12/31/2014

**Table B**

### Regional Housing Needs Allocation Progress

#### Permitted Units Issued by Affordability

| Enter Calendar Year starting with the first year of the RHNA allocation period. See Example. |                     |                                 |        |        |        |        |        |        |        |        |        |                                 |                                      |
|----------------------------------------------------------------------------------------------|---------------------|---------------------------------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------------------------------|--------------------------------------|
| Income Level                                                                                 |                     | RHNA Allocation by Income Level | Year 1 | Year 2 | Year 3 | Year 4 | Year 5 | Year 6 | Year 7 | Year 8 | Year 9 | Total Units to Date (all years) | Total Remaining RHNA by Income Level |
| Very Low                                                                                     | Deed Restricted     | 689                             | 23     | 50     | 202    | 41     | 0      | 20     | 0      | 0      |        | 336                             | 353                                  |
|                                                                                              | Non-deed restricted |                                 |        |        |        |        |        |        |        |        |        |                                 |                                      |
| Low                                                                                          | Deed Restricted     | 421                             | 6      | 37     | 0      | 36     | 0      | 30     | 0      | 0      |        | 109                             | 312                                  |
|                                                                                              | Non-deed restricted |                                 |        |        |        |        |        |        |        |        |        |                                 |                                      |
| Moderate                                                                                     | Deed Restricted     | 441                             | 53     | 128    | 2      | 36     | 0      | 45     | 0      | 0      |        | 264                             | 177                                  |
|                                                                                              | Non-deed restricted |                                 |        |        |        |        |        |        |        |        |        |                                 |                                      |
| Above Moderate                                                                               |                     | 936                             | 308    | 1262   | 1,777  | 491    | 697    | 564    | 502    | 841    |        | 6,442                           | -5,506                               |
| Total RHNA by COG.<br>Enter allocation number:                                               |                     | 2,487                           |        |        |        |        |        |        |        |        |        |                                 |                                      |
| Total Units ▶ ▶ ▶                                                                            |                     |                                 | 390    | 1,477  | 1,981  | 604    | 697    | 659    | 502    | 841    |        | 7,151                           | -4,664                               |
| Remaining Need for RHNA Period ▶ ▶ ▶ ▶ ▶                                                     |                     |                                 |        |        |        |        |        |        |        |        |        |                                 |                                      |

Note: units serving extremely low-income households are included in the very low-income permitted units totals.

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
 (CCR Title 25 §6202 )

|                         |                  |            |
|-------------------------|------------------|------------|
| <b>Jurisdiction</b>     | City of Milpitas |            |
| <b>Reporting Period</b> | 1/1/2014         | 12/31/2014 |

### Table C

### Program Implementation Status

[illegible]

**ANNUAL ELEMENT PROGRESS REPORT**  
***Housing Element Implementation***  
(CCR Title 25 §6202 )

|                         |                                     |
|-------------------------|-------------------------------------|
| <b>Jurisdiction</b>     | <u>City of Milpitas</u>             |
| <b>Reporting Period</b> | <u>1/1/2014</u> - <u>12/31/2014</u> |

**General Comments:**

# **HOUSING SUCCESSOR ANNUAL REPORT**

April 1, 2015

LOW AND MODERATE INCOME HOUSING ASSET FUND  
FOR FISCAL YEAR 2013-14  
PURSUANT TO  
CALIFORNIA HEALTH AND SAFETY CODE SECTION 34176.1(f)  
FOR THE  
MILPITAS HOUSING AUTHORITY



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## **INTRODUCTION**

This Housing Successor Annual Report ("Report") addresses the requirements of California Health and Safety Code Section 34176.1(f) regarding the Low and Moderate Income Housing Asset Fund ("LMIHAF"). This Report outlines the financial and housing covenant details of the Milpitas Housing Authority ("Housing Successor") for 2013-14 (the "Fiscal Year"). The purpose of this Report is to provide the governing body of the Housing Successor an annual report on the housing assets and activities of the Housing Successor under Part 1.85, Division 24 of the California Health and Safety Code, in particular sections 34176 and 34176.1 ("Dissolution Law").

This report includes discussion on the deposits to, ending balance of, and expenditures from the LMIHAF. A description of the Housing Successor's assets, and any transfers of assets to other housing successor agencies are addressed as well. The report also discusses the Housing Successor's current projects, acquisitions of any real property since February 1, 2012, or any outstanding obligations. Finally, as required by law, three separate test are discussed – the income test, senior housing test, and excess surplus test.

The following Report is based upon information prepared by Housing Successor staff and information contained within the independent financial audit of the Low and Moderate Income Housing Asset Fund, formerly the Milpitas Housing Fund, now the Milpitas Housing Authority Special Revenue Fund included in the Comprehensive Annual Financial Report (CAFR) of the City of Milpitas for Fiscal Year 2013-2014 as independently audited by Maze & Associates, Certified Public Accountants. The financial audit is separate from this annual summary report. Further, this Report conforms with Sections I. through XI., of Section 34176.1(f) of the Dissolution Law.

In addition this Report and the former redevelopment agency's pre-dissolution Implementation Plans are to be made available to the public on the City's website. (<http://www.ci.milpitas.ca.gov>)

### **I. AMOUNT DEPOSITED INTO LMIHAF**

This section provides the total amount of funds deposited into the LMIHAF during the Fiscal Year. Any amounts deposited for items listed on the Recognized Obligation Payment Schedule ("ROPS") must be distinguished from the other amounts deposited.

A total of \$1,225,348 was deposited into the LMIHAF during the Fiscal Year. Of the total funds deposited into the LMIHAF, a total of \$0 was held for items listed on the ROPS.

### **II. ENDING BALANCE OF LMIHAF**

This section provides a statement of the balance in the LMIHAF as of the close of the Fiscal Year. Any amounts deposited for items listed on the ROPS must be distinguished from the other amounts deposited.

At the close of the Fiscal Year, the ending balance in the LMIHAF was \$21,028,734, of which \$0 is held for items listed on the ROPS.

### III. DESCRIPTION OF EXPENDITURES FROM LMIHAF

This section provides a description of the expenditures made from the LMIHAF during the Fiscal Year. The expenditures are to be categorized. There was a total of \$477,807 expended from the LMIHAF, divided into the following categories:

TABLE 1: DESCRIPTION OF LMIHAF EXPENDITURES

| Description of Expenditures                                   | Total Expenditures |
|---------------------------------------------------------------|--------------------|
| Maintenance, Monitoring and Administration Expenditures       | \$232,377          |
| Homeless Prevention and Rapid Rehousing Services Expenditures | \$28,140           |
| Housing Development Expenditures (Total of Next Three Lines)  | \$217,290          |
| <i>Expenditures on Low Income Units</i>                       | \$181,047          |
| <i>Expenditures on Very Low Income Units</i>                  | \$36,243           |
| <i>Expenditures on Extremely Low Income Units</i>             | \$0                |
| <b>Total LMIHAF Expenditures in Fiscal Year</b>               | <b>\$477,807</b>   |

### IV. STATUTORY VALUE OF ASSETS OWNED BY HOUSING SUCCESSOR

This section provides the statutory value of real property owned by the Housing Successor, the value of loans and grants receivables, and the sum of these two amounts.

TABLE 2: STATUTORY VALUE OF ASSETS OWNED BY HOUSING SUCCESSOR

| Asset Type                                               | Statutory Value of Assets |
|----------------------------------------------------------|---------------------------|
| Loans Receivable                                         | \$15,282,370              |
| Land held for resale                                     | \$29,863,182              |
| <b>Total Value of Real Property and Loans Receivable</b> | <b>\$45,145,552</b>       |

### V. DESCRIPTION OF TRANSFERS

This section describes transfers, if any, to another housing successor agency made in previous fiscal year(s), including whether the funds are unencumbered and the status of projects, if any, for which the transferred LMIHAF will be used. The sole purpose of the transfers must be for the development of transit priority projects, permanent supportive housing, housing for agricultural employees or special needs housing.

The Housing Successor did not make any LMIHAF transfers to other housing successor(s) under Section 34176.1(c)(2) during the Fiscal Year.

### VI. PROJECT DESCRIPTIONS

This section describes any project for which the Housing Successor receives or holds property tax revenue pursuant to the ROPS and the status of that project.

The Housing Successor does not receive or hold property tax revenue pursuant to the ROPS during the Fiscal Year.

## VII. STATUS OF COMPLIANCE WITH SECTION 33334.16

This section provides a status update on compliance with Section 33334.16 for interests in real property acquired by the former redevelopment agency prior to February 1, 2012. For interests in real property acquired on or after February 1, 2012, provide a status update on the project.

With respect to interests in real property acquired by the former redevelopment agency prior to February 1, 2012, the time period described in Section 33334.16 shall be deemed to have commenced on the date that the Department of Finance approved the property as a housing asset in the LMIHAF (August 31, 2012); thus, as to real property acquired by the former redevelopment agency now held by the Housing Successor in the LMIHAF, the Housing Successor must initiate activities consistent with the development of the real property for the purpose for which it was acquired within five years of the date of the DOF approved such property as a housing asset.

The following provides a status update on the real property or properties housing asset(s) that were acquired prior to February 1, 2012 and compliance with five-year period:

TABLE 3: SECTION 33334.16 COMPLIANCE

| Address of Property                                                                 | Date of Acquisition | Deadline to Initiate Development Activity | Status of Housing Successor Activity                                                                                                                                                                                               |
|-------------------------------------------------------------------------------------|---------------------|-------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1504, 1556, 1620 South Main Street Property<br>(APN 086-22-027,028,033,034,041,042) | 11/1/2009           | 8/31/2017                                 | South Main Street Senior Lifestyles Housing Authority approved Assignment and Assumption Agreement and Restated the Disposition and Development Agreement-Nov 2013. Applicant is obtaining financing prior to conveyance of title. |
| 1432-1440 S. Main St.<br>(APN 086-22-031)                                           | 2/28/2011           | 8/31/2017                                 | Site is zoned for future housing in the Midtown Specific Plan Area. Staff has received one housing development proposal                                                                                                            |
| 340 Celebration Dr.<br>(APN 086-49-046)                                             | 7/10/2009           | 8/31/2017                                 | This is a rental unit for very low and low-income households with the option to purchase within 6-9 months.                                                                                                                        |
| 254 Parc Place Dr.<br>(APN 086-54-052)                                              | 1/27/2011           | 8/31/2017                                 | This is a rental unit for very low and low-income households with the option to purchase within 6-9 months.                                                                                                                        |
| 1101 S. Main St. #313<br>(APN 086-67-078)                                           | 5/20/2011           | 8/31/2017                                 | This is a rental unit for very low and low-income households with the option to purchase within 6-9 months.                                                                                                                        |
| 600 S. Abel St. #208<br>(APN 086-61-177)                                            | 5/24/2011           | 8/31/2017                                 | This is a rental unit for very low and low-income households                                                                                                                                                                       |



---

with the option to purchase  
within 6-9 months.

---

Health and Safety Code Section 33334.16 required former redevelopment agencies to initiate activities, such as zone changes or disposition and development agreements within five years of acquiring a property.

The following provides a status update on the project(s) for property or properties that have been acquired by the Housing Successor using LMIHAF on or after February 1, 2012.

The Housing Successor did not acquire property on or after February 1, 2012.

### **VIII. DESCRIPTION OF OUTSTANDING OBLIGATIONS UNDER SECTION 33413.**

This section describes the outstanding inclusionary housing obligations, if any, under Section 33413 that remained outstanding prior to dissolution of the former redevelopment agency as of February 1, 2012 along with the Housing Successor's progress in meeting those prior obligations, if any, of the former redevelopment agency and how the Housing Successor plans to meet unmet obligations, if any.

The housing successor does not have any obligations to fulfill under Section 33413.

### **IX. INCOME TEST**

This section provides the information required by Section 34176.1(a)(3)(B), or a description of expenditures by income restriction for a five year period, with the time period beginning on January 1, 2014 and whether the statutory thresholds have been met. Reporting of the Income Test is not required until 2019.

### **X. SENIOR HOUSING TEST**

This section provides the percentage of units of deed-restricted rental housing restricted to seniors and assisted individually or jointly by the Housing Successor, its former Redevelopment Agency, and the City within the previous 10 years in relation to the aggregate number of units of deed-restricted rental housing assisted individually or jointly by the Housing Successor, its former Redevelopment Agency and the City within the same time period. For this Report the ten-year period reviewed is January 1, 2004 to January 1, 2014.

If the percentage of assisted senior rental housing is more than 50 percent of the total of all assisted rental housing, no additional senior rental housing can be assisted until the percentage falls to 50 percent or less.

TABLE 4: SENIOR HOUSING TEST

| <b>Unit Category</b>           | <b># of Units</b> |
|--------------------------------|-------------------|
| Assisted Senior Rental Units   | 113               |
| Total Assisted Rental Units    | 426               |
| <b>Senior Housing Test (%)</b> | <b>26.7%</b>      |

## **XI. EXCESS SURPLUS TEST**

This section provides the amount of excess surplus (unencumbered funds) in the LMIHAF, exceeding \$1,000,000 or the aggregate amount deposited in the fund over the preceding four fiscal years if any, and the length of time that the Housing Successor has had excess surplus, and the Housing Successor's plan for eliminating the excess surplus.

The Housing Successor has not been in existence for that period; at this time we are unable to make that determination.

**NUMBER:** 38.821

**TITLE:** AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS AMENDING CHAPTER 10 OF TITLE XI OF THE MILPITAS MUNICIPAL CODE ADDING SECTION 14 TO THE ZONING CODE RELATING TO PUBLIC ART REQUIREMENTS FOR PRIVATE DEVELOPMENT

**HISTORY:** This Ordinance was introduced (first reading) by the City Council at its meeting of April 7, 2015, upon motion by Councilmember Giordano and was adopted (second reading) by the City Council at its meeting of \_\_\_\_\_, upon motion by \_\_\_\_\_. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney

## RECITALS:

**WHEREAS**, Title XI, Chapter 10, entitled “Zoning” of the Milpitas Municipal Code sets forth the Zoning standards for the City of Milpitas; and

**WHEREAS**, on February 18, 2014, the City Council directed staff to prepare an ordinance requiring Public Art on private development projects for the City Council review and consideration; and

**WHEREAS**, the Milpitas Zoning Code is proposed to be amended to add a Section 14 entitled “Public Art Requirements for Private Development Projects”; and

**WHEREAS**, on March 11, 2015, the Planning Commission conducted a duly noticed public meeting and adopted Resolution No. 15-013 recommending the City Council amend the Milpitas Zoning Code to add a new Section 14 entitled “Public Art Requirements for Private Developments”; and

**WHEREAS**, on April 7, 2015, the City Council conducted a duly noticed public hearing to consider the recommendation from the Planning Commission to amend the Zoning Code to add a new Section 14 entitled “Public Art Requirements for Private Developments.”

**NOW, THEREFORE**, the City Council of the City of Milpitas does ordain as follows:

## SECTION 1. RECORD AND BASIS FOR ACTION

The City Council has duly considered the full record before it, which may include but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

## SECTION 2. FINDINGS

Zoning Text Amendment (Section XI-10-57.02.G.3) - The City Council makes the following findings based on the evidence in the public record in support of Zoning Text Amendment No. ZA15-0001:

### *Zoning Text Amendment (Section XI-10-57.02.G.3)*

1. *The proposed amendment is consistent with the General Plan.*

The proposed Ordinance is consistent with and implements the City of Milpitas’ General Plan. The Ordinance will enhance the quality of life for residents in the City by contributing architectural variety and design to the aesthetic environment. Public art enhances civic pride and helps define the City’s image to the public and visitors alike. This contributes to a sense of identity and place. It makes the City of Milpitas more livable and more visually stimulating, which creates a benefit to the public and enhances the quality of life.

The project is also consistent with the following General Plan Guiding Principles and Policies:

**Guiding Principle 2.a-G-7** – When considering development proposals, seek “community benefit,” such as upgrading infrastructure facilities, constructing new infrastructure facilities, and funding contributions to programs.

**Implementing Policy 2.a-I-17** – Foster community pride and growth through beautification of existing and future development.

The addition of the Public Art for Private Development Ordinance is consistent with the General Plan because it constitutes a “community benefit” by upgrading the aesthetic environment of the City. The requirement for art work makes the City a more livable and visually stimulating place which ultimately benefits the community. Further, the Ordinance creates a sense of place and identity that fosters community and pride and growth through



beautification of the existing and future development. For these reasons, the proposed Ordinance is consistent with the General Plan.

2. *The proposed amendment will not adversely affect the public health, safety and welfare of the residents of Milpitas.*

The proposed zoning amendment will result in a more aesthetically pleasing environment. Incorporating art work in private developments, and throughout the City, makes buildings and their grounds more welcoming, and it creates a deeper interaction with the places visited, and which citizens work and live. For these reasons, the public health, safety and welfare will be benefited by the proposed Ordinance.

### **SECTION 3. AMENDMENT OF MILPITAS MUNICIPAL CODE TITLE XI, CHAPTER 10**

Title XI, Chapter 10 of the Milpitas Zoning Code entitled “Zoning” is amended to add a new Section 14 entitled “Public Art Requirements for Private Development” to read as follows:

#### **Section 14 - Public Art Requirements for Private Development**

##### **XI-10-14.01 Definitions**

**“Affordable Housing”** is defined in Section XI-10-54.15.D of the Zoning Code.

**“Building Development Costs”** means those construction costs as declared on building permit applications, and as accepted by the Building Official. Building permit applications shall include building, plumbing, mechanical and electrical permit applications for the project.

**“Developer and/or Owner”** means any individual, firm, limited liability company, association, partnership, political subdivision, government agency, municipality (other than the City of Milpitas), industry, public or private corporation, or any other entity that undertakes any construction within the City subject to the requirements in this Section 14.

**“Public Art”** is a process which results in the incorporation of original works of art by artists in publicly accessible spaces and which serves a socio-environmental function identifiable with people; is accessible to the mind and the eye; is integral to the site and responds to the concept of place making; is integrated with the work of other design professionals; is of high quality; serves the City by enhancing the quality of life for citizens and contributes to the City’s prestige; is unique to its moment in time and place.

**“Public Art Program In-Lieu Contribution”** means the percentage of Building Development Costs required herein.

**“Public Art Projects”** are projects which involve artists working through the public art process that result in the creation of original works in publicly accessible spaces that include but are not limited to paintings, mural decorations, inscriptions, stained glass, fiber work, statues, reliefs or other sculpture, monuments, fountains, arches, or other structures intended for ornament or commemoration, carvings, frescoes, mosaics, mobiles, photographs, drawings, collages, prints, crafts both decorative and utilitarian in clay, fiber, wood, metal, glass, plastics and other materials. Public Art Projects also include artists serving on design and development teams to identify opportunities to incorporate art in publicly accessible space.

**“Publicly Accessible Art”** means art that is accessible to the general public.

##### **XI-10-14.02 Purpose and Intent**

This Section 14 is intended to promote the aesthetics and arts in the City of Milpitas by requiring the inclusion of a public artwork component in new private development projects in Milpitas. A policy is hereby established to require certain private developments to include Publicly Accessible works of art for placement on the development site or contribute a Public Art Program In-Lieu Contribution as a condition of project approval.

Developers and/or Owners are encouraged to employ Milpitas artists or arts organizations to fulfill the Public Art requirement.

#### **XI-10-14.03 – Contribution Requirements**

##### **A. Calculation**

1. Nonresidential Building Developments. Private nonresidential building developments involving Two Thousand (2,000) square feet or more of new floor area shall devote an amount not less than one percent (1%) of Building Development Costs for acquisition and installation of Publicly Accessible Art on the development site.
2. Residential Building Developments. Private residential building developments of twenty (20) or more new dwelling units shall devote an amount not less than one percent (1%) of Building Development Costs for acquisition and installation of Publicly Accessible Art on the development site.

##### **B. Public Art Review**

All proposed Public Art to be installed on a development site under this Section 14 shall first be reviewed and approved by the Art Commission for its artistic value and appropriateness in light of the size of the development project. The cost of the proposed Public Art shall not be the sole reason for rejecting the proposed Public Art.

##### **C. In-Lieu Contribution**

1. At the discretion of the Developer and/or Owner, in lieu of installing on-site Public Art, the Developer and/or Owner may provide a Public Art Program In-Lieu Contribution to be deposited into the Public Art Fund for acquisition and placement of Public Art throughout the City.
2. The Art Commission may allow a Developer and/or Owner to satisfy the public art requirement by a combination of installing Publicly Accessible Art on the development site and make a Public Art Program In-Lieu Contribution if the Art Commission determines that the location, siting or scale of the development site makes the installation of Publicly Accessible Art inappropriate or impossible for the purposes of satisfying the one percent requirement for installing Publicly Accessible Art on the development site.

##### **D. Subsequent Removal of Public Art or Alternative Compliance Space**

If the Developer and/or Owner satisfies the Public Art requirement in accordance with subsection (A)(1), (A)(2), above, the Public Art previously installed on the development site may only subsequently be removed if the Developer and/or Owner makes a Public Art Program In-Lieu Contribution equivalent to the original amount to the Public Art Fund.

##### **E. Exclusions**

The requirements of this Section 14 shall not apply to an Affordable Housing development with a minimum of twenty percent (20%) Affordable Housing units if the Developer and/or Owner demonstrates to the satisfaction of the City Council that said requirements would cause the development project not to be economically feasible.

#### **XI-10-14.04 Public Art Fund**

Public Art Program In-lieu Contribution shall be placed in the Public Art Fund. The fund shall be used exclusively to (1) provide sites for works of art, (2) acquire and install works of art, (3) maintain works of art, or

(4) fund other administrative costs associated with the Public Art Program. The Art Commission shall recommend utilization of monies in the Public Art Fund to the City Council.

#### **XI-10-14.05 Compliance**

Compliance with the provisions of this Section 14 shall be demonstrated by the Developer and/or Owner at the time of filing the Building Permit application as follows: (a) payment of the full amount of the Public Art Program In-Lieu Contribution, or (b) written proof to the Building Department and the Public Art Program of a contractual agreement to commission or purchase and to install the requested artwork on the development site by a date approved by City. The value of the Publicly Accessible Artwork shall be independently verified by a third party unrelated to the Developer and/or Owner and submitted to the City with the contractual agreement at the sole expense of the Developer and/or Owner. The Developer and/or Owner shall provide the City with proof of installation of the requested artwork on the development site or proof of full payment of the Public Art In-Lieu Contribution before issuance of the certificate of occupancy, unless the City has approved some other method of assuring compliance with the provisions of this Section 14. In the case of installation of Public Art on the development site, the Developer and/or Owner shall maintain said artwork in proper condition on an ongoing basis.

#### **XI-10-14.06 Violations of this Section**

In addition to other fines or penalties provided by State or municipal law, the City may revoke or suspend any permit granted to any Developer and/or Owner who violates the provisions of this Section 14.

### **SECTION 4. SEVERABILITY**

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

### **SECTION 5. EFFECTIVE DATE AND POSTING**

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS ADOPTING A COMMUNICATION AND INTEGRITY POLICY FOR THE SOLID WASTE REQUEST FOR PROPOSAL PROCESS**

**WHEREAS**, the City of Milpitas (“City”) and Republic Waste Services of North America, LLC, have a written agreement for solid waste services that will expire on September 5, 2017; and

**WHEREAS**, on April 7, 2015, the Milpitas City Council authorized staff to issue a Request For Proposal (“RFP”) for solid waste services; and

**WHEREAS**, the City has retained HF&H Consultants, LLC, to assist in the procurement of a solid waste services vendor; and

**WHEREAS**, HF&H Consultants, LLC, has assisted other cities with similar services and recommends that the City Council adopt a Communication and Integrity Policy; and

**WHEREAS**, the purpose of the policy is to provide a fair opportunity for all potential respondents and to create an impartial climate during the proposal process; and

**WHEREAS**, the proposed policy addresses topics such as communications between the Councilmembers, City staff and consultant and potential proposers, conduct during the competitive process, campaign contributions, and gifts.

**NOW, THEREFORE**, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. The City Council hereby adopts the Communications and Integrity Policy for the Solid Waste Request for Proposal Process as attached hereto as **Exhibit A** and incorporated fully herein.

PASSED AND ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_ 2015, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

\_\_\_\_\_  
Mary Lavelle, City Clerk

\_\_\_\_\_  
Jose S. Esteves, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Michael J. Ogaz, City Attorney



## **EXHIBIT A**

### **COMMUNICATION AND INTEGRITY POLICY**

#### **Purpose**

The City of Milpitas (“City”) is engaged in developing and conducting a Solid Waste Services Competitive Request For Proposal (“RFP”) Process. The intent of the City’s Communication and Integrity Policy (“Communication Policy”) is to provide a fair opportunity for all potential respondents and to create an impartial climate during the competitive solicitation process.

#### **Communication Policy**

This Communication Policy is intended to apply to communications between Council members, City employees and consultants, and representatives of firms which may intend to, or are participating in the ongoing process for the City to procure solid waste, recycling and organics services after the conclusion of the current franchise and contractual agreements (“prospective respondents”). It is further limited to only those conversations that relate in any way to the procurement process or provision of future solid waste, recycling or organics services. It is not intended to apply to casual social communications or other communications unrelated to provision of future services or the procurement process.

Beginning with City Council adoption of this Communication Policy, all prospective respondents shall be instructed to communicate on matters which concern a matter relating to the City’s RFP solicitation, only through a person or persons designated by the City as the point of contact. Prospective respondents may also communicate with the City Council during any open and noticed public meeting. Prospective respondents may also communicate with staff members during any open and noticed public meeting, or with staff members at any organized staff meetings for prospective respondents to attend and ask questions and clarifications. Nothing herein precludes designated City staff or consultant to seek additional information or clarification of any proposal submitted through the RFP process or to conduct outreach to solicit proposals through the RFP process.

Questions or comments regarding the process, and requests for clarification, objections to the structure or content of the RFP, and other inquiries from prospective respondents shall be made to the City designated point of contact in writing. The RFP procurement documents may provide additional detail with regard to communications with prospective respondents during the RFP process. The City or its consultant will respond via written addenda to the RFP.

#### **Respondents Code of Conduct**

By requesting a RFP package from the City or its consultant, potential respondents agree to adhere to this Communication Policy, and are responsible for ensuring compliance with this Communication Policy on behalf of respondent’s employees, agents, consultants, lobbyists, or other parties or individuals engaged for purposes of developing or supporting a proposal. Any evidence that indicates a respondent, including its employees, agents, consultants, lobbyists or other parties or individuals engaged for purposes of developing or supporting a proposal, has failed to adhere to any section of this Communication Policy may result in the City disqualifying the respondent from the RFP process at the City’s sole discretion.

#### **Prohibition on Campaign Contributions**

Milpitas Municipal Code, Title I, Chapter 210 prohibits campaign contributions over \$250 to candidates or controlled committee of candidates, as those terms are defined in the Milpitas Municipal Code and State law. All potential respondents and City Council members should be familiar with the prohibition on campaign contributions as set forth in Milpitas Municipal Code Title I, Chapter 210.

Additionally, Milpitas Municipal Code Title 1, Chapter 310 entitled “Open Government Ordinance” sets forth requirements relating to lobbyists, solicitation of donations, and other issues. All potential respondents and City Council members should be familiar with the Open Government Ordinance including the requirement for lobbyist to register with the City Clerk and prohibition of making any payments to influence local legislative or administrative action as set forth in Milpitas Municipal Code Title I, Chapter 210.

### **Gifts – Statement of Political Reform Act Restrictions**

The Political Reform Act prohibits public officials from accepting gifts from a single source with a cumulative value of over \$460 in a single calendar year. In addition, an official who has received a gift or gifts totaling over \$460 within 12 months of a decision involving the source of gifts is disqualified from all participation in that decision. Any gifts from a single source with a cumulative value of over \$50 in a calendar year must be reported on a Form 700. Note that the \$460 limit may increase as of January 1, 2017.

A gift is anything of value provided to the official for which the official has not provided approximately equal consideration. Gifts can include food, beverages, travel, tickets, lodging, a round of golf, a discount or rebate, and a variety of other tangible or intangible items.

From the date of City Council action to adopt this Communication Policy through the date of full execution of a written agreement, no City staff member shall accept gifts of any value from any prospective respondents.

### **Restrictions Affecting Consultants**

From the date of City Council action to adopt this Communication Policy until the consultant is no longer working for the City on the franchise procurement, no City consultant will accept gifts of any value from any prospective respondents.

From the date of City Council action to adopt this Communication Policy until the consultant is no longer working for the City on the franchise procurement, no City consultant will do any work for any respondents or prospective respondents.

### **Acknowledgement of the City's Communication and Integrity Policy**

By signing and submitting this form, \_\_\_\_\_ {insert company name}, a potential respondent to the City's RFP, has reviewed the City's Communication and Integrity Policy and acknowledges its willingness to adhere to the guidelines as the policy applies to the Solid Waste Services RFP process.

I, the official named below, CERTIFY UNDER PENALTY OF PERJURY, that I am duly authorized to legally bind the company to this Acknowledgement, which is made under the laws of the State of California.

\_\_\_\_\_ (Company)

By: \_\_\_\_\_ (Signature)

Name: \_\_\_\_\_ (Printed Name)

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**AGREEMENT FOR ANIMAL SERVICES  
BETWEEN  
THE CITY OF SAN JOSE  
AND  
THE CITY OF MILPITAS  
FISCAL YEARS 2015-2018**

This AGREEMENT is entered this \_\_\_\_ day of \_\_\_\_\_ 2015, by and between the CITY OF SAN JOSE, a municipal corporation, (hereinafter "SAN JOSE"), and the CITY OF MILPITAS, a municipal corporation, (hereinafter "MILPITAS"), collectively referred to as the "PARTIES."

## **RECITALS**

The purpose for which this AGREEMENT is made, and all pertinent recitals, are listed on Exhibit A, entitled "RECITALS", which is attached hereto and incorporated herein.

THE PARTIES HEREBY AGREE AS FOLLOWS:

### **SECTION 1. SCOPE OF SERVICES.**

SAN JOSE shall perform those services specified in detail in EXHIBIT B, entitled "SCOPE OF SERVICES", which is attached hereto and incorporated herein.

### **SECTION 2. TERM OF AGREEMENT.**

The term of this AGREEMENT shall be from July 1, 2015 through June 30, 2018, inclusive subject to the provisions of SECTION 8 of this AGREEMENT.

### **SECTION 3. COMPENSATION.**

The rate and schedule of payment to be paid to SAN JOSE is set out in EXHIBIT C, entitled "COMPENSATION," which is attached hereto and incorporated herein.

### **SECTION 4. INDEPENDENT CONTRACTOR RELATIONSHIP.**

This AGREEMENT shall in no way be construed to constitute SAN JOSE as the partner, legal representative, or employee of MILPITAS or MILPITAS of SAN JOSE for any purpose whatsoever, or as the agent of MILPITAS or SAN JOSE, and neither party shall



act or attempt to act or represent itself directly or by implication as having such status or relationship. The PARTIES shall have the relationship of independent contractors, and except as specifically provided in this AGREEMENT, each party shall be solely responsible for all obligations and liabilities pertaining to the business, activities, and facilities of that party. As an independent contractor, the PARTIES shall obtain no rights to retirement benefits or other benefits, which accrue, to the PARTIES' respective employees, and the PARTIES hereby expressly waive any claim either of them may have to any such rights.

#### **SECTION 5.     ASSIGNABILITY.**

SAN JOSE and MILPITAS acknowledge and agree that the expertise and experience of SAN JOSE are material considerations inducing MILPITAS to enter into this AGREEMENT. MILPITAS acknowledges and accepts that a portion of the services provided under this AGREEMENT shall be provided by a handler of dead deer and livestock, wildlife services, and/or independent veterinary doctors. Neither PARTY shall assign or transfer any interest in this AGREEMENT, or the performance of any obligations hereunder, other than those services provided by the handler of dead deer and livestock, wildlife services, and/or independent veterinary doctors, without the prior written consent of the other, and any attempt by either of the PARTIES to assign this AGREEMENT or any rights, duties or obligations arising hereunder shall be void and of no effect.

#### **SECTION 6.     INDENMIFICATION.**

In lieu of and notwithstanding the pro rata risk allocation which might otherwise be imposed between the PARTIES pursuant to Government Code section 895.6, the PARTIES agree that all losses or liabilities incurred by a party shall not be shared pro rata as defined in Government Code section 895.6, but instead SAN JOSE and MILPITAS agree that pursuant to Government Code section 895.4, each of the PARTIES

hereto shall fully indemnify and hold each of the other party, their officers, board members, employees and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined by Government Code section 810.8) occurring by reason of and only to the extent of the negligent acts or omissions or willful misconduct of the indemnifying party, its officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such party under this AGREEMENT. No party, nor any officer, board member, employee or agent thereof shall be responsible to the extent any damage or liability occurs by reason of the negligent acts or omissions or willful misconduct of other parties hereto, their officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to such other parties under this AGREEMENT.

#### **SECTION 7. NONDISCRIMINATION.**

The PARTIES shall not discriminate, in any way, against any person on the basis of race, sex, color, age, religion, sexual orientation, actual or perceived gender identity, disability, ethnicity, or national origin, in connection with or related to the performance of this AGREEMENT.

#### **SECTION 8. TERM AND TERMINATION OF AGREEMENT**

##### **A. Termination.**

This AGREEMENT may be terminated earlier at any time:

1. Upon the written consent of both the MILPITAS and SAN JOSE;
2. By either MILPITAS or SAN JOSE immediately upon notice to the other, if the other breaches any material obligation under this AGREEMENT and such breach remains unremedied for at least thirty (30) days following written notice thereof to the breaching party;
3. Immediately upon written notice by MILPITAS to SAN JOSE if SAN JOSE has a receiver appointed for all or substantial part of its business or assets, if a bankruptcy proceeding is brought by or against SAN JOSE as a debtor, or if SAN JOSE ceases its business operations; and

4. Upon at least one hundred eighty (180) days prior written notice by MILPITAS to SAN JOSE or SAN JOSE to MILPITAS of that party's desire to terminate this AGREEMENT. If MILPITAS does not appropriate the full amounts due to SAN JOSE under this AGREEMENT for FY 2015-2016 or FY 2016-2017 or FY 2017-2018 on or before June 30 of the year directly preceding the fiscal year for which Animal Services are provided by SAN JOSE; then that action shall, as of the same June 30, constitute the start of the 180-day notice of termination of this AGREEMENT by MILPITAS pursuant to this SECTION.

**B. Effects of Termination**

Upon the effective date of any termination of this AGREEMENT, SAN JOSE'S obligation to provide Animal Services to MILPITAS under this AGREEMENT shall cease, and MILPITAS' obligation to make payments hereunder for periods of time after the effective date of termination shall cease, provided that the PARTIES shall have any and all remedies available under law for any breach of this AGREEMENT. The PARTIES may also elect to negotiate a new agreement for the provision of Animal Services upon the effective date of termination.

**C. Termination Costs**

In the event MILPITAS elects to terminate this AGREEMENT with SAN JOSE, SAN JOSE shall be reimbursed for stray animals that were sheltered for MILPITAS prior to termination at the rate of one hundred sixty five dollars (\$165.00) per animal for a period of twelve (12) months from the date of that termination. SAN JOSE shall notify MILPITAS of the number of animals it shelters during that twelve (12) month period through and in a monthly report provided by SAN JOSE in the same format and manner as the monthly impound report. MILPITAS shall pay SAN JOSE for shelter services in accordance with EXHIBIT C Subsection A.

**SECTION 9. GOVERNING LAW.**

The PARTIES agree that the law governing this AGREEMENT shall be that of the State of California.

**SECTION 10. COMPLIANCE WITH LAWS.**

The PARTIES shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local governments.

**SECTION 11. CONFIDENTIAL INFORMATION.**

All data, documents, discussions or other information developed or received by or for the PARTIES in performance of this AGREEMENT are confidential and not to be disclosed to any person except as authorized by the PARTIES, or as required by law.

**SECTION 12. WAIVER.**

No delay or failure of either party to exercise or enforce at any time any right or provision of this AGREEMENT shall be considered a waiver thereof or of such party's right thereafter to exercise or enforce each and every right and provision of this AGREEMENT. The PARTIES agree that waiver of any breach or violation of any term or condition of this AGREEMENT shall not be deemed to be a waiver of any other term or condition contained herein or a waiver of any subsequent breach or violation of the same or any other term or condition. The acceptance by MILPITAS of the performance of any work or services by the SAN JOSE shall not be deemed to be a waiver of any term or condition of this AGREEMENT.

**SECTION 13. GIFTS.**

- A. The PARTIES are familiar with the prohibition against the acceptance of any gift by an officer or designated employee of SAN JOSE or MILPITAS.
- B. SAN JOSE agrees not to offer any MILPITAS officer or designated employee any gift prohibited by MILPITAS. MILPITAS agrees not to offer any SAN JOSE officer or designated employee any gift prohibited by SAN JOSE.
- C. The offer or giving of any gift prohibited by SAN JOSE or MILPITAS shall constitute a material breach of the AGREEMENT. In addition to any other remedies the PARTIES may have in law or equity, the PARTIES may terminate this AGREEMENT for such breach as provided in SECTION 8 of this AGREEMENT.



**SECTION 14. NOTICES.**

Any notices or other communications required or permitted to be given under this AGREEMENT shall be in writing and shall be personally served or mailed, postage prepaid and return receipt requested, addressed to the respective parties as follows::

To SAN JOSE:

San Jose Animal Care and Services  
2750 Monterey Rd  
San Jose, CA 95111

To MILPITAS:

City of Milpitas  
Department of Planning & Neighborhood  
Services  
455 E. Calaveras Blvd  
Milpitas, CA 95035

Notice shall be deemed effective on the date personally delivered or, if mailed, three (3) days after deposit in the mail.

**SECTION 15. VENUE**

In the event that suit shall be brought by any party to this AGREEMENT against another party, the PARTIES agree that the venue shall be exclusively vested in the state courts of the State of California, County of Santa Clara, or if federal jurisdiction is appropriate, exclusively in the United States District Court, Northern District of California, San Jose, California.

**SECTION 16. PRIOR AGREEMENTS AND AMENDMENTS.**

This AGREEMENT, including all Exhibits attached hereto, represents the entire understanding of the PARTIES as to those matters contained herein. No prior oral or written understanding shall be of any force or effect with respect to those matters covered hereunder. This AGREEMENT may be modified only by a written amendment duly executed by the parties to this AGREEMENT.

**SECTION 17.**        **INTERPRETATIONS.**

In construing or interpreting this AGREEMENT, the word “including” shall not be limiting. The PARTIES agree that this AGREEMENT shall be fairly interpreted in accordance with its terms without any strict construction in favor of or against either party.

**SECTION 18.**        **INVALID PROVISIONS.**

If any provision of this AGREEMENT shall be held illegal, invalid, or unenforceable, in full or in part, such provision shall be modified to the minimum extent necessary to make it legal, valid, and enforceable, and the other provisions of this AGREEMENT shall not be affected thereby.

**SECTION 19.**        **FURTHER DOCUMENTS.**

The PARTIES agree, upon request, to sign and deliver such other documents as may be reasonably required to carry out the intent and provision of this AGREEMENT.

**SECTION 20.**        **COUNTERPART EXECUTION.**

This AGREEMENT may be executed in one or more counterparts, each of which shall be deemed an original, and all of which shall constitute one and the same document.

**IN WITNESS WHEREOF**, the PARTIES hereto have executed this AGREEMENT as of the EFFECTIVE DATE set forth above.

APPROVED AS TO FORM:

\_\_\_\_\_  
MIKE OGAZ  
City Attorney

CITY OF MILPITAS, a municipal  
corporation

By \_\_\_\_\_  
THOMAS C. WILLIAMS  
City Manager

APPROVED AS TO FORM:

\_\_\_\_\_  
ROSA TSONGTAATARI  
Deputy City Attorney

CITY OF SAN JOSE, a municipal  
corporation

By \_\_\_\_\_  
NORBERTO DUENAS  
Deputy City Manager

**EXHIBIT A**  
**RECITALS**

**WHEREAS**, MILPITAS desires to provide certain animal control services to its residents and citizens; and

**WHEREAS**, SAN JOSE has the necessary professional expertise, training, skills and ability to provide the animal control services.

**NOW, THEREFORE**, the purpose of this AGREEMENT is to retain SAN JOSE to MILPITAS to perform those services specified in SECTION 1 of this AGREEMENT.



**EXHIBIT B**  
**SCOPE OF SERVICES**

For the consideration set forth herein, SAN JOSE shall provide to MILPITAS the Field Services, Shelter Services, and Dead Animal Services as described in this AGREEMENT. These three categories of service are sometimes collectively referred to herein as the “Animal Services,” and each category of services is sometimes hereinafter referred to as a “Program Unit.” Calls for animal-related services which are not provided by SAN JOSE shall be referred by SAN JOSE to the appropriate code enforcement agency of MILPITAS, either in writing or by electronic mail. The Animal Services shall be provided by SAN JOSE in accordance with all applicable federal, state and local laws and ordinances.

**SECTION 1. DEFINITIONS**

- A.** “Aggressive Bite” means a bite which punctures the skin or tissue of a human or another animal.
- B.** “Critically Sick or Injured Animals” means those animals that have life-threatening conditions.
- C.** “Dangerous Animal” means any animal which, because of its size, disposition or other characteristics would constitute a danger to humans or other domestic animals, and includes any dog classified as a Level 3, 4, or 5 dangerous or potentially dangerous dog, as defined in the Milpitas Municipal Code Chapter 210, or, any dog that is the perpetrator of an unprovoked bite or attack on humans or other domestic animals as documented in an Incident Report by San Jose Animal Care and Services or the Milpitas Police Department.
- D.** “Emergency Calls” means complaints of animal bites or attacks on humans or domestic animals that are in progress, or, where a bite or attack has occurred, where the animal remains an immediate threat to humans.
- E.** “Holidays” are New Year’s Eve, New Year’s Day, Easter Sunday, Memorial Day, July 4, Labor Day, Thanksgiving, Christmas Day, and the day before and the day after Christmas Day.

- F.** “Livestock” means large domesticated agricultural animals, such as a cow, bull, steer, horse, sheep, goat, pig or other large agricultural animals.
- G.** “Physical Injury” means an injury suffered as the result of an attack by a dog, including, but not limited to falls, sprains, broken bones, blunt trauma, contusions, hematomas, or other injuries.
- H.** “Serious Injury” means any physical injury to a human being that results in muscle tears or disfiguring lacerations, or requires multiple sutures or corrective or cosmetic surgery.

## **SECTION 2. FIELD SERVICES**

### **A. Field Services**

SAN JOSE shall provide vehicles, communications equipment, office supplies, field and administrative personnel, and any other personnel, supplies and equipment, reasonably required to perform the following services (the “Field Services”) upon a request or complaint from MILPITAS or from a person within the boundaries of MILPITAS:

1. Pick up of stray dogs, stray cats, and other small domestic animals, including rabbits, chickens, turkey, geese, and ducks, and excluding confined wildlife as defined in Section 711.2 of the California Fish and Game Code, such as opossums, raccoons, skunks, or squirrels, that have been confined by MILPITAS or by a person within the boundaries of MILPITAS;
2. Pick up of dead animals, including wildlife, in accordance with SECTION 4;
3. Pick up of injured stray dogs or cats and other small domestic animals, without regard to weight, excluding birds, and injured wildlife that weigh fifty pounds (50 lbs.) or less, that are located on public property or readily accessible on private property with the consent of the property owner or the property owner’s authorized agent;
4. Response to Emergency Calls;
5. Investigate complaints of animal bites and attacks on humans or other domestic animals, including the preparation of a report, interviewing the parties involved, quarantining animals which have bitten humans, preparing and transporting biting

animals for rabies testing, and investigating alleged violations of a quarantine order. An incident report is to be provided to the designated appropriate MILPITAS Code Enforcement official within five (5) business days of the incident, including licensing information for the subject animal(s).

- a) SAN JOSE will meet and conduct a personal interview(s) with the owner in order to complete the investigation and quarantine the animal as necessary.
6. Investigate and refer complaints of Dangerous or Potentially Dangerous Dogs to the appropriate Code Enforcement official in MILPITAS for resolution. Investigations shall include preparation of a report and may include interviewing the parties involved, and collecting available historical data;
7. Investigate and refer complaints of Dangerous Animals to the appropriate code enforcement agency of MILPITAS for resolution. Investigations shall include taking a report and may include interviewing the parties involved, and collecting available historical data;
8. Respond to complaints of dogs running at large, attempt to capture them, and provide follow-up patrol if appropriate and subject to the availability of SAN JOSE staff;
9. Respond to complaints in progress of domestic animals causing a nuisance, except domestic animals making noise, and provide follow-up patrol if appropriate and subject to the availability of SAN JOSE staff;
10. Respond to police assist calls on animal-related issues which may include taking control of an animal on the scene; and
11. Investigate and refer to the appropriate Code Enforcement official in MILPITAS for resolution of complaints regarding the lack of proper care, condition, or attention of domestic animals by their owners.

## **B. Response Time Performance Standards**

1. SAN JOSE shall make all good faith efforts to respond to complaints and requests received by SAN JOSE at a performance standard level that is no less than the following:
  - a) PRIORITY 1 – Response to Emergency, Police Assist, Dangerous Animal, and

Critically Sick or Injured Animal calls for assistance.

1.) Response shall be twenty-four (24) hours per day, seven (7) days per week. Eighty-five (85%) of responses on all PRIORITY 1 calls shall occur within one (1) hour or less from the time the call for service is received by the SAN JOSE staff to the time SAN JOSE personnel arrive on the scene.

b) PRIORITY 2 – Pick up animals that were running at large and that are now confined by MILPITAS or by a person within the boundaries of MILPITAS and calls regarding urgent, but not immediately life threatening animal-related requests for assistance.

1.) Eighty percent (80%) of responses on all PRIORITY 2 calls received between 7:00am and 5:00pm shall be within six (6) hours or less from the time the call for service is received by the SAN JOSE staff to the time SAN JOSE personnel arrive on the scene.

2.) Response to calls received between the hours of 5:00pm and 7:00am shall be responded to no later than 7:00pm the following day.

c) PRIORITY 3 – Response to calls relating to non-emergency attacks, non-critically injured or sick animals, quarantine calls, animals running at large, animals causing a nuisance and pick up of dead animals.

1.) Seventy-five percent (75%) of responses on all PRIORITY 3 calls received between 7:00am and 5:00pm shall be within twelve (12) hours or less from the time the call for service is received by the SAN JOSE staff to the time SAN JOSE personnel arrive on the scene.

2.) Response to calls received between the hours of 5:00pm and 7:00am shall be responded to no later than 11:00pm the following day.

3.) Response to these complaints will be only after PRIORITY 1 and 2 complaints are met for MILPITAS. Responding to these complaints may include taking a report, contacting parties and witnesses by telephone, or dispatching personnel to the scene.



**C. Response After Business Hours**

Between the hours of 5:00 p.m. and 7:00 a.m., SAN JOSE shall be required to respond to PRIORITY 1 calls only. The hours between 5:00 p.m. and 7:00 a.m. shall not be included in calculating the response time length for PRIORITY 2 and 3 calls when including these hours would result in a failure by the SAN JOSE to meet the performance standards set forth above.

**D. Operating Schedules**

1. SAN JOSE shall be required to respond to all complaints and requests in accordance with SECTION 2.B. and SECTION 2.C., except SAN JOSE shall respond only to PRIORITY 1 calls on Sundays.
2. Except with respect to PRIORITY 1 calls, SAN JOSE shall have no obligation to respond on Holidays or outside of the regularly scheduled shift hours of SAN JOSE. SAN JOSE shall respond to PRIORITY 1 calls twenty-four (24) hours per day, every day, including all Holidays.

**E. Excluded Services**

While SAN JOSE may already perform some of the following services under other authority, the following services are not included in the services to be provided by SAN JOSE under this AGREEMENT:

1. Removal and disposal of dead marine animals;
2. Pick up and transportation of uninjured or healthy, living wildlife;
3. Pick up of alive or dead animals for surrender at an owner's request. SAN JOSE may provide these services and charge a fee therefore as a part of its operations separate and apart from this AGREEMENT;
4. Issuance of citations for violations in accordance with MILPITAS ordinances;
5. Permitting or inspection of events with animals; and
6. Investigation of complaints that only relate to domestic animals making noise.

### **SECTION 3. SHELTER SERVICES**

#### **A. Shelter Services**

SAN JOSE shall provide or under contract provide shelter facilities, supplies, animal attendants, supervisors and administrative personnel, and any other personnel, supplies and equipment, reasonably required to perform the following services ("Shelter Services"):

1. Shelter of abandoned, impounded, lost or stray domestic animals brought to the shelter by MILPITAS, its residents, or SAN JOSE personnel;
2. Quarantine/impound of biting animals;
3. Rabies testing of suspect animals;
4. Provision for reclaim of abandoned, lost or stray domestic animals during established business hours; and
5. Euthanization and disposal of abandoned, lost, impounded, or stray domestic animals that are unclaimed by their owners and fail to meet the written health and temperament standards of San Jose Animal Care and Services.

#### **B. Medical Services**

As part of the Shelter Services, SAN JOSE shall provide or under contract provide office facilities, supplies, and professional and trained personnel, employed or under contract, necessary to perform the following services ("Medical Services"):

1. Provision of veterinarian services twenty-four (24) hours per day to treat and provide veterinarian care to stray, injured, or sick dogs, cats, and other impounded animals;
2. Monitor quarantined animals; and
3. For a fee conduct vaccination clinics and have available, free of charge to the public, rabies control information.

#### **C. Operating Schedules**

SAN JOSE shall provide or under contract shall provide Shelter Services for the animals twenty-four (24) hours a day, seven (7) days a week. SAN JOSE shall

provide or under contract provide emergency veterinary services in accordance with Section 597 (f) of the California Penal Code.

#### **SECTION 4. DEAD ANIMAL SERVICES**

SAN JOSE shall provide or under contract provide vehicles, storage facilities, disposal mechanisms, field and administrative personnel, and any other personnel, supplies and equipment reasonably required to perform the following services (“Dead Animal Services”):

1. Pick up of dead animals, including wildlife (except livestock), from streets and public property within MILPITAS, or from private property within MILPITAS with the consent of the property owner, or the property owner’s authorized agent in accordance with SECTION 3.B.1.(c);
2. Identification of and notification to the owner of the dead animal, whenever possible; and
3. Disposal of the body of the dead animal.

#### **SECTION 5. RECORDS REGARDING ANIMAL SERVICES**

##### **A. Monthly Report**

SAN JOSE shall deliver to MILPITAS during the term of this AGREEMENT, and within thirty (30) days of the end of each month, a monthly Animal Control and Impound Report summarizing monthly and year-to-date services provided by SAN JOSE for MILPITAS. This report shall include, but not be limited to, the following information:

1. The total number of calls for service provided by SAN JOSE under this AGREEMENT, separated by type of service call established by SAN JOSE, so long as the numbers for the different types of PRIORITY service calls are each shown separately and as a subgroup;
2. Field Services Calls
  - a) Complaints relating to Animal bites or attacks, including property address.
  - b) Complaints relating to Dangerous or Potentially Dangerous Dogs, including property address.

## **B. Additional Reporting**

SAN JOSE shall deliver to MILPITAS during the term of this AGREEMENT, and within thirty (30) days of the end of each quarter, a Report summarizing monthly, quarterly and year-to-date response times provided by SAN JOSE for MILPITAS. This report shall include, but not be limited to, the following information:

### **1. Monthly Response Times:**

- a) The average response time, the shortest and longest response times for calls in each of the following PRIORITIES. For PRIORITY 1, 2 and 3 calls, SAN JOSE shall report average response times, and shortest and longest response times by each type of call within that priority.
- b) Response times for PRIORITY 1 calls shall be in minutes, rounded off to the nearest minute. Response times for PRIORITY 2 calls shall be in hours and minutes, rounded off to the nearest minute. Response times for PRIORITY 3 calls shall be in hours, rounded off to the nearest hour.
- c) The percentage of calls grouped by PRIORITY 1, 2, and 3, that met the response time performance standards, along with the total number of responses in each priority category.

### **2. Other Reports, as determined by MILPITAS.**

## **SECTION 6. OTHER RESPONSIBILITIES**

### **A. Delivery of Animals to SAN JOSE**

Animals to be impounded by SAN JOSE that are taken into custody by MILPITAS shall be promptly delivered to SAN JOSE's shelter or held in a humane way at a designated holding area until such animals can be picked up by SAN JOSE; provided however, that any such animal may be reclaimed as appropriate, from MILPITAS by its owner.

### **B. Responsibility for Administrative Hearings**

SAN JOSE shall not be responsible for nor bear the costs of scheduling and



conducting any required hearings regarding Dangerous or Potentially Dangerous Dogs. If needed or appropriate, SAN JOSE personnel shall appear at any such hearing at no additional cost to MILPITAS.

**C. Licensing**

SAN JOSE shall maintain a license database and administer license processing, issuance, and renewals on behalf of MILPITAS. Licensing information shall be included on all Incident Reports and, additionally, provided to MILPITAS in a monthly report and on an as-requested basis. SAN JOSE shall collect all associated license fees on behalf of MILPITAS, at the fee amounts set by MIPLITAS. Any license fees or late fees collected from dog and cat owners in MIPLITAS shall be remitted to MILPITAS on a monthly basis.

**EXHIBIT C**  
**COMPENSATION**

**A. Payment Schedule**

MILPITAS shall make payments to SAN JOSE in equal monthly installments for services provided by SAN JOSE to MILPITAS under the terms of this contract. SAN JOSE will provide MILPITAS an invoice within thirty-five (35) calendar days from the date that the payment is due. All installment payments by MILPITAS shall be due and payable on the first day of the month, and shall be delinquent on the tenth (10th) business day thereafter, without demand or notice to MILPITAS.

**B. Payment Amounts**

For all Animal Services to be provided by and for the performance of all other obligations of SAN JOSE to MILPITAS under this AGREEMENT, MILPITAS agrees to pay SAN JOSE, within thirty-five 35 days after the execution of this AGREEMENT, the following sums for the period of July 1, 2015 through June 30, 2018, in accordance with this Agreement and the Payment Schedule contained in Section A above:

|                              |           |
|------------------------------|-----------|
| July 2015 through June 2016: | \$358,891 |
| July 2016 through June 2017: | \$369,658 |
| July 2017 through June 2018: | \$380,748 |

CITY OF MILPITAS  
SOUNDWALL RENOVATIONS 2015  
JACKLIN ROAD @ HILLVIEW DRIVE AND DEL RIO COURT  
Project No. 4267

\*16

GENERAL NOTES:

1. DRAWINGS INDICATE GENERAL AND TYPICAL DETAILS OF CONSTRUCTION WHERE CONDITIONS ARE NOT SPECIFICALLY INDICATED BUT ARE OF SIMILAR CHARACTER TO DETAILS SHOWN, USE SIMILAR DETAILS OF CONSTRUCTION, SUBJECT TO REVIEW BY THE STRUCTURAL ENGINEER.
2. DETAILS ON SHEETS TITLED "TYPICAL DETAILS" APPLY TO SITUATIONS OCCURRING ON THE PROJECT THAT ARE THE SAME OR SIMILAR TO THOSE SPECIFICALLY REFERENCED. SUCH DETAILS ARE NOT NOTED AT EACH LOCATION THAT THEY OCCUR.
3. ANY OBSERVATION VISITS TO THE JOB SITE BY THE STRUCTURAL ENGINEER OR A FIELD REPRESENTATIVE SHALL BE CONSTRUED AS NEITHER INSPECTION NOR APPROVAL OF ANY CONSTRUCTION WORK.
4. IN ORDER TO CONDUCT PROPER FIELD OBSERVATION, THE CONTRACTOR SHALL NOTIFY THE STRUCTURAL ENGINEER OF THE VARIOUS CONSTRUCTION PHASES.
5. SITE FEATURES, STRUCTURES, FENCES AND LANDSCAPING SHALL BE PROTECTED IN PLACE AND RESTORED TO THEIR ORIGINAL CLEAN CONDITION AFTER COMPLETION OF WORK.
6. PRIME AND PAINT BOTH SIDES OF ALL WALLS AND PILASTERs INCLUDING TOP OF WALL AND PILASTER. PROTECT AREA FROM OVERSPRAY INCLUDING SIDEWALK, SPRINKLER HEADS, PRIVATE PROPERTY FURNISHINGS, STRUCTURES AND LANDSCAPING.  
FOR JACKLIN ROAD @ HILLVIEW DRIVE:  
A. PAINT AND SEAL BOTH SIDES OF WALL INCLUDING TOP AND SIDES WHERE ACCESSIBLE.  
B. PAINT COLORS SHALL CLOSELY MATCH EXISTING COLORS.

PRIMER: KELLYMOORE 247 ACRY-SHIELD  
PAINT: KELLYMOORE 1119 ELASTAKOTE 100% ACRYLIC LOW SHEEN ELASTOMERIC COATING, COLOR "CUSTOM COLOR 13-1618-0014" KELLYMOORE #19-1000-56  
NOTE: COLOR TO MATCH EXISTING COLOR. THE LISTED COLOR ID# IS FOR REFERENCE ONLY.

PUBLIC SAFETY AND CONVENIENCE:

1. ALL MATERIAL AND WORKMANSHIP SHALL FULLY CONFORM WITH THE DRAWINGS AND SPECIFICATIONS, LATEST STANDARDS, AND ORDINANCES OF THE CITY OF MILPITAS AND THE STATE OF CALIFORNIA. STANDARD DRAWINGS AND DETAILS ARE AVAILABLE AT THE ENGINEERING DEPARTMENT. (408) 586-3300.
2. PROJECT ENGINEER SHALL BE NOTIFIED 48 HOURS PRIOR TO THE START OF ANY WORK BY THE CONTRACTOR OR SUB-CONTRACTORS.
3. CONTRACTOR SHALL PROVIDE ADEQUATE TRAFFIC CONTROLS INCLUDING FLAG PERSONS PER SPECIFICATIONS AND SHALL SUBMIT A TRAFFIC CONTROL PLAN SUBJECT TO THE APPROVAL OF THE CITY ENGINEER PRIOR TO THE START OF WORK WITHIN THE PUBLIC RIGHT OF WAY. THE CITY RESERVES THE RIGHT TO REQUIRE MODIFICATIONS TO THE APPROVED PLAN IN THE FIELD.
4. ALL EXISTING UTILITIES, LANDSCAPING, AND PROPERTY, SHALL BE COMPLETELY RESTORED TO THE SATISFACTION OF THE CITY ENGINEER, AT CONTRACTOR'S SOLE EXPENSE.
5. SAFETY MEASURES: AT ALL TIMES THE CONTRACTOR SHALL BE SOLELY AND COMPLETELY RESPONSIBLE FOR CONDITIONS OF THE JOB SITE INCLUDING TRAFFIC, PUBLIC SAFETY, WORKER SAFETY AND PROPERTY. THIS REQUIREMENT SHALL APPLY CONTINUOUSLY AND NOT JUST DURING NORMAL WORKING HOURS. CONTRACTOR SHALL BE RESPONSIBLE TO PROVIDE FOR ALL NECESSARY CONTINUOUS SAFETY REVIEWS OF THE CONDITIONS. WHENEVER THE CONTRACTOR'S OPERATIONS CREATE A CONDITION HAZARDOUS TO TRAFFIC OR PUBLIC, CONTRACTOR SHALL FURNISH, INSTALL AND MAINTAIN APPROPRIATE TRAFFIC SAFETY DEVICES AND SIGNAGE TO PREVENT ACCIDENTS OR DAMAGE OR INJURY TO THE PUBLIC.
6. CONTRACTOR SHALL PROVIDE ALL RESIDENCES ADVANCE NOTICE OF ACCESS NEEDS FOR SOUNDWALL WORK IN ACCORDANCE WITH SPECIFICATIONS REQUIREMENTS. REFER TO SPECIFICATIONS, SECTION E-1.
7. CONTRACTOR SHALL MAINTAIN THE PROJECT SITE IN A NEAT AND PROFESSIONAL CONDITION AT ALL TIMES. CONTRACTOR SHALL REMOVE ALL DEBRIS AND EQUIPMENT AT THE END OF EACH WORKING DAY.
8. CONTRACTOR SHALL CONFORM TO ALL APPLICABLE OCCUPATIONAL SAFETY AND HEALTH STANDARDS AND REGULATIONS BY THE CITY, STATE & FEDERAL.

CONSTRUCTION OPERATIONS:

1. IT SHALL BE THE CONTRACTOR'S RESPONSIBILITY TO DETERMINE THE EXISTENCE AND LOCATION OF ALL UTILITIES PRIOR TO STARTING WORK. THE CONTRACTOR SHALL NOTIFY UTILITY COMPANIES 48 HOURS PRIOR TO CONSTRUCTION TO FIELD LOCATE UTILITIES AS NEEDED. CONTACT UNDERGROUND SERVICE ALERT (USA) AT 800-221-2600 AND OBTAIN A REFERENCE NUMBER. ANY ADDED COST ON THE PART OF THE CONTRACTOR AS A RESULT OF THE ACTUAL LOCATIONS OF EXISTING UTILITIES BEING DIFFERENT FROM THOSE SHOWN ON THE PLANS SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT UNIT PRICE.
2. CONTRACTOR SHALL COMPLY WITH THE PROVISIONS OF SECTION D-05, "SOUND CONTROL" OF THE PROJECT SPECIFICATIONS. FURTHER, BY CITY OF MILPITAS ORDINANCE, THE CONTRACTOR SHALL NOT ENGAGE OR PERMIT OTHERS TO ENGAGE IN ANY CONSTRUCTION RELATED OPERATIONS INCLUDING DELIVERY OF MATERIALS AND/OR EQUIPMENT TO OR FROM THE CONSTRUCTION SITE EXCEPT WITHIN THE HOURS OF 8:00 AM TO 1:00 PM ON WEEKDAYS AND WEEKENDS. NO CONSTRUCTION IS PERMITTED ON THE FOLLOWING HOLIDAYS: NEW YEAR'S DAY, MEMORIAL DAY, INDEPENDENCE DAY, LABOR DAY, THANKSGIVING DAY, AND CHRISTMAS DAY. WORK HOURS ARE 8:00 AM TO 5:00 PM, MONDAY TO FRIDAY UNLESS OTHERWISE AUTHORIZED IN WRITING BY THE CITY ENGINEER.
3. CONTRACTOR SHALL COMPLY WITH THE CITY'S NON-POINT SOURCE POLLUTION PREVENTION ORDINANCE AND THE STORM WATER POLLUTION PREVENTION PLAN BEST MANAGEMENT PRACTICES (BMP) FOR THIS PROJECT.
4. CONTRACTOR SHALL MEET WITH PROJECT INSPECTOR AND SIGN OFF QUANTITIES WITHIN 48 HOURS OF COMPLETING EACH SEGMENT.
5. CONTRACTOR IS RESPONSIBLE FOR VERIFYING QUANTITIES AND SHALL OBTAIN AN APPROVED CHANGE ORDER PRIOR TO EXCEEDING ESTIMATED QUANTITIES.
6. SIDEWALKS, PEDESTRIAN AND PRIVATE PROPERTY AREAS SHALL BE SWEEPED CLEAN AT THE END OF EACH DAY.
7. SIDEWALKS AND DRIVEWAYS SHALL NOT BE BLOCKED WITHOUT PRIOR APPROVAL FROM THE CITY ENGINEER.

STORM WATER POLLUTION PREVENTION AND EROSION CONTROL:

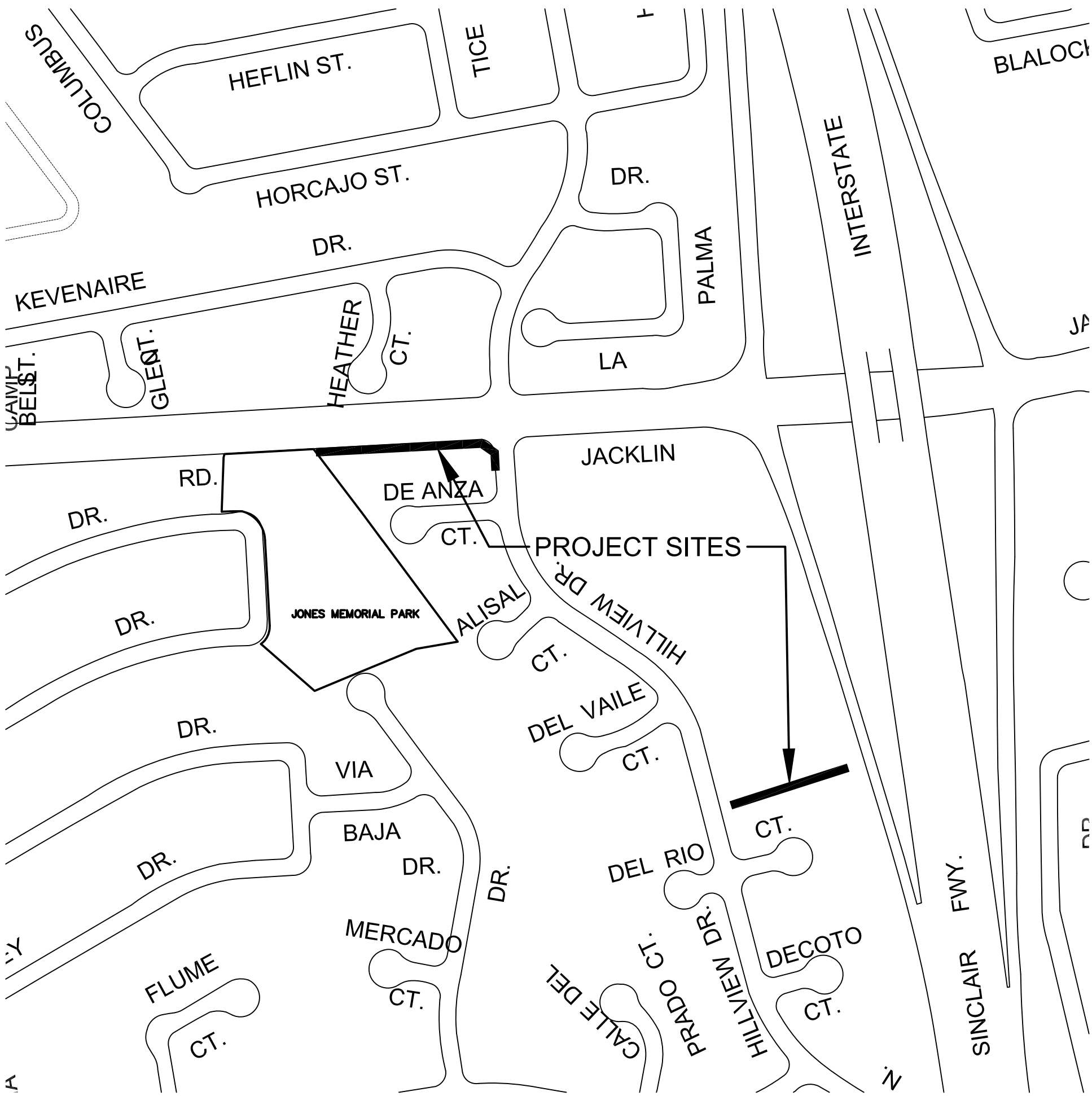
1. REFER TO PROJECT SPECIFICATIONS FOR REQUIREMENTS FOR THIS PROJECT.
2. CONTRACTOR SHALL SUBMIT A STORM WATER POLLUTION PREVENTION PLAN (SWPPP) AND SECURE CITY APPROVAL OF THE SWPPP PRIOR TO MOBILIZATION TO THE PROJECT SITE.
3. SWPPP BMP'S SHALL BE IN PLACE PRIOR TO START OF WORK.
4. ALSO REFER TO SHEET BMP-1.

LOCATION OF UTILITIES:

LOCATION OF UTILITIES SHOWN IS ONLY APPROXIMATE. DETERMINATION OF THE ACTUAL LOCATION IS THE RESPONSIBILITY OF THE CONTRACTOR.  
CONTACT USA 1-800-221-2600

NOTE: CONTRACTOR LICENSE

A PRIME CONTRACTOR BIDDING ON THIS PROJECT SHALL POSSESS A CLASS A OR C33 LICENSE FROM THE CONTRACTOR STATE LICENSE BOARD.



PROJECT NOTES:

1. CONTRACTOR SHALL FIELD VERIFY ALL DIMENSIONS AND ELEVATIONS PRIOR TO STARTING CONSTRUCTION. ANY CONFLICT WITH THE DRAWINGS OR SPECIFICATIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE PROJECT ENGINEER.
2. CONTRACTOR SHALL TAKE PRECAUTIONS TO AVOID DAMAGING EXISTING CONCRETE, REINFORCING, LANDSCAPING AND PRIVATE PROPERTY DURING CONSTRUCTION.

SYMBOLS:

- -- INDICATES PROPERTY LINE  
--- -- INDICATES RIGHT OF WAY  
--- -- INDICATES CONCRETE WALL WITH PILASTERs  
--- -- INDICATES EASEMENT  
--- -- INDICATES CENTERLINE OR STA LINE  
- x - x - x - INDICATES TEMPORARY FENCE  
± INDICATES AN APPROXIMATE DIMENSION OR ELEVATION. THE CONTRACTOR IS TO VERIFY INFORMATION AS REQUIRED TO COMPLETE CONSTRUCTION.

ABBREVIATIONS:

|          |                                               |       |                       |          |                                 |
|----------|-----------------------------------------------|-------|-----------------------|----------|---------------------------------|
| •        | AT                                            | EMB   | EMBEDMENT             | OH       | OPPOSITE HAND                   |
| •        | DIAMETER                                      | EL    | ELEVATION             | IE       | METAL PLATE                     |
| •        | NUMBER                                        | EQ    | EQUAL                 | P&F      | FOUNDS PER SQUARE FOOT          |
| AB       | ANCHOR BOLT                                   | EW    | EACH WAY              | P&I      | FOUNDS PER SQUARE INCH          |
| ACP/AWCP | ASBESTOS CONCRETE WATER PIPE                  | FN    | FINISHED              | P&UE     | PUBLIC SERVICE UTILITY EASEMENT |
| APPROX   | APPROXIMATE                                   | FND   | FOUNDATION            | RAD OR R | RADIUS                          |
| ALT      | ALTERNATE                                     | FOC   | FACE OF CONCRETE/CURB | REINF    | REINFORCED, REINFORCING         |
| AWs      | AMERICAN WELDING SOCIETY                      | FOM   | FACE OF MASONRY       | REQ'D    | REQUIRED                        |
| BLDG     | BUILDING                                      | FS    | FACE SIDE             | REV      | REVISION                        |
| BMP's    | BEST MANAGEMENT PRACTICES                     | FTG   | FOOTING               | SCHED    | SCHEDULE                        |
| BOT      | BOTTOM                                        | GA    | GAUGE                 | SE       | SEWER EASEMENT                  |
| BOF      | BOTTOM OF FOOTING                             | GALV  | GALVANIZED            | SHT      | SHEET                           |
| CL       | CENTER LINE                                   | HDR   | HEADER                | SHTG     | SHEETING                        |
| CBC      | CALIFORNIA BUILDING CODE                      | HORIZ | HORIZONTAL            | SIM      | SIMILAR                         |
| CDH      | CAST IN DRILLED HOLE                          | HT    | HEIGHT                | SLPE     | SLOPE EASEMENT                  |
| CDI      | CONTROL DENSITY FILL PER CALTRANS STD. SPECS. | INSP  | INSPECTION/INSPECTOR  | SPEC(S)  | SPECIFICATION(S)                |
| CDF      | CONSTRUCTION JOINT                            | LOC   | LOCATION              | SQ       | SQUARE                          |
| CJ       | CLEAR                                         | LONGT | LONGITUDINAL          | STA      | STATION                         |
| CLR      | CONCRETE MASONRY UNIT                         | MB    | MACHINE BOLT(S)       | STAGG    | STAGGERED                       |
| CMU      | COLUMN                                        | MAX   | MAXIMUM               | STD      | STANDARD                        |
| COL      | CONC                                          | MFR   | OR MANUF.             | SYM      | SYMMETRICAL                     |
| CONC     | CONCRETE                                      | MIN   | MINIMUM               | TBR      | TO BE REMOVED                   |
| CONN     | CONNECTION                                    | MISC  | MISCELLANEOUS         | T.O.     | TOP OF                          |
| CONST    | CONSTRUCTION                                  | NIC   | NOT IN CONTRACT       | TOF      | TOP OF FOOTING                  |
| CONT     | CONTINUOUS                                    | NO    | NUMBER                | TOW      | TOP OF WALL                     |
| DBL      | DOUBLE                                        | NOM   | NOMINAL               | TYP      | TYPICAL                         |
| DET      | DETAIL                                        | NS    | NEAR SIDE             | UNO      | UNLESS NOTED OTHERWISE          |
| DIAG     | DIAGONAL                                      | NTS   | NOT TO SCALE          | VERT     | VERTICAL                        |
| DIM      | DIMENSION                                     | OC    | ON CENTER             | V.I.F.   | VERIFY IN FIELD                 |
| DWG      | DRAWING                                       | OD    | OUTSIDE DIAMETER      | W        | WITH                            |
| (E)      | EXISTING                                      |       |                       | W.M.E.   | WALL MAINTENANCE EASEMENT       |
| EA       | EACH                                          |       |                       |          |                                 |

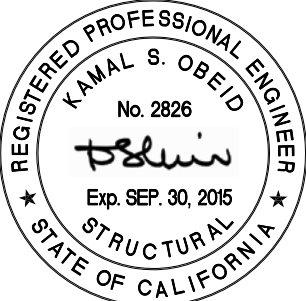
DRAWING INDEX:

|      |                                                                                 |
|------|---------------------------------------------------------------------------------|
| T1   | COVER SHEET                                                                     |
| T2   | GENERAL NOTES                                                                   |
| BMP1 | BLUEPRINT FOR A CLEAN BAY / BEST MANAGEMENT PRACTICES FOR CONSTRUCTION INDUSTRY |
| S1   | JACKLIN ROAD SOUNDWALL REPAIR PLAN                                              |
| S2   | DEL RIO COURT SOUNDWALL REPLACEMENT PLAN                                        |
| S3   | JACKLIN ROAD SOUNDWALL REPAIR DETAILS                                           |
| S4   | DEL RIO COURT PRECAST CONCRETE SOUNDWALL                                        |
| Sv1a | JACKLIN ROAD SOUNDWALL PHOTO SURVEY KEY PLAN                                    |
| Sv1b | DEL RIO COURT SOUNDWALL PHOTO SURVEY KEY PLAN                                   |
| Sv2  | JACKLIN ROAD SOUNDWALL SURVEY PHOTOS                                            |
| Sv3  | JACKLIN ROAD SOUNDWALL SURVEY PHOTOS                                            |
| Sv4  | JACKLIN ROAD SOUNDWALL SURVEY PHOTOS                                            |
| Sv5  | DEL RIO COURT SOUNDWALL SURVEY PHOTOS                                           |
| Sv6  | DEL RIO COURT SOUNDWALL SURVEY PHOTOS                                           |
| Sv7  | DEL RIO COURT SOUNDWALL SURVEY PHOTOS                                           |

100% SUBMITTAL

COVER SHEET

**Landtech Consultants**  
Civil & Structural Engineers  
3845 Beacon Avenue Suite D (510) 505-9501  
Fremont, CA 94538 Fax (510) 505-9503  
http://www.landtech.com



Record Drawings

Project Engineer: \_\_\_\_\_ Date: \_\_\_\_\_  
Designer: \_\_\_\_\_ Date: \_\_\_\_\_  
Public Works Inspector: \_\_\_\_\_ Date: \_\_\_\_\_  
Public Improvements Initially Accepted by the City Council on: \_\_\_\_\_

Drawn By: DD Date: 3/24/2015

Checked By: KSO Date: 3/24/2015

Designed By: KSO Date: 3/24/2015

Revisions

| Num. | Description | Engr. Aprv. | Date |
|------|-------------|-------------|------|
|      |             |             |      |
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CITY OF MILPITAS  
ENGINEERING DIVISION

2014 SOUNDWALL RENOVATION  
JACKLIN ROAD @ HILLVIEW DRIVE & DEL RIO COURT

RECOMMENDED FOR BIDDING BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
Steve Erickson, PE  
CIP Manager

RECOMMENDED FOR BIDDING BY: \_\_\_\_\_ DATE: \_\_\_\_\_  
STEVEN J. MACHIDA, PE  
DIRECTOR OF ENGINEERING/CITY ENGINEER

PROJECT NO.

DRAWING NO.

T1

E.P. NO.

SCALE:

## MEETING MINUTES CITY OF MILPITAS

**Minutes of:** Regular Meeting of Milpitas City  
**Date:** Tuesday, April 21, 2015  
**Time:** 5:30 PM Closed Session  
7:00 PM Regular Business  
**Location:** Council Chambers, Milpitas City Hall,  
455 East Calaveras Blvd., Milpitas

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**CALL TO ORDER** Mayor Esteves called the meeting to order at 5:30 PM. The City Clerk noted the roll.

**PRESENT:** Mayor Esteves, Vice Mayor Montano, Councilmembers Barbadillo, Giordano and Grilli

**ABSENT:** None

**CLOSED SESSION** City Council convened in Closed Session to discuss two items on the agenda.

**ANNOUNCEMENT** None, out of Closed Session.

City Council then convened in Open Session at 7:00 PM.

**STUDY SESSION** A Study Session on the FY 2015-20 Capital Improvement Program was scheduled for 6:00 PM but it was not held. This matter was continued to May 5, 2015.

**PLEDGE** Boy Scouts Troop No. 92 presented the flags and led the pledge of allegiance.

**INVOCATION** Councilmember Barbadillo quoted from a speech and offered a brief prayer.

**MEETING MINUTES** Motion: to approve minutes of April 7(2) and 9, 2015 City Council meetings

Mayor Esteves noted that the City Clerk had earlier distributed revised draft meeting minutes of the regular meeting of April 7, 2015, presented for approval.

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

**SCHEDULE OF MEETINGS** Motion: to approve Council Calendars/Schedules of Meetings for April and May 2015

City Manager Williams announced that the Planning Commission meeting scheduled the following evening on April 22 was canceled.

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

**PRESENTATION** Mayor Esteves commended The Milpitas Post upon its 60<sup>th</sup> year as a local newspaper. The commendation was accepted by the paper's publisher Rob Devincenzi and his staff.



## **PUBLIC FORUM**

Robert Means, 1421 Yellowstone resident, showed a video of rapid transit “pods” at Heathrow Airport in London.

Karen Kolander, Milpitas resident, noted that the following day was Earth Day, April 22. It was important to recognize all the earth-friendly efforts, including recycling in schools.

Don Litchfield, Republic staff at Newby Island landfill, thanked the Mayor for coming to visit his company’s facility in Milpitas. There was a public meeting scheduled on Thursday evening, hosted by the Bay Area Air Quality Management District at City Hall. Also, there would be a stakeholders group meeting next week, with good progress being made. He encouraged the City Council with an open invitation to visit Newby Island.

Robert Marini, Milpitas resident, attended the recent City Council Finance Subcommittee meeting and afterwards, had questions about how rates based on per household numbers were calculated. He displayed some informatin provided by the State of California.

Voltaire Montemayor, Milpitas resident, congratulated the Milpitas Post. Regarding water, if the City could find more water sources and build bigger tanks. that would help and find more sources of water, like an aquifer or aqeduct somewhere.

At the City Manager’s request, Recreation Services Manager Renee Lorentzen announced the phone line **408-586-2666** as the new City of Milpitas Water Hotline for reporting water wasters and to gain information on water saving devices during this time of drought.

## **ANNOUNCEMENTS**

City Manager Williams introduced and welcomed Bill Ekern as the City’s new interim Planning & Neighborhood Services Director, who arrived in Milpitas with most his recent management experience with the cities of Redwood City and San Jose.

City Manager Williams then went to the podium to present City Councilmembers with a plaque to recognize Money Magazine’s naming the City of Milpitas as 29<sup>th</sup> best city in America to live in.

Mayor Esteves reported that the first City Attorney in Milpitas, Mr. Haskell “Jack” Goodman had died recently, and he would adjourn the meeting in Mr. Goodman’s memory.

## **ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS**

City Attorney Ogaz asked the Mayor and Councilmembers if they had any personal conflicts of interest or reportable campaign contributions. No conflicts or contributions were reported.

## **APPROVAL OF AGENDA**

Motion: to approve the agenda as amended

City Manager Tom Williams asked the Council to hear agenda item no. 12 (Housing Element Progress Report) following Public Hearing item no. 4 (approve new Housing Element).

Mayor Esteves asked to have Item No. 5 (450 Montague project) heard after Item No. 2 (CDBG).

Motion/Second: Councilmember Giordano/Councilmember Grilli

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

## **CONSENT CALENDAR**

Motion: to approve the Consent Calendar items (noted by \*asterisk)

The City Manager asked to remove No. 12 from consent to hear a report from staff and remove No. 13 (Public Art ordinance) from consent based on a letter received from a project applicant.

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

|                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                       |
|---------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| * 9. Resolution - Newby Island as Public Nuisance | Adopted Resolution No. 8463 finding public nuisance and negative environmental effect from operations at Newby Island landfill.                                                                                                                                                                                                                                                                                                       |
| *10. Commission Appointment                       | To the Economic Development Commission:<br>Newly appointed Ms. Teri Owens of Embassy Suites Hotel as the hotel representative, regular voting member, on the Commission to a term that will expire in April 2018.<br>Re-appointed Ms. Charlene Tsao and Mr. Minh Nguyen as regular voting members to terms that will expire in April 2018.<br>Re-appointed Ms. Melanie Holthaus as Alternate No. 1 to a term to expire in April 2017. |
| 12. Housing Element update                        | This matter was removed from consent calendar, but was not heard.                                                                                                                                                                                                                                                                                                                                                                     |
| 13. Public Art Ordinance                          | This matter was removed from consent calendar, but was not heard.                                                                                                                                                                                                                                                                                                                                                                     |
| *14. Resolution                                   | Adopted Resolution No. 8464 approving a communication and integrity policy for the solid waste Request for Proposals process.                                                                                                                                                                                                                                                                                                         |
| *15. Animal Services Agreement                    | Approved an agreement with the City of San Jose for Animal Services for Fiscal Years 2015-2018 in the amount of \$1,109,297 (\$358,891 in FY 2015-16; \$369,658 in FY 2016-17; and \$380,748 in FY 2017-18).                                                                                                                                                                                                                          |
| *16. Soundwall Renovations Project                | Approved the plans and specifications for Soundwall Renovations, Project No. 4267 and authorized advertisement for bid proposals.                                                                                                                                                                                                                                                                                                     |
| *17. Sports Center Pool Repair Project            | Authorized the Director of Engineering to issue a bidder pre-qualification package for the Milpitas Sports Center Pool Repair, Project No. 3408.                                                                                                                                                                                                                                                                                      |

## **PUBLIC HEARING**

|                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 2. CDBG annual grant funding to Non-Profit Groups | <p>Principal Planner Felix Reliford explained the breakdown of \$393,490 in total Community Development Block Grant (CDBG) funds for the City of Milpitas into three areas: Public Services, Non-Public Services and Administration categories. Seventeen requests for funding from non-profit groups were received, while the total funds requested far outstripped the amount that could be awarded. The Community Advisory Commission met on March 4 and recommended that City Council fund 13 agencies.</p> <p>Mr. Reliford reviewed funding specifically for Project Sentinel where some of the funds came from Administration funds and previously some from the Housing Authority). He also mentioned that this year, the Catholic Charities Long Term Care Ombudsman Program was not recommended for funding this time.</p> <p>Councilmember Barbadillo asked if the funding priorities established in December of 2014 were considered in the recommendations, and staff replied yes. Mr. Barbadillo wanted to know how City staff monitored the spending of these funds. Mr. Reliford explained quarterly reporting requirements of the non-profits awarded CDBG funding.</p> <p>Vice Mayor Montano highlighted Habitat for Humanity, and its services for helping folks to stay in their homes. She sought more information on the City's Street Resurfacing project and if that was the norm to fund from CDBG funds. Staff explained this would fund curb cuts and access to buildings for accessibility per Americans with Disabilities helping seniors and disabled persons. The Vice Mayor urged Terrace Gardens Senior Housing to set a minimum resident age of 65, which Councilmember Giordano – a Terrace Gardens Board member – agreed to bring to the next Board meeting.</p> <p>Councilmember Giordano noted the Milpitas Food Pantry had recently received reduced rent for its facility from the City. She asked staff if that was figured into recommendation for CDBG funds and Mr. Reliford replied, yes.</p> |
|---------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

Next, Mayor Esteves opened the public hearing and invited speakers to the podium.

1) Karen Kolander, Milpitas Food Pantry, noted that the 4,000 people served were unduplicated. She was very grateful for the CDBG funds. Her view was that the rent reduction was from completely different funds in the City budget.

2) Wanda Hale, program manager of the Long Term Care Ombudsman Program of Catholic Charities, would like her organization to be funded again, in the future, if not this year since there was a long history of funding from Milpitas. It was an unduplicated safety-net program to protect needy elderly out there.

Mayor Esteves asked how many Milpitas seniors were assisted last year and Ms. Hale mentioned 77 beds in senior care facilities were available in this City.

Councilmember Grilli asked about licensing and possible duplicative service. Ms. Hale explained long term care (Residential Care) licensing and skilled nursing facilities (nursing homes) that had different requirements for licensing.

3) Michelle Schroeder of Senior Adults Legal Assistance (SALA) described free legal services for senior citizens that the group provided at the Barbara Lee Senior Center in Milpitas twice monthly. Mayor Esteves questioned her about costs, hours and amount of legal services provided to specific number of seniors.

4) Theresa Johnson, Director of the Meals on Wheels program, served many residents in Milpitas with a hot meal, welfare check and follow-up for referrals that may be needed, such as to SALA. She expected to serve at least 20 clients in Milpitas next year.

5) Molly Current, Fair Housing Director of Project Sentinel and Milpitas resident, thanked the City Council for support for her organization over many years. There was a housing crisis in the Bay Area, making services more important than ever. Her fair-housing non-profit agency helped people stay in their homes, not become homeless and served low- and extremely-low income residents.

6) Brian Eggers and Randy Perry, of the new Fresh Life for Youth (“FLY”) organization, with its headquarters in Milpitas were first-time applicants for CDBG funding and CAC had not recommended funds this year. Specifically, FLY had reached out to partner with Calaveras Hills High School to offer legal education to young persons and help keep them out of the justice system.

Mayor Esteves, Councilmember Grilli, Vice Mayor Montano, and Councilmember Barbadillo all commented on this new organization, its value to young people, and to keep FLY in mind for any other possible funding opportunities to help them succeed.

7) Bev Jackson of Rebuilding Together, helped homeowners in need, to keep housing stock repaired and keep homeowners in their homes, with many emergency repairs.

8) Colleen Hudgen of Live Oak Adult Day Services, represented the licensed adult day care center for senior adults who need all day care for those with many disabilities. She noted that funding for senior services was going down across the South Bay lately.

9) Robert Marini, Milpitas resident, mentioned \$60,000 for public works resurfacing. He would like some of that to be used at N. Abel Street at Calaveras (going north) because one could not walk straight up, and crossing in the same direction was difficult. The shrubbery needed to be removed and trees caused sidewalks buckling, a hazard.

10) Voltaire Montemayor, Milpitas resident, referred to the budget for CDBG funds and all the groups justified their funding requests while doing good for the community.

(1) Motion: to close the public hearing following ten speakers

Motion/Second: Councilmember Giordano/Vice Mayor Montano

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

Mayor Esteves asked Mr. Reliford to review the adopted priorities for CDBG funding. Those were Seniors, Youth and Homeless. Mr. Reliford also identified those groups not recommended for funding this year. Mayor Esteves said he wanted to focus on seniors, so he sought funds for the Ombudsman Program at a minimum level.

Councilmember Barbadillo asked staff to explain how the \$78,698 in Administration funds were spent. He liked what he heard about the FLY program for youth.

Responding to Council remarks, the City Manager offered to meet with the two non-profits not recommended for funding (FLY and Catholic Charities Ombudsman Program), to research possible funding, and to come back to the City Council at budget time to consider, for example, money from the City Council's Community Promotions budget.

Vice Mayor Montano reiterated to the FLY program staff to contact the Milpitas Unified School District to seek funds via LCAP for their group.

(2) Motion: to approve additional CDBG funds of \$169,303 for Rehabilitation Revolving Loan Fund for FY 2015-16; to approve CDBG funding for FY 2015-16, as recommended by the Community Advisory Commission; and direct staff to meet with FLY and the Ombudsman Program non-profits to consider potentially other City funding

Motion/Second: Councilmember Grilli/Vice Mayor Montano

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

Councilmember Grilli then noted that regarding the CalPERS presentation by Ron Lind on the agenda (item no. 6) would need to be re-scheduled because Mr. Lind left the meeting. He will work with the Human Resources Director Carmen Valdez to reschedule.

**3. Transitional and Supportive Housing**

This public hearing was not held.

**4. General Plan Housing Element certification**

This public hearing was not held.

**5. 450 Montague Expressway development project**

Contract Planner Darryl Boyd introduced the development proposed for 450 Montague Expressway at East Capitol Ave, near the new BART station under construction in the Transit Area. He reviewed the major actions requested of the Council for the project's approval: Site Development Permit and Conditional Use Permit (for minor deviations from Transit Area Specific Plan and from Zoning Code) related to the Lennar project. He listed some of the Public Benefits offered on site.

Mayor Esteves wanted quantitative assessment specifically of the Public Benefits offered and asked staff to provide those numbers, which Mr. Boyd did not have at his fingertips.

Vice Mayor Montano asked about "shelf life" of the construction drawings for the vehicular bridge at Milpitas Blvd extension. She did not want funding for the bridge to be overlooked, with drawings sitting on the shelf and not ever built.

There was a great deal of discussion of actions needed for parking, a Conditional Use Permit for tandem parking, for open space, and other needs.



Vice Mayor Montano asked for explanation on the location of one of the two parks at the project, at the “back” of the site. Discussion on the two proposed park locations and design was held, with the linear park and creek trail design reviewed.

Councilmember Barbadillo asked if there was a qualification or definition for a “public benefit.” Staff asked if he meant criteria and reply was yes. Staff could look it up and report back. Mr. Barbadillo asked about if the park would be designed and built as presented to the Parks, Recreation and Cultural Resources Commission, which had concerns based on a past project. He wanted to know why the change in road design was made and more about the gas and water pipe lines.

Mayor Esteves next invited the applicant to the podium. Alex Waterberry from Lennar Homes spoke to the City Council, after two and one half years working on this project with many potential site plans. He referenced approximately \$2 million in value of public benefits, he reported to the Mayor.

Kevin Mong, also of Lennar, with his design team, worked with City staff for one and a half years on this site. A recycled water line would be extended for use at this site. He highlighted a “paseo” linear path through the project to connect the linear park to the one in the center of the development.

While Mr. Mong was addressing the City Council, technical difficulty ensued at the podium and dais with a lack of any sound from microphones at 10:28 PM. This caused a halt to the discussion, and ultimately to the public hearing being continued to the next scheduled City Council meeting date of May 5, 2015.

## **UNFINISHED BUSINESS**

- |                                    |                                                                                                                                                                               |
|------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>6.</b> Overview of PERS         | Councilmember Grilli announced that PERS Board member Ron Lind needed to leave the meeting prior to this item, so the Mayor agreed to continue this item to a future meeting. |
| <b>7.</b> City Website Design      | This matter was not heard.                                                                                                                                                    |
| <b>8.</b> Amend Contract with PERS | This matter was not heard.                                                                                                                                                    |

## **NEW BUSINESS**

- |                                   |                            |
|-----------------------------------|----------------------------|
| <b>11.</b> Citrus Pest Prevention | This matter was not heard. |
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|--------------------|-------------------------------------------------------|
| <b>RESOLUTIONS</b> | Two resolutions were adopted on the consent calendar. |
|--------------------|-------------------------------------------------------|

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|-------------------|----------------------------------------------------|
| <b>AGREEMENTS</b> | Three items were approved on the consent calendar. |
|-------------------|----------------------------------------------------|

|                    |                                                                                                                                                                                                                              |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>ADJOURNMENT</b> | Technical difficulties regarding the microphones occurred near 10:30 PM while the City Council was discussing the 450 Montague project. Without use of the sound system, the Council agreed the meeting should be adjourned. |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

So Mayor Esteves adjourned the meeting at 10:35 PM. Councilmember Giordano then departed the Council Chambers.

However, the Mayor noted that a vote was necessary to continue the scheduled and noticed public hearing items, so he re-opened the meeting.

Vice Mayor Montano moved, seconded by Councilmember Grilli, to schedule a special City Council meeting the following Tuesday, April 28, 2015 at 7:00 PM in Council Chambers to continue all public hearings (450 Montague project and two housing matters) on the agenda this evening. The motion was approved on a vote of four in favor with one absent (Councilmember Giordano).

Mayor Esteves then adjourned the meeting again at 10:37 PM.

**The foregoing minutes were approved by the Milpitas City Council on May 5, 2015.**

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**Mary Lavelle**  
**Milpitas City Clerk**