



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

AGENDA

TUESDAY, APRIL 18, 2023

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

5:30 PM (CLOSED SESSION)

7:00 PM (PUBLIC BUSINESS)

For assistance in the following languages, you may call:

Đối với Việt Nam, gọi 408-586-2400

Para sa Tagalog, tumawag sa 408-586-3051

Para español, llame 408-586-3072

The City Council meeting is held in the City Council Chamber at City Hall, 455 E. Calaveras Blvd., Milpitas and via teleconference/Zoom webinar.

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

Meeting shall be livestreamed - Go to:

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

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

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

PUBLIC COMMENT INSTRUCTIONS

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

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_VC1K_FmQSugsPHn72k7sRQ

After you register a link will be sent to you to join the City Council meeting in order to give your comments. All Zoom meeting attendees who wish to speak must click on the "raise hand" icon when the Mayor calls for public comments. If participating via phone, dial *9 to use the "raise hand" feature, and when called to speak, dial *6 to unmute your phone. Your phone number will be displayed in the live meeting. The Mayor will call speakers by name to address the City Council.

All comments provided shall be limited to three minutes or less as determined by the Mayor. All members of the public will be limited to one comment per agenda item, and one comment for non-agenda items.

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

MILPITAS CITY COUNCIL CODE OF CONDUCT

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

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

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representative: Nick Raisch, Human Resources Director

Bargaining unit: LIUNA, UPEC (Pro-Tech, MEA)

(b) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6

Agency designated representative: Nick Raisch, Human Resources Director

Bargaining Unit: Other (City Attorney Performance Appraisal Process)

(c) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)

Facts and circumstances related to the expiration of a contract to which the City is a party

City as Defendant

CLOSED SESSION ANNOUNCEMENT:

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

PLEDGE OF ALLEGIANCE (Councilmember Barbadillo)

INVOCATION (Councilmember Phan)

PRESENTATIONS (7:05 PM)

- Earth Day (April 22, 2023) (Proclamation)
- Arbor Day (April 28, 2023) (Proclamation)
- National Autism Acceptance Month (Proclamation)
- Parkinson's Awareness Month (Proclamation)

PUBLIC FORUM (7:15 PM)

Members of the public are invited to speak on any item that does not appear on today's agenda. Comments will be limited to three minutes or less at the Mayor's discretion. When called to speak, you are encouraged to state your name for the record. As an item not listed on the agenda, no action can be taken, however the City Council may instruct the City Manager to place the item on a future meeting agenda.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

READING OF THE CITY COUNCIL CODE OF CONDUCT

APPROVAL OF AGENDA

CONSENT CALENDAR (7:20 PM)

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 City Councilmember, 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.

C1. Receive City Council Calendar of Meetings for April and May 2023 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Receive City Council Calendar of Meetings for April and May 2023.

C2. Approve City Council City Council Regular Meeting Minutes of April 4, 2023 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Approve City Council Regular Meeting minutes of April 4, 2023.

C3. Receive the Preview List of Anticipated Items for the Next Regular City Council Meeting (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Receive the list of anticipated agenda items for the next regular City Council meeting.

C4. Receive and Review the List of Agenda Items Requested by City Councilmembers (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Review the list of items that have been requested by City Councilmembers and provide direction to staff as necessary. No substantive discussion about any specific item shall occur and the City Council shall hold all debate about the item until it is scheduled as a full agenda item.

C5. Consider Opting into Settlement Agreements with Pharmacies and Manufacturers of Opioids, Teva, Allergan, CVS, Walgreens, and Walmart (Staff Contact: Ashwini Kantak, Acting City Manager, 408-586-3050; and Michael Mutalipassi, City Attorney, 408-586-3040)

Recommendation: Opt into settlement agreement with pharmacies and manufacturers of opioids, Teva, Allergan, CVS, Walgreens, and Walmart, whereby the County of Santa Clara will initially receive the City's designated share of settlement funds and direct the Acting City Manager to execute any documents necessary to implement the action.

C6. Approve and Authorize the City Manager to Execute the Improvement Agreement for a Residential Development at 308 Sango Court between the City of Milpitas and Milpitas Pacific Associates, L.P. (Staff Contact: Roberto Alonzo, Principal Civil Engineer, 408-586-3316)

Recommendation: Approve and authorize the City Manager to execute the Improvement Agreement for a residential development at 308 Sango Court between the City of Milpitas and Milpitas Pacific Associates, L.P.

C7. Approve and Authorize the City Manager to Negotiate and Execute the Agreement for Completion of Public Improvements as part of the Innovation Campus Project between the City of Milpitas and Milpitas Unified School District (MUSD) including issuance of Faithful Performance and Labor and Materials Bonds (Staff Contact: Roberto Alonzo, Principal Civil Engineer, 408-586-3316)

Recommendation: Approve and authorize the City Manager to negotiate and execute the agreement for completion of public improvements as part of the Innovation Campus Project between the City of Milpitas and Milpitas Unified School District (MUSD).

C8. Award IFB 23-060 and Authorize the City Manager to Execute the Purchase Order with Core and Main for the Purchase of Hydrants and Blow Off Valves for the Not-to-Exceed Amount of \$103,887.11 (Staff Contact: Christian Di Renzo, Director of Public Works, 408-586-2602)

Recommendation: Award IFB 23-060 and authorize the City Manager to execute the purchase order with Core and Main for the purchase of Hydrants and Blow Off Valves for the not-to-exceed amount of \$103,887.11.

- C9. Authorize the City Manager to Execute an Agreement with Willdan Energy Solutions for the Replacement of Natural Gas Water Heaters with Electric Heat Pumps in City Facilities for the Grant Funded Amount of \$134,044.00 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)**

Recommendation: Authorize the City Manager to execute an agreement with Willdan Energy Solutions for the replacement of natural gas water heaters with electric heat pumps in City facilities for the Grant Funded Amount of \$134,044.00.

- C10. Adopt a Resolution to Reject a Bid Protest from Ashron Construction and Restoration, Inc.; and Award a Construction Contract to Tucker Construction, Inc. in the amount of \$51,060.00 for the Fire Training Tower Concrete Repair (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)**

Recommendation: Adopt a resolution to reject a bid protest from Ashron Construction and Restoration, Inc.; and Award a construction contract to Tucker Construction, Inc. in the amount of \$51,060.00 for the Fire Training Tower Concrete Repair.

- C11. Waive the Second Reading and Adopt Ordinance No. 120.50 to Amend Chapter 1 of Title VIII of the Milpitas Municipal Code Relating to Water Service Charges (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Lauren Lai, Director of Finance, 408-586-3111)**

Recommendation: (1) Waive the second reading of Ordinance No. 120.50; and (2) Adopt Ordinance No. 120.50 to amend Chapter 1 of Title VIII of the Milpitas Municipal Code relating to water service charges.

- C12. Waive the Second Reading and Adopt Ordinance No. 208.55 to Amend Chapter 2 of Title VIII of the Milpitas Municipal Code Relating to Sewer Service Charges (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Lauren Lai, Director of Finance, 408-586-3111)**

Recommendation: (1) Waive the second reading of Ordinance No. 208.55; and (2) Adopt Ordinance No. 208.55 to amend Chapter 2 of Title VIII of the Milpitas Municipal Code relating to sewer service charges.

- C13. Approve the addition of Names to City Naming Lists and Adopt a Resolution to Name a New City Park the Delano Manongs Park (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**

Recommendation: (1) Approve adding Muwekma to the Influential People Naming List; (2) Approve adding Delano Manongs to the Influential People Naming List; and (3) Adopt a Resolution naming a new park in the Metro Area the "Delano Manongs Park."

PUBLIC HEARINGS (7:30 PM)

Members of the public may be allotted up to three (3) minutes or less at the Mayor's discretion, to comment on any public hearing item. Applicants/Appellants and their representatives may be allotted up to a total of ten (10) minutes for opening statements and up to a total of five (5) minutes maximum for closing statements. Items requested/recommended for continuance are subject to Council's consent at the meeting.

- 14. Hold a Public Hearing and Adopt a Resolution Approving the Proposed 2024-2028 Capital Improvement Program (Staff Contact: Matt Cano, Deputy City Manager, 408-586-3012; and Michael Silveira, CIP Manager, 408-586-3303)**

Recommendation: Open the public hearing to receive any comments and then move to close the hearing and adopt a Resolution approving the 2024-2028 Capital Improvement Program.

- 15.** Conduct a Public Hearing to Discuss Substantial Amendment to the Consolidated Plan, the Allocations for FY 2023-24 Community Development Block Grant, and the Corresponding Annual Action Plan (Staff Contact: Alex Andrade, Director of Economic Development, 408-586-3046; and Robert Musallam, Housing and Neighborhood Services Administrator, 408-586-3275)

Recommendation: (1) Open the public hearing, hear testimony, then move to close the public hearing; (2) Provide direction to staff on the allocation amounts for each application; and (3) Consider a substantial amendment to the FY 2023-25 Consolidated Plan to allow the re-launch of the home rehab loan program.

- 16.** Adopt a Resolution Approving the Fiscal Year 2023-24 User and Regulatory Fee Schedule (Staff Contact: Lauren Lai, Finance Director, 408-586-3111)

Recommendation: Adopt a resolution approving the Fiscal Year 2023-24 User and Regulatory Fee Schedule.

COMMUNITY DEVELOPMENT (10:00 PM)

- 17.** Adopt a Resolution Certifying Election Results and Adding the Properties Located at 1752 and 1810 Houret Court into Community Facilities District No. 2008-1 (Annexation No. 24) (Staff Contact: Roberto Alonzo, Principal Civil Engineer, 408-586-3316)

Recommendation: Following receipt of election results from the City Clerk, adopt a resolution certifying election results and adding the properties located at 1752 and 1810 Houret Court into Community Facilities District No. 2008-1 (Annexation No. 24).

LEADERSHIP AND SUPPORT SERVICES (10:15 PM)

- 18.** Consider Mayor's Appointments of City Councilmembers to Outside Committees and as Liaisons to City Commissions (Contact: Mayor Carmen Montano, 408-586-3024)

Recommendation: Consider Mayor's appointments of City Council members to Outside Committees and as liaisons to City Commissions and move to confirm those appointments.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (10:30 PM)

Members of the City Council or City Manager may make brief announcements at this time. Members of the City Council may also suggest future agenda items. For future agenda items, the City Council shall not debate the topic or engage in discussion but shall simply state a "yes" or "no" as whether to move the item forward. If a majority of the City Council agrees to move the item forward, the City Manager shall place the item on a future agenda.

ADJOURNMENT (10:35 PM)

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

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

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

Materials related to an item on this agenda submitted to the City Council after initial distribution of the agenda packet are available for public inspection at the City Clerk's office at Milpitas City Hall, 3rd floor

455 E. Calaveras Blvd., Milpitas and on City website. City Council agendas and related materials can be viewed online: www.milpitas.gov/government/council/agenda_minutes.asp (select meeting date)

APPLY TO SERVE ON A CITY COMMISSION

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

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

March 2023						
S	M	T	W	T	F	S
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Milpitas City Council Calendar

April 2023

May 2023						
S	M	T	W	Th	F	S
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Item # C1.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3 7:00 PM -Parks, Recreation & Cultural Resources Commission (HL)	4 5:30 PM -Closed Session 7:00 PM -City Council	5 2:00 PM -Santa Clara VTA Monthly Briefing - Northeast Group (CM) 5:30 PM -Veterans Commission (CM) 7:00 PM -Community Advisory Commission (AP)	6 5:30 PM -Milpitas Chamber of Commerce Board (GB) 5:30 PM -Santa Clara VTA Board of Directors (CM) (San Jose) 6:00 PM -Community Townhall FY2023-2024 Budget (Committee Conference Room, City Hall)	7	8
9	10 4:30 PM -Economic Development and Trade Commission (CM)	11 4:00 PM -Milpitas HOPE Suicide Prevention Task Force	12 12:00 PM -Valley Water District Water Commission (CM) (San Jose) 1:00 PM -SCC Library JPA Finance Committee (EC) (Campbell) 4:00 PM -City Council Transportation Subcommittee (CM/EC) 5:00 PM -Special City Council Closed Session Meeting 7:00 PM -Silicon Valley Clean Energy Board of Directors (EC) (Cupertino)	13 4:00 PM -Treatment Plant Advisory Committee (CM) (San Jose) 4:00 PM -Santa Clara VTA Policy Advisory Committee (EC) (San Jose) 5:30 PM -Cities Assoc of SCC Legislative Action Committee (CM) (Los Altos Community Center) 6:00 PM -Youth Advisory Commission (HL) 7:00 PM -Cities Assoc of SCC (CM) (Los Altos Community Center)	14	15
16	17 7:00 PM -Science, Technology, and Innovation Commission (GB)	18 5:30 PM -Closed Session 7:00 PM -City Council	19 6:00 PM -Energy and Environmental Sustainability Commission (EC)	20 10:30 AM -South Bay Odor Stakeholders Group Meeting (CM)	21	22 10:00 AM - 12:00 PM Earth Day Event (Selwyn Park) 
23	24	25 1:30 PM -Senior Advisory Commission (AP) 5:30 PM -City Council Special Meeting Gateway-Main Street Specific Plan (Senior Center)	26 5:30 PM -Cities Assoc. of SCC - Recycling and Waste Reduction Commission (CM) (San Jose, satellite location) 7:00 PM -Planning Commission	27 12:00 PM -SCC Library Joint Powers Authority Board Meeting (Campbell) (EC) 6:00 PM Commissioner's Recognition Celebration (Community Center)	28	29
30						

April 2023						
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Milpitas City Council Calendar

May 2023

June 2023						
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Item # C1.

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 7:00 PM -Parks, Recreation & Cultural Resources Commission (HL)	2 6:00 PM -Closed Session 7:00 PM -City Council	3 2:00 PM -Santa Clara VTA Monthly Briefing - Northeast Group (CM) (Santa Clara) 7:00 PM -Community Advisory Commission (AP)	4 5:30 PM -Santa Clara VTA Board of Directors (CM) 5:30 PM -Milpitas Chamber of Commerce Board (GB)	5	6
7	8 4:30 PM -Economic Development and Trade Commission (CM)	9 5:30 PM -City Council FY2023-2024 Budget Study Session (Senior Center)	10 7:00 PM -Planning Commission 7:00 PM -Silicon Valley Clean Energy Board of Directors (EC) (Cupertino)	11 11:00 AM -[tentative] City Council Finance Subcommittee (CM/EC) 4:00 PM -Santa Clara VTA Policy Advisory Committee (EC) (San Jose) 4:00 PM -Treatment Plant Advisory Committee (CM) (San Jose) 6:00 PM -Youth Advisory Commission (HL) 7:00 PM -Cities Assoc of SCC (CM) 6:30 PM Family Game Night (Milpitas Sports Center)	12	13
14	15 7:00 PM -Library and Education Commission (EC) (Milpitas Public Library)	16 6:00 PM -Closed Session 7:00 PM -City Council	17 6:00 PM -Energy and Environmental Sustainability Commission (EC)	18 6:30 PM -Bay Area Water Supply Conserv Agency (CM) (Oak Room - San Mateo Main Library) 7:00 PM -Public Safety and Emergency Preparedness Commission (HL)	19	20
21	22 7:00 PM -Arts Commission (AP)	23	24 1:00 PM -SCC Library JPA Finance Committee (EC) (Campbell) 7:00 PM -Planning Commission	25 1:30 PM -SCC Emergency Operational Area Council (EOAC) (CM) (San Jose) 4:00 PM -Silicon Valley Regional Interoperability Authority (SVRIA) (GB)	26	27
28	29 9:00 AM Memorial Day Ceremony at Civic Center Plaza  City Hall Closed	30	31			

****Finance Subcommittee will only meet as needed***

Item # C1.



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

MINUTES
TUESDAY, APRIL 4, 2023

The City Council of the City of Milpitas convened in a Regular Meeting of the Milpitas City Council on April 4, 2023, in the City Council Chamber at City Hall, 455 E. Calaveras Blvd., Milpitas, and via teleconference/ Zoom webinar.

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

Mayor Montano called the Regular City Council meeting to order at 5:30 PM. Roll Call was taken by City Clerk Guzzetta.

PRESENT: Mayor Montano, Vice Mayor Chua, Councilmembers Lien and Phan.

ABSENT: Councilmember Barbadillo (5:35 pm).

City Attorney Mutalipassi announced that Councilmember Phan was requesting to participate remotely according to the emergency circumstances provision of AB2449. The City Council had no comments.

Motion/Second: Vice Mayor Chua / Councilmember Lien

AYES: Councilmembers Barbadillo, Lien, Vice Mayor Chua, and Mayor Montano

The City Council authorized Councilmember Phan's remote appearance pursuant to the emergency circumstances provision of AB2449.

City Attorney Mutalipassi announced the closed session items.

The City Council adjourned to Closed Session at 5:37 PM. Councilmember Phan arrived onsite at 5:45 pm and concluded his AB2449 virtual participation.

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2)
Facts and circumstances related to the expiration of a contract to which the City is a party
City as Defendant

(b) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6
Agency designated representative: Nick Raisch, Human Resources Director
Bargaining unit: LIUNA, UPEC (Pro-Tech, MEA)

The City Council reconvened in open session at 7:25 PM

CLOSED SESSION ANNOUNCEMENT:

City Attorney Mutalipassi stated there was nothing to report out.

PLEDGE OF ALLEGIANCE

Councilmember Lien led the Pledge of Allegiance.

INVOCATION

Vice Mayor Chua provided the invocation.

PRESENTATIONS

Mayor Montano and City Councilmembers presented a proclamation in recognition of Vietnamese American Heritage Month. Ha Phan offered comments and accepted the proclamation.

Mayor Montano presented a proclamation in recognition of National Public Safety Telecommunications Week. Police Chief Hernandez and Communications Dispatch Supervisor Lena Sillas accepted the proclamation.

Mayor Montano presented a proclamation in recognition of Fair Housing Month. Joshua Anh from Project Sentinel accepted the proclamation and provided remarks.

PUBLIC FORUM

There were the following public speakers:

1. Rob Means
2. Karina Dominguez
3. Osborn Way
4. Natasha Tiwari
5. Hanah Edwin
6. Roman Silivra
7. Huy Pham
8. Isaac Jones
9. Arjun Pai
10. Voltaire Montemayor

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

City Attorney Mutalipassi asked the Mayor and City Councilmembers if they had any personal conflicts of interest. By roll call, there were no conflicts of interest (Councilmember Lien was absent). City Attorney Mutalipassi asked the Mayor and City Councilmembers if they had any reportable campaign contributions. By roll call, there were no reportable campaign contributions.

READING OF THE CITY COUNCIL CODE OF CONDUCT

Vice Mayor Chua read the Code of Conduct.

APPROVAL OF AGENDA

Motion: to approve the April 4, 2023 Regular Meeting Agenda.

Motion/Second: Vice Mayor Chua / Councilmember Lien

Motion carried by the following:

AYES: Councilmembers Barbadillo, Lien, Phan, Vice Mayor Chua, and Mayor Montano

NOES: None.

CONSENT CALENDAR

Motion: to approve the Consent Calendar, pulling Items C6, C13, and C14, and C16,

Motion/Second: Councilmember Lien / Councilmember Phan

Motion carried by the following:

AYES: Councilmembers Barbadillo, Lien, Phan, Vice Mayor Chua, and Mayor Montano

NOES: None

C1. Receive City Council Calendar of Meetings for April 2023

Received City Council Calendar of Meetings for April 2023.

C2. Approve City Council City Council Regular Meeting Minutes of March 21, 2023

Approved City Council Regular Meeting minutes of March 21, 2023.

C3. Receive the Preview List of Anticipated Items for the Next Regular City Council Meeting

Received the list of anticipated agenda items for the next regular City Council meeting.

C4. Receive and Review the List of Agenda Items Requested by City Councilmembers

Reviewed the list of items that have been requested by City Councilmembers and provided direction to staff as necessary.

C5. Consider Recommendation for Removal of Commissioner

Approved the removal of Kenneth Truong from the Student – CHHS Student seat on the Arts Commission and directed the City Clerk to post the notice of unscheduled vacancy.

C6. Approve and Authorize City Manager to Execute Three-Year Agreement with the City of San Jose for Animal Control Services

Item pulled from Consent Calendar.

C7. Adopt a Resolution to Approve Project Plans and Specifications, Award Construction Contract to DeSilva Gates Construction for Street Resurfacing Project No. 4283, 4303, 4304; and Approve Budget Change Form

Postponed indefinitely.

C8. Adopt a Resolution Releasing Unclaimed Checks with a Value less than \$15 in the Aggregate Amount of \$655.27

Adopted **Resolution No. 9229** releasing unclaimed checks with a value less than \$15 and transfer a total of \$655.27 in unclaimed checks to the General Fund.

C9. Approve an Amendment to the Professional Services Agreement with WeHOPE for Mobile Shower and Laundry Services to Add Additional Funding in the Amount of \$10,000.00, with a Total Not to Exceed Contract Amount of \$96,552.00

Approved an amendment to the professional services agreement with WeHOPE for Mobile Shower and Laundry Services to add additional funding in the amount of \$10,000.00, with a total not to exceed contract amount of \$96,552.00.

C10. Receive the 2022 General Plan Annual Progress Report and Authorize Submittal of the Report to the Governor's Office of Planning and Research (OPR)

Received the 2022 General Plan Annual Progress Report and authorize the submittal of the report to the Governor's Office of Planning and Research (OPR).

C11. Accept the FY 2023 Citizens' Option for Public Safety (COPS) Grant in the Amount of \$124,855.00 for Front-Line Law Enforcement Services and Approve the Appropriation of Funds in the Total Amount of \$124,855.00 to the Police Department's FY2022-23 Operating Budget for Front-Line Law Enforcement Services

Accepted the FY 2023 Citizens' Option for Public Safety (COPS) Grant in the amount of \$124,855.00 for front-line law enforcement services and approve the appropriation of funds in the total amount of \$124,855.00 to the Police Department's FY2022-23 Operating Budget for front-line law enforcement services.

C12. Accept Additional FY 2022 Citizens' Option for Public Safety (COPS) Grant in the Amount of \$75,657.69 for Front-Line Law Enforcement Services to be spent in alignment with the City Council Approved FY 2022 Spending Plan; and Approve the Appropriation of Funds in the Total Amount of \$75,657.69 to the Police Department's FY2022-23 Operating Budget for Front-Line Law Enforcement Services

Accepted additional FY 2022 Citizens' Option for Public Safety (COPS) Grant in the amount of \$75,657.69 for Front-Line Law Enforcement Services; and Approve the appropriation of funds in the total amount of \$75,657.69 to the Police Department's FY2022-23 Operating Budget for Front-Line Law Enforcement Services.

C13. Waive the Second Reading and Adopt Ordinance No. 120.50 to Amend Chapter 1 of Title VIII of the Milpitas Municipal Code Relating to Water Service Charges

Item pulled from Consent Calendar.

C14. Waive the Second Reading and Adopt Ordinance No. 208.55 to Amend Chapter 2 of Title VIII of the Milpitas Municipal Code Relating to Sewer Service Charges

Item pulled from Consent Calendar.

C15. Consider Two Fee Waiver Requests and One Donation Request from the Christian Worship Center, FAREPA, and Milpitas High School Aerotech Club

- (1) Approved a fee waiver of \$1,500.00 for the Christian Worship Center's Annual Community Easter Egg Hunt at Gill Park on Sunday, April 8, 2023;
- (2) Approved a fee waiver of \$830.00 for FAREPA Silicon Valley, Inc. for their ADU Workshop at the Milpitas Community Center on May 13, 2023; and
- (3) Approved a donation of \$500.00 to the Milpitas Unified School District's Milpitas High School Aerotech Club to participate in the American Rocketry Competition on May 20, 2023.

C16. Approve the addition of Names to City Naming Lists and Name a New City Park the Delano Manongs Park

Item pulled from Consent Calendar.

PUBLIC HEARINGS

17. **Adopt a Resolution Approving a Site Development Permit, Conditional Use Permit, Vesting Tentative Map, Density Bonus Permit, Tree Removal Permit, and Environmental Assessment to Allow the Development of 57 Townhome Condominiums and Associated Site Improvements on an Approximately 2.35-Acre Site Located in the Mixed-Use (MXD) Zoning District at 612 South Main Street (APNs 086-25-027, 028) Located within the Midtown Specific Plan Area and Submitted Under California Senate Bill 330 (Housing Crisis Act of 2019)**

Adopted **Resolution No. 9230** to approve Site Development Permit No. SD22-0007, Conditional Use Permit No. UP22-0003, Vesting Tentative Map No. MT22-0003, Density Bonus Permit No. DB22-0002, Tree Removal Permit No. TR22-0014, and Environmental Assessment No. EA22-0005, subject to the Conditions of Approval.

Planning Director Thomas introduced the item. Associate Planner Phung presented the report. The applicant, True Life Companies, represented by Leah Beniston, presented additional information and, and joined by staff, responded to questions from the City Council.

Mayor Montano opened the public hearing.

There were the following public speakers:

1. Nita Itchhaporia
2. Hasu Shah
3. Nitin Shah
4. Mittal Kothari
5. Voltaire Montemayor
6. Yogesh Bapna
7. Kirit Bavishi
8. Albert Lustre

Mayor Montano closed the public hearing.

After discussion, motion: to adopt **Resolution No. 9230** to approve Site Development Permit No. SD22-0007, Conditional Use Permit No. UP22-0003, Vesting Tentative Map No. MT22-0003, Density Bonus Permit No. DB22-0002, Tree Removal Permit No. TR22-0014, and Environmental Assessment No. EA22-0005, subject to the Conditions of Approval

Vice Mayor Chua asked staff to look into trees on both sides of the street.

Motion/Second: Councilmember Lien / Councilmember Phan

Motion carried by the following:

AYES: Councilmembers Lien and Phan, Vice Mayor Chua, and Mayor Montano

NOES: Councilmember Barbadillo

18. **Conduct a Public Hearing and Introduce an Ordinance Amending Title III “Business and Professions” of the Milpitas Municipal Code to add Chapter 9 “Permits for Retailers of Tobacco Products”**

Tabled the discussion to a future meeting.

COMMUNITY DEVELOPMENT

19. Receive Housing Report and Presentation

Economic Development Director Andrade Housing and Neighborhood Services Administrator Musallam presented the report.

There were the following public speakers:

1. Voltaire Montemayor
2. Allysson McDonald

Economic Development Director Andrade and Assistant City Manager Kantak responded to questions from the City Council.

The City Council received the report and presentation.

PUBLIC SAFETY

20. Receive Calendar Year 2022 Controlled Equipment Annual Report, Take Public Comment and Questions for the Purpose of Community Engagement, and Approve Proposed Acquisitions for Calendar Year 2023

Police Chief Hernandez introduced the item and Assistant Police Chief Morales presented the report.

There were the following public speakers:

1. Voltaire Montemayor

Assistant Police Chief Morales responded to questions from the City Council.

After discussion, motion: to receive Calendar Year 2022 Controlled Equipment Annual Report and approve proposed acquisitions for Calendar Year 2023.

Motion/Second: Councilmember Phan / Councilmember Lien

Motion carried by the following:

AYES: Councilmembers Barbadillo , Lien, Phan, Vice Mayor Chua, Mayor Montano

NOES: None

ITEMS PULLED FROM THE CONSENT CALENDAR

C6. Approve and Authorize City Manager to Execute Three-Year Agreement with the City of San Jose for Animal Control Services (Staff Contact: Bill Tott, Building Official, 408 586-3263)

Building Official Tott responded to questions from the City Council.

There were the following public speakers:

1. Voltaire Montemayor

After discussion, motion: to approve and authorize the City Manager to execute a three-year service contract agreement with the City of San Jose for Animal Services in the amount of \$1,655,696.64 for fiscal years 2023-2026 with two additional three-year options.

Motion/Second: Councilmember Lien / Vice Mayor Chua

Motion carried by the following:

AYES: Councilmembers Barbadillo, Lien, Phan, Vice Mayor Chua, Mayor Montano

NOES: None

- C13. Waive the Second Reading and Adopt Ordinance No. 120.50 to Amend Chapter 1 of Title VIII of the Milpitas Municipal Code Relating to Water Service Charges**
- C14. Waive the Second Reading and Adopt Ordinance No. 208.55 to Amend Chapter 2 of Title VIII of the Milpitas Municipal Code Relating to Sewer Service Charges**

Vice Mayor Chua made a motion: to defer Items C13 and C14 to the next meeting.

Motion/Second: Vice Mayor Chua / Councilmember Barbadillo

Motion carried by the following:

AYES: Councilmembers Barbadillo, Lien, Phan, Vice Mayor Chua, Mayor Montano

NOES: None

- C16. Approve the addition of Names to City Naming Lists and Name a New City Park the Delano Manongs Park**

Councilmember Phan made a motion: to defer Item C16 and adjourn the meeting.

Motion/Second: Councilmember Phan / Vice Mayor Chua

Motion carried by the following:

AYES: Councilmembers Barbadillo, Lien, Phan, Vice Mayor Chua, Mayor Montano

NOES: None

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

The item was not heard.

ADJOURNMENT

Mayor Montano adjourned the meeting at 10:44 pm

Draft meeting minutes submitted by City Clerk, Suzanne Guzzetta

TENTATIVE CITY COUNCIL AGENDA ITEM LIST

Item # C3.

as of 4/13/2023

May 2, 2023 – Regular Meeting

CLOSED SESSION

- Labor Relations

INVOCATION (Mayor Montano)

PRESENTATION

- Affordable Housing and Building Safety Month (Proclamation)
- National Mental Health Awareness Month (Proclamation)
- Older Americans Month (Proclamation)
- Economic Development Week – May 8-12, 2023 (Proclamation)

CONSENT CALENDAR

1. Receive City Council calendar for May 2023 (City Clerk)
2. Approve City Council minutes of April 12 and April 18, 2023 (City Clerk)
3. Preview list of items for May 16, 2023 (City Clerk)
4. Councilmember Request List (City Clerk)
5. Commission Appointments (City Clerk)
6. Zoning Update Advisory Group follow-up (Planning)

PUBLIC HEARING

7. CDBG 2nd Public Hearing on substantial amendment to the 2022-2025 Consolidated Plan and 2023-2024 Annual Action Plan (Housing)

COMMUNITY DEVELOPMENT

COMMUNITY SERVICES

8. Community Gardens Program Rules and Regulations Update (Recreation)
9. Emergency Declaration for failing City Hall boiler (Public Works)
10. Recission of Water Conservation – Stage 2 Declaration (Public Works)

PUBLIC SAFETY

LEADERSHIP

REPORTS

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

Item # C4.

OPEN ITEMS				
Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
1	Look into purchasing a larger electronic billboard for Library	Montano	2/7/2023	At the February 28, 2023 CIP Study Session, the Council opted to discuss at the next prioritization session in June 2023
2	Have the City look into the possibility of a Citywide Senior Discount	Barbadillo	2/7/2023	This item will be discussed at the next quarterly prioritization in June 2023
3	See if City Manager and staff could assist in finding a month and day to celebrate an International Cultural Festival on Main Street	Lien	2/7/2023	This item will be discussed at the next quarterly prioritization in June 2023

ACTIVE ITEMS				
Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
4	Add lights to Gill Park for Nighttime Usage	Chua	2/21/2023	At the February 28, 2023 CIP Study Session, Council asked for an inventory of parks with types of lighting available.
5	Staff explore eliminating or waiving the fee for the gym at the Milpitas Senior Center	Chua	10/18/2022	Staff will evaluate this item consistent with the Recreation and Community Service Cost Recovery City Council Policy and bring it back to Council for consideration as part of approval of the FY 2023-24 Proposed Master Fee Schedule.
6	Schedule an additional ADU workshop	Chua	9/6/2022	Similar to last year, staff will support any webinar hosted by a community partner.
7	Discuss converting vacant lot that was a basketball court into a community garden at Vasona and Adobe	Montano	8/16/2022	Item brought forward as part of the City Council additional workplan items prioritization in February 2023. Mayor Montano asked it come back after a survey of residents was completed to determine community support. At the February 28, 2023 CIP Study Session, Council asked staff to ask the nearby community for their input on other uses they would want for the property.
8	Quarterly or Monthly crime statistics on Homekey Project	Chua	6/7/2022	PD will present quarterly reports starting on November 15, 2022.
9	Look into the impact of and how the City can compensate for the massive number of layoffs in the Bay Area. Staff consider how the City can help residents affected by layoffs, reach out to those affected and show them city programs.	Chua	12/6/2022	Referred to Economic Development and Trade Commission. Staff, in partnership with NOVAworks, provided information about past and upcoming layoffs, wage and labor data as well as job and career resources available to Milpitas residents and businesses at the Economic Development and Trade Commission meeting on January 9, 2023. City staff is continuing to partner with NOVAworks by promoting their upcoming layoff assistance webinars to assist with career transition and unemployment services and resources. One webinar took place on January 24 and other webinars are scheduled to take place on February 7 and 21.

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

Item # C4.

Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
10	City Manager to look into defining either a standalone teen center or updating information to indicate the Senior Center also functions as a Teen Center	Chua	9/20/2022	Discussed at February 2023 Quarterly City Council Workplan Items Prioritization Discussion; Approved to move forward during Prioritization Discussion on 2/7/23. At the 2/28/2023 CIP Study Session, Council directed staff to include funding for a feasibility analysis.
11	City Manager look into implementing a workshop for small businesses on the bidding process for projects in the city	Chua	8/9/2022	Discussed at February 2023 Quarterly City Council Workplan Items Prioritization Discussion; Approved to move forward during Prioritization Discussion on 2/7/23
12	Funding to hire a consultant for the Sunnyhills Historical Designation on a state level	Tran	6/7/2022	Based on staff research, the best way to try for a Historical District Designation is at the National Level. This can be wrapped into the approved CIP for the Historical Resources Plan update or through grant consultant California Consulting. Request will be included with the Historic Resources Master Plan project approved as part of the 2023-2027 Capital Improvement Program.
13	Request for Crossing Guards at McCandless and Montague Expressway and review wages for Crossing Guards	Montano	4/5/2022	Info Memos were sent to the City Council on 6/13/2022 and 1/27/2023. At the January 31st budget study session, Council voted to move to a contract model; Staff is in the middle of a citywide traffic study, which includes school aged pedestrian counts around schools in the City including the McCandless and Montague Expressway intersection.
14	Establish a SPAR fund modelled after the City of Mountain View - sets asides moneys for opportunities to buy real estate	Montano	6/7/2022	At the January 31, 2023 City Council budget hearing, staff was directed to update the City's Fiscal Policies to provide an option for a portion of future surplus funding to be reserved for real estate acquisition. Staff will include this edit to the Fiscal Policies as part of the Proposed Fiscal Year 2023-2024 Operating Budget; Discussed at Spring Quarterly City Council Workplan Items Prioritization Discussion; Approved to move forward during Summer Quarterly City Council Workplan Items Prioritization Discussion on 9/06/2022
15	Memorial Plaque in honor of youth skateboarder that passed away	Montano	6/7/2022	At the January 31 2023 City Council budget hearing, City Council voted to consider this item in the FY 2023-24 budget development.; Discussed at Spring Quarterly City Council Workplan Items Prioritization Discussion; Approved to move forward during Summer Quarterly City Council Workplan Items Prioritization Discussion on 9/06/2022

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

Item # C4.

Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
16	Explore the policy for locking mechanisms on shopping carts for large commercial businesses	Tran	4/19/2022	MMC V-13-140 Mandatory Plan to Prevent Cart Removal includes requirement for physical measures to prevent cart removal however V-13-120 provides an exemption for cart owner that agrees to enter into a contract with a City-designated retrieval service. Staff suggestion to Council is to review this exemption and repeal it which would require all cart owners to have physical measures to prevent cart removal. Business outreach was conducted to grocery store operators in Q2 of 2022 to inquire about shopping cart removal and theft. Grocery stores contacted were Ocean Supermarket, Seafood City Supermarket, Chung Chou City, Milpitas Grocery Outlet, and 99 Ranch Market. Discussed at Spring Quarterly City Council Workplan Items Prioritization Discussion; Approved to move forward during Summer Quarterly City Council Workplan Items Prioritization Discussion on 9/06/2022
17	Explore an ordinance or policy to reduce thefts and increase security in the commercial retail parking areas	Chua	4/5/2022	CAO conducting legal review of policies requiring businesses to hire security/install cameras; Discussed at Spring Quarterly City Council Workplan Items Prioritization Discussion; Approved to move forward during Summer Quarterly City Council Workplan Items Prioritization Discussion on 9/06/2022
18	Create a plan for future solar paneling at City facilities	Montano	3/1/2022	As discussed with the City Council at the 1/31/2023 Budget Study Session, staff will continue to explore grant opportunities to install additional solar panels on City facilities. However, staff will only proceed with further development if this grant funding is identified so work (other than reviewing grant opportunities) is on hold at this time. Discussed at Spring Quarterly City Council Workplan Items Prioritization Discussion; Approved to move forward at the 5/03/2022 meeting; Discussed at the May 10 budget meeting and approved funding of \$25,000 in the 2022-23 budget
19	Evaluate reopening the childcare center with a non-profit organization running the center	Montano	2/1/2022	No additional funds required to complete the internal review. Internal review can be done by late 2023. Approved during Spring Quarterly City Council Workplan Items Prioritization Discussion on 5/03/2022.
20	Requested an appropriation in an amount not to exceed \$250,000 to procure a contract to address the streetlights that are pending fieldwork.	Tran	2/1/2022	At this time, staff has sufficient Council approved resources to address the remaining streetlight outages; however, will bring relevant actions for Council consideration, if needed.

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

Item # C4.

Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
21	Staff to look into mural Art on Great Mall Parkway on the VTA owned Light rail pillars	Montano	11/16/2021	VTA is not responsive to requests from the City to meet on this project. A discussion on other locations or projects with Council may be needed; Discussed at Spring Quarterly City Council Workplan Items Prioritization Discussion; Approved at the 5/03/2022 meeting; discussed funding at the 5/10/2022 budget meeting and approved \$100,000 of funding for one site
22	Request for the City to make the temporary third-party food deliver fee caps permanent and add additional provisions for enforcement	Phan	11/16/2021	Requires legal analysis of 1:21-cv-07695-AT-SLC DoorDash, Inc. v. city of New York and 3:21-cv-05502-EMC Doordash, Inc. et al v. City and County of San Francisco. Doordash v. NYC remains pending and may settle the law on the matter. CAO will prepare confidential memorandum for the Council. Discussed at Spring Quarterly City Council Workplan Items Prioritization Discussion; Approved to move forward at the 5/03/2022 meeting
23	Have a picture of Albert Vogel Sr. put up in the Senior Center	Montano	10/19/2021	No additional funding needed. Need final names from City Council. Approved to move forward at the 1/11/2022 Council meeting; Staff engaged the artist of the existing mural regarding this Council approved item.
24	Requested the City extend the outdoor dining options through March of next year	Phan	9/21/2021	Planning Director to provide information on current outdoor dining extension
25	Include a bust of Maria Lemire on the Mural in front of the Senior Center	Montano	8/17/2021	Maria Lemery is to be included on the Senior Center Mural. It's not an actual "bust" Approved to move forward at the 1/11/2022 Council meeting; Staff engaged the artist of the existing mural regarding this Council approved item.
26	Look into opening up the Senior Center on Saturdays for half a day	Chua	8/5/2021	Funding for Senior Center hours will be incorporated in the FY23-24 budget This three-month pilot was kicked off on Saturday Sept. 10. Per the Information Memorandum issued on Nov. 22, 2022, due to the success of the Saturday Day hours, the pilot will be extended for the remainder of the current Fiscal Year.
27	Look into bringing back a roller rink	Montano	8/5/2021	Monies budgeted. Roller Rink bids coming back end of Feb/early March. Event schedule for August 4 & 5, 2023. Approved to move forward at the 1/11/2022 Council meeting. Funding for the program will need to be prioritized through the FY 22-23 budget process; Discussed at 5/10/2022 budget meeting and approved \$100,000 funding for a two-day event in 2023

NOTE: Deferred and Completed Items are not listed

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

Item # C4.

Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
28	Staff to create a plan on how to increase the number of local businesses doing business with the City	Chua	4/6/2021	Staff is tracking this local business participation item as part of Council Priority Item 3 in Group 1 on this list; At 8/9/2021 Council meeting, Council voted that this item may have to come back for additional discussion because there may be some legal considerations.
29	Staff to provide information on a landmark policy for the City of Milpitas	Tran	3/16/2021	This is part of the CIP for updating the Historic and Cultural Resources Plan; 8/09/2021 Council voted 5-0 to move this item forward; this item will be included for funding consideration in the development of the FY 2023-27 CIP for assessment of historical and cultural resources and development of landmark policy; The funding for the assessment of historical and cultural resources and development of a landmark policy will be included in the 2023-2027 Capital Improvement Program scheduled for adoption on May 3, 2022. This project will be scheduled to begin in FY 2022-23.
30	Amendment to the existing ordinance for third-party food delivery vendor services to prohibit regulatory response fees	Phan	2/16/2021	See update to item titled "Request for the City to make the temporary third-party food deliver fee caps permanent and add additional provisions for enforcement" Agendized for discussion on 3/16/2021, deferred to 4/06/2021; CC direction for City Attorney to prepare a report; At the 11/12/2021 Transportation Subcommittee, the Subcommittee directed to bring back this request to Council as part of the FY 2022-23 budget process.
31	Ordinance to ban vaping in the City	Montano	12/15/2020	Ordinance regarding a ban on use in certain areas adopted by Council on 6/15/2021. Council received a follow-up presentation from staff on 6/21/22 and provided direction on establishing a local tobacco retail permitting program and regulating tobacco retail locations and the sale of flavored tobacco and electronic cigarette products in Milpitas. Staff is now coordinating with the Santa Clara County Department of Environmental Health (DEH) to set up the program, and those arrangement will be brought back to the Council in early 2023.
32	Consider Community Museum and Park on Main St.	Phan	8/20/2019	to Rules Subcommittee 8/23/2019. Moved to Specific Plan Community Conversation events.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Consider Opting into Settlement Agreements with Pharmacies and Manufacturers of Opioids, Teva, Allergan, CVS, Walgreens, and Walmart (Staff Contact: Ashwini Kantak, Acting City Manager, 408-586-3050; and Michael Mutalipassi, City Attorney, 408-586-3040)
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	4/18/2022
	<u>Recommendation:</u> Opt into settlement agreement with pharmacies and manufacturers of opioids, Teva, Allergan, CVS, Walgreens, and Walmart, whereby the County of Santa Clara will initially receive the City's designated share of settlement funds and direct the Acting City Manager to execute any documents necessary to implement the action.

Background:

States and cities across the United States have brought litigation against the three largest pharmaceutical distributors of opioid painkillers, Amerisource Bergen, Cardinal Health, and McKesson (the "Distributors"), and the opioid painkiller manufacturer, Janssen (owned by Johnson & Johnson) ("Janssen"), which has resulted in two proposed national settlements totaling approximately \$26 billion dollars. The City chose to participate in those settlements and to allocate its share to the County of Santa Clara for the purpose of opioid abatement and rehabilitation purposes. Now, cities and states are prepared to settle similar national litigation with three pharmacies—CVS, Walgreens, and Walmart, and two manufacturers—Allergan and Teva. This second round of settlements will observe a similar process as the initial settlements. Individual jurisdiction will be able to opt in to the settlement. Opting in will involve a jurisdiction dismissing its claims against CVS, Walgreens, Walmart, Allergan, and Teva in exchange for substantial changes in opioid supply and distribution and monetary sums to be used for opioid abatement and rehabilitation purposes. So long as all jurisdictions opt in, the funds are estimated to be distributed as follows:

- Teva shall pay up to \$3.34 billion over 13 years. Milpitas is estimated to be entitled to up to \$53,615.74 per year, total of up to \$697,004.62.
- Allergan shall pay up to \$2.02 billion over 7 years. Milpitas is estimated to be entitled to up to \$60,220.24 per year, total of up to \$421,541.68.
- CVS shall pay up to \$4.90 billion over 10 years. Milpitas is estimated to be entitled to up to \$102,255.16 per year, total of up to \$1,022,551.60.
- Walgreens shall pay up to \$5.52 billion over 15 years. Milpitas is estimated to be entitled to up to \$76,795.71, total of up to \$1,151,935.65.
- Walmart shall pay up to \$2.74 billion in 2023 and over the next 6 years. Milpitas is estimated to be entitled to up to \$95,299.02 per year over the course of those 6 years, total of up to \$571,794.12.

The City can opt into the settlements, thereby releasing its claims against the CVS, Walgreens, Walmart, Allergan, and Teva, in order to receive the estimated amounts. The funds are restricted to certain opioid remediation uses. The City can either allow the funds to be used by the County of Santa Clara or elect to use the funds itself subject to reporting requirements to the state. Alternatively, the City can take no action, thereby opting out of the settlements, while maintaining its right to pursue litigation against the CVS, Walgreens, Walmart, Allergan, and Teva.

Analysis:

A. Allocation of Funds

California is to receive at most approximately \$18.52 billion. The definite recoverable amount is still unknown based on a bonus structure that is triggered when all 431 eligible entities participate. California is to distribute these funds pursuant to intrastate allocation agreements for the individual settlement agreements. (Attached as Exhibits.) The terms of the intrastate allocation agreements are nearly identical and allocate the funds as follows: fifteen percent to the state fund; fifteen percent to the subdivision fund; and seventy percent to the abatement accounts fund.

State Fund

Fifteen percent of the total settlement funds will be allocated to the state and used by the state for future opioid remediation.

Subdivision Fund

Fifteen percent of the total settlement funds will be allocated to the subdivision fund, which will be allocated among the plaintiffs in the litigation to fund future opioid remediation and to reimburse past opioid-related expenses, which may include fees and expenses related to litigation.

Abatement Accounts Fund

Seventy percent of the total settlement funds will be allocated to counties and cities and used for opioid abatement or remediation uses, such as services to treat opioid use disorder; support people in treatment and recovery; connect people to care; address needs of criminal justice-involved persons; address the needs of pregnant or parenting women and their families, including babies with neonatal abstinence syndrome; prevent over-prescribing and ensure appropriate prescribing and dispensing of opioids; prevent misuse of opioids; prevent overdose deaths and other harms; provide leadership, planning, and coordination of programs; provide training; and conduct research.

The funds to individual counties are allocated based on opioid deaths per capita, incidence of opioid use disorder, and opioid dosage. The funds to cities within a particular county are allocated based on historical spending of cities on various services, such as police protection, fire protection, health services, correction services, housing and community development, judicial services, and legal services.

B. Management of Funds

Each county and city that receives payment of funds from the settlements must prepare written reports at least annually regarding the use of those funds until the funds are fully expended and for one year thereafter. These reports will also include a certification that all funds received have been used in compliance with the allocation agreements. Further, each county and city will need to track all deposits and expenditures. A county is not responsible for oversight, reporting, or monitoring of funds received by a city, which receives direct payment within such county.

C. Allocation for the City of Milpitas

California counties and cities have been allocated approximately 85% of the total amount allocated to California. The City of Milpitas has been allocated 0.0298120% of the total. This total amount will be disbursed over a number of years. As stated above, the definite amount is not yet known because of the bonus structure built into the agreements.

The default distribution of funds in the settlement agreements provides that the funds will go directly to the county in which a city is located. A city can elect to have its funds delivered directly to the city by providing notice in the settlement agreements. Additionally, a city within a county may opt in or out of direct payment at any time, and it may also elect direct payment of only a portion of its share, with the remainder going to the county, by providing notice to the settlement fund administrators at least sixty days prior to a payment date.

In deciding whether to allow a city's funds to go directly to the county in which a city is located, a city should consider the following: (1) whether the amount of money is substantial enough for the city to handle it on its own; (2) whether the city offers the services and has the employees to spend the money in accordance with its prescribed uses; and (3) whether the city wants to engage in the reporting requirements over the course of the next nineteen years (eighteen years of distribution and an additional year following final distribution).

A city may choose to change the distribution of its funds prior to any annual payment. As such, Milpitas may at any time choose to accept the funds from all seven settlements rather than have those funds distributed directly to the County, so long as Milpitas uses those funds for a qualifying opioid abatement or rehabilitation program, so long as that program conforms with all of the requirements set forth in the settlement agreements, including the reporting requirements. Council may opt in to the current settlements, while directing staff to explore the feasibility of using the funds to develop a new City opioid abatement or rehabilitation program. In that case, the periodic payments will be distributed to the County until the new City program is established.

D. Opting In

The City must opt into the settlements by April 18, 2023, which requires the City to release its claims against the CVS, Walgreens, Walmart, Allergan, and Teva. If the City takes no action, it will have opted out of the settlements and its designated funds will flow to the state. The City would still have the opportunity to bring its own action against those entities.

Policy Alternatives:

Alternative 1: Do not opt into the settlements.

Pros: None

Cons: The City and County would not receive the funds provided for in the proposed settlement agreements with the opioid distributors.

Reason not recommended: City Management and the City Attorney's office do not recommend this alternative at this time as it would require the City to hire outside legal counsel to independently bring a lawsuit against the opioid distributors with no certain legal outcome. In addition, it is likely that the majority of the cities in the County are opting into the settlement agreements.

Fiscal Impact:

The City Council's decision to opt into the settlement agreements will provide funding for county run opioid abatement and remediation programs, the services of which are provided to Milpitas residents enrolled in those programs.

California Environmental Quality Act:

The City Council's decision to opt into the settlement agreements will not have an impact on the environment pursuant to the California Environmental Quality Act (CEQA) Guidelines 15061(b)(3) and 15378(b)(4) as the City Council will merely be deciding whether it wants to participate in a national settlement that would provide fiscal funding to the County and City with no connection to any specific project.

Recommendation:

Opt into settlement agreement with pharmacies and manufacturers of opioids, Teva, Allergan, CVS, Walgreens, and Walmart, whereby the County of Santa Clara will receive the City's designated share of settlement funds and direct the City Manager to execute any documents necessary to implement the action.

Attachments

[Settlement Agreements](#) (link)



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Approve and Authorize the City Manager to Execute the Improvement Agreement for a Residential Development at 308 Sango Court between the City of Milpitas and Milpitas Pacific Associates, L.P. (Staff Contact: Roberto Alonzo, Principal Civil Engineer, 408-586-3316)
Category:	Consent Calendar-Community Development
Meeting Date:	4/18/2023
	<u>Recommendation:</u> Approve and authorize the City Manager to execute the Improvement Agreement for a residential development at 308 Sango Court between the City of Milpitas and Milpitas Pacific Associates, L.P.

BACKGROUND:

On August 5, 2021, the City Council approved a Site Development Permit No. SD19-0014, Density Bonus Permit No. DB19-0001, Tree Removal Permit No. TR19-0029 and Environmental Assessment No. EA19-0007 to allow demolition of an existing industrial building, removal of three protected trees, and development of a multi-family residential building, up to 77 feet (six stories) in height, with up to 85 dwelling units (100% affordable), a ground-floor parking garage with up to 48 vehicles spaces, and 20,788 square feet of public and private open space on a 1.11-acre parcel located at 308 Sango Court (APN 086-36-036) within the Milpitas Metro Specific Plan area. Offsite public improvements to be constructed and accepted by the City include asphalt concrete pavement, signing and striping, curb and gutter, sidewalk, driveway approach, utility mains and services, landscaping, irrigation and other miscellaneous items of work identified on the improvement plans.

ANALYSIS:

The Developer, Milpitas Pacific Associates, L.P., has agreed to enter into an Improvement Agreement (**Attached**) with the City for the construction of off-site public improvements for the project which will be completed with the on-site work, and the public improvements will be accepted by the City after completion of construction. The improvements will be completed within 1-year from the date of the Improvement Agreement, and the work is guaranteed by bonds or similar securities to be posted by the Developer in the amount of \$122,000.00. The City Engineer has reviewed the public improvement plans (2-1409) and recommends the City Council approve the Improvement Agreement to allow for the construction of public improvements to proceed.

POLICY ALTERNATIVE(S):

Alternative 1:

Deny approval of Improvement Agreement.

Pros: None

Cons: Not approving the execution of the Improvement Agreement would prevent the needed offsite public improvements from being constructed and guaranteed by bonds.

Reason for Not Recommending: To allow the development to move forward, staff recommends approval of Improvement Agreement.

FISCAL IMPACT:

The Developer reimbursed the city for costs associated with plan review, permitting and construction inspection for off-site public improvements constructed by the Developer. The City will have perpetual ownership and maintenance responsibilities for the improvements following construction and acceptance of the project. The Public Works Department provides funding for future maintenance of newly accepted City infrastructure through their operating budget.

California Environmental Quality Act (CEQA):

Approval of the Improvement Agreement implements this project for which CEQA review has already been completed through the City Council's adoption of Resolution No. 8509 adopting an addendum to the previously certified Transit Area Specific Plan Environmental Impact Report.

RECOMMENDATION:

Approve and authorize the City Manager to execute the Improvement Agreement between the City of Milpitas and Milpitas Pacific Associates, L.P.

Attachment(s):

Improvement Agreement

RECORDING REQUESTED BY:
WHEN RECORDED RETURN TO:

CITY OF MILPITAS
455 E. Calaveras Blvd
MILPITAS, CA 95035
ATTN: Engineering Department

SPACE ABOVE THIS LINE FOR RECORDER'S USE

Exempt from recording fee, per Government Code
Section 6103

CITY OF MILPITAS, CALIFORNIA

By: _____
City Clerk

AGREEMENT FOR COMPLETION OF PUBLIC IMPROVEMENTS

**between
CITY OF MILPITAS**

a California municipal corporation

and

MILPITAS PACIFIC ASSOCIATES, L.P.

a California Limited Partnership

AGREEMENT FOR COMPLETION OF PUBLIC IMPROVEMENTS

I. PARTIES AND DATE.

This Agreement for the Completion of Public Improvements (“**Agreement**”) is entered into as of April 18, 2023 by and between the City of MILPITAS, a California municipal corporation (“**City**”) and Milpitas Pacific Associates, a California Limited Partnership, with its principal office located at 430 E State Street, Suite 100, Eagle, ID 83616 (“**Developer**”). City and Developer are sometimes hereinafter individually referred to as “**Party**” and hereinafter collectively referred to as the “**Parties**.”

II. RECITALS.

A. On December 20, 2019, Developer submitted to City an application for approval of a Site Development Permit, Density Bonus, Tree Removal and Environmental Assessment for the demolition of an existing industrial building, removal of three protected trees, and development of a multi-family residential building, up to 77 feet (six stories) in height, with up to 85 dwelling units (100% affordable), a ground-floor parking garage with up to 48 vehicle spaces, and 20,788 square feet of public and private open space on a 1.11-acre parcel located at 308 Sango Court (APN 086-36-036) within the Transit Area Specific Plan (TASP) planning area. (“**MPA Housing Project**”) for real property located within City, a legal description of which is attached hereto as **Exhibit “A”** (“**Property**”).

B. On August 5, 2021, the MILPITAS CITY COUNCIL Adopted Resolution No. 9096 approving the Site Development Permit No. SD19-0014, Density Bonus No. DB19-0001, Tree Removal Permit TR19-0029 and Environmental Assessment No. EA19-0007 for the MPA Housing Project.

C. Developer has not completed all of the work or made all of the public improvements required by **Title XI, Chapter 1, Section 7 of City’s municipal code**, the conditions of approval for the MPA Housing Project, or other ordinances, resolutions, or policies of City requiring construction of public improvements in conjunction with the MPA Housing Project.

D. Pursuant to Title XI, Chapter 1, Section 7 of the City’s Municipal Code, Developer and City enter into this Agreement for the timely construction and completion of the public improvements and the furnishing of the security therefor, acceptable to the City Engineer and City Attorney, for the MPA Housing Project.

E. Developer’s execution of this Agreement and the provision of the security are made in consideration of City’s approval of the MPA Housing Project.

III. TERMS.

1.0 Effectiveness. This Agreement shall not be effective unless and until both of the following conditions are satisfied: (a) Developer provides City with security of the type and in the amounts required by this Agreement; and (b) Developer executes and records this Agreement in the Recorder's Office of the County of SANTA CLARA. If the above described conditions are not satisfied within 60 days after the entry date of this Agreement, this Agreement shall automatically terminate without need of further action by either City or Developer.

2.0 Public Improvements. Developer shall construct or have constructed at its own cost, expense, and liability all improvements required by City as part of the approval of MPA Housing Project, including, but not limited to, all grading, roads, paving, curbs and gutters, pathways, storm drains, sanitary sewers, utilities, drainage facilities, traffic controls, landscaping, street lights, and all other required facilities as shown in detail on the plans, profiles, and specifications which have been prepared by or on behalf of Developer for the MPA Housing Project ("**Public Improvements**"). The Public Improvements are more specifically described in **Exhibit "B,"** which is attached hereto and incorporated herein by this reference, and as shown on City approved Improvement Plan No. 2-1409 on file with the City. Construction of the Public Improvements shall include any transitions and/or other incidental work deemed necessary for drainage or public safety. Such improvements shall be performed to the complete satisfaction of the City Engineer. Developer further promises and agrees to provide all equipment, tools, materials, labor, tests, design work, and engineering services necessary or required by City to fully and adequately complete the Public Improvements.

2.1 Prior Partial Construction of Public Improvements. Where construction of any Public Improvements has been partially completed prior to this Agreement, Developer agrees to complete such Public Improvements or assure their completion in accordance with this Agreement.

2.2 Permits; Notices; Utility Statements. Prior to commencing any work, Developer shall, at its sole cost, expense, and liability, obtain all necessary permits and licenses and give all necessary and incidental notices required for the lawful construction of the Public Improvements and performance of Developer's obligations under this Agreement. Developer shall conduct the work in full compliance with the regulations, rules, and other requirements contained in any permit or license issued to Developer. Prior to commencing any work, Developer shall file a written statement with the City Clerk and the City Engineer, signed by Developer and each utility which will provide utility service to the Property, attesting that Developer has made all deposits legally required by each utility for the extension and provision of utility service to the Property.

2.3 Pre-approval of Plans and Specifications. Developer is prohibited from commencing work on any Public Improvement until all plans and specifications for such Public Improvement have been submitted to and approved by the City Engineer, or his or her designee. Approval by the City Engineer shall not relieve Developer from ensuring that all Public Improvements conform with all other requirements and standards set forth in this Agreement.

2.4 Quality of Work; Compliance With Laws and Codes. The construction plans and specifications for the Public Improvements shall be prepared in accordance with all

applicable federal, state and local laws, ordinances, regulations, codes, standards, and other requirements. The Public Improvements shall be completed in accordance with all approved maps, plans, specifications, standard drawings, and special amendments thereto on file with City, as well as all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements applicable at the time work is actually commenced.

2.5 Standard of Performance. Developer and its contractors, if any, shall perform all work required to construct the Public Improvements under this Agreement in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Developer represents and maintains that it or its contractors shall be skilled in the professional calling necessary to perform the work. Developer warrants that all of its employees and contractors shall have sufficient skill and experience to perform the work assigned to them, and that they shall have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the work, and that such licenses, permits, qualifications and approvals shall be maintained throughout the term of this Agreement.

2.6 Alterations to Improvements. The Public Improvements as described and as shown on Improvement Plan No. 2-1409 on file with the City are understood to be only a general designation of the work and improvements to be done, and not a binding description thereof. All work shall be done and improvements made and completed as shown on approved plans and specifications, and any subsequent alterations thereto. If during the course of construction and installation of the Public Improvements it is determined that the public interest requires alterations in the Public Improvements, Developer shall undertake such design and construction changes as may be reasonably required by City. Any and all alterations in the plans and specifications and the Public Improvements to be completed may be accomplished without giving prior notice thereof to Developer's surety for this Agreement.

3.0 Maintenance of Public Improvements and Landscaping. City shall not be responsible or liable for the maintenance or care of the Public Improvements until City approves and accepts them. City shall exercise no control over the Public Improvements until accepted by City pursuant to Section 11.0. Any use by any person of the Public Improvements, or any portion thereof, shall be at the sole and exclusive risk of the Developer at all times prior to City's acceptance of the Public Improvements. Developer shall maintain all the Public Improvements in a state of good repair until they are completed by Developer and approved and accepted by City, and until the security for the performance of this Agreement is released. Maintenance shall include, but shall not be limited to, repair of pavement, curbs, gutters, sidewalks, signals, parkways, water mains, and sewers; maintaining all landscaping in a vigorous and thriving condition reasonably acceptable to City; removal of debris from sewers and storm drains; and sweeping, repairing, and maintaining in good and safe condition all streets and street improvements. It shall be Developer's responsibility to initiate all maintenance work, but if it shall fail to do so, it shall promptly perform such maintenance work when notified to do so by City. If Developer fails to properly prosecute its maintenance obligation under this section, City may do all work necessary for such maintenance and the cost thereof shall be the responsibility of Developer and its surety under this Agreement. City shall not be responsible or liable for any damages or injury of any nature in any way related to or caused by the Public Improvements or their condition prior to acceptance.

4.0 Construction Schedule. Unless extended pursuant to this Section 4.1 of this Agreement, Developer shall fully and adequately complete or have completed the Public Improvements within two (2) years of the effective date of this Agreement, unless extended pursuant to Section 4.1.

4.1 Extensions. City may, in its sole and absolute discretion, provide Developer with additional time within which to complete the Public Improvements. It is understood that by providing the security required under Section 13.0 et seq. of this Agreement, Developer and its surety consent in advance to any extension of time as may be given by City to Developer, and waives any and all right to notice of such extension(s). Developer's acceptance of an extension of time granted by City shall constitute a waiver by Developer and its surety of all defense of laches, estoppel, statutes of limitations, and other limitations of action in any action or proceeding filed by City following the date on which the Public Improvements were to have been completed hereunder. In addition, as consideration for granting such extension to Developer, City reserves the right to review the provisions of this Agreement, including, but not limited to, the construction standards, the cost estimates established by City, and the sufficiency of the improvement security provided by Developer, and to require adjustments thereto when warranted according to City's reasonable discretion.

4.2 Accrual of Limitations Period. Any limitations period provided by law related to breach of this Agreement or the terms thereof shall not accrue until Developer has provided the City Engineer with written notice of Developer's intent to abandon or otherwise not complete required or agreed upon Public Improvements.

5.0 Grading. Developer agrees that any and all grading done or to be done in conjunction with construction of the Public Improvements or development of MPA Housing Project shall conform to all federal, state, and local laws, ordinances, regulations, and other requirements, including City's grading regulations. In order to prevent damage to the Public Improvements by improper drainage or other hazards, the grading shall be completed in accordance with the time schedule for completion of the Public Improvements established by this Agreement, and prior to City's approval and acceptance of the Public Improvements and release of the Security as set forth in Sections 11.0 and 13.0 et seq. of this Agreement.

6.0 Utilities. Developer shall provide utility services, including water, power, and telephone service to serve each parcel, lot, or unit of land within the MPA Housing Project in accordance with all applicable federal, state, and local laws, rules, and regulations, including, but not limited to, the regulations, schedules and fees of the utilities or agencies providing such services. Except for commercial or industrial properties, Developer shall also provide cable television facilities to serve each parcel, lot, or unit of land in accordance with all applicable federal, state, and local laws, rules, and regulations, including, but not limited to, the requirements of the cable company possessing a valid franchise with City to provide such service within City's jurisdictional limits. All utilities shall be installed underground.

7.0 Fees and Charges. Developer shall, at its sole cost, expense, and liability, pay all fees, charges, and taxes arising out of construction of the Public Improvements, including, but not limited to, all plan check, design review, engineering, inspection, and other service fees, and any

impact or connection fees established by City ordinance, resolution, regulation, or policy, or as established by City relative to the MPA Housing Project.

8.0 City Inspection of Public Improvements. Developer shall, at its sole cost, expense, and liability, and at all times during construction of the Public Improvements, maintain reasonable and safe facilities and provide safe access for inspection by City of the Public Improvements and areas where construction of the Public Improvements is occurring or will occur.

9.0 Default; Notice; Remedies.

9.1 Notice. If Developer neglects, refuses, or fails to fulfill or timely complete any obligation, term, or condition of this Agreement, or if City determines there is a violation of any federal, state, or local law, ordinance, regulation, code, standard, or other requirement, City may at any time thereafter declare Developer to be in default or violation of this Agreement and make written demand upon Developer or its surety, or both, to immediately remedy the default or violation ("Notice"). Developer shall substantially commence the work required to remedy the default or violation within ten (10) days of the Notice. If the default or violation constitutes an immediate threat to the public health, safety, or welfare, City may provide the Notice verbally, and Developer shall substantially commence the required work within twenty-four (24) hours thereof. Immediately upon City's issuance of the Notice, Developer and its surety shall be liable to City for all costs of construction and installation of the Public Improvements and all other administrative costs expenses as provided for in Section 10.0 of this Agreement.

9.2 Failure to Remedy; City Action. If the work required to remedy the noticed default or violation is not diligently prosecuted to a completion acceptable to City within the time frame contained in the Notice, City may complete all remaining work, arrange for the completion of all remaining work, and/or conduct such remedial activity as in its sole and absolute discretion it believes is required to remedy the default or violation. All such work or remedial activity shall be at the sole and absolute cost, expense, and liability of Developer and its surety, without the necessity of giving any further notice to Developer or surety. City's right to take such actions shall in no way be limited by the fact that Developer or its surety may have constructed any, or none of the required or agreed upon Public Improvements at the time of City's demand for performance. In the event City elects to complete or arrange for completion of the remaining work and improvements, City may require all work by Developer or its surety to cease in order to allow adequate coordination by City. Notwithstanding the foregoing, if conditions precedent for reversion to acreage can be met and if the interests of City will not be prejudiced thereby, City may also process a reversion to acreage and thereafter recover from Developer or its surety the full cost and expense incurred.

9.3 Other Remedies. No action by City pursuant to Section 9.0 *et seq.* of this Agreement shall prohibit City from exercising any other right or pursuing any other legal or equitable remedy available under this Agreement or any federal, state, or local law. City may exercise its rights and remedies independently or cumulatively, and City may pursue inconsistent remedies. City may institute an action for damages, injunctive relief, or specific performance.

10.0 Administrative Costs. If Developer fails to construct and install all or any part of the Public Improvements within the time required by this Agreement, or if Developer fails to

comply with any other obligation contained herein, Developer and its surety shall be jointly and severally liable to City for all administrative expenses, fees, and costs, including reasonable attorney's fees and costs, incurred in obtaining compliance with this Agreement or in processing any legal action or for any other remedies permitted by law.

11.0 Acceptance of Improvements; As-Built or Record Drawings. If the Public Improvements are properly completed by Developer and approved by the City Engineer, and if they comply with all applicable federal, state and local laws, ordinances, regulations, codes, standards, and other requirements, the City Council shall be authorized to accept the Public Improvements. The City Council may, in its sole and absolute discretion, accept fully completed portions of the Public Improvements prior to such time as all of the Public Improvements are complete and reduce the requirement Security amount pursuant to Section 13.0 et seq., which shall not release or modify Developer's obligation to complete the remainder of the Public Improvements within the time required by this Agreement. Upon the total or partial acceptance of the Public Improvements by City, Developer shall file with the Recorder's Office of the County of SANTA CLARA a notice of completion for the accepted Public Improvements in accordance with applicable California laws, at which time the accepted Public Improvements shall become the sole and exclusive property of City without payment therefore. Issuance by City of occupancy permits for any buildings or structures located on the Property shall not be construed in any manner to constitute City's acceptance or approval of any Public Improvements. Notwithstanding the foregoing, City may not accept any Public Improvements unless and until Developer provides one (1) set of "as-built" or record drawings or plans to the City Engineer for all such Public Improvements. The drawings shall be certified by the record engineer and shall reflect the condition of the Public Improvements as constructed, with all changes incorporated therein.

12.0 Warranty and Guarantee. Developer hereby warrants and guarantees all Public Improvements against any defective work or labor done, or defective materials furnished in the performance of this Agreement, including the maintenance of all landscaping within the Property in a vigorous and thriving condition reasonably acceptable to City, for a period of one (1) year following completion of the Public Improvements and acceptance of them by the City Council ("Warranty"). During the Warranty, Developer shall repair, replace, or reconstruct any defective or otherwise unsatisfactory portion of the Public Improvements, in accordance with the current ordinances, resolutions, regulations, codes, standards, or other requirements of City, and subject to the approval of the City Engineer. All repairs, replacements, or reconstruction during the Warranty shall be at the sole cost, expense, and liability of Developer and its surety. As to any Public Improvements which have been repaired, replaced, or reconstructed during the Warranty, Developer and its surety hereby agree to extend the Warranty for an additional one (1) year period following the City Engineer's acceptance of the repaired, replaced, or reconstructed Public Improvements. Nothing herein shall relieve Developer from any other liability it may have under federal, state, or local law to repair, replace, or reconstruct any Public Improvement following expiration of the Warranty or any extension thereof. Developer's warranty obligation under this section shall survive the expiration or termination of this Agreement.

13.0 Improvement Security; Surety Bonds. Prior to this Agreement taking effect as set forth in Section 1.0 above, Developer shall provide City with surety bonds in the amounts and under the terms set forth below ("Security"). The amount of the Security shall be based on the City Engineer's approximation of the actual cost to construct the Public Improvements per TASP

residential street standard and guidelines. (“**Estimated Costs**”). If City determines, in its sole and absolute discretion, that the Estimated Costs have changed, Developer shall adjust the Security in the amount requested by City. Developer’s compliance with this provision (Section 13.0 et seq.) shall in no way limit or modify Developer’s indemnification obligation provided in Section 16.0 of this Agreement. The amount of the improvement security shall be adjusted annually based on the Engineering News-Record Construction Price Index for the San Francisco-San Jose area in November of each year, Developer shall have an affirmative obligation to provide the City with evidence of valid security no later than November 30 of each year until all improvements required by project conditions have been constructed. Developer may provide multiple securities in accordance with construction phases, as approved by the City Engineer with a construction phasing plan. Improvement securities may be reduced/released based upon each of the construction phases.

13.1 Performance Bond. To guarantee the faithful performance of the Public Improvements and all the provisions of this Agreement, to protect City if Developer is in default as set forth in Section 9.0 et seq. of this Agreement, and to secure Developer’s one-year guarantee and warranty of the Public Improvements, including the maintenance of all landscaping in a vigorous and thriving condition, Developer shall provide City a faithful performance bond in the amount of One Hundred Twenty Two Thousand Dollars (**\$122,000.00**), which sum shall be not less than one hundred percent (100%) of the Estimated Costs. The City Council may, in its sole and absolute discretion and upon recommendation of the City Engineer, partially release a portion or portions of the security provided under this section as portions of the Public Improvements are completed and accepted by the City Council, provided that Developer is not in default on any provision of this Agreement or condition of approval for the MPA Housing Project and the total remaining security is not less than twenty-five percent (25%) of the Estimated Costs. All security provided under this section shall be released at the end of the Warranty period, or any extension thereof as provided in Section 12.0 of this Agreement, provided that Developer is not in default on any provision of this Agreement or condition of approval for the MPA Housing Project.

13.2 Labor & Material Bond. To secure payment to the contractors, subcontractors, laborers, material men, and other persons furnishing labor, materials, or equipment for performance of the Public Improvements and this Agreement, Developer shall provide City a labor and materials bond in the amount of One Hundred Twenty Two Thousand Dollars (**\$122,000.00**), which sum shall not be less than one hundred percent (100%) of the Estimated Costs. The security provided under this section may be released by written authorization of the City Engineer after six (6) months from the date City accepts the final Public Improvements. The amount of such security shall be reduced by the total of all stop notice or mechanic’s lien claims of which City is aware, plus an amount equal to twenty percent (20%) of such claims for reimbursement of City’s anticipated administrative and legal expenses arising out of such claims.

13.3 Additional Requirements. The surety for any surety bonds provided as Security shall have a current A.M. Best’s rating of no less than A:VIII, shall be licensed to do business in California, and shall be satisfactory to City. As part of the obligation secured by the Security and in addition to the face amount of the Security, the Developer or its surety shall secure the costs and reasonable expenses and fees, including reasonable attorney’s fees and costs, incurred by City in enforcing the obligations of this Agreement. The Developer and its surety stipulate and agree that no change, extension of time, alteration, or addition to the terms of this Agreement, the

Public Improvements, or the plans and specifications for the Public Improvements shall in any way affect its obligation on the Security.

13.4 Evidence and Incorporation of Security. Evidence of the Security shall be provided on the forms set forth in Exhibit "C," unless other forms are deemed acceptable by the City Engineer and the City Attorney, and when such forms are completed to the satisfaction of City, the forms and evidence of the Security shall be attached hereto as Exhibit "C" and incorporated herein by this reference.

14.0 Monument Security.

15.0 Lien. To secure the timely performance of Developer's obligations under this Agreement, including those obligations for which security has been provided pursuant to Sections 13 et seq. and 14 of this Agreement, Developer hereby creates in favor of City a lien against all portions of the Property not dedicated to City or some other governmental agency for a public purpose. As to Developer's default on those obligations for which security has been provided pursuant to Sections 13 et seq. and 14 of this Agreement, City shall first attempt to collect against such security prior to exercising its rights as a contract lienholder under this section.

16.0 Indemnification. Developer shall defend, indemnify, and hold harmless City, its elected officials, officers, employees, and agents from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury, to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental body or agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of Developer, its personnel, employees, agents, or contractors in connection with or arising out of construction or maintenance of the Public Improvements, or performance of this Agreement. This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys fees, and related costs or expenses, and the reimbursement of City, its elected officials, officers, employees, and/or agents for all legal expenses and costs incurred by each of them. This indemnification excludes only such portion of any claim, demand, cause of action, liability, loss, damage, penalty, fine, or injury, to property or persons, including wrongful death, which is caused solely and exclusively by the negligence or willful misconduct of Agency as determined by a court or administrative body of competent jurisdiction. Developer's obligation to indemnify shall survive the expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by City, its elected officials, officers, employees, or agents.

16.1 Public Works Determination. Developer has been alerted to the requirements of California Labor Code section 1770 et seq., including, without limitation S.B. 975, which require the payment of prevailing wage rates and the performance of other requirements if it is determined that this Agreement constitutes a public works contract. It shall be the sole responsibility of Developer to determine whether to pay prevailing wages for any or all work required by this Agreement. As a material part of this Agreement, Developer agrees to assume all risk of liability arising from any decision not to pay prevailing wages for work required by this Agreement.

17.0 Insurance.

17.1 Types; Amounts. Developer shall procure and maintain, and shall require its contractors to procure and maintain, during construction of any Public Improvement pursuant to this Agreement, insurance of the types and in the amounts described below ("Required Insurance"). If any of the Required Insurance contains a general aggregate limit, such insurance shall apply separately to this Agreement or be no less than two times the specified occurrence limit.

17.1.1 General Liability. Developer and its contractors shall procure and maintain occurrence version general liability insurance, or equivalent form, with a combined single limit of not less than \$1,000,000 per occurrence for bodily injury, personal injury, and property damage.

17.1.2 Business Automobile Liability. Developer and its contractors shall procure and maintain business automobile liability insurance, or equivalent form, with a combined single limit of not less than \$1,000,000 per occurrence. Such insurance shall include coverage for the ownership, operation, maintenance, use, loading, or unloading of any vehicle owned, leased, hired, or borrowed by the insured or for which the insured is responsible.

17.1.3 Workers' Compensation. Developer and its contractors shall procure and maintain workers' compensation insurance with limits as required by the Labor Code of the State of California and employers' liability insurance with limits of not less than \$1,000,000 per occurrence, at all times during which insured retains employees.

17.1.4 Professional Liability. For any consultant or other professional who will engineer or design the Public Improvements, liability insurance for errors and omissions with limits not less than \$1,000,000 per occurrence, shall be procured and maintained for a period of five (5) years following completion of the Public Improvements. Such insurance shall be endorsed to include contractual liability.

17.2 Deductibles. Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either: (a) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, its elected officials, officers, employees, agents, and volunteers; or (b) Developer and its contractors shall provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigation costs, claims, and administrative and defense expenses.

17.3 Additional Insured; Separation of Insureds. The Required Insurance shall name City, its elected officials, officers, employees, agents, and volunteers as additional insureds with respect to work performed by or on behalf of Developer or its contractors, including materials, parts, or equipment furnished in connection therewith. The Required Insurance shall contain standard separation of insureds provisions, and shall contain no special limitations on the scope of its protection to City, its elected officials, officers, employees, agents, and volunteers.

17.4 Primary Insurance; Waiver of Subrogation. The Required Insurance shall be primary with respect to any insurance or self-insurance programs covering City, its elected officials, officers, employees, agents, and volunteers. All policies for the Required Insurance shall

provide that the insurance company waives all right of recovery by way of subrogation against City in connection with any damage or harm covered by such policy.

17.5 Certificates; Verification. Developer and its contractors shall furnish City with original certificates of insurance and endorsements effecting coverage for the Required Insurance. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by City before work pursuant to this Agreement can begin. City reserves the right to require complete, certified copies of all required insurance policies, at any time.

17.6 Term; Cancellation Notice. Developer and its contractors shall maintain the Required Insurance for the term of this Agreement and shall replace any certificate, policy, or endorsement which will expire prior to that date. All policies shall be endorsed to provide that the Required Insurance shall not be suspended, voided, reduced, canceled, or allowed to expire except on 30 days prior written notice to City.

17.7 Insurer Rating. Unless approved in writing by City, all Required Insurance shall be placed with insurers licensed to do business in the State of California and with a current A.M. Best rating of at least A:VIII.

18.0 Signs and Advertising. Developer understands and agrees to City's ordinances, regulations, and requirements governing signs and advertising structures. Developer hereby agrees with and consents to the removal by City of all signs or other advertising structures erected, placed, or situated in violation of any City ordinance, regulation, or other requirement. Removal shall be at the expense of Developer and its surety. Developer and its surety shall indemnify and hold City free and harmless from any claim or demand arising out of or incident to signs, advertising structures, or their removal.

19.0 Relationship Between the Parties. The Parties hereby mutually agree that neither this Agreement, any map related to Parcel APN 086-36-036, nor any other related entitlement, permit, or approval issued by City for the Property shall operate to create the relationship of partnership, joint venture, or agency between City and Developer. Developer's contractors and subcontractors are exclusively and solely under the control and dominion of Developer. Nothing herein shall be deemed to make Developer or its contractors an agent or contractor of City.

20.0 General Provisions.

20.1 Authority to Enter Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority make this Agreement and bind each respective Party.

20.2 Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.

20.3 Construction; References; Captions. It being agreed the Parties or their agents have participated in the preparation of this Agreement, the language of this Agreement shall

be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days, or period for performance shall be deemed calendar days and not work days. All references to Developer include all personnel, employees, agents, and subcontractors of Developer, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.

20.4 Notices. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other addresses as the Parties may designate by written notice:

CITY OF MILPITAS
455 E. Calaveras Boulevard
MILPITAS, CA 95035
Attn: Matt Cano, Deputy City Manager

DEVELOPER:
Pacific West Communities
430 E State Street, Suite 100
Eagle, ID 83616-5901
Attn: Caleb Roope, President and CEO

Depending upon the method of transmittal, notice shall be deemed received as follows: by facsimile, as of the date and time sent; by messenger, as of the date delivered; and by U.S. Mail first class postage prepaid, as of 72 hours after deposit in the U.S. Mail.

20.5 Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.

20.6 Waiver. City's failure to insist upon strict compliance with any provision of this Agreement or to exercise any right or privilege provided herein, or City's waiver of any breach of this Agreement, shall not relieve Developer of any of its obligations under this Agreement, whether of the same or similar type. The foregoing shall be true whether City's actions are intentional or unintentional. Developer agrees to waive, as a defense, counterclaim or set off, any and all defects, irregularities or deficiencies in the authorization, execution or performance of the Public Improvements or this Agreement, as well as the laws, rules, regulations, ordinances or resolutions of City with regards to the authorization, execution or performance of the Public Improvements or this Agreement.

20.7 Assignment or Transfer of Agreement. Developer shall not assign, hypothecate, or transfer, either directly or by operation of law, this Agreement or any interest herein without prior written consent of City. Any attempt to do so shall be null and void, and any assignee, hypothecatee, or transferee shall acquire no right or interest by reason of such attempted assignment, hypothecation, or transfer. Unless specifically stated to the contrary in City's written

consent, any assignment, hypothecation, or transfer shall not release or discharge Developer from any duty or responsibility under this Agreement.

20.8 Binding Effect. Each and all of the covenants and conditions shall be binding on and shall inure to the benefit of the Parties, and their successors, heirs, personal representatives, or assigns. This section shall not be construed as an authorization for any Party to assign any right or obligation.

20.9 No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.

20.10 Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.

20.11 Consent to Jurisdiction and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any legal action or proceeding brought to interpret or enforce this Agreement, or which in any way arises out of the Parties' activities undertaken pursuant to this Agreement, shall be filed and prosecuted in the appropriate California State Court in the County of SANTA CLARA, California. Each Party waives the benefit of any provision of state or federal law providing for a change of venue to any other court or jurisdiction including, without limitation, a change of venue based on the fact that a governmental entity is a party to the action or proceeding, or that a federal right or question is involved or alleged to be involved in the action or proceeding. Without limiting the generality of the foregoing waiver, Developer expressly waives any right to have venue transferred pursuant to California Code of Civil Procedure Section 394.

20.12 Attorneys' Fees and Costs. If any arbitration, lawsuit, or other legal action or proceeding is brought by one Party against the other Party in connection with this Agreement or the Property, the prevailing party, whether by final judgment or arbitration award, shall be entitled to and recover from the other party all costs and expenses incurred by the prevailing party, including actual attorneys' fees ("Costs"). Any judgment, order, or award entered in such legal action or proceeding shall contain a specific provision providing for the recovery of Costs, which shall include, without limitation, attorneys' and experts' fees, costs and expenses incurred in the following: (a) post judgment motions and appeals, (b) contempt proceedings, (c) garnishment, levy, and debtor and third party examination, (d) discovery, and (e) bankruptcy litigation. This section shall survive the termination or expiration of this Agreement.

20.13 Counterparts. This Agreement may be executed in counterpart originals, which taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the day and year first above written.

CITY OF MILPITAS

By: _____
Steven G. McHarris
City Manager
City of MILPITAS

APPROVED AS TO FORM:

By: _____
Michael Mutalipassi
City Attorney
City of MILPITAS

APPROVED AS TO CONTENT:

By: _____
Lauren Lai, CPA,MPA
Finance Director/Risk Manager
City of MILPITAS

APPROVED AS TO SUFFICIENCY:

By: _____
Matt Cano
Deputy City Manager
City of MILPITAS

DEVELOPER

By: TPC Holdings IX, LLC,
an Idaho limited liability company
 Its: Co-Administrative General Partner

By: Pacific West Communities, Inc.
an Idaho corporation
 Its: Manager

By: _____
 Name: Caleb Roope
 Its: President and CEO

By: Kelley Ventures, LLC,
a California limited liability company
 Its: Co-Administrative General Partner

By: _____
 Name: Mike Kelley
 Its: Manager

By: Central Valley Coalition
for Affordable Housing
 Its: Managing General Partner

By: _____
 Name: Christina Alley
 Its: Chief Executive Office

NOTE: DEVELOPER'S SIGNATURES SHALL BE DULY NOTARIZED, AND APPROPRIATE ATTESTATIONS SHALL BE INCLUDED AS MAY BE REQUIRED BY THE BYLAWS, ARTICLES OF INCORPORATION, OR OTHER RULES OR REGULATIONS APPLICABLE TO DEVELOPER'S BUSINESS ENTITY.

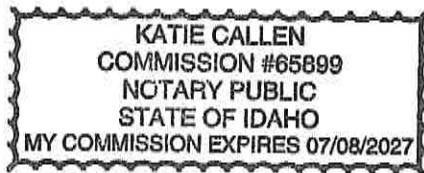
All Capacity Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF Idaho Ada

On 10/7 ²⁰22, before me, Katie Callen, Notary Public, personally appeared Caleb Roope, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of Idaho that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

Katie Callen
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer

Title(s)
- ☐ Partner ☐ Limited
(s) ☐ General
- ☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

All Capacity Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF SACRAMENTO

On 10/10, 2222, before me, JENNIFER DAUBERT
MICHAEL KELLY, Notary Public, personally
appeared MICHAEL KELLY, who proved to me on the basis of satisfactory

evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Jen DAUBERT
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer

Title(s)
- ☐ Partner ☐ Limited
(s)
☐ General
- ☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

AGREEMENT OF COMPLETION
Title or Type of Document

15
Number of Pages

10/10/2022
Date of Document

Signer(s) Other Than Named Above

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California }
 } SS
 County of Merced }

On October 17, 2022, before me, Jennifer Bertuccio, Notary Public, personally appeared Christina Alley, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Jennifer Bertuccio

 Notary Public

My Commission Expires:
 March 17, 2025

EXHIBIT "A"
LEGAL DESCRIPTION OF PROPERTY
MPA HOUSING PROJECT

Real property in the City of Milpitas, County of Santa Clara, State of California, described as follows:

ALL OF PARCEL A, AS SHOWN ON THAT CERTAIN MAP ENTITLED, "PARCEL MAP BEING A RESUBDIVISION OF PARCELS 8, 9 AND 10", AS SHOWN UPON THE PARCEL MAP FILED IN [BOOK 338 OF MAPS AT PAGE 42](#), WHICH MAP WAS FILED FOR RECORD IN THE OFFICE OF THE RECORDER OF THE COUNTY OF SANTA CLARA, STATE OF CALIFORNIA ON JANUARY 14, 1980 IN [BOOK 457 OF MAPS, AT PAGE 27](#).

APN: 086-36-036

EXHIBIT “B”
LIST OF PUBLIC IMPROVEMENTS
MPA HOUSING PROJECT

EXHIBIT "C"
SURETY BONDS AND OTHER SECURITY
MPA HOUSING PROJECT

As evidence of understanding the provisions contained in this Agreement, and of the Developer's intent to comply with same, the Developer has submitted the below described security in the amounts required by this Agreement, and has affixed the appropriate signatures thereto:

PERFORMANCE BOND PRINCIPAL AMOUNT: \$122,000.00

Surety: 800011696

Attorney-in-fact: Holly E. Ulfers

Address: Atlantic Specialty Insurance Company
605 Highway 169 North, Suite 800
Plymouth, MN 55441

MATERIAL AND LABOR BOND PRINCIPAL AMOUNT: \$122,00.00

Surety: 800011696

Attorney-in-fact: Holly E. Ulfers

Address: Atlantic Specialty Insurance Company
605 Highway 169 North, Suite 800
Plymouth, MN 55441

INCREASE PENALTY RIDER

BOND NO. 800011696

To be attached and form a part of Bond No. 800011696 dated the 1st Day of June, 2022, executed by Atlantic Specialty Insurance Company as surety, on behalf of Milpitas Pacific Associates, a California Limited Partnership as current principal of record, and in favor of City of Milpitas, as Obligee for MPA Housing Project Improvements, and in the amount of Sixty Seven Thousand Two Hundred Dollars and 00/100 (\$67,200.00).

In consideration of the agreed premium charged for this bond, it is understood and agreed that Atlantic Specialty Insurance Company hereby consents that effective from the 1st Day of June, 2022, said bond shall be amended as follows:

THE BOND PENALTY SHALL BE INCREASED:

FROM: Sixty Seven Thousand Two Hundred Dollars and 00/100 (\$67,200.00)

TO: One Hundred Twenty Two Thousand Dollars and 00/100 (\$122,000.00)

The INCREASE of said bond penalty shall be effective as of the 1st Day of June, 2022, and does hereby agree that the continuity of protection under said bond subject to changes in penalty shall not be impaired hereby, provided that the aggregate liability of the above mentioned bond shall not exceed the amount of liability assumed by it at the time the act and/or acts of default were committed and in no event shall such liability be cumulative.

Signed, sealed and dated this 23rd Day of August, 2022

Milpitas Pacific Associates, a California Limited Partnership
PRINCIPAL

BY

Atlantic Specialty Insurance Company
SURETY

BY

Jamie Armfield, ATTORNEY-IN-FACT





Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Holly E. Ulfers, Roxana Palacios, Peggy A. Firth, Kathleen M. Mitchell, Debbie Lindstrom, Brandi Heinbaugh, Scott Alderman, Timothy S. Buhite, Amber Engel, Jamie Armfield**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-seventh day of April, 2020.

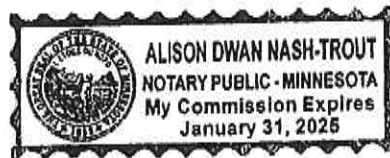
STATE OF MINNESOTA
HENNEPIN COUNTY



By

Paul J. Brehm, Senior Vice President

On this twenty-seventh day of April, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.

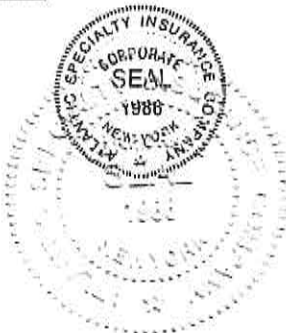


Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed, Dated 23rd day of August, 2022.

This Power of Attorney expires
January 31, 2025



Kara Barrow, Secretary

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**Civil Code § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

State of Washington
County of Pierce }

On August 23, 2022 before me, Peggy A. Firth, Notary Public
Date Name and Title of Notary
personally appeared Jamie Armfield
Name and or Names of Signer(s)

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature Peggy A. Firth
Notary Public Signature

NOTARY PUBLIC
STATE OF WASHINGTON
PEGGY A. FIRTH
Lic. No. 58395
My Appointment Expires
NOVEMBER 08, 2023

Place Notary Public Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to the persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document _____

Document Date _____ Number of Pages: _____

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Guardian or Conservator
☐ Attorney-in-Fact
☐ Trustee
☐ Other: _____

Signer is representing _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Guardian or Conservator
☐ Attorney-in-Fact
☐ Trustee
☐ Other: _____

Signer is representing _____

RIGHT THUMBPRINT
OF SIGNER
Top of thumb

All Capacity Acknowledgment

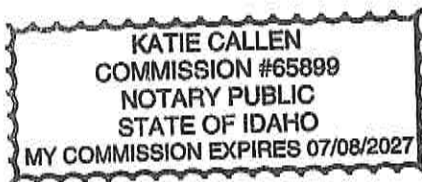
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA
COUNTY OF Ada

On 10/7, 2022, before me, Katie Callen, Notary Public, personally appeared Caleb Roope, who proved to me on the basis of satisfactory

evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
- ☐ Corporate Officer
-
- ☐ Partner ☐ Limited
 (s) ☐ General
- ☐ Attorney-In-Fact
- ☐ Trustee(s)
- ☐ Guardian/Conservator
- ☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

BOND NO. 800011696
 INITIAL PREMIUM: \$100.00
 SUBJECT TO RENEWAL

CITY OF MILPITAS
MPA HOUSING PROJECT IMPROVEMENTS
PERFORMANCE BOND

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS the City of MILPITAS, California ("City") and Milpitas Pacific Associates, a California Limited Partnership ("Principal"), have executed an agreement for work consisting of, but not limited to, the furnishing all labor, materials, tools, equipment, services, and incidentals for all grading, roads, paving, curbs and gutters, pathways, storm drains, sanitary sewers, utilities, drainage facilities, traffic controls, landscaping, street lights, and all other required facilities for the MPA Housing Project ("Public Improvements");

WHEREAS, the Public Improvements to be performed by Principal are more particularly set forth in that certain Agreement for Completion of Pubic Improvements dated _____, _____ ("Improvement Agreement");

WHEREAS, the Improvement Agreement is hereby referred to and incorporated herein by reference; and

WHEREAS, Principal is required by the Improvement Agreement to provide a good and sufficient bond for performance of the Improvement Agreement, and to guarantee and warranty the Public Improvements constructed thereunder.

NOW, THEREFORE, Principal and Atlantic Specialty Insurance Company ("Surety"), a corporation organized and existing under the laws of the State of New York, and duly authorized to transact business under the laws of the State of California, are held and firmly bound unto City in the sum of Sixty Seven Thousand Two Hundred dollars (\$ 67,200.00), said sum being not less than one hundred percent (100%) of the total cost of the Public Improvements as set forth in the Improvement Agreement, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such, that if Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions, agreements, guarantees, and warranties in the Improvement Agreement and any alteration thereof made as therein provided, to be kept and performed at the time and in the manner therein specified and in all respects according to their intent and meaning, and to indemnify and save harmless City, its officers, employees, and agents,

as stipulated in the Improvement Agreement, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Improvement Agreement, or to any plans, profiles, and specifications related thereto, or to the Public Improvements to be constructed thereunder, shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition.

This bond is executed and filed to comply with Section 66499 et seq. of the Government Code of California as security for performance of the Improvement Agreement and security for the one-year guarantee and warranty of the Public Improvements.

IN WITNESS WHEREOF, the seal and signature of the Principal is hereto affixed, and the corporate seal and the name of the Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact at Seattle, WA, this 1st day of June, 2022,
_____.

(Corporate Seal)

Milpitas Pacific Associates, a California Limited Partnership
Principal

By [Signature]

Title Executive Director

(Corporate Seal)

Atlantic Specialty Insurance Company
Surety

By Roxana Palacios
Attorney-in-Fact

(Attach Attorney-in-Fact Certificate)

Title Roxana Palacios, Attorney in Fact

The rate of premium on this bond is 1.00 per thousand. The total amount of premium charges is \$ 100.00.

(The above must be filled in by corporate attorney.)

THIS IS A REQUIRED FORM

Any claims under this bond may be addressed to:

(Name and Address of Surety)

Atlantic Specialty Insurance Company

605 Highway 169 North, Suite 800

Plymouth, MN 55441

(Name and Address of Agent or Representative for service of process in California, if different from above)

USI Insurance Services

601 Union Street, Suite 1000

Seattle, WA 98101

(Telephone number of Surety and Agent or Representative for service of process in California)

206-441-6300

All Capacity Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF Idaho
COUNTY OF Idaho

On 8/1, 2022, before me, Tricia A. Wassner, Notary Public, personally appeared Caleb Roope, who proved to me on the basis of satisfactory

evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

Tricia A. Wassner
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer

Title(s)
- ☐ Partner ☐ Limited
(s)
☐ General
- ☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

BOND NO. 800011696
 INITIAL PREMIUM: \$100.00
 SUBJECT TO RENEWAL

CITY OF MILPITAS
MPA HOUSING PROJECT IMPROVEMENTS
LABOR AND MATERIAL BOND

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS the City of MILPITAS, California ("City") and Milpitas Pacific Associates, a California Limited Partnership ("Principal"), have executed an agreement for work consisting of, but not limited to, the furnishing all labor, materials, tools, equipment, services, and incidentals for all grading, roads, paving, curbs and gutters, pathways, storm drains, sanitary sewers, utilities, drainage facilities, traffic controls, landscaping, street lights, and all other required facilities for the MPA Housing Project ("Public Improvements");

WHEREAS, the Public Improvements to be performed by Principal are more particularly set forth in that certain Agreement for Completion of Pubic Improvements dated _____, 2021("Improvement Agreement");

WHEREAS, the Improvement Agreement is hereby referred to and incorporated herein by reference; and

WHEREAS, Principal is required to furnish a bond in connection with the Improvement Agreement providing that if Principal or any of its subcontractors shall fail to pay for any materials, provisions, or other supplies, or terms used in, upon, for, or about the performance of the Public Improvements, or for any work or labor done thereon of any kind, or for amounts due under the provisions of Title 3 (commencing with section 9000) of Part 6 of Division 4 of the California Civil Code, with respect to such work or labor, that the Surety on this bond will pay the same together with a reasonable attorney's fee in case suit is brought on the bond.

NOW, THEREFORE, Principal and Atlantic Specialty Insurance Company ("Surety"), a corporation organized and existing under the laws of the State of New York, and duly authorized to transact business under the laws of the State of California, are held and firmly bound unto City and to any and all contractors, subcontractors, material suppliers, persons, companies or corporations furnishing materials, provisions, and other supplies used in, upon, for or about the performance of the Public Improvements, and all persons, companies or corporations renting or hiring teams, or implements or machinery, for or contributing to the Public Improvements to be done, and all persons performing work or labor upon the same and all persons supplying both work and materials as aforesaid excepting the Principal, the sum of Sixty Seven Thousand Two Hundred dollars, (\$ 67,200.00), said sum being not less than 100% of the

total cost of the Public Improvements under the terms of the Improvement Agreement, we bind ourselves, our heirs, executors and administrators, successors and assigns jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION IS SUCH that if the Principal, his or its subcontractors, heirs, executors, administrators, successors, or assigns, shall fail to pay for any materials, provisions, or other supplies or machinery used in, upon, for or about the performance of the Public Improvements, or for work or labor thereon of any kind, or fail to pay any of the persons named herein, or amounts due under the Unemployment Insurance Code with respect to work or labor performed by any such claimant, or for any amounts required to be deducted, withheld, and paid over to the Employment Development Department from the wages of employees of the contractor and his subcontractors pursuant to Section 13020 of the Unemployment Insurance Code with respect to such work and labor, and all other applicable laws of the State of California and rules and regulations of its agencies, then said Surety will pay the same in or to an amount not exceeding the sum specified herein.

As part of the obligation secured hereby, and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

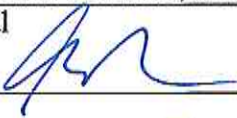
This bond is executed and filed to comply with Section 66499 et seq. of the California Government Code as security for payment to contractors, subcontractors, and persons furnishing labor, materials, or equipment for construction of the Public Improvements or performance of the Improvement Agreement. It is hereby expressly stipulated and agreed that this bond shall inure to the benefit of any and all persons, companies, and corporations entitled to file claims under Title 3 (commencing with Section 9000) of Part 6 of Division 4 of the California Civil Code, so as to give a right of action to them or their assigns in any suit brought upon this bond.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Improvement Agreement, or to any plans, profiles, and specifications related thereto, or to the Public Improvements to be constructed thereunder, shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition.

IN WITNESS WHEREOF, the seal and signature of the Principal is hereto affixed, and the corporate seal and the name of the Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact at Seattle, WA, this 1st day of June, 2022,
_____.

(Corporate Seal)

Milpitas Pacific Associates, a California Limited Partnership
Principal

By 

Title General Partner

(Corporate Seal)

Atlantic Specialty Insurance Company
Surety

By Roxana Palacios

Attorney-in-Fact

(Attach Attorney-in-Fact Certificate)

Title Roxana Palacios, Attorney in Fact

The rate of premium on this bond is 1.00 per thousand. The total amount of premium charges is \$ 100.00.
(The above must be filled in by corporate attorney.)

THIS IS A REQUIRED FORM

Any claims under this bond may be addressed to:

(Name and Address of Surety)

Atlantic Specialty Insurance Company
605 Highway 169 North, Suite 800
Plymouth, MN 55441

(Name and Address of Agent or Representative for service of process in California, if different from above)

USI Insurance Services
601 Union Street, Suite 1000
Seattle, WA 98101

(Telephone number of Surety and Agent or Representative for service of process in California)

206-441-6300

All Capacity Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF ~~CALIFORNIA~~ ^{Idaho}
COUNTY OF ~~Los Angeles~~ ^{Ada}

On 8/1, 22, before me, Tricia Wassner, Notary Public, personally appeared Caleb Roope, who proved to me on the basis of satisfactory

evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.



WITNESS my hand and official seal.

Tricia A. Wassner
Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer

Title(s)
- ☐ Partner ☐ Limited
(s)
☐ General
- ☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:
Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

CALIFORNIA ALL-PURPOSE ACKNOWLEDGEMENT**Civil Code § 1189**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy or validity of that document.

State of WashingtonCounty of SnohomishOn 6/1/2022 before me, Jamie Armfield, Notary Public

Date

Name and Title of Notary

personally appeared Roxana Palacios

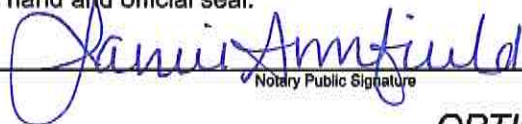
Name and or Names of Signer(s)

Who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

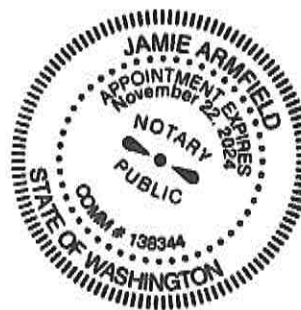
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

Witness my hand and official seal.

Signature



Notary Public Signature



Place Notary Public Seal Above

OPTIONAL

Though the information below is not required by law, it may prove valuable to the persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document _____

Document Date _____ Number of Pages: _____

Signer's Name: _____

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Guardian or Conservator
☐ Attorney-in-Fact
☐ Trustee
☐ Other: _____
 Signer is representing _____

 RIGHT THUMBPRINT
 OF SIGNER
 Top of thumb

- ☐ Individual
☐ Corporate Officer – Title(s): _____
☐ Partner - ☐ Limited ☐ General
☐ Guardian or Conservator
☐ Attorney-in-Fact
☐ Trustee
☐ Other: _____
 Signer is representing _____

 RIGHT THUMBPRINT
 OF SIGNER
 Top of thumb



Power of Attorney

KNOW ALL MEN BY THESE PRESENTS, that ATLANTIC SPECIALTY INSURANCE COMPANY, a New York corporation with its principal office in Plymouth, Minnesota, does hereby constitute and appoint: **Holly E. Ulfers, Roxana Palacios, Peggy A. Firth, Kathleen M. Mitchell, Debbie Lindstrom, Brandi Heinbaugh, Scott Alderman, Timothy S. Buhite, Amber Engel, Jamie Armfield**, each individually if there be more than one named, its true and lawful Attorney-in-Fact, to make, execute, seal and deliver, for and on its behalf as surety, any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof; provided that no bond or undertaking executed under this authority shall exceed in amount the sum of: **unlimited** and the execution of such bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof in pursuance of these presents, shall be as binding upon said Company as if they had been fully signed by an authorized officer of the Company and sealed with the Company seal. This Power of Attorney is made and executed by authority of the following resolutions adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the President, any Senior Vice President or Vice-President (each an "Authorized Officer") may execute for and in behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and affix the seal of the Company thereto; and that the Authorized Officer may appoint and authorize an Attorney-in-Fact to execute on behalf of the Company any and all such instruments and to affix the Company seal thereto; and that the Authorized Officer may at any time remove any such Attorney-in-Fact and revoke all power and authority given to any such Attorney-in-Fact.

Resolved: That the Attorney-in-Fact may be given full power and authority to execute for and in the name and on behalf of the Company any and all bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof, and any such instrument executed by any such Attorney-in-Fact shall be as binding upon the Company as if signed and sealed by an Authorized Officer and, further, the Attorney-in-Fact is hereby authorized to verify any affidavit required to be attached to bonds, recognizances, contracts of indemnity, and all other writings obligatory in the nature thereof.

This power of attorney is signed and sealed by facsimile under the authority of the following Resolution adopted by the Board of Directors of ATLANTIC SPECIALTY INSURANCE COMPANY on the twenty-fifth day of September, 2012:

Resolved: That the signature of an Authorized Officer, the signature of the Secretary or the Assistant Secretary, and the Company seal may be affixed by facsimile to any power of attorney or to any certificate relating thereto appointing an Attorney-in-Fact for purposes only of executing and sealing any bond, undertaking, recognizance or other written obligation in the nature thereof, and any such signature and seal where so used, being hereby adopted by the Company as the original signature of such officer and the original seal of the Company, to be valid and binding upon the Company with the same force and effect as though manually affixed.

IN WITNESS WHEREOF, ATLANTIC SPECIALTY INSURANCE COMPANY has caused these presents to be signed by an Authorized Officer and the seal of the Company to be affixed this twenty-seventh day of April, 2020.

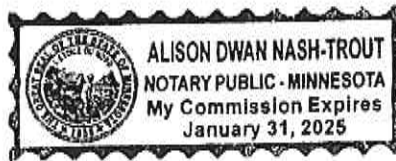
STATE OF MINNESOTA
HENNEPIN COUNTY



By

Paul J. Brehm, Senior Vice President

On this twenty-seventh day of April, 2020, before me personally came Paul J. Brehm, Senior Vice President of ATLANTIC SPECIALTY INSURANCE COMPANY, to me personally known to be the individual and officer described in and who executed the preceding instrument, and he acknowledged the execution of the same, and being by me duly sworn, that he is the said officer of the Company aforesaid, and that the seal affixed to the preceding instrument is the seal of said Company and that the said seal and the signature as such officer was duly affixed and subscribed to the said instrument by the authority and at the direction of the Company.



Notary Public

I, the undersigned, Secretary of ATLANTIC SPECIALTY INSURANCE COMPANY, a New York Corporation, do hereby certify that the foregoing power of attorney is in full force and has not been revoked, and the resolutions set forth above are now in force.

Signed and sealed. Dated 1st day of June, 2022.

This Power of Attorney expires
January 31, 2025



Kara Barrow, Secretary



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Approve and Authorize the City Manager to Negotiate and Execute the Agreement for Completion of Public Improvements as part of the Innovation Campus Project between the City of Milpitas and Milpitas Unified School District (MUSD) including issuance of Faithful Performance and Labor and Materials Bonds (Staff Contact: Roberto Alonzo, Principal Civil Engineer, 408-586-3316)
Category:	Consent Calendar-Community Development
Meeting Date:	4/18/2023
	<u>Recommendation:</u> Approve and authorize the City Manager to negotiate and execute the agreement for completion of public improvements as part of the Innovation Campus Project between the City of Milpitas and Milpitas Unified School District (MUSD)

BACKGROUND:

In March 2022, Milpitas Unified School District (MUSD) informed the City that they were planning to renovate their existing District Office Site, which also supports their adult school and alternative school campuses and preschool. In April 2022, MUSD provided the City with an Initial Study/Mitigated Negative Declaration for the Innovation Campus Project. The Innovation Campus Project, located at 1331 East Calaveras Boulevard, entails demolishing many of the existing buildings and constructing six two-story prefabricated modular buildings. Offsite public improvements to be constructed and accepted by the City include asphalt concrete pavement, signing and striping, curb and gutter, sidewalk, driveway approaches, bulb outs and a traffic signal at the intersection of East Calaveras Boulevard and Carnegie Drive, utility services, landscaping, irrigation and other miscellaneous items of work identified on the improvement plans.

ANALYSIS:

MUSD has agreed to enter into an Improvement Agreement (**current draft Attached**) with the City for the construction of off-site public improvements for the project, which will be completed with the on-site work, and the public improvements will be accepted by the City after completion of construction. The improvements will be completed in two phases. Phase one includes the proposed utility connections and Phase two includes the proposed traffic signal and other offsite improvements along the project frontage. The work is guaranteed by bonds or similar securities to be posted by MUSD or its contractor in the amount of \$3,121,000.00 (or larger amount if determined necessary by the City upon final review of the District's Engineer's Estimate for the public improvements). Additionally, the agreement allows the City to call upon the bonds if the District "neglects or fails to fulfill or timely complete any obligation, term or condition of the Agreement" such as the traffic signal or other offsite improvements. The City Engineer has reviewed the public improvement plans (2-1442) and recommends the City Council authorize the City Manager to negotiate and execute the Agreement to allow for the construction of public improvements to proceed. Staff is still in the process of discussing potential edits to the agreement with the District regarding securing the completion of the Phase two improvements. As time is of the essence for the District to receive their permit for the utility connections, staff is requesting approval to negotiate and execute the agreement, as opposed to approving the attached agreement, so that the agreement can be finalized expeditiously once the final edits are agreed upon.

The agreement was approved by the MUSD board on March 28, 2023.

POLICY ALTERNATIVE(S):**Alternative 1:**

Deny approval of Improvement Agreement.

Pros: None

Cons: Not approving the execution of the Improvement Agreement would prevent the needed offsite public improvements from being constructed and guaranteed by bonds.

Reason for Not Recommending: To allow the development to move forward, staff recommends approval of Improvement Agreement.

FISCAL IMPACT:

MUSD reimbursed the city for costs associated with plan review, permitting and construction inspection for off-site public improvements constructed by the Developer. The City will have perpetual ownership and maintenance responsibilities for the improvements following construction and acceptance of the project. The Public Works Department provides funding for future maintenance of newly accepted City infrastructure through their operating budget.

California Environmental Quality Act (CEQA):

Approval of the Improvement Agreement implements this project for which CEQA review has already been completed through the approved Mitigated Negative Declaration prepared by MUSD. No further review is required.

RECOMMENDATION:

Approve and authorize the City Manager to negotiate and execute the agreement for completion of public improvements as part of the Innovation Campus Project between the City of Milpitas and Milpitas Unified School District (MUSD) including issuance of Faithful Performance and Labor and Materials Bonds.

Attachment:

Improvement Agreement current draft

**RECORDING REQUESTED BY: WHEN
RECORDED RETURN TO:**
CITY OF MILPITAS

455 E. Calaveras Blvd
Milpitas, CA 95035
ATTN: Engineering Department

MILPITAS UNIFIED SCHOOL DISTRICT

1331 East Calaveras Blvd.
Milpitas, CA 95035
ATTN: Business Services Department

*Exempt from recording fee, per Government Code
Section 6103*

**SPACE ABOVE THIS LINE FOR
RECORDER'S USE**

CITY OF MILPITAS, CALIFORNIA

By: _____
City Clerk

AGREEMENT FOR COMPLETION OF PUBLIC IMPROVEMENTS

between
CITY OF MILPITAS

a California municipal corporation and
MILPITAS UNIFIED SCHOOL DISTRICT

AGREEMENT FOR COMPLETION OF PUBLIC IMPROVEMENTS

PARTIES AND DATE.

This Agreement for the Completion of Public Improvements (“Agreement”) is entered into as of this ____ day of March 2023 by and between the City of MILPITAS, a California municipal corporation (“City”) and the MILPITAS UNIFIED SCHOOL DISTRICT (MUSD), a California public school district located in the State of California (“District”). City and District are sometimes hereinafter individually referred to as “Party” and hereinafter collectively referred to as the “Parties.”

RECITALS

A. On [REDACTED], 2023, District submitted to City an application for approval of an Encroachment Permit (E-EN22-0295) for the construction of public improvements within the City Right of Way by the District associated with the construction of District’s Innovation Campus Project located at 1331 E. Calaveras Boulevard, Milpitas, CA 95035 (the “Project”), a legal description of which is attached hereto as Exhibit “A” (“Property”).

B. District has not completed all of the work or made all of the public improvements required by Title X, Chapter 1, Section 8 of City’s Municipal Code, or other ordinances, resolutions, or policies of City requiring construction of public improvements in conjunction with the Project.

C. Pursuant to Title X, Chapter 1, Section 8 of City’s Municipal Code, District and City enter into this Agreement for the timely construction and completion of the public improvements and the furnishing of the security therefor, acceptable to the City Engineer and City Attorney, for the Project.

TERMS

1. Effectiveness. This Agreement shall not be effective unless and until the following conditions are satisfied: (a) District provides City with security of the type and in the amounts required by this Agreement; (b) District executes and records this Agreement in the Recorder’s Office of the County of SANTA CLARA. If the above-described conditions are not satisfied within 60 days after the entry date of this Agreement, this Agreement shall automatically terminate without need of further action by either City or District.

2. Public Improvements.

- 2.1. District shall construct or have constructed at its own cost, expense, and liability all improvements required by City as part of the approval of the Project, including, but not limited to all grading, roads, paving, curbs and gutters, pathways, storm drains, sanitary sewers, utilities, drainage facilities, traffic controls, landscaping, street lights, and all other required facilities as shown in detail on the plans, profiles, and specifications which have been prepared by or on behalf of the District for the Project (“Public Improvements”) and approved by the City Engineer.
- 2.2. District shall construct the Public Improvements in two phases:
 - 2.2.1. Phase One includes the proposed Utility Connections for the Innovation Campus Project, located at 1331 E. Calaveras Boulevard (“Phase One”).
 - 2.2.2. Phase Two includes the proposed Traffic Signal Installation at the intersection of E. Calaveras Blvd and Carnegie Drive, and other proposed Offsite Improvements along the project frontage.
- 2.3. In addition, due to the extensive lane reconfigurations and median removals, District shall restripe E. Calaveras Boulevard, shall:
 - 2.3.1. Repair failed AC concrete pavement, and shall slurry seal, to the satisfaction of the City Engineer, from N. Park Victoria Drive to N. Gadsen Drive (“Phase Two”).
 - 2.3.2. Phase One and Phase Two Public Improvements are more specifically described in Exhibit “B” which is attached hereto, incorporated herein by this reference, and as shown on City approved Improvement Plan No. 2-1442 on file with the City.
 - 2.3.3. Construction of the Public Improvements shall include any transitions and/or other incidental work deemed necessary for drainage or public safety.
 - 2.3.4. The District shall be responsible for the replacement, relocation, or removal of any component of any irrigation water system in conflict with the construction or installation of the Public Improvements. Such replacement, relocation, or removal shall be performed to the complete satisfaction of the City Engineer and the owner of such water system.
 - 2.3.5. District further promises and agrees to provide all equipment, tools, materials, labor, tests, design work, and engineering services necessary or required by City to fully and adequately complete the Public Improvements.
- 2.4. Prior Partial Construction of Public Improvements. Where construction of any Public Improvements has been partially completed prior to this Agreement, District

agrees to complete such Public Improvements or assure their completion in accordance with this Agreement.

2.5. Permits; Notices; Utility Statements.

2.5.1. Prior to commencing any work, District shall, at its sole cost, expense, and liability, obtain all necessary permits and licenses and give all necessary and incidental notices required for the lawful construction of the Public Improvements and performance of District's obligations under this Agreement.

2.5.2. District shall conduct the work in full compliance with the regulations, rules, and other requirements contained in any permit or license issued to District.

2.5.3. Prior to commencing any work, District shall file a written statement with the City Clerk and the City Engineer, signed by District and each utility which will provide utility service to the Property, attesting that District has made all deposits legally required by each utility for the extension and provision of utility service to the Property.

2.6. Pre-approval of Plans and Specifications. District is prohibited from commencing work on any Public Improvement until all plans and specifications for such Public Improvement have been submitted to and approved by the City Engineer, or his or her designee. Approval by the City Engineer shall not relieve District from ensuring that all Public Improvements conform with all other requirements and standards set forth in this Agreement.

2.7. Quality of Work; Compliance with Laws and Codes. The construction plans and specifications for the Public Improvements shall be prepared in accordance with all applicable federal, state and local laws, ordinances, regulations, codes, standards, and other requirements. The Public Improvements shall be completed in accordance with all approved plans, specifications, standard drawings, and special amendments thereto on file with City, as well as all applicable federal, state, and local laws, ordinances, regulations, codes, standards, and other requirements applicable at the time work is actually commenced.

2.8. Standard of Performance. District and its contractors, if any, shall perform all work required to construct the Public Improvements under this Agreement in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. District represents and maintains that it or its contractors shall be skilled in the professional calling necessary to perform the work. District warrants that all of its employees and contractors shall have sufficient skill and experience to perform the work assigned to them, and that they shall have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the work, and

that such licenses, permits, qualifications and approvals shall be maintained throughout the term of this Agreement.

- 2.9. Alterations to Improvements. The Public Improvements in Exhibit “B”, as shown on City approved Improvement Plan No. 2-1442 on file with the City, are understood to be only a general designation of the work and improvements to be done, and not a binding description thereof. All work shall be done and improvements made and completed as shown on approved plans and specifications, and any subsequent alterations thereto. If during the course of construction and installation of the Public Improvements it is determined that the public interest requires alterations in the Public Improvements, District shall undertake such design and construction changes as may be reasonably required by City. Any and all alterations in the plans and specifications and the Public Improvements to be completed may be accomplished without giving prior notice thereof to District’s surety for this Agreement.
3. Maintenance of Public Improvements and Landscaping.
 - 3.1. City shall not be responsible or liable for the maintenance or care of the Public Improvements until City approves and accepts them. City shall exercise no control over the Public Improvements until accepted by City pursuant to Section 10.0 of this Agreement.
 - 3.2. Any use by any person of the Public Improvements, or any portion thereof, shall be at the sole and exclusive risk of the District at all times prior to City’s acceptance of the Public Improvements.
 - 3.3. District shall maintain all the Public Improvements in a state of good repair until they are completed by District and approved and accepted by City, and until the security for the performance of this Agreement is released.
 - 3.4. Maintenance shall include, but shall not be limited to, repair of pavement, curbs, gutters, sidewalks, signals, parkways, water mains, and sewers; maintaining all landscaping in a vigorous and thriving condition reasonably acceptable to City; removal of debris from sewers and storm drains; and sweeping, repairing, and maintaining in good and safe condition all streets and street improvements.
 - 3.5. It shall be District’s responsibility to initiate all maintenance work, but if it shall fail to do so, it shall promptly perform such maintenance work when notified to do so by City.
 - 3.6. If District fails to properly prosecute its maintenance obligation under this section, City may do all work necessary for such maintenance and the cost thereof shall be the responsibility of District and its surety under this Agreement. City shall not be responsible or liable for any damages or injury of any nature in any way related to or caused by the Public Improvements or their condition prior to acceptance.

4. Accrual of Limitations Period. Any limitations period provided by law related to breach of this Agreement or the terms thereof shall not accrue until District has provided the City Engineer with written notice of District's intent to abandon or otherwise not complete required or agreed upon Public Improvements.
5. Grading. District agrees that any and all grading done or to be done in conjunction with construction of the Public Improvements shall conform to all federal, state, and local laws, ordinances, regulations, and other requirements, including City's grading regulations. In order to prevent damage to the Public Improvements by improper drainage or other hazards, the grading shall be completed in accordance with the time schedule for completion of the Public Improvements established by this Agreement, and prior to City's approval and acceptance of the Public Improvements and release of the Security as set forth in Sections 10.0 of this Agreement.
6. Fees and Charges. District shall, at its sole cost, expense, and liability, pay all fees, charges, and taxes arising out of construction of the Public Improvements, including, but not limited to, all plan check, design review, engineering, inspection, and other service fees, and any impact or connection fees established by City ordinance, resolution, regulation, or policy, or as established by City relative to the Project. City commits to providing a letter of support for any grant funding opportunities that the District pursues for projects outlined in this agreement, so long as those grants do not create new or additional obligation for City or its officials and employees.
7. City Inspection of Public Improvements. District shall, at its sole cost, expense, and liability, and at all times during construction of the Public Improvements, maintain reasonable and safe facilities and provide safe access for inspection by City of the Public Improvements and areas where construction of the Public Improvements is occurring or will occur.
8. Default; Notice; Remedies.
 - 8.1. Notice.
 - 8.1.1. If District neglects, refuses, or fails to fulfill or timely complete any obligation, term, or condition of this Agreement, or if City determines there is a violation of any federal, state, or local law, ordinance, regulation, code, standard, or other requirement, City may at any time thereafter declare District to be in default or violation of this Agreement and make written demand upon District or its surety, or both, to immediately remedy the default or violation ("Notice").
 - 8.1.2. District shall substantially commence the work required to remedy the default or violation within ten (10) days of the Notice. If the default or violation constitutes an immediate threat to the public health, safety, or welfare, City may provide the Notice verbally, and District shall

substantially commence the required work within twenty-four (24) hours thereof.

- 8.1.3. Immediately upon City's issuance of the Notice, District and its surety shall be liable to City for all costs of construction and installation of the Public Improvements and all other administrative costs expenses as provided for in Section 9.0 of this Agreement.

8.2. Failure to Remedy; City Action.

- 8.2.1. If the work required to remedy the noticed default or violation is not diligently prosecuted to a completion acceptable to City within the time frame contained in the Notice, City may complete all remaining work, arrange for the completion of all remaining work, and/or conduct such remedial activity as in its sole and absolute discretion it believes is required to remedy the default or violation.

- 8.2.2. All such work or remedial activity shall be at the sole and absolute cost, expense, and liability of District and its surety, without the necessity of giving any further notice to District or surety. City's right to take such actions shall in no way be limited by the fact that District or its surety may have constructed any, or none of the required or agreed upon Public Improvements at the time of City's demand for performance.

- 8.2.3. In the event City elects to complete or arrange for completion of the remaining work and improvements, City may require all work by District or its surety to cease in order to allow adequate coordination by City. Notwithstanding the foregoing, if conditions precedent for reversion to acreage can be met and if the interests of City will not be prejudiced thereby, City may also process a reversion to acreage and thereafter recover from District or its surety the full cost and expense incurred.

- 8.3. Other Remedies. No action by City pursuant to Section 8.0 et seq. of this Agreement shall prohibit City from exercising any other right or pursuing any other legal or equitable remedy available under this Agreement or any federal, state, or local law. City may exercise its rights and remedies independently or cumulatively, and City may pursue inconsistent remedies. City may institute an action for damages, injunctive relief, or specific performance.

- 9. Administrative Costs. If District fails to construct and install all or any part of the Public Improvements within the time required by this Agreement, or if District fails to comply with any other obligation contained herein, District and its surety shall be jointly and severally liable to City for all administrative expenses, fees, and costs, including reasonable attorney's fees and costs, incurred in obtaining compliance with this Agreement or in processing any legal action or for any other remedies permitted by law.

10. Acceptance of Improvements; As-Built or Record Drawings.

- 10.1. If the Public Improvements are properly completed by District and approved by the City Engineer, and if they comply with all applicable federal, state and local laws, ordinances, regulations, codes, standards, and other requirements, the City Council shall be authorized to accept the Public Improvements. The City Council may, in its sole and absolute discretion, accept fully completed portions of the Public Improvements prior to such time as all of the Public Improvements are complete and reduce the requirement Security amount pursuant to Section 11.0 et seq., which shall not release or modify District's obligation to complete the remainder of the Public Improvements within the time required by this Agreement.
- 10.2. Upon the total or partial acceptance of the Public Improvements by City, District shall file with the Recorder's Office of the County of SANTA CLARA a notice of completion for the accepted Public Improvements in accordance with California Civil Code section 9204, at which time the accepted Public Improvements shall become the sole and exclusive property of City without payment therefor.
- 10.3. Issuance by City of occupancy permits for any buildings or structures located on the Property shall not be construed in any manner to constitute City's acceptance or approval of any Public Improvements. Notwithstanding the foregoing, City may not accept any Public Improvements unless and until District provides one (1) set of "as-built" or record drawings or plans to the City Engineer for all such Public Improvements. The drawings shall be certified and shall reflect the condition of the Public Improvements as constructed, with all changes incorporated therein.
- 10.4. All public improvements shall be initially accepted by the city prior to Local Fire Authority acceptance of the project per Division of State Architect (DSA) policy 09-01.

11. Warranty and Guarantee. District hereby warrants and guarantees all Public Improvements against any defective work or labor done, or defective materials furnished in the performance of this Agreement, including the maintenance of all landscaping within the Property in a vigorous and thriving condition reasonably acceptable to City, for a period of one (1) year following completion of the Public Improvements and acceptance of them by the City Council ("Warranty"). During the Warranty, District shall repair, replace, or reconstruct any defective or otherwise unsatisfactory portion of the Public Improvements, in accordance with the current ordinances, resolutions, regulations, codes, standards, or other requirements of City, and subject to the approval of the City Engineer. All repairs, replacements, or reconstruction during the Warranty shall be at the sole cost, expense, and liability of District and its surety. As to any Public Improvements which have been repaired, replaced, or reconstructed during the Warranty, District and its surety hereby agree to extend the Warranty for an additional one (1) year period following the City's acceptance of the repaired, replaced, or reconstructed Public Improvements. Nothing herein shall relieve District from any other liability it may have under federal, state, or local law to repair, replace, or reconstruct any Public Improvement following expiration of the

Warranty or any extension thereof. District's warranty obligation under this section shall survive the expiration or termination of this Agreement.

12. Improvement Security; Surety Bonds. Prior to the City issuing an encroachment permit to District, District shall ensure that the City is provided with surety bonds in the amounts and under the terms set forth below ("Security"). The amount of the Security shall be based on the City Engineer's approximation of the actual cost to construct the Public Improvements, including the replacement cost for all landscaping ("Estimated Costs"). If City determines, in its sole and absolute discretion, that the Estimated Costs have changed, District shall ensure that the Security is adjusted in the amount requested by City. District's compliance with this provision (Section 12.0 et seq.) shall in no way limit or modify District's indemnification obligation provided in Section 13.0 of this Agreement.
 - 12.1. Performance Bond. To guarantee the faithful performance of the Public Improvements and all the provisions of this Agreement, to protect City if District is in default as set forth in Section 8.0 et seq. of this Agreement, and to secure District's one-year guarantee and warranty of the Public Improvements, including the maintenance of all landscaping in a vigorous and thriving condition, District shall ensure that the City is provided with a faithful performance bond in the amount of **Three Million One Hundred Twenty-One Thousand Dollars (\$3,121,000)**, which sum shall be not less than one hundred twenty-five percent (125%) of the Estimated Costs. The City Council may, in its sole and absolute discretion and upon recommendation of the City Engineer, partially release a portion or portions of the security provided under this section as portions of the Public Improvements are completed and accepted by the City Council, provided that District is not in default on any provision of this Agreement or condition of approval for The Project, and the total remaining security is not less than twenty-five percent (25%) of the Estimated Costs. All security provided under this section shall be released at the end of the Warranty period, or any extension thereof as provided in Section 11.0 of this Agreement, provided that District is not in default on any provision of this Agreement or condition of approval for The Project.
 - 12.2. Additional Requirements. The surety for any surety bonds provided as Security shall have a current A.M. Best's rating of no less than A:VIII, shall be licensed to do business in California, and shall be satisfactory to City. As part of the obligation secured by the Security and in addition to the face amount of the Security, the District or the surety providing the bond shall secure the costs and reasonable expenses and fees, including reasonable attorney's fees and costs, incurred by City in enforcing the obligations of this Agreement. The District and the surety providing the bond shall stipulate and agree that no change, extension of time, alteration, or addition to the terms of this Agreement, the Public Improvements, or the plans and specifications for the Public Improvements shall in any way affect its obligation on the Security.

- 12.3. Evidence and Incorporation of Security. Evidence of the Security shall be provided on the forms set forth in Exhibit “C,” unless other forms are deemed acceptable by the City Engineer and the City Attorney, and when such forms are completed to the satisfaction of City, the forms and evidence of the Security shall be attached hereto as Exhibit “C” and incorporated herein by this reference.
13. Indemnification. District shall defend, indemnify, and hold harmless City, its elected officials, officers, employees, and agents from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury, to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental body or agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of District, its personnel, employees, agents, or contractors in connection with or arising out of construction or maintenance of the Public Improvements, or performance of this Agreement. This indemnification includes, without limitation, the payment of all penalties, fines, judgments, awards, decrees, attorneys’ fees, and related costs or expenses, and the reimbursement of City, its elected officials, officers, employees, and/or agents for all legal expenses and costs incurred by each of them. This indemnification excludes only such portion of any claim, demand, cause of action, liability, loss, damage, penalty, fine, or injury, to property or persons, including wrongful death, which is caused solely and exclusively by the negligence or willful misconduct of Agency as determined by a court or administrative body of competent jurisdiction. District’s obligation to indemnify shall survive the expiration or termination of this Agreement, and shall not be restricted to insurance proceeds, if any, received by City, its elected officials, officers, employees, or agents.
- 13.1. District acknowledges the need for a traffic signal to be installed at the intersection of E. Calaveras Boulevard and Carnegie Drive. District acknowledges and understands that actual harm may come to the City if District fails to install the signal at the intersection of E. Calaveras Boulevard and Carnegie Drive prior to the issuance of preliminary occupancy of the Innovation Campus project at 1331 East Calaveras Blvd. Additionally and independently, District shall defend, indemnify, and hold harmless City, its elected officials, officers, employees, and agents from any and all actual or alleged claims, demands, causes of action, liability, loss, damage, or injury, to property or persons, including wrongful death, whether imposed by a court of law or by administrative action of any federal, state, or local governmental body or agency, arising out of or incident to any acts, omissions, negligence, or willful misconduct of District, its personnel, employees, agents, or contractors in connection with or arising out of construction or maintenance of the Public Improvements, failure to install the traffic signal at the intersection of E. Calaveras Boulevard and Carnegie Drive, or performance of this Agreement, that occur at or within 1 block of the intersection of E. Calaveras Boulevard and Carnegie Drive. The indemnity obligations of the District stated in this section 13.1 shall terminate on the date the traffic signal at that intersection has been installed, completed and accepted by the City. District waives all rights and claims of exclusive remedy, as related to this clause, under Cal. Labor Code sections 3602, 3706, and 4558. District waives all rights of subrogation under Cal. Labor Code

section 3852.

14. Public Works Determination. District has been alerted to the requirements of California Labor Code section 1770 et seq., including, without limitation S.B. 975, which require the payment of prevailing wage rates and the performance of other requirements if it is determined that this Agreement constitutes a public works contract. It shall be the sole responsibility of District to determine whether to pay prevailing wages for any or all work required by this Agreement. As a material part of this Agreement, District agrees to assume all risk of liability arising from any decision not to pay prevailing wages for work required by this Agreement.
15. Insurance.
 - 15.1. Types; Amounts. District shall procure and maintain, and shall require its contractors to procure and maintain, during construction of any Public Improvement pursuant to this Agreement, insurance of the types and in the amounts described below (“Required Insurance”). If any of the Required Insurance contains a general aggregate limit, such insurance shall apply separately to this Agreement or be no less than two times the specified occurrence limit.
 - 15.1.1. General Liability. District and its contractors shall procure and maintain occurrence version general liability insurance, or equivalent form, with a combined single limit of not less than \$1,000,000 per occurrence for bodily injury, personal injury, and property damage.
 - 15.1.2. Business Automobile Liability. District and its contractors shall procure and maintain business automobile liability insurance, or equivalent form, with a combined single limit of not less than \$1,000,000 per occurrence. Such insurance shall include coverage for the ownership, operation, maintenance, use, loading, or unloading of any vehicle owned, leased, hired, or borrowed by the insured or for which the insured is responsible.
 - 15.1.3. Workers’ Compensation. District and its contractors shall procure and maintain workers’ compensation insurance with limits as required by the Labor Code of the State of California and employers’ liability insurance with limits of not less than \$1,000,000 per occurrence, at all times during which insured retains employees.
 - 15.1.4. Professional Liability. For any consultant or other professional who will engineer or design the Public Improvements, liability insurance for errors and omissions with limits not less than \$1,000,000 per occurrence, shall be procured and maintained for a period of five (5) years following completion of the Public Improvements. Such insurance shall be endorsed to include contractual liability.

- 15.2. Deductibles. Any deductibles or self-insured retentions must be declared to and approved by City. At the option of City, either: (a) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects City, its elected officials, officers, employees, agents, and volunteers; or (b) District and its contractors shall provide a financial guarantee satisfactory to City guaranteeing payment of losses and related investigation costs, claims, and administrative and defense expenses.
- 15.3. Additional Insured; Separation of Insureds. The Required Insurance shall name City, its elected officials, officers, employees, agents, and volunteers as additional insureds with respect to work performed by or on behalf of District or its contractors, including materials, parts, or equipment furnished in connection therewith. The Required Insurance shall contain standard separation of insureds provisions, and shall contain no special limitations on the scope of its protection to City, its elected officials, officers, employees, agents, and volunteers.
- 15.4. Primary Insurance; Waiver of Subrogation. The Required Insurance shall be primary with respect to any insurance or self-insurance programs covering City, its elected officials, officers, employees, agents, and volunteers. All policies for the Required Insurance shall provide that the insurance company waives all right of recovery by way of subrogation against City in connection with any damage or harm covered by such policy.
- 15.5. Certificates; Verification. District and its contractors shall furnish City with original certificates of insurance and endorsements effecting coverage for the Required Insurance. The certificates and endorsements for each insurance policy shall be signed by a person authorized by that insurer to bind coverage on its behalf. All certificates and endorsements must be received and approved by City before work pursuant to this Agreement can begin. City reserves the right to require complete, certified copies of all required insurance policies, at any time.
- 15.6. Term; Cancellation Notice. District and its contractors shall maintain the Required Insurance for the term of this Agreement and shall replace any certificate, policy, or endorsement which will expire prior to that date. All policies shall be endorsed to provide that the Required Insurance shall not be suspended, voided, reduced, canceled, or allowed to expire except on 30 days prior written notice to City.
- 15.7. Insurer Rating. Unless approved in writing by City, all Required Insurance shall be placed with insurers licensed to do business in the State of California and with a current A.M. Best rating of at least A:VIII.
16. Signs and Advertising. District understands and agrees to City's ordinances, regulations, and requirements governing signs and advertising structures. District hereby agrees with and consents to the removal by City of all signs or other advertising structures erected, placed, or situated in violation of any City ordinance, regulation, or other requirement. Removal shall be at the expense of District and its surety. District and its surety shall indemnify and hold City free and harmless from any claim or demand arising out of or

incident to signs, advertising structures, or their removal.

17. Relationship Between the Parties. The Parties hereby mutually agree that neither this Agreement, nor any other related entitlement, permit, or approval issued by City for the Property shall operate to create the relationship of partnership, joint venture, or agency between City and District. District's contractors and subcontractors are exclusively and solely under the control and dominion of District. Nothing herein shall be deemed to make District or its contractors an agent or contractor of City.
18. General Provisions.
 - 18.1. Authority to Enter Agreement. Each Party warrants that the individuals who have signed this Agreement have the legal power, right, and authority make this Agreement and bind each respective Party.
 - 18.2. Cooperation; Further Acts. The Parties shall fully cooperate with one another, and shall take any additional acts or sign any additional documents as may be necessary, appropriate, or convenient to attain the purposes of this Agreement.
 - 18.3. Construction; References; Captions. It being agreed the Parties or their agents have participated in the preparation of this Agreement, the language of this Agreement shall be construed simply, according to its fair meaning, and not strictly for or against any Party. Any term referencing time, days, or period for performance shall be deemed calendar days and not work days. All references to District include all personnel, employees, agents, and subcontractors of District, except as otherwise specified in this Agreement. All references to City include its elected officials, officers, employees, agents, and volunteers except as otherwise specified in this Agreement. The captions of the various articles and paragraphs are for convenience and ease of reference only, and do not define, limit, augment, or describe the scope, content, or intent of this Agreement.
 - 18.4. Notices. All notices, demands, invoices, and written communications shall be in writing and delivered to the following addresses or such other addresses as the Parties may designate by written notice:

MILPITAS UNIFIED SCHOOL DISTRICT CITY OF MILPITAS

1331 E. Calaveras Boulevard
 Milpitas, CA 95035
 Attn: Cheryl Jordan
 Superintendent

455 E. Calaveras Boulevard,
 Milpitas, CA 95035
 Attn: Steve Chan, PE
 Interim City Engineer

Depending upon the method of transmittal, notice shall be deemed received as follows: by facsimile, as of the date and time sent; by messenger, as of the date delivered; and by U.S. Mail

first class postage prepaid, as of 72 hours after deposit in the U.S. Mail.

- 18.5. Amendment; Modification. No supplement, modification, or amendment of this Agreement shall be binding unless executed in writing and signed by both Parties.
- 18.6. Waiver. City's failure to insist upon strict compliance with any provision of this Agreement or to exercise any right or privilege provided herein, or City's waiver of any breach of this Agreement, shall not relieve District of any of its obligations under this Agreement, whether of the same or similar type. The foregoing shall be true whether City's actions are intentional or unintentional. District agrees to waive, as a defense, counterclaim or set off, any and all defects, irregularities or deficiencies in the authorization, execution or performance of the Public Improvements or this Agreement, as well as the laws, rules, regulations, ordinances or resolutions of City with regards to the authorization, execution or performance of the Public Improvements or this Agreement.
- 18.7. Assignment or Transfer of Agreement. District shall not assign, hypothecate, or transfer, either directly or by operation of law, this Agreement or any interest herein without prior written consent of City. Any attempt to do so shall be null and void, and any assignee, hypothecatee, or transferee shall acquire no right or interest by reason of such attempted assignment, hypothecation, or transfer. Unless specifically stated to the contrary in City's written consent, any assignment, hypothecation, or transfer shall not release or discharge District from any duty or responsibility under this Agreement.
- 18.8. Binding Effect. Each and all of the covenants and conditions shall be binding on and shall inure to the benefit of the Parties, and their successors, heirs, personal representatives, or assigns. This section shall not be construed as an authorization for any Party to assign any right or obligation.
- 18.9. No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.
- 18.10. Invalidity; Severability. If any portion of this Agreement is declared invalid, illegal, or otherwise unenforceable by a court of competent jurisdiction, the remaining provisions shall continue in full force and effect.
- 18.11. Consent to Jurisdiction and Venue. This Agreement shall be construed in accordance with and governed by the laws of the State of California. Any legal action or proceeding brought to interpret or enforce this Agreement, or which in any way arises out of the Parties' activities undertaken pursuant to this Agreement, shall be filed and prosecuted in the appropriate California State Court in the County of SANTA CLARA, California. Each Party waives the benefit of any provision of state or federal law providing for a change of venue to any other court or jurisdiction including, without limitation, a change of venue based on the fact that a

governmental entity is a party to the action or proceeding, or that a federal right or question is involved or alleged to be involved in the action or proceeding. Without limiting the generality of the foregoing waiver, District expressly waives any right to have venue transferred pursuant to California Code of Civil Procedure Section 394.

18.12. Attorneys' Fees and Costs. If any arbitration, lawsuit, or other legal action or proceeding is brought by one Party against the other Party in connection with this Agreement or the Property, the prevailing party, whether by final judgment or arbitration award, shall be entitled to and recover from the other party all costs and expenses incurred by the prevailing party, including actual attorneys' fees ("Costs"). Any judgment, order, or award entered in such legal action or proceeding shall contain a specific provision providing for the recovery of Costs, which shall include, without limitation, attorneys' and experts' fees, costs and expenses incurred in the following: (a) post judgment motions and appeals, (b) contempt proceedings, (c) garnishment, levy, and debtor and third party examination, (d) discovery, and (e) bankruptcy litigation. This section shall survive the termination or expiration of this Agreement.

18.13. Counterparts. This Agreement may be executed in counterpart originals, which taken together, shall constitute one and the same instrument.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement, the day and year first above written.

Date: _____

Date: _____

MILPITAS UNIFIED SCHOOL DISTRICT CITY OF MILPITAS

By: _____

By: _____

Title: _____

Title: _____

APPROVED AS TO FORM:

CITY OF MILPITAS

By: _____

Title: _____

APPROVED AS TO CONTENT:

MILPITAS UNIFIED SCHOOL DISTRICT

By: _____

Title: _____

APPROVED AS TO SUFFICIENCY:

CITY OF MILPITAS

By: _____

Title: _____

NOTE: DISTRICT'S SIGNATURES SHALL BE DULY NOTARIZED, AND APPROPRIATE ATTESTATIONS SHALL BE INCLUDED AS MAY BE REQUIRED BY THE BYLAWS, ARTICLES OF INCORPORATION, OR OTHER RULES OR REGULATIONS APPLICABLE TO DISTRICT'S BUSINESS ENTITY.

All Capacity Acknowledgment

Item # C7.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____, 20____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

CAPACITY CLAIMED BY SIGNER

- ☐ Individual
☐ Corporate Officer
Title(s)

Partner ☐ Limited (s)

- ☐ General
☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other:

Signer is representing:

Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document

Number of Pages

Date of Document

Signer(s) Other Than Named Above

All Capacity Acknowledgment

Item # C7.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF _____

On _____, 20____, before me, _____, Notary Public, personally appeared _____, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

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☐ Corporate Officer
Title(s) _____

Partner ☐ Limited (s)

- ☐ General
☐ Attorney-In-Fact
☐ Trustee(s)
☐ Guardian/Conservator
☐ Other: _____

Signer is representing: _____

Name Of Person(s) Or Entity(ies)

DESCRIPTION OF ATTACHED DOCUMENT

Title or Type of Document _____

Number of Pages

Date of Document

Signer(s) Other Than Named Above

EXHIBIT “A”

LEGAL DESCRIPTION OF PROPERTY

EXHIBIT “B”

MUSD INNOVATION CAMPUS PROJECT LIST OF PUBLIC IMPROVEMENTS

EXHIBIT “C”**MUSD INNOVATION CAMPUS PUBLIC IMPROVEMENTS PERFORMANCE BOND**

The District shall ensure that the following form for the performance bond to be provided to the City is used:

KNOW ALL PERSONS BY THESE PRESENTS:

WHEREAS the City of MILPITAS, California (“City”) and _____ (“Principal”), have executed an agreement for work consisting of, but not limited to, the furnishing all labor, materials, tools, equipment, services, and incidentals for all grading, roads, paving, curbs and gutters, pathways, storm drains, sanitary sewers, utilities, drainage facilities, traffic controls, landscaping, street lights, and all other required facilities for Parcel/Tract Map No. _____ (“Public Improvements”);

WHEREAS, the Public Improvements to be performed by Principal are more particularly set forth in that certain Agreement for Completion of Pubic Improvements dated _____, _____ (“Improvement Agreement”);

WHEREAS, the Improvement Agreement is hereby referred to and incorporated herein by reference; and

WHEREAS, Principal is required by the Improvement Agreement to provide a good and sufficient bond for performance of the Improvement Agreement, and to guarantee and warranty the Public Improvements constructed thereunder.

NOW, THEREFORE, Principal and _____ (“Surety”), a corporation organized and existing under the laws of the State of _____, and duly authorized to transact business under the laws of the State of California, are held and firmly bound unto City in the sum of _____ dollars (\$_____), said sum being not less than one hundred percent (100%) of the total cost of the Public Improvements as set forth in the Improvement Agreement, we bind ourselves, our heirs, executors and administrators, successors and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THIS OBLIGATION is such, that if Principal, his or its heirs, executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions, agreements, guarantees, and warranties in the Improvement Agreement and any alteration thereof made as therein provided, to be kept and performed at the time and in the manner therein specified and in all respects according to their intent and meaning, and to indemnify and save harmless City, its officers, employees, and agents, as stipulated in the Improvement Agreement, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As part of the obligation secured hereby, and in addition to the face amount specified therefor,

there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by City in successfully enforcing such obligation, all to be taxed as costs and included in any judgment rendered.

Surety, for value received, hereby stipulates and agrees that no change, extension of time, alteration, or addition to the terms of the Improvement Agreement, or to any plans, profiles, and specifications related thereto, or to the Public Improvements to be constructed thereunder, shall in any way affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration, or addition.

This bond is executed and filed to comply with Section 66499 et seq. of the Government Code of California as security for performance of the Improvement Agreement and security for the one-year guarantee and warranty of the Public Improvements.

IN WITNESS WHEREOF, the seal and signature of the Principal is hereto affixed, and the corporate seal and the name of the Surety is hereto affixed and attested by its duly authorized Attorney-in-Fact at _____, this __ day of _____, _____.

(Corporate Seal)
Principal

By _____

Title _____

(Corporate Seal)

Surety

By _____
Attorney-in-Fact
(Attach Attorney-in-Fact Certificate)

Title _____

The rate of premium on this bond is _____ per thousand. The total amount of premium charges is \$_____.
(The above must be filled in by corporate attorney.)

THIS IS A REQUIRED FORM

Any claims under this bond may be addressed to:

(Name and Address of Surety)

(Name and Address of Agent or Representative for service of process in California, if different from above)

(Telephone number of Surety and Agent or Representative for service of process in California)



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Award IFB 23-060 and Authorize the City Manager to Execute the Purchase Order with Core and Main for the Purchase of Hydrants and Blow Off Valves for the Not-to-Exceed Amount of \$103,887.11 (Staff Contact: Christian Di Renzo, Director of Public Works, 408-586-2602)
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	4/18/2023
	<u>Recommendation:</u> Award IFB 23-060 and authorize the City Manager to execute the purchase order with Core and Main for the purchase of Hydrants and Blow Off Valves for the not-to-exceed amount of \$103,887.11.

Background:

The City of Milpitas maintains approximately 2,200 fire hydrants, with each hydrant having a 30-year service life. Approximately 10% of the City's fire hydrants have exceeded their useful life and are in need of rehabilitation and replacement. Per the California Fire Code, fire hydrant systems shall be maintained in an operative condition at all times and shall be repaired where defective and comply with approved standards. In addition, hydrant replacement is a necessary safety maintenance measure that ensures that the City meets not only firefighting requirements per the California Fire Code, but water quality standards as well, in conformance with California State Regulation, Title 22. In 2008, City Council approved CIP No. 7110, Hydrant Replacement Program to provide funding for the replacement of Greenberg fire hydrants in the Manor, Sunnyhills, and Milford neighborhoods and later expanded the project scope to include citywide hydrants as recommended in the Water Supply Augmentation Feasibility Report (March 2015).

Analysis:

The City's Hydrant Replacement Program is responsible for the systematic, system-wide replacement of older, leaking, or damaged hydrants. Hydrants are replaced based upon maintenance inspections, leak detection testing, and damage as a result of vehicular accidents. The ongoing replacement program is designed to optimally maintain the integrity of the fire protection system throughout the City.

On February 7, 2023, the Purchasing Division released an Invitation for Bid (IFB) 23-060 for the purchase of fire hydrants and blow off check valves. The IFB was publicly noticed in accordance with the City's municipal code and advertised on the City's website. Email notifications were sent to companies registered with the City via ProcureNow.com, the City's eProcurement system, and a bid notification placed on PublicPurchase.com. Upon release, 15 firms received the solicitation notification and 13 firms downloaded the IFB documents. The Purchasing Division received 5 proposals by the March 10, 2023, deadline to respond to the IFB. Core and Main was the lowest responsible bidder submitting a responsive bid. The bid submitted was within the City's estimate for these services.

Purchase of Fire Hydrants IFB No. 23-060	BASE BID
1. Core and Main	\$103,887.11
2. Iconix Water Works	\$108,793.13
3. Underground Republic Water Works	\$112,658.44
4. Ferguson, LLC	\$120,071.88
5. Technology International, Inc.	\$125,507.81

Policy Alternatives:

Alternative 1: Do not award IFB No. 23-060 to Core and Main for the purchase of fire hydrants and blow off valves.

Pros: None.

Cons: If the purchase of fire hydrants and blow off valves is not awarded to Core and Main, the replacement of these assets will be delayed.

Reason not recommended: The timeline for the replacement of the hydrants would be delayed, which would result in more hydrants exceeding their useful life.

Fiscal Impact:

Sufficient funds for the project are available in CIP 7110 – Hydrant Replacement Program. As of 3/23/23, there is a balance of \$106,707.00.

California Environmental Quality Act:

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this action does not qualify as a “project” for the purpose of CEQA as this action has no potential to result in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment.

Recommendation:

Award IFB 23-060 and Authorize the City Manager to Execute the Purchase Order with Core and Main for the Purchase of Hydrants and Blow Off Valves for the not-to-exceed amount of \$103,887.11.

Attachment

1. Bid Proposal and Purchase Order Terms and Conditions



Bid Proposal for Purchase of Fire Hydrants

CUSTOMER

CITY OF MILPITAS

1265 N Milpitas Blvd
Milpitas, CA 95035

Job

Purchase of Fire Hydrants
Bid Date: 02/24/2023 08:30 pm
Bid #: 2755858

CONTACT

Sales Representative

David Hernandez
(M) 408-687-3298
(T) 405-297-7935
David.Hernandez@coreandmain.com

Core & Main

1240 N. 13th Street
San Jose, CA 95112
(T) 408-297-7935

NOTES





Bid Proposal for Purchase of Fire Hydrants

CITY OF MILPITAS

Bid Date: 02/24/2023 08:30 pm

Core & Main 2755858

Core & Main

1240 N. 13th Street

San Jose, CA 95112

Phone: 408-297-7935

Seq#	Qty	Description	Units	Price	Ext Price
		DUE TO CURRENT SUPPLY CHAIN DISRUPTIONS, MATERIALS ARE SUBJECT TO PRICING AT TIME OF SHIPMENT. MATERIAL AVAILABILITY AND TIMELINESS OF SHIPMENTS CANNOT BE GUARANTEED. THIS TERM SUPERSEDES ALL OTHER CONTRACTUAL PROVISIONS.			
10		BASE BID FIRE HYDRANTS			
20	10	CLOW 860 HYD 2-1/2X2-1/2X4 6H SAFETY YELLOW 508604101104SY9	EA	2,869.37	28,693.70
30	10	CLOW 960 HYD 4"X 2-1/2" SAFETY YELLOW 509654100104SY9	EA	3,430.93	34,309.30
				SUBTOTAL	63,003.00
40		ALTERNATE BID CHECK VLAVES			
50	8	LP619 BREAK-OFF CHK VLV	EA	1,824.75	14,598.00
60	10	6" LBIW #400A B/O CHECK VLV EPOXY LINED LB400 06LBIW400ELB	EA	1,738.15	17,381.50
				SUBTOTAL	31,979.50
				Sub Total	94,982.50
				Tax	8,904.61
				Total	103,887.11

UNLESS OTHERWISE SPECIFIED HEREIN, PRICES QUOTED ARE VALID IF ACCEPTED BY CUSTOMER AND PRODUCTS ARE RELEASED BY CUSTOMER FOR MANUFACTURE WITHIN THIRTY (30) CALENDAR DAYS FROM THE DATE OF THIS QUOTATION. CORE & MAIN LP RESERVES THE RIGHT TO INCREASE PRICES TO ADDRESS FACTORS, INCLUDING BUT NOT LIMITED TO, GOVERNMENT REGULATIONS, TARIFFS, TRANSPORTATION, FUEL AND RAW MATERIAL COSTS. DELIVERY WILL COMMENCE BASED UPON MANUFACTURER LEAD TIMES. ANY MATERIAL DELIVERIES DELAYED BEYOND MANUFACTURER LEAD TIMES MAY BE SUBJECT TO PRICE INCREASES AND/OR APPLICABLE STORAGE FEES. THIS BID PROPOSAL IS CONTINGENT UPON BUYER'S ACCEPTANCE OF SELLER'S TERMS AND CONDITIONS OF SALE, AS MODIFIED FROM TIME TO TIME, WHICH CAN BE FOUND AT: <https://coreandmain.com/TandC/>

PURCHASE ORDER TERMS AND CONDITIONS FOR EQUIPMENT AND MATERIALS

1. Acceptance. This purchase order for equipment and materials issued by the City of Milpitas ("CITY") to the Vendor designated in the purchase order must be promptly accepted and acceptance is expressly limited to the terms of this order. Any additions or different terms in the Vendor's forms are hereby deemed to be material alterations and notice of objection to them and rejection of them is hereby given. Vendor's shipment of goods in response to this order shall be considered acceptance by the Vendor.

2. Entire Agreement. Unless Vendor and CITY have entered into a separate written contract covering the purchase of the goods described herein, the entire contract between the parties consists of this order and the Vendor's acceptance as above stipulated, and said contract shall not be changed or added to except in writing signed by authorized representatives of each party.

3. Price. The price invoiced for the goods on this purchase order shall be no higher than the price stated on the front of this purchase order unless prior notification is received from Vendor prior to shipment and the change is accepted by CITY. If the Vendor's established price for any item upon the date of delivery shall be lower than the price shown on this purchase order, CITY shall have the benefit of such lower price. Vendor shall deliver to CITY all invoices within 30 days of shipping or service delivery.

4. Payment. Payments will be made net 30 days unless otherwise specified as per agreements regarding discount terms. The period of computation will commence on the date of receipt of a correctly completed invoice. Payment may be withheld, in whole or in part, due to deficiencies in Vendor's performance. Payment of an invoice by CITY shall be without prejudice to any and all claims CITY may have against Vendor in connection with such goods. Invoices are paid on a weekly basis and such practice may result in minor deviations from payment terms otherwise cited herein.

5. Time of the Essence. Time is of the essence on this order. If delivery is not made in the quantity or quantities and at the time or times specified, CITY shall have the right, at its option, to cancel the entire order or that part of same not so delivered. If CITY accepts delayed delivery the time of payment shall be extended accordingly.

6. Delivery and Acceptance. Vendor expressly warrants that any article, material or work is free and clear of all liens and encumbrances whatsoever, and that Vendor has good and marketable title to same. Unless otherwise specified, all goods are to be shipped prepaid, F.O.B. destination. No charge will be allowed for packing, crating, freight, express or other carrier's charges, or cartage, unless specifically agreed to by CITY. Title to equipment and materials purchased hereunder shall pass to Vendor at the designated F.O.B. point, subject to Vendor's right to inspect and reject or revoke acceptance.

7. Warranty. Vendor warrants for a period of 12 months following start of use or 18 months from receipt, whichever occurs first, that the goods described herein will be free of defects in workmanship, design, materials, and title, and notwithstanding anything herein to the contrary, will conform to all applicable proposals, specifications, instructions, drawings, data, descriptions, and samples, and will be of good and merchantable quality and fit and sufficient for the purpose intended. Vendor shall obtain and provide to CITY Material Safety Data Sheets (MSDS) for each product that contains hazardous substances as defined by CalOSHA. ..

8. Rejection of Goods. CITY shall have the right, at its option, to reject or revoke acceptance of any goods which do not conform to these warranties or to the specifications. In case of such rejection or revocation of acceptance, transportation of the rejected goods, both to and from CITY, shall be at the expense of Vendor, said rejected goods are not to be replaced except upon specific instruction from CITY, and CITY shall have the right at its option to cancel the remainder, if any, of the order, by notice to Vendor at the time notice is given of rejection or revocation of acceptance. Vendor shall be liable to CITY for all damages proximately caused by breach of any of the foregoing warranties, including incidental damages but excluding special or consequential damages.

9. Returns. CITY reserves the right to return for full credit any excess over quantity called for in any order or orders. Vendor to bear the cost of transportation both ways.

10. Force Majeure. Vendor shall not be held responsible for failure or delay in shipping nor CITY for failure or delay in accepting goods described herein if such failure or delay is due to act of God, war, federal or state legislation or any regulations or orders, fire, accident, or other causes, either similar or dissimilar to the foregoing, beyond their control. In the event of any such excused interference with shipments, CITY shall have the option either to reduce the quantity provided for in the order accordingly or to exercise its right of cancellation as set forth in these terms and conditions.

11. Additional Fees. Unless otherwise required by law or provided herein, Vendor assumes exclusive liability for, and shall pay before delinquency, all sales, use, excise and other taxes, charges or contributions of any kind now or hereafter imposed on or with respect to, or measured by the article sold or material or work furnished hereunder on the wages, salaries or other remunerations paid to persons employed in connection with performance of this order.

12. No Waiver. No exercise by CITY of its rights hereunder shall constitute a waiver of any rights it may have for breach of contract. CITY's waiver of or failure to enforce its rights on account of Vendor's failure or delay in performing any obligation of Vendor hereunder, or on account of Vendor's breach of contract in any respect, shall not constitute a waiver of any subsequent failure, delay or breach.

13. Compliance with Law. Vendor shall comply with all applicable laws and regulations of the federal, state and local government. CITY shall assist Vendor, as requested, in obtaining and maintaining all permits required of Vendor by Federal, State and local regulatory agencies. Vendor is responsible for all costs of clean up and/or removal of hazardous and toxic substances spilled as a result of his or her Work. Vendor is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq. ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects. If the Work is being performed as part of an applicable "public works" or "maintenance" project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Vendor agrees to fully comply with such Prevailing Wage Laws. Vendor shall defend, indemnify and hold CITY, its officials, officers, employees and agents free and harmless from any claims, liabilities, costs, penalties or interest arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. Any stop orders issued by the Department of Industrial

Relations against Vendor or any subcontractor that affect Vendor's performance of services, including any delay, shall be Vendor's sole responsibility and Vendor shall indemnify CITY from liability arising out of the same. It shall be mandatory upon the Vendor and all subcontractors to comply with all California Labor Code provisions, which include but are not limited to prevailing wages (Labor Code Sections 1771, 1774 and 1775), employment of apprentices (Labor Code Section 1777.5), certified payroll records (Labor Code Sections 1771.4 and 1776), hours of labor (Labor Code Sections 1813 and 1815), contractor registration (Labor Code Sections 1725.5 and 1771.1) and debarment of contractors and subcontractors (Labor Code Sections 1777.1). The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 and to be registered with the Department of Industrial Relations shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Sections 1771.4, 1725.5 and 1771.1.

14. Insurance. Vendor shall take out and maintain: A. Commercial General Liability Insurance, of at least \$1,000,000 per occurrence/ \$2,000,000 aggregate for bodily injury, personal injury and property damage, at least as broad as Insurance Services Office Commercial General Liability most recent Occurrence Form CG 00 01; B. Automobile Liability Insurance for bodily injury and property damage including coverage for owned, non-owned and hired vehicles, of at least \$1,000,000 per accident for bodily injury and property damage, at least as broad as most recent Insurance Services Office Form Number CA 00 01 covering automobile liability, Code 1 (any auto); C. Workers' Compensation in compliance with applicable statutory requirements and Employer's Liability Coverage of at least \$1,000,000 per occurrence; and D. Pollution Liability Insurance of at least \$1,000,000 per occurrence and \$2,000,000 aggregate shall be provided by those Vendors transporting hazardous materials. Insurance carriers shall be licensed to do business in California and maintain an agent for process within the state. Such insurance carrier shall have not less than an "A:VII" rating according to the latest Best Key Rating unless otherwise approved by CITY. VENDOR SHALL ENSURE THAT THIRD PARTY SHIPPERS CONTRACTED BY VENDOR HAVE ADEQUATE INSURANCE COVERAGE. If attached, Vendor shall refer to Exhibit "A" – Insurance Requirements, for further insurance requirements applicable to Vendor.

15. Indemnification. The Vendor shall indemnify and hold harmless CITY, its officials, officers, agents and employees from and against any and all claims, liabilities, expenses or damages, including attorneys' fees, for injury or death of any person, or damage to property, or interference with use of property, or patent infringement or fees for use of patented items, or any claim of the Vendor or sub-contractors for wages or benefits which arise in connection with the sale, delivery and/or installation of equipment or materials, except to the extent caused or resulting from the negligence or willful misconduct of CITY. The foregoing indemnity includes, but is not limited to, the cost of prosecuting or defending such action with legal counsel acceptable to CITY and CITY's attorneys' fees incurred in such an action.

16. Substitutions, Changes and Cancellation. No substitutions are acceptable unless expressly accepted in writing by CITY. CITY may make changes in the general scope of this order by giving written notice to Vendor. If any such change affects the cost of or time to deliver or perform under this order, an adjustment in price, delivery or both will be made as CITY determines to be equitable. Vendor may request changes; however, no such change shall be effective

unless accepted in writing by CITY. CITY may cancel this order in whole or in part at any time before acceptance of the equipment and materials due to Vendor's breach or for CITY's convenience.

17. Laws, Venue, and Attorneys' Fees. This purchase order shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this purchase order, the action shall be brought in a state or federal court situated in the County of Santa Clara, State of California. In the event of any such litigation between the parties, the prevailing party shall be entitled to recover all reasonable costs incurred, including reasonable attorney's fees, as determined by the court.

18. Contract Terms. Nothing herein shall be construed to give any rights or benefits to anyone other than CITY and the Vendor. The unenforceability, invalidity or illegality of any provision(s) of this purchase order shall not render the other provisions unenforceable, invalid or illegal. Notice may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to the parties to the addresses set forth in the purchase order. Vendor shall not assign, sublet, or transfer this purchase order, or any rights under or interest in this purchase order, without the written consent of CITY, which may be withheld for any reason. Vendor is retained as an independent contractor and is not an employee of CITY. No employee or agent of Vendor shall become an employee of CITY. This is an integrated agreement/purchase order representing the entire understanding of the parties as to those matters contained herein, and supersedes and cancels any prior oral or written understanding or representations with respect to matters covered hereunder. This Contract may not be modified or altered except in writing signed by both parties hereto.

19. Damage to City Facilities. Damage to CITY or public facilities or private property caused by the Vendor or by its subcontractors during delivery or installation shall be repaired and/or replaced in kind at no cost to the CITY.

20. Site Safety and Cleanup. The delivery and installation site shall be kept clean and free of hazards at all times during delivery and installation. After and installation is completed at the site, as applicable, Vendor shall clean the surrounding area to the condition prior to delivery and installation.

21. Installation. If the Vendor is responsible for providing installation services, finished installation work and/or equipment shall be subject to final inspection and acceptance or rejection by the CITY.

22. Wage Theft Prevention. Vendor, and any subcontractor it employs to complete work under this purchase order, shall comply with all applicable federal, state and local wage and hour laws. Applicable laws may include, but are not limited to, the Federal Fair Labor Standards Act, the California Labor Code and the Milpitas Minimum Wage Ordinance. By entering into this purchase order, Vendor affirms that it has disclosed any final judgments, decisions or orders from a court or investigatory government agency, finding in the five (5) years prior to the date of this purchase order that Vendor or its subcontractor(s) has violated any applicable wage and hour laws. Vendor further affirms that it or its subcontractor(s) has either fully satisfied each judgment, decision or order, or, if any judgment, decision or order has not been fully satisfied, Vendor affirms that it or its subcontractor(s) is currently satisfying said judgment, decision or order through a payment or alternative plan approved by the applicable court/government agency and that Vendor or its subcontractor(s) are in compliance with

said plan as of the date of this purchase order. If at any time during the term of this purchase order, a court or investigatory government agency issues a final judgment, decision or order finding that Vendor or a subcontractor it employs to perform work under this purchase order has violated any applicable wage and hour law, or Vendor learns of such a judgment, decision, or order that was not previously disclosed in its bid/proposal, Vendor shall inform the CITY no more than fifteen (15) calendar days after the judgment, decision or order becomes final or from the date of learning of the final judgment, decision or order. Vendor or its subcontractor(s) shall, within thirty (30) calendar days after notifying the CITY, either (i) fully satisfy any such judgment, decision, or order and provide the CITY with documentary evidence of satisfying said judgment, decision or order; or (ii) provide the CITY documentary evidence of a payment or other alternative plan approved by the court/government agency to satisfy the judgment, decision or order. If the Vendor or its subcontractor is subject to a payment or other alternative plan, the Vendor or its subcontractor shall continue to submit documentary evidence every thirty (30) calendar days during the term of the purchase order demonstrating continued compliance with the plan until the judgment, decision or order has been fully satisfied. For purposes of this provision, a "final judgment, decision, or order" refers to one for which all appeals have been exhausted or the time period to appeal has expired. Relevant

investigatory government agencies include: the United States Department of Labor, the California Division of Labor Standards Enforcement, the CITY, or any other governmental entity or division tasked with the investigation and enforcement of wage and hour laws. Failure to comply with any part of this provision constitutes a material breach of this purchase order. Such breach may serve as a basis for immediate termination of this purchase order and/or any other remedies available under this purchase order and/or law. Notice provided to the CITY shall be addressed to: Attention: Finance Director, 455 E. Calaveras Blvd., Milpitas, CA 95035. The notice provisions of this paragraph are separate from any other notice provisions in this purchase order and, accordingly, only notice provided to the above address satisfies the notice requirements in this provision.

***OPTIONAL TERMS:** Check box if applicable

- ☐ Custom Design: If the goods are produced by Vendor in accordance with designs, drawings or blueprints provided by CITY, Vendor shall return same to CITY upon completion or cancellation of this order. Any materials, equipment, tools, artwork, designs or other property furnished by or specifically paid for by CITY shall be CITY's property.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Authorize the City Manager to Execute an Agreement with Willdan Energy Solutions for the Replacement of Natural Gas Water Heaters with Electric Heat Pumps in City Facilities for the Grant Funded Amount of \$134,044.00 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	4/18/2023
	<u>Recommendation:</u> Authorize the City Manager to execute an agreement with Willdan Energy Solutions for the replacement of natural gas water heaters with electric heat pumps in City facilities for the Grant Funded Amount of \$134,044.00.

Background:

Willdan Energy Solutions implements the Government and K12 (GK12) Energy Efficiency Program administered by Pacific Gas and Electric Company under the auspices of the California Public Utilities Commission. GK12 services and incentives are funded via the Public Purpose Program surcharge.

GK12 currently has a service that, where feasible, will replace existing natural gas domestic hot water heaters with more efficient electric heat pump water heaters at no cost to the participating agency. Enovative Mechanical, a program partner and subcontractor, provides the installation services while GK12 will manage the work to ensure ongoing compliance with program requirements. GK12 identified 12 eligible hot water replacements in City facilities and presented the opportunity to staff.

The following facilities were identified as opportunities to upgrade from natural gas water heaters to electric heat pumps:

Facility	Address	# of hot water replacements
City Hall	455 E. Calaveras Blvd	1
Senior Center	40 N. Milpitas Blvd	2
Community Center	457 E. Calaveras Blvd	2
Sports Center	1325 E. Calaveras Blvd	2
Jose Higuera Adobe	821 Wessex Pl	1
Public Works Corp Yard	1265 N. Milpitas Blvd	2
Fire Station #3	45 Midwick Dr	1
TOTAL		12

Analysis:

The recommended project will eliminate the natural gas usage associated with the existing water heaters. Average impact assumptions derived from the California Technical Forum's Electronic Technical Resource Manual suggests that this action may mitigate over 950 metric tons of CO₂e over the effective useful life of the installed electric heat pump water heaters.

"Maximizing Building Decarbonization and Electrification" is a key strategy of the Climate Action Plan Update (CAP), adopted by the City Council on August 9, 2022. This project supports the City's efforts to lead by example, and will be an important step towards the CAP's municipal operations goal to retrofit existing facilities to all-electric by 2045.

Willdan will secure a right of entry permit from the City that will include appropriate warranties and insurance requirements.

Fiscal Impact:

The proposed project will be installed at no-cost to the city. The full project valuation of \$134,044 will be covered by the PG&E Government and K12 Energy Efficiency program implemented by Willdan Energy Solutions (Willdan). Willdan will pay the installing contractor 100% of costs after the successful completion of the project. Any on-going maintenance and long-term replacement costs will be assumed by the Department and considered as part of the annual budget development process.

California Environmental Quality Act:

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this action does not qualify as a “project” for the purposes of CEQA.

Recommendations:

Authorize the City Manager to execute an agreement with Willdan Energy Solutions for the replacement of natural gas heaters with electric heat pumps in City facilities for the Grant Funded Amount of \$134,044.00.

Attachment:

1. Program Participation Agreement (PPA)
2. Right of Entry Permit

2/2/2023

Elaine Marshall
1265 N Milpitas Blvd
Milpitas, CA, 95035

Dear Elaine,

Please accept this letter as a commitment offer for the incentives quotes on behalf of PG&E Government/K-12 program as administered by Willdan Energy Solutions.

The table on the following page presents the project financials for each site that we assessed. This table also includes the incentive funds that PG&E, through Willdan as Program Administrator, has committed to this project. This letter reserves those funds for 45 days to ensure you have the time needed to review and seek approval to advance the recommended work.

Should you agree to move the project forward, a Willdan representative will periodically be onsite to oversee our subcontractor. Our subcontractor will be responsible for the pulling and closing of building permits.

If there are any questions, please contact me. We are available to schedule installation in the coming weeks.

Please let me know if there is an expected delay in signature approval as funding is limited.

Thank you in advance for participating in the PG&E Government K-12 Program.

Sincerely,



Lou Jacobson
Willdan Energy Solutions

cc: Tom Kouris ; David Sneed

City of Milpitas 2023	City Hall	Senior Center	Community Center	Milpitas Rec Center	Jose Higuera Adobe Park	Corp Yard - PW Warehouse	Fire Station #3	Total
Existing Gas WH	(1) 98 gallons	(1) 40 + (1) 100 gallons	(1) 48 + (1) 40 gallons	(1) 119 + (1) 100 gallons	(1) 50 gallon	(2) 50 gallon	(1) 50 gallon	
Proposed HPWH	(1) 120 gallon	(1) 50 + (1) 120 gallons	(2) 50 gallon	(2) 120 gallon	(1) 50 gallon	(2) 50 gallon	(1) 50 gallon	
COSTS								
Base Cost	\$18,290.00	\$25,172.00	\$13,764.00	\$36,580.00	\$6,882.00	\$13,764.00	\$6,882.00	\$121,334.00
Add On: Electric Run	\$525.00	\$550.00	\$1,980.00	\$3,150.00	\$550.00	\$1,650.00	\$880.00	\$9,285.00
Add On: Junction Box/Panel Upgrade	\$0.00	\$0.00	\$0.00	\$0.00	\$250.00	\$2,500.00	\$0.00	\$2,750.00
Option:Condensation Pump/line	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Option: Prevailing Wage	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Add On: Additional Labor	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$675.00	\$0.00	\$675.00
Total	\$18,815.00	\$25,722.00	\$15,744.00	\$39,730.00	\$7,682.00	\$18,589.00	\$7,762.00	\$134,044.00
PG&E Incentive	\$18,815.00	\$25,722.00	\$15,744.00	\$39,730.00	\$7,682.00	\$18,589.00	\$7,762.00	\$134,044.00
Net Cost	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Program Participation Agreement

Thank you for participating in Willdan's Government Schools Program. Follow the 3 steps below to get started.

Item # C9.

Step 1: Submit this PPA and pre-installation application to Willdan before commencing installation of energy efficiency measures

Step 2: Willdan ("Implementer") will review the application and issue a Notice to Proceed (NTP)

Step 3: After receiving a NTP, proceed with the installation of measures and then submit the post-installation application (includes Project Certification Form, invoices, calculations, photos, cut sheets, and W-9 form)

Site Information

Site or Building Name:	Site Contact Name:	Site Contact Phone:	Site Contact Email:
City of Milpitas	Elaine Marshall	(408) 586-2603	emarshall@milpitas.gov
Site Address (if multiple, provide full list in an attachment):	Mailing Address:		
Multiple	1265 N. Milpitas Blvd., Milpitas CA 95035		

PG&E Account Information

Account Holder Name:	Interval Meter? (Y/N):	Estimated Total Project Cost:	Estimated Total Incentive ¹ :
City of Milpitas	N/A	\$134,044.00	\$134,044.00
Electric Service ID#:	Gas Service ID#:	Estimated Project Completion Date:	
2637174111	N/A	2/30/2023	

Project Estimates

Measures - From Project Feasibility Study

EEM NO.	Measure Description	Electricity Savings (kWh)	Demand Savings (kW)	Gas Savings (Therms)
1	(7) 50 gallon HPWH	-84,325		8,885
2	(4) 120 gallon HPWH	-129,016		16,278

Program representatives have developed detailed calculations for proposed measures using industry standard tools, including building modeling software as required. All measures included as part of this program participation have been screened for cost-effectiveness eligibility through a TRC analysis.

Incentive Payment - If Incentives Apply. Payee Must Have W-9 On File With The Program.

Make Incentive Payable To:	Payee Type:	Notes (Attention To, etc.):
Enovative Mechanical	Contractor	Brian Cizmar
Incentive Mailing Address:	State:	Zip Code:
340 S. Lemon Ave #5425, Walnut	CA	91789
		Telephone:
		714-580-8150

¹ See terms & conditions sections 9 & 11: funds are subject to change, first-come, first-served and are not guaranteed.

1. **AUTHORITY.** Customer represents and warrants it has the Project Site owner's permission to implement the Project.
2. **ELIGIBILITY REQUIREMENTS.** Eligibility requirements for Projects seeking to participate in Programs must be for a non-residential use and the Project's meter is charged the public purpose fund surcharge. Project implementation is subject to all California Public Utility Commission (CPUC) regulatory mandates, the Program Project's rules and policies which may change without notice, (Statewide Customized Offering Procedures Manual, PG&E's Platform Rulebook, CPUC NMEC Rulebook) individually and collectively, the (Program Manual), Project measures have not been replaced within the last five years, and any other eligibility requirements as required by PG&E.
3. **WORKFORCE STANDARDS AND INCENTIVES FOR HVAC AND LIGHTING CONTROL MEASURES.** Projects that receive an incentive for non-residential heating, ventilation, and air conditioning (HVAC) measure exceeding \$3,000 and/or for lighting control (LC) measure exceeding \$2,000, prior to these measures being installed, modified or maintained, each technician rendering such work is required to provide their applicable qualification documentation and must have for at least one of the following: (a) Completed an accredited HVAC apprenticeship. (b) Is enrolled in an accredited HVAC apprenticeship. (c) Completed at least five years of work experience at the journey level according to the Department of Industrial Relations definition, Title 8, Section 205, of the CA Code of Regulations, passed a practical and written HVAC system installation competency test, and received credentialed training specific to the installation of the technology being installed. (d) Has a C-20 HVAC contractor license issued by the CA Contractors State Licensing Board; and for LC Measures the person doing the work must produce an installer certification from the CA Advanced Lighting Controls Training Program.
4. **PROJECT APPROVAL AND PRODUCT QUALIFICATION.** Projects may be required to receive written Project Approval in accordance with the applicable requirements in the Program Manual, which can include the CPUC Energy Division (ED) review and approval for the Project. Until approved, Projects must not remove any existing Project equipment/systems, pre-ordering, purchasing, or installing any equipment. Equipment leased, rebuilt, rented, received from warranty or insurance claims, exchanged, or won as a prize; new parts installed in existing equipment; or resale products do not qualify.
5. **PROJECT DESIGN, FEASIBILITY, INSTALLATION AND PERMITS.** If applicable, PG&E may review the design, construction, operation or maintenance of the Project which does not constitute any guarantee or representation as to the economic or technical feasibility, operational capability, or reliability of the Project measures. Project design, feasibility, installation and acquiring permits to implement Customer's Project is between and the Implementer, the contractor performing the work to implement Customer's project, if any, and Customer. PG&E shall have no responsibility whatsoever to be responsible for, and under no circumstances be required to obtain any necessary Project permits, materials, labor, costs to develop the Project's scope, final design, acquire bids, hire appropriate licensed contractor(s), verify applicable workforce standards, technical and operational Project feasibility, and other related cost and fees to implement the Project.
6. **PROJECT INSTALLATION DEADLINE.** Projects must be completed and fully operational no later than one year from the Project Approval Date.
7. **ACCESS AND INSPECTIONS OF PROJECT SITE.** Project inspections, its baseline and performance measurements, are required to be verified upon the Project's completion to determine the final incentive amount to be paid. Customer agrees to provide access to PG&E, its agents and the CPUC to perform these tasks and others such as, Project inspection of pre and post installation equipment to review the existing/baseline energy use measurements.
8. **PROJECT MATERIAL OR SCOPE CHANGES.** If the Project scope or Site conditions materially change or there occurs any non-routine events (i.e. Project site size change, use of additional heating and cooling loads, longer or shorter operating hours), during implementation or after completion impacting the Project energy saving benefit, Customer shall promptly prepare a written detailed narrative about such event(s) or modifications.
9. **CALCULATION OF THE PROJECT INCENTIVE.** Project incentives are paid based on the verified energy savings. The Project incentives, energy savings projections and installation costs on this or related to this Project Application Agreement are ESTIMATES only and may vary upon verification of the completed Project's energy savings. Incentive payments shall only be paid on Projects that exceed California code or standard practice. The applicable code or standard practice for the Projects is the code or standard practice in place when the Project measure equipment either was installed or altered as defined under Title 24. Implementer and PG&E shall validate the Project's baseline, verify the Project's actual energy savings, and determine the Project's incentive to be paid, in compliance with the Project's relevant Program Manual.
10. **CUSTOMER'S WITH SELF GENERATION CAPABILITIES.** For customers with an existing onsite cogeneration or self-generation, incentives for energy savings in these instances are incentives are limited to and can not exceed the customer cost of kw, kwh, or therms delivered to or purchased by Customers as measured by the utility meter for the previous 12 months usage, from the time of project submittal for review.
11. **INCENTIVE FUNDING.** Incentives are paid on a first-come, first-served basis until depleted and are provided as directed by the CPUC. Incentives may not exceed Project costs.
12. **CUSTOMERS WITH NON-PG&E ENERGY SUPPLY.** If non-PG&E supply, i.e. generation or deliveries from another commodity supplier, is involved, incentives are paid based only on the energy savings reflected on the electric grid or natural gas system, as solely determined by PG&E.
13. **PROJECT CERTIFICATIONS.** Customers receiving incentives for energy efficiency measures are required to submit a written certification as set forth in CA Public Utilities Code Section 399.4 b(1) and (2) which states in relevance; "prior to receiving any Project Incentive payment, the recipient of the Incentive must certify the Project is complete and complied with applicable permitting and licensing requirements, any contractor performing the Project's work was a licensed contractor". Code also requires for HVAC Project measures to submit proof the permit is closure.
14. **PROJECT COMPLETION SUBMITTAL DOCUMENTATION.** To issue an incentive, all relevant and applicable documentation must be submitted involving Project paid invoices, supplier name, address, phone, itemized listing of products, quantity, manufacturer and model number, Project Certifications, Project final engineering calculations and related documentation used to substantiate the Project's energy savings, proof of HVAC permit closure, and other documentation required in the Project's relevant Program Manual(s) and requested by PG&E.
15. **ENERGY BENEFITS AND INCENTIVE DISQUALIFICATION.** Project incentives are made in consideration of PG&E Ratepayers receiving 100 percent of the related energy savings benefit over the life of the completed Project or 5 years, whichever is less. Projects not delivering 100 percent of its energy savings benefit, Customer shall be responsible to refund PG&E a prorated amount of the Project Incentive for

time PG&E did not receive the Project's energy savings. The prorated will be off-set against any amounts due or be payable with of notification.

Item # C9.

16. CPUC DISCLOSURE AND RIGHTS. These terms and conditions can be modified anytime by the CPUC. All Projects are reviewed and approved by CPUC ED staff and Project results, reports, energy usage data, or other related documentation shall be made available to the CPUC upon request. Customer will receive notice of material changes via mail, fax transmission, or email at the address provided in this Project Application Agreement.
17. TERM AND TERMINATION. This Project Application Agreement is effective upon Customer's signature and expires when PG&E receives 100 percent of the Project's energy saving, unless terminated earlier. If this Project Application Agreement is terminated due to Customer's breach of its obligations or as directed by the CPUC, Implementer and PG&E shall not be liable for any damages or claims arising from such termination.
18. SAFETY AND COMPLIANCE WITH ALL LAWS. Customer and Implementer agree all Project equipment installation and work performed must comply with all federal, state laws, safety requirements and applicable manufacturer instructions.
19. NO WARRANTY AND DISCLAIMER. PG&E MAKES NO REPRESENTATION OR WARRANTY, AND ASSUMES NO LIABILITY WITH RESPECT TO QUALITY, SAFETY PERFORMANCE, OPERATIONAL CAPABILITY, RELIABILITY OR ANY OTHER ASPECT OF ANY DESIGN, SYSTEM, OR EQUIPMENT INSTALLED RELATED TO THE PROJECT AND EXPRESSLY DISCLAIMS ANY SUCH REPRESENTATION WARRANTY OR LIABILITY, INCLUDING THE ANY WARRANTIES OF MERCHANTABILITY AND FITNESS FOR ANY PARTICULAR PURPOSES.
20. NO OBLIGATION. California consumers are not obligated to purchase any full-fee service or other service not funded by this Program. This Program is funded by California utility ratepayers under the auspices of the CPUC. Los consumidores en California no están obligados a comprar servicios completos o adicionales que no estén cubiertos bajo este programa. Este programa a está financiado por los usuarios de servicios públicos en California bajo la jurisdicción de la Comisión de Servicios Públicos de California (CPUC).
21. MISREPRESENTATION. All Project information provided must be true and correct. Information determined to be fraudulent or misleading will result in Customer's Project being disqualified, and this Project Application Agreement being terminated.
22. LIMITATION OF LIABILITY. PG&E and Implementer shall not be liable for any costs due to a Project's estimated versus actual energy savings related to the Project Incentive to be paid, Project savings that did not materialize, Project cancellation or implementation cost increase for any reason. In no event shall PG&E, Implementer or Customer be liable for any special, incidental, indirect, lost profits, or consequential damages arising from or related to Customer's Project.
23. ADVERTISING AND USE OF PG&E'S NAME. Implementer and Customer agree not to use each other's name. PG&E's name or identifying characteristic of customer's Project Site in any published materials absent the written approval of such respective party.
24. ASSIGNMENT. No part of this Project Application Agreement may be assigned by Customer without Implementer's written consent, unless the assignment is for the sale of the Project Site.
25. PROJECT SITE SALE. Customer agrees to include these Project obligations under the Project Application Agreement, if still required, as part of a sale or rental agreement involving the Project Site for purposes of assigning the Project to be continued and completed accordingly.
26. NO DOUBLE DIPPING. Customer represents they have not received within the last five years and will not for five years thereafter seek an EE incentives or rebates offered by PG&E, other Program Administrators, state or local agencies for the Project measures/services under this Project Application Agreement.
27. TAX LIABILITY. Customer acknowledges that receipt of any incentive pursuant to this Project Application Agreement may result in taxable income to the Customer, even if Customer does not directly receive the incentive payment. Customer is solely responsible for payment and reporting any tax liability arising from the incentive paid and should consult with their tax advisor.
28. TOXIC MATERIALS. PG&E and Implementer shall have no responsibility for the discovery, presence, handling, removal, or disposal of or exposure to hazardous materials of any kind related to implementing the Project, including without limitation, asbestos, PCBs, or other toxic substances.
29. GOVERNING LAW. This Application shall be construed in accordance with the laws of the State of California and exclusive jurisdiction and venue of the federal and state courts of San Francisco, California to resolve any disputes.

Customer Signature

Customer acknowledges and agrees that Customer is eligible to participate and receive any Program incentives. Customer has reviewed and agrees to be legally bound by the attached Program terms and conditions which includes, but is not limited to, not removing any existing equipment or systems and/or purchasing or installing any Project energy efficiency measures, until Customer receives a written Project Approval.

Customer Representative (print)

Signature

Date

Multi-Site Attachment:

[illegible]

To: PG&E Customers participating in the GK-12 Program for Heat Pump Hot Water heaters

From: Thomas Kouris, Willdan Energy Solutions (PG&E Program Implementor)

Subject: Demand Response

Thank you for your participation in the PG&E GK-12 Program. With the installation of a new electric Heat Pump Hot Water Heater, you have switched from gas to electric which reduces the carbon footprint with reduced greenhouse gas emissions (>30 metric tons Co2 reduction).

With the new heat pump hot water heater, you have accepted incentives which reduced your installation cost. As part of these incentives, you agree to participate in AutoGrid's FlexSaver Program for a minimum of three years. This is a demand response program that will help reduce your electric bill and provides further incentives on an annual basis.

Demand response is necessary in California to help with grid management. When requested by PG&E or Cal ISO (grid management for the state), AutoGrid will turn off your heat pump hot water heater for up to 5 hours typically between the hours of 4-9pm (demand response event). The days selected are generally the hottest days of the year in August and September. The frequency is usually 5-15 times a year.

When these demand response events occur, you will not likely even realize it is happening. Immediately prior to the event, a signal will be sent to your heat pump hot water heater to turn on and heat the water in the tank to a temperature slightly higher than the setting. A drop in temperature is typically 1 degree per hour. By preheating the water prior to the event, any temperature difference should not be noticeable.

As the PG&E GK-12 program is for municipal and federal governments, along with schools, most buildings will be closing shortly after these demand response events begin. You should expect minimal impacts, unless you have significant use (use exceeding the unit storage capacity) during these evening hours.

Additionally, we can work with you on programming your controller to save energy during non-work hours. We also reserve the right to replace your controller to improve functionality.

The attached contract will need to be signed prior to installation. The contract also outlines the potential for future payments from AutoGrid for your continued participation.

AutoGrid FlexSavers Program: Demand Response Agreement

With the installation of your new Heat Pump Hot Water Heater, you agree to participate in AutoGrid FlexSavers demand response program for three years. As a participant, you may receive additional revenue for system performance and to continue beyond the three-year demand response commitment you have made with the heat pump hot water heater installation.

PG&E's program is currently through the end 2023, with the option to extend your participation beyond the initial period. During this time, you allow occasional control of your Heat Pump Water Heater during the hours of 4pm to 9pm on weekdays. When requested by PG&E, your HPWH will be remotely instructed to curtail reheating the water.

These events will last between 1-5 hours each time, will not occur more than three times a week, and will happen between 5 to 15 times during the year.

Please fill the following information:

First and last name of PG&E account holder	City of Milpitas (Elaine Marshall, site contact)
Email	emarshall@milpitas.gov
Street address where the Connected Device is located	40 N Milpitas Blvd 457 E Calaveras Blvd Wessex Pl 1265 N Milpitas Blvd 45 Midwick Dr
Mailing address if different from above	1265 N. Milpitas Blvd., Milpitas CA 95035
Either your PG&E (or CCA) account number (from your bill) If CCA please indicate which	Electric Service: 2637174111
Connected Device manufacturer and model	Provided after installation by Willdan
Device ID (from Skycentrics)	Provided after installation by Willdan

Address and Connected Device information will only be used by Willdan, AutoGrid and PG&E to verify your account, and by AutoGrid to remotely control the HPWH. It will not be shared with any other company at any time. At the conclusion of the program, all the data collected will be erased by Willdan and AutoGrid.

By signing this document, you agree to participate in the above program, and you have reviewed the terms and conditions of PG&E and AutoGrid, listed below.

Signature

Date

*See Terms and Conditions**



Please complete the enrollment here by clicking on the link below, or scanning the QR code with your smart phone

<https://eaisystems.autogridflexsaver.app/>

Terms and Conditions of PG&E & AutoGrid Flex Saver Program

Welcome to AutoGrid's FlexSavers Program. With AutoGrid's Energy Savers Program, your help strengthen California's electricity grid and lower the chances of an outage.

These Terms and Conditions (the "Terms and Conditions") apply to participants in PG&E FlexSavers, and are between you and AutoGrid Systems, Inc. ("AutoGrid"). The FlexSavers Program, managed by AutoGrid on behalf of PG&E, will make changes to your Connected Device's operations in response to requests from PG&E. As a participant in the FlexSavers Program, you acknowledge and agree that your use of your Connected Device and your participation in the FlexSavers Program are subject to these Terms and Conditions.

Customer Agreements

You agree to participate in the FlexSavers Program, and you agree to allow AutoGrid to coordinate with your Connected Device's manufacturer and/or provider to remotely control the Connected Device during the term of the FlexSavers Program, from January-1-2022 to December-31-2023 (the "Term"). Alternatively, AutoGrid may send you text messages to occasionally change the setting on your Connected Device. You authorize AutoGrid to request and access your personally identifiable information related to the Connected Device, including data on usage ("Data"). You agree to keep the Connected Device connected to PG&E's electric service during the Term at your sole cost and expense. You agree to occasionally receiving text messages from AutoGrid - your mobile provider's standard rates for receiving text messages will apply.

You agree to participate in a demand response program for three years. The FlexSavers program has a current end date of December 31-2023. Should that program not be extended, you will roll over into another demand response program with the same parameters to complete the three-year term.

Usage During an Outage

Whenever there is an outage - whether that outage is planned for maintenance, a shutdown for wildfire prevention, or an emergency on the grid - your system will operate as it would normally. Your system will not be used in the FlexSavers Program during an outage or before a planned outage.

Incentives

You acknowledge that AutoGrid may receive all credits, rebates, environmental attributes, solar renewable energy credits, or other payments or offsets (the "Benefits") that are attributable to the FlexSavers Program. All Benefits will be the sole property of and transferable by AutoGrid.

Should the system be utilized by PG&E for events, there is a potential for additional incentive. At the conclusion of your three-year enrollment in the demand response program, you may also be offered incentive to remain in the program. The incentive will be in the form of a rebate, at AutoGrid's sole discretion, which will not be exchangeable for PG&E statement credit. You are solely responsible for

compliance with federal, state, and local tax and other laws, and any costs associated with accepting and using the Rebate.

Termination

You agree that AutoGrid may suspend or terminate your participation in its FlexSavers Program at any time and without prior notice, for any reason or no reason, including if AutoGrid believes you have breached any provision of these Terms and Conditions. If you suspend or terminate your participation in the FlexSavers Program for any reason during the Term, including by disconnecting the Connected Device, you will be ineligible to receive the Rebate.

Communications

If you have opted to receive FlexSavers Program communications from AutoGrid, you are responsible for keeping your email address updated with AutoGrid by emailing customer-service@energyaisystems.com or by calling 1-888-292-0502. In the event that your email address has changed, is not functioning properly, or is no longer valid, you may not receive FlexSavers Program communications from AutoGrid.

Disclaimer

AutoGrid makes no representations or warranties with respect to the FlexSavers Program or AutoGrid's services hereunder, and AutoGrid expressly disclaims any and all representations and warranties, express or implied, with respect to the same, including, without limitation, merchantability and fitness for a particular purpose.

Indemnity; Limitation of Claims

Except to the extent prohibited under applicable law, you hereby release AutoGrid and its affiliated entities and their respective directors, officers, employees, and representatives (collectively, the "Indemnitees") from, and agree to defend, indemnify and hold harmless the Indemnitees from and against, all claims, damages, losses, costs and expenses (including attorneys' fees) arising out of any violation of these Terms and Conditions by you. AutoGrid reserves the right, at its own expense, to assume the exclusive defense and control of any matter otherwise subject to indemnification by you (without limiting your indemnification obligations with respect to that matter), and in that case, you agree to cooperate with AutoGrid's defense of those claims.

You must contact AutoGrid within one (1) year of the date of the occurrence of the event or facts giving rise to a dispute, or you waive the right to pursue any claim based upon such event, facts, or dispute.

Data Usage and Disclosure

AutoGrid may use Data for the following purposes (in each case to the extent permitted by applicable law): (1) to operate, maintain, provide, and enhance the FlexSavers Program; (2) for AutoGrid's internal purposes, including, without limitation, research and development, improvement of AutoGrid's product and service offerings, and creation of new product and service offerings; (3) to customize content and communications AutoGrid may provide to customers; and (4) for other purposes so long as the Data does not contain personally identifiable information (including where Data has been deidentified).

AutoGrid will not disclose Data to any third parties other than in the following circumstances: (1) where the Data does not contain personally identifiable information (including where Data has been deidentified); (2) in order to provide AutoGrid products or services to you (including working with third-party service providers who may assist AutoGrid in collecting, hosting, maintaining, analyzing, or otherwise processing Data for AutoGrid); (3) if required to do so by any law or regulation, in response to a court order, judicial or other government subpoena or warrant, or to otherwise cooperate with law enforcement or other governmental agencies; (4) if AutoGrid believes, in good faith, disclosure is appropriate or necessary to (a) take precautions against its own liability, (b) protect AutoGrid or others from fraudulent, abusive, or unlawful uses or activity, (c) investigate or defend against any third-party claims or allegations, (d) protect the security or integrity of AutoGrid's services and any facilities or equipment used to make such services available, or (e) protect AutoGrid's property or other legal rights (including, but not limited to, enforcement of AutoGrid's agreements), or the rights, property, or safety of others; (5) to AutoGrid's assignees, affiliates, actual or prospective lenders, financing parties, investors, insurers, and acquirers; (6) disclosure to contractors, service providers, and other third parties AutoGrid uses to support its business and who are bound by contractual obligations to keep personal information confidential and use it only for the purposes for which AutoGrid discloses it to them; and (7) for any purpose for which you have provided your express consent.

Arbitration

By accepting these Terms and Conditions, you hereby waive the right to a trial by jury or to participate in any class action or representative proceeding, and you agree that any dispute, claim or controversy arising out of or relating to these Terms and Conditions or the breach, termination, enforcement, interpretation or validity thereof, including the determination of the scope or applicability of this agreement to arbitrate, shall be determined by arbitration administered by the American Arbitration Association in accordance with its Commercial Arbitration Rules. The arbitration shall be held in the County of San Francisco, California. You and AutoGrid shall jointly request that the appointed arbitrator administer the arbitration efficiently and, if possible, issue a decision within six (6) months from the date the arbitrator is appointed. The arbitrator's award shall set forth both the legal and factual basis of the award.

Attorneys' Fees and Costs

If either you or AutoGrid initiates arbitration or any legal proceeding to enforce its rights under these Terms and Conditions, the prevailing party shall be entitled to an award of reasonable attorneys' fees, reasonable expert fees, and costs and expenses actually incurred.

Governing Law

These Terms and Conditions are governed by and construed under the laws of the State of California, U.S.A., without regard to its principles of conflicts of law, and regardless of your location. You and AutoGrid hereby submit to the personal and exclusive jurisdiction of the state courts and federal courts located within San Francisco County, California for resolution of any lawsuit or court proceeding permitted under these Terms and Conditions.

Email : customer-service@energyaisystems.com

Phone : [1-888-292-0502](tel:1-888-292-0502)

[Privacy Policy](#)

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CITY OF MILPITAS

RIGHT OF ENTRY AGREEMENT

This Right of Entry Agreement (“Right of Entry”) is entered in by the CITY OF MILPITAS (referred to herein as the “City”) and **Commercial Air and Refrigeration LLC, DBA Enovative Mechanical and Energy Services** (referred to herein as “Contractor”). The City and Contractor are sometimes individually referred to as “Party” and collectively as “Parties.”

RECITALS

A. The City is a public agency organized under the laws of the State of California, and the owner of certain real properties commonly referred to as:

1. City Hall, 455 E Calaveras Blvd, Milpitas, CA 95035
2. Senior Center, 40 N Milpitas Blvd, Milpitas, CA 95035
3. Community Center, 457 E Calaveras Blvd, Milpitas, CA 95035
4. Milpitas Rec Center, 1325 E. Calaveras Blvd, Milpitas, CA 95035
5. Jose Higuera Adobe Park, Wessex Pl, Milpitas, CA 95035
6. Corp Yard – PW Warehouse, 1265 N Milpitas Blvd, Milpitas, CA 95035
7. Fire Station #3, 45 Midwick Drive, Milpitas, CA 95035

B. Contractor desires to obtain the City’s permission to enter onto the Property, on a temporary basis, for the purpose completing certain construction services on the terms and conditions set forth in this Right of Entry agreement, including all work incidental to the removal of existing hot water heaters and the installation of electric heat pump hot water heaters at the Properties. Contractor represents that it is duly licensed and experienced in providing these services as related to public clients, that it, its employees, and subcontractors have all necessary licenses and permits to perform the services in the State of California. The following license classifications are required for this Project: C-36 Plumbing, C-20 HVAC. Contractor also holds a General B license. All licenses are under CSLB #1036688.

C. Contractor wishes to undertake such work through the Government K-12 Program at no cost to the City.

D. The Parties wish to enter into this Right of Entry whereby the City will allow Contractor to enter onto the Property, on a temporary basis, for the above stated purpose as more particularly described in Exhibit “A” attached hereto and incorporated herein by reference.

NOW, THEREFORE, GRANTOR and GRANTEE do hereby agree as follows:

AGREEMENT

1. **Right of Entry.** The City hereby grants to Contractor and its agents, employees and contractors the temporary non-exclusive right to enter onto the Properties for the purpose of removing existing gas water heaters and install new electric heat pump water heaters as more particularly described in Exhibit "A," and for no other purpose; provided, however, that Contractor's use of the Property permitted hereunder shall not interfere with the reasonable use and enjoyment thereof by the City or any tenants, occupants or persons claiming through or under the City; and provided further that all persons who enter upon the Property pursuant to this Right of Entry do so at their own risk and shall comply with any and all instructions and directions of the City.

2. **Contractor's Basic Obligation; Scope of Work.** Contractor promises and agrees, at its own cost and expense, to furnish to the City all labor, materials, tools, equipment, services, and incidental and customary work necessary to fully and adequately complete the Project, including all structures and facilities necessary for the Project or described in the Right of Entry Agreement (hereinafter sometimes referred to as the "Work"), for the amount recoverable by Contractor through PG&E's Government K-12 Program.

3. **Period of Performance and Liquidated Damages.** Contractor shall perform and complete all Work under this agreement **within 15 business** days, beginning the effective date of the Notice to Proceed ("Contract Time").

4. **Standard of Performance; Performance of Employees.** Contractor shall perform all Work in a skillful and workmanlike manner, and consistent with the standards generally recognized as being employed by professionals in the same discipline in the State of California. Contractor represents and maintains that it is skilled in the professional calling necessary to perform the Work. Contractor warrants that all employees and subcontractors shall have sufficient skill and experience to perform the Work assigned to them. Finally, Contractor represents that it, its employees and subcontractors have all licenses, permits, qualifications and approvals of whatever nature that are legally required to perform the Work, including a City Business License, and that such licenses and approvals shall be maintained throughout the term of this agreement. As provided for in the indemnification provisions of this agreement, Contractor shall perform, at its own cost and expense and without reimbursement from the City, any work necessary to correct errors or omissions which are caused by Contractor's failure to comply with the standard of care provided for herein. Any employee who is determined by the City to be uncooperative, incompetent, a threat to the safety of persons or the Work, or any employee who fails or refuses to perform the Work in a manner acceptable to the City, shall be promptly removed from the Project by Contractor and shall not be re-employed on the Work.

5. **Prevailing Wages.** Contractor is aware of the requirements of California Labor Code Section 1720 et seq., and 1770 et seq., as well as California Code of Regulations, Title 8, Section 16000 et seq., ("Prevailing Wage Laws"), which require the payment of prevailing wage rates and

the performance of other requirements on “public works” and “maintenance” projects. If the Services are being performed as part of an applicable “public works” or “maintenance” project, as defined by the Prevailing Wage Laws, and if the total compensation is \$1,000 or more, Contractor agrees to fully comply with such Prevailing Wage Laws. City shall provide Contractor with a copy of the prevailing rates of per diem wages in effect at the commencement of this agreement. Contractor shall make copies of the prevailing rates of per diem wages for each craft, classification or type of worker needed to execute the Services available to interested parties upon request, and it shall post copies at Contractor’s principal place of business and at the project site. Contractor shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of any failure or alleged failure to comply with the Prevailing Wage Laws. Contractor and any subcontractor shall forfeit a penalty of up to \$200 per calendar day or portion thereof for each worker paid less than the prevailing wage rates.

6. Apprenticeable Crafts. When Contractor employs workmen in an apprenticeable craft or trade, Contractor shall comply with the provisions of Section 1777.5 of the California Labor Code as applicable with respect to the employment of properly registered apprentices upon public works. The primary responsibility for compliance with said section for all apprenticeable occupations shall be with Contractor. The Contractor or any subcontractor that is determined by the Labor Commissioner to have knowingly violated Section 1777.5 shall forfeit as a civil penalty an amount not exceeding \$100 for each full calendar day of noncompliance, or such greater amount as provided by law.

7. Hours of Work. Contractor is advised that eight (8) hours labor constitutes a legal day’s work. Pursuant to Section 1813 of the California Labor Code, Contractor shall forfeit a penalty of \$25.00 per worker for each day that each worker is permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week, except when payment for overtime is made at not less than one and one-half (1-1/2) times the basic rate for that worker.

8. Payroll Records. Contractor and each subcontractor shall keep an accurate payroll record, showing the name, address, social security number, work classification, straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. The payroll records shall be certified and shall be available for inspection at all reasonable hours at the principal office of Contractor in the manner provided in Labor Code section 1776. In the event of noncompliance with the requirements of this section, Contractor shall have 10 days in which to comply subsequent to receipt of written notice specifying in what respects such Contractor must comply with this section. Should noncompliance still be evident after such 10-day period, Contractor shall, as a penalty to City, forfeit not more than \$100.00 for each calendar day or portion thereof, for each worker, until strict compliance is effectuated. The amount of the forfeiture is to be determined by the Labor Commissioner. A contractor who is found to have violated the provisions of law regarding wages on Public Works with the intent to defraud shall be ineligible to bid on Public Works contracts for a period of one to three years as determined by the Labor Commissioner. Upon the request of the Division of Apprenticeship

Standards or the Division of Labor Standards Enforcement, such penalties shall be withheld from progress payments then due. The responsibility for compliance with this section is on Contractor. The requirement to submit certified payroll records directly to the Labor Commissioner under Labor Code section 1771.4 shall not apply to work performed on a public works project that is exempt pursuant to the small project exemption specified in Labor Code Section 1771.4.

9. Safety. Contractor shall execute and maintain its work so as to avoid injury or damage to any person or property. Contractor shall comply with the requirements of the specifications relating to safety measures applicable in particular operations or kinds of work. In carrying out its Work, Contractor shall at all times be in compliance with all applicable local, state and federal laws, rules and regulations, and shall exercise all necessary precautions for the safety of employees appropriate to the nature of the Work and the conditions under which the Work is to be performed. Safety precautions as applicable shall include, but shall not be limited to, adequate life protection and lifesaving equipment; adequate illumination for underground and night operations; instructions in accident prevention for all employees, such as machinery guards, safe walkways, scaffolds, ladders, bridges, gang planks, confined space procedures, trenching and shoring, fall protection and other safety devices, equipment and wearing apparel as are necessary or lawfully required to prevent accidents or injuries; and adequate facilities for the proper inspection and maintenance of all safety measures. Furthermore, Contractor shall prominently display the names and telephone numbers of at least two medical doctors practicing in the vicinity of the Project, as well as the telephone number of the local ambulance service, adjacent to all telephones at the Project site.

10. Laws and Regulations. Contractor shall keep itself fully informed of and in compliance with all local, state and federal laws, rules and regulations in any manner affecting the performance of the Contract or the Work, including all Cal/OSHA requirements, and shall give all notices required by law. Contractor shall be liable for all violations of such laws and regulations in connection with Work. If Contractor observes that the drawings or specifications are at variance with any law, rule or regulation, it shall promptly notify the City in writing. Any necessary changes shall be made by written change order. If Contractor performs any work knowing it to be contrary to such laws, rules and regulations and without giving written notice to the City, Contractor shall be solely responsible for all costs arising therefrom. City is a public entity of the State of California subject to certain provisions of the Health & Safety Code, Government Code, Public Contract Code, and Labor Code of the State. It is stipulated and agreed that all provisions of the law applicable to the public contracts of a municipality are a part of this Contract to the same extent as though set forth herein and will be complied with. Contractor shall defend, indemnify and hold City, its officials, directors, officers, employees and agents free and harmless, pursuant to the indemnification provisions of this Contract, from any claim or liability arising out of any failure or alleged failure to comply with such laws, rules or regulations.

11. Permits and Licenses. Contractor shall be responsible for securing City permits and licenses necessary to perform the Work described herein, including, but not limited to, a City Business License. While Contractor will not be charged a fee for any City permits, Contractor

shall pay the City's applicable business license fee. Any ineligible contractor or subcontractor pursuant to Labor Code Sections 1777.1 and 1777.7 may not perform work on this Project.

12. Air Quality. Contractor must fully comply with all applicable laws, rules and regulations in furnishing or using equipment and/or providing services, including, but not limited to, emissions limits and permitting requirements imposed by the California Air Resources Board (CARB). Although CARB limits and requirements are more broad, Contractor shall specifically be aware of their application to "portable equipment", which definition is considered by CARB to include any item of equipment with a fuel-powered engine. Contractor shall indemnify City against any fines or penalties imposed by CARB, or any other governmental or regulatory agency for violations of applicable laws, rules and/or regulations by Contractor, its subcontractors, or others for whom Contractor is responsible under its indemnity obligations provided for in this Agreement.

13. State Recycling Mandates. Contractor shall comply with State Recycling Mandates. Any recyclable materials/debris collected by the contractor that can be feasibly diverted via reuse or recycling must be hauled by the appropriate handler for reuse or recycling.

14. Loss and Damage. Except as may otherwise be limited by law, Contractor shall be responsible for all loss and damage which may arise out of the nature of the Work agreed to herein, or from the action of the elements, or from any unforeseen difficulties which may arise or be encountered in the prosecution of the Work until the same is fully completed and accepted by City. In the event of damage proximately caused by an Act of God, as defined by Section 7105 of the Public Contract Code, the City may terminate this Contract pursuant to Section 3.17.3; provided, however, that the City needs to provide Contractor with only one (1) day advanced written notice.

15. Indemnification.

a) Scope of Indemnity. To the fullest extent permitted by law, Contractor shall defend, indemnify and hold the City, its officials, employees, agents and authorized volunteers free and harmless from any and all claims, demands, causes of action, suits, actions, proceedings, costs, expenses, liability, judgments, awards, decrees, settlements, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, (collectively, "Claims") in any manner arising out of, pertaining to, or incident to any alleged acts, errors or omissions, or willful misconduct of Contractor, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Contractor's services, the Project or this Agreement, including without limitation the payment of all consequential damages, expert witness fees and attorneys' fees and other related costs and expenses. Notwithstanding the foregoing, to the extent required by Civil Code section 2782, Contractor's indemnity obligation shall not apply to liability for damages for death or bodily injury to persons, injury to property, or any other loss, damage or expense arising from the sole or active negligence or willful misconduct of the City or the City's agents, servants, or independent contractors who are directly responsible to the City, or for defects in design furnished by those persons.

b) Additional Indemnity Obligations. Contractor shall defend, with counsel of City's choosing and at Contractor's own cost, expense and risk, any and all Claims covered by this section that may be brought or instituted against City or its officials, employees, agents and authorized volunteers. In addition, Contractor shall pay and satisfy any judgment, award or decree that may be rendered against City or its officials, employees, agents and authorized volunteers as part of any such claim, suit, action or other proceeding. Contractor shall also reimburse City for the cost of any settlement paid by City or its officials, employees, agents and authorized volunteers as part of any such claim, suit, action or other proceeding. Such reimbursement shall include payment for City's attorney's fees and costs, including expert witness fees. Contractor shall reimburse City and its officials, employees, agents and authorized volunteers, for any and all legal expenses and costs incurred by each of them in connection therewith or in enforcing the indemnity herein provided. Contractor's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by the City, its officials, employees, agents and authorized volunteers.

16. Insurance. Contractor shall not commence Work under this Contract until it has provided evidence satisfactory to the City that it has secured all insurance required under Exhibit "B" (Insurance Requirements), attached hereto and incorporated herein by this reference. In addition, Contractor shall not allow any subcontractor to commence work on any subcontract until it has provided evidence satisfactory to the City that the subcontractor has secured all insurance required therein. Failure to provide and maintain all required insurance shall be grounds for the City to terminate this Contract for cause.

17. Warranty. Contractor warrants all Work under the Contract (which for purposes of this Section shall be deemed to include unauthorized work which has not been removed and any non-conforming materials incorporated into the Work) to be of good quality and free from any defective or faulty material and workmanship. Contractor agrees that for a period of one year (or the period of time specified elsewhere in the Contract or in any guarantee or warranty provided by any manufacturer or supplier of equipment or materials incorporated into the Work, whichever is later) after the date of final acceptance, Contractor shall within ten (10) days after being notified in writing by the City of any defect in the Work or non-conformance of the Work to the Contract, commence and prosecute with due diligence all Work necessary to fulfill the terms of the warranty at its sole cost and expense. Contractor shall act sooner as requested by the City in response to an emergency. In addition, Contractor shall, at its sole cost and expense, repair and replace any portions of the Work (or work of other contractors) damaged by its defective Work or which becomes damaged in the course of repairing or replacing defective Work. For any Work so corrected, Contractor's obligation hereunder to correct defective Work shall be reinstated for an additional one year period, commencing with the date of acceptance of such corrected Work. Contractor shall perform such tests as the City may require to verify that any corrective actions, including, without limitation, redesign, repairs, and replacements comply with the requirements of the Contract. All costs associated with such corrective actions and testing, including the removal, replacement, and reinstitution of equipment and materials necessary to gain access, shall be the sole responsibility of Contractor. All warranties and guarantees of subcontractors, suppliers and manufacturers with respect to any portion of the

Work, whether express or implied, are deemed to be obtained by Contractor for the benefit of the City, regardless of whether or not such warranties and guarantees have been transferred or assigned to the City by separate agreement and Contractor agrees to enforce such warranties and guarantees, if necessary, on behalf of the City. In the event that Contractor fails to perform its obligations under this Section, or under any other warranty or guaranty under this Contract, to the reasonable satisfaction of the City, the City shall have the right to correct and replace any defective or non-conforming Work and any work damaged by such work or the replacement or correction thereof at Contractor's sole expense. Contractor shall be obligated to fully reimburse the City for any expenses incurred hereunder upon demand.

18. Contractor's Labor Certification. By its signature hereunder, Contractor certifies that it is aware of the provisions of Section 3700 of the California Labor Code which require every employer to be insured against liability for Worker's Compensation or to undertake self-insurance in accordance with the provisions of that Code, and agrees to comply with such provisions before commencing the performance of the Work.

19. Equal Opportunity Employment. Contractor represents that it is an equal opportunity employer and that it shall not discriminate against any employee or applicant for employment because of race, religion, color, national origin, ancestry, sex, age or other interests protected by the State or Federal Constitutions. Such non-discrimination shall include, but not be limited to, all activities related to initial employment, upgrading, demotion, transfer, recruitment or recruitment advertising, layoff or termination.

20. Verification of Employment Eligibility. By executing this Contract, Contractor verifies that it fully complies with all requirements and restrictions of state and federal law respecting the employment of undocumented aliens, including, but not limited to, the Immigration Reform and Control Act of 1986, as may be amended from time to time, and shall require all subconsultants and sub-subconsultants to comply with the same.

21. Termination. This Contract may be terminated by City at any time, either with or without cause, by giving Contractor three (3) days advance written notice. In the event of termination by City for any reason other than the fault of Contractor, City shall pay Contractor for all Work performed up to that time as provided herein. In the event of breach of the Contract by Contractor, City may terminate the Contract immediately without notice, may reduce payment to Contractor in the amount necessary to offset City's resulting damages, and may pursue any other available recourse against Contractor. Contractor may not terminate this Contract except for cause. In the event this Contract is terminated in whole or in part as provided, City may procure, upon such terms and in such manner as it may determine appropriate, services similar to those terminated. Further, if this Contract is terminated as provided, City may require Contractor to provide all finished or unfinished documents, data, diagrams, drawings, materials or other matter prepared or built by Contractor in connection with its performance of this Contract.

22. Contract Interpretation. Should any question arise regarding the meaning or import of any of the provisions of this Contract or written or oral instructions from City, the matter shall be referred to City's Representative, whose decision shall be binding upon Contractor.
23. Assignment Forbidden. Contractor shall not, either voluntarily or by action of law, assign or transfer this agreement or any obligation, right, title or interest assumed by Contractor herein without the prior written consent of City. If Contractor attempts an assignment or transfer of this Contract or any obligation, right, title or interest herein, City may, at its option, terminate and revoke the Contract and shall thereupon be relieved from any and all obligations to Contractor or its assignee or transferee.
24. No Third Party Beneficiaries. There are no intended third party beneficiaries of any right or obligation assumed by the Parties.
25. Laws, Venue, and Attorneys' Fees. This agreement shall be interpreted in accordance with the laws of the State of California. If any action is brought to interpret or enforce any term of this Agreement, the action shall be brought in a state or federal court situated in the County of Santa Clara, State of California.
26. Counterparts. This agreement may be executed in counterparts, each of which shall constitute an original.
27. Certification of License. Contractor certifies that as of the date of execution of this Contract, Contractor has a current contractor's license of the classification indicated below under Contractor's signature. Contractors are required by law to be licensed and regulated by the Contractors' State License Board which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four (4) years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within ten (10) years of the date of the alleged violation. Any questions concerning a contractor may be referred to the Registrar, Contractors' State License Board, P.O. Box 26000, Sacramento, California 95826.
28. Authority to Enter Contract. Each Party warrants that the individuals who have signed this Contract have the legal power, right and authority to make this Contract and bind each respective Party.
29. Entire Contract; Modification. This Contract contains the entire agreement of the Parties with respect to the subject matter hereof, and supersedes all prior negotiations, understandings or agreements. This Contract may only be modified by a writing signed by both Parties.
30. Non-Waiver. None of the provisions of this Agreement shall be considered waived by either party, unless such waiver is specifically specified in writing.
31. City's Right to Employ Other Contractors. City reserves right to employ other contractors in connection with this Project or other projects.

IN WITNESS WHEREOF, the Parties hereto have executed this Right of Entry on the date as indicated below each Party's signature.

[SIGNATURES ON FOLLOWING PAGE]

**SIGNATURE PAGE
TO
CITY OF MILPITAS
RIGHT OF ENTRY AGREEMENT**

GRANTOR:
CITY OF MILPITAS

GRANTEE:
COMMERCIAL AIR AND
REFRIGERATION LLC DBA
ENOVATIVE MECHANICAL AND
ENERGY SERVICES

Approved By:

Steven G. McHarris, City Manager

Signature

Date

Name

Approved As To Form:

Title

Michael Mutalipassi, City Attorney

Date

Approved:

DIR Registration Number (If Applicable)

Lauren Lai, CPA, MPA
Finance Director/Risk Manager

Approved As To Content:

Christian Di Renzo, Public Works Director

EXHIBIT "A"
DESCRIPTION OF ACTIVITY TO BE CONDUCTED ON PROPERTY

CITY HALL – 455 E CALAVERAS BLVD
120-GALLON HEAT PUMP WATER HEATER

Turn-key removal of existing gas-fired water heater and replacing with two new **119-gallon State Industries Heat Pump Water Heaters**, including:

- **STANDARD SCOPE OF WORK - \$17,418.10**
 - Water Heater
 - Drain, remove, and dispose of existing gas-fired water heater
 - Install new Heat Pump Water Heater specified above
 - New drain pan
 - New earthquake strap
 - New TPR valve and pipe
 - Miscellaneous Plumbing. Install the following miscellaneous plumbing materials and equipment pursuant to Manufacturer's recommendations and the 2019 California Plumbing Code:
 - 16' 3/4" Type L copper pipe
 - 2 Dielectric Unions
 - PVC drain pipe
 - Cap existing gas pipe near water heater connection
 - All other copper, brass, and miscellaneous fittings around water heater location
 - 5' of insulation on Hot and Cold lines attached to water heater
 - ELECTRICAL. Install the following electrical materials and equipment as required per manufacturer's recommendation and the 2022 California Electrical Code:
 - 2-pole switch
 - Single gang box
 - 100-amp breaker
 - Run new THHN/similar branch circuit from breaker box to water heater location in rigid EMT pipe up to 20' maximum run distance
 - Miscellaneous Items:
 - Permit fees and inspections
 - All labor to complete the standard scope of work
 - Delivery / shipping costs
 - Tax
- **ADDITIONAL SCOPE REQUIRED FOR THIS PROJECT - \$250.00**
 - ADD ON: ELECTRICAL RUN - 250.00

All work herein will be performed during normal business hours, Monday through Friday. Price includes material, tax, and labor to complete only the above Scope of Work.

SENIOR CENTER – 40 N MILPITAS BLVD
120-GALLON HEAT PUMP WATER HEATER AND 50-GALLON HEAT PUMP WATER
HEATER

Turn-key removal of existing gas-fired water heater and replacing with one new **119-gallon State Industries Heat Pump Water Heater and one new 50-gallon Ruud/Rheem Heat Pump Water Heater**, including:

- **STANDARD SCOPE OF WORK - \$23,972.60**
 - Water Heater
 - Drain, remove, and dispose of existing gas-fired water heater
 - Install new Heat Pump Water Heater specified above
 - New drain pan
 - New earthquake strap
 - New TPR valve and pipe
 - Miscellaneous Plumbing. Install the following miscellaneous plumbing materials and equipment pursuant to Manufacturer's recommendations and the 2019 California Plumbing Code:
 - 16' 3/4" Type L copper pipe
 - 2 Dielectric Unions
 - PVC drain pipe
 - Cap existing gas pipe near water heater connection
 - All other copper, brass, and miscellaneous fittings around water heater location
 - 5' of insulation on Hot and Cold lines attached to water heater
 - ELECTRICAL. Install the following electrical materials and equipment as required per manufacturer's recommendation and the 2022 California Electrical Code:
 - 2-pole switch
 - Single gang box
 - 100-amp breaker / 30 amp breaker
 - Run new THHN/similar branch circuit from breaker box to water heater location in rigid EMT pipe up to 20' maximum run distance
 - Miscellaneous Items:
 - Permit fees and inspections
 - All labor to complete the standard scope of work
 - Delivery / shipping costs
 - Tax
- **ADDITIONAL SCOPE REQUIRED FOR THIS PROJECT - \$550.00**
 - ADD ON: ELECTRICAL RUN - 550.00

All work herein will be performed during normal business hours, Monday through Friday. Price includes material, tax, and labor to complete only the above Scope of Work.

COMMUNITY CENTER – 457 E CALAVERAS BLVD
50-GALLON HEAT PUMP WATER HEATER

Turn-key removal of existing gas fired water heater and replacing with two new 50-gallon RUUD PROUH50 T2 RU-375-30 Heat Pump Water Heaters, including:

- STANDARD SCOPE OF WORK - **\$13,109.00**
 - Water Heater
 - Drain, remove, and dispose of existing gas-fired water heater
 - Install new Heat Pump Water Heater specified above
 - New drain pan
 - New earthquake strap
 - New TPR valve and pipe
 - Miscellaneous Plumbing. Install the following miscellaneous plumbing materials and equipment pursuant to Manufacturer's recommendations and the 2019 California Plumbing Code:
 - 16' 3/4" Type L copper pipe
 - 2 Dielectric Unions
 - PVC drain pipe
 - Cap existing gas pipe near water heater connection
 - All other copper, brass, and miscellaneous fittings around water heater location
 - 5' of insulation on Hot and Cold lines attached to water heater
 - ELECTRICAL. Install the following electrical materials and equipment as required per manufacturer's recommendation and the 2022 California Electrical Code:
 - 2-pole switch
 - Single gang box
 - 30-amp breaker
 - Run new THHN/similar branch circuit from breaker box to water heater location in rigid EMT pipe up to 20' maximum run distance
 - Miscellaneous Items:
 - Permit fees and inspections
 - All labor to complete the standard scope of work
 - Delivery / shipping costs
 - Tax
- ADDITIONAL SCOPE REQUIRED FOR THIS PROJECT - \$1800.00
 - ADD ON: ELECTRICAL RUN - \$1800.00

All work herein will be performed during normal business hours, Monday through Friday. Price includes material, tax, and labor to complete only the above Scope of Work.

MILPITAS REC CENTER – 1325 E CALAVERAS BLVD
2 x 120-GALLON HEAT PUMP WATER HEATERS

Turn-key removal of existing gas-fired water heaters and replacing with two new 119-gallon State Industries Heat Pump Water Heaters, including:

- STANDARD SCOPE OF WORK - **\$34,836.20**
 - Water Heater
 - Drain, remove, and dispose of existing gas-fired water heater
 - Install new Heat Pump Water Heater specified above
 - New drain pan
 - New earthquake strap
 - New TPR valve and pipe
 - Miscellaneous Plumbing. Install the following miscellaneous plumbing materials and equipment pursuant to Manufacturer's recommendations and the 2019 California Plumbing Code:
 - 16' 3/4" Type L copper pipe
 - 2 Dielectric Unions
 - PVC drain pipe
 - Cap existing gas pipe near water heater connection
 - All other copper, brass, and miscellaneous fittings around water heater location
 - 5' of insulation on Hot and Cold lines attached to water heater
 - ELECTRICAL. Install the following electrical materials and equipment as required per manufacturer's recommendation and the 2022 California Electrical Code:
 - 2-pole switch
 - Single gang box
 - 100-amp breaker / 30 amp breaker
 - Run new THHN/similar branch circuit from breaker box to water heater location in rigid EMT pipe up to 20' maximum run distance
 - Miscellaneous Items:
 - Permit fees and inspections
 - All labor to complete the standard scope of work
 - Delivery / shipping costs
 - Tax
- ADDITIONAL SCOPE REQUIRED FOR THIS PROJECT - **\$1500.00**
 - ADD ON: ELECTRICAL RUN - 1500.00

All work herein will be performed during normal business hours, Monday through Friday. Price includes material, tax, and labor to complete only the above Scope of Work.

JOSE HIGUERA ADOBE PARK – WESSEX PL
50-GALLON HEAT PUMP WATER HEATER

Turn-key removal of existing gas fired water heater and replacing with two new 50-gallon RUUD PROUH50 T2 RU-375-30 Heat Pump Water Heaters, including:

- STANDARD SCOPE OF WORK - **\$6,554.50**
 - Water Heater
 - Drain, remove, and dispose of existing gas-fired water heater
 - Install new Heat Pump Water Heater specified above
 - New drain pan
 - New earthquake strap
 - New TPR valve and pipe
 - Miscellaneous Plumbing. Install the following miscellaneous plumbing materials and equipment pursuant to Manufacturer's recommendations and the 2019 California Plumbing Code:
 - 16' 3/4" Type L copper pipe
 - 2 Dielectric Unions
 - PVC drain pipe
 - Cap existing gas pipe near water heater connection
 - All other copper, brass, and miscellaneous fittings around water heater location
 - 5' of insulation on Hot and Cold lines attached to water heater
 - ELECTRICAL. Install the following electrical materials and equipment as required per manufacturer's recommendation and the 2022 California Electrical Code:
 - 2-pole switch
 - Single gang box
 - 30-amp breaker
 - Run new THHN/similar branch circuit from breaker box to water heater location in rigid EMT pipe up to 20' maximum run distance
 - Miscellaneous Items:
 - Permit fees and inspections
 - All labor to complete the standard scope of work
 - Delivery / shipping costs
 - Tax
- ADDITIONAL SCOPE REQUIRED FOR THIS PROJECT - \$750.00
 - ADD ON: ELECTRICAL RUN - \$500.00
 - ADD ON: JUNCTION BOX - \$250.00

All work herein will be performed during normal business hours, Monday through Friday. Price includes material, tax, and labor to complete only the above Scope of Work.

CORP YARD – PW WAREHOUSE – 1265 N MILPITAS BLVD
50-GALLON HEAT PUMP WATER HEATER

Turn-key removal of existing gas fired water heater and replacing with two new 50-gallon RUUD PROUH50 T2 RU-375-30 Heat Pump Water Heaters, including:

- STANDARD SCOPE OF WORK - **\$13,109.00**
 - Water Heater
 - Drain, remove, and dispose of existing gas-fired water heater
 - Install new Heat Pump Water Heater specified above
 - New drain pan
 - New earthquake strap
 - New TPR valve and pipe
 - Miscellaneous Plumbing. Install the following miscellaneous plumbing materials and equipment pursuant to Manufacturer's recommendations and the 2019 California Plumbing Code:
 - 16' 3/4" Type L copper pipe
 - 2 Dielectric Unions
 - PVC drain pipe
 - Cap existing gas pipe near water heater connection
 - All other copper, brass, and miscellaneous fittings around water heater location
 - 5' of insulation on Hot and Cold lines attached to water heater
 - ELECTRICAL. Install the following electrical materials and equipment as required per manufacturer's recommendation and the 2022 California Electrical Code:
 - 2-pole switch
 - Single gang box
 - 30-amp breaker
 - Run new THHN/similar branch circuit from breaker box to water heater location in rigid EMT pipe up to 20' maximum run distance
 - Miscellaneous Items:
 - Permit fees and inspections
 - All labor to complete the standard scope of work
 - Delivery / shipping costs
 - Tax
- ADDITIONAL SCOPE REQUIRED FOR THIS PROJECT - \$4675.00
 - ADD ON: ELECTRICAL RUN - \$1500.00
 - ADD ON: PANEL UPGRADES - \$2500.00
 - ADD ON: ADDITIONAL LABOR - \$675.00

All work herein will be performed during normal business hours, Monday through Friday. Price includes material, tax, and labor to complete only the above Scope of Work.

FIRE STATION #3 – 45 MIDWICK DRIVE
50-GALLON HEAT PUMP WATER HEATER

Turn-key removal of existing gas fired water heater and replacing with two new 50-gallon RUUD PROUH50 T2 RU-375-30 Heat Pump Water Heaters, including:

- STANDARD SCOPE OF WORK - **\$6,554.50**
 - Water Heater
 - Drain, remove, and dispose of existing gas-fired water heater
 - Install new Heat Pump Water Heater specified above
 - New drain pan
 - New earthquake strap
 - New TPR valve and pipe
 - Miscellaneous Plumbing. Install the following miscellaneous plumbing materials and equipment pursuant to Manufacturer's recommendations and the 2019 California Plumbing Code:
 - 16' 3/4" Type L copper pipe
 - 2 Dielectric Unions
 - PVC drain pipe
 - Cap existing gas pipe near water heater connection
 - All other copper, brass, and miscellaneous fittings around water heater location
 - 5' of insulation on Hot and Cold lines attached to water heater
 - ELECTRICAL. Install the following electrical materials and equipment as required per manufacturer's recommendation and the 2022 California Electrical Code:
 - 2-pole switch
 - Single gang box
 - 30-amp breaker
 - Run new THHN/similar branch circuit from breaker box to water heater location in rigid EMT pipe up to 20' maximum run distance
 - Miscellaneous Items:
 - Permit fees and inspections
 - All labor to complete the standard scope of work
 - Delivery / shipping costs
 - Tax
- ADDITIONAL SCOPE REQUIRED FOR THIS PROJECT - \$1000.00
 - ADD ON: ELECTRICAL RUN - \$1000.00

[ATTACHED]

EXHIBIT "B"

INSURANCE PROVISIONS

The GRANTEE shall obtain, and shall require any consultant or contractor entering the PROPERTY on its behalf to obtain insurance of the types and in the amounts described below and satisfactory to the GRANTOR.

A. Commercial General Liability Insurance. The GRANTEE shall maintain commercial general liability insurance on coverage form ISO CG 00 01 with an occurrence limit of \$1,000,000. If such insurance contains a general aggregate limit, it shall apply separately to this Right of Entry or be no less than two times the occurrence limit. Such insurance shall:

- a) Be endorsed using ISO CG 20 10 (or equivalent) to provide that GRANTOR and its officers, officials, employees, and agents shall be additional insureds under such policies.
- b) Include a waiver of subrogation in favor of GRANTOR its officials, officers, employees, agents, and consultants;
- c) Be primary and non-contributory with respect to any insurance or self-insurance programs covering the GRANTOR, its officials, officers, employees, agents and consultants; and
- d) Contain standard separation of insured provisions.

B. Workers' Compensation Insurance. The GRANTEE shall maintain workers' compensation insurance with statutory limits and employers' liability insurance with limits of not less than \$1,000,000 each accident, along with a waiver of subrogation endorsement in favor of GRANTOR, its officers, officials, employees, and agents.

C. Certificates of Insurance. The GRANTEE shall, prior to entering the PROPERTY, furnish the GRANTOR with properly executed certificates of insurance and, if requested by the GRANTOR, certified copies of endorsements and policies, which clearly evidence all insurance required under this Right of Entry and provide that such insurance shall be not canceled, allowed to expire or be materially reduced in coverage, except on thirty (30) days' prior written notice to the GRANTOR. The GRANTOR shall have the sole discretion to determine whether the certificates and endorsements presented comply with the provisions of this Right of Entry.

D. Coverage Maintenance. The GRANTEE shall replace certificates, policies and endorsements for any insurance expiring prior to the termination of this Right of Entry. Unless otherwise provided for in this Right of Entry, the GRANTEE shall maintain such insurance from the execution of this Right of Entry until completion of the agreed use of the GRANTOR's property is complete and the PROPERTY is fully restored, except as otherwise provided in this Right of Entry.

E. Licensed Insurer. The GRANTEE shall place such insurance with insurers having A.M. Best Company ratings of no less than A-:VII and licensed to do business in California, unless otherwise approved, in writing, by the GRANTOR.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution to Reject a Bid Protest from Ashron Construction and Restoration, Inc.; and Award a Construction Contract to Tucker Construction, Inc. in the amount of \$51,060.00 for the Fire Training Tower Concrete Repair (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	4/18/2023
	<u>Recommendation:</u> Adopt a resolution to reject a bid protest from Ashron Construction and Restoration, Inc.; and Award a construction contract to Tucker Construction, Inc. in the amount of \$51,060.00 for the Fire Training Tower Concrete Repair.

Background and Analysis:

An assessment of the Fire Training Tower (located at 777 S. Main St.) was conducted in August 2020. The assessment noted various areas of the concrete structure that require repair. A bid was published on February 17, 2023, followed by a mandatory bid walk on March 1, 2023, at 1:00pm with five potential bidders in attendance.

When the IFB closed on March 17, 2022, two contractors had bid on the project. Both those bids qualified. Ashron Construction and Restorations, Inc. ("Ashron") submitted a base bid in the amount of \$288,000.00. Tucker Construction, Inc. submitted a base bid in the amount of \$51,060.00. Bid results were posted on March 20, 2023 (**Attachment 2**). The difference between the two qualifying bids was \$236,940.00.

A bid protest from Ashron (**Attachment 3**) was received on March 27, 2023, and was reviewed by the City Attorney. Pursuant to Milpitas Municipal Code section I-2-3.19-3, all bid protests for procurements greater than \$50,000 shall be considered by the City Council.

The bid protest submitted by Ashron was made on two grounds. First, Ashron alleged that Tucker Construction, Inc. does not carry a General B contractor license. Second, that the City did not publish the bid result tabulation at the time that it published the notice of intent to award. Both of the grounds for appeal are without merit. According to the Contractors State License Board, Tucker Construction, Inc. carries license number 454738, which includes both a General B license and a C13 Fencing license (**Attachment 4**). Additionally, the bid results were posted on the City's website on March 20, 2023. The bid results identified all bidders and amounts.

Ashron's protest is without merit. Notice of intent to recommend rejection of the bid protest was sent to Ashron on April 7, 2023. Staff recommends that the City Council reject Ashron's bid protest and award the Construction Contract to Tucker Construction, Inc. in the amount of \$51,060.00 for the Fire Training Tower Concrete Repair.

Policy Alternative:

Alternative: Accept Ashron's protest and award the contract to Ashron.

Pros: None.

Cons: The City will pay \$236,940.00 more than necessary to repair the concrete at the Fire Training Tower.

Reason not Recommended: The City will pay \$236,940.00 more than necessary for the project.

Fiscal Impact:

This project will be funded by Fire Station Improvement CIP (3403), primarily funded by General Government CIP. The current estimated balance for the project is \$594,839 as of March 31, 2023.

California Environmental Quality Act:

Project is exempt under Section 15301 (Existing Facilities), Section 15302 (Replacement of Reconstruction), and 15303 (New Construction or Conversion of Small Structures) of the CEQA guidelines.

Recommendations:

Adopt a Resolution to Reject a Bid Protest from Ashron Construction and Restoration, Inc.; and Award a Construction Contract to Tucker Construction, Inc. in the amount of \$51,060.00 for the Fire Training Tower Concrete Repair.

Attachments:

- 1: Resolution
- 2: Bid Results
- 3: Bid Protest from Ashton Construction and Restoration, Inc.
- 4: Notice of Intent to Reject Bid Protest from City

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS REJECTING A BID PROTEST FROM ASHRON CONSTRUCTION AND RESTORATION, INC., AND AWARDED A CONSTRUCTION CONTRACT AND AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT WITH THE LOWEST RESPONSIBLE BIDDER SUBMITTING A RESPONSIVE BID, TUCKER CONSTRUCTION, INC., IN THE AMOUNT OF \$51,060.00 FOR THE FIRE TRAINING TOWER CONCRETE REPAIR

WHEREAS, An assessment of the Fire Training Tower (located at 777 S. Main St.) was conducted in August 2020. The assessment noted various areas of concrete structure that required repair; and

WHEREAS, a bid was published on February 17, 2023, followed by a mandatory bid walk on March 1, 2023, at 1:00 p.m. with (5) five potential bidders in attendance; and

WHEREAS, the project was bid in accordance with the bidding requirements under the Uniform Public Construction Cost Accounting Act; and

WHEREAS, on March 17, 2023, two sealed bid proposals were received; and

WHEREAS, one bid protest from Ashron Construction and Restoration, Inc. was filed with the City within five (5) days of the bid opening; and

WHEREAS, the bid protest from Ashron Construction and Restoration, Inc. was deemed meritless and a notice of intent to reject the bid protest was delivered to Ashron Construction and Restoration, Inc. on April 4, 2023; and

WHEREAS, Pursuant to Milpitas Municipal Code section I-2-3.19-3, all bid protests for procurements greater than \$50,000 shall be considered by the City Council; and

WHEREAS, the City Council considered Ashron Construction and Restoration, Inc.'s bid protest on April 18, 2023; and

WHEREAS, the lowest responsible bidder submitting a responsive bid is Tucker Construction, Inc., in the base bid amount of \$51,060.00; and

WHEREAS, sufficient funds are available in the project budget to award the base bid item under Tucker Construction Inc.'s bid amount in the amount of \$51,060.00; and

WHEREAS, staff recommends the City Council reject the bid protest from Ashron Construction and Restoration, Inc., as meritless for the reasons specified in the Notice and award a construction contract for the Base Bid items to Tucker Construction, Inc., the lowest responsible bidder submitting a responsive bid, and authorize the City Manager to execute a contract in the total amount of \$51,060.00 in accordance with State law.

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 rejects the bid protest from Ashron Construction and Restoration, Inc. as meritless.
3. The City Council hereby awards the construction contract to and authorizes the City Manager to execute the contract and related documents with the lowest responsible bidder submitting a responsive bid, Tucker Construction, Inc., for the Base Bid scope of work in the amount of \$51,060.00 for the Project.

PASSED AND ADOPTED this _____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Michael Mutalipassi, City Attorney



PURCHASING DIVISION

IFB FOR: Fire Training Tower Concrete Repair

IFB NO: 23-061

DUE DATE: March 17, 2023

BUYER: S. Pietrobono

**Ashron Construction and
Restoration, Inc.
9801 Orr Road
Galt, CA 95632**

**Tucker Construction, Inc.
1725-D Little Orchard Street
San Jose, CA 95125**

Item # C10.

	1	2	3	4	5	6	7
Base Bid	\$288,000.00	\$51,060.00					
* Disqualified – Reason							

****BID AWARD IN PROGRESS** City Council Date: (N/A)**

AWARD TO: (Put in company name) Lowest Most Responsive, Responsible Bidder Meeting Specifications

CODE KEY: INA = Information Not Available NS = Not Stated NB = No Bid DY = Days WK = Weeks HR = Hours



March 27, 2023

To: City of Milpitas
Public Works
455 E. Calaveras Blvd. Milpitas, CA 95035

Att: Steve Pietrobono and City Council

Subject: Bid Protest Decision Fire Training Tower Concrete Repair – Project ID: 23-061

Ashron Construction and Restoration, Inc. submitted its bid for the subject project and apply this protest to request the City of Milpitas to cancel the decision to award the project to Tucker Construction Inc. and to publish the missing information per the following:

1. The Notice Inviting Bids required “...each Bidder shall be a licensed contractor pursuant to sections 7000 et seq. of the Business and Professions Code in the following classification(s) throughout the time it submits its Bid and for the duration of the Contract: General B.” Tucker Construction Inc. do not carry license B as requested as published on CSLB website.
2. The Notice Inviting Bids stating that the City shall award the Contract for the Project to the lowest responsive bidder but did not publish the bid results tabulation. Just a reminder, I called you the submitting due date to check regarding the bid results and you promised that it will be published online that Friday or coming Monday morning but it did not happened.

Sincerely,

Ezra Cohen, President
Ashron Construction and Restoration, Inc
9801 Ott Road, Galt, CA 95632



CITY OF MILPITAS

PUBLIC WORKS DEPARTMENT

1265 N. Milpitas Blvd., Milpitas, California 95035-5411 www.milpitas.gov

Phone: 408-586-2600 Fax: 408-586-2608

April 7, 2023

Ezra Cohen
Ashron Construction and Restoration, Inc.
9801 Ott Road
Galt, CA 95632

SUBJECT: City of Milpitas IFB 23-061 Fire Training Tower Concrete Repair - Notice of Intent to Reject Bid Protest

Dear Mr. Cohen:

I have reviewed your protest letter dated March 27, 2023 regarding 1) Tucker Construcion, Inc. licensing and 2) Posting of bid results and find that your protest has been rejected without further review.

1) Tucker Construcion, Inc. licensing

Tucker Construction, Inc. is licensed as a B-General Building contractor with the CSLB #454738. I have enclosed a copy of the license.

2) Posting of bid results

The solicitation closed on Friday, March 17, 2023, and pending Bid Results were posted on the City website on March 20, 2023. The bid results identified all bidders and amounts. After review of the bids Tucker Construction, Inc. was determined to be the lowest responsive bidder. The City Council will consider award of this contract at its meeting on April 18, 2023. City staff intends to recommend rejection of Ahshron Construction and Restoration, Inc.'s protest as meritless and award the contract to the lowest responsible bidder submitting a responsive bid, Tucker Construction, Inc.

We would like to take this opportunity to thank you for your interest in doing business with the City of Milpitas and remind you that there will be future projects the City hopes you will respond to when an IFB or RFP is issued. If you have any questions, please give me a call at (408) 586-2602.

DocuSigned by:



Christian Di Renzo
Public Works Director
cdirenzo@milpitas.gov

cc: Michael Mutalipassi, City Attorney
cc: Tucker Construction, Inc.

attachements: CSLB License



CONTRACTORS STATE LICENSE BOARD



Contractor's License Detail for License # 454738

DISCLAIMER: A license status check provides information taken from the CSLB license database. Before relying on this information, you should be aware of the following limitations.

- CSLB complaint disclosure is restricted by law (B&P 7124.6) If this entity is subject to public complaint disclosure click on link that will appear below for more information. Click [here](#) for a definition of disclosable actions.
- Only construction related civil judgments reported to CSLB are disclosed (B&P 7071.17).
- Arbitrations are not listed unless the contractor fails to comply with the terms.
- Due to workload, there may be relevant information that has not yet been entered into the board's license database.

Data current as of 3/27/2023 8:43:50 AM

Business Information

TUCKER CONSTRUCTION INC
1725-D LITTLE ORCHARD STREET
SAN JOSE, CA 95125
Business Phone Number: (408) 287-1424

Entity Corporation
Issue Date 04/03/1984
Reissue Date 03/27/1998
Expire Date 03/31/2024

License Status

This license is current and active.

All information below should be reviewed.

Qualifications

- B - GENERAL BUILDING
- C13 - FENCING

Contractor's Bond

This license filed a Contractor's Bond with AMERICAN CONTRACTORS INDEMNITY COMPANY.

Bond Number: 100111433
Bond Amount: \$25,000
Effective Date: 01/01/2023
[Contractor's Bond History](#)

Bond of Qualifying Individual

The qualifying individual MARK DAVID TUCKER certified that he/she owns 10 percent or more of the voting stock/membership interest of this company; therefore, the Bond of Qualifying Individual is not required.

Effective Date: 08/17/2020
[BQI's Bond History](#)

Workers' Compensation

This license has workers compensation insurance with the REDWOOD FIRE AND CASUALTY INSURANCE CO

Policy Number: TUWC428204
Effective Date: 01/01/2023
Expire Date: 01/01/2024
[Workers' Compensation History](#)

► 03/27/1998 - LICENSE REISSUED TO ANOTHER ENTITY

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CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Waive the Second Reading and Adopt Ordinance No. 120.50 to Amend Chapter 1 of Title VIII of the Milpitas Municipal Code Relating to Water Service Charges (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Lauren Lai, Director of Finance, 408-586-3111)
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	4/18/2022
	<u>Recommendation:</u> (1) Waive the second reading of Ordinance No. 120.50; and (2) Adopt Ordinance No. 120.50 to amend Chapter 1 of Title VIII of the Milpitas Municipal Code relating to water service charges.

BACKGROUND:

On March 21, 2023, the City Council introduced Ordinance No. 120.50 to amend Chapter 1 of Title VIII of the Milpitas Municipal Code to establish water and recycled water rates. This ordinance would establish water and recycled water rates for FY 23/24 through FY 27/28. In accordance with State Regulations and Title 4, Chapter 3, Section 4.00 of the Milpitas Municipal Code, setting rates is necessary to ensure revenues cover all system operation and maintenance (O&M) costs and all capital improvement program (CIP) costs. No changes were made to the ordinance introduced on March 21, 2023. Ordinance No. 120.50 is ready for adoption.

ANALYSIS:

Ordinance No. 120.50 would allow the City to establish water rates necessary to recover current projected costs for O&M and CIP, cost increases in wholesale water purchases and to maintain target reserve funds, per City policy and in accordance with Milpitas Municipal Code. For the five-year period (FY 23/24 to FY 27/28) water purchases are estimated to total \$137 million. Operating costs are estimated to total \$54.6 million and capital costs are estimated to total \$32.6 million. The rates and charges recommended will ensure the Water System meets or exceeds customer requirements for reliable service, avoids operational deficits and the depletion of reserves and maintains favorable credit ratings to minimize potential future debt services costs.

POLICY ALTERNATIVE(S):

Alternative 1: Do Not Adopt Ordinance 120.50

Pros: The existing water rates would remain in place.

Cons: The water fund would be in violation of the Municipal Code, which requires the water fund be operated as a self-supporting enterprise. The City would not have enough funds to pay for wholesale water and continue to operate and maintain the system, which in turn can jeopardize the City's ability to meet mandated water quality standards. A delay in adjusting water rates also impacts the City's ability to fund critical capital improvement projects needed to maintain system reliability and replace/rehabilitate the pipeline infrastructure.

Reason for not Recommending: Financially, no-action to increase water rates and charges will result in revenues falling below what is needed. This would result in the delay of construction of priority capital improvement projects and an increased risk of customer requirements for water quality and quantity not being met. By FY 25/26, operating reserves would fall further below policy targets and the Water System will not

generate sufficient revenues to pay for its wholesale water purchases and debt services obligations without impact to the General Fund. All reserves would be depleted by FY 26/27 and future credit ratings would be impacted.

FISCAL IMPACT:

If Ordinance No. 120.50 is adopted, the water rate adjustments are adopted as presented, the new water rate and charges would generate enough revenues for the next five years to meet or exceed customer requirements for water quality and quantity, avoid operational deficits, depletion of reserves and maintains favorable credit ratings to minimize potential future debt services costs.

California Environmental Quality Act:

Adopting Ordinance No. 120.50 is not an activity defined as a “project” under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15061(b)(3) and 15378(b)(4) either because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and/or because the action is financial and/or administrative and does not directly impact the environment.

RECOMMENDATION:

1. Waive the second reading of Ordinance No. 120.50.
2. Adopt Ordinance No. 120.50 to amend Chapter 1 of Title VIII of the Milpitas Municipal Code relating to water service charges.”

Attachments:

1. Ordinance No. 120.50 (2nd Reading)

REGULAR

Item # C11.

NUMBER: 120.50

TITLE: AN ORDINANCE OF THE CITY OF MILPITAS AMENDING SECTION 6 OF CHAPTER 1, TITLE VIII OF THE MILPITAS MUNICIPAL CODE RELATING TO WATER SERVICE CHARGES

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 _____. Said Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Michael Mutalipassi, City Attorney

RECITALS AND FINDINGS:

Item # C11.

WHEREAS, the provision of potable and recycled water services by the City of Milpitas (“City”) require the City to incur capital, operating, maintenance, replacement, and other costs related to the provision of such services; and

WHEREAS, the City engaged Raftelis to prepare a cost of service analysis and water rate study (the “Rate Study”); and

WHEREAS, as a result of the Rate Study, the City Council has determined that increases in the rates for its water service charges are in the best interests of the City and in keeping with sound business and financial management of the water enterprises; and

WHEREAS, the City Council hereby finds and determines the following with regard to the proposed rate increases to the water service charges:

1. The rate structure for the water service charges has three components: (a) a Water Meter Charge, which is a fixed bimonthly charge determined on the basis of the size of the water meter (in inches) serving a customer’s property and calculated to recover a portion of the City’s fixed costs in providing water service; (b) a Volumetric Charge, which is a uniform rate determined based on customer class, imposed on the basis of the amount of water delivered to a customer in hundreds of cubic feet (“HCF”) and calculated to recover a portion of the City’s fixed and variable costs of providing water service; and (c) a Capital Surcharge imposed on the basis of the amount of water delivered to a customer in HCF and calculated to recover capital costs of the water system; and
2. The rate structure also has a Fire Meter Charge which is: (a) imposed on certain properties requiring a large private fire suppression system, and upon the request of the customer or property owner for the delivery of water to the property for the purpose of fire service protection; and (b) established on the basis of the size of the fire service line (in inches) and calculated to recover the cost of providing water to such properties for private fire service protection; and

WHEREAS, the City hereby finds and determines that in accordance with the provisions of California Constitution Article XIII D, Section 6 (“Article XIII D”):

1. The City identified the parcels upon which the water service charges are proposed to be imposed, and calculated the amount of the water service charges proposed to be imposed on each parcel; and
2. The City caused a written notice to be mailed to the record owners of property upon which the proposed water service charges will be imposed and the customers of each parcel upon which the proposed increases to the water service charges are proposed for imposition, which explained: (a) the amount of the water service charges; (b) the basis on which they were calculated; (c) the reason for the increases; and (d) the date, time, and location of the public hearing on the proposed increases; and
3. On March 21, 2023 (more than 45 days after mailing the notice), the City conducted a public hearing and considered all written protests against the proposed increases to the rates for the water service charges; and
4. At the conclusion of the public hearing, written protests against the proposed increases to the rates for the water service charges were not presented by a majority of property owners of record and customers subject to the proposed water service charges; and

WHEREAS, the adoption of the proposed increases to water service charges are statutorily exempt from the requirements of the California Environmental Quality Act under California Resources Code Section 21080(b)(8).

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 Rate Study, 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. AMENDMENT OF MILPITAS MUNICIPAL CODE VIII-1-6.13 THROUGH VIII-1-6.16

Sections VIII-1-6.13, VIII-1-6.14, VIII-1-6.15 and VIII-6.16 of the Milpitas Municipal Code are hereby amended to read as follows:

VIII-1-6.13 - Quantity Charges

The quantity charges include a volumetric charge and a capital surcharge. The uniform rates for the quantity charges are billed bimonthly and imposed per hundred cubic feet ("HCF") for metered water service. The rates and effective dates for the quantity charges shall be those set forth below.

RATES AND EFFECTIVE DATES FOR QUANTITY CHARGES (\$/HCF)						
	7/1/2022	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
Potable	\$6.70	\$7.17	\$7.64	\$8.14	\$8.67	\$9.24
Recycled	\$4.51	\$5.41	\$5.77	\$6.15	\$6.55	\$6.98
Capital	\$1.08	\$1.14	\$1.20	\$1.26	\$1.33	\$1.40

FY = Fiscal Year

1 HCF = One Hundred Cubic Feet = 748 Gallons

VIII-1-6.14 - Bimonthly Water Meter Charges

(a) Water Meter Charges: The rates and the effective dates for the bimonthly water meter charges, determined on the basis of the size of the water meter, shall be as follows:

BIMONTHLY WATER METER RATES AND EFFECTIVE DATES FOR POTABLE WATER SERVICE CHARGE (\$/SIZE OF WATER METER)						
Meter Size (Inches)	7/1/2022	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
5/8	\$34.10	\$35.87	\$38.21	\$40.70	\$43.35	\$46.17
3/4	\$51.14	\$47.03	\$50.09	\$53.35	\$56.82	\$60.52
1	\$85.24	\$69.34	\$73.85	\$78.66	\$83.78	\$89.23
1-1/2	\$170.48	\$125.14	\$133.28	\$141.95	\$151.18	\$161.01

2	\$272.76	\$192.10	\$204.59	\$217.89	\$232.06	\$247.15
3	\$511.43	\$404.13	\$430.40	\$458.38	\$488.18	\$519.92
4	\$852.38	\$716.60	\$763.18	\$812.79	\$865.63	\$921.90
6	\$1,704.76	\$1,464.29	\$1,559.47	\$1,660.84	\$1,768.80	\$1,883.78
8	\$1,704.76	\$3,138.22	\$3,342.21	\$3,559.46	\$3,790.83	\$4,037.24
10	\$1,704.76	\$4,700.56	\$5,006.10	\$5,331.50	\$5,678.05	\$6,047.13

**BIMONTHLY WATER METER RATES AND EFFECTIVE DATES FOR RECYCLED WATER SERVICE
CHARGE
(\$/SIZE OF WATER METER)**

Meter Size (Inches)	7/1/2022	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
5/8	\$34.10	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44
3/4	\$51.14	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44
1	\$85.24	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44
1-1/2	\$170.48	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44
2	\$272.76	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44
3	\$511.43	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44
4	\$852.38	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44
6	\$1,704.76	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44
8	\$1,704.76	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44
10	\$1,704.76	\$13.54	\$14.43	\$15.37	\$16.37	\$17.44

(b) For Temporary Construction Meter Customers, the bimonthly water meter charges shall be equal to the bimonthly water meter charges for three-inch water meters set forth in Section 6.14(a).

No adjustments shall be granted to any water account holder due to variation in the days of service for any bimonthly billing period. Acceptable days of service range from 50 to 69 days per bimonthly billing period.

VIII-1-6.15 - Fire Service Charges

The rates and effective dates for the bimonthly fire service charges, determined on the basis of the size of the fire service, shall be as follows:

RATES AND EFFECTIVE DATES FOR FIRE SERVICE CHARGE (\$/SIZE OF FIRE SERVICE LINE)						
Line Size (Inches)	7/1/2022	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
2	\$54.55	\$54.55	\$54.55	\$54.55	\$54.55	\$54.55
3	\$102.29	\$102.29	\$102.29	\$102.29	\$102.29	\$102.29
4	\$170.48	\$170.48	\$170.48	\$170.48	\$170.48	\$170.48
6	\$340.95	\$340.95	\$340.95	\$340.95	\$340.95	\$340.95
8	\$340.95	\$340.95	\$340.95	\$340.95	\$340.95	\$340.95
10	\$340.95	\$340.95	\$340.95	\$340.95	\$340.95	\$340.95

Water flowing through fire suppression systems shall be used solely for the purpose of fire protection and testing of such fire protection systems. In the event that water service provided through fire suppression systems is used for purposes other than for fire protection or the testing of such fire protection systems, the quantity charges equal to the quantity charge rates (per HCF) for Commercial/Industrial/Institutional customers shall be imposed.

VIII-1-6.16 - Billing and Effective Dates of Water Rates and Charges

Billing. After the Ordinance adopting the charges set forth in this Section goes into effect, customers shall be subject to the water service charges at the rates and on the effective dates set forth in 6.13 (Quantity Charges), 6.14 (Bimonthly Water Meter Charges), and 6.15 (Fire Service Charges), for services provided on or after July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, and July 1, 2027 respectively. In the absence of amendment of the rates set forth herein or adoption of a new rate ordinance, the rates in effect on July 1, 2027, and set forth herein shall remain in effect until amended or repealed.

SECTION 3. SEVERABILITY

If any section, subsection, subdivision, sentence, clause, phrase, or portion of this Ordinance, or the application thereof to any person or place, is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this Ordinance. The City Council hereby declares that it would have adopted this Ordinance, and each and every section, subsection, subdivision, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, subdivisions, sentences, clauses, phrases, or portions thereof be declared invalid or unconstitutional, provided, however, that if any decision of a court of competent jurisdiction invalidates the increase of the water service charges set forth in this Ordinance, then the water service charges in effect on the date of adoption shall continue in existence.

SECTION 4. ORDINANCE PREVAILS

To the extent that any other provision of local law relating to the establishment of water charges is inconsistent with this Ordinance, the provisions of this Ordinance shall prevail. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 5. EFFECTIVE DATE AND POSTING

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.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Waive the Second Reading and Adopt Ordinance No. 208.55 to Amend Chapter 2 of Title VIII of the Milpitas Municipal Code Relating to Sewer Service Charges (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Lauren Lai, Director of Finance, 408-586-3111)
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	4/18/2022
	<u>Recommendation:</u> (1) Waive the second reading of Ordinance No. 208.55; and (2) Adopt Ordinance No. 208.55 to amend Chapter 2 of Title VIII of the Milpitas Municipal Code relating to sewer service charges.

BACKGROUND:

On March 21, 2023, the City Council introduced Ordinance No. 208.55 to amend Chapter 2 of Title VIII of the Milpitas Municipal Code to establish sewer rates. This ordinance would establish sewer rates for FY 23/24 through FY 27/28. In accordance with State Regulations and Title 4, Chapter 3, Section 4.00 of the Milpitas Municipal Code, setting rates is necessary to ensure revenues cover all system operation and maintenance (O&M) costs and all capital improvement program (CIP) costs. No changes were made to the ordinance introduced on March 21, 2023. Ordinance No. 208.55 is ready for adoption.

ANALYSIS:

Ordinance No. 208.55 would allow the City to establish sewer rates necessary to recover current and projected costs for O&M, CIP, the City's share of the San Jose/Santa Clara Regional Wastewater Facility (RWF) operation and maintenance expenses and to maintain target reserve funds, per City policy and in accordance with Milpitas Municipal Code. For the five-year period (FY 23/24 to FY 27/28), City capital costs are estimated to total \$34.6 million. The City's share of capital costs for the RWF estimated by and passed through from City of San Jose for the same five-year period amounts to \$30.1 million. The City's operating costs are estimated to total \$40.5 million and the City of San Jose total RWF treatment costs amount to \$39.4 million. The rates and charges recommended will ensure the Sewer System meets or exceeds customer requirements for reliable service, avoids operational deficits and the depletion of reserves and maintains favorable credit ratings to minimize potential future debt services costs.

POLICY ALTERNATIVE(S):

Alternative 1: Do Not Adopt Ordinance 208.55

Pros: The existing sewer rates would remain in place.

Cons: The sewer fund would be in violation of the Municipal Code, which requires the sewer fund be operated as a self-supporting enterprise. This in turn will adversely impact future credit ratings for external financing needed to fund the City's share of the capital program at the RWF, due in July 2023. A delay in adjusting sewer rates also impacts the City's ability to fund critical capital improvement projects needed to maintain system reliability and replace/rehabilitate the pipeline infrastructure.

Reason for not Recommending: Financially, no-action to increase sewer rates and charges will result in revenues falling below what is needed. This would result in the delay of construction of priority capital improvement projects, such as FMA. Delaying FMA would further extend its risk for failure. Additionally, customer requirements for reliable service would not be met. By FY 25/26, operating reserves would fall

below policy level and the Sewer System will not generate sufficient revenues after the City pays RWF obligations, without impact to the General Fund. Subsidy of mobile homes would not be recommended. All reserves would be depleted by FY 26/27 and future credit ratings would be impacted.

FISCAL IMPACT:

If Ordinance No. 208.55 is adopted, the new sewer rate and charges would generate enough revenues for the next five years to meet or exceed customer requirements for reliable service, avoid operational deficits, depletion of reserves and maintains favorable credit ratings to minimize potential future debt services costs. A total late fee (Fund 109) utility subsidy in the approximate amount of \$109,481 will be needed to supplement mobile home customers from FY 23/24 to FY 26/27.

California Environmental Quality Act:

Adopting Ordinance No. 208.55 is not an activity defined as a “project” under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines 15061(b)(3) and 15378(b)(4) either because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment and/or because the action is financial and/or administrative and does not directly impact the environment.

RECOMMENDATION:

1. Waive the second reading of Ordinance No. 208.55.
2. Adopt Ordinance No. 208.55 to amend Chapter 2 of Title VIII of the Milpitas Municipal Code relating to sewer service charges.”

Attachments:

1. Ordinance No. 208.55 (2nd Reading)

REGULAR

Item # C12.

NUMBER: 208.55

TITLE: AN ORDINANCE OF THE CITY OF MILPITAS AMENDING SECTION 6 OF CHAPTER 2, TITLE VIII OF THE MILPITAS MUNICIPAL CODE RELATING TO SEWER SERVICE CHARGES

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 _____. Said Ordinance was duly passed and ordered published in accordance with law by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Michael Mutalipassi, City Attorney

RECITALS AND FINDINGS:

Item # C12.

WHEREAS, the sewage collection and treatment services of the City of Milpitas (“City”) require the City to incur capital, operating, maintenance, replacement, treatment, and other costs related to providing such services; and

WHEREAS, the City engaged Raftelis to prepare a cost of service analysis and sewer rate study (the “Rate Study”); and

WHEREAS, as a result of the Rate Study, the City Council has determined that increases in the rates for its sewer service charges are in the best interests of the City and in keeping with sound business and financial management of the sewer enterprises do not exceed the cost of providing such services; and

WHEREAS, the proposed rates are determined based on customer class, including residential, commercial, monitored sites, non-monitored sites, and institutional customers, which classes are determined based on common sewage characteristics, including flow and strength of sewage and patterns and levels of demands placed on the sewer system, and

WHEREAS, the proposed rates for residential customers include a flat rate, determined based on the number of dwelling units, and the proposed rates for non-residential customers include both a uniform fixed flat fee, and a variable charge measured by hundred cubic feet (HCF) of metered water consumption, which varies based on the particular property type; and

WHEREAS, as a result of the Rate Study, the City Council has determined that a subsidy of the sewer service charge is necessary for Mobile home parks, in order to offset some of the sewer service charge resulting from realigning the flow for the mobile home parks with the flow values recommended in San Jose’s 2015 Residential Flow Study, and such subsidy shall be paid by the City’s general fund from legal available funds; and

WHEREAS, the City hereby finds and determines that in accordance with the provisions of California Constitution article XIII D, section 6 (“Article XIII D”):

1. The City identified the parcels upon which the sewer service charges are proposed to be imposed, and calculated the amount of the sewer service charges proposed to be imposed on each parcel; and
2. The City caused a written notice to be mailed to the record owners of property upon which the proposed sewer service charges will be imposed and the customers of each parcel upon which the proposed increases to the sewer service charges are proposed for imposition, which explained: (a) the amount of the sewer service charges; (b) the basis on which they were calculated; (c) the reason for the increases; and (d) the date, time, and location of the public hearing on the proposed increases; and
3. On March 21, 2023 (more than 45 days after mailing the notice), the City conducted a public hearing and considered all written protests against the proposed increases to the rates for the sewer service charges; and
4. At the conclusion of the public hearing, written protests against the proposed increases to the rates for the sewer service charges were not presented by a majority of property owners of record and customers subject to the proposed water service charges; and

WHEREAS, the adoption of the proposed increases to sewer service charges is statutorily exempt from the requirements of the California Environmental Quality Act under California Resources Code Section 21080 (b)(8).

NOW THEREFORE, the City Council of the City of Milpitas does ordain as follows:

SECTION 1. RECORD AND BASIS FOR ACTION

Item # C12.

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. AMENDMENT OF MILPITAS MUNICIPAL CODE VIII-2-6.01

Section VIII-2-6.01 of the Milpitas Municipal Code is hereby amended to read as follows:

VIII-2-6.01 - Sewer Service Charges

The charges for sewer service shall be as set forth below and are limited to the actual cost of providing sewer service. The rates and effective dates for the sewer charges shall be those set forth below.

The following amounts shall be assessed upon each premise maintaining a sewer connection with the City's sewage system.

- (a) Residential - Bimonthly for Each Dwelling Unit.

Category	Sewer Charge 7/1/2022	Sewer Charge 7/1/2023	Sewer Charge 7/1/2024	Sewer Charge 7/1/2025	Sewer Charge 7/1/2026	Sewer Charge 7/1/2027
Single Family	\$124.14	\$128.44	\$133.58	\$138.93	\$144.49	\$150.27
Multi-Family	\$95.34	\$97.96	\$101.88	\$105.96	\$110.20	\$114.61
Mobile Home	\$78.28	\$84.42	\$91.05	\$98.20	\$105.91	\$114.22

- (b) Commercial, Industrial and Miscellaneous Premises.

(1) Flat Rate: For non-residential accounts, there shall be a flat rate assessed every billing cycle during which normal billing takes place, regardless of the amount of sewage discharged. The Flat Rates and effective dates for the sewer charges shall be those set forth below to defray billing and sewer system administration costs.

	7/1/2022	7/1/2023	7/1/2024	7/1/2025	7/1/2026	7/1/2027
Flat Rate	\$27.35	\$29.25	\$30.43	\$31.65	\$32.92	\$34.24

(2) Quantity and Strength Charges: For each commercial, industrial, or miscellaneous premises, a charge for each 100 cubic feet of water used per billing cycle shall be charged as follows:

Category	7/1/2023 Rate	7/1/2023 Rate	7/1/2024 Rate	7/1/2025 Rate	7/1/2026 Rate	7/1/2027 Rate
Schools/Colleges	\$9.99	\$11.58	\$12.04	\$12.53	\$13.04	\$13.57

Motels/Hotels	\$5.75	\$5.64	\$5.88	\$6.12	\$6.37	Item # C12. \$6.65
General Office	\$6.84	\$6.92	\$7.20	\$7.49	\$7.79	\$8.11
City of Milpitas	\$5.80	\$5.59	\$5.82	\$6.06	\$6.31	\$6.57
Service Stations	\$5.70	\$5.61	\$5.84	\$6.08	\$6.33	\$6.59
Eat/Drink Establishments	\$9.06	\$10.88	\$11.32	\$11.78	\$12.26	\$12.76
Convalescent Hosp/Daycare	\$5.60	\$5.45	\$5.67	\$5.90	\$6.14	\$6.39
Personal Services, Laundries	\$5.31	\$4.97	\$5.17	\$5.38	\$5.60	\$5.83
Electrical/Electronic	\$6.72	\$6.82	\$7.10	\$7.39	\$7.69	\$8.00
Machinery Manufacture	\$8.43	\$9.92	\$10.32	\$10.74	\$11.17	\$11.62
Rocktenn (Jefferson Smurfit*)	\$10.46	\$10.79	\$11.23	\$11.68	\$12.15	\$12.64
T. Marzetti Co. *	\$12.09	\$11.17	\$11.62	\$12.09	\$12.58	\$13.09
Prudential Overall Supply	\$8.42	\$9.88	\$10.28	\$10.70	\$11.13	\$11.58
Evoqua Water Technologies	\$7.06	\$6.40	\$6.66	\$6.93	\$7.21	\$7.50
Elmwood Rehabilitation	\$6.69	\$7.78	\$8.09	\$8.42	\$8.76	\$9.12
Linear Technology	\$6.88	\$6.62	\$6.89	\$7.17	\$7.46	\$7.76
DS Waters of America	\$6.04	\$5.38	\$5.61	\$5.84	\$6.08	\$6.33
Magic Tech & Headway Tech	\$7.32	\$7.73	\$8.04	\$8.37	\$8.71	\$9.06
Lucky Pure Water*	\$5.29	\$4.95	\$5.15	\$5.36	\$5.58	\$5.81
Milpitas Materials*	\$5.29	\$4.95	\$5.15	\$5.36	\$5.58	\$5.81
Union Pacific Railroad	\$7.35	\$7.85	\$8.17	\$8.50	\$8.84	\$9.20
Cisco*	\$6.72	\$6.82	\$7.10	\$7.39	\$7.69	\$8.00

*These industrial customers are subject to sewer charge adjustments based on their sewer volumes, as indicated in their sewer flow adjustment agreements.

(3) City of San Jose for properties known as North McCarthy Properties: \$555.00 bimonthly for any discharge up to 75,000 gallons per day (maximum flow). Excess flow charge of \$100.00 for each 1,000 gallons per day in excess of the maximum flow or part thereof.

(c) Purpose of Charge. The purpose of the sewer service charges stated herein is to defray the City's cost for operation and maintenance of the City's facilities, capital improvement costs, the City's proportionate share of costs at the San Jose-Santa Clara Water Pollution Control Plant and the debt service related thereto, and other costs related to the provision of sewage collection and treatment.

(d) Billing. After the ordinance adopting the charges set forth herein goes into effect, customers shall be subject to the sewer service charges set forth in 6.01, for services provided on or after July 1, 2023, July 1, 2024, July 1, 2025, July 1, 2026, and July 1, 2027 respectively. In the absence of amendment of the rates set

forth herein or adoption of a new rate ordinance, the rates in effect on July 1, 2027, and set forth herein shall remain in effect until amended or repealed.

Item # C12.

SECTION 3. 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 4. ORDINANCE PREVAILS

To the extent that any other provision of local law relating to the establishment of sewer service charges is inconsistent with this Ordinance, the provisions of this Ordinance shall prevail. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

SECTION 5. EFFECTIVE DATE AND POSTING

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.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Approve the addition of Names to City Naming Lists and Adopt a Resolution to Name a New City Park the Delano Manongs Park (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	4/18/2023
	<u>Recommendation:</u> 1) Approve adding Muwekma to the Influential People Naming List 2) Approve adding Delano Manongs to the Influential People Naming List 3) Adopt a Resolution naming a new park in the Metro Area the “Delano Manongs Park”

BACKGROUND:

On June 21, 2022, the City Council approved the City Streets, Parks and Facilities Naming Policy (Policy). Per the updated Policy, the City Council is to form an Ad Hoc City Council Naming Subcommittee (Subcommittee) to make recommendations to City Council on the naming of City streets, parks and facilities. On January 10, 2023, the Ad Hoc Naming Subcommittee was formed to review and recommend the naming of City streets, parks and facilities for final City Council approval.

On March 2, 2023 the Subcommittee reviewed and recommended two (2) new names for the “Influential People” Naming List and one (1) Park name for final City Council approval.

ANALYSIS:

Naming Lists

On March 2, 2023, the Subcommittee recommended adding “Muwekma” to the Influential People Naming List. Per the City Streets, Parks and Facilities Naming Policy, the name qualifies under the following Policy sections:

- 2.7.3. Historical or cultural significance: the name of a historical figure can be considered, if the figure had a significant and extraordinary historical influence on the area, state, national, or international level;
- 2.7.7. A name should represent community values and consider future generations and ethnic diversity;

The aboriginal homeland of the Muwekma Ohlone Tribe includes Milpitas. Comprehensive genealogical analysis of the Mission Baptism, Death and Marriage Records from the three Bay Area Missions traces the surviving Muwekma lineages of the late 19th century through today back to their aboriginal villages. The present-day tribally enrolled Muwekma lineages are represented by the Armija/Thompson, the Santos-piños-Juarez/Colos/Armija, the Guzman/Nonessa, and the Marine-Guzman-Peralta, Marine-Alvarez/Galvan, Marine-Sanchez, Marine-Munoz, Munoz-Guzman, Marine-Arellano, and Marine-Elston/Thompson/Ruano descended families. The City of Milpitas collaborates with Muwekma Tribal leadership on City Cultural Flag raisings and the recent project, “If These Walls Could Talk,” history tours at the Alviso Adobe, where the Muwekma are featured and give a land acknowledgment for each historical tour.

The Subcommittee recommended adding “Delano Manongs” to the Influential People Naming List. Per the City Streets, Parks and Facilities Naming Policy, the name qualifies under the following Policy sections:

- 2.7.3. Historical or cultural significance: the name of a historical figure can be considered, if the figure had a significant and extraordinary historical influence on the area, state, national, or international level;
- 2.7.7. A name should represent community values and consider future generations and ethnic diversity;

In 1965, the Filipino laborer leader, Larry Itliong, led California grape pickers on a strike that resulted in a modern farmworker movement. Filipino farmworkers were the first to walk out of central valley vineyards, prompting the Delano Grape Strike. They would join forces with Mexican laborers led by Cesar Chavez to form the United Farm Workers. The strike was nationally notable and received support because of its boycotts, marches, and nonviolent resistance. “Manong” is a term of respect and is best translated as “older brother” or “uncle.” The term is often used for the wave of Filipino immigrants who came to the United States in the 1920s and 1930s. “Delano Manongs” has become synonymous with the movement.

Park Name

The Subcommittee has recommended a new City park in the Metro Area on McCandless Drive be named “Delano Manongs.” Per the Subcommittee, the park name would show respect and give appreciation to the Filipino American farmworkers and the Mexican American farmworkers who contributed to the worker’s rights movement, thusly honoring the importance of laborers to the County and to Milpitas.

Per the City Streets, Parks and Facilities Naming Policy, the name qualifies under the following Policy sections:

- 2.9. Naming of parks and facilities near schools shall be coordinated with the Milpitas Unified School District as much as possible. All naming and/or renaming of a park or facility will be set forth by a Council Resolution.

POLICY ALTERNATIVE(S):

Alternative 1: Not Approve the addition of names to the Influential People Naming List

Pros: None

Cons: Both proposed names, Muwekma and Delano Manongs, qualify under the Policy and represent Milpitas residents of Native American, Filipino and Mexican heritage.

Reason for Not Recommending: Both proposed names, Muwekma and Delano Manongs, qualify under the Policy and represent Milpitas residents of Native American, Filipino and Mexican heritage.

Alternative: Not Approve the naming of a new City park as Delano Manongs Park

Pros: By not approving the Naming Subcommittee recommendation, another qualifying name on the City’s Naming Lists could be recommended for this new City park.

Cons: Names on the Influential People Naming List are eligible for Street, Park and Facility Naming. Delano Manongs qualifies under the Policy to be on the Influential People Naming List and represents Milpitas residents of Filipino and Mexican heritage.

Reason for Not Recommending: Names on the Influential People Naming List are eligible for Street, Park and Facility Naming. Delano Manongs qualifies under the Policy to be on the Influential People Naming List and represents Milpitas residents of Filipino and Mexican heritage.

FISCAL IMPACT:

There is no fiscal impact associated with adding the names Muwekma and Delano Manongs to the Influential People Naming List. Naming the new City park in the Metro Area on McCandless Drive for Delano Manongs will result in the ordering of a new park sign and park dedication plaque, for approximately \$15,000. Park signage and dedication plaques are standard in new City parks and funding for this signage is included in the existing capital project, CP5102, for these planned park fixtures.

California Environmental Quality Act:

By the definition provided in the California Environmental Quality Act (CEQA) Guidelines Section 15378, this action does not qualify as a “project” for the purpose of CEQA.

RECOMMENDATION:

- 1) Approve adding “Muwekma” to the Influential People Naming List
- 2) Approve adding “Delano Manongs” to the Influential People Naming List
- 3) Adopt a Resolution naming a new park in the Metro Area the “Delano Manongs Park”

Attachment(s):

City Streets, Parks, and Facilities Naming Policy
Influential People Naming List
Draft Resolution



CITY OF MILPITAS

Item # C13.

Revision	Date
Original	04/21/2006
	6/21/2022

CITY COUNCIL POLICY

Policy No: Click or tap here to enter text.	CITY STREETS, PARKS AND FACILITIES NAMING POLICY	Effective Date: 6/21/2022
Revision No: 1	Policy Administrator: Recreation and Community Services	Next Review Due: As needed
Related Policies and Procedures: Incorporates and replaces SOP 1.3	Approved by: Click or tap here to enter text. Council meeting date, agenda item #, and vote	Date Approved: 6/21/2022

1. PURPOSE

- 1.1. This Policy establishes the guidelines, criteria, and processes for naming City streets, parks, and other facilities.
- 1.2. This Policy is consistent with Milpitas [Municipal Code, Title XI-1000](#) and [Government Code Section 34093](#).

2. POLICY

- 2.1. The City shall have the sole authority and the City Council shall have the final authority to approve names of City Streets, Parks, and other Facilities.
- 2.2. The City Council Ad Hoc Naming Subcommittee shall evaluate names of City streets, parks and facilities, and shall make recommendations to the City Council.
- 2.3. Although the City will have full control and final decision-making authority on any names selected, public input will be received, and other names may be raised and requested to be considered by the City Council.
- 2.4. From time to time, the City Council shall approve names to be added to a list(s) of names suitable for streets, parks, and facilities.
- 2.5. No duplication of names within an asset type (i.e., park, facility, plaza) will be approved.
- 2.6. A deliberative process by City staff will be conducted to ensure that renaming of a street, park, and facility will not diminish the original justification for the name of the prior contributors. Parks and facilities named after individuals shall not be changed unless it is found that because of the individual's character the continued use of their name would not be in the best interest of the community. Parks that have been named by deed restriction shall not be considered for renaming.
- 2.7. The following criteria and factors shall be considered with naming or renaming a street, park, or facility:
 - 2.7.1. Neighborhood or geographical identification, such as street, school, or other descriptive names;
 - 2.7.2. Natural or geological features of the area;
 - 2.7.3. Historical or cultural significance: the name of a historical figure can be considered, if the figure had a significant and extraordinary historical influence on the area, state, national, or international level;



Revision	Date
Original	04/21/2006

CITY STREETS, PARKS, AND FACILITIES NAMING POLICY / POLICY #

- 2.7.4. The name of any person or family that has made a significant impact in the community and/or in development of the street, park, or facility;
- 2.7.5. An individual or organization that contributed significantly to the acquisition or development of the park or facility to be named. This can include either a deed or substantial monetary contribution, or contribution toward the acquisition, and/or development of the park of facility. (Naming rights are not guaranteed if the donation is a dedication as required by the subdivision.)
- 2.7.6. The articulated preference of residents of the neighborhood surrounding the street, park, facility;
- 2.7.7. A name should represent community values and consider future generations and ethnic diversity;
- 2.7.8. If the name of an individual or family is to be considered, the use of such name shall have the approval of the individual (or his/her surviving family) or family when reasonably possible;
- 2.7.9. No seated elected official shall have their name added to a naming list or have a street, park or facility named after them while serving on the City Council.
- 2.7.10. Avoid confusing or similar sounding names (Public Safety Dispatch test);
- 2.7.11. Avoid changing street names along any continuous alignment (Continuity test).
- 2.8. Naming of parks and facilities near schools shall be coordinated with the Milpitas Unified School District as much as possible.
- 2.9. All naming and/or renaming of a park or facility will be set forth by a Council Resolution.
- 2.10. Should policy conflict with any City Ordinance, Code or other laws and regulations, the respective City Ordinance, Code or other laws and regulations shall prevail.

3. PROCEDURE

- 3.1. Maintaining a List of Names for Naming Streets, Parks, and Facilities.
 - 3.1.1. The Recreation and Community Services Department shall maintain a List of Names for Naming Streets, Parks, and Facilities.
 - 3.1.2. As needed, the Director of Recreation and Community Services shall bring additions to the List of Names for Naming Streets, Parks, and Facilities to Council for approval at any regular or special meeting.
- 3.2. Naming of Streets, Parks, and Facilities
 - 3.2.1. City street, park and facilities naming recommendations shall be brought to the City Council Ad Hoc Naming Subcommittee for recommendation to the City Council and may be considered at any regular or special City Council meeting.”.
 - 3.2.2. Naming recommendations shall be from the City Council approved List of Names available from the Director of Recreation and Community Services.
- 3.3. Proposed names for new City streets, parks, and facilities should be considered during the entitlement process prior to the final map approval.
- 3.4. Names being considered for streets shall be reviewed by the City and County emergency services dispatch and Post Office to discourage names that are too similar or confusing that may hinder emergency response; or are otherwise inappropriate for public safety purposes.



Revision	Date
Original	04/21/2006

CITY STREETS, PARKS, AND FACILITIES NAMING POLICY / POLICY #

- 3.5. The following City Departments will contribute to the establishment and maintenance of databases for named streets, parks, and facilities:
 - 3.5.1. Information and Technology Department – Maintain database of all City assets (streets, parks, and facilities)
 - 3.5.2. Recreation and Community Services Department – Maintain Naming Lists, information about historical references, person’s full names, ancestry, dates of birth and death, and other information of interest about the person or group, and the significance of their name to Milpitas’ history and/or to that particular named asset.
 - 3.5.3. Planning Department – Coordinate Street Naming related to new development, prepare, and maintain GIS databases for mapping of new facilities.
- 3.6. Renaming of a street, park, or facility
 - 3.6.1. The renaming of a street, park, or facility may be initiated by City Council, City Commission, City staff, a group, or individuals.
 - 3.6.2. The initiation of renaming by non-City organizations or individuals shall be made by participating during Public Forum at the appropriate advisory City Commission or City Council meeting.
 - 3.6.3. The City Commission may place the request on the agenda for review of the proposed name(s), taking of public comment, and discussion of the renaming proposal consistent with this Policy.
 - 3.6.4. When a City Commission considers the renaming proposal of a street, park, or facility, staff shall notify the surrounding neighborhood in a ¼ mile radius.
 - 3.6.5. If the City Commission supports the renaming proposal, it will make a recommendation to the City Council for Council consideration.
- 3.7. The name of a park or facility that is sold, transferred to non-city ownership, or otherwise deemed to no longer be a City of Milpitas property, should be transferred to another location eligible for naming. Should there not be an appropriate location, the name shall be added to the appropriate Naming List for future use.



City of Milpitas
Facilities, Streets & Park Naming Subcommittee
Naming List - *Influential People*
Approved for: Streets & Parks

NAME	DEDICATION LOCATION
<u>Trailblazers</u>	
Christopher Columbus	Columbus Cir./Russell Ln.
Henry Hudson	
Amerigo Vespucci	
Giovanni da Verrazzano	
John Smith	Smith Ln./Pimentel Cir.
John Muir	
Meriwether Lewis	
William Clark	
Sacagawea	
Neil Armstrong	
John Wesley Powell	
Ohlone	
Muwekma	
<u>Civil Leaders</u>	
Martin Luther King Jr.	King Ct./Sinclair Frontage Rd.
Robert E. Lee	Lee Way/DeLong Dr.
Mohandas Gandhi	
Thomas Paine	
John Brown	
Frederick Douglass	
Susan B. Anthony	
W.E.B. Du Bois	
Tecumseh	
Sitting Bull	
Elizabeth Cady Stanton	
Larry Itliong	
Cesar Chavez	Milpitas Community Garden
Delano Manongs	Park at McCandless Drive
<u>First Women</u>	
Pocahontas	

NAME	DEDICATION LOCATION
Eleanor Roosevelt	
Martha Washington	Washington Dr./Square Dr.
Hellen Keller	
Sojourner Truth	
Jane Addams	
Edith Wharton	
<u>Artists</u>	
Ansel Adams	Adams Ave./N. Temple Dr.
Frank Lloyd Wright	
Andy Warhol	
Frederick Law Olmsted	
James Abbott MacNeill Whistler	
Jackson Pollock	
John James Audubon	
Georgia O'Keeffe	
Thomas Eakins	
Thomas Nast	
Alfred Stieglitz	
Mark Twain	
<u>Empire-builders</u>	
Andrew Carnegie	Carnegie Dr./E. Calaveras Blvd.
John D. Rockefeller	
J.P. Morgan	
Walt Disney	
Thomas Alva Edison	
William Randolph Hearst	
Howard Hughes	
Bill Gates	
Cornelius Vanderbilt	
Steve Jobs	
<u>Athletes</u>	
Babe Ruth	
Muhammad Ali	
Jackie Robinson	
James Naismith	
Ty Cobb	
Jim Thorpe	
Billie Jean King	King Ct./Sinclair Frontage Rd.

RESOLUTION NO.**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS THE NAMING A NEW CITY PARK AS THE DELANO MANONGS PARK**

WHEREAS, on June 21, 2022, the City Council (the “City Council”) of the City of Milpitas Adopted a City Council policy entitled “City Streets, Parks, and Facilities Naming Policy”; and

WHEREAS, on January 10, 2023, the City Council (the “City Council”) of the City of Milpitas established an Ad Hoc Naming Subcommittee to review and recommend the naming of City streets, parks and facilities; and

WHEREAS, on March 2, 2023, the Ad Hoc Naming Subcommittee reviewed and recommended one (1) park name for final City Council approval; and

WHEREAS, the Ad Hoc Naming Subcommittee recommended adding “Delano Manongs” to the Influential People Naming List for its historical significance in representing the workers’ rights movement encompassing both the Delano Grape Strike, and the term “Manong” best translated as “older brother”; and

WHEREAS, “Delano Manongs” shows respect and gives appreciation to the Filipino American farmworkers and the Mexican American farmworkers who contributed to the workers’ rights movement, thusly honoring the importance of laborers to the County and to Milpitas.

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. Pursuant to Milpitas City Council Policy, “City Streets, Parks, and Facilities Naming Policy,” the City Council approves naming a new park in the Metro Area the “Delano Manongs Park”.

PASSED AND ADOPTED this 18th day of April 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Michael Mutalipassi, City Attorney



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Hold a Public Hearing and Adopt a Resolution Approving the Proposed 2024-2028 Capital Improvement Program (Staff Contact: Matt Cano, Deputy City Manager, 408-586-3012; and Michael Silveira, CIP Manager, 408-586-3303)
Category:	Community Services and Sustainable Infrastructure
Meeting Date:	4/18/2023
	<u>Recommendation:</u> Open the public hearing to receive any comments and then move to close the hearing and Adopt a Resolution approving the 2024-2028 Capital Improvement Program.

Background:

The City plans and budgets for its capital improvement projects through a five-year Capital Improvement Program (CIP). The projects in the first year of any proposed Five-Year CIP are funded while projects in the subsequent four years may be partially funded or not funded at all. The City Council is required to consider and adopt a five-year Capital Improvement Program before June 30, 2023 as part of the annual budget process.

On February 28 staff presented the proposed 2024-28 Capital Improvement Program, CIP Workplan, and Referrals to the City Council for review and consideration. On March 6, 2023, staff presented the Park Improvement section of the proposed 2024-28 Capital Improvement Program to the Parks Recreation and Cultural Resources Commission (PRCRC) for review and consideration. The PRCRC recommended approval to the City Council.

On March 21, 2023 staff presented a recommendation to increase the sewer and water rates to ensure the systems meets or exceeds customer requirements for water quality and quantity, avoids operational deficits and the depletion of reserves, and maintains favorable credit ratings to minimize potential future debt services costs; and the results of the community engagement which included administering the Proposition 218 majority protest process. A public hearing was held and there were no majority protests. The City Council moved to introduce Ordinance No. 120.50 and 208.55 to approve updated sewer, water, and recycled water rates for FY23/24 through FY27/28. On April 4, 2023, City Council postponed adopting Ordinances No. 120.50 and 208.55 to April 18, 2023 meeting.

On March 22, 2023 the proposed CIP document was presented to the Planning Commission who found the document to be in conformance with the City's General Plan in accordance with the California Government Code Section 65401.

Analysis:

Based on Council input during the February 28, 2023 CIP Study Session, this staff report transmits the updated Proposed 5-year 2024-28 Capital Improvement Program document and outlines the changes from the 2024-2028 Proposed Capital Improvement Program presented on February 28. An electronic copy of the updated Proposed CIP document (Attachment 2) is included in the Agenda Report.

The following are changes to the Proposed 2024-2028 CIP since the February 28th City Council Study Session.

- Request funding of \$2.0 million to start the assessment and feasibility study for new Force Main "A" project. This funding was already budgeted in the Proposed document as the remaining uncommitted balance of \$2.0 million from Sanitary Sewer Cathodic Protection Improvement, Project No. 6131 will be allocated to this project as the existing project will be closed at the end of fiscal year 2022-23.
- Programmed improvements and funding for the Annual Bridge Rehabilitation, Project No. 4290 in the out years based on the bridge inspection report.

The updated Proposed 2024-2028 CIP totals \$244,678,500 in estimated project costs over the 5-years and the project funding for fiscal year 2023-24 budget year is \$32,581,100. As shown in Table 1, the proposed funding for FY 2023-24 includes contributions from the Sewer Fund (\$10.3 million), Streets Funds (\$6.5 million), General Government CIP Fund (\$4.4 million), Water Fund (\$3.8 million), General Fund (\$2.4 million), Park Fund (\$1.5 million), and Other Funds (\$3.5 million).

Major projects proposed for FY 2023-24 includes the City's capital contribution to the San Jose-Santa Clara Regional Wastewater Facility (\$6,810,000; Sewer Fund); the annual Street Resurfacing project (\$4,000,000; Gas Tax Fund, Measure B, SB1, Vehicle Registration Fee); the assessment and feasibility study of the Force Main "A" project (\$2,000,000; Sewer Fund); the design and replacement of the financial management system (\$1,850,000; General Fund, General Government CIP Fund); the design and construction of bicycle facility improvements (\$1,000,000; One-Time State Funding Grant); the replacement of the Council Chambers Audio & Visual Equipment (\$800,000; General Fund); the design for the replacement of the home bleachers and ADA improvements at the Sports Center Complex Football Field (\$200,000; Park Fund); the design and replacement of the human resources information system (\$100,000; Sewer and Water Fund); and various maintenance and rehabilitation projects and programs managed by Engineering, Fire, Information Technology, Planning, Police, Public Works, and Recreation Departments (\$16,191,000).

Table 1: Summary of Funding for projects funded in FY 2023-24

CIP Category	General Fund*	General Gov't CIP	Park Fund	Sewer Fund	Streets Funds**	Water Fund	Other Funds***	Total
Comm.	\$2,400,000	\$4,039,000	\$0	\$252,000	\$0	\$252,000	\$452,000	\$7,395,000
Parks	\$0	\$100,000	\$1,555,000	\$0	\$0	\$0	\$0	\$1,655,000
Streets	\$0	\$320,000	\$0	\$0	\$6,525,000	\$0	\$1,089,100	\$7,934,100
Water	\$0	\$0	\$0	\$0	\$0	\$3,571,000	\$0	\$3,571,000
Sewer	\$0	\$0	\$0	\$10,068,000	\$0	\$0	\$0	\$10,068,000
Storm Drain	\$0	\$0	\$0	\$0	\$0	\$0	\$1,958,000	\$1,958,000
Total	\$2,400,000	\$4,459,000	\$1,555,000	\$10,320,000	\$6,525,000	\$3,823,000	\$3,499,100	\$32,581,100

* Total of \$2.4m is funded through the General Fund Facility Replacement Reserve (\$1.6M)

** Includes Gas Tax Fund (\$2.615M), Measure B (\$1.7M), SB1 RMRA (\$1.5M), Street Improvement Fund (\$210K), and Vehicle Registration Fee (\$500k).

***Includes Grants (\$1.25M), Lighting and Landscape Maintenance District (\$89.1k), Public Art (\$50k), Storm Drain (\$1.4M), Storm Drain General (\$558k), and TASP Impact Fee (\$152k) Funds.

The Proposed 5-year CIP budget in the amount of \$244.7 million is only partially funded. Funding sources identified for projects in the last four years of the CIP are based on projected available funding. The value of City infrastructure needs not funded over the five-years (2024-2028) is estimated at \$58.0 million, or 23.7% of the Proposed CIP.

Of the \$58 million in the 5-year CIP that is unfunded:

- Approximately \$35.5M is estimated for ongoing infrastructure repairs, rehabilitation, or replacement projects such as Citywide Park Rehabilitation (\$2.4M), City Building Improvements (\$2.0M), Dempsey Road Storm Drain Replacement (\$1.4M), On-Call Facilities Maintenance & Repair Services (\$1.3M), Annual Sidewalk, Curb & Gutter Repair (\$1.16M), Annual Street Light, Signal, and Signage (\$1.05M) and Sport Center Football Bleacher Replacement (\$1.0M).
- Approximately \$22.5M are new infrastructure projects with partial or no funding, including Montague Pedestrian Overcrossing at Penitencia Creek (\$14.4M), Cardoza Park Softball Fields Improvement (\$7.0M), S. Main St. Street Light Project (\$4.8M), S. Main St. Utility Undergrounding (\$2.1M), and Sandalwood Park Renovation (\$2.2M).

In addition to the unfunded \$58 million in the current 5-year CIP, staff has identified an additional \$427 million of needed capital improvements beyond the 5-year CIP. This is through work completed recently in the master plans for storm, sanitary, sewer, and parks systems, as well as facility assessment work. These projects will need to be funded through a combination of future utility rate increases, impact fees, General Fund, grants, and other funding sources such as a general obligation bond or other financing measure. Of this \$427 million:

- Approximately \$230.2M is estimated for ongoing infrastructure repairs, rehabilitation, or replacement projects.
 - \$112 million of this funding has no clear funding source identified, such as improvements to the City's Park system (\$7.6M); City's storm drain system (\$57.8M); renovation of the Public Works/Police Department building (\$26.6M); and Fire Station No. 3 Replacement (\$20.0M).
 - It is expected that \$118 million of this backlog would be addressed by future sewer and water rate increases in 2028.
- Approximately \$197.2M is estimated for new infrastructure projects.
 - Examples of these projects are improvements for the City's bicycle, pedestrian, and trail networks identified in the adopted Trail, Pedestrian, and Bicycle Master Plan (\$94.2M); renovations of the City's Parks as recommended in the adopted Parks and Recreation Master Plan (\$63.2M); and new Community Facility Building (\$16.2M) and Montague Expressway Widening west of Great Mall parkway (\$20.2M) as identified in the Basic Infrastructure Project list of the TASP Specific Plan. Recommended improvements identified in the Metro Specific Plan will be forthcoming in 2024 for City Council consideration. It is expected that a portion of these improvements will be funded through a combination of impact fees and grants. However, significant additional funding will need to be identified for the remainder.

In summary, as shown in Table 2, the City has approximately \$485 million of unfunded infrastructure needs. Of this, \$265,750,000 is for infrastructure replacement and \$219,700,000 is for new infrastructure. It is expected that roughly half (\$118M) of the infrastructure replacement needs will be funded through future rate increases. Additionally, it is expected that a portion of the new infrastructure needs will be funded through development fees and/or grants. However, this still leaves a substantial backlog of infrastructure in the City of Milpitas that needs to be repaired and/or replaced as well as new infrastructure. As we move forward, it will be critical to focus on (1) identifying new revenue sources, such as a bond measure, to repair our aging infrastructure and (2) maintaining fiscal discipline by focusing available funding on infrastructure repair and replacement, whenever possible, as opposed to new amenities.

Additionally, it should be noted as a result of the recent completion of master planning work for the City's parks, storm, sanitary and water facilities, the infrastructure needs in these master plans have a high degree of certainty. However, additional assessment is needed in the coming years to identify infrastructure needs for the City's buildings and other public right of way. This additional analysis may lead to an increase in the infrastructure backlog needs in the development of the next five-year CIP budget.

Table 2: Summary of Unfunded Infrastructure Repairs/Replacement Needs and New Infrastructure Projects

	Unfunded Infrastructure Repair/Replacement Needs	Unfunded New Infrastructure Projects	Total Unfunded Infrastructure Needs
5-Year Budget	\$35,500,000*	\$22,500,000	\$58,000,000
Beyond 6 Years	\$230,250,000**	\$197,200,00	\$427,450,000
Total	\$265,750,000	\$219,700,000	\$485,450,000

*This backlog of \$35.5 million assumes the current sanitary sewer and water rate fee adjustment proposals will be approved by the City Council in Spring of 2023. If not, this number would increase to \$107.6 million.

**Of this \$230 million, approximately \$118 million is expected to be raised through ongoing sanitary sewer and water rate fee adjustments.

Water and Sewer Rates

The unfunded infrastructure needs of \$58.0 million in the out years of the 5-year budget assumes City Council will adopt sanitary sewer and water rate fees as presented on March 21, 2023 and scheduled for adoption on April 18, 2023. If the rates are not adopted prior to the CIP Adoption, the unfunded infrastructure needs value will increase to approximately \$107.8 million in the out years and the published Adopted CIP document, released in August 2023, will reflect this adjustment. Overall, the impact of the rate increases on a typical single-family homeowner is approximately \$6.75 per month. If the rates are not approved, the following projects and/or programs will likely not be funded:

- Force Main “A” project is for the improvement of the 50-year-old pipeline that carries Milpitas’ sewage to the Regional Wastewater Facility in San Jose.
- Sanitary Sewer Pipeline Improvements project is for the improvement of sewer pipe segments with significant defects and considered extreme risk with the greatest likelihood of deterioration and the highest consequence of failure.
- Asset Renewal and Replacement Program is for the assessment, renewal, improvement, or replacement of the City’s aging water infrastructure.
- Risk and Resiliency Improvements project is for security enhancements of the City’s critical water infrastructure.
- Fire Flow Pipeline Improvements project is for the upsizing of several water mains to deliver the recommended fire flow at surrounding fire hydrants.

Regional Wastewater Facility

The City’s obligation payment to the City of San Jose for the Regional Wastewater Facility fluctuates frequently. Based upon the March 2023 proposed 10-year payment schedule received from the City of San Jose, the total amount of payments over the 10-year period remains within the City of Milpitas’ cost of service model projections. However, it appears that more of the funding is shifted to year 5 (FY27-28) of the CIP than what was shown in San Jose’s prior projections. If this current funding distribution remains in place and more funding is owed in year five than the City of San Jose had previously predicted, the City of Milpitas would consider options to resolve this during the development of the next five-year CIP budget.

2024-28 Capital Improvement Study Session

At the February 28, 2023, proposed 2024-2028 CIP Study Session, staff presented the status of several City Council referrals that had either been approved or not been prioritized. The following is a summary of the status and next steps for each referral.

Item Name	Status	Next Steps For CIP
Police Substation Feasibility Analysis in Metro Area	At the CIP Study Session on 2/28/2023, Council supported staff recommendation to conduct a study to understand the cost and feasibility of converting the building on Parcel 2 and/or 3 into a potential PD substation and to also review other potential properties as potential substations.	Budget Status: Included in Adopted CIP Budget. Description: Staff has executed a design service agreement for the feasibility study which is anticipated to be completed in Fall 2023. The study will be funded through Metro PD Substation, Project No. 2013.
Pickleball Project	At the CIP Study Session on 2/28/2023, staff provided an update of the pilot program and estimates \$200,000 to convert an existing tennis facility to permanent courts.	Budget Status: Not currently included in updated Proposed CIP Budget. Description: Community outreach is underway. As part of the Proposed CIP Budget presentation on April 18, staff will report to Council on the status of the

	Council directed staff to research multi-use and conversion of existing tennis courts, and continue community outreach with residents, and pickleball and tennis participants.	community feedback and alternative options for pickleball. <i>Potential funding amount: \$200,000</i> <i>Potential Funding Source: General Gov't CIP</i>
Teen Center Alternatives Analysis	At the CIP Study Session on 2/28/2023, staff reported the Teen Center at the Sports Center was closed due to budget cuts in July 2012 and re-opened at the Senior Center in November 2018. In February 2022, City Council provided direction to staff to analyze potential options for Teen Center to remain at Senior Center or relocate back to Sports Center.	Budget Status: Staff time for the analysis incorporated into the budget. Description: Staff is to complete the initial survey by Summer and provide recommendations for long-term solutions, costs and funding options by Fall 2023. Potential physical improvements needed for this are not incorporated in the Proposed 2024-2028 CIP but may be included in future CIP based on the results of the analysis. <i>Potential funding amount: TBD</i> <i>Potential Funding Source: General Gov't CIP</i>
Community survey for vacant right-of-way at Vasona and Adobe Avenue	On February 7, 2023, Council directed staff to conduct community outreach to convert the vacant street right of way into a suitable community garden. At the CIP Study Session on 2/28/2023, Council supported staff recommendation of holding off on allocating funding until community outreach is completed. Council directed staff to inquire if community desires open space or another recreational activity.	Budget Status: Initial community survey included in the budget. Feasibility analysis is not funded. Description: Staff is to complete the community outreach by this Summer and discuss the results at the next Council prioritization session in June 2023. This project will not be included in the proposed 2024-28 CIP but may be included in future CIP based on survey results. Pending community support for a recreation activity, the next step would be to conduct a formal feasibility analysis. <i>Potential funding amount: \$50,000 (for Feasibility analysis)</i> <i>Potential Funding Source: General Gov't CIP, Park Fund</i>
S. Main St. Street Lights and Utility Undergrounding Projects	At the CIP Study Session on 2/28/2023, staff reported the status of the projects. This project is contingent on adoption of the Main Street/Gateway Specific Plan and the establishment of impact fees. The estimated cost for utility undergrounding is \$2.1 million. Additionally, the cost to install decorative street lighting is estimated at \$10.0 million from Carlo St. to Great Mall Parkway. Staff has been in contact with Representative Ro Khanna's office	Budget Status: Not included in budget. Description: This project is not funded in FY 2023-24 CIP. No funding yet identified for the out-years. However, it is included as an unfunded project in the 2024-2028 CIP. <i>Potential funding amount: \$2.1M to \$10M</i> <i>Potential funding Sources: General Gov't CIP Fund, Impact Fees</i>

	regarding the potential for federal funding for a portion of this project.	
Navigation Center	This item was re-introduced at the 1/31/2023 Budget Study Session. At the CIP Study Session on 2/28/2023, Council supported this item to be discussed at the next Council prioritization session in June 2023 in accordance with Council approved policy. This item is not incorporated into the Proposed 2024-2028 CIP.	Budget status: Not included in budget. Description: Staff to further investigate and provide information at the next Council prioritization session in June 2023. <i>Potential Funding Source: General Gov't CIP</i> Funding amount is TBD.
Larger message sign at Library	This item was introduced on 2/21/2023. At the CIP Study Session on 2/28/2023, staff reported this item will be discussed at the next Council prioritization session in June 2023 in accordance with Council approved policy. This item will not be incorporated into the Proposed 2024-2028 CIP.	Budget status: Not included in budget. Description: Staff to further investigate and provide information at the next Council prioritization session in June 2023. <i>Potential Funding Source: General Gov't CIP</i> Funding amount is TBD.
Satellite Consulate Office	This item was previously considered by Council but not prioritized. Item was re-introduced at 1/31/2023 Budget Study Session. At the CIP Study Session on 2/28/2023, Council supported this item to be discussed at the next prioritization in June 2023 in accordance with Council approved policy. Council requested staff to research the legal parameters of providing an office services and converting the media video room adjacent to the Committee Conference Room to an office.	Budget status: Not included in budget. Description: Staff will contact a few consulates to gauge interest and research potential enhancements for an office. This item to be discussed at the next Council prioritization session in June 2023 in accordance with Council approved policy. This item is not incorporated into the Proposed 2024-2028 CIP. <i>Potential Funding Source: General Gov't CIP</i> Funding amount is TBD.
Cesar Chavez Community Garden potential plot reconfiguration	At the CIP Study Session on 2/28/2023, staff reported Parks, Recreation and Cultural Resources Commission (PRCRC) has discussed ways to address equity to the residents of Milpitas at the garden. Council deferred this item until recommendation improvements from the PRCRC are brought forward for consideration.	Budget status: Not included in budget. Description: Staff will present PRCRC's recommended improvements to Council in April and this item to be discussed at the next Council prioritization session in June 2023 in accordance with Council approved policy. This item is not incorporated into the Proposed 2024-2028 CIP. <i>Potential Funding Sources: General Gov't CIP Fund, Park Funds</i> Funding amount is TBD.
Main Street Flooding, south of the Library	At the CIP Study Session on 2/28/2023, Council inquiry about the solution to resolve	Budget status: Not included in budget, except for initial consultant analysis described below.

	the flooding on Main Street south of the Library.	Description: Staff has engaged a consultant to analyze the flooding and recommend improvements. This item will be discussed as part of the Storm Drain Nexus Study Presentation in May/June. <i>Potential Funding Sources: General Gov't CIP Fund, Park Funds</i> Funding amount is TBD.
City Attorney's Office	At the CIP Study Session on 2/28/2023, the Mayor and City Council inquired about whether there were other existing offices and/or rooms that could be used for this purpose to avoid additional construction costs.	Budget status: Original recommendation of \$450,000 from General Gov't CIP fund is still recommended in the Proposed 2024-28 CIP. Description: Staff reviewed existing offices at City Hall and recommends continuing to move forward with the construction of new offices for the City Attorney as shifting existing staff out of their offices would not be conducive to work productivity.

Next Steps:

The updated Proposed 5-year 2024-2028 Capital Improvement Program is ready for adoption. Staff recommends the Council hold a public hearing to review and consider the document and to approve a Resolution (Attachment 1) adopting the 2024-2028 Capital Improvement Program.

Related funding actions for the first year of the Adopted 2024-2028 CIP will be presented for Council consideration as part of the approval of the FY2023-24 Proposed Budget scheduled for June 6, 2023.

Fiscal Impact:

The final Capital Improvement Program includes funding recommendations for 48 projects in the amount of \$32,581,000 for FY2023-24 for repairs and improvements to City infrastructure commencing July 1, 2023. The appropriation actions to fund the FY 2023-24 projects will be included in the FY 2023-24 Proposed Operating Budget scheduled to be released on May 9, 2023 and scheduled to be adopted on June 6, 2023.

Description	General Fund *	General Gov't CIP	Park Fund	Sewer Fund	Streets Funds**	Water Fund	Other Funds***	Total
Available Fund Balance as of 4/7/2023	\$2,400,000	\$6,100,000	\$1,800,000	\$28,700,000	\$7,900,000	\$19,800,000	\$48,990,000	\$115,690,000
FY 2023-24 Proposed Capital Projects	\$2,400,000	\$4,459,000	\$1,555,000	\$10,320,000	\$6,525,000	\$3,823,000	\$3,499,100	\$32,581,100
Remaining Fund Balance	\$0	\$1,641,000	\$245,000	\$18,380,000	\$1,375,000	\$15,977,000	\$45,490,900	\$83,108,900

* Total of \$2.4m is funded through the General Fund Facility Replacement Reserve (\$1.6M)

**Includes Gas Tax Fund (\$2.615M), Measure B (\$1.7M), SB1 RMRA (\$1.5M), Street Improvement Fund (\$210K), and Vehicle Registration Fee (\$500k).

***Includes Grants (\$1.25M), Lighting and Landscape Maintenance District (\$89.1k), Public Art (\$50k), Storm Drain (\$1.4M), Storm Drain General (\$558k), and TASP Impact Fee (\$152k) Funds.

California Environmental Quality Act:

The City Council's action in receiving the report is exempt from CEQA pursuant to CEQA Guideline 15061(b)(3) as it can be seen with certainty that the City Council's input on the CIP does not have the potential to cause a significant effect on the environment as it does not involve the approval of any CIP project. Further, this action is also exempt pursuant to CEQA Guideline 15378(b)(4) as a governmental fiscal activity which does involve any commitment to any specific project. Although the CIP does include various projects, the City is not mandated to move forward with any project, and at the time of any project approval, CEQA review will be conducted at that time.

Recommendation:

1. Open the public hearing to receive any comments and then move to close the hearing.
2. Adopt a Resolution approving the 2024-2028 Capital Improvement Program.

Attachment:

1. Resolution
2. Final 5-year 2024-2028 Capital Improvement Program

RESOLUTION NO. ____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING
THE 2024-2028 CAPITAL IMPROVEMENT PROGRAM**

WHEREAS, on March 22, 2023, the Planning Commission of the City of Milpitas reviewed the 2024-2028 Capital Improvement Program ("CIP") pursuant to Government Code Section 65401 and adopted a resolution as to its conformance with the City's General Plan; and

WHEREAS, on April 18, 2023, a duly-noticed public hearing on the Proposed CIP was held where all interested persons were heard; and

WHEREAS, the City Council has reviewed the 2024-2028 CIP and the first year, 2023-2024 Capital Budget; 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 City Council hereby approves and adopts the 2024-2028 Capital Improvement Program, as included in the City Council meeting agenda package and totaling \$244,678,500 over the five-period and \$32,581,000 in fiscal year 2023-24.
3. There is no potential impact on the environment from this action as the approval and adoption of the CIP is merely a planning document with no commitment to any particular course of action and does not constitute the approval of any project. Thus, this action is exempt from environmental review pursuant to CEQA Guideline Sections 15061(b)(3) and 15378(b)(4).

PASSED AND ADOPTED this ____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Michael Mutalipassi, City Attorney



2024-2028

FINAL CAPITAL IMPROVEMENT PROGRAM





City of Milpitas

Community Vision

Milpitas will preserve its close-knit community and rich cultural diversity as it moves with innovation into the future by supporting sustainable growth and development, ensuring public safety, enhancing the environment and natural landscape, and nurturing family and community connections.

Our Values

- Superior Customer Service
- Open Communication
- Integrity and Accountability
- Trust and Respect
- Recognition and Celebration

Organizational Mission

The City of Milpitas is committed to accomplishing the community's vision by providing fiscally sound, superior services.



City Council



Carmen Montano
Mayor



Evelyn Chua
Vice Mayor



Anthony Phan
Councilmember



Hon Lien
Councilmember



Garry Barbadillo
Councilmember



Council Priority Areas



Community Wellness and Open Space

Continue to provide parks and amenities for people of all ages and abilities to enjoy higher levels of physical and mental health.



Economic Development and Job Growth

Continue to strengthen our economic foundations that support community prosperity and opportunity while ensuring a sustainable and livable city.



Environment

Promote a sustainable community and protect the natural environment.



Governance and Administration

Continue to streamline processes for enhanced service and remain committed to long-term fiscal discipline and financial stewardship.



Neighborhoods and Housing

Continue to explore innovative approaches to incentivize affordable housing projects, collaborate with key stakeholders to care for our most vulnerable populations, and support and engage neighborhoods through dedicated programs and services.



Public Safety

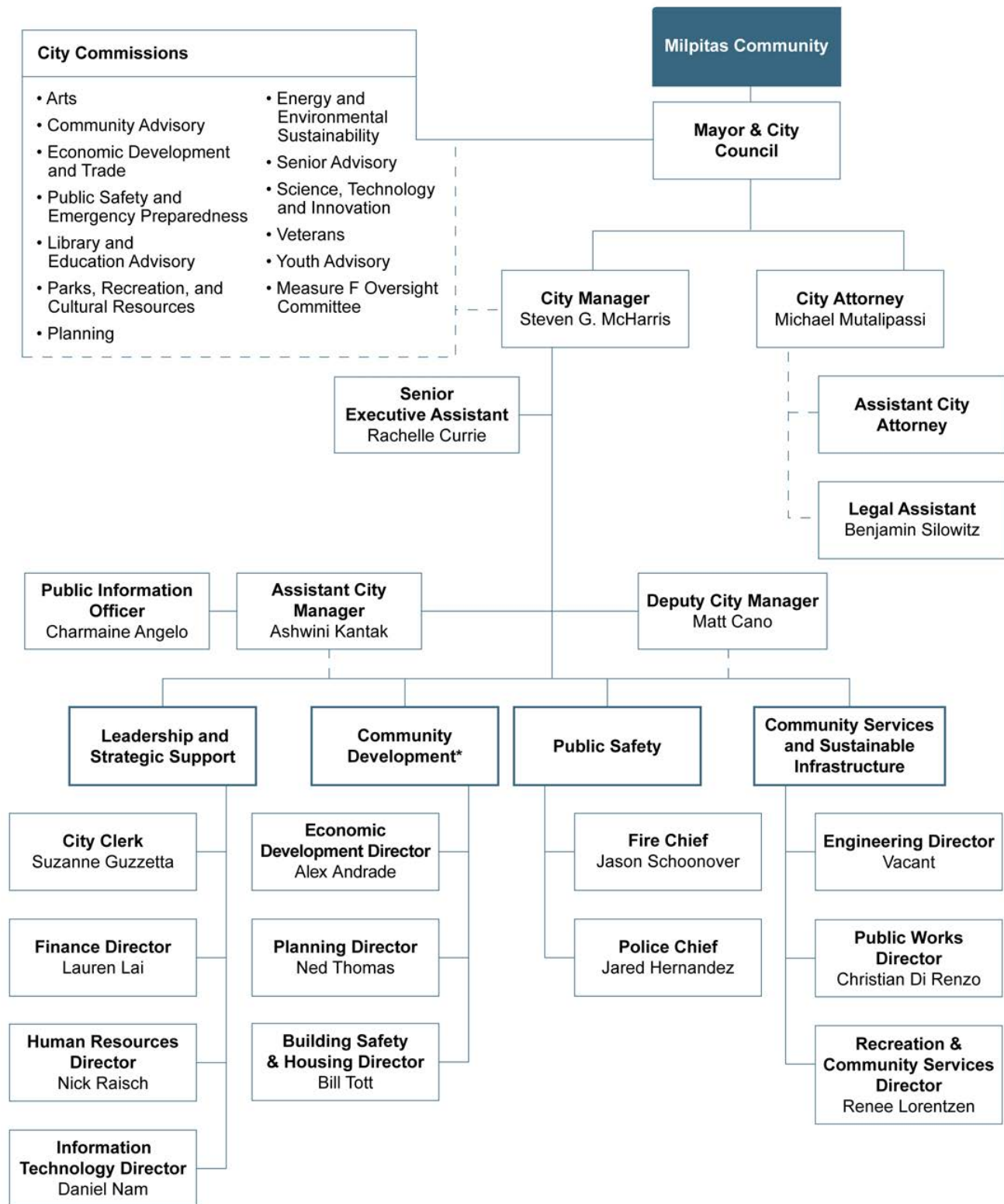
Continue to invest in police and fire protection, in partnership with our community.



Transportation and Transit

Continue to seek and develop collaborative solutions to meet the transportation challenges facing our community and our region.

City Departments



*Fire Prevention (Fire Department) and Land Development (Engineering Department) are part of Community Development.

Budget Acknowledgments

Capital Improvement Budget Process and Document Production

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 Elizabeth Koo, Administrative Analyst II
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Roi Rosas, Graphic Designer II

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Fire Department

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 Michael Springer, Public Works Manager
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Capital Budget and Annual Five-Year Capital Improvement Program

The annual Capital Budget and five-year Capital Improvement Program (CIP) document is developed by the Engineering and Finance Departments in cooperation with City Departments. The document is a comprehensive budgeting and planning tool for projects that repair, and improve City utilities, parks, streets, and building infrastructure. Also known as a Capital Budget, the CIP document reflects priorities of the City Council and the community, and it identifies priorities, schedules, estimated costs, funding sources and financing methods necessary for delivering critical services and infrastructure for the Milpitas Community.

City Council Priorities

The City Council has established seven Priority Areas shown below which guide the development of the annual budget and the five-year Capital Improvement Program.

- **Community Wellness and Open Space:** Continue to provide parks and amenities for people of all ages and abilities to enjoy higher levels of physical and mental health.
- **Economic Development and Job Growth:** Continue to strengthen our economic foundations that support community prosperity and opportunity while ensuring a sustainable and livable city.
- **Environment:** Promote a sustainable community and protect the natural environment.
- **Governance and Administration:** Continue to streamline processes for enhanced service and remain committed to long-term fiscal discipline and financial stewardship.
- **Neighborhoods and Housing:** Continue to explore innovative approaches to incentivize affordable housing projects, collaborate with key stakeholders to care for our most vulnerable populations, and support and engage neighborhoods through dedicated programs and services.
- **Public Safety:** Continue to invest in police and fire protection, in partnership with our community.
- **Transportation and Transit:** Continue to seek and develop collaborative solutions to meet the transportation challenges facing our community and our region.

Capital Improvement Program Calendar, Preparation, and Document Layout

The City's annual budget and Capital Improvement Program process begins in October with the Call-for-Projects and concludes in April following a Public Hearing and City Council adoption of the annual five-year Capital Improvement Program (CIP) document.

- Creation of the annual five-year CIP starts with a Call-for-Projects to all City departments each October. This is the opportunity for departments to request new Capital Projects or to request changes to existing projects already in the CIP.
- Starting in November, new projects and existing project scope and funding changes as requested by departments are initially reviewed, prioritized, and ranked by the Engineering and Finance Departments for conformance with Council priorities, available funding, and resources prior to approval by the City Manager's Office. Criteria for ranking include immediate health and safety; grant funded; council referrals; operating efficiency; legal mandate; alignment with Council priorities, managing department; project schedule; funding source; and impact to operating budget.
- The City Manager submits a Proposed CIP document to the City Council for review and input during the February CIP study session. The February study session is a Public Meeting where the public can ask questions and provide opinion.

- The Parks section of the Proposed CIP is presented to the City's Parks Recreation Cultural Resource Commission (PRCRC) in March for review and recommendation. Also, in March, the Proposed CIP document is presented to the Planning Commission where the Commission has the duty to determine if the CIP is in conformance with the City's General Plan.
- After completion of Council and commission review, the City Manager submits the Final CIP with any amendments outlined to the City Council for adoption in April during a Public Hearing to solicit further input from the public.
- The funding for the first year of the CIP is appropriated as part of Council approval of the City's Adopted Budget for the upcoming fiscal scheduled in June.

The CIP document provides project cost estimates, methods of financing, and anticipated schedules for the completion of Capital Projects over a five-year period. The document is organized into six categories: Community Improvement, Park Improvement, Street Improvement, Water Improvement, Sewer Improvement, and Storm Drain improvement.

- **Community Improvement:** This section includes projects for the improvement of City buildings, finance system upgrades, Planning Specific Plans update, Technology infrastructure, Public Safety systems upgrades, sustainable energy infrastructure, and the update to the Climate Action Plan. Community Improvement projects are funded by the Community Planning Fees, General Government CIP Funds, Grants, Permit Automation Fund, Public Art Fund, TASP Impact Fees, and Transient Occupancy Tax ("Hotel Tax").
- **Parks Improvement:** This section includes park-related projects such as new parks and park rehabilitation and renovation. Projects in this section are funded through several sources including Community Facilities District, General Government CIP Fund, Grants, Midtown Park Improvement Fund, Impact Fees, Park Improvement Fund, and Transit Area Specific Plan (TASP).
- **Streets Improvement:** The Streets section includes projects for the annual street resurfacing, bridge rehabilitation, sidewalk and curb and gutter repairs, ADA ramp transition program, traffic studies and modeling, and major improvement projects for the widening of the Calaveras Road Bridge, construction of the South Milpitas Bridge, and Pedestrian Overcrossing over Montague Expressway. Funding for projects in this section are funded by the Gas Tax Fund, General Government CIP Fund, Grants, Impact Fees, Measure B, SB1 RMRA, Street Improvement Fund, Transient Occupancy Tax, and Vehicle registration fees.
- **Water Improvement:** The Water section includes projects for update to the Master Plan, water conservation program, and the improvement of both potable and reclaimed water infrastructure including wells, reservoirs, pump stations, and pipelines. This section is funded by the City's Water Fund (enterprise fund), system connection fees, and through a Water Bond.
- **Sewer Improvements:** The Sewer Improvement section includes projects for update to the Master Plan, system assessments, and the improvement of the City's sanitary sewer infrastructure including pump station and pipeline. Projects in this section are funded by the Sewer Fund (enterprise fund), connection fees, treatment plant fees, and through a Sewer Bond.
- **Storm Drain Improvements:** The Storm Drain section includes storm drain-related improvement projects for pump stations, pipeline replacements, and system assessment and upgrades. Projects in this section are funded from a combination of the Storm Drain Fund, General Government CIP Funding, grants, and developer contributions.

Capital Project funding accounts are made up of funds that help organize and account for restricted resources. A fund is defined as a fiscal accounting entity with a self-balancing set of accounts (comprised of assets, liabilities, fund equity, revenues, and expenditures), which are segregated for the purpose of carrying out specific activities or

attaining certain objectives in accordance with regulatory requirements. Refer to the CIP document Appendix for funding source definitions.

During the development process for the annual 5-year CIP document, Engineering and Finance staff reviews the life cycle costing principle in planning for Capital Projects. All costs associated with a Capital Project, including operations and maintenance, will be included in the operating budget and the CIP document identifies the impact to the operating budget for each project.

Capital Projects in the CIP document are identified with a Project Number, or as “New” or “Plan”. Projects identified with a Project Number are programmed to receive funding in the first 5 years. Projects identified as “New” are projects that are recommended to be added to the proposed CIP. Once Council approves the proposed project, a Project Number is assigned. Projects identified as “Plan” in the 2nd through the 5th year of the CIP in previous years without an identified funding source per City Council direction or the projects are recurring such as the annual Street Resurfacing project without identified funding are placed in the section titled “Planned Projects Without Funding”. Cost estimates shown in the non-funded year are preliminary and subject to change. Project cost estimates are confirmed when the Project reaches the design phase.

Project Detail Pages

Each Project identified in the first 5-years of the CIP document has a project that includes details such as the year it was added to the CIP document; Council priority; location; managing department; stage and estimated schedule; project description and notes; estimated cost; funding source; and finance and operating impact notes.



RESOLUTION NO. 23-007**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS FINDING THAT THE PROPOSED 2024-2028 CAPITAL IMPROVEMENT PROGRAM IS IN CONFORMANCE WITH THE CITY OF MILPITAS GENERAL PLAN**

WHEREAS, the City of Milpitas Capital Improvement Program (CIP) is a five-year program adjusted annually for the City Council review and consideration that outlines public improvements and estimated expenditures to construct improvements; and

WHEREAS, California Government Code Section 65401 requires that the City's Planning Commission makes a determination that the annual CIP is in conformance with the City's General Plan; and

WHEREAS, the General Plan Conformity Finding is not subject to the California Environmental Quality Act (CEQA) as the item is not a project, and exempt from CEQA review, each as a separate and independent basis, pursuant to CEQA Guidelines Section 15378(b), 15262 and 15061(b)(3); and

WHEREAS, on March 22, 2023, 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.

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, the proposed 2024-2028 CIP, testimony by staff and the public, and other materials and evidence submitted or provided to the Commission. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

Section 2: The Planning Commission determines that the General Plan Conformity Finding is not subject to the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15378 since it is not a project as defined under CEQA.

Section 3: The Planning Commission makes the following findings based on the evidence in the public record in support of the General Plan Conformity Finding:

a) The proposed 2024-2028 Capital Improvement Program is consistent with the following Milpitas General Plan principles and policies:

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LAND USE POLICIES AND ACTIONS

Balance of Land Use (Goal LU-1):

Action LU-1b. Review the Zoning Ordinance and update as appropriate to reflect Land Use goals, policies, and implementation actions.

Special Planning Areas (Goal LU-2):

Action LU-2a. Periodically review and maintain the goals, and development standards and guidelines included within Milpitas's Specific Plan Areas to affirm the unique character and development vision for Special Planning Areas within Milpitas. Specifically, the city should:

- Maintain and implement the Gateway-Main Street Specific Plan goals, policies and development standards and guidelines to create a mixed-use community that includes high-density, transit-oriented housing and a central community 'gathering place' while maintaining needed industrial, service and commercial uses.
- Maintain and implement the Milpitas Metro Specific Plan (formerly the Transit Area Specific Plan, or "TASP") area, as an attractive, high density, TOD urban neighborhood with a mix of land uses around the light rail stations and the BART station. Create safe and attractive 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.

Local and Regional Land Use (Goal LU-3):

Action LU-3a. When reviewing and considering development proposals, seek "community benefits", such as upgrading infrastructure, constructing new community facilities, and funding contributions to programs to ensure new development is well served and does not place additional burdens on existing development.

Action LU-3c. Work with the San Francisco Public Utilities Commission (SFPUC), and the Santa Clara Valley Water District (SCVWD) to create or expand linear parks, trails, and publicly-accessible greenways along utility rights-of-way that provide opportunities for greenway connections within Milpitas and between local jurisdictions. Planning for greenways should be closely coordinated with implementation of the objectives and priorities within the Circulation Element and the Parks, Recreation and Open Space Element.

Action LU-3g Implement the policies and actions included in the Safety Element and identify and annually review areas that are subject to flooding identified by flood plain mapping prepared by the Federal Emergency Management Agency (FEMA) or the Department of Water Resources.

Action LU-3i. Strive for and promote interdepartmental collaboration to ensure CIP projects support local and regional multimodal transportation network and infrastructure goals.

Transportation Land Use (Goal LU-4):

Action LU-4b. Promote collaboration between the Planning, Public Works and Engineering Departments during the City's CIP program process to ensure coordination of infrastructure improvements and alignment with the goals of the General Plan and Bike and Pedestrian Master Plan.

CIRCULATION POLICIES and ACTION

Circulation and Transportation Network (Goal CIR-1):

CIR 1-1. Prioritize and measure infrastructure and facility safety on streets and public rights-of-way.

CIR 1-8. Prioritize multi-modal infrastructure improvements that improve pedestrian, bicyclist and transit user safety and equity for inclusion in the CIP.

CIR 1-13. Maintain up-to-date emergency preparedness and evacuation plans and procedures in coordination with appropriate state, regional, county, and local agencies and departments.

Action CIR-1h. Design streets to operate with vehicle speeds that are safer for all users, especially pedestrians and bicyclists while providing adequate access for emergency vehicles. Speed reduction strategies include reduced lane widths and application of traffic calming measures in accordance with the street's designated functional classification.

Action CIR-1o. Continue to monitor traffic service levels and implement improvements prior to deterioration in levels of service to below the stated standard.

Complete Streets (Goal CIR-2):

CIR 2-1. Promote multimodal transportation options by developing an interconnected system of streets, roads, bridges, and highways that provides continuous, efficient, safe and convenient travel for all users regardless of mode, age or ability and encourage users to walk, ride a bicycle, or use transit for shorter, local trips.

CIR 2-3 Seek opportunities to implement and assess traffic calming strategies that reduce vehicle speeds and establish a safer, more comfortable environment for pedestrians and bicyclists.

Transit (Goal CIR-3):

CIR 3-1. Coordinate with VTA and BART to design and implement capital improvements that support safety and access to rail stations and bus stops.

CIR 3-4. Ensure that all transit-supportive infrastructure, sidewalks, and bike lanes are adequately maintained to provide high-quality facilities for users.

Action CIR-3c Coordinate with transit agencies and local stakeholders to pursue development of feeder services and/or a local circulator to carry commuters to transit stations, such as shuttle connections from businesses, residences, attractions, and schools to bus and rail services.

Bicycle/Pedestrian/Trails (Goal CIR-4):

CIR 4-1. Encourage a shift to active transportation modes by expanding and enhancing current pedestrian and bicycle facilities to accommodate pedestrians and bicyclists of all ages and abilities and encourage all users to reduce vehicle trips and utilize active transportation options with an increase in density of pedestrian and bicycle-supportive infrastructure.

CIR 4-2. Link and expand City pedestrian and bicycle circulation facilities to existing and planned local and regional networks, with an emphasis on expanding infrastructure options near transit.

CIR 4-5. Support building bridges or under-crossings across creek channels, railroad lines and roadways in a manner that will enhance safety, improve network connectivity, and facilitate

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bicycling and walking between high density residential developments, retail centers, civic buildings, and recreational centers.

CIR 4-7. Work collaboratively with the community to discover and develop connections between the multi-use paths and the on-street bicycle system to support development of a comprehensive network, with an emphasis on areas with limited access and/or higher health disparities.

Action CIR-4a. Prioritize, fund, and implement a comprehensive system of sidewalks, bikeways, and off- street trails that connects all parts of the City as identified in the Bikeway and Pedestrian Master Plan and Trails Master Plan and in accordance with the City of Milpitas Municipal Code.

Action CIR-4i. Develop guidelines and priority locations for implementing enhanced pedestrian crossings and safe, adequate infrastructure for pedestrians and bicyclists.

Action CIR-4o. Identify pedestrian facilities which are not ADA compliant throughout the City and implement necessary improvements.

Action CIR-4q. Make improvements to roads, signs, and traffic signals as needed to improve accessible, safe, and convenient bicycle and pedestrian travel.

Action CIR-4s. Provide bicycle actuated traffic signal detection.

Sustainability (Goal CIR-6):

CIR 6-7 Develop impact fees to provide revenues to be used to construct pedestrian and bicycle infrastructure that will support new development.

CIR 6-8. Use repaving projects as an opportunity to cost-effectively implement new bicycle facilities in accordance with City plans.

CIR 6-9. Maximize efficient maintenance of transportation infrastructure of all modes, such as coordinating roadway paving or striping projects to include maintenance of pedestrian and bicycle infrastructure.

Implementation and Funding (Goal CIR-7):

CIR 7-1. Proactively position the City to be competitive in pursuing grant funding for planning, design, and construction of transportation improvements.

CIR 7-3. Seek opportunities to develop public/private partnerships to provide transportation infrastructure and services.

Action CIR-7c. As part of the Capital Improvement Program (CIP), annually update a five-year program of projects required to construct and/or update circulation facilities and assess viability of older projects in context with new considerations and policies.

Action CIR-7e. Use funds from the Streets budget for bicycle and pedestrian projects as appropriate.

Action CIR-7f. Actively pursue grant funds for planning, design, and construction of transportation-related capital improvement projects.

COMMUNITY DESIGN POLICES AND ACTIONS

Community Character (Goal CD-1):

CD 1-8. Support art installations in public and private development projects that support and enhance Milpitas' image.

CD 1-9. Ensure that all public structures, landscaping and other site improvements, and streets are adequately maintained.

Action CD-1a. Introduce a range of local improvement programs, including, but not limited to, yard and street tree planting, annual clean-up days, large item haul-away days, sidewalk installation and repair, and similar local activities, to enhance the visual quality of the City.

Project Design/Design Excellence (Goal CD-2):

CD 2-2. Continue to develop and implement design standards and guidelines for residential, non-residential, and infrastructure development, both in the private and public realms, consistent with state law, to provide design and site planning approaches, landscaping, site grading and similar architectural and site planning criteria that will add design excellence, visual quality and interest to the community.

Gateways, Landmarks, and Wayfinding (Goal CD-8):

CD 8-3 Develop major gateway intersections such as I-880/Calaveras Boulevard, I-680/Calaveras Boulevard and Montague Expressway/Great Mall Parkway with signage, distinctive lighting and abundant landscaping, using tall trees and under-plantings.

Action CD-8c Identify potential gateway features and locations in the City's Specific Plans to distinguish special areas.

Public Spaces and Public Art (Goal CD-9):

CD 9-1. Promote vibrant, publicly accessible spaces that encourage gathering and other active uses. Provide adequate shading through shade structures or trees and incorporate formal and informal seating to encourage both short-term and long-term use of public spaces. Place a variety of uses adjacent to public spaces at sufficient concentrations to encourage the use of the spaces throughout the day and night.

CD 9-7. Where practical, and in compliance with ADA standards, separate common areas that provide seating from the primary walkways by informal barriers, such as planters, bollards, fountains, low fences, and/or changes in elevation.

CD 9-11. Reinforce the distinctive public spaces with design elements reflected in the streetscape, landmarks, public art, and natural amenities.

Action CD-9a. Continue to implement and expand the Public Art Policy to better encourage and guide the creation, promotion, implementation, and maintenance of public art throughout the City.

Action CD-9b. Continue to administer the Public Art Fund to help pay for the creation, construction, and maintenance of public art in the city.

Action CD-9c. Continue the City's program of allocating a percentage of capital improvement project budgets to fund the development and installation of public art projects through the Public Art Fund.

Action CD-9e. Continue to implement and expand the Public Art Program Master Plan to guide comprehensive integration of public art throughout the community.

Pedestrian and Bicycle-Oriented Design (Goal CD-10):

CD 10-1. Prioritize pedestrian and bicycle connections to transit, community facilities (including schools), commercial areas, and other areas serving daily needs. Ensure that the

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design of new facilities can accommodate significant anticipated future increases in bicycle and pedestrian activity

Action CD-10a. Continue to adopt, apply, and update as needed, design standards and guidelines for pedestrian and bicycle-oriented design as needed. The standards and guidelines should address connectivity and the provision of pedestrian and/or bike facilities, pedestrian elements, compact block and sidewalk design, pedestrian amenities, and pedestrian and bicycle-oriented building elements and site design.

Action CD-10b. Continue to apply and expand the Bicycle and Pedestrian Master Plan to reflect the tenets of pedestrian and bicycle-oriented design.

Sustainable Design (Goal CD-11):

CD 11-11. Continue to apply and expand the Climate Action Plan to increase the energy efficiency of development.

Action CD-11a. As part of the development review process, ensure that projects incorporate sustainable elements, such as passive solar design, energy-efficient features, water conservation measures, street trees, electric vehicle charging stations, and low impact development features to the extent feasible.

ECONOMIC DEVELOPMENT POLICES AND ACTIONS

Opportunity Areas (Goal ED-3):

Action ED-3f. Encourage new development on Main St. that creates a sense of place (i.e. arts & culture, food and beverages, open spaces, parks).

Action ED-3j. Ensure the City's public works and capital improvement plans are aligned with the goals and objectives in the Economic Development Strategy.

Economic Development Opportunities (Goal ED-4):

ED 4-1. Consider leveraging public investments to enhance the City's economic vitality and ensure that Milpitas is a prosperous, healthy and safe community that is attractive to business.

ED 4-2. Encourage change and revitalization of Main St. and other commercial corridors in need of maintenance and/or modernization.

Action ED-4c. Use the City's Capital Improvement Program (CIP) to ensure that road improvement programs provide for adequate, convenient access to commercial, industrial and service areas.

Action ED-4j Invest in infrastructure to support local innovation, entrepreneurship and mobility options for all users (i.e., shuttle services through a Transportation Management Association).

CONSERVATION AND SUSTAINABILITY POLICES AND ACTIONS

Climate Action (Goal CON-1):

CON 1-5. Consider lifecycle costs when identifying opportunities for the replacement and retrofit of energy efficient technologies when upgrading or maintaining City facilities.

Action CON-1a. Update the City's Climate Action Plan to achieve the greenhouse gas reduction targets for 2030, and 2050. Updates to the CAP should align the City's GHG reduction targets with the statewide GHG reduction targets of Assembly Bill 32, SB 375, and Executive Orders S-03-05 and B-30-15.

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Action CON-1c Display energy conservation and energy efficiency information including state and local programs, community choice aggregation opportunities, and rebate opportunities on the City's web page.

Action CON-1d. Continue to participate in Silicon Valley Clean Energy (SVCE) whereby city-owned facilities, parks, and streetlights will run on renewable energy sources like wind and solar, and educate and encourage Milpitas residents and businesses to participate in Silicon Valley Clean Energy (SVCE) to reduce greenhouse gas emissions and support statewide alternative energy use.

Trees and Vegetation (Goal CON-2):

CON 2-1. Conserve existing native trees and vegetation where possible and integrate regionally native trees and plant species into development and infrastructure projects where appropriate.

CON 2-2. Require the use of primarily locally-sourced native and drought-tolerant plants and trees for landscaping on public projects, if feasible, and strongly encourage their use for landscaping on private projects.

Action CON-2g. Allocate sufficient funds in the annual budget to maintain the City's trees and to replace trees that are diseased or dying. Prioritize the removal and replacement of non-native trees and trees that have the potential to result in infrastructure and property damage.

Biological and Aquatic Resources (Goal CON-3):

CON 3-8. Encourage private and public development that is consistent with the City's Green Stormwater Infrastructure Plan and incorporate natural processes for stormwater drainage, groundwater recharge and flood management.

Action CON-3d. Continue to require new development and infrastructure projects to incorporate the standards and requirements contained in the Green Stormwater Infrastructure Handbook, Santa Clara Valley Urban Runoff Pollution Prevention Program C.3 Stormwater Handbook and comply with Title XI, Chapter 16 (Stormwater and Urban Runoff Pollution Control) of the Milpitas Municipal Code to ensure that Low Impact Development (LID) measures are incorporated into site designs to reduce pollutants from non-point sources, incorporate "green" stormwater infrastructure, and encourage greater use of permeable paving surfaces.

Action CON-3e. Continue to implement a comprehensive municipal stormwater pollution-prevention program in compliance with requirements of the Santa Clara Valley Urban Runoff Prevention Program (SCVURPPP) and the Municipal Regional Stormwater Permit as issued by the San Francisco Bay Regional Water Quality Control Board.

Action CON-3i. Continue to collaborate with the Santa Clara Valley Water District, and pursue grant funding from the district to support the priorities and projects of the Safe, Clean Water and Natural Flood Protection Program.

Cultural and Historical Resources (Goal CON-4):

Action CON-4a. Require a cultural and archaeological survey prior to approval of any project which would require excavation in an area that is sensitive for cultural or archaeological resources. If significant cultural or archaeological resources, including historic and prehistoric resources, are identified, appropriate measures shall be implemented, such as documentation and conservation, to reduce adverse impacts to the resource.

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Action CON-4b. Require all development, infrastructure, and other ground-disturbing projects to comply with the following conditions in the event of an inadvertent discovery of cultural resources or human remains.

Architectural Resources (Goal CON-5):

CON 5-2. Evaluate the condition of historical buildings, the costs of rehabilitation, and the feasibility of preservation or conservation alternatives when considering the demolition or movement of historic structures; when possible, encourage the adaptive re-use of the historic structure.

Air Quality (Goal CON-7):

CON 7-1. Ensure that land use and transportation plans support air quality goals through a logical development pattern that focuses growth in and around existing urbanized areas, locates new housing near places of employment, encourages alternative modes of transportation, supports efficient parking strategies, reduces vehicle miles traveled, and requires projects to mitigate significant air quality impacts.

CON 7-13. Implement energy policies and actions that have co-benefits of reduced air pollution and greenhouse gases by increasing energy efficiency, conservation, and the use of renewable resources.

Action CON-7e. Require dust control measures, including those included in the Santa Clara Valley Non-point Source Pollution Control Program, and BAAQMD's Best Management Practices for fugitive dust control during construction.

Action CON-7f. Use the BAAQMD "Air Quality Guidelines", as amended, or replaced, in identifying thresholds, evaluating the potential project and cumulative impacts, and determining appropriate mitigation measures. Review development, infrastructure, and planning projects for consistency with BAAQMD requirements during the CEQA review process. Require project applicants to prepare air quality analyses to address BAAQMD, and General Plan requirements.

UTILITIES & COMMUNITY SERVICES POLICES AND ACTIONS

General (Goal UCS-1):

UCS 1-1. Provide adequate public infrastructure (i.e., street, sewer, water, and storm drain systems) to meet the needs of existing and future development.

UCS 1-4. The City shall prioritize infrastructure improvements in areas identified for economic growth in the next 5-10 years.

Action UCS-1a. Periodically review and update City master plans for the provision and/or extension of public services to serve existing and future development. These plans include, but are not limited to, the Water Master Plan, the Sewer Master Plan, the Sewer System Management Plan, the Green Infrastructure Plan, and the Capital Improvement Program.

Action UCS-1e. Develop and regularly update a comprehensive financing plan to accommodate the construction of master planned infrastructure.

Water (Goal UCS-2):

UCS 2-1. Ensure the water system and supply adequately meets the needs of existing and future development and is utilized in a sustainable manner.

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UCS 2-2. Ensure safe drinking water standards are met.

UCS 2-5. Reduce potable water use and increase water conservation.

UCS 2-6 Encourage the use of recycled water for industrial uses and landscape irrigation where feasible, within the parameters of State and County Health Codes and standards and in compliance with regional agency requirements.

UCS 2-7. Maintain existing groundwater wells as a source of emergency water supply and a resource for supplemental supply.

Action UCS-2a. Periodically review and update the City's Water Master Plan and Urban Water Management Plan in order to meet regulatory requirements and to ensure the documents address existing and projected demand.

Action UCS-2c. Regularly review and update the City's water conservation measures to be consistent with current best management practices for water conservation, considering measures recommended by the State Department of Water Resources, the California Urban Water Conservation Council, and the Bay Area Water Supply and Conservation Agency.

Action UCS-2e. Continuously monitor water flows through the City's water system to identify areas of potential water loss and instances of under-billing for water services and make improvements to the system and billing assessments as necessary.

Action UCS-2h. Continue to implement a remote monitoring program for the City's water system and replace malfunctioning City meters in the system as necessary. The City will continue the practice of identifying and replacing faulty meters at service connections on an ongoing basis.

Action UCS-2j. Aggressively pursue expansions to the treatment and distribution capacity of recycled water supplies and coordinate with the City of San Jose South Bay Water Recycling Program to increase recycled water supplies available to Milpitas.

Sewer (Goal UCS-3):

UCS 3-1. Ensure safe and reliable wastewater collection and treatment infrastructure to serve existing and future development.

UCS 3-2. Maintain the existing wastewater system on a regular basis to increase the lifespan of the system and ensure public safety.

Action UCS-3a. Periodically review and update the Sewer Master Plan and the Sewer System Management Plan.

Action UCS-3d. Continue to monitor effluent generation rates citywide and ensure that Milpitas retains adequate capacity allocations at the San Jose-Santa Clara Regional Wastewater Facility to meet existing and projected demand.

Stormwater and Drainage (Goal UCS-4):

UCS 4-1. Maintain and improve Milpitas's storm drainage facilities.

UCS 4-4. Applicable projects shall incorporate Best Management Practices (BMPs) and Low Impact Development measures (LID) to treat stormwater before discharge from the site. The facilities shall be sized to meet regulatory requirements.

UCS 4-9 Maintain drainage channels in a naturalized condition with riparian corridors and wetland where appropriate, incorporating recreational trails, parkway vegetation, and other amenities and ensuring that vegetation does not reduce channel capacity. Where possible, set back development from these areas sufficiently to maximize habitat values.

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UCS 4-14. 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).

Action UCS-4c. Identify which stormwater drainage facilities are in need of repair and address these needs through the City's Capital Improvement Program

Electricity and Natural Gas (Goal UCS-6):

Action UCS-6b. Support energy conservation measures and the innovative uses of solar energy, heat recovery, and cogeneration in development and infrastructure projects and in structural and industrial processes.

Action UCS-6d Require the undergrounding of utility lines in new development, and as areas are redeveloped, except where infeasible for operational reasons.

Schools, Libraries, and Other Public Facilities (Goal UCS-8)

UCS 8-3. Consider opportunities for joint-use of facilities with the local school districts. When feasible, a joint-use agreement will be pursued to maximize public use of facilities, minimize duplication of services provided, and facilitate shared financial and operational responsibilities.

UCS 8-13. Promote and expand cultural, historical, and social awareness through museums, cultural heritage projects, and public art.

SAFETY POLICES AND ACTIONS

Geologic/Seismic Hazards (Goal SA-1):

Action SA-1g. Periodically review the structural integrity of all existing City-owned critical facilities and, if any facilities are found unsatisfactory, take steps to ensure structural integrity and safety.

Flooding (Goal SA-2):

Action SA-2a. As part of the development review process continue to require new developments to prepare hydraulic and storm drainage studies as necessary to define the net increase in storm water run-off resulting from construction and operation and require mitigation to reduce identified impacts. Drainage and grading plans shall identify BMP protections and include standards established and recommended by the City that shall be incorporated into development.

Action SA-2e. Periodically Review the City of Milpitas Storm Drain Master Plan, and update as necessary, to ensure that the Plan includes a comprehensive list of capital improvements needed to maintain recommended levels of protection against flooding and stormwater runoff. Continue to seek new revenue streams to fund the necessary improvements and maintenance of the City's storm drainage infrastructure.

Action SA-2f. Periodically review the condition of City-owned bridges, culverts, canals and other flood control and stormwater conveyance infrastructure, and when feasible include necessary improvements within the CIP to increase safety and the adequate conveyance of

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stormwater. Encourage external agencies to undertake regular review of their non-City-owned flood control and storm water infrastructure located within the Milpitas Planning Area, as well as those facilities located both upstream and downstream.

Emergency Preparedness (Goal SA-3):

SA 3-2. Ensure that critical facilities are properly supplied and equipped to provide emergency services.

SA 3-3. Ensure that critical facilities are designed and constructed to withstand the "maximum probable" seismic events and still remain capable of service use to provide emergency assistance after a major disaster.

SA 3-5. Continue to maintain the City's Emergency Operations Center and conduct regular staff training exercises to ensure that all City staff members, in addition to emergency responders, are adequately trained to fulfill their duties in the event of an emergency.

Action SA-3b. Conduct regular emergency response training exercises and or participate in regional exercises to ensure that emergency response personnel are adequately trained and prepared for emergency situations. Critical facilities within the city should also be annually assessed to ensure they are properly supplied.

Action SA-3d Provide adequate funding for fire and police services to ensure preparedness of response teams and implementation of emergency response plans.

Action SA-3g. Periodically review, maintain, and repair City roadways and emergency access routes, and provide signage, where necessary, to clearly identify emergency access routes.

Climate Resiliency and Adaptation (Goal SA-6):

Action SA-6e Implement the policies and actions in the Utilities and Community Services Element, and Conservation Element that promote water and energy efficiency and conservation in new capital projects, expansions and retrofits to civic buildings, and infrastructure.

Action SA-6f. Utilize the Silicon Valley 2.0 Climate Adaptation Guidebook (or its successor document) as a resource tool when undertaking communitywide planning efforts, including updates to infrastructure plans.

Action SA 6g Conduct a climate vulnerability assessment and set preparedness goals and strategies to safeguard human health and community assets susceptible to the impacts of a changing climate (e.g., increased drought, wildfires, flooding, and extreme heat). Incorporate these into all relevant plans, including the Emergency Preparedness Plan, Local Hazard Mitigation Plan, Dam Failure Plan, Climate Action Plan, Watershed Protection Plan, and Energy Assuredness Plan.

PARKS, RECREATION, & OPEN SPACE

Park and Trail System (Goal PROS-1):

PROS 1-1. Provide a park and recreation system that is equitably distributed, safe, accessible, and designed to serve the needs of all residents of the community.

PROS 1-2. Develop and maintain a high-quality system of parks, trails, and recreation facilities to create diverse opportunities for passive and organized recreation.

PROS 1-7. Design parks to enhance public safety by providing visibility of all areas both to and from the street, adequate lighting, and access for public safety responders.

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PROS 1-9. Prioritize funding and City resources to improve the condition, maintenance, and upkeep of existing City parks and recreational facilities.

PROS 1-11. Pursue opportunities for cooperation and partnerships with other agencies to develop and enhance publicly-accessible trails and linear parks along local drainages, creeks, and utility corridors.

PROS 1-12. Encourage and support the expansion of an integrated trail network that connects users to neighboring local and regional trail systems and to community amenities such as schools, open space areas, park and recreation facilities, commercial and job centers and residential areas to encourage both recreational and utilitarian travel.

PROS 1-15. Design and maintain park and recreation facilities to minimize water, energy and chemical (e.g., pesticides and fertilizer) use. Incorporate the use of recycled water, native and/or drought-resistant vegetation and ground cover where appropriate. Pursue opportunities for multi-beneficial park developments that incorporate flood control facilities, stormwater management and groundwater recharge areas.

Action PROS-1a. Continue to monitor the condition of parks, trails, and recreation facilities throughout the community and prioritize the rehabilitation of existing facilities that are in the greatest need and that serve the greatest number of residents. When planning or significantly renovating park and recreation facilities, implement a park “Master Planning” process which includes public consultation and outreach, with an emphasis on outreach to the broad and diverse segments of the Milpitas population.

Action PROS-1b. Periodically review, and update if necessary, the City’s Park and Recreational Facilities Impact Fees to ensure that new development continues to provide a fair-share contribution towards parks, trails, and recreation facilities.

Action PROS-1h. Implement recommendations in the Bikeway Master Plan that safely link trails and open space to neighborhoods and special areas and regional trail networks.

Action PROS-1i. Update the Trails Master Plan to identify new trail opportunities and trail connections throughout the community.

Action PROS-1k. During subsequent preparation of the Milpitas Metro Plan (TASP Update) and Milpitas Gateway/Main St. Specific Plan (Midtown Specific Plan Update), review established park standards and explore opportunities to increase requirements for publicly-accessible parks and recreation facilities within these Plan Areas.

Recreational Opportunities (Goal PROS-2):

Action PROS-2a. Continue to implement the recreation goals and objectives contained within the Park and Recreation Master Plan and update the plan as necessary to serve the recreational needs of the community.

IMPLEMENTATION

Administration (Goal IM-1):

IM 1-2. Require the City’s Zoning Ordinance, planning documents, master plans, infrastructure projects, and development projects to be consistent with the General Plan and State law.

Action IM-1b. Review and update the Municipal Code, as well as master plans for land uses, services and infrastructure as necessary to ensure consistency with the General Plan.

b) *The proposed 2024-2028 Capital Improvement Program is consistent with the General Plan because of the following:*

Land Use

The Land Use Element guiding policies seek to promote a citywide land use program that balances land use with community amenities, public services, and the creation of a park-like setting within the City. The policies also seek to maintain and improve the City's fiscal position while providing strong land use planning and managing public improvements. Coordinating capital improvement planning in relation to growth and land use is an implementing policy of the General Plan. The update of the five-year CIP is instrumental in helping to achieve these goals. The CIP is consistent with the policies and actions of the Land Use Element because its primary purpose is to provide coordinated public improvements in response to the growth, maintenance, and safety of the City. The CIP proposes significant investments to City facilities, parks, streets, and utilities, which contribute to strong land use program. The CIP proposes approximately \$243,778,500 toward citywide improvements over the five years for growth, maintenance, and safety of the City, but \$57,025,000 does not have identified funding.

Circulation

The Circulation Element guides vehicular and non-vehicular travel throughout the City. The CIP must be consistent with this element since the City is primarily responsible for providing and maintaining the public city sidewalks, streets, and trails. The General Plan also seeks to reduce reliance on the automobile by providing and emphasizing use of bicycle and pedestrian facilities. The Circulation Element specifically seeks to incorporate the design of these facilities into capital improvement projects whenever feasible. The CIP is consistent with these policies because it strives to maintain and provide efficient transportation systems for vehicular and non-vehicular circulation. The CIP proposes approximately \$69,720,500 toward streets and other transportation improvements over the five years to assist in maintaining this element, but \$26,300,000 does not have identified funding. Bicycle improvements, street resurfacing, traffic calming measures and signal improvements, and construction of new circulation facilities are few examples that specifically contribute to achieving these goals.

Community Design

This element guides the design to address the built and natural environment of infrastructure developments which is closely related to Land Use, Circulation, and Parks, Recreation, Open Space elements. The General Plan seeks to the built character, order, and sense of place of the City includes the image and character of Milpitas' many unique neighborhoods and districts; the quality of buildings, streets, and public spaces; and the community's historical attributes. The CIP is consistent with Community Design policies because integrates the character and components of buildings, transportation systems, open space, interaction of humans between each other and the natural environment, heritage, and economics into the Milpitas community. Street resurfacing, and park and recreation facilities projects are a few examples that specifically contribute to achieving these goals.

Economic Development

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This element aims to build sustainable growth and development while ensuring community priorities are integrated for a livable City. The General Plan contains goals, policies and actions that will help sustain and diversify the City's economy by recognizing the importance of supporting local businesses while broadening and expanding the employment base and economic opportunities within the City. The CIP is consistent with Economic Development goals as it provides for adequate, convenient access to commercial, industrial and service areas, and encourage change and revitalization of Main St. Specific projects such as Milpitas Gateway - Main Street Specific Plan Update, and Main St. Utility Undergrounding and Streetlight project achieve the goals of this element.

Conservation and Sustainability

The element provides policies and actions for City facilities to preserve and improve natural resources, increase sustainability, and reduce energy consumption. Most assets within the City's facilities are preserved, improved, and constructed through the CIP including, but not limited to, buildings, trees and native vegetation, parks, streetlights and water system. The CIP is consistent with Conservation and Sustainability policies because it provides resiliency energy sources like solar to support statewide alternative energy use and preserve natural resource including trees and native vegetation, natural habitat, creeks and waterways, and cultural and historical resources for city-owned facilities, parks, and streetlights. Specific projects such as Annual Tree Replacement Program, Community and Senior Center Energy Resilience Project, Pilot Street Sweeping Program, and Storm Drain System Rehabilitation projects achieve the goals of this element.

Utilities and Community Service

This element provides policies and actions for the City's utility infrastructure to provide safe, reliable, and high-quality services for residents and businesses of the City. Most assets within the City's utility system are improved and constructed through the CIP include water, sanitary sewer and storm drain facilities. The CIP is consistent with Utility and Community Service as it provides for improvements and maintenance of City utility infrastructure to meet the needs of existing and projected growth. The CIP proposes approximately \$130,571,000 toward the improvements and maintenance of City's utility infrastructure systems, but \$4,430,000, pending approval of the sewer and water rate increase on March 21st, does not have identified funding. Specific improvements such as Forcemain "A" project, new water reservoir and pump station for Metro and Gateway-Main St. specific plan area, installation and improvements of City wells, and utility facilities maintenance, rehabilitation and replacement projects achieve the goals of this element.

Safety

This element seeks to maintain the safety of the community from natural and man-made disasters. Flooding and fire protection are mentioned as specific General Plan principles. The CIP provides for the safety of the community by ensuring Public Safety resources are well maintained to prevent interruption during disasters and needed to respond to emergencies. Seismic improvements to the aging water system help provide emergency water service during earthquakes. General storm drain improvements help to keep storm water flowing and prevent flooding during extended periods of heavy rains. Fire Station No. 1 Modular Building

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replacement will provide a space for training staff to fulfill their duties in the event of an emergency. Hence, the CIP is consistent with the Safety element of the General Plan.

Parks, Recreation, and Open Space

This element provides policies and actions for the citywide park and trail system which is a specific category of the CIP. Most assets within the City's park system are preserved, improved, and constructed through the CIP including, but not limited to, city parks and trails, historic and cultural resources, and any future facilities added to the park system. The CIP is consistent with Park, Recreation, and Open Space policies as it provides for preservation of open space, and improvements to public parks and recreational facilities. The CIP proposes approximately \$20,925,000 toward park improvements over the five-year CIP to maintain and strengthen the City as a park-like setting, but \$15,720,000 does not have identified funding. Specific improvements such as ARPA park rehabilitation, Alviso Adobe Renovation, Cardoza Park Softball Field Improvement, Citywide park and sport courts and field rehabilitation, McCandless Park, Metro Tango Subdistrict Park, and Sport Center Football Bleachers replacement projects achieve the goals of this element.

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Section 4: The Planning Commission of the City of Milpitas hereby adopts Resolution No. 23-007 finding that the proposed 2024-2028 Capital Improvement Program is in conformance with the General Plan based on the above Findings.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Milpitas on March 22, 2023.

DocuSigned by:

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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 22, 2023, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Bill Chuan	✓			
Larry Ciardella	✓			
Mercedes Albana	✓			
Sonia Medina-Ashby	✓			
Alexander Galang	✓			
Dipak Awasthi	✓			
Zeya Mohsin	✓			

Capital Improvement Program Grand Summary

Project Expenses	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Community Improvement	7,395,000	6,093,000	3,228,000	3,218,000	2,528,000	22,462,000
Park Improvement	1,655,000	8,955,000	3,155,000	6,205,000	955,000	20,925,000
Street Improvement	7,934,100	14,404,100	32,294,100	7,244,100	8,844,100	70,720,500
Water Improvement	3,571,000	2,230,000	11,985,000	23,257,000	20,370,000	61,413,000
Sewer Improvement	10,068,000	13,393,000	31,524,000	4,880,000	5,905,000	65,770,000
Storm Drain Improvement	1,958,000	0	0	1,430,000	0	3,388,000
Total	\$32,581,100	\$45,075,100	\$82,186,100	\$46,234,100	\$38,602,100	\$244,678,500

Funding Sources	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	2,615,000	1,800,000	1,800,000	1,800,000	1,800,000	9,815,000
General Fund	2,400,000	0	0	0	0	2,400,000
General Government CIP Fund	4,459,000	2,400,000	50,000	0	0	6,909,000
Information Technology Replacement	0	300,000	0	0	0	300,000
LLMD	89,100	89,100	89,100	89,100	89,100	445,500
Measure B	1,700,000	1,700,000	1,700,000	1,700,000	1,700,000	8,500,000
Park Fund	1,555,000	0	0	0	0	1,555,000
Public Art Fund	50,000	50,000	50,000	50,000	50,000	250,000
SB1 RMRA	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000	7,500,000
Sewer Fund	50,000	25,000	250,000	0	0	325,000
Sewer Infrastructure Fund	9,770,000	13,393,000	11,524,000	4,880,000	5,905,000	45,472,000
Sewer Treatment Fund	500,000	0	0	0	0	500,000
Storm Drain General Fund	558,000	0	0	0	0	558,000
Storm Drain Fund	1,400,000	0	0	0	0	1,400,000
Street Improvement Fund	210,000	0	0	0	0	210,000
TASP Impact Fees	152,000	6,308,000	7,108,000	20,248,000	10,238,000	44,054,000
Vehicle Registration Fee	500,000	500,000	500,000	500,000	500,000	2,500,000
Water Capital Surcharge	3,773,000	2,140,000	8,095,000	4,767,000	7,050,000	25,825,000
Water Fund	50,000	25,000	250,000	0	0	325,000
Water Line Extension Fund	0	90,000	3,890,000	2,490,000	90,000	6,560,000
Sub Total	\$31,331,100	\$30,320,100	\$36,806,100	\$38,024,100	\$28,922,100	\$165,403,500

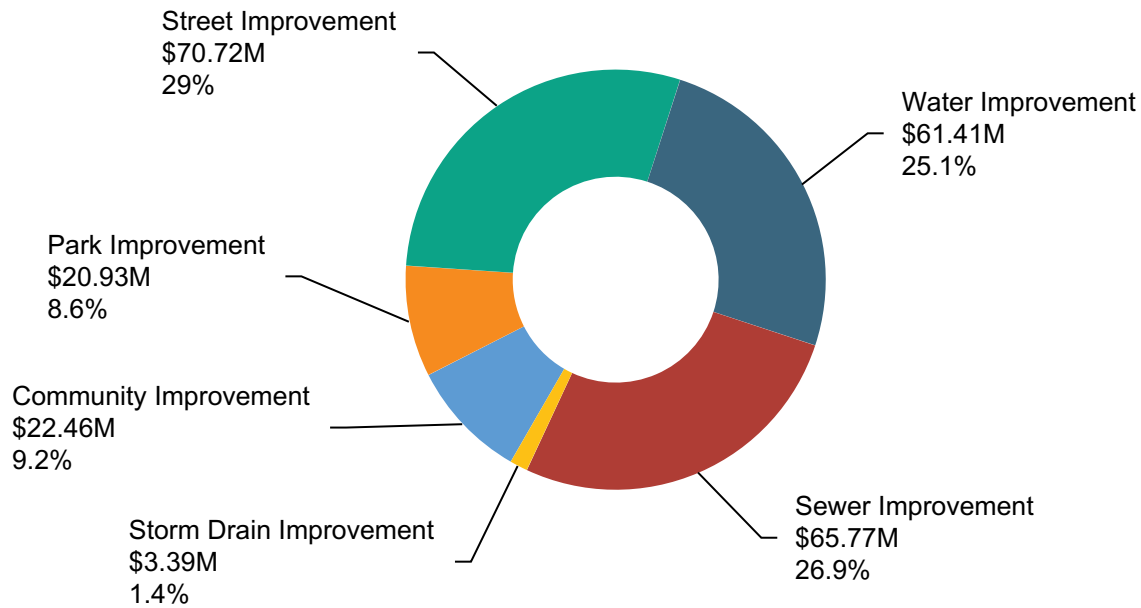
External Financing	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./Developer Fees	1,250,000	0	0	0	0	1,250,000
Wastewater Revenue Bonds	0	0	20,000,000	0	0	20,000,000
Sub Total	\$1,250,000	\$0	\$20,000,000	\$0	\$0	\$21,250,000

	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
No Funding Source	0	14,755,000	25,380,000	8,210,000	9,680,000	58,025,000

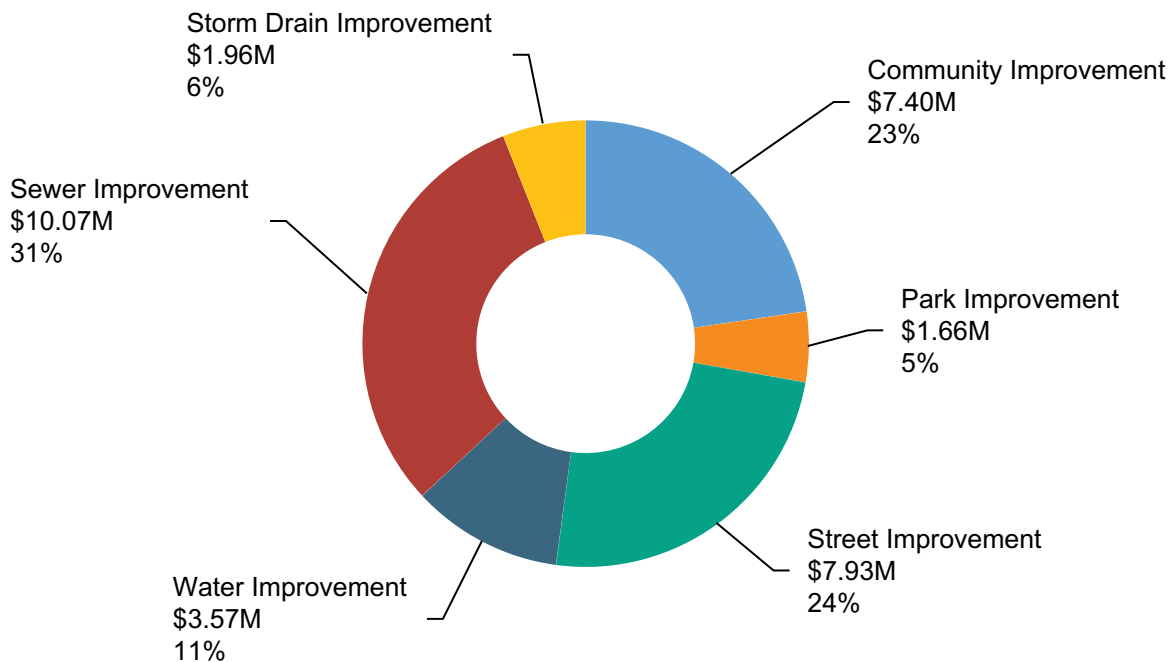
Total	\$32,581,100	\$45,075,100	\$82,186,100	\$46,234,100	\$38,602,100	\$244,678,500
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Capital Improvement Program Grand Summary

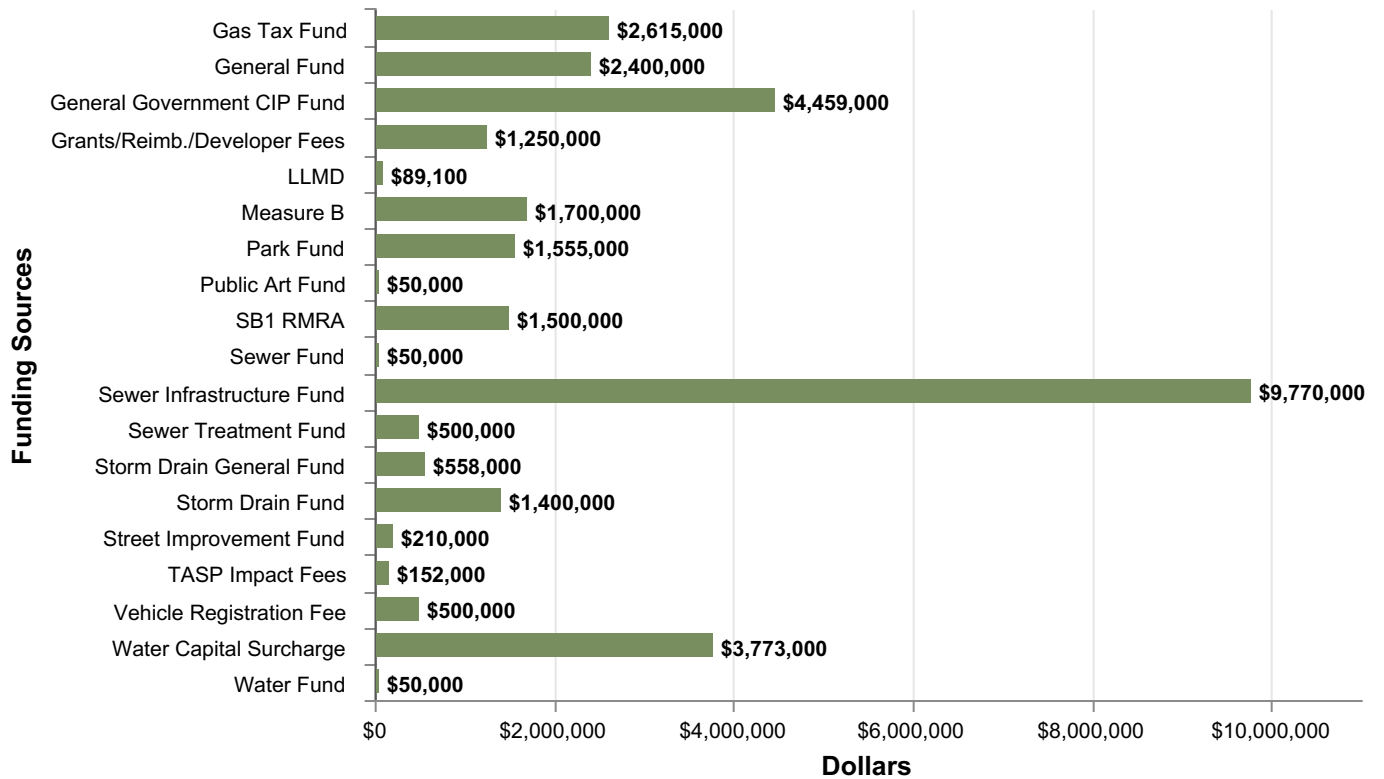
Five-Year Expenditure by Category for 2024-28



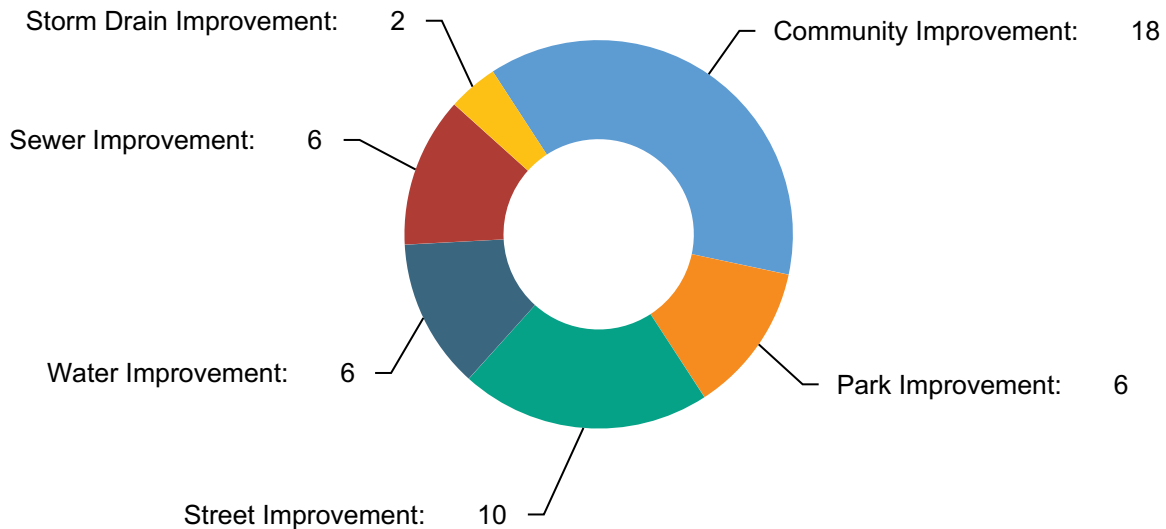
Expenditures by Category for FY 2023-24



Funding Sources for FY 2023-24



Number of Projects Funded by Category for FY 2023-24



New Projects Approved 2024-28

Community Improvements

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
148	New	Council Chamber AV System Replacement	800,000	0	0	0	0	800,000
150	New	Financial System Enterprise Resource Planning	1,850,000	900,000	550,000	0	0	3,300,000
152	New	Median Conversion Project	300,000	300,000	300,000	300,000	300,000	1,500,000
154	New	Watershed Analysis	180,000	0	0	0	0	180,000
156	New	City Attorney Office	450,000	0	0	0	0	450,000
158	New	Gateway Signage	250,000	0	150,000	0	0	400,000
Total			\$3,830,000	\$1,200,000	\$1,000,000	\$300,000	\$300,000	\$6,630,000

Park Improvements

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
198	New	Sport Center Football Bleacher Replacement	200,000	1,000,000	0	0	0	1,200,000
Total			\$200,000	\$1,000,000	\$0	\$0	\$0	\$1,200,000

Street Improvements

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
288	New	Street Resurfacing Project 2027-28	0	0	0	0	4,000,000	4,000,000
290	New	Bicycle Improvement Project	1,000,000	0	0	0	0	1,000,000
Total			\$1,000,000	\$0	\$0	\$0	\$4,000,000	\$5,000,000

Water Improvements

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
340	New	Cross Connection Control Program	750,000	0	0	0	0	750,000
342	New	Asset Renewal and Replacement Program	0	0	1,685,000	1,685,000	1,685,000	5,055,000
344	New	Water Meter Test Program	0	0	100,000	0	0	100,000
346	New	Risk and Resiliency Improvements	0	0	135,000	0	2,000,000	2,135,000
348	New	Pipeline & Facility Condition Assessment	0	0	2,740,000	0	0	2,740,000
350	New	Fire Flow Pipeline Improvements	0	0	2,755,000	1,340,000	1,470,000	5,565,000
352	New	Fire Flow Interconnection Improvements	0	0	0	972,000	0	972,000
Total			\$750,000	\$0	\$7,415,000	\$3,997,000	\$5,155,000	\$17,317,000

Sewer Improvements

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
380	New	Sanitary Sewer CCTV Inspections & Improvements	533,000	433,000	433,000	333,000	333,000	2,065,000
382	New	Sanitary Sewer Pipeline Improvements	0	0	996,000	1,417,000	2,912,000	5,325,000
384	New	Forcemain "A" Project	2,000,000	940,000	23,200,000	0	0	26,140,000
Total			\$2,533,000	\$1,373,000	\$24,629,000	\$1,750,000	\$3,245,000	\$33,530,000

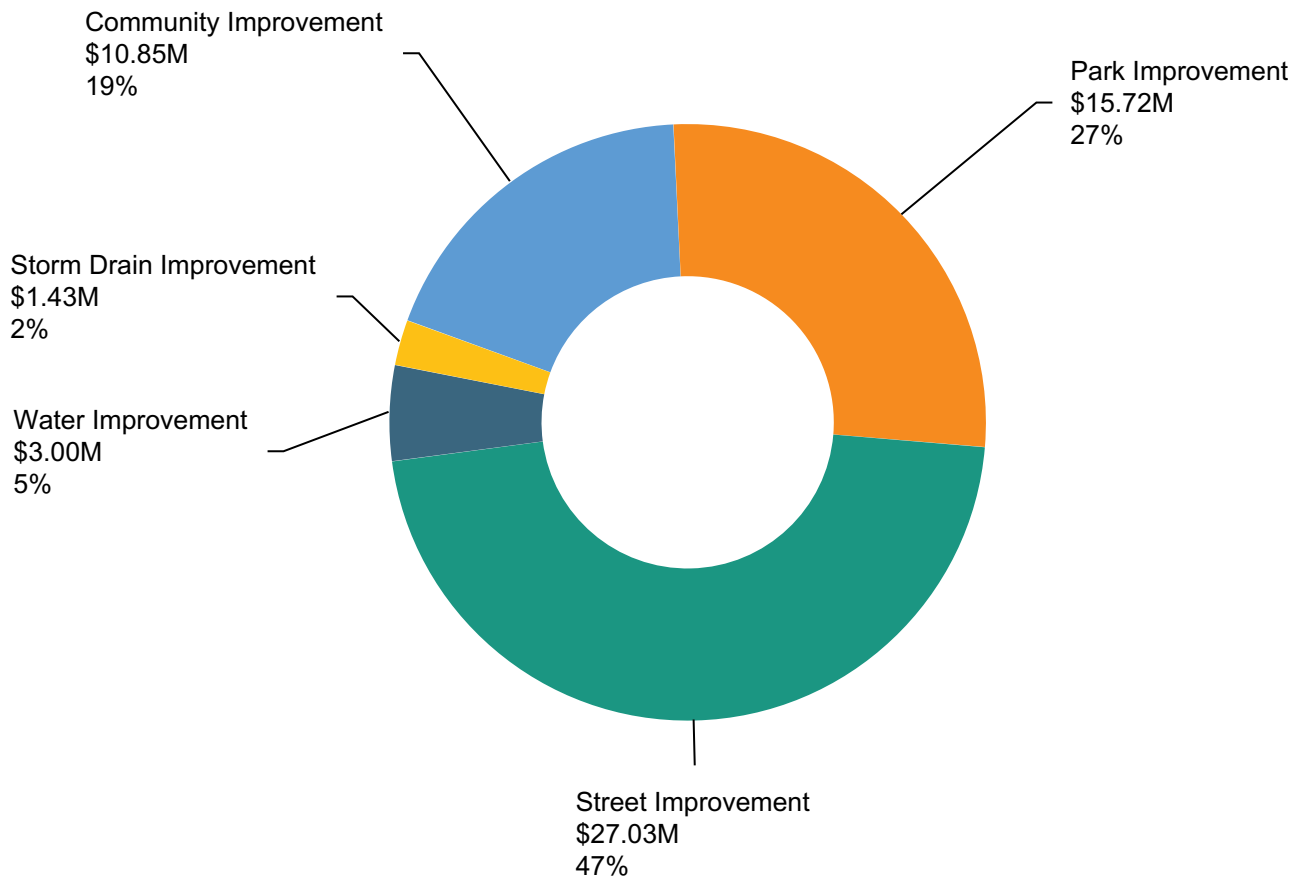
New Projects added to the Capital Improvement Program as approved by the City Council without an identified funding source are listed under the Planned Projects Without Funding tab.



Project Categories with Insufficient or No Funding

Summary Overview

Project Categories	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Community Improvement	0	3,285,000	2,620,000	2,470,000	2,470,000	10,845,000
Park Improvement	0	8,955,000	3,155,000	2,655,000	955,000	15,720,000
Street Improvement	0	2,515,000	19,605,000	1,655,000	3,255,000	27,030,000
Water Improvement	0	0	0	0	3,000,000	3,000,000
Sewer Improvement	0	0	0	0	0	0
Storm Drain Improvement	0	0	0	1,430,000	0	1,430,000
Total	\$0	\$14,755,000	\$25,380,000	\$8,210,000	\$9,680,000	\$58,025,000



Projects with Insufficient or No Funding

Community Improvement Projects

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Estimated Cost
72	3403	Fire Station Improvements	0	250,000	150,000	150,000	150,000	700,000
74	3406	City Building Improvements	0	500,000	500,000	500,000	500,000	2,000,000
84	3422	City Buildings Roofing Repairs	0	0	150,000	150,000	150,000	450,000
88	3427	Technology Projects	0	65,000	0	0	0	65,000
98	3438	Annual Tree Replacement Program	0	0	100,000	100,000	100,000	300,000
114	3462	On-Call Facilities Maintenance & Repair Services	0	400,000	300,000	300,000	300,000	1,300,000
132	3490	Capital Improvement Program Administration	0	720,000	720,000	720,000	720,000	2,880,000
138	3496	GIS Development and Data Collection	0	150,000	150,000	150,000	150,000	600,000
142	3499	HVAC System Repairs and Upgrades	0	900,000	0	0	0	900,000
146	3716	City Parking Lot Rehabilitation Program	0	0	100,000	100,000	100,000	300,000
152	New	Median Conversion Project	0	300,000	300,000	300,000	300,000	1,200,000
158	New	Gateway Signage	0	0	150,000	0	0	150,000
Total Community Improvement Needs			\$0	\$3,285,000	\$2,620,000	\$2,470,000	\$2,470,000	\$10,845,000

Park Improvement Projects

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Estimated Cost
176	3424	Citywide Park Rehabilitation	0	600,000	600,000	600,000	600,000	2,400,000
178	3463	On-Call Parks and Landscaping Services	0	200,000	200,000	200,000	200,000	800,000
180	3491	Cardoza Park Softball Fields Improvement	0	7,000,000	0	0	0	7,000,000
190	5108	Sports Fields Turf Rehabilitation Program	0	0	0	1,700,000	0	1,700,000
192	5110	Sandalwood Park Renovation	0	0	2,200,000	0	0	2,200,000
194	5113	Minor Sports Courts Rehabilitation Program	0	155,000	155,000	155,000	155,000	620,000
198	New	Sport Center Football Bleacher Replacement	0	1,000,000	0	0	0	1,000,000
Total Park Improvement Needs			\$0	\$8,955,000	\$3,155,000	\$2,655,000	\$955,000	\$15,720,000

Projects with Insufficient or No Funding

Street Improvement Projects

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Estimated Cost
220	2018	Montague Ped. Overcrossing at Penitencia	0	0	14,400,000	0	0	14,400,000
230	3425	Main St. Utility Undergrounding	0	600,000	1,500,000	0	0	2,100,000
232	3426	Annual Sidewalk, Curb & Gutter Repair	0	290,000	290,000	290,000	290,000	1,160,000
234	3430	Main St. Street Light Project	0	0	2,400,000	350,000	2,050,000	4,800,000
236	3440	Annual Street Light, Signal, and Signage	0	435,000	205,000	205,000	205,000	1,050,000
240	3449	Street Landscape Irrigation Repair	0	320,000	320,000	320,000	320,000	1,280,000
254	4267	Soundwall and Barrier Repair and Renovation Program	0	210,000	210,000	210,000	210,000	840,000
260	4288	Traffic Studies & Minor Improvements	0	100,000	0	100,000	0	200,000
262	4290	Annual Bridge Rehabilitation	0	460,000	180,000	180,000	180,000	1,000,000
268	4295	Street Pavement Restriping Program	0	100,000	100,000	0	0	200,000
Total Street Improvement Needs			\$0	\$2,515,000	\$19,605,000	\$1,655,000	\$3,255,000	\$27,030,000

Water Improvement Projects

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Estimated Cost
300	2002	2nd SCVWD Water Reservoir & Pump Station	0	0	0	0	2,000,000	2,000,000
302	2009	SCVWD Second Water Supply Turnout	0	0	0	0	1,000,000	1,000,000
Total Water Improvements Needs			\$0	\$0	\$0	\$0	\$3,000,000	\$3,000,000

Storm Drain Improvement Projects

Pg.	No.	Project Name	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Estimated Cost
396	3709	Dempsey Road Storm Drain Replacement	0	0	0	1,430,000	0	1,430,000
Total Storm Drain Improvement Needs			\$0	\$0	\$0	\$1,430,000	\$0	\$1,430,000



Projects Proposed to be Funded as of July 1, 2023

Community Improvement Projects

Refer to project details on pages 48-64.

Pg.	No.	Project Name	Adopted FY 2023-24 Amount
68	2010	Land/Right-of-Way Value Determination	8,000
72	3403	Fire Station Improvements	500,000
74	3406	City Building Improvements	730,000
84	3422	City Buildings Roofing Repairs	350,000
88	3427	Technology Projects	115,000
114	3462	On-Call Facilities Maintenance & Repair Services	400,000
118	3465	Fire Station No. 1 Modular Building	200,000
120	3467	Human Resources Information System	100,000
130	3489	Public Art Program	50,000
132	3490	Capital Improvement Program Administration	720,000
138	3496	GIS Development and Data Collection	142,000
140	3497	Public Safety Mobile Computer Terminals	250,000
148	New	Council Chamber AV System Replacement	800,000
150	New	Financial System Enterprise Resource Planning	1,850,000
152	New	Median Conversion Project	300,000
154	New	Watershed Analysis	180,000
156	New	City Attorney Office	450,000
158	New	Gateway Signage	250,000
Total			\$7,395,000
Funding Source			
General Fund			2,400,000
General Government CIP Fund			4,039,000
Grants/Reimb./Developer Fees			250,000
Public Art Fund			50,000
Sewer Infrastructure Fund			202,000
Sewer Fund			50,000
TASP Impact Fees			152,000
Water Fund			50,000
Water Capital Surcharge			202,000
Total			\$7,395,000

Projects Proposed to be Funded as of July 1, 2023

Park Improvement Projects

Refer to project details on pages 162-167.

Pg.	No.	Project Name	Adopted FY 2023-24 Amount
176	3424	Citywide Park Rehabilitation	600,000
178	3463	On-Call Parks and Landscaping Services	200,000
186	5055	Alviso Adobe Renovation	200,000
190	5108	Sports Fields Turf Rehabilitation Program	300,000
194	5113	Minor Sports Courts Rehabilitation Program	155,000
198	New	Sport Center Football Bleacher Replacement	200,000
Total			\$1,655,000
Funding Source			
General Government CIP Fund			100,000
Park Fund			1,555,000
Total			\$1,655,000

Street Improvement Projects

Refer to project details on pages 202-212.

Pg.	No.	Project Name	Adopted FY 2023-24 Amount
226	3402	McCarthy Blvd. LLMD Improvement 95-1	66,500
228	3411	Sinclair LLMD Improvements 98-1	22,600
232	3426	Annual Sidewalk, Curb & Gutter Repair	890,000
236	3440	Annual Street Light, Signal, and Signage	825,000
240	3449	Street Landscape Irrigation Repair	320,000
254	4267	Soundwall and Barrier Repair and Renovation Program	210,000
258	4283	ADA Curb Ramp Transition Program	400,000
268	4295	Street Pavement Restriping Program	200,000
280	4305	Street Resurfacing Project 2023-24	4,000,000
290	New	Bicycle Improvement Project	1,000,000
Total			\$7,934,100
Funding Source			
Gas Tax Fund			2,615,000
General Government CIP Fund			320,000
Grants/Reimb./Developer Fees			1,000,000
LLMD			89,100
Measure B			1,700,000
SB1 RMRA			1,500,000
Street Improvement Fund			210,000
Vehicle Registration Fee			500,000
Total			\$7,934,100

Projects Proposed to be Funded as of July 1, 2023

Water Improvement Projects

Refer to project details on pages 294-299.

Pg.	No.	Project Name	Adopted FY 2023-24 Amount
312	7110	Hydrant Replacement Program	90,000
314	7112	Reservoir Cleaning Program	50,000
324	7126	Water Conservation Program	225,000
328	7133	Minor Water Projects	2,106,000
334	7137	On-Call Water Maintenance & Repair Services	350,000
340	New	Cross Connection Control Program	750,000
Total			\$3,571,000
Funding Source			
Water Capital Surcharge			3,571,000
Total			\$3,571,000

Sewer Improvement Projects

Refer to project details on pages 356-361.

Pg.	No.	Project Name	Adopted FY 2023-24 Amount
362	6118	SJ/SC Regional Waste Water Facility	6,810,000
366	6124	Sewer Pump Station Rehabilitation Program	575,000
368	6126	Minor Sewer Projects	50,000
378	6134	On-Call Sewer Maintenance & Repair Services	100,000
380	New	Sanitary Sewer CCTV Inspections & Improvements	533,000
384	New	Forcemain "A" Project	2,000,000
Total			\$10,068,000
Funding Source			
Sewer Infrastructure Fund			9,568,000
Sewer Treatment Fund			500,000
Total			\$10,068,000

Storm Drain Improvement Projects

Refer to project details on pages 388-393.

Pg.	No.	Project Name	Adopted FY 2023-24 Amount
400	3714	Flap Gate Replacement	\$400,000
402	3715	Storm Drain System Rehabilitation	1,558,000
Total			\$1,958,000
Funding Source			
Storm Drain General Fund			\$558,000
Storm Drain Fund			1,400,000
Total			\$1,958,000

Projects Funded in Prior Years

Community Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2023	Approved Funding as of 3/31/2023
66	2006	Milpitas Metro Specific Plan Update (TASP)	55,000	1,526,250
68	2010	Land/Right-of-Way Value Determination	2,500	29,000
70	2011	Metro Area Police Substation	208,000	310,000
72	3403	Fire Station Improvements	594,000	1,750,000
74	3406	City Building Improvements	460,000	4,115,000
76	3414	City Buildings Exterior Painting & Repairs	360,000	600,000
78	3415	PD Communications	231,000	3,155,000
80	3418	City Std. Details, Guidelines, & Specifications	395,000	400,000
82	3421	Replacement Fire Station Alert System	0	345,000
84	3422	City Buildings Roofing Repairs	648,000	900,000
86	3423	Police Records Management System	280,000	1,099,721
88	3427	Technology Projects	268,000	1,800,000
90	3434	Permitting Technology Improvement	285,000	550,000
92	3435	Finance System Upgrade	92,000	1,250,000
94	3436	ADA Compliance Review	25,000	331,158
96	3437	Milpitas Gateway - Main Street Specific Plan Update	35,000	1,100,000
98	3438	Annual Tree Replacement Program	215,000	544,000
100	3445	Public Safety/DPW Disaster Plan Update	207,000	250,000
102	3447	Fire Station No. 2 Replacement	947,000	14,320,000
104	3452	(Rmb) SCVWD Creek Projects	17,000	1,750,000
106	3453	Climate Action Plan Update	150,000	350,000
108	3459	ALPRs and Security Cameras Program	318,000	515,000
110	3460	Comprehensive Zoning Ordinance Update	120,000	1,000,000
112	3461	Fire Stations Security	56,000	200,000
114	3462	On-Call Facilities Maintenance & Repair Services	214,000	1,095,000
116	3464	Mobile Emergency Operations Center	0	1,240,000
118	3465	Fire Station No. 1 Modular Building	799,000	800,000
120	3467	Human Resources Information System	1,100,000	1,100,000
122	3469	Metro Impact Fee Study	150,000	150,000
124	3486	Facilities Water Fixtures Retrofit Project	0	670,000
126	3487	Citywide LED Lighting Upgrade Project	0	6,872,425
128	3488	Community and Senior Center Energy Resilience Project	324,000	5,107,597
130	3489	Public Art Program	489,000	566,000
132	3490	Capital Improvement Program Administration	479,000	1,105,000
134	3493	Milpitas SMART	0	1,355,916
136	3495	Safe Facilities Improvements	51,000	575,000
138	3496	GIS Development and Data Collection	287,000	350,000
140	3497	Public Safety Mobile Computer Terminals	360,000	360,000
142	3499	HVAC System Repairs and Upgrades	620,000	620,000
144	3503	Historic Resource Master Plan Update	200,000	200,000
146	3716	City Parking Lot Rehabilitation Program	200,000	490,000
Total			\$11,241,500	\$60,847,067

Projects Funded in Prior Years

Park Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2023	Approved Funding as of 3/31/2023
168	2005	Lower Penitencia Creek Pedestrian Bridge	1,389,000	1,825,000
170	2012	(Rmb) Metro Linear Trails	2,758,000	3,270,000
172	2013	(Rmb) Trade Zone/Montague Park - North	1,977,000	3,100,000
174	2023	Metro Tango Subdistrict Park	576,000	600,000
176	3424	Citywide Park Rehabilitation	270,000	2,053,497
178	3463	On-Call Parks and Landscaping Services	141,000	520,000
180	3491	Cardoza Park Softball Fields Improvement	796,000	800,000
182	3500	ARPA Park Rehabilitation – DPW	468,000	1,340,543
184	3501	ARPA Park Rehabilitation – Engineering	2,867,000	3,270,815
186	5055	Alviso Adobe Renovation	40,000	8,159,272
188	5102	McCandless Park	910,000	12,154,820
190	5108	Sports Fields Turf Rehabilitation Program	333,000	476,000
192	5110	Sandalwood Park Renovation	235,000	475,000
194	5113	Minor Sports Courts Rehabilitation Program	380,000	915,000
196	5114	MSC Master Plan Update	25,000	150,000
Total			\$13,165,000	\$39,109,947

Projects Funded in Prior Years

Street Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2023	Approved Funding as of 3/31/2023
214	2001	Light Rail Median Landscaping	2,049,000	5,996,000
216	2008	Montague Pedestrian Overcrossing at Piper Dr.	904,000	8,750,000
218	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	5,497,000	6,400,000
220	2018	Montague Ped. Overcrossing at Penitencia	1,277,000	3,500,000
222	2021	Costa Street Plan Line Study	84,000	125,000
224	2022	Feasibility of POCs at VTA Light Rail Platforms	15,000	200,000
226	3402	McCarthy Blvd. LLMD Improvement 95-1	368,000	1,032,256
228	3411	Sinclair LLMD Improvements 98-1	92,000	229,875
230	3425	Main St. Utility Undergrounding	28,000	180,613
232	3426	Annual Sidewalk, Curb & Gutter Repair	19,000	2,396,840
234	3430	Main St. Street Light Project	35,000	300,000
236	3440	Annual Street Light, Signal, and Signage	192,000	1,669,432
238	3448	Trail, Bicycle, Pedestrian Master Plan Update	40,000	293,541
240	3449	Street Landscape Irrigation Repair	340,000	486,000
242	3454	Enhanced Crosswalk Striping and Beacons	225,000	603,000
244	3455	Pilot Street Sweeping Program	587,000	700,000
246	3458	Radar Speed Feedback Signage	194,000	400,000
248	4179	Montague Expwy Widening at Great Mall Pkwy	597,000	8,619,537
250	4258	Calaveras Blvd. Widening Project	41,000	5,106,960
252	4265	Bart Extension Coordination and Planning	105,000	2,480,956
254	4267	Soundwall and Barrier Repair and Renovation Program	298,000	1,178,465.75
256	4274	I-880 Interchange Right-of-Way Closeout	640,000	727,181
258	4283	ADA Curb Ramp Transition Program	170,000	2,270,801
260	4288	Traffic Studies & Minor Improvements	143,000	200,000
262	4290	Annual Bridge Rehabilitation	91,000	250,000
264	4293	Citywide Traffic Safety Assessment	3,000	400,000
266	4294	SR237 HOV Lane Improvements	0	300,000
268	4295	Street Pavement Restriping Program	126,000	400,000
270	4297	Citywide Traffic Modeling	0	400,000
272	4298	Street Resurfacing Project 2020-21	109,000	4,600,000
274	4303	Street Resurfacing Project 2021-22	14,280,000	4,300,000
276	4304	Street Resurfacing Project 2022-23	3,580,000	4,000,000
278	4306	Bike and Pedestrian Outreach	64,000	129,000
Total			\$32,193,000	\$68,625,458

Projects Funded in Prior Years

Water Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2023	Approved Funding as of 3/31/2023
300	2002	2nd SCVWD Water Reservoir & Pump Station	199,000	200,000
302	2009	SCVWD Second Water Supply Turnout	99,000	100,000
304	2019	(Rmb) Metro Recycled Water Distribution	500,000	500,391
306	2020	SCVWD Zone 1 Pressure Red. Valve	100,000	100,000
308	7076	Well Upgrade Project	6,797,000	14,490,000
310	7100	Aging Water System/Seismic Improvements	3,914,000	4,887,951
312	7110	Hydrant Replacement Program	2,000	566,360
314	7112	Reservoir Cleaning Program	60,000	190,000
316	7117	Abel Street Pipeline Extension	895,000	940,000
318	7118	Dempsey Road Water Line Replacement	6,600,000	7,857,772
320	7121	Automated Meter Replacement Program	729,000	14,047,700
322	7125	BART Project - Water Improvements	683,000	2,503,920
324	7126	Water Conservation Program	177,000	1,560,000
326	7127	Water Supervisory Control & Data Acquisition	0	6,516,600
328	7133	Minor Water Projects	581,000	1,340,000
330	7135	Water Leak Detection & Condition Assessment Program	436,000	631,474
332	7136	Water Master Plan Update	0	650,000
334	7137	On-Call Water Maintenance & Repair Services	172,000	875,000
Total			\$21,944,000	\$57,957,168

Projects Funded in Prior Years

Sewer Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2023	Approved Funding as of 3/31/2023
362	6118	SJ/SC Regional Waste Water Facility	1,863,000	87,012,245
364	6121	BART Project - Sewer Improvements	13,000	243,323
366	6124	Sewer Pump Station Rehabilitation Program	137,000	552,000
368	6126	Minor Sewer Projects	123,000	213,000
370	6127	Sanitary Supervisory Control & Data Acquisition	0	316,600
372	6130	Main Lift Station Odor Emissions Control	613,000	2,450,000
374	6131	Sanitary Sewer Cathodic Protection Imprv.	2,049,000	2,625,000
376	6132	Sewer Master Plan Update	0	750,000
378	6134	On-Call Sewer Maintenance & Repair Services	0	165,000
Total			\$4,798,000	\$94,327,168

Storm Drain Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2023	Approved Funding as of 3/31/2023
394	3700	Wrigley-Ford Creek Rehabilitation	192,000	1,190,000
396	3709	Dempsey Road Storm Drain Replacement	1,429,000	1,660,000
398	3711	BART Project - Storm Improvements	33,000	33,000
400	3714	Flap Gate Replacement	71,000	100,000
402	3715	Storm Drain System Rehabilitation	99,000	1,058,410
404	3718	Storm Supervisory Control & Data Acquisition	0	2,416,590
406	3719	On-Call Storm Maintenance & Repair Services	34,000	145,000
Total			\$1,858,000	\$6,603,000

Projects to be Closed as of June 30, 2023

Project		Reason to Close
Community Improvement Projects		Reason to Close
2006	Milpitas Metro Specific Plan Update (TASP)	Completed
3421	Replacement Fire Station Alert System	Completed
3486	Facilities Water Fixtures Retrofit Project	Completed
3487	Citywide LED Lighting Upgrade Project	Completed
3495	Safe Facilities Improvements	Completed
Park Improvements Projects		Reason to Close
5114	MSC Master Plan Update	Completed
Street Projects		Reason to Close
2022	Feasibility of POCs at VTA Light Rail Platforms	Completed
3448	Trail, Bicycle, Pedestrian Master Plan Update	Completed
4179	Montague Expwy Widening at Great Mall Pkwy	Completed
4298	Street Resurfacing Project 2020-21	Completed
Water Projects		Reason to Close
7117	Abel Street Pipeline Extension	Reallocated
Plan	Los Coches Backbone	Closure
Sewer Projects		
6131	Sanitary Sewer Cathodic Protection Imprv.	Reallocated
6132	Sewer Master Plan Update	Completed
Storm Drain Projects Projects		
3700	Wrigley-Ford Creek Rehabilitation	Completed



COMMUNITY IMPROVEMENT PROJECTS

2024-28 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total Cost
66	2006	Milpitas Metro Specific Plan Update (TASP)	1,526,250	0	0	0	0	0	1,526,250
68	2010	Land/Right-of-Way Value Determination	29,000	8,000	8,000	8,000	8,000	8,000	69,000
70	2011	Metro Area Police Substation	310,000	0	0	0	690,000	0	1,000,000
72	3403	Fire Station Improvements	1,750,000	500,000	250,000	150,000	150,000	150,000	2,950,000
74	3406	City Building Improvements	4,115,000	730,000	500,000	500,000	500,000	500,000	6,845,000
76	3414	City Buildings Exterior Painting & Repairs	600,000	0	0	0	0	0	600,000
78	3415	PD Communications	3,155,000	0	0	0	0	0	3,155,000
80	3418	City Std. Details, Guidelines, & Specifications	400,000	0	0	0	0	0	400,000
82	3421	Replacement Fire Station Alert System	345,000	0	0	0	0	0	345,000
84	3422	City Buildings Roofing Repairs	900,000	350,000	1,500,000	150,000	150,000	150,000	3,200,000
86	3423	Police Records Management System	1,099,721	0	0	0	0	0	1,099,721
88	3427	Technology Projects	1,800,000	115,000	65,000	0	0	0	1,980,000
90	3434	Permitting Technology Improvement	550,000	0	0	0	0	0	550,000
92	3435	Finance System Upgrade	1,250,000	0	0	0	0	0	1,250,000
94	3436	ADA Compliance Review	331,158	0	0	0	0	0	331,158
96	3437	Milpitas Gateway - Main Street Specific Plan Update	1,100,000	0	0	0	0	0	1,100,000
98	3438	Annual Tree Replacement Program	544,000	0	0	100,000	100,000	100,000	844,000
100	3445	Public Safety/DPW Disaster Plan Update	250,000	0	0	0	0	0	250,000
102	3447	Fire Station No. 2 Replacement	14,320,000	0	0	0	0	0	14,320,000
104	3452	(Rmb) SCVWD Creek Projects	1,750,000	0	0	0	0	0	1,750,000
106	3453	Climate Action Plan Update	350,000	0	0	0	0	0	350,000
108	3459	ALPRs and Security Cameras Program	515,000	0	0	0	0	0	515,000
110	3460	Comprehensive Zoning Ordinance Update	1,000,000	0	0	0	0	0	1,000,000
112	3461	Fire Stations Security	200,000	0	0	0	0	0	200,000
114	3462	On-Call Facilities Maintenance & Repair Services	1,095,000	400,000	400,000	300,000	300,000	300,000	2,795,000
116	3464	Mobile Emergency Operations Center	1,240,000	0	0	0	0	0	1,240,000
118	3465	Fire Station No. 1 Modular Building	800,000	200,000	0	0	0	0	1,000,000
120	3467	Human Resources Information System	1,100,000	100,000	350,000	0	0	0	1,550,000
122	3469	Metro Impact Fee Study	150,000	0	0	0	0	0	150,000
124	3486	Facilities Water Fixtures Retrofit Project	670,000	0	0	0	0	0	670,000
126	3487	Citywide LED Lighting Upgrade Project	6,872,425	0	0	0	0	0	6,872,425

2024-28 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total Cost
128	3488	Community and Senior Center Energy Resilience Project	5,107,597	0	0	0	0	0	5,107,597
130	3489	Public Art Program	566,000	50,000	50,000	50,000	50,000	50,000	816,000
132	3490	Capital Improvement Program Administration	1,105,000	720,000	720,000	720,000	720,000	720,000	4,705,000
134	3493	Milpitas SMART	1,355,916	0	0	0	0	0	1,355,916
136	3495	Safe Facilities Improvements	575,000	0	0	0	0	0	575,000
138	3496	GIS Development and Data Collection	350,000	142,000	150,000	150,000	150,000	150,000	1,092,000
140	3497	Public Safety Mobile Computer Terminals	360,000	250,000	0	0	0	0	610,000
142	3499	HVAC System Repairs and Upgrades	620,000	0	900,000	0	0	0	1,520,000
144	3503	Historic Resource Master Plan Update	200,000	0	0	0	0	0	200,000
146	3716	City Parking Lot Rehabilitation Program	490,000	0	0	100,000	100,000	100,000	790,000
148	New	Council Chamber AV System Replacement	0	800,000	0	0	0	0	800,000
150	New	Financial System Enterprise Resource Planning	0	1,850,000	900,000	550,000	0	0	3,300,000
152	New	Median Conversion Project	0	300,000	300,000	300,000	300,000	300,000	1,500,000
154	New	Watershed Analysis	0	180,000	0	0	0	0	180,000
156	New	City Attorney Office	0	450,000	0	0	0	0	450,000
158	New	Gateway Signage	0	250,000	0	150,000	0	0	400,000
Total Cost			\$60,847,067	\$7,395,000	\$6,093,000	\$3,228,000	\$3,218,000	\$2,528,000	\$83,309,067

Funding Summary

General Fund	2,400,000	0	0	0	0
General Government CIP Fund	4,039,000	2,400,000	50,000	0	0
Grants/Reimb./Developer Fees	250,000	0	0	0	0
Information Technology Replacement	0	300,000	0	0	0
Public Art Fund	50,000	50,000	50,000	50,000	50,000
Sewer Infrastructure Fund	202,000	0	0	0	0
Sewer Fund	50,000	25,000	250,000	0	0
TASP Impact Fees	152,000	8,000	8,000	698,000	8,000
Water Fund	50,000	25,000	250,000	0	0
Water Capital Surcharge	202,000	0	0	0	0
Total Financing Available	7,395,000	2,808,000	608,000	748,000	58,000
No Funding Source	0	3,285,000	2,620,000	2,470,000	2,470,000
Total	\$7,395,000	\$6,093,000	\$3,228,000	\$3,218,000	\$2,528,000

Summary of Project Funding Sources FY 2023-24

Pg.	No.	Project Name	General Fund	General Government CIP Fund	Grants/Reimb./ Developer Fees
66	2006	Milpitas Metro Specific Plan Update (TASP)	0	0	0
68	2010	Land/Right-of-Way Value Determination	0	0	0
70	2011	Metro Area Police Substation	0	0	0
72	3403	Fire Station Improvements	0	500,000	0
74	3406	City Building Improvements	0	730,000	0
76	3414	City Buildings Exterior Painting & Repairs	0	0	0
78	3415	PD Communications	0	0	0
80	3418	City Std. Details, Guidelines, & Specifications	0	0	0
82	3421	Replacement Fire Station Alert System	0	0	0
84	3422	City Buildings Roofing Repairs	0	350,000	0
86	3423	Police Records Management System	0	0	0
88	3427	Technology Projects	0	115,000	0
90	3434	Permitting Technology Improvement	0	0	0
92	3435	Finance System Upgrade	0	0	0
94	3436	ADA Compliance Review	0	0	0
96	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0	0
98	3438	Annual Tree Replacement Program	0	0	0
100	3445	Public Safety/DPW Disaster Plan Update	0	0	0
102	3447	Fire Station No. 2 Replacement	0	0	0
104	3452	(Rmb) SCVWD Creek Projects	0	0	0
106	3453	Climate Action Plan Update	0	0	0
108	3459	ALPRs and Security Cameras Program	0	0	0
110	3460	Comprehensive Zoning Ordinance Update	0	0	0
112	3461	Fire Stations Security	0	0	0
114	3462	On-Call Facilities Maintenance & Repair Services	0	400,000	0
116	3464	Mobile Emergency Operations Center	0	0	0
118	3465	Fire Station No. 1 Modular Building	0	200,000	0
120	3467	Human Resources Information System	0	0	0
122	3469	Metro Impact Fee Study	0	0	0
124	3486	Facilities Water Fixtures Retrofit Project	0	0	0
126	3487	Citywide LED Lighting Upgrade Project	0	0	0
128	3488	Community and Senior Center Energy Resilience Project	0	0	0
130	3489	Public Art Program	0	0	0
132	3490	Capital Improvement Program Administration	0	252,000	0
134	3493	Milpitas SMART	0	0	0
136	3495	Safe Facilities Improvements	0	0	0

Summary of Project Funding Sources FY 2023-24

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Summary of Project Funding Sources FY 2023-24

Pg.	No.	Project Name	General Fund	General Government CIP Fund	Grants/Reimb./ Developer Fees
136	3495	Safe Facilities Improvements	0	0	0
138	3496	GIS Development and Data Collection	0	62,000	0
140	3497	Public Safety Mobile Computer Terminals	0	250,000	0
142	3499	HVAC System Repairs and Upgrades	0	0	0
144	3503	Historic Resource Master Plan Update	0	0	0
146	3716	City Parking Lot Rehabilitation Program	0	0	0
148	New	Council Chamber AV System Replacement	800,000	0	0
150	New	Financial System Enterprise Resource Planning	1,600,000	250,000	0
152	New	Median Conversion Project	0	300,000	0
154	New	Watershed Analysis	0	180,000	0
156	New	City Attorney Office	0	450,000	0
158	New	Gateway Signage	0	0	250,000
Subtotal by Funding Source			2,400,000	4,039,000	250,000
Total			\$7,395,000		

Summary of Project Funding Sources FY 2023-24

Public Art Fund	Sewer Infrastructure Fund	Sewer Fund	TASP Impact Fees	Water Fund	Water Capital Surcharge
0	0	0	0	0	0
0	40,000	0	0	0	40,000
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
0	0	0	0	0	0
50,000	202,000	50,000	152,000	50,000	202,000

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	General Government CIP Fund	Information Technology Replacement
66	2006	Milpitas Metro Specific Plan Update (TASP)	0	0
68	2010	Land/Right-of-Way Value Determination	0	0
70	2011	Metro Area Police Substation	0	0
72	3403	Fire Station Improvements	0	0
74	3406	City Building Improvements	0	0
76	3414	City Buildings Exterior Painting & Repairs	0	0
78	3415	PD Communications	0	0
80	3418	City Std. Details, Guidelines, & Specifications	0	0
82	3421	Replacement Fire Station Alert System	0	0
84	3422	City Buildings Roofing Repairs	1,500,000	0
86	3423	Police Records Management System	0	0
88	3427	Technology Projects	0	0
90	3434	Permitting Technology Improvement	0	0
92	3435	Finance System Upgrade	0	0
94	3436	ADA Compliance Review	0	0
96	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0
98	3438	Annual Tree Replacement Program	0	0
100	3445	Public Safety/DPW Disaster Plan Update	0	0
102	3447	Fire Station No. 2 Replacement	0	0
104	3452	(Rmb) SCVWD Creek Projects	0	0
106	3453	Climate Action Plan Update	0	0
108	3459	ALPRs and Security Cameras Program	0	0
110	3460	Comprehensive Zoning Ordinance Update	0	0
112	3461	Fire Stations Security	0	0
114	3462	On-Call Facilities Maintenance & Repair Services	0	0
116	3464	Mobile Emergency Operations Center	0	0
118	3465	Fire Station No. 1 Modular Building	0	0
120	3467	Human Resources Information System	0	300,000
122	3469	Metro Impact Fee Study	0	0
124	3486	Facilities Water Fixtures Retrofit Project	0	0
126	3487	Citywide LED Lighting Upgrade Project	0	0
128	3488	Community and Senior Center Energy Resilience Project	0	0
130	3489	Public Art Program	0	0
132	3490	Capital Improvement Program Administration	0	0
134	3493	Milpitas SMART	0	0
136	3495	Safe Facilities Improvements	0	0

Summary of Project Funding Sources FY 2024-25

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Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	General Government CIP Fund	Information Technology Replacement
138	3496	GIS Development and Data Collection	0	0
140	3497	Public Safety Mobile Computer Terminals	0	0
142	3499	HVAC System Repairs and Upgrades	0	0
144	3503	Historic Resource Master Plan Update	0	0
146	3716	City Parking Lot Rehabilitation Program	0	0
148	New	Council Chamber AV System Replacement	0	0
150	New	Financial System Enterprise Resource Planning	900,000	0
152	New	Median Conversion Project	0	0
154	New	Watershed Analysis	0	0
156	New	City Attorney Office	0	0
158	New	Gateway Signage	0	0
Subtotal by Funding Source			2,400,000	300,000
Total			\$6,093,000	

Summary of Project Funding Sources FY 2024-25

Public Art Fund	Sewer Fund	TASP Impact Fees	Water Fund	No Funding Source
0	0	0	0	150,000
0	0	0	0	0
0	0	0	0	900,000
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	300,000
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
50,000	25,000	8,000	25,000	3,285,000

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	General Government CIP Fund	Public Art Fund
66	2006	Milpitas Metro Specific Plan Update (TASP)	0	0
68	2010	Land/Right-of-Way Value Determination	0	0
70	2011	Metro Area Police Substation	0	0
72	3403	Fire Station Improvements	0	0
74	3406	City Building Improvements	0	0
76	3414	City Buildings Exterior Painting & Repairs	0	0
78	3415	PD Communications	0	0
80	3418	City Std. Details, Guidelines, & Specifications	0	0
82	3421	Replacement Fire Station Alert System	0	0
84	3422	City Buildings Roofing Repairs	0	0
86	3423	Police Records Management System	0	0
88	3427	Technology Projects	0	0
90	3434	Permitting Technology Improvement	0	0
92	3435	Finance System Upgrade	0	0
94	3436	ADA Compliance Review	0	0
96	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0
98	3438	Annual Tree Replacement Program	0	0
100	3445	Public Safety/DPW Disaster Plan Update	0	0
102	3447	Fire Station No. 2 Replacement	0	0
104	3452	(Rmb) SCVWD Creek Projects	0	0
106	3453	Climate Action Plan Update	0	0
108	3459	ALPRs and Security Cameras Program	0	0
110	3460	Comprehensive Zoning Ordinance Update	0	0
112	3461	Fire Stations Security	0	0
114	3462	On-Call Facilities Maintenance & Repair Services	0	0
116	3464	Mobile Emergency Operations Center	0	0
118	3465	Fire Station No. 1 Modular Building	0	0
120	3467	Human Resources Information System	0	0
122	3469	Metro Impact Fee Study	0	0
124	3486	Facilities Water Fixtures Retrofit Project	0	0
126	3487	Citywide LED Lighting Upgrade Project	0	0
128	3488	Community and Senior Center Energy Resilience Project	0	0
130	3489	Public Art Program	0	50,000
132	3490	Capital Improvement Program Administration	0	0
134	3493	Milpitas SMART	0	0
136	3495	Safe Facilities Improvements	0	0

Summary of Project Funding Sources FY 2025-26

Sewer Fund	TASP Impact Fees	Water Fund	No Funding Source
0	0	0	0
0	8,000	0	0
0	0	0	0
0	0	0	150,000
0	0	0	500,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	150,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	100,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	300,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	720,000
0	0	0	0
0	0	0	0

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Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	General Government CIP Fund	Public Art Fund
138	3496	GIS Development and Data Collection	0	0
140	3497	Public Safety Mobile Computer Terminals	0	0
142	3499	HVAC System Repairs and Upgrades	0	0
144	3503	Historic Resource Master Plan Update	0	0
146	3716	City Parking Lot Rehabilitation Program	0	0
148	New	Council Chamber AV System Replacement	0	0
150	New	Financial System Enterprise Resource Planning	50,000	0
152	New	Median Conversion Project	0	0
154	New	Watershed Analysis	0	0
156	New	City Attorney Office	0	0
158	New	Gateway Signage	0	0
Subtotal by Funding Source			50,000	50,000
Total			\$3,228,000	

Summary of Project Funding Sources FY 2025-26

Sewer Fund	TASP Impact Fees	Water Fund	No Funding Source
0	0	0	150,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	100,000
0	0	0	0
250,000	0	250,000	0
0	0	0	300,000
0	0	0	0
0	0	0	0
0	0	0	150,000
250,000	8,000	250,000	2,620,000

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	Public Art Fund	TASP Impact Fees	No Funding Source
66	2006	Milpitas Metro Specific Plan Update (TASP)	0	0	0
68	2010	Land/Right-of-Way Value Determination	0	8,000	0
70	2011	Metro Area Police Substation	0	690,000	0
72	3403	Fire Station Improvements	0	0	150,000
74	3406	City Building Improvements	0	0	500,000
76	3414	City Buildings Exterior Painting & Repairs	0	0	0
78	3415	PD Communications	0	0	0
80	3418	City Std. Details, Guidelines, & Specifications	0	0	0
82	3421	Replacement Fire Station Alert System	0	0	0
84	3422	City Buildings Roofing Repairs	0	0	150,000
86	3423	Police Records Management System	0	0	0
88	3427	Technology Projects	0	0	0
90	3434	Permitting Technology Improvement	0	0	0
92	3435	Finance System Upgrade	0	0	0
94	3436	ADA Compliance Review	0	0	0
96	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0	0
98	3438	Annual Tree Replacement Program	0	0	100,000
100	3445	Public Safety/DPW Disaster Plan Update	0	0	0
102	3447	Fire Station No. 2 Replacement	0	0	0
104	3452	(Rmb) SCVWD Creek Projects	0	0	0
106	3453	Climate Action Plan Update	0	0	0
108	3459	ALPRs and Security Cameras Program	0	0	0
110	3460	Comprehensive Zoning Ordinance Update	0	0	0
112	3461	Fire Stations Security	0	0	0
114	3462	On-Call Facilities Maintenance & Repair Services	0	0	300,000
116	3464	Mobile Emergency Operations Center	0	0	0
118	3465	Fire Station No. 1 Modular Building	0	0	0
120	3467	Human Resources Information System	0	0	0
122	3469	Metro Impact Fee Study	0	0	0
124	3486	Facilities Water Fixtures Retrofit Project	0	0	0
126	3487	Citywide LED Lighting Upgrade Project	0	0	0
128	3488	Community and Senior Center Energy Resilience Project	0	0	0
130	3489	Public Art Program	50,000	0	0
132	3490	Capital Improvement Program Administration	0	0	720,000
134	3493	Milpitas SMART	0	0	0
136	3495	Safe Facilities Improvements	0	0	0

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	Public Art Fund	TASP Impact Fees	No Funding Source
138	3496	GIS Development and Data Collection	0	0	150,000
140	3497	Public Safety Mobile Computer Terminals	0	0	0
142	3499	HVAC System Repairs and Upgrades	0	0	0
144	3503	Historic Resource Master Plan Update	0	0	0
146	3716	City Parking Lot Rehabilitation Program	0	0	100,000
148	New	Council Chamber AV System Replacement	0	0	0
150	New	Financial System Enterprise Resource Planning	0	0	0
152	New	Median Conversion Project	0	0	300,000
154	New	Watershed Analysis	0	0	0
156	New	City Attorney Office	0	0	0
158	New	Gateway Signage	0	0	0
Subtotal by Funding Source			50,000	698,000	2,470,000
Total			\$3,218,000		

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	Public Art Fund	TASP Impact Fees	No Funding Source
66	2006	Milpitas Metro Specific Plan Update (TASP)	0	0	0
68	2010	Land/Right-of-Way Value Determination	0	8,000	0
70	2011	Metro Area Police Substation	0	0	0
72	3403	Fire Station Improvements	0	0	150,000
74	3406	City Building Improvements	0	0	500,000
76	3414	City Buildings Exterior Painting & Repairs	0	0	0
78	3415	PD Communications	0	0	0
80	3418	City Std. Details, Guidelines, & Specifications	0	0	0
82	3421	Replacement Fire Station Alert System	0	0	0
84	3422	City Buildings Roofing Repairs	0	0	150,000
86	3423	Police Records Management System	0	0	0
88	3427	Technology Projects	0	0	0
90	3434	Permitting Technology Improvement	0	0	0
92	3435	Finance System Upgrade	0	0	0
94	3436	ADA Compliance Review	0	0	0
96	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0	0
98	3438	Annual Tree Replacement Program	0	0	100,000
100	3445	Public Safety/DPW Disaster Plan Update	0	0	0
102	3447	Fire Station No. 2 Replacement	0	0	0
104	3452	(Rmb) SCVWD Creek Projects	0	0	0
106	3453	Climate Action Plan Update	0	0	0
108	3459	ALPRs and Security Cameras Program	0	0	0
110	3460	Comprehensive Zoning Ordinance Update	0	0	0
112	3461	Fire Stations Security	0	0	0
114	3462	On-Call Facilities Maintenance & Repair Services	0	0	300,000
116	3464	Mobile Emergency Operations Center	0	0	0
118	3465	Fire Station No. 1 Modular Building	0	0	0
120	3467	Human Resources Information System	0	0	0
122	3469	Metro Impact Fee Study	0	0	0
124	3486	Facilities Water Fixtures Retrofit Project	0	0	0
126	3487	Citywide LED Lighting Upgrade Project	0	0	0
128	3488	Community and Senior Center Energy Resilience Project	0	0	0
130	3489	Public Art Program	50,000	0	0
132	3490	Capital Improvement Program Administration	0	0	720,000
134	3493	Milpitas SMART	0	0	0
136	3495	Safe Facilities Improvements	0	0	0

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	Public Art Fund	TASP Impact Fees	No Funding Source
138	3496	GIS Development and Data Collection	0	0	150,000
140	3497	Public Safety Mobile Computer Terminals	0	0	0
142	3499	HVAC System Repairs and Upgrades	0	0	0
144	3503	Historic Resource Master Plan Update	0	0	0
146	3716	City Parking Lot Rehabilitation Program	0	0	100,000
148	New	Council Chamber AV System Replacement	0	0	0
150	New	Financial System Enterprise Resource Planning	0	0	0
152	New	Median Conversion Project	0	0	300,000
154	New	Watershed Analysis	0	0	0
156	New	City Attorney Office	0	0	0
158	New	Gateway Signage	0	0	0
Subtotal by Funding Source			50,000	8,000	2,470,000
Total			\$2,528,000		

PROJECT NO.

2006

Milpitas Metro Specific Plan Update (TASP)



Category:	Community Improvement
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City Council Priority:	Economic Development and Growth
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Project Location:	Milpitas Metro Specific Plan
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Managing Department:	Planning
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Contact Person:	Ned Thomas [3273]/ Jay Lee [3077]
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Project Stage:	Adopted
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Estimated Schedule	
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Design:	Completed
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Construction:	—
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Recurring Project:	No
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Description

The Transit Area Specific Plan (TASP) was approved in 2008. Since that time, the City Council has approved minor amendments to TASP focused primarily on individual properties, but a comprehensive evaluation of the plan and the effectiveness of its implementation has not occurred. Approximately 95% of the housing planned and cleared under CEQA for the area have been entitled or constructed. Approximately 50% of retail uses and none of the office have been developed. For this update, the City will evaluate development projects proposed, entitled, or constructed; processes and regulations for development; possible changes to boundaries, density ranges, and land uses shown on the land use diagram; and remaining development capacity. This project will include an update to the TASP EIR to provide environmental clearance for additional residential and commercial development.

Notes

The current TASP EIR provides environmental clearance for 7,109 residential units, and nearly 7,000 units are entitled, under construction, or completed. The TASP EIR needs to be updated to provide for additional capacity and be renamed to "Milpitas Metro Specific Plan Updated". In addition, the update will include needed changes to the land use diagram, potential boundary changes, and changes in residential densities and land uses where appropriate and feasible. The update will also address needed changes to administrative and development regulations for clarity, any deficiencies or needs related to infrastructure planned for the area, and to improve the development review process. The city hired a consultant planner to serve as TASP Update Manager. The Metro Specific Plan Update was approved by Planning Commission on 12/14/2022 and adopted by City Council on 2/7/2023. (TASP ID: DB#44)

Uncommitted Balance
as of 3/31/2023Council
Approval

\$55,000

7/1/2016

Milpitas Metro Specific Plan Update (TASP)

Project No. 2006

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	1,076,250	0	0	0	0	0	1,076,250
Administration	25,000	0	0	0	0	0	25,000
Others	425,000	0	0	0	0	0	425,000
TOTAL	\$1,526,250	\$0	\$0	\$0	\$0	\$0	\$1,526,250

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	1,526,250	0	0	0	0	0	1,526,250
TOTAL	\$1,526,250	\$0	\$0	\$0	\$0	\$0	\$1,526,250

Finance Notes

City Council 4/6/2021 - Budget Appropriation of \$426,250 from TASP Impact Fee Fund.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

2010

Land/Right-of-Way Value Determination



Category:	Community Improvement
City Council Priority:	Economic Development and Growth
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	Spring 2023
Construction:	—
Recurring Project:	Yes

Description

This project provides for the annual evaluation and determination of land and right-of-way fair market values within the City for the purpose of updating development fee calculations such as the park-in-lieu fee.

Notes

Fair market land values are evaluated annually as recommended in Section 1 of the 2014 Transit Area Development Impact Fee Update. Evaluation is typically completed annually by June. (TASP ID #45)

Uncommitted Balance
as of 3/31/2023

\$2,500

Council
Approval

7/1/2019

Land/Right-of-Way Value Determination

Project No. 2010

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	24,000	8,000	8,000	8,000	8,000	8,000	64,000
Administration	5,000	0	0	0	0	0	5,000
TOTAL	\$29,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$69,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	29,000	8,000	8,000	8,000	8,000	8,000	69,000
TOTAL	\$29,000	\$8,000	\$8,000	\$8,000	\$8,000	\$8,000	\$69,000

Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

2011

Metro Area Police Substation



Category:	Community Improvement
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City Council Priority:	Public Safety
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Project Location:	Milpitas Metro Specific Plan
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Managing Department:	Police/Engineering
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Contact Person:	Frank Morales [2521]/ Michael Silveira [3303]
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Project Stage:	Planning
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Estimated Schedule	
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Design:	2023
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Construction:	TBD
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Recurring Project:	No
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Description

This project provides for tenant improvements and equipment to construct a new police substation within the Milpitas Gateway - Main Street and Metro Specific Plan areas. The substation will maintain police response times and presence due to anticipated increased call volume from the new Metro residential developments, entertainment zone, and the Milpitas Transit Station and future increased traffic congestion.

Notes

Police Department is continuing to evaluate potential locations within the Milpitas Gateway - Main Street and Metro Specific Plan areas. The estimated project budget is based on tenant improvements for a 1,500 sq.ft. commercial space and will be adjusted once the location is determined. Engineering to obtain a consultant to conduct a feasibility study of converting the building(s) on City-owned parcels at 1452-1488 Main Street. The

Metro Area Police Substation

Project No. 2011

Uncommitted Balance as of 3/31/2023	Council Approval
\$208,000	7/1/2019

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	300,000	0	0	0	0	0	300,000
Administration	10,000	0	0	0	90,000	0	100,000
Improvements	0	0	0	0	600,000	0	600,000
TOTAL	\$310,000	\$0	\$0	\$0	\$690,000	\$0	\$1,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	310,000	0	0	0	690,000	0	1,000,000
TOTAL	\$310,000	\$0	\$0	\$0	\$690,000	\$0	\$1,000,000

Finance Notes**Operating Impact Notes**

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3403

Fire Station Improvements



Category:	Community Improvement
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City Council Priority:	Public Safety
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Project Location:	Fire Stations
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Managing Department:	Public Works
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Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
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Project Stage:	Construction
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Estimated Schedule	
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Design:	Ongoing
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Construction:	Ongoing
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Recurring Project:	Yes
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Description

This project provides for the assessment, design, and construction of minor improvements at all Fire Stations including Training Tower at FS1. Work may include renovation, repairs, or replacement of apparatus bays, electrical, mechanical, and plumbing systems, equipment, emergency power generator systems, flooring, furnishings, kitchen, interior and exterior painting, living quarters, parking lot, restroom and shower facilities, roofing, signage, security systems, sprinkler system, watch room, and other building and site related improvements. All work will be performed on a priority and funding availability basis.

Notes

In FY2022-23, Public Works completed the installation of "No Smoke" systems for all fire engines and trucks. Workplan in FY2022-23 is to design and construct the restroom improvements at FS4 and women living quarters at FS3 and 4 and continue upgrades and repairs to the training tower at FS1.

Funding request in FY2023-24 is for the replacement of overhead door operators at the apparatus bays of FS1, 3, and 4. Planned funding request in FY2024-25 is for the installation of security gates and fencing at FS4 based on the Security Risk Assessment which is anticipated to be completed in 2024. This project is only partially funded.

Fire Station Improvements

Project No. 3403

Uncommitted Balance as of 3/31/2023	Council Approval
\$594,000	7/1/2011

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	115,000	50,000	25,000	25,000	25,000	25,000	265,000
Administration	100,000	0	0	0	0	0	100,000
Inspection	85,000	0	0	0	0	0	85,000
Improvements	1,450,000	450,000	225,000	125,000	125,000	125,000	2,500,000
TOTAL	\$1,750,000	\$500,000	\$250,000	\$150,000	\$150,000	\$150,000	\$2,950,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	1,050,000	500,000	0	0	0	0	1,550,000
Transient Occupancy Tax (TOT)	700,000	0	0	0	0	0	700,000
No Funding Source	0	0	250,000	150,000	150,000	150,000	700,000
TOTAL	\$1,750,000	\$500,000	\$250,000	\$150,000	\$150,000	\$150,000	\$2,950,000

Finance Notes

City Council 6/4/2020 - \$520K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3406

City Building Improvements



Category:	Community Improvement
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City Council Priority:	Governance and Administration
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Project Location:	City Facilities
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Managing Department:	Public Works
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Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
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Project Stage:	Construction
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Estimated Schedule	
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Design:	Ongoing
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Construction:	Ongoing
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Recurring Project:	Yes
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Description

This project provides for the assessment, design, and construction of improvements at City facilities, including Public Works/Police/IT, Senior Center, Community Center, City Hall, Library and its parking garage, and Sports Center. Work may include renovation, repairs, or replacement of electrical, mechanical, and plumbing systems, pool equipment and systems, equipment, emergency power generator systems, flooring, furnishings, fountain, kitchen, interior and exterior painting, living quarters, parking lot, restroom and shower facilities, roofing, signage, security systems, sprinkler system, workspaces, and other building and site related improvements. Work will be completed on a priority and funding availability basis.

Notes

In FY2021-22 and FY2022-23, Public Works completed repairs to fire sprinkler system at various City facilities and Fire Stations and ADA access door at MSC; installation of the illuminated exterior signage and boilers at PW/PD building; reconfigured Economic Development and City Clerk department workspaces; and the resurfacing of the dance studio floor at the dance studio floor at the Sports Center and the auditorium floor at the Senior Center. Engineering completed replacement of an soil vapor intrusion mitigation unit at Sal Cracolice building. Workplan in FY2022-23 is to replace the fire alarm panels at various facilities; perform an assessment for the replacement of the alarm system (ADEMCO unit) citywide and upgrades of security measures at PD and Fire facilities; repair auditorium floor at the Community Center; install sound acoustic panels at Sal Cracolice building; design HR office reconfiguration; replacement of desk tabletops at City Hall; and design of the women's and men's locker and shower rooms at the Police Department.

Funding request in FY2023-24 is for the replacement of storefront door and installation of a door badging system at the Community Center; and replacement of the automated gate operators, lockers and high security storage cabinets in the evidence room, and reconfiguration of the report writing room at the Police Department. Planned funding request in FY2024-25 and FY2025-26 is for the replacement of shelving and freezer in the evidence storage room and improvements to entry processing workspace at the Police Department; replacement of ADEMCO system citywide; and upgrades to security measures at PD/PW building. This project is only partially funded.

City Building Improvements

Project No. 3406

Uncommitted Balance as of 3/31/2023	Council Approval
\$460,000	7/1/2007

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	170,000	0	0	0	0	0	170,000
Administration	65,000	0	0	0	0	0	65,000
Inspection	60,000	0	0	0	0	0	60,000
Improvements	3,420,000	730,000	500,000	500,000	500,000	500,000	6,150,000
Equipment	400,000	0	0	0	0	0	400,000
TOTAL	\$4,115,000	\$730,000	\$500,000	\$500,000	\$500,000	\$500,000	\$6,845,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	3,965,000	730,000	0	0	0	0	4,695,000
Transient Occupancy Tax (TOT)	150,000	0	0	0	0	0	150,000
No Funding Source	0	0	500,000	500,000	500,000	500,000	2,000,000
TOTAL	\$4,115,000	\$730,000	\$500,000	\$500,000	\$500,000	\$500,000	\$6,845,000

Finance Notes

City Council 11/17/2020 - Budget Appropriation of \$670k in prior years funding from General Government CIP Fund was defunded for Facilities Water Features, Project No. 3486.

City Council 9/15/2020 - Budget Amendment returning of \$40k from contract to the General Government CIP Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3414

City Buildings Exterior Painting & Repairs



Category:	Community Improvement
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City Council Priority:	Governance and Administration
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Project Location:	City Facilities
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Managing Department:	Public Works
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Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
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Project Stage:	Construction
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Estimated Schedule	
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Design:	Ongoing
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Construction:	Ongoing
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Recurring Project:	Yes
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Description

This project provides for the exterior painting and repairs of City buildings including Public Works/Police, Senior Center, Community Center, City Hall, Library and its parking garage, and Sports Center. Buildings should be painted or sealed approximately every 10 to 15 years to maintain the appearance and prevent damage caused by moisture infiltration.

Notes

In FY2022-23, Public Works completed the painting and waterproofing, and repairs of the exterior stucco on the PW/PD building. Workplan in FY2022-23 is to repair water leaks around the windows of the PW/PD building and paint and waterproof the exterior of the Sports Center.

Uncommitted Balance
as of 3/31/2023Council
Approval**City Buildings Exterior Painting & Repairs**

Project No. 3414

\$360,000**7/1/2014****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	50,000	0	0	0	0	0	50,000
Administration	50,000	0	0	0	0	0	50,000
Improvements	500,000	0	0	0	0	0	500,000
TOTAL	\$600,000	\$0	\$0	\$0	\$0	\$0	\$600,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	600,000	0	0	0	0	0	600,000
TOTAL	\$600,000	\$0	\$0	\$0	\$0	\$0	\$600,000

Finance Notes

City Council 6/4/2020 - \$300K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3415

PD Communications



Category:	Community Improvement
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City Council Priority:	Public Safety
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Project Location:	Fire Stations, Police/Public Works Facility
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Managing Department:	Police
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Contact Person:	Steve Fox [2525]/ Lisa Beaulieu [2434]
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Project Stage:	Post-Implementation
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Estimated Schedule	
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Design:	Completed
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Construction:	Completed
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Recurring Project:	No
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Description

The project provides for the design and implementation of a public safety radio and data communications network to improve emergency services for Fire, Police, and Public Works departments. Per Federal Communications Commission (FCC) mandate, Santa Clara County and the Cities Managers Association agreed to jointly fund a countywide program for radio interoperability in 2001.

Notes

City Council approved a cooperative purchase and installation of Motorola Solutions dispatch consoles equipment, APX subscriber equipment, and matching Location Systems Fire Station Alerting System in 2018. The installation of the communication equipment was completed in 2020. Removal and replacement of existing equipment from City and County locations are to be completed by spring 2024.

PD Communications

Project No. 3415

Uncommitted Balance as of 3/31/2023	Council Approval
\$231,000	7/1/2015

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	48,000	0	0	0	0	0	48,000
Improvements	3,107,000	0	0	0	0	0	3,107,000
TOTAL	\$3,155,000	\$0	\$0	\$0	\$0	\$0	\$3,155,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	3,155,000	0	0	0	0	0	3,155,000
TOTAL	\$3,155,000	\$0	\$0	\$0	\$0	\$0	\$3,155,000

Finance Notes

City Council 12/4/2018 - Approved purchase of PD communication equipment including fire station alert system for \$2,350,591.

City Council 6/4/2020 - \$1.3M in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

Operating Impact

Fund	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28
General Fund	19,070	19,070	19,070	0	0

Operating Impact Notes

The operating cost for the PD's NICE Logger is between \$17,449 to \$19,067 annually from FY2022-23 to FY2025-26. The cost of the NICE Logger system software maintenance will be incurred by the Police Department operating budget.

PROJECT NO.

3418

City Std. Details, Guidelines, & Specifications

		Category:	Community Improvement
		City Council Priority:	Governance and Administration
		Project Location:	Engineering Department
		Managing Department:	Engineering
		Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
		Project Stage:	Planning
		Estimated Schedule	
		Design:	2026-2027
		Construction:	—
		Recurring Project:	No

Description

This project provides for an update to the City's Engineering Standard Details, Guidelines, and Specifications. The Engineering guidelines specifies design criteria and specifications in preparing plans for construction of public improvements and infrastructure within the City right-of-way.

Notes

The update is anticipated to start in FY2026-27.

Uncommitted Balance
as of 3/31/2023Council
Approval**City Std. Details, Guidelines, & Specifications**

Project No. 3418

\$395,000**7/1/2016****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	350,000	0	0	0	0	0	350,000
Administration	30,000	0	0	0	0	0	30,000
Inspection	20,000	0	0	0	0	0	20,000
TOTAL	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Permit Automation Fund	400,000	0	0	0	0	0	400,000
TOTAL	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Finance Notes**Operating Impact Notes**

There are no operating or maintenance expenses associated with this project.

Replacement Fire Station Alert System

PROJECT NO.

3421

Category:	Community Improvement
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City Council Priority:	Public Safety
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Project Location:	Fire Stations
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Managing Department:	Fire
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Contact Person:	Jason Schoonover [2802]/ Galahad Zamora [2826]
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Project Stage:	Post-Implementation
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Estimated Schedule	
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Design:	Completed
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Construction:	Completed
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Recurring Project:	No
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Description

This project provides for replacement of the Fire Department emergency dispatch alert system at all fire stations. The current system has reached the end of its service life and the manufacturer (Zetron) no longer supports the system. Work includes coordination and interface with the City's 911 dispatch center.

Notes

Procurement of Motorola Fire Station Alert System (FSAS) and integration with the Silicon Valley Regional Communications System (SVRCS) was approved by City Council in December 2018. Installation of the FSAS was completed in summer 2020. Installation of the FSAS was completed in the dorm room expansion at Fire Station No. 1 in 2022.

Uncommitted Balance
as of 3/31/2023Council
Approval**Replacement Fire Station Alert System**

Project No. 3421

\$0**7/1/2016****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Equipment	345,000	0	0	0	0	0	345,000
TOTAL	\$345,000	\$0	\$0	\$0	\$0	\$0	\$345,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	345,000	0	0	0	0	0	345,000
TOTAL	\$345,000	\$0	\$0	\$0	\$0	\$0	\$345,000

Finance Notes

City Council 12/4/2018 - approved purchase of FSAS with PD communication equipment.

City Council 2/21/2023 - Mid-Year Budget Appropriation of \$48,000 from General Government CIP Fund in prior years was defunded for other projects.

Operating Impact Notes

The annual software licensing and maintenance costs of \$43,832 is anticipated to start in FY21-22. The cost of the software maintenance will be incurred by the Fire/Police department operating budget.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

3422

City Buildings Roofing Repairs



Category:	Community Improvement
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City Council Priority:	Governance and Administration
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Project Location:	City Facilities
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Managing Department:	Public Works
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Contact Person:	Christian Di Renzo [2602]/ Samu Tiernalu [2648]
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Project Stage:	Construction
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Estimated Schedule	
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Design:	Ongoing
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Construction:	Ongoing
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Recurring Project:	Yes
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Description

This project provides for renovation, replacement, and repairs of the roofs at City buildings including Public Works, Police, Senior Center, Community Center, City Hall, Library, Sports Center, and restrooms at parks. The service life of a typical building roof is approximately 20 years.

Notes

Workplan in FY2022-23 is to perform roof repairs at the Sports Center building. Funding request in FY2023-24 is for the design of roof replacement at the Community Center building and the replacement of the metal roof at the City Library. Planned funding request in FY2024-25 is for the roof replacement at the Community Center building. This project is only partially funded.

City Buildings Roofing Repairs

Project No. 3422

Uncommitted Balance as of 3/31/2023	Council Approval
\$648,000	7/1/2015

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	45,000	0	0	20,000	20,000	20,000	105,000
Inspection	45,000	0	0	0	0	0	45,000
Improvements	810,000	200,000	1,500,000	130,000	130,000	130,000	2,900,000
TOTAL	\$900,000	\$350,000	\$1,500,000	\$150,000	\$150,000	\$150,000	\$3,200,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	900,000	350,000	1,500,000	0	0	0	2,750,000
No Funding Source	0	0	0	150,000	150,000	150,000	450,000
TOTAL	\$900,000	\$350,000	\$1,500,000	\$150,000	\$150,000	\$150,000	\$3,200,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3423

Police Records Management System



Category:	Community Improvement
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City Council Priority:	Public Safety
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Project Location:	Police Department
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Managing Department:	Police
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Contact Person:	Steve Fox [2525]/ Lisa Beaulieu [2434]
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Project Stage:	Implementation
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Estimated Schedule	
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Design:	Completed
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Construction:	2023
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Recurring Project:	No
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Description

This project provides for the replacement of the Police Department's 20-year-old Records Management System (RMS) that has exceeded its useful life. The Police Department is required to maintain a reliable RMS to respond to public information requests, process data for criminal cases, and to meet the California Government Code requirements of preserving information. The existing RMS software by Tiburon is no longer supported by the vendor.

Notes

On 6/15/2021, City Council approved a software license agreement for six years. Implementation of the new RMS system began in summer 2021 and is anticipated to be completed in spring 2023. After system acceptance, final implementation payment will be made upon 3 months of successful reporting submissions which is anticipated in summer 2023.

Uncommitted Balance as of 3/31/2023	Council Approval
\$280,000	5/20/2014

Police Records Management System

Project No. 3423

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	750,000	0	0	0	0	0	750,000
Equipment	349,721	0	0	0	0	0	349,721
TOTAL	\$1,099,721	\$0	\$0	\$0	\$0	\$0	\$1,099,721

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Fund	149,721	0	0	0	0	0	149,721
General Government CIP Fund	950,000	0	0	0	0	0	950,000
TOTAL	\$1,099,721	\$0	\$0	\$0	\$0	\$0	\$1,099,721

Finance Notes

City Council 3/3/2020 - Budget Appropriation of \$149,712 from General Fund.

City Council 2/21/2023 - Mid-Year Budget Appropriation of \$500k from General Government CIP Fund in prior years was defunded for other projects.

Operating Impact Notes

The total cost of the agreement over the initial six-year period is \$1,049,956. Year 1 Payment is \$237,576 and Year 2 through Year 6 payment are fixed at \$162,476. Year 1 and Year 2 payments for the total of \$400,052 will be paid from funds available in this CIP. The annual contractual cost for the subsequent 4 years in the amount of \$162,476 will be incorporated in the development of future IT operating budget partially offset through expected maintenance cost savings of the current RMS.

Technology Projects

PROJECT NO.

3427



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities
Managing Department:	Information Technology
Contact Person:	Daniel Nam [2706]/ Scott Golden [2712]
Project Stage:	Ongoing Planning/ Implementation
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for ongoing technology improvements and modernization of various specialty software applications and hardware. The improvements will support the technology needs for City's cybersecurity improvement initiatives, mobile workforce support, network infrastructure including City's website, record management systems, and public safety system maintenance and upgrades.

Notes

On 11/15/2022, City Council approved agreement to upgrade the City's website. Workplan in FY2022-23 is for the improvement of the NetMotion Mobility capacity, increase the server capacity to support public safety, and continue procurement of equipment for remote workforce efficiency and cybersecurity improvements.

Funding Request in FY2023-24 is for the replacement of the audio video system at Sports Center, licensing of the server backup system, and replacement of the audio video equipment hardware at Committee Conference Room in City Hall. Planned funding request in FY2024-25 is anticipated for the replacement of the audio video systems at Senior Center and Community Center.

Technology Projects

Project No. 3427

Uncommitted Balance as of 3/31/2023	Council Approval
\$268,000	7/1/2016

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	950,000	115,000	65,000	0	0	0	1,130,000
Equipment	750,000	0	0	0	0	0	750,000
Others	100,000	0	0	0	0	0	100,000
TOTAL	\$1,800,000	\$115,000	\$65,000	\$0	\$0	\$0	\$1,980,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	400,000	115,000	0	0	0	0	515,000
Permit Automation Fund	1,400,000	0	0	0	0	0	1,400,000
No Funding Source	0	0	65,000	0	0	0	65,000
TOTAL	\$1,800,000	\$115,000	\$65,000	\$0	\$0	\$0	\$1,980,000

Finance Notes

In FY2019-20, \$650k in prior years funding revised from General Government CIP Fund to Permit Automation Fund.

Operating Impact Notes

The agreement for website improvements includes a subsequent 3-year annual maintenance cost of approximately \$33,000 per year and will be absorbed within IT's annual maintenance operating budget. There is no additional operating impacts anticipated for the other work items as part of this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3434

Permitting Technology Improvement



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Hall
Managing Department:	Information Technology
Contact Person:	Daniel Nam [2706]/ Scott Golden [2712]
Project Stage:	Ongoing Planning/ Implementation
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	No

Description

This project provides for improvements to the Building Safety and Housing, Planning, and Engineering Departments' permitting automation system. Improvements will ensure the system operates efficiently for better customer service by streamlining the fee collection in accordance with City Ordinance, permit submittal and issuance process, plan review and inspections process, and archival and retrieval of documents and record information.

Notes

In 2017, Council approved the purchase of AvolveDox software to help transition the City's traditional paper-based plan review process to an advanced web-based electronic plan review system. Workplan in FY2022-23 and FY2023-24 is to continue general upgrades and maintenance to City permit automation systems. Building Safety and Housing, Planning, Land Development, and IT departments to review and strategize improvements to the City's permitting automation and ProjectDox system in FY2023-24.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$285,000

7/1/2017

Permitting Technology Improvement

Project No. 3434

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	550,000	0	0	0	0	0	550,000
TOTAL	\$550,000	\$0	\$0	\$0	\$0	\$0	\$550,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Permit Automation Fund	550,000	0	0	0	0	0	550,000
TOTAL	\$550,000	\$0	\$0	\$0	\$0	\$0	\$550,000

Finance Notes**Operating Impact Notes**

The agreement for AvolveDox includes a subsequent 4-year annual maintenance cost of approximately \$29,506 per year and will be absorbed by CIP budget. There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3435

Finance System Upgrade



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Finance Department
Managing Department:	Finance
Contact Person:	Lauren Lai [3111]/ Gabrielle Tsang [3131]
Project Stage:	Ongoing Upgrades
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for upgrades to the City's financial system to utilize current technology. Upgrades include general ledger, accounts payable, cash collection, Payroll/Human Resources, job costing, and purchase order. The system also manages budget preparation, business license, investment software, and fixed asset systems.

Notes

Minor upgrades and improvements to Cayenta system is ongoing.

Finance System Upgrade

Project No. 3435

Uncommitted Balance as of 3/31/2023	Council Approval
\$92,000	7/1/2011

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Equipment	1,150,000	0	0	0	0	0	1,150,000
Others	100,000	0	0	0	0	0	100,000
TOTAL	\$1,250,000	\$0	\$0	\$0	\$0	\$0	\$1,250,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	1,150,000	0	0	0	0	0	1,150,000
Sewer Fund	50,000	0	0	0	0	0	50,000
Water Fund	50,000	0	0	0	0	0	50,000
TOTAL	\$1,250,000	\$0	\$0	\$0	\$0	\$0	\$1,250,000

Finance Notes

City Council 1/15/2019 - approval of Cayenta financial and utility billing software systems upgrades for \$419,892.

City Council 2/16/2021 - Mid-Year Budget Appropriation of \$100k from Water Fund (\$50k) and Sewer Fund (\$50k).

Operating Impact Notes

Software licensing costs are already budgeted in the Department's operating budget and there are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

ADA Compliance Review

PROJECT NO.

3436

City of Milpitas  SELF-EVALUATION AND TRANSITION PLAN Americans with Disabilities Act Section 504 of the Rehabilitation Act 2022 	Category:	Community Improvement
	City Council Priority:	Governance and Administration
	Project Location:	City Facilities
	Managing Department:	Engineering
	Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
	Project Stage:	Planning
	Estimated Schedule	
	Design:	2022-2023
	Construction:	—
	Recurring Project:	No

Description

This project provides for the assessment of City's services, programs, and facilities for compliance with the Americans with Disabilities Act (ADA). The Act became effective in 1992 to prohibit discrimination against people with disabilities and to ensure people with disabilities have an equal opportunity to participate in public life in terms of employment, access to transportation, public accommodations, communications, and government activities. Title II of the ADA requires state and local government agencies to complete an evaluation of their services, programs, and facilities including buildings, parks, sidewalks, trails, and right-of-way for ADA compliance and develop a Transition Plan to correct deficiencies over a period of time.

Notes

On 9/7/2021, City Council approved a professional service agreement to conduct a self-evaluation of City's services, programs, and facilities and develop an ADA Transition Plan. On 11/16/2021, City Council adopted the ADA/504 complaint/grievance procedure. The Plan is anticipated to be completed by fall 2023.

ADA Compliance Review

Project No. 3436

Uncommitted Balance as of 3/31/2023	Council Approval
\$25,000	7/1/2012

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	321,158	0	0	0	0	0	321,158
Administration	10,000	0	0	0	0	0	10,000
TOTAL	\$331,158	\$0	\$0	\$0	\$0	\$0	\$331,158

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	197,000	0	0	0	0	0	197,000
Grants/Reimb./ Developer Fees	134,158	0	0	0	0	0	134,158
TOTAL	\$331,158	\$0	\$0	\$0	\$0	\$0	\$331,158

Finance Notes

City Council 9/7/2021 - Budget Appropriation of \$134,158 in PLAN JPA Grant Funding and \$37,000 in General Government CIP Funding.

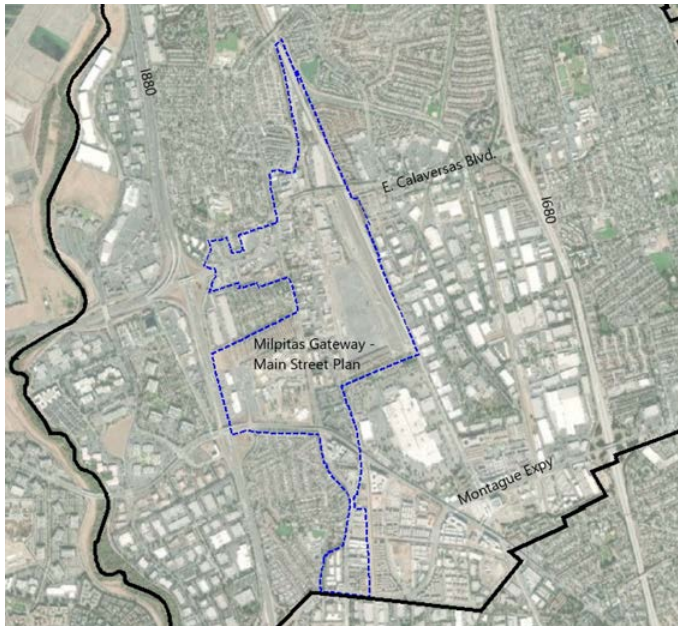
Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

3437

Milpitas Gateway - Main Street Specific Plan Update



Category:	Community Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	Milpitas Gateway-Main Street Specific Plan
Managing Department:	Planning
Contact Person:	Ned Thomas [3273]/ Jay Lee [3077]
Project Stage:	Planning
Estimated Schedule	
Design:	2021-2024
Construction:	—
Recurring Project:	No

Description

This project provides for the update of the Milpitas Midtown Specific Plan which was adopted in March 2002. In June 2008, the Council amended the Plan to remove approximately 100 acres and create the Transit Area Specific Plan. In October 2019, the Council directed staff to suspend their activities on the update and develop a new strategic direction and scope of work. The update will include strategies for long-range planning and strategic investment in three focus areas and possible boundary changes that align with Council priorities and current conditions in an expanded Midtown area. The Midtown Specific Plan will be renamed the “Milpitas Gateway Main Street Specific Plan” to reflect a greater focus on: 1) the historical significance of Main Street; 2) the importance of Calaveras Boulevard as a primary gateway into Milpitas; and 3) the potential for commercial/office development along the I-880 freeway/Abbott Avenue frontage.

Notes

On 5/26/2021, the Metropolitan Transportation Commission (MTC) awarded \$500k to the City through its Priority Development Area (PDA) Planning Grant Program to assist in funding the project. The program provides funding for specific plans that result in intensified land uses around public transit hubs and bus and rail corridors in the Bay Area. On 9/21/2021, City Council approved a consultant agreement to update the Specific Plan which is anticipated to be completed in FY2023-24.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$35,000

7/1/2016

Milpitas Gateway - Main Street Specific Plan Update

Project No. 3437

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	590,000	0	0	0	0	0	590,000
Administration	510,000	0	0	0	0	0	510,000
TOTAL	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$1,100,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Community Planning Fees	600,000	0	0	0	0	0	600,000
Grants/Reimb./ Developer Fees	500,000	0	0	0	0	0	500,000
TOTAL	\$1,100,000	\$0	\$0	\$0	\$0	\$0	\$1,100,000

Finance Notes

City Council 2/26/2019 - Mid-Year Budget Appropriation of \$250k from Community Planning Fund.

City Council 9/21/2021 - Budget Appropriation of \$500k from Priority Development Area (PDA) Planning Grant Program.

City Council 2/21/2023 - Mid-Year Budget Appropriation of \$360k from General Government CIP Fund in prior years was defunded for other projects.

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

Annual Tree Replacement Program

PROJECT NO.

3438



Category:	Community Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Implementation
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the replacement of aging City-owned trees as recommended by the Urban Forestry Management Plan (UFMP), dated March 2019. The program will enhance the City's urban forest inventory, which includes over 15,000 City-owned trees. The project funds minor tree maintenance, irrigation improvements, and utility relocations for proper tree sustainability.

Notes

The UFMP recommends replacing approximately 75 trees biannually. Workplan in FY2022-23 and FY2023-24 is for the ongoing replacement of City-owned trees that have been removed since last major planting cycle. This project is only partially funded.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$215,000

7/1/2017

Annual Tree Replacement Program

Project No. 3438

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	125,000	0	0	0	0	0	125,000
Improvements	419,000	0	0	100,000	100,000	100,000	719,000
TOTAL	\$544,000	\$0	\$0	\$100,000	\$100,000	\$100,000	\$844,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	515,000	0	0	0	0	0	515,000
Grants/Reimb./ Developer Fees	29,000	0	0	0	0	0	29,000
No Funding Source	0	0	0	100,000	100,000	100,000	300,000
TOTAL	\$544,000	\$0	\$0	\$100,000	\$100,000	\$100,000	\$844,000

Finance Notes

In FY2019-20, \$29k reimbursement from PG&E.

City Council 6/4/2020 - \$200K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

City Council 2/16/2021 - \$60K in prior years funding from the General Government CIP Fund was defunded for other projects.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3445

Public Safety/DPW Disaster Plan Update



Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	Fire Department
Managing Department:	Fire
Contact Person:	Jason Schoonover [2802]/ Galahad Zamora[2826]
Project Stage:	Procurement
Estimated Schedule	
Design:	Completed
Construction:	2024
Recurring Project:	No

Description

This project provides for the update of the City’s Emergency Action Plan used by the Police, Fire, and Public Works departments to manage large scale emergencies such as natural disasters. The update will provide an assessment of City’s resources and equipment, and recommendation for asset needs. The project will be completed in two phases; (1) is to catalogue and inventory existing equipment, identify staff training needs, host training, and study the City’s disaster cost recovery plan; and (2) is to purchase equipment and resources recommended in the assessment.

Notes

This is a joint project by the Fire Department and the City Manager’s Office. Phase 1 was completed and presented to the City Council in November 2020. Fire Department to complete operational annexes per the revised Emergency Operations Plan in winter 2023 and complete procurement of emergency management training and equipment for the Office of Emergency Services by 2024.

Uncommitted Balance
as of 3/31/2023

Council
Approval

Public Safety/DPW Disaster Plan Update

Project No. 3445

\$207,000

7/1/2018

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	175,000	0	0	0	0	0	175,000
Administration	25,000	0	0	0	0	0	25,000
Improvements	50,000	0	0	0	0	0	50,000
TOTAL	\$250,000	\$0	\$0	\$0	\$0	\$0	\$250,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	250,000	0	0	0	0	0	250,000
TOTAL	\$250,000	\$0	\$0	\$0	\$0	\$0	\$250,000

Finance Notes

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3447

Fire Station No. 2 Replacement



Category:	Community Improvement
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City Council Priority:	Public Safety
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Project Location:	1263 Yosemite Drive
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Managing Department:	Engineering
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Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
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Project Stage:	Project Closeout
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Estimated Schedule

Design:	Completed
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Construction:	Completed
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Recurring Project:	No
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Description

This project provides for the design and construction of a new Fire Station No. 2 (FS2) at the current location, 1263 Yosemite Drive. FS2 was constructed in 1969 and has reached the end of its service life. The new fire station will be designed to provide for additional fire apparatus, sustainable elements, gender equality/privacy, operational efficiencies to improve response times and meet current Building and Fire Codes for "Essential Services Buildings". Project includes leasing and tenant improvements for a temporary fire station, building demolition, furnishings, fixtures, & equipment (FF&E), and site improvements.

Notes

Construction of the new fire station was completed and occupied in October 2022.

Fire Station No. 2 Replacement

Project No. 3447

Uncommitted Balance as of 3/31/2023	Council Approval
\$947,000	7/1/2016

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	1,050,000	0	0	0	0	0	1,050,000
Administration	1,750,000	0	0	0	0	0	1,750,000
Inspection	400,000	0	0	0	0	0	400,000
Improvements	11,120,000	0	0	0	0	0	11,120,000
TOTAL	\$14,320,000	\$0	\$0	\$0	\$0	\$0	\$14,320,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	4,720,000	0	0	0	0	0	4,720,000
Revenue Bond	9,600,000	0	0	0	0	0	9,600,000
TOTAL	\$14,320,000	\$0	\$0	\$0	\$0	\$0	\$14,320,000

Finance Notes

City Council 12/4/2018 - Mid-Year Budget Appropriation of \$320k from General Government CIP Fund.

City Council 2/26/2019 - Mid-Year Budget Appropriation of \$250k from General Government CIP Fund.

City Council 10/20/2020 - Approved 2020 Lease Revenue Bond financing for \$9.6M.

City Council 2/21/2023 - Mid-Year Budget Appropriation of \$1.5M from General Government CIP Fund in prior years was defunded for other projects.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3452

(Rmb) SCVWD Creek Projects



Category:	Community Improvement
City Council Priority:	Environment
Project Location:	Berryessa, Calera, and Lower Penitencia Creeks
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2021-2024
Recurring Project:	No

Description

This project provides reimbursement to the Santa Clara Valley Water District (SCVWD) for improvements of levee pedestrian trails, sidewalks, and utilities on the behalf of the City along portions of their Creeks.

Notes

SCVWD completed improvements along Berryessa Creek in 2020. SCVWD started construction along Lower Penitencia Creek and Calera Creek in summer 2021 and anticipates being completed in 2024. The City will reimburse SCVWD for the improvements as specified in the Master Agreement between the City and SCVWD, approved in February 2021.

(Rmb) SCVWD Creek Projects

Project No. 3452

Uncommitted Balance as of 3/31/2023	Council Approval
\$17,000	7/1/2019

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	1,500,000	0	0	0	0	0	1,500,000
Improvements	250,000	0	0	0	0	0	250,000
TOTAL	\$1,750,000	\$0	\$0	\$0	\$0	\$0	\$1,750,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	1,750,000	0	0	0	0	0	1,750,000
TOTAL	\$1,750,000	\$0	\$0	\$0	\$0	\$0	\$1,750,000

Finance Notes

City Council 2/26/2019 - Mid-Year Budget Appropriation of \$1.5M from General Government CIP Fund.

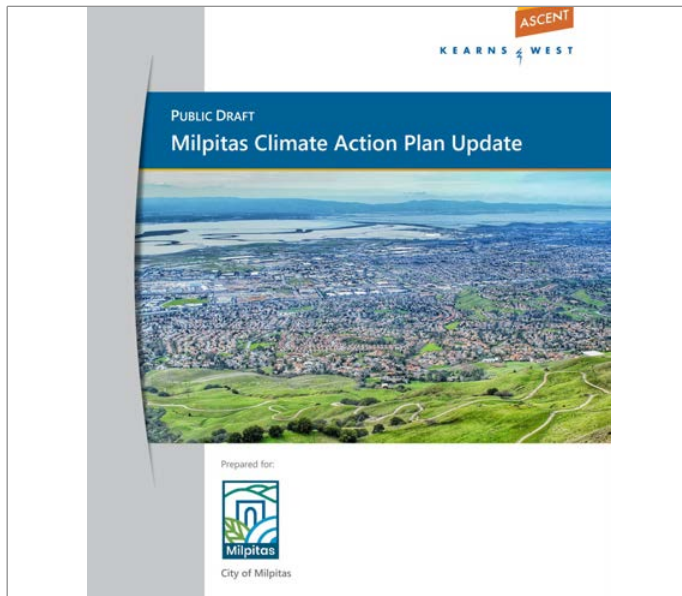
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3453

Climate Action Plan Update



Category:	Community Improvement
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City Council Priority:	Environment
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Project Location:	Public Works Department
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Managing Department:	Public Works
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Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
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Project Stage:	Adopted/Implementation
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Estimated Schedule	
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Design:	Completed
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Construction:	2023-2024
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Recurring Project:	Yes
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Description

This project provides for an update to the City's Climate Action Plan (CAP) adopted in 2013. The CAP serves as the Greenhouse Gas (GHG) reduction strategy to meet the State's reduction target by year 2020. Since the adoption of the CAP, legislation was passed setting new mid- and long-term Statewide emissions targets (40% reduction below 1990 levels by 2030; 80% reduction by 2050). The update will identify needs to support CAP programs for the new reduction targets and develop and implement outreach and community engagement programs.

Notes

On 8/9/2022, the City Council adopted the Climate Action Plan Update. Workplan in 2023-2024 is to implement near-term CAP strategies and goals as discussed with the City Council during the August 9, 2022 meeting. Work includes hiring a consultant to support CAP implementation, coordination and monitoring; developing a municipal facilities electrification strategy; and funding for community engagement and education, including a fellow. Ongoing implementation of the CAP Update and associated costs will be brought forward for City Council consideration as more programs and policies are developed. Additionally, staff will pursue grant funding opportunities to support CAP implementation.

Climate Action Plan Update

Project No. 3453

Uncommitted Balance as of 3/31/2023	Council Approval
\$150,000	7/1/2019

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	190,000	0	0	0	0	0	190,000
Administration	10,000	0	0	0	0	0	10,000
Improvements	150,000	0	0	0	0	0	150,000
TOTAL	\$350,000	\$0	\$0	\$0	\$0	\$0	\$350,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	200,000	0	0	0	0	0	200,000
General Fund	150,000	0	0	0	0	0	150,000
TOTAL	\$350,000	\$0	\$0	\$0	\$0	\$0	\$350,000

Finance Notes

City Council 8/9/2022 - Budget Appropriation of \$150k from General Fund - Unassigned.

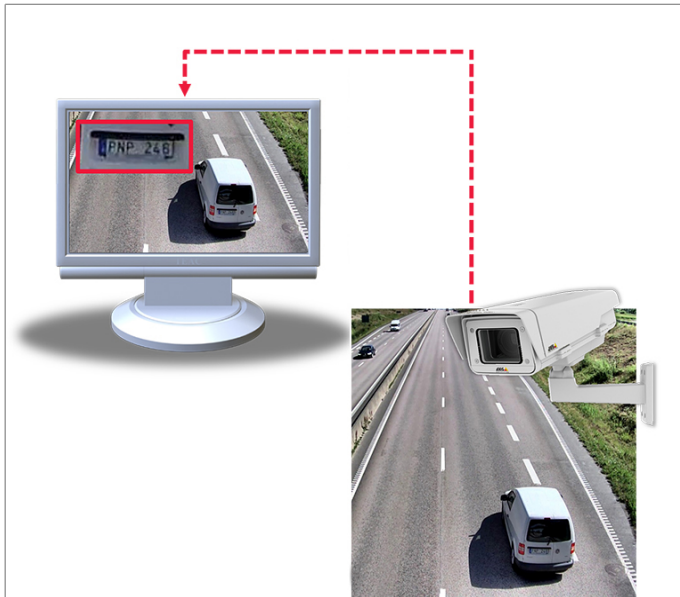
Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3459

ALPRs and Security Cameras Program



Category:	Community Improvement
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City Council Priority:	Public Safety
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Project Location:	Citywide
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Managing Department:	Police
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Contact Person:	Steve Fox [2525]/ Lisa Beaulieu [2434]
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Project Stage:	Implementation
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Estimated Schedule	
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Design:	Completed
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Construction:	Ongoing
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Recurring Project:	No
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Description

This project provides for the assessment and installation of video camera systems and automated license plate readers (ALPRs) to protect the community and critical infrastructure. The units will be placed at strategic points of ingress and egress within the City, high crime areas, and the Milpitas BART station in an effort to address criminal activity. Project also includes installation of hardware, software, and data storage to support the system.

Notes

Assessment for a video camera system and ALPRs was completed in 2020 and ALPRs were installed in 2020 and 2022. On 9/20/2022, Council approved to extend the lease agreement for the ALPRs until 2024 and potentially install up to 10 cameras citywide, locations to be determined.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$318,000

7/1/2019

ALPRs and Security Cameras Program

Project No. 3459

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Equipment	515,000	0	0	0	0	0	515,000
TOTAL	\$515,000	\$0	\$0	\$0	\$0	\$0	\$515,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	200,000	0	0	0	0	0	200,000
Grants/Reimb./Developer Fees	315,000	0	0	0	0	0	315,000
TOTAL	\$515,000	\$0	\$0	\$0	\$0	\$0	\$515,000

Finance Notes

City Council 6/4/2020 - \$300K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

In FY2021/22, Grants/Reimb./Developer Fees of \$315k is from State Car Break-in Grant.

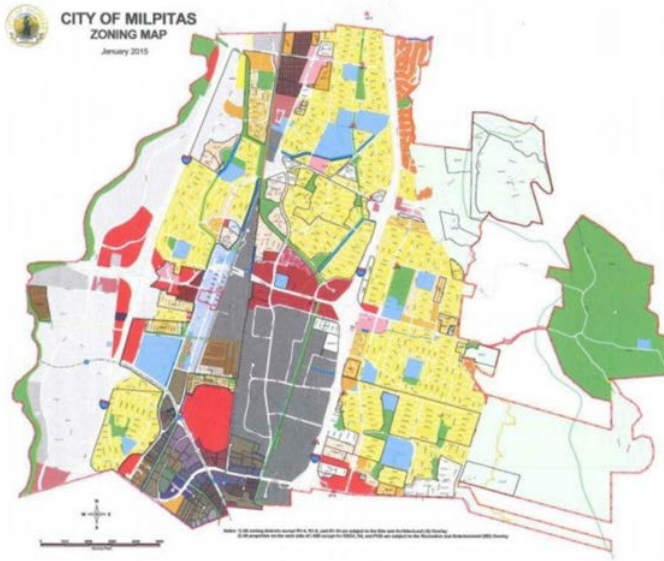
Operating Impact Notes

This project is currently being funded solely through the CIP including the leasing fee. Operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3460

Comprehensive Zoning Ordinance Update



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Planning Department
Managing Department:	Planning
Contact Person:	Ned Thomas [3273]/ Jay Lee [3077]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2025
Construction:	—
Recurring Project:	No

Description

This project provides for the update to the City's Zoning Ordinance which is a primary implementation tool of the General Plan with regard to land use. The current Zoning Ordinance was originally written in 1955 and contains many outdated terms and is poorly organized. It was last updated in 2008 and has had multiple amendments in recent years in response to changes in State law, zoning practice, and technology. A comprehensive review and update of the Zoning Ordinance is required to ensure consistency between the recently adopted General Plan 2040 policies related to land use and the primary regulations to implement those policies. The Update will also ensure conformance of local land use regulations and design standards with State law, resolve inconsistencies, and make the Ordinance easier to use and understand for staff and the general public.

Notes

On 1/17/2023, City Council approved a professional service agreement for the update and is anticipated to be completed in 2025.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$120,000

7/1/2020

Comprehensive Zoning Ordinance Update

Project No. 3460

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	880,000	0	0	0	0	0	880,000
Administration	120,000	0	0	0	0	0	120,000
TOTAL	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$1,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Community Planning Fees	1,000,000	0	0	0	0	0	1,000,000
TOTAL	\$1,000,000	\$0	\$0	\$0	\$0	\$0	\$1,000,000

Finance Notes**Operating Impact Notes**

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

3461

Fire Stations Security



Category:	Community Improvement
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City Council Priority:	Public Safety
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Project Location:	Fire Stations
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Managing Department:	Public Works
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Contact Person:	Christian Di Renzo [2602]/ Samu Tiimalu [2648]
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Project Stage:	Construction
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Estimated Schedule

Design:	Completed
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Construction:	2023
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Recurring Project:	No
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Description

This project provides for an assessment and installation of security measures at Fire Stations no. 1, 3, and 4. Work will include installation of control and alarm monitoring system (ACAMS) to replace the pushbutton lock system to monitor access and assess security measures such as video surveillance for the protection of Fire Stations.

Notes

On 1/18/22 and 9/6/2022, City Council awarded a construction contract to install the ACAM system at Fire Station No. 1, 3, and 4 which is anticipated to be completed by summer 2023. Public Works and Fire departments' workplan in FY2022-23 to perform an assessment of security measures at Fire Station No. 1, 3, and 4.

Fire Stations Security

Project No. 3461

Uncommitted Balance as of 3/31/2023	Council Approval
\$56,000	7/1/2020

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	200,000	0	0	0	0	0	200,000
TOTAL	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	200,000	0	0	0	0	0	200,000
TOTAL	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000

Finance Notes**Operating Impact Notes**

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3462

On-Call Facilities Maintenance & Repair Services



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for on-call repair and maintenance services at all City facilities. Work may include, but is not limited to, repair and replacement of electrical and mechanical systems, plumbing, parking lots, UPS battery backup system replacement, pool equipment, motors/pumps, fountain repairs, leak repairs, emergency power, HVAC systems, painting, carpeting, code upgrades, replacement of floor coverings, restroom and shower facilities, kitchen improvements, locksmith services, windows, doors and gates, replacement of furniture and fixtures, removal and disposal of hazardous materials such as ballasts, lamps/bulbs, batteries, paint, aerosol, cleaning products, pesticides, appliances etc., and other related improvements. All work will be performed on a priority and funding availability basis.

Notes

Uncommitted Balance
as of 3/31/2023Council
Approval

\$214,000

7/1/2020

On-Call Facilities Maintenance & Repair Services

Project No. 3462

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	1,095,000	400,000	400,000	300,000	300,000	300,000	2,795,000
TOTAL	\$1,095,000	\$400,000	\$400,000	\$300,000	\$300,000	\$300,000	\$2,795,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	1,095,000	400,000	0	0	0	0	1,495,000
No Funding Source	0	0	400,000	300,000	300,000	300,000	1,300,000
TOTAL	\$1,095,000	\$400,000	\$400,000	\$300,000	\$300,000	\$300,000	\$2,795,000

Finance Notes

City Council 2/21/2023 - Mid-Year Budget Appropriation of \$250k from General Government CIP Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3464

Mobile Emergency Operations Center



Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	1275 North Milpitas Blvd.
Managing Department:	Police
Contact Person:	Steve Fox [2525]/ Jason Schoonover [2802]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2022-2024
Recurring Project:	No

Estimated Schedule

Description

This project provides for the purchase of a Mobile Emergency Operations Center (MEOC) to be used by the Police and Fire departments during a lengthy field deployment. This vehicle provides a safe operational environment for staff. It will also serve as a backup Public Safety Answering Point in the event the current EOC fails.

Notes

The vendor has begun to build the MEOC and it is anticipated to be completed by winter 2024.

Uncommitted Balance
as of 3/31/2023Council
Approval**Mobile Emergency Operations Center**

Project No. 3464

\$0**7/1/2020****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Equipment	1,240,000	0	0	0	0	0	1,240,000
TOTAL	1,240,000	\$0	\$0	\$0	\$0	\$0	\$1,240,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Equipment Replacement Fund	161,131	0	0	0	0	0	161,131
General Government CIP Fund	475,440	0	0	0	0	0	475,440
Grants/Reimb./Developer Fees	603,429	0	0	0	0	0	603,429
TOTAL	\$1,240,000	\$0	\$0	\$0	\$0	\$0	\$1,240,000

Finance Notes

In FY21/22, Grant/Reim./Developer Fees of \$120,000 from Asset Seizure Fund, \$118,429 from COPs grant, and \$425,000 from American Rescue Plan Act of 2021.

City Council 2/21/2023 - Mid-Year Budget Adjustment of \$60k defunded from Federal Asset Seizure Fund in prior years.

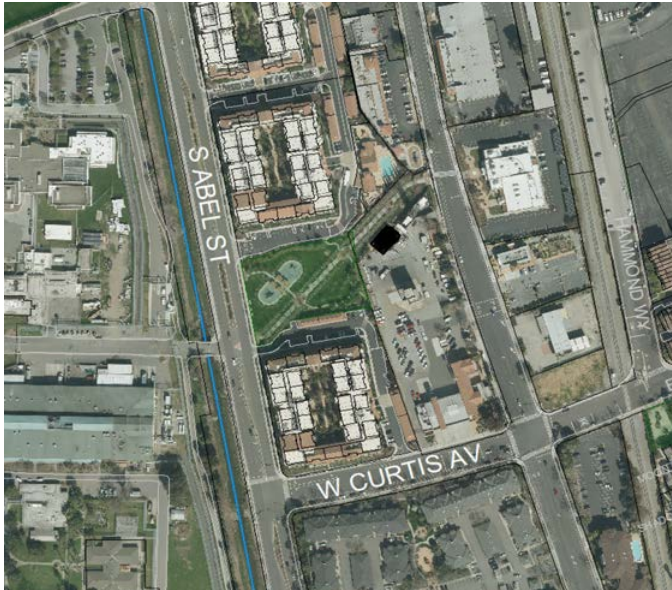
Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3465

Fire Station No. 1 Modular Building



Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	777 South Main Street
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	2025-2026
Recurring Project:	No

Estimated Schedule

Description

This project provides for the design and replacement of the modular building at Main Fire Station No. 1 that has exceeded its service life. The building was installed in late 1990s to house the operation staff during the construction of the fire station. Since the completion of the fire station, the building is being used as City's Office of Emergency Services (OES) and for training meetings and conferences.

Notes

Funding request in FY2023-2024 is for the escalation cost of a new modular building and additional scope of work for site improvements and requirements such as new fire water service and fiber infrastructure; upgrades to sanitary sewer and electrical system; removal and disposal of the existing modular building; hazard material removal requirements and remediation; City building permit requirements, and etc. Vendor selection for replacement of the modular is anticipated to start in summer 2023.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$799,000

7/1/2022

Fire Station No. 1 Modular Building

Project No. 3465

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	100,000	0	0	0	0	0	100,000
Administration	50,000	50,000	0	0	0	0	100,000
Improvements	650,000	150,000	0	0	0	0	800,000
TOTAL	\$800,000	\$200,000	\$0	\$0	\$0	\$0	\$1,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	550,000	200,000	0	0	0	0	750,000
Grants/Reimb./ Developer Fees	250,000	0	0	0	0	0	250,000
TOTAL	\$800,000	\$200,000	\$0	\$0	\$0	\$0	\$1,000,000

Finance Notes

City Council 2/21/2023 - Mid-Year Budget Appropriation of \$250k from American Rescue Plan Act grant.

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3467

Human Resources Information System



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Human Resource Department
Managing Department:	Human Resources
Contact Person:	Nick Raisch [3086]/ Vicky Lien [3085]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2026
Recurring Project:	No

Description

This project provides for the design and implementation of a Human Resources Information System (HRIS) that will optimize efficiencies and streamline processes for functions in the Human Resources department. The existing system is a Payroll system which is inefficient and ineffective for management of employees and relies on manual processes which limits proper handling of HR functions. The new system will serve as a basic end-to-end management of employees for position control, recruitment, performance management, learning & development, record tracking, personnel actions, document control, reporting, compliance tracking, strategy, and self-service.

Notes

This project was approved by City Council as part of the American Rescue Plan Act Investment Plan on August 9, 2021. This project will be coordinated with Financial System Enterprise Resource Planning project (#3466). HR is anticipating starting the system selection and design in summer 2023 and anticipating the system to be implemented in winter 2025.

Uncommitted Balance
as of 3/31/2023Council
Approval

Human Resources Information System

Project No. 3467

\$1,100,000

8/9/2021

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	370,000	0	350,000	0	0	0	720,000
Improvements	730,000	100,000	0	0	0	0	830,000
TOTAL	\$1,100,000	\$100,000	\$350,000	\$0	\$0	\$0	\$1,550,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	1,100,000	0	0	0	0	0	1,100,000
Information Technology Replacement	0	0	300,000	0	0	0	300,000
Sewer Fund	0	50,000	25,000	0	0	0	75,000
Water Fund	0	50,000	25,000	0	0	0	75,000
TOTAL	\$1,100,000	\$100,000	\$350,000	\$0	\$0	\$0	\$1,550,000

Finance Notes

City Council 8/9/2021 - approved \$1.1M American Rescue Plan Act funding for this project.

Operating Impact Notes

The annual software licensing and maintenance costs of \$160,000 is anticipated to begin in FY26-27. The cost of the software maintenance will be incurred by the Human Resources department operating budget.

PROJECT NO.

3469

Metro Impact Fee Study



Category:	Community Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	Metro Specific Area
Managing Department:	Planning
Contact Person:	Ned Thomas [3273]/ Jay Lee [3077]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	—
Recurring Project:	No

Description

This project provide for the preparation of an impact fee nexus study for infrastructure needs in the Milpitas Metro Specific Plan (update of the 2008 TASP) planning area. The study will update the previous Transit Area Development Impact Fee (TADIF) schedule and determine the total costs of the implementation of the prior uncompleted infrastructure as well as the changes incorporated into the Metro Plan. The nexus study will also determine the optimal method for distributing those costs to developers of land within the specific plan. The method will provide an implementation blueprint that will be equitable to new development and its related infrastructure needs, and for the remaining development opportunities permitted by the TASP with already established public infrastructure as identified in the Basic Infrastructure Program (BIP). The methodology will result in the full recovery of costs and establish a fee program.

Notes

Planning is anticipating to start the study in spring 2023 and to be completed approximately 12 to 18 months after commencement.

Metro Impact Fee Study

Project No. 3469

Uncommitted Balance as of 3/31/2023	Council Approval
\$150,000	2/21/2023

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	50,000	0	0	0	0	0	50,000
Administration	100,000	0	0	0	0	0	100,000
TOTAL	\$150,000	\$0	\$0	\$0	\$0	\$0	\$150,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	150,000	0	0	0	0	0	150,000
TOTAL	\$150,000	\$0	\$0	\$0	\$0	\$0	\$150,000

Finance Notes

City Council 2/21/2023 - Project created with Budget Appropriation of \$150k from TASP Impact Fees.

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

3486

Facilities Water Fixtures Retrofit Project



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities and Parks
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Samu Tiimalu [2648]
Project Stage:	Post-Construction
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

A full audit of the City's domestic water fixtures in buildings and parks was conducted in 2020 to determine retrofit options that would result in energy and water savings for the City's existing toilet and sink valves, as well as all other sources of water usage. Lower flow fixtures reduce water usage and water costs and can also lead to reductions in electric usage due to the reduced hot water demands. These retrofits would also reduce operation and maintenance (O&M) requirements by reducing the needs for staff repairs throughout the year given the newer and more reliable fixtures.

Notes

On 11/17/2020, City Council approved an agreement with Engie Service Inc. for the implementation of energy and water conservation measures. The project was completed in 2022.

Uncommitted Balance
as of 3/31/2023Council
Approval**Facilities Water Fixtures Retrofit Project**

Project No. 3486

\$0**11/17/2020****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	670,000	0	0	0	0	0	670,000
TOTAL	\$670,000	\$0	\$0	\$0	\$0	\$0	\$670,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	670,000	0	0	0	0	0	670,000
TOTAL	\$670,000	\$0	\$0	\$0	\$0	\$0	\$670,000

Finance Notes

City Council 11/17/2020: Project created with Budget Appropriation of \$670k from General Government CIP Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

3487

Citywide LED Lighting Upgrade Project



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Post-Construction
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

An assessment of the City's outdoor lighting was completed in 2020 to convert the fixtures to LED for City's streets, sports fields, and park lights. This will achieve energy savings, improve light coverage, and help standardize the lighting technology throughout the City. The lighting retrofits will include cellular controls that will enable the City to view all outdoor lights in an online dashboard, increasing awareness of any outages, and the ability to quickly replace fixtures for the community. LEDs have become a cost-effective replacement for conventional lighting that will save the City over 50% in energy costs. Added bi-level controls will meet Title 24 requirements and increase savings for fixtures when no one is present. In addition, uniform light enhances security and the service life of 15 to 20 years reduces maintenance requirements.

Notes

On 11/17/2020, City Council approved an agreement with Engie Service Inc. for the implementation of energy and water conservation measures. The project was completed in winter 2022.

Uncommitted Balance
as of 3/31/2023Council
Approval**Citywide LED Lighting Upgrade Project**

Project No. 3487

\$0**11/17/2020****Estimated Cost**

Phase	Prior Year	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	Total
Improvements	6,872,425	0	0	0	0	0	6,872,425
TOTAL	\$6,872,425	\$0	\$0	\$0	\$0	\$0	\$6,872,425

Funding Source

	Prior Year	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	Total
Revenue Bond	6,872,425	0	0	0	0	0	6,872,425
TOTAL	\$6,872,425	\$0	\$0	\$0	\$0	\$0	\$6,872,425

Finance Notes

City Council 11/17/2020: Project created with Budget Appropriation of \$6,872,425 from Lease Revenue Bond.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

3488

Community and Senior Center Energy Resilience Project



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Community and Senior Center
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2023
Recurring Project:	No

Description

This project provides for the design and installation of Solar Photovoltaics and Battery Energy Storage at the Senior Center and Community Center for resiliency and energy savings. Implementation of this project would generate clean, on-site power via solar shade structures, and rooftop canopies to reduce PG&E energy costs. This project helps the City avoid peak demand charges and optimize energy rates. In addition, the battery and energy storage will provide emergency backup power in the event of power outages or shutoffs in the City.

Notes

On 11/17/2020, City Council approved an agreement with Engie Service Inc. for the implementation of energy and water conservation measures. Engie is to complete project by winter 2023. Workplan in FY2022-23 and FY2023-24 is to conduct a feasibility study for installation of Solar Photovoltaics and Battery Energy Storage at other City facilities such as PW/PD building, City Hall, etc.

Uncommitted Balance
as of 3/31/2023Council
Approval**Community and Senior Center Energy Resilience Project**

Project No. 3488

\$324,000**11/17/2020****Estimated Cost**

Phase	Prior Year	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	Total
Improvements	5,107,597	0	0	0	0	0	5,107,597
TOTAL	\$5,107,597	\$0	\$0	\$0	\$0	\$0	\$5,107,597

Funding Source

	Prior Year	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	Total
Grants/Reimb./ Developer Fees	700,702	0	0	0	0	0	700,702
Revenue Bond	4,406,895	0	0	0	0	0	4,406,895
TOTAL	\$5,107,597	\$0	\$0	\$0	\$0	\$0	\$5,107,597

Finance Notes

City Council 11/17/2020: Project created with Budget Appropriation of \$4,406,895 from Lease Revenue Bond.

City Council 11/2/2021: Accepted grant funding from Silicon Valley Clean Energy (SVCE) of \$700,702.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3489

Public Art Program



Category:	Community Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Various Locations
Managing Department:	Parks & Recreation
Contact Person:	Renee Lorentzen [3409]/ Tegan McLane [3212]
Project Stage:	Implementation
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the design and installation of new art and murals; creation of a Public Art Master Plan to establish goals, roles, procedures, and use of the Public Art Fund; implementation of the Mural Program policy to promote mural activity reflective of the heritage, diversity and aspirations of our community through engagement with muralists, property owners, community stakeholders and residents; and assessment and maintenance of City's public art collection.

Notes

On 10/5/2021, City Council adopted a Mural Program policy. In 2022, the mural on the pedestrian overcrossing at Piper Drive and BART Station was completed. Workplan in FY 2022-23 is to continue implementation of the Mural Program, ongoing maintenance of the City's public art, complete the development of the Historic Marker program, and start the development of the Public Art Master Plan. Funding request in FY2023-24 is for the annual contribution from the Public Art Fund for continuous implementation of the Mural Program.

Public Art Program

Project No. 3489

Uncommitted Balance as of 3/31/2023	Council Approval
\$489,000	2/16/2021

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	288,500	50,000	50,000	50,000	50,000	50,000	538,500
Improvements	277,500	0	0	0	0	0	277,500
TOTAL	\$566,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$816,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Public Art Fund	566,000	50,000	50,000	50,000	50,000	50,000	816,000
TOTAL	\$566,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$816,000

Finance Notes

City Council 2/16/2021 - Project created with Mid-year Budget Appropriation of \$97.5k from Public Art Fund.

City Council 10/5/2021 - Budget Appropriation of \$65k from Public Art Fund.

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3490

Capital Improvement Program Administration



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Engineering and Finance Department
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Gabrielle Tsang [3131]
Project Stage:	Administration
Estimated Schedule	
Design:	—
Construction:	—
Recurring Project:	Yes

Description

This project provides for the annual preparation of the Capital Improvement Program. Work includes program administration, printing, and software programming assistance.

Notes

Uncommitted Balance
as of 3/31/2023Council
Approval

\$479,000

7/1/2021

Capital Improvement Program Administration

Project No. 3490

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	1,105,000	720,000	720,000	720,000	720,000	720,000	4,705,000
TOTAL	\$1,105,000	\$720,000	\$720,000	\$720,000	\$720,000	\$720,000	\$4,705,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	387,000	252,000	0	0	0	0	639,000
Sewer Infrastructure Fund	248,000	162,000	0	0	0	0	410,000
TASP Impact Fees	222,000	144,000	0	0	0	0	366,000
Water Capital Surcharge	248,000	162,000	0	0	0	0	410,000
No Funding Source	0	0	720,000	720,000	720,000	720,000	2,880,000
TOTAL	\$1,105,000	\$720,000	\$720,000	\$720,000	\$720,000	\$720,000	\$4,705,000

Finance Notes**Operating Impact Notes**

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

3493

Milpitas SMART



Category:	Community Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Planning
Contact Person:	Ned Thomas [3273]/ Jay Lee [3077]
Project Stage:	Implementation
Estimated Schedule	
Design:	2022-2024
Construction:	—
Recurring Project:	No

Description

This project provides for a 12-month pilot program to provide micro-transit connection services throughout Milpitas. The demand-responsive micro transit service will operate as a “hub and spoke model”, an innovative service model that functions as a hybrid between first-last mile and point-to-point service. Riders will be able to book trips from any one of nearly a hundred virtual stops across the City to any of the “hub” locations. The demand-responsive micro transit service will operate as a point-to-point service, offering rides from any virtual stop to another virtual stop within Milpitas, similar to other rail-hailing services. Riders will be able to book trips from their home to anywhere within the City and vice versa.

Notes

On 4/5/2022, City Council approved a funding agreement with the Santa Clara Valley Transportation Authority (VTA) for the 2016 Measure B Innovative Transit Service Models Program and subscription and service agreement with RideCo. The pilot program started in September 2022 and is anticipated to end in September 2023. After the conclusion of the program, Planning department will present the findings to City Council.

Milpitas SMART

Project No. 3493

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	4/5/2022

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	1,355,916	0	0	0	0	0	1,355,916
TOTAL	\$1,355,916	\$0	\$0	\$0	\$0	\$0	\$1,355,916

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	71,184	0	0	0	0	0	71,184
Grants/Reimb./ Developer Fees	200,000	0	0	0	0	0	200,000
Measure B	1,084,732	0	0	0	0	0	1,084,732
TOTAL	\$1,355,916	\$0	\$0	\$0	\$0	\$0	\$1,355,916

Finance Notes

City Council 4/5/2022 - Project created with Budget Appropriation of \$1,084,732 from Measure B Innovative Transit Service Models Program Funds, \$200,000 from Developer Fees and \$71,184 from General Government CIP Fund for a total of \$1,355,916. Developer Fees: contribution from Embarcadero Capital Partners and Bridge Development (235 N. McCarthy Blvd).

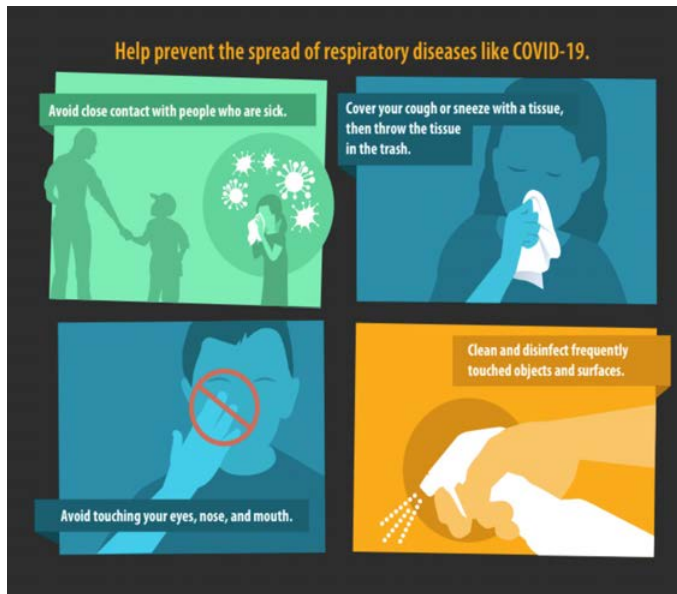
Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3495

Safe Facilities Improvements



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Samu Tiimalu [2648]
Project Stage:	Implementation
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for the implementation of COVID safe controls and safety measures necessary for the reopening of City buildings for staff and the public. The safety measures will help prevent and reduce transmission of the COVID-19 virus and maintain healthy business operations and work environments as staff and the public return to the work place. Work includes rebalancing and adjusting HVAC systems to increase total airflow in City buildings, HVAC filter upgrades, cleaning and disinfecting supplies for facilities, and the procurement of hand sanitizer stations, acrylic shields, and signage.

Notes

Safe Facilities Improvements

Project No. 3495

Uncommitted Balance as of 3/31/2023	Council Approval
\$51,000	6/15/2021

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	575,000	0	0	0	0	0	575,000
TOTAL	\$575,000	\$0	\$0	\$0	\$0	\$0	\$575,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Fund	200,000	0	0	0	0	0	200,000
General Government CIP Fund	375,000	0	0	0	0	0	375,000
	\$575,000	\$0	\$0	\$0	\$0	\$0	\$575,000

Finance Notes

City Council 6/15/2021 - Project created with a Budget Appropriation of \$375k from American Rescue Plan Act of 2021.

In FY21/22, General Government CIP Fund replaced Grant funding (American Rescue Plan Act of 2021).

City Council 2/21/2023 - Mid-Year Budget Appropriation of \$200k from General Fund.

Operating Impact Notes

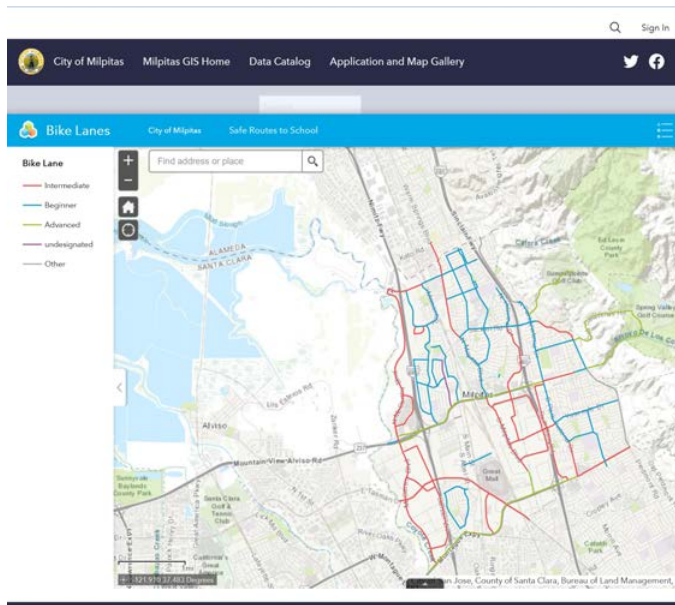
This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

3496

GIS Development and Data Collection



Category:	Community Improvement
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City Council Priority:	Governance and Administration
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Project Location:	Citywide
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Managing Department:	Information Technology
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Contact Person:	Daniel Nam [2706]/ Scott Golden [2712]
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Project Stage:	Ongoing Planning/ Implementation
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Estimated Schedule	
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Design:	Ongoing
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Construction:	Ongoing
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Recurring Project:	Yes
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Description

This project provides for the maintenance and enhancements of the City's Geographic Information System (GIS). The GIS provides field-verified spatial information data that is extensively used by numerous applications in all City departments and the public.

Notes

Workplan in FY2022-23 and funding request in FY2023-24 is to continue software updates, data acquisition, and mapping system modifications; support consultant contract for system upgrades; and develop a GIS Master Plan.

Uncommitted Balance
as of 3/31/2023Council
Approval**GIS Development and Data Collection**

Project No. 3496

\$287,000**7/1/2022****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	125,000	74,000	75,000	75,000	75,000	75,000	499,000
Administration	75,000	23,000	25,000	25,000	25,000	25,000	198,000
Improvements	150,000	45,000	50,000	50,000	50,000	50,000	395,000
TOTAL	\$350,000	\$142,000	\$150,000	\$150,000	\$150,000	\$150,000	\$1,092,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	0	62,000	0	0	0	0	62,000
Permit Automation Fund	150,000	0	0	0	0	0	150,000
Sewer Infrastructure Fund	100,000	40,000	0	0	0	0	140,000
Water Capital Surcharge	100,000	40,000	0	0	0	0	140,000
No Funding Source	0	0	150,000	150,000	150,000	150,000	600,000
TOTAL	\$350,000	\$142,000	\$150,000	\$150,000	\$150,000	\$150,000	\$1,092,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3497

Public Safety Mobile Computer Terminals



Category:	Community Improvement
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City Council Priority:	Public Safety
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Project Location:	Police & Fire Departments
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Managing Department:	Information Technology
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Contact Person:	Daniel Nam [2706]/ Scott Golden [2712]
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Project Stage:	Design & Implementation
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Estimated Schedule

Design:	2022-2024
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Construction:	—
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Recurring Project:	No
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Description

This project provides for the replacement of Fire and Police department vehicles mobile computers terminals (MCT) that are approaching the end of their service life. The MCT is a computerized device to communicate with central dispatch office in the field and essential tool for public safety daily operations as it provides real time information. The devices are recommended to be replaced every 5-7 years to meet the current hardware and software technologies.

Notes

Workplan in FY2022-23 is to replace 34 Police vehicles units. Funding request in FY2023-24 is for replacement of 20 Fire vehicle units and 8 Police motorcycle units. The project will be coordinated between IT, Police, and Fire departments.

Uncommitted Balance
as of 3/31/2023Council
Approval**Public Safety Mobile Computer Terminals**

Project No. 3497

\$360,000**7/1/2022****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	360,000	250,000	0	0	0	0	610,000
TOTAL	\$360,000	\$250,000	\$0	\$0	\$0	\$0	\$610,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	360,000	250,000	0	0	0	0	610,000
TOTAL	\$360,000	\$250,000	\$0	\$0	\$0	\$0	\$610,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3499

HVAC System Repairs and Upgrades



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Public Works and Police building
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
Project Stage:	Design
Estimated Schedule	
Design:	2022-2023
Construction:	2024-2025
Recurring Project:	No

Description

The project provides for the repair and upgrades to the HVAC system at the Public Works and Police (PW/PD) building and replacement of Air Handler and AC Units at City Hall that has reached the end of its service life. During an air balancing assessment of the PW/PD building, it was discovered the air delivery system and associated controls are not compliant with Outside Air Supply (OSA) requirements. The work for PW/PD building will be completed in two phases to address the temperature, comfort, and OSA issues: (1) is to address immediate repairs to the existing VAV systems to meet current codes and mandates, and (2) is to address the existing poor to failed condition EMS/BMS HVAC controls which only partially controls the building's HVAC systems.

Notes

The design for PW/PD building VAV and EMP/BMS HVAC system repairs and upgrades is anticipated to be completed in FY2022-23 and construction is anticipated for FY2023-24. Planned funding request in FY2024-25 for the design and construction of new air handler and AC units at City Hall.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$620,000

7/1/2022

HVAC System Repairs and Upgrades

Project No. 3499

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	0	200,000	0	0	0	200,000
Improvements	620,000	0	700,000	0	0	0	1,320,000
TOTAL	\$620,000	\$0	\$900,000	\$0	\$0	\$0	\$1,520,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	620,000	0	0	0	0	0	620,000
No Funding Source	0	0	900,000	0	0	0	900,000
TOTAL	\$620,000	\$0	\$900,000	\$0	\$0	\$0	\$1,520,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Historic Resource Master Plan Update

PROJECT NO.

3503

CONCEPTUAL HISTORIC RESOURCES MASTERPLAN for the City of Milpitas



prepared by the
CITY OF MILPITAS
and
ARCHITECTURAL RESOURCES GROUP

UPDATED AND APPROVED BY THE MILPITAS
PARKS, RECREATION AND CULTURAL RESOURCES COMMISSION ON
March 1, 1993
December 5, 2011

Category:	Community Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Parks & Recreation
Contact Person:	Renee Lorentzen [3409]/ Tegan McLane [3212]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2024
Construction:	—
Recurring Project:	No

Description

This project provides for an update to the Historic Resources Master Plan adopted in 2011. The update includes identifying and assessing historic resources; updating the City's landmark policy for public and private resources; establish preservation efforts; identify potential funding mechanisms; and creating a program for Historic Resource Markers.

Notes

Park & Recreation department is anticipating to start the update in spring 2023 and complete it in 2024.

Uncommitted Balance
as of 3/31/2023

Council
Approval

Historic Resource Master Plan Update

Project No. 3503

\$200,000

7/1/2022

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	200,000	0	0	0	0	0	200,000
TOTAL	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	200,000	0	0	0	0	0	200,000
TOTAL	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000

Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

3716

City Parking Lot Rehabilitation Program



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the rehabilitation of parking lots at City facilities including City Hall, Public Works, Police Department, Community Center, Barbara Lee Senior Center, Fire Stations, and Utility Pump Stations.

Notes

Resurfacing of the parking lot at Sports Center Complex, funded in FY2022-23, is schedule for FY2024-25 after Milpitas Unified School district has completed construction of the Innovation Campus project. This project is only partially funded.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$200,000

7/1/2019

City Parking Lot Rehabilitation Program

Project No. 3716

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	55,000	0	0	0	0	0	55,000
Improvements	435,000	0	0	100,000	100,000	100,000	735,000
TOTAL	\$490,000	\$0	\$0	\$100,000	\$100,000	\$100,000	\$790,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	400,000	0	0	0	0	0	400,000
Sewer Fund	15,000	0	0	0	0	0	15,000
Storm Drain Fund	75,000	0	0	0	0	0	75,000
No Funding Source	0	0	0	100,000	100,000	100,000	300,000
TOTAL	\$490,000	\$0	\$0	\$100,000	\$100,000	\$100,000	\$790,000

Finance Notes

City Council 6/4/2020 - \$50K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any maintenance costs that arise will be absorbed within the available maintenance schedule and annual operating budget.

PROJECT NO.

New

Council Chamber AV System Replacement



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Council Chamber
Managing Department:	Information Technology
Contact Person:	Daniel Nam [2706]/ Scott Golden [2712]
Project Stage:	Planning
Estimated Schedule	
Design:	2022-2023
Construction:	2024
Recurring Project:	No

Description

This project provides for the replacement of the audio and video (AV) system in the Council Chamber that has exceeded its service life. The 10+ year old AV system is unpredictable, reaching technical obsolescence, and no longer meets the evolving needs of the City, such as hybrid public meetings. Due to the highly complex nature of the system, the implementation can only be occurred during the City Council summer recess.

Notes

Funding request in FY2023-24 is for the replacement of the new AV system which is anticipated to be installed during City Council summer recess in 2024.

Uncommitted Balance
as of 3/31/2023Council
Approval**Council Chamber AV System Replacement**

Project No. New

\$0**7/1/2023****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	0	800,000	0	0	0	0	800,000
TOTAL	\$0	\$800,000	\$0	\$0	\$0	\$0	\$800,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Fund	0	800,000	0	0	0	0	800,000
TOTAL	\$0	\$800,000	\$0	\$0	\$0	\$0	\$800,000

Finance Notes

In FY23-24, \$800k from General Fund - Facilities Replacement Reserve.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

New

Financial System Enterprise Resource Planning



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Finance Department
Managing Department:	Financial
Contact Person:	Lauren Lai [3111]/ Gabrielle Tsang [3131]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2026
Recurring Project:	No

Description

This project provides for the design and installation of a new Financial System Enterprise Resource Planning (ERP) system that will optimize the operations of the financial and budget management; enable operational efficiencies within the Finance department; and provide city-wide functions and customer service delivery to external parties. The existing Cayenta financial system is 25 years old and is limited in accessibility, streamlining processes, and impacts fiscal management.

Notes

This project will be coordinated with Human Resources Information System project (#3467). Finance is anticipating starting system selection and design in summer 2023. The system will be implemented in three phases starting in summer 2024 and anticipating being fully implemented by 2026.

Uncommitted Balance
as of 3/31/2023Council
Approval

Financial System Enterprise Resource Planning

Project No. New

\$0

7/1/2023

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	0	500,000	500,000	150,000	0	0	1,150,000
Improvements	0	1,350,000	400,000	400,000	0	0	2,150,000
TOTAL	\$0	\$1,850,000	\$900,000	\$550,000	\$0	\$0	\$3,300,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Fund	0	1,600,000	0	0	0	0	1,600,000
General Government CIP Fund	0	250,000	900,000	50,000	0	0	1,200,000
Sewer Fund	0	0	0	250,000	0	0	250,000
Water Fund	0	0	0	250,000	0	0	250,000
TOTAL	\$0	\$1,850,000	\$900,000	\$550,000	\$0	\$0	\$3,300,000

Finance Notes

In FY23/24, \$1.6M funding from General Fund - Technology Replacement Reserve.

Operating Impact Notes

The annual software licensing and maintenance costs of \$250,000 is anticipated to begin in FY26-27. The cost of the software maintenance will be incurred by the Finance department operating budget.

PROJECT NO.

New

Median Conversion Project



Category:	Community Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2024
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the phased conversion of streetscape and irrigation systems with drought tolerant plants that supports the State's drought emergency mandate and City's climate action goals in curb planter areas and street medians. Work includes replacing a wide variety of vegetation species with standardized drought tolerant planting that is optimally suited for the environment and minimize the City's maintenance and converting non-functional turf irrigated by potable water to comply with the State's ongoing drought emergency mandate.

Notes

Public Works' workplan in FY2022-23 & FY2023-24 is to establish landscaping standards and prioritize the conversion of streetscape and irrigation systems in curb planter areas and street medians. Funding request in FY2023-24 is for the first conversion phase of the project.

Median Conversion Project

Project No. New

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2023

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	0	300,000	300,000	300,000	300,000	300,000	1,500,000
TOTAL	\$0	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$1,500,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	0	300,000	0	0	0	0	300,000
No Funding Source	0	0	300,000	300,000	300,000	300,000	1,200,000
TOTAL	\$0	\$300,000	\$300,000	\$300,000	\$300,000	\$300,000	\$1,500,000

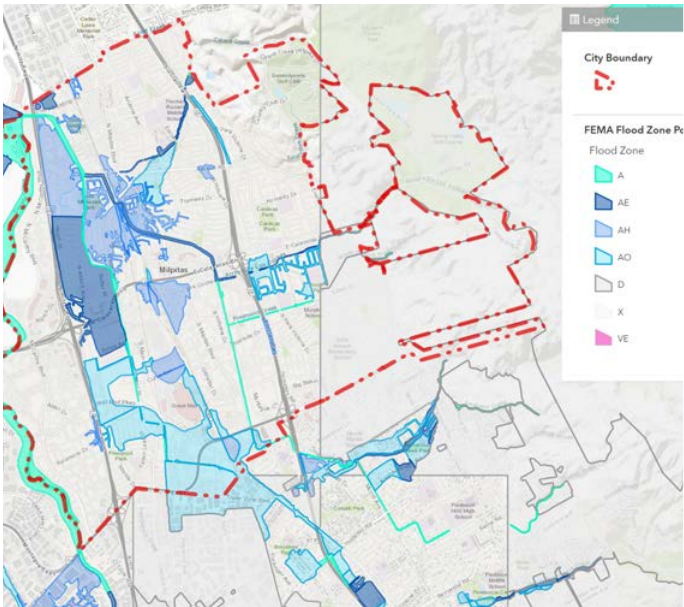
Finance Notes**Operating Impact Notes**

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

New

Watershed Analysis



Category:	Community Improvement
City Council Priority:	Economic Development and Growth
Project Location:	Flood Zone Areas
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	—
Recurring Project:	No

Description

This project provides for a watershed analysis to support and maintain the City’s Federal Emergency Management Agency (FEMA) Community Rating System (CRS) Class 7 Rating. The project will allow the City to work towards a Class 6 Rating. The CRS is a national program developed by FEMA to assess the City’s flood risk level and determine flood insurance premiums for the City of Milpitas residents. Currently, the Class 7 Rating allows residents to purchase flood insurance at a 15% discount on their premiums. In addition, the analysis will help identify potential problem areas in the City’s stormwater infrastructure that may occur during a flood event.

Notes

CRS rating levels are based on 500-point intervals. Every 500 points a community earns translates to a 5% discount in flood insurance premiums for its residents and businesses. Through various activities and credits, the City currently has 1692 points, with a buffer of 192 points above Class 8 Rating. FEMA conducts an annual evaluation and an audit every 5 years of the City’s activities and documentation as they pertain to the City’s classification. The consultant recommends performing the watershed analysis to increase the City’s point total by 110 points to 1802 points to ensure the Class 7 rating is maintained for future FEMA evaluations and audits. The analysis is anticipated to be completed during FY2024-25.

Watershed Analysis

Project No. New

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/2/2023

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	150,000	0	0	0	0	150,000
Administration	0	30,000	0	0	0	0	30,000
TOTAL	\$0	\$180,000	\$0	\$0	\$0	\$0	\$180,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	0	180,000	0	0	0	0	180,000
TOTAL	\$0	\$180,000	\$0	\$0	\$0	\$0	\$180,000

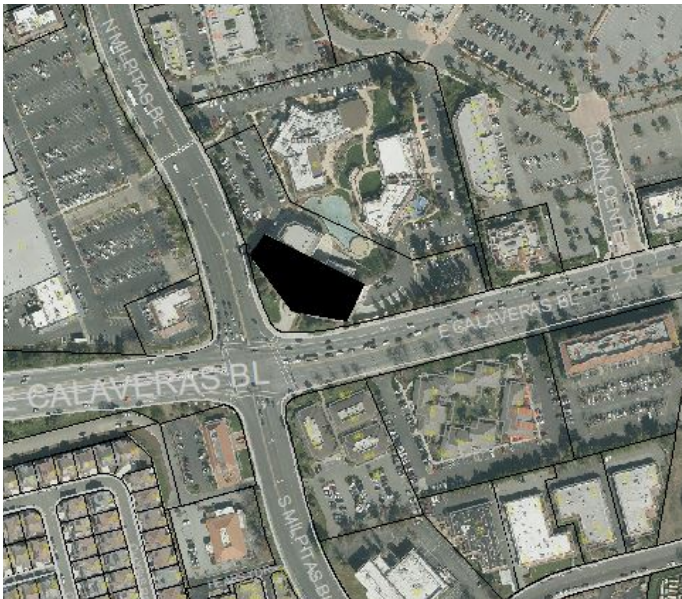
Finance Notes**Operating Impact Notes**

There are no operating or maintenance expenses associated with this project.

City Attorney Office

PROJECT NO.

New



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Hall - 3rd Floor
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2025
Recurring Project:	No

Description

This provide provides for the design and construction of the City Attorney office that includes two enclosure offices, a conference room, and administrative assistant workstation. Work includes construction of offices and conference room; relocation of existing fire alarm and sprinklers; HVAC, lighting, and electrical systems; procurement of furnishing; and obtaining a permit for construction.

Notes

Funding request in FY2023-24 is for the design and construction of the office on the 3rd floor of City Hall.

City Attorney Office

Project No. New

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/2/2023

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	40,000	0	0	0	0	40,000
Administration	0	20,000	0	0	0	0	20,000
Inspection	0	5,000	0	0	0	0	5,000
Improvements	0	385,000	0	0	0	0	385,000
TOTAL	\$0	\$450,000	\$0	\$0	\$0	\$0	\$450,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	0	450,000	0	0	0	0	450,000
TOTAL	\$0	\$450,000	\$0	\$0	\$0	\$0	\$450,000

Finance Notes

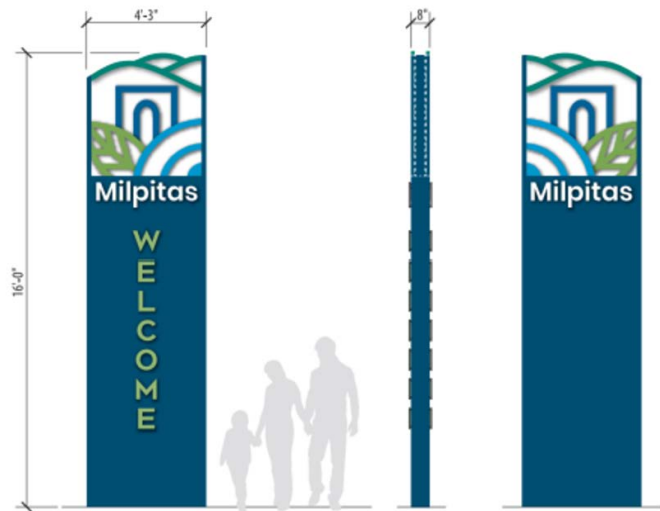
Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

New

Gateway Signage



Category:	Community Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Engineering/Planning
Contact Person:	Ned Thomas [3273]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2026
Construction:	2025-2027
Recurring Project:	No

Description

This project provides for the design and construction of gateway signage with the City’s new logo at key entry points into the City. Potential priority locations will be along aerial routes of I-880, I-680, State Route 237, and Montague Expressway, and local collector streets along the City limits near the City of San Jose and Fremont. Work may include purchase of right-of-way and electrical and site improvements. The project will be phased pending available funding.

Notes

Signage are to be installed by developers on Dixon Landing Rd. near the City limits of Fremont and Landess Ave. and near the City limits of San Jose in 2023-2024. The project received a developer contribution for gateway signage, Council Resolution. No. 8421. Planning department will present potential locations for Council consideration in FY2023-2024.

Gateway Signage

Project No. New

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/2/2023

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	30,000	0	0	0	0	30,000
Administration	0	15,000	0	0	0	0	15,000
Inspection	0	5,000	0	0	0	0	5,000
Improvements	0	200,000	0	150,000	0	0	350,000
TOTAL	\$0	\$250,000	\$0	\$150,000	\$0	\$0	\$400,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	0	250,000	0	0	0	0	250,000
No Funding Source	0	0	0	150,000	0	0	150,000
TOTAL	\$0	\$250,000	\$0	\$150,000	\$0	\$0	\$400,000

Finance Notes

City Council 8/18/2014: Accepted Developer Fee of \$250k per Resolution. No. 8421 - Community Benefit Fund 215.

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.



PARK IMPROVEMENT PROJECTS

2024-28 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total Cost
168	2005	Lower Penitencia Creek Pedestrian Bridge	1,825,000	0	0	0	0	0	1,825,000
170	2012	(Rmb) Metro Linear Trails	3,270,000	0	0	0	0	0	3,270,000
172	2013	(Rmb) Trade Zone/Montague Park - North	3,100,000	0	0	0	0	0	3,100,000
174	2023	Metro Tango Subdistrict Park	600,000	0	0	0	3,550,000	0	4,150,000
176	3424	Citywide Park Rehabilitation	2,053,497	600,000	600,000	600,000	600,000	600,000	5,053,497
178	3463	On-Call Parks and Landscaping Services	520,000	200,000	200,000	200,000	200,000	200,000	1,520,000
180	3491	Cardoza Park Softball Fields Improvement	800,000	0	7,000,000	0	0	0	7,800,000
182	3500	ARPA Park Rehabilitation – DPW	1,340,543	0	0	0	0	0	1,340,543
184	3501	ARPA Park Rehabilitation – Engineering	3,270,815	0	0	0	0	0	3,270,815
186	5055	Alviso Adobe Renovation	8,159,272	200,000	0	0	0	0	8,359,272
188	5102	McCandless Park	12,154,820	0	0	0	0	0	12,154,820
190	5108	Sports Fields Turf Rehabilitation Program	476,000	300,000	0	0	1,700,000	0	2,476,000
192	5110	Sandalwood Park Renovation	475,000	0	0	2,200,000	0	0	2,675,000
194	5113	Minor Sports Courts Rehabilitation Program	915,000	155,000	155,000	155,000	155,000	155,000	1,690,000
196	5114	MSC Master Plan Update	150,000	0	0	0	0	0	150,000
198	New	Sport Center Football Bleacher Replacement	0	200,000	1,000,000	0	0	0	1,200,000
Total Cost			\$39,109,947	\$1,655,000	\$8,955,000	\$3,155,000	\$6,205,000	\$955,000	\$60,034,947

Funding Summary

General Government CIP Fund	100,000	0	0	0	0
Park Fund	1,555,000	0	0	0	0
TASP Impact Fees	0	0	0	3,550,000	0
Total Financing Available	1,655,000	0	0	3,550,000	0
No Funding Source	0	8,955,000	3,155,000	2,655,000	955,000
Total	\$1,655,000	\$8,955,000	\$3,155,000	\$6,205,000	\$955,000

Summary of Project Funding Sources FY 2023-24

Pg.	No.	Project Name	General Government CIP Fund	Park Fund
168	2005	Lower Penitencia Creek Pedestrian Bridge	0	0
170	2012	(Rmb) Metro Linear Trails	0	0
172	2013	(Rmb) Trade Zone/Montague Park - North	0	0
174	2023	Metro Tango Subdistrict Park	0	0
176	3424	Citywide Park Rehabilitation	0	600,000
178	3463	On-Call Parks and Landscaping Services	100,000	100,000
180	3491	Cardoza Park Softball Fields Improvement	0	0
182	3500	ARPA Park Rehabilitation – DPW	0	0
184	3501	ARPA Park Rehabilitation – Engineering	0	0
186	5055	Alviso Adobe Renovation	0	200,000
188	5102	McCandless Park	0	0
190	5108	Sports Fields Turf Rehabilitation Program	0	300,000
192	5110	Sandalwood Park Renovation	0	0
194	5113	Minor Sports Courts Rehabilitation Program	0	155,000
196	5114	MSC Master Plan Update	0	0
198	New	Sport Center Football Bleacher Replacement	0	200,000
Subtotal by Funding Source			100,000	1,555,000
Total			\$1,655,000	

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	No Funding Source
168	2005	Lower Penitencia Creek Pedestrian Bridge	0
170	2012	(Rmb) Metro Linear Trails	0
172	2013	(Rmb) Trade Zone/Montague Park - North	0
174	2023	Metro Tango Subdistrict Park	0
176	3424	Citywide Park Rehabilitation	600,000
178	3463	On-Call Parks and Landscaping Services	200,000
180	3491	Cardoza Park Softball Fields Improvement	7,000,000
182	3500	ARPA Park Rehabilitation – DPW	0
184	3501	ARPA Park Rehabilitation – Engineering	0
186	5055	Alviso Adobe Renovation	0
188	5102	McCandless Park	0
190	5108	Sports Fields Turf Rehabilitation Program	0
192	5110	Sandalwood Park Renovation	0
194	5113	Minor Sports Courts Rehabilitation Program	155,000
196	5114	MSC Master Plan Update	0
198	New	Sport Center Football Bleacher Replacement	1,000,000
Subtotal by Funding Source			8,955,000
Total			\$8,955,000

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	No Funding Source
168	2005	Lower Penitencia Creek Pedestrian Bridge	0
170	2012	(Rmb) Metro Linear Trails	0
172	2013	(Rmb) Trade Zone/Montague Park - North	0
174	2023	Metro Tango Subdistrict Park	0
176	3424	Citywide Park Rehabilitation	600,000
178	3463	On-Call Parks and Landscaping Services	200,000
180	3491	Cardoza Park Softball Fields Improvement	0
182	3500	ARPA Park Rehabilitation – DPW	0
184	3501	ARPA Park Rehabilitation – Engineering	0
186	5055	Alviso Adobe Renovation	0
188	5102	McCandless Park	0
190	5108	Sports Fields Turf Rehabilitation Program	0
192	5110	Sandalwood Park Renovation	2,200,000
194	5113	Minor Sports Courts Rehabilitation Program	155,000
196	5114	MSC Master Plan Update	0
198	New	Sport Center Football Bleacher Replacement	0
Subtotal by Funding Source			3,155,000
Total			\$3,155,000

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	TASP Impact Fees	No Funding Source
168	2005	Lower Penitencia Creek Pedestrian Bridge	0	0
170	2012	(Rmb) Metro Linear Trails	0	0
172	2013	(Rmb) Trade Zone/Montague Park - North	0	0
174	2023	Metro Tango Subdistrict Park	3,550,000	0
176	3424	Citywide Park Rehabilitation	0	600,000
178	3463	On-Call Parks and Landscaping Services	0	200,000
180	3491	Cardoza Park Softball Fields Improvement	0	0
182	3500	ARPA Park Rehabilitation – DPW	0	0
184	3501	ARPA Park Rehabilitation – Engineering	0	0
186	5055	Alviso Adobe Renovation	0	0
188	5102	McCandless Park	0	0
190	5108	Sports Fields Turf Rehabilitation Program	0	1,700,000
192	5110	Sandalwood Park Renovation	0	0
194	5113	Minor Sports Courts Rehabilitation Program	0	155,000
196	5114	MSC Master Plan Update	0	0
198	New	Sport Center Football Bleacher Replacement	0	0
Subtotal by Funding Source			3,550,000	2,655,000
Total			\$6,205,000	

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	No Funding Source
168	2005	Lower Penitencia Creek Pedestrian Bridge	0
170	2012	(Rmb) Metro Linear Trails	0
172	2013	(Rmb) Trade Zone/Montague Park - North	0
174	2023	Metro Tango Subdistrict Park	0
176	3424	Citywide Park Rehabilitation	600,000
178	3463	On-Call Parks and Landscaping Services	200,000
180	3491	Cardoza Park Softball Fields Improvement	0
182	3500	ARPA Park Rehabilitation – DPW	0
184	3501	ARPA Park Rehabilitation – Engineering	0
186	5055	Alviso Adobe Renovation	0
188	5102	McCandless Park	0
190	5108	Sports Fields Turf Rehabilitation Program	0
192	5110	Sandalwood Park Renovation	0
194	5113	Minor Sports Courts Rehabilitation Program	155,000
196	5114	MSC Master Plan Update	0
198	New	Sport Center Football Bleacher Replacement	0
Subtotal by Funding Source			955,000
Total			\$955,000

PROJECT NO.

2005

Lower Penitencia Creek Pedestrian Bridge



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	McCandless Park at Lower Penitencia Channel
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Design
Estimated Schedule	
Design:	2024-2025
Construction:	2025-2026
Recurring Project:	No

Description

This project provides for the design and construction of a new pedestrian bridge over Lower Penitencia Channel. The bridge will connect Santa Clara Valley Water District's (SCVWD) multi-use trail along Centre Pointe residential development to the McCandless Park.

Notes

Right-of-way agreement is required with Santa Clara Valley Water district for the bridge installation. The design is anticipated to start in FY2024-25 and construction in FY2025-26. (Not In TADIF)

Uncommitted Balance as of 3/31/2023	Council Approval
\$1,389,000	3/17/2015

Lower Penitencia Creek Pedestrian Bridge

Project No. 2005

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	290,000	0	0	0	0	0	290,000
Administration	225,000	0	0	0	0	0	225,000
Inspection	150,000	0	0	0	0	0	150,000
Improvements	1,160,000	0	0	0	0	0	1,160,000
TOTAL	\$1,825,000	\$0	\$0	\$0	\$0	\$0	\$1,825,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	842,842	0	0	0	0	0	842,842
TASP Impact Fees	982,158	0	0	0	0	0	982,158
TOTAL	\$1,825,000	\$0	\$0	\$0	\$0	\$0	\$1,825,000

Finance Notes

City Council 3/17/15 - Project created with budget appropriation of \$150k from TASP Impact Fees.

Developer Fees: Contributions include \$50k from Harmony, \$250k from Taylor Morrison (District 2), \$169,718 from D.R. Horton/CentrePoint, \$80,282 from Houret.

Developer Fees: DR Horton was reimbursed \$32,842 for the trail.

In FY2016-17, \$150k in prior year funding from TASP Impact Fees funding was replaced with Developer Fees.

City Council 2/5/19 - Approved processing SCVWD D3 Grant application.

On 4/23/2019, the project was awarded \$60k SCVWD D3 Grant.

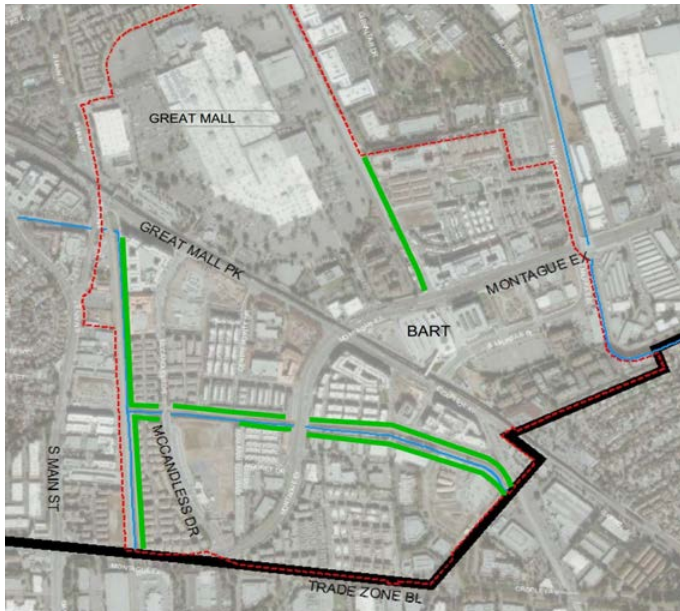
Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2012

(Rmb) Metro Linear Trails



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	No

Description

This project provides for reimbursement to developers to construct linear trail segments as specified in the Milpitas Metro Area Specific Plan.

Notes

Majority of the linear trail segments have been completed. The remaining segment to be constructed is on the west side of Penitence Creek between Montague Expressway and Lundy Place. The City reimbursed Anton Development (\$189K) and Lennar Homes (\$310k) for trails improvements in June 2022. (TASP ID: DB#41/42)

(Rmb) Metro Linear Trails

Project No. 2012

Uncommitted Balance as of 3/31/2023	Council Approval
\$2,758,000	7/1/2019

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	3,270,000	0	0	0	0	0	3,270,000
TOTAL	\$3,270,000	\$0	\$0	\$0	\$0	\$0	\$3,270,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	3,270,000	0	0	0	0	0	3,270,000
TOTAL	\$3,270,000	\$0	\$0	\$0	\$0	\$0	\$3,270,000

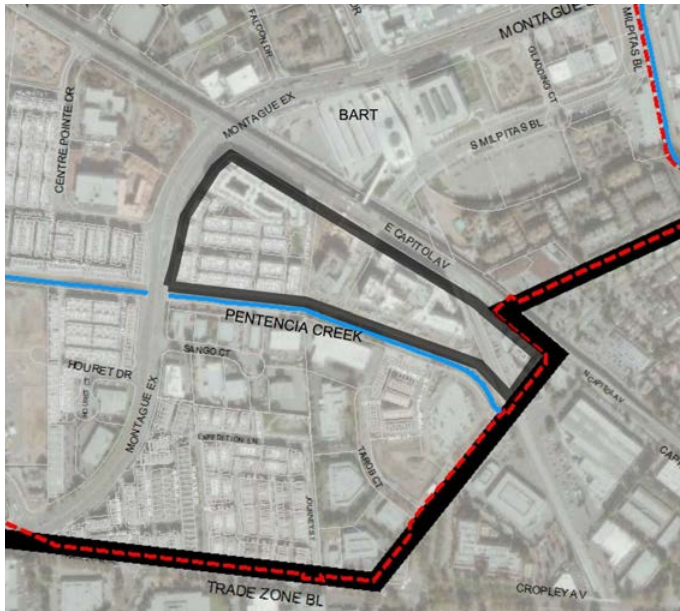
Finance Notes**Operating Impact Notes**

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2013

(Rmb) Trade Zone/Montague Park - North



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	No

Description

This project provides for reimbursement to developers to construct a new linear park north of Penitencia Creek between Montague Expressway and city limits of San Jose in the Trade Zone/Montague Park sub-district as specified in Milpitas Metro Specific Plan.

Notes

The City reimbursed Anton Development (\$1.12M) for the park improvements in June 2022. (TASP ID: DB#30)

Uncommitted Balance
as of 3/31/2023

Council
Approval

(Rmb) Trade Zone/Montague Park - North

Project No. 2013

\$1,977,000

7/1/2019

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	3,100,000	0	0	0	0	0	3,100,000
TOTAL	\$3,100,000	\$0	\$0	\$0	\$0	\$0	\$3,100,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	3,100,000	0	0	0	0	0	3,100,000
TOTAL	\$3,100,000	\$0	\$0	\$0	\$0	\$0	\$3,100,000

Finance Notes

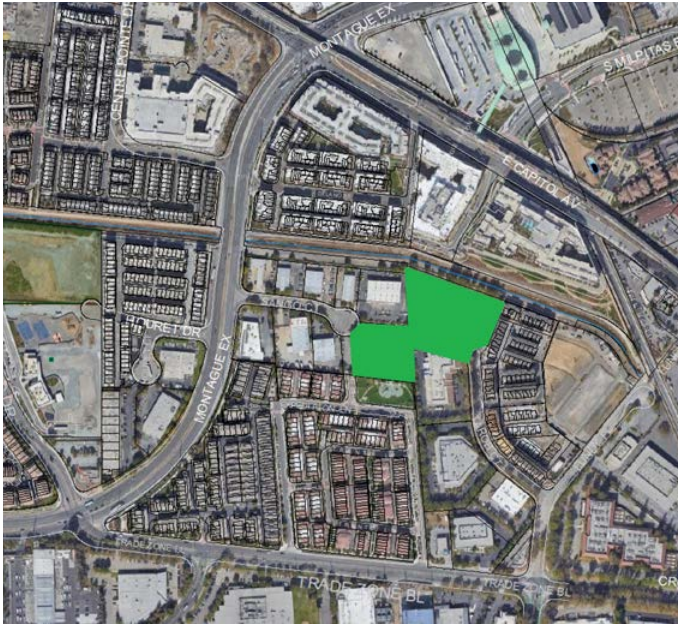
Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2023

Metro Tango Subdistrict Park



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Expedition Lane, Sango Ct. and Tarob Ct.
Managing Department:	Parks & Recreation/Engineering
Contact Person:	Renee Lorentzen [3409]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	TBD
Construction:	TBD
Recurring Project:	No

Description

This project provides for the design and construction of a new 5-acre City park within the Tango Subdistrict of the Milpitas Metro Specific Plan area. The park will be adjacent to Expedition Lane, Sango Court, and Tarob Court. Park may include benches, community center, landscaping and irrigation system, pedestrian pathways, picnic areas, sports fields or courts, and other passive recreation facilities.

Notes

Rapbone Park (0.75 acres) was completed by K. Hovnanian Homes in 2017. The City purchased 1700 Sango Court (1.3-acres) and 1831 Tarob Court (2.5-acres) and needs to acquire a strip of land on 1901 Tarob Ct. and 0.45 acres property on Sango Ct. (APN 86-036-011) to complete the land requirement for the park. Coordination is required with the S. Milpitas Blvd. Vehicle Bridge at Penitencia Creek Project (#2016) to define the park limits and boundaries. The project schedule will be determined once the remaining lands are acquired. (TASP ID: DB#28)

Metro Tango Subdistrict Park

Project No. 2023

Uncommitted Balance as of 3/31/2023	Council Approval
\$576,000	7/1/2019

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	475,000	0	0	0	0	0	475,000
Administration	125,000	0	0	0	0	0	125,000
Inspection	0	0	0	0	50,000	0	50,000
Improvements	0	0	0	0	3,500,000	0	3,500,000
TOTAL	\$600,000	\$0	\$0	\$0	\$3,550,000	\$0	\$4,150,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	600,000	0	0	0	3,550,000	0	4,150,000
TOTAL	\$600,000	\$0	\$0	\$0	\$3,550,000	\$0	\$4,150,000

Finance Notes**Operating Impact Notes**

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3424

Citywide Park Rehabilitation



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide Parks
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for rehabilitation of citywide parks needing minor improvements. Work may include assessment of amenities; repairs and replacement of site furnishings and playground equipment and surfacing; signage installation; and minor improvements such as fencing, landscape and irrigation system, park lighting, pathways, restrooms, trails, etc. Park rehabilitation will be prioritized according to the adopted Park & Recreation Master Plan Update, dated December 14, 2021.

Notes

Public Works completed asphalt pathway repairs at Hillcrest and Peter Gill Memorial Parks, removed the deteriorating and hazardous observation deck at Hall Memorial Park in FY2021-22, and repaired the fence and pedestrian bridge at Ed Levin Park in FY2022-23.

Funding request in FY2023-24 is for repairing the trails adjacent to Coyote Creek and Hetch Hetchy adjacent to Oliver Jones Park; repairing the asphalt pathway at Strickroth Park; replacing various site furnishing at various parks; fence repairs at Sports Center Complex, Dixon Landing Park and Peter Gill Memorial Park; and on-call service contract for playground repairs.

Uncommitted Balance as of 3/31/2023	Council Approval
\$270,000	7/1/2016

Citywide Park Rehabilitation

Project No. 3424

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	60,000	0	0	0	0	0	60,000
Inspection	30,000	0	0	0	0	0	30,000
Improvements	1,923,497	600,000	600,000	600,000	600,000	600,000	4,923,497
Equipment	40,000	0	0	0	0	0	40,000
TOTAL	\$2,053,497	\$600,000	\$600,000	\$600,000	\$600,000	\$600,000	\$5,053,497

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	503,497	0	0	0	0	0	503,497
Midtown Park Fund	800,000	0	0	0	0	0	800,000
Park Fund	750,000	600,000	0	0	0	0	1,350,000
No Funding Source	0	0	600,000	600,000	600,000	600,000	2,400,000
TOTAL	\$2,053,497	\$600,000	\$600,000	\$600,000	\$600,000	\$600,000	\$5,053,497

Finance Notes

City Council 6/2/2020 - \$450k in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

City Council 6/15/2021 - Budget Appropriation of \$275,437 from General Government CIP Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

On-Call Parks and Landscaping Services

PROJECT NO.
3463



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide Parks
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for on-call maintenance and repair services at all City parks and street landscape areas. Work may include, but is not limited to, repair and replacement of irrigation valves and main lines, irrigation controllers, landscaping, drainage, pathways, playground equipment and surfacing, sport courts and fields, picnic areas, lighting, parks buildings and restrooms, and other amenities as needed.

Notes

Uncommitted Balance as of 3/31/2023	Council Approval
\$141,000	7/1/2020

On-Call Parks and Landscaping Services

Project No. 3463

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	520,000	200,000	200,000	200,000	200,000	200,000	1,520,000
TOTAL	\$520,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,520,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Community Facilities District	150,000	0	0	0	0	0	150,000
General Government CIP Fund	370,000	100,000	0	0	0	0	470,000
Park Fund	0	100,000	0	0	0	0	100,000
No Funding Source	0	0	200,000	200,000	200,000	200,000	800,000
TOTAL	\$520,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,520,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3491

Cardoza Park Softball Fields Improvement



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Cardoza Park
Managing Department:	Parks & Recreation
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2026
Construction:	2026-2028
Reoccurring Project:	No

Description

This project provides for the design and construction of new softball fields at Cardoza Park. Work includes bleachers, chain link fencing, demolition, dugout with player benches, earthworks, field lighting system, field lawn and irrigation system, hooded backstop, infield, pathways adjacent to fields, scoreboards, and storm drain improvements.

Notes

The adopted Parks and Recreation Master Plan includes a conceptual plan for a 3- and 4-field option to assist staff with planning of the project. Workplan in FY2022-23 is to obtain a design consultant to provide preliminary designs, community outreach, and environmental review under CEQA. Construction is anticipated to start FY2026-27 pending funding and approval of field option. Estimate for improvements only includes construction of softball fields and may increase due to environmental mitigation measures for parking lot, roadway, and traffic improvements and site improvements of furnishings, landscape areas, irrigation system, picnic areas, pathways, storm drain system, etc. This project is not fully funded at this time.

Uncommitted Balance as of 3/31/2023	Council Approval
\$796,000	7/1/2021

Cardoza Park Softball Fields Improvement

Project No. 3491

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	650,000	0	350,000	0	0	0	350,000
Administration	150,000	0	250,000	0	0	0	250,000
Inspection	0	0	100,000	0	0	0	100,000
Improvements	0	0	6,300,000	0	0	0	6,300,000
TOTAL	\$800,000	\$0	\$7,000,000	\$0	\$0	\$0	\$7,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	300,000	0	0	0	0	0	0
Park Fund	500,000	0	0	0	0	0	0
No Funding Source	0	0	7,000,000	0	0	0	7,000,000
TOTAL	\$800,000	\$0	\$7,000,000	\$0	\$0	\$0	\$7,000,000

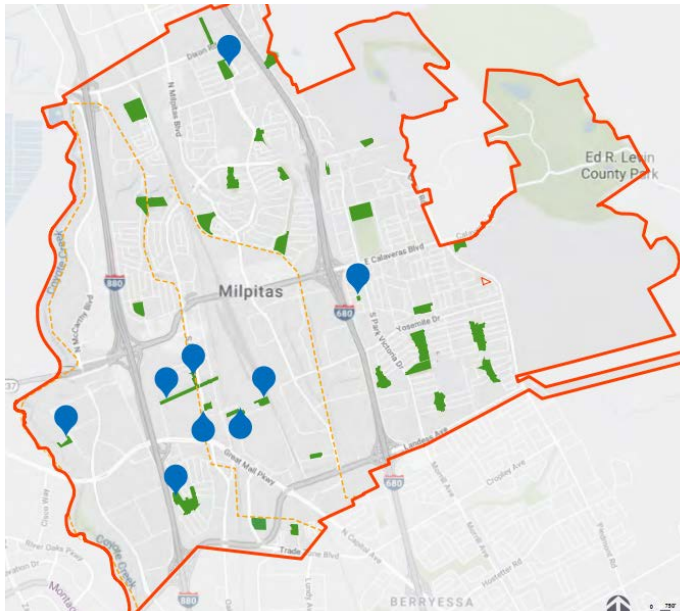
Finance Notes**Operating Impact Notes**

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

ARPA Park Rehabilitation – DPW

PROJECT NO.

3500



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Park Facilities
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2023-2024
Reoccurring Project:	No

Description

This project provides for the design and construction to address health and safety repairs and short-term improvements at seven City parks. The improvements will improve the condition of the parks as identified in critical and poor condition as specified in the adopted Park & Recreation Master Plan Update, dated December 14, 2021. Work includes improvements to playground equipment and surfacing and pathway repairs.

Notes

This project was approved by City Council as part of the American Rescue Plan Act Investment Plan on August 9, 2021. On 12/6/2022, City Council awarded a construction contract to repair and/or replace play equipment and surfacing at Cerano, John McDermott, O'Toole Elms, Pinewood, Selwyn, Sunnyhills Albert Augustine Jr. Memorial, and Tom Evatt parks. The project is anticipated to start in winter 2023 and to be completed in fall 2023. On 12/20/2022, City Council accepted a Per Capita Grant Funds from the State Department of Parks and Recreation for Sunnyhills Albert Augustine Jr. Memorial that services disadvantaged communities.

Uncommitted Balance as of 3/31/2023	Council Approval
\$468,000	8/9/2021

ARPA Park Rehabilitation – DPW

Project No. 3500

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	150,000	0	0	0	0	0	150,000
Administration	50,000	0	0	0	0	0	50,000
Improvements	1,140,543	0	0	0	0	0	1,140,543
TOTAL	\$1,340,543	\$0	\$0	\$0	\$0	\$0	\$1,340,543

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	1,340,543	0	0	0	0	0	1,340,543
TOTAL	\$1,340,543	\$0	\$0	\$0	\$0	\$0	\$1,340,543

Finance Notes

City Council 8/9/2021 - approved American Rescue Plan Act funding for this project.

City Council 12/20/2022 - Accepted Per Capita Grant Fund for \$224,543.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3501

ARPA Park Rehabilitation – Engineering



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Park Facilities
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2025
Reoccurring Project:	No

Description

This project provides for the design and construction to address health and safety repairs and short-term improvements at 13 City parks. The improvements will improve the condition of parks as identified in critical and poor condition as specified in the Adopted Park & Recreation Master Plan Update, dated December 14, 2021. Work includes improvements to fitness station and playground areas, decorative pavement areas, pathways, site amenities and furnishings, drainage, and restrooms.

Notes

This project was approved by City Council as part of the American Rescue Plan Act Investment Plan on August 9, 2021. Engineering started the design in winter 2023 and is anticipating to start construction in spring 2024. Improvements to occur at Ben Rogers, Foothill, Hidden Lake, Murphy, Oliver Jones, Parc Metro West, Robert E. Browe, Sandalwood, Sinnott, Strickroth, Starlite, and Sunnyhills Albert Augustine Jr. Memorial parks.

Uncommitted Balance as of 3/31/2023	Council Approval
\$2,867,000	8/9/2021

ARPA Park Rehabilitation – Engineering

Project No. 3501

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	400,000	0	0	0	0	0	400,000
Administration	150,000	0	0	0	0	0	150,000
Inspection	50,000	0	0	0	0	0	50,000
Improvements	2,670,815	0	0	0	0	0	2,670,815
TOTAL	\$3,270,815	\$0	\$0	\$0	\$0	\$0	\$3,270,815

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	3,270,815	0	0	0	0	0	3,270,815
TOTAL	\$3,270,815	\$0	\$0	\$0	\$0	\$0	\$3,270,815

Finance Notes

City Council 8/9/2021 - approved American Rescue Plan Act funding for this project.

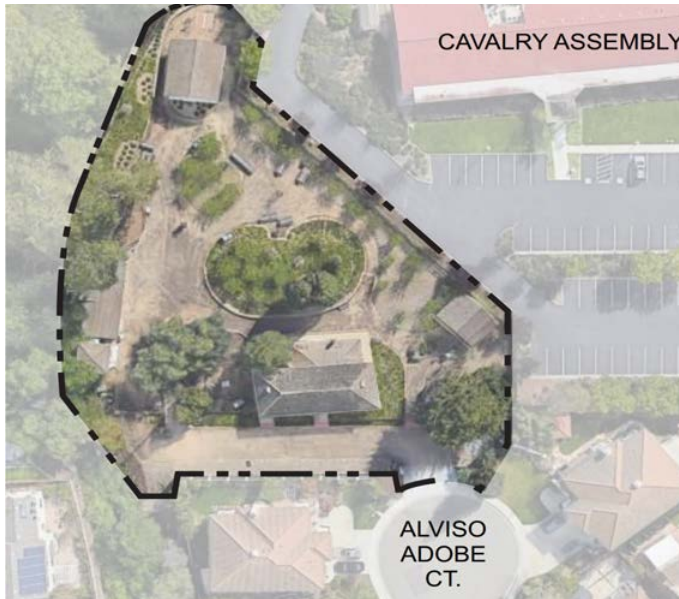
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Alviso Adobe Renovation

PROJECT NO.

5055



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	2087 Alviso Adobe Court
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Ph 5: Warranty
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

In 1997, the City purchased the historic Alviso Adobe property, located at 2087 Alviso Adobe Court, for construction of a new City park including renovation of the existing 1850s buildings. Park construction would be completed in five phases over several years. Phases 1 thru 4 completed installation of park amenities, ADA access improvements, and seismic upgrades and exterior renovation of the historic adobe house and outbuilding. Phase 5 provides for the interior restoration of the first floor of the Alviso Adobe House and installation of period furnishing, decorations and exhibits.

Notes

Interior restoration was completed in fall 2020. Historical exhibits and media installation was completed and open to the public in fall 2022. City Council granted acceptance of improvements on 3/7/2023. Funding request in FY2023-24 is for the design and installation of the HVAC system to control the temperature of the building during public tours and the second floor where the audio video equipment is located.

Alviso Adobe Renovation

Project No. 5055

Uncommitted Balance as of 3/31/2023	Council Approval
\$40,000	7/1/2002

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	494,000	30,000	0	0	0	0	524,000
Administration	295,000	20,000	0	0	0	0	315,000
Inspection	336,000	0	0	0	0	0	336,000
Improvements	6,977,972	150,000	0	0	0	0	7,127,972
Others	56,300	0	0	0	0	0	56,300
TOTAL	\$8,159,272	\$200,000	\$0	\$0	\$0	\$0	\$8,359,272

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	1,360,000	0	0	0	0	0	1,360,000
Grants/Reimb./Developer Fees	848,868	0	0	0	0	0	848,868
Midtown Park Fund	262,042	0	0	0	0	0	262,042
Park Fund	5,688,362	200,000	0	0	0	0	5,888,362
TOTAL	\$8,159,272	\$200,000	\$0	\$0	\$0	\$0	\$8,359,272

Finance Notes

Grants/Reimb./Developer Fees Includes:

- SCC Historical & Heritage Grant of \$60,138 + \$59,000 + \$54,000 = \$173,183 received on 5/2008;
 - SCC Open Space Authority Grant of \$356,837;
 - Piedmont 237 Limited Liability Corporation (LLC) of \$3,935;
 - Milpitas Historical Society of \$13,607 received 08/2008;
 - SCC Historical & Heritage Grant of \$85,000 received FY 11-12;
 - SCC Historical & Heritage Grant of \$62,958 was awarded on March 20, 2018.
 - City Council 2/7/12 – Mid-Year Budget Appropriation of \$83,393 from Milpitas Historical Society and \$70K from SCVWD "Trails & Open Spaces Grant".
- FY 10-11 Park Fund \$2,500,000.
City Council 12/4/18 - Mid-Year Budget Appropriation of \$300K from General Government CIP Funds.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

5102

McCandless Park



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	1650 McCandless Drive
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Ph 1&2: Warranty Ph 3: Construction
Estimated Schedule	
Design:	Completed
Construction:	Ph 1&2: Completed Ph3: 2024-2026
Recurring Project:	No

Description

This project provides for the design and construction of a new 4-acre public park on McCandless Drive, adjacent to the new Mabel Mattos elementary school, as specified in the Milpitas Metro Specific Plan. The park includes joint-use area for the City and the elementary school, sport field, picnic areas, all-inclusive play areas, dog play area, fitness stations, community and butterfly gardens, walking trails, and restroom.

Notes

Construction of Phase 1 was completed in winter 2023 which included picnic areas, play areas, small dog play area, fitness stations, community and butterfly gardens, pathways, restroom, utilities, landscaping, and irrigation system. Construction of Phase 2 (sports field) was completed in winter 2023. Construction schedule for Phase 3 (large dog play area) will be coordinated with Lower Penitencia Creek Pedestrian Bridge (#2005) and McCandless Well (#7076) projects which is anticipated for FY2024-25.

On 9/18/2018, City Council accepted a grant from Santa Clara County's Safe All-Access Playground Grant for the construction of the playground and park amenities. On 1/11/2022, City Council approved an amendment to the Cost Share Agreement between MUSD and City for MUSD to partially reimburse the City for the construction of the school's playground area, butterfly garden, water main relocation, and sport field. (TASP ID: DB#22)

Uncommitted Balance as of 3/31/2023	Council Approval
\$910,000	4/7/2015

McCandless Park
Project No. 5102

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	1,275,000	0	0	0	0	0	1,275,000
Administration	200,000	0	0	0	0	0	200,000
Inspection	200,000	0	0	0	0	0	200,000
Improvements	10,479,820	0	0	0	0	0	10,479,820
TOTAL	\$12,154,820	\$0	\$0	\$0	\$0	\$0	\$12,154,820

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	597,335	0	0	0	0	0	597,335
Grants/Reimb./ Developer Fees	1,182,485	0	0	0	0	0	1,182,485
TASP Impact Fees	10,375,000	0	0	0	0	0	10,375,000
TOTAL	\$12,154,820	\$0	\$0	\$0	\$0	\$0	\$12,154,820

Finance Notes

City Council 4/7/15 - Project created with Budget Appropriation of \$300k from TASP Impact Fees.
City Council 2/21/17 - Budget Appropriation of \$400K from TASP Impact Fees.
City Council 9/18/18 - County Safe All-Access Playground Grant approved for \$779,820.
City Council 12/4/18 - Mid-Year Budget Appropriation of \$1M from General Government CIP Funds.
City Council 2/21/23 - Mid-Year Budget Appropriation of \$402,665 replaced General Government CIP Funds in prior years with the reimbursement from the MUSD per the Cost Share Agreement.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

5108

Sports Fields Turf Rehabilitation Program



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide Sport Fields
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for rehabilitation and restoration of the City's turf fields. The program addresses deferred maintenance, trip hazards, and over compaction which impacts the health and growth of the turf. Work may include re-sodding, re-seeding, repairs to the irrigation system, and minor hardscape improvements.

Notes

Workplan in FY2022-23 is to replace the tee-ball and softball infields at the Sports Center Complex, rehabilitate the soccer fields at Hall Park and improve the drainage system turf area at the softball field in Cardoza Park.

Funding request in FY2023-24 is for the rehabilitation of the infields and warming tracks at Dixon Landing and Peter Gill Memorial parks, and the soccer fields at Murphy Park. Planned funding request in FY2026-27 is for replacement of the football and soccer synthetic fields at the Sports Center Complex that is reaching its life expectancy of 15 years. This project is only partially funded.

Uncommitted Balance as of 3/31/2023	Council Approval
\$333,000	7/1/2017

Sports Fields Turf Rehabilitation Program

Project No. 5108

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	35,000	50,000	0	0	0	0	85,000
Improvements	441,000	250,000	0	0	1,700,000	0	2,391,000
TOTAL	\$476,000	\$300,000	\$0	\$0	\$1,700,000	\$0	\$2,476,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Midtown Park Fund	425,000	0	0	0	0	0	425,000
Park Fund	51,000	300,000	0	0	0	0	351,000
No Funding Source	0	0	0	0	1,700,000	0	1,700,000
TOTAL	\$476,000	\$300,000	\$0	\$0	\$1,700,000	\$0	\$2,476,000

Finance Notes

City Council 6/4/2020 - \$250K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

City Council 6/4/2020 - \$49K in prior years funding from Park Funds was allocated for other projects in FY 2020-21.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

5110

Sandalwood Park Renovation



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Escuela Parkway between Russell Lane and Sandalwood Court.
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Design
Estimated Schedule	
Design:	Completed
Construction:	2025-2027
Recurring Project:	No

Description

This project provides for the design and construction of Sandalwood Park located on Escuela Parkway between Russell Lane and Sandalwood Court. The 3.9-acre neighborhood park was constructed in 1978 and expanded in 1988. Improvements include a new picnic and playground area, ADA access and pathway improvements, renovation of irrigation and landscaping, and installation of a restroom.

Notes

The San Francisco Public Utilities Commission (SFPUC) owns an 80' wide waterline parcel in the middle of the park. The design is completed, and permitting and construction is anticipated for FY 2025-26, pending funding.

Uncommitted Balance as of 3/31/2023	Council Approval
\$235,000	7/1/2015

Sandalwood Park Renovation

Project No. 5110

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	195,000	0	0	50,000	0	0	245,000
Administration	165,000	0	0	200,000	0	0	365,000
Inspection	65,000	0	0	50,000	0	0	115,000
Improvements	50,000	0	0	1,900,000	0	0	1,950,000
TOTAL	\$475,000	\$0	\$0	\$2,200,000	\$0	\$0	\$2,675,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Park Fund	475,000	0	0	0	0	0	475,000
No Funding Source	0	0	0	2,200,000	0	0	2,200,000
TOTAL	\$475,000	\$0	\$0	\$2,200,000	\$0	\$0	\$2,675,000

Finance Notes

In FY2019-20, \$1.1M in prior year funding from Park Fund was revised to General Fund Reserves.

City Council 6/4/2020 - \$1.25M in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

City Council 6/4/2020 - \$600K in prior years funding from Park Fund was allocated for other projects in FY 2020-21.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

5113

Minor Sports Courts Rehabilitation Program



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide Sports Courts
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for minor improvements and rehabilitation of the City's tennis, basketball, and sport courts. Work may include assessment of courts, resurfacing and restriping, replacement or repairs of amenities such as basketball poles, backboard, and hoops; tennis court fabric netting and fence enclosures; electric score boards, etc.

Notes

Public Works completed resurfacing and restriping of the tennis courts at Hall Memorial Park; basketball courts at Peter Gill Memorial Park; repairs of the basketball and tennis courts posts at Tom Evatt Park; and installation of Pickleball courts at Peter Gill Memorial Park in FY2021-22 and FY2022-23. Workplan in FY2022-23 is to replace the electronic score boards at Dixon Landing Park and Sports Center Complex; replace the tennis court fabric at Hall and Dixon Parks; and replace park rule signage at various parks.

Funding request in FY2023-24 is for resurfacing and restriping the tennis courts at Dixon Landing, Robert E. Browne, and Pinewood Park; resurfacing and restriping the basketball courts at Selwyn Park; and replacing park rule signage at various parks. On March 15, 2022, City Council approved Pickleball Pilot Program at Peter Gill Park and Public Works completed the installation in summer 2022. The program started in summer 2022 for a minimum of 6 months. Parks & Recreation will present the findings of the pilot to City Council in winter 2023. The project is only partially funded.

Uncommitted Balance as of 3/31/2023	Council Approval
\$380,000	7/1/2018

Minor Sports Courts Rehabilitation Program

Project No. 5113

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	85,000	0	0	0	0	0	85,000
Improvements	830,000	155,000	155,000	155,000	155,000	155,000	1,605,000
TOTAL	\$915,000	\$155,000	\$155,000	\$155,000	\$155,000	\$155,000	\$1,690,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	75,000	0	0	0	0	0	75,000
Midtown Park Fund	537,500	0	0	0	0	0	537,500
Park Fund	302,500	155,000	0	0	0	0	457,500
No Funding Source	0	0	155,000	155,000	155,000	155,000	620,000
TOTAL	\$915,000	\$155,000	\$155,000	\$155,000	\$155,000	\$155,000	\$1,690,000

Finance Notes

City Council 3/15/2022 - Budget Appropriation of \$75k from General Government CIP Funds.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

5114

MSC Master Plan Update



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	1325 E. Calaveras Blvd.
Managing Department:	Parks & Recreation/Engineering
Contact Person:	Renee Lorentzen [3409]/ Michael Silveira [3303]
Project Stage:	Project Closure
Estimated Schedule	
Design:	—
Construction:	—
Recurring Project:	No

Description

This project provides for an update to the Milpitas Sports Center (MSC) Master Plan, dated 2000. MSC is a 24-acre facility, located at 1325 E Calaveras Blvd., that provides the community different sporting activities such as adult fitness; swimming program; a gym for basketball; football, soccer and baseball fields; and picnic areas. Since the completion of the master plan, there have been several renovation or construction projects completed including football/soccer fields, Cardoza Park play areas, pool and locker room area, and skate park. The update will revise several elements of the master plan to include added and planned amenities and vehicular, bicycle and pedestrian circulation. It will review renovation of the baseball fields and improvement recommendations including ADA access improvements, drainage, and irrigation.

Notes

MSC Master Plan Update

Project No. 5114

Uncommitted Balance as of 3/31/2023	Council Approval
\$25,000	7/1/2010

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	140,000	0	0	0	0	0	140,000
Administration	10,000	0	0	0	0	0	10,000
TOTAL	\$150,000	\$0	\$0	\$0	\$0	\$0	\$150,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Park Fund	150,000	0	0	0	0	0	150,000
TOTAL	\$150,000	\$0	\$0	\$0	\$0	\$0	\$150,000

Finance Notes**Operating Impact Notes**

There are no operating or maintenance expenses associated with this project.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

New

Sport Center Football Bleacher Replacement



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Sport Center Complex
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2025
Recurring Project:	No

Description

The project provides for design and construction of the westerly football bleachers at the Sport Center Complex. The bleachers were installed in the 1970s and is not in compliance with current building code and ADA regulations. Work includes removal of existing bleachers, installation of new bleachers that are compliant with the current building code and ADA regulations, providing ADA accessible routes and pathways, and storm drain improvements to comply with State regulations.

Notes

Funding request in FY2023-24 is for the planning and design of the project. Planned funding request in FY2024-25 is for the construction of the new bleachers and associated site improvements. Construction is anticipated in 2025 pending funding.

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/2/2023

Sport Center Football Bleacher Replacement

Project No. New

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	150,000	0	0	0	0	150,000
Administration	0	50,000	50,000	0	0	0	100,000
Inspection	0	0	50,000	0	0	0	50,000
Improvements	0	0	900,000	0	0	0	900,000
TOTAL	\$0	\$200,000	\$1,000,000	\$0	\$0	\$0	\$1,200,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Park Fund	0	200,000	0	0	0	0	200,000
No Funding Source	0	0	1,000,000	0	0	0	1,000,000
TOTAL	\$0	\$200,000	\$1,000,000	\$0	\$0	\$0	\$1,200,000

Finance Notes**Operating Impact Notes**

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.



STREET IMPROVEMENT PROJECTS

2024-28 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total Cost
214	2001	Light Rail Median Landscaping	5,996,000	0	0	0	0	0	5,996,000
216	2008	Montague Pedestrian Overcrossing at Piper Dr.	8,750,000	0	0	0	0	0	8,750,000
218	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	6,400,000	0	6,300,000	0	0	0	12,700,000
220	2018	Montague Ped. Overcrossing at Penitencia	3,500,000	0	0	21,500,000	0	0	25,000,000
222	2021	Costa Street Plan Line Study	125,000	0	0	0	0	0	125,000
224	2022	Feasibility of POCs at VTA Light Rail Platforms	200,000	0	0	0	0	0	200,000
226	3402	McCarthy Blvd. LLMD Improvement 95-1	1,032,256	66,500	66,500	66,500	66,500	66,500	1,364,756
228	3411	Sinclair LLMD Improvements 98-1	229,875	22,600	22,600	22,600	22,600	22,600	342,875
230	3425	Main St. Utility Undergrounding	180,613	0	600,000	1,500,000	0	0	2,280,613
232	3426	Annual Sidewalk, Curb & Gutter Repair	2,396,840	890,000	890,000	890,000	890,000	890,000	6,846,840
234	3430	Main St. Street Light Project	300,000	0	0	2,400,000	350,000	2,050,000	5,100,000
236	3440	Annual Street Light, Signal, and Signage	1,669,432	825,000	835,000	605,000	605,000	605,000	5,144,432
238	3448	Trail, Bicycle, Pedestrian Master Plan Update	293,541	0	0	0	0	0	293,541
240	3449	Street Landscape Irrigation Repair	486,000	320,000	320,000	320,000	320,000	320,000	2,086,000
242	3454	Enhanced Crosswalk Striping and Beacons	603,000	0	0	0	0	0	603,000
244	3455	Pilot Street Sweeping Program	700,000	0	0	0	0	0	700,000
246	3458	Radar Speed Feedback Signage	400,000	0	0	0	0	0	400,000
248	4179	Montague Expwy Widening at Great Mall Pkwy	8,619,537	0	0	0	0	0	8,619,537
250	4258	Calaveras Blvd. Widening Project	5,106,960	0	0	0	0	0	5,106,960
252	4265	Bart Extension Coordination and Planning	2,480,956	0	0	0	0	0	2,480,956
254	4267	Soundwall and Barrier Repair and Renovation Program	1,178,466	210,000	210,000	210,000	210,000	210,000	2,228,466
256	4274	I-880 Interchange Right-of-Way Closeout	727,181	0	0	0	0	0	727,181
258	4283	ADA Curb Ramp Transition Program	2,270,801	400,000	400,000	400,000	300,000	300,000	4,070,801
260	4288	Traffic Studies & Minor Improvements	200,000	0	100,000	0	100,000	0	400,000
262	4290	Annual Bridge Rehabilitation	250,000	0	460,000	180,000	180,000	180,000	1,250,000
264	4293	Citywide Traffic Safety Assessment	400,000	0	0	0	0	0	400,000
266	4294	SR237 HOV Lane Improvements	300,000	0	0	0	0	0	300,000

2024-28 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total Cost
268	4295	Street Pavement Restriping Program	400,000	200,000	200,000	200,000	200,000	200,000	1,400,000
270	4297	Citywide Traffic Modeling	400,000	0	0	0	0	0	400,000
272	4298	Street Resurfacing Project 2020-21	4,600,000	0	0	0	0	0	4,600,000
274	4303	Street Resurfacing Project 2021-22	4,300,000	0	0	0	0	0	4,300,000
276	4304	Street Resurfacing Project 2022-23	4,000,000	0	0	0	0	0	4,000,000
278	4306	Bike and Pedestrian Outreach	129,000	0	0	0	0	0	129,000
280	Plan	Street Resurfacing Project 2023-24	0	4,000,000	0	0	0	0	4,000,000
282	Plan	Street Resurfacing Project 2024-25	0	0	4,000,000	0	0	0	4,000,000
284	Plan	Street Resurfacing Project 2025-26	0	0	0	4,000,000	0	0	4,000,000
286	Plan	Street Resurfacing Project 2026-27	0	0	0	0	4,000,000	0	4,000,000
288	New	Street Resurfacing Project 2027-28	0	0	0	0	0	4,000,000	4,000,000
290	New	Bicycle Improvement Project	0	1,000,000	0	0	0	0	1,000,000
Total Cost			\$68,625,458	\$7,934,100	\$14,404,100	\$32,294,100	\$7,244,100	\$8,844,100	\$139,345,958

Funding Summary

Gas Tax Fund	2,615,000	1,800,000	1,800,000	1,800,000	1,800,000
General Government CIP Fund	320,000	0	0	0	0
Grants/Reimb./Developer Fees	1,000,000	0	0	0	0
LLMD	89,100	89,100	89,100	89,100	89,100
Measure B	1,700,000	1,700,000	1,700,000	1,700,000	1,700,000
SB1 RMRA	1,500,000	1,500,000	1,500,000	1,500,000	1,500,000
Street Improvement Fund	210,000	0	0	0	0
TASP Impact Fees	0	6,300,000	7,100,000	0	0
Vehicle Registration Fee	500,000	500,000	500,000	500,000	500,000
Total Financing Available	7,934,100	11,889,100	12,689,100	5,589,100	5,589,100
No Funding Source	0	2,515,000	19,605,000	1,655,000	3,255,000
Total	\$7,934,100	\$14,404,100	\$32,294,100	\$7,244,100	\$8,844,100

Summary of Project Funding Sources FY 2023-24

Pg.	No.	Project Name	Gas Tax Fund	General Government CIP Fund	Grants/Reimb./ Developer Fees
214	2001	Light Rail Median Landscaping	0	0	0
216	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0	0
218	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0	0
220	2018	Montague Ped. Overcrossing at Penitencia	0	0	0
222	2021	Costa Street Plan Line Study	0	0	0
224	2022	Feasibility of POCs at VTA Light Rail Platforms	0	0	0
226	3402	McCarthy Blvd. LLMD Improvement 95-1	0	0	0
228	3411	Sinclair LLMD Improvements 98-1	0	0	0
230	3425	Main St. Utility Undergrounding	0	0	0
232	3426	Annual Sidewalk, Curb & Gutter Repair	890,000	0	0
234	3430	Main St. Street Light Project	0	0	0
236	3440	Annual Street Light, Signal, and Signage	825,000	0	0
238	3448	Trail, Bicycle, Pedestrian Master Plan Update	0	0	0
240	3449	Street Landscape Irrigation Repair	0	320,000	0
242	3454	Enhanced Crosswalk Striping and Beacons	0	0	0
244	3455	Pilot Street Sweeping Program	0	0	0
246	3458	Radar Speed Feedback Signage	0	0	0
248	4179	Montague Expwy Widening at Great Mall Pkwy	0	0	0
250	4258	Calaveras Blvd. Widening Project	0	0	0
252	4265	Bart Extension Coordination and Planning	0	0	0
254	4267	Soundwall and Barrier Repair and Renovation Program	0	0	0
256	4274	I-880 Interchange Right-of-Way Closeout	0	0	0
258	4283	ADA Curb Ramp Transition Program	400,000	0	0
260	4288	Traffic Studies & Minor Improvements	0	0	0
262	4290	Annual Bridge Rehabilitation	0	0	0
264	4293	Citywide Traffic Safety Assessment	0	0	0
266	4294	SR237 HOV Lane Improvements	0	0	0
268	4295	Street Pavement Restriping Program	200,000	0	0
270	4297	Citywide Traffic Modeling	0	0	0
272	4298	Street Resurfacing Project 2020-21	0	0	0
274	4303	Street Resurfacing Project 2021-22	0	0	0
276	4304	Street Resurfacing Project 2022-23	0	0	0
278	4306	Bike and Pedestrian Outreach	0	0	0
280	Plan	Street Resurfacing Project 2023-24	300,000	0	0
282	Plan	Street Resurfacing Project 2024-25	0	0	0
284	Plan	Street Resurfacing Project 2025-26	0	0	0
286	Plan	Street Resurfacing Project 2026-27	0	0	0
288	New	Street Resurfacing Project 2027-28	0	0	0
290	New	Bicycle Improvement Project	0	0	1,000,000
Subtotal by Funding Source			2,615,000	320,000	1,000,000
Total			\$7,934,100		

Summary of Project Funding Sources FY 2023-24

[illegible]

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	Gas Tax Fund	LLMD
214	2001	Light Rail Median Landscaping	0	0
216	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0
218	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0
220	2018	Montague Ped. Overcrossing at Penitencia	0	0
222	2021	Costa Street Plan Line Study	0	0
224	2022	Feasibility of POCs at VTA Light Rail Platforms	0	0
226	3402	McCarthy Blvd. LLMD Improvement 95-1	0	66,500
228	3411	Sinclair LLMD Improvements 98-1	0	22,600
230	3425	Main St. Utility Undergrounding	0	0
232	3426	Annual Sidewalk, Curb & Gutter Repair	600,000	0
234	3430	Main St. Street Light Project	0	0
236	3440	Annual Street Light, Signal, and Signage	400,000	0
238	3448	Trail, Bicycle, Pedestrian Master Plan Update	0	0
240	3449	Street Landscape Irrigation Repair	0	0
242	3454	Enhanced Crosswalk Striping and Beacons	0	0
244	3455	Pilot Street Sweeping Program	0	0
246	3458	Radar Speed Feedback Signage	0	0
248	4179	Montague Expwy Widening at Great Mall Pkwy	0	0
250	4258	Calaveras Blvd. Widening Project	0	0
252	4265	Bart Extension Coordination and Planning	0	0
254	4267	Soundwall and Barrier Repair and Renovation Program	0	0
256	4274	I-880 Interchange Right-of-Way Closeout	0	0
258	4283	ADA Curb Ramp Transition Program	400,000	0
260	4288	Traffic Studies & Minor Improvements	0	0
262	4290	Annual Bridge Rehabilitation	0	0
264	4293	Citywide Traffic Safety Assessment	0	0
266	4294	SR237 HOV Lane Improvements	0	0
268	4295	Street Pavement Restriping Program	100,000	0
270	4297	Citywide Traffic Modeling	0	0
272	4298	Street Resurfacing Project 2020-21	0	0
274	4303	Street Resurfacing Project 2021-22	0	0
276	4304	Street Resurfacing Project 2022-23	0	0
278	4306	Bike and Pedestrian Outreach	0	0
280	Plan	Street Resurfacing Project 2023-24	0	0
282	Plan	Street Resurfacing Project 2024-25	300,000	0
284	Plan	Street Resurfacing Project 2025-26	0	0
286	Plan	Street Resurfacing Project 2026-27	0	0
288	New	Street Resurfacing Project 2027-28	0	0
290	New	Bicycle Improvement Project	0	0
Subtotal by Funding Source			1,800,000	89,100
Total			\$14,404,100	

Summary of Project Funding Sources FY 2024-25

Measure B	SB1 RMRA	TASP Impact Fees	Vehicle Registration Fee	No Funding Source
0	0	0	0	0
0	0	0	0	0
0	0	6,300,000	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	600,000
0	0	0	0	290,000
0	0	0	0	0
0	0	0	0	435,000
0	0	0	0	0
0	0	0	0	320,000
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	210,000
0	0	0	0	0
0	0	0	0	0
0	0	0	0	100,000
0	0	0	0	460,000
0	0	0	0	0
0	0	0	0	0
0	0	0	0	100,000
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
1,700,000	1,500,000	0	500,000	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
1,700,000	1,500,000	6,300,000	500,000	2,515,000

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	Gas Tax Fund	LLMD
214	2001	Light Rail Median Landscaping	0	0
216	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0
218	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0
220	2018	Montague Ped. Overcrossing at Penitencia	0	0
222	2021	Costa Street Plan Line Study	0	0
224	2022	Feasibility of POCs at VTA Light Rail Platforms	0	0
226	3402	McCarthy Blvd. LLMD Improvement 95-1	0	66,500
228	3411	Sinclair LLMD Improvements 98-1	0	22,600
230	3425	Main St. Utility Undergrounding	0	0
232	3426	Annual Sidewalk, Curb & Gutter Repair	600,000	0
234	3430	Main St. Street Light Project	0	0
236	3440	Annual Street Light, Signal, and Signage	400,000	0
238	3448	Trail, Bicycle, Pedestrian Master Plan Update	0	0
240	3449	Street Landscape Irrigation Repair	0	0
242	3454	Enhanced Crosswalk Striping and Beacons	0	0
244	3455	Pilot Street Sweeping Program	0	0
246	3458	Radar Speed Feedback Signage	0	0
248	4179	Montague Expwy Widening at Great Mall Pkwy	0	0
250	4258	Calaveras Blvd. Widening Project	0	0
252	4265	Bart Extension Coordination and Planning	0	0
254	4267	Soundwall and Barrier Repair and Renovation Program	0	0
256	4274	I-880 Interchange Right-of-Way Closeout	0	0
258	4283	ADA Curb Ramp Transition Program	400,000	0
260	4288	Traffic Studies & Minor Improvements	0	0
262	4290	Annual Bridge Rehabilitation	0	0
264	4293	Citywide Traffic Safety Assessment	0	0
266	4294	SR237 HOV Lane Improvements	0	0
268	4295	Street Pavement Restriping Program	100,000	0
270	4297	Citywide Traffic Modeling	0	0
272	4298	Street Resurfacing Project 2020-21	0	0
274	4303	Street Resurfacing Project 2021-22	0	0
276	4304	Street Resurfacing Project 2022-23	0	0
278	4306	Bike and Pedestrian Outreach	0	0
280	Plan	Street Resurfacing Project 2023-24	0	0
282	Plan	Street Resurfacing Project 2024-25	0	0
284	Plan	Street Resurfacing Project 2025-26	300,000	0
286	Plan	Street Resurfacing Project 2026-27	0	0
288	New	Street Resurfacing Project 2027-28	0	0
290	New	Bicycle Improvement Project	0	0
Subtotal by Funding Source			1,800,000	89,100
Total			\$32,294,100	

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	Gas Tax Fund	LLMD
214	2001	Light Rail Median Landscaping	0	0
216	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0
218	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0
220	2018	Montague Ped. Overcrossing at Penitencia	0	0
222	2021	Costa Street Plan Line Study	0	0
224	2022	Feasibility of POCs at VTA Light Rail Platforms	0	0
226	3402	McCarthy Blvd. LLMD Improvement 95-1	0	66,500
228	3411	Sinclair LLMD Improvements 98-1	0	22,600
230	3425	Main St. Utility Undergrounding	0	0
232	3426	Annual Sidewalk, Curb & Gutter Repair	600,000	0
234	3430	Main St. Street Light Project	0	0
236	3440	Annual Street Light, Signal, and Signage	400,000	0
238	3448	Trail, Bicycle, Pedestrian Master Plan Update	0	0
240	3449	Street Landscape Irrigation Repair	0	0
242	3454	Enhanced Crosswalk Striping and Beacons	0	0
244	3455	Pilot Street Sweeping Program	0	0
246	3458	Radar Speed Feedback Signage	0	0
248	4179	Montague Expwy Widening at Great Mall Pkwy	0	0
250	4258	Calaveras Blvd. Widening Project	0	0
252	4265	Bart Extension Coordination and Planning	0	0
254	4267	Soundwall and Barrier Repair and Renovation Program	0	0
256	4274	I-880 Interchange Right-of-Way Closeout	0	0
258	4283	ADA Curb Ramp Transition Program	300,000	0
260	4288	Traffic Studies & Minor Improvements	0	0
262	4290	Annual Bridge Rehabilitation	0	0
264	4293	Citywide Traffic Safety Assessment	0	0
266	4294	SR237 HOV Lane Improvements	0	0
268	4295	Street Pavement Restriping Program	200,000	0
270	4297	Citywide Traffic Modeling	0	0
272	4298	Street Resurfacing Project 2020-21	0	0
274	4303	Street Resurfacing Project 2021-22	0	0
276	4304	Street Resurfacing Project 2022-23	0	0
278	4306	Bike and Pedestrian Outreach	0	0
280	Plan	Street Resurfacing Project 2023-24	0	0
282	Plan	Street Resurfacing Project 2024-25	0	0
284	Plan	Street Resurfacing Project 2025-26	0	0
286	Plan	Street Resurfacing Project 2026-27	300,000	0
288	New	Street Resurfacing Project 2027-28	0	0
290	New	Bicycle Improvement Project	0	0
Subtotal by Funding Source			1,800,000	89,100
Total			\$7,244,100	

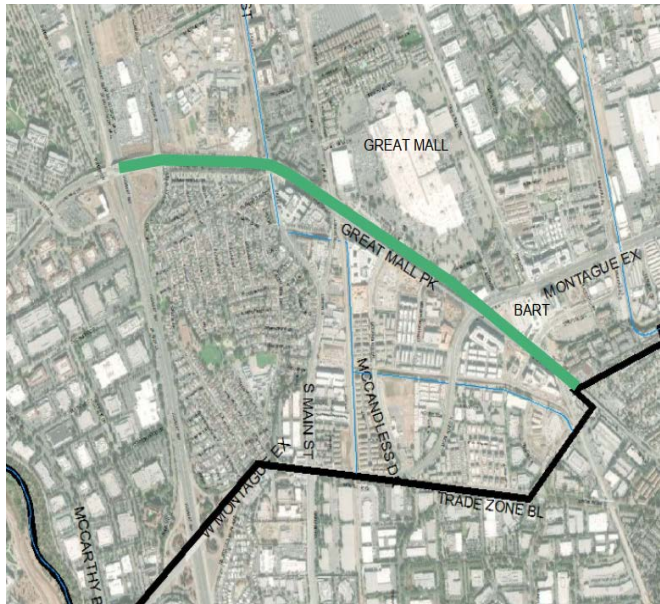
Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	Gas Tax Fund	LLMD
214	2001	Light Rail Median Landscaping	0	0
216	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0
218	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0
220	2018	Montague Ped. Overcrossing at Penitencia	0	0
222	2021	Costa Street Plan Line Study	0	0
224	2022	Feasibility of POCs at VTA Light Rail Platforms	0	0
226	3402	McCarthy Blvd. LLMD Improvement 95-1	0	66,500
228	3411	Sinclair LLMD Improvements 98-1	0	22,600
230	3425	Main St. Utility Undergrounding	0	0
232	3426	Annual Sidewalk, Curb & Gutter Repair	600,000	0
234	3430	Main St. Street Light Project	0	0
236	3440	Annual Street Light, Signal, and Signage	400,000	0
238	3448	Trail, Bicycle, Pedestrian Master Plan Update	0	0
240	3449	Street Landscape Irrigation Repair	0	0
242	3454	Enhanced Crosswalk Striping and Beacons	0	0
244	3455	Pilot Street Sweeping Program	0	0
246	3458	Radar Speed Feedback Signage	0	0
248	4179	Montague Expwy Widening at Great Mall Pkwy	0	0
250	4258	Calaveras Blvd. Widening Project	0	0
252	4265	Bart Extension Coordination and Planning	0	0
254	4267	Soundwall and Barrier Repair and Renovation Program	0	0
256	4274	I-880 Interchange Right-of-Way Closeout	0	0
258	4283	ADA Curb Ramp Transition Program	300,000	0
260	4288	Traffic Studies & Minor Improvements	0	0
262	4290	Annual Bridge Rehabilitation	0	0
264	4293	Citywide Traffic Safety Assessment	0	0
266	4294	SR237 HOV Lane Improvements	0	0
268	4295	Street Pavement Restriping Program	200,000	0
270	4297	Citywide Traffic Modeling	0	0
272	4298	Street Resurfacing Project 2020-21	0	0
274	4303	Street Resurfacing Project 2021-22	0	0
276	4304	Street Resurfacing Project 2022-23	0	0
278	4306	Bike and Pedestrian Outreach	0	0
280	Plan	Street Resurfacing Project 2023-24	0	0
282	Plan	Street Resurfacing Project 2024-25	0	0
284	Plan	Street Resurfacing Project 2025-26	0	0
286	Plan	Street Resurfacing Project 2026-27	0	0
288	New	Street Resurfacing Project 2027-28	300,000	0
290	New	Bicycle Improvement Project	0	0
Subtotal by Funding Source			1,800,000	89,100
Total			\$8,844,100	

PROJECT NO.

2001

Light Rail Median Landscaping



Category:	Street Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Great Mall Parkway
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2026-2027
Construction:	2027-2028
Recurring Project:	No

Description

This project provides for the design and construction of median landscape improvements on Great Mall Parkway and Capital Expressway from I-880 to the southern City limits. There are eight median islands under the Light Rail Train viaduct structure to be landscaped and irrigated with recycled water. Work also includes construction of a recycled water main line for this project and future Metro Specific Plan development projects. This work is included in the cooperative agreement with the Santa Clara Valley Transportation Authority.

Notes

The recycle water project was completed in 2012. Six of the eight medians were completed in 2018, north of Montague Expressway. Remaining two medians are on E. Capital Avenue, south of Montague Expressway, and within the BART/VTa improvement area. The project improvements and schedule will be reevaluated after the adoption of Milpitas Metro Specific Plan Update (#2006) and Metro Impact Nexus Study (#3469). (TASP ID: DB#5)

Light Rail Median Landscaping

Project No. 2001

Uncommitted Balance as of 3/31/2023	Council Approval
\$2,049,000	7/1/2015

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	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	5,671,000	0	0	0	0	0	5,671,000
TOTAL	\$5,996,000	\$0	\$0	\$0	\$0	\$0	\$5,996,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./Developer Fees	1,800,000	0	0	0	0	0	1,800,000
Recycled Water Fund	1,300,000	0	0	0	0	0	1,300,000
RDA Fund	341,000	0	0	0	0	0	341,000
Street Improvement Fund	5,000	0	0	0	0	0	5,000
TASP Impact Fees	2,550,000	0	0	0	0	0	2,550,000
TOTAL	\$5,996,000	\$0	\$0	\$0	\$0	\$0	\$5,996,000

Finance Notes

Grants/Reimb./Develop Fees - Local funding of \$1.8M from VTA. Previously this was STIP grant funding earmarked for 237/I-880 interchange landscaping.

City Council 11/15/11 - Budget Appropriation of \$5k from Street Improvement Fund.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2008

Montague Pedestrian Overcrossing at Piper Dr.



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Montague Expressway at Piper Drive
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Post-Construction
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for the design and construction of a pedestrian overcrossing (POC) over Montague Expressway between Piper Drive and the BART Station. The POC is part of the Metro Area Specific Plan circulation infrastructure plan to provide safe and convenient pedestrian connectivity between the Milpitas BART station, Great Mall, and surrounding residential developments.

Notes

City Council granted acceptance on 8/5/2021 for Pedestrian Overcrossing, (TASP ID: DB#7).

Uncommitted Balance as of 3/31/2023	Council Approval
\$904,000	7/1/2019

Montague Pedestrian Overcrossing at Piper Dr.

Project No. 2008

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	900,000	0	0	0	0	0	900,000
Inspection	500,000	0	0	0	0	0	500,000
Improvements	7,350,000	0	0	0	0	0	7,350,000
TOTAL	\$8,750,000	\$0	\$0	\$0	\$0	\$0	\$8,750,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	8,750,000	0	0	0	0	0	8,750,000
TOTAL	\$8,750,000	\$0	\$0	\$0	\$0	\$0	\$8,750,000

Finance Notes

Transit Performance Initiative (TPI) Grant of \$2.7M.

One Bay Area (OBAG) Cycle 2 Grant of \$7.0M.

City Council 4/04/2017 – Mid-Year Budget Appropriation of \$1.5M from TASP Impact Fees.

VTA and the City entered into an agreement for VTA to administer the project under the VTA/Milpitas Master Agreement Amendment 10.

In FY2019-20, \$2.7M in prior year funding from TASP Impact Fees defunded to match the City's local funding share to VTA for project construction.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2016

S. Milpitas Blvd. Vehicle Bridge at Penitencia



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	South Milpitas Blvd. Extension over Penitencia Creek
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Design
Estimated Schedule	
Design:	2021-2025
Construction:	2026-2030
Recurring Project:	No

Description

This project provides for the design and construction of a vehicular bridge over Penitencia Creek at the end of the new S. Milpitas Blvd. Extension and road network between the bridge, Sango Ct., and Tarob Ct. The vehicular bridge and road network are part of the Metro Area Specific Plan circulation infrastructure plan to provide vehicular, bicycle, and pedestrian connectivity between Metro developments, Milpitas BART Station, Great Mall, and surrounding residential developments.

Notes

The project includes the design and installation of artwork on the vehicular bridge, reimbursement to the developer of 355 Sango project for constructing portion of the road network between Sango Ct. and Tarob Ct.; demolition of the building and site at 1831 Tarob Court; and potential purchase of land on 1901 Tarob Ct. and 0.45 acres property on Sango Ct. (APN 86-036-011) for road network; and reimbursement to Lennar Homes for the design documents of the vehicular bridge across Penitencia Creek.

Engineering complete environmental review under CEQA in 2022 and will circulate it for public review prior to construction. Construction is anticipated to start between 2025 to 2027 pending the approval of the joint use agreement with Valley Water, right-of-way acquisition, permits from State and Local agencies, and development at 1901 Tarob Ct. Workplan in FY2022-23 to continue administration and design of the road network and bridge.

The City of Milpitas was awarded \$3 million in Federal Community Project Funding for this project as part of the federal appropriations package signed by the President on March 11, 2022. The city has to obligate the funds by 9/30/2025 and request expenditure reimbursement by 9/30/2030. (TASP ID: DB#9)

Uncommitted Balance
as of 3/31/2023Council
Approval

\$5,497,000

7/1/2019

S. Milpitas Blvd. Vehicle Bridge at Penitencia

Project No. 2016

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	1,200,000	0	0	0	0	0	1,200,000
Administration	900,000	0	0	0	0	0	900,000
Inspection	0	0	100,000	0	0	0	100,000
Land	3,300,000	0	0	0	0	0	3,300,000
Improvements	1,000,000	0	6,200,000	0	0	0	7,200,000
TOTAL	\$6,400,000	\$0	\$6,300,000	\$0	\$0	\$0	\$12,700,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	6,400,000	0	6,300,000	0	0	0	12,700,000
TOTAL	\$6,400,000	\$0	\$6,300,000	\$0	\$0	\$0	\$12,700,000

Finance Notes**Operating Impact Notes**

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2018

Montague Ped. Overcrossing at Penitencia



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Montague Expressway at Penitencia Creek
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Design
Estimated Schedule	
Design:	2021-2024
Construction:	2025-2027
Recurring Project:	No

Description

This project provides for the design and construction of a pedestrian overcrossing (POC) over Montague Expressway at the east levee of Penitencia Creek. The pedestrian overcrossing is part of the Metro Specific Plan circulation infrastructure plan to provide safe and convenient pedestrian connectivity between Metro residential developments, schools, parks, Great Mall, and the BART Station.

Notes

The project includes design and installation of artwork on the POC, reimbursement to Lennar Homes for the design documents of the POC, undergrounding of PG&E overhead fiber optic wires in conflicts with the POC, and obtaining a consultant to manage the construction of the project.

Engineering completed environmental review under CEQA in 2021 and will circulate for public review prior to construction. Construction is anticipated to start between 2025 to 2027 pending funding, PG&E fiber undergrounding, permits from State and Local agencies, etc. Workplan in FY2022-23 is to continue administration and design of the artwork and POC. The planning for undergrounding PG&E facilities is on-going and is anticipated to start construction in 2024, pending PG&E resources. (TASP ID: DB#7)

Uncommitted Balance
as of 3/31/2023

\$1,277,000

Council
Approval

7/1/2016

Montague Ped. Overcrossing at Penitencia

Project No. 2018

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	2,000,000	0	0	0	0	0	2,000,000
Administration	500,000	0	0	2,100,000	0	0	2,600,000
Inspection	0	0	0	300,000	0	0	300,000
Improvements	1,000,000	0	0	19,100,000	0	0	20,100,000
TOTAL	\$3,500,000	\$0	\$0	\$21,500,000	\$0	\$0	\$25,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	3,500,000	0	0	7,100,000	0	0	10,600,000
No Funding Source	0	0	0	14,400,000	0	0	14,400,000
TOTAL	\$3,500,000	\$0	\$0	\$21,500,000	\$0	\$0	\$25,000,000

Finance Notes

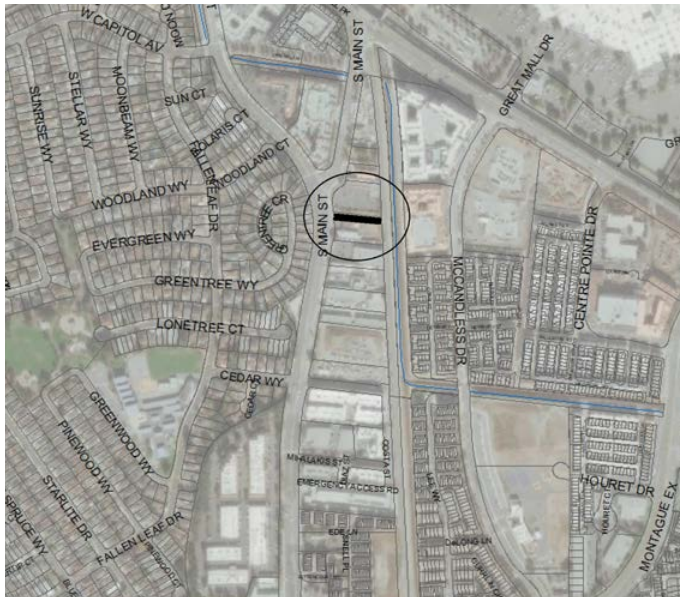
Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2021

Costa Street Plan Line Study



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Costa Street
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2022-2024
Construction:	—
Recurring Project:	No

Estimated Schedule

Description

This project provides for the preparation of a Plan Line Study to evaluate the extension of Costa Street to connect to S. Main St. in the Metro Specific Plan area. The study will evaluate right-of-way, adjacent property access, emergency vehicle access, pedestrian circulation, and streetscape opportunities.

Notes

The plan line study started in summer 2022 and completion is pending right-of-way negotiations with adjacent development. (Not in TADIF)

Uncommitted Balance as of 3/31/2023	Council Approval
\$84,000	7/1/2019

Costa Street Plan Line Study

Project No. 2021

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	100,000	0	0	0	0	0	100,000
Administration	25,000	0	0	0	0	0	25,000
TOTAL	\$125,000	\$0	\$0	\$0	\$0	\$0	\$125,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	125,000	0	0	0	0	0	125,000
TOTAL	\$125,000	\$0	\$0	\$0	\$0	\$0	\$125,000

Finance Notes

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2022

Feasibility of POCs at VTA Light Rail Platforms



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Great Mall Parkway
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	Completed
Construction:	—
Recurring Project:	No

Description

The project provides for a feasibility study to determine the possibility of constructing pedestrian overcrossings (POC) at Valley Transportation Authority (VTA) Light Rail Platforms over the eastbound lanes of Great Mall Parkway near South Main Street and E. Capital Avenue near S. Milpitas Blvd. There are existing POCs at VTA Light Rail Platforms located over the westbound lanes on Great Mall Parkway and E. Capital Avenue.

Notes

The feasibility study was completed in spring 2023. (Not in TADIF)

Uncommitted Balance
as of 3/31/2023Council
Approval

\$15,000

7/1/2019

Feasibility of POCs at VTA Light Rail Platforms

Project No. 2022

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	180,000	0	0	0	0	0	180,000
Administration	20,000	0	0	0	0	0	20,000
TOTAL	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	200,000	0	0	0	0	0	200,000
TOTAL	\$200,000	\$0	\$0	\$0	\$0	\$0	\$200,000

Finance Notes

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

3402



This project provides for the design and construction of landscape and irrigation renovations on McCarthy Blvd. between State Route 237 and Dixon Landing Road and a portion of Ranch Drive. Work is part of the Lighting, Landscape, Maintenance, Assessment District (LLMD) 95-1.

226 City of Milpitas

Uncommitted Balance
as of 3/31/2023Council
Approval**McCarthy Blvd. LLMD Improvement 95-1**

Project No. 3402

\$368,000**7/1/2011****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	85,000	0	0	0	0	0	85,000
Administration	70,000	0	0	0	0	0	70,000
Inspection	38,000	0	0	0	0	0	38,000
Improvements	839,256	66,500	66,500	66,500	66,500	66,500	1,171,756
TOTAL	\$1,032,256	\$66,500	\$66,500	\$66,500	\$66,500	\$66,500	\$1,364,756

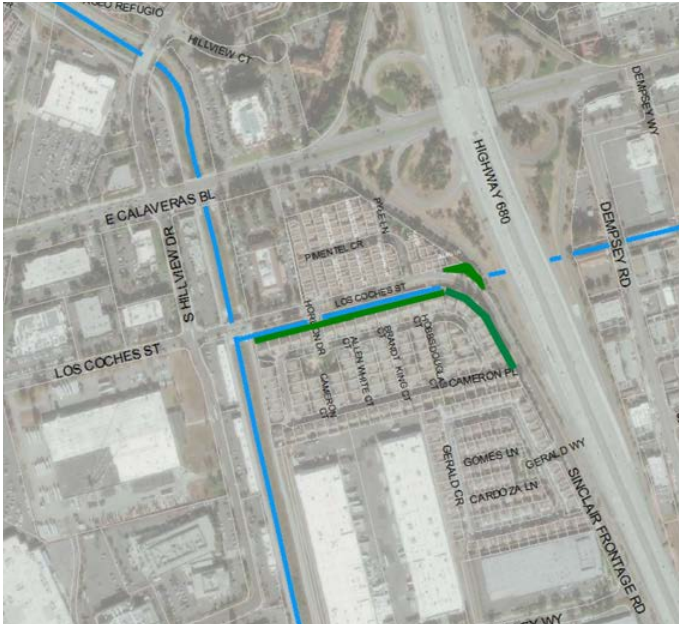
Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
LLMD	1,032,256	66,500	66,500	66,500	66,500	66,500	1,364,756
TOTAL	\$1,032,256	\$66,500	\$66,500	\$66,500	\$66,500	\$66,500	\$1,364,756

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.
3411



Category:	Street Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Los Coches Street and Sinclair Frontage Road
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2023
Recurring Project:	Yes

This project provides for the design and construction of landscape and irrigation renovation along portions of Los Coches Street and Sinclair Frontage Road. Work is part of the Lighting, Landscape, Maintenance, Assessment District (LLMD) 98-1.

Notes

Uncommitted Balance as of 3/31/2023	Council Approval
\$92,000	7/1/2013

Sinclair LLMD Improvements 98-1

Project No. 3411

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	10,000	0	0	0	0	0	10,000
Administration	98,125	0	0	0	0	0	98,125
Inspection	6,000	0	0	0	0	0	6,000
Improvements	115,750	22,600	22,600	22,600	22,600	22,600	228,750
TOTAL	\$229,875	\$22,600	\$22,600	\$22,600	\$22,600	\$22,600	\$342,875

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	85,750	0	0	0	0	0	85,750
LLMD	144,125	22,600	22,600	22,600	22,600	22,600	257,125
TOTAL	\$229,875	\$22,600	\$22,600	\$22,600	\$22,600	\$22,600	\$342,875

Finance Notes

City Council 9/15/2020 - Approved settlement agreement of \$86,125 reimbursement from Valley Water District Kuskokwin Corporation, and Suulutaaq. Inc. for landscape repairs.

City Council 2/16/2021 - Mid-Year Budget Appropriation of \$86,125 reimbursement into the project.

City Council 2/21/2023 - Mid-Year Budget correction to reverse \$41,125 approved at Mid-Year Budget on 2/16/2021.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3425

Main St. Utility Undergrounding



Category:	Street Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	South Main Street and Corning Avenue
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Design
Estimated Schedule	
Design:	2024-2025
Construction:	2025-2026
Recurring Project:	No

Description

This project provides for preliminary engineering, public utility service easement acquisition, and City administration for the undergrounding of existing overhead electric and communication utilities by Pacific Gas & Electric Company (PG&E) on South Main Street between Corning Avenue to Curtis Avenue. The project is partially funded through the PG&E Rule 20A Program.

Notes

As of 12/31/2022, the City's account balance in PG&E Rule 20A Allocation and Work Credit program is approximately \$4.56M. On January 3, 2016, City Council adopted UUD #6 that included a portion of South Main Street from Corning Avenue to Curtis Avenue and Corning Avenue.

Planned funding request in FY2024-25 is for easement acquisition and in FY2025-26 is for the City's share of improvements. Project schedule is pending on funding, the adoption of Milpitas Gateway - Main Street Specific Update (#3437), and PG&E construction schedule which is to be determined. Costs associated with the underground infrastructure for new street lights will be funded by the Midtown Street Light Project (#3430).

Uncommitted Balance as of 3/31/2023	Council Approval
\$28,000	5/11/2015

Main St. Utility Undergrounding

Project No. 3425

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	130,613	0	0	0	0	0	130,613
Administration	50,000	0	50,000	100,000	0	0	200,000
Land	0	0	550,000	0	0	0	550,000
Improvements	0	0	0	1,400,000	0	0	1,400,000
TOTAL	\$180,613	\$0	\$600,000	\$1,500,000	\$0	\$0	\$2,280,613

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	180,613	0	0	0	0	0	180,613
No Funding Source	0	0	600,000	1,500,000	0	0	2,100,000
TOTAL	\$180,613	\$0	\$600,000	\$1,500,000	\$0	\$0	\$2,280,613

Finance Notes

City Council 6/4/2020 - \$69,387 in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Annual Sidewalk, Curb & Gutter Repair

PROJECT NO.

3426



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for repairs and replacement of citywide sidewalk, curb, and gutter to address safety/trip hazards that may be caused by settlement, tree roots, and drainage issues. Prioritization of repairs are based on service requests from the public. Repairs and replacement will minimize the City's risk and liability.

Notes

On 3/15/2022, City Council awarded a construction contract for repairs of sidewalk, curb, and gutter at 125 locations which was completed in fall 2022. On 10/4/2022, City Council awarded a construction contract for repairs of sidewalk, curb, and gutter at 50 locations which is anticipated to be completed by spring 2023. Funding request in FY 2023-24 is for the on-call sidewalk repair contracts, and fall 2023 and spring 2024 contracts for repair and replace sidewalk, curb, and gutter. This project is only partially funded.

Uncommitted Balance as of 3/31/2023	Council Approval
\$19,000	7/1/2016

Annual Sidewalk, Curb & Gutter Repair

Project No. 3426

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	115,184	0	0	0	0	0	115,184
Improvements	2,281,656	890,000	890,000	890,000	890,000	890,000	6,731,656
TOTAL	\$2,396,840	\$890,000	\$890,000	\$890,000	\$890,000	\$890,000	\$6,846,840

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	1,229,605	890,000	600,000	600,000	600,000	600,000	4,519,605
General Government CIP Fund	603,640	0	0	0	0	0	603,640
Sewer Fund	203,200	0	0	0	0	0	203,200
Sewer Infrastructure Fund	260,395	0	0	0	0	0	260,395
Water Fund	100,000	0	0	0	0	0	100,000
No Funding Source	0	0	290,000	290,000	290,000	290,000	1,160,000
TOTAL	\$2,396,840	\$890,000	\$890,000	\$890,000	\$890,000	\$890,000	\$6,846,840

Finance Notes

In FY2019-20, \$300k in prior year funding from General Gov. CIP Fund revised to Gas Tax Fund.

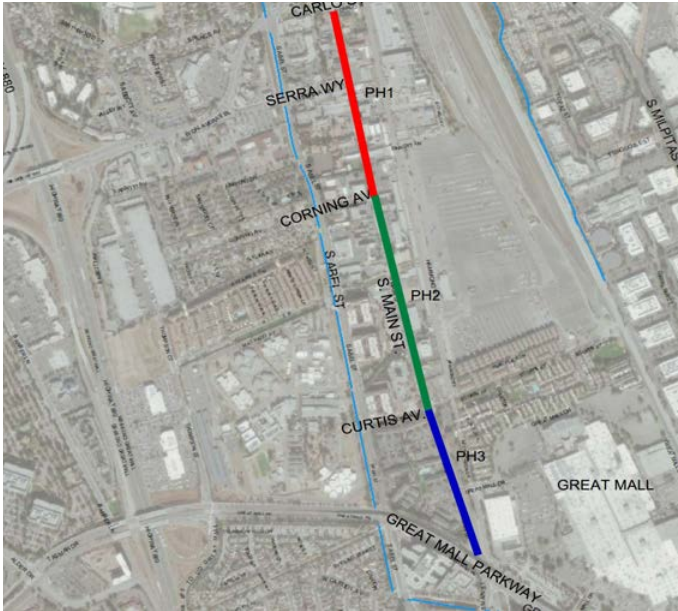
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3430

Main St. Street Light Project



Category:	Street Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	South Main Street
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Design
Estimated Schedule	
Design:	2025-2027
Construction:	2026-2028
Recurring Project:	No

Description

This project provides for the design and construction of Midtown decorative streetlights and signal improvements along South Main Street from Carlo Street to Great Mall Parkway. The project will be completed in three phases: (1) Carlo Street to Corning Ave., (2) Corning Ave. to Curtis Ave., and (3) Curtis Ave. to Great Mall Parkway.

Notes

Phase 1 design is completed, and construction is on hold until funding is available and Milpitas Gateway - Main Street Specific Plan Update is adopted by City Council. Phase 1 construction is anticipated for FY2025-26. Phase 2 construction is anticipated to start in FY2027-28 after PG&E undergrounds the existing overhead utilities between Corning Ave. and Curtis Ave. as part of Main St. Utility Undergrounding (#3425) project. Phase 3 is estimated at \$3M and schedule is to be determined. The project is not funded at this time.

Main St. Street Light Project

Project No. 3430

Uncommitted Balance as of 3/31/2023	Council Approval
\$35,000	5/17/2016

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	175,000	0	0	100,000	200,000	0	475,000
Administration	100,000	0	0	150,000	150,000	0	400,000
Inspection	25,000	0	0	50,000	0	50,000	125,000
Improvements	0	0	0	2,100,000	0	2,000,000	4,100,000
TOTAL	\$300,000	\$0	\$0	\$2,400,000	\$350,000	\$2,050,000	\$5,100,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	300,000	0	0	0	0	0	300,000
No Funding Source	0	0	0	2,400,000	350,000	2,050,000	4,800,000
TOTAL	\$300,000	\$0	\$0	\$2,400,000	\$350,000	\$2,050,000	\$5,100,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Annual Street Light, Signal, and Signage

PROJECT NO.

3440



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for repairs, replacement, and minor improvements of streetlights, street signage, and signal traffic control equipment. Work may include street light and traffic signal fixtures, poles and wiring, traffic signage, traffic/pedestrian safety devices, signal battery backup systems, and related appurtenances.

Notes

City Council approved the purchasing of decorative light poles and fixtures on 11/16/2021, illuminated overhead street name signs on 3/1/2022, and thirty Iteris traffic cameras on 9/6/2022. Workplan in FY2022-23 is to continue replacement of decorative and Type 15 street lights, street signage, illuminated street name signs, and traffic cameras at signalized intersections. Funding request in FY2023-24 is for the annual on-call traffic light and signal repair contracts, ongoing replacement of street signs and streetlights, and traffic signal camera, cabinet, and battery backup system upgrades. This project is only partially funded.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$192,000

7/1/2017

Annual Street Light, Signal, and Signage

Project No. 3440

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	60,000	0	0	0	0	0	60,000
Improvements	1,115,000	825,000	835,000	605,000	605,000	605,000	4,590,000
Equipment	494,432	0	0	0	0	0	494,432
TOTAL	\$1,669,432	\$825,000	\$835,000	\$605,000	\$605,000	\$605,000	\$5,144,432

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	1,169,432	825,000	400,000	400,000	400,000	400,000	3,594,432
General Government CIP Fund	500,000	0	0	0	0	0	500,000
No Funding Source	0	0	435,000	205,000	205,000	205,000	1,050,000
TOTAL	\$1,669,432	\$825,000	\$835,000	\$605,000	\$605,000	\$605,000	\$5,144,432

Finance Notes

City Council 9/1/2020 - Budget Appropriation of \$264,432 from Vehicle Registration Fee.

City Council 4/6/2021 - \$264,432 in prior funding from Vehicle Registration Fee replaced with Gas Tax.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3448

Trail, Bicycle, Pedestrian Master Plan Update



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Engineering Department
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Adopted
Estimated Schedule	
Design:	Completed
Construction:	—
Recurring Project:	No

Description

This project provides for an update to the City's Trails and Bikeway Master Plan. An update of the Trails Master Plan aims to improve connectivity to local destinations, such as BART. The plan will identify gaps in the trail system, and provide recommendations to increase safety and accessibility for all trail users, support economic development, and enhance the quality of life for area residents. An update of the Bikeway Master Plan would identify ways to enhance and expand the existing bikeway network. Improvements would be constructed in phases and could include the installation of new green bike lanes; buffered/separated bike lanes; bike trail opportunities to address the needs for commuter and recreational bicyclists to access transit hubs; work; recreational; and retail destinations. The plan update will also identify needs and challenging areas in order to upgrade or construct new, safe, and efficient bicycle facilities, and to encourage and increase bicycle ridership. The project will also evaluate bicycle/scooter share programs and recommend/establish related policies. The Bikeway Master Plan will also assess pedestrian networks and identify pedestrian priority areas such as shopping malls or recreational activities. The pedestrian priority areas will help prioritize projects that upgrade pedestrian access.

Notes

City Council adopted the Trail, Bicycle, & Pedestrian Master Plan Update on 5/17/2022.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$40,000

7/1/2018

Trail, Bicycle, Pedestrian Master Plan Update

Project No. 3448

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	247,322	0	0	0	0	0	247,322
Administration	46,219	0	0	0	0	0	46,219
TOTAL	\$293,541	\$0	\$0	\$0	\$0	\$0	\$293,541

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	293,541	0	0	0	0	0	293,541
TOTAL	\$293,541	\$0	\$0	\$0	\$0	\$0	\$293,541

Finance Notes

City Council 2/26/2019 - Mid-Year Budget Appropriation of \$110k from General Government CIP Fund.

City Council 10/20/2020 - Budget Appropriation of \$36,219 from General Government CIP Fund.

City Council 8/5/2021 - Budget Appropriation of \$47,322 from General Government CIP Fund.

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

Close at the end of Fiscal Year: June 30, 2023

Street Landscape Irrigation Repair

PROJECT NO.

3449



Category:	Street Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for repairs and improvements of citywide irrigation systems within streetscape and medians that have exceeded its service life. These systems are inefficient, leaking, not well-documented, and do not provide suitable irrigation to support healthy landscape or comply with the current City landscape ordinance. Work may include restoration of landscaping and repair and replacement of irrigation controllers, equipment, piping, and valves.

Notes

Workplan in FY2022-23 is for the annual on-call repair contracts; upgrades and repairs of irrigation controllers, pipelines, and valves; and to obtain a design consultant for the review and design of the citywide median conversion project. Funding request in FY2023-24 is for the annual on-call repair contracts and upgrades and repairs of irrigation controllers, pipelines, and valves. This project is only partially funded.

Uncommitted Balance as of 3/31/2023	Council Approval
\$340,000	7/1/2015

Street Landscape Irrigation Repair

Project No. 3449

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	100,000	0	0	0	0	0	100,000
Administration	41,000	0	0	0	0	0	41,000
Inspection	10,000	0	0	0	0	0	10,000
Improvements	335,000	320,000	320,000	320,000	320,000	320,000	1,935,000
TOTAL	\$486,000	\$320,000	\$320,000	\$320,000	\$320,000	\$320,000	\$2,086,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	486,000	320,000	0	0	0	0	806,000
No Funding Source	0	0	320,000	320,000	320,000	320,000	1,280,000
TOTAL	\$486,000	\$320,000	\$320,000	\$320,000	\$320,000	\$320,000	\$2,086,000

Finance Notes

City Council 6/4/2020 - \$174K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3454

Enhanced Crosswalk Striping and Beacons



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Locations
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Ph2: Planning
Estimated Schedule	
Design:	TBD
Construction:	TBD
Recurring Project:	No

Description

This project provides for the design and installation of high visibility crosswalk striping and pedestrian actuated flashing beacons to facilitate safer pedestrian crossings at high vehicle and pedestrian volume intersections. Anticipated locations will be along school routes.

Notes

Project will be constructed in conjunction with Radar Speed Feedback Signage project (#3458). On 8/5/2021, City Council granted acceptance of 16 beacons installed at Fanyon Street between Kennedy Dr. and Dennis Ave.; Kennedy Dr. at Simas Dr.; N. Abbott Ave. at Hall Memorial Park; Washington Dr. at Escuela Pkwy.; Yosemite Dr. between Carnegie Dr. and Roswell Dr.; Arizona Ave. at Rose Dr.; Roswell Dr. at Ashland Dr.; and Dixon Rd. near Conway St. Future locations of enhanced crosswalk striping, and beacons improvements will be identified in the Traffic Safety Assessment (#4293) which is underway. Implementation of improvements will be determined in fall 2024 at the conclusion of the assessment.

Uncommitted Balance as of 3/31/2023	Council Approval
\$225,000	7/1/2019

Enhanced Crosswalk Striping and Beacons

Project No. 3454

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	100,000	0	0	0	0	0	100,000
Administration	10,000	0	0	0	0	0	10,000
Inspection	10,000	0	0	0	0	0	10,000
Improvements	483,000	0	0	0	0	0	483,000
TOTAL	\$603,000	\$0	\$0	\$0	\$0	\$0	\$603,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	3,000	0	0	0	0	0	3,000
Street Improvement Fund	600,000	0	0	0	0	0	600,000
TOTAL	\$603,000	\$0	\$0	\$0	\$0	\$0	\$603,000

Finance Notes

City Council 6/2/2020 - \$497k in prior years funding from General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

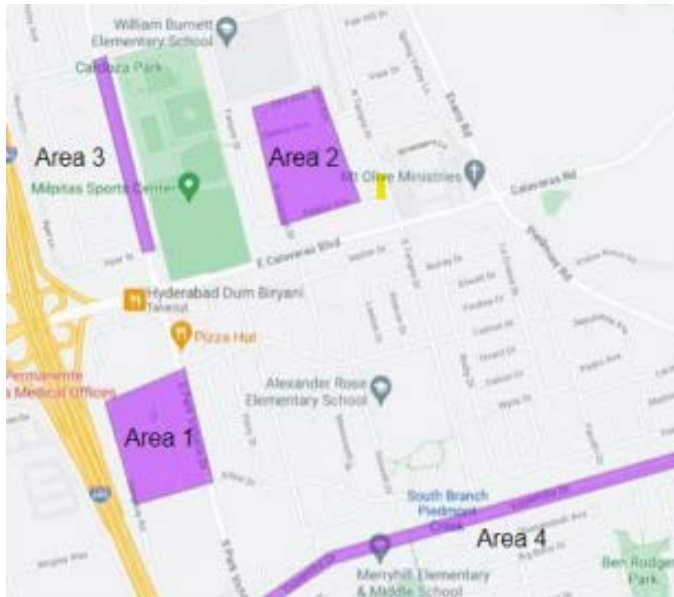
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3455

Pilot Street Sweeping Program



Category:	Street Improvement
City Council Priority:	Environment
Project Location:	Various Streets, East of I680
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Implementation
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

The project provides for a Pilot Street Sweeping program to address residents' concerns about neighborhood beautification, as well as reducing litter impacts into nearby waterways. The program is to evaluate the effectiveness of street sweeping signage in residential areas, inform residents of when to move their vehicles off the street for street sweeper to access the street to the curb, and maximize the collection of litter and debris.

Notes

Sweeping operations will be completed on one street side at a time on alternating days and within a shorter duration allowing residents to move vehicles from one side to the other to minimize parking impacts. Based on the Trash Load Reduction Plan, City staff and Milpitas Sanitation, Inc. identified four areas for the one-year pilot program that started in March 2021 and concluded in March 2022. These areas are (1) Selwyn Dr. and Shirley Dr. neighborhood, (2) Gadsden Dr. neighborhood east of Cardoza Park, (3) Park Victoria Dr. from Yosemite Dr. to Kennedy Dr., and (4) Yosemite Dr. from Piedmont Rd. to South Park Victoria Dr. After the conclusion of the pilot program, Public Works presented the findings to City Council on 6/14/2022. On 3/7/2023, Public Works presented an expansion of the pilot project and City Council directed staff to continue the program development.

Uncommitted Balance as of 3/31/2023	Council Approval
\$587,000	7/1/2019

Pilot Street Sweeping Program

Project No. 3455

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	100,000	0	0	0	0	0	100,000
Inspection	20,000	0	0	0	0	0	20,000
Improvements	580,000	0	0	0	0	0	580,000
TOTAL	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	300,000	0	0	0	0	0	300,000
Street Improvement Fund	400,000	0	0	0	0	0	400,000
TOTAL	\$700,000	\$0	\$0	\$0	\$0	\$0	\$700,000

Finance Notes

City Council 6/4/2020 - \$100K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3458

Radar Speed Feedback Signage



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Locations
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Ph2: Planning
Estimated Schedule	
Design:	TBD
Construction:	TBD
Recurring Project:	No

Description

This project provides for the assessment and installation of radar speed feedback signage (RSFS). The signage is used as a traffic calming measure on various City streets to reduce vehicle speed and to improve safety for motorists, pedestrians, and cyclists.

Notes

Project will be constructed in conjunction with Enhanced Crosswalk Striping and Beacons project (#3454). On 8/5/2021, City Council granted acceptance of 11 RSFS installed at Dixon Rd. between Vegas Ave. and Conway St.; N. Abbott Ave. at Hall Memorial Park; S. Main St. near S. Abel St.; Temple Dr. between Wylie Dr. and Edsel Dr.; Yosemite Dr. between Tempe Dr. and Carnegie Dr.; and Washington Dr. between Arizona Ave. and Escuela Pkwy. Future locations of RSFS will be identified in the Traffic Safety Assessment (#4293) which is underway. Implementation of improvements will be determined in fall 2024 at the conclusion of the assessment.

Radar Speed Feedback Signage

Project No. 3458

Uncommitted Balance as of 3/31/2023	Council Approval
\$194,000	7/1/2019

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	20,000	0	0	0	0	0	20,000
Improvements	380,000	0	0	0	0	0	380,000
TOTAL	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	200,000	0	0	0	0	0	200,000
Street Improvement Fund	200,000	0	0	0	0	0	200,000
TOTAL	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

4179

Montague Expwy Widening at Great Mall Pkwy

**Category:** Street Improvement**City Council Priority:** Transportation and Transit**Project Location:** Montague Expressway**Managing Department:** Engineering**Contact Person:** Steve Chan [3324]/
Michael Silveira [3303]**Project Stage:** Post-Construction**Estimated Schedule****Design:** Completed**Construction:** Completed**Recurring Project:** No

Description

This project provides a fourth through lane in each direction on Montague Expressway at Great Mall Parkway, one westbound lane on Montague Expressway from Pecton Court to UPRR rails, and a new bridge over Berryessa Creek. Construction is to be completed by VTA's contractor.

Notes

City Council granted acceptance of the improvements on December 3, 2019. (TASP ID: DB#2)

Uncommitted Balance as of 3/31/2023	Council Approval
\$597,000	7/1/2003

Montague Expwy Widening at Great Mall Pkwy

Project No. 4179

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	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	6,594,037	0	0	0	0	0	6,594,037
TOTAL	\$8,619,537	\$0	\$0	\$0	\$0	\$0	\$8,619,537

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	2,727,198	0	0	0	0	0	2,727,198
McCarthy Business Park TIF	380,000	0	0	0	0	0	380,000
RDA Fund	3,300,000	0	0	0	0	0	3,300,000
Street Improvement Fund	30,500	0	0	0	0	0	30,500
TASP Impact Fees	920,000	0	0	0	0	0	920,000
Traffic Impact Fees	1,261,839	0	0	0	0	0	1,261,839
TOTAL	\$8,619,537	\$0	\$0	\$0	\$0	\$0	\$8,619,537

Finance Notes

Developer Contributions: Cisco - \$1,125,000 + \$62,111 (FY05 Year End Adjustment) + City of San Jose (3Com)
\$1,568,000 - \$27,913 (FY21) = \$2,727,198

Traffic Impact Fees: \$585,000 + \$58,596 + \$329,713 = \$973,309.

City Council 2/1/2011 - Mid-Year Budget Appropriation of \$288,530 from Traffic Impact Fee.

City Council 2/18/2020 - Mid-Year Budget Appropriation of \$380k from TASP Impact Fees was replaced with Milpitas Business Park TIF.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

4258

Calaveras Blvd. Widening Project



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	E. Calaveras Boulevard
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2022-2025
Construction:	TBD
Recurring Project:	No

Estimated Schedule

Description

This project provides a minimum local match for the replacement of the existing roadway bridges, built in 1967, on Calaveras Boulevard between Milpitas Boulevard and Abel Street. The roadway is a State owned and operated highway (SR 237) that connects to I-680 and I-880 freeway through the City. It is a critical transportation artery that provides access to local streets for residents and businesses. The 6-lane roadway reduces to 4-lanes at the bridge structures creating traffic congestion. The Santa Clara Valley Transportation Authority (VTA) completed a project study report in 2009 and it was predicted that traffic congestion at the bridge structures would worsen as growth continues in the region. The widening of the bridge structures to 6-lanes was identified as a solution to provide traffic congestion relief in the area. The bridge will also include a 10-foot sidewalk and 6-foot bike lane in each direction.

Notes

The City is the local sponsor of this project and will provide local funding through impacts fees from development projects. City is to accumulate minimum local match of 10% of the project estimate cost of \$145M, approximately \$14.5M, to meet federal and state transportation grant funding requirements. A fair share goal from TASP Impact Fee is \$6.8M. On 12/7/2021, the City Council approved a funding agreement with VTA to complete the first phase of the project which is Caltrans's Project Approval and the Environmental Documentation (PA&ED). City funding provided will only be used to complete the PA&ED phase, and VTA will be responsible to administer the completion of this phase including obtaining required approvals from Caltrans. VTA is anticipating to complete the phase by FY2024-25. (TASP ID: DB#2)

Calaveras Blvd. Widening Project

Project No. 4258

Uncommitted Balance as of 3/31/2023	Council Approval
\$41,000	7/1/2004

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	5,106,960	0	0	0	0	0	5,106,960
TOTAL	\$5,106,960	\$0	\$0	\$0	\$0	\$0	\$5,106,960

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	877	0	0	0	0	0	877
TASP Impact Fees	3,500,000	0	0	0	0	0	3,500,000
Traffic Impact Fees	1,606,083	0	0	0	0	0	1,606,083
TOTAL	\$5,106,960	\$0	\$0	\$0	\$0	\$0	\$5,106,960

Finance Notes

City Council 2/1/2011 - Mid-Year Budget Appropriation of \$173,092 from Traffic Impact Fees.

City Council 2/7/2012 - Mid-Year Budget Appropriation of \$877 from Developer Contribution (D.R. Horton).

City Council 12/7/2021 - Budget Appropriation of \$3.5M from the TASP fund and \$1.433M from the Calaveras Boulevard Widening Traffic Impact Fee Fund 315.

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

4265

Bart Extension Coordination and Planning



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Milpitas BART
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Post-Construction
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

The BART extension from Fremont to San Jose will pass through Milpitas and includes a BART station in Milpitas. This project provides for coordination and planning with VTA for the design and construction of the BART extension and station within the City. Work includes review of proposals, plans, and engineering analysis of impacts to the City's utilities, right-of-way, and infrastructure.

Notes

VTA has completed construction and City Council initially accepted the improvements on December 3, 2019. City is anticipating to reimburse VTA in 2023 after right-of-way acquisition is completed.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$105,000

7/1/2006

Bart Extension Coordination and Planning

Project No. 4265

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	50,000	0	0	0	0	0	50,000
Administration	2,305,956	0	0	0	0	0	2,305,956
Others	125,000	0	0	0	0	0	125,000
TOTAL	\$2,480,956	\$0	\$0	\$0	\$0	\$0	\$2,480,956

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	2,401,896	0	0	0	0	0	2,401,896
RDA Fund	53,065	0	0	0	0	0	53,065
Sewer Fund	8,591	0	0	0	0	0	8,591
Street Improvement Fund	8,702	0	0	0	0	0	8,702
Water Fund	8,702	0	0	0	0	0	8,702
TOTAL	\$2,480,956	\$0	\$0	\$0	\$0	\$0	\$2,480,956

Finance Notes

City Council 2/7/2012 - Mid-Year Budget Appropriation of \$50k from the VTA reimbursement agreement.
City Council 2/21/2012 - Mid-Year Budget Appropriation of \$233,296 from the VTA reimbursement agreement.
City Council 9/18/2012 - Budget Appropriation of \$393,600 from the VTA reimbursement agreement.
City Council 10/15/2013 - Budget Appropriation of \$500k from the VTA reimbursement agreement.
City Council 6/17/2014 - Budget Appropriation of \$650k from the VTA reimbursement agreement.
City Council 9/15/2015 - Budget Appropriation of \$300k from the VTA reimbursement agreement.
City Council 12/6/2016 - Budget Appropriation of \$150k from the VTA reimbursement agreement.
City Council 8/17/2017 - Budget Appropriation of \$125k from the VTA reimbursement agreement.

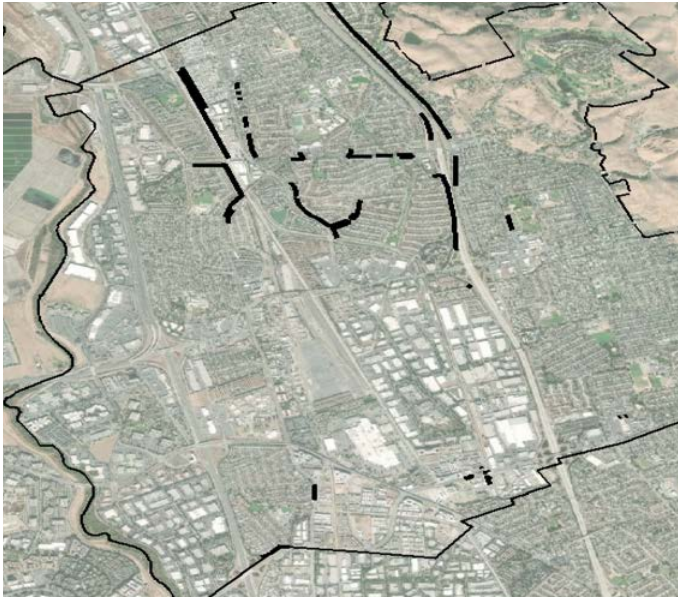
Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

4267

Soundwall and Barrier Repair and Renovation Program



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the renovation and repair of City-owned sound walls, fences, and barriers within parks and along streets. Portions of the walls have deteriorated and will need to be structurally repaired or completely replaced.

Notes

Workplan in FY2022-23 includes ongoing maintenance and completing a condition assessment of City-owned soundwalls and barriers. Funding request in FY2023-24 is for annual on-call repair contracts and improvements to various City-owned soundwalls and barriers.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$298,000

7/1/2009

Soundwall and Barrier Repair and Renovation Program

Project No. 4267

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	220,000	0	0	0	0	0	220,000
Administration	80,000	0	0	0	0	0	80,000
Inspection	75,000	0	0	0	0	0	75,000
Improvements	803,466	210,000	210,000	210,000	210,000	210,000	1,853,466
TOTAL	\$1,178,466	\$210,000	\$210,000	\$210,000	\$210,000	\$210,000	\$2,228,466

Funding Source

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	400,000	0	0	0	0	0	400,000
Street Improvement Fund	778,466	210,000	0	0	0	0	988,466
No Funding Source	0	0	210,000	210,000	210,000	210,000	840,000
TOTAL	\$1,178,466	\$210,000	\$210,000	\$210,000	\$210,000	\$210,000	\$2,228,466

Finance Notes

City Council 6/4/2020 - \$200K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

I-880 Interchange Right-of-Way Closeout

PROJECT NO.

4274



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	I-880 at Dixon Landing Rd, SR237, and Tasman Dr.
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Roberto Alonzo [3316]
Project Stage:	ROW Closeout
Estimated Schedule	
Design:	2023-2024
Construction:	—
Recurring Project:	No

Description

This project provides for the final closeout documentation and Right-of-Way transfer for three interchanges constructed along I-880 at Dixon Landing Road, State Route 237, and Tasman Drive.

Notes

The interchanges were constructed under three separate CIP projects. The City is working with Fremont, Caltrans and VTA through a cooperative cost share agreement to closeout these projects and ultimately transfer right-of-way and ownership to Caltrans.

Uncommitted Balance
as of 3/31/2023

\$640,000

Council
Approval

7/1/2014

I-880 Interchange Right-of-Way Closeout

Project No. 4274

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	727,181	0	0	0	0	0	727,181
TOTAL	\$727,181	\$0	\$0	\$0	\$0	\$0	\$727,181

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Developer Contributions	148,119	0	0	0	0	0	148,119
Street Improvement Fund	579,062	0	0	0	0	0	579,062
TOTAL	\$727,181	\$0	\$0	\$0	\$0	\$0	\$727,181

Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

ADA Curb Ramp Transition Program

PROJECT NO.

4283

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This mandatory program is to replacement existing curb ramps to comply with Americans with Disabilities Act (ADA) current standards. The project allows the City to be eligible for future Federal transportation aid funds. The sidewalk and curb ramp improvements are coordinated and implemented with the annual Street Resurfacing project. The target completion date for citywide ADA public street curb ramp compliance is 2040.

Notes

In 2022, 92 curb ramps were upgraded in conjunction with Street Resurfacing Project FY2022-23 (#4298 & 4303). In 2023, 86 curb ramps are planned to be upgraded in conjunction with Street Resurfacing Project FY2023-24 (#4303 & 4304).

Uncommitted Balance as of 3/31/2023	Council Approval
\$170,000	7/1/2016

ADA Curb Ramp Transition Program

Project No. 4283

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	60,000	10,000	10,000	10,000	10,000	10,000	110,000
Administration	60,000	10,000	10,000	10,000	10,000	10,000	110,000
Inspection	150,000	0	0	0	0	0	150,000
Improvements	2,000,801	380,000	380,000	380,000	280,000	280,000	3,700,801
TOTAL	\$2,270,801	\$400,000	\$400,000	\$400,000	\$300,000	\$300,000	\$4,070,801

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	1,800,000	400,000	400,000	400,000	300,000	300,000	3,600,000
Grants/Reimb./ Developer Fees	282,903	0	0	0	0	0	282,903
TDA Article III	187,898	0	0	0	0	0	187,898
TOTAL	\$2,270,801	\$400,000	\$400,000	\$400,000	\$300,000	\$300,000	\$4,070,801

Finance Notes

City Council 5/7/2019 - Adopted a resolution requesting allocation of \$84,296 for TDA Article 3 funding (Resolution No. 8869).

City Council 4/6/2021 - Budget Appropriation of \$155,316 in TDA Article 3 funding.

City Council 5/4/2021 - Budget Appropriation of \$127,586 in TDA Article 3 funding.

City Council 8/9/2022 - Budget Appropriation of \$103,602 in TDA Article 3 funding (Resolution No. 9143).

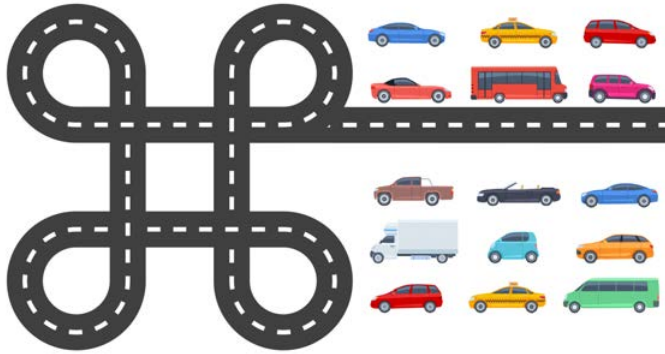
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Traffic Studies & Minor Improvements

PROJECT NO.

4288



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for citywide traffic studies, speed surveys, traffic counts, and minor traffic improvements that result from community service requests. Improvements may include installation of roadway markings/signage and roadway undulators and upgrades to traffic signal cabinets.

Notes

Public Works workplan in FY2023-24 is to update the traffic management center at PW building.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$143,000

7/1/2015

Traffic Studies & Minor Improvements

Project No. 4288

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	40,000	0	0	0	0	0	40,000
Administration	20,000	0	0	0	0	0	20,000
Improvements	140,000	0	100,000	0	100,000	0	340,000
TOTAL	\$200,000	\$0	\$100,000	\$0	\$100,000	\$0	\$400,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	200,000	0	0	0	0	0	200,000
No Funding Source	0	0	100,000	0	100,000	0	200,000
TOTAL	\$200,000	\$0	\$100,000	\$0	\$100,000	\$0	\$400,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Annual Bridge Rehabilitation



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	City Bridges
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	TBD
Construction:	TBD
Recurring Project:	Yes

Description

This project provides for repairs and rehabilitation of the deck surface, crack sealing, guard rails, fencing, and minor concrete for 8 pedestrian and 43 vehicular City bridges. Work also includes repair recommendations identified in the bi-annual bridge inspection reports conducted by the California Department of Transportation (CalTrans) for 23 City bridges.

Notes

Inspection of all vehicular box culverts and pedestrian bridges were completed in 2021. Planned funding request in FY 2024-25 is for bridge deck improvements at California Circle, Machado Ave., Milmont Dr., N. Abbott Ave., and N. McCarthy Blvd.

Uncommitted Balance as of 3/31/2023	Council Approval
\$91,000	7/1/2017

Annual Bridge Rehabilitation

Project No. 4290

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	20,000	0	65,000	25,000	25,000	25,000	160,000
Administration	15,000	0	45,000	10,000	10,000	10,000	90,000
Improvements	215,000	0	350,000	145,000	145,000	145,000	1,000,000
TOTAL	\$250,000	\$0	\$460,000	\$180,000	\$180,000	\$180,000	\$1,250,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	250,000	0	0	0	0	0	250,000
No Funding Source	0	0	460,000	180,000	180,000	180,000	1,000,000
TOTAL	\$250,000	\$0	\$460,000	\$180,000	\$180,000	\$180,000	\$1,250,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

4293

Citywide Traffic Safety Assessment



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Assessment
Estimated Schedule	
Design:	2023-2024
Construction:	—
Recurring Project:	No

Description

This project provides for a citywide traffic safety assessment to analyze and identify locations of traffic safety concerns and provide a safety mitigation plan. Areas of concern are intersections with high pedestrian and bike traffic in residential areas.

Notes

The assessment started in fall 2022 and is anticipated to be completed by fall 2024. The project will be coordinated with Citywide Traffic Modeling (Project #4297).

Uncommitted Balance as of 3/31/2023	Council Approval
\$3,000	7/1/2019

Citywide Traffic Safety Assessment

Project No. 4293

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	390,000	0	0	0	0	0	390,000
Administration	10,000	0	0	0	0	0	10,000
TOTAL	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	400,000	0	0	0	0	0	400,000
TOTAL	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

4294

SR237 HOV Lane Improvements



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	State Route 237 at McCarthy Blvd.
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Design
Estimated Schedule	
Design:	2021-2023
Construction:	2024-2025
Recurring Project:	No

Description

This project provides for traffic flow improvements on State Route 237 including Calaveras Boulevard. On December 5, 2017, the City Council adopted Resolution No. 8729 declaring SR237 improvements as the highest priority transportation projects for the City of Milpitas. Improvements include construction of high-occupancy vehicle (HOV) only lane on westbound Calaveras Boulevard between I-880 southbound off-ramp, SR237 freeway on-ramp, and westbound Calaveras Boulevard across McCarthy Boulevard freeway overpass. The resolution also included the completion of a SR237 corridor study that will identify other transit, pedestrian, bicycle, and roadway infrastructure and operational improvements within the City of Milpitas between I-880 and I-680.

Notes

Santa Clara Valley Transportation Authority (VTA) allocated FY2018-19 Measure B funding for SR237 improvement projects. On 10/15/2019, the City Council approved a funding agreement with VTA to complete the design, construction, reporting, administrative roles and responsibilities of the project. On 1/11/2022, City Council approved an amendment to the funding agreement for unanticipated roadway features. VTA will administrate the project and the City will provide 10% local match. VTA anticipates to complete the project in FY2024-25.

SR237 HOV Lane Improvements

Project No. 4294

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2019

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	300,000	0	0	0	0	0	300,000
TOTAL	\$300,000	\$0	\$0	\$0	\$0	\$0	\$300,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	300,000	0	0	0	0	0	300,000
TOTAL	\$300,000	\$0	\$0	\$0	\$0	\$0	\$300,000

Finance Notes**Operating Impact Notes**

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

4295

Street Pavement Restriping Program



Caption information

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Springer [2647]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for maintenance of Citywide street striping infrastructure per California Manual on Uniform Traffic Control Devices (MUTCD). Work includes restriping of existing pavement legends, lane lines, and crosswalks, and placement of markers.

Notes

Workplan in FY2022-23 is to continue restriping main crosswalks near school routes. Funding request in FY2023-24 is for on-call repair contracts and thermal striping in high traffic areas and button marker replacement.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$126,000

7/1/2019

Street Pavement Restriping Program

Project No. 4295

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	40,000	0	0	0	0	0	40,000
Improvements	360,000	200,000	200,000	200,000	200,000	200,000	1,360,000
TOTAL	\$400,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,400,000

Funding Source

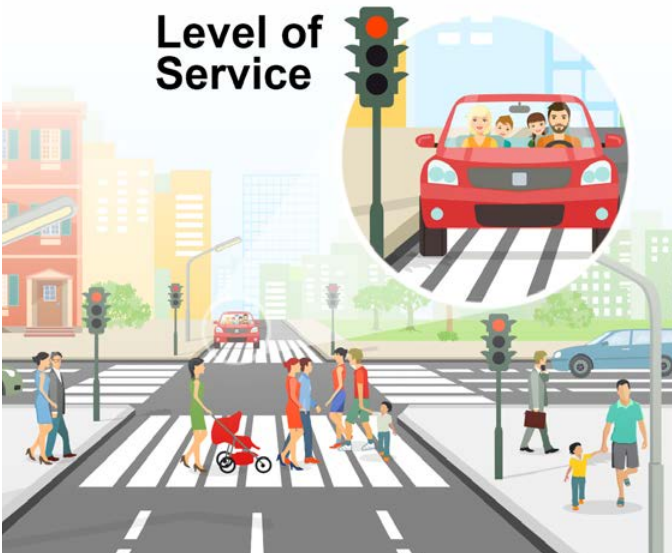
	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	400,000	200,000	100,000	100,000	200,000	200,000	1,200,000
No Funding Source	0	0	100,000	100,000	0	0	200,000
TOTAL	\$400,000	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000	\$1,400,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

4297



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Assessment
Estimated Schedule	
Design:	2023-2024
Construction:	—
Recurring Project:	No

Description

This project provides for a citywide traffic operation model of the current and 10-year horizon to assess motor vehicle traffic level-of-service at key roadway corridors and intersections. The model will be used to evaluate potential roadway improvements to improve level-of-service in the City.

Notes

The assessment started in fall 2022 and is anticipated to be completed by fall 2024. The project to be coordinated with Citywide Traffic Safety Assessment (Project #4293).

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2019

Citywide Traffic Modeling

Project No. 4297

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	390,000	0	0	0	0	0	390,000
Administration	10,000	0	0	0	0	0	10,000
TOTAL	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	400,000	0	0	0	0	0	400,000
TOTAL	\$400,000	\$0	\$0	\$0	\$0	\$0	\$400,000

Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

Street Resurfacing Project 2020-21

PROJECT NO.

4298

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Streets
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Warranty
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for roadway pavement repair, rehabilitation, and/or reconstruction. Streets are selected for improvement based on a Pavement Management System to optimize the pavement condition rating and use of funding. Locations and streets may vary dependent on the City's needs and funding. There are currently 129 center lane miles of streets that are owned by the City. The project will include replacement and upgrade of curb, gutter, driveway, sidewalk, installation of ADA ramps, implementation of Class II bike lanes, and Class III bike route facilities as described in the City's latest Bikeway Master Plan Update.

Notes

City Council granted acceptance on 1/11/2022 for the street resurfacing at Milmont Dr. from Dixon Landing Rd. to Berryessa Creek; Larkwood Ct.; Jurgens Dr. from Milmont Dr. to Larkwood Ct.; Aspenridge Dr.; Balboa Dr.; Elkwood Dr.; Gingerwood Dr.; Pacifica Wy.; Palisades Dr.; Seaside Dr.; Seaside Wy.; Summerwind Dr.; Summerwind Wy.; Woodruff Wy.; Pinard St. from Chipman Dr. to Piedmont Rd.; Cresthaven St. from Moulton Dr. to Piedmont Rd.; Piedmont Rd. from Yosemite Dr. to Landess Ave.; Bliss Ave.; Cascade St.; Chipman Dr.; Dubois St.; Edgehill Wy.; Farmcrest St.; Lynwood Terrace; Mesa Verde Dr.; Moulton Dr.; Petersburg Dr. Ridgemont Dr.; Shiloh Ave.; and Seacliff Dr.

Uncommitted Balance as of 3/31/2023	Council Approval
\$109,000	7/1/2016

Street Resurfacing Project 2020-21

Project No. 4298

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	300,000	0	0	0	0	0	300,000
Administration	25,000	0	0	0	0	0	25,000
Inspection	75,000	0	0	0	0	0	75,000
Improvements	4,200,000	0	0	0	0	0	4,200,000
TOTAL	\$4,600,000	\$0	\$0	\$0	\$0	\$0	\$4,600,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	328,148	0	0	0	0	0	328,148
Grants/Reimb./ Developer Fees	916,488	0	0	0	0	0	916,488
Measure B	1,403,431	0	0	0	0	0	1,403,431
SB1 RMRA	1,451,933	0	0	0	0	0	1,451,933
Vehicle Registration Fee	500,000	0	0	0	0	0	500,000
TOTAL	\$4,600,000	\$0	\$0	\$0	\$0	\$0	\$4,600,000

Finance Notes

In FY2021-22, this project received \$1,403,431 from Measure B funding. Measure B grant funding is distributed on a reimbursement basis. City funds must be expended on eligible projects prior to any reimbursement requests.

In FY2021-22, this project received \$1,445,283 and \$6,650 in interest (total \$1,451,933) of SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.

City Council 5/4/2021 - Budget Appropriation of \$916,488 in One Bay Area Grant Cycle 2 ("OBAG2") funds.

City Council 5/17/2022 - Budget Change amending funding sources Gas Tax and SBI RMRA.

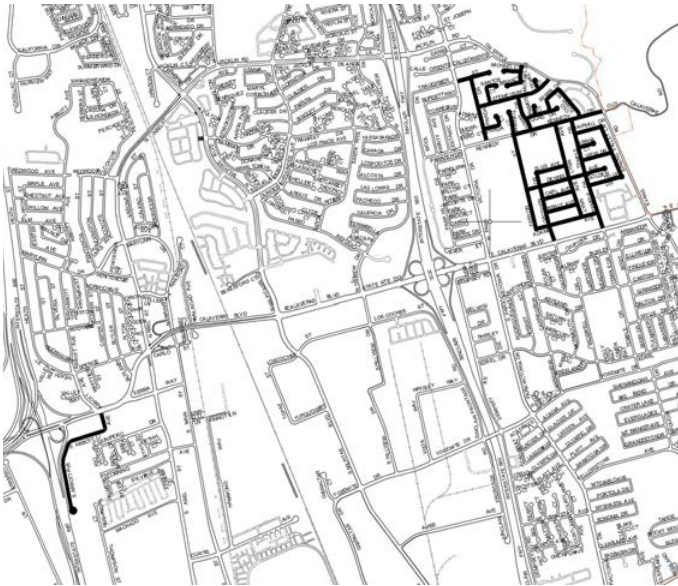
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Close at the end of Fiscal Year: June 30, 2023

Street Resurfacing Project 2021-22

PROJECT NO.

4303

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Streets
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Warranty
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for roadway pavement repair, rehabilitation, and/or reconstruction. Streets are selected for improvement based on a Pavement Management System to optimize the pavement condition rating and use of funding. Locations and streets may vary dependent on the City's needs and funding. There are currently 129 center lane miles of streets that are owned by the City. The project will include replacement and upgrade of curb, gutter, driveway, sidewalk, installation of ADA ramps, implementation of Class II bike lanes, and Class III bike route facilities as described in the City's latest Bikeway Master Plan Update.

Notes

On X/X/2023, City Council granted acceptance for street resurfacing at S. Abbott Ave. from southern end to E. Calaveras Blvd.; Traughber St. from N. Park Victoria Dr. to eastern end; Prada Dr.; Prada Ct.; Stemel Way; Santos Ct.; Stemel Ct.; Michael St.; Michael Ct.; Brian Ct.; Topham Ct.; Simas Dr.; Quail Dr.; Ramos Ct.; Serpa Dr.; Old Evans Rd.; Kennedy Dr. from Fanyon St. to Evans Rd.; Fanyon St.; Gadsden Dr. from Ellis Ave. to E. Calaveras Blvd.; Lynn Ave.; N. Temple Dr. from Kennedy Dr. to E. Calaveras Blvd.; Fairhill Dr.; Spring Valley Ln.; Golden Hills Dr.; Arana Ct.; View Dr.; Dennis Ave.; Ellis Ave.; Carl Ave.; Braly Ave.; and Adams Ave. Also, the installation of flashing beacons at the intersections of Fanyon St. and Kennedy Dr.; S. Park Victoria Dr. and Mt. Shasta Ave.; N. Park Victoria Dr. and Kennedy Dr.; and video detection at the intersections of E. Calaveras Blvd and Gadsden Dr. and E. Calaveras Blvd at Temple Dr.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$14,280,000

7/1/2017

Street Resurfacing Project 2021-22

Project No. 4303

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	200,000	0	0	0	0	0	200,000
Administration	75,000	0	0	0	0	0	75,000
Inspection	75,000	0	0	0	0	0	75,000
Improvements	3,950,000	0	0	0	0	0	3,950,000
TOTAL	\$4,300,000	\$0	\$0	\$0	\$0	\$0	\$4,300,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	91,054	0	0	0	0	0	91,054
Measure B	1,877,344	0	0	0	0	0	1,877,344
SB1 RMRA	1,567,170	0	0	0	0	0	1,567,170
Vehicle Registration Fee	764,432	0	0	0	0	0	764,432
TOTAL	\$4,300,000	\$0	\$0	\$0	\$0	\$0	\$4,300,000

Finance Notes

In FY2021-22, this project received \$1,877,344 from Measure B funding. Measure B grant funding is distributed on a reimbursement basis. City funds must be expended on eligible projects prior to any reimbursement requests.

In FY 2021-22, this project received \$1,567,170 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.

City Council 5/17/2022 - Budget Change amending funding amounts of Gas Tax, Measure B, and SBI RMRA funds.

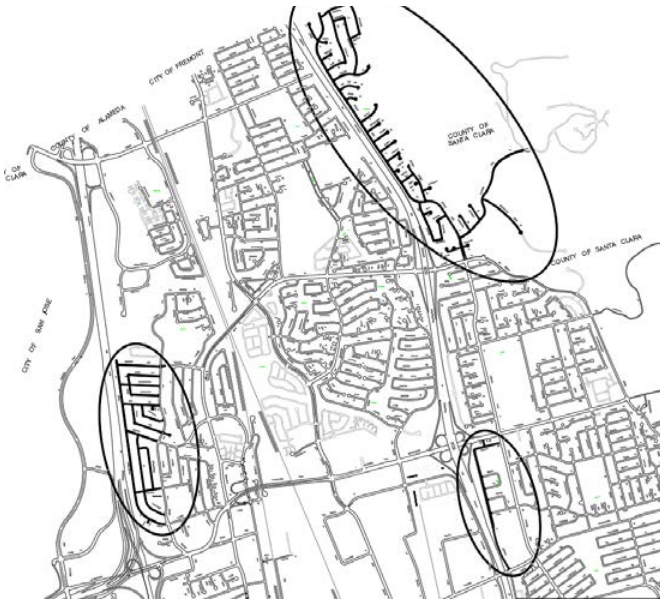
City Council X/XX/2023 - Budget Change amending funding amounts of SBI RMRA fund (+\$37,276).

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Street Resurfacing Project 2022-23

PROJECT NO.

4304

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Streets
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Design
Estimated Schedule	
Design:	2022-2023
Construction:	2023
Recurring Project:	No

Description

This project provides for roadway pavement repair, rehabilitation, and/or reconstruction. Streets are selected for improvement based on a Pavement Management System to optimize the pavement condition rating and use of funding. Locations and streets may vary dependent on the City's needs and funding. There are currently 129 center lane miles of streets that are owned by the City. The project will include replacement and upgrade of curb, gutter, driveway, sidewalk, installation of ADA ramps, implementation of Class II bike lanes, and Class III bike route facilities as described in the City's latest Bikeway Master Plan Update.

Notes

On X/X/2023, City Council awarded a construction contract for the street resurfacing of N. Park Victoria Dr. from Bolton Dr. to Jacklin Rd., Bolton Dr., Churchill Dr., Wellington Dr., Stratford Dr., Devon Pl., Sussex Pl., Kirkwall Pl., Stirling Dr., London Dr., Hastings Dr., Inverness Dr., Berkshire Pl., Baron Pl., Wessex Pl., Canterbury Pl., Cardiff Pl., Ann Pl., Princess Pl., Hampton Ct., Carson Way, El Camion Higuera, Zamora Ct., Nicklaus Ave., Berg Ct., Ranklin Dr., Creed St., Kennedy Dr. from N. Park Victoria Dr. to Fanyon St., Mt. Shasta Ave. from Dempsey Rd. to S. Park Victoria Dr. The project is anticipated to be completed by winter 2023.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$3,580,000

7/1/2018

Street Resurfacing Project 2022-23

Project No. 4304

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	250,000	0	0	0	0	0	250,000
Administration	100,000	0	0	0	0	0	100,000
Inspection	50,000	0	0	0	0	0	50,000
Improvements	3,600,000	0	0	0	0	0	3,600,000
TOTAL	\$4,000,000	\$0	\$0	\$0	\$0	\$0	\$4,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	378,026	0	0	0	0	0	378,026
Measure B	1,677,560	0	0	0	0	0	1,677,560
SB1 RMRA	1,444,414	0	0	0	0	0	1,444,414
Vehicle Registration Fee	500,000	0	0	0	0	0	500,000
TOTAL	\$4,000,000	\$0	\$0	\$0	\$0	\$0	\$4,000,000

Finance Notes

In FY2022-23, this project received \$1,677,560 from Measure B funding. Measure B grant funding is distributed on a reimbursement basis. City funds must be expended on eligible projects prior to any reimbursement requests.

In FY 2022-23, this project received \$1,444,414 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.

City Council X/XX/2023 - Budget Change amending funding amounts of SBI RMRA fund (+\$334,325).

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

4306

Bike and Pedestrian Outreach



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Communication CMO
Contact Person:	Charmaine Angelo [3055]
Project Stage:	Planning
Estimated Schedule	
Design:	2021-2023
Construction:	N/A
Recurring Project:	Yes

Description

This project provides for the public outreach activities to promote, educate, and encourage bicycling and walking in support of the circulation policy goals in General Plan's and Trail, Bike, and Pedestrian Master Plan. The Valley Transportation Authority (VTA) established the 2016 Measure B Program and adopted Program category guidelines. The "Bike and Pedestrian" program category includes a population-based formula for distribution of funding to eligible cities to encourage the use of bicycles and walking for transportation rather than motorized vehicles.

Notes

On 6/1/2021, City Council approved the Master Agreement with VTA for the 2016 Measure B Bike and Pedestrian Education and Encouragement Program. Workplan in FY2022-23 is for Silicon Valley Bicycle Coalition to implement the Safe Route to Schools program, coordinate with Steering Committee, conduct a parent survey, and continue development of program.

Bike and Pedestrian Outreach

Project No. 4306

Uncommitted Balance as of 3/31/2023	Council Approval
\$64,000	6/1/2021

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	129,000	0	0	0	0	0	129,000
TOTAL	\$129,000	\$0	\$0	\$0	\$0	\$0	\$129,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Measure B	129,000	0	0	0	0	0	129,000
TOTAL	\$129,000	\$0	\$0	\$0	\$0	\$0	\$129,000

Finance Notes

City Council 6/1/2021 - Project create with Budget Appropriation of \$45k from Measure B.

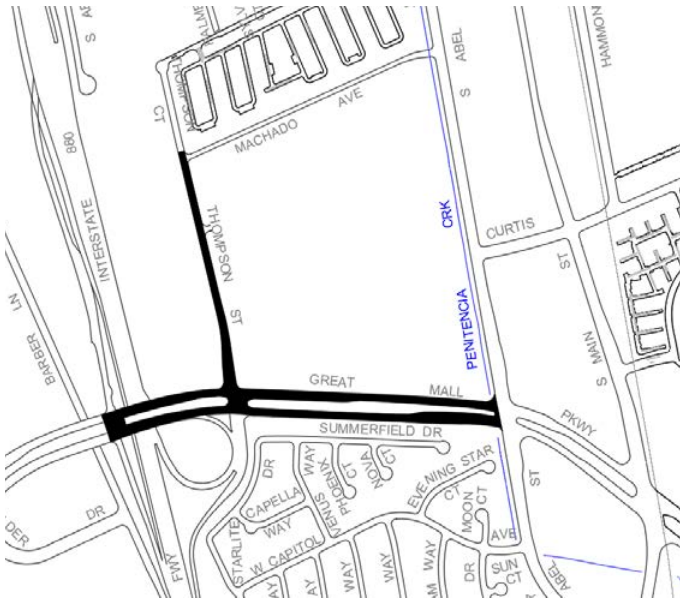
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Street Resurfacing Project 2023-24

PROJECT NO.

Plan



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	2024
Recurring Project:	No

Description

This project provides for roadway pavement repair, rehabilitation, and/or reconstruction. Streets are selected for improvement based on a Pavement Management System to optimize the pavement condition rating and use of funding. Locations and streets may vary dependent on the City's needs and funding. There are currently 129 center lane miles of streets that are owned by the City. The project will include replacement and upgrade of curb, gutter, driveway, sidewalk, installation of ADA ramps, implementation of Class II bike lanes, and Class III bike route facilities as described in the City's latest Bikeway Master Plan Update.

Notes

Planned streets for resurfacing includes Great Mall Parkway from I-880 to Able St. and Thompson St., north of Great Mall Parkway.

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2019

Street Resurfacing Project 2023-24

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	250,000	0	0	0	0	250,000
Administration	0	100,000	0	0	0	0	100,000
Inspection	0	50,000	0	0	0	0	50,000
Improvements	0	3,600,000	0	0	0	0	3,600,000
TOTAL	\$0	\$4,000,000	\$0	\$0	\$0	\$0	\$4,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	0	300,000	0	0	0	0	300,000
Measure B	0	1,700,000	0	0	0	0	1,700,000
SB1 RMRA	0	1,500,000	0	0	0	0	1,500,000
Vehicle Registration Fee	0	500,000	0	0	0	0	500,000
TOTAL	\$0	\$4,000,000	\$0	\$0	\$0	\$0	\$4,000,000

Finance Notes

In FY2023-24, this project will be eligible for estimated \$1,700,000 from Measure B funding. Measure B grant funding is distributed on a reimbursement basis. City funds must be expended on eligible projects prior to any reimbursement requests.

In FY 2023-24, this project will be eligible for estimated \$1,500,000 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

Plan

Street Resurfacing Project 2024-25



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2025
Construction:	2025
Recurring Project:	No

Description

This project provides for roadway pavement repair, rehabilitation, and/or reconstruction. Streets are selected for improvement based on a Pavement Management System to optimize the pavement condition rating and use of funding. Locations and streets may vary dependent on the City’s needs and funding. There are currently 129 center lane miles of streets that are owned by the City. The project will include replacement and upgrade of curb, gutter, driveway, sidewalk, installation of ADA ramps, implementation of Class II bike lanes, and Class III bike route facilities as described in the City's latest Bikeway Master Plan Update.

Notes

Planned streets for resurfacing includes Phase 2 Great Mall Parkway from Able St. to Montague Expressway, pending private development projects between McCandless Dr. and Cente Point.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$0

7/1/2020

Street Resurfacing Project 2024-25

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	0	250,000	0	0	0	250,000
Administration	0	0	100,000	0	0	0	100,000
Inspection	0	0	50,000	0	0	0	50,000
Improvements	0	0	3,600,000	0	0	0	3,600,000
TOTAL	\$0	\$0	\$4,000,000	\$0	\$0	\$0	\$4,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	0	0	300,000	0	0	0	300,000
Measure B	0	0	1,700,000	0	0	0	1,700,000
SB1 RMRA	0	0	1,500,000	0	0	0	1,500,000
Vehicle Registration Fee	0	0	500,000	0	0	0	500,000
TOTAL	\$0	\$0	\$4,000,000	\$0	\$0	\$0	\$4,000,000

Finance Notes

In FY2024-25, this project will be eligible for estimated \$1,700,000 from Measure B funding. Measure B grant funding is distributed on a reimbursement basis. City funds must be expended on eligible projects prior to any reimbursement requests.

In FY 2024-25, this project will be eligible for estimated \$1,500,000 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Street Resurfacing Project 2025-26

PROJECT NO.
Plan



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2025-2026
Construction:	2026
Recurring Project:	No

Description

This project provides for roadway pavement repair, rehabilitation, and/or reconstruction. Streets are selected for improvement based on a Pavement Management System to optimize the pavement condition rating and use of funding. Locations and streets may vary dependent on the City’s needs and funding. There are currently 129 center lane miles of streets that are owned by the City. The project will include replacement and upgrade of curb, gutter, driveway, sidewalk, installation of ADA ramps, implementation of Class II bike lanes, and Class III bike route facilities as described in the City's latest Bikeway Master Plan Update.

Notes

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2021

Street Resurfacing Project 2025-26

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	0	0	250,000	0	0	250,000
Administration	0	0	0	100,000	0	0	100,000
Inspection	0	0	0	50,000	0	0	50,000
Improvements	0	0	0	3,600,000	0	0	3,600,000
TOTAL	\$0	\$0	\$0	\$4,000,000	\$0	\$0	\$4,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	0	0	0	300,000	0	0	300,000
Measure B	0	0	0	1,700,000	0	0	1,700,000
SB1 RMRA	0	0	0	1,500,000	0	0	1,500,000
Vehicle Registration Fee	0	0	0	500,000	0	0	500,000
TOTAL	\$0	\$0	\$0	\$4,000,000	\$0	\$0	\$4,000,000

Finance Notes

In FY2025-26, this project will be eligible for estimated \$1,700,000 from Measure B funding. Measure B grant funding is distributed on a reimbursement basis. City funds must be expended on eligible projects prior to any reimbursement requests.

In FY 2025-26, this project will be eligible for estimated \$1,500,000 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

Plan

Street Resurfacing Project 2026-27



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2026-2027
Construction:	2027
Recurring Project:	No

Description

This project provides for roadway pavement repair, rehabilitation, and/or reconstruction. Streets are selected for improvement based on a Pavement Management System to optimize the pavement condition rating and use of funding. Locations and streets may vary dependent on the City’s needs and funding. There are currently 129 center lane miles of streets that are owned by the City. The project will include replacement and upgrade of curb, gutter, driveway, sidewalk, installation of ADA ramps, implementation of Class II bike lanes, and Class III bike route facilities as described in the City's latest Bikeway Master Plan Update.

Notes

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2022

Street Resurfacing Project 2026-27

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	0	0	0	250,000	0	250,000
Administration	0	0	0	0	100,000	0	100,000
Inspection	0	0	0	0	50,000	0	50,000
Improvements	0	0	0	0	3,600,000	0	3,600,000
TOTAL	\$0	\$0	\$0	\$0	\$4,000,000	\$0	\$4,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	0	0	0	0	300,000	0	300,000
Measure B	0	0	0	0	1,700,000	0	1,700,000
SB1 RMRA	0	0	0	0	1,500,000	0	1,500,000
Vehicle Registration Fee	0	0	0	0	500,000	0	500,000
TOTAL	\$0	\$0	\$0	\$0	\$4,000,000	\$0	\$4,000,000

Finance Notes

In FY2026-27, this project will be eligible for estimated \$1,700,000 from Measure B funding. Measure B grant funding is distributed on a reimbursement basis. City funds must be expended on eligible projects prior to any reimbursement requests.

In FY 2026-27, this project will be eligible for estimated \$1,500,000 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Street Resurfacing Project 2027-28

PROJECT NO.

New

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2027-2028
Construction:	2028
Recurring Project:	No

Description

This project provides for roadway pavement repair, rehabilitation, and/or reconstruction. Streets are selected for improvement based on a Pavement Management System to optimize the pavement condition rating and use of funding. Locations and streets may vary dependent on the City's needs and funding. There are currently 129 center lane miles of streets that are owned by the City. The project will include replacement and upgrade of curb, gutter, driveway, sidewalk, installation of ADA ramps, implementation of Class II bike lanes, and Class III bike route facilities as described in the City's latest Bikeway Master Plan Update.

Notes

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2023

Street Resurfacing Project 2027-28

Project No. New

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	0	0	0	0	250,000	250,000
Administration	0	0	0	0	0	100,000	100,000
Inspection	0	0	0	0	0	50,000	50,000
Improvements	0	0	0	0	0	3,600,000	3,600,000
TOTAL	\$0	\$0	\$0	\$0	\$0	\$4,000,000	\$4,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Gas Tax Fund	0	0	0	0	0	300,000	300,000
Measure B	0	0	0	0	0	1,700,000	1,700,000
SB1 RMRA	0	0	0	0	0	1,500,000	1,500,000
Vehicle Registration Fee	0	0	0	0	0	500,000	500,000
TOTAL	\$0	\$0	\$0	\$0	\$0	\$4,000,000	\$4,000,000

Finance Notes

In FY2027-28, this project will be eligible for estimated \$1,700,000 from Measure B funding. Measure B grant funding is distributed on a reimbursement basis. City funds must be expended on eligible projects prior to any reimbursement requests.

In FY 2027-28, this project will be eligible for estimated \$1,500,000 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

New

Bicycle Improvement Project

**Category:** Street Improvement**City Council Priority:** Transportation and Transit**Project Location:** Citywide**Managing Department:** Engineering**Contact Person:** Steve Chan [3324]/
Michael Silveira [3303]**Project Stage:** Planning**Estimated Schedule****Design:** 2024-2025**Construction:** 2025**Recurring Project:** No

Description

This project provides for the design and construction of bicycle facilities improvements at high-traffic signalized intersections and City streets to improve safety near schools and employment centers. Work includes improvements to bike lanes and pavement markings and installation of bike signals and signage.

Notes

The City received a State allocation of a One-Time State Funding Grant for bicycle facility improvements in FY2022-23. Workplan in FY2023-24 is to design improvements and construction is anticipated for FY2024-25. Potential intersections for improvements are S. Milpitas Blvd. & Jacklin Road; S. Milpitas Blvd. & Abel St.; Tasman Dr. & McCarthy Blvd.; and Tasman Dr. & Alder Dr.

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2023

Bicycle Improvement Project

Project No. New

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	125,000	0	0	0	0	125,000
Administration	0	50,000	0	0	0	0	50,000
Inspection	0	25,000	0	0	0	0	25,000
Improvements	0	800,000	0	0	0	0	800,000
TOTAL	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	0	1,000,000	0	0	0	0	1,000,000
TOTAL	\$0	\$1,000,000	\$0	\$0	\$0	\$0	\$1,000,000

Finance Notes

Grants/Reimb./Developer Fees: In 23-24, City received a State allocation of a One-Time State Funding Grant of \$1M.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.



WATER IMPROVEMENT PROJECTS

2024-28 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total Cost
300	2002	2nd SCVWD Water Reservoir & Pump Station	200,000	0	0	0	15,200,000	9,800,000	25,200,000
302	2009	SCVWD Second Water Supply Turnout	100,000	0	0	0	0	3,000,000	3,100,000
304	2019	(Rmb) Metro Recycled Water Distribution	500,391	0	0	0	800,000	0	1,300,391
306	2020	SCVWD Zone 1 Pressure Red. Valve	100,000	0	0	0	0	430,000	530,000
308	7076	Well Upgrade Project	14,490,000	0	0	3,000,000	2,400,000	0	19,890,000
310	7100	Aging Water System/Seismic Improvements	4,887,951	0	0	0	0	0	4,887,951
312	7110	Hydrant Replacement Program	566,360	90,000	90,000	90,000	90,000	90,000	1,016,360
314	7112	Reservoir Cleaning Program	190,000	50,000	0	0	0	100,000	340,000
316	7117	Abel Street Pipeline Extension	940,000	0	0	0	0	0	940,000
318	7118	Dempsey Road Water Line Replacement	7,857,772	0	0	0	0	0	7,857,772
320	7121	Automated Meter Replacement Program	14,047,700	0	0	0	0	0	14,047,700
322	7125	BART Project - Water Improvements	2,503,920	0	0	0	0	0	2,503,920
324	7126	Water Conservation Program	1,560,000	225,000	220,000	220,000	220,000	220,000	2,665,000
326	7127	Water Supervisory Control & Data Acquisition	6,516,600	0	0	0	0	0	6,516,600
328	7133	Minor Water Projects	1,340,000	2,106,000	1,570,000	910,000	100,000	100,000	6,126,000
330	7135	Water Leak Detection & Condition Assessment Program	631,474	0	0	0	100,000	100,000	831,474
332	7136	Water Master Plan Update	650,000	0	0	0	0	0	650,000
334	7137	On-Call Water Maintenance & Repair Services	875,000	350,000	350,000	350,000	350,000	350,000	2,625,000
336	Plan	Los Coches Backbone	0	0	0	0	0	0	0
338	Plan	Lower Berryessa Creek Water Line	0	0	0	0	0	1,025,000	1,025,000
340	New	Cross Connection Control Program	0	750,000	0	0	0	0	750,000
342	New	Asset Renewal and Replacement Program	0	0	0	1,685,000	1,685,000	1,685,000	5,055,000
344	New	Water Meter Test Program	0	0	0	100,000	0	0	100,000
346	New	Risk and Resiliency Improvements	0	0	0	135,000	0	2,000,000	2,135,000
348	New	Pipeline & Facility Condition Assessment	0	0	0	2,740,000	0	0	2,740,000
350	New	Fire Flow Pipeline Improvements	0	0	0	2,755,000	1,340,000	1,470,000	5,565,000
352	New	Fire Flow Interconnection Improvements	0	0	0	0	972,000	0	972,000
Total Cost			\$57,957,168	\$3,571,000	\$2,230,000	\$11,985,000	\$23,257,000	\$20,370,000	\$119,370,168

Funding Summary

TASP Impact Fees	0	0	0	16,000,000	10,230,000
Water Capital Surcharge	3,571,000	2,140,000	8,095,000	4,767,000	7,050,000
Water Line Extension Fund	0	90,000	3,890,000	2,490,000	90,000
Total Financing Available	3,571,000	2,230,000	11,985,000	23,257,000	17,370,000
No Funding Source	0	0	0	0	3,000,000
Total	\$3,571,000	\$2,230,000	\$11,985,000	\$23,257,000	\$20,370,000

Summary of Project Funding Sources FY 2023-24

Pg.	No.	Project Name	Water Capital Surcharge
300	2002	2nd SCVWD Water Reservoir & Pump Station	0
302	2009	SCVWD Second Water Supply Turnout	0
304	2019	(Rmb) Metro Recycled Water Distribution	0
306	2020	SCVWD Zone 1 Pressure Red. Valve	0
308	7076	Well Upgrade Project	0
310	7100	Aging Water System/Seismic Improvements	0
312	7110	Hydrant Replacement Program	90,000
314	7112	Reservoir Cleaning Program	50,000
316	7117	Abel Street Pipeline Extension	0
318	7118	Dempsey Road Water Line Replacement	0
320	7121	Automated Meter Replacement Program	0
322	7125	BART Project - Water Improvements	0
324	7126	Water Conservation Program	225,000
326	7127	Water Supervisory Control & Data Acquisition	0
328	7133	Minor Water Projects	2,106,000
330	7135	Water Leak Detection & Condition Assessment Program	0
332	7136	Water Master Plan Update	0
334	7137	On-Call Water Maintenance & Repair Services	350,000
336	Plan	Los Coches Backbone	0
338	Plan	Lower Berryessa Creek Water Line	0
340	New	Cross Connection Control Program	750,000
342	New	Asset Renewal and Replacement Program	0
344	New	Water Meter Test Program	0
346	New	Risk and Resiliency Improvements	0
348	New	Pipeline & Facility Condition Assessment	0
350	New	Fire Flow Pipeline Improvements	0
352	New	Fire Flow Interconnection Improvements	0
Subtotal by Funding Source			3,571,000
Total			\$3,571,000

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	Water Capital Surchage	Water Line Extension Fund
300	2002	2nd SCVWD Water Reservoir & Pump Station	0	0
302	2009	SCVWD Second Water Supply Turnout	0	0
304	2019	(Rmb) Metro Recycled Water Distribution	0	0
306	2020	SCVWD Zone 1 Pressure Red. Valve	0	0
308	7076	Well Upgrade Project	0	0
310	7100	Aging Water System/Seismic Improvements	0	0
312	7110	Hydrant Replacement Program	0	90,000
314	7112	Reservoir Cleaning Program	0	0
316	7117	Abel Street Pipeline Extension	0	0
318	7118	Dempsey Road Water Line Replacement	0	0
320	7121	Automated Meter Replacement Program	0	0
322	7125	BART Project - Water Improvements	0	0
324	7126	Water Conservation Program	220,000	0
326	7127	Water Supervisory Control & Data Acquisition	0	0
328	7133	Minor Water Projects	1,570,000	0
330	7135	Water Leak Detection & Condition Assessment Program	0	0
332	7136	Water Master Plan Update	0	0
334	7137	On-Call Water Maintenance & Repair Services	350,000	0
336	Plan	Los Coches Backbone	0	0
338	Plan	Lower Berryessa Creek Water Line	0	0
340	New	Cross Connection Control Program	0	0
342	New	Asset Renewal and Replacement Program	0	0
344	New	Water Meter Test Program	0	0
346	New	Risk and Resiliency Improvements	0	0
348	New	Pipeline & Facility Condition Assessment	0	0
350	New	Fire Flow Pipeline Improvements	0	0
352	New	Fire Flow Interconnection Improvements	0	0
Subtotal by Funding Source			2,140,000	90,000
Total			\$2,230,000	

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	Water Capital Surcharge	Water Line Extension Fund
300	2002	2nd SCVWD Water Reservoir & Pump Station	0	0
302	2009	SCVWD Second Water Supply Turnout	0	0
304	2019	(Rmb) Metro Recycled Water Distribution	0	0
306	2020	SCVWD Zone 1 Pressure Red. Valve	0	0
308	7076	Well Upgrade Project	0	3,000,000
310	7100	Aging Water System/Seismic Improvements	0	0
312	7110	Hydrant Replacement Program	0	90,000
314	7112	Reservoir Cleaning Program	0	0
316	7117	Abel Street Pipeline Extension	0	0
318	7118	Dempsey Road Water Line Replacement	0	0
320	7121	Automated Meter Replacement Program	0	0
322	7125	BART Project - Water Improvements	0	0
324	7126	Water Conservation Program	220,000	0
326	7127	Water Supervisory Control & Data Acquisition	0	0
328	7133	Minor Water Projects	110,000	800,000
330	7135	Water Leak Detection & Condition Assessment Program	0	0
332	7136	Water Master Plan Update	0	0
334	7137	On-Call Water Maintenance & Repair Services	350,000	0
336	Plan	Los Coches Backbone	0	0
338	Plan	Lower Berryessa Creek Water Line	0	0
340	New	Cross Connection Control Program	0	0
342	New	Asset Renewal and Replacement Program	1,685,000	0
344	New	Water Meter Test Program	100,000	0
346	New	Risk and Resiliency Improvements	135,000	0
348	New	Pipeline & Facility Condition Assessment	2,740,000	0
350	New	Fire Flow Pipeline Improvements	2,755,000	0
352	New	Fire Flow Interconnection Improvements	0	0
Subtotal by Funding Source			8,095,000	3,890,000

Total \$11,985,000

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	TASP Impact Fees	Water Capital Surcharge	Water Line Extension Fund
300	2002	2nd SCVWD Water Reservoir & Pump Station	15,200,000	0	0
302	2009	SCVWD Second Water Supply Turnout	0	0	0
304	2019	(Rmb) Metro Recycled Water Distribution	800,000	0	0
306	2020	SCVWD Zone 1 Pressure Red. Valve	0	0	0
308	7076	Well Upgrade Project	0	0	2,400,000
310	7100	Aging Water System/Seismic Improvements	0	0	0
312	7110	Hydrant Replacement Program	0	0	90,000
314	7112	Reservoir Cleaning Program	0	0	0
316	7117	Abel Street Pipeline Extension	0	0	0
318	7118	Dempsey Road Water Line Replacement	0	0	0
320	7121	Automated Meter Replacement Program	0	0	0
322	7125	BART Project - Water Improvements	0	0	0
324	7126	Water Conservation Program	0	220,000	0
326	7127	Water Supervisory Control & Data Acquisition	0	0	0
328	7133	Minor Water Projects	0	100,000	0
330	7135	Water Leak Detection & Condition Assessment Program	0	100,000	0
332	7136	Water Master Plan Update	0	0	0
334	7137	On-Call Water Maintenance & Repair Services	0	350,000	0
336	Plan	Los Coches Backbone	0	0	0
338	Plan	Lower Berryessa Creek Water Line	0	0	0
340	New	Cross Connection Control Program	0	0	0
342	New	Asset Renewal and Replacement Program	0	1,685,000	0
344	New	Water Meter Test Program	0	0	0
346	New	Risk and Resiliency Improvements	0	0	0
348	New	Pipeline & Facility Condition Assessment	0	0	0
350	New	Fire Flow Pipeline Improvements	0	1,340,000	0
352	New	Fire Flow Interconnection Improvements	0	972,000	0
Subtotal by Funding Source			16,000,000	4,767,000	2,490,000
Total			\$23,257,000		

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	TASP Impact Fees	Water Capital Surcharge	Water Line Extension Fund	No Funding Source
300	2002	2nd SCVWD Water Reservoir & Pump Station	7,800,000	0	0	2,000,000
302	2009	SCVWD Second Water Supply Turnout	2,000,000	0	0	1,000,000
304	2019	(Rmb) Metro Recycled Water Distribution	0	0	0	0
306	2020	SCVWD Zone 1 Pressure Red. Valve	430,000	0	0	0
308	7076	Well Upgrade Project	0	0	0	0
310	7100	Aging Water System/Seismic Improvements	0	0	0	0
312	7110	Hydrant Replacement Program	0	0	90,000	0
314	7112	Reservoir Cleaning Program	0	100,000	0	0
316	7117	Abel Street Pipeline Extension	0	0	0	0
318	7118	Dempsey Road Water Line Replacement	0	0	0	0
320	7121	Automated Meter Replacement Program	0	0	0	0
322	7125	BART Project - Water Improvements	0	0	0	0
324	7126	Water Conservation Program	0	220,000	0	0
326	7127	Water Supervisory Control & Data Acquisition	0	0	0	0
328	7133	Minor Water Projects	0	100,000	0	0
330	7135	Water Leak Detection & Condition Assessment Program	0	100,000	0	0
332	7136	Water Master Plan Update	0	0	0	0
334	7137	On-Call Water Maintenance & Repair Services	0	350,000	0	0
336	Plan	Los Coches Backbone	0	0	0	0
338	Plan	Lower Berryessa Creek Water Line	0	1,025,000	0	0
340	New	Cross Connection Control Program	0	0	0	0
342	New	Asset Renewal and Replacement Program	0	1,685,000	0	0
344	New	Water Meter Test Program	0	0	0	0
346	New	Risk and Resiliency Improvements	0	2,000,000	0	0
348	New	Pipeline & Facility Condition Assessment	0	0	0	0
350	New	Fire Flow Pipeline Improvements	0	1,470,000	0	0
352	New	Fire Flow Interconnection Improvements	0	0	0	0
Subtotal by Funding Source			10,230,000	7,050,000	90,000	3,000,000
Total			\$20,370,000			

2nd SCVWD Water Reservoir & Pump Station

PROJECT NO.

2002

Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2030-2032
Construction:	2033-2035
Recurring Project:	No

Description

This project provides for the design and construction of a 2.0 MG potable water storage reservoir including pump station with a capacity of 4,000 gpm, and related improvements to serve Valley Water service area as recommended in the adopted Water Master Plan, dated June 2021. This facility is necessary to meet recommended performance and operational criteria to serve future developments in Milpitas Gateway-Main Street and Metro Specific Plan areas.

Notes

According to the adopted Water Master Plan, the estimated cost of the facility includes an aboveground steel tank storage reservoir, enclosed pump station, site piping, earthwork, paving, instrumentation, and related site improvement. The project schedule is anticipated between 2030-2035, but it is pending the City's acquisition of approximately 3 acres of land near or within the Metro area. The project ID number in the Master Plan for the reservoir and pump station is BCIP-S-01 and BCIP-PS-01, respectively. The project will be coordinated with SCVWD Zone 1 Pressure Reducing Valve (Project #2020) and SCVWD Second Water Supply Turnout (Project #2009) projects. (TASP ID: DB#19/20)

Uncommitted Balance
as of 3/31/2023Council
Approval

\$199,000

7/1/2010

2nd SCVWD Water Reservoir & Pump Station

Project No. 2002

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	150,000	0	0	0	0	1,000,000	1,150,000
Administration	50,000	0	0	0	0	1,700,000	1,750,000
Inspection	0	0	0	0	0	300,000	300,000
Land	0	0	0	0	15,200,000	0	15,200,000
Improvements	0	0	0	0	0	6,800,000	6,800,000
TOTAL	\$200,000	\$0	\$0	\$0	\$15,200,000	\$9,800,000	\$25,200,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	200,000	0	0	0	15,200,000	7,800,000	23,200,000
No Funding Source	0	0	0	0	0	2,000,000	2,000,000
TOTAL	\$200,000	\$0	\$0	\$0	\$15,200,000	\$9,800,000	\$25,200,000

Finance Notes**Operating Impact Notes**

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2009

SCVWD Second Water Supply Turnout



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2030-2032
Construction:	2033-2035
Recurring Project:	No

Description

This project provides for the design and construction of a second turnout with a capacity of 10,000 gpm and related improvements to serve Valley Water's service area as recommended in the adopted Water Master Plan, dated June 2021. This facility is necessary to address the firm supply capacity deficiency and provide a supply redundancy to serve future developments in Milpitas Gateway-Main Street and Metro Specific Plan areas.

Notes

According to the adopted Water Master Plan, the estimated cost of the facility includes installation of control valves, a concrete utility vault, site piping, earthwork, paving, SCADA, and related site improvements. A potential location for the turnout is within a public service utility easement near the intersection of Piper Drive and Garden Street. The project schedule is anticipated between 2030-2035, but is pending the City's acquisition of land near or within the Metro area for the new water reservoir and pump station facility. The project ID number in the Master Plan for the turnout is BCIP-TO-01. The project will be coordinated with 2nd SCVWD Water Reservoir and Pump Station (Project #2002) and SCVWD Zone 1 Pressure Reducing Valve (Project #2020) projects. (TASP ID: DB#18)

Uncommitted Balance
as of 3/31/2023Council
Approval

\$99,000

7/1/2008

SCVWD Second Water Supply Turnout

Project No. 2009

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	100,000	0	0	0	0	3,000,000	3,100,000
TOTAL	\$100,000	\$0	\$0	\$0	\$0	\$3,000,000	\$3,100,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	100,000	0	0	0	0	2,000,000	2,100,000
No Funding Source	0	0	0	0	0	1,000,000	1,000,000
TOTAL	\$100,000	\$0	\$0	\$0	\$0	\$3,000,000	\$3,100,000

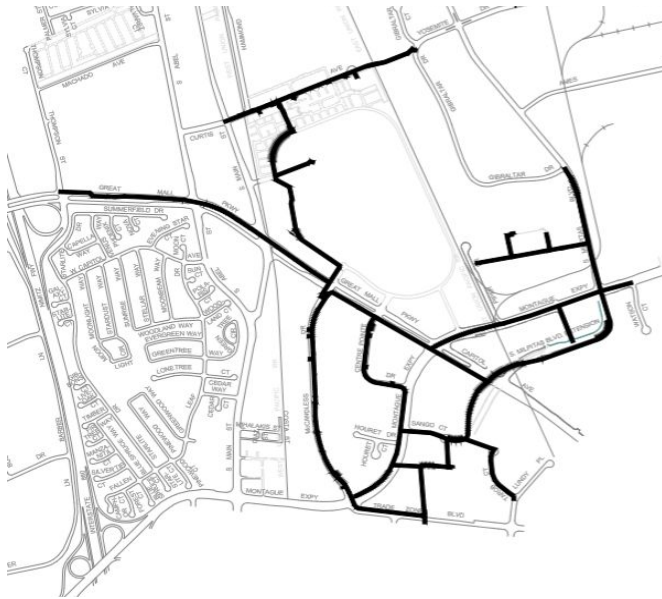
Finance Notes**Operating Impact Notes**

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

2019

(Rmb) Metro Recycled Water Distribution



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	No

Description

This project provides for reimbursement to developers for the construction of recycled water system extension in the Metro Specific Plan area. This project is the City's effort to diversify the water supply system and offset the use of potable water with recycled water mainly for irrigation purposes. New mains will be installed along Great Mall Pkwy., E. Capitol Ave., Montague Expy., S. Milpitas Blvd., Main St., McCandless Dr., Sango Ct., Tarob Ct., and Piper/Montague subdistrict.

Notes

City reimbursed Lennar \$599,609 for 1,500 feet of recycled water line on Great Mall Parkway in 2019. City to reimburse the developer of 355 Sango project for 1,000 feet of recycled water main on Sango Ct. from the Cul-de-sac to Montague Expressway in FY2023-24. Potential future reimbursement for plan segments include (1) 1,100 feet on Montague Expy between Houret Dr. and McCandless Dr.; (2) 500 feet on Tarob Ct. to Lundy Pl.; (3) 400 feet between Sango Ct. and Tarob Ct.; (4) 3,000 feet on Main St. between Montague Expy. and Great Mall Pky.; (5) 200 feet on Montague Expy. between Great Mall Pky and Falcon Dr.; and (6) 200 feet on Montague Expy. east of Pecten Ct. (TASP ID: DB#21)

Uncommitted Balance
as of 3/31/2023Council
Approval**(Rmb) Metro Recycled Water Distribution**

Project No. 2019

\$500,000**7/1/2019****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	500,391	0	0	0	800,000	0	1,300,391
TOTAL	\$500,391	\$0	\$0	\$0	\$800,000	\$0	\$1,300,391

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	500,391	0	0	0	800,000	0	1,300,391
TOTAL	\$500,391	\$0	\$0	\$0	\$800,000	\$0	\$1,300,391

Finance Notes

City Council 2/16/2021 - Mid-Year Budget Appropriation accounting correction of \$599,609 from TASP Impact Fees.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

2020

SCVWD Zone 1 Pressure Red. Valve



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2031-2035
Construction:	2031-2035
Recurring Project:	No

Description

This project provides for the design and construction of a Pressure Reducing Valve (PRV) within the Metro Specific Plan area to ensure water system operational redundancy. There are two pressure reducing valves within the Metro area regulating water pressure from the SCVWD Zone 2 (Curtis PRV) into Zone 1 (Capitol PRV) service area.

Notes

Public Works will conduct a feasibility study in conjunction with the Water Master Plan update (Project #7136) and 2015 Urban Water Management Plan to determine requirements and a location for the additional SCVWD PRV. The project will be coordinated with the 2nd SCVWD Water Reservoir & Pump Station (Project #2002), and SCVWD Second Water Supply Turnout (Project #2009) projects. The project schedule is anticipated between 2030-2035, but it is pending the City's acquisition of land near or within the Metro area for the new water reservoir and pump station facility. (Not in TADIF)

Uncommitted Balance
as of 3/31/2023Council
Approval

\$100,000

7/1/2017

SCVWD Zone 1 Pressure Red. Valve

Project No. 2020

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	80,000	0	0	0	0	70,000	150,000
Administration	20,000	0	0	0	0	20,000	40,000
Inspection	0	0	0	0	0	20,000	20,000
Improvements	0	0	0	0	0	320,000	320,000
TOTAL	\$100,000	\$0	\$0	\$0	\$0	\$430,000	\$530,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
TASP Impact Fees	100,000	0	0	0	0	430,000	530,000
TOTAL	\$100,000	\$0	\$0	\$0	\$0	\$430,000	\$530,000

Finance Notes**Operating Impact Notes**

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

7076

Well Upgrade Project



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Parc Metro East, McCandless, and Pinewood Parks
Managing Department:	Engineering/Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Silveira [3303]
Project Stage:	McCandless: Design/Const. Pinewood: Assessment
Estimated Schedule	
Design:	McCandless: 2024-2025 Pinewood: 2023-2024
Construction:	McCandless: 2025-2026 Pinewood: 2024-2025
Recurring Project:	Yes

Description

This project provides for the design, construction, and upgrades of the Well system as recommended by the Water Supply Augmentation Feasibility Report, March 2015. The project includes the design and construction of a new Well including pump station and treatment facility at McCandless Park site to serve the Midtown and Metro Specific Plan areas; installation of a pump station and treatment facility at Curtis Well; and improvements and upgrades to the facilities at Pinewood Well.

Notes

McCandless Well casing was installed in 2020 and the construction of the facility is anticipated to start by FY2025-26. Public Works' workplan at Pinewood Well is to assess if the emergency well can be converted to a production well in FY2022-23 and upgrade the electrical system and transfer switch in FY2023-24. The replacement of diesel motor, upgrades to the treatment system, and installation of backup generator will be determined after assessment is completed. (Not in 2014 TADIF)

Well Upgrade Project

Project No. 7076

Uncommitted Balance as of 3/31/2023	Council Approval
\$6,797,000	7/1/2002

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	3,858,200	0	0	0	0	0	3,858,200
Administration	1,172,800	0	0	200,000	200,000	0	1,572,800
Surveying	3,000	0	0	0	0	0	3,000
Inspection	685,800	0	0	200,000	200,000	0	1,085,800
Land	2,980,000	0	0	0	0	0	2,980,000
Improvements	5,790,200	0	0	2,600,000	2,000,000	0	10,390,200
TOTAL	\$14,490,000	\$0	\$0	\$3,000,000	\$2,400,000	\$0	\$19,890,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	140,000	0	0	0	0	0	140,000
RDA Fund	1,100,000	0	0	0	0	0	1,100,000
TASP Impact Fees	4,405,000	0	0	0	0	0	4,405,000
Water Bonds	2,000,000	0	0	0	0	0	2,000,000
Water Capital Surcharge	3,515,000	0	0	0	0	0	3,515,000
Water Fund	935,000	0	0	0	0	0	935,000
Water Line Extension Fund	2,395,000	0	0	3,000,000	2,400,000	0	7,795,000
TOTAL	\$14,490,000	\$0	\$0	\$3,000,000	\$2,400,000	\$0	\$19,890,000

Finance Notes

Reimbursement to VTA: \$140k for requested modifications due to BART Transit Station.

City Council 11/17/2020: Budget Appropriation of \$3M in prior years funding from Water Bond was defunded for Automated Meter Replacement Program, Project No. 7121.

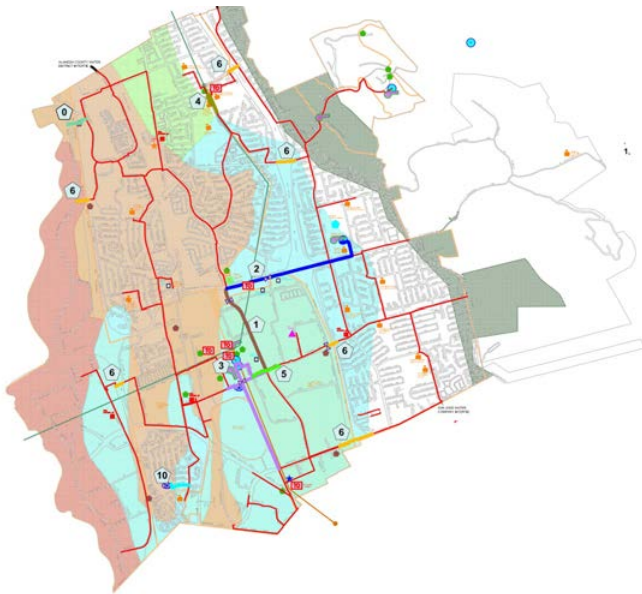
City Council 2/16/2021: Mid-Year Budget Appropriation of \$1.5M in prior year funding from Water Bond was replaced with Water Capital Surcharge.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.
7100

Aging Water System/ Seismic Improvements



Category:	Water Improvement
City Council Priority:	Public Safety
Project Location:	Citywide
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Design
Estimated Schedule	
Design:	2024-2025
Construction:	2026-2027
Recurring Project:	No

Description

This project develops a comprehensive Water System Seismic Improvements Program. Components include seismic rehabilitation to the City's "back-bone" water system as defined in the Water System Seismic Improvement Strategic Plan and purchase of water system materials and equipment for emergency response to a major disaster.

Notes

This project is for seismic measures for Dempsey Road Water Line Replacement (Project #7118). These seismic features provide additional reliability and redundancy per the Seismic Improvement Strategic Plan.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$3,914,000

7/1/2003

Aging Water System/Seismic Improvements

Project No. 7100

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	1,130,000	0	0	0	0	0	1,130,000
Administration	233,000	0	0	0	0	0	233,000
Surveying	25,000	0	0	0	0	0	25,000
Inspection	312,000	0	0	0	0	0	312,000
Improvements	3,187,951	0	0	0	0	0	3,187,951
TOTAL	\$4,887,951	\$0	\$0	\$0	\$0	\$0	\$4,887,951

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	1,100,000	0	0	0	0	0	1,100,000
Water Fund	1,587,951	0	0	0	0	0	1,587,951
Water Line Extension Fund	2,200,000	0	0	0	0	0	2,200,000
TOTAL	\$4,887,951	\$0	\$0	\$0	\$0	\$0	\$4,887,951

Finance Notes**Operating Impact Notes**

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

Hydrant Replacement Program

PROJECT NO.
7110



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for replacement of citywide hydrants and related infrastructure as recommended in the Water Supply Augmentation Feasibility Report, March 2015. The City maintains approximately 2,900 fire hydrants which typically have a service life of 30 years.

Notes

Public Works to replace a minimum of 20 hydrants annually.

Hydrant Replacement Program

Project No. 7110

Uncommitted Balance as of 3/31/2023	Council Approval
\$2,000	7/1/2009

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	10,000	0	0	0	0	0	10,000
Administration	5,000	0	0	0	0	0	5,000
Inspection	10,000	0	0	0	0	0	10,000
Improvements	541,360	90,000	90,000	90,000	90,000	90,000	991,360
TOTAL	\$566,360	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000	\$1,016,360

Funding Source

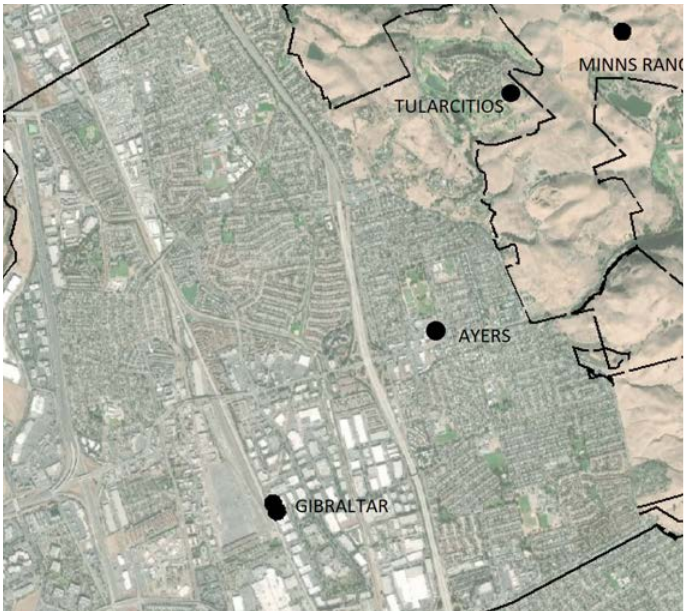
	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	254,260	90,000	0	0	0	0	344,260
Water Line Extension Fund	312,100	0	90,000	90,000	90,000	90,000	672,100
TOTAL	\$566,360	\$90,000	\$90,000	\$90,000	\$90,000	\$90,000	\$1,016,360

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Reservoir Cleaning Program

PROJECT NO.
7112



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	City Reservoirs
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Inspection/Cleaning
Estimated Schedule	
Design:	—
Construction:	2023-2024
Recurring Project:	Yes

Description

This project provides for the interior cleaning, inspections, and repairs of City's potable water reservoirs and storage tanks. Regular inspection and cleaning helps to maintain recommended chlorine residual levels and high-water quality for the City's potable water system. Cleaning and inspection are programmed between three to five years.

Notes

Inspections, cleaning, and repairs of all reservoirs and storage tanks were completed in 2019. Workplan in FY2022-23 is to clean and inspect all five storage tanks. Funding request in FY2023-24 is for minor repairs identified during inspections and cleaning of the storage tanks.

Uncommitted Balance as of 3/31/2023	Council Approval
\$60,000	7/1/2011

Reservoir Cleaning Program

Project No. 7112

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Equipment	190,000	50,000	0	0	0	100,000	340,000
TOTAL	\$190,000	\$50,000	\$0	\$0	\$0	\$100,000	\$340,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	190,000	50,000	0	0	0	100,000	340,000
TOTAL	\$190,000	\$50,000	\$0	\$0	\$0	\$100,000	\$340,000

Finance Notes

City Council 6/4/2020 - \$170K in prior years funding from Water Fund (\$150k) and Water Capital Surcharge Fund (\$20k) were defunded for other projects in FY 2020-21.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

7117

Abel Street Pipeline Extension



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Abel Street and Carlo Street
Managing Department:	Engineering
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Project Closure
Estimated Schedule	
Design:	—
Construction:	—
Recurring Project:	No

Description

This project provides for the design and construction to connect three "dead-end" pipes on Abel Street and Carlo Street to improve the water pressure for fire flow as identified in the 2009 Water Master Plan Update.

Notes

On 8/9/2022, City Council adopted the Water Master Plan Update which didn't recommend this project.

Abel Street Pipeline Extension

Project No. 7117

Uncommitted Balance as of 3/31/2023	Council Approval
\$895,000	7/1/2011

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	90,000	0	0	0	0	0	90,000
Administration	40,000	0	0	0	0	0	40,000
Surveying	20,000	0	0	0	0	0	20,000
Inspection	60,000	0	0	0	0	0	60,000
Improvements	730,000	0	0	0	0	0	730,000
TOTAL	\$940,000	\$0	\$0	\$0	\$0	\$0	\$940,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	500,000	0	0	0	0	0	500,000
Water Line Extension Fund	440,000	0	0	0	0	0	440,000
TOTAL	\$940,000	\$0	\$0	\$0	\$0	\$0	\$940,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Close at the end of Fiscal Year: July 1, 2023

Dempsey Road Water Line Replacement

PROJECT NO.
7118



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Dempsey Road
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Design
Estimated Schedule	
Design:	2024-2025
Construction:	2026-2027
Recurring Project:	No

Description

This project provides for the design and construction to replace approximately 4,000 feet of 12" diameter cast iron pipe in Dempsey Rd. from N. Park Victory Drive to Yosemite Dr. The pipe segment was installed in the 1950s and has reached the end of its service life. The pipeline has experienced excessive corrosion which is causing line breaks. Replacement must occur to minimize impacts to water customers.

Notes

The design is anticipated to start in 2024 and construction is anticipated to start in 2026.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$6,600,000

7/1/2013

Dempsey Road Water Line Replacement

Project No. 7118

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	1,407,792	0	0	0	0	0	1,407,792
Administration	250,000	0	0	0	0	0	250,000
Inspection	80,000	0	0	0	0	0	80,000
Land	100,000	0	0	0	0	0	100,000
Improvements	6,019,980	0	0	0	0	0	6,019,980
TOTAL	\$7,857,772	\$0	\$0	\$0	\$0	\$0	\$7,857,772

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	3,250,000	0	0	0	0	0	3,250,000
Water Fund	4,607,772	0	0	0	0	0	4,607,772
TOTAL	\$7,857,772	\$0	\$0	\$0	\$0	\$0	\$7,857,772

Finance Notes

City Council 12/16/2014 - Budget Appropriation of \$575,000 from Water Fund.

City Council 6/2/2015 - Budget Appropriation of \$49,980 from Water Fund.

City Council 6/16/2015 - Budget Appropriation of \$482,792 from Water Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

7121

Automated Meter Replacement Program



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2022-2023
Recurring Project:	No

Description

The project provides for the replacement of all City manual read water meters with automated remote reading water meters to improve the reading accuracy and allow for more frequent and remote data collection. There are approximately 17,000 water accounts.

Notes

On 11/17/2020, City Council approved an agreement with Engie Service Inc. for the implementation of energy and water conservation measures. Engie started Citywide meter replacement in winter 2021 and is anticipated to be completed by summer 2023.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$729,000

7/1/2014

Automated Meter Replacement Program

Project No. 7121

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	40,000	0	0	0	0	0	40,000
Inspection	30,000	0	0	0	0	0	30,000
Improvements	12,925,412	0	0	0	0	0	12,925,412
Equipment	1,052,288	0	0	0	0	0	1,052,288
TOTAL	\$14,047,700	\$0	\$0	\$0	\$0	\$0	\$14,047,700

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Bonds	11,846,000	0	0	0	0	0	11,846,000
Water Capital Surcharge	1,156,700	0	0	0	0	0	1,156,700
Water Line Extension Fund	1,045,000	0	0	0	0	0	1,045,000
TOTAL	\$14,047,700	\$0	\$0	\$0	\$0	\$0	\$14,047,700

Finance Notes

City Council 11/17/2020: Budget Appropriation of \$6,146,000 from Water Bond.

City Council 2/16/2021 - Mid-Year Budget Appropriation of \$2.8M in prior year funding from Water Capital Surface was replaced with Water Bond.

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

7125

BART Project - Water Improvements



Category:	Water Improvement
City Council Priority:	Transportation and Transit
Project Location:	Milpitas BART
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Post-Construction
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

The BART project will provide for the relocation of existing water pipelines and utilities along the BART corridor. The work to be completed by VTA's contractor at its own expense. The City has identified additional water system improvements to be completed as part of the BART utility relocation work. The additional improvements include the upgrade of water crossing at Montague Expressway and Capitol Ave. and pipelines near Piper Drive, installation of two water crossings south of Montague Expressway; and installation of recycle and water system as part of the adjacent Montague Widening Project (#4179). These additional improvements to be reimbursed by the City.

Notes

VTA has completed construction and City Council initially accepted the improvements on December 3, 2019. City is anticipating to reimburse VTA in 2023 after right-of-way acquisition is completed.

Uncommitted Balance as of 3/31/2023	Council Approval
\$683,000	7/1/2011

BART Project - Water Improvements

Project No. 7125

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	2,503,920	0	0	0	0	0	2,503,920
TOTAL	\$2,503,920	\$0	\$0	\$0	\$0	\$0	\$2,503,920

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	184,563	0	0	0	0	0	184,563
TASP Impact Fees	719,357	0	0	0	0	0	719,357
Water Fund	1,600,000	0	0	0	0	0	1,600,000
TOTAL	\$2,503,920	\$0	\$0	\$0	\$0	\$0	\$2,503,920

Finance Notes

City Council 12/6/2016 - Mid-Year Budget Appropriation of \$1.2M from TASP Impact Fees, \$184,563 from Developers, and \$1.6M from Water Fund for a total of \$2,984,563.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Water Conservation Program

PROJECT NO.

7126

Category:	Water Improvement
City Council Priority:	Environment
Project Location:	Public Works Department
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Implementation
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the development, implementation, and management of the Water Conservation Program. The program includes staff response to water waste complaints, implementation of new State mandates, community outreach and education, and managing of Citywide water rationing and conservation plan. It also assists with converting privately-owned potable irrigation facilities to recycled water, if feasible, and funds the cost share agreement with Valley Water for the landscape rebate programs and lawn conversion pilot.

Notes

The State Water Resources Control Board has extended water retailer conservation enforcement and reporting due to ongoing drought. Workplan in FY2022-23 and funding request in FY2023-24 is to continue Valley Water Cost Share Agreement for landscape rebate, customer portal/water use reports, Our City Forest Lawn Conversion pilot, WaterSmart customer portal, community outreach and education, and Public Works management of the project.

Water Conservation Program

Project No. 7126

Uncommitted Balance as of 3/31/2023	Council Approval
\$177,000	6/16/2015

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	360,000	0	0	0	0	0	360,000
Administration	850,000	45,000	35,000	35,000	35,000	35,000	1,035,000
Inspection	50,000	0	0	0	0	0	50,000
Improvements	300,000	180,000	185,000	185,000	185,000	185,000	1,220,000
TOTAL	\$1,560,000	\$225,000	\$220,000	\$220,000	\$220,000	\$220,000	\$2,665,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Park Fund	400,000	0	0	0	0	0	400,000
Water Capital Surcharge	160,000	225,000	220,000	220,000	220,000	220,000	1,265,000
Water Fund	1,000,000	0	0	0	0	0	1,000,000
TOTAL	\$1,560,000	\$225,000	\$220,000	\$220,000	\$220,000	\$220,000	\$2,665,000

Finance Notes

City Council 6/16/2015 - Project created with Budget Appropriation of \$600k from Water Fund and \$200k from Park Fund.

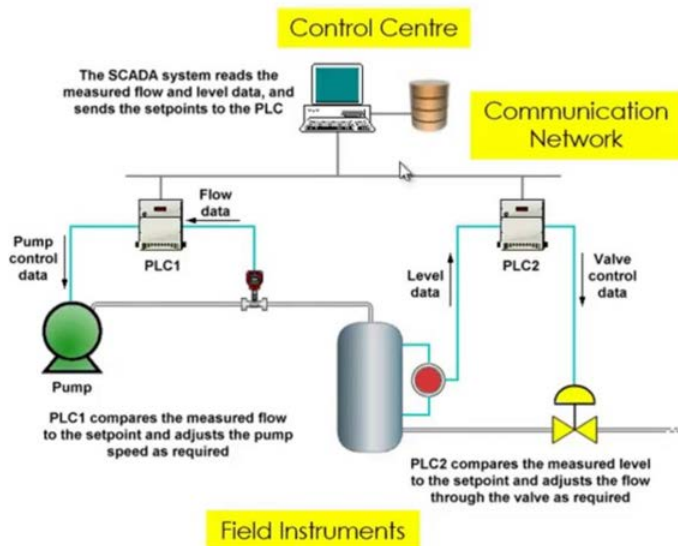
Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

7127

Water Supervisory Control & Data Acquisition



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2021-2024
Recurring Project:	No

Description

This project provides for the installation of Supervisory Control and Data Acquisition (SCADA) to the City's water infrastructure. Currently, Public Works relies on unsophisticated alarms at limited locations and customer complaints to become aware of water system issues. City staff then must investigate the issues at the location and implement corrective action which may prolong a system shutdown. SCADA allows operations to control, monitor, and maintain the water system more efficiently to help with making decisions and mitigate downtime. It provides for real-time data of water tank levels, pump operational status, system pressure, and flow rates. This information can be used to identify operational problems, such as high velocities, low pressures, and pressure spikes which are indicators of pipe breaks. It also allows for remote monitoring to interact with sensors, valves, pumps, and motors to implement corrective actions when there is a system problem.

Notes

On 11/17/2020, City Council approved an agreement with Engie Service Inc. for the implementation of energy and water conservation measures. The project is anticipated to be completed in 2024.

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	5/14/2013

Water Supervisory Control & Data Acquisition

Project No. 7127

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	750,000	0	0	0	0	0	750,000
Administration	125,000	0	0	0	0	0	125,000
Improvements	5,641,600	0	0	0	0	0	5,641,600
TOTAL	\$6,516,600	\$0	\$0	\$0	\$0	\$0	\$6,516,600

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Bonds	6,466,600	0	0	0	0	0	6,466,600
Water Fund	50,000	0	0	0	0	0	50,000
TOTAL	\$6,516,600	\$0	\$0	\$0	\$0	\$0	\$6,516,600

Finance Notes

City Council 6/16/2015 - Project created with Budget Appropriation of \$50k from Water Fund.

City Council 11/17/2020: Budget Appropriation of \$33,400 in prior years funding from Water Bond was defunded.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

7133

Minor Water Projects



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the design and construction of minor improvements to the City's water system. Work may include improvements, repairs, or replacement to equipment, generators, PRVs, pumps, security at facilities, vaults, valves, and water lines.

Notes

In FY 2021-22, Public Works completed repairs to the fence at Minnis Reservoir; installation of fence and concrete pad at Capital PRV; replacement of check valves at Gibraltar, and the design of Sunnyhills Water Turnout Rehab project. Workplan in FY2022-23 is to design the replacement of check valves on Yosemite Drive and Ames Ave. at S. Milpitas Blvd., PRV at California Circle, and suction piping for booster pump at Gibraltar Reservoir; rehabilitate the vault at Gibraltar Reservoir; and replace surge tank controls at Ayer Reservoir, PRV at Curtis Ave., and hatch at Tularcitos/Country Club Reservoir.

Funding request in FY2023-24 is for the installation of the suction piping for booster pump at Gibraltar Reservoir, replacement of the check valves at Yosemite and Ames at S. Milpitas; construction of Sunnyhills Turnout Rehab project; design of California Circle & FS1 Pressure Reducing Station upgrades; security gate upgrades at Ayer Reservoir; pavement repairs and painting of the building at Tularcitos/Country Club Reservoir; and building and concrete improvements at Minnis Reservoir. Planned funding request in FY2024-25 is for the design to replace the McCarthy, Junipero, Live Oak, and Montague PRVs; installation of a road access from the ranch to tank at Minnis Reservoir; pavement restoration at Ayer Reservoir; and upgrades of PRV on California Circle & FS1 Pressure Reducing Station. Planned funding request in FY2025-26 is for the rehabilitation and relocation of vault 12 and 16 near Curtis and coating all the reservoirs.

Minor Water Projects

Project No. 7133

Uncommitted Balance as of 3/31/2023	Council Approval
\$581,000	7/1/2013

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	335,000	0	0	0	5,000	5,000	345,000
Administration	50,000	497,000	340,000	0	5,000	5,000	897,000
Improvements	955,000	1,609,000	1,230,000	910,000	90,000	90,000	4,884,000
TOTAL	\$1,340,000	\$2,106,000	\$1,570,000	\$910,000	\$100,000	\$100,000	\$6,126,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	1,290,000	2,106,000	1,570,000	110,000	100,000	100,000	5,276,000
Water Line Extension Fund	50,000	0	0	800,000	0	0	850,000
TOTAL	\$1,340,000	\$2,106,000	\$1,570,000	\$910,000	\$100,000	\$100,000	\$6,126,000

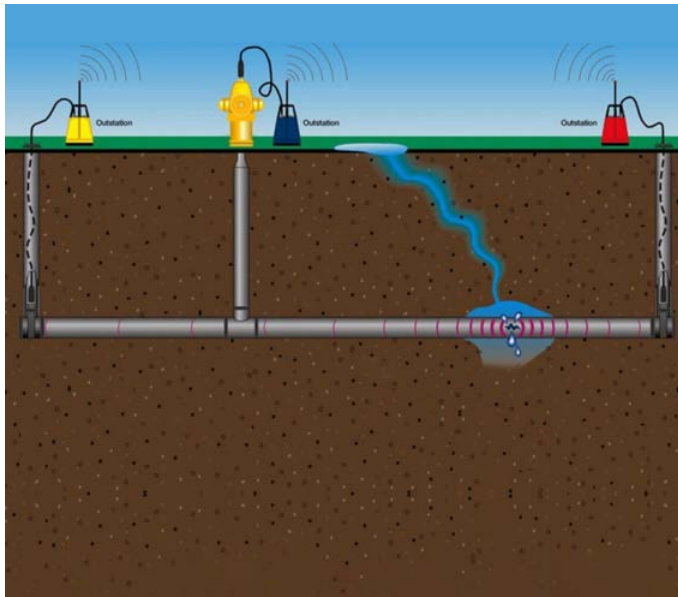
Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

7135

Water Leak Detection & Condition Assessment Program



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Implementation
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the leak detection and condition assessment program to comply with State Water Resources and Control Board requirement of managing and reducing water loss within the City's potable water system. This is a component of the City's Urban Water Management Plan. Work includes performing assessments to evaluate pipeline condition, identify critical segments of the water system, identify system leaks to determine the volume of water lost, and monitoring of leaks in real-time through the deployment of acoustic loggers and pressure transients. This work is necessary to minimize health and safety concerns and ensure an adequate supply of water.

Notes

Workplan in FY2022-23 and FY2023-24 is to continue with BAWSCA Water Loss Program, meter testing program, and water audit, and conduct the annual Non-destructive pipe assessment to identify potential leaks. On 5/3/2022, City Council accepted a grant from the Bureau of Reclamation WaterSmart Small-Scale Water Efficiency Project (SWEP) grant program for the installation of 32 water pressure data loggers.

Uncommitted Balance as of 3/31/2023	Council Approval
\$436,000	7/1/2018

Water Leak Detection & Condition Assessment Program

Project No. 7135

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	631,474	0	0	0	100,000	100,000	831,474
TOTAL	\$631,474	\$0	\$0	\$0	\$100,000	\$100,000	\$831,474

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Grants/Reimb./ Developer Fees	31,474	0	0	0	0	0	31,474
Water Capital Surcharge	600,000	0	0	0	100,000	100,000	800,000
TOTAL	\$631,474	\$0	\$0	\$0	\$100,000	\$100,000	\$831,474

Finance Notes

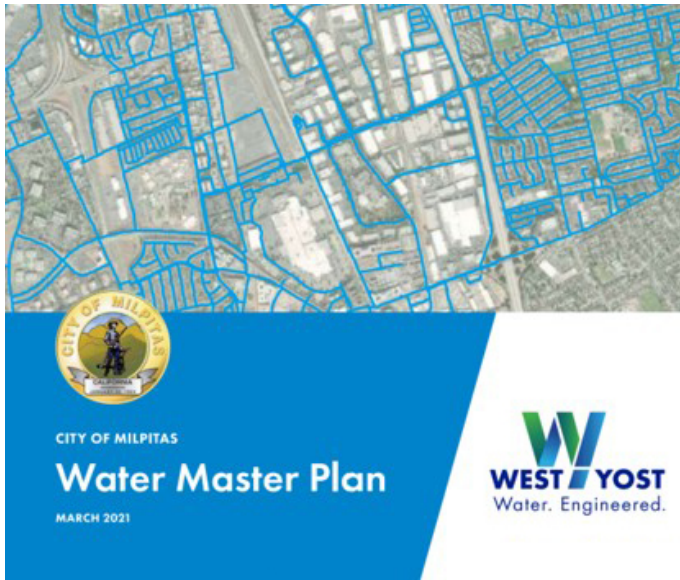
City Council 5/3/2022: Accepted a grant of \$31,474 from Bureau of Reclamation WaterSmart Small-Scale Water Efficiency Project (SWEP) grant program.

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

Water Master Plan Update

PROJECT NO.

7136

Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Public Works Department
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Adopted/Implementation
Estimated Schedule	
Design:	Completed
Construction:	—
Recurring Project:	No

Description

This project provides for the evaluation, study, and preparation of the City's Water Master Plan document. The plan is a comprehensive study that defines the City's strategy for providing a reliable and sustainable water supply for the present and future. The document will guide the City's decisions on water infrastructure investments over the next 20 years and incorporate miscellaneous general plan amendments, Midtown Specific Plan and Milpitas Metro Specific Plan needs. It also identifies deficiencies in the water system, recommends corrective actions, prioritizes improvements, and provides budgetary cost estimates.

Notes

On 8/9/2022, City Council adopted Water Master Plan, dated June 2021.

Water Master Plan Update

Project No. 7136

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2018

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	560,000	0	0	0	0	0	560,000
Administration	90,000	0	0	0	0	0	90,000
TOTAL	\$650,000	\$0	\$0	\$0	\$0	\$0	\$650,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	450,000	0	0	0	0	0	450,000
Water Line Extension Fund	200,000	0	0	0	0	0	200,000
TOTAL	\$650,000	\$0	\$0	\$0	\$0	\$0	\$650,000

Finance Notes**Operating Impact Notes**

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

7137

On-Call Water Maintenance & Repair Services



Category:	Water Improvement
City Council Priority:	Public Safety
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for on-call maintenance and repair services of the City's water infrastructure. Work may include, but is not limited to, the repair and replacement of electrical and mechanical systems (VFD & generators), motors and pumps, pipelines, meters, aboveground/underground storage tanks, and other related improvements. All work will be performed on a priority and funding availability basis.

Notes

Uncommitted Balance
as of 3/31/2023Council
Approval

\$172,000

7/1/2020

On-Call Water Maintenance & Repair Services

Project No. 7137

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	875,000	350,000	350,000	350,000	350,000	350,000	2,625,000
TOTAL	\$875,000	\$350,000	\$350,000	\$350,000	\$350,000	\$350,000	\$2,625,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	647,000	350,000	350,000	350,000	350,000	350,000	2,397,000
Water Line Extension Fund	228,000	0	0	0	0	0	228,000
TOTAL	\$875,000	\$350,000	\$350,000	\$350,000	\$350,000	\$350,000	\$2,625,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

Los Coches Backbone

Plan


Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Los Coches Street
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Project Closure
Estimated Schedule	
Design:	—
Construction:	—
Recurring Project:	No

Description

The project provides for the design and construction of a new transmission main on Los Coches St. and S. Hillview Dr. between S. Milpitas Blvd. and E. Calaveras Blvd. The main will connect the existing Zone 2 San Francisco PUC main pipeline to Zone 2 Santa Clara Valley Water District service area to improve the overall City water system reliability. The project also includes the construction of a new water turnout on Los Coches Street in SFPUC right-of-way as it has reached the end of its service life.

Notes

On 8/9/2022, City Council adopted the Water Master Plan Update which didn't recommend this project.

Los Coches Backbone

Project No. Plan

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2014

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	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
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Funding Source

	Prior Year	FY 2021-22	FY 2022-23	FY 2023-24	FY 2024-25	FY 2025-26	Total
Water Capital Surcharge	0	0	0	0	0	0	0
No Funding Source	0	0	0	0	0	0	0
TOTAL	\$0	\$0	\$0	\$0	\$0	\$0	\$0

Finance Notes**Operating Impact Notes**

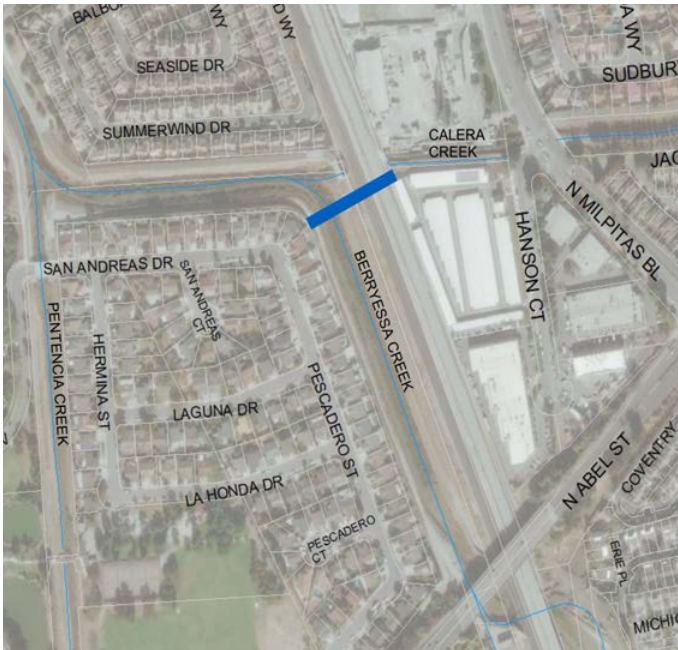
There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

Plan

Lower Berryessa Creek Water Line



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Berryessa Creek between Hanson Ct. and San Andreas Drive
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	TBD
Construction:	TBD
Recurring Project:	No

Description

This project provides for the design and replacement of an existing 14-inch diameter water line beneath Lower Berryessa Creek to accommodate future improvements within the existing creek corridor. This pipeline was installed in the 1950s and has reached the end of its service life.

Notes

During construction of the Berryessa Creek Levee Improvements work in 2015, the pipeline was damaged and repaired by Santa Clara Valley Water District.

Uncommitted Balance
as of 3/31/2023Council
Approval**Lower Berryessa Creek Water Line**

Project No. Plan

\$0**7/1/2016****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	0	0	0	0	150,000	150,000
Administration	0	0	0	0	0	75,000	75,000
Improvements	0	0	0	0	0	800,000	800,000
TOTAL	\$0	\$0	\$0	\$0	\$0	\$1,025,000	\$1,025,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	0	0	0	0	0	1,025,000	1,025,000
TOTAL	\$0	\$0	\$0	\$0	\$0	\$1,025,000	\$1,025,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

New

Cross Connection Control Program



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	—
Recurring Project:	No

Description

This project provides for the implementation of a cross-connection control program to protect the City water supply from contamination. The program is required by section 7584, chapter 5, title 17 of the California Code of Regulations. Work includes conducting surveys to identify water user premises where cross-connections are likely to occur and identify provisions of backflow protection by the water user at the connection.

Notes

Public Works received a letter from the State Water Resources Control Board, Division of Drinking Water in November 2022 requesting the submittal of a comprehensive plan detailing how the City achieve compliance with State code.

Uncommitted Balance
as of 3/31/2023Council
Approval**Cross Connection Control Program**

Project No. New

\$0**7/1/2023****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	0	750,000	0	0	0	0	750,000
TOTAL	\$0	\$750,000	\$0	\$0	\$0	\$0	\$750,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	0	750,000	0	0	0	0	750,000
TOTAL	\$0	\$750,000	\$0	\$0	\$0	\$0	\$750,000

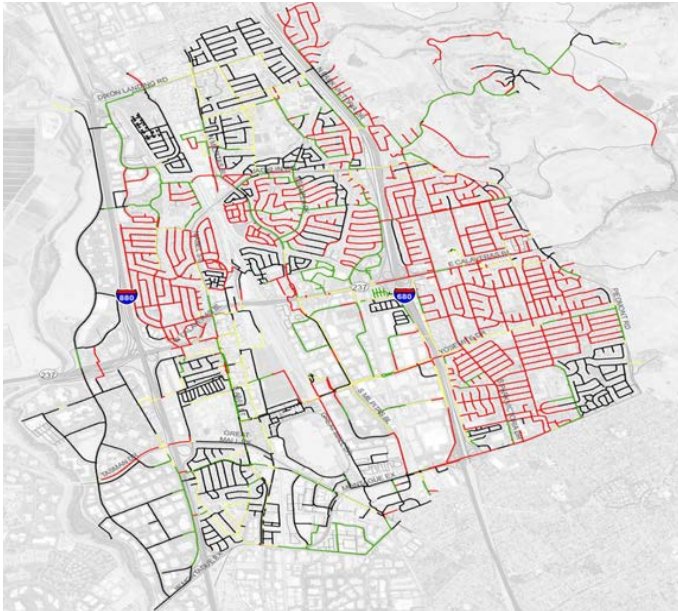
Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

New

Asset Renewal and Replacement Program



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2026
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for assessment, renewal, improvement, or replacement of the City's aging water infrastructure as recommended per the adopted Water Master Plan Update, dated June 2021. The Master Plan developed a forecast of asset replacement to establish a baseline order of magnitude estimate for fiscal planning which is based on asset age and the risk prioritization of likelihood of failure and consequence of failure. Projects will be prioritize per the Master Plan, but are subject to change pending findings from the detailed condition assessments.

Notes

Uncommitted Balance
as of 3/31/2023Council
Approval**Asset Renewal and Replacement Program**

Project No. New

\$0**7/1/2023****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	0	0	0	1,685,000	1,685,000	1,685,000	5,055,000
TOTAL	\$0	\$0	\$0	\$1,685,000	\$1,685,000	\$1,685,000	\$5,055,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	0	0	0	1,685,000	1,685,000	1,685,000	5,055,000
TOTAL	\$0	\$0	\$0	\$1,685,000	\$1,685,000	\$1,685,000	\$5,055,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.
New

Water Meter Test Program



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2025-2026
Construction:	—
Recurring Project:	No

Description

This project provides for the development of a water meter testing program as recommended per the adopted Water Master Plan Update, dated June 2021. The American Water Works Association (AWWA) recommends testing water meters once every 20 years, at a minimum. The program will establish criteria to measure the performance, and determine the useful life and replacement of the meter.

Notes

Water Meter Test Program

Project No. New

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2023

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	0	0	0	100,000	0	0	100,000
TOTAL	\$0	\$0	\$0	\$100,000	\$0	\$0	\$100,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	0	0	0	100,000	0	0	100,000
TOTAL	\$0	\$0	\$0	\$100,000	\$0	\$0	\$100,000

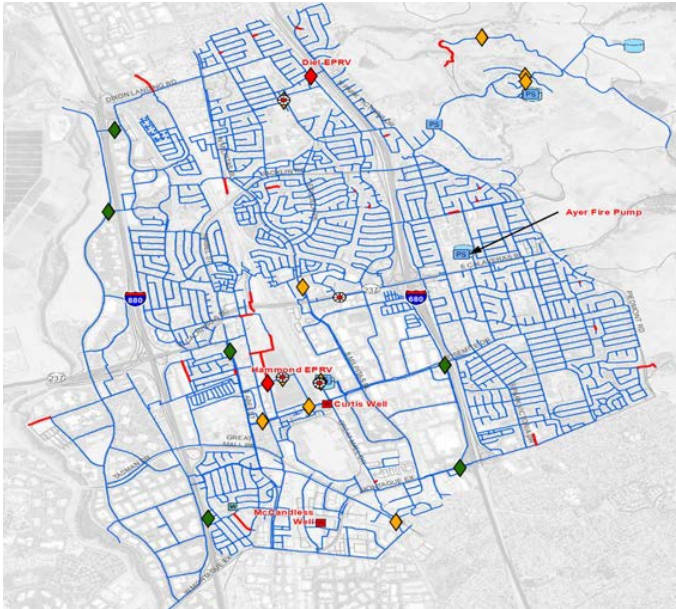
Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

New

Risk and Resiliency Improvements



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2025-2028
Construction:	2026-2029
Recurring Project:	No

Description

This project provides for security enhancements of the City's critical water infrastructure as recommended per the adopted Water Master Plan Update, dated June 2021. The project is mandated by America's Water Infrastructure Act of 2018 (AWIA) to improve drinking water and water quality and enhance public health and quality of life. Work includes physical security to prohibit malicious activity; develop site security protocols; harden critical transmission mains against earthquakes by replacing isolation valves that cross faults; participating in ShakeAlert program to minimize risk to personnel, property, community, and the environment; and increase water system resiliency in the event of an emergency.

Notes

Planned funding request in FY2025-26 is for the installation of secured fencing at the City's water facilities, developing site security protocols, and participate in ShakeAlert program. Planned funding request in FY2027-28 is for the replacement of isolation valves that will strengthen the City's water system in the event of an earthquake.

Uncommitted Balance
as of 3/31/2023Council
Approval**Risk and Resiliency Improvements**

Project No. New

\$0**7/1/2023****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	0	0	0	135,000	0	2,000,000	2,135,000
TOTAL	\$0	\$0	\$0	\$135,000	\$0	\$2,000,000	\$2,135,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	0	0	0	135,000	0	2,000,000	2,135,000
TOTAL	\$0	\$0	\$0	\$135,000	\$0	\$2,000,000	\$2,135,000

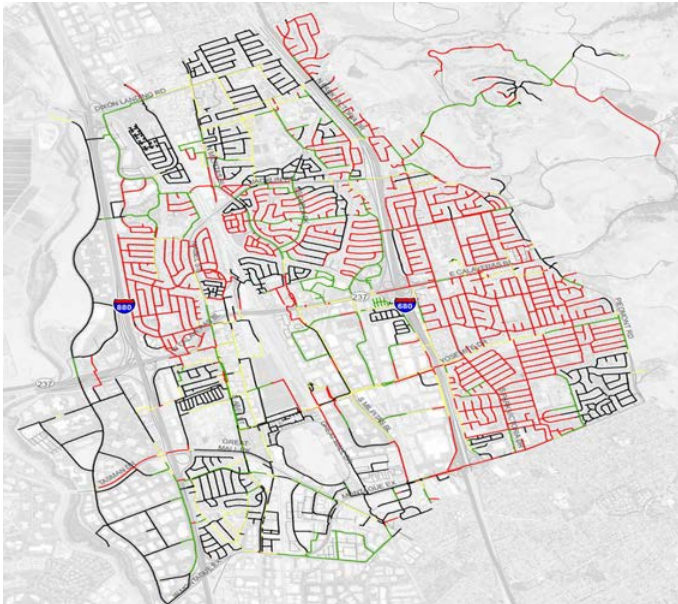
Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

New

Pipeline & Facility Condition Assessment



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Assessment
Estimated Schedule	
Design:	2025-2026
Construction:	—
Recurring Project:	No

Description

This project provides for condition assessment of the City's water facilities and pipeline distribution system to manage infrastructure risk before failure as recommended per the adopted Water Master Plan Update, dated June 2021. The assessment for pipelines will focus on metallic and asbestos cement material segments including appurtenances such as air valves, blow off assemblies, fire hydrants, and valves to document estimate remaining useful life. The assessment for facilities will focus on interties, PRVs, pumping stations, reservoirs, turnouts, and wells that are identified as Level B and C facilities.

Notes

Planned funding request in FY2025-26 is to start the assessment of pipelines and facilities.

Uncommitted Balance
as of 3/31/2023Council
Approval**Pipeline & Facility Condition Assessment**

Project No. New

\$0**7/1/2023****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	0	0	0	2,740,000	0	0	2,740,000
TOTAL	\$0	\$0	\$0	\$2,740,000	\$0	\$0	\$2,740,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	0	0	0	2,740,000	0	0	2,740,000
TOTAL	\$0	\$0	\$0	\$2,740,000	\$0	\$0	\$2,740,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

New

The map shows the City of Lowell, Massachusetts, with a focus on the area around the Ayer Fire Pump. The pump is located on the eastern side of the city, near the intersection of I-93 and I-495. Other labeled locations include the Ayer Fire Station, the Ayer Fire Pump, the Ayer Fire Station, the Ayer Fire Pump, the Ayer Fire Station, and the Ayer Fire Pump. The map also shows major roads like I-93, I-495, and I-95, and various streets such as Broadway, Main Street, and Elm Street. The map is a detailed street map with labels for buildings, streets, and landmarks.

Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2025-2031
Construction:	2026-2032
Recurring Project:	No

This project provides for the design and construction of upsizing several water mains to deliver the recommended fire flow at surrounding fire hydrants as recommended per the adopted Water Master Plan Update, dated June 2021. According to the City's potable water design guidelines and the State's recommendations, the City's water system shall provide minimum standard fire flow rate for a required duration while maintaining at least 20 pounds per square inch (psi) residual pressure during a fire flow event.

Planned funding request in FY2025-26 is to upsized water mains as identified in the Master Plan as ID ECIP-PI-05, 06, 07, 08, 10, 11, 16. Planned funding request in FY2026-27 is to upsized water mains as identified in the Master Plan as ID ECIP-PI-21, 23, 25, 26. Planned funding request in FY2027-28 is to upsized water mains as identified in the Master Plan as ID ECIP-PI-01 & 04.

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2023

Fire Flow Pipeline Improvements

Project No. New

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	0	0	300,000	140,000	170,000	610,000
Administration	0	0	0	450,000	220,000	270,000	940,000
Inspection	0	0	0	55,000	30,000	30,000	115,000
Improvements	0	0	0	1,950,000	950,000	1,000,000	3,900,000
TOTAL	\$0	\$0	\$0	\$2,755,000	\$1,340,000	\$1,470,000	\$5,565,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	0	0	0	2,755,000	1,340,000	1,470,000	5,565,000
TOTAL	\$0	\$0	\$0	\$2,755,000	\$1,340,000	\$1,470,000	\$5,565,000

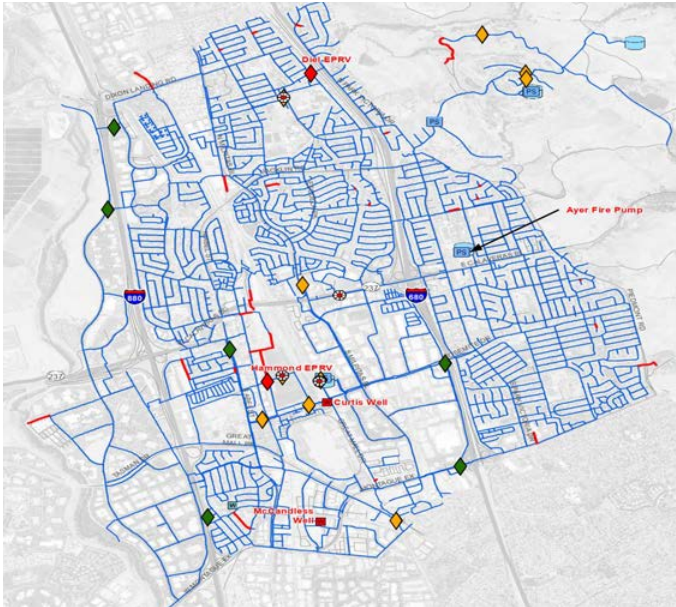
Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

New

Fire Flow Interconnection Improvements



Category:	Water Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2026-2027
Construction:	2027-2028
Recurring Project:	No

Description

This project provides for the design and installation of new emergency PRVs as recommended per the adopted Water Master Plan Update, dated June 2021. There are several locations where fire hydrants cannot deliver the recommended fire flow while maintaining a 20 psi residual system pressure. Installation of PRVs will improve fire flows under normal operations and provide redundancy.

Notes

Planned funding request in FY2026-27 is for the replacement of Hammond PRV (ECIP-V-01) and Cedar PRV (BCIP-V-01), and installation of new PRV at the end of Corning Ave (ECIP-V-02) as identified in Master Plan.

Uncommitted Balance
as of 3/31/2023Council
Approval**Fire Flow Interconnection Improvements**

Project No. New

\$0**7/1/2023****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	0	0	0	100,000	0	100,000
Administration	0	0	0	0	160,000	0	160,000
Inspection	0	0	0	0	20,000	0	20,000
Improvements	0	0	0	0	692,000	0	692,000
TOTAL	\$0	\$0	\$0	\$0	\$972,000	\$0	\$972,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Water Capital Surcharge	0	0	0	0	972,000	0	972,000
TOTAL	\$0	\$0	\$0	\$0	\$972,000	\$0	\$972,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.



SEWER IMPROVEMENT PROJECTS

2024-28 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total Cost
362	6118	SJ/SC Regional Waste Water Facility	87,012,245	6,810,000	11,240,000	6,285,000	2,980,000	2,510,000	116,837,245
364	6121	BART Project - Sewer Improvements	243,323	0	0	0	0	0	243,323
366	6124	Sewer Pump Station Rehabilitation Program	552,000	575,000	630,000	460,000	0	0	2,217,000
368	6126	Minor Sewer Projects	213,000	50,000	50,000	50,000	50,000	50,000	463,000
370	6127	Sanitary Supervisory Control & Data Acquisition	316,600	0	0	0	0	0	316,600
372	6130	Main Lift Station Odor Emissions Control	2,450,000	0	0	0	0	0	2,450,000
374	6131	Sanitary Sewer Cathodic Protection Imprv.	2,625,000	0	0	0	0	0	2,625,000
376	6132	Sewer Master Plan Update	750,000	0	0	0	0	0	750,000
378	6134	On-Call Sewer Maintenance & Repair Services	165,000	100,000	100,000	100,000	100,000	100,000	665,000
380	New	Sanitary Sewer CCTV Inspections & Improvements	0	533,000	433,000	433,000	333,000	333,000	2,065,000
382	New	Sanitary Sewer Pipeline Improvements	0	0	0	996,000	1,417,000	2,912,000	5,325,000
384	New	Forcemain "A" Project	0	2,000,000	940,000	23,200,000	0	0	26,140,000
Total Cost			\$94,327,168	\$10,068,000	\$13,393,000	\$31,524,000	\$4,880,000	\$5,905,000	\$160,097,168

Funding Summary

Sewer Infrastructure Fund	9,568,000	13,393,000	11,524,000	4,880,000	5,905,000
Sewer Treatment Fund	500,000	0	0	0	0
Wastewater Revenue Bonds	0	0	20,000,000	0	0
Total Financing Available	10,068,000	13,393,000	31,524,000	4,880,000	5,905,000
No Funding Source	0	0	0	0	0
Total	\$10,068,000	\$13,393,000	\$31,524,000	\$4,880,000	\$5,905,000

Summary of Project Funding Sources FY 2023-24

Pg.	No.	Project Name	Sewer Infrastructure Fund	Sewer Treatment Fund
362	6118	SJ/SC Regional Waste Water Facility	6,310,000	500,000
364	6121	BART Project - Sewer Improvements	0	0
366	6124	Sewer Pump Station Rehabilitation Program	575,000	0
368	6126	Minor Sewer Projects	50,000	0
370	6127	Sanitary Supervisory Control & Data Acquisition	0	0
372	6130	Main Lift Station Odor Emissions Control	0	0
374	6131	Sanitary Sewer Cathodic Protection Imprv.	0	0
376	6132	Sewer Master Plan Update	0	0
378	6134	On-Call Sewer Maintenance & Repair Services	100,000	0
380	New	Sanitary Sewer CCTV Inspections & Improvements	533,000	0
382	New	Sanitary Sewer Pipeline Improvements	0	0
384	New	Forcemain "A" Project	2,000,000	0
Subtotal by Funding Source			9,568,000	500,000
Total			\$10,068,000	

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	Sewer Infrastructure Fund
362	6118	SJ/SC Regional Waste Water Facility	11,240,000
364	6121	BART Project - Sewer Improvements	0
366	6124	Sewer Pump Station Rehabilitation Program	630,000
368	6126	Minor Sewer Projects	50,000
370	6127	Sanitary Supervisory Control & Data Acquisition	0
372	6130	Main Lift Station Odor Emissions Control	0
374	6131	Sanitary Sewer Cathodic Protection Imprv.	0
376	6132	Sewer Master Plan Update	0
378	6134	On-Call Sewer Maintenance & Repair Services	100,000
380	New	Sanitary Sewer CCTV Inspections & Improvements	433,000
382	New	Sanitary Sewer Pipeline Improvements	0
384	New	Forcemain "A" Project	940,000
Subtotal by Funding Source			13,393,000
Total			\$13,393,000

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	Sewer Infrastructure Fund	Wastewater Revenue Bonds
362	6118	SJ/SC Regional Waste Water Facility	6,285,000	0
364	6121	BART Project - Sewer Improvements	0	0
366	6124	Sewer Pump Station Rehabilitation Program	460,000	0
368	6126	Minor Sewer Projects	50,000	0
370	6127	Sanitary Supervisory Control & Data Acquisition	0	0
372	6130	Main Lift Station Odor Emissions Control	0	0
374	6131	Sanitary Sewer Cathodic Protection Imprv.	0	0
376	6132	Sewer Master Plan Update	0	0
378	6134	On-Call Sewer Maintenance & Repair Services	100,000	0
380	New	Sanitary Sewer CCTV Inspections & Improvements	433,000	0
382	New	Sanitary Sewer Pipeline Improvements	996,000	0
384	New	Forcemain "A" Project	3,200,000	20,000,000
Subtotal by Funding Source			11,524,000	20,000,000
Total			\$31,524,000	

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	Sewer Infrastructure Fund
362	6118	SJ/SC Regional Waste Water Facility	2,980,000
364	6121	BART Project - Sewer Improvements	0
366	6124	Sewer Pump Station Rehabilitation Program	0
368	6126	Minor Sewer Projects	50,000
370	6127	Sanitary Supervisory Control & Data Acquisition	0
372	6130	Main Lift Station Odor Emissions Control	0
374	6131	Sanitary Sewer Cathodic Protection Imprv.	0
376	6132	Sewer Master Plan Update	0
378	6134	On-Call Sewer Maintenance & Repair Services	100,000
380	New	Sanitary Sewer CCTV Inspections & Improvements	333,000
382	New	Sanitary Sewer Pipeline Improvements	1,417,000
384	New	Forcemain "A" Project	0
Subtotal by Funding Source			4,880,000
Total			\$4,880,000

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	Sewer Infrastructure Fund
362	6118	SJ/SC Regional Waste Water Facility	2,510,000
364	6121	BART Project - Sewer Improvements	0
366	6124	Sewer Pump Station Rehabilitation Program	0
368	6126	Minor Sewer Projects	50,000
370	6127	Sanitary Supervisory Control & Data Acquisition	0
372	6130	Main Lift Station Odor Emissions Control	0
374	6131	Sanitary Sewer Cathodic Protection Imprv.	0
376	6132	Sewer Master Plan Update	0
378	6134	On-Call Sewer Maintenance & Repair Services	100,000
380	New	Sanitary Sewer CCTV Inspections & Improvements	333,000
382	New	Sanitary Sewer Pipeline Improvements	2,912,000
384	New	Forcemain "A" Project	0
Subtotal by Funding Source			5,905,000
Total			\$5,905,000

SJ/SC Regional Waste Water Facility

PROJECT NO.

6118

Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	San Jose/Santa Clara Regional Waste Water Facility
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

The City pumps 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. The facility was originally constructed in 1956 and is reaching the end of its useful life. The City of San Jose, who operates the facility, is undergoing an estimated \$2 billion rehabilitation project to completely overhaul the facility over the next 30 years. Since the City of Milpitas uses approximately 7%, it will be responsible for 7% of the cost of improvements which is approximately \$140 million over the next 30 years. This project funds Milpitas' share of the rehabilitation costs.

Notes

The project costs were increased from anticipated debt service payments to "pay-as-go" total costs. Staff pursuing long term financing with other tributary agencies. Budget amounts are based on Water Pollution Control 2023-2027 Proposed Capital Improvement Program.

Uncommitted Balance as of 3/31/2023	Council Approval
\$1,863,000	7/1/2013

SJ/SC Regional Waste Water Facility
Project No. 6118

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	87,012,245	6,810,000	11,240,000	6,285,000	2,980,000	2,510,000	116,837,245
TOTAL	\$87,012,245	\$6,810,000	\$11,240,000	\$6,285,000	\$2,980,000	\$2,510,000	\$116,837,245

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Fund	21,765,000	0	0	0	0	0	21,765,000
Sewer Infrastructure Fund	10,697,245	6,310,000	11,240,000	6,285,000	2,980,000	2,510,000	40,022,245
Sewer Treatment Fund	19,050,000	500,000	0	0	0	0	19,550,000
Wastewater Revenue Bonds	35,500,000	0	0	0	0	0	35,500,000
TOTAL	\$87,012,245	\$6,810,000	\$11,240,000	\$6,285,000	\$2,980,000	\$2,510,000	\$116,837,245

Finance Notes

City Council 2/15/2022 - Mid-Year Budget Appropriation of \$4.2M from Sewer Infrastructure Fund.

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

PROJECT NO.

6121

BART Project - Sewer Improvements



Category:	Sewer Improvement
City Council Priority:	Transportation and Transit
Project Location:	Milpitas BART
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Post-Construction
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

The BART project will provide for the relocation of existing sewer pipelines and utilities along the BART corridor. The work to be completed by VTA's contractor. The City has identified additional sewer pipeline improvements based on the City's Sewer Master Plan to be completed as part of the BART utility relocation work. These additional improvements to be reimbursed by the City.

Notes

VTA has completed construction and City Council initially accepted the improvements on December 3, 2019. City is anticipating to reimburse VTA in 2023 after right-of-way acquisition is completed.

Uncommitted Balance
as of 3/31/2023

\$13,000

Council
Approval

7/1/2011

BART Project - Sewer Improvements

Project No. 6121

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	243,323	0	0	0	0	0	243,323
TOTAL	\$243,323	\$0	\$0	\$0	\$0	\$0	\$243,323

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Fund	243,323	0	0	0	0	0	243,323
TOTAL	\$243,323	\$0	\$0	\$0	\$0	\$0	\$243,323

Finance Notes

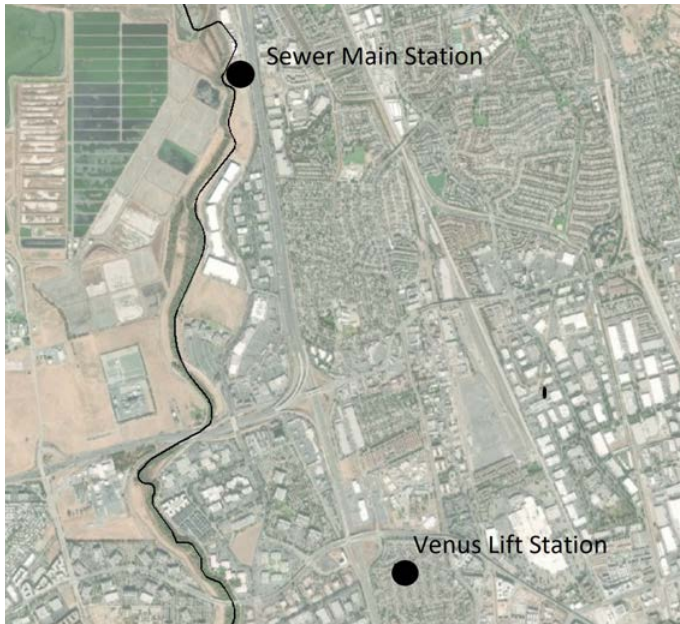
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

6124

Sewer Pump Station Rehabilitation Program



Category:	Sewer Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Main and Venus Wastewater Lift Stations
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for rehabilitation, repairs, or replacement of wastewater pumps at Main and Venus Wastewater Lift Stations to improve the resiliency of the system and ensure that sewage will continue to be pumped out of the City. Work may include rotational assessment of the City's six wastewater pumps and peripheral equipment rehabilitation and replacement of electrical control, flow equipment, variable frequency drives, and grinders.

Notes

Public Works replaced the grinders and pump no. 3 at the Main Lift Station in FY2021-22 and the rebuild of pump no. 4 and VFD no. 3 at Main Lift was completed in FY2022-23. Workplan in FY2022-23 is to design and replace air vact system and design the hold structure for grinders at the Main Lift Station. Funding request in FY2023-24 is for the installation of the hold structure for the grinders and replacement of variable frequency drives at the Main Lift Station.

Uncommitted Balance as of 3/31/2023	Council Approval
\$137,000	7/1/2017

Sewer Pump Station Rehabilitation Program

Project No. 6124

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Administration	100,000	75,000	130,000	0	0	0	305,000
Improvements	352,000	500,000	500,000	460,000	0	0	1,812,000
TOTAL	\$552,000	\$575,000	\$630,000	\$460,000	\$0	\$0	\$2,217,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Infrastructure Fund	552,000	575,000	630,000	460,000	0	0	2,217,000
TOTAL	\$552,000	\$575,000	\$630,000	\$460,000	\$0	\$0	\$2,217,000

Finance Notes

City Council 6/4/2020 - \$148K in prior years funding from Sewer Infrastructure Fund was defunded for other projects in FY 2020-21.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

6126

Minor Sewer Projects



Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the ongoing assessment, design, and construction of various minor modifications and improvements to existing City's sanitary sewer infrastructure.

Notes

In FY 2021-22, Public Works completed the installation of the confined space entry mounting at the Main Lift Station. Workplan in FY2022-23 is to replace siphons at Santa Rita, raise manholes to grade at the intersection of Montague Expressway and S. Main St., reforming the manhole concrete channel on Sylvia Ct. and Petaluma Ct., and connect sewer main to the manhole at the intersection of Conway St. and Greathouse Dr. Funding request in FY2023-24 is for pavement restoration at the Main Lift Station.

Minor Sewer Projects

Project No. 6126

Uncommitted Balance as of 3/31/2023	Council Approval
\$123,000	7/1/2013

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	13,000	0	0	0	0	0	13,000
Improvements	200,000	50,000	50,000	50,000	50,000	50,000	450,000
TOTAL	\$213,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$463,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Fund	100,000	0	0	0	0	0	100,000
Sewer Infrastructure Fund	113,000	50,000	50,000	50,000	50,000	50,000	363,000
TOTAL	\$213,000	\$50,000	\$50,000	\$50,000	\$50,000	\$50,000	\$463,000

Finance Notes

City Council 6/4/2020 - \$37K in prior years funding from Sewer Infrastructure Fund was defunded for other projects in FY 2020-21.

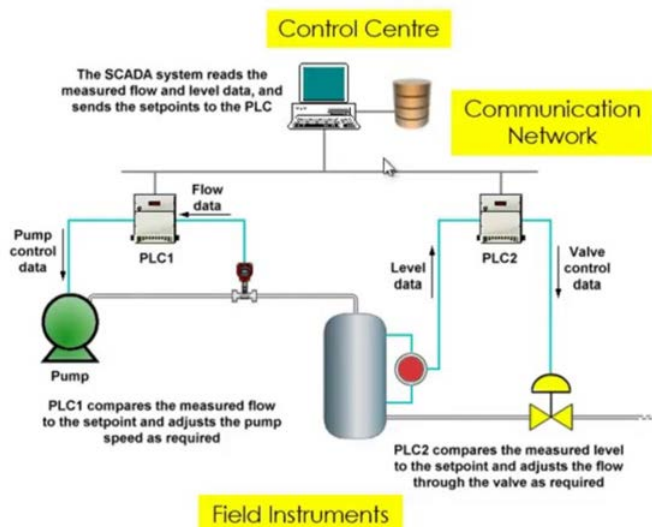
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

6127

Sanitary Supervisory Control & Data Acquisition



Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Post-Construction
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for the installation of Supervisory Control and Data Acquisition (SCADA) to the City's sanitary sewer infrastructure. Currently, Public Works relies on unsophisticated alarms at limited locations and customer complaints to become aware of sanitary sewer system issues. City staff then must investigate the issues at the location and implement corrective action which may prolong a system shutdown. SCADA allows operations to control, monitor, and maintain the sanitary sewer system more efficiently to help with making decisions and mitigate downtime. It provides for real-time data of wet well levels and pump operational status to be used to identify operational problems. It also allows for remote monitoring to interact with sensors, valves, pumps, and motors to implement corrective actions when there is a system problem.

Notes

On 11/17/2020, City Council approved an agreement with Engie Service Inc. for the implementation of energy and water conservation measures. The project was completed in spring 2023.

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2013

Sanitary Supervisory Control & Data Acquisition

Project No. 6127

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	241,600	0	0	0	0	0	241,600
Administration	75,000	0	0	0	0	0	75,000
TOTAL	\$316,600	\$0	\$0	\$0	\$0	\$0	\$316,600

Funding Source

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Fund	316,600	0	0	0	0	0	316,600
TOTAL	\$316,600	\$0	\$0	\$0	\$0	\$0	\$316,600

Finance Notes

City Council 11/17/2020: Budget Appropriation of \$133,400 in prior years funding from Sewer Fund was defunded.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

6130

Main Lift Station Odor Emissions Control



Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Main Wastewater Lift Station
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2022-2024
Recurring Project:	No

Description

This project provides for the design and installation of odor emission controls at the Main Lift Station to address concerns regarding elevated levels of hydrogen sulfide and other odorous compounds at the facility.

Notes

City Council awarded construction contract in June 2021. The project is anticipated to be completed by spring 2024.

Uncommitted Balance
as of 3/31/2023Council
Approval**Main Lift Station Odor Emissions Control**

Project No. 6130

\$613,000**7/1/2018****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	225,000	0	0	0	0	0	225,000
Administration	75,000	0	0	0	0	0	75,000
Improvements	2,150,000	0	0	0	0	0	2,150,000
TOTAL	\$2,450,000	\$0	\$0	\$0	\$0	\$0	\$2,450,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Infrastructure Fund	1,050,000	0	0	0	0	0	1,050,000
Sewer Treatment Fund	1,400,000	0	0	0	0	0	1,400,000
TOTAL	\$2,450,000	\$0	\$0	\$0	\$0	\$0	\$2,450,000

Finance Notes**Operating Impact Notes**

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

6131

Sanitary Sewer Cathodic Protection Imprv.



Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Main Wastewater Lift Station
Managing Department:	Engineering
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Project Closure
Estimated Schedule	
Design:	—
Construction:	—
Recurring Project:	No

Description

This project provides for the assessment, design, and installation of a cathodic protection system along the City's steel sewer force main from the City's Pump Station to SJ Regional Wastewater Treatment Plant. Soils within the City have been found to be highly corrosive and are detrimental to steel pipelines. Cathodic protection systems use sacrificial anodes and other means to protect the metal pipeline. Work also includes abandonment of the existing corrode diverter valve and its vault located within the Coyote Creek floodplain, CCTV inspection, replacement of two existing magnetic flow meters at the main pump station with proper isolation to prevent reading interference, the evaluation of existing pinch valve vaults near Zanker Road, and the evaluation of the soils around the existing force main pipeline.

Notes

Staff discovered various unforeseen conditions preventing the CCTV inspection of Force Main to proceed in fall 2020.

Uncommitted Balance as of 3/31/2023	Council Approval
\$2,049,000	7/1/2017

Sanitary Sewer Cathodic Protection Imprv.
Project No. 6131

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	500,000	0	0	0	0	0	500,000
Administration	125,000	0	0	0	0	0	125,000
Inspection	100,000	0	0	0	0	0	100,000
Improvements	1,900,000	0	0	0	0	0	1,900,000
TOTAL	\$2,625,000	\$0	\$0	\$0	\$0	\$0	\$2,625,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Fund	625,000	0	0	0	0	0	625,000
Sewer Infrastructure Fund	2,000,000	0	0	0	0	0	2,000,000
TOTAL	\$2,625,000	\$0	\$0	\$0	\$0	\$0	\$2,625,000

Finance Notes

Operating Impact Notes

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

6132

Sewer Master Plan Update



City of Milpitas Sewer Master Plan

Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Public Works Department
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Adopted
Estimated Schedule	
Design:	Completed
Construction:	—
Recurring Project:	No

Description

This project provides for the update of the City's 2009 Sewer Master Plan to incorporate miscellaneous general plan amendments, Midtown Specific Plan and Milpitas Metro Specific Plan needs, and provide CEQA environmental clearance. It also identifies deficiencies in the sewer system, recommends corrective actions, prioritizes improvements, and provides budgetary cost estimates.

Notes

On 8/9/2022, City Council adopted the Sewer Master Plan update.

Sewer Master Plan Update

Project No. 6132

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2016

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	640,000	0	0	0	0	0	640,000
Administration	110,000	0	0	0	0	0	110,000
TOTAL	\$750,000	\$0	\$0	\$0	\$0	\$0	\$750,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Fund	450,000	0	0	0	0	0	450,000
Sewer Infrastructure Fund	300,000	0	0	0	0	0	300,000
TOTAL	\$750,000	\$0	\$0	\$0	\$0	\$0	\$750,000

Finance Notes**Operating Impact Notes**

This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

Close at the end of Fiscal Year: June 30, 2023

On-Call Sewer Maintenance & Repair Services

PROJECT NO.

6134

Category:	Sewer Improvement
City Council Priority:	Public Safety
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for on-call maintenance and repair services of the City's sewer infrastructure. Work may include, but is not limited to, repair and replacement of electrical and mechanical systems (VFD & generators), motors and pumps, pipelines, and other related improvements. All work will be performed on a priority and funding availability basis.

Notes

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2020

On-Call Sewer Maintenance & Repair Services

Project No. 6134

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	165,000	100,000	100,000	100,000	100,000	100,000	665,000
TOTAL	\$165,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$665,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Fund	74,000	0	0	0	0	0	74,000
Sewer Infrastructure Fund	91,000	100,000	100,000	100,000	100,000	100,000	591,000
TOTAL	\$165,000	\$100,000	\$100,000	\$100,000	\$100,000	\$100,000	\$665,000

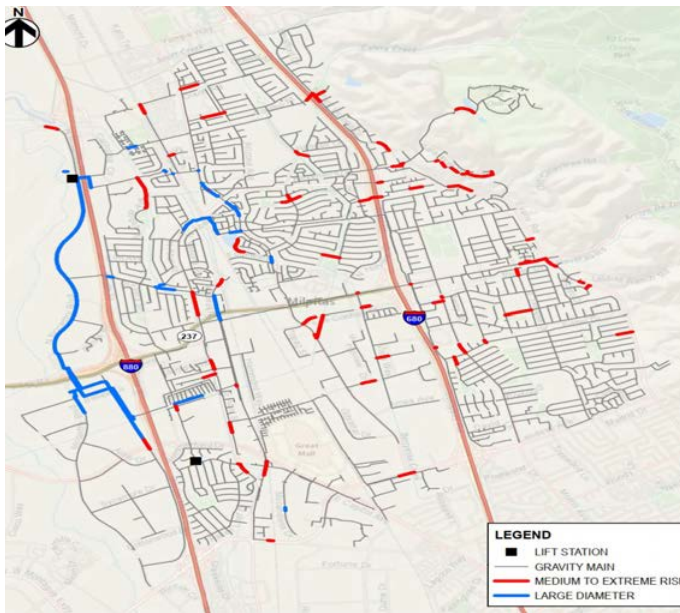
Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

New

Sanitary Sewer CCTV Inspections & Improvements



Category:	Sewer Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Reoccurring Project:	Yes

Description

This project provides for Closed-Circuit Television (CCTV) inspection of medium to extreme risk 24-inch diameter or greater sewer pipelines and to repair defects discovered during the inspection as recommended per the adopted Sewer Master Plan, dated August 2021. The Master Plan includes an inspection map (figure 9-3) of the highest priority areas which totals 55,000 feet.

Notes

Funding request in FY2023-24 is to start the CCTV inspections and repair pipeline defects discovered during inspections.

Uncommitted Balance
as of 3/31/2023Council
Approval**Sanitary Sewer CCTV Inspections & Improvements**

Project No. New

\$0**7/1/2023****Estimated Cost**

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	0	533,000	433,000	433,000	333,000	333,000	2,065,000
TOTAL	\$0	\$533,000	\$433,000	\$433,000	\$333,000	\$333,000	\$2,065,000

Funding Source

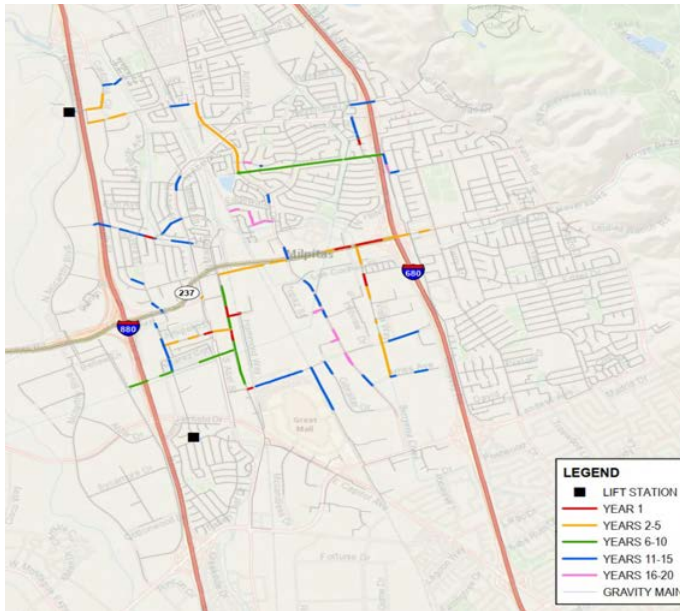
	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Infrastructure Fund	0	533,000	433,000	433,000	333,000	333,000	2,065,000
TOTAL	\$0	\$533,000	\$433,000	\$433,000	\$333,000	\$333,000	\$2,065,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Sanitary Sewer Pipeline Improvements

PROJECT NO.

New

Category:	Sewer Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2025-2035
Construction:	2026-2036
Reoccurring Project:	No

Description

This project provides for the design and construction of sewer pipe segments with significant defects and considered extreme risk with the greatest likelihood of deterioration and the highest consequence of failure as recommended per the adopted Sewer Master Plan, dated August 2021. The sewer renewal and replacement study in the Master Plan identifies several pipelines that are considered extreme risk of failure based on CCTV inspection, structural rating, susceptibility to liquefaction, pipe obstruction, age, and material type.

Notes

The project will consist of 12 improvement phases as recommended per the adopted Sewer Master Plan, dated August 2021. Planned funding request in FY2025-26 is for Phase 1 improvements (PI 1-5). Planned funding request in FY2026-27 is for Phase 2 improvements (PI 6-10). Planned funding request in FY2026-27 is for Phase 3 improvements (PI 11).

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2023

Sanitary Sewer Pipeline Improvements

Project No. New

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	0	0	100,000	147,000	300,000	547,000
Administration	0	0	0	146,000	200,000	425,000	771,000
Inspection	0	0	0	20,000	30,000	60,000	110,000
Improvements	0	0	0	730,000	1,040,000	2,127,000	3,897,000
TOTAL	\$0	\$0	\$0	\$996,000	\$1,417,000	\$2,912,000	\$5,325,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Infrastructure Fund	0	0	0	996,000	1,417,000	2,912,000	5,325,000
TOTAL	\$0	\$0	\$0	\$996,000	\$1,417,000	\$2,912,000	\$5,325,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

New

Forcemain "A" Project



Category:	Sewer Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2026
Construction:	2026-2028
Reoccurring Project:	No

Description

This project provides for the assessment, design, and construction to rehabilitate or replace the existing sanitary sewer Forcemain "A" as recommended per the adopted Sewer Master Plan, dated August 2021. The steel Force Main was built in 1974 to pump wastewater from Milpitas Main Lift Station to the San Jose/Santa Clara Regional Wastewater Facility. It was built in a corrosive environment and the condition of the pipeline is unknown due to the inability to dewater and inspect the pipeline. It is assumed that the condition of the pipeline no longer meets industrial standards and will require either rehabilitation and/or replacement.

Notes

Funding request in FY2023-24 is to perform a condition assessment of the pipeline to determine the method of construction. Planned funding request in FY2024-25 is for the design, environmental review, easement acquisition, and permitting of the project. Planned funding request in FY2025-26 is for the construction which is anticipated to be funded by a Bond.

Forcemain "A" Project

Project No. New

Uncommitted Balance as of 3/31/2023	Council Approval
\$0	7/1/2023

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	1,500,000	940,000	0	0	0	2,440,000
Administration	0	500,000	0	1,000,000	0	0	1,500,000
Inspection	0	0	0	200,000	0	0	200,000
Improvements	0	0	0	22,000,000	0	0	22,000,000
TOTAL	\$0	\$2,000,000	\$940,000	\$23,200,000	\$0	\$0	\$26,140,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Sewer Infrastructure Fund	0	2,000,000	940,000	3,200,000	0	0	6,140,000
Wastewater Revenue Bonds	0	0	0	20,000,000	0	0	20,000,000
TOTAL	\$0	\$2,000,000	\$940,000	\$23,200,000	\$0	\$0	\$26,140,000

Finance Notes**Operating Impact Notes**

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.



STORM DRAIN IMPROVEMENT PROJECTS

2024-28 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total Cost
394	3700	Wrigley-Ford Creek Rehabilitation	1,190,000	0	0	0	0	0	1,190,000
396	3709	Dempsey Road Storm Drain Replacement	1,660,000	0	0	0	1,430,000	0	3,090,000
398	3711	BART Project - Storm Improvements	33,000	0	0	0	0	0	33,000
400	3714	Flap Gate Replacement	100,000	400,000	0	0	0	0	500,000
402	3715	Storm Drain System Rehabilitation	1,058,410	1,558,000	0	0	0	0	2,616,410
404	3718	Storm Supervisory Control & Data Acquisition	2,416,590	0	0	0	0	0	2,416,590
406	3719	On-Call Storm Maintenance & Repair Services	145,000	0	0	0	0	0	145,000
Total Cost			\$6,603,000	\$1,958,000	\$0	\$0	\$1,430,000	\$0	\$9,991,000

Funding Summary

Storm Drain General Fund	558,000	0	0	0	0
Storm Drain Fund	1,400,000	0	0	0	0
Total Financing Available	1,958,000	0	0	0	0
No Funding Source	0	0	0	1,430,000	0
Total	\$1,958,000	\$0	\$0	\$1,430,000	\$0

Summary of Project Funding Sources FY 2023-24

Pg.	No.	Project Name	Storm Drain General Fund	Storm Drain Fund
394	3700	Wrigley-Ford Creek Rehabilitation	0	0
396	3709	Dempsey Road Storm Drain Replacement	0	0
398	3711	BART Project - Storm Improvements	0	0
400	3714	Flap Gate Replacement	0	400,000
402	3715	Storm Drain System Rehabilitation	558,000	1,000,000
404	3718	Storm Supervisory Control & Data Acquisition	0	0
406	3719	On-Call Storm Maintenance & Repair Services	0	0
Subtotal by Funding Source			558,000	1,400,000
Total			\$1,958,000	

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	Storm Drain General Fund	Storm Drain Fund	No Funding Source
394	3700	Wrigley-Ford Creek Rehabilitation	0	0	0
396	3709	Dempsey Road Storm Drain Replacement	0	0	0
398	3711	BART Project - Storm Improvements	0	0	0
400	3714	Flap Gate Replacement	0	0	0
402	3715	Storm Drain System Rehabilitation	0	0	0
404	3718	Storm Supervisory Control & Data Acquisition	0	0	0
406	3719	On-Call Storm Maintenance & Repair Services	0	0	0
Subtotal by Funding Source			0	0	0
Total			\$0		

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	Storm Drain General Fund	Storm Drain Fund	No Funding Source
394	3700	Wrigley-Ford Creek Rehabilitation	0	0	0
396	3709	Dempsey Road Storm Drain Replacement	0	0	0
398	3711	BART Project - Storm Improvements	0	0	0
400	3714	Flap Gate Replacement	0	0	0
402	3715	Storm Drain System Rehabilitation	0	0	0
404	3718	Storm Supervisory Control & Data Acquisition	0	0	0
406	3719	On-Call Storm Maintenance & Repair Services	0	0	0
Subtotal by Funding Source			0	0	0
Total			\$0		

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	Storm Drain General Fund	Storm Drain Fund	No Funding Source
394	3700	Wrigley-Ford Creek Rehabilitation	0	0	0
396	3709	Dempsey Road Storm Drain Replacement	0	0	1,430,000
398	3711	BART Project - Storm Improvements	0	0	0
400	3714	Flap Gate Replacement	0	0	0
402	3715	Storm Drain System Rehabilitation	0	0	0
404	3718	Storm Supervisory Control & Data Acquisition	0	0	0
406	3719	On-Call Storm Maintenance & Repair Services	0	0	0
Subtotal by Funding Source			0	0	1,430,000
Total			\$1,430,000		

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	Storm Drain General Fund	Storm Drain Fund	No Funding Source
394	3700	Wrigley-Ford Creek Rehabilitation	0	0	0
396	3709	Dempsey Road Storm Drain Replacement	0	0	0
398	3711	BART Project - Storm Improvements	0	0	0
400	3714	Flap Gate Replacement	0	0	0
402	3715	Storm Drain System Rehabilitation	0	0	0
404	3718	Storm Supervisory Control & Data Acquisition	0	0	0
406	3719	On-Call Storm Maintenance & Repair Services	0	0	0
Subtotal by Funding Source			0	0	0
Total			\$0		

Wrigley-Ford Creek Rehabilitation

PROJECT NO.

3700

Category:	Storm Drain Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Wrigley-Ford Creeks
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Post-Construction
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for dredging and removal of debris and maintenance work at Wrigley-Ford Creeks. The work required permits from the Army Corp of Engineers (ACOE) and the Regional Water Quality Control Board (RWQCB) for wetland and riparian restoration.

Notes

The dredging and removal of debris work was completed in 2013. Annual inspections, maintenance, and submission of monitoring reports are required by the RWQCB permit through June 30, 2023.

Uncommitted Balance as of 3/31/2023	Council Approval
\$192,000	7/1/2008

Wrigley-Ford Creek Rehabilitation

Project No. 3700

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	200,000	0	0	0	0	0	200,000
Administration	75,000	0	0	0	0	0	75,000
Inspection	100,000	0	0	0	0	0	100,000
Improvements	815,000	0	0	0	0	0	815,000
TOTAL	\$1,190,000	\$0	\$0	\$0	\$0	\$0	\$1,190,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Storm Drain Fund	1,190,000	0	0	0	0	0	1,190,000
TOTAL	\$1,190,000	\$0	\$0	\$0	\$0	\$0	\$1,190,000

Finance Notes**Operating Impact Notes**

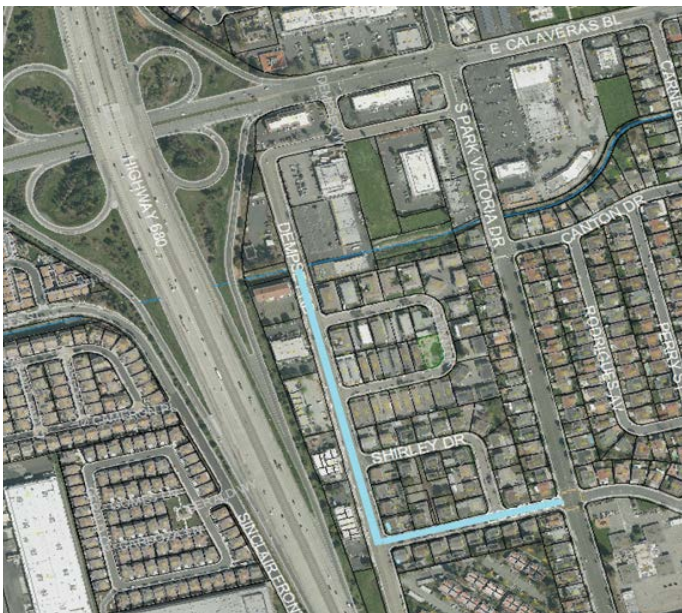
This project may impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

Close at the end of Fiscal Year: June 30, 2023

PROJECT NO.

3709

Dempsey Road Storm Drain Replacement



Category:	Storm Drain Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Dempsey Road
Managing Department:	Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam[3349]
Project Stage:	Design
Estimated Schedule	
Design:	2024-2025
Construction:	2026-2027
Recurring Project:	No

Description

The project provides for the design and construction to be increase capacity of the existing storm drain system in Dempsey Road and Edsel Dr. as recommended in the Storm Drain Master Plan, dated October 21, 2021. The existing storm drain main is undersized from South Park Victoria and Los Coches Creek. The project will require a Regional Water Quality Control Board (RWQCB) permit for the construction of new outfall and check valves in Los Coches Creek.

Notes

Portion of the new storm drain system on Dempsey Rd. is funded at this time. This project will be coordinated with Dempsey Road Water Line Replacement (Project #7118). The design is anticipated to start in FY2024-25 and construction is anticipated to start in FY2026-2027.

Uncommitted Balance as of 3/31/2023	Council Approval
\$1,429,000	7/1/2014

Dempsey Road Storm Drain Replacement

Project No. 3709

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	330,000	0	0	0	0	0	330,000
Administration	150,000	0	0	0	0	0	150,000
Inspection	100,000	0	0	0	0	0	100,000
Improvements	1,080,000	0	0	0	1,430,000	0	2,510,000
TOTAL	\$1,660,000	\$0	\$0	\$0	\$1,430,000	\$0	\$3,090,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Storm Drain Fund	1,660,000	0	0	0	0	0	1,660,000
No Funding Source	0	0	0	0	1,430,000	0	1,430,000
TOTAL	\$1,660,000	\$0	\$0	\$0	\$1,430,000	\$0	\$3,090,000

Finance Notes

In FY2019-20, \$600k of prior year funding from General Government CIP Fund revised to Storm Drain Fund.
City Council 6/4/2020 - \$1.43M in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3711

BART Project - Storm Improvements



Category:	Storm Drain Improvement
City Council Priority:	Transportation and Transit
Project Location:	Milpitas BART
Managing Department:	Engineering
Contact Person:	Steve Chan [3324]/ Michael Silveira [3303]
Project Stage:	Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Estimated Schedule

Description

The project provides for the relocation of existing storm drain pipelines and utilities along the BART corridor. The work is to be completed by VTA's contractor. The City has identified additional storm drain improvements to be completed as part of the BART utility relocation work and to be reimbursed by the City.

Notes

VTA has completed construction and City Council initially accepted the improvements on December 3, 2019. City is anticipating to reimburse VTA in 2023 after right-of-way acquisition is completed.

Uncommitted Balance
as of 3/31/2023

Council
Approval

BART Project - Storm Improvements

Project No. 3711

\$33,000

7/1/2011

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	33,000	0	0	0	0	0	33,000
TOTAL	\$33,000	\$0	\$0	\$0	\$0	\$0	\$33,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Storm Drain Fund	33,000	0	0	0	0	0	33,000
TOTAL	\$33,000	\$0	\$0	\$0	\$0	\$0	\$33,000

Finance Notes

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3714

Flap Gate Replacement



Category:	Storm Drain Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide Creeks
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2025
Recurring Project:	Yes

Description

This project provides for the assessment, design, and installation of City flap gates, check valves, and outfalls located in all creeks within the City.

Notes

Workplan in FY2022-23 is to design the flap gates in Hall Park Lagoon and Penitencia Creek and evaluate aeration pump in the pond. Funding request in FY2023-24 is for installation of the flat gates in Hall Park Lagoon and Penitencia Creek and to retain a construction management services to manage the installation.

Flap Gate Replacement

Project No. 3714

Uncommitted Balance as of 3/31/2023	Council Approval
\$71,000	7/1/2013

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	0	50,000	0	0	0	0	50,000
Administration	30,000	0	0	0	0	0	30,000
Improvements	70,000	350,000	0	0	0	0	420,000
TOTAL	\$100,000	\$400,000	\$0	\$0	\$0	\$0	\$500,000

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Storm Drain Fund	100,000	400,000	0	0	0	0	500,000
TOTAL	\$100,000	\$400,000	\$0	\$0	\$0	\$0	\$500,000

Finance Notes

City Council 6/4/2020 - \$75K in prior years funding from Storm Drain Fund was defunded for other projects in FY 2020-21.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

Storm Drain System Rehabilitation

PROJECT NO.

3715

Category:	Storm Drain Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2023-2024
Recurring Project:	Yes

Description

This project provides for the design and improvements of the City's storm drain systems due to insufficient capacity and aging infrastructure. Work will include improvements to pumps, electrical and mechanical systems at pump stations, and improvements of City-owned creeks and drainage ditches. Work will be programmed based on the new Storm Drain Master Plan and Urban Runoff Program requirements.

Notes

Workplan for FY2022-23 includes repair of pump at Manor Storm Pump Station and sump pump at PD. Funding request in FY2023-24 is for the improvement of the wet well and installation of liner in the concrete drainage ditch behind Friendly Village Mobile home park to prevent flooding, and to hire a consultant to manage the permitting and construction of the project. The design was completed in FY2021-22.

Uncommitted Balance as of 3/31/2023	Council Approval
\$99,000	7/1/2016

Storm Drain System Rehabilitation

Project No. 3715

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	100,000	0	0	0	0	0	100,000
Administration	50,000	558,000	0	0	0	0	608,000
Inspection	50,000	0	0	0	0	0	50,000
Improvements	858,410	1,000,000	0	0	0	0	1,858,410
TOTAL	\$1,058,410	\$1,558,000	\$0	\$0	\$0	\$0	\$2,616,410

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Storm Drain General Fund	0	558,000	0	0	0	0	558,000
Storm Drain Fund	1,058,410	1,000,000	0	0	0	0	2,058,410
TOTAL	\$1,058,410	\$1,558,000	\$0	\$0	\$0	\$0	\$2,616,410

Finance Notes

In FY2019-20, \$400k of prior year funding from General Government CIP Fund revised to Storm Drain Fund.
 City Council 11/17/2020: Budget Appropriation of \$1,366,590 in prior years funding from Storm Drain Fund was defunded for Storm Supervisory Control & Data acquisition Project No. 3718.

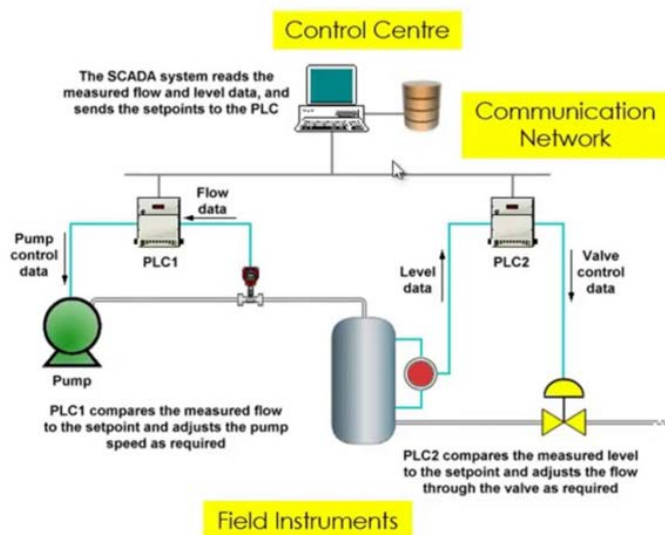
Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.

PROJECT NO.

3718

Storm Supervisory Control & Data Acquisition



Category:	Storm Drain Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Post-Construction
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for the installation of Supervisory Control and Data Acquisition (SCADA) to the City's storm drain infrastructure. Currently, Public Works relies on unsophisticated alarms at limited locations and customer complaints to become aware of storm drain system issues. City staff then must investigate the issues at the location and implement corrective action which may prolong a system shutdown. SCADA allows operations to control, monitor, and maintain the storm drain system more efficiently to help with making decisions and mitigate downtime. It provides for real-time data of wet well levels and pump operational status to be used to identify operational problems. It also allows for remote monitoring to interact with sensors, valves, pumps, and motors to implement corrective actions when there is a system problem.

Notes

On 11/17/2020, City Council approved an agreement with Engie Service Inc. for the implementation of energy and water conservation measures. The project was completed in spring 2023. The project includes the replacement of system controls at Oak Creek, McCarthy, and Murphy pump stations.

Uncommitted Balance
as of 3/31/2023Council
Approval

\$0

7/1/2015

Storm Supervisory Control & Data Acquisition

Project No. 3718

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Design	200,000	0	0	0	0	0	200,000
Improvements	2,216,590	0	0	0	0	0	2,216,590
TOTAL	\$2,416,590	\$0	\$0	\$0	\$0	\$0	\$2,416,590

Funding Source

	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Storm Drain Fund	2,416,590	0	0	0	0	0	2,416,590
TOTAL	\$2,416,590	\$0	\$0	\$0	\$0	\$0	\$2,416,590

Finance Notes

City Council 11/17/2020: Budget Appropriation of \$2,216,590 from Storm Drain Fund.

Operating Impact Notes

This project is anticipated to impact operating expenses in future years. As the scope of this project is better defined through the design process, operating impacts will be reviewed and adjustments may be brought forward in future budgets.

PROJECT NO.

3719

On-Call Storm Maintenance & Repair Services



Category:	Storm Drain Improvement
City Council Priority:	Public Safety
Project Location:	Citywide
Managing Department:	Public Works
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for on-call maintenance and repair services of all City storm infrastructure, assets, and appurtenances. Work may include, but is not limited to, repair and replacement of electrical and mechanical systems (VFD & generators), motors and pumps, pipelines, aboveground/underground storage tanks, and other related improvements. All work will be performed on a priority and funding availability basis.

Notes

Uncommitted Balance
as of 3/31/2023Council
Approval

\$34,000

7/1/2020

On-Call Storm Maintenance & Repair Services

Project No. 3719

Estimated Cost

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
Improvements	145,000	0	0	0	0	0	145,000
TOTAL	145,000	0	0	0	0	0	145,000

Funding Source

Phase	Prior Year	FY 2023-24	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	Total
General Government CIP Fund	145,000	0	0	0	0	0	145,000
TOTAL	145,000	0	0	0	0	0	145,000

Finance Notes

City Council 2/15/2022 - Mid-Year Budget Appropriation of \$145k in prior year funding from Storm Drain Fund was replaced with General Government CIP Funds.

Operating Impact Notes

There are no additional operating impacts anticipated from this project. Any additional maintenance costs that occur will be absorbed within the annual maintenance operating budget.



Planned Projects Without Funding

"Planned Projects Without Funding" section identifies long-term infrastructure needs in the City. These projects are not included with the 5-year Capital Budget and are considered as lower priority, funding is not available, or have an implementation schedule of 6 years and beyond. Projects will be considered annually to move within the 5-year budget cycle based on project priority and available funding.

Project Categories	Ex. Infrastructure Repair/Replacement Backlog	New Infrastructure	Total
Community Improvement	\$37,650,000	\$39,600,000	\$77,250,000
Park Improvement	\$7,600,000	\$63,200,000	\$70,800,000
Street Improvement	\$9,000,000	\$94,400,000	\$103,400,000
Water Improvement	\$54,900,000	\$0	\$54,900,000
Sewer Improvement	\$63,300,000	\$0	\$63,300,000
Storm Drain Improvement	\$57,800,000	\$0	\$57,800,000
Total	\$230,250,000	\$197,200,000	\$427,450,000

Planned Projects Without Funding

Community Improvements

Fire Station No. 1 Building and Site Improvement	Estimated Cost: \$7.0 M
This project provides for the building and site improvements at the FS No. 1. The mechanical, lighting, roof, and windows systems, and site pavement have reached the end of their service life.	Project added to the CIP on July 1, 2020
California Circle Specific Plan	Estimated Cost: \$500k
This project provides for the preparation of a new Specific Plan for the California Circle area called for in the new Milpitas General Plan.	Project added to the CIP on July 1, 2022
PD/PW Building Improvements	Estimated Cost: \$26.6 M
This project provides for the design and construction of improvements at the PD/PW facility. Various elements of the building and warehouses have reached the end of their service life or are not in code compliance.	Project added to the CIP on July 1, 2020
Performing Arts Center	Estimated Cost: \$0.5 M
This project provides for the evaluation of land acquisition and financing for a future facility, and conceptual designs and renderings of a Performing Arts Center based on the Feasibility Study.	Project added to the CIP on July 1, 2020
Fire Station No. 3 Replacement	Estimated Cost: \$20.0 M
This project provides for the design and construction of a new Fire Station No. 3 which has reached the end of its service life.	Project added to the CIP on July 1, 2016
Community Center Building Assessment	Estimated Cost: \$150k
This project provides for the assessment of the Community Center building to address building safety and staff comfort and livability issues.	Project added to the CIP on July 1, 2018
Energy Management System Upgrades at PD/PW Building & City Hall	Estimated Cost: \$3.0M
This project provides for the replacement and upgrades of Energy Management System (EMS) at City Hall and PD/PW Building.	Project added to the CIP on July 1, 2021
Metro Community Facility Building	Estimated Cost: \$16.2M
This project provides for the design and construction of a new satellite community center/recreation facility within the Milpitas Metro Specific Plan area.	Project added to the CIP on July 1, 2019
Railroad Quiet Zone Feasibility Study	Estimated Cost: \$300k
The project provides for a feasibility study of Railroad Quiet Zone along portions of the UPRR Warm Springs corridor within City of Milpitas.	Projected added to the CIP on July 1, 2021
Computer Aided Dispatch Replacement	Estimated Cost: \$3.0M
The project provides for the design and replacement of the Computer Aided Dispatch that exceed its service life	Projected added to the CIP on July 1, 2023

Park Improvements

Higuera Adobe Caretaker Cottage Renovation This project provides for the interior and exterior restoration of the Higuera Adobe Park caretaker cottage.	Estimated Cost: \$0.2 M Project added to the CIP on July 1, 2016
Ben Rogers Park Renovation This project provides for the design and construction of improvements at Ben Rogers Park. Improvements include picnic and playground areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, site furnishing replacement, and restroom installation.	Estimated Cost: \$4.6 M Project added to the CIP on July 1, 2017
Calle Oriente Park Improvements This project provides for the design and construction of improvements at Calle Oriente Park. Improvements may include landscape and irrigation renovation and site lighting replacement.	Estimated Cost: \$460k Project added to the CIP on July 1, 2022
Calaveras Ridge Park This project provides for the design and construction of a new park on a City-owned parcel on Calaveras Ridge Drive. The park may include ADA pathways, landscaping, irrigation, picnic areas and interpretive displays improvements.	Estimated Cost: \$1.7 M Project added to the CIP on July 1, 2018
Cardoza Park Improvements This project provides for the design and construction of improvement at Cardoza Park. Improvements may include picnic areas, ADA access and pathways, irrigation and landscaping, site furnishing replacement, and restroom renovation.	Estimated Cost: \$340k Project added to the CIP on July 1, 2022
Dixon Landing Park Renovation This project provides for the design and construction of improvements at Dixon Landing Park. Improvements may include picnic and playground areas, irrigation and landscaping, site furnishing replacement, parking lot improvements, sport court and field upgrades, and restroom renovation.	Estimated Cost: \$4.1 M Project added to the CIP on July 1, 2017
Foothill Park Renovation This project provides for the design and construction of improvements at Foothill Park. Improvements may include picnic and playground areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, and restroom renovation.	Estimated Cost: \$2.9 M Project added to the CIP on July 1, 2017
Hall Memorial Renovation This project provides for the design and construction of renovation at Hall Memorial Park. Improvements may include picnic and playground areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, utilities, site furnishing replacement, parking lot improvements, sport court upgrades, and restroom renovation.	Estimated Cost: \$5.0M Project added to the CIP on July 1, 2022

Planned Projects Without Funding

Park Improvements (continued)

Hidden Lake Park Renovation This project provides for the design and construction of renovation at Hidden Lake Park. Improvements may include picnic areas, ADA access, pathways, lighting, irrigation, landscaping and shade tree installation.	Estimated Cost: \$2.1 M Project added to the CIP on July 1, 2017
Hillcrest Park Renovation This project provides for the design and construction of renovation at Hillcrest Park. Improvements may include open space and picnic areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, utility improvements, site furnishing replacement, and restroom installation.	Estimated Cost: \$2.8M Project added to the CIP on July 1, 2022
John McDermott Park Improvements This project provides for the design and construction of improvement at John McDermott Park. Improvements may include open space, picnic, and playground areas, irrigation and landscaping, site furnishing replacement, and restroom renovation.	Estimated Cost: \$580k Project added to the CIP on July 1, 2022
Milpitas Sports Center Complex Improvements This project provides for the design and construction of improvements at Milpitas Sport Center Complex. Improvements may include ADA and vehicular access and pathways, storm drainage improvements, irrigation and landscaping, sport field amenities and site furnishing replacement.	Estimated Cost: \$3.5M Project added to the CIP on July 1, 2020
Murphy Park Renovation This project provides for the design and construction of renovation at Murphy Park. Improvements may include open space and picnic areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, utility improvements, site furnishing replacement, and restroom renovation.	Estimated Cost: \$5.1 M Project added to the CIP on July 1, 2009
Oliver W. Jones Memorial Park Renovation This project provides for the design and construction of renovation at Oliver W. Jones Memoria Park. Improvements may include open space and picnic areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, utility improvements, site furnishing replacement, and restroom installation.	Estimated Cost: \$2.0M Project added to the CIP on July 1, 2022
Parc Metro Central Park Improvements This project provides for the design and construction of improvements at Parc Metro Central Park. Improvements may include open space and playground areas, irrigation and landscaping, and site furnishing replacement.	Estimated Cost: \$620k Project added to the CIP on July 1, 2022
Parc Metro East Park Improvements This project provides for the design and construction of improvement at Parc Metro East Park. Improvements may include open space and playground areas, irrigation and landscaping, site furnishing replacement, and restroom renovation.	Estimated Cost: \$790k Project added to the CIP on July 1, 2022

Park Improvements (continued)

Parc Metro West Park Improvements	Estimated Cost: \$1.2M
This project provides for the design and construction of improvement at Parc Metro West Park. Improvements may include open space and playground areas, irrigation and landscaping, and site furnishing replacement.	Project added to the CIP on July 1, 2022
Pecot (Bob) Park Improvements	Estimated Cost: \$630k
This project provides for the design and construction of improvement at Pecot Park. Improvements may include ADA access and pathway, irrigation and landscaping, and installation and replacement of site furnishing.	Project added to the CIP on July 1, 2022
Pinewood Park Improvements	Estimated Cost: \$450k
This project provides for the design and construction of improvement at Pinewood Park. Improvements may include restroom renovation and playground area.	Project added to the CIP on July 1, 2022
Rose Garden with Children's Memorial	Estimated Cost: \$300k
This project provides for the design and construction of a Rose Garden at a suitable location. Work includes landscaping, irrigation, hardscaping, children memorial monument, and community outreach.	Project added to the CIP on July 1, 2022
Selwyn Park Improvements	Estimated Cost: \$1.2M
This project provides for the design and construction of improvements at Selwyn Park. Improvements may include picnic and playground areas, irrigation and landscaping, and site furnishing replacement.	Project added to the CIP on July 1, 2022
Peter D. Gill Park Renovation	Estimated Cost: \$4.0 M
This project provides for the design and construction of improvements at Peter D. Gill Memorial Park. Improvements may include open space, picnic, and playground areas, irrigation and landscaping, site furnishing replacement, parking lot improvements, sport court and field upgrades, and restroom renovation.	Project added to the CIP on July 1, 2017
Robert E. Browne Park Renovation	Estimated Cost: \$3.9 M
This project provides for the design and construction of improvements at Robert E. Browne Park. Improvements may include open space, picnic, and playground areas, ADA access and pathway, pedestrian lighting, utilities, irrigation and landscaping, site furnishing replacement, sport court upgrades, and restroom installation.	Project added to the CIP on July 1, 2017
Sinnott Park Renovation	Estimated Cost: \$6.1 M
This project provides for the design and construction of improvements at Sinnott Park. Improvements may include open space, playground, and picnic areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, utility improvements, site furnishing replacement, install sport court, and restroom upgrades.	Project added to the CIP on July 1, 2015

Planned Projects Without Funding

Park Improvements (continued)

Starlite Park Renovation This project provides for the design and construction of improvements at Starlite Park. Improvements may include open space, playground, and picnic areas, ADA access and pathways, irrigation and landscaping, utility improvements, site furnishing replacement, and restroom renovation.	Estimated Cost: \$4.5 M Project added to the CIP on July 1, 2015
Sunnyhills Albert Augustine Jr. Memorial Park Renovation This project provides for the design and construction of renovation at Sunnyhills Albert Augustine J. Memorial Park. Improvements may include open space, playground, and picnic areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, utility improvements, site furnishing replacement, parking lot improvements, and restroom upgrades.	Estimated Cost: \$6.2M Project added to the CIP on July 1, 2022
Strickroth Park Renovation This project provides for the design and construction of renovation at Strickroth Park. Improvements may include open space, playground, and picnic areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, utility improvements, site furnishing replacement, parking lot improvements, and restroom installation.	Estimated Cost: \$5.3M Project added to the CIP on July 1, 2022
Tom Evatt Park Improvements This project provides for the design and construction of renovation at Tom Evatt Park. Improvements may include playground areas, irrigation and landscaping, and site furnishing replacement.	Estimated Cost: \$440k Project added to the CIP on July 1, 2022

Street Improvements

Citywide Camera System This project provides for the installation of a camera system at various signalized intersections. The system will monitor and record traffic conditions; and assist the Police Department with accidents analysis.	Estimated Cost: \$1.4 M Project added to the CIP on July 1, 2015
The Pine Pilot Parking Permit Program This project provides for a six-month pilot parking permit program in the northeast area of The Pines neighborhood. The program is designed to provide a better opportunity for on-street parking.	Estimated Cost: \$0.9 M Project added to the CIP on July 1, 2019
Traffic Signal Installation This project provides for the design and construction of a new Traffic Signal Systems. Possible locations include Milpitas Blvd. & Tramway Dr., S. Park Victoria Dr. & Mt. Shasta Ave., N. Park Victoria Dr. & Kennedy Dr., and elsewhere.	Estimated Cost: \$0.7 M Project added to the CIP on July 1, 2008

Street Improvements (continued)

Trail Amenity Improvements	Estimated Cost: \$3.9 M
This project provides for the design and construction of trail head amenities in the short term as identified as high priority and feasibility category in the adopted Trail, Pedestrian, and Bicycle Master Plan, dated May 2022.	Project added to the CIP on July 1, 2023
Montague Expressway Widening - West	Estimated Cost: \$20.2 M
This project provides for the fair share contribution to the County for streetscape improvements and widening the road to four lanes in each direction on Montague Expressway from Great Mall Parkway to South Main Street. The City's fair share goal from TASP Impact Fees for streetscape and widening improvement is estimated at \$12.3M (TASP ID: DB#6) and \$7.9M (TASP ID: DB#2), respectively.	Project added to the CIP on July 1, 2019
Railroad Ct. Bridge Replacement	Estimated Cost: \$5.0 M
This project provides for the design and replacement of the vehicle bridge at Railroad Court as recommended in Bridge Preventative Maintenance Program report dated April 20, 2022 at Cornerstone.	Project added to the CIP on July 1, 2023
Gill Park Pedestrian Bridge Replacement	Estimated Cost: \$4.0 M
This project provides for the design and replacement of 4 pedestrian bridge over Tularcitos Creek at Canada Dr., Alcosta Dr., Pacheco Dr., and Terra Bella adjacent to Gill Park as recommended in Bridge Preventative Maintenance Program report dated April 20, 2022 at Cornerstone.	Project added to the CIP on July 1, 2023
Pedestrian Short Term Improvements	Estimated Cost: \$54.7 M
This project provides for the design and construction of pedestrian improvements in the short term as identified as high priority and feasibility category in the adopted Trail, Pedestrian, and Bicycle Master Plan, dated May 2022.	Project added to the CIP on July 1, 2023
Linear Bikeway Short Term Improvements	Estimated Cost: \$11.5 M
This project provides for the design and construction of linear bikeway improvements in the short term as identified as high priority and feasibility category as recommended in the adopted Trail, Pedestrian, and Bicycle Master Plan, dated May 2022.	Project added to the CIP on July 1, 2023
Bicycle Short Term Improvements	Estimated Cost: \$1.1 M
This project provides for the design and construction of bicycle improvements in the short term as identified as high priority and feasibility category as recommended in the adopted Trail, Pedestrian, and Bicycle Master Plan, dated May 2022.	Project added to the CIP on July 1, 2023

Planned Projects Without Funding

Water Improvements

Asset Renewal and Replacement Program This project provides for assessment, renewal, improvement, or replacement of the City's aging water infrastructure as recommended per the adopted Water Master Plan Update, dated June 2021.	Estimated Cost: \$45.0 M Project added to the CIP on July 1, 2023
Fire Flow Improvements This project provides for the design and construction of upsizing several water mains, installation of backup generator and installation of PRV to improvement water system for fire flow as recommended per the adopted Water Master Plan Update, dated June 2021.	Estimated Cost: \$3.9 M Project added to the CIP on July 1, 2023
Curtis Well Facility This project provides for the design and construction of the facility for Curtis Well as recommended per the adopted Water Master Plan Update, dated June 2021.	Estimated Cost: \$6.0 M Project added to the CIP on July 1, 2023

Sewer Improvements

Sanitary Sewer CCTV Inspections & Improvements This project provides for Closed-Circuit Television (CCTV) inspection of medium to extreme risk 24-inch diameter or greater sewer pipelines and to repair defects discovered during the inspection as recommended per the adopted Sewer Master Plan, dated August 2022.	Estimated Cost: \$45.0 M Project added to the CIP on July 1, 2023
Sanitary Sewer Pipeline Improvements This project provides for the design and construction of sewer pipe segments with significant defects and considered extreme risk with the greatest likelihood of deterioration and the highest consequence of failure as recommended per the adopted Sewer Master Plan, dated August 2021.	Estimated Cost: \$18.3 M Project added to the CIP on July 1, 2023

Storm Drain Improvements

Channel and Lagoon Dredging This project provides for the removal of debris and deposited soil from City-owned channels and lagoons. The City owns the channel that parallels I-880 from Redwood Avenue to California Circle and lagoons at Hidden Lake, Hall, and California Circle.	Estimated Cost: \$1.5 M Project approved by City Council June 2, 2019
Penitencia Pump Station Replacement This project provides for the design and replacement of the Penitencia Pump Station located at Hall Memorial Park as recommended in the adopted Master Plan, dated October 22, 2021.	Estimated Cost: \$10.0 M Project added to the CIP on July 1, 2012
Jurgens Pump Station Replacement This project provides for the design and replacement of Jurgens Pump Station as recommended in the adopted Master Plan, dated October 22, 2021.	Estimated Cost: \$15.0 M Project added to the CIP on July 1, 2017
Storm Drain Pipeline Capacity Improvements - High Priority This project provides for the design and construction of storm drain pipelines to increase capacity as identified as high priority in the adopted Master Plan, dated October 22, 2021.	Estimated Cost: \$15.8 M Project added to the CIP on July 1, 2023
Storm Drain Pipeline Capacity Improvements - Low Priority This project provides for the design and construction of storm drain pipelines to increase capacity and creek maintenance as identified as low priority in the adopted Master Plan, dated October 22, 2021.	Estimated Cost: \$12.4 M Project added to the CIP on July 1, 2023
Storm Drain Pipeline Extension Improvements This project provides for the design and construction of storm drain pipeline extension as identified in the adopted Master Plan, dated October 22, 2021.	Estimated Cost: \$0.5 M Project added to the CIP on July 1, 2023
Storm Drain Pump Station Improvements This project provides for the design and construction of improvements at Abbott, Murphy, Oak, and Spence pump stations as identified in the adopted Master Plan, dated October 22, 2021.	Estimated Cost: \$2.6 M Project added to the CIP on July 1, 2023



Funding Source Definitions

The basic accounting and reporting entity for a City is a fund. A fund is "an independent fiscal and accounting entity used to record all financial transactions related to the specific purpose for which the fund was created". Funds are established for the purpose of carrying on specific activities or attaining certain objectives in accordance with special regulations, restrictions, or limitations.

- **2005 Community Facility District Fund (237)** – was established to account for special taxes collected within the district to provide park maintenance and street landscape maintenance services, public safety.
- **2008 Community Facility District Fund (238)** – was established to account for special taxes collected within the district to provide park maintenance and street landscape maintenance services, public safety. **Bond** – is a debt security issued to finance capital expenditures, including the construction of highways, bridges, buildings, or other Capital Improvements. Restricted use.
- **Calaveras Widening Impact Fee (315)** - was established to collect fees from developers for the Calaveras Widening Impact Fee.
- **Community Benefit Fund (215)** – was established to account for fees collected from developers to fund Community Public Benefits.
- **Community Planning Fees (214)** – was established to account for fees collected to fund the General Plan update, zoning ordinance update and other long-range planning documents.
- **Equipment Replacement Fund (500)** – was established to account and finance for the replacement of equipment used by City departments and the maintenance of computer systems on a cost reimbursement basis.
- **General Fund** - is the chief operating fund of the City and to accounts for all financial resources except those required to be accounted for in another fund.
- **General Government CIP Fund (330)** – was established to account for construction and maintenance of most CIPs funded by the General Government Fund. Restricted to government related projects.
- **Gas Tax Fund (221)** – was established to account for the City's share of state gasoline taxes which are restricted for use on construction and maintenance of the street system in Milpitas. Restricted to construction and maintenance of streets.
- **Grants/Reimbursements/Developer Fees** – fund includes miscellaneous grant funding, developer fees, and reimbursements.
- **Information Technology Fund (505)** - was established to account the replacement of computer equipment used by City departments.
- **Lighting and Landscape Maintenance District Fund (235 & 236)** – was established to fund replacement and refurbishment of District improvements including landscaping, walls, and lighting. Restricted for use on District infrastructure.
- **Lease Revenue** – revenue source issued to finance capital expenditures, including network systems or other Capital Improvements. Restricted use.
- **Measure B Fund (222)** – Santa Clara County voters approved 2016 Measure B in November 2016 to enact a 30-year, half-cent countywide sales tax to fund improvements to transit, highways, expressways and active transportation (bicycles, pedestrians and complete streets). Over the next 30 years, 2016 Measure B is anticipated to generate \$6.3 billion.
- **Midtown Park Improvement Fund (322)** – fees collected from developers to pay for Midtown Park related improvements. Restricted to Midtown park area.

- **Park Improvement Fund (320)** – was established to fund construction of City parks and infrastructure. Financing is provided by a special park in lieu fee imposed on private development projects.
- **Permit Automation Fund (506)** – was established to finance replacement of equipment and permitting systems used by City departments. Fund restricted to permit automated related expenditures.
- **Public Art Fund (213)** – was established to account for construction or acquisition of public art to expand opportunities for the City of Milpitas' citizens to experience public art and enhance the quality of life in the community. The City dedicates 1.5% of eligible projects within the annual Capital Improvement Project expenditures to the acquisition and installation of public art. The expenditures will include, but are not limited to, the cost of public art, its installation, maintenance and repair of artwork funded by this fund.
- **SB-1 RMRA (225)** – California Senate Bill 1, the Road Repair and Accountability Act of 2017, was signed into law on April 28, 2017. This legislative package invests \$54 billion over the next decade to fix roads, freeways and bridges in communities across California and puts funds toward transit and safety. Funds will be split equally between State and local investments.
- **Sewer Fund** – was established to provide sewer services to the residents of the City. All activities necessary to provide such services are accounted for in this fund, including, but not limited to, administration, operations, capital improvements, maintenance, financing and related debt service, and billing and collection.
- **Sewer Infrastructure Fund (455)** – funds set aside to replace aging infrastructure for sewer related projects.
- **Sewer Treatment Fund (452)** – funded from fees collected from developers connecting to the Sewer System. Restricted to sewer related projects.
- **Street Improvement Fund (310)** – was established to account for the construction and maintenance of the street system. Financing may be from state and federal grants. May be restricted.
- **Storm Drain Fund (340)** – was established to account for the construction of City storm drains. Financing is partially provided by fees imposed on developments
- **Storm Drain General Fund (342)** - was established to account for General Fund contribution for construction and repair of storm drain infrastructure.
- **Transit Area Impact Fee Fund (350)** – was established to account for the financing and construction activities of infrastructure in the Transit Area Specific Plan.
- **Water Fund** – was established to provide water services to the residents of the City. All activities necessary to provide such services are accounted for in this fund, including, but not limited to, administration, operations, capital improvements, maintenance, and billing and collection.
- **Water Line Extension Fund (402)** – fees collected from developers connecting to the Water System. Restricted to water related projects.
- **Water Capital Surcharge (405)** – funded from revenue collected from water rates for use on water related projects.
- **Vehicle Registration Fee (314)** – was established to account for Vehicle Registration fees received from the County of Santa Clara. Restricted to construction and maintenance of streets.
- **No Funding Source** – No funding source has been identified.

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Abbreviations

AB	Assembly Bill	DPW	Department of Public Works
ABAG	Association of Bay Area Governments	Dr.	Drive
ac	Acres	DSA	Division of the State Architect
AC	Asphalt Concrete	E.	East
ACAMS	Access Control and Alarm Monitoring System	EIR	Environmental Impact Report
ACOE	Army Corp of Engineers	EOC	Emergency Operations Center
ADA	Americans with Disabilities Act	EPA	Environmental Protection Agency
ALPRs	Automated License Plate Readers	Expwy	Expressway
Ave.	Avenue	FCC	Federal Communications Commission
BAAQMD	Bay Area Air Quality Management District	FD	Fire Department
BART	Bay Area Rapid Transit	FEMA	Federal Emergency Management Admin
Blvd.	Boulevard	FF&E	Furnishings, Fixtures, & Equipment
CAD	Computer Aided Design	FSAS	Fire Station Alert System
Caltrans	California Department of Transportation	FY	Fiscal Year
CAP	Climate Action Plan	GHG	Greenhouse Gas
CATV	Cable Television	GIS	Geographic Information System
CCPI	California Consumer Price Index	Gov.	Government
CCTV	Closed-Circuit Television	GPS	Global Positioning System
CDBG	Community Development Block Grant	Haz Mat	Hazardous Materials
CEQA	California Environmental Quality Act	HOV	High-Occupancy Vehicle
CFD	Community Facilities District	HVAC	Heating, Ventilating and Air Conditioning
CIP	Capital Improvement Program	I	Interstate
CMMS	Computerized Maintenance Management System	ID	Identification
CMO	City Manager's Office	IT	Information Technology
COPS	Citizen Options for Public Safety Grant	Imprv.	Improvement
CPI	Consumer Price Index	k	Thousand
CRK	Creek	LAFCO	Local Agency Formation Commission
Ct.	Court	LED	Light-Emitting Diode
DB#	Basic Infrastructure Program Identification Number in Milpitas Transit Area Infrastructure Financing technical report dated June 2008 by EPS	LID	Local Improvement District
DG	Decomposed Granite	LLMD	Light & Landscape Maintenance District
DHS	Department of Health Service	LRT	Light Rail Transit

Abbreviations (continued)

M	Million
MRP	Municipal Regional Stormwater Permit
MSC	Milpitas Sports Center
MUSD	Milpitas Unified School District
N.	North
NFPA	National Fire Protection Association
No.	Number
Nos.	Numbers
O&M	Operating and Maintenance
OBAG	One Bay Area Grant
OES	Office of Environmental Services
OSHA	Occupational Safety and Health Admin
PC	Planning Commission
PD	Police Department
Ped.	Pedestrian
PG&E	Pacific, Gas, & Electric
Pkwy	Parkway
PMS	Pavement Management System
POC	Pedestrian Overcrossing
PRV	Pressure Reducing Valves
PUC	Public Utility Commission
PW	Public Works Department
Rd.	Road
RDA	Redevelopment Agency
Rehab.	Rehabilitation
RFP	Request for Proposal
(Rmb)	Reimbursement
Reimb.	Reimbursement
ROW	Right-of-Way
RMS	Records Management System
RSFS	Radar Speed Feedback Signage
R/W	Right-of-Way
RWQCB	Regional Water Quality Control Board

S.	South
SB	Senate Bill
SB1 RMRA	Senate Bill 1 Road Maintenance and Rehabilitation Account
SBWRP	South Bay Water Recycling Program
SC	Santa Clara
SCADA	Supervisory Control and Data Acquisition
SCVWD	Santa Clara Valley Water District
SF	Square Feet
SFPUC	San Francisco Public Utilities Commission
SJ	San Jose
SR237	State Route 237
sq. ft.	Square Feet
Specs.	Specifications
St.	Street
Std.	Standard
STIP	State Transportation Improvement Program
SVRCS	Silicon Valley Regional Communications System
TASP	Transit Area Specific Plan
TADIF	Transit Area Development Impact Fee
TIF	Traffic Impact Fee
TOT	Transient Occupancy Tax
TPI	Transit Performance Initiative
UBC	Uniform Building Code
UFMP	Urban Forestry Management Plan
UPRR	Union Pacific Railroad
UUD	Underground Utility District
UPS	Uninterrupted Power Supply
Veh.	Vehicle
VTa	Santa Clara Valley Transportation Authority
WPCP	Water Pollution Control Plant
Wy.	Way
YTD	Year to Date

Glossary of Terms

Accomplishment – Programs and activities successfully completed in the prior fiscal year.

Agency Funds – One of four types of fiduciary funds. Agency funds are used to report resources held by the reporting government in a purely custodial capacity (assets equal liabilities).

Appropriation – An authorization made by the City Council that permits officials to incur obligations against and to make expenditures of resources. Appropriations are usually made for fixed amounts and are typically granted for a one-year period.

Assessed Valuation – The value of real property and improvements, as determined by the County Assessor, against which the property tax levy is assessed.

Asset – Resources owned or held by a government that have a monetary value.

Balanced Budget – A balanced budget is defined as a budget where the anticipated operating revenues and other financing resources including carryover of outstanding encumbrances from prior year are equal to or exceed operating expenditures.

Bond – A financial obligation for which the issuer promises to pay the bondholder a specified stream of future cash flows, including periodic interest payments and a principal repayment.

Budget – A plan of financial operation embodying an estimate of proposed expenditures for a given period of time and the proposed means of financing them.

Budget Calendar – The schedule of key dates which City government follows in preparation and adoption of the budget.

Building Permit Fee – Fee required for new construction or for any alteration or addition to a residence or commercial building. The fee is based on valuation. Electrical or plumbing/mechanical work also requires a similar permit with an itemized fee schedule.

Business License Tax – A tax imposed upon businesses in the community. The fee is a flat rate plus a minimal charge per employee.

Capital Assets – Assets of significant value and having a useful life of several years (the term fixed assets is also used).

Capital Budget – A plan of proposed capital expenditures and the appropriations to finance them. The capital budget is usually enacted as part of the complete annual budget that includes both an operating component and a capital component. The capital budget should be based on a capital improvement program (CIP) and is typically the first year of a multi-year CIP.

Capital Improvement – Projects which purchase or construct capital assets. Typically capital improvements include new street improvements, park development, the acquisition of land, major construction of public facilities, and major maintenance/repair projects such as street resurfacing or modifications to public facilities.

Capital Improvement Program – A comprehensive five-year plan of implementing proposed capital projects which identifies priorities as to need, cost, and method of financing during the next five years. The first year of the CIP is typically adopted as the current capital budget.

Capital Projects Fund – Fund type used to account for financial resources to be used for the acquisition or construction of major capital facilities (other than those financed by proprietary funds).

Contractual Services – Services rendered to a government by private firms, individuals, or other governmental agencies. Examples include utilities, rent, maintenance agreements and professional consulting services.

Debt Service – Payment of interest and repayment of principal to holders of the City's debt instruments.

Department – An organizational unit of government which is functionally unique in its delivery of services.

Effectiveness – The degree to which an entity, program or procedure is successful at achieving its goals and objectives.

Efficiency – The degree to which an entity, program or procedure is successful at achieving its goals and objectives with the least use of scarce resources. Efficiency necessarily presupposes effectiveness.

Encumbrances – Commitments against an approved budget for unperformed (executed) contracts for goods and services. They cease to be encumbrances when the obligations are paid or otherwise terminated.

Enterprise Fund – Used to account for specific services, i.e. water and sewer, which are funded directly by fees and charges to external users.

Equipment Charges – Charges or "rental fees" charged to user departments to defray the cost of maintaining the equipment used and to replace the equipment when it exceeds its useful life.

Expenditure – The payment of cash on the transfer of property or services for the purpose of acquiring an asset, service or settling a loss.

Expense – Charges incurred for operations, maintenance, interest or other charges.

Final Budget – The budget document adopted by resolution following the budget hearings in June of each year. The document formally incorporates any Council changes to the preliminary budget, resulting from the budget hearings.

Fiscal Year – The financial year for the City of Milpitas is July 1 through June 30 of the subsequent year.

Fixed Assets – Assets of long-term character that are intended to continue to be held or used, such as land, buildings, machinery, furniture or other equipment.

Franchise Fee – A regulatory fee charged to utility companies for the privilege of doing business in the City of Milpitas, i.e. garbage franchise fee, gas and electric franchise fee, and nitrogen gas franchise fee.

Fund – An independent fiscal and accounting entity used to record all financial transactions related to the specific purpose for which the fund was created.

Gas Tax – Share of revenue derived from State taxes on gasoline.

General Fund – The main operating fund of the City.

Governmental Funds – Funds generally used to account for tax-supported activities. There are five different types of governmental funds: the general fund, special revenue funds, debt service funds, capital projects funds and permanent funds.

Infrastructure – The physical assets of a government (i.e. streets, water and sewer systems, public buildings and parks).

Interest – Income resulting from the prudent investment of idle cash. The types of investments are controlled by the City's Investment Policy in accordance with the California Government Code.

Level of Service – A description of the services provided, or activities performed, and the cost and personnel requirements.

Line Item – The description of an object of expenditure, i.e. salaries, supplies, contract services, etc.

Operating Budget – A financial plan for the provision of direct services and support functions.

Park Development Fee – The fee paid by a developer or sub-developer for park or recreation purposes in lieu of the dedication of land.

Prior-Year Encumbrances – Obligations from previous fiscal years in the form of purchase orders, contracts or salary commitments which are chargeable to an appropriation, and for which a part of the appropriation is reserved. They cease to be an encumbrance when the obligations are paid or otherwise terminated.

Proposed Budget – The budget document recommended by the City Manager that is approved as may be amended by the City Council during budget hearings. The hearings are held in May or June, and the approval of the Preliminary Budget gives spending authority effective each July 1st for the subsequent fiscal year.

Proprietary Funds – Funds that focus on the determination of operating income, changes in net assets (or cost recovery), financial position, and cash flows. There are two different types of proprietary funds: enterprise funds and internal service funds.

Redevelopment – The planning, development, replanning, redesign, clearance, reconstruction, or rehabilitation of real property, and the provision of such residential, commercial, industrial, public, or other structures appropriate to the general welfare of the City.

Reserves – A savings account maintained for restricted use, i.e. self-insurance programs, capital improvement projects, or for unrestricted use to protect the City from emergencies or unanticipated expenditures.

Special Revenue Fund – Used to account for revenue that is set aside for restricted use, e.g. gas tax receipts are set aside in such a fund to be used solely for street improvements.

Supplemental Appropriation – An additional appropriation made by the governing body after the budget year has started.

Taxes – Compulsory charges levied by a government for the purposes of financing services performed for the common benefit of the people. This term does not include specific charges made against particular persons or property for current or permanent benefit, such as special assessments.



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CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Conduct a Public Hearing to Discuss Substantial Amendment to the Consolidated Plan, the Allocations for FY 2023-24 Community Development Block Grant, and the Corresponding Annual Action Plan (Staff Contact: Alex Andrade, Director of Economic Development, 408-586-3046; Robert Musallam, Housing and Neighborhood Services Administrator, 408-586-3275)
Category:	Public Hearings-Community Development
Meeting Date:	4/18/2023
	<u>Recommendation:</u> 1. Open the public hearing, hear testimony, then move to close the public hearing. 2. Provide direction to staff on the allocation amounts for each application. 3. Consider a substantial amendment to the FY 2023-25 Consolidated Plan to allow the re-launch of the home rehab loan program.

BACKGROUND:

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

On December 30, 2022, the City announced that the FY 2023-24 application period would be open from January 16, 2023, through February 17, 2023. Staff also designed a simplified application to streamline and increase the efficiency of the process. A total of 19 simplified applications were received, requesting a total amount of \$1,194,657.95 in grants funds, were received during the application period. A full breakdown of these simplified applications is provided in the Analysis section below.

Eligible and Ineligible Uses

HUD sets restrictions on how CDBG can be used. CDBG activities must be on HUD's list of eligible uses. A summary of eligible and ineligible activities is included in Attachment 1.

Meeting National Objectives

CDBG activities must meet one of the following National Objectives:

1. Provides a benefit to low- and moderate-income persons;
2. Eliminates or prevents slum or blight; or
3. Meets other community development needs having an urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs, often referred to as "urgent need."

The City of Milpitas has historically used its CDBG allocation to benefit low- and moderate-income persons. To meet the slum or blight National Objective, the City would have to identify areas of the City that meet the definition of a slum, blighted, deteriorated, or deteriorating area under state or local law. Milpitas has not identified significantly blighted conditions within its boundaries. As such, CDBG formula funds must be used to benefit low- and moderate-income persons.

The table below displays the income limits determined by HUD to be low- and moderate income for Santa Clara County.

Person(s)	1	2	3	4	5	6	7	8
(50% AMI)*	\$59,000	\$67,400	\$75,850	\$84,250	\$91,000	\$97,750	\$104,500	\$111,250
(80% AMI)*	\$92,250	\$105,400	\$118,600	\$131,750	\$142,300	\$152,850	\$163,400	\$173,950

*HUD Definition of low-income is 50% area medium Income (AMI); moderate-income is 80% AMI

Consolidated Plan

The Consolidated Plan is a three to five-year document that demonstrates a jurisdiction's plan to allocate CDBG funding to benefit low- and moderate-income individuals over that period. The Consolidated Plan's priorities and activities are based on needs determined by analysis of the City's needs, feedback from public outreach, and alignment with the City's priorities. During the Consolidated Plan period, jurisdictions may amend its plan in accordance with HUD guidelines. The current Consolidated Plan was approved by the City Council on June 14, 2022, and is set to expire in 2025.

Annual Action Plan

For each of the three to five years covered by the Consolidated Plan, HUD requires the City to prepare a One-Year Action Plan which identifies programs, projects, and CDBG funding levels undertaken during any given year.

ANALYSIS:

FY 2023-24 Annual Action Plan

The FY 2023-24 Annual Action Plan is the City's plan to accomplish the second year of goals and priorities laid out by the Consolidated Plan. The complete FY 2023-24 draft Annual Action Plan is available as Attachment 2.

Available Funds

The City's FY 2023-24 formula allocation from HUD is \$647,982.

HUD allows a maximum of:

- 15% of total funds for public services
- 65% of total funds for capital services
- 20% of total funds for planning and administration
- Economic development activities do not apply to any of the program caps

Based on the allocation of \$647,982, the maximum funding allowed in each category is as follows:

Allocation	Public Services (15%)	Capital Projects (65%)	Program Administration (20%)
\$647,982.00	\$97,197.30	\$421,188.30	\$129,596.40

As noted above, 19 simplified applications were received during the application period. Three (3) of the applicants are new organizations that have not been funded by the City in recent years.

A total of 14 applications from 19 applicants are being considered for FY 2023-24 CDBG funding. The combined total of all requests is \$1,194,657.95, with the breakdown of the applications as follows:

- Public Service Requests = \$319,240.00
- Capital Improvement Requests = \$620,313.95
- Economic Development Requests = \$196,000.00
- Program Administration Request = \$59,104.00

The City received requests for funding that exceed the available amount it can allocate.

	Approximate Total Allocation	Public Services	Capital Projects	Program Administration
CDBG Funds Available	\$647,982.00	\$97,197.30	\$421,188.30	\$129,596.40
Total Application Requests*	\$1,194,657.95	\$294,240.00	\$620,313.95	\$59,104.00

*Economic Development activity does not apply to any of the program caps.

As seen in the table above, there are more applicant requests for funding than there is funding available. It is likely that some of the applicants will not receive an allocation in the amount they have requested or any funding at all.

Applications

A full list of the applicants, their proposed activity, requested amount, proposed funding amount, and funding source is displayed on the following pages.

Organization Name	Project Description	CDBG Fund Request	Proposed CDBG Funding Amount	Proposed Funding Source
Catholic Charities of Santa Clara County	The mission of the Long-Term Care Ombudsman Program is to seek the resolution of problems and advocate for the rights and well-being of residents of long-term care facilities.	\$15,000.00	\$14,000.00	CDBG Formula
Child Advocates of Silicon Valley	Child Advocates' mission is to be there for every foster child in Santa Clara County who has experienced abuse, neglect and/or abandonment. They accomplish this by operating the Court Appointed Special Advocates (CASA) program in Santa Clara County. CASAs are trained community volunteers who are appointed by a judge's order to advocate for the best interests of foster children.	\$14,000.00	\$14,000.00	CDBG Formula
Next Door Solutions to Domestic Violence	Provide Support Services for Survivors of Domestic Violence by providing emergency shelter, crisis counseling, safety strategies, community and systems advocacy, support groups, and case management.	\$25,000.00	\$14,563.65	CDBG Formula
Senior Adults Legal Assistance (SALA)	SALA will continue our program of accessible and affordable free Legal Services, serving Milpitas residents 62 or older primarily by phone.	\$12,000.00	\$12,000.00	CDBG Formula
Silicon Valley Independent Living Center	The Housing & Support Services for Persons with Disabilities & Older Adults program is the most utilized service with over 75% of consumers requesting and receiving housing assistance, rent relief, and/or other emergency services.	\$13,070.00	\$13,070.00	CDBG Formula
YWCA Golden Gate Silicon Valley	YWCA Golden Gate Silicon Valley is proud to provide residents of Milpitas with a multiservice continuum of crisis response and prevention services for survivors of domestic violence.	\$30,530.00	\$14,563.65	CDBG Formula
Lighthouse of Hope	Provide counseling, psychological support, and education to the Milpitas community.	\$5,000.00	\$5,000.00	CDBG Formula
Pragnya	Support children, youth and adults from the Special Needs community by creating social emotional connections and preventing further isolation.	\$75,000.00	\$10,000.00	CDBG Formula
Subtotal		\$189,600.00	\$97,197.30	

Capital Projects

Organization Name	Project Description	CDBG Fund Request	Proposed CDBG Funding Amount	Proposed Funding Source
LifeMoves	Funding will be used to make improvements to the Julian Street Inn.	\$150,000.00	\$100,000.00	CDBG Formula
Rebuilding Together Silicon Valley	Rebuilding Together Silicon Valley's mission is repairing homes, revitalizing communities, rebuilding lives, and our vision is safe homes and communities for every person. We preserve affordable housing by providing critical home repairs and accessibility modifications for low-income residents, at no cost to the recipient.	\$258,973.95	\$199,999.00	CDBG Formula
Terrace Gardens Senior Housing	Requesting funds to replace existing Community Room trellis as it is in disrepair. The trellis is original to their property built in 1985. This will allow residents to continue to use the outdoor space in a covered and aesthetically pleasing place.	\$5,500.00	\$5,500.00	CDBG Formula
Terrace Gardens Senior Housing	The roofs of the "Community Building", and "G" Buildings need repair. We are requesting funds to replace both roofs.	\$205,840.00	\$100,689.30	CDBG Formula
Subtotal		\$620,313.95	\$406,188.30	

Organization Name	Project Description	CDBG Fund Request	Proposed CDBG Funding Amount	Item # 15.	Funding Source
				ed	
Filipino American Chamber of Commerce Silicon Valley	A training program that provides marketing, technical assistance, and financial strategies to small businesses in Milpitas via webinars and one on one advising to assist them in creating or pivoting into a stronger and more financially resilient business model.	\$16,000.00	\$15,000		CDBG Formula
Project Sentinel	Milpitas residents and those seeking to reside in Milpitas will have their civil rights protected with fair housing education, counseling, investigation, and enforcement actions.	\$59,104.00	\$59,104.00		CDBG Formula
Program Administration	Staff time in administering the program, including all public noticing, and publishing.	\$0.00	\$70,492.40		CDBG Formula
Subtotal		\$75,104.00	\$144,596.40		
	Total of proposed funded applications	\$885,017.95	\$647,982.00		

Staff proposes not funding the following five applicants.

	Organization Name	Project Description	CDBG Fund Request	Proposed Funding Amount
Public Services	India Community Center	India Community Center supports over 150 seniors in Milpitas who participate in a variety of activities between Monday to Friday which includes lunch supported by Santa Clara County.	\$25,000.00	\$0.00
	Sourcewise – Meals on Wheels	Provide vulnerable seniors who have been impacted by the pandemic nutritious home-delivered meals.	\$39,000.00	\$0.00
	The Heath Trust	Ensure critical, ongoing meal services and Wellness Checks for Milpitas seniors who are low-income.	\$40,640.00	\$0.00
	Love Never Fails	Introduces survivors of human trafficking and other no/low income residents to technology by providing them industry certification training.	\$25,000.00	\$0.00
Economic Development	WeeCare, Inc	The BOOST program provides technical assistance and business support to childcare providers who run home daycares.	\$180,000.00	\$0.00
	Subtotal		\$309,640.00	\$0.00

CONSIDERATIONS:

Staff has identified the following potential considerations for Council to assist in allocating funding to applications.

Community Advisory Commission (CAC) Feedback

On March 1, 2023, staff held a public meeting to solicit community and CAC feedback on the proposed FY 2023-24 Annual Action Plan as well as the applicants applying for CDBG funding. Commissioners received comments from the prospective FY 2023-24 CDBG applicants. A total of 9 comments were provided from applicant organizations describing their proposed project and how it benefits Milpitas residents.

Commissioners then provided verbal feedback on what priorities/areas they believe the City Council should focus on funding with the FY 2023-24 Annual Action Plan. Public services and housing issues were among the top priorities of the Commissioners. A broader summary of the Commissioners' priorities is provided below:

Public Services	Housing Services
• Supporting individuals with developmental disabilities • Supporting tenants and residents facing eviction • Technology services for seniors • Mental health supportive services • Addressing food insecurity for most vulnerable residents • Domestic violence prevention	• Assisting individuals experiencing homelessness and low-income seniors through affordable housing opportunities • Providing more mobile services for the unhoused • Provide shelters for the unhoused

Applicant Experience, Eligibility, and Funds Requested

There are three applicants with limited or no prior history with the City of Milpitas' CDBG program: India Community Center, Love Never Fails, and WeeCare, Inc. All the proposed activities in these applications are eligible activities and meet a national objective. However, in order to be eligible, an applicant must demonstrate that they have the systems in place to capture the HUD-required data to prove their activity meets a national objective.

All applications are subject to the HUD imposed cap guidelines. Typically, a majority of the applications are for Public Services. Given that the 15% public service cap this year is \$97,197.30, a single CDBG applicant could exhaust the available funding. Staff must be judicious in selecting applicants that request a fair amount for the services rendered, while also not reducing the funding request too much to where the applicant rejects the allocation. Due to HUD's stringent reporting requirements, it may not be worth the agency's resources to accept a lower amount of funding. City staff's objective is to select a wide range of service providers who offer local residents the most beneficial services in accordance with the Consolidated Plan and City Council goals.

Substantial Amendments to the Consolidated Plan

A substantial amendment to the Consolidated Plan is triggered by any of the following scenarios:

1. Changes in the allocation priorities or the method of distribution of funds
2. Changes that carry out an activity, using funds from any program covered by the Consolidated Plan (including program income) not previously described in the Action Plan
3. Changes to the purpose, scope, location, or beneficiaries of any activity.

Any amendment listed above shall be determined to be substantial if a change totals 25% or more of the City grant allocation. Minor adjustments in funding levels for public services, housing activities and administration due to differences in actual versus anticipated program income should not be considered substantial.

Home Rehab Loan Program

For over 20 years, the City has offered a Home Rehab Loan program to its residents. The program provides low interest rate loans to very low and low-income property owners. To secure the City's loans, a lien is placed on the property where the rehabilitation occurs. This ensures that if the property is sold, the City's loan will be repaid.

The City has an established revolving loan fund with HUD that is separate from the CDBG formula funding it receives on an annual basis. The revolving loan fund has an authorized specific use for these rehab loans which can only be changed with Council approval. Payments made to repay a loan must be deposited into the revolving loan fund and, per HUD guidelines, must be reallocated as soon as possible. These payments are known as program income. Potential penalties include loss of future CDBG funding if program income is not spent in a timely manner.

Most of the City's current loans do not require any on-going loan payments from the loan recipient. As such, payments are generally made in full when a property is sold. Recently, repayments have generated program income in the amount of \$594,882.86. Staff proposes to continue funding the Home Rehab Loan Program as it is already a City Council and HUD approved activity for these funds. Since this activity is not covered in the current iteration of the Consolidated Plan, a substantial amendment is required to include verbiage that reflects the additional \$594,882.86 for the Home Rehab Loan Program.

The Home Rehab Loan Program will require programmatic updates to bring the program guidelines current. Staff anticipates the re-launch of the program by Summer 2023.

For a full copy of the draft substantial amendments to the Consolidated Plan, see Attachment 3.

FISCAL IMPACT:

At this time, there is no fiscal impact associated with this item to conduct a public hearing to discuss and provide input beyond staff time.

California Environmental Quality Act (CEQA):

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

RECOMMENDATION:

1. Open the public hearing, hear testimony, then move to close the public hearing.
2. Provide direction to staff on the allocation amounts for each application.
3. Consider a substantial amendment to the FY 2023-25 Consolidated Plan to allow the re-launch of the home rehab loan program.

Attachment(s):

1. Eligible and Ineligible CDBG Activities
2. FY 2023-24 draft Annual Action Plan
3. Substantial Amendment to the FY 2023-25 Consolidated Plan

Eligible and Ineligible CDBG Activities

Eligible CDBG Activities

1. Acquisition of Real Property
2. Disposition
3. Public Facilities and Improvements
4. Clearance and Remediation
5. Public Services
6. Interim Assistance
7. Relocation
8. Loss of Rental Income
9. Housing Services
10. Privately-Owned Utilities
11. Rehabilitation and preservation
12. Construction of Housing
13. Code Enforcement
14. Special Economic Development Activities
15. Microenterprise Assistance
16. Special Activities by Community-Based Development Organizations
17. Homeownership Assistance
18. Planning and Capacity Building
19. Program Administration Costs
20. Miscellaneous Other Activities

Ineligible CDBG Activities

1. **Buildings or portions thereof, used for the general conduct of government may not be assisted with CDBG funds.** This does not include, however, the removal of architectural barriers involving any such building, which may be assisted under the category of Public Facilities and Improvements.
2. **General government expenses.** Expenses required to carry out the regular responsibilities of the unit of general local government are not eligible for assistance under this part.
3. **Political activities.** CDBG funds may not be used to finance the use of facilities or equipment for political purposes or to engage in other partisan political activities, such as candidate forums, voter transportation, or voter registration.
4. **Purchase of equipment.** The purchase of equipment with CDBG funds is generally ineligible – construction equipment, fire protection equipment, furnishings and personal property.
5. **Operating and maintenance expenses.** The general rule is that any expense associated with repairing, operating, or maintaining public facilities, improvements, and services is ineligible.
6. **New housing construction.**
7. **Income payments.** The general rule is that CDBG funds may not be used for income payments.

Adapted from HUD booklet, Community Development Block Grant Program; A guide to National Objectives & Eligible Activities for Entitlement Communities.



City of Milpitas

DRAFT ACTION PLAN

Fiscal Year 2023-2024



Draft for May 2, 2023

FY 2023-24 Annual Action Plan

Executive Summary

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

1. Introduction

The City of Milpitas (City) Fiscal Year (FY) 2023-24 One Year Annual Action Plan contains the City's plan to carry out housing and community development activities funded by Federal formula grant funds received from the U.S. Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG) program. This Annual Action Plan covers the second of three program years covered by the City's 2022-2025 Consolidated Plan which was adopted by the Milpitas City Council on June 14, 2022.

The City received an initial Community Development Block Grant (CDBG) entitlement allocation of \$647,982 for funding projects and programs during the 2023 Program Year. On December 30, 2022, the City announced that the application period for FY23-24 applications would be open from January 16, 2023 through February 17, 2023. Staff also designed a simplified application to streamline and increase efficiency of the process. Nineteen (19) simplified applications with requests totaling almost \$1,200,000 were received during the application period. A full breakdown of the simplified applications we plan to fund with CDBG funds is provided in the analysis section below. For the remainder of the applicants, the City plans to fund programs/activities with Housing funds. **[Staff will conduct two public hearings with the community and City Council on April 18 and May 2, 2023 to receive the community's input on priorities.]**

The City's Annual Action Plan covers the period from July 1, 2023 to June 30, 2024 (HUD's Program Year 2023). The City's FY 2023-24 Annual Action Plan reports in the status of needs and outcomes the City expects to achieve in the coming year. The activities mentioned in the Annual Action Plan are based on current priorities. By addressing these priorities, the City hopes to meet the objectives stated in the 2022-2025 Consolidated Plan.

2. Summarize the objectives and outcomes identified in the Plan

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

Located at the southern end of San Francisco Bay, Milpitas is a progressive community that is an integral part of Silicon Valley. A full-service city with water utility, sewer utility, police and fire services, Milpitas is a flourishing community with a very diverse and inclusive resident population of over 80,000.

The Annual Action Plan provides a snapshot of how the City will utilize its CDBG allocation to meet the needs of the City's low- and moderate- income individuals and the most vulnerable populations.

The objectives and outcomes identified in the 2022-2025 Consolidated Plan is to be achieved with the activities and programs mentioned in the Annual Action Plan. The Annual Action Plan's works towards accomplishing the following priorities to meet the housing and community development needs in Milpitas:

- Maintain and Preserve Existing Housing
- New Affordable Housing
- Affordable Housing Rental Rehabilitation
- Community Funding/Public Services
- Public services for low- and moderate-income residents at risk of eviction
- Fair Housing
- Public Services for Children and Youth
- Public Services for Seniors
- Public Services for Domestic Violence support
- Public Improvements including accessibility and improving public facilities
- Assist Microenterprises and Small Businesses
- Explore the use of HUD Section 108 Loan Guarantee Program

3. Evaluation of past performance

The City is responsible for ensuring compliance with all rules and regulations associated with the CDBG entitlement grant program. The City's Annual Action Plans and Consolidated Annual Performance and Evaluation Reports (CAPER) have provided many details about the goals, projects and programs completed by the City.

The City evaluates the performance of subrecipients regularly. Monitoring subrecipient's performance involves a review of reimbursement requests, submitted backup documentation, and quarterly reports. As outlined in the agreements, each organization is required to submit quarterly reports of its progress in meeting the goals listed in the contract. Substandard performance is followed up with phone contact, email communication, and if needed, an on-site review.

Prior to the start of the program year, program objectives are developed collaboratively by the subrecipient and the City, ensuring that they are aligned with the City's overall goals and strategies.

4. Summary of Citizen Participation Process and consultation process

The City solicited input throughout the development process of the FY 2023-24 Annual Action Plan. As required by HUD, the City provides multiple opportunities for public review and comment on the Annual Action Plan and on any substantial amendments.

Per the City of Milpitas' adopted Citizen Participation Plan, the City held a 30-day public review comment period for the Annual Action Plan. The City published notifications of upcoming public hearings and the 30-day public review comment period in a local newspaper of general circulation, copies at the front desk and local Library, on the City's CDBG webpage and via email blasts to stake holders. The City held two advertised public hearings on April 18, 2023 and May 2, 2023. The Annual Action Plan's 30-day public review period occurred from March 31, 2023, through May 2, 2023.

The City initiated the citizen participation process in March 2023, at the Community Advisory Commission (CAC) meeting. The City invited residents and potential CDBG stakeholders to attend and provide public comment on how they feel CDBG funds should be prioritized in the upcoming FY 23-24 Annual Action Plan.

The City held a public meeting with the CAC on March 1, 2023 to review applications and hear applicant presentations. The Commissioners deliberated and made their individual recommendations to the City Council, which have been synthesized into the staff's agenda report. This narrative and report will be presented at the April 18 public hearing. Nine (9) public comments were heard from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

5. Summary of public comments

[To be updated after close of comment period]

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

[To be updated after close of comment period]

7. Summary

Following the requirements of the Citizen Participation Plan, the CAC made their recommendations for priority areas to be funded to the City Council on March 1, 2023. The City held public hearings on April 18 and May 2, 2023. A summary of public comments will be added at the conclusion of the hearings.

On March 31, 2023, the City posted the draft FY23-24 Annual Action Plan on its website to provide opportunities for public comment. The documents were posted at this url:

<https://www.milpitas.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>

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

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

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

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

Table 1 – Responsible Agencies

Narrative (optional)

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

Pursuant to the Department of Housing and Urban Development funding requirements and in conformance with 24 CFR Part 91, Consolidated Submission for Community Planning and Development Programs, City of Milpitas has prepared and adopted the 2023-2024 Annual Action Plan. The Action Plan is submitted annually and describes the eligible programs, projects, and activities to be undertaken with funds that are expected to be made available during the program year 2023-2024 and its relationship to the City's priorities and needs for housing, homelessness and community development laid out in the three-Year Consolidated Plan.

The public review and comments period for the Draft Annual Action Plan is March 31, 2023 – May 2, 2023.

In January 2023, City Council adopted the Housing Element. Staff anticipates receiving certification from HCD in the coming weeks.

Consolidated Plan Public Contact Information

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

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

1. Introduction

The Annual Action Plan is a one-year plan which describes eligible projects and activities to be completed accordingly to current priorities outlined in the 2022-2025 Consolidated Plan.

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

The City will continue to work with organizations to provide programs and services for low- and moderate- income residents. The City participates in a monthly regional CDBG/ Housing Coordinators meeting with all local jurisdictions, which often includes the County Santa Clara Office of Supportive Housing (OSH), to discuss housing cooperation. City staff continues to maintain dialogue with all service providers, public and private to enhance services or if the City can connect service providers for better coordination of service deliveries.

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

The Santa Clara County Office of Supportive Housing is the administrator of the Santa Clara County Continuum of Care (CoC). The CoC is a multi-sector group of stakeholders guiding the implementation of the County's housing and service system to meet the need and prevent and end homelessness. This includes: 1) permanent housing, 2) emergency shelter with outreach and assessment services, 3) transitional housing with support services, and 4) prevention services.

In 2020, the City of Milpitas participated in the preparation of the Community Plan to End Homelessness in Santa Clara County. The Plan identifies strategies to address the needs of homeless persons in the county. On October 6, 2020, the City Council endorsed the 2020-2025 Santa Clara County Community Plan to End Homelessness.

City Staff attends monthly regional CDBG/ Housing Coordinators meetings. Meetings serve the purpose of identifying gaps in homeless services and funding priorities to address homelessness.

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

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

We have an established partnership and signed agreement with the County of Santa Clara Office of Supportive Housing (OSH) to provide homeless outreach, assessment, and street-based case management services for unhoused residents.

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

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Love Never Fails
	Agency/Group/Organization Type	Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Love Never Fails attended a community meeting to voice the needs on behalf the community and seek support for the ITbiz Tech Academy Program for survivors of human trafficking and other no/low income residents to technology by providing them industry certification training.
2	Agency/Group/Organization	Next Door Solutions to Domestic Violence
	Agency/Group/Organization Type	Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Next Door Solutions to Domestic Violence attended to voice the need for services for family's experience abuse.
3	Agency/Group/Organization	Child Advocates of Silicon Valley
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs

	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Child Advocates attended to voice the need for the children in the foster care system.
4	Agency/Group/Organization	Senior Adults Legal Assistance (SALA)
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from SALA attended to voice the need for continuing legal services for senior persons.
5	Agency/Group/Organization	The Health Trust
	Agency/Group/Organization Type	Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from The Health Trust attended to voice the need for continuing meal services for senior persons.
6	Agency/Group/Organization	Rebuilding Together Silicon Valley
	Agency/Group/Organization Type	Services-Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Rebuilding Together Silicon Valley attended to voice the need for continued services for low-income home repairs.
7	Agency/Group/Organization	YWCA Golden Gate Silicon Valley
	Agency/Group/Organization Type	Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from YWCA attended to voice the need for continued services for persons experiencing domestic abuse.
8	Agency/Group/Organization	Pragnya
	Agency/Group/Organization Type	Services-Persons with Disabilities

	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Pragnya attended to voice the need for continued services for neuro-diverse individuals in the community.
9	Agency/Group/Organization	Terrace Gardens Senior Housing, Inc.
	Agency/Group/Organization Type	Housing Services - Housing Services-Elderly Persons
	What section of the Plan was addressed by Consultation?	Non-Homeless Special Needs
	Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?	The surrounding organizations were contacted via email, Milpitas Post and City's website. A staff member from Terrace Gardens attended to voice the need for services for senior individuals.

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

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

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

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

Table 3 – Other local / regional / federal planning efforts

Narrative (optional)

AP-12 Participation – 91.105, 91.200(c)

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

The citizen participation process includes holding several public community meetings and workshops for maximum citizen participation. City staff worked closely with the City's Community Advisory Commission (CAC) to hold a public meeting for the Commission and community to understand and participate in the CDBG process. The CAC held the public meeting on March 1, 2023 to discuss the priorities, goals, and funding allocations for the FY23-24 Annual Action Plan.

The City conducted six publicly noticed meetings to discuss CDBG allocations, two of which were public hearings. Noticing for the public hearings were done in accordance with the Citizen Participation Plan.

Per the City's adopted Citizen Participation Plan, the City is to allow a 30-day public review and comment period for the Annual Action Plan. The City has published notifications of upcoming public hearings and the 30-day public review comment period in the local newspaper, on its CDBG webpage and via email blasts to stakeholders. The City held two advertised public hearings on April 18, 2023, and May 2, 2023. The Action Plan 30-day public review comment period occurred from March 31, 2023, through May 2, 2023. **[To be updated after close of comment period]**

The City held a public meeting with the CAC on March 1, 2023 to review applications and hear applicant presentations. The Commissioners deliberated and made their individual recommendations to the City Council, which have been synthesized into the staff's agenda report. This narrative and report will be presented at the April 18 public hearing. Nine (9) public comments were heard from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

On March 31, 2023, the City posted the amended FY22-25 Consolidated Plan and the draft FY22-23 Annual Action Plan on its website to provide opportunities for public comment. The documents were posted at this url: <https://www.milpitas.gov/milpitas/departments/federal-program-community-development-block-grant-cdbg/>

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	News-paper ad	Non-targeted/broad community	Opening the application period	No comments were received	n/a	n/a
2	Public Meeting (CAC)	Non-targeted/broad community	11 Attendees (CAC members & City staff)	The Commission heard 9 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds.	n/a	Needs to be updated
3	News-paper ad/website	Non-targeted/broad community	Public Hearing Notice for City Council Meetings			Needs to be updated
4	City Council Meeting Public Hearing	Non-targeted/broad community	Will update after meeting			Needs to be updated
5	Website	Non-targeted/Broad community	Draft AAP			Needs to be updated
6	City Council Meeting Public Hearing	Non-targeted/broad community	Will update after meeting			Needs to be updated

Table 4 – Citizen Participation Outreach

Expected Resources

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

Introduction

The City of Milpitas will receive \$647,982 for Program Year 2023 in CDBG funds to allocate to eligible activities that address the needs identified in the Consolidated Plan. Prior Year resources from revolving loan funds will be re-allocated to continue the City's Home Rehabilitation Loan Program.

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation	Program Income	Prior Year Resources	Total		
CDBG	Public - Federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$647,982	\$0	\$594,882.86	\$1,242,864.86	\$737,135	Prior Year resources from revolving loan funds will be re-allocated to continue the City's Home Rehabilitation Loan Program.

Table 5 - Expected Resources – Priority Table

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

Not applicable, the City does not match federal funds.

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

There are two parcels controlled by the City. One parcel, located at 1432 S. Main Street, is owned by Milpitas Housing Authority and is approximately 0.9 acres in size. Currently the parcel is occupied by commercial tenants, but the land is zoned as high-density multi-family residential. In January 2022, City Council directed staff to sell the parcel owned by the Milpitas Housing Authority with the intent that the buyer will develop affordable housing. The sale of this parcel is expected by summer 2023.

The other parcel, approximately 1.7 acres, is located adjacent to the Milpitas Housing Authority property and is owned by the City of Milpitas. That City parcel is also occupied by commercial business but is also

zoned for multi-family residential use. Staff is awaiting City Council direction for this parcel.

Discussion

Please see discussion above.

DRAFT

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Maintain and Preserve Existing Housing	2022	2025	Affordable Housing Non-Homeless Special Needs	Citywide	Affordable Housing Development and Preservation	\$794,881.86	60 Homeowner housing rehabilitated
2	New Affordable Housing	2022	2025	Affordable Housing	Citywide	Affordable Housing Development and Preservation	N/A	N/A
3	Affordable Housing Rental Rehabilitation	2022	2025	Non-Housing Community Development	Citywide	Affordable Housing Development and Preservation	\$106,189.30	148 Homeowner housing rehabilitated
4	Community Funding/Public Services	2022	2025	Homeless Non-Homeless Special Needs	Citywide	Community Services	\$13,070	44 persons assisted - Public service activities other than LMI housing benefit
5	Public services for low- and moderate-income residents at risk of eviction	2022	2025	Homeless Non-Homeless Special Needs	Citywide	Community Services	N/A	N/A
6	Fair Housing	2022	2025	Affordable Housing Non-Homeless Special Needs	Citywide	Community Services	\$59,104	20 persons assisted - Public service activities other than LMI housing benefit
7	Public Services for Children and Youth	2022	2025	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	\$14,000.00	4 persons assisted - Public service activities other than LMI housing benefit
8	Public Services for Seniors	2022	2025	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	\$27,000	144 persons assisted - Public service activities other than LMI housing benefit

9	Public Services for Domestic Violence support	2022	2025	Non-Homeless Special Needs	Citywide	Community Services	\$43,127.30	97 Public service activities other than LMI housing benefit
10	Public Improvements including accessibility and improving public facilities	2022	2025	Non-Housing Community Development	Citywide	Community, Public, and Neighborhood Sustainability	\$100,000.00	105 persons assisted - Public facility or infrastructure activities for LMI housing benefit
11	Assist Microenterprises and Small Businesses	2022	2025	Non-Housing Community Development	Citywide	Economic Development	\$15,000	10 micro-enterprises assisted
12	Explore the use of HUD Section 108 Loan Guarantee Program	2022	2025	Affordable Housing Non-Housing Community Development	Citywide	Community Services Economic Development	N/A	N/A

Table 6 – Goals Summary

Goal Descriptions

1	Goal Name	Maintain and Preserve Existing Housing
	Goal Description	Maintain and preserve existing housing for 60 Households
2	Goal Name	New Affordable Housing
	Goal Description	N/A
3	Goal Name	Affordable Housing Rental Rehabilitation
	Goal Description	Affordable housing rehabilitation to benefit 148 LMI households
4	Goal Name	Community Funding/Public Services
	Goal Description	Support public services activities to benefit 44 LMI individuals
5	Goal Name	Public services for low- and moderate-income residents at risk of eviction
	Goal Description	N/A
6	Goal Name	Fair Housing
	Goal Description	Provide fair housing services to benefit 20 LMI individuals
7	Goal Name	Public Services for Children and Youth
	Goal Description	Provide public services/activities to 4 children
8	Goal Name	Public Services for Seniors

	Goal Description	Provide public services/activities for 144 seniors
9	Goal Name	Public Services for Domestic Violence support
	Goal Description	Provide public services for victims of Domestic Violence.
10	Goal Name	Public Improvements including accessibility and improving public facilities
	Goal Description	Provide accessibility and access to public facilities such as homeless shelters to benefit 105 LMI individuals
11	Goal Name	Assist Microenterprises and Small Businesses
	Goal Description	Provide assistance to 10 microenterprises.
12	Goal Name	Explore the use of HUD Section 108 Loan Guarantee Program
	Goal Description	N/A

Projects

AP-35 Projects – 91.220(d)

Introduction

The Consolidated Plan goals represent high priority needs for the City of Milpitas and serve as the basis for the strategic actions the City will use to meet these needs. The City of Milpitas only receives Community Development Block Grant (CDBG) funding. If available and recommended in certain circumstances, the City Council may also augment the funds and contribute from local funds, such as the Housing Authority Fund. All the funds mentioned, are in efforts to serve and improve the lives of low- and moderate-income persons in Milpitas.

Projects

#	Project Name
1	Catholic Charities of Santa Clara County
2	Child Advocates of Silicon Valley
3	Next Door Solutions to Domestic Violence
4	Senior Adults Legal Assistance (SALA)
5	Silicon Valley Independent Living Center – Housing Search
6	YWCA – Domestic Violence Services
7	Filipino American Chamber of Commerce
8	LifeMoves - Capital
9	Terrace Gardens Senior Housing – Capital - Wood Trellis Repair

10	Terrace Gardens Senior Housing – Capital - Roof Repair
11	Rebuilding Together Silicon Valley - Capital
12	Project Sentinel
13	Home Rehabilitation Loan Program
14	Program Administration

Table 7 - Project Information

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

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

AP-38 Project Summary

Project Summary Information

1	Project Name	Catholic Charities of Santa Clara County
	Target Area	Citywide
	Goals Supported	Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$15,000
	Description	Investigate and resolve complaints for seniors and disabled adults in long term care facilities.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	124
	Location Description	All long term care facilities in Milpitas.
	Planned Activities	Site visits to long term care facilities and nursing homes and provide with case management for those clients with open cases.
2	Project Name	Child Advocates of Silicon Valley
	Target Area	Citywide
	Goals Supported	Public Services for Children and Youth
	Needs Addressed	Community Services
	Funding	CDBG: \$14,000
	Description	Provides court appointed youths with volunteers to maintain life-long mentorship and guidance.

	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	4
	Location Description	Milpitas, CA
	Planned Activities	Organization will recruit, train more volunteers and providing essential mentor and guidance for youth.
3	Project Name	Next Door Solutions to Domestic Violence
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$21,563.65
	Description	Provide Support Services for Survivors of Domestic Violence by providing emergency shelter, crisis counseling, safety strategies, community and systems advocacy, support groups, and case management
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	45
	Location Description	Citywide
	Planned Activities	Next Door Solutions to Domestic Violence is a nonprofit, multi-cultural agency dedicated to providing proactive and progressive solutions to domestic violence. Next Door Solutions provides peer counseling, advocacy, legal help and support groups. Additionally, Next Door Solutions to Domestic Violence provides safe emergency shelter to victims of domestic violence and their children within a confidential and protected environment.
4	Project Name	Senior Adults Legal Assistance (SALA)
	Target Area	Citywide
	Goals Supported	Public Services for Seniors
	Needs Addressed	Community Services
	Funding	CDBG: \$12,000

	Description	Legal services in the form of advice/referrals, consultations/brief service, and legal representation will be provided to Milpitas elders in areas of law common to SALA's target population including, but not limited to, the following: Public Benefits (Social Security, SSI, Medicare, and Medi-Cal); Nursing Homes and Alternatives to Institutionalization (including Advance Directives); Elder Abuse; Housing Law, Consumer Problems; and Personal Affairs (including Simple Wills through SALA's No Fee Wills Panel). SALA will provide services through on-site appointments scheduled at intake days at least once a month at the Barbara Lee (Milpitas) Senior Center. Home visits will be made to elders in Milpitas who are homebound or who reside in nursing homes. Milpitas residents with urgent problems will also be served on an emergency basis by telephone. Milpitas residents who appear at SALA intake sites in other cities will also be served. SALA will also conduct one community education presentation annually for the participants at the Milpitas Senior Center. All services described herein will be provided by one of the attorneys on SALA's staff, a pro bono (volunteer) attorney, or a paralegal (either paid staff or volunteer).
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	20
	Location Description	At their San Jose office, Milpitas Senior Center, and Milpitas Library.
	Planned Activities	Legal assistance, including advising and counseling on basic rights. Facilitation access to public benefits to meet basic life needs and legal planning.
5	Project Name	Silicon Valley Independent Living Center - Housing Search
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	\$13,070.00
	Description	The Housing & Support Services for Persons with Disabilities & Older Adults program is the most utilized service with over 75% of consumers requesting and receiving housing assistance, rent relief, and/or other emergency services.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	44
	Location Description	Housing search assistance for LMC Milpitas residents with disabilities.

	Planned Activities	Providing rental assistance to LMC Milpitas residents with disabilities at risk of eviction.
6	Project Name	YWCA- Domestic Violence Services
	Target Area	Citywide
	Goals Supported	Community Funding/Public Services
	Needs Addressed	Community Services
	Funding	CDBG: \$21,563.65
	Description	Provide residents of the City of Milpitas domestic violence supportive services.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	52
	Location Description	Citywide
	Planned Activities	24-hour Support Line; emergency shelter; emergency response calls from law enforcement; crisis counseling, individual therapy, and support groups for adults and children; medical advocacy; transportation; criminal justice and social service advocacy; temporary restraining orders; court accompaniment; and children's programming.
7	Project Name	Filipino American Chamber of Commerce
	Target Area	Citywide
	Goals Supported	Assist Microenterprises and Small Businesses
	Needs Addressed	Economic Development
	Funding	CDBG: \$15,000
	Description	Provide hands on training for small business owners on how to create and/or revamp their websites and create marketing strategies.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	10
	Location Description	Citywide
	Planned Activities	Through this training program we plan to provide marketing, technical assistance, and financial strategies to microenterprises in Milpitas

8	Project Name	Terrace Gardens Senior Housing – Capital- Wood Trellis Repair
	Target Area	Citywide
	Goals Supported	Affordable Housing Rental Rehabilitation
	Needs Addressed	Affordable Housing Development and Preservation
	Funding	\$5,500
	Description	Rehab the existing trellis at Terrace Gardens
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	148
	Location Description	186 Beresford Court
	Planned Activities	Funding will be used to rehab the existing trellis at Terrace Gardens.
9	Project Name	Terrace Gardens Senior Housing – Capital- Roof Repair
	Target Area	Citywide
	Goals Supported	Affordable Housing Rental Rehabilitation
	Needs Addressed	Affordable Housing Development and Preservation
	Funding	\$100,689.30
	Description	Replace roofs at “Community Building” and “G” buildings
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	148
	Location Description	186 Beresford Court
	Planned Activities	Funding will be used to replace two roofs at Terrace Gardens.
10	Project Name	Rebuilding Together Silicon Valley
	Target Area	Citywide
	Goals Supported	Maintain and Preserve Existing Housing
	Needs Addressed	Affordable Housing Development and Preservation
	Funding	\$199,999
	Description	Funding to providing home repairs, rehabilitation, accessibility, and mobility services work to low-income homeowners in Milpitas.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	54
	Location Description	Citywide

	Planned Activities	Funding to providing home repairs, rehabilitation, accessibility, and mobility services work to low-income homeowners in Milpitas.
11	Project Name	LifeMoves - Capital
	Target Area	Citywide
	Goals Supported	Public Improvements including accessibility and improving public facilities
	Needs Addressed	Community Services
	Funding	CDBG: \$100,000
	Description	Performing repairs to Julian Street Inn Shelter.
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	105
	Location Description	The shelter is in San Jose
	Planned Activities	Performing repairs to Julian Street Inn Shelter.
12	Project Name	Project Sentinel (Fair Housing)
	Target Area	Citywide
	Goals Supported	Fair Housing
	Needs Addressed	Community Services
	Funding	CDBG: \$59,104

	Description	Project Sentinel is a private nonprofit agency providing fair housing, tenant-landlord counseling and dispute resolution services to the City of Milpitas. In addition to counseling and case intake, education and outreach activities will be ongoing. Outreach activity includes: the publication of Rent Watch, a rental housing advice column; distribution of brochures, radio public service announcements and public presentations and workshops. Presentations and workshops are provided to a wide spectrum of the community: ESL classes at local schools; civic groups like the Rotary and Lions; social service agencies like Catholic Charities and Next Door Solutions; municipal offices such as the Senior Center and Community Center; housing provider associations such as the Apartment Owners Association (AOA). Program services are delivered by designated staff in the agency's Fremont office using a local Milpitas phone line and by staff in the agency's main office at 1490 El Camino Real, Santa Clara. Office hours for counseling and case intake are from 9:00 am to 4:00 pm, Monday through Friday. Evening and week-end appointments are provided when necessary. Tenant-Landlord counseling/Dispute Resolution includes all areas of concern in rental housing; however, evictions and substandard housing complaints receive priority attention. Mediations and conciliations are conducted by trained staff and volunteers. Services are delivered in a neutral, unbiased manner to all parties engaged in the rental housing relationship. Fair Housing services of community education, and complaint investigation are provided from the corporate office and other public facilities within the City of Milpitas (library, community center). HUD-certified mortgage default counseling and First Time Homebuyer workshops are open to Milpitas residents. These services are provided from Project Sentinel's office at the Milpitas Sobrato Center.
	Target Date	6/30/2023
	Estimate the number and type of families that will benefit from the proposed activities	20
	Location Description	At various venues in Milpitas and their Santa Clara office.
	Planned Activities	Provide educational presentations, outreach, and brochures at a variety of venues. Provide information and referral services and investigate cases of alleged discrimination.
13	Project Name	Home Rehabilitation Loan Program
	Target Area	Citywide
	Goals Supported	Maintain and Preserve Existing Housing
	Needs Addressed	Affordable Housing Development and Preservation
	Funding	RL: \$594,882.86

	Description	Rehabilitate very low-, low- income households
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	6
	Location Description	Milpitas, CA
	Planned Activities	Rehabilitate very low-, low- income households
14	Project Name	Program Administration
	Target Area	Citywide
	Goals Supported	Program Administration
	Needs Addressed	Program Administration
	Funding	CDBG: \$70,492.40
	Description	Program Administration
	Target Date	6/30/2024
	Estimate the number and type of families that will benefit from the proposed activities	Program Administration
	Location Description	Milpitas, CA
	Planned Activities	Program Administration

AP-50 Geographic Distribution – 91.220(f)

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

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

Geographic Distribution

Target Area	Percentage of Funds

Table 8 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Not applicable

Discussion

Not applicable

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

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

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	208
Special-Needs	0
Total	208

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

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	0
Rehab of Existing Units	208
Acquisition of Existing Units	0
Total	208

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

Discussion

The City anticipates allocating resources to Terrace Gardens and Rebuilding Together Silicon Valley. Terrace Gardens is a deed-restricted very-low- and low-income affordable housing seniors' rental development. The allocation would be for capital repairs to the common area which would benefit 148 affordable housing units.

Rebuilding Together Silicon Valley assists low-income homeowners with critical repairs. The resources allocated to Rebuilding Together would serve 54 low-income homeowners in Milpitas.

The Home Rehabilitation Loan Program will assist low-income homeowners with critical repairs. The resources allocated to the Home Rehabilitation Loan Program would serve 6 low-income homeowners in Milpitas. Total benefit of these three activities would be 208 units.

AP-60 Public Housing – 91.220(h)

Introduction

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

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

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

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

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

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

Not applicable.

Discussion

Not applicable.

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

Introduction

The County of Santa Clara and the City have designated homelessness as a critical issue. In Santa Clara County's 2022 Point-in-Time Census & Survey Comprehensive Report, the survey identified a total of 249 unsheltered homeless persons in Milpitas. Notably, there was an 119% increase in unsheltered homeless persons in Milpitas. Given the complexity of homelessness, interagency and interregional collaboration is crucial in solving the homeless issue.

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

November 10, 2020, the City Council approved and authorized staff to enter into an agreement for homeless outreach, assessment, and street-based case management services with Santa Clara County. A new contract was executed in December 2022 to continue homeless outreach and assessment services.

In December 2020, City Council authorized staff to contract with WeHope to provide mobile shower and laundry services in Milpitas. The current contract has an expiration date of June 30, 2022. On April 4, 2023, City Council agenda is a request for gap funding to continue providing mobile laundry and shower services through the end of the service contract. Further funding has been identified to keep these services active for at least the next three fiscal years. Staff anticipates ratifying a new contract with WeHOPE by Summer 2023.

The City's Housing team will continue to explore resources that can further benefit the homeless population in Milpitas.

Addressing the emergency shelter and transitional housing needs of homeless persons

The City of Milpitas will address emergency shelter and transitional housing needs of homeless persons by continuing to coordinate services between the City's Police, Building Safety & Housing, and Public Works Departments and our local service providers, such as LifeMoves. The City's Rent and Mortgage Relief program does allow for emergency housing relief for foster children or homeless families with school age children experiencing temporary homelessness. Funds can be used for obtaining temporary, secure housing (motel, hotel, etc.) followed by additional assistance for rent/deposit relief to move into more permanent housing.

CDBG Funded

- Next Door Solutions to Domestic Violence: Next Door Solutions to Domestic Violence provides client-centered, community-based supportive services for victims of domestic violence and his/her children. The organization also provides undisclosed emergency shelter when requested

and needed by the individual and/or family.

- YWCA Silicon Valley (YWCA): YWCA Silicon Valley empowers women and her children to end racism and violence through offering supportive services for self-improvement and undisclosed emergency shelter for short-term to a longer amount of time if needed. YWCA also provides clients referrals to permanent housing if possible, and available.

Other Funded Programs

- The City of Milpitas has an Emergency Motel Stays Program which provides up to three nights of temporary shelter at a Milpitas hotel for unhoused individuals and families.
- The City's Rent and Mortgage Relief program eligible uses include:
 - Eviction Protection
 - Domestic Violence Relocation
 - Child and Family Homelessness Relief
 - Emergency housing relief for foster children or homeless families with school age children experiencing temporary homelessness. Funds can be used for: obtaining temporary, secure housing (motel, hotel, etc.) and then be used for rent/deposit relief to move into more permanent housing.

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

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

The City's Rent and Mortgage Relief program allows for emergency housing relief for foster children or homeless families with school age children experiencing temporary homelessness. Funds can be used for obtaining temporary, secure housing (motel, hotel, etc.) followed by additional assistance for rent/deposit relief to move into more permanent housing.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth

facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services, employment, education, or youth needs.

Milpitas does not currently have an institutional discharge policy. The City collaborates with the Santa Clara County CoC, who recently updated their Quality Assurance Standards to include a homeless discharge coordination policy.

The County CoC endeavors to provide guidance and resources to those released from institutions. The discharge policy includes access to reentry resource centers where, for example, an VI-SPIDAT could be administered. The VI-SPIDAT measures the acuity level of an individual and is used to inform what type of support or housing needs are required. It also serves as the entry point for access to other resources or supportive services, such as residential or outpatient treatment, transitional housing, or emergency shelter access.

CDBG and City Local Funds

- **Rent Relief Program:** The City's Rent Relief program began in 2019 and expanded to a Rent and Mortgage Relief program in 2021. The rent relief portion assists with rent/deposit relief, eviction protection, domestic violence relocation, child and family homelessness relief, and section 8 good faith deposits.
- **Child Advocates of Silicon Valley:** Child Advocates connect court appointed special advocates (CASAs) to foster children. These volunteers must make a commitment to the children for a long-term, many for his or her entire life. The consistent support of the CASA is often the only adult who has steadily remained with the child, providing crucial mentorship.
- **Seniors Adults Legal Assistance (SALA):** SALA is committed to providing free-legal services to seniors. Legal services that SALA provides ranges from: public benefits, long-term care, alternatives to institutionalization, elder abuse, long-term care insurance, incapacity planning, probate, simple wills and housing – related to Landlord-Tenant issues. Often, many seniors do not know his or her housing rights or sign over the will of their house without knowing, and with fixed income, many are unable to provide legal help. SALA provides legal help free of charge for these low to extremely low-income seniors.

Discussion

Please see discussion above.

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

Introduction:

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

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

Resolution No. 8523

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

Affordable Housing Ordinance

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

Density Bonus Ordinance

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

Below Market Rate Ownership

The City manages a Below Market Rate (BMR) Ownership program for first-time, income-qualified homebuyers. Once a unit from the current BMR housing stock becomes available, a qualified applicant procured by lottery will have the ability to purchase a home in Milpitas at one of the various

developments throughout the City.

Fair Housing

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

Discussion:

The City is in the process of completing its Housing Element, which will include an update to the Affirmatively Furthering Fair Housing. City Council adopted the Housing Element/AFFH adopted in January 2023. The City has submitted their draft to HCD and hopes to have certification in the coming weeks. Below is a tentative schedule of events for the adoption of the Housing Element:

- Public Review Draft Period: August – October 2022
- HCD Review Draft Period: October – December 2022
- Final Draft: January 2023
- Planning Commission and City Council Hearings: January 2023
- Adoption by City Council: January 2023
- Submitted to HCD for certification: March 2023

As of this writing, the city is expected to receive approval on its 6th Cycle Housing Element by April 2023.

AP-85 Other Actions – 91.220(k)

Introduction:

The most significant obstacle to addressing the underserved needs for fiscal year 2023-2024 is the lack of sufficient federal, state, and local funds to carry out all the necessary programs, activities, and projects.

Actions planned to address obstacles to meeting underserved needs

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

- The City of Milpitas Affordable Housing Fund is used primarily to increase the number of new affordable housing units. It is funded through fees collected from developers in accordance with Affordable Housing Ordinance 297. As an example, the City used these funds to initially fund the Pilot Rent Relief Program the City established in November 2019.
- The City's provides loans on an ongoing, as qualified basis for BMR applicants to qualify for purchasing an available BMR unit.
- Measure A Affordable Housing Bond was approved by voters in November 2016 that approved \$950 million dollars for the County to address housing needs for the most vulnerable residents, those in the extremely low-income households.
- American Rescue Plan Act (ARPA) funds have been allocated to fund the homeless outreach and assessment program for one year, as well as fund the Rent and Mortgage Relief Program.
- The City's Emergency Motel Stays Program has been funded through donations Vice Mayor Chua received. The Vice Mayor is working on securing donations to continue the funding of the program.
- In February 2023, the City received its approval letter for its Permanent Local Housing Allocation (PLHA) entitlement. The grant will help cover the homeless outreach and assessments services for the next three years. PLHA will also allow the city to create a Workforce Housing Rental Assistance Program that would offset rent paid by the tenant for a period of greater than 6 months. To qualify, tenants must have a household income of 30% AMI or below.
- In September 2022, City Council accepted Assemblymember Lee's one-time state funding request, including \$1,500,000 for homelessness prevention and unhoused services. While the allocation of which the homeless prevention and unhoused programs will be funded, the original request included continuation of the mobile shower and laundry services, additional rent relief funds, and the establishments of a Milpitas Resource Center.

Actions planned to foster and maintain affordable housing

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

following resolutions/ordinances:

Resolution No. 8523

The City adopted Resolution No. 8523 on February 2, 2016, which recognizes homelessness as a crucial problem in the County and will consider contributing to future affordable housing projects that will house the homeless. The City is in discussion to create its first 100% permanent supporting housing project in Milpitas.

Affordable Housing Ordinance

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

Density Bonus Ordinance

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

Below Market Rate Ownership

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

Fair Housing

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

Actions planned to reduce lead-based paint hazards

The County of Santa Clara has received funding from State's Department of Health Service and Federal Government for Center for Disease Control to implement a Childhood Lead Poisoning Prevention

Program. The funded programs include community outreach screen, case management and public education to inform low-to-moderate income and older communities. The project will then follow up with environmental testing, lead-based education, blood-lead testing for children, hazard reduction grants and follow up with monitoring and testing.

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

Actions planned to reduce the number of poverty-level families

The City of Milpitas will follow these actions:

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

Actions planned to develop institutional structure

The City is striving to improve intergovernmental and private sector cooperation to synergize efforts and resources and develop new revenues for community service needs and the production of affordable housing. Collaborative efforts include:

- Regular monthly meetings between entitlement jurisdictions at the CDBG Coordinators Meeting

and Regional Housing Working Group

- Joint jurisdiction Request for Proposals and project review committees
- Coordination on project management for projects funded by multiple jurisdictions.

Actions planned to enhance coordination between public and private housing and social service agencies

The City benefits from a strong jurisdiction and region-wide network of housing and community development partners, such as the County and the CoC. To improve intergovernmental and private sector cooperation, the City will continue to participate with other local jurisdictions and developers in sharing information and resources.

Discussion:

Please see discussion above.

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I) (1, 2, 4)

Introduction:

The City of Milpitas only receives CDBG funds and will receive the following program income for FY23-24.

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	\$594,882.86
5. The amount of income from float-funded activities	0
Total Program Income:	\$594,882.86

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	90.00%



City of Milpitas

DRAFT CONSOLIDATED PLAN

Fiscal Year 2023-2024



Draft for May 2, 2023

FY2022-25 Consolidated Plan

Executive Summary

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

1. Introduction

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

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

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

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

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

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

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

3. Evaluation of past performance

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

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

4. Summary of citizen participation process and consultation process

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

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

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

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

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

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

The CDBG allocations were published on May 13, 2022. After the CDBG allocations were published, the City notified its residents and active CDBG community that the second public hearing to discuss the FY2022-25 Consolidated Plan goals and funding allocations for FY2022-23 Community Development Block Grant and corresponding Annual Action Plan would be held on June 14, 2022.

On June 14, 2022, the City held the second public hearing. Nine (9) public comments were heard from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

5. Summary of public comments

At the December 1, 2021, Community Advisory Commission meeting, staff provided a brief presentation on the fiscal year 2022-2024 CDBG Consolidated Plan process, including an overview of the results of the Consolidated Plan Community Survey, and a timeline of events for the upcoming fiscal year. Seven consultants from various public and private agencies that provide housing, health services, and other social services provided comments to the Commission. One member of the community provided public comment to the Commission in support of the services discussed during the meeting.

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

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

On June 14, 2022, the City held the second public hearing. Nine (9) public comments were heard from prospective applicants summarizing their proposed activities and how their activities would benefit Milpitas residents.

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

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

7. Summary

It is the City's intent that the FY22-25 Consolidated Plan will help improve the quality of life for the residents in the City of Milpitas. By providing residents and stakeholders with the ability to communicate how the CDBG funds should be allocated and prioritized, we believe the CDBG funds will be allocated in the best interest of the City's low- and moderate-income residents.

The Process

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

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

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

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

Table 1 – Responsible Agencies

Narrative

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

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

Consolidated Plan Public Contact Information

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

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

1. Introduction

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Table 2 – Agencies, groups, organizations who participated

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

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

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

Agency/Group/Organization Type	Housing Services-Children Services-Victims of Domestic Violence Services-Health
What section of the Plan was addressed by Consultation	Homeless Needs – Families with Children Non-Homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.
Agency/Group/Organization	Terrace Gardens
Agency/Group/Organization Type	Emergency Management
What section of the Plan was addressed by Consultation	Non-homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Housing staff conducted a one-on-one meeting with the City's Emergency Management Coordinator. The coordinator expressed a desire to more regularly attend community meetings to provide guidance on various issues regarding community emergency response.
Agency/Group/Organization	City of Milpitas – Emergency Management Coordinator
Agency/Group/Organization Type	Housing Services-Elderly Persons
What section of the Plan was addressed by Consultation	Housing Needs Assessment Non-homeless Special Needs
How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Agency attended Community Advisory Commission meeting for community input for the Consolidated Plan Update and CDBG input. The organization provided input and prioritizing needs within the community.

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

The City did not speak with the County of Santa Clara Office of Emergency Management and Santa Clara Valley Water District. The primary rationale was the lack of staff resources. The City of Milpitas had only one full time employee in the entire housing division from October 2021 – April 2022. The City's primary reason for producing a three-year Consolidated Plan was to align our Consolidated Plan start and end dates with the other cities in our region. Further, we'd ensure that any future Consolidated Plan would be created in collaboration with those regional partners and as those partners allocate resources to hire consultants that produce a Consolidated Plan, Milpitas would similarly contribute.

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

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

Table 3 – Other local / regional / federal planning efforts

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

The City meets weekly with our regional partners on a Housing CDBG Coordinator's meeting. The purpose of these meetings is to receive updates on local initiatives and to receive timely guidance on any CDBG/Housing related issues we're experiencing.

Narrative (optional):

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

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

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

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

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

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

The City did not publish the notices of public hearings in any alternate languages to accommodate residents with limited English proficiency. The City is planning to begin publishing the notices in alternate languages during the program year.

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

Date	Organization	Action
December 1, 2021	Community Advisory Commission	Public Meeting/Presentation
March 3, 2022	Community Advisory Commission	Public Meeting/Presentation
April 5, 2022	Milpitas City Council	Public Hearing/Presentation
June 14, 2022	Milpitas City Council	Public Hearing/Presentation

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/ attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
1	News-paper ad	Non-targeted/broad community	Opening the application period	No comments were received	n/a	
2	Internet/Social Media Outreach	Broad community	32 responses	The City created a Consolidated Plan community survey to obtain citizen and stakeholder input and comments for the development of the Consolidated Plan. A total of 32 responses were received.	n/a	https://www.ci.milpitas.ca.gov/wp-content/uploads/2021/12/2022-2024-community-development-block-grant_results.pdf
3	Public Meeting (CAC)	Non-targeted/broad community	20 Attendees	Seven consultants from various public and private agencies that provide housing, health services, and other social services provided comments to the Commission. One member of the community provided public comment to the Commission in support of the services discussed during the meeting.	n/a	https://www.milpitas.gov/_pdfs/Commissions/cac/2021/120121/minutes.pdf
4	Public Meeting (CAC)	Non-targeted/broad community	10 Attendees	No comments were received	n/a	https://www.milpitas.gov/_pdfs/Commissions/cac/2022/020222/minutes.pdf
5	Public Meeting (CAC)	Non-targeted/broad community	30 Attendees	The Commission heard 19 comments from the applicants. Each Commissioner then provided their feedback on priorities and goals the Council should consider funding with CDBG funds. One public comment requested consideration for disabled individuals when considering upgrades to the City's parks.	n/a	https://www.milpitas.gov/_pdfs/Commissions/cac/2022/030222/minutes.pdf

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

Table 4 – Citizen Participation Outreach

Needs Assessment

NA-05 Overview

Needs Assessment Overview

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

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

Methodology

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

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

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

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

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

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

NA-10 Housing Needs Assessment

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

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

NA-15 Disproportionately Greater Need: Housing Problems

NA-20 Disproportionately Greater Need: Severe Housing Problems

NA-25 Disproportionately Greater Need: Housing Cost Burden

NA-35 Public Housing

NA-40 Homeless Needs Assessment

NA-45 Non-Homeless Special Needs Assessment

NA-50 Non-Housing Community Development Needs

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

Summary of Housing Needs

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

Table 5 - Housing Needs Assessment Demographics

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

Number of Households Table

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

Table 6 - Total Households Table

Data Source: 2013-2017 CHAS

Housing Needs Summary Tables

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

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

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

Table 7 – Housing Problems Table

Data 2013-2017 CHAS
Source:

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

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

Table 8 – Housing Problems 2

Data 2013-2017 CHAS
Source:

3. Cost Burden > 30%

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

Table 9 – Cost Burden > 30%

Data 2013-2017 CHAS
Source:

4. Cost Burden > 50%

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

Table 10 – Cost Burden > 50%

Data 2013-2017 CHAS
Source:

5. Crowding (More than one person per room)

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

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

Table 11 – Crowding Information – 1/2

Data 2013-2017 CHAS
Source:

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

Table 12 – Crowding Information – 2/2

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

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

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

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

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

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

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

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

What are the most common housing problems?

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

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

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

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

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

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

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

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

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

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

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

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

Discussion

See above.

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

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

Introduction

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

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

0%-30% of Area Median Income

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

Table 13 - Disproportionally Greater Need 0 - 30% AMI

Data 2013-2017 CHAS
Source:

*The four housing problems are:

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

30%-50% of Area Median Income

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

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

Table 14 - Disproportionally Greater Need 30 - 50% AMI

Data 2013-2017 CHAS
Source:

*The four housing problems are:

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

50%-80% of Area Median Income

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

Table 15 - Disproportionally Greater Need 50 - 80% AMI

Data 2013-2017 CHAS
Source:

*The four housing problems are:

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

80%-100% of Area Median Income

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

Table 16 - Disproportionally Greater Need 80 - 100% AMI

Data 2013-2017 CHAS
Source:

*The four housing problems are:

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

Discussion

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

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

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

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

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

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

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

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

The groups disproportionately affected by housing problems include:

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

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

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

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

Introduction

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

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

0%-30% of Area Median Income

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

Table 17 – Severe Housing Problems 0 - 30% AMI

Data 2013-2017 CHAS
Source:

*The four severe housing problems are:

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

30%-50% of Area Median Income

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

Table 18 – Severe Housing Problems 30 - 50% AMI

Data 2013-2017 CHAS
Source:

*The four severe housing problems are:

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

50%-80% of Area Median Income

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

Table 19 – Severe Housing Problems 50 - 80% AMI

Data 2013-2017 CHAS
Source:

*The four severe housing problems are:

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

80%-100% of Area Median Income

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

Table 20 – Severe Housing Problems 80 - 100% AMI

Data 2013-2017 CHAS
Source:

*The four severe housing problems are:

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

Discussion

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

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

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

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

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

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

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

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

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

The groups disproportionately affected by severe housing problems include:

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

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

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

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

Introduction:

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

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

Housing Cost Burden

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

Table 21 – Greater Need: Housing Cost Burdens AMI

Data Source: 2013-2017 CHAS

Discussion:

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

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

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

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

The groups disproportionately affected by housing problems include:

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

The groups disproportionately affected by severe housing problems include:

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

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

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

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

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

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

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

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

No

NA-35 Public Housing – 91.205(b)

Introduction

Totals in Use

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

Table 22 - Public Housing by Program Type

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

Data Source: PIC (PIH Information Center)

Characteristics of Residents

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

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

Table 23 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Race of Residents

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

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

Table 24 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

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

Table 25 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

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

This data is not available for Milpitas.

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

Finding landlords that will accept a voucher.

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

This data is not available for Milpitas.

Discussion

See above

NA-40 Homeless Needs Assessment – 91.205(c)

Introduction:

The tables below provide demographic data on homelessness in Milpitas.

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

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

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

Nature and Extent of Homelessness: (Optional)

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

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

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

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

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

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

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

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

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

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

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

Discussion:

See above

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

Introduction:

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

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

Describe the characteristics of special needs populations in your community:

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

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

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

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

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

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

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

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

n/a

Discussion:

See above

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

Describe the jurisdiction's need for Public Facilities:

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

How were these needs determined?

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

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

Describe the jurisdiction's need for Public Improvements:

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

How were these needs determined?

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

Describe the jurisdiction's need for Public Services:

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

How were these needs determined?

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

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

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

Introduction

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

All residential properties by number of units

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

Table 26 – Residential Properties by Unit Number

Data Source: 2013-2017 ACS

Unit Size by Tenure

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

Table 27 – Unit Size by Tenure

Data Source: 2013-2017 ACS

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

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

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

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

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

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

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

Describe the need for specific types of housing:

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

Discussion

See above

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

Introduction

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

Cost of Housing

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

Table 28 – Cost of Housing

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

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

Table 29 - Rent Paid

Data Source: 2013-2017 ACS

Housing Affordability

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

Table 30 – Housing Affordability

Data Source: 2013-2017 CHAS

Monthly Rent

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

Table 31 – Monthly Rent

Data Source: HUD FMR and HOME Rents

Is there sufficient housing for households at all income levels?

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

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

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

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

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

Discussion

See above

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

Introduction

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

Definitions

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

Condition of Units

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

Table 32 - Condition of Units

Data Source: 2013-2017 ACS

Year Unit Built

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

Table 33 – Year Unit Built

Data Source: 2013-2017 CHAS

Risk of Lead-Based Paint Hazard

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

Table 34 – Risk of Lead-Based Paint

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

Vacant Units

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

Table 35 - Vacant Units

Need for Owner and Rental Rehabilitation

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

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

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

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

Discussion

See above

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

Introduction

The city current does not have any public housing developments.

Totals Number of Units

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

Table 36 – Total Number of Units by Program Type

Data PIC (PIH Information Center)
Source:

Describe the supply of public housing developments:

n/a

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

n/a

Public Housing Condition

Public Housing Development	Average Inspection Score

Table 37 - Public Housing Condition

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

n/a

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

n/a

Discussion:

n/a

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

Introduction

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

Facilities and Housing Targeted to Homeless Households

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

Table 38 - Facilities and Housing Targeted to Homeless Households

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

Mainstream services that complement services targeted to homeless persons include:

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

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

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

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

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

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

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

Introduction

This section describes facilities and services for the special needs communities

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

Elderly, Frail Elderly, and Persons with Disabilities

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

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

The City does not directly provide supportive housing services for persons returning from mental and physical health institutions. The City partners with the Santa Clara County Continuum of Care to implement these services. The Santa Clara County Community Plan to End Homelessness 2020-2024 details a three-part strategy to end homelessness in the County. Strategy 1, addressing the root causes of homelessness through system and policy change addresses the needs of the most vulnerable, including persons returning from mental and physical health institutions. Strategy 2, expanding homelessness prevention and housing programs to meet the need and strategy 3, improve the quality of life for unsheltered individuals and create healthy neighborhoods for all aim to expand the access to supporting housing services for very vulnerable residents.

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

For FY2022-23, the City Council allocated \$150,000 to LifeMoves, a homeless shelter provider located in San Jose, CA who provides services and shelter space to Milpitas residents.

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

See above

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

Negative Effects of Public Policies on Affordable Housing and Residential Investment

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

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

Introduction

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

Economic Development Market Analysis

Business Activity

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

Table 39 - Business Activity

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

Labor Force

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

Table 40 - Labor Force

Data Source: 2013-2017 ACS

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

Table 41 – Occupations by Sector

Data Source: 2013-2017 ACS

Travel Time

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

Table 42 - Travel Time

Data Source: 2013-2017 ACS

Education:

Educational Attainment by Employment Status (Population 16 and Older)

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

Table 43 - Educational Attainment by Employment Status

Data Source: 2013-2017 ACS

Educational Attainment by Age

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

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

Table 44 - Educational Attainment by Age

Data Source: 2013-2017 ACS

Educational Attainment – Median Earnings in the Past 12 Months

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

Table 45 – Median Earnings in the Past 12 Months

Data Source: 2013-2017 ACS

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

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

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

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

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

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

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

Describe the workforce and infrastructure needs of the business community:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Discussion

See above

MA-50 Needs and Market Analysis Discussion

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

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

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

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

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

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

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

Are there any community assets in these areas/neighborhoods?

n/a

Are there other strategic opportunities in any of these areas?

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

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

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

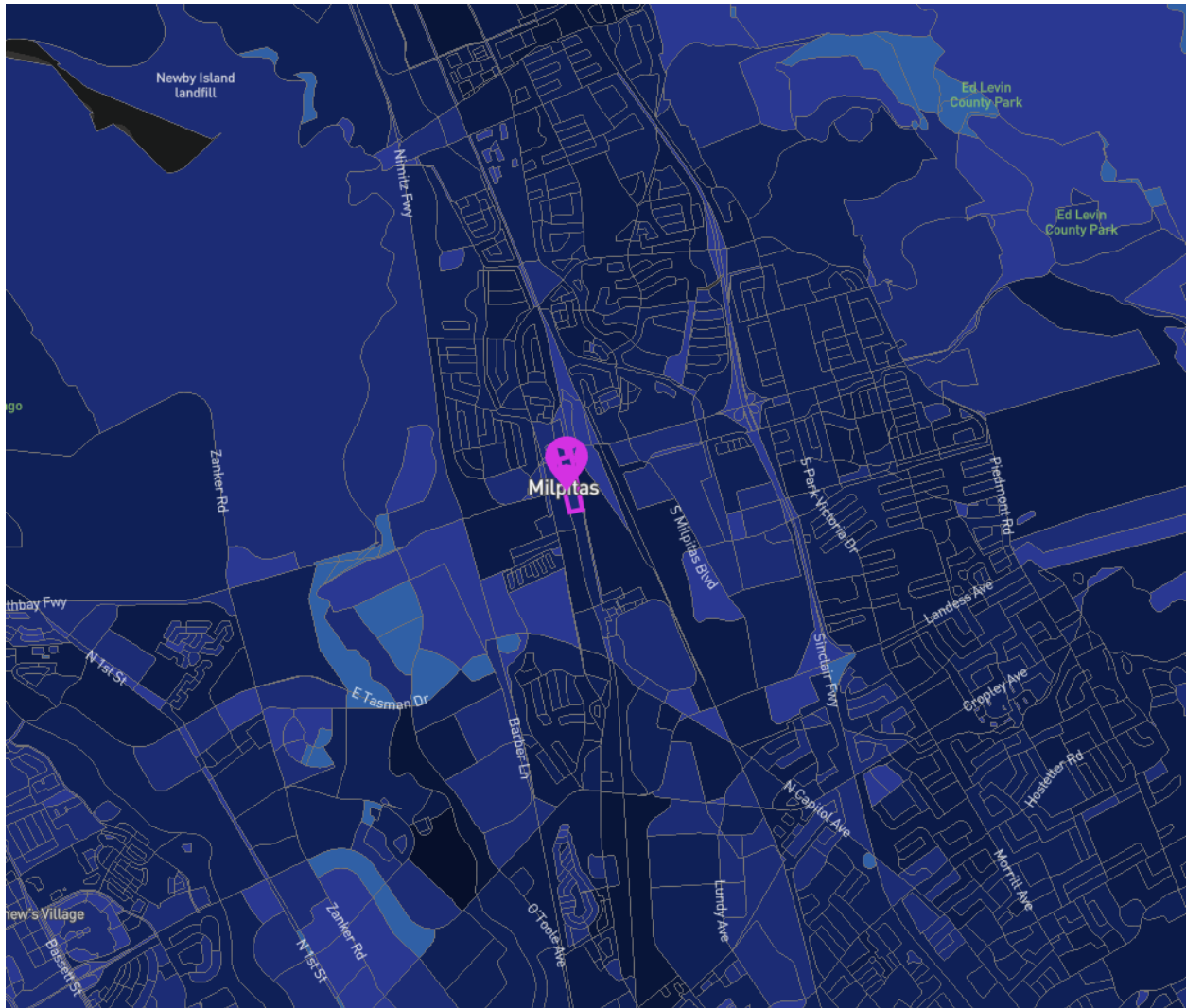
Access to technology is fundamental for low- and moderate-income households and neighborhoods. The need to adopt to modern technology is rooted in one's ability to be connected. Lack of broadband creates a distinct disadvantage in a world where every day tasks continue to be migrated online. These disparities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

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

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

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

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



All Providers Reporting Service



Census block ID: 060855045044022

Number of Fixed Residential Broadband Providers



Broadband



Technology ADSL, Cable, Fiber, Fixed Wireless, Satellite, Other
Speed $\geq 25/3$ Mbps
Date Dec. 2020 (*latest public release*)

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

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

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

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

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

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

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

Strategic Plan

SP-05 Overview

Strategic Plan Overview

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

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

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

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

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

Geographic Area

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

Table 46 - Geographic Priority Areas

General Allocation Priorities

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

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

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

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

Priority Needs

Table 47 – Priority Needs Summary

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

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

Narrative (Optional)

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

Influence of Market Conditions

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

Table 48 – Influence of Market Conditions

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

Introduction

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan	Narrative Description
			Annual Allocation	Program Income	Prior Year Resources	Total		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	\$660,781	\$8,959	\$0	\$669,740	\$1,980,000	<u>Resources in the amount of \$594,882.86 was received from past Rehab Loan that will be used in the second year of the Con Plan to start up Rehab Loan Program.</u>

Table 49 - Anticipated Resources

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

Not applicable, the City does not match federal funds.

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

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

Discussion

See above

SP-40 Institutional Delivery Structure – 91.215(k)

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

Responsible Entity	Responsible	Role	Geographic
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Consolidated Plan

MILPITAS

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

Assess of Strengths and Gaps in the Institutional Delivery System

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

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

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

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

Table 50 - Homeless Prevention Services Summary

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

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

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

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

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

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

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

SP-45 Goals Summary – 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Maintain and Preserve Existing Housing	2022	2024	Affordable Housing Non-Homeless Special Needs	Citywide	Affordable Housing Development and Preservation	\$1,294.882.86700,000	1590 Homeowner housing rehabilitated
2	New Affordable Housing	2022	2024	Affordable Housing	Citywide	Availability/Accessibility	\$50,000	50 Rental units constructed
3	Affordable Housing Rental Rehabilitation	2022	2024	Non-Housing Community Development	Citywide	Affordable Housing Development and Preservation	\$100,000	148 Homeowner housing rehabilitated
4	Community Funding/Public Services	2022	2024	Homeless Non-Homeless Special Needs	Citywide	Community Services	\$150,000	500 persons assisted - Public service activities other than LMI housing benefit
5	Public services for low- and moderate-income residents at risk of eviction	2022	2024	Homeless Non-Homeless Special Needs	Citywide	Community Services	\$50,000	20 households assisted - Public service activities for LMI housing benefit
6	Fair Housing	2022	2024	Affordable Housing	Citywide	Community Services	\$150,000	

				Non-Homeless Special Needs				60 persons assisted - Public service activities other than LMI housing benefit
7	Public Services for Children and Youth	2022	2024	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	\$45,000	50 persons assisted - Public service activities other than LMI housing benefit
8	Public Services for Seniors	2022	2024	Non-Homeless Special Needs Non-Housing Community Development	Citywide	Community Services	\$210,000	1250 persons assisted - Public service activities other than LMI housing benefit
9	Public Services for Domestic Violence support	2022	2024	Non-Homeless Special Needs	Citywide	Community Services	\$75,000	80 persons assisted - Public service activities other than LMI housing benefit
10	Public Improvements including accessibility and improving public facilities	2022	2024	Non-Housing Community Development	Citywide	Community Services	\$450,000	1000 persons assisted - Public facility or infrastructure activities for LMI housing benefit
11	Assist Microenterprises and Small Businesses	2022	2024	Non-Housing Community Development	Citywide	Economic Development	\$50,000	50 Businesses assisted
12	Explore the use of HUD Section 108 Loan Guarantee Program	2022	2024	Affordable Housing Non-Housing Community Development	Citywide	Community Services Economic Development	N/A	N/A

Table 51 – Goals Summary

Goal Descriptions

1	Goal Name	Maintain and Preserve Existing Housing
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	Goal Description	Maintain and preserve existing housing for LMI Households
2	Goal Name	New Affordable Housing
	Goal Description	Create new affordable housing
3	Goal Name	Affordable Housing Rental Rehabilitation
	Goal Description	Affordable housing rehabilitation to benefit LMI households
4	Goal Name	Community Funding/Public Services
	Goal Description	Support public services activities to benefit members of the community
5	Goal Name	Public services for low- and moderate-income residents at risk of eviction
	Goal Description	Support public services activities to benefit members of the community at risk of eviction
6	Goal Name	Fair Housing
	Goal Description	Provide fair housing services to benefit LMI individuals
7	Goal Name	Public Services for Children and Youth
	Goal Description	Provide public services activities to LMI children
8	Goal Name	Public Services for Seniors
	Goal Description	Provide public services activities to LMI seniors
9	Goal Name	Public Services for Domestic Violence support
	Goal Description	Support public services activities to benefit LMI individuals
10	Goal Name	Public Improvements including accessibility and improving public facilities
	Goal Description	Provide accessibility and access to public facilities such as homeless and domestic violence shelters to benefit LMI individuals
11	Goal Name	Assist Microenterprises and Small Businesses
	Goal Description	Support activities that support microenterprises and small businesses to benefit LMI households
12	Goal Name	Explore the use of HUD Section 108 Loan Guarantee Program
	Goal Description	Support activities that assist in addressing the Affordable Housing Development and Preservation& Economic Development goals with the use of Section 108 funds.

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

The three-year Consolidated Plan estimates to provide affordable housing as defined by HOME to 148 renter households, 100 homeowner households, as well as assisting in the construction of 50 affordable rental units. That is a total of 298 households. The estimated breakdown of affordability will be as follows:

ELI: 180

LI: 80

MOD: 38

The City's goal is to assist the lowest income residents as these residents tend to experience housing insecurity more disproportionately.

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

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

n/a

Activities to Increase Resident Involvements

n/a

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

no

Plan to remove the ‘troubled’ designation

n/a

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

Barriers to Affordable Housing

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

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

Resolution No. 8523

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

Affordable Housing Ordinance

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

Density Bonus Ordinance

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

Below Market Rate Ownership

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

Fair Housing

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

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

SP-60 Homelessness Strategy – 91.215(d)

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

In October 2020, the City Council endorsed the 2020-2024 Santa Clara County Plan to End Homelessness. On November 10, 2020, the City Council approved and authorized staff to enter into an agreement for homeless outreach, assessment, and street-based case management services with Santa Clara County. In December 2020, the City Council authorized staff to contract with Project WeHope to provide mobile shower and laundry services in Milpitas. The City Council also established a Homelessness Task Force, who will be responsible for providing low cost homeless response suggestions to the City Council. The City's Building Safety and Housing team will continue to explore resources that can further benefit the homeless population in Milpitas.

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

Addressing the emergency and transitional housing needs of homeless persons

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

CDBG Funded

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

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

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

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

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

Milpitas does not currently have an institutional discharge policy. The City collaborates with the Santa Clara County CoC, who recently updated their Quality Assurance Standards to include a homeless discharge coordination policy.

The County CoC endeavors to provide guidance and resources to those released from institutions. The discharge policy includes access to reentry resource centers where, for example, an VI-SPIDAT could be administered. The VI-SPIDAT measures the acuity level of an individual and is used to inform what type of support or housing needs are required. It also serves as the entry point for access to other resources or supportive services, such as residential or outpatient treatment, transitional housing, or emergency shelter access.

CDBG and City Local Funds

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

these low to extremely low-income seniors.

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

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

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

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

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

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

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

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

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

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

The City of Milpitas will follow these actions:

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

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

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

SP-80 Monitoring – 91.230

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

At this time, the city does not have a documented monitoring process or procedure. The City's goal is to create these detailed standards and procedures during program year 2022.

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



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution Approving the Fiscal Year 2023-24 User and Regulatory Fee Schedule (Staff Contact: Lauren Lai, Finance Director, 408-586-3111)
Category:	Public Hearings-Leadership and Support Services
Meeting Date:	4/18/2023
	<u>Recommendation:</u> Adopt a resolution approving the Fiscal Year 2023-24 User and Regulatory Fee Schedule

Background:

Consistent with Council adopted fiscal policy regarding user fees, staff is bringing forward the attached User and Regulatory Fee Schedule for Fiscal Year 2023-24 for Council consideration and adoption. Per the fiscal policy, all fees were reviewed for potential adjustments to recover up to the full cost of services provided.

The City's User and Regulatory Fee Schedule identifies fees for services and activities provided at the request of, or on behalf of, a single party as opposed to the public at large. Examples of user and regulatory fees collected by the City of Milpitas and municipalities throughout California include, but are not limited to:

- **Planning Fees**, such as entitlement review and review for compliance with the zoning code
- **Building Fees**, such as permitting of new construction or modifications to existing structures
- **Engineering Fees**, such as map review, encroachment permitting, and public improvement review
- **Utility Fees**, such as requests for sewer lateral inspections, and restoration of discontinued service
- **Police Fees**, such as vehicle impound and false alarm response
- **Animal Regulation Fees**, such as licensing and impound fees
- **Fire Fees**, such as annual inspections and construction review to ensure compliance with the fire code
- **Recreation Fees**, such as program participation fees, and facility rental fees
- **Administrative Fees**, such as license application review fees

User and regulatory fees specifically exclude:

- Taxes
- Assessments
- Franchise Fees
- Development Impact Fees
- Fines or Penalties
- Utility Rates and Services Charges

User and regulatory fees are established by the City Council. The fee schedule was most recently comprehensively updated on April 19, 2022.

The fee schedule is reviewed annually by City staff as part of the normal course of operations. Typically, a cost of service study is completed every three to five years with incremental updates occurring in the years in between comprehensive studies. This update represents an interim year update with minor, incremental, changes proposed that incorporate feedback received during prior fee studies and feedback received subsequent to adoption of the City's current schedule of fees.

Analysis:

During interim years (i.e., during years in between comprehensive fee studies) the City Council has authorized inflationary adjustments to fees. The inflationary adjustments are based on the estimated average annual increase in total employee compensation costs, with distinct averages calculated for employees commonly classified as miscellaneous employees and employees commonly classified as safety employees. If the estimated average employee compensation costs do not change or go down, no change shall be made to the fee schedule for that year unless an adjustment is made to targeted cost recovery levels or fee study findings indicate that an adjustment is appropriate. The City's annual budgeting process includes forecast adjustments to City operating costs. For FY 2023/24, wages for each employee category increased as follows:

- Miscellaneous Employee Compensation increased by 2.15%
- Safety Employee Compensation increased by 4.73%

Based on these changes to compensation costs:

- Non-safety related fees are proposed to increase by 2.15%
- Safety related fees are proposed to increase by 4.73%

*There may be instances of rounding that result in adjustments different than amounts listed above

In addition to the inflationary adjustments, several minor changes are proposed to enhance fee schedule clarity, recalibrate fees to the City's current costs of service, and comply with State of California limitations for various fees. Discrete fee adjustments included:

Development Related Fees

- Add footnote clarifying policy for refunding of building permit fees for projects commenced, but not completed.
- Reflect State limitations for mobile home permit fees.
- Clarify application of fees for amendments/modifications to an existing permit.

Police Fees

Establish fee for application review and issuance of license to carry a firearm (i.e., concealed weapon permit) as governed by California Penal Code Sections 26150-26225. As directed in the Penal Code the sheriff of a county may issue a license or may authorize the chief or other head of a municipal police department of a city to process applications for licenses, renewals of licenses, or amendments to licenses pursuant to the provisions of the California Penal Code. The proposed fees align to amounts established by the County Sheriff and do not exceed the City's cost of service.

Public Works Fees

Establish cost recovery fee for backflow testing conducted by the City.

Recreation Fees

On March 16, 2021, the Mayor and City Council adopted a Cost Recovery Policy (Policy) for the Recreation and Community Services Department (Department). The purpose of this policy is to establish cost recovery targets for the services provided by the Department and to provide direction to staff on the level of funding for services that will be achieved through generated revenues versus those covered from the general fund or other revenue sources. The policy goal is for the department to achieve an average of 40% total cost recovery for recreation and community services programs and services. Policy targets and goals provide guidance to staff and the City Council during the annual fee review and fee schedule adoption process.

The Policy groups fees into three different categories according to the level of personal benefit received as follows:

- Category A Program/Services: These programs and services have high personal/individual benefit and should have no or limited subsidy. This category includes programs that are principally of personal

benefit with little public benefit and may include high-demand programs. Collectively, these programs should be targeted up to 100% cost recovery;

- Category B Programs/Services: These programs provide both individual and community benefits. Collectively, these programs should be targeted up to 50% cost recovery;
- Category C Program/Services: These programs have limited personal benefit and high public benefit. Collectively, these programs should be targeted up to 20% cost recovery;

The Department is focused on a three-year plan to achieve the appropriate cost recovery targets for all programs and services. FY 2023-24 is the first year of review and recommendation under the established policy targets. Below is a summary of key adjustments proposed for Fiscal Year 2023-2024 in each category.

- Category A: Fees for adult sports teams and advanced swim lessons are proposed for adjustment to achieve a high level of cost recovery. Additionally, while ticketed events such as the Big Bunny Scramble are not at the required 100% cost recovery, staff is proposing to hold off on any increases outside of COLA pending further evaluation this coming fiscal year. Facility rental fees meet cost recovery targets and will be evaluated for increases next fiscal year. The remaining fees in this category are at the appropriate cost recovery level so will only be receiving cost of living adjustments.
- Category B: The majority of fees in this category, such as contract classes and youth programs, meet cost recovery targets and will only be receiving a cost of living adjustment. One significant program in this category that does not meet cost recovery goals is youth sports programs. Staff will be further analyzing this fee for potential adjustments in future years.
- Category C: For this category, new fees will be established for the Alviso Adobe programming and special Community Theater performances. Additionally, slight cost of living adjustments are being proposed for the senior center membership, classes, and trips fees. Additional fees in this category will be evaluated in future years.

It should be noted that Milpitas residents 50 years and older receive a 25% discount on recreation classes and programs outside of Senior center offerings. The Milpitas Assistance Program (MAP) is also available to Milpitas Residents in low or very low-income households to offset program and service fees up to \$1,000 per year.

Recreation Fees – City Council Referrals

In addition to the above adjustments, the current proposal removes the Senior Center Fitness Room membership fees for the use of the fitness room and includes it as part of the overall Senior Center membership. This addresses an item from the City Council prioritization process (Group 2, Item 9 from the February 7, 2023, report to the Mayor and City Council).

The following additional actions in the past year have addressed prior City Council referrals:

- Reduced rates for seniors and low-income families for sports center (existing Senior discounts and MAP);
- Reduced senior center facilities deposit for auditorium/community room;
- Reduced park rental fees for Samuel Ayer high school reunion (Fee Waiver approved);
- Established a Youth scholarship fund for kids to play youth sport (completed in 2022 with \$20K fund to support Youth Sports, Naval Junior Reserve Officers' Training Corps (NJROTC), Community Service Achievement, and Academic Improvement)

Changes to Improve Fee Schedule Clarity

Historically the City has consolidated various fees, rates, and charges in a Master Fee Schedule including water and sewer service fees and charges adopted pursuant to the procedural and substantive requirements of article XIII D, section 6 of the California Constitution (also known as “Proposition 218”) and development impact fees adopted pursuant to the procedural and substantive requirements of Government Code Section 66000 et seq. (“Mitigation Fee Act”). In order to increase clarity regarding the user and regulatory fees governed by this resolution and ensure that water and sewer service fees and charges and development impact fees adopted and governed by separate actions are not inadvertently reviewed along with user and regulatory fees, these items will be identified in distinct schedules moving forward.

Policy Alternatives:

Since only minor fee adjustments are proposed, in line with the City Council’s adopted fiscal policy regarding user fees, no alternatives are recommended.

Fiscal Impact:

The anticipated revenue impact of the proposed changes is \$524,000 per year.

California Environmental Quality Act:

The fees (charges) authorized by this Resolution are statutorily exempt from environmental review under Guideline 15273 of the California Environmental Quality Act (CEQA), which provides an exemption for the establishment or modification of charges by public agencies, which the public agency finds are for the purpose of meeting operating expenses.

Recommendation:

Adopt a resolution approving the Fiscal Year 2023-24 User and Regulatory Fee Schedule.

Attachments:

1. Resolution Approving the User and Regulatory Fee Schedule for Fiscal Year 2023-24
2. Illustration of Current and Proposed Fees and Fee Schedule Changes

RESOLUTION NO. _____**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING
THE USER AND REGULATORY FEE SCHEDULE FOR FISCAL YEAR 2023-24**

WHEREAS, the City of Milpitas (the “City”) charges fees for licenses, permits, and various services provided by the City (collectively, the “Fees”); and

WHEREAS, the Fees are established to offset all, or portions of, the costs of providing the various services for which the Fees are collected; and

WHEREAS, certain of the Fees are subject to the adoption procedures set forth under Government Code section 66016, and others are subject to the procedures of Government Code section 66018; and

WHEREAS, in addition to Fees, the City’s User and Regulatory Fee Schedule also identifies various fines and penalties (the “Penalties”) for violations of applicable State or local law, including violation of a provision of any ordinance or the City’s Municipal Code; and

WHEREAS, historically the City has consolidated various fees, rates, and charges in a Master Fee Schedule including water and sewer service fees and charges adopted pursuant to the procedural and substantive requirements of article XIII D, section 6 of the California Constitution (also known as “Proposition 218”) and development impact fees adopted pursuant to the procedural and substantive requirements of Government Code Section 66000 *et seq.* (“Mitigation Fee Act”); and

WHEREAS, in order to increase clarity regarding the user and regulatory fees governed by this resolution and ensure that water and sewer service fees and charges and development impact fees adopted and governed by separate actions are not inadvertently reviewed along with user and regulatory fees, these items will be identified in distinct schedules moving forward; and

WHEREAS, water and sewer service fees and charges and development impact fees are not being considered, modified, or increased as part of this resolution; and

WHEREAS, staff recommends authorizing the Finance Director to make annual inflationary adjustments for various fees identified in the User and Regulatory Fee Schedule; and

WHEREAS, inflationary adjustments will be based on the estimated average annual increase in total employee compensation costs, with distinct averages calculated for employees commonly classified as miscellaneous employees and employees commonly classified as safety employees; and

WHEREAS, if the estimated average employee compensation costs do not change or go down, no change shall be made to the fee schedule for that year unless an adjustment is made to targeted cost recovery levels or fee study findings indicate that an adjustment is appropriate; and

WHEREAS, the City Council now wishes to adopt the updated User and Regulatory Fee Schedule set forth in Exhibit 1 hereto; and

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

1. The above Recitals are true and correct and by this reference incorporated herein.
2. The City Council hereby approves the User and Regulatory Fee Schedule included herewith as **Exhibit 1**. The fees and penalties adopted pursuant to this Resolution shall supersede any prior fees, charges, penalties, or other exactions imposed by resolution or otherwise by the City Council, to the extent such prior fees, charges, penalties, or other exactions conflict with the Fees and Penalties set forth in Exhibit 1 hereto.
3. 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. Based upon such consideration, the City Council finds and determines that:
 - (a) The Fees established by this Resolution:
 - (1) are imposed for a specific government service provided directly to the payor, or for reasonable regulatory costs of the City for issuing licenses and permits, performing investigations, inspections, and administrative enforcements of the City's Municipal Code or other rules or ordinances;
 - (2) are no more than necessary to cover the reasonable costs of the governmental activity for which the Fee is imposed; and
 - (3) are collected and allocated to a payor in a manner that bears a fair or reasonable relationship to the payor's burdens on, or benefits received from, the governmental activity for which the Fee is imposed.
 - (b) The Penalties established by this resolution are imposed for a violation of applicable State or local law, including violation of an ordinance of the City or the Municipal Code, and persons upon whom the Penalty is imposed have adequate rights to appeal such penalty under the Municipal Code.
 - (c) The Fees and Penalties are not taxes within the meaning of California Constitution article XIII C, section 1(e).
4. The Finance Director has authority to make annual inflationary adjustments for various fees identified in the Master Fee Schedule based on the estimated average annual increase in total employee compensation costs, with distinct averages calculated for employees commonly classified as miscellaneous employees and employees commonly classified as safety employees. If the estimated average employee compensation costs do not change or go down, no change shall be made to the fee schedule for that year unless an adjustment is made to targeted cost recovery levels or fee study findings indicate that an adjustment is appropriate.
5. The inflationary changes authorized by this Resolution do not apply to the rates for water and sewer service fees and charges. These rates and charges are

established pursuant to the procedural and substantive requirements of article XIII D, section 6 of the California Constitution (also known as "Proposition 218"). Any reference to rates for water and sewer service fees and charges are included in the User and Regulatory Fee Schedule for information purposes only and are not considered, modified, or "increased" as such term is defined under Government Code section 53750 as part of the City's fee schedule update.

6. The inflationary changes authorized by this Resolution do not apply to development impact fees. These fees are established pursuant to the procedural and substantive requirements of Government Code Section 66000 *et seq.* ("Mitigation Fee Act"). Any reference to the development impact fees are included in the User and Regulatory Fee Schedule for information purposes only and are not considered, modified, or "increased" as part of the City's fee schedule update.
7. The updated User and Regulatory Fee Schedule will become effective July 1, 2023.

PASSED AND ADOPTED this _____ day of _____, 2023 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Michael Mutalipassi, City Attorney

Exhibit 1



Illustration of Current and Proposed Fees
Effective Fiscal Year 2023-24

City of Milpitas
USER AND REGULATORY ~~MASTER~~ FEE SCHEDULE

Services / Activities / Subject Matter	Page
BUILDING	3
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City of Milpitas

BUILDING SAFETY AND HOUSING - CONSTRUCTION

New Construction, Tenant Improvements, Remodels

			FY 22/23 Fee		FY 22/23 Fee		FY 23/24 Fee		FY 23/24 Fee			
			Plan Review		Inspection		Plan Review		Inspection			
Occupancy Classification		Threshold SqFt	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Percent Change	Y'rly Infl'tr
1	Single-Family, Two-Family, Additional Dwelling Units / Remodels	100	\$ 272.78		\$ 446.61		\$ 278.65		\$ 456.21		2.15%	Y
		200	\$ 390.83		\$ 669.91		\$ 399.24		\$ 684.32		2.15%	Y
		300	\$ 567.91		\$ 893.22		\$ 580.12		\$ 912.42		2.15%	Y
		400	\$ 1,040.10		\$ 1,228.18		\$ 1,062.47		\$ 1,254.58		2.15%	Y
		500	\$ 1,276.20	\$ 160.80	\$ 1,786.44	\$ 178.64	\$ 1,303.64	\$ 164.26	\$ 1,824.84	\$ 182.48	2.15%	Y
		1,000	\$ 2,080.21	\$ 188.88	\$ 2,679.65	\$ 178.64	\$ 2,124.93	\$ 192.94	\$ 2,737.27	\$ 182.48	2.15%	Y
		1,500	\$ 3,024.61	\$ 188.88	\$ 3,572.87	\$ 267.97	\$ 3,089.63	\$ 192.94	\$ 3,649.69	\$ 273.73	2.15%	Y
		2,000	\$ 3,969.00	\$ 160.80	\$ 4,912.70	\$ 357.29	\$ 4,054.33	\$ 164.26	\$ 5,018.32	\$ 364.97	2.15%	Y
		2,500	\$ 4,773.01	\$ 141.66	\$ 6,699.14	\$ 357.29	\$ 4,875.63	\$ 144.71	\$ 6,843.17	\$ 364.97	2.15%	Y
		3,000	\$ 5,481.30	\$ 80.40	\$ 8,485.57	\$ 156.31	\$ 5,599.15	\$ 82.13	\$ 8,668.01	\$ 159.67	2.15%	Y
		4,000	\$ 6,285.31	\$ 94.44	\$ 10,048.70	\$ 223.30	\$ 6,420.44	\$ 96.47	\$ 10,264.75	\$ 228.11	2.15%	Y
		5,000	\$ 7,229.71	\$ 47.22	\$ 12,281.75	\$ 111.65	\$ 7,385.14	\$ 48.24	\$ 12,545.81	\$ 114.05	2.15%	Y
		Tract or Repetitive Fees:		25% of Original		Same as regular		25% of Original		Same as regular		
	Commercial / Multi-Family / Non-Residential - New Construction, Tenant Improvement, and Shell											
2	A-Assembly - New Construction	1,500	\$ 4,399.43	\$ 64.16	\$ 11,235.01	\$ 80.25	\$ 4,494.01	\$ 65.54	\$ 11,476.56	\$ 81.98	2.15%	Y
		7,500	\$ 8,248.92	\$ 91.65	\$ 16,050.01	\$ 128.40	\$ 8,426.28	\$ 93.63	\$ 16,395.09	\$ 131.16	2.15%	Y
		15,000	\$ 15,123.03	\$ 82.49	\$ 25,680.02	\$ 136.96	\$ 15,448.17	\$ 84.26	\$ 26,232.14	\$ 139.90	2.15%	Y
		30,000	\$ 27,496.41	\$ 15.28	\$ 46,224.04	\$ 57.78	\$ 28,087.59	\$ 15.60	\$ 47,217.86	\$ 59.02	2.15%	Y
		75,000	\$ 34,370.52	\$ 20.16	\$ 72,225.07	\$ 23.54	\$ 35,109.48	\$ 20.60	\$ 73,777.91	\$ 24.05	2.15%	Y
		150,000	\$ 49,493.54	\$ 33.00	\$ 89,880.08	\$ 60.14	\$ 50,557.66	\$ 33.71	\$ 91,812.51	\$ 61.43	2.15%	Y
3	A-Assembly - Tenant Improvement	500	\$ 1,650.25	\$ 72.20	\$ 3,126.26	\$ 66.99	\$ 1,685.73	\$ 73.75	\$ 3,193.48	\$ 68.43	2.15%	Y
		2,500	\$ 3,094.21	\$ 103.14	\$ 4,466.09	\$ 107.19	\$ 3,160.74	\$ 105.36	\$ 4,562.11	\$ 109.49	2.15%	Y
		5,000	\$ 5,672.72	\$ 92.83	\$ 7,145.75	\$ 114.33	\$ 5,794.69	\$ 94.82	\$ 7,299.38	\$ 116.79	2.15%	Y
		10,000	\$ 10,314.04	\$ 23.12	\$ 12,862.34	\$ 48.23	\$ 10,535.79	\$ 23.62	\$ 13,138.88	\$ 49.27	2.15%	Y
		25,000	\$ 13,782.41	\$ 38.75	\$ 20,097.41	\$ 19.65	\$ 14,078.73	\$ 39.59	\$ 20,529.50	\$ 20.07	2.15%	Y
		50,000	\$ 23,470.83	\$ 46.94	\$ 25,010.11	\$ 50.02	\$ 23,975.45	\$ 47.95	\$ 25,547.83	\$ 51.10	2.15%	Y
5	B - Business - New Construction:	1,000	\$ 4,160.42	\$ 89.81	\$ 7,815.66	\$ 83.74	\$ 4,249.87	\$ 91.74	\$ 7,983.70	\$ 85.54	2.15%	Y
		5,000	\$ 7,752.93	\$ 123.79	\$ 11,165.23	\$ 133.98	\$ 7,919.62	\$ 126.45	\$ 11,405.28	\$ 136.86	2.15%	Y
		10,000	\$ 13,942.53	\$ 110.07	\$ 17,864.36	\$ 142.91	\$ 14,242.30	\$ 112.44	\$ 18,248.45	\$ 145.99	2.15%	Y
		20,000	\$ 24,949.82	\$ 20.31	\$ 32,155.86	\$ 60.29	\$ 25,486.24	\$ 20.75	\$ 32,847.21	\$ 61.59	2.15%	Y
		50,000	\$ 31,043.71	\$ 31.93	\$ 50,243.52	\$ 29.48	\$ 31,711.15	\$ 32.62	\$ 51,323.76	\$ 30.11	2.15%	Y
		100,000	\$ 47,009.08	\$ 47.01	\$ 64,981.63	\$ 64.98	\$ 48,019.77	\$ 48.02	\$ 66,378.73	\$ 66.37	2.15%	Y

City of Milpitas

BUILDING SAFETY AND HOUSING - CONSTRUCTION

New Construction, Tenant Improvements, Remodels

			FY 22/23 Fee		FY 22/23 Fee		FY 23/24 Fee		FY 23/24 Fee			
			Plan Review		Inspection		Plan Review		Inspection			
Occupancy Classification		Threshold SqFt	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Percent Change	Y'rly Infl'tr
6	B - Business - Tenant Improvement:	500	\$ 1,594.56	\$ 69.76	\$ 3,419.35	\$ 73.27	\$ 1,628.84	\$ 71.26	\$ 3,492.87	\$ 74.85	2.15%	Y
		2,500	\$ 2,989.80	\$ 99.66	\$ 4,884.79	\$ 117.23	\$ 3,054.08	\$ 101.80	\$ 4,989.81	\$ 119.76	2.15%	Y
		5,000	\$ 5,481.30	\$ 89.69	\$ 7,815.66	\$ 125.05	\$ 5,599.15	\$ 91.62	\$ 7,983.70	\$ 127.74	2.15%	Y
		10,000	\$ 9,966.01	\$ 16.61	\$ 14,068.19	\$ 52.76	\$ 10,180.28	\$ 16.97	\$ 14,370.65	\$ 53.89	2.15%	Y
		25,000	\$ 12,457.51	\$ 21.93	\$ 21,981.54	\$ 21.49	\$ 12,725.35	\$ 22.40	\$ 22,454.15	\$ 21.96	2.15%	Y
		50,000	\$ 17,938.81	\$ 35.87	\$ 27,354.81	\$ 54.71	\$ 18,324.50	\$ 36.65	\$ 27,942.94	\$ 55.89	2.15%	Y
7	E - Education - New Construction:	500	\$ 1,871.14	\$ 81.86	\$ 4,298.61	\$ 92.11	\$ 1,911.37	\$ 83.62	\$ 4,391.03	\$ 94.09	2.15%	Y
		2,500	\$ 3,508.39	\$ 116.95	\$ 6,140.88	\$ 147.38	\$ 3,583.82	\$ 119.46	\$ 6,272.90	\$ 150.55	2.15%	Y
		5,000	\$ 6,432.05	\$ 105.25	\$ 9,825.40	\$ 157.21	\$ 6,570.34	\$ 107.51	\$ 10,036.65	\$ 160.59	2.15%	Y
		10,000	\$ 11,694.63	\$ 19.49	\$ 17,685.72	\$ 66.32	\$ 11,946.07	\$ 19.91	\$ 18,065.96	\$ 67.75	2.15%	Y
		25,000	\$ 14,618.29	\$ 25.73	\$ 27,633.94	\$ 27.02	\$ 14,932.59	\$ 26.28	\$ 28,228.07	\$ 27.60	2.15%	Y
		50,000	\$ 21,050.34	\$ 42.10	\$ 34,388.90	\$ 68.78	\$ 21,502.92	\$ 43.01	\$ 35,128.26	\$ 70.25	2.15%	Y
8	E - Education - Tenant Improvement:	100	\$ 879.89	\$ 192.47	\$ 1,563.13	\$ 167.48	\$ 898.80	\$ 196.61	\$ 1,596.74	\$ 171.08	2.15%	Y
		500	\$ 1,649.78	\$ 274.96	\$ 2,233.05	\$ 267.97	\$ 1,685.26	\$ 280.88	\$ 2,281.06	\$ 273.73	2.15%	Y
		1,000	\$ 3,024.61	\$ 247.47	\$ 3,572.87	\$ 285.83	\$ 3,089.63	\$ 252.79	\$ 3,649.69	\$ 291.98	2.15%	Y
		2,000	\$ 5,499.28	\$ 45.83	\$ 6,431.17	\$ 120.58	\$ 5,617.52	\$ 46.81	\$ 6,569.44	\$ 123.18	2.15%	Y
		5,000	\$ 6,874.10	\$ 60.49	\$ 10,048.70	\$ 49.13	\$ 7,021.90	\$ 61.79	\$ 10,264.75	\$ 50.18	2.15%	Y
		10,000	\$ 9,898.71	\$ 98.99	\$ 12,505.06	\$ 125.05	\$ 10,111.53	\$ 101.11	\$ 12,773.91	\$ 127.74	2.15%	Y
9	F - Factory - New Construction:	5,000	\$ 6,049.21	\$ 20.80	\$ 8,932.18	\$ 44.66	\$ 6,179.27	\$ 21.25	\$ 9,124.22	\$ 45.62	2.15%	Y
		25,000	\$ 10,209.63	\$ 46.86	\$ 17,864.36	\$ 107.19	\$ 10,429.14	\$ 47.87	\$ 18,248.45	\$ 109.49	2.15%	Y
		50,000	\$ 21,925.22	\$ 15.11	\$ 44,660.91	\$ 31.26	\$ 22,396.61	\$ 15.44	\$ 45,621.12	\$ 31.93	2.15%	Y
		100,000	\$ 29,480.38	\$ 8.72	\$ 60,292.23	\$ 8.19	\$ 30,114.21	\$ 8.91	\$ 61,588.51	\$ 8.36	2.15%	Y
		250,000	\$ 42,561.53	\$ 4.84	\$ 72,573.98	\$ 15.63	\$ 43,476.60	\$ 4.94	\$ 74,134.32	\$ 15.97	2.15%	Y
		500,000	\$ 54,653.60	\$ 10.93	\$ 111,652.28	\$ 22.33	\$ 55,828.65	\$ 11.16	\$ 114,052.80	\$ 22.81	2.15%	Y
10	F - Factory - Tenant Improvement:	2,000	\$ 2,330.24	\$ 19.74	\$ 2,436.05	\$ 20.30	\$ 2,380.34	\$ 20.16	\$ 2,488.42	\$ 20.74	2.15%	Y
		10,000	\$ 3,909.25	\$ 47.37	\$ 4,060.08	\$ 48.72	\$ 3,993.30	\$ 48.39	\$ 4,147.37	\$ 49.77	2.15%	Y
		20,000	\$ 8,646.30	\$ 15.69	\$ 8,932.18	\$ 16.24	\$ 8,832.19	\$ 16.03	\$ 9,124.22	\$ 16.59	2.15%	Y
		40,000	\$ 11,785.19	\$ 8.78	\$ 12,180.25	\$ 9.30	\$ 12,038.57	\$ 8.97	\$ 12,442.12	\$ 9.50	2.15%	Y
		100,000	\$ 17,055.13	\$ 5.03	\$ 17,762.86	\$ 5.08	\$ 17,421.82	\$ 5.14	\$ 18,144.76	\$ 5.18	2.15%	Y
		200,000	\$ 22,085.26	\$ 11.05	\$ 22,837.97	\$ 11.42	\$ 22,560.10	\$ 11.28	\$ 23,328.98	\$ 11.66	2.15%	Y

City of Milpitas

BUILDING SAFETY AND HOUSING - CONSTRUCTION

New Construction, Tenant Improvements, Remodels

			FY 22/23 Fee		FY 22/23 Fee		FY 23/24 Fee		FY 23/24 Fee			
			Plan Review		Inspection		Plan Review		Inspection			
Occupancy Classification		Threshold SqFt	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Percent Change	Y'rly Infl't'r
11	H - Hazardous Materials - New Construction:	1,000	\$ 4,755.84	\$ 104.03	\$ 8,792.62	\$ 94.21	\$ 4,858.09	\$ 106.27	\$ 8,981.66	\$ 96.23	2.15%	Y
		5,000	\$ 8,917.20	\$ 148.62	\$ 12,560.88	\$ 150.73	\$ 9,108.92	\$ 151.82	\$ 12,830.94	\$ 153.97	2.15%	Y
		10,000	\$ 16,348.20	\$ 133.76	\$ 20,097.41	\$ 160.78	\$ 16,699.69	\$ 136.63	\$ 20,529.50	\$ 164.24	2.15%	Y
		20,000	\$ 29,724.00	\$ 24.77	\$ 36,175.34	\$ 67.83	\$ 30,363.07	\$ 25.30	\$ 36,953.11	\$ 69.29	2.15%	Y
		50,000	\$ 37,155.00	\$ 32.70	\$ 56,523.97	\$ 27.63	\$ 37,953.84	\$ 33.40	\$ 57,739.23	\$ 28.23	2.15%	Y
		100,000	\$ 53,503.21	\$ 53.51	\$ 70,340.93	\$ 70.34	\$ 54,653.53	\$ 54.66	\$ 71,853.27	\$ 71.85	2.15%	Y
12	H - Hazardous Materials - Tenant Improvement:	1,000	\$ 2,377.92	\$ 52.02	\$ 4,689.40	\$ 50.24	\$ 2,429.05	\$ 53.14	\$ 4,790.22	\$ 51.32	2.15%	Y
		5,000	\$ 4,458.60	\$ 74.31	\$ 6,699.14	\$ 80.39	\$ 4,554.46	\$ 75.91	\$ 6,843.17	\$ 82.12	2.15%	Y
		10,000	\$ 8,174.10	\$ 66.88	\$ 10,718.62	\$ 85.75	\$ 8,349.84	\$ 68.32	\$ 10,949.07	\$ 87.59	2.15%	Y
		20,000	\$ 14,862.00	\$ 12.39	\$ 19,293.51	\$ 36.18	\$ 15,181.53	\$ 12.65	\$ 19,708.32	\$ 36.95	2.15%	Y
		50,000	\$ 18,577.50	\$ 16.35	\$ 30,146.11	\$ 14.74	\$ 18,976.92	\$ 16.70	\$ 30,794.26	\$ 15.05	2.15%	Y
		100,000	\$ 26,751.60	\$ 26.75	\$ 37,515.17	\$ 37.51	\$ 27,326.76	\$ 27.32	\$ 38,321.74	\$ 38.32	2.15%	Y
13	I - Licensed Clinics - New Construction:	2,000	\$ 2,858.70	\$ 31.27	\$ 5,861.74	\$ 31.40	\$ 2,920.17	\$ 31.94	\$ 5,987.77	\$ 32.08	2.15%	Y
		10,000	\$ 5,360.07	\$ 44.67	\$ 8,373.92	\$ 50.24	\$ 5,475.31	\$ 45.63	\$ 8,553.96	\$ 51.32	2.15%	Y
		20,000	\$ 9,826.79	\$ 40.20	\$ 13,398.27	\$ 53.59	\$ 10,038.07	\$ 41.06	\$ 13,686.34	\$ 54.75	2.15%	Y
		40,000	\$ 17,866.90	\$ 7.44	\$ 24,116.89	\$ 22.61	\$ 18,251.04	\$ 7.60	\$ 24,635.41	\$ 23.10	2.15%	Y
		100,000	\$ 22,333.62	\$ 9.83	\$ 37,682.64	\$ 9.21	\$ 22,813.79	\$ 10.04	\$ 38,492.82	\$ 9.41	2.15%	Y
		200,000	\$ 32,160.41	\$ 16.08	\$ 46,893.96	\$ 23.45	\$ 32,851.86	\$ 16.43	\$ 47,902.18	\$ 23.95	2.15%	Y
14	I - Licensed Clinics - Tenant Improvement:	1,000	\$ 1,154.62	\$ 25.26	\$ 2,442.39	\$ 26.17	\$ 1,179.44	\$ 25.80	\$ 2,494.91	\$ 26.73	2.15%	Y
		5,000	\$ 2,164.91	\$ 36.08	\$ 3,489.13	\$ 41.87	\$ 2,211.46	\$ 36.86	\$ 3,564.15	\$ 42.77	2.15%	Y
		10,000	\$ 3,969.00	\$ 32.47	\$ 5,582.61	\$ 44.66	\$ 4,054.33	\$ 33.17	\$ 5,702.64	\$ 45.62	2.15%	Y
		20,000	\$ 7,216.37	\$ 6.01	\$ 10,048.70	\$ 18.84	\$ 7,371.52	\$ 6.14	\$ 10,264.75	\$ 19.25	2.15%	Y
		50,000	\$ 9,020.46	\$ 7.94	\$ 15,701.10	\$ 7.68	\$ 9,214.40	\$ 8.11	\$ 16,038.68	\$ 7.84	2.15%	Y
		100,000	\$ 12,989.46	\$ 12.99	\$ 19,539.15	\$ 19.54	\$ 13,268.73	\$ 13.27	\$ 19,959.24	\$ 19.96	2.15%	Y
15	M - Mercantile - New Construction:	500	\$ 2,364.92	\$ 103.47	\$ 4,884.79	\$ 104.67	\$ 2,415.77	\$ 105.69	\$ 4,989.81	\$ 106.92	2.15%	Y
		2,500	\$ 4,434.23	\$ 147.81	\$ 6,978.27	\$ 167.48	\$ 4,529.57	\$ 150.99	\$ 7,128.30	\$ 171.08	2.15%	Y
		5,000	\$ 8,129.42	\$ 133.03	\$ 11,165.23	\$ 178.64	\$ 8,304.20	\$ 135.89	\$ 11,405.28	\$ 182.48	2.15%	Y
		10,000	\$ 14,780.77	\$ 24.63	\$ 20,097.41	\$ 75.37	\$ 15,098.55	\$ 25.16	\$ 20,529.50	\$ 76.99	2.15%	Y
		25,000	\$ 18,475.96	\$ 32.52	\$ 31,402.20	\$ 30.70	\$ 18,873.19	\$ 33.22	\$ 32,077.35	\$ 31.36	2.15%	Y
		50,000	\$ 26,605.38	\$ 53.22	\$ 39,078.30	\$ 78.15	\$ 27,177.39	\$ 54.36	\$ 39,918.48	\$ 79.83	2.15%	Y

City of Milpitas

BUILDING SAFETY AND HOUSING - CONSTRUCTION

New Construction, Tenant Improvements, Remodels

			FY 22/23 Fee		FY 22/23 Fee		FY 23/24 Fee		FY 23/24 Fee			
			Plan Review		Inspection		Plan Review		Inspection			
Occupancy Classification		Threshold SqFt	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Percent Change	Y'rly Infl'tr
16	M - Mercantile - Tenant Improvement:	250	\$ 1,085.94	\$ 95.02	\$ 1,953.91	\$ 83.74	\$ 1,109.28	\$ 97.06	\$ 1,995.92	\$ 85.54	2.15%	Y
		1,250	\$ 2,036.13	\$ 135.74	\$ 2,791.31	\$ 133.98	\$ 2,079.91	\$ 138.66	\$ 2,851.32	\$ 136.86	2.15%	Y
		2,500	\$ 3,732.90	\$ 122.17	\$ 4,466.09	\$ 142.91	\$ 3,813.16	\$ 124.79	\$ 4,562.11	\$ 145.99	2.15%	Y
		5,000	\$ 6,787.09	\$ 22.62	\$ 8,038.96	\$ 60.29	\$ 6,933.02	\$ 23.11	\$ 8,211.80	\$ 61.59	2.15%	Y
		12,500	\$ 8,483.87	\$ 29.86	\$ 12,560.88	\$ 24.56	\$ 8,666.27	\$ 30.51	\$ 12,830.94	\$ 25.09	2.15%	Y
		25,000	\$ 12,216.77	\$ 48.86	\$ 15,631.32	\$ 62.53	\$ 12,479.43	\$ 49.91	\$ 15,967.39	\$ 63.87	2.15%	Y
17	R-1 - Residential Hotels - New Construction:	2,000	\$ 10,580.92	\$ 115.73	\$ 26,866.33	\$ 143.93	\$ 10,808.41	\$ 118.22	\$ 27,443.96	\$ 147.02	2.15%	Y
		10,000	\$ 19,839.23	\$ 165.33	\$ 38,380.47	\$ 230.28	\$ 20,265.78	\$ 168.88	\$ 39,205.65	\$ 235.23	2.15%	Y
		20,000	\$ 36,371.93	\$ 148.79	\$ 61,408.75	\$ 245.64	\$ 37,153.92	\$ 151.99	\$ 62,729.04	\$ 250.92	2.15%	Y
		40,000	\$ 66,130.78	\$ 27.55	\$ 110,535.75	\$ 103.63	\$ 67,552.59	\$ 28.15	\$ 112,912.27	\$ 105.86	2.15%	Y
		100,000	\$ 82,663.47	\$ 36.37	\$ 172,712.12	\$ 42.22	\$ 84,440.74	\$ 37.15	\$ 176,425.43	\$ 43.13	2.15%	Y
		200,000	\$ 119,035.40	\$ 59.52	\$ 214,930.63	\$ 107.46	\$ 121,594.66	\$ 60.80	\$ 219,551.64	\$ 109.77	2.15%	Y
18	R-1 - Residential Hotels - Tenant Improvement:	500	\$ 2,515.29	\$ 110.04	\$ 6,252.53	\$ 133.98	\$ 2,569.37	\$ 112.41	\$ 6,386.96	\$ 136.86	2.15%	Y
		2,500	\$ 4,716.16	\$ 157.21	\$ 8,932.18	\$ 214.37	\$ 4,817.56	\$ 160.59	\$ 9,124.22	\$ 218.98	2.15%	Y
		5,000	\$ 8,646.30	\$ 141.48	\$ 14,291.49	\$ 228.66	\$ 8,832.19	\$ 144.53	\$ 14,598.76	\$ 233.58	2.15%	Y
		10,000	\$ 15,720.54	\$ 26.20	\$ 25,724.68	\$ 96.47	\$ 16,058.54	\$ 26.76	\$ 26,277.77	\$ 98.54	2.15%	Y
		25,000	\$ 19,650.68	\$ 34.59	\$ 40,194.82	\$ 39.30	\$ 20,073.17	\$ 35.33	\$ 41,059.01	\$ 40.15	2.15%	Y
		50,000	\$ 28,296.98	\$ 56.59	\$ 50,020.22	\$ 100.04	\$ 28,905.36	\$ 57.81	\$ 51,095.66	\$ 102.19	2.15%	Y
19	R-2 - Residential Multi-Family - New Construction:	2,000	\$ 22,132.21	\$ 11.58	\$ 34,193.51	\$ 183.18	\$ 22,608.05	\$ 11.83	\$ 34,928.67	\$ 187.12	2.15%	Y
		10,000	\$ 23,058.76	\$ 192.16	\$ 48,847.87	\$ 293.09	\$ 23,554.53	\$ 196.29	\$ 49,898.10	\$ 299.39	2.15%	Y
		20,000	\$ 42,274.40	\$ 172.94	\$ 78,156.59	\$ 312.63	\$ 43,183.30	\$ 176.66	\$ 79,836.96	\$ 319.35	2.15%	Y
		40,000	\$ 76,862.55	\$ 32.03	\$ 140,681.87	\$ 131.89	\$ 78,515.09	\$ 32.71	\$ 143,706.53	\$ 134.72	2.15%	Y
		100,000	\$ 96,078.18	\$ 42.27	\$ 219,815.42	\$ 53.73	\$ 98,143.86	\$ 43.18	\$ 224,541.45	\$ 54.89	2.15%	Y
		200,000	\$ 138,352.58	\$ 69.18	\$ 273,548.08	\$ 136.77	\$ 141,327.16	\$ 70.66	\$ 279,429.36	\$ 139.71	2.15%	Y
20	R-2 - Residential Multi-Family - Tenant Improvement:	500	\$ 3,202.12	\$ 140.09	\$ 6,838.70	\$ 146.54	\$ 3,270.97	\$ 143.10	\$ 6,985.73	\$ 149.69	2.15%	Y
		2,500	\$ 6,003.98	\$ 200.13	\$ 9,769.57	\$ 234.47	\$ 6,133.06	\$ 204.44	\$ 9,979.62	\$ 239.51	2.15%	Y
		5,000	\$ 11,007.29	\$ 180.12	\$ 15,631.32	\$ 250.10	\$ 11,243.94	\$ 183.99	\$ 15,967.39	\$ 255.48	2.15%	Y
		10,000	\$ 20,013.25	\$ 33.36	\$ 28,136.37	\$ 105.51	\$ 20,443.54	\$ 34.07	\$ 28,741.31	\$ 107.78	2.15%	Y
		25,000	\$ 25,016.56	\$ 44.03	\$ 43,963.08	\$ 42.99	\$ 25,554.42	\$ 44.98	\$ 44,908.29	\$ 43.91	2.15%	Y
		50,000	\$ 36,023.85	\$ 72.05	\$ 54,709.62	\$ 109.41	\$ 36,798.36	\$ 73.60	\$ 55,885.87	\$ 111.77	2.15%	Y

City of Milpitas

BUILDING SAFETY AND HOUSING - CONSTRUCTION

New Construction, Tenant Improvements, Remodels

			FY 22/23 Fee		FY 22/23 Fee		FY 23/24 Fee		FY 23/24 Fee			
			Plan Review		Inspection		Plan Review		Inspection			
Occupancy Classification		Threshold SqFt	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Percent Change	Y'rly Infl'tr
21	R-4 - Care / Assisted Living - New Construction:	2,000	\$ 6,459.93	\$ 70.66	\$ 14,654.36	\$ 78.51	\$ 6,598.81	\$ 72.17	\$ 14,969.43	\$ 80.19	2.15%	Y
		10,000	\$ 12,112.36	\$ 100.94	\$ 20,934.80	\$ 125.61	\$ 12,372.78	\$ 103.11	\$ 21,384.90	\$ 128.31	2.15%	Y
		20,000	\$ 22,205.99	\$ 90.84	\$ 33,495.68	\$ 133.98	\$ 22,683.42	\$ 92.80	\$ 34,215.84	\$ 136.86	2.15%	Y
		40,000	\$ 40,374.54	\$ 16.82	\$ 60,292.23	\$ 56.52	\$ 41,242.59	\$ 17.18	\$ 61,588.51	\$ 57.74	2.15%	Y
		100,000	\$ 50,468.17	\$ 22.21	\$ 94,206.61	\$ 23.03	\$ 51,553.23	\$ 22.68	\$ 96,232.05	\$ 23.52	2.15%	Y
		200,000	\$ 72,674.16	\$ 36.34	\$ 117,234.89	\$ 58.62	\$ 74,236.66	\$ 37.12	\$ 119,755.44	\$ 59.88	2.15%	Y
22	R-4 - Care / Assisted Living - Tenant Improvement:	1,000	\$ 3,146.43	\$ 68.83	\$ 7,815.66	\$ 83.74	\$ 3,214.08	\$ 70.31	\$ 7,983.70	\$ 85.54	2.15%	Y
		5,000	\$ 5,899.56	\$ 98.33	\$ 11,165.23	\$ 133.98	\$ 6,026.41	\$ 100.44	\$ 11,405.28	\$ 136.86	2.15%	Y
		10,000	\$ 10,815.87	\$ 88.49	\$ 17,864.36	\$ 142.91	\$ 11,048.41	\$ 90.40	\$ 18,248.45	\$ 145.99	2.15%	Y
		20,000	\$ 19,665.22	\$ 16.39	\$ 32,155.86	\$ 60.29	\$ 20,088.02	\$ 16.74	\$ 32,847.21	\$ 61.59	2.15%	Y
		50,000	\$ 24,581.52	\$ 21.63	\$ 50,243.52	\$ 24.56	\$ 25,110.02	\$ 22.10	\$ 51,323.76	\$ 25.09	2.15%	Y
		100,000	\$ 35,397.39	\$ 35.40	\$ 62,525.28	\$ 62.53	\$ 36,158.43	\$ 36.16	\$ 63,869.57	\$ 63.87	2.15%	Y
23	S-1 - Storage Moderate Hazard - New Construction:	1,000	\$ 3,848.11	\$ 84.18	\$ 7,327.18	\$ 78.51	\$ 3,930.85	\$ 85.99	\$ 7,484.72	\$ 80.19	2.15%	Y
		5,000	\$ 7,215.21	\$ 120.25	\$ 10,467.40	\$ 125.61	\$ 7,370.34	\$ 122.84	\$ 10,692.45	\$ 128.31	2.15%	Y
		10,000	\$ 13,227.89	\$ 108.23	\$ 16,747.84	\$ 133.98	\$ 13,512.29	\$ 110.56	\$ 17,107.92	\$ 136.86	2.15%	Y
		20,000	\$ 24,050.70	\$ 20.04	\$ 30,146.11	\$ 56.52	\$ 24,567.79	\$ 20.47	\$ 30,794.26	\$ 57.74	2.15%	Y
		50,000	\$ 30,063.38	\$ 26.46	\$ 47,103.30	\$ 23.03	\$ 30,709.74	\$ 27.02	\$ 48,116.03	\$ 23.52	2.15%	Y
		100,000	\$ 43,291.27	\$ 43.29	\$ 58,617.45	\$ 58.62	\$ 44,222.03	\$ 44.22	\$ 59,877.72	\$ 59.88	2.15%	Y
24	S-2 - Storage Low Hazard - New Construction:	1,000	\$ 2,116.18	\$ 46.29	\$ 4,298.61	\$ 46.06	\$ 2,161.68	\$ 47.29	\$ 4,391.03	\$ 47.05	2.15%	Y
		5,000	\$ 3,967.85	\$ 66.13	\$ 6,140.88	\$ 73.69	\$ 4,053.16	\$ 67.55	\$ 6,272.90	\$ 75.27	2.15%	Y
		10,000	\$ 7,274.39	\$ 59.52	\$ 9,825.40	\$ 78.60	\$ 7,430.78	\$ 60.80	\$ 10,036.65	\$ 80.29	2.15%	Y
		20,000	\$ 13,226.16	\$ 11.02	\$ 17,685.72	\$ 33.16	\$ 13,510.52	\$ 11.26	\$ 18,065.96	\$ 33.87	2.15%	Y
		50,000	\$ 16,532.69	\$ 14.55	\$ 27,633.94	\$ 13.51	\$ 16,888.15	\$ 14.86	\$ 28,228.07	\$ 13.80	2.15%	Y
		100,000	\$ 23,807.08	\$ 23.81	\$ 34,388.90	\$ 34.39	\$ 24,318.93	\$ 24.32	\$ 35,128.26	\$ 35.13	2.15%	Y
25	S - Storage - Tenant Improvement:	500	\$ 1,566.72	\$ 68.54	\$ 2,686.63	\$ 57.57	\$ 1,600.40	\$ 70.02	\$ 2,744.40	\$ 58.81	2.15%	Y
		2,500	\$ 2,937.60	\$ 97.92	\$ 3,838.05	\$ 92.11	\$ 3,000.76	\$ 100.03	\$ 3,920.57	\$ 94.09	2.15%	Y
		5,000	\$ 5,385.59	\$ 88.13	\$ 6,140.88	\$ 98.25	\$ 5,501.38	\$ 90.02	\$ 6,272.90	\$ 100.37	2.15%	Y
		10,000	\$ 9,791.99	\$ 16.32	\$ 11,053.58	\$ 41.45	\$ 10,002.52	\$ 16.67	\$ 11,291.23	\$ 42.34	2.15%	Y
		25,000	\$ 12,239.99	\$ 21.54	\$ 17,271.21	\$ 16.89	\$ 12,503.15	\$ 22.01	\$ 17,642.54	\$ 17.25	2.15%	Y
		50,000	\$ 17,625.58	\$ 35.26	\$ 21,493.06	\$ 42.98	\$ 18,004.53	\$ 36.01	\$ 21,955.16	\$ 43.91	2.15%	Y

City of Milpitas
BUILDING SAFETY AND HOUSING - CONSTRUCTION

Item # 16.

New Construction, Tenant Improvements, Remodels

			FY 22/23 Fee		FY 22/23 Fee		FY 23/24 Fee		FY 23/24 Fee			
			Plan Review		Inspection		Plan Review		Inspection			
Occupancy Classification		Threshold SqFt	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Base Fee	Add'l 100 SF or Fraction Thereof	Percent Change	Y'rly Infl'tr
26	U - Utility - Misc - New Construction:	150	\$ 907.73	\$ 132.38	\$ 1,660.83	\$ 118.63	\$ 927.24	\$ 135.22	\$ 1,696.54	\$ 121.18	2.15%	Y
		750	\$ 1,701.99	\$ 189.11	\$ 2,372.61	\$ 189.81	\$ 1,738.58	\$ 193.18	\$ 2,423.62	\$ 193.89	2.15%	Y
		1,500	\$ 3,120.31	\$ 170.20	\$ 3,796.18	\$ 202.46	\$ 3,187.40	\$ 173.86	\$ 3,877.80	\$ 206.82	2.15%	Y
		3,000	\$ 5,673.30	\$ 31.52	\$ 6,833.12	\$ 85.41	\$ 5,795.28	\$ 32.20	\$ 6,980.03	\$ 87.25	2.15%	Y
		7,500	\$ 7,091.62	\$ 41.60	\$ 10,676.75	\$ 34.80	\$ 7,244.09	\$ 42.50	\$ 10,906.30	\$ 35.55	2.15%	Y
		15,000	\$ 10,211.94	\$ 68.08	\$ 13,286.62	\$ 88.58	\$ 10,431.50	\$ 69.55	\$ 13,572.28	\$ 90.48	2.15%	Y
27	U - Utility - Misc - Tenant Improvement:	100	\$ 605.15	\$ 132.38	\$ 1,172.35	\$ 125.61	\$ 618.16	\$ 135.22	\$ 1,197.55	\$ 128.31	2.15%	Y
		500	\$ 1,134.66	\$ 189.11	\$ 1,674.78	\$ 200.97	\$ 1,159.06	\$ 193.18	\$ 1,710.79	\$ 205.30	2.15%	Y
		1,000	\$ 2,080.21	\$ 170.20	\$ 2,679.65	\$ 214.37	\$ 2,124.93	\$ 173.86	\$ 2,737.27	\$ 218.98	2.15%	Y
		2,000	\$ 3,782.20	\$ 31.52	\$ 4,823.38	\$ 90.44	\$ 3,863.52	\$ 32.20	\$ 4,927.08	\$ 92.38	2.15%	Y
		5,000	\$ 4,727.75	\$ 41.60	\$ 7,536.53	\$ 36.85	\$ 4,829.40	\$ 42.50	\$ 7,698.56	\$ 37.64	2.15%	Y
		10,000	\$ 6,807.96	\$ 68.08	\$ 9,378.79	\$ 93.79	\$ 6,954.33	\$ 69.55	\$ 9,580.44	\$ 95.80	2.15%	Y
28	Shell Building:	5,000	\$ 5,717.41	\$ 25.01	\$ 10,746.53	\$ 23.03	\$ 5,840.33	\$ 25.55	\$ 10,977.58	\$ 23.52	2.15%	Y
		25,000	\$ 10,720.14	\$ 35.73	\$ 15,352.19	\$ 36.85	\$ 10,950.62	\$ 36.50	\$ 15,682.26	\$ 37.64	2.15%	Y
		50,000	\$ 19,653.59	\$ 32.16	\$ 24,563.50	\$ 39.30	\$ 20,076.14	\$ 32.85	\$ 25,091.62	\$ 40.15	2.15%	Y
		100,000	\$ 35,733.79	\$ 5.96	\$ 44,214.30	\$ 16.58	\$ 36,502.07	\$ 6.08	\$ 45,164.91	\$ 16.94	2.15%	Y
		250,000	\$ 44,667.24	\$ 7.86	\$ 69,084.85	\$ 6.75	\$ 45,627.59	\$ 8.03	\$ 70,570.17	\$ 6.90	2.15%	Y
		500,000	\$ 64,320.83	\$ 12.86	\$ 85,972.25	\$ 17.20	\$ 65,703.73	\$ 13.14	\$ 87,820.66	\$ 17.57	2.15%	Y

* Amounts exclude City of Milpitas standard permitting fees and State of California fees.

** A - Assembly New Construction per 100 SF amounts adjusted in order to reflect proper scaling from tier to tier. No change proposed to base fee.

*** S-1 - Storage Moderate Hazard - New Construction: per 100 SF amounts adjusted in order to reflect proper scaling from tier to tier. No change proposed to base fee.

City of Milpitas

BUILDING SAFETY AND HOUSING - MISCELLANEOUS

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
MISCELLANEOUS FEES - RESIDENTIAL						
Combination Permits						
1 Attached Garage - 1 to 3 cars	\$1,346	\$1,375		2.15%	Y	[a]
2 Detached Garage or Accessory Structure	\$1,156	\$1,181		2.15%	Y	[a]
3 Bathroom Remodel (1 or more if inspected at same time)	\$986	\$1,007		2.15%	Y	[a]
4 Kitchen Remodel	\$986	\$1,007		2.15%	Y	[a]
5 Kitchen and Bathroom Remodel	\$1,432	\$1,463		2.15%	Y	[a]
6 Patio Enclosure / Sunroom	\$1,327	\$1,356		2.15%	Y	[a]
7 Garage conversion	\$1,268	\$1,295		2.15%	Y	[a]
8 Green House	\$1,045	\$1,067		2.15%	Y	[a]
9 Patio Cover	\$1,045	\$1,067		2.15%	Y	[a]
10 Window, Skylight or Exterior Door	\$874	\$893		2.15%	Y	[a]
Miscellaneous Construction						
11 Wood Fences over 7' high, concrete / masonry over 4' high	\$778	\$795		2.15%	Y	[a]
12 Sound Wall	\$1,349	\$1,378		2.15%	Y	[a]
13 Structural Roof Conversions	\$2.07	\$2.12	per sq ft	2.15%	Y	[a]
14 AC Condenser Replacement	\$279	\$285		2.15%	Y	
15 Furnace Replacement	\$335	\$342		2.15%	Y	
16 Water Heater Replacement	\$335	\$342		2.15%	Y	
17 Solar Permit						
a) 15kW or less	\$450	\$450		0.00%	N	
b) Above 15kW – base	\$450	\$450	base	0.00%	N	
c) Above 15kW – per kW	\$15	\$15	per kw	0.00%	N	
18 Solar Thermal						
a) 10kWth or less	\$450	\$450		0.00%	N	
b) 10kWth or more - base	\$450	\$450	base	0.00%	N	
c) 10kWth or more – per kWth	\$15	\$15	per kWth	0.00%	N	
19 Fireplace reconstruction	\$660	\$675		2.15%	Y	[a]
20 Siding/stucco replacement	\$558	\$570		2.15%	Y	
21 Seismic Strengthening	\$660	\$675		2.15%	Y	[a]
22 Miscellaneous Construction Not Listed	See hourly rates for Plan Review and Inspection	See hourly rates for Plan Review and Inspection			N	

City of Milpitas

BUILDING SAFETY AND HOUSING - MISCELLANEOUS

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
MISCELLANEOUS FEES - COMMERCIAL							
Miscellaneous Construction							
23	Permit Issuance Fee	\$191	\$196		2.15%	Y	
24	Equipment Installation						
	a) Each Type - Plan Review	\$472	\$482		2.15%	Y	
	b) Each 2 pieces or fraction thereof - Inspection	\$447	\$456		2.15%	Y	
25	Racks, each type						
	a) Each Rack Type	\$807	\$825		2.15%	Y	
	b) Each 5 racks or fraction thereof	\$223	\$228		2.15%	Y	
26	Roof Screen	\$1,030	\$1,053		2.15%	Y	[a]
27	Fences	\$1,030	\$1,053		2.15%	Y	[a]
28	Monument Sign						
	a) Each Piece - Not Electrical	\$683	\$697		2.15%	Y	[a]
	b) Each Piece - Including Electrical	\$853	\$872		2.15%	Y	[a]
29	Wall Mounted Sign						
	a) Not Electrical	\$459	\$469		2.15%	Y	[a]
	b) Including Electrical	\$630	\$644		2.15%	Y	[a]
30	Solar Permit						
	a) 50kW or less	\$1,000	\$1,000		0.00%	N	
	b) 50kW – 250kW – Base	\$1,000	\$1,000	base	0.00%	N	
	c) 50kW – 250kW – per kW above 50kW	\$7	\$7	per kW	0.00%	N	
	b) Above 250kW – base	\$2,400	\$2,400	base	0.00%	N	
	c) Above 250kW – per kW	\$5	\$5	per kW	0.00%	N	
31	Solar Thermal						
	a) 30kWth or less	\$1,000	\$1,000		0.00%	N	
	b) 30kWth – 260kWth – Base	\$1,000	\$1,000	base	0.00%	N	
	c) 30kWth – 260kWth – per kWth above 30kWth	\$7	\$7	per kWth	0.00%	N	
	d) 260+ kWth – Base	\$2,610	\$2,610	base	0.00%	N	
	e) 260+ kWth – per kWth above 260kWth	\$5	\$5	per kWth	0.00%	N	
32	Miscellaneous Construction Not Listed	See hourly rates for Plan Review and Inspection	See hourly rates for Plan Review and Inspection			N	

City of Milpitas

BUILDING SAFETY AND HOUSING - MISCELLANEOUS

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Other Plan Check, Inspection and Permit Fees							
33	Certificate of Occupancy (inspection, record review, printing)	\$694	\$709		2.15%	Y	
34	Temporary Building Permit Issuance *****	\$428	\$437		2.15%	Y	
35	Accessibility Exception Request	\$568	\$580		2.15%	Y	
36	Christmas Tree Lot	\$319	\$326		2.15%	Y	
37	Faithful Performance Bond Execution	\$332	\$339		2.15%	Y	
38	Inspection Investigation Fee (Construction w/o Permits, Per MMC)	100% of insp. Fee	100% of insp. Fee			N	
RESIDENTIAL, COMMERCIAL, AND MEP FEES							
Grading							
39	Permit Issuance Fee	\$191	\$196		2.15%	Y	
40	Plan Check:						
	a) 0 - 10,000 Cubic Yards	\$472	\$482		2.15%	Y	
	b) Add for each additional 10,000 CY or fraction thereof	\$118	\$121		2.15%	Y	
	c) Over 100,000 Cubic Yards	\$1,535	\$1,568		2.15%	Y	
	d) Over 100,000 Cubic Yards – add for each additional 10,000 CY or fraction thereof	\$59	\$60		2.15%	Y	
41	Inspection:						
	a) 0 - 10,000 Cubic Yards	\$782	\$798		2.15%	Y	
	b) Add for each additional 10,000 CY or fraction thereof	\$112	\$114		2.15%	Y	
	c) Over 100,000 Cubic Yards	\$1,786	\$1,825		2.15%	Y	
	d) Over 100,000 Cubic Yards – add for each additional 10,000 CY or fraction thereof	\$56	\$57		2.15%	Y	

City of Milpitas

BUILDING SAFETY AND HOUSING - MISCELLANEOUS

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Site Improvement							
42	Permit Issuance	\$191	\$196		2.15%	Y	
43	Plan Check						
	a) 0-50,000 SF	\$2,361	\$2,412		2.15%	Y	
	b) 50,001-100,000 SF	\$3,305	\$3,376		2.15%	Y	
	c) 100,001-500,000 SF	\$9,444	\$9,647		2.15%	Y	
	d) 500,001+ SF	\$1.42	\$1.45	per 100 SF	2.15%	Y	
44	Inspection						
	a) 0-50,000 SF	\$3,573	\$3,650		2.15%	Y	
	b) 50,001-100,000 SF	\$5,359	\$5,475		2.15%	Y	
	c) 100,001-500,000 SF	\$11,165	\$11,405		2.15%	Y	
	d) 500,001+ SF	\$1.86	\$1.90	per 100 SF	2.15%	Y	
Pools or Spas							
45	Swimming Pool or Spa						[a]
	a) Private	\$1,015	\$1,036		2.15%	Y	[a]
	b) Public	\$1,598	\$1,633		2.15%	Y	[a]
46	Swimming Pool and Spa Together						[a]
	a) Private	\$1,697	\$1,734		2.15%	Y	[a]
	b) Public	\$2,675	\$2,733		2.15%	Y	[a]
47	Existing Pools / Spas – Repair or Renovation	\$555	\$567		2.15%	Y	[a]
Re-Roofing							
48	Single-Family and Two-Family	\$654	\$668		2.15%	Y	
49	Multi-Family, Residential, each building	\$1,051	\$1,074		2.15%	Y	
50	Commercial/Industrial, each building **	\$1,330	\$1,359		2.15%	Y	

City of Milpitas

BUILDING SAFETY AND HOUSING - MISCELLANEOUS

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Miscellaneous Fee						
51 Change of Address	\$651	\$665	per request	2.15%	Y	
52 Extension of Plan Check	\$96	\$98		2.15%	Y	
53 Extension of Permit	\$96	\$98		2.15%	Y	
54 Records Research	\$96	\$98		2.15%	Y	
55 Records Research with Documentation, per Address	\$144	\$147	per address	2.15%	Y	
56 Report of Monthly or Yrly Bldg Permit Activity (no charge to public agencies)	\$96	\$98		2.15%	Y	
57 Reprinting of Building Permit Cards	\$64	\$65		2.15%	Y	
58 Alternative Materials or Methods of Construction	\$708	\$724		2.15%	Y	
Other Plan Check and Inspection Permit Fees						
59 Inspection Investigation Fee (Construction w/o Permits, Per MMC)	100% of insp. Fee	100% of insp. Fee			N	
60 Reinspection Fee - per reinspection	\$335	\$342	per reinspection	2.15%	Y	
61 Demolition Permit	\$549	\$561		2.15%	Y	[a]
62 Revision / Deferred Submittal Plan Check - per hour	\$236	\$241	per hour	2.15%	Y	
63 Digitizing						
a) Document Size up to 11"x17"						
i) 1st 10 pages	\$1	\$1	each	0.00%	N	
ii) Each additional page	0.50	0.50	each	0.00%	N	
b) Document Size Larger than 11"x17"	\$4	\$4	per page	0.00%	N	
Hourly Rates						
64 Hourly Rates - Normal Business Hours						
a) Plan Check	\$236	\$241		2.15%	Y	
b) Inspection	\$223	\$228		2.15%	Y	
65 Afterhours (Overtime) Hourly Rates						
a) Plan Check	\$283	\$289		2.15%	Y	
b) Inspection	\$266	\$271		2.15%	Y	
Standard Permitting Fees						
66 Community Planning Fee - % of Building Permit	5.00%	5.00%		0.00%	N	
67 Technology Fee - % of Building Permit	3.80%	3.80%		0.00%	N	

City of Milpitas

BUILDING SAFETY AND HOUSING - MISCELLANEOUS

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
STATE FEES							
Strong Motion Instrumentation and Seismic Hazard Mapping Fees: ***							
68	Category 1 - Residential - Min Fee = \$0.50	Val. x 0.00013	Val. x 0.00013			N	
69	Category 2 - All Other Buildings - Min Fee = \$0.50	Val. x 0.00028	Val. x 0.00028			N	
Building Standards Administration Special Revolving Fund: ***							
70	Permit Valuation						
	a) \$1-\$25,000	\$1	\$1		0.00%	N	
	b) \$25,001 - \$50,000	\$2	\$2		0.00%	N	
	c) \$50,001 - \$75,000	\$3	\$3		0.00%	N	
	d) \$75,001 - \$100,000	\$4	\$4		0.00%	N	
	e) Every \$25,000 or fraction thereof above \$100,000	\$1	\$1		0.00%	N	
ELECTRICAL							
71	Electrical Permit Issuance ****	\$191	\$196		2.15%	Y	
72	Plan Check Fee - (min. 1 hr) - per hour	\$236	\$241	per hour	2.15%	Y	
73	Receptacle Outlets, multiple on one circuit						
	a) First 20	\$112	\$114		2.15%	Y	
	b) Each additional 20	\$93	\$95		2.15%	Y	
74	Receptacles or Junction box, fed from dedicated circuit - each	\$56	\$57	each	2.15%	Y	
75	Switches, Dimmers, Occupancy sensors, Sensor Power Packs, etc.						
	a) First 20	\$112	\$114		2.15%	Y	
	b) Each additional 20	\$93	\$95		2.15%	Y	
76	Lighting Fixtures, Sockets						
	a) First 20	\$112	\$114		2.15%	Y	
	b) Each additional 20	\$93	\$95		2.15%	Y	
77	Track lighting with fixtures - per linear feet	\$1.12	\$1.14		2.15%	Y	
78	Pole/Platform-Mounted/Theatrical Fixtures - each	\$56	\$57	each	2.15%	Y	
79	Circuit Breaker Panel/Subpanel, Lighting Control Panel – each	\$93	\$95	each	2.15%	Y	
80	Residential Equipment, hardwired from dedicated circuit – each	\$56	\$57	each	2.15%	Y	
81	Commercial Equipment, hardwired from dedicated circuit – each	\$93	\$95	each	2.15%	Y	
82	Power pole for cubicles	\$56	\$57	each	2.15%	Y	

City of Milpitas

BUILDING SAFETY AND HOUSING - MISCELLANEOUS

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
83 Generator						
a) Portable	\$112	\$114	each	2.15%	Y	
b) 10 kW or less	\$112	\$114	each	2.15%	Y	
c) More than 10 kW	\$167	\$171	each	2.15%	Y	
84 Electrical vehicle charging station						
a) Residential	\$56	\$57		2.15%	Y	
b) Commercial	\$93	\$95		2.15%	Y	
85 HEPA filter						
a) First 20	\$112	\$114		2.15%	Y	
b) Each additional 20	\$93	\$95		2.15%	Y	
86 Time Clock	\$56	\$57	each	2.15%	Y	
87 Sign, lighting systems from one branch circuit						
a) First one	\$223	\$228		2.15%	Y	
b) Each additional	\$112	\$114		2.15%	Y	
88 Services						
a) Not over 200 amps (new or change) – each	\$112	\$114	each	2.15%	Y	
b) 201 amps - 1000 amps (new or change)	\$223	\$228	each	2.15%	Y	
c) Over 1000 amperes (new or change)	\$279	\$285	each	2.15%	Y	
89 Power Apparatus (UPS) or Transformer	\$93	\$95	each	2.15%	Y	
90 Miscellaneous Apparatus, Conduits & Conductors	\$93	\$95	each	2.15%	Y	
91 Construction Temporary Power Pole with service panel, each pole	\$112	\$114		2.15%	Y	
92 Elevator	\$223	\$228	each	2.15%	Y	
93 Special Circuitry, per circuit	\$93	\$95	per circuit	2.15%	Y	
MECHANICAL						
94 Mechanical Permit Issuance ****	\$191	\$196		2.15%	Y	
95 Plan Check Fee (min.1 hr)	\$236	\$241	per hour	2.15%	Y	
96 Install Furnace or Heater, Residential (not including duct work)	\$149	\$152		2.15%	Y	
97 Install, Relocate, Replace Flue Vent (not including with appliance)	\$112	\$114		2.15%	Y	
98 Install Hood with Mechanical Exhaust						
a) Residential	\$93	\$95		2.15%	Y	
b) Commercial	\$223	\$228		2.15%	Y	
99 Duct Work per VAV or Single Zone System	\$93	\$95		2.15%	Y	

City of Milpitas

BUILDING SAFETY AND HOUSING - MISCELLANEOUS

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
100	Install Industrial-type Incinerator	\$167	\$171		2.15%	Y	
101	Install						
	a) Boiler (each)	\$112	\$114	each	2.15%	Y	
	b) Condenser, VAV or Fan Coil 0-5 ton <2000 CFM (each)	\$112	\$114	each	2.15%	Y	
	c) Condenser, VAV or Fan Coil Over 5 ton >2000 CFM (each)	\$223	\$228	each	2.15%	Y	
102	Roof-top HVAC package unit including duct work	\$223	\$228		2.15%	Y	
103	Dryer vent						
	a) Dryer vent, residential	\$93	\$95	each	2.15%	Y	
	b) Dryer vent, commercial	\$223	\$228	each	2.15%	Y	
104	Pump	\$167	\$171	each	2.15%	Y	
105	Install/Replace Fire or Fire/Smoke Dampers - 5 (or portion of)	\$112	\$114		2.15%	Y	
106	Non-portable Evaporative Cooler	\$167	\$171		2.15%	Y	
107	Single Bathroom Ventilation Fan and Duct	\$93	\$95		2.15%	Y	
108	Ventilation System, not HVAC	\$112	\$114		2.15%	Y	
109	Other Regulated Appliance	\$167	\$171		2.15%	Y	
110	Process Piping						
	a) Hazardous process piping system						
	i) First 4 outlets	\$167	\$171		2.15%	Y	
	ii) Over 4 outlets - per outlet	\$93	\$95	per outlet	2.15%	Y	
	b) Non-Hazardous process piping system						
	i) First 4 outlets	\$167	\$171		2.15%	Y	
	ii) Over 4 outlets - per outlet	\$93	\$95	per outlet	2.15%	Y	
PLUMBING							
111	Plumbing Permit Issuance ****	\$191	\$196		2.15%	Y	
112	Plan Check Fee (min. 1 hr) - per hour	\$236	\$241	per hour	2.15%	Y	
113	Plumbing Fixtures						
	a) First 5 traps (or portion of)	\$167	\$171		2.15%	Y	
	b) Each Additional trap	\$93	\$95		2.15%	Y	
114	Building Drain or Sewer (New or Replacement)	\$167	\$171		2.15%	Y	
115	Rain Water Drainage System	\$112	\$114		2.15%	Y	
116	Water Heater and Vent	\$167	\$171		2.15%	Y	
117	Gas Piping System - (each appliance)	\$112	\$114		2.15%	Y	

City of Milpitas

BUILDING SAFETY AND HOUSING - MISCELLANEOUS

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
118 Automatic Gas Shut-off Device (Seismic or Excess Flow) if not part of new gas piping system	\$112	\$114		2.15%	Y	
119 Industrial Waste Pre-Treatment System	\$223	\$228		2.15%	Y	
120 Grease Trap	\$167	\$171		2.15%	Y	
121 Grease Interceptor	\$223	\$228		2.15%	Y	
122 Water System Installation						
a) New	\$335	\$342		2.15%	Y	
b) Re-pipe	\$223	\$228		2.15%	Y	
123 Pump	\$167	\$171	each	2.15%	Y	
124 Repair/Alteration of Drain/Vent	\$167	\$171		2.15%	Y	
125 Landscape Sprinkler System	\$167	\$171		2.15%	Y	
126 Landscape Reclaim Water	\$279	\$285	per valve	2.15%	Y	
127 Backflow Protection						
a) first 5	\$167	\$171		2.15%	Y	
b) each additional 5 (or portion of)	\$93	\$95		2.15%	Y	
128 Reclaim Water System, No Irrigation	\$335	\$342		2.15%	Y	
129 Private Sewage Disposal System	\$112	\$114		2.15%	Y	

** Additional fees may be charged for roof penetrations and/or equipment installation.

*** Fees set by the State of California and are subject to change.

**** Permit issuance fee. When more than one specialty permit (electrical, mechanical, plumbing) is concurrently issued to one applicant, only one permit issuance fee will be charged.

***** Full permit fees of the main building permit shall be paid prior to issuance of the temporary building permit.

[a] 60% of the permit fee is considered inspection fee for the purpose of processing refund request and applying inspection investigation fee.

City of Milpitas

BUILDING SAFETY AND HOUSING - MOBILEHOME PERMIT

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Mobilehome Permit Fees						
1 Mobilehome Installation Fee	\$196	See next section	each		N	
2 Permit Issuance Fee	\$196	See next section	each		N	
3 Awning (each)	\$196	See next section	each		N	
4 Porch > than 12 sq. ft.	\$196	See next section	each		N	
5 Deck > 12 sq. ft.	\$196	See next section	each		N	
6 Cabana (each)	\$196	See next section	each		N	
7 Ramada (each)	\$196	See next section	each		N	
8 Private Garage (each)	\$196	See next section	each		N	
9 Fence > 6 ft. height (each)	\$196	See next section	each		N	
10 Windbreak > 6 ft. height (each)	\$196	See next section	each		N	
11 MEP (each)	\$196	See next section	each		N	
12 Re-inspection Fees						
a) First Hour	\$178	See next section			N	
b) 1 additional hour	\$82	See next section			N	
c) 1/2 hour additional	\$41	See next section			N	

City of Milpitas

BUILDING SAFETY AND HOUSING - MOBILEHOME PERMIT

Item # 16.

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Mobilehome Permit Fees							
1	Permit Issuance Fee	\$196	\$196	each	0.00%	N	
2	Permits with HCD Standard Plan Approval:	See Item A	See Item A	each	0.00%	N	
	a) Mobile Home (MH) Unit Installation (each)	\$196 min.	\$196 min.	each	0.00%	N	
	b) MH Unit Foundation System (each)	Table B	Table B	each	0.00%	N	
	c) Accessory building and structure, and building component (each)	Table B	Table B	each	0.00%	N	[a]
	d) Plumbing	Table C	Table C	each	0.00%	N	
	e) Mechanical	Table D	Table D	each	0.00%	N	
	f) Electrical	Table E	Table E	each	0.00%	N	
	g) Plan Review	N/A	N/A	each	0.00%	N	
3	Permits without HCD Standard Plan Approval:	See Item A	See Item A	each	0.00%	N	
	a) Accessory building and structure, and building component (each)	Table B	Table B	each	0.00%	N	[a]
	b) Plumbing	Table C	Table C	each	0.00%	N	
	c) Mechanical	Table D	Table D	each	0.00%	N	
	d) Electrical	Table E	Table E	each	0.00%	N	
	e) Plan Review						
	i) First submittal	1/2 of total permit fees	1/2 of total permit fees	each	0.00%	N	[b]
	ii) Each resubmittal						
	a) First Hour	\$203	\$203	each	0.00%	N	[b]
	b) Second and subsequent whole hour	\$92	\$92	each	0.00%	N	[b]
	c) Each 1/2 hour, or fractional part thereof	\$46	\$46	each	0.00%	N	[b]
Item A							
4	Permit Fees						
	a) First Inspection:						
	i) First Hour	Sum of all categories (\$196 min.)	Sum of all categories (\$196 min.)	each	0.00%	N	
	ii) Second and subsequent whole hour	\$82	\$82	each	0.00%	N	
	iii) Each 1/2 hour, or fractional part thereof	\$41	\$41	each	0.00%	N	
	b) Re-Inspection (Each subsequent inspection)						
	i) First Hour	\$178	\$178	each	0.00%	N	
	ii) Second and subsequent whole hour	\$82	\$82	each	0.00%	N	
	iii) Each 1/2 hour, or fractional part thereof	\$41	\$41	each	0.00%	N	

City of Milpitas

BUILDING SAFETY AND HOUSING - MOBILEHOME PERMIT

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Table B: Construction Permit Fee							
5	Total Valuation						
	a) Up to \$2,000	\$45.00	\$45.00	each	0.00%	N	
	b) \$2,001 - \$25,000						
	i) Base fee for first \$2,000	\$45.00	\$45.00	each	0.00%	N	
	ii) Fee for each additional \$1,000 or fraction thereof, up to \$25,000	\$9.00	\$9.00	each	0.00%	N	
	c) \$25,001 - \$50,000						
	i) Base fee for first \$25,000	\$252.00	\$252.00	each	0.00%	N	
	ii) Fee for each additional \$1,000 or fraction thereof, up to \$50,000	\$6.50	\$6.50	each	0.00%	N	
	d) \$50,001 - \$100,000						
	i) Base fee for first \$50,000	\$414.50	\$414.50	each	0.00%	N	
	ii) Fee for each additional \$1,000 or fraction thereof, up to \$100,000	\$4.50	\$4.50	each	0.00%	N	
	e) \$100,001 - \$500,000						
	i) Base fee for first \$100,000	\$639.50	\$639.50	each	0.00%	N	
	ii) Fee for each additional \$1,000 or fraction thereof, up to \$500,000	\$3.50	\$3.50	each	0.00%	N	
	f) \$500,001 - \$1,000,000						
	i) Base fee for first \$500,000	\$2,039.50	\$2,039.50	each	0.00%	N	
	ii) Fee for each additional \$1,000 or fraction thereof, up to \$1,000,000	\$3.00	\$3.00	each	0.00%	N	
	g) \$1,000,001 and Greater						
	i) Base fee for first \$1,000,000	\$3,539.50	\$3,539.50	each	0.00%	N	
	ii) Fee for each additional \$1,000 or fraction thereof	\$2.00	\$2.00	each	0.00%	N	
Table C: Plumbing Permit Fee							
6	Each plumbing fixture, trap, set of fixtures on one trap, including water, drainage piping and backflow protection thereof	\$3.00	\$3.00	each	0.00%	N	
7	Each building sewer	\$14.00	\$14.00	each	0.00%	N	
8	Each private sewage disposal system	\$14.00	\$14.00	each	0.00%	N	
9	Each water heater and/or vent	\$7.00	\$7.00	each	0.00%	N	
9	Each gas piping system for one to five outlets	\$7.00	\$7.00	each	0.00%	N	
10	Each gas piping system for six or more outlets, per outlet	\$1.50	\$1.50	each	0.00%	N	
11	Each gas regulator	\$1.50	\$1.50	each	0.00%	N	
12	Each water branch service outlet or outlets at the same location, or each fixture supply	\$1.00	\$1.00	each	0.00%	N	
13	Each installation of water treating equipment	\$7.00	\$7.00	each	0.00%	N	
14	Alteration or repair of water piping or water treating equipment	\$7.00	\$7.00	each	0.00%	N	

City of Milpitas

BUILDING SAFETY AND HOUSING - MOBILEHOME PERMIT

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
15 Alteration or repair of drainage or vent piping	\$7.00	\$7.00	each	0.00%	N	
16 Each lawn sprinkler system on any one meter, including backflow protection devices	\$7.00	\$7.00	each	0.00%	N	
17 Vacuum breakers or backflow protective devices on tanks, vats, etc., or for installation on unprotected plumbing fixtures:						
a) One to five	\$7.00	\$7.00	each	0.00%	N	
b) Over five, each additional	\$3.00	\$3.00	each	0.00%	N	
Table D: Mechanical Permit Fee						
18 The installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance, up to and including 100,000 Btu	\$14.00	\$14.00	each	0.00%	N	
19 The installation or relocation of each forced-air or gravity-type furnace or burner, including ducts and vents attached to such appliance over 100,000 Btu	\$21.00	\$21.00	each	0.00%	N	
20 The installation or relocation of each floor furnace, including vent	\$7.00	\$7.00	each	0.00%	N	
21 The installation or relocation of each suspended heater, recessed wall heater or floor-mounted unit heater	\$7.00	\$7.00	each	0.00%	N	
21 The installation, relocation or replacement of each appliance vent installed and not included in an appliance permit	\$7.00	\$7.00	each	0.00%	N	
22 The repair of, alteration of, or addition to each heating appliance, refrigeration unit, comfort cooling unit, absorption unit, or each comfort heating, cooling, absorption, or evaporative cooling system, including installation of controls	\$14.00	\$14.00	each	0.00%	N	
23 The installation or relocation of each boiler or compressor to and including three horsepower or each absorption system to and including 100,000 Btu	\$14.00	\$14.00	each	0.00%	N	
24 The installation or relocation of each boiler or compressor over three horsepower or each absorption system over 100,000 Btu	\$21.00	\$21.00	each	0.00%	N	
25 Each air handling unit, including ducts attached thereto	\$7.00	\$7.00	each	0.00%	N	
26 For each evaporative cooler other than portable type	\$7.00	\$7.00	each	0.00%	N	
27 For each vent fan connected to a single duct	\$3.00	\$3.00	each	0.00%	N	
28 For each vent ventilation system which is not a portion of any heating or air conditioning system authorized by a permit	\$7.00	\$7.00	each	0.00%	N	
29 Each installation of equipment regulated by this chapter for which no other fee is listed	\$7.00	\$7.00	each	0.00%	N	

City of Milpitas

BUILDING SAFETY AND HOUSING - MOBILEHOME PERMIT

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Table E: Electrical Permit Fee							
30	Each wiring outlet where current is used or controlled, except services, sub-feeders and meter outlets	\$0.35	\$0.35	each	0.00%	N	
31	Each fixture, socket or other lamp holding device	\$0.35	\$0.35	each	0.00%	N	
32	Each motor of not more than 50 h.p.	\$4.25	\$4.25	each	0.00%	N	
33	Each motor of more than 50 h.p.	\$10.50	\$10.50	each	0.00%	N	
33	Each mercury arc lamp and equipment	\$1.00	\$1.00	each	0.00%	N	
34	Each range, water heater or clothes dryer installation	\$7.00	\$7.00	each	0.00%	N	
35	Each space heater or infrared heat installation	\$1.50	\$1.50	each	0.00%	N	
36	Each stationary cooking unit, oven, or space heater	\$1.50	\$1.50	each	0.00%	N	
37	Each garbage disposer, dishwasher, or fixed motor-operated appliance not exceeding ½ h.p.	\$1.50	\$1.50	each	0.00%	N	
38	Working light in buildings in course of construction or undergoing repairs, or where temporary lighting is to be used	\$3.00	\$3.00	each	0.00%	N	
39	Each incandescent electric sign	\$1.50	\$1.50	each	0.00%	N	
40	Electric signs or outline lighting, luminous gas type with: 1 to 4 transformers	\$3.00	\$3.00	each	0.00%	N	
41	Additional transformers, each	\$0.35	\$0.35	each	0.00%	N	
42	Each rectifier and synchronous converter, per kw.	\$0.35	\$0.35	each	0.00%	N	
43	Each additional circuit for a mobile home accessory building or structure or other electrical equipment	\$1.50	\$1.50	each	0.00%	N	
44	Each service:						
	a) 600 volts or less, not over 200-amperes	\$7.00	\$7.00	each	0.00%	N	
	b) 600 volts or less, over 200-amperes	\$10.00	\$10.00	each	0.00%	N	
	c) Over 600 volts	\$14.00	\$14.00	each	0.00%	N	
45	Each installation of equipment regulated by this chapter for which no other fee is listed	\$7.00	\$7.00	each	0.00%	N	

[a] Accessory buildings and structures, and building components includes but not limited to: awning; deck larger than 12 SF, cabana, ramada, private garage, fence over 6 ft. in height, windbreak over 6 ft. in height.

[b] Only one plan review fee will be charged for identical structures submitted in the same permit application.

City of Milpitas
BUILDING SAFETY AND HOUSING - NEIGHBORHOOD BEAUTIFICATION

Item # 16.

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Percent Change	Y'rly Infl'tr	Note
1	1st Violation to Neighborhood Beautification Ordinance	\$100	\$100	0.00%	N	
2	2nd Violation to Neighborhood Beautification Ordinance	\$200	\$200	0.00%	N	
3	3rd or More Violations to Neighborhood Beautification Ordinance	\$500	\$500	0.00%	N	
4	Delinquency Penalty on Neighborhood Beautification Ordinance	\$25	\$25	0.00%	N	
5	Graffiti Abatement	Actual Cost	Actual Cost		N	
6	Public Nuisance Abatement	As defined in Municipal Code Sections	As defined in Municipal Code Sections		N	

City of Milpitas

ANIMAL REGULATION

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
1	Animal Bites Penalty	\$200	\$200		0.00%	N	
2	Animal Impoundment Hearing	\$50	\$50		0.00%	N	
3	Animal Nuisance (e.g. barking)	\$100	\$100		0.00%	N	
4	Animals in Excess of Maximum Allowed Penalty	\$50	\$50		0.00%	N	
5	Failure to Apply for Annual Animal Facility Permit	\$20	\$20		0.00%	N	
6	Inadequate Control or Confinement of Potentially Dangerous Animal Penalty	\$100	\$100		0.00%	N	
7	Late Payments for Animal Fees	10%	10%	7 days	0.00%	N	
8	Unlicensed dog or cat penalty	\$50	\$50		0.00%	N	
9	Violation of Leash Law	\$25	\$25		0.00%	N	
10	Dog License						
	a) Altered	\$25	\$25		0.00%	N	
	b) Late Fee	\$20	\$20		0.00%	N	
	c) Unaltered	\$65	\$65		0.00%	N	
11	Cat License						
	a) Altered	\$15	\$15		0.00%	N	
	b) Late Fee	\$20	\$20		0.00%	N	
	c) Unaltered	\$35	\$35		0.00%	N	
12	Dog Seller Fee						
	a) 1st Permit within Calendar Year	\$81	\$83		2.15%	Y	
	b) 2nd Permit within Calendar Year	\$163	\$166		2.15%	Y	
13	Cat Seller Fee						
	a) 1st Permit within Calendar Year	\$54	\$55		2.15%	Y	
	b) 2nd Permit within Calendar Year	\$109	\$111		2.15%	Y	
14	Animal Disposal Fee	Actual Cost	Actual Cost			N	
15	Quarantining Animal Fee	Actual Cost	Actual Cost			N	
16	Redemption of Impounded Animal Fee	Actual Cost	Actual Cost			N	
17	Annual Animal Adoption Permit Fee	\$54	\$55		2.15%	Y	
18	Annual Animal Facility Permit Application Fee	\$54	\$55		2.15%	Y	
19	Dangerous Animal Annual Permit Fee	\$163	\$166		2.15%	Y	
20	Permit for Exception to Number or Type of Animals Allowed, Application Fee	\$22	\$22		2.15%	Y	
21	Other Requested/Required Services - See City of San Jose (The City of Milpitas contracts with the City of San Jose for various Animal Regulation services)	See City of San Jose fee schedule	See City of San Jose fee schedule			N	

City of Milpitas

PLANNING

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Percent Change	Y'rly Infl'tr	Note
Special Events:					
1 Application Fee					
a) Minor Events	\$253	\$258	2.15%	Y	[a]
b) Regular Events	\$986	\$1,007	2.15%	Y	[a]
c) Major Events	\$6,157	\$6,289	2.15%	Y	[a]
2 Conceptual Review - Planning Staff Only - per meeting	\$378	\$386	2.15%	Y	
Pre-Application Review:					
3 Single Family	\$2,948	\$3,011	2.15%	Y	
4 All Others	\$9,392	\$9,594	2.15%	Y	
Tentative Maps:					
5 Parcel Map	\$13,955	\$14,255	2.15%	Y	
6 Tract Map	\$20,238	\$20,673	2.15%	Y	
Minor Site Development:					
7 Over the Counter Review	\$253	\$258	2.15%	Y	
8 Staff Review Fee					
a) Staff Review - Zoning Administrator	\$3,313	\$3,384	2.15%	Y	
b) Staff Review Hill Side - Zoning Administrator	\$4,606	\$4,705	2.15%	Y	
9 Requiring PC / CC Approval	\$9,674	\$9,882	2.15%	Y	
Site Development:					
10 New Development	\$18,529	\$18,927	2.15%	Y	
11 Zoning Administrator	\$14,328	\$14,636	2.15%	Y	
12 SB35 Housing Project	\$10,809	\$11,041	2.15%	Y	
Minor Conditional Use Permit:					
13 Staff Review - Zoning Administrator	\$1,401	\$1,431	2.15%	Y	
14 Requiring PC / CC Approval	\$3,164	\$3,232	2.15%	Y	
15 Telecommunications	\$986	\$1,008	2.15%	Y	
Conditional Use Permit:					
16 Single Family Districts	\$681	\$695	2.15%	Y	
17 Temporary Use Permit	\$878	\$897	2.15%	Y	
18 All Other CUPs	\$15,739	\$16,078	2.15%	Y	

City of Milpitas

PLANNING

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Percent Change	Y'rly Infl'tr	Note
Signs:					
19 Temporary (Including Banners)	\$119	\$121	2.15%	Y	
20 Permanent (Including Wall Signs)	\$344	\$352	2.15%	Y	
21 Freestanding signs over 6ft in height	\$582	\$595	2.15%	Y	
Variance:					
22 Single Family	\$1,036	\$1,058	2.15%	Y	
23 Signs	\$1,017	\$1,039	2.15%	Y	
24 Multi-Family / Non-Residential	\$3,189	\$3,258	2.15%	Y	
Special Use Permit:					
25 Staff Review	\$986	\$1,008	2.15%	Y	
26 Requiring PC / CC Approval	\$2,526	\$2,581	2.15%	Y	
Short-Term Rental Permit					
27 Short-Term Rental Permit - Initial	\$509	\$520	2.15%	Y	
28 Short-Term Rental Permit - Renewal	\$509	\$520	2.15%	Y	
Deposit-Based Fees:					
29 Amendments, General Plan, Zoning, or Specific Plan (Map or Text)	\$20,000	\$20,000	0.00%	N	
30 Development Agreements	\$20,000	\$20,000	0.00%	N	
31 Environmental Review/CEQA clearance	\$35,000	\$35,000	0.00%	N	
32 Planned Unit Development	\$20,000	\$20,000	0.00%	N	
33 Billboards	\$2,500	\$2,500	0.00%	N	
34 Initial Deposit to Offset Costs of Legal Review, Peer Review, Other Agency Review, etc.	\$5,000	\$5,000	0.00%	N	[b]
Miscellaneous Fees:					
35 Amendments/Modifications to an Existing Permit					
a) Permit Adjustment	50% of permit fee	25% of permit fee		N	
b) Permit Amendment	50% of permit fee	50% of permit fee	0.00%	N	
36 Appeal To Planning Commission/City Council	\$2,017	\$2,060	2.15%	Y	
37 Time Extensions	\$832	\$850	2.15%	Y	
38 Noticing Fee	\$595	\$615	3.29%	Y	
39 Copies - per page	\$0.10	\$0.10	0.00%	N	
40 Planning Research - per hour	\$252	\$257	2.15%	Y	
41 Zoning Conformance Letter	\$238	\$243	2.15%	Y	
42 Home Occupation Permit / Business License Review	\$59	\$61	2.15%	Y	
43 Tree Removal	\$241	\$247	2.15%	Y	

City of Milpitas

PLANNING

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Percent Change	Y'rly Infl'tr	Note
44	Building Plan Check Support	\$253	\$258	2.15%	Y	
45	Building Inspection Support	\$253	\$258	2.15%	Y	
46	Certificate of Occupancy Review	\$126	\$129	2.15%	Y	
47	Permit Compliance Review	\$504	\$514	2.15%	Y	
48	Letter of Determination / Interpretation	\$1,007	\$1,029	2.15%	Y	
49	Pass Through for Legal Fees	Pass - Through	Pass - Through		N	
50	Vendor Payment Processing Fees	Pass - Through	Pass - Through		N	[c]
51	Technology Fee - % of Permit	3.80%	3.80%	0.00%	N	

[a] Minor events are for permits issued over-the-counter for small private events. Regular events permits are typically issued for events less than four consecutive days, including block parties, or that require review by multiple departments. Major event permits are typically issued for events that exceed four consecutive days and/or anticipate crowds exceeding 1,000 people.

[b] This deposit will be collected in addition to any other deposits or fixed fees. Any unused deposit amounts will be returned to applicant.

[c] For payments made using vendor portal services, applicant shall be responsible for processing fees charged by vendor, as applicable.

* Applicants for full cost (deposit-based) submittals shall pay for all City staff and contract service provider time and materials required to process the application. Hourly rates for City staff time vary by position, as outlined in the City's full cost allocation plan.

City of Milpitas

ENGINEERING

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Percent Change	Y'rly Infl'tr	Note
1	Minor Encroachment Permit	\$1,161	\$1,186	2.15%	Y	
2	Lot Line / Merger Adjustment	\$3,427	\$3,500	2.15%	Y	[a]
3	Street / Alley Easement Vacation	\$2,489	\$2,542	2.15%	Y	
Bldg Permit Reviews:						
4	Single Family New Building / Addition	\$637	\$651	2.15%	Y	
5	Commercial / Industrial New Building	\$2,124	\$2,170	2.15%	Y	
6	Commercial / Industrial Tenant Improvement	\$212	\$217	2.15%	Y	
7	Commercial / Industrial Site Improvement (including Grading)	\$1,912	\$1,953	2.15%	Y	
8	All Other Permit Application Reviews (per hour)	\$212	\$217	2.15%	Y	
Engineering Plan Review: (Construction Cost Estimate)						
9	Up to \$50,000	\$5,426	\$5,542	2.15%	Y	
10	\$50,001-\$200,000	\$10,851	\$11,085	2.15%	Y	
11	\$200,001-\$500,000	\$16,277	\$16,627	2.15%	Y	
12	Over \$500,001	\$21,703	\$22,169	2.15%	Y	
Engineering Inspection: (Construction Cost Estimate)						
13	Up to \$50,000	\$5,426	\$5,542	2.15%	Y	
14	Greater than \$50,000 - % of Construction Cost Estimate	10%	10%	0.00%	N	
15	Technology Fee - % of Permit	3.80%	3.80%	0.00%	N	

[a] Fee includes Planning and Engineering review.

City of Milpitas

TRANSIT AREA DEVELOPMENT IMPACT FEE

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Unit	Percent Change	Y'rly Infl'tr	Note
Transit Area Development Impact Fee						
1 Residential	\$47,550	see impact fee sched	per-unit		¥	{a};{b}
2 Commercial	\$31.11	see impact fee sched	per-square-foot		¥	{a};{b}
3 Office	\$53.46	see impact fee sched	per-square-foot		¥	{a};{b}
4 Hotel	\$0	see impact fee sched	per-room		¥	{a};{b}
5 Other Uses	To Be Determined	see impact fee sched			¥	{a};{b}

[a] Source: Resolution No. 8923.

[b] The Transit Area Development Impact Fee shall be automatically increased each fiscal year by the Finance Director or his or her designee in conjunction with the City's annual budget process. The percentage increase shall be based on the Engineering News Record (ENR) Construction Cost Index for the San Francisco Bay Area, as measured from the immediately preceding December and December of the prior year.

* Incorporating into Master Fee Schedule for references purposes only. Fees are not being considered for update by City Council as part of this action.

City impact fees are adopted separately. Beginning in Fiscal Year 2023/24 the City will consolidate the listing of all impact fees into a separate fee schedule.

City of Milpitas

PUBLIC WORKS

Item # 16.

Activity Description		FY 22/23 Fee / Rate	FY 23/24 Fee / Rate	Percent Change	Y'rly Infl'tr	Note
Water						
1	Water Meter Size					
	a) 5/8"	\$34.10	See rate schedule			
	b) 3/4"	\$51.14	See rate schedule			
	c) 1"	\$85.24	See rate schedule			
	d) 1 1/2"	\$170.48	See rate schedule			
	e) 2"	\$272.76	See rate schedule			
	f) 3"	\$511.43	See rate schedule			
	g) 4"	\$852.38	See rate schedule			
	h) 6" and above	\$1,704.76	See rate schedule			
2	Fire Service Line Size					
	a) 2"	\$54.55	See rate schedule			
	b) 3"	\$102.29	See rate schedule			
	c) 4"	\$170.48	See rate schedule			
	d) 6" and above	\$340.95	See rate schedule			
3	Volumetric Charge					
	a) Residential	\$6.70	See rate schedule			
	b) Commercial/Industrial/Institutional/Construction Meter-	\$6.70	See rate schedule			
	c) Irrigation (potable)-	\$6.70	See rate schedule			
	d) City Accounts (potable)-	\$6.70	See rate schedule			
	e) Ed Levin Park-	\$4.47	See rate schedule			
	f) Recycled					
	i) Recycled—Irrigation-	\$4.51	See rate schedule			
	ii) Recycled—Industrial/ Dual Plumbed/ Construction Water-	\$4.51	See rate schedule			
	iii) Recycled—City Accounts (recycled)-	\$4.51	See rate schedule			
	g) Capital Surcharge	\$1.08	See rate schedule			

City of Milpitas

PUBLIC WORKS

Item # 16.

Activity Description		FY 22/23 Fee / Rate	FY 23/24 Fee / Rate	Percent Change	Y'rly Infl'tr	Note
Sewer						
5	Flat-Rate					
	a) Single-Family	\$124.14	See rate schedule			
	b) Multiple-Family	\$95.34	See rate schedule			
	c) Mobile Home Parks	\$78.28	See rate schedule			
	d) Non-Residential Flat-Rate	\$27.35	See rate schedule			
6	Quantity and Strength Charges					
	a) Motels, hotels & senior citizen housing developments-	\$5.75	See rate schedule			
	b) General offices, banks, government offices, general merchandise, retail, and shopping centers; building, hardware, and gardening material facilities; amusement centers, and theaters-	\$6.84	See rate schedule			
	c) City of Milpitas-	\$5.80	See rate schedule			
	d) Service stations, repair shops, and car washes-	\$5.70	See rate schedule			
	e) Eating and drinking establishments-	\$9.06	See rate schedule			
	f) Convalescent hospitals, day care centers and health service facilities-	\$5.60	See rate schedule			
	g) Personal services—laundry, barber/beauty shops, cleaners-	\$5.31	See rate schedule			
	h) Electrical and electronics design, fabrication, assembly and storage facilities-	\$6.72	See rate schedule			
	i) Metal fabrication, machinery, and tool fabrication facilities-	\$8.43	See rate schedule			
	j) RockTenn (Jefferson Smurfit Corporation)	\$10.46	See rate schedule			
	k) T. Marzetti Co.	\$12.09	See rate schedule			
	l) Prudential Overall Supply-	\$8.42	See rate schedule			
	m) Siemens Water (previously US Filter)-	\$7.06	See rate schedule			
	n) Elmwood Rehabilitation center-	\$6.69	See rate schedule			
	o) Linear Technology Corporation-	\$6.88	See rate schedule			
	p) DS Water-	\$6.04	See rate schedule			
	q) Headway Technology Corporation-	\$7.32	See rate schedule			
	r) Lucky Pure Water	\$5.29	See rate schedule			
	s) Milpitas Materials	\$5.29	See rate schedule			
	t) Union Pacific Railroad-	\$7.35	See rate schedule			
	u) Cisco	\$6.72	See rate schedule			
	v) Lifescan	\$6.72	See rate schedule			
	x) Schools, colleges and churches-	\$9.99	See rate schedule			
7	City of San Jose—North McCarthy Properties					
	a) Bimonthly for discharge up to 75,000 gallons per day (maximum flow)	\$555.00	See rate schedule			
	b) Excess flow charge (for each 1,000 gallons per day in excess of the maximum flow or part thereof)	\$100.00	See rate schedule			

City of Milpitas

PUBLIC WORKS

Item # 16.

Activity Description		FY 22/23 Fee / Rate	FY 23/24 Fee / Rate	Percent Change	Y'rly Infl'tr	Note
Utilities						
1	Service Request and Basic Inspection	\$134	\$136	2.15%	Y	
2	Discontinuance of Service	\$134	\$136	2.15%	Y	
3	Meter Removal / Installation					
	a) Less than 2"	\$107	\$110	2.15%	Y	
	b) Greater than or Equal to 2"	\$317	\$324	2.15%	Y	
4	Water Meter Testing					
	a) Residential Deposit	\$110	\$110	0.00%	N	[a]
	b) Commercial Deposit	\$300	\$300	0.00%	N	[a]
5	Hydrant Flow Test					
	a) Two or Fewer Hydrants	\$663	\$677	2.15%	Y	
	b) Three Hydrants	\$688	\$702	2.15%	Y	
	c) Four Hydrants	\$716	\$731	2.15%	Y	
6	Sewer Lateral Inspection					
	a) Visual Inspection	\$107	\$110	2.15%	Y	
	b) Video Inspection - Residential	\$467	\$477	2.15%	Y	
	c) Video Inspection - Commercial	\$699	\$714	2.15%	Y	
7	Backflow Testing Fee		Actual Cost; per hour			
8	Late Payment Penalty Fee (% of amount due)	5%	5%	0.00%	N	
9	Final Notice Penalty	5%	5%	0.00%	N	
10	Discontinuance of Service Warning Notice	\$10	\$10	0.00%	N	
11	Restoration Fee - During Normal Operating Hours					
	a) Low Income	\$50	\$54	8.99%	CPI	[b]
	b) All Others	\$128	\$131	2.15%	Y	
12	Restoration Fee - During Non-Operational Hours					
	a) Low Income	\$150	\$163	8.99%	CPI	[b]
	b) All Others	\$337	\$344	2.15%	Y	

Notes

[a] If meter is not accurate, deposit is refunded. If meter has been tampered with, the resident or business is charged for the repair.

[b] For residential customers who demonstrate to the City a household income below 200 percent of the federal poverty line, the City will limit any service restoration charges during normal operating hours to fifty dollars (\$50), and during nonoperational hours to one hundred fifty dollars (\$150) for 2020. The limits will only apply if the City's service restoration charges actually exceed these amounts. These limits are subject to an annual adjustment for changes in the Bureau of Labor Statistics' Consumer Price Index for All Urban Consumers (CPI-U) beginning January 1, 2021.

* The City's utility rate schedule is adopted separately. Beginning in Fiscal Year 2023/24 the City will consolidate the listing of utility rates into a separate schedule.

City of Milpitas

PUBLIC WORKS

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Percent Change	Y'rly Infl'tr	Note
Public Sewers					
1 Delinquent Fees	varies	varies		N	[a]
2 Civil Penalties	varies	varies		N	[b]
3 Unmetered Wastes	varies	varies		N	[c]
4 Authority to Disconnect	varies	varies		N	[d]
5 Payment for Sewage Services	varies	varies		N	[e]
6 Inspection Fees	varies	varies		N	[f]
7 House Lateral Fee	varies	varies		N	[g]
8 Disbursements of Short Side Charges	varies	varies		N	[h]
FOG and Stormwater Industrial/Commercial Violation					
9 First Citation	\$500	\$500	0.00%	N	[i]
10 Second Citation	\$625	\$625	0.00%	N	[i]
11 Third Citation	\$750	\$750	0.00%	N	[i]
Water Service Charges					
12 Construction Water	\$2,000	\$2,000	0.00%	N	
13 Deposits for service	\$150	\$150	0.00%	N	

Notes

- [a] See City of Milpitas Municipal Code Section VIII-2-5.33. Permit applications are due ninety (90) days prior to commencing discharge to the sanitary system or expiration of existing discharge permit. Any person who fails to file an application for a discharge permit prior to discharge shall be assessed a penalty for delinquent filing as follows: (1) Up to and including thirty (30) days delinquency, the penalty shall be fifty percent (50%) of the permit fee. More than thirty (30) days but less than one year delinquency, the penalty shall be one hundred percent (100%) of the permit fee. (3) More than one(1) year delinquency, the penalty shall be one thousand percent (1,000%) of the permit fee. (b) Such penalties shall be in addition to any other penalties or fines that may be levied, and in addition to any other remedies that the City may have with respect to the discharge.
- [b] See City of Milpitas Municipal Code Section VIII-2-5.50. Any person who intentionally, accidentally, or negligently violates any provisions of this Chapter, any provision of any permit issued pursuant to this Chapter, or who intentionally, accidentally, or negligently discharges waste or wastewater which causes pollution, or violates any effluent limitation, national standard of performance, or national pretreatment or toxicity standard, shall be civilly liable to the City in a sum up to ten thousand dollars (\$10,000) for the first day in which such violation occurs, up to twenty-five thousand dollars (\$25,000) for the second day in which such violation occurs, and fifty thousand dollars (\$50,000) for each additional day.
- [c] See City of Milpitas Municipal Code Section VIII-2-6.02. Where rates are herein specified to be in accordance with the use of water, all such premises shall be separately metered. Where such metering is not provided, or for newly constructed units, the City shall make a reasonable estimate of the volume of water consumed to be used as a basis for sewer service charges.

City of Milpitas

PUBLIC WORKS

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Percent Change	Y'rly Infl'tr	Note
[d] See City of Milpitas Municipal Code Section VIII-2-6.03. In the event of a failure to pay the charges as provided for sewage service, the City is authorized to disconnect sewer or water service, or both.					
[e] See City of Milpitas Municipal Code Section VIII-2-6.04. All accounts are due and payable within fifteen (15) days of the date of the bill. Accounts shall become delinquent and a late fee equal to five percent (5%) of the amount due shall be imposed if a payment has not been received by 5:00 p.m. on the due date.					
[f] See City of Milpitas Municipal Code Section VIII-2-7.01. Each connector shall pay a fee to City for issuing of each permit, for the inspection of each house lateral, house sewer or side sewer, the sum of five dollars (\$5). Where connector has on file with the City cash deposit for inspection of work, no inspection fee shall be required. In such case, all cost and expenses incurred by City in inspection of the connection shall be made from said deposit.					
[g] See City of Milpitas Municipal Code Section VIII-2-7.02. Before the issuance of a permit for the installation of a house lateral, connector shall pay City a fee which shall include the following: (A) An engineering charge to defray the cost of processing the permit application, which shall be an amount equal to forty cents (\$0.40) times one-half the width of the street expressed in feet in which the house lateral is being constructed. (B) A short side charge shall be collected in all cases where the main or trunk to which connection is being made is located between the center line of the street and the property to be served. Said short side charge shall be an amount equal to four dollars and fifty cents (\$4.50) times the distance in feet between the center line of the street and the main or trunk sewer to which the connection is being made. The purpose of this charge is to equalize connection cost for property on both sides of the street.					
[h] See City of Milpitas Municipal Code Section VIII-2-7.03. The City Council may disburse to connectors whose house laterals connect to a main or trunk sewer at a point beyond the center line of the street an amount equal to \$4.50 times the distance in feet between the center of the street and the main or trunk sewer to which said connection was made.					
[i] See City of Milpitas Municipal Code Section XI-16-14. Any person who intentionally or negligently violates any provision of this Chapter or any provision of any permit or certificate issued pursuant to this Chapter shall be civilly liable to the city in a sum not to exceed \$25,000.00 per day for each day in which such violation occurs.					

City of Milpitas

FIRE

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
FIRE INVESTIGATION/ENFORCEMENT/RESPONSE						
1 Emergency Response – Haz Mat Calls, Minimum 1-hr	HR(s) * hourly rate	HR(s) * hourly rate			N	
2 Response to DUI	HR(s) * hourly rate	HR(s) * hourly rate			N	
3 Non-Milpitas Response	HR(s) * hourly rate	HR(s) * hourly rate			N	
4 Response/Investigation Fee	HR(s) * hourly rate	HR(s) * hourly rate			N	
5 Referral Inspection (Life/Safety) 2 hrs minimum charge	HR(s) * hourly rate	HR(s) * hourly rate			N	
6 Referral Inspection (Haz Mat) 2 hrs minimum charge	HR(s) * hourly rate	HR(s) * hourly rate			N	
7 Fire Code Chapter 50 (Haz Mat) - Release Cleanup 2hrs minimum charge	HR(s) * hourly rate	HR(s) * hourly rate			N	
8 Enforcement Cost Recovery	HR(s) * hourly rate	HR(s) * hourly rate			N	
FALSE ALARM						
9 False Alarm						
a) First two in 12 month time-frame	no charge	no charge			N	
b) 3rd occurrence	\$300	\$300		0.00%	N	
c) 4th occurrence	\$600	\$600		0.00%	N	
d) 5th or more	\$900	\$900		0.00%	N	
MISCELLANEOUS						
10 Data input (HMBP/HMIS), Minimum of 2 hours	HR(s) * hourly rate	HR(s) * hourly rate			N	
11 Late fee – over 60 days	Collection Cost	Collection Cost			N	
12 Failure to obtain a permit	Double permit fee	Double permit fee			N	
13 Weed Abatement. Fee = (hrs * \$/HR), minimum 1-hr	HR(s) * hourly rate	HR(s) * hourly rate			N	
14 Fire Watch, Fee = (hrs * hourly rate). Std. or OT rate	HR(s) * hourly rate	HR(s) * hourly rate			N	[a]
15 Pre-inspection (residential care facilities)	Per Code	Per Code			N	
16 Confined Space permits	HR(s) * hourly rate	HR(s) * hourly rate			N	
17 Electronic Archive, per permit	\$25	\$25		0.00%	N	
18 Use of Trailer	\$60	\$60	per hour	0.00%	N	
19 Administrative Fee	\$70	\$70	per hour	0.00%	N	
20 Instructor	Actual Cost	Actual Cost			N	
21 Fire Reports	\$13	\$13		0.00%	N	
22 Other Services Not Listed	HR(s) * hourly rate	HR(s) * hourly rate			N	

City of Milpitas

FIRE

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
FIRE PREVENTION						
ANNUAL OPERATIONAL PERMITS						
23 A-1 Occupancy (theaters and other small viewing halls)	\$1,207	\$1,264		4.73%	Y	
24 A-2 Occupancy (Food & Drink Establishment)	\$912	\$956		4.73%	Y	
25 A-3 Occupancy (Worship, recreation, or amusement)	\$912	\$956		4.73%	Y	
26 A-4 & A-5 Occupancy (indoors or outdoors sport event structures)	\$2,091	\$2,190		4.73%	Y	
27 High Piled Storage	\$1,207	\$1,264		4.73%	Y	
28 Malls						
a) Small (0 to 50,000 s.f.)	\$898	\$941		4.73%	Y	
b) Medium (50,001 to 100,000 s.f.)	\$1,502	\$1,573		4.73%	Y	
c) Large (over 100,000 s.f.)	\$2,091	\$2,190		4.73%	Y	
29 Combustible Dust Producing Facility	\$603	\$632		4.73%	Y	
30 Motels	\$912	\$956		4.73%	Y	
31 Hotels & Multi-Story Structures						
a) <5 stories	\$1,796	\$1,881		4.73%	Y	
b) 5+ stories - per floor	\$302	\$316		4.73%	Y	
32 Commercial Daycare						
a) Small (<100 children or elderly)	\$589	\$617		4.73%	Y	
b) Large (100+ children or elderly)	\$1,178	\$1,234		4.73%	Y	
33 Residential Daycare						
a) Small Family Daycare (8 or fewer children)	\$0	\$0			N	
b) Large Family Daycare (9-14 children)	\$0	\$0			N	
c) Elderly Care (6 or fewer people)	\$0	\$0			N	
34 Small Apartments (3-4 units)	\$296	\$310		4.73%	Y	
35 Medium Apartments (5-15 units)	\$1,178	\$1,234		4.73%	Y	
36 Large Apartments (more than 15 units)	\$1,768	\$1,851		4.73%	Y	
37 Small Chemical User (Example: doctor/dentist, dry cleaner, photo shop, graphic design, print shop, automobile engine repair, propane, CO2 beverage dispensing system, battery systems, emergency generators, pools, etc.)	\$618	\$647		4.73%	Y	
38 Medium Chemical User (Example: automobile body shop, research and design, analytical labs, pool supplies, big-box retail stores)	\$1,530	\$1,602		4.73%	Y	
39 Large Chemical User (Semiconductor or similar facilities)	\$2,414	\$2,528		4.73%	Y	
40 Plating Shops	\$1,825	\$1,911		4.73%	Y	

City of Milpitas

FIRE

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
41 Toxic Gas						
a) Small Toxic Gas - Annual Monitoring Certification	\$1,178	\$1,234		4.73%	Y	
b) Large Toxic Gas - Annual Monitoring Certification	\$2,357	\$2,468		4.73%	Y	
42 Mobile Fueling						
a) Vendor	\$1,530	\$1,602		4.73%	Y	
b) Site	\$1,530	\$1,602		4.73%	Y	
43 Underground Tanks	\$928	\$972		4.73%	Y	
44 Urban Runoff Inspections						
a) Industrial	\$618	\$647		4.73%	Y	
b) Restaurants (once every 2 years)	\$618	\$647		4.73%	Y	
45 Other Miscellaneous Annual Inspections Fee - per hour	HR(s) * hourly rate	HR(s) * hourly rate			N	
CONSTRUCTION REVIEW / PERMIT / INSPECTION						
Building Life / Safety:						
Demolition Fees:						
46 Interior or Partial Building or Misc. Demolition	\$590	\$618		4.73%	Y	
47 Complete Building with or without Site Demolition	\$886	\$928		4.73%	Y	
48 Grading Fees: These are only assessed if permits are submitted separately to Building Department from new construction or remodel permits.						
a) Less than 1 acre	\$590	\$618		4.73%	Y	
b) 1-5 acres	\$886	\$928		4.73%	Y	
c) Greater than 5 acres	\$1,181	\$1,237		4.73%	Y	
49 Site Improvement Fees: These are only assessed if permits are submitted separately to Building Department from new construction or remodel permits.						
a) Less than 1 acre	\$886	\$928		4.73%	Y	
b) 1-5 acres	\$1,771	\$1,855		4.73%	Y	
c) Greater than 5 acres	\$296	\$310	per acre	4.73%	Y	
50 New Building – Shell:						
a) Less than 5,000 sq. ft.	\$886	\$928		4.73%	Y	
b) 5,000-25,000 sq. ft.	\$1,771	\$1,855		4.73%	Y	
c) 25,000-50,000 sq. ft.	\$2,657	\$2,783		4.73%	Y	
d) 50,000+ sq. ft. – per sq. ft.	\$0.06	\$0.07	per sq ft	4.73%	Y	

City of Milpitas

FIRE

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
51 New Building – New Construction:						
a) Less than 5,000 sq. ft.	\$886	\$928		4.73%	Y	
b) 5,000-25,000 sq. ft.	\$2,361	\$2,473		4.73%	Y	
c) 25,000-50,000 sq. ft.	\$4,428	\$4,638		4.73%	Y	
d) 50,000+ sq. ft. – per sq. ft.	\$0.09	\$0.10	per sq ft	4.73%	Y	
52 Additions, Alterations, and Tenant Improvements:						
a) Less than 5,000 sq. ft.	\$562	\$589		4.73%	Y	
b) 5,000-25,000 sq. ft.	\$2,223	\$2,328		4.73%	Y	
c) 25,000-50,000 sq. ft.	\$4,152	\$4,348		4.73%	Y	
d) 50,000+ sq. ft. – per sq. ft.	\$0.09	\$0.10	per sq ft	4.73%	Y	
53 Missed Plan Check by Appointment	\$296	\$310		4.73%	Y	
54 Revision to Project Fee - per hour (min 1 hr)	HR(s) * hourly rate	HR(s) * hourly rate			N	
55 Tents, Canopies, or Membrane Structures:						
a) 4 or less	\$885	\$927		4.73%	Y	
b) 5+	\$1,180	\$1,236		4.73%	Y	
56 Temporary Assembly (Indoors or outdoors), with or w/out tent						
a) Occupancy 50-299	\$885	\$927		4.73%	Y	
b) Occupancy 300-999	\$1,475	\$1,545		4.73%	Y	
c) Occupancy 1000+	\$2,360	\$2,472		4.73%	Y	
Fire Extinguishing Systems: These are typically deferred submittals and reviewed and inspected after building plan submittals.						
57 Fire Service Underground:						
a) New or Replace - each	\$1,475	\$1,545		4.73%	Y	
b) Repairs	\$590	\$618		4.73%	Y	
58 Fire Sprinkler Systems:						
a) Less than 2,000 sq. ft	\$857	\$898		4.73%	Y	
b) 2,000+ sq. ft. – per sq. ft., fee = Base Fee + [(project sq. ft. - 2,000 sq. ft.) * per sq. ft. fee]	\$0.22	\$0.23		4.73%	Y	
59 Hood & Duct Systems – Each	\$1,180	\$1,236		4.73%	Y	
60 FM 2000 (under floor systems, etc.) each	\$1,180	\$1,236		4.73%	Y	
61 Other (deluge, foam, preaction, etc.) each	\$1,180	\$1,236		4.73%	Y	

City of Milpitas

FIRE

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Fire Alarm Systems:						
62 Additions, Alterations, or Repairs: If more than 10 devices then the New Fire Alarm fee applies.						
a) 1-5 Devices	\$590	\$618		4.73%	Y	
b) 6-10 Devices	\$1,180	\$1,236		4.73%	Y	
63 New Fire Alarm:						
a) Less than 5,000 sq. ft.	\$1,180	\$1,236		4.73%	Y	
b) 5,000+ sq. ft. – per sq. ft., fee = Base Fee + [(project sq. ft. - 5,000 sq. ft.) * per sq. ft. fee]	\$0.20	\$0.21		4.73%	Y	
64 Hazardous Materials - Building Construction:						
a) Small TI without process piping or tools. (Example: registration form, inert compressed gas system installations, CO2 for beverage, small auto repair or	\$598	\$626		4.73%	Y	
b) Facility TI with process piping or tanks < 4,000 sq. ft. (Example: H or F Occupancy, Plating Facility, chemical bunker). Does not include tools (tool fee is	\$1,184	\$1,240		4.73%	Y	
c) Facility TI with process piping or tanks > 4,000 sq. ft. (Example: H or F Occupancy, Plating Facility, chemical bunker). Does not include tools (tool fee is	\$0.30	\$0.31	per sq ft	4.73%	Y	
65 Tools with Hazardous Materials (Example: emergency generator, lift stations, aboveground tanks, treatment systems, battery module per 50KWh, propane system, large tank installations).						
a) Up to Two Tools	\$1,184	\$1,240	up to 2 tools	4.73%	Y	
b) Each Additional Tool	\$444	\$465	per tool	4.73%	Y	
66 Closure - process / tools	\$900	\$943	each	4.73%	Y	
67 Closure - Facility						
a) Small TI without process piping or tools. (Example: registration form, inert compressed gas system installations, CO2 for beverage, small auto repair or	\$598	\$626		4.73%	Y	
b) Facility TI with process piping or tanks < 4,000 sq. ft. (Example: H or F Occupancy, Plating Facility, chemical bunker). Tools included.	\$1,184	\$1,240		4.73%	Y	
c) Facility TI with process piping or tanks > 4,000 sq. ft. (Example: H or F Occupancy, Plating Facility, chemical bunker). Tools included.	\$0.30	\$0.31	per sq ft	4.73%	Y	
68 Underground Tank Installation:						
a) 4 Tank System or less	\$5,388	\$5,642		4.73%	Y	
b) Each additional tank	\$605	\$633		4.73%	Y	
69 Underground Tank Removal:						
a) 2 Tank System or Less	\$2,405	\$2,519		4.73%	Y	
b) Each additional tank	\$302	\$317		4.73%	Y	

City of Milpitas

FIRE

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
70 CERS & APSA - Fee no longer applicable						
a) CERS - Fee no longer applicable	\$0	\$0			N	
b) APSA - Fee no longer applicable	\$0	\$0			N	
MISCELLANEOUS FEES:						
71 After Hours or Fast-Track Plan Check, Inspection - 3 hrs min at OT Rate	\$1,040	\$1,089		4.73%	Y	[a]
72 Alternate Materials & Methods Review	\$1,071	\$1,122		4.73%	Y	
73 New Occupancy (new business)						
a) No Hazardous Materials	\$296	\$310		4.73%	Y	
b) With Hazardous Materials	\$589	\$617		4.73%	Y	
74 Smoke Detectors Verifications (new owner)	\$296	\$310		4.73%	Y	
75 Title 19 5-year automatic fire sprinkler certification						
a) Commercial, Industrial, Mixed Use, Hotel/Motel, Apartments, Condominiums,						
i. Building less than or equal to 50,000 sq. ft.	\$591	\$619		4.73%	Y	
ii. Building over 50,000 sq. ft.						
a) First 50,000 sq. ft.	\$591	\$619		4.73%	Y	
b) Each additional 50,000 sq. ft. or fraction thereof	\$296	\$310		4.73%	Y	
b) Townhome Buildings						
i. Building less than or equal to 25,000 sq. ft.	\$296	\$310		4.73%	Y	
ii. Building over 25,000 sq. ft.						
a) First 25,000 sq. ft.	\$296	\$310		4.73%	Y	
b) Each additional 25,000 sq. ft. or fraction thereof	\$296	\$310		4.73%	Y	
76 Failure to cancel a scheduled inspection 24 hrs. prior	\$296	\$310		4.73%	Y	
77 Temporary Certificate of Occupancy	\$147	\$154		4.73%	Y	
78 Standard Hourly Rate - per hour	\$296	\$310		4.73%	Y	
79 Overtime Hourly Fee - per hour	\$347	\$363		4.73%	Y	
80 Other activities not listed - per hour	\$296	\$310		4.73%	Y	
81 Additional Plan Review Time - Std. or OT per hr.	HR(s) * hourly rate	HR(s) * hourly rate			N	
82 Additional Inspection Time - Std. or OT per hr.	HR(s) * hourly rate	HR(s) * hourly rate			N	
83 Fire Department Technology Fee - % of permit	3.80%	3.80%		0.00%	N	
84 Emergency Response Mapping - new projects - per hour	\$268	\$281		4.73%	Y	

[a] Minimum 3 hours.

City of Milpitas

AMBULANCE

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
SERVICE FEES						
1 ALS-1 (Advanced Life Support)	\$1,960.82	\$2,055.53		4.83%	N	
2 ALS-2 (Advanced Life Support)	\$1,960.82	\$2,055.53		4.83%	N	
3 BLS	\$1,568.66	\$1,644.43		4.83%	N	
4 Mileage	\$63.55	\$69.79		9.82%	N	
5 Hourly Ambulance Standby	\$248.14	\$260.13		4.83%	N	
6 Hourly Paramedic – Individual	\$124.07	\$130.06		4.83%	N	
7 Hourly EMT – Individual	\$82.71	\$86.71		4.84%	N	
EQUIPMENT/SUPPLIES						
8 Airway/Nasal	\$38.13	\$39.97		4.83%	N	
9 Airway/Oral	\$20.80	\$21.80		4.81%	N	
10 Bag Valve Mask	\$126.51	\$132.62		4.83%	N	
11 Bandage, Elastic	\$10.22	\$10.72		4.89%	N	
12 Bandages Triangular	\$17.33	\$18.17		4.85%	N	
13 Bed Pan	\$17.33	\$18.17		4.85%	N	
14 Blanket, Disposable	\$41.59	\$43.60		4.83%	N	
15 Blood Glucose Test	\$34.66	\$36.34		4.85%	N	
16 Burn Sheet	\$64.12	\$67.22		4.83%	N	
17 Cervical Collar	\$124.78	\$130.81		4.83%	N	
18 Cold/Hot Pack	\$26.00	\$27.25		4.81%	N	
19 Cpap Procedure	\$537.25	\$563.19		4.83%	N	
20 Defib Pads	\$76.25	\$79.94		4.84%	N	
21 Dressing - Major	\$17.33	\$18.17		4.85%	N	
22 Dressing - Minor	\$17.33	\$18.17		4.85%	N	
23 Ekg Electrodes	\$32.93	\$34.52		4.83%	N	
24 Ekg Monitor 12 Lead	\$164.64	\$172.59		4.83%	N	
25 Emesis Basin/Bag	\$13.51	\$14.16		4.81%	N	
26 Endotracheal Tube Introducer/Gum Elastic Bougie	\$115.77	\$121.36		4.83%	N	
27 Headbed Immobilizer	\$29.46	\$30.88		4.82%	N	
28 Hepa Mask	\$43.33	\$45.42		4.82%	N	
29 Hood, Spit Sock	\$28.53	\$29.91		4.84%	N	
30 Intravenous Saline Lock	\$91.25	\$95.65		4.82%	N	
31 Intravenous Infusion Set	\$154.24	\$161.69		4.83%	N	

City of Milpitas

AMBULANCE

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
32 Intravenous Start Kit	\$69.27	\$72.69		4.94%	N	
33 Intubation Supplies	\$77.99	\$81.75		4.82%	N	
34 IO Supplies	\$516.45	\$541.39		4.83%	N	
35 King Vision Video Larynoscope Channel Blade	\$28.67	\$30.05		4.81%	N	
36 Lma Supreme - Supraglottic Airway	\$34.40	\$36.06		4.83%	N	
37 Meconium Aspirator	\$15.41	\$16.15		4.80%	N	
38 Nebulizer	\$81.46	\$85.39		4.82%	N	
39 Non-Rebreather Mask	\$19.06	\$19.98		4.83%	N	
40 O2 Cannula With End-Tidal	\$58.87	\$61.72		4.84%	N	
41 O2 Mask/Cannula	\$39.86	\$41.79		4.84%	N	
42 OB Pack	\$138.64	\$145.34		4.83%	N	
43 Patient Mover	\$55.62	\$58.31		4.84%	N	
44 Plueral Decompression	\$117.92	\$123.62		4.83%	N	
45 Pulse Oximetry	\$72.79	\$76.30		4.82%	N	
46 Razor, Disposable	\$1.44	\$1.51		4.86%	N	
47 Splint Arm	\$26.00	\$27.25		4.81%	N	
48 Splint Leg	\$26.00	\$27.25		4.81%	N	
49 Splinting (Extremity)	\$124.78	\$130.81		4.83%	N	
50 Strap, 5 Foot Immobilization	\$19.18	\$20.10		4.80%	N	
51 Suction Tube	\$53.72	\$56.32		4.84%	N	
52 Suctioning	\$109.18	\$114.46		4.84%	N	
53 Temperature Measurement	\$29.26	\$30.67		4.82%	N	
54 Tourniquet, Combat	\$104.20	\$109.23		4.83%	N	
55 Universal Precautions	\$48.53	\$50.87		4.82%	N	
56 Urinal	\$17.33	\$18.17		4.85%	N	

City of Milpitas

AMBULANCE

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
MEDICATIONS						
57 Acetaminophen (Ofirmev)	\$209.83	\$219.96		4.83%	N	
58 Activated Charcoal	\$35.22	\$36.92		4.83%	N	
59 Adenosine	\$100.52	\$105.37		4.82%	N	
60 Albuterol	\$41.59	\$43.60		4.83%	N	
61 Amiodarone	\$66.85	\$70.08		4.83%	N	
62 Aspirin	\$10.40	\$10.90		4.81%	N	
63 Atrophine	\$29.46	\$30.88		4.82%	N	
64 Atrophine High Dose	\$138.98	\$145.69		4.83%	N	
65 Benadryl	\$29.46	\$30.88		4.82%	N	
66 Calcium Chloride	\$29.46	\$30.88		4.82%	N	
67 Dextrose 10% 25G In 250ML Bag	\$42.01	\$44.03		4.81%	N	
68 Dopamine Drip	\$93.58	\$98.10		4.83%	N	
69 Duodote Autoinjector	\$87.09	\$91.29		4.82%	N	
70 Epi 1:1,000 1Mg/1Cc	\$48.53	\$50.87		4.82%	N	
71 Epi 1:10,000	\$48.53	\$50.87		4.82%	N	
72 Glucagon	\$493.92	\$517.78		4.83%	N	
73 Glucose Paste	\$15.09	\$15.82		4.84%	N	
74 Lidocaine 2%	\$38.13	\$39.97		4.83%	N	
75 Midazole	\$2.76	\$2.89		4.71%	N	
76 Morphine	\$29.46	\$30.88		4.82%	N	
77 Narcan	\$55.46	\$58.14		4.83%	N	
78 Nitroglycerin Tablet	\$1.48	\$1.55		4.73%	N	
79 Nitropaste	\$13.50	\$14.15		4.81%	N	
80 Normal Saline Flush Pls 10Cc	\$25.91	\$27.16		4.82%	N	
81 Normal Saline 1000Cc	\$168.11	\$176.23		4.83%	N	
82 Ondansetron Injectable	\$60.31	\$63.22		4.83%	N	
83 Ondansetron Oral Dissolving Tablet	\$49.81	\$52.21		4.82%	N	
84 Sodium Bicarb	\$51.99	\$54.50		4.83%	N	
85 Sterile Water	\$41.59	\$43.60		4.83%	N	
86 Tranexamic Acid 1,000mg	\$9.89	\$10.37		4.85%	N	

* These fees are intended to mirror fees authorized by the Santa Clara County Emergency Services Agency. If Santa Clara County EMS updates fees subsequent to the adoption of this schedule, this schedule shall be presumed to reflect updated amounts. In the case of discrepancies, fee amounts authorized by Santa Clara County EMS shall supersede the amounts listed above. The City will periodically examine costs to ensure that fees collected do not exceed the City's program costs of service.

City of Milpitas

POLICE

Item # 16.

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Citations							
1	Citation Sign off for Non Milpitas Residents	\$20	\$20		0.00%	N	
2	Parking Citations	\$65 - \$280	\$65 - \$280		0.00%	N	[a]
3	Copy of Traffic & Parking citations	\$5	\$5		0.00%	N	
Alarm Fees and Fines							
4	Alarm Permit						
	a) Alarm Permit - Initial	\$42	\$44	per year	4.73%	Y	[b]
	b) Alarm Permit - Renewal	\$21	\$22	per year	4.73%	Y	[b]
	c) Alarm Permit - Late Filing Fee	50% of permit fee	50% of permit fee			N	
5	False Alarm Response (per calendar year)						
	a) First	No Charge	No Charge			N	
	b) Second	No Charge	No Charge			N	
	c) Third	\$78	\$82		4.73%	Y	
	d) Fourth	\$130	\$136		4.73%	Y	
	e) Fifth	\$260	\$272		4.73%	Y	
	f) Sixth or More	\$260	\$272	per response	4.73%	Y	
6	False Alarm Response - Additional Fee for Unregistered Alarm	\$26	\$27	per response	4.73%	Y	
Concealed Weapon Permit							
7	Concealed Weapon Permit						
	a) Initial Application	See County	\$330			Y	[c]
	b) Renewal Application	See County	\$25			N	[c]
	c) Psychological Testing	See County	\$150			N	[c]
	d) Modification of Permit	See County	\$10			N	[c]

City of Milpitas

POLICE

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Miscellaneous						
8 Fingerprints						
a) Ink Card Up to (2) Cards	\$25	\$25		0.00%	N	
b) Ink Card Over (2) Cards	\$5	\$5	Each Additional Card	0.00%	N	
c) Live Scan plus DOJ and FBI fees	\$25	\$25		0.00%	N	
9 Subpoenas						
a) Officer	\$275	\$275		0.00%	N	
b) Records	\$15	\$15		0.00%	N	
10 Booking Fee	\$139				N	{e}
10 Administrative Tow Fees						
a) Impound	\$346	\$346		0.00%	N	
b) Stored	\$50	\$50		0.00%	N	
11 Repossession Fee	\$15	\$15		0.00%	N	
12 Incident (Log Event) Reports	\$5	\$5		0.00%	N	
13 Photos on CD / Digital Media	\$15	\$15		0.00%	N	
14 Police Reports						
a) Up to (10) Pages	\$13	\$13		0.00%	N	
b) Police Reports Over (10) Pages	\$1	\$1	per page	0.00%	N	
15 US Investigative Request for Law Enforcement Data	\$15	\$15		0.00%	N	
16 Videos / Digital Reproduction	\$50	Actual Cost billed in 15 minute increments; \$50 minimum			N	[d]
17 Massage Permits	\$1,000	\$1,000		0.00%	N	

[a] Amounts vary depending on citation type.

[b] Alarm permits are issued per calendar year. Permits will expire annually on December 31st.

[c] Additional fees may apply (e.g., other agency fees, fingerprinting, background testing, firearm training, etc.).

[d] For requests requiring special programming or formatting the City will recover actual costs, including a pass-through of any vendor costs incurred.

~~[e] Pursuant to AB 1869, effective September 18, 2020, this fee shall remain in effect only until July 1, 2021, and as of that date is repealed, unless a later enacted statute that is enacted before July 1, 2021, deletes or extends that date.~~

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
ADULT RECREATION						
Adult Sports Enrichment Fees						
1 Sports League (full season)						
a) per team	\$520	\$545 - \$775	per season	varies	Y	
b) Additional fee per non-resident player	\$10	\$11	per season	10%	Y	
AQUATICS						
2 Recreational Swim	\$2 - \$5	\$3 - \$8	per person	varies	Y	
3 Swimming Lessons Group						
a) Residents	\$80 - \$90	\$85 - \$116	per session	varies	Y	
b) Non-Resident	\$100 - \$110	See Non-Res Fee	per-session	0%	Y	
4 Semi-Private /Private Swimming Lessons						
a) Residents	\$40	\$40 - \$50	per half hour lesson	varies	Y	
b) Non-Resident	\$60	See Non-Res Fee	per half hour lesson		Y	
5 Parent-Tot Drop-in swim pass						
a) Residents	\$16	\$17	per 5 visits	6%	Y	
b) Non-Resident	\$36	See Non-Res Fee	per 5 visits		Y	
6 Monthly Swim Club Fee Development Group						
a) Residents	\$71 - \$92	No longer offered	per month		Y	
b) Non-Resident	\$111 - \$132	No longer offered	per month		Y	
7 Monthly Swim Club Juniors/Intermediate						
a) Residents	\$81 - \$102	No longer offered	per month		Y	
b) Non-Resident	\$121 - \$142	No longer offered	per month		Y	
8 Monthly Swim Club Senior						
a) Residents	\$92 - \$113	No longer offered	per month		Y	
b) Non-Resident	\$132 - \$153	No longer offered	per month		Y	

City of Milpitas

RECREATION

Item # 16.

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Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
ARTS & CULTURE PROGRAMS							
6	Cultural Facilities Entrance Fee		\$0 - \$20	per person		Y	
7	Cultural Event Activity Fee		\$0 - \$20	per person		Y	
8	Busker Fee		\$0 - \$20	per event		Y	
9	Artisan/Cottage Vendor Fee		\$25 - \$105	per event		Y	
10	Theatre Audition/Cast Fee						
	a) Residents		\$0 - \$138	per production		Y	
11	Theatre Entrance Fees						
	a) General Production		\$0 - \$20	per person		Y	
	b) Special Production		\$0 - \$50	per person		Y	
12	CONTRACT CLASSES / PROGRAMS	Instructor: hrs. * hourly rate	Instructor: Negotiated Rate			N	
MEMBERSHIP							
13	Senior Center Membership						
	a) Residents	\$13	\$14 - \$18	per year		Y	
	b) Non-Resident	\$31	\$33	per year	6%	Y	
Sports Center Membership							
14	Fitness Passes- Per Visit Packages						
	a) 5 visits	\$26	\$27	per package visit	4%	Y	
	b) 10 visits	\$52	\$54	per package visit	4%	Y	
	c) 15 visits	\$156	\$81	per package visit	typo - adjust	Y	
	d) 20 visits	\$624	\$108	per package visit	typo - adjust	Y	
15	Fitness Passes Senior (50+)- Per Visit Packages						
	a) 5 visits	\$16	\$17	per package visit	6%	Y	
	b) 10 visits	\$32	\$34	per package visit	6%	Y	
	c) 15 visits	\$96	\$51	per package visit	typo - adjust	Y	
	d) 20 visits	\$384	\$68	per package visit	typo - adjust	Y	
16	Drop-In Fee	\$8 - \$13	\$8 - \$14	per package visit	varies	Y	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
17	Sports Center Unlimited Packages						
	a) Monthly	\$65	\$70	per package	8%	Y	
	b) 3 Months	\$195	\$210	per package	8%	Y	
	c) 6 Months	\$295	\$310	per package	5%	Y	
	d) 12 Months	\$495	\$510	per package	3%	Y	
18	Sports Center Unlimited Packages - Senior (50+)						
	a) Monthly	\$40	\$40	per package	0%	Y	
	b) 3 Months	\$90	\$95	per package	6%	Y	
	c) 6 Months	\$140	\$145	per package	4%	Y	
	d) 12 Months	\$245	\$255	per package	4%	Y	
19	Annual Non-Resident Fee	\$52 - \$104	\$55 - \$109	per year	varies	Y	
Artificial Turf Field							
20	Deposit (Football/Soccer)						
	a) Priority II & III	n/a	n/a		0%	N	
	b) Priority IV & V	\$1,000	\$1,000		0%	N	
21	Deposit (Soccer/Volleyball)						
	a) Priority II & III	n/a	n/a		0%	N	
	b) Priority IV & V	\$750	\$750		0%	N	
22	Artificial Turf Football/Soccer w/o lights						
	a) Priority II & III	n/a	n/a		0%	N	
	b) Priority IV	\$155	\$155	per hour	0%	N	
	c) Priority V	\$310	\$310	per hour	0%	N	
23	Artificial Turf Football/Soccer w/ lights						
	a) Priority II & III	n/a	n/a		0%	N	
	b) Priority IV	\$165	\$165	per hour	0%	N	
	c) Priority V	\$330	\$330	per hour	0%	N	
24	Artificial Turf Volleyball/Soccer w/o lights						
	a) Priority II & III	n/a	n/a		0%	N	
	b) Priority IV	\$105	\$105	per hour	0%	N	
	c) Priority V	\$210	\$210	per hour	0%	N	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
25 Artificial Turf Volleyball/Soccer w/ lights						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$115	\$115	per hour	0%	N	
c) Priority V	\$230	\$230	per hour	0%	N	
26 Tournament: Field w/o lights (Football)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$220	\$220	per hour	0%	N	
c) Priority V	\$330	\$330	per hour	0%	N	
27 Tournament: Field w/ lights (Football)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$230	\$230	per hour	0%	N	
c) Priority V	\$345	\$345	per hour	0%	N	
28 Tournament: Field w/o lights (Small)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$165	\$165	per hour	0%	N	
c) Priority V	\$248	\$248	per hour	0%	N	
29 Tournament: Field w/ lights (Small)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$175	\$175	per hour	0%	N	
c) Priority V	\$263	\$263	per hour	0%	N	
Community Center Rentals						
30 Application Fee (non-refundable)	\$21 - \$31	\$21 - \$31	per rental	0%	N	
31 Rental Deposits: Classroom/Conference Room	\$200	\$200	per rental	0%	N	
32 Rental Deposits: Auditorium	\$500	\$500	per rental	0%	N	
33 Rental Deposits: Auditorium Screen	\$250	\$250	per rental	0%	N	
34 Auditorium (3 hr. minimum)						
a) Priority II	no fee	no fee		0%	N	
b) Priority III	\$105	\$105	per hour	0%	N	
c) Priority IV	\$210	\$210	per hour	0%	N	
d) Priority V	\$270	\$270	per hour	0%	N	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
35 Conference Room (2 hr. minimum)						
a) Priority II	no fee	no fee		0%	N	
b) Priority III	\$37	\$37	per hour	0%	N	
c) Priority IV	\$74	\$74	per hour	0%	N	
d) Priority V	\$134	\$134	per hour	0%	N	
36 Dance Studio. Craft Classroom (2 hr. minimum)						
a) Priority II	no fee	no fee		0%	N	
b) Priority III	\$21	\$21	per hour	0%	N	
c) Priority IV	\$42	\$42	per hour	0%	N	
d) Priority V	\$102	\$102	per hour	0%	N	
37 Facility Attendant Fees						
a) Priority II,III, IV	\$31	\$31	per hour	0%	N	
b) Priority V	\$62	\$62	per hour	0%	N	
38 Piano						
a) Priority III, IV	\$21	\$21	per day	0%	N	
b) Priority V	\$84	\$84	per day	0%	N	
39 Auditorium Sound System (includes staff time)	\$53	\$53	per hour	0%	N	
Field Rentals						
40 Application Fee (non-refundable)	\$21 - \$31	\$21 - \$31		0%	N	[a]
41 Rental Deposits						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV & V	\$750	\$750		0%	N	
42 Cricket Pitch						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$31	\$31	per hour	0%	N	
c) Priority V	\$62	\$62	per hour	0%	N	
43 Soccer Field w/o lights (2hr. Minimum)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$31	\$31	per hour	0%	N	
c) Priority V	\$62	\$62	per hour	0%	N	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
44 Soccer Field w/ lights (2hr. Minimum)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$42	\$42	per hour	0%	N	
c) Priority V	\$84	\$84	per hour	0%	N	
45 Softball/ Baseball Field w/o lights (2hr minimum)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$21	\$21	per hour	0%	N	
c) Priority V	\$42	\$42	per hour	0%	N	
46 Softball/ Baseball Field w/ lights (2hr minimum)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$31	\$31	per hour	0%	N	
c) Priority V	\$62	\$62	per hour	0%	N	
47 Tournaments: Field w/o lights						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$63	\$63	per hour	0%	N	
c) Priority V	\$126	\$126	per hour	0%	N	
48 Tournaments: Field w/ lights						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$83	\$83	per hour	0%	N	
c) Priority V	\$166	\$166	per hour	0%	N	
Gym, Courts & Pool Rentals						
49 Application Fee (non-refundable)	\$21 - \$31	\$21 - \$31		0%	N	
50 Rental Deposit						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV & V	\$750	\$750		0%	N	
51 Large Gymnasium (3 hr. minimum)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$85	\$85		0%	N	
c) Priority V	\$170	\$170		0%	N	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
52 Tournaments: Large Gymnasium (3 hr. Minimum)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$145	\$145		0%	N	
c) Priority V	\$225	\$225		0%	N	
53 Training Pool (2hr. minimum)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$52	\$52	per hr + 2 guards	0%	N	
c) Priority V	\$104	\$104	per hr + 2 guards	0%	N	
54 Yard Pool (2 hr. minimum)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$65	\$65	per hr + 2 guards	0%	N	
c) Priority V	\$130	\$130	per hr + 2 guards	0%	N	
55 Meter Pool (2 hr. minimum)						
a) Priority II & III	n/a	n/a		0%	N	
b) Priority IV	\$75	\$75	per hr + 2 guards	0%	N	
c) Priority V	\$150	\$150	per hr + 2 guards	0%	N	
56 Facility Attendant/Scorekeeper (per attendant)						[a]
a) Priority II & IV	\$31	\$31	per hour	0%	N	
b) Priority V	\$62	\$62	per hour	0%	N	
57 Lifeguard Fees (per Lifeguard)						[a]
a) Priority II & IV	\$16	\$20	per hour	25%	N	
b) Priority V	\$32	\$40	per hour	25%	N	
Higuera Adobe						
58 Application Fee (non-refundable)	\$21 - \$31	\$21 - \$31		0%	N	[b]
59 Rental Deposit	\$500	\$500		0%	N	[b]
60 Auditorium (3hr. Minimum)						
a) Priority II	no fee	no fee		0%	N	
b) Priority III	\$52	\$52	per hour	0%	N	
c) Priority IV	\$104	\$104	per hour	0%	N	
d) Priority V	\$164	\$164	per hour	0%	N	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
61	Facility Attendant Fees (per attendant)						
	a) Priority II, III, & IV	\$31	\$31	per hour	0%	N	
	b) Priority V	\$62	\$62	per hour	0%	N	
	City Hall						
62	Application Fee (non-refundable)	\$30	\$30	per rental	0%	N	
63	Rental Deposit	\$500	\$500		0%	N	[b]
64	City Hall Rotunda (2 hr. minimum)						
	a) Priority II	no fee	no fee		0%	N	
	b) Priority III	\$40	\$40	per hour	0%	N	
	c) Priority IV	\$80	\$80	per hour	0%	N	
	d) Priority V	\$160	\$160	per hour	0%	N	
65	City Hall City Council Chambers (2 hr. minimum)						
	a) Priority II	no fee	no fee		0%	N	
	b) Priority III	\$78	\$78	per hour	0%	N	
	c) Priority IV	\$260	\$260	per hour	0%	N	
	d) Priority V	\$520	\$520	per hour	0%	N	
66	City Hall Veterans Plaza (2 hr. minimum)						
	a) Priority II	no fee	no fee			N	
	b) Priority III	\$40	\$40	per hour	0%	N	
	c) Priority IV	\$80	\$80	per hour	0%	N	
	d) Priority V	\$160	\$160	per hour	0%	N	
67	Staff/hour - Maintenance and/or IT (per attendant / per staff member)	\$50	\$50	per hour	0%	N	
	Special Event Venue/Open Space						
68	Application Fee (non-refundable)	\$31	\$31	per application	0%	N	
69	Rental Deposits	\$1,000	\$1,000	per day	0%	N	
70	Rental Fee						
	a) Priority II & III	\$1,033	\$1,033	per day	0%	N	
	b) Priority IV	\$2,066	\$2,066	per day	0%	N	
	c) Priority V	\$3,099	\$3,099	per day	0%	N	
71	Facility Attendant Fees (per attendant)	\$31	\$31	per hour	0%	N	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Mobile Stage Rental						
72 Deposit (All Priorities)	\$1,000	\$1,000		0%	N	
73 Rental (All Priorities)	\$1,300 - \$2,600	\$1,370 - \$2,740	per day	5%	Y	
74 Light Package	\$105 - \$1,050	\$110 - \$1,100	per rental	5%	Y	[c]
75 Light Mixer	\$105 - \$420	\$110 - \$440	per rental	5%	Y	[d]
76 Light Tech	\$31 - \$103	\$33 - \$110	per hour	varies	Y	[e]
77 Stage-Extensions/Stage-Risers	\$105-\$525	Not available	per rental	5%	Y	[e]
77 Staff Fee	\$105 - \$2,625	\$110 - \$2,750	per hour	5%	Y	[f]
78 Sound Package	\$105-\$2,625	Not available	per rental	5%	Y	[e]
79 Sound Tech	\$31-\$103	Not available	per hour	7%	Y	[e]
80 Audio Mixer	\$105-\$420	Not available	per rental	5%	Y	[d]
78 Mileage	\$0.50 - \$3.50	\$0.50 - \$3.50	per mile outside City	0%	Y	[g]
79 ADA Ramp	\$260	\$270		4%	Y	
80 Truss Roof Cover/ Banner Support	\$105 - \$420	\$110 - \$440	per rental	5%	Y	[c]
Picnic Area Rentals						
81 Application Fee (non-refundable)	\$21 - \$31	\$21 - \$31		0%	N	
82 Rental Deposit: Large Picnic Area	\$250	\$250		0%	N	
83 Small Parks with Restrooms (50 or less capacity)						
a) Priority III & IV	\$85	\$85	per day per area	0%	N	[b]
b) Priority V	\$150	\$150	per day per area	0%	N	[b]
84 Small Parks without Restrooms (50 or less capacity)						
a) Priority III & IV	\$65	\$65	per day per area	0%	N	[b]
b) Priority V	\$130	\$130	per day per area	0%	N	[b]
85 Medium Parks 50 to 100 or less capacity						
a) Priority III & IV	\$145	\$145	per day per area	0%	N	[b]
b) Priority V	\$205	\$205	per day per area	0%	N	[b]
86 Large Parks More than 100+ capacity						
a) Priority III & IV	\$330	\$330	per day per area	0%	N	[b]
b) Priority V	\$390	\$390	per day per area	0%	N	[b]

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

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Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Sal Cracolice Facility Rental						
87 Application Fee (non-refundable)	\$21 - \$32	\$21 - \$32		0%	N	
88 Rental Deposit Meeting Room	\$200	\$200	per rental	0%	N	[h]
89 Rental Deposit Auditorium	\$500	\$500		0%	N	[h]
90 Auditorium w/kitchenette (3hr. Minimum)						
a) Priority II	no fee	no fee		0%	N	
b) Priority III	\$85	\$85	per hour	0%	N	
c) Priority IV	\$170	\$170	per hour	0%	N	
d) Priority V	\$230	\$230	per hour	0%	N	
91 Facility Attendant Fees (per attendant)						
a) Priority II, III, & IV	\$31	\$31	per hour	0%	N	
b) Priority V	\$62	\$62	per hour	0%	N	
92 Amphitheatre						
a) Priority II, III, & IV	\$125	\$130	per hour per day	4%	N	
b) Priority V	\$185	\$190	per hour per day	3%	N	
93 Meeting Room (2 hr Minimum)						
a) Priority II	no fee	no fee		0%	N	
b) Priority III	\$47	\$47	per hour	0%	N	
c) Priority IV	\$94	\$94	per hour	0%	N	
d) Priority V	\$154	\$154	per hour	0%	N	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Senior Center Rentals						
94 Application Fee (non-refundable)	\$21 - \$32	\$21 - \$32		0%	N	
95 Rental Deposits: Auditorium	\$500	\$500		0%	N	[h]
96 Rental Deposits: Classrooms						
a) Priority II	no fee	no fee		0%	N	
b) Priority III	\$200	\$200		0%	N	
c) Priority IV	\$200	\$200		0%	N	
d) Priority V	\$200	\$200		0%	N	
97 Community Room Auditorium (3hr. Minimum)						
a) Priority II	no fee	no fee	per hour	0%	N	
b) Priority III	\$95	\$95	per hour	0%	N	
c) Priority IV	\$190	\$190	per hour	0%	N	
d) Priority V	\$250	\$250	per hour	0%	N	
98 Classroom 140 and 141 (Full) (2 hr. Minimum)						
a) Priority II	no fee	no fee	per hour	0%	N	
b) Priority III	\$47	\$47	per hour	0%	N	
c) Priority IV	\$94	\$94	per hour	0%	N	
d) Priority V	\$154	\$154	per hour	0%	N	
99 Classroom 140 and 141 (Half)						
a) Priority II	no fee	no fee	per hour	0%	N	
b) Priority III	\$26	\$26	per hour	0%	N	
c) Priority IV	\$52	\$52	per hour	0%	N	
d) Priority V	\$112	\$112	per hour	0%	N	
100 Facility Attendant Fees (per attendant)						
a) Priority II, III, & IV	\$31	\$31	per hour	0%	N	
b) Priority V	\$62	\$62	per hour	0%	N	
101 Dance Studio						
a) Priority II	no fee	no fee	per hour		N	
b) Priority III	\$21	\$21	per hour	0%	N	
c) Priority IV	\$42	\$42	per hour	0%	N	
d) Priority V	\$102	\$102	per hour	0%	N	

City of Milpitas

RECREATION

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Community Garden							
102	Garden Plots (Residents Only)						
	a) Potable Water Community Gardens	\$.75 - \$ 1.15	\$.75 - \$ 1.15	per sq. foot	0%	N	
	b) Recycled Water Community Gardens	\$.15 - \$.55	\$.15 - \$.55	per sq. foot	0%	N	
Pickleball / Tennis Court Rentals							
103	Deposit	\$250	\$250		0%	N	[h]
104	Tennis Courts w/o lights (per court)						
	a) Priority II & III	n/a	n/a	per hour / per court	0%	N	
	b) Priority IV	\$8	\$8	per hour / per court	0%	N	
	c) Priority V	\$10	\$10	per hour / per court	0%	N	
105	Tennis Courts w/ lights (per court)						
	a) Priority II & III	n/a	n/a	per hour / per court	0%	N	
	b) Priority IV	\$10	\$10	per hour / per court	0%	N	
	c) Priority V	\$13	\$13	per hour / per court	0%	N	
106	Tournament: Tennis Courts w/o lights						
	a) Priority II & III	n/a	n/a	per hour / per court	0%	N	
	b) Priority IV	\$27	\$27	per hour / per court	0%	N	
	c) Priority V	\$54	\$54	per hour / per court	0%	N	
107	Tournament: Tennis Courts w/ lights						
	a) Priority II & III	n/a	n/a	per hour / per court	0%	N	
	b) Priority IV	\$31	\$31	per hour / per court	0%	N	
	c) Priority V	\$63	\$63	per hour / per court	0%	N	
Senior Enrichment Fees(50+ years of age)							
108	Senior Center Programs-Classes	\$2 - \$5	\$5 - \$8	per hour instruction	varies	Y	
109	Senior Center Citizen Trip Admin Fee	\$5 - \$10	Actual cost to City + Trip Admission Fee	per activity	varies	Y	[i]
110	Senior Center Events Misc. Senior Center staff-run Programs/Events	\$0 - \$16	\$0 - \$20	per day/ticket	varies	Y	[j]
111	Senior Center Program/Class Non-Resident Fee	\$10	\$11	per class	10%	Y	
112	Senior Center Fitness Room	\$1-57	Incl'd w/ membership	per visit		Y	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

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Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
SPECIAL EVENTS						
Special Event Fees						
112 Special Event Entrance Fee	\$0 - \$52	\$0 - \$150	per event	varies	Y	
113 Special Events Activity Fee	\$0 - \$16	\$0 - \$40	per activity	varies	Y	
114 Special Event Vendor Fees	\$105 - \$520	\$105 - \$545	per space OR 5% - 20% net sales	varies	Y	
115 Special Event Non-Profit Vendor Fees	\$0 - \$260	\$0 - \$275	per space OR 0% - 10% net sales	varies	Y	
YOUTH						
Youth Enrichment Fees						
116 Youth Sports User Fee						
a) Outdoor	\$10	\$10	per player per season	0%	Y	
b) Indoor	\$21	\$21	per player per season	0%	Y	
117 Junior Warriors Basketball League	\$135 - \$165		per player per season		Y	
117 After School Program						
a) Residents	\$8 - \$13	\$8 - \$14	per day for residents	varies	Y	
b) Non-residents	\$8 - \$13		day for non-residents		Y	
118 Late fee for After-School/Day Camp Programs						
a) 1st offense & 2nd offense	\$10	\$11	per each 10 minutes	10%	Y	
b) 3rd offense or more	\$26	\$27	per each 10 minutes	5%	Y	
119 Day Camp (Regular Day) – Internal Staff Run	\$185 - \$205	\$195 - \$215	per week	5%	Y	
120 Trip Week Day Camp	\$310 - \$365		per week		Y	
120 Day Camp Extended Care – Internal Staff Run	\$42	\$44	per week	5%	Y	

City of Milpitas

RECREATION

Item # 16.

Legend for Recreation Fees:

Priority II= Milpitas Public Schools, Chamber, and Gov. Agencies; Priority III= Resident Non-Profits; Priority IV= Milpitas Residents; Priority V= Non-Resident

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly Infl'tr	Note
Department General Fees						
121 General Internal Class Program Fees	Staff time + Materials	Staff time + Materials			Y	
122 Membership Card replacement fee	\$5	\$5		0%	Y	
123 Transaction Fee	\$1 - \$5	\$1 - \$6	per receipt	varies	Y	
124 Trips	Actual cost to City + Trip Admission Fee	Actual cost to City + Trip Admission Fee		0%	Y	
125 General Non-Resident Fees	\$21 - \$31	\$22 - \$33	per person/class/month/program or trip	varies	Y	
126 Rental Deposits: All other rooms	\$200	\$200		0%	N	[h]
127 Recreation Services Merchandise	actual cost + % mark-up	actual cost + % mark-up		0%	Y	
128 Milpitas Resident Senior Citizen Discount (50 years+)	25% off any non-senior center based class	25% off any non-senior center based class		0%	Y	

Notes:

- [a] No fee for Priority III.
- [b] No fee for Priority II.
- [c] Based on needs and packages.
- [d] Based on needs and days.
- [e] Based on cost of tech.
- [f] Based on needs, actual costs of staff used in rental, time for load in/out and transportation.
- [g] Based on current gas prices.
- [h] No fee for Milpitas residents.
- [i] Depending on trip costs.
- ~~[j] Includes holiday dinner, tea parties, cooking classes, dances, misc. activities.~~

Additional Notes:

* Recreation Fees recovery goals may be adjusted/balanced based on market factors.

City of Milpitas

FINANCE

Item # 16.

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly In'fltr	Note
1	Bond Payoff Calculation	\$172	\$175		2.15%	Y	
2	Business License						
	a) New Application Processing Fee	\$50	\$50	per year	0.00%	N	
	b) Processing Fee (renewal)	\$25	\$25	per year	0.00%	N	
3	Phone Check Fee (User Fee - Finance)	\$15	\$15		0.00%	N	
4	Property Damage Invoice Processing Fee	\$30	\$30	plus replacement cost	0.00%	N	
5	Credit Card Transaction Processing Fee	2.4%	2.4%	% of amount paid by credit card	0.00%	N	[a]

[a] Fee will only apply when credit card is used for payment of fees for development/fire-related fees, permits, plan review, etc.

City of Milpitas

CITY CLERK

Item # 16.

Activity Description	FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly In'fltr	Note
Miscellaneous						
1 Campaign Late Filing Fees (per day. Set by State of California) Late Fine for Political Reform Act Filings	\$10	\$10	per day; up to \$100 maximum fine	0.00%	N	[a]
2 Retrieval Fee for Political Reform Act Statements (5 or more years old)		\$5 per search plus \$0.10 per page			N	[b]
3 Bingo License Renewals (Municipal Code)	\$50	\$50		0.00%	N	
3 Passport Application/Execution Fee (set by U.S. Government)	\$35				N	
4 Public Records Requests					N	
a) Copies		\$0.10	per page			
b) Requests Requiring Special Programming or Formatting	Actual Cost	Actual Cost	per hour / T&M			
5 Lobbyist Annual Registration Fee		\$50	per registration			
a) For each client with compensation in excess of \$500		\$15				
6 City Council Meeting Agenda Subscription		\$20 plus postage	per mailed hard copy			

[a] Set by California Government Code Section 91013.

[b] Set by California Government Code Section 81008.

City of Milpitas
INFORMATION SERVICES

Item # 16.

Activity Description		FY 22/23 Fee	FY 23/24 Fee	Charge Basis	Percent Change	Y'rly In'fltr	Note
1	Digital Media Reproduction	\$20	\$20	per flash drive/DVD, etc.	0.00%	N	
2	Requests Requiring Special Programming or Formatting	Actual Cost	Actual Cost	per hour / T&M		N	



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution Certifying Election Results and Adding the Properties Located at 1752 and 1810 Houret Court into Community Facilities District No. 2008-1 (Annexation No. 24) (Staff Contact: Roberto Alonzo, Principal Civil Engineer, 408-586-3316)
Category:	Community Development
Meeting Date:	4/18/2023
	<u>Recommendation:</u> Following receipt of election results from the City Clerk, adopt a Resolution Certifying Election Results and Adding the Properties Located at 1752 and 1810 Houret Court into Community Facilities District No. 2008-1 (Annexation No. 24)

BACKGROUND:

On March 17, 2022, the City Council approved a Minor Tentative Map (MT21-0002), and on May 17, 2022, approved a Site Development Permit (SD21-0012) and Conditional Use Permit (UP21-0006) to allow the construction of 8 buildings with a total of 56 residential units and 24 accessory dwelling units on 2.25 acres located at 1752 – 1810 Houret Court to be constructed by City Ventures Homebuilding, LLC (Developer).

ANALYSIS:

Project (Parcel 6 of Parcel Map filed for record in the office of the recorder of the County of Santa Clara, California on April 24, 1978, in Book 417 of Maps, Pages 3 and 4, and Parcel B of Parcel Map filed for record in the office of the recorder of the County of Santa Clara, California on February 22, 1979, in Book 435 of Maps, Page 53) is subject to annexation into the Community Facilities District No. 2008-1 (CFD 2008-1). The City has on file a Certificate of Registrar of Voters from the County of Santa Clara certifying that there is one (1) registered voter within the boundaries of the proposed CFD Annexation No. 24 for this development. On April 13, 2023 the property owners were scheduled to vote on agreeing to the proposed Annexation No. 24. The resolution attached hereto documents the results of the election on annexation into CFD 2008-1. Annexation into CFD 2008-1 is subject to the provisions of the Mello-Roos Community Facilities Act of 1982, commencing with Section 53311 of the Government Code. While the Act has a number of requirements for annexation and imposition of the special tax, the Developer (as the sole landowner within the annexation territory) has agreed to waive many of the formalities. A copy of the waiver executed by the Developer is on file with the City Clerk.

POLICY ALTERNATIVE(S):

Alternative 1:

Deny Annexation of Project to CFC 2008-1

Pros: None

Cons: Denying the Annexation of Project into the CFD No. 2008-1 would prevent the City from levying special taxes on these parcels, in order to fund public services.

Reason for Not Recommending: To adequately fund the perpetual maintenance of improvements and services within CFD No. 2008-1, staff recommends adoption of a resolution certifying election results and adding Project to CFD 2008-1.

FISCAL IMPACT:

Adding the Property to the CFD No. 2008-1 would allow the City to levy special taxes on this parcel to fund public services to support the development.

California Environmental Quality Act (CEQA):

This project is covered under the scope of activities approved under the Transit Area Specific Plan Environmental Impact Report, SCH2006032091, which was certified by City Council on June 3, 2008. On October 16, 2018, the City Council found that the project is exempt from further environmental review pursuant to CEQA Guidelines Section 15183 (projects consistent with a Community Plan, General Plan or Zoning); CEQA Guidelines Section 15182 (residential projects consistent with a specific plan); and CEQA Guidelines Section 15168 (projects within the scope of a program EIR).

RECOMMENDATION:

Following receipt of election results from the City Clerk, adopt a resolution certifying election results and adding 1752 and 1810 Houret Court to Community Facilities District No. 2008-1 (Annexation No. 24)

Attachment(s):

Resolution

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS CERTIFYING THE RESULTS OF
AN ELECTION AND ADDING TERRITORY TO COMMUNITY FACILITIES DISTRICT NO. 2008-1
(PUBLIC SERVICES)**

(Annexation No. 24)

WHEREAS, the City Council of the City of Milpitas (the "City Council") has previously formed Community Facilities District No. 2008-1 (Public Services) ("CFD No. 2008-1") pursuant to the Mello-Roos Community Facilities Act of 1982 (the "Act"), as amended, for the purpose of financing certain Public Services; and

WHEREAS, acting pursuant to the Act, the City Council also authorized by the adoption of Resolution No. 8601 (the "Resolution Authorizing Future Annexation") the annexation in the future of territory to CFD No. 2008-1, such territory designated as Future Annexation Area, Community Facilities District No. 2008-1 (the "Future Annexation Area"); and

WHEREAS, at this time the unanimous consent to the annexation of certain territory located within the Future Annexation Area to CFD No. 2008-1 has been received from the property owner of such territory, and such territory has been designated as Annexation No. 24 (the "Territory"); and

WHEREAS, less than twelve (12) registered voters have resided within the Territory for each of the ninety (90) days preceding the election date established for the Territory, therefore, pursuant to the Act the qualified elector of the Territory shall be the "landowner," as such term is defined in Government Code Section 53317(f), of such Territory and such landowner who is the owner of record as of the applicable election date, or the authorized representative thereof, shall have one vote for each acre or portion of an acre of the parcel of land that landowner owns within such Territory; and

WHEREAS, the time limit specified by the Act for conducting an election to submit the levy of the special taxes on the Territory to the qualified elector thereof and the requirements for impartial analysis and ballot arguments have been waived with the unanimous consent of the qualified elector of the Territory; and

WHEREAS, the City Clerk of the City of Milpitas has caused a ballot to be distributed to the qualified elector of the Territory, has received and canvassed such ballot and made a report to the City Council regarding the results of such canvass, a copy of which is attached as **Exhibit A** hereto and incorporated herein by this reference; and

WHEREAS, at this time the measure voted upon and such measure did receive the favorable vote of the qualified elector of the Territory, and the City Council desires to declare the results of the election; and

WHEREAS, a map showing the Territory and designated as Annexation Map No. 24 (the "Annexation Map"), a copy of which is attached as **Exhibit B** hereto and incorporated herein by this reference, has been submitted to this legislative body.

NOW, THEREFORE, the City Council of the City of Milpitas, California, acting as the legislative body of Community Facilities District No. 2008-1, hereby finds, determines and resolves as follows:

1. **Recitals.** The above recitals are true and correct.
2. **Findings.** This legislative body does hereby further determine as follows:
 - A. The unanimous consent as described in the recitals hereto to the annexation of the Territory to CFD No. 2008-1 has been given by the owner of the Territory and such consent shall be kept on file in the Office of the City Clerk of the City of Milpitas.
 - B. Less than twelve (12) registered voters have resided within the Territory for each of the ninety (90) days preceding the election date established for the each of the parcels located within the

Territory, therefore, pursuant to the Act the qualified elector for the Territory shall be the "landowner" of the Territory as such term is defined in Government Code Section 53317(f).

- C. The qualified elector of the Territory has voted in favor of the levy of special taxes on the Territory upon its annexation to CFD No. 2008-1.
3. Territory. The boundaries and parcels of property within the Territory and on which special taxes will be levied in order to pay for the costs and expenses of authorized Public Services are shown on the Annexation Map as submitted to and hereby approved by this legislative body.
4. Declaration of Annexation. This legislative body does hereby determine and declare that the Territory, and each parcel therein, is now added to and becomes a part of CFD No. 2008-1. The City Council, acting as the legislative body of CFD No. 2008-1, is hereby empowered to levy the authorized special tax within the Territory.
5. Notice. Immediately upon adoption of this Resolution, notice shall be given as follows:
- A. A copy of the Annexation Map as approved shall be filed in the Office of the County Recorder no later than fifteen (15) days after the date of adoption of this Resolution.
- B. An Amendment to the Notice of Special Tax Lien (Notice of Annexation) shall be recorded in the Office of the County Recorder no later than fifteen (15) days after the date of adoption of this Resolution.
6. Effective Date. This Resolution shall become effective upon its adoption.

PASSED AND ADOPTED this ____ day of _____, 2023, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Michael Mutalipassi, City Attorney

EXHIBIT A

CERTIFICATE OF ELECTION OFFICIAL AND STATEMENT OF VOTES CAST

[illegible]

The undersigned, ELECTION OFFICIAL OF THE CITY OF MILPITAS, COUNTY OF SANTA CLARA, STATE OF CALIFORNIA, DOES HEREBY CERTIFY that pursuant to the provisions of Section 53326 of the Government Code and Division 12, commencing with Section 17000 of the Elections Code of the State of California, I did canvass the returns of the votes cast at the

CITY OF MILPITAS
COMMUNITY FACILITIES DISTRICT NO. 2008-1
(PUBLIC SERVICES)
SPECIAL ELECTION
ANNEXATION NO. 24

held on the election date established for each parcel located within the territory included in Annexation No. 24.

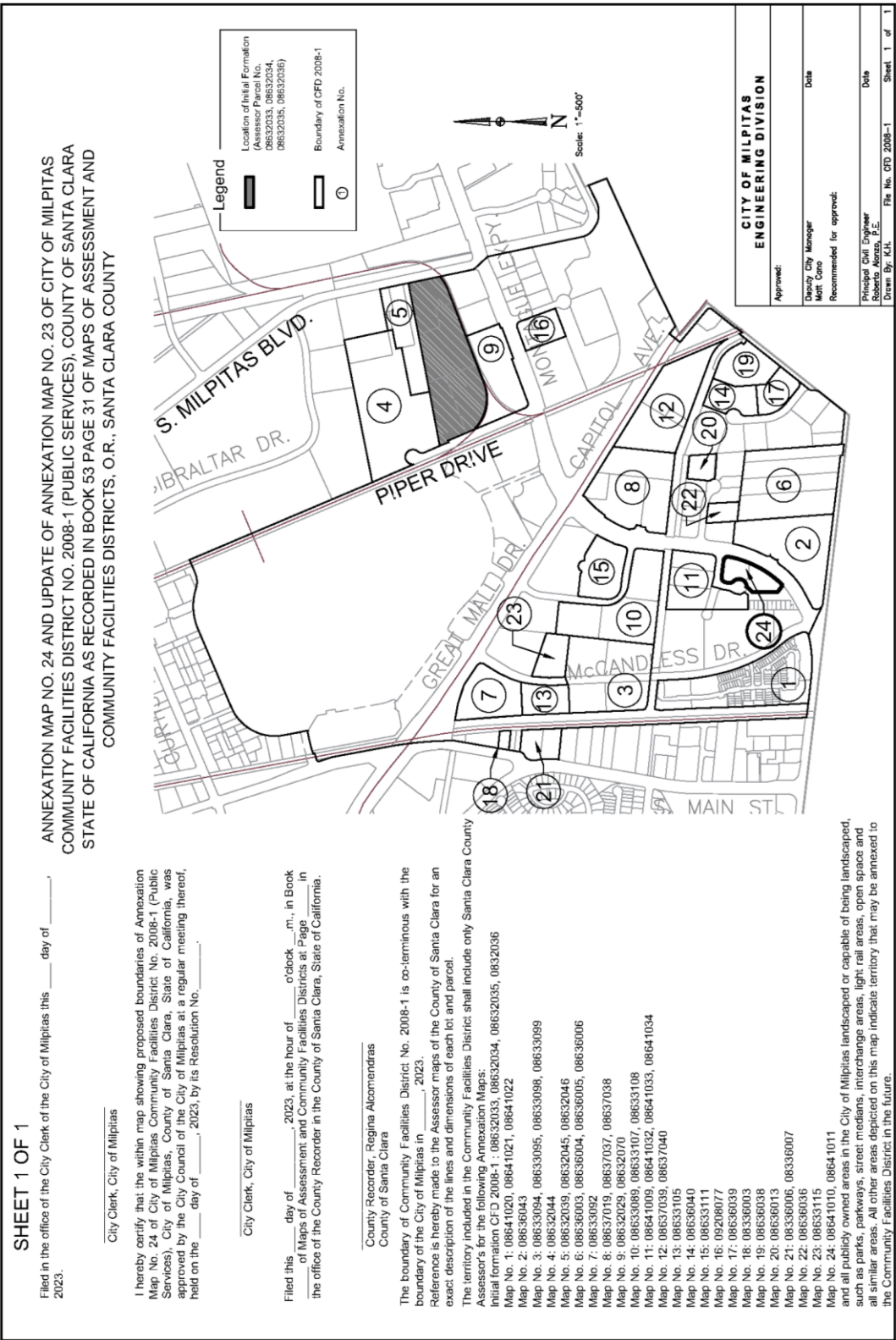
I FURTHER CERTIFY that this Statement of Votes Cast shows the whole number of votes cast in the area proposed to be annexed to Community Facilities District No. 2008-1 for or against the Measure are full, true and correct.

VOTES CAST ON PROPOSITION 1: YES _____
NO _____

WITNESS my hand this _____ day of _____, 20__.

SUZANNE GUZZETTA, CITY CLERK
ELECTION OFFICIAL
CITY OF MILPITAS
OF THE STATE OF CALIFORNIA

EXHIBIT B
ANNEXATION MAP





CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Consider Mayor's Appointments of City Councilmembers to Outside Committees and as Liaisons to City Commissions (Contact: Mayor Carmen Montano, 408-586-3024)
Category:	Leadership and Support Services
Meeting Date:	4/18/2023
	<u>Recommendation:</u> Consider Mayor's appointments of City Council members to Outside Committees and as liaisons to City Commissions and move to confirm those appointments.

Background:

Milpitas City Councilmembers serve as liaisons to City Commissions and outside agency boards and committees. Councilmembers also serve on Council Subcommittees. Traditionally, after a local election, the Mayor reassigns City Councilmembers to both the City and outside agency bodies, with input on the Councilmembers' interests and availability. Assignments were approved by the City Council on January 10, 2023.

Analysis:

Based on some changes in capacity and schedule conflicts for members of the City Council, Mayor Montano will be providing updated recommendations at the April 18 City Council meeting for Councilmember appointments to Outside Committees and as liaisons to City Commissions.

Fiscal Impact:

None

California Environmental Quality Act:

This item is not subject to CEQA.

Recommendation(s):

Consider Mayor's appointments of City Council members to outside committees and as liaisons to City Commissions and move to confirm those appointments.

Attachment(s):

None