REGULAR MEETING OF THE MILPITAS CITY COUNCIL

AGENDA

TUESDAY, APRIL 16, 2024
CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA
6:00 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 only be provided live during the City Council meeting in person, unless the City Council approves remote public comment. 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. Members of the public may submit written comments by email to CityClerk@milpitas.gov.

The meeting will be streamed via Zoom for viewing purposes only unless the City Council approves remote public comment. To watch via Zoom, please register at:

https://ci-milpitas-ca-gov.zoom.us/webinar/register/WN_Lir5aegWQJyWWwPIcC294w

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 (6:00 PM)

AB 2449

1. **Consider Councilmember Anthony Phan's Request to Appear Remotely Pursuant to AB 2449 and Authorize the Council to Accept Public Comments Remotely at the April 16, 2024, Meeting of the Milpitas City Council (Staff Contact: Michael Mutalipassi, City Attorney, 408-586-3040; Suzanne Guzzetta, 408-586-3001)**

   Recommendation: Receive disclosure from Councilmember Phan regarding the nature of the medical emergency or just cause circumstances. Vote on a motion as to whether to allow Councilmember Phan to appear remotely pursuant to AB2449 and to allow remote public comment at the April 16, 2024 meeting of the Milpitas City Council.

ADJOURN TO CLOSED SESSION

(a) CONFERENCE WITH LABOR NEGOTIATORS

Pursuant to Government Code Section 54957.6
Agency designated representative: Rick Bolanos, LCW
Bargaining unit: LIUNA, UPEC (Pro-Tech, MEA, MidCon), IAFF, MPOA

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

INVOCATION (Mayor Montano)

PRESENTATIONS (7:05 PM)

- Earth Day (Proclamation)
- Arbor Day (Proclamation)
- National Public Safety Telecommunicators Week - April 14-20 (Proclamation)

PUBLIC FORUM (7:10 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 (7:15 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.

C2. Receive City Council Calendar of Meetings for April and May 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Receive City Council Calendar of Meetings for April and May 2024.

C3. Approve City Council Regular and Special Meeting Minutes of April 2, 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Approve City Council Regular and Special Meeting minutes of April 2, 2024.

C4. 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.

C5. 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.

C6. Consider Recommendations from Mayor Montano for Appointments to City Commissions (Contact: Mayor Montano, 408-586-3024)

Recommendation: Receive Mayor Montano's recommendation and confirm appointments to City Commissions.

C7. Reallocation of American Rescue Plan Act Funds (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3053)

Recommendation: (1) Approve the reallocation of funding within the American Rescue Plan Act Fund and the General Fund to ensure completion of the programs in the ARPA Investment Plan previously approved by Council; and (2) Adopt the resolution authorizing the reallocation of funding within the American Rescue Plan Act fund balance as of March 31, 2024, and the General Fund to fund certain City staff positions during Fiscal Year 2023-2024 and to ensure completion of programs in the ARPA Investment Plan previously approved by Council.

C8. Receive Report on American Rescue Plan Act Funding for Rent and Mortgage Relief Program and Approve Transfer of $216,125.00 in Mortgage Relief Funds to Rent Relief (Staff Contact: Alex Andrade, Economic Development Director, 408-586-3046; and Robert Musallam, Housing Division Manager, 408-586-3275)

Recommendation: Receive report on American Rescue Plan Act (ARPA) funding for Rent and Mortgage Relief Program and approve transfer of $216,125.00 in Mortgage Relief Funds to Rent Relief.

C9. Receive the July - December 2023 Report for Unhoused Services (Staff Contact: Alex Andrade, Economic Development Director, 408-586-3046; and Robert Musallam, Housing Division Manager, 408-586-3275)

Recommendation: Receive the July – December 2023 report for unhoused services.

C10. Approve and Authorize the City Manager to Execute a Three-Year Professional Services Agreement with Berry, Dunn, McNeil & Parker LLC for Enterprise Resource Planning Consulting

Services (Staff Contact: Gabrielle Tsang, Interim Finance Director 408-586-3131; and Kelli Parmley, Human Resources Director 408-586-3086)

Recommendation: Approve a three-year professional services agreement with Berry, Dunn, McNeil & Parker LLC for Enterprise Resource Planning (ERP) Consulting Services for a not-to-exceed amount of $375,500.00, authorize the City Manager to execute the contract, with additional authority to approve an optional two years and changes up to 10%.

C11. Approve and Authorize the City Manager to Execute an Amendment to the Professional Services Agreement with Ascent Environmental for Consultant Services Related to Preparation of the Gateway-Main St. Specific Plan (Staff Contact: Jay Lee, Planning Director, 408-586-3077)

Recommendation: (1) Approve an amendment to the Professional Services Agreement with Ascent Environmental for consultant services related to preparation of the Gateway-Main St. Specific Plan; (2) Approve a Budget Appropriation of $90,000.00 from the Community Planning Fund into Capital Improvement Program Project No. 3437; and (3) Authorize the City Manager to execute the amended agreement.

C12. Authorize the City Manager to Execute the Grant Agreement with the County of Santa Clara to Accept the 2023 State Homeland Security Grant Program Award and Approve a Budget Appropriation in the Amount of $105,205.00 to the Police Department's FY 2023-24 Operating Budget (Staff Contact: Jared Hernandez, Chief of Police, 408-586-2406)

Recommendation: Authorize the City Manager to execute the Grant Agreement with the County of Santa Clara to accept the 2023 State Homeland Security Grant Program Award and approve a budget appropriation in the amount of $105,205.00 to the Police Department's FY 2023-24 Operating Budget.

C13. Receive an Update on Storm Drain System Emergency Repairs and Improvements at Evans Road and Piedmont Creek and Determine that the Condition Continues to Constitute an Emergency (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

Recommendation: (1) Receive an update on the storm drain system emergency repairs and improvements at Evans Road and Piedmont Creek; and (2) Determine by a four-fifths vote that the condition continues to constitute an emergency.

C14. Approve a Three-Year Agreement with Portford Solutions for Licensing, Maintenance, and Support of ApplicationXtender Document Management Software and Authorize the City Manager to Execute the Contract (Staff Contact: Daniel Nam, Information Technology Director, 408-586-2712)

Recommendation: Approve a three-year agreement with Portford Solutions for the licensing and maintenance and support services related to ApplicationXtender for the not-to-exceed amount of $118,150.19 and authorize the City Manager to execute the agreement.

C15. Consider One Donation Request from Milpitas Community Education Endowment, Inc. (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)

Recommendation: Approve a donation request of $500.00 for Milpitas Community Education Endowment, Inc. for their annual fundraiser on Friday, April 26, 2024.

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.

16. Conduct a Public Hearing and Adopt a Resolution Approving Site Development Permit, Density Bonus Permit and Environmental Assessment and Allow the Development of Two Multi-Family Residential Buildings at 1300 South Main Street (Staff Contact: Jay Lee, Planning Director, 408-586-3077)

Recommendation: (1) Conduct a public hearing on the development of two multi-family residential buildings with 118 below-market rate (100% affordable); (2) Consider the project to be categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section §15332 (Class 32: In-Fill Projects) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning); and (3) Adopt a resolution to approve Site Development Permit No. SD22-0015, Density Bonus Permit No. DB23-0011 and Environmental Assessment No. EA23-0015, subject to the findings and Conditions of Approval.

17. Conduct a Public Hearing and Adopt a Resolution Approving the Proposed 2025-2029 Capital Improvement Program (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)

Recommendation: Conduct a public hearing and adopt a resolution approving the 2025-2029 Capital Improvement Program.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS (8:30 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 (8:35 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.

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Consider Councilmember Anthony Phan's Request to Appear Remotely Pursuant to AB 2449 and Authorize the Council to Accept Public Comments Remotely at the April 16, 2024 Meeting of the Milpitas City Council (Staff Contact: Michael Mutalipassi, City Attorney, 408-586-3040; and Suzanne Guzzetta, 408-586-3001)**
Category:	Leadership and Support Services
Meeting Date:	4/16/2024
Recommendation:	Receive disclosure from Councilmember Phan regarding the nature of the medical emergency or just cause circumstances. Vote on a motion as to whether to allow Councilmember Phan to appear remotely pursuant to AB2449 and to allow remote public comment at the April 16, 2024 meeting of the Milpitas City Council.

Background:

AB 2449 allows a councilmember to attend a council meeting by electronic means, without the usual Brown Act requirements for public access, in cases of either a medical emergency or when just cause exists. Under AB 2449 an emergency circumstance means, "a physical or family medical emergency that prevents a member from attending in person." Just cause means, (A) a childcare or caregiving need of a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner that requires them to participate remotely, (B) a contagious illness that prevents a member from attending in person, (C) a need related to a physical or mental disability, or (D) travel while on official business of the legislative body or another state or local agency. AB 2449 requires the council to take action to approve an electronic appearance if medical emergency circumstances or just cause exists.

AB 2449 has limitations on the number of remote appearances that a councilmember can make during a calendar year. A councilmember may appear electronically for just cause not more than two times per calendar year. A member may not participate electronically pursuant to AB 2449 for a period of more than three consecutive months or 20 percent of the regular meetings for the local agency within a calendar year, or more than two meetings if the legislative body regularly meets fewer than 10 times per calendar year. For the purposes of the City Council, a Councilmember may not appear electronically pursuant to AB2449 more than 4 times in total in a calendar year.

During an AB2449 appearance, the member shall publicly disclose, before any action is taken, whether any other individuals 18 years of age or older are present in the room at the remote location with the member, and the general nature of the member's relationship with any such individuals. The member shall participate through both audio and visual technology, which means that the member must have their camera turned on during the conduct of the meeting.

AB2449 requires that the public be allowed to make public comments remotely at any meeting that a Councilmember appears remotely because of a medical emergency or just cause. In order to authorize an AB2449 appearance at a Council meeting, the Council will also have to allow remote public comment at that meeting.

Analysis:

Councilmember Phan has requested that he be allowed to appear electronically via AB2449 at the April 16, 2024 meeting of the City Council as a result of a medical emergency. Councilmember Phan will disclose the appropriate details regarding the nature of the medical emergency at the Council meeting. The remainder of the Council will then vote to approve or deny the electronic appearance based on the existence of a medical emergency or just cause. Should the Council allow Councilmember Phan to appear remotely, the Council will also need to allow the public to comment remotely on each item on the agenda.

Councilmember Phan has not exhausted his AB2449 appearances for the 2024 calendar year. He has not appeared for just cause or a for a medical emergency in 2024.

Fiscal Impact:
There is no fiscal impact associated with this item.

CEQA:
The action is continuing administrative or maintenance activity and is not a project pursuant to Cal. Code Regs., tit. 14, § 15378.

Recommendation:
Receive disclosure from Councilmember Phan regarding the nature of the medical emergency or just cause circumstances. Vote on a motion as to whether to allow Councilmember Phan to appear remotely pursuant to AB2449 and to allow remote public comment at the April 16, 2024 meeting of the Milpitas City Council.

Attachments:
None

March 2024

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Milpitas City Council Calendar
April 2024

May 2024

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	1 **Cesar Chavez Day– City Observed Holiday** **City Hall Closed**	**2** **5:30 PM**- Closed Session **7:00 PM**-Special Joint Closed Session with other Jurisdictions followed by Council Meeting (Public Business)	**3** **1:00 PM**-Santa Clara VTA Monthly Briefing - Northeast Group (CM) **5:30 PM**-Veterans Commission (CM) **7:00 PM**-Community Advisory Commission (EC)	**4** **5:30 PM**-Santa Clara VTA Board of Directors (CM)	**5**	**6**
7	**8**	**9**	**10** **12:00 PM**-Santa Clara Valley Water District - Water Commission (CM) **7:00 PM**-Silicon Valley Clean Energy Board of Directors (EC) (Cupertino)	**11** **4:00 PM**-Treatment Plant Advisory Committee (CM) (San Jose) **4:00 PM**-Santa Clara VTA Policy Advisory Committee (EC) **5:30 PM**-Cities Assoc of SCC Legislative Action Committee (CM) **6:00 PM**-Youth Advisory Commission (HL) **7:00 PM**-Cities Assoc of SCC JPA Board of Directors (CM	**12**	**13**
14	**15** **7:00 PM**-Science, Technology, and Innovation Commission (GB)	**16** **6:00 PM**-Closed Session **7:00 PM**-City Council	**17** **4:30 PM**- Special Meeting Economic Development and Trade Commission (CM) **6:00 PM**-Energy and Environmental Sustainability Commission (EC)	**18** **10:30 AM**-South Bay Odor Stakeholders Group Meeting (CM) **3:00 PM**-Cities Assoc of SCC Recycling and Waste Reduction Commission (CM)	**19** **9:00 AM**-VTA Board of Directors Workshop (CM) **3:30 PM- 4:00 PM**- Teen Civic Leadership Academy Graduation (Milpitas Community Center)	**20** **10:00 AM-12:00 PM**-Earth Day (Calle Oriente Mini Park)
21	**22**	**23** **1:30 PM**-Senior Advisory Commission (CM)	**24** **7:00 PM**-Planning Commission	**25** **12:00 PM**-SCC Library JPA Board of Directors Meeting (CM) (Campbell) **6:00-8:00 PM**- Commissioners' Recognition Celebration (Community Center Auditorium)	**26** **9:00 AM**-VTA Board Workshop (CM)	**27**
28	**29**	**30**				

April 2024

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Milpitas City Council Calendar
May 2024

June 2024

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Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 **1:00 PM**-Santa Clara VTA Monthly Briefing - Northeast Group (CM) **7:00 PM**-Community Advisory Commission (EC)	**2** **5:30 PM**-Santa Clara VTA Board of Directors (CM) **5:30 PM**-Milpitas Chamber of Commerce Board (GB)	**3**	**4**
5	**6** **7:00 PM**-Parks, Recreation & Cultural Resources Commission (HL)	**7** **6:00 PM**-Closed Session **7:00 PM**-City Council	**8** **7:00 PM**-Silicon Valley Clean Energy Board of Directors (EC) (Cupertino)	**9** **4:00 PM**-Santa Clara VTA Policy Advisory Committee (EC) **4:00 PM**-Treatment Plant Advisory Committee (CM) (San Jose) **5:30 PM**-Cities Assoc of SCC Legislative Action Committee (CM) **6:00 PM**-Youth Advisory Commission (HL) **7:00 PM**-Cities Assoc of SCC (CM)	**10**	**11**
12	**13** **4:30 PM**-Economic Development and Trade Commission (CM)	**14** **4:00 PM**- Milpitas HOPE **5:30 PM**-Special Council Meeting: FY24-25 Budget Study Session	**15** **6:00 PM**-Energy and Environmental Sustainability Commission (EC)	**16** **10:00 AM**-VTA Congestion Mgmt Prog & Planning (CMPP) (CM) **3:00 PM**-Cities Assoc of SCC Recycling & Waste Reduction Commission (CM) **6:30 PM**-Bay Area Water Supply Conserv Agency (CM) (Burlingame Community Center, Sequoia Room) **7:00 PM**-Public Safety and Emergency Preparedness Commission (HL)	**17**	**18**
19	**20** **7:00 PM**-Library and Education Commission (EC) (Milpitas Public Library)	**21** **6:00 PM**-Closed Session **7:00 PM**-City Council	**22** **7:00 PM**-Planning Commission	**23**	**24**	**25**
26	**27** **Memorial Day – City Observed Holiday** **City Hall Closed**	**28**	**29**	**30** **4:00 PM**-Silicon Valley Regional Interoperability Authority (SVRIA) (GB) (Santa Clara)	**31**	

REGULAR MEETING OF THE MILPITAS CITY COUNCIL

MINUTES

TUESDAY, APRIL 2, 2024
CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA

The City Council of the City of Milpitas convened on the regular City Council meeting day in a Meeting of the Milpitas City Council on April 2, 2024, in the City Council Chamber, 455 E. Calaveras Blvd, Milpitas, CA, 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 5:38 PM and announced that Councilmember Barbadillo would be participating remotely from The Westin Palace, Madrid, Plaza de las Cortes, 7, Madrid, Spain 28014 pursuant to California Government Code Section 54953. Roll Call was taken by City Clerk Guzzetta.

PRESENT:	Mayor Montano, Vice Mayor Chua, Councilmember Lien, Councilmember Phan
ABSENT:	Councilmember Barbadillo

PLEDGE OF ALLEGIANCE

Councilmember Lien led the pledge of allegiance.

INVOCATION

Mayor Montano presented the invocation by reading a poem entitled, "If trees could talk".

PRESENTATIONS

Mayor Montano, joined by members of the City Council, presented proclamations in recognition of Black April, Fair Housing Month, and Cesar Chavez. Certificates of recognition were presented to the Milpitas Community Concert Band.

ADJOURN TO CLOSED SESSION

City Attorney Mutalipassi briefed the City Council on items be heard in Closed Session.

There were no public comments.

The City Council adjourned to Closed Session at 5:59 PM.

(a) CONFERENCE WITH LABOR NEGOTIATORS
Pursuant to Government Code Section 54957.6
Agency designated representative: Rick Bolanos, LCW
Bargaining unit: LIUNA, UPEC (Pro-Tech, MEA, MidCon), IAFF, MPOA

The City Council reconvened at 7:04 PM

RECESS TO SPECIAL JOINT SESSION

The City Council recessed to a Special Joint Session at 7:04 PM.

The City Council reconvened at 8:15 pm.

CLOSED SESSION ANNOUNCEMENT:

City Attorney noted there was nothing to report out.

PUBLIC FORUM

There were the following speakers:
1. Maria Pereira
2. Kimberly Vo
3. 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 (Absent: Barbadillo). 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 (Absent: Barbadillo).

READING OF THE CITY COUNCIL CODE OF CONDUCT

Vice Mayor Chua read the code of conduct.

APPROVAL OF AGENDA

After discussion, motion: to approve the agenda.

Motion/Second: Councilmember Lien/Councilmember Phan
Motion carried by the following:

AYES:	Mayor Montano, Vice Mayor Chua, Councilmember Lien, Councilmember Phan
NOES:	None
ABSENT:	Councilmember Barbadillo

CONSENT CALENDAR

There were no public speakers.

After discussion, motion: to approve the Consent Calendar.

Motion/Second: Councilmember Lien/Councilmember Phan
Motion carried by the following:

AYES:	Mayor Montano, Vice Mayor Chua, Councilmember Lien, Councilmember Phan
NOES:	None
ABSENT:	Councilmember Barbadillo

1. **Receive City Council Calendar of Meetings for April 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

   Received City Council Calendar of Meetings for April 2024.

2. **Approve City Council City Council Meeting Minutes of March 19, 2024 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

   Approved City Council Meeting minutes of March 19, 2024.

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

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

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

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

5. Consider Recommendations from Mayor Montano for Appointments to City Commissions (Contact: Mayor Montano, 408-586-3024)

Received Mayor Montano's recommendations and confirmed the following appointments to City Commissions:

Senior Advisory Commission
1. Appoint Hui Chen as Alternate No. 2 with an unexpired term ending December 2026.

6. Adopt a Resolution Releasing Unclaimed Checks with a Value Less than $15.00 in the Aggregate Amount of $141.91 (Staff Contact: Gabrielle Tsang, Acting Finance Director/Risk Manager, 408-586-3131)

Adopted **Resolution No. 9310** releasing unclaimed checks with a value less than $15.00 and transfer a total of $141.91 in unclaimed checks to the General Fund.

7. Adopt a Resolution Approving a Site Development Permit to Develop a New Two-Story Single-Family Residence on a Vacant 2.3-Acre Lot Located in the R1-H Single-family Residential Zoning District with a Hillside Combining District at 500 Vista Spring Court (Staff Contact: Jay Lee, Planning Director, 408-586-3077)

Adopted **Resolution No. 9311** approving Site Development Permit No. SD23-0005 to allow the development of a new single-family residence at 500 Vista Spring Court, subject to the attached Conditions of Approval.

8. Receive an Update on Storm Drain System Emergency Repairs and Improvements at Evans Road and Piedmont Creek and Determine that the Condition Continues to Constitute an Emergency (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

(1) Received an update on the storm drain system emergency repairs and improvements at Evans Road and Piedmont Creek; and (2) Determined by a four-fifths vote that the condition continues to constitute an emergency.

9. Approve and Authorize the City Manager to Execute a Software License and Professional Services Agreement with CivicPlus LLC for SeeClickFix Subscription Services (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)

Approved and authorized the City Manager to execute a software license and professional services agreement with CivicPlus, LLC, for SeeClickFix subscription services for a total amount not-to-exceed $121,048.24, subject to the annual appropriation of funds.

10. Adopt a Resolution to Approve Project Plans and Specifications, Award Construction Contract to McKim Corporation for Street Resurfacing 2024 Project No. 4283, 4304, 4305; and Approve Budget Change Form (Staff Contact: Matt Cano, Assistant City Manager 408-586-3012: and

Roberto Alonzo, PW Division Manager - Engineering, 408-586-3316)

Adopted **Resolution No. 9312** to approve project plans & specifications; awarded the construction contract to the lowest responsible, and responsive bidder, McKim Corporation, in the amount of $3,328,125.94 for the Street Resurfacing 2024 Project No. 4283, 4304, 4305; authorize the City Manager to execute the construction contract with McKim Corporation; authorize the City Engineer to negotiate and execute Contract Change Order(s) in an aggregate amount not to exceed $499,218.90 for the project; and approve the Budget Change Form to appropriate funding for CIP 4304 and CP 4305.

11. Adopt a Resolution Granting Acceptance of the Street Resurfacing 2023 Project, Project No. 4283, 4303, & 4304, Authorizing the City Engineer to file a Notice of Completion and Issue a Notice of Final Acceptance after the One-Year Warranty (Staff Contact: Matt Cano, Assistant City Manager 408-586-3012; and Michael Silveira, Public Works Engineer Division Manager 408-586-3303)

Adopted **Resolution No. 9313** granting acceptance of the Street Resurfacing 2023 Project, Project No. 4283, 4303, & 4304, authorizing the City Engineer to file a Notice of Completion and issue a Notice of Final Acceptance after the one-year warranty.

12. Adopt a Resolution to Approve Project Plans & Specifications, Award the Construction Contract with Mark Lee and Yong Kay, Inc., Dba Bay Construction Co., Authorize Design Services Agreement Amendment No. 1 to the with Callander Associates Landscape Architecture, Inc. for ARPA Parks Rehabilitation, Project Nos. 3500, 3501, 5110 (Staff: Christian Di Renzo, Public Works Director, 408.586.2602, Michael Silveira, PW Division Manager-Engineering, 408.586.3303)

(1) Adopted **Resolution No. 9314** to approve project plans & specifications; (2) award the construction contract to the lowest responsible bidder submitting a responsive bid, Mark Lee and Yong Kay Inc, Dba Bay Construction Co., in a total amount of $2,532,000; (3) authorized the City Manager to execute the construction contract with Mark Lee and Yong Kay Inc, Dba Bay Construction Co., (4) authorized the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not to exceed $380,000; and (5) approved and authorized the City Manager to execute Amendment No. 1 to the Design Services Agreement with Callander Associates Landscape Architecture, Inc. for Sinnott Park Playground design in the amount of $75,000 for ARPA Parks Rehabilitation Phase 2, Project Nos. 3500, 3501, 5110.

PUBLIC HEARINGS

13. Conduct a Public Hearing and Adopt a Resolution for the Summary Vacation of a Portion of the Existing Public Right-of-Way on Houret Court for the Benefit of a Residential Project Located at 1752 Houret Court (Staff Contact: Matt Cano, Assistant City Manager 408-586-3012; and Arthur Valderrama, Principal Civil Engineer, 408-586-3355)

City Manager Thomas introduced the time. Public Works Engineering Division Manager Alonzo presented the report.

Mayor Montano opened the public hearing.

There were the following speakers:
1. Voltaire Montemayor

Mayor Montano closed the public hearing.

After discussion, motion: to adopt **Resolution No. 9315** for the summary vacation of a portion of the

existing Public Right-of-Way on Houret Court.

Motion/Second: Vice Mayor Chua/Councilmember Lien
Motion carried by the following:
AYES: Mayor Montano, Vice Mayor Chua, Councilmember Lien, Councilmember Phan
NOES: None
ABSENT: Councilmember Barbadillo

LEADERSHIP AND SUPPORT SERVICES

14. Introduce Ordinance 314, Adding Chapter 15 ("Residential Trespass, Canvassing and Solicitation") to Title V ("Public Health, Safety and Welfare") of the Milpitas Municipal Code (Staff Contact: Michael Mutalipassi, City Attorney, 408-586-3040)

City Attorney Mutalipassi introduced the item. Assistant City Attorney Creech presented the report and provided additional background.

There were the following public speakers:
1. Loreto Quevedo Diamandaal
2. Voltaire Montemayor

City Attorney Mutalipassi announced a minor change to the ordinance language.

Councilmember Phan thanked the attorney's office for their work on the matter. He voiced reservations about the about the potential negative impact of restricting solicitation, particularly in terms of community image and democratic principles, emphasizing the importance of open dialogue and embracing differences. He questioned the effectiveness of current solicitation ordinances and suggested that targeting commercial properties and public spaces might be more beneficial. City Attorney Mutalipassi suggested that a commercial solicitation ordinance could be added as a seperate prioritization item.

Vice Mayor Chua questioned the strategy for disseminating information to residents. Assistant City Attorney Creech deferred to the Public Information Officer for strategy on public education and outreach, such as social media posts, website updates, and potential press releases, and noted the ordinance itself includes provisions for educating solicitors and canvassers about the city's regulations. Vice Mayor Chua added that the next step should be addressing a commercial solicitation ordinance.

Mayor Montano spoke on the hazard of solicitation in the right of way.

Vice Mayor Chua made a motion: to waive the reading beyond the title and introduce Ordinance 314, which would add Chapter 15 to Title V of the Milpitas Municipal Code to prohibit the trespass of canvassers, solicitors and others on residential property, make findings of exemption from environmental review pursuant to CEQA Guidelines Sections 15061(b)(3), 15183, 15305, and 15378, and update the language on Title V-15-3.06 from forbiting to forbidding. Mayor Montano seconded the motion.

City Attorney Mutalipassi read aloud the title of the ordinance.

Upon a call for the question, the motion failed:
After discussion, motion: to (1) Following the City Attorney reading aloud the title, move to waive the reading beyond the title and introduce Ordinance 314, which would add Chapter 15 to Title V of the

Milpitas Municipal Code to prohibit the trespass of canvassers, solicitors and others on residential property; and (2) Make findings of exemption from environmental review pursuant to CEQA Guidelines Sections 15061(b)(3), 15183, 15305, and 15378.

Motion/Second: Vice Mayor Chua/Mayor Montano
Failed by the following:
AYES: Mayor Montano, Vice Mayor Chua
NOES: Councilmember Lien, Councilmember Phan
ABSENT: Councilmember Barbadillo

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

Vice Mayor Chua thanked the City Manager's Office and Police Chief Hernandez for the retail theft prevention forum, and thanked the City Manager's office for the community band certificates. She made a request to explore changing or enhancing the focus of the community advisory commission to add housing. There was consensus to add the item to the prioritization list (No: Montano; Absent: Barbadillo)

Councilmember Lien acknowledged the dedicated efforts of the Public Works department. She also noted the City's collaboration with the Rotary Club to plant a tree in honor of Arbor Day, despite encountering rainfall during the previous weekend.

ADJOURNMENT

Mayor Montano adjourned the meeting at 9:12 pm

Draft meeting minutes submitted by City Clerk, Suzanne Guzzetta

SPECIAL JOINT MEETING OF THE MILPITAS CITY COUNCIL, CUPERTINO SANITATION DISTRICT, AND BURBANK SANITARY DISTRICT

MINUTES

TUESDAY, APRIL 2, 2024
CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA

The City Council of the City of Milpitas convened on the City Council meeting day in a Special Joint Meeting of the Milpitas City Council, Cupertino Sanitary District, and Burbank Sanitary District on April 2, 2024, in the City Council Chamber, 455 E. Calaveras Blvd, Milpitas, CA, and via teleconference/Zoom webinar.

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

Mayor Montano called the Joint Special Meeting of the Milpitas City Council, Cupertino Sanitary District, and Burbank Sanitary District to order at 7:04 PM and announced that Councilmember Barbadillo would be participating remotely from The Westin Palace, Madrid, Plaza de las Cortes,7, Madrid, Spain 28014 pursuant to California Government Code Section 54953, and both the Cupertino Sanitary District and Burbank Sanitary District were participating remotely from 20863 Stevens Creek Boulevard, Suite 100, Cupertino, CA 95014 Pursuant to California Government Code Section 54953. Roll Call was taken by City Clerk Guzzetta.

PRESENT:	Mayor Montano, Vice Mayor Chua, Councilmember Lien, Councilmember Phan
ABSENT:	Councilmember Barbadillo

ADJOURN TO CLOSED SESSION

City Attorney Mutalipassi introduced the item to be heard during Closed Session.

There were the following public speakers:
1. Voltaire Montemayor

The City Council adjourned to Closed Session at 7:08 PM.

(a) CONFERENCE WITH LEGAL COUNSEL - Existing Litigation
Government Code § 54956.9
County Sanitation District 2-3, et al. v. City of San Jose, et al., Santa Clara Superior Court Case number 18CV325480
City as Plaintiff
Legal Counsel: Tom Boer, AnnMarie Mortimer, Robin Wall, Marc Hynes, Valerie Armento, Erica Gonzalez, and Michael Mutalipassi

The City Council reconvened at 8:15 PM.

CLOSED SESSION ANNOUNCEMENT:

City Attorney Mutalipassi noted there was nothing to report out from the Special Joint Meeting Closed Session.

ADJOURNMENT

Mayor Montano adjourned the Special Meeting at 8:17 PM/

Draft meeting minutes submitted by City Clerk, Suzanne Guzzetta

TENTATIVE CITY COUNCIL AGENDA ITEM LIST

as of 4/11/2024

May 7, 2024 – Regular Meeting

CLOSED SESSION
- Labor Relations

INVOCATION (Vice Mayor Chua)

PRESENTATION
- Affordable Housing and Building Safety Month (Proclamation)
- National Mental Health Awareness Month (Proclamation)
- Older Americans Month (Proclamation)

CONSENT CALENDAR
1. Receive City Council calendar for May 2024 (City Clerk)
2. Approve City Council Meeting minutes of April 16, 2024 (City Clerk)
3. Preview list of items for May 21, 2024 (City Clerk)
4. Councilmember Request List (City Clerk)
5. RideCo Contract Amendment (Planning)
6. Award of Library Roof Replacement (Public Works)
7. Improvement Agreement: 1490 S. Park Victoria Dr. (Chevron) (Public Works / Engineering)
8. Initial Acceptance: 1400 S Park Victoria (Park Town Plaza) (Public Works / Engineering)
9. Initial Acceptance: 755 E. Calaveras Bl (Chick-fil-A) (Public Works / Engineering)
10. Maintenance Agreement: 1752 Houret Ct. (City Ventures) (Public Works / Engineering)
11. O&M Agreement: 1752 Houret Ct. (City Ventures) (Public Works / Engineering)
12. O&M Agreement: 554 S. Main St. (Extra Shine Car Wash) (Public Works / Engineering)
13. SIA w/Final Map: 1355 California Cl (Pulte) (Public Works / Engineering)
14. Improvement Agreement - 475 Sycamore Drive (Public Works / Engineering)
15. LLMD 95-1 (McCarthy Ranch) Resolution to Levy and Collect Assessments and Set a Public Hearing (Public Works / Engineering)
16. LLMD 98-1 (Sinclair Horizon) Resolution to Levy and Collect Assessments and Set a Public Hearing (Public Works / Engineering)
17. Community Heroes Policy (Recreation)

PUBLIC HEARINGS
18. Approve the FY 24-25 User and Regulatory Fee Schedule (Finance)
19. Community Facilities District Annexation for 1355 California Circle (Public Works / Engineering)
20. Appeal of Planning Commission Decision on Smoke Shop at 1225 Jacklin Road (Planning)

LEADERSHIP AND SUPPORT SERVICES
21. Measure F Revenue Enhancement Extension (City Manager)

MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS

OPEN ITEMS

Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
1	Explore changing or enhancing the focus of the community advisory commission to add housing	Chua	4/2/2024	This item will be considered as part of the next City Council prioritization discussion
2	Honor military residents by selecting several at one given month during the year for recognition with banners displayed on Main Street	Chua	3/19/2024	This item will be considered as part of the next City Council prioritization discussion
3	Explore options for revisions to ADU ordinance	Chua	3/5/2024	This item will be considered as part of the next City Council prioritization discussion
4	Explore an Arts Month Event where commissioners can exhibit their Art	Chua	3/5/2024	This item will be considered as part of the next City Council prioritization discussion

ACTIVE ITEMS

Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
5	Request that the Arts Commission explore alternatives for future of statue in front of City Hall	Phan	1/30/2024	An update was included in the February 20th Council prioritization reprt.
6	Update the Commissioner Handbook to include an option for outgoing commissioners to make presentations to other commissions	Chua	1/23/2024	An update was included in the February 20th Council prioritization reprt.
7	Workshop for retailers focusing on best practices and safety with plans for quarterly sessions	Chua	1/23/2024	An update was included in the February 20th Council prioritization reprt.
8	Explore possibility of naming the County library on Main Street	Phan	1/23/2024	An update was included in the February 20th Council prioritization reprt.
9	Consideration of the 20% Low Income Below Market Rate Housing	Montano	12/5/2023	This item was approved to move forward as part of the February 20th Council prioritization
10	Bring back Bingo and the Tour at the Senior Center	Chua	11/7/2023	An update was included in the February 20th Council prioritization reprt.
11	Referral for utility infrastructure cost on Main Street from Carlo to Corning Streets	Montano	10/17/2023	An update was included in the February 20th Council prioritization reprt.
12	Consider a possible ordinance or policy regarding solicitations at home	Barbadillo	10/3/2023	An update was included in the February 20th Council prioritization reprt.
13	Main Street International Festival	Lien	10/3/2023	An update was included in the February 20th Council prioritization reprt.
14	Have the Police Chief direct staff to complete an analysis in partnership with the County to	Chua	9/5/2023	An update was included in the February 20th Council prioritization reprt.
15	Explore taking steps towards becoming a Charter City	Phan	9/5/2023	An update was included in the February 20th Council prioritization reprt.
16	Human Resources Director to conduct a job fair specific to the job openings at City Hall	Chua	5/2/2023	An update was included in the February 20th Council prioritization reprt.
17	Pickleball Pilot Project	Chua	2/28/2023	An update was included in the February 20th Council prioritization reprt.
18	Main Street Infrastructure Projects	Montano	2/28/2023	An update was included in the February 20th Council prioritization reprt.
19	Main Street Flooding at Library	Chua	2/28/2023	An update was included in the February 20th Council prioritization reprt.
20	Satellite Consulate Office	Montano	2/28/2023	An update was included in the February 20th Council prioritization reprt.
21	Have the City look into the possibility of a Citywide Senior Discount	Barbadillo	2/7/2023	An update was included in the February 20th Council prioritization reprt.
22	City Manager to look into defining either a standalone teen center or updating information to	Chua	9/20/2022	An update was included in the February 20th Council prioritization reprt.

NOTE: Deferred and Completed Items are not listed

MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS

ACTIVE ITEMS				
Request No.	**Topic**	**Submitted by:**	**Date Requested**	**STATUS and/or DATE scheduled on City Council meeting agenda:**
23	Discuss converting vacant lot that was a basketball court into a community garden at Vasona and Adobe	Montano	8/16/2022	An update was included in the February 20th Council prioritization reprt.
24	City Manager look into implementing a workshop for small businesses on the bidding process for projects in the city	Chua	8/9/2022	An update was included in the February 20th Council prioritization reprt.
25	Quarterly or Monthly crime statistics on Homekey Project	Chua	6/7/2022	An update was included in the February 20th Council prioritization reprt.
26	Memorial Plaque in honor of youth skateboarder that passed away	Montano	6/7/2022	An update was included in the February 20th Council prioritization reprt.
27	Evaluate reopening the childcare center with a non-profit organization running the center	Montano	2/1/2022	An update was included in the February 20th Council prioritization reprt.
28	Staff to look into mural Art on Great Mall Parkway on the VTA owned Light rail pillars	Montano	11/16/2021	An update was included in the February 20th Council prioritization reprt.
29	Have a picture of Albert Vogel Sr. put up in the Senior Center	Montano	10/19/2021	An update was included in the February 20th Council prioritization reprt.
30	Include a bust of Maria Lemire on the Mural in front of the Senior Center	Montano	8/17/2021	An update was included in the February 20th Council prioritization reprt.
31	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.

NOTE: Deferred and Completed Items are not listed

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Consider Recommendations from Mayor Montano for Appointments to City Commissions (Contact: Mayor Montano, 408-586-3024)**
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	4/16/2024
Recommendation:	Receive Mayor Montano's recommendations and confirm appointments to City Commissions.

Background:
The City of Milpitas has 13 Commissions (including the Measure F Oversight Committee), with members appointed by the Mayor and confirmed by the City Council. The Commissions advise the Milpitas elected officials on a variety of community interest and policy areas. Commissioner appointments and removals are governed by various sections of the California Government Code, Milpitas Municipal Code, and the adopted Milpitas Commissioner Handbook and By-Laws.

Any resident interested in serving on a City Commission must complete a Commission Application and submit the form to the City Clerk. Copies of the applications are then presented to the Mayor for consideration. Per Government Code 40605, in a general law city where the office of Mayor is an elective office, the Mayor, subject to City Council approval, assumes the responsibility for appointments to boards, commissions, and committees unless otherwise specifically provided for by statute.

Current Commissioners may seek to be reappointed upon the expiration of their current term, but reappointment to a new term is not automatic. Those Commissioners seeking reappointment must contact the City Clerk and the Mayor to convey their request. Re-appointment must be recommended by the Mayor and confirmed by the City Council.

Analysis:
Appointments are as follows:

Economic Development and Trade Commission:

1. Appoint Bhagvat Bimalkumar to the Hospitality seat with a term ending April 2027.

The City Clerk's office has reviewed and confirmed all recommended Commissioner appointments.

Fiscal Impact:
There is no fiscal impact associated with this item.

CEQA:
The action is continuing administrative or maintenance activity and is not a project pursuant to Cal. Code Regs., tit. 14, § 15378.

Recommendation:
Receive Mayor Montano's recommendations and confirm appointments to City Commissions.

Attachments:
(a) Commission Application

From: noreply@civicplus.com
To: City Clerk
Subject: Online Form Submittal: Commission Applications
Date: Monday, March 4, 2024 1:34:12 PM

CAUTION: EXTERNAL SENDER

This email originated from outside the organization. Do NOT click links or open attachments unless you recognize the sender and know the content is safe. Report suspicious messages to the IT Helpdesk.

Commission Applications

Commission / Committee Applying for:	Economic Development and Trade Commission
First Name	BIMALKUMAR
Last Name	BHAGVAT
Address Type	Residence
Address	[redacted]
City	MILPITAS
State	CA
Zip Code	95035
Phone Number	[redacted]
Email Address	[redacted]
Present Employer	K B & SON
Other Phone	[redacted]
Business Address (Optional)	[redacted]
City	FREMONT
State	CA
Zip Code	94539
Occupation	GENERAL MANAGER AT LARGE
Education: If Youth	*Field not completed.*

Advisory Commission applicant, indicate your grade / school:	
College, Professional, Vocational, or other schools attended	*Field not completed.*
Major Subject	CHEMISTRY
Degree	BACHELOR AND FIRST YEAR MASTER

List community organizations to which you belong or have belonged (additional information may be attached).

Name of Organization	GOPIO
Member	VICE PRESIDENT
Name of Organization	BAPS , LNSO ,ISSO
Member	PUBLIC RELATION
Name of Organization	AIA
Member	ACTIVE MEMBER & EVENT ORGANIZER

If application is for Veterans Commission, indicate branch and service in any U.S. military organization (retired or active duty).

Branch of Military	*Field not completed.*
Officer	*Field not completed.*
Briefly describe the personal qualifications you possess which you believe would be an asset (additional information may be attached):	I am US senior citizen live in Milpitas since 2001 .I am in hotel business since 1995.I have very vast experience in hospitality and can utilize it for the benefit of City of Milpitas. I also operated hotel in city from 2001 thru 2005. I am also helping one hotel for sales and marketing in city for few years. I have been very well aware of community and areas in city and I am a people person. I have served as volunteer in many organization and events in Milpitas. Being in hotel business I can certain help with some events to boost up business revenues in Milpitas. This is high time for me to launch myself in such position to exchange my ideas and strategies. I am proud resident of Milpitas and I love my city , city council , mayor , police dept. Our police dept. is doing great job to keep our city safe and clean. I need an opportunity in hospitality commission to prove my capabilities to enhance our business revenues. God bless America and Milpitas.

Upload a File	*Field not completed.*
Date	3/4/2024

By submitting this form, I confirm I have sufficient time to devote to this responsibility and will attend the required meetings if I am appointed to fill a future vacancy. I hereby certify that all statements contained in this application are true.

Name	BIMALKUMAR . D . BHAGVAT

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CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Reallocation of American Rescue Plan Act Funds (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3053)**
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	4/16/2024
Recommendation:	(1) Approve the reallocation of funding within the American Rescue Plan Act Fund and the General Fund to ensure completion of the programs in the ARPA Investment Plan previously approved by Council; and (2) Adopt the resolution authorizing the reallocation of funding within the American Rescue Plan Act Fund balance as of March 31, 2024 and the General Fund to fund certain City staff positions during Fiscal Year 2023-2024 and to ensure completion of programs in the ARPA Investment Plan previously approved by Council.

BACKGROUND

On March 11, 2021, President Biden signed the $1.9 trillion American Rescue Plan into law, providing critical fiscal relief for state, local, tribal, and territorial governments, families, communities, and small businesses fighting the COVID-19 pandemic. The Coronavirus State and Local Fiscal Recovery Funds (SLFRF), established by the American Rescue Plan Act (ARPA), delivered $350 billion to state, local, territorial, and tribal governments to support the response to and recovery from the COVID-19 public health emergency. Although the funding name is Coronavirus State and Local Fiscal Recovery Funds or “SLFRF”, staff will refer to the funding name in this agenda report as “ARPA” to be consistent with prior documents presented to Council.

The City of Milpitas was allocated and received $16,736,815 in ARPA grant funding. On June 21, 2021, Council adopted the ARPA Investment Framework consisting of fiscal guiding principles and five investment areas to determine how to spend the City’s ARPA allocation. This agenda report also stated that staff intended to document the use of ARPA Funds under the revenue replacement category, which allowed the City to reimburse itself for lost revenue due to the pandemic, and use that revenue to support certain government services. According to staff calculations using the prescribed U.S. Treasury Department methodology, the City lost $45 million in revenue in 2021; therefore, the entire $16.7 million ARPA allocation was eligible to offset government services expenditures.

Spending funds under the SLFRF Revenue Replacement category allows the City to fund a wide array of potential expenditures, including general government administration such as covering the wages of local government employees. Expenses incurred beginning March 3, 2021 through December 31, 2024 is the timeframe the City can cover costs associated with wages, including reimbursement of previous costs (back to March 3, 2021) and supplanting previously budgeted and future costs. The City has the option to reimburse itself for all or a portion of wages incurred any time between March 3, 2021, up until December 31, 2024. However, it is important to note that ARPA funds cannot be utilized for debt service, replenish rainy-day funds, cover legal judgments, compensate elected officials, or make pension payments.

On August 9, 2021, Council approved using ARPA funds for 25 programs in the ARPA Investment Plan specifically focused on five investment areas: community services, economic vitality, infrastructure, public safety, and technology. On March 18, 2024, staff provided to Council an informational memorandum describing the status of each program as of February 14, 2024.

The December 31, 2024 deadline to obligate ARPA funds is approaching. ARPA grantees must obligate all ARPA funds (e.g., encumber funding through the issuance of contracts/purchase orders) by December 31, 2024, and expend all ARPA funds by December 31, 2026. Otherwise, the respective ARPA grantee must return unobligated and/or unexpended ARPA funds to the U.S. Department of Treasury ("Treasury"). Staff has reviewed the ARPA regulations promulgated by the Treasury and conferred with AG Witt, the City's government and regulatory advisor, regarding options to retain the ARPA grant funds within the Milpitas community while meeting the ARPA obligation and expenditure deadlines.

ANALYSIS

Due to the uncertainty of what may be considered obligated under Treasury guidelines, staff recommends fund reallocations between the ARPA Fund and the General Fund to mitigate any impacts to the programs in the ARPA Investment Plan previously authorized by Council. As of March 9, 2024, approximately $9.0 million of the allocated $16.7 million in ARPA funds was expended, with a remaining balance of $7.7 million. Staff recommends reallocating this remaining ARPA balance less expenditures through March 31, 2024, to the City's General Fund for the purposes of funding wages associated with certain City staff for Fiscal Year 2023-2024, as detailed in **Table 1**. The precise amount of the budget reallocation will be determined after the quarter close.

This budget action and subsequent transfer of staff expenditures from the General Fund to the ARPA Fund will enable $7.7 million, less expenditures through March 31, 2024, of programs currently budgeted in the ARPA Fund to be budgeted in the General Fund as shown in **Table 2**. The recommended actions will not affect any services previously authorized by the Council and will result in the obligation of all ARPA funds prior to the December 31, 2024 obligation deadline, and subsequent expenditure of the ARPA funds prior to the December 31, 2026 expenditure deadline.

All the staff positions and respective salaries proposed for reallocation provide a direct service to the community and to the long-term future growth and development of Milpitas. Not only are these positions the face of the City, but they perform duties that are the backbone of the City. For example, the Public Works maintenance staff plays a crucial role in ensuring the reliability and safety of essential infrastructure such as roads, water/sewer, public facilities, landscaping, and parks. Proper maintenance of critical infrastructure enhances the overall quality of life for residents and businesses in Milpitas. Reallocating the remaining ARPA grant balance to fund Department staff wages will enable the City to finalize its ARPA expenditures, ensuring compliance with Treasury guidelines.

Any funding or program changes within the ARPA Investment Plan will be presented to Council in a future Council meeting.

Table 1 Recommended Reallocation of Department's Staff Wages from the General Fund to ARPA Fund

Department Name	Function Name	Estimated wages as of March 9, 2024
Finance	Finance Administration	$ 630,157
Finance	Finance Operations	718,843
Finance	Fiscal Services-Utilities	89,725
Finance Total		**1,438,725**
Public Works	Compliance	12,729
Public Works	Facilities Maintenance	768,550
Public Works	Parks Maintenance	17,555
Public Works	Public Works Administration	291,777
Public Works	Street Maintenance	255,286
Public Works	Trees & Landscape Maintenance	206,763
Public Works	Utility Maintenance	112,239
Public Works Total		**1,664,899**
Planning	Long Range Planning	13,367
Planning	Planning	739,692
Planning Total		**753,059**
Recreation & Community Services	General Classes	39,744
Recreation & Community Services	Marketing	68,693
Recreation & Community Services	Performing Arts	29,195
Recreation & Community Services	Recreation Administration	568,026
Recreation & Community Services	Senior Citizen Services	94,879
Recreation & Community Services	Social Services	41,227
Recreation & Community Services	Special Events	53,287
Recreation & Community Services	Sports & Fitness Classes	118,864
Recreation & Community Services	Youth Program	53,348
Recreation & Community Services Total		**1,067,263**
Building Safety & Housing	Building Inspection	896,864
Building Safety & Housing	Administration	159,763
Building Safety & Housing	Housing and Neighborhood Services	322,053
Building Safety & Housing	Permit Center	246,884
Building Safety & Housing	Plan Review	597,781
Building Safety & Housing Total		**2,223,345**
Engineering	Design & Construction	164,432
Engineering	Land Development	209,018
Engineering	Traffic Engineering	179,257
Engineering Total		**552,708**
Grand Total[1]		**$ 7,700,000**

The data listed above was prepared as of March 9, 2024. The latest remaining balance as of March 31, 2024 was approximately $7.1 million.

Table 2: Recommended Reallocations of Programs in the ARPA Fund to the General Fund

ARPA Investment Plan No.	Program	Status as of Feb 14, 2024	Approved Appropriation	Expenditures as of Dec 31, 2023	Balance	% Remaining
Community Services						
1	Rent and Mortgage Relief	In Progress	$1,100,000	$688,160	$411,840	37.4%
2	Social Services	In Progress	$500,000	$443,314	$56,686	11.3%
3	Financial Assistance to Low- and Moderate-Income Residents for Water Utility Payments and Childcare Costs	In Progress	$575,000	$279,288	$295,712	51.4%
4a	Beautify Milpitas Program	In Progress	$100,000	$21,810	$78,190	78.2%
4b	Weed Abatement	Complete	$90,000	$89,961	$39	0.0%
5	Homeless Outreach and Assessment	In Progress	$100,000	$57,897	$42,103	42.1%
6	Public Works Maintenance Staffing	In Progress	$172,344	$0	$172,344	100.0%
	Subtotal		**$2,637,344**	**$1,580,430**	**$1,056,914**	**40.1%**
Economic Vitality						
7	Small Business Assistance Grant Program	Complete	$1,565,100	$1,565,100	$0	0.0%
8	Hotel Assistance Grant Program	Complete	$130,000	$130,000	$0	0.0%
9	Accessory Dwelling Unit Program	In Progress	$990,000	$605,277	$384,723	38.9%
10	Storefront Improvement Grant Program	In Progress	$365,000	$0	$365,000	100.0%
11	Community Events	In Progress	$125,000	$105,006	$19,994	16.0%
12	Workforce Development Program	In Progress	$300,000	$224,750	$75,250	25.1%
13	Limited Term Economic Development Specialist Position	In Progress	$330,000	$233,074	$96,926	29.4%
14	Business Improvement District	In Progress	$126,500	$40,906	$85,540	67.6%
	Subtotal		**$3,931,600**	**$2,904,113**	**$1,027,433**	**26.1%**
Infrastructure						
15	Park Rehabilitation (1)	In Progress	$4,386,815	$1,289,220	$3,097,595	70.6%
16	Public Safety Facilities' Rehabilitation	In Progress	$250,000	$0	$250,000	100.0%
17	Mobile Emergency Operations Center (MEOC)	In Progress	$425,000	$3,091	$421,909	99.3%
	Subtotal		**$5,061,815**	**$1,292,311**	**$3,769,504**	**74.5%**

Table 2: Recommended Reallocations of Programs in the ARPA Fund to the General Fund

ARPA Investment Plan No.	Program	Status as of Feb 14, 2024	Approved Appropriation	Expenditures as of Dec 31, 2023	Balance	% Remaining
Public Safety						
18	Public Safety Staffing	Complete	$1,200,000	$1,200,000	$0	0.0%
19	Fire Pumper Truck Equipment	In Progress	$920,000	$455,580	$464,420	50.5%
20	Emergency Management Program Assessment Study	In Progress	$200,000	$180,748	$19,253	9.6%
21	Catalytic Converter Public Safety Initiative	Complete	$200,000	$65,562	$134,438	67.2%
	Subtotal		**$2,520,000**	**$1,901,890**	**$618,110**	**24.5%**
Technology						
22	Human Resources Information System	In Progress	$1,100,000	$0	$1,100,000	100.0%
23	Cybersecurity Programs and Training	Complete	$300,000	$269,123	$30,877	10.3%
24	Technology Infrastructure	In Progress	$710,000	$610,520	$99,480	14.0%
	Subtotal		**$2,110,000**	**$879,643**	**$1,230,35**	**58.3%**
Administration						
25	ARPA Funds Administration	In Progress	$350,000	$117,010	$232,990	66.6%
	Subtotal		**$350,000**	**$117,010**	**$232,990**	**66.6%**
26	**ARPA Funds - Unallocated**		**$126,056**	**$0**	**$126,056**	**100.0%**
	Grand Total		**$16,736,815**	**$8,675,397**	**$8,061,36**	**48.2%**

The data listed above aligns with State and Local Fiscal Recovery Funds (SLFRF) Compliance Report Project and Expenditure Report Q4 2023 as of December 31, 2023. The latest remaining balance as of March 31, 2024 was approximately $7.1 million.

POLICY ALTERNATIVES

Alternative: Do not reallocate funding between the ARPA fund balance and General Fund

Pros: None

Cons: Risk losing funding that is not obligated per federal requirements (contracts awarded an/or orders placed) by the December 31, 2024 obligation deadline

Reasons for Not Recommending:

Reallocating funding between the ARPA fund balance and the General Fund will ensure all ARPA funds provided to the City will be obligated and expended prior to the December 31, 2024 deadline.

Fiscal Impact

If Council approves the reallocation of funding within the ARPA Fund (Fund 180 ARPA) and General Fund (Fund 100), the ARPA funding will be fully expended before the December 31, 2024 obligation deadline. The risk of losing ARPA funding will be eliminated, and staff can continue implementing the programs in the former ARPA Investment Plan.

California Environmental Quality Act

The recommendation is a fiscal activity of the City government or an action to create a City government funding mechanism that does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment and is not a project pursuant to Cal. Code of Regs., tit. 14, § 15378.

RECOMMENDATION

1. Approve the reallocation of funding within the American Rescue Plan Act Fund and the General Fund to ensure completion of the programs in the ARPA Investment Plan previously approved by Council.

2. Adopt the resolution authorizing the reallocation of funding within the American Rescue Plan Act Fund balance as of March 31, 2024 and the General Fund to fund certain City staff positions during Fiscal Year 2023-2024 and to ensure completion of programs in the ARPA Investment Plan previously approved by Council.

ATTACHMENTS

(a) Resolution

RESOLUTION NO.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS ADOPTING THE REALLOCATION OF FUNDING WITHIN THE CITY'S AMERICAN RESCUE RECOVERY ACT FUND BALANCE AS OF MARCH 31, 2024 AND THE GENERAL FUND TO FUND CERTAIN CITY STAFF POSITIONS WAGES DURING FISCAL YEAR 2023-2024 AND ENSURE COMPLETION OF PROGRAMS IN THE ARPA INVESTMENT PLAN PREVIOUSLY APPROVED BY COUNCIL

WHEREAS, on March 11, 2021, President Biden signed the $1.9 trillion American Rescue Plan into law, providing critical fiscal relief for state, local, tribal, territorial governments, families, communities, and small businesses fighting the COVID-19 pandemic. The Coronavirus State and Local Fiscal Recovery Funds (SLFRF), authorized by the American Rescue Plan Act (ARPA), delivered $350 billion to state, local, territorial, and Tribal governments to support the response to and recovery from the COVID-19 public health emergency; and

WHEREAS, the City of Milpitas received $16,736,814 in SLFRF grant allocation, herein referred to as "ARPA", of which 50 percent was received in June 2021 and the remaining amount in June 2022; and

WHEREAS, any ARPA funds not obligated by December 31, 2024 must be returned to the U. S. Department of Treasury, with the federal government definition of obligation as an order placed for property and services and entering into contracts, subawards, and similar transactions that require payment; and

WHEREAS, any ARPA funds not expended by December 31, 2026 must be returned to the U. S. Department of Treasury; and

WHEREAS, under the U.S. Department of the Treasury's Coronavirus State and Local Fiscal Recovery Funds: 2022 Final Rule, January 2022, the City, within the revenue loss category, may use its full allocation of ARPA funding for general government services up to the amount of revenue the City lost due to the pandemic;

WHEREAS, certain expenditures incurred from March 3, 2021 through December 31, 2024 are eligible for ARPA funding under the SLFRF Revenue Replacement category, which include covering the wages of local government employees; and

WHEREAS, the City of Milpitas recognizes $7.7 million, less expenditures through March 31, 2024, of revenue loss reimbursement that will be used to fund various City staff wages for Fiscal Year 2023-2024, with the precise budget reallocation to be determined as of March 31, 2024; and

WHEREAS, this budget action and subsequent movement of various Department City staff expenditures from the General Fund to the ARPA Fund will enable $7.7 million, less expenditures through the end of March 2024, of programs currently budgeted in the ARPA Fund to be budgeted in the General Fund; and

WHEREAS, all the staff positions and respective salaries proposed for reallocation provide a direct service to the community and to the long-term future growth and development of Milpitas, are the face of the City, and perform duties that are the backbone of the City; and

WHEREAS, the recommended budget actions will not affect any services previously authorized by the Council and will result in the expenditure or obligation of all ARPA funds prior to the December 31, 2024 obligation deadline, ensuring compliance with the U.S. Department of the Treasury's guidelines outlined in the *Coronavirus State and Local Fiscal Recovery Funds: 2022 Overview of the Final Rule*, dated January 2022.

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 shall approve the reallocation of funding within the American Rescue Plan Act Fund and the General Fund to ensure completion of the programs in the ARPA Investment Plan previously approved by Council. The City shall reallocate the $7.7 million ARPA Fund balance, less expenditures incurred through March 31, 2024, to the City General Fund for the purposes of funding and covering wages associated with various Department City staff for Fiscal Year 2023-2024, as detailed in Table 1. This budget action and subsequent transfer of various Department City staff expenditures from the General Fund to the ARPA Fund will enable $7.7 million, less expenditures through March 31, 2024, of programs currently budgeted in the ARPA Fund to be budgeted in the General Fund, as shown in Table 2. The precise amount of the budget reallocation will be determined as of March 31, 2024.

Table 1: Recommended Reallocation of Department's Staff Wages from the General Fund to ARPA Fund

Department Name	Function Name	Estimated Wages as of March 9,2024
		$
Finance	Finance Administration	630,157
Finance	Finance Operations	718,843
Finance	Fiscal Services-Utilities	89,725
Finance Total		**1,438,725**
Public Works	Compliance	12,729
Public Works	Facilities Maintenance	768,550
Public Works	Parks Maintenance	17,555
Public Works	Public Works Administration	291,777
Public Works	Street Maintenance	255,286
Public Works	Trees & Landscape Maintenance	206,763

Public Works	Utility Maintenance	112,239
Public Works Total		**1,664,899**
Planning	Long Range Planning	13,367
Planning	Planning	739,692
Planning Total		**753,059**
Recreation & Community Services	General Classes	39,744
Recreation & Community Services	Marketing	68,693
Recreation & Community Services	Performing Arts	29,195
Recreation & Community Services	Recreation Administration	568,026
Recreation & Community Services	Senior Citizen Services	94,879
Recreation & Community Services	Social Services	41,227
Recreation & Community Services	Special Events	53,287
Recreation & Community Services	Sports & Fitness Classes	118,864
Recreation & Community Services	Youth Program	53,348
Recreation & Community Services Total		**1,067,263**
Building Safety & Housing	Building Inspection	896,864
Building Safety & Housing	Administration	159,763
Building Safety & Housing	Housing and Neighborhood Services	322,053
Building Safety & Housing	Permit Center	246,884
Building Safety & Housing	Plan Review	597,781
Building Safety & Housing Total		**2,223,345**
Engineering	Design & Construction	164,432
Engineering	Land Development	209,018
Engineering	Traffic Engineering	179,257
Engineering Total		**552,708**
Grand Total (1)	**$**	**7,700,000**

(1) The ground total is rounded.

The data listed above was prepared as of March 9, 2024. The latest remaining balance as of March 31, 2024 was approximately $7.1 million.

Table 2: Recommended Reallocations of Programs in the ARPA Fund to the General Fund

ARPA Investment Plan No.	Program	Status as of Feb 14, 2024	Approved Appropriation	Expenditures as of Dec 31, 2023	Balance	% Remaining
Community Services						
1	Rent and Mortgage Relief	In Progress	$1,100,000	$688,160	$411,840	37.4%
2	Social Services	In Progress	$500,000	$443,314	$56,686	11.3%
3	Financial Assistance to Low- and Moderate-Income Residents for Water Utility Payments and Childcare Costs	In Progress	$575,000	$279,288	$295,712	51.4%
4a	Beautify Milpitas Program	In Progress	$100,000	$21,810	$78,190	78.2%
4b	Weed Abatement	Complete	$90,000	$89,961	$39	0.0%
5	Homeless Outreach and Assessment	In Progress	$100,000	$57,897	$42,103	42.1%
6	Public Works Maintenance Staffing	In Progress	$172,344	$0	$172,344	100.0%
	Subtotal		**$2,637,344**	**$1,580,430**	**$1,056,914**	**40.1%**
Economic Vitality						
7	Small Business Assistance Grant Program	Complete	$1,565,100	$1,565,100	$0	0.0%
8	Hotel Assistance Grant Program	Complete	$130,000	$130,000	$0	0.0%
9	Accessory Dwelling Unit Program	In Progress	$990,000	$605,277	$384,723	38.9%
10	Storefront Improvement Grant Program	In Progress	$365,000	$0	$365,000	100.0%
11	Community Events	In Progress	$125,000	$105,006	$19,994	16.0%
12	Workforce Development Program	In Progress	$300,000	$224,750	$75,250	25.1%
13	Limited Term Economic Development Specialist Position	In Progress	$330,000	$233,074	$96,926	29.4%
14	Business Improvement District	In Progress	$126,500	$40,906	$85,540	67.6%
	Subtotal		**$3,931,600**	**$2,904,113**	**$1,027,433**	**26.1%**
Infrastructure						
15	Park Rehabilitation (1)	In Progress	$4,386,815	$1,289,220	$3,097,595	70.6%
16	Public Safety Facilities' Rehabilitation	In Progress	$250,000	$0	$250,000	100.0%
17	Mobile Emergency Operations Center (MEOC)	In Progress	$425,000	$3,091	$421,909	99.3%
	Subtotal		**$5,061,815**	**$1,292,311**	**$3,769,504**	**74.5%**

Table 2 Continued: Recommended Reallocations of Programs in the ARPA Fund to the General Fund

ARPA Investment Plan		Status as of Feb 14, 2024	Approved Appropriation	Expenditures as of Dec 31, 2023	Balance	% Remaining
No.	**Program**					
Public Safety						
18	Public Safety Staffing	Complete	$1,200,000	$1,200,000	$0	0.0%
19	Fire Pumper Truck Equipment	In Progress	$920,000	$455,580	$464,420	50.5%
20	Emergency Management Program Assessment Study	In Progress	$200,000	$180,748	$19,253	9.6%
21	Catalytic Converter Public Safety Initiative	Complete	$200,000	$65,562	$134,438	67.2%
	Subtotal		**$2,520,000**	**$1,901,890**	**$618,110**	**24.5%**
Technology						
22	Human Resources Information System	In Progress	$1,100,000	$0	$1,100,000	100.0%
23	Cybersecurity Programs and Training	Complete	$300,000	$269,123	$30,877	10.3%
24	Technology Infrastructure	In Progress	$710,000	$610,520	$99,480	14.0%
	Subtotal		**$2,110,000**	**$879,643**	**$1,230,35**	**58.3%**
Administration						
25	ARPA Funds Administration	In Progress	$350,000	$117,010	$232,990	66.6%
	Subtotal		**$350,000**	**$117,010**	**$232,990**	**66.6%**
26	**ARPA Funds - Unallocated**		**$126,056**	**$0**	**$126,056**	**100.0%**
	Grand Total		**$16,736,815**	**$8,675,397**	**$8,061,36**	**48.2%**

The data listed above aligns with State and Local Fiscal Recovery Funds (SLFRF) Compliance Report Project and Expenditure Report Q4 2023 as of December 31, 2023. The latest remaining balance as of March 31, 2024 was approximately $7.1 million.

PASSED AND ADOPTED this day of , 2024, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

_____
Suzanne Guzzetta, City Clerk

APPROVED:

_____
Carmen Montano, Mayor

APPROVED AS TO FORM:

_____
Michael Mutalipassi, City Attorney

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Receive Report on Funding for Rent and Mortgage Relief Program and Approve Transfer of $216,125 in Mortgage Relief Funds to Rent Relief (Staff Contact: Alex Andrade, Economic Development Director, 408-586-3046; and Robert Musallam, Housing Division Manager, 408-586-3275)**
Category:	Consent Calendar-Community Development
Meeting Date:	4/16/2024
Recommendation:	Receive report on funding for Rent and Mortgage Relief Program and approve shift of $216,125.00 in Mortgage Relief Funds to Rent Relief.

BACKGROUND:

On August 9, 2021, City Council received an update on the American Rescue Plan Act (ARPA) funded program. On September 7, 2021, City Council authorized the modification of the Rent Relief Program to the Rent and Mortgage Relief Program funded by ARPA. Of the $1,100,000 appropriated, $150,000 is being utilized to partially fund a 3-year limited term Administrative Analyst within the Housing Division. The remaining $950,000 covers the cost of program administration ($85,500). Per City Council direction, the remaining balance has been distributed with 75% ($648,375) for rent relief and 25% ($216,125) for mortgage relief. The rent relief portion of the program continues to have significant community demand.

ANALYSIS:

Rent Relief

Prior to the approval of additional funding, the City allocated $1,010,696 in rent relief from the Affordable Housing and Community Benefit fund, Community Development Block Grant (CDBG) funding, and the competitive grant awards secured from the Santa Clara County Emergency Food and Shelter Program. The original rent relief program provided aid to over 100 Milpitas families and over 300 individuals. The Rent and Mortgage Relief Program was estimated to benefit 130 households with rental assistance and 14 households with mortgage assistance.

In December 2022, the City officially launched the rent portion of the new Rent and Mortgage Relief Program. To be eligible for rent relief, applicants must be a resident for at least 6 months, have experienced an economic hardship due to COVID-19, and be at or below 120% Area Median Income (AMI). The table below provides the income limits by household size for a family at 120% AMI.

Household Size	**1**	**2**	**3**	**4**	**5**	**6**
120% AMI	$141,500	$161,750	$182,000	$202,000	$218,400	$234,500

In March 2023, the City officially launched the mortgage portion of the new Rent and Mortgage Relief Program. To be eligible for mortgage relief, households must have experienced an economic hardship due to COVID-19, currently own one residential property and it must be primary residence of homeowner(s), has not received other forms of governmental or private assistance for the same period requested, and be at or below the 150% AMI limit for Santa Clara County. The table below provides the income limits by household size for a family at 150% AMI.

Household Size	**1**	**2**	**3**	**4**	**5**	**6**
150% AMI	$176,950	$202,200	$227,500	$252,750	$273,000	$293,200

By the end of 2023, the City had provided 91 households with rent relief. City Housing staff and FORWARD, the Rent and Mortgage Relief Program Fiscal Administrator, discussed ways to improve outreach including informing previous recipients as they are eligible again in 2024. In early March 2024, FORWARD informed City staff that outreach was successful, and around 70% of rent relief funds were distributed. FORWARD also informed City staff that there were a number of applications being reviewed for quality assurance and FORWARD anticipated having a rent relief distribution of over 90% by April 2024. As of April 2, 2024, the City has provided 199 households with rent relief. This equates to 94% or $570,184.04 in rent relief funds. FORWARD informed City staff that they had enough applications in the queue to fully expend all rent relief funds in April 2024.

Mortgage Relief

As of April 2, 2024, the City has received 12 applications for mortgage relief funds and issued no mortgage relief funds due to households being current on payments, requesting more than the maximum payment allowed, or not being Milpitas residents and therefore being ineligible. The City's maximum of $15,000 in mortgage relief funds were created with the knowledge that the California Mortgage Relief Program is still open and provides up to $80,000 in mortgage relief. The City's Program Administrator, FORWARD, works with local nonprofit organizations to help connect any resident who is requesting over the City of Milpitas maximum amount with the State's program for a seamless transition. It should be noted that the City's Mortgage Relief program specifically prohibits households from accessing both the City's and the State's mortgage relief funding. As such, a residents' inability to access funding from both programs may be contributing to the lack of applicants for the City's Mortgage Relief program.

Given the City has not been able to approve one eligible Mortgage applicant and the rent relief program is in high demand, Housing staff are recommending re-allocating the full remaining balance of $216,125 in mortgage relief funds towards rent relief.

FISCAL IMPACT:

The allocation for the Rent and Mortgage Relief Program is $1,100,000. Of the $1,100,000 appropriated, $150,000 is being utilized to partially fund a 3-year limited term Administrative Analyst within the Housing Division. The remaining $950,000 is for the Rent and Mortgage Relief program. The cost of program administration is $85,500. Per City Council direction, the remaining balance has been distributed with 75% ($648,375) for rent relief and 25% ($216,125) for mortgage relief. Re-allocation of mortgage relief funding to rent relief does not impact the total revenue and/or appropriation because the City has an executed agreement with FORWARD.

California Environmental Quality Act (CEQA):

The action is a fiscal activity of the City government or an action to create a City government funding mechanism that does not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment and is not a project pursuant to Cal. Code of Regs., tit. 14, § 15378.

RECOMMENDATION:

Receive report on funding for Rent and Mortgage Relief Program and approve shift of $216,125.00 in Mortgage Relief Funds to Rent Relief.

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Receive the July – December 2023 Report for Unhoused Services (Staff Contact: Alex Andrade, Economic Development Director, 408-586-3046; and Robert Musallam, Housing Division Manager, 408-586-3275)**
Category:	Consent Calendar-Community Development
Meeting Date:	4/16/2024
Recommendation:	Receive the July – December 2023 report for unhoused services.

BACKGROUND:

In 2023, the City's Point in Time (PIT) count surveying homelessness provided a count of 142 unsheltered individuals. From 2019 to 2023, the City showed an overall increase in PIT count individuals of 14%. However, year over year, from 2022 to 2023, there was a 48% decrease in PIT count individuals in Milpitas. The programs below demonstrate the City's continuing efforts to support the City's most vulnerable residents. This report reflects the July - December 2023 progress for unhoused services in the City of Milpitas which consists primarily of two programs (1) Homeless outreach and assessment services and (2) mobile shower and laundry program.

For the homeless outreach and assessment program, City Council approved and authorized staff to enter into an agreement for homeless outreach and assessment services with Santa Clara County Office of Supportive Housing (OSH) on November 10, 2020. The County's Homeless Engagement and Access Team (HEAT), via Abode Services, began conducting outreach in March 2021 to engage and provide resources to the City's unhoused residents. On March 15, 2022, City Council approved using American Rescue Plan Act (ARPA) to continue funding HEAT through December 2023. In late 2023, OSH staff informed City staff that they would be discontinuing the agreement to provide HEAT services to the City of Milpitas as of the end of December 2023. As a result of this, the City has been without a dedicated outreach partner since January 2024. Currently City staff are working on a Request for Proposal (RFP) for a new homeless outreach provider which is set to open in April 2024.

For the mobile shower program, City Council directed staff to implement a six-month pilot mobile shower and laundry program on December 1, 2020. The nonprofit service provider, WeHOPE's Dignity on Wheel program, began providing mobile shower and laundry services every Sunday starting March 21, 2021, on Winsor Street, immediately south of the Milpitas Library. On September 7, 2021, the City Council directed staff to continue the mobile shower and laundry program for an additional 12 months. On September 6, 2022, the City Council approved a continuation of services, and on April 4, 2022, the City Council approved gap funding to cover services through June 30, 2023. In July 2023, the City executed a second contract with WeHOPE for a not-to-exceed amount of $150,000 to continue the mobile shower and laundry program until June 30, 2026 with funding from the State of California, secured for the City by Assemblymember Alex Lee.

ANALYSIS:

Homeless outreach and assessment services

From July - December 2023, the HEAT Team continued to collaborate with City staff and the County Office of Supportive Housing to conduct outreach throughout Milpitas to engage and provide resources to the city's unhoused residents. The HEAT Team provided basic needs items and transportation resources. The HEAT Team continued to foster rapport with unhoused residents to provide housing and employment resources, as well as to coordinate care with the Office of Supportive Housing. From July – December 2023, the HEAT Team enrolled 30 clients and completed 29 assessments. Adding to 240 clients enrolled and 265 clients assessed

since services began in March 2021, which totals 270 clients enrolled and 294 clients assessed. Since the HEAT Team has been conducting proactive outreach throughout Milpitas, service providers have been able to locate and connect with unhoused residents both at known and new locations. For the unhoused individuals that did not provide identifying information for the HEAT Team to enroll or assess, they provided food, water, and hygiene items. See Attachment 1 for the HEAT Team July – December 2023 reports.

Mobile Shower Program
From July – December 2023, WeHOPE provided 27 sessions to the unhoused community, providing a total of 645 showers and 304 loads of laundry, and serving 332 unduplicated individuals. See Attachment 2 for the WeHOPE Dignity on Wheels July – December 2023 summaries.

In addition to working closely with the above service providers, City departments continued to collaborate in providing assistance to local unhoused residents. For a summary of the various activities and services for Milpitas unhoused residents as described above, refer to Attachment 3 for the July – September 2023 report for unhoused services and Attachment 4 for the October – December 2023 report for unhoused services.

FISCAL IMPACT:

There is no fiscal impact on the City budget other than staff time related to this item.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The action being considered has no potential for causing a significant effect on the environment and is exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061(b)(3).

RECOMMENDATION:

Receive the July – December 2023 report for unhoused services.

Attachment(s):
(a) July - September 2023 report for unhoused services
(b) October - December 2023 report for unhoused services
(c) July – December 2023 HEAT Team reports
(d) July – December WeHOPE Dignity on Wheels summary

ATTACHMENT 3 JULY - SEP 2023 REPORT FOR UNHOUSED SERVICES

	Outreach Location	Type	Jurisdiction	Unhoused Count	Date Counted	Date Referred	Clients Enrolled	Date Enrolled	Clients Assessed	Date Assessed	Clients Housed	Date Housed	Notes
1	Hillview Bridge	Encampment	Valley Water	1	7/13/2023	N/A	1	7/13/2023	1	7/13/2023			
2	Topaz Street 1	Encampment	City			N/A							
3	Serra Center	Encampment	Private Property			N/A							
4	Ocean Supermarket	Encampment or Outreach	Private Property			N/A							
5	Dixon Road 1	Encampment	City			N/A							
6	Dixon Road 2	RV Vehicles	City			N/A							
7	Calaveras Blvd Overpass	Encampment	City			N/A							
8	Dempsey Road 1	Encampment	City			N/A							
9	Sinclair Frontage Road	Encampment or Outreach	Union Pacific Railroad	1	7/21/2023	N/A	1	7/21/2023	1	7/21/2023			
10	Yosemite Business Park	Encampment	Private Property			N/A							
11	Gibraltar Court	Trailers	City			N/A							
12	Topaz Street 2	Encampment	City			N/A							
13	Railroad Court	Camp/Trailers	City			N/A							
14	Abel Plaza	Encampment	Private Property	1	8/28/2023	N/A							
15	S. Main Street	Encampment	City			N/A							
16	S. Abbott Avenue	Encampment	City (if on street) or County (if on County property)			N/A							
17	W. Calaveras Blvd	Encampment	City	1 3	9/18/2023 9/22/23	N/A	3	9/22/2023	3	9/22/2023			
18	Ethyl Court	Camp/Cars	City			N/A							
19	Hammond Way	Cars/Trailers or Outreach	City			N/A							
20	Coyote Creek Trail 1	Encampment	Valley Water	1	7/31/2023	N/A	1	7/31/2023	1	7/31/2023			
21	Coyote Creek Trail 2	Encampment	Valley Water	1 1	8/7/2023 8/16/2023	N/A	1 1	8/7/2023 8/16/2023	1	8/7/2023			
22	Coyote Creek Trail 3	Encampment	Valley Water	1	8/14/2023	N/A	1	8/14/2023	1	8/14/2023			
23	Calaveras Plaza Shopping Center	Outreach (contact made in non-encampment setting)	N/A	1	8/22/2023	N/A	1	8/22/2023					
24	Dignity on Wheels Mobile Shower and Laundry	Outreach (contact made in non-encampment setting)	N/A			N/A							
25	Dixon Landing Shopping Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
26	Great Mall	Outreach (contact made in non-encampment setting)	N/A	1 1	7/10/2023 8/28/23	N/A			1	7/10/2023			
27	Milpitas Library	Outreach (contact made in non-encampment setting)	N/A			N/A							
28	Main Street	Outreach (contact made in non-encampment setting)	N/A	1 1	9/1/2023 9/18/23	N/A	1	9/18/2023	1	9/18/2023			
29	Other (Street, Panhandle, Vehicle Dweller, or Unidentified Location)	Outreach (contact made in non-encampment setting)	N/A										
30	Dempsey Road 2	Encampment	Private Property			N/A							
31	Serra Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
32	E. Calaveras Blvd	Outreach (contact made in non-encampment setting)	N/A	1 1	7/13/2023 8/11/2023	N/A			1	7/13/2023			
33	Dempsey Road 3	Outreach (contact made in non-encampment setting)	N/A			N/A							
34	Galaxy Court	Outreach (contact made in non-encampment setting)	N/A			N/A							
35	Ranch Drive	Outreach (contact made in non-encampment setting)	N/A			N/A							
36	Jacklin Rd	Outreach (contact made in non-encampment setting)	City	1 1	7/18/2023 8/28/23	N/A	1	7/18/2023	1	7/18/2023			
37	Folsom Ct	Outreach (contact made in non-encampment setting)	N/A			N/A							
38	Other (near Extended Stay)	Outreach (contact made in non-encampment setting)	N/A			N/A							
39	S. Park Victoria	Outreach (contact made in non-encampment setting)	N/A	1	8/9/2023	N/A							
40	O'Toole Elms Park	Outreach (contact made in non-encampment setting)	City			N/A							
41	America's Best Value Inn	Outreach (contact made in non-encampment setting)	Private Property			N/A							
42	Milpitas Sports Center Park	Outreach (contact made in non-encampment setting)	City			N/A							
43	Foothill Park	Outreach (contact made in non-encampment setting)	City			N/A							
44	Washington Road	Vehicle	City			N/A							
45	Burley Drive	Vehicle	City			N/A							
46	W. Calaveras Blvd	Outreach (contact made in non-encampment setting)	N/A			N/A							
47	Albert Augustine Jr. Memorial Park	Outreach (contact made in non-encampment setting)	N/A			N/A							
48	N. Milpitas Bridge	Encampment	N/A			N/A							
49	Victorian Sqaure	Outreach (contact made in non-encampment setting)	N/A			N/A							
50	Calaveras 3	Encampment	N/A	1	9/6/2023	N/A			1	9/6/2023			
51	Cardoza Park	Outreach (contact made in non-encampment setting)	N/A			N/A							
52	Railroad Avenue	Encampment	N/A	2 2 1 1	8/21/2023 8/3/2023 9/1/23 9/11/23	N/A	1	9/1/2023	1	9/1/2023			
53	Sunnyhills Shopping Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
54	Pioneer Park	Vehicle	N/A			N/A							
55	McCarthy Ranch	Vehicle	N/A	1 1	8/28/2023 8/29/23	N/A							
56	Yosemite 6	Encampment	N/A	1 1	7/18/2023 8/14/2023	N/A							
57	Beresford Square	Outreach (contact made in non-encampment setting)	N/A			N/A							
58	Escuela Parkway	Outreach (contact made in non-encampment setting)	N/A										
59	Ames Ave	Encampment	N/A	2 1 1 2 1 1 1	7/6/2023 7/25/23 8/28/2023 9/11/23 9/21/23 9/25/23 9/29/23		1 1	7/6/2023 8/28/2023	1	9/11/2023			
60	Dempsey 19	Encampment	N/A	1 1 1	7/18/2023 7/25/23 8/11/2023	N/A	1 1	7/18/2023 8/11/2023	1	7/25/2023			
61	Montague	Encampment	N/A	1	8/7/2023	N/A							
62	Heritage Inn	Outreach (contact made in non-encampment setting)	N/A	1	8/22/2023	N/A	1	8/22/2023					
63	Phone	Outreach (contact made in non-encampment setting)	N/A	2 2 1 1 1 2 1 1 2	8/2/2023 8/7/2023 8/8/2023 8/28/2023 8/29/2023 8/31/2023 9/20/2023 9/21/2023 9/29/23								
64	Sinnott Lane	Outreach (contact made in non-encampment setting)	N/A	1	9/1/2023								
65	Coyote St	Outreach (contact made in non-encampment setting)	N/A	1	9/1/2023								
66	Landess Ave	Outreach (contact made in non-encampment setting)	N/A	1	9/4/2023								
67	Strickroth Park	Encampment	N/A	1	9/20/2023								
			Total	63			18		16				

WeHOPE Dignity on Wheels Mobile Shower and Laundry	Session Location	Service Dates	Number of Sessions	Total Unduplicated Individuals Served	Showers Provided	Loads of Laundry Provided
	Milpitas Library	9/3/2023, 9/10/2023, 9/17/2023, 9/24/2023	4	49	53	30
	Milpitas Library	8/6/2023, 8/13/2023, 8/20/2023,8/27/2023	4	43	85	43
	Milpitas Library	7/2/2023, 7/9/23, 7/16/23, 7/23/23, 7/31/230	5	70	146	57

ATTACHMENT 4 OCT - DEC 2023 REPORT FOR UNHOUSED SERVICES

	Outreach Location	Type	Jurisdiction	Unhoused Count	Date Counted	Date Referred	Clients Enrolled	Date Enrolled	Clients Assessed	Date Assessed	Clients Housed	Date Housed	Notes
1	Hillview Bridge	Encampment	Valley Water			N/A							
2	Topaz Street 1	Encampment	City			N/A							
3	Serra Center	Encampment	Private Property			N/A							
4	Ocean Supermarket	Encampment or Outreach	Private Property	2	12/19/23 12/22/23	N/A	1	12/22/2023	1	12/22/2023			
5	Dixon Road 1	Encampment	City			N/A							
6	Dixon Road 2	RV Vehicles	City			N/A							
7	Calaveras Blvd Overpass	Encampment	City	1	10/20/2023	N/A							
8	Dempsey Road 1	Encampment	City			N/A							
9	Sinclair Frontage Road	Encampment or Outreach	Union Pacific Railroad	1 1	10/16/2023 10/27/2023	N/A							
10	Yosemite Business Park	Encampment	Private Property			N/A							
11	Gibraltar Court	Trailers	City	1	11/3/2023	N/A							
12	Topaz Street 2	Encampment	City			N/A							
13	Railroad Court	Camp/Trailers	City	2	10/30/2023	N/A							
14	Abel Plaza	Encampment	Private Property			N/A							
15	S. Main Street	Encampment	City			N/A							
16	S. Abbott Avenue	Encampment	City (if on street) or County (if on County property)			N/A							
17	W. Calaveras Blvd	Encampment	City	1	10/9/2023	N/A	1	10/9/2023	1	10/9/2023			
18	Ethyl Court	Camp/Cars	City			N/A							
19	Hammond Way	Cars/Trailers or Outreach	City			N/A							
20	Coyote Creek Trail 1	Encampment	Valley Water	1	10/6/2023	N/A							
21	Coyote Creek Trail 2	Encampment	Valley Water			N/A							
22	Coyote Creek Trail 3	Encampment	Valley Water			N/A							
23	Calaveras Plaza Shopping Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
24	Dignity on Wheels Mobile Shower and Laundry	Outreach (contact made in non-encampment setting)	N/A			N/A							
25	Dixon Landing Shopping Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
26	Great Mall	Outreach (contact made in non-encampment setting)	N/A			N/A							
27	Milpitas Library	Outreach (contact made in non-encampment setting)	N/A			N/A							
28	Main Street	Outreach (contact made in non-encampment setting)	N/A	1 1 1 3	10/9/2023 11/21/23 11/22/23 12/11/23 12/26/2023	N/A	1	12/11/2023	1	12/11/2023			
29	Other (Street, Panhandle, Vehicle Dweller, or Unidentified Location)	Outreach (contact made in non-encampment setting)	N/A	1	11/20/2023								
30	Dempsey Road 2	Encampment	Private Property			N/A							
31	Serra Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
32	E. Calaveras Blvd	Outreach (contact made in non-encampment setting)	N/A			N/A							
33	Dempsey Road 3	Outreach (contact made in non-encampment setting)	N/A			N/A							
34	Galaxy Court	Outreach (contact made in non-encampment setting)	N/A			N/A							
35	Ranch Drive	Outreach (contact made in non-encampment setting)	N/A			N/A							
36	Jacklin Rd	Vehicle	City			N/A							
37	Folsom Ct	Outreach (contact made in non-encampment setting)	N/A			N/A							
38	Other (near Extended Stay)	Outreach (contact made in non-encampment setting)	N/A			N/A							
39	S. Park Victoria	Outreach (contact made in non-encampment setting)	N/A	1	11/13/2023	N/A	1	11/13/2023	1	11/13/2023			
40	O'Toole Elms Park	Outreach (contact made in non-encampment setting)	City			N/A							
41	America's Best Value Inn	Outreach (contact made in non-encampment setting)	Private Property			N/A							
42	Milpitas Sports Center Park	Outreach (contact made in non-encampment setting)	City			N/A							
43	Foothill Park	Outreach (contact made in non-encampment setting)	City			N/A							
44	Washington Road	Vehicle	City			N/A							
45	Burley Drive	Vehicle	City			N/A							
46	W. Calaveras Blvd	Outreach (contact made in non-encampment setting)	N/A			N/A							
47	Albert Augustine Jr. Memorial Park	Outreach (contact made in non-encampment setting)	N/A			N/A							
48	N. Milpitas Bridge	Encampment	N/A			N/A							
49	Victorian Sqaure	Outreach (contact made in non-encampment setting)	N/A			N/A							
50	Calaveras 3	Encampment	N/A	1 1 1	10/3/2023 11/22/23 12/1/23	N/A	1	10/3/2023	1	10/3/2023			
51	Cardoza Park	Outreach (contact made in non-encampment setting)	N/A			N/A							
52	Railroad Avenue	Encampment	N/A			N/A							
53	Sunnyhills Shopping Center	Outreach (contact made in non-encampment setting)	N/A			N/A							
54	Pioneer Park	Vehicle	N/A			N/A							
55	McCarthy Ranch	Vehicle	N/A			N/A							
56	Yosemite 6	Encampment	N/A			N/A							
57	Beresford Square	Outreach (contact made in non-encampment setting)	N/A			N/A							
58	Escuela Parkway	Outreach (contact made in non-encampment setting)	N/A										
59	Ames Ave	Encampment	N/A	8 2 2 9	10/5/23 10/13/23 10/27/23 10/30/23 11/3/23 12/11, 12/19, 12/21, 12/22, 12/26, 12/28		1 1	11/3/2023 12/11/23	1 1 1	10/5/2023 11/3/2023 12/11/23			
60	Dempsey 19	Encampment	N/A	1	10/16/2023								
61	Montague	Encampment	N/A										
62	Heritage Inn	Outreach (contact made in non-encampment setting)	N/A										
63	Phone	Outreach (contact made in non-encampment setting)	N/A										
64	Sinnott Lane	Outreach (contact made in non-encampment setting)	N/A										
65	Coyote St	Outreach (contact made in non-encampment setting)	N/A										
66	Landess Ave	Outreach (contact made in non-encampment setting)	N/A										
67	Strickroth Park	Encampment	N/A	1	11/1/2023								
68	Hillview	Outreach (contact made in non-encampment setting)	N/A	1 1	10/4/2023 10/30/2023		1	10/4/2023	1	10/4/2023			
69	Corinthia Drive	Outreach (contact made in non-encampment setting)	N/A	1	10/13/2023								
70	Las Lomas	Outreach (contact made in non-encampment setting)	N/A	1	10/20/2023		1	10/20/2023	1	10/20/2023			
71	Valley Wway	Outreach (contact made in non-encampment setting)	N/A	2	10/18/2023								
72	Windsor	Outreach (contact made in non-encampment setting)	N/A	1	10/30/2023								
73	N. Park Victoria	Encampment	N/A	1	Unknown								
74	Cypress	Outreach (contact made in non-encampment setting)	N/A	1	12/4/2023								
75	Barbara Lee Center	Outreach (contact made in non-encampment setting)	N/A	1	12/4/2023								
			Total	54			9		10				

	Session Location	Service Dates	Number of Sessions	Total Unduplicated Individuals Served	Showers Provided	Loads of Laundry Provided
WeHOPE Dignity on Wheels Mobile Shower and Laundry	Milpitas Library	12/3/2023, 12/10/2023, 12/17/2023, 12/24/2023, 12/31/2023	5	55	109	64
	Milpitas Library	11/5/2023, 11/12/2023, 11/19/2023,11/26/2023	4	54	103	54
	Milpitas Library	10/1/2023, 10/8/2023, 10/15/2023, 10/22/2023, 10/29/2023	5	61	109	56

SCC Outreach/HEAT

Milpitas Outcome Tracking

FY23

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End of FY23 Summary

Program Goals and Outcomes:

"The COUNTY's Homeless Engagement and Access Team (HEAT) program (the program) is funded under the Mental Health Services Act (MHSA) and the City of Milpitas. The CONTRACTOR shall implement the program in accordance with California Code of Regulations (CCR) Title 9, division 1 and 24, and Code of Federal Regulations (CFR) 583.

- Reduce subjective suffering from mental illness
- Increase meaningful use of time and capabilities in school, work, and activity
- Reduce homelessness and increase safe and permanent housing
- Increase access to substance use treatment
- Increase natural networks of supportive relationships
- Reduce incarceration/criminal justice involvement

- Increase self-help and client/family involvement
- Reduce stigma and discrimination
- Reduce and/or prevent suicide risk
- Increase the quality of services, including better outcomes
- Enable families to provide a safe, stable, loving, and stimulating environment at home"

Agreement for Short-Doyle and Mental Health Services Act (MHSA) Supportive Housing services between the County of Santa Clara and Abode Services for Fiscal Year 2023

SCC Outreach/HEAT OSH Mental Health Referrals

SCC_Outreach_OSH_Mental HealthReferrals_7.2023-6.2024

Milpitas Outreach Location List:

Updated 10/11/23

HMIS LOCATION NAME	LOCATION DESCRIPTION
Milpitas Encampment - Ames	Near 800 Ames Ave, Milpitas, CA 95035
Milpitas Encampment - Sinclair	Sinclair Frontage Rd. and Yosemite Dr.
Milpitas Encampment- Abbott	South Abbott
Milpitas Encampment- Calaveras 3	Calaveras Overpass/ Bart
Milpitas Encampment- Coyote Creek 16	North- Trail Encampment- Lower Penitencia
Milpitas Encampment- Coyote Creek 17	Mid- Trail Encampment- Lower Penitencia
Milpitas Encampment- Coyote Creek 18	South- Trail Encampment- Lower Penitencia
Milpitas Encampment- Coyote Creek 20	Coyote Creek, behind 3 Technology Dr, Milpitas, CA 95035 (37.332043, -121.889617)
Milpitas Encampment- Dempsey 19	428 BLK Dempsey Rd.
Milpitas Encampment- Dempsey 4	1248 BLK Dempsey Rd
Milpitas Encampment- Dixon 1	183 BLK- Dixon
Milpitas Encampment- Hillview Bridge	Cross Streets: Hillview Drive and Hillview Court
Milpitas Encampment- Ocean Super Market	North Park Victoria
Milpitas Encampment- Serra Center	Shopping Center located at 200 Serra Way
Milpitas Encampment- Sinclair Frontage 5	1191- BLK Sinclair Frontage Road
Milpitas Encampment- Topaz Street 8	200 Block Topaz
Milpitas Encampment- Yosemite 6	Yosemite Business Park
Milpitas Encampment-S Park Victoria	South Park Victoria
Milpitas Outreach - McCarthy Ranch	Near McCarthy Ranch shopping center

Milpitas Outreach - Dignity on Wheels	Various Locations
Milpitas Outreach - Heritage Inn	Heritage Inn
Milpitas Outreach - Strickroth Park	Strickroth Park
Milpitas Outreach (Vehicle Dweller) - Hillview Court	Hillview Ct.
Milpitas Outreach- Abel Plaza 10	Shopping Center located at 110 South Abel Street
Milpitas Outreach -Americas Best Value Inn	Americas Best Value inn parking lot
Milpitas Outreach- Calaveras Plaza Shopping Center	Shopping Center located at 231 West Calaveras Blvd.
Milpitas Outreach- City Square Center Dixon Landing	Shopping Center 1885 N. Milpitas Blvd.
Milpitas Outreach- Great Mall	447 Great Mall Drive- and surrounding parking lot-bus stop area
Milpitas Outreach- Jacklin Road	Jacklin Rd. at N Park Victoria
Milpitas Outreach- Library	Library/ Surrounding Area- 160 North Main Street (North Main to Cross Street Serra Way
Milpitas Outreach- Main Street 11	Serra Way to Cross Street to Curtis Avenue
Milpitas Outreach- Other (Street, Panhandle, or Unidentified Location)	Various Locations
Milpitas Outreach- Serra Center 13	Shopping Center located at 200 Serra Way
Milpitas Outreach- Town Center	Shopping Center located at 627 East Calaveras
Milpitas Outreach- Town Center	Milpitas Town Center - including 555 Calaveras Blvd.
Milpitas Outreach- Vehicle Dweller	Various Locations
Milpitas Vehicle Dwellers - Dixon 2	143-BLK - Dixon
Milpitas Vehicle Dwellers- Gibraltar 7	Gibraltar Court
Milpitas Vehicle Dwellers- Hammond 15	626 Hammond Way
Milpitas Vehicle Dwellers- Railroad 9	Railroad Court
Milpitas Outreach - Hillview Ct.	1000 Hillview Ct.
Milpitas Outreach- Senior Center	40 N. Milpitas Blvd.

Monthly Reports FY23:

July 2023

In July, the SCC Outreach/HEAT Team received 25 referrals from Milpitas E-Referral source. The team was also connected with J. Macon and T. McLane via K. Luna from Abode, regarding a specific unhoused individual who was at the Barbara Lee Senior Center. The team

collaborated thoroughly with this client's family and connected with the client over the phone, planning to meet as soon as possible.

The SCC Outreach/HEAT Team had many staff changes in the month prior and continued to add to the team as they onboarded a new Outreach Specialist. This Specialist came to the team with experience in working with adults with SMI and in residential care settings. They are passionate about client care and eager to work within this population, highly capable of working well with clients who are highly vulnerable and experiencing co-occurring disorders.

With a developing team, there were many moving parts as the team learned, re-set and refreshed the components of the outreach execution. All the staff on the team responded to needs in Milpitas in July. Staff shadowed each other and trained out in the field while successfully supporting individuals in need.

SCC Outreach/HEAT Team contacted 11 individuals, visiting one individual, twice. They administered 7 VI-SPDAT assessments throughout the month. Of these assessments, 3 were existing enrollments and qualified for re-assessment. Of these contacts 6 were enrolled in the program. PSH matches were 1 and OSH Clinical Team referrals was 1. The team was unable to locate 11 of the entries on the E-referral source. Of the 25 referrals, 3 referrals were outreached in early August.

The team continued to provide supplies, food & water, clothing, and hygiene items to individuals in Milpitas. One client has been homeless for over 25 years in multiple countries. The team wrapped around this client and supported them in effective and efficient ways. They focused specifically on reducing stigma and discrimination with this client as they seemed to engage reluctantly at first, but soon developed rapport and solid engagement with the team.

The following table reflects the number of outreach contacts per location, the total number of unhoused individuals enrolled into the program, and the number of VI-SPDAT assessments administered.

July 2023 Milpitas Contact, Enrolled, Assessed Clients:

Outreach Location/Date	Outreach Contact	Enrolled in HEAT	Assessments Completed
Milpitas Encampment- Ames Ave 7/6/23	2	1	
Milpitas Outreach- Great Mall 7/10/23	1		1
Milpitas Encampment- E Calaveras 7/13/23	1		1
Milpitas Encampment- Hillview Bridge 7/13/23	1	1	1
Milpitas Encampment- Yosemite 6 7/18/23	1		
Milpitas Outreach- Jacklin Rd 7/18/23	1	1	1
Milpitas Encampment- Dempsey 19 7/18/23	1	1	

Milpitas Encampment-Sinclair 7/21/23	1	1	1
Milpitas Encampment-Dempsey 19 7/25/23	1		1
Milpitas Encampment-Ames Ave 7/25/23	1		
Milpitas Encampment-Coyote Creek 7/31/23	1	1	1

Key:

- *Milpitas Outreach= Contact made with client at non-encampment setting*
- *Milpitas Encampment= Contact made with client at encampment setting where tent/other structures are used as shelter*

August 2023

In August, the SCC Outreach/HEAT Team received 21 referrals from Milpitas E-Referral Source. The team worked with T. McLane regarding a client who had a particular issue with his rent. With the support of OSH, we were able to clarify his rental situation. The SCC Outreach/HEAT team intentionally connected with the individual who was at the Barbara Lee Senior Center and completed a VI-SPDAT. The team supported this individual with resources and an understanding of housing in SCC, which increased her self-help capabilities.

Two staff on the team focused more intensely on Milpitas referrals to begin building rapport and consistent communication with the individuals in the city. This enabled clients who had been disconnected from the team during the staff transitions to re-engage and begin to develop rapport. The staff reached new clients throughout the city who presented with significant SMI. An example is there was increased garbage in the waterway, near the Milpitas Encampment- Ames Ave which created more e-referrals. The team outreached multiple times and assessed that this individual, though never identified, needed more behavioral health interventions.

The SCC Outreach/HEAT Team continued to develop as a new team by adding another Outreach Specialist to the team. This team member is bilingual and experienced in clinical supervision in their prior role as they worked with children and families in behavioral health. With this addition to the team, there are now four Outreach Specialists and a Program Manager in the SCC Outreach/HEAT program. The team is continuing to support each other as they work to end homelessness in SCC.

SCC Outreach/HEAT Team made 37 contacts in Milpitas in August. They administered 8 VI-SPDAT assessments throughout the month. Of these assessments, 2 qualified for re-assessment. Of these contacts 1 was enrolled in the program. PSH matches were 0 and OSH

Clinical Team referrals was 0. The team was unable to locate 14 of the entries on the E-referral source.

The team continued to provide dignified contact and conversations to the individuals and families in Milpitas. They supplied food, water, and hygiene items to individuals and some transportation. They aimed to increase natural networks of supportive relationships as they worked within client support systems.

The following table reflects the number of outreach contacts per location, the total number of unhoused individuals enrolled into the program, and the number of VI-SPDAT assessments administered.

August 2023 Milpitas Contact, Enrolled, Assessed Clients:

Outreach Location/Date	Outreach Contact	Enrolled in HEAT	Assessments Completed
Milpitas Railroad 9 8/1/2023	2		
Phone 8/2/2023	2		
Milpitas Railroad 9 8/3/2023	2		
Milpitas Library 8/3/2023	2		
Milpitas Montague 8/7/23	1		
Milpitas Encampment-Coyote Creek 20 8/7/2023	1	1	1
Phone 8/7/23	2		
Phone 8/8/2023	1		
Milpitas Outreach-Jacklin Rd. 8/9/2023	1		
Milpitas Encampment S. Park Victoria 8/9/2023	1		
Milpitas Encampment Dempsey 19 8/11/2023	1	1	
Milpitas Encampment-Calaveras 8/11/2023	1		
Milpitas Encampment-Yosemite 6 8/14/2023	1		

Milpitas Encampment-Coyote Creek 20 8/14//2023	1		
Milpitas Encampment-Coyote Creek 20 8/16/2023	1	1	
Milpitas Outreach-Heritage Inn 8/22/2023	1	1	
Milpitas Encampment-Calaveras 8/22/2023	1		
Milpitas Outreach-McCarthy Ranch 8/22/2023	1	1	
Milpitas Outreach-S Milpitas Blvd. 8/25/2023	2		
Milpitas Encampment-Ames 8/25/2023	1	1	
Milpitas Encampment-Ames 8/28/2023	1	1	
Milpitas Encampment-Yosemite 6 8/28/2023	2	1	
Phone 8/28/2023	1		
Milpitas Outreach-Abel Plaza 8/28/2023	1		
Milpitas Outreach-Great Mall 8/28/2023	1		
Milpitas Outreach-Jacklin Rd 8/28/2023	1		
Phone 8/29/2023	1		
Milpitas Outreach-McCarthy Ranch 8/29/2023	1		
Phone	2		

8/31/2023			

Key:

- *Milpitas Outreach= Contact made with client at non-encampment setting*
- *Milpitas Encampment= Contact made with client at encampment setting where tent/other structures are used as shelter*

September 2023

In September, the SCC Outreach/HEAT Team received 14 referrals from Milpitas E-Referral Source. The team did not work with any other city staff or third-party stakeholders this month.

The team connected with and fully supported an individual with SMI from Ames Ave encampment. This client has a program referral for PSH. They were able to maintain linear conversation and the team developed better rapport with them as they continued their journey to permanent supportive housing.

The SCC Outreach/HEAT Team is temporarily working with one less staff as they are out on medical leave for 60+ days. This has not negatively affected productivity as staff have taken care of the caseload. The team continues to plan thoroughly and respond quickly to referrals and needs in Milpitas.

SCC Outreach/HEAT Team made 22 contacts in Milpitas in September. They administered 7 VI-SPDAT assessments throughout the month. Of these contacts 5 were enrolled in the program. PSH matches were 0 and OSH Clinical Team referrals was 1. The team was unable to locate 7 of the entries on the E-referral source.

The team continued to provide engagement, support, care and connection with the individuals in Milpitas. They supplied food & water and hygiene items to individuals as well.

The following table reflects the number of outreach contacts per location, the total number of unhoused individuals enrolled into the program, and the number of VI-SPDAT assessments administered.

September 2023 Milpitas Contact, Enrolled, Assessed Clients:

Outreach Location/Date	Outreach Contact	Enrolled in HEAT	Assessments Completed
N Main St 9/1/2023	1		
Sinnott Ln 9/1/2023	1		
Railroad Ave. 9/1/2023	1	1	1
Coyote St. 9/1/2023	1		
Landess Ave 9/4/2023	1		
Calaveras Ave 9/6/2023	1		1
Ames Ave 9/11/2023	2		1

Railroad Ave 9/11/2023	1		
N. Main St 9/18/2023	1	1	1
W. Calaveras Blvd. 9/18/2023	1		
Strickroth Park 9/20/2023	1		
Phone 9/20/23	1		
800 Ames 9/21/2023	1		
Phone 9/21/2023	1		
W Calaveras 9/22/2023	3	3	3
Ames Ave 9/25/2023	1		
Phone 9/29/2023	2		
Ames Ave 9/29/2023	1		

Key:

- *Milpitas Outreach= Contact made with client at non-encampment setting*
- *Milpitas Encampment= Contact made with client at encampment setting where tent/other structures are used as shelter*

October 2023

In October, the SCC Outreach/HEAT Team received 24 referrals from Milpitas E-Referral Source. The team did not work with any other city staff or third-party stakeholders this month. But they did work with Abode SCC Senior Director to address some concerns at a location in the community, near N. Hillview Dr and support unhoused individuals, there.

There is a particularly vulnerable senior client who requested items to maintain her safety and warmth outdoors. The team was able to purchase items and deliver them. She was very grateful. One client whose encampment was near Ames Ave on the railroad tracks, was matched with Permanent Supportive Housing months prior. He was successfully matched and moved into Calabazas Apartments in San Jose. He shared that he continues to work on becoming familiar with living indoors and is eager to make the full transition into housing.

The SCC Outreach/HEAT Team is still temporarily working with one less staff as that staff is still out on medical leave. This staff will return at the end of November. The team continues to plan thoroughly and respond quickly to referrals and needs in Milpitas.

SCC Outreach/HEAT Team made 27 in person contacts in Milpitas in October. They administered 6 VI-SPDAT assessments throughout the month. Of these assessments, 3 were with people who were living in their car, 2 people were outside, and 1 was @ other location. Of these contacts 5 were enrolled in the program. PSH matches were 0 and OSH Clinical Team referrals was 1. The team was unable to locate 15 of the entries on the E-referral source.

The team continued to provide engagement, support, care and connection with the individuals in Milpitas. They supplied food & water and hygiene items to individuals as well.

The following table reflects the number of outreach contacts per location, the total number of unhoused individuals enrolled into the program, and the number of VI-SPDAT assessments administered.

October 2023 Milpitas Contact, Enrolled, Assessed Clients:

Outreach Location/Date	Outreach Contact	Enrolled in HEAT	Assessments Completed
Calaveras Blvd. 10/3	1	1	1
Hillview 10/4 & 10/30	2	1	1
800 Ames Ave 10/5, 10/13, 10/27, 10/30	8		1
Coyote Creek 10/6	1		
West Calaveras Blvd 10/9	1	1	1
N Main St 10/9	1		
Corinthia Dr 10/13	1		
Sinclair Frontage 10/16 & 1027	2		
95 Dempsey Rd 10/16	1		
Las Lomas 10/20	1	1	1
Calaveras Overpass 10/20	1		
Valley Way 10/18	2		
Windsor 10/30	1	1	1
Railroad 10/30	2		
945 Ames 10/30	2		

Key:

- *Milpitas Outreach= Contact made with client at non-encampment setting*
- *Milpitas Encampment= Contact made with client at encampment setting where tent/other structures are used as shelter*

November 2023

In November, the SCC Outreach/HEAT Team received 10 referrals from Milpitas E-Referral Source. The team worked with OSH CET staff to troubleshoot some different needs with Milpitas clients who had been pulled for housing. There was a new client enrollment that happened because our staff went above and beyond and rappelled down an embankment to connect with an individual. They were very eager to engage with the team and receive services. The team continued to work with individuals who had been pulled for housing program referrals.

The SCC Outreach/HEAT Team had a full team by the end of November. This helped to increase outreach efforts at the end of the month and start the next month, strongly.

SCC Outreach/HEAT Team made 10 in person contacts in Milpitas in November, of these contacts, 2 refused services, 2 were referred to other services, 2 completed VI-SPDAT, and 4 unable to be located. Of the overall contacts 2 were enrolled in the program. PSH matches were 0 and OSH Clinical Team referrals was 0.

The team continued to provide engagement, support, care and connection with the individuals in Milpitas. They supplied food & water and hygiene items to individuals as well.

The following table reflects the number of outreach contacts per location, the total number of unhoused individuals enrolled into the program, and the number of VI-SPDAT assessments administered.

November 2023 Milpitas Contact, Enrolled, Assessed Clients:

Outreach Location/Date	Outreach Contact	Enrolled in HEAT	Assessments Completed
Milpitas Outreach Strickroth Park- 11/1/23	1		
Milpitas Encampment-Ames 11/3/23	2	1	1
Milpitas Vehicle Dwellers- Gilbralter 7 11/3/23	1		
Milpitas Encampment-S Park Victoria 11/13/23	1	1	1
Milpitas Encampment-N Park Victoria	1		
Milpitas Outreach-Other 11/20/23	1		1
Milpitas Outreach- Main St 11/21/23	1		
Milpitas Outreach- Main St 11/22/23	1		
Milpitas Outreach-Calaveras 3 11/22/23	1		

Key:

- *Milpitas Outreach= Contact made with client at non-encampment setting*

- *Milpitas Encampment= Contact made with client at encampment setting where tent/other structures are used as shelter*

December 2023 (Last Month of Contract)

In December, the SCC Outreach/HEAT Team received 10 referrals from Milpitas E-Referral Source. Of these 10 referrals, 5 individuals (50%) were unable to be located, 2 individuals (20%) refused services, 1 individual (10%) had a VI-SPDAT assessment completed, 1 individual (10%), and 1 individual was continuing to work with staff, but not assessed yet.

The team continued to work with individuals who had been pulled for housing program referrals. They consistently connected with individuals not referred to the team by the e-referral source. These individuals were met on the HEAT team's regular outreach schedule.

The SCC Outreach/HEAT Team had some staff out on vacation due to the holiday. They continued to outreach multiple times to the city.

SCC Outreach/HEAT Team made 22 in-person contacts in Milpitas in December. Of these contacts, 2 refused services, 2 were referred to other services, 5 completed VI-SPDAT, and 4 were enrolled in the program. PSH matches were 1 and OSH Clinical Team referrals was 0.

The team continued to provide engagement, support, care and connection with the individuals in Milpitas. They supplied food & water and hygiene items to individuals as well.

The following table reflects the number of outreach contacts per location, the total number of unhoused individuals enrolled into the program, and the number of VI-SPDAT assessments administered.

December 2023 Milpitas Contact, Enrolled, Assessed Clients:

Outreach Location/Date	Outreach Contact	Enrolled in HEAT	Assessments Completed
Milpitas Outreach- Cypress 12/4/23	1		
Milpitas Outreach- Main St 12/11 and 12/26	3	1	1
Milpitas Encampment- Ames Ave 12/11, 12/19, 12/21, 12/22, 12/26, 12/28	9	1	1
Milpitas Outreach- Barbara Lee Senior Center 12/4	1		
Milpitas Outreach - Ocean Market 12/19, 12/22	2	1	1
Milpitas Outreach- Calaveras 12/21	1		

Milpitas Outreach- Serra Way 12/21	1		
Milpitas Outreach- Junipero Dr 12/21	2		1
Milpitas Outreach- N. Main 12/16, 12/29	2	1	1

Key:

- *Milpitas Outreach= Contact made with client at non-encampment setting*
- *Milpitas Encampment= Contact made with client at encampment setting where tent/other structures are used as shelter*

Attachment 2
WeHOPE Mobile Shower and Laundry Services
July – December 2023

Month	Service Dates	Number of Sessions	Total Unduplicated Individuals Served	Showers Provided	Loads of Laundry Provided
July 2023	July 2 July 9 July 16 July 23 July 30	5	70	146	57
August 2023	August 6 August 13 August 20 August 27	4	43	85	43
September 2023	September 3 September 10 September 17 September 24	4	49	93	30
October 2023	October 1 October 8 October 15 October 22 October 29	5	61	109	56
November 2023	November 5 November 12 November 19 November 26	4	54	103	54
December 2023	December 3 December 10 December 17 December 24 December 31	5	55	109	64

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Approve a Three-Year Professional Services Agreement with Berry, Dunn, McNeil & Parker LLC for Enterprise Resource Planning Consulting Services and Authorize the City Manager to Execute the Contract (Staff Contact: Gabrielle Tsang, Interim Finance Director 408-586-3131; and Kelli Parmley, Human Resources Director 408-586-3086)**
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	4/16/2024
Recommendation:	Approve a three-year professional services agreement with Berry, Dunn, McNeil & Parker LLC for Enterprise Resource Planning (ERP) Consulting Services for a not-to-exceed amount of $375,500.00, authorize the City Manager to execute the contract, with additional authority to approve an optional two years and changes up to 10%.

Background:
On December 12, 2023, the City Council approved the award of an Enterprise Resource Planning (ERP) System Software-as-a-Service (SaaS) Agreement to Tyler Technologies. The CIP FY23-24 Adopted Budget appropriated sufficient funding for this contract, in addition to the cost of project management.

Effective project management is a critical component of a successful ERP implementation and organizational change management. On behalf of the City, a project manager will work closely with City staff and the Tyler team to monitor the project progress and resolve issues. As such, the City endeavored to solicit a project management consulting firm that specializes in ERP implementation.

The City conducted and successfully completed the solicitation through a Request for Proposals (RFP) No. 24-065 (ERP Consulting Services), which was published in February 2024.

Analysis:
On February 9, 2024, the City's Purchasing Division released RFP No. 24-065 (ERP Consulting Services). The RFP was publicly noticed in accordance with applicable provisions of the City's Municipal Code, advertised on the City's website, and emailed to companies registered with the City via the City's online procurement system (Procurement.OpenGov.com). Upon release, 1,302 firms received notification of the RFP, and fifty-two (52) firms downloaded the RFP documents. One addendum was issued and seven clarifying questions were answered by City staff. Three firms responded to the RFP by the published closing date of February 8, 2024.

Staff evaluated and scored the RFP responses in two rounds of evaluation. The first round of scoring was performed by City of Milpitas Purchasing staff to review the RFP response completeness, and to confirm the RFP was submitted timely. Based on the result of the first-round scoring, the City selected all three vendors for further evaluation:

1. Avero, LLC
2. Berry, Dunn, McNeil & Parker, LLC
3. SDI Presence

The second round of the scoring was performed by the selection committee. The selection committee was comprised of City staff members from the Finance and Human Resources Departments. The second round of the scoring were based on the following four criteria: 1) Qualifications of the Firm; 2) Project Management Approach; 3) Detailed Work Plan, and; 4) Proposed Compensation. All three vendors were invited to participate in a virtual interview process, and the three proposals were reviewed and scored by the selection committee.

Based on the proposal submitted and subsequent scoring, staff recommends awarding the contract to Berry, Dunn, McNeil & Parker, LLC ("Berry Dunn"). Berry Dunn is a nationally recognized independent management and IT consulting firm focused on inspiring organizations to transform and innovate. The firm has extensive project management experience, having served more than 650 state, local, and quasi-governmental agencies. This experience provides them with an in-depth understanding of government operations, budgetary constraints, and the business processes required to provide the necessary services to the City. The firm specializes in software implementation project management/oversight and organizational change management. Additionally, Berry Dunn has experience with all major ERP vendors, including Tyler Technologies (what the City will be implementing) and Cayenta (the City's current financial management system).

Policy Alternatives:

Alternative 1: Do not award ERP Consulting Services contract to Berry, Dunn, McNeil & Parker, LLC

Pros: Funds would be not spent on this priority.

Cons: The City will not have the resources in place for effective project management in order to ensure successful change management and implementation of an ERP solution.

Reason not recommended: Without a project management consulting firm, it may take longer for the City to implement Tyler Technologies, which ultimately may lead to requiring additional funding in order to complete the implementation. This would delay the City's ability to benefit from utilizing a modern ERP system with integrated workflows and reporting capabilities.

Fiscal Impact:
Sufficient funding has already been appropriated in the FY23-24 Adopted CIP Budget for Project No. 3466 (Financial System Enterprise Resource Planning) and Project No. 3467 (Human Resources Information System). As of April 10, 2024, the balance in Project No. 3466 is $1,506,377.79, and the balance in Project No. 3467 is $769,201.00. Should Council approve this contract, the three-year PSA agreement with Berry, Dunn, McNeil & Parker LLC for ERP Consulting Services is for a not-to-exceed amount of $375,500.00. Moreover, the City Manager may authorize the optional 2 years and change order authority up to 10%.

Fiscal Summary of Contract (3-years):

Phase I Financial Components

Services Type	Role	Hourly Rate	Support	Extended Cost
Project Management	Project Manager	$250	700 hours	$175,000
Other (if applicable)				
Contingency*	Travel			$9,000
			Total	**$184,000**

Phase II Human Resources Management Components

Services Type	Role	Hourly Rate	Support	Extended Cost
Project Management	Project Manager	$250	730 hours	$182,500
Other (if applicable)				
Contingency*	Travel			$9,000
			Total	**$191,500**

Total Phase I and Phase II Cost: $375,500

California Environmental Quality Act:
The action is an organizational or administrative activity of the City government that will not result in direct or indirect physical changes in the environment and is not a project pursuant to Cal. Code of Regs., tit. 14, Section 15378.

Recommendation:
Approve a three-year professional services agreement with Berry, Dunn, McNeil & Parker LLC for Enterprise Resource Planning (ERP) Consulting Services for a not-to-exceed amount of $375,500.00, authorize the City Manager to execute the contract, with additional authority to approve an optional two years and changes up to 10%.

Attachments:
(a) Professional Services Agreement with Berry, Dunn, McNeil & Parker LLC
(b) 24-065 Bid Tab

CITY OF MILPITAS
PROFESSIONAL SERVICES AGREEMENT

This Agreement is made and entered into as of _____, ("Effective Date") by and between the City of Milpitas, a municipal corporation organized and operating under the laws of the State of California with its principal place of business at 455 E. Calaveras Boulevard, Milpitas, California 95035 ("City"), and **Berry, Dunn, McNeil & Parker LLC,** a Maine stock corporation with its principal place of business at 2211 Congress Street, Portland, ME 04102 (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

RECITALS

A. City is a public agency of the State of California and is in need of professional services for the following project:

ERP Consulting Services
(hereinafter referred to as "the Project").

B. Consultant is duly licensed and has the necessary qualifications to provide such services.

C. The Parties desire by this Agreement to establish the terms for City to retain Consultant to provide the services described herein.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Services.

Consultant shall provide the City with the services described in the Scope of Services attached hereto as Exhibit A.

2. Compensation.

a. Subject to paragraph 2(b) below, the City shall pay for such services in accordance with the Schedule of Charges set forth in Exhibit B.

b. In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of **Three Hundred Seventy-Five Thousand Five Hundred Dollars and Zero Cents ($375,500.00)**. This amount is to cover all printing and related costs, and the City will not pay any additional fees for printing expenses. Periodic payments shall be made within thirty (30) days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis.

3. Additional Work.

If changes in the work seem merited by Consultant or the City, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter outlining the changes shall be forwarded to the City by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this Agreement shall be prepared by the City and executed by

both Parties before performance of such services, or the City will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the Agreement term and for four (4) years from the date of final payment under the Agreement for inspection by City.

5. Term.

The term of this Agreement shall be from **date first written above** to **April 17, 2027,** unless earlier terminated as provided herein. The City reserves the right to review the Consultant's performance at the end of each year and cancel all or part of the Agreement.

6. Delays in Performance.

a. Neither City nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage or judicial restraint.

b. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

7. Compliance with Law.

a. Consultant shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including Cal/OSHA requirements.

b. If required, Consultant shall assist the City, as requested, in obtaining and maintaining all permits required of Consultant by federal, state and local regulatory agencies.

c. If applicable, Consultant is responsible for all costs of clean up and/ or removal of hazardous and toxic substances spilled as a result of his or her services or operations performed under this Agreement.

8. Standard of Care

Consultant's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the City, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates, and subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Consultant

Consultant is retained as an independent contractor and is not an employee of City. No employee or agent of Consultant shall become an employee of City. The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from City as herein provided.

11. Insurance. Consultant shall not commence work for the City until it has provided evidence satisfactory to the City it has secured all insurance required under Exhibit D (Insurance Requirements), attached hereto and incorporated herein by this reference. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required therein.

12. Indemnification.

a. To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

b. If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance of "design professional" services (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

13. California Labor Code Requirements.

a. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). 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 One Thousand Dollars and Zero Cents ($1,000.00) or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant

shall defend, indemnify and hold the 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. It shall be mandatory upon the Consultant and all subconsultants 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) and debarment of contractors and subcontractors (Labor Code Section 1777.1). 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.

b. If the services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 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 1725.5 and 1771.1.

c. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

14. Verification of Employment Eligibility.

By executing this Agreement, Consultant 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.

15. City Material Requirements.

Consultant is hereby made aware of the City's requirements regarding materials, as set forth in Exhibit E, Tyler Technologies Reference Documents, which are deemed to be a part of this Agreement.

16. Laws and Venue.

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.

17 Termination or Abandonment

a. City has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. In such event, City shall be immediately given title and possession to all original field notes, drawings and specifications, written reports and other documents produced or developed for that portion of the work completed and/or being abandoned. City shall pay Consultant the reasonable value of services rendered for any portion of the work completed prior to termination. If said termination occurs prior to completion of any task for the Project for which a payment request has not been received, the charge for services performed during such task shall be the reasonable value of such services, based on an amount mutually agreed to by City and Consultant of the portion of such task completed but not paid prior to said termination. City shall not be liable for any costs other than the charges or portions thereof which are specified herein. Consultant shall not be entitled to payment for unperformed services, and shall not be entitled to damages or compensation for termination of work.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to City only in the event of substantial failure by City to perform in accordance with the terms of this Agreement through no fault of Consultant.

c. The Consultant understands and accepts that at all times; the Agreement is subject to appropriation of funds by the Milpitas City Council. The Agreement may terminate without penalty, liability or expense of any kind to the City at the end of Agreement term. The City has no obligation to make appropriations for the Agreement in lieu of appropriations for new or other contracts. City budget decisions are subject to the discretion of the Mayor and City Council. Consultant's assumption of risk of possible non-appropriation is a part of the consideration for the Agreement. This section controls against any and all other provisions of the Agreement.

18 Documents. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, Drawings and Specifications and other documents, produced or developed for the Project shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the City.

19. Organization

Consultant shall assign **Abagail Starr** as Project Manager. The Project Manager shall not be removed from the Project or reassigned without the prior written consent of the City.

20. Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described above.

21. Notice

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

CITY:
City of Milpitas
455 E. Calaveras Boulevard
Milpitas, California 95035
Attn: City Manager

CONSULTANT:
Berry, Dunn, McNeil & Parker LLC
2211 Congress Street
Portland. ME 04102

and shall be effective upon receipt thereof.

22. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the City and the Consultant.

23. Equal Opportunity Employment.

Consultant 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.

24. Entire Agreement

This Agreement, with its exhibits, represents the entire understanding of City and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

25. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the provisions unenforceable, invalid or illegal.

26. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

27. Non-Waiver

None of the provisions of this Agreement shall be considered waived by either party, unless such waiver is specifically specified in writing.

28. Time of Essence

Time is of the essence for each and every provision of this Agreement.

29. City's Right to Employ Other Consultants

City reserves its right to employ other consultants, including engineers, in connection with this Project or other projects.

30. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further, Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

31. Wage Theft Prevention

a. Consultant, and any subconsultant it employs to complete work under this Agreement, 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.

b. BY SIGNING THIS AGREEMENT, CONSULTANT 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 EXECUTING THIS AGREEMENT THAT CONSULTANT OR ITS SUBCONSULTANTS HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONSULTANT FURTHER AFFIRMS THAT IT OR ITS SUBCONSULTANT(S) HAS EITHER FULLY SATISFIED EACH JUDGMENT, DECISION OR ORDER, OR, IF ANY JUDGMENT, DECISION OR ORDER HAS NOT BEEN FULLY SATISFIED, CONSULTANT AFFIRMS THAT IT OR ITS SUBCONSULTANT(S) IS CURRENTLY SATISFYING SAID JUDGMENT, DECISION OR ORDER THROUGH A PAYMENT OR ALTERNATIVE PLAN APPROVED BY THE APPLICABLE COURT/GOVERNMENT AGENCY AND THAT CONSULTANT OR ITS SUBCONSULTANT(S) ARE IN COMPLIANCE WITH SAID PLAN AS OF THE DATE OF EXECUTING THIS AGREEMENT.

c. If at any time during the term of this Agreement, a court or investigatory government agency issues a final judgment, decision or order finding that Consultant or a subconsultant it employs to perform work under this Agreement has violated any applicable wage and hour law, or Consultant learns of such a judgment, decision, or order that was not previously disclosed in its bid/proposal, Consultant 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. Consultant or its subconsultant(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 Consultant or its subconsultant is subject to a payment or other alternative plan, the Consultant or its subconsultant shall continue to submit documentary evidence every thirty (30) calendar days during the term of the Agreement demonstrating continued compliance with the plan until the judgment, decision or order has been fully satisfied.

d. For purposes of this Section, 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.

e. Failure to comply with any part of this Section constitutes a material breach of this Agreement. Such breach may serve as a basis for immediate termination of this Agreement and/or any other remedies available under this Agreement and/or law.

f. Notice provided to the City shall be addressed to: Attention: Finance Director, 455 E. Calaveras Blvd. Milpitas, CA 95035. The Notice provisions of this Section are separate from any other notice provisions in this Agreement and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE FOR PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MILPITAS AND BERRY, DUNN, MCNEIL & PARKER LLC

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF MILPITAS
Approved By:

_____
Ned Thomas, City Manager

_____
Date

Approved As To Form:

_____
Michael Mutalipassi, City Attorney

Approved:

_____
Gabrielle Tsang,
Interim Finance Director/Interim Risk Manager

BERRY, DUNN, MCNEIL & PARKER LLC

_____
Signature

_____
Name

_____
Title

_____
Date

EXHIBIT A

Scope of Services

The Scope of Work is divided into two phases. Phase I includes project management support for the implementation of financial and system-wide functional areas. Phase II includes human resources management functional areas. The City is currently on Cayenta Version 9.0 on premise and will implement Tyler MUNIS SaaS technology. Phase I began in January 2024 with target go-live of June 30, 2025. Phase II begins in July 2024 with a target go-live of January 1, 2026. Below is a summary of the expectations for City of Milpitas Project Management:

The project manager(s) have the overall responsibility and authority to make decisions related to Project Scope, scheduling, and task assignment. The Project Manager should communicate decisions and commitments to the Tyler project manager(s) in a timely and efficient manner. The City of Milpitas project manager(s) are responsible for reporting to the City of Milpitas steering committee and determining appropriate escalation points. Scope of responsibilities for project management include:

Contract Management

- Validates contract compliance throughout the project.
- Ensures that invoicing and Deliverables meet contract requirements.
- Acts as primary point of contact for all contract and invoicing questions. Collaborates on and approves Change Requests, if needed, to ensure proper scope and budgetary compliance.

Planning

- Reviews and accepts project planning documents.
- Defines project tasks and resource requirements for the City of Milpitas project team.
- Collaborates in the development and approval of the project schedule.
- Collaborates with Tyler project manager(s) to plan and schedule project timelines to achieve on-time implementation.

Implementation Management

- Tightly manages project budget and scope.
- Collaborates with Tyler project manager(s) to establish a process and approval matrix to ensure that scope changes and budget (planned versus actual) are transparent and handled effectively and efficiently.
- Collaborates with Tyler project manager to establish and manage a schedule and resource plan that properly supports the project schedule as a whole and is also in balance with scope and budget.
- Collaborates with Tyler project manager(s) to establish risk and issue tracking as well as reporting process between the City of Milpitas and Tyler. Takes all necessary steps to proactively mitigate these items or communicate with transparency to Tyler any items that may impact the outcomes of the project.
- Collaborates with Tyler project manager(s) to establish key business drivers and success indicators that will help to govern project activities and key decisions to ensure a quality outcome of the project.
- Routinely communicates with both the City of Milpitas staff and Tyler, aiding in the understanding of goals, objectives, current status, and health of the project by all team members.
- Manages the requirements gathering process and ensure timely and quality business requirements are being provided to Tyler.

Resource Management

- Acts as liaison between project team and stakeholders.
- Identifies and coordinates all City of Milpitas resources across all modules, phases, and activities including but not limited to data conversions, forms design, hardware and software installation, reports building, and satisfying invoices.
- Provides direction and support to project team.
- Builds partnerships among the various stakeholders, negotiating authority to move the project forward.
- Manages the appropriate assignment and timely completion of tasks as defined.
- Assesses team performance and takes corrective action, if needed.
- Provides guidance to City of Milpitas technical teams to ensure appropriate response and collaboration with Tyler Technical Support Teams to ensure timely response and appropriate resolution.
- Owns the relationship with in-Scope 3rd party providers and aligns activities with ongoing project tasks.
- Ensures that users have appropriate access to Tyler project toolsets as required.
- Conducts training on proper use of toolsets.
- Validates completion of required assignments using toolsets.

Change Management

- Validates that users receive timely and thorough communication regarding process changes.
- Provides coaching to supervisors to prepare them to support users through the project changes.
- Identifies the impact areas resulting from project activities and develops a plan to address them proactively.
- Identifies areas of resistance and develops a plan to reinforce the change.
- Monitors post-production performance and new process adherence.

The City reserves to right to add text from the vendors proposal as needed, see below for added scope of work from the vendors submitted proposal

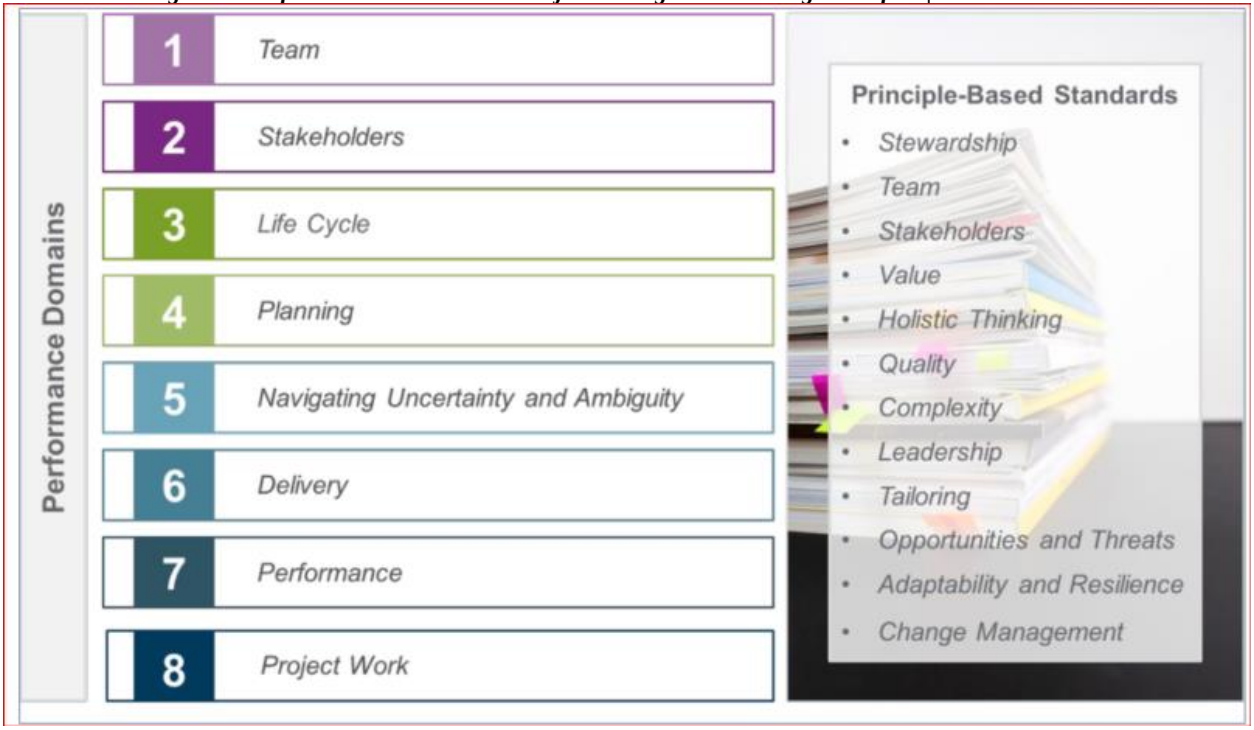
Methods Contributing to Implementation Success

Project Management

To help ensure that project objectives are met, and initiation and completion of project work are conducted in a timely manner, each BerryDunn project is led by an experienced project manager who understands and utilizes project management best practices. Our Consulting Services Team employs project management best practices from PMI®'s PMBOK® Guide.

Figure 1 illustrates the standards of project management as defined by performance domains and project delivery principles that are critical for effective delivery of project outcomes.

Figure 1: Performance Domains and Project Management Guiding Principles | PMBOK® Guide



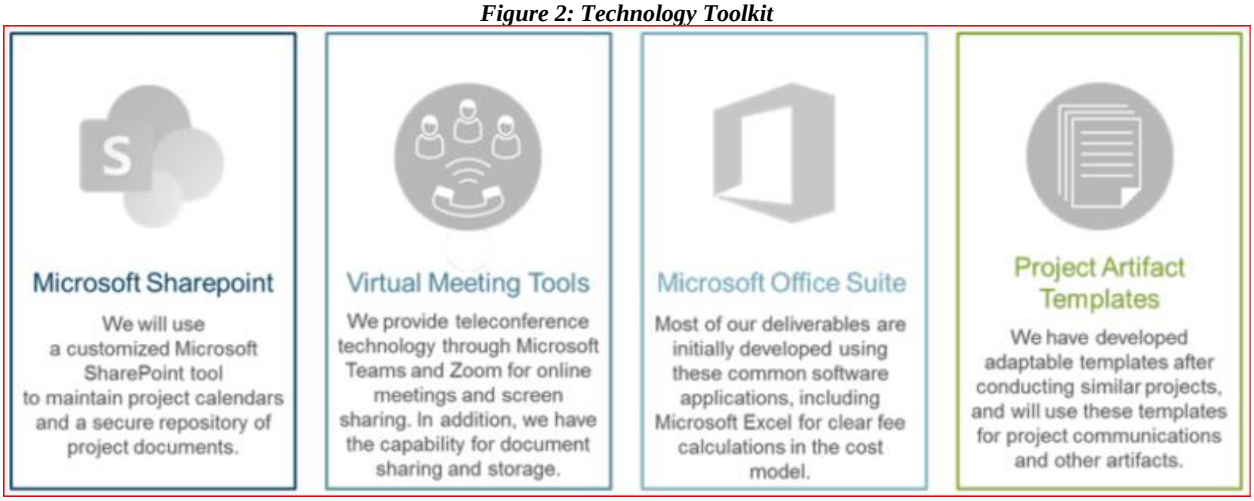
Applicable Collaboration Tools

Our consultants are well-versed in facilitating planning meetings, leading fact-finding sessions, and observing our clients' business processes firsthand. We believe that, as objective consultants, our approach to conducting projects can be an important vehicle to build awareness among project participants. By involving stakeholders early and often throughout the project, we have seen a greater level of buy-in and support for recommendations, changes, and adoption for the future environment. We will work with the City to identify the communication and awareness needs of each stakeholder or stakeholder group and set forth the method and frequency of communication to meet those needs. By starting the outreach early, stakeholders will have a chance to ask questions, understand what is expected of them in the process, communicate their expectations more clearly, and be better prepared for the commitment of time and energy needed to successfully participate in and/or support the project.

Our consultants strive to avoid unnecessary project delays, enhance productivity, promote collaboration, and minimize barriers to participation, whether in-person or virtually. To that end, we employ software familiar to most users; however, as part of the initial planning process and as needed throughout the project, we will review software preferences and user accessibility needs to help ensure we are meeting the City's needs.

To that end, we utilize technology that is familiar or intuitive to most users in addition to our project resources assembled from years of public-sector consulting, as detailed below in Figure 2.

Figure 2: Technology Toolkit



We are also open to using communication tools suggested by the City.

Change Management

Stakeholders' willingness to adopt new processes and tools plays a significant role in the success—or failure—of system replacement projects. BerryDunn has observed resistance to change in virtually all our engagements. As such, our project management approach is carefully integrated with change management methodologies to promote buy-in and consensus for the project. We will work with you to proactively address resistance by:

- Engaging stakeholders at the right level throughout the project—from initial planning through implementation—to build understanding for the need for change and gain support from the people who will be using the future solutions and who are most familiar with current processes
- Developing and executing a communications plan that considers the information needs of each stakeholder group
- Documenting business processes and working with stakeholders to understand how their work will be performed in the future environment

We have adopted the Prosci® change management methodology and trained over 100 consultants to become Prosci® Certified Change Practitioners (CCPs). A central focus of the Prosci® change management approach is the belief that, for change to work in an organization, individuals must be willing to change and understand change. Additionally, according to research conducted by Prosci®, the likelihood of project success increases significantly and in alignment with the level of change management focus applied to the project. Figure 3, on the following page, shows that even small increases in focus on change management, from "poor" to "fair," are likely to have a positive impact on system adoption and project success.

Figure 3: Change Management's Impact on Project Success

Consistent with the Prosci® methodology, the City can expect our change management approach to involve three stages:

1. Preparing for Change | Developing change management strategies, based on input from the City's stakeholders on the existing environment.
2. Managing Change | Overseeing assigned roles and tasks, providing training and coaching, using tools effectively, and executing a clear communication plan.
3. Reinforcing Change | Evaluating action plans, reviewing the sustainability of change management activities, and promoting individual and team successes.

Proactive Challenge Identification and Mitigation

All systems-related projects experience varying challenges and barriers. Some are anticipated and can be planned for, while others the City may have little control over. To help avoid challenges, our team has spent a considerable amount of time considering potential risks that may negatively impact this initiative and strategies that can be used to address them. Below and on the following page, we present potential risks and strategies to mitigate them for the City's further review and consideration.

- **Executive Sponsorship.** For this project to succeed, City leadership must fully support it and take an active role in key decision-making activities. They must be visible, vocal, and active supporters, communicating the vision for the future. Early on, we will work with City leadership to define their role in effective communications and to gain agreement on the governance and decision-making model employed on the project.

- **Effective Project Management.** Managing scope, schedule, and budget helps to ensure the project achieves its intended objectives. In the absence of an experienced individual dedicated to performing these activities, timelines may slip (or not be developed); project objectives may be compromised; and cost overruns may be experienced.

- **Delays in the Project Timeline**. Factors may come into play that will impact the schedule, such as staff availability and time for leadership decision-making related to the project. We will work with the City to mitigate these risks to the timeline through advanced planning and accounting for known absences (such as holidays and vacations) in the schedule, as well as by providing regular updates on progress and relevant matters throughout the project. To address delays over which our team and the City may have less control, we will offer flexibility in how and when we gather the information to keep the project on track.

- **Stakeholder Participation.** It will be important for the City and key project stakeholder groups to dedicate sufficient resources throughout the duration of the project to help ensure completion of project objectives in a timely manner. We understand that individuals contributing to the initiative have other daily responsibilities that are a priority. As part of our planning activities, we will partner with the City to determine the right staff to involve in each phase of this project based on factors such as subject matter expertise and availability. Our approach attempts to minimize the impact on City staff by having us perform as much work in advance as possible and by engaging stakeholders in ways that promote tangible results and contributions. During project

planning, we will also develop a high-level estimate of staffing and resource needs for subsequent project activities and define the roles and time commitments required of each resource.

- **Managing Expectations**. During project initiation, we will review the project timeline with the City to assess its reasonableness and determine if tasks should be extended across a longer period. In addition, as part of ongoing communication and project management, we will continually assess project progress, factoring in quality. We will raise these risks with the City early to determine the best approach for mitigation, constantly keeping our eye on the bigger picture.

- **Project Governance and Decision-Making**. An effective governance structure must be established to guide project efforts, make key decisions, and help manage risks and issues. Establishing a governance committee with clear roles, responsibilities, and lines of authority will help prevent project delays due to lack of decision-making—or decisions being made without appropriate authority and/or key stakeholder inputs. We will discuss the project's governance structure with the City—and make recommendations accordingly—during project initiation.

- **OCM**. BerryDunn has experienced resistance to change in nearly all our engagements, reinforcing our belief that the management of change is crucial to the success of such an initiative. Often, organizations have developed and adhered to existing processes over the course of several years, and staff are reluctant to change their way of doing things. Our team, which includes Prosci® CCPs, is qualified to provide change management structure to this project, where appropriate, in collaboration with the City. It is important for City leaders, frontline managers, and supervisors to understand the drivers of this resistance. Resistance can come from many areas, including staff fears that they will not be able to perform their new responsibilities, their role will be diminished in importance, and/or they may lose their job. That said, it is also important to include staff's input into the assessment so they feel more invested in the changes occurring. Communicating the value of the change by explaining what is in it for staff is a critical component of moving staff along the change management path. We will remain cognizant of, and sensitive to, these factors and perceptions in our communications from project initiation to implementation. ***Our specific methods to facilitate OCM, including tools, timelines, challenges, and opportunities, are embedded in the work we do, and are contained in our work plan approach below.***

Work Plan

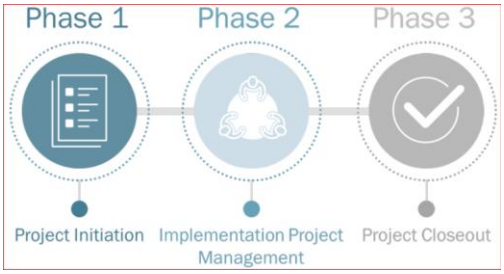
BerryDunn strives to be flexible when it comes to development and execution of an effective work plan. We understand that no two projects are exactly alike and believe that one of the primary reasons we have been successful with similar projects is our willingness to be flexible in adapting to our clients' unique needs.

The overarching benefits the City can expect of our approach include:

- A proven yet flexible methodology
- Quality assurance processes
- Built-in project management and change management best practices
- Thorough business process improvement activities
- A focus on taking full advantage of the newest technology and harnessing efficiencies
- An ability to satisfy all requirements set forth in the City's scope of work

Figure 4 presents an overview of our work plan intended to achieve the City's goals and objectives for this important initiative.

Figure 4: Work Plan Overview



Details

Below and on the following pages, we provide details of our work plan to conduct the City's project effectively and efficiently as described in Figure 4.

Phase I: Project Initiation

1.1 **Conduct initial project planning and review documentation**. We will conduct an initial project planning teleconference with the City's project team to introduce key team members, clarify goals and objectives, identify known project constraints, and refine dates and/or tasks, as appropriate. We will discuss our approach for managing communications, scope, risks, and resources. We will also request names and contact information for the appropriate City staff members involved in the project.

We will also develop and provide an information request to collect project documentation including:

- Any applicable RFP/proposal documents leading up to the selection of Tyler for the project
- Tyler order form
- Statements of work and relevant project documentation

After reviewing this documentation, we will facilitate an initial project meeting with the City's project team to go over any questions on the documentation provided.

1.2 **Develop a Project Management Plan and Project Charter**. Based on the information gathered from our initial project planning teleconference, we will develop a Project Management Plan and Project Charter. In addition to the components gathered from Task 1.1, the Project Management Plan and will address our approach to providing the services requested by the City, the agreed-upon time frame for each task, and agreed-upon procedures between our project team and the City's related to project control, including quality management and deliverable submission/acceptance management. It will also address our role in coordinating City resources across modules, phases, and activities.

We will draft a Project Charter that encompasses the full scope of City's implementation. This governance document will include a change management plan, stakeholder register, communication plan, risk and issues register, and status report templates. We will provide the Project Management Plan and Project Charter in draft versions to the City and facilitate a remote session with the City's project team and OCM team to discuss the documents and collect feedback. We will then update the documents and submit them to the City in final form.

1.3 **Develop a change management strategy memo.** We will facilitate a change management team meeting and develop a change management strategy memo to define what will be rolled out, to whom, how, and when in the process. Recognizing that it is one of the City's priorities to support and guide employees in their roles to make this project a success—thereby making employees feel cared for, valued, respected, and in turn their customers—it is important to intentionally plan for the people side of change that comes with implementing a new ERP system. We provide the change management strategy memo.

Deliverable 1: Project Management Plan and Project Charter

Phase II. Implementation Project Management

2.1 Develop and maintain an implementation project plan and resource plan. We will provide an in-depth review of the Tyler's implementation plans, including the management plan, project plan, and resource plan. We will discuss our recommended changes and considerations with City's project team before communicating requested changes to Tyler. The goal is to collaboratively discuss preferred changes based upon City's, Tyler's, and BerryDunn's collective experience and perspective for the most advantageous end products.

Following the review of the Tyler's plans, we will develop any necessary supplemental materials we believe to be critical to City's implementation. These may include further definition of stakeholders, risk management, project documentation, and other items such as a process and approval matrix to help ensure that scope change and budget are transparent and handled effectively and efficiently. The content areas will be determined by what is included in Tyler's plans with the goal of removing any redundancy that might cause confusion to project stakeholders. This documentation will be reviewed and confirmed with City's project team before being put into use.

2.2. Conduct implementation activities. One of the keys to project success is enabling City's teams to take on appropriate roles and responsibilities and to make informed decisions for both implementation and long-term operational success and ownership of the software. Our project management approach is designed with this in mind. We will provide specialized expertise throughout the project.

Throughout the implementation, we will bring our prior implementation, local government, and OCM experience to provide a forward-looking perspective, reduce risk, and promote the achievement of the goals and objectives for the project. We anticipate being involved in the following key project management activities of the implementation, as shown below and on the following page.

No	Key Implementation Activity	Lead	Assist
1	Reviewing the Project Management Plan and Schedule in conjunction with other project team members	✓	
2	Managing the project scope, deliverables, and timeline with assistance from other project team members	✓	
3	Coordinates City resources across all modules, phase, and activities	✓	
4	Helping to ensure that the project team stays focused, tasks are completed on schedule, and that the project stays on track	✓	
5	Coordinating project tasks with assistance from other project team members	✓	
6	Functioning as the main point of contact for Tyler's project manager, participating in daily project activities (when applicable), and tracking project tasks	✓	
7	Holding monthly meetings with the City's Executive Steering Committee to update project status and budget status, and to research a verdict on any escalated process decisions that need to be made	✓	
8	Reviewing the project budget, including cost control and change	✓	

	orders; validating Tyler invoices against project milestones prior to payment; and reviewing the Tyler's contract compliance		
9	Facilitating City staff's development of workflow processes for each department/function. We will offer best practices/benchmarking based on our experience conducting similar projects		✓
10	Facilitating the data conversion process with Tyler and City staff		✓
11	Facilitating the development of software interfaces/integrations with Tyler and City staff		✓
12	Working with Tyler and City staff and helping to ensure vendor accountability by: • Identifying any opportunities to leverage technical enhancements to improve the products and services delivered to the City • Facilitating the gathering and sharing of any technical information requested by Tyler		✓
13	Providing risk management, including the following: • Identifying project risks • Developing mitigation strategies • Communicating project risks to City and Tyler staff • Assigning key activities to mitigate or resolve project risks	✓	
14	Providing weekly tracking of the following: • Reporting of project risks and issues • Recently completed tasks and upcoming project activities	✓	
15	Providing change management oversight, including the development and maintenance of a Change Management Process on how the new system will foster an organizational cultural change that may include the following: • Change Structure and Governance Approach • Communication Plan • Knowledge Transfer Initiative for the creation and documentation of workflows We will develop a mid-point change management benchmarking survey to assess stakeholder readiness level at this point in the project and solicit feedback. We will analyze the results of the web survey and compile our findings to develop an assessment outlining the results and overarching themes in a mid-point benchmarking memo. This will aid the City's efforts as it continues with implementation.		✓
16	Managing the user acceptant training (UAT) process, including:		

	• Reviewing the Tyler's test plan and any applicable test scripts • Providing on-site assessment of testing activities • Providing recommendations for modifications to the testing plan to increase the likelihood of success • Directing City staff in the development of tailored test scripts • Managing logistics related to scheduling UAT activities • Providing analysis of test results • Overseeing regression testing and required configuration changes	✓	
17	Facilitating oversight of Tyler training activities, including: • Reviewing Tyler's training plan and training materials • Overseeing Tyler training activities • Providing recommendations for modifications to the training delivery • Providing feedback on Tyler's training documentation	✓	
18	Providing go-live support	✓	

Deliverable 2: Project Management Services

Phase III: Closeout

3.1 Conducting a project closeout work session. This work session will involve discussing project lessons learned in each phase, measuring achievement of project goals and objectives, discussing incomplete implementation tasks, and conducting transition planning for moving to long-term operation of the ERP solution and associated policies and processes. We will document all the items discussed in a Project Closeout Memo.

3.2 Develop a Project Phase Closeout Memo. Based on the information gathered from our closeout work session, BerryDunn will develop a Project Closeout Memo, which will document lessons learned in each phase, compare project outcomes to project goals and objectives, list any remaining action items to conclude the implementation, and identify tasks, roles, and responsibilities for transitioning to operational use of the ERP solution and associated policies and processes.

Deliverable 3: Project Closeout Memo

Anticipated Schedule

Below, we highlight our proposed project schedule for the City's requested work effort. We are happy to adjust this schedule to best accommodate the City's needs, as appropriate.

Year/Month	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
2024												
2025												
2026												

EXHIBIT B

Schedule of Charges/Payments

Consultant will invoice City on a monthly cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each task. Consultant will inform City regarding any out-of-scope work being performed by Consultant. This is a time-and-materials Agreement.

Phase I Financials Components

Service Type	Role	Hourly Rate	Support	Extended Cost
Project Management	Project Manager	$250.00	700	$175,000.00
Other (if applicable)				
Contingency*	Travel			$9,000.00
			Total	**$184,000.00**

*If needed, please include any recommended contingency amount. List any reimbursable expenses. Describe any remaining fees or additional fees not included above.

Phase II Human Resources Management Components

Service Type	Role	Hourly Rate	Support Hours	Extended Cost
Project Management	Project Manager	$250.00	730	$182,500.00
Other (if applicable)				
Contingency*	Travel			$9,000.00
			Total	**$191,500.00**

*If needed, please include any recommended contingency amount. List any reimbursable expenses. Describe any remaining fees or additional fees not included above.

Total Phase I and Phase II Cost: $375,500.00

Phase III Utility Billing Components (optional)

Hourly rate: $250.00

Number of Support Hours: unknown at this time

EXHIBIT C

Activity Schedule

Below is a listing of Phase I and Phase II functional components/applications to be implemented with Tyler MUNIS with start dates and go-live dates, respectively.

Functional Areas	Modules	Start Date	Go-Live Date
Financials	• Accounting • Accounts Payable • Bid Management • Budgeting • Capital Assets • Cash Management • Contract Management • E-Procurement • Project and Grant Accounting • Purchasing • Accounts Receivable • General Billing • ACFR Statement Builder • Cashiering	January 2024	July 2025
System Wide	• Enterprise Analytics & Reporting o Tyler Reporting Services o MUNIS Office o HUB • Enterprise Forms Processing • Content Manager Core		
Human Resource Management	• Payroll w/ Employee Access • HR & Talent Management • Time and Attendance • Employee Expense Reimbursement	July 2024	January 2026
Financials	• Utility Billing	TBD	TBD

EXHIBIT D

INSURANCE REQUIREMENTS

Please refer to the insurance requirements listed below. **Those that have an "X" indicated in the space before the requirement apply to Contractor's or Consultant's Agreement.**

Contractor or Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor or Consultant, its agents, representatives, employees or subcontractors.

Contractor or Consultant shall provide its insurance broker(s)/agent(s) with a copy of these requirements and request that they provide Certificates of Insurance complete with copies of all required endorsements.

Contractor or Consultant shall furnish City with copies of original endorsements affecting coverage required by this Exhibit D. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. All endorsements and certificates are to be received and approved by City before work commences. City has the right to require Contractor's or Consultant's insurer to provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

Commercial General Liability (CGL):

___ Coverage at least as broad as Insurance Services Office ("ISO") Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than $2,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

_X_ Coverage at least as broad as ISO Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than $1,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

___ Coverage at least as broad as ISO Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than $5,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

Automobile Liability:

_X_ Coverage at least as broad as ISO Form Number CA 0001 covering, Code 1 (any auto), of if Contractor or Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limits no less than $1,000,000.00 combined single limit for bodily injury and property damage.

___ Coverage at least as broad as ISO Form Number CA 0001 covering, Code 1 (any auto), with limits no less than $5,000,000.00 combined single limit for bodily injury and property damage.

___ Garage keepers' extra liability endorsement to extend coverage to all vehicles in the care, custody and control of the Contractor or Consultant, regardless of where the vehicles are kept or driven.

Professional Liability (Errors and Omissions):

_X_ Insurance appropriates to the Contractor or Consultant's profession, with limit no less than $1,000,000.00 per occurrence or claim, $2,000,000.00 aggregate.

___ (If Design/Build), with limits no less than $1,000,000.00 per occurrence or claim, and $2,000,000.00 policy aggregate.

___ Insurance appropriates to the Contractor or Consultant's profession, with limit no less than _____ per occurrence or claim, _____ aggregate

Workers' Compensation Insurance:

_X_ Insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than $1,000,000.00 per accident for bodily injury or disease. *(Not required if Contractor or Consultant provides written verification it has no employees)*

The Employer's Liability policy shall be endorsed to waive any right of subrogation as respects the City, its elected and appointed officials, officers, attorneys, agents, and employees.

Builder's Risk (Course of Construction):

___ Insurance utilizing an "All Risk" (Special Perils) coverage form, with limits equal to the completed value of the project and no coinsurance penalty provisions. If the project does not involve new or major reconstruction, at the option of the City, an Installation Floater may be acceptable. For such projects, a Property Installation Floater shall be obtained that provides for the improvement, remodel, modification, alteration, conversion or adjustment to existing buildings, structures, processes, machinery and equipment. The Property Installation Floater shall provide property damage coverage for any building, structure, machinery or equipment damaged, impaired, broken, or destroyed during the performance of the Work, including during transit, installation, and testing at the City's site.

Contractor's or Consultant's Pollution Legal Liability:

___ Contractor's or Consultant's pollution legal liability and/or Asbestos Legal Liability and/or Errors and Omissions (if project involves environmental hazards) with limits no less than $1,000,000.00 per occurrence or claim and $2,000,000.00 policy aggregate.

If the Contractor or Consultant maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Contractor or Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to City.

Cyber Liability Insurance

___ Cyber Liability Insurance with limits not less than $1,000,000 per claim.

Coverage shall be sufficiently broad to respond to the duties and obligations as is undertaken by Contractor or Consultant in this Agreement and shall include, but not be limited to, claims involving infringement of intellectual property, including but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion, and network security.

The policy shall provide coverage for breach response costs as well as regulatory fines and penalties, and credit monitoring expenses with limits sufficient to respond to these obligations.

Surety Bonds:

Contractor shall provide the following Surety Bonds:

____ Bid Bond
____ Performance Bond
____ Payment Bond

The Payment Bond and Performance Bond shall be in a sum equal to the contract price. Bonds shall be duly executed by a responsible corporate surety, authorized to issue such bonds in the State of California and secured through an authorized agent with an office in California.

Other Insurance Provisions:

The insurance policies are to contain, or be endorsed to contain the following provisions:

_X_ Additional Insured Status and Primary/Non-Contributory Language:

Contractor's general liability and automobile liability policies shall be primary and shall not seek contribution from the City's coverage and be endorsed to add the City and its elected and appointed officials, officers, attorneys, agents employees and volunteers as additional insureds under such policies using Insurance Services Office form CG 20 10 (or equivalent) on the general liability policy. For construction projects, an endorsement providing completed operations coverage for the additional insured on the general liability policy, ISO form CG 20 37 (or equivalent), is also required.

The limits of insurance required in this Agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of City (if agreed to in a written contract or agreement) before the City's own insurance or self-insurance shall be called upon to protect it as a named insured.

___ Loss Payee Status – Builder's Risk/Course of Construction Insurance (applicable to Construction Contracts only)

Contractor or Consultant may submit evidence of Builder's Risk insurance in the form of Course of Construction coverage. Such coverage shall name the City as a loss payee as their interest may appear.

_X_ Notice of Cancellation, Suspension or Otherwise Voiding Policies:

Each insurance policy required above shall contain or be endorsed to contain that coverage shall not be suspended, voided, canceled or reduced in coverage or in limits except with thirty (30) days' prior written notice by certified mail, return receipt requested to the City.

_X_ Waiver of Subrogation:

Contractor or Consultant hereby grants to City a waiver of any right to subrogation which any insurer of said Contractor or Consultant may acquire against the City by virtue of the payment of any loss under such insurance. Contractor or Consultant agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer. The Workers' Compensation Policy shall be endorsed with a waiver of subrogation in favor of the City for all work performed by Contractor or Consultant, its employees, agents and subcontractors.

___ Completed Operations

For Construction Agreements, Contractor shall maintain insurance as required by this Agreement to the fullest amount allowed by law and shall maintain insurance for a minimum of five (5) years following the completion of this project. In the event Contractor fails to obtain or maintain completed operations coverage as required by this Agreement, the City at its sole discretion may purchase the coverage required and the cost will be paid by Contractor.

THE FOLLOWING PROVISIONS APPLY TO ALL AGREEMENTS

Deductibles and Self-Insured Retentions ("SIR"):

Any deductibles or self-insured retentions must be declared to and approved by City. The City may require the Contractor or Consultant to purchase coverage with a lower deductible or retention or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. At the option of the City, either (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its elected and appointed officials, officers, attorneys, agents, and employees; or (2) the Contractor or Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

All SIRs must be disclosed to Risk Management for approval and shall not reduce the limits of liability.

Policies containing any SIR provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named insured or the City.

City reserves the right to obtain a full-certified copy of any insurance policy and endorsements. Failure to exercise this right shall not constitute a waiver of right to exercise later.

Acceptability of Insurers:

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A-:VII, unless otherwise acceptable to City.

Claims Made Policies: (note - should be applicable only to professional liability, see below)

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.

2. Insurance must be maintained, and evidence of insurance must be provided for at least five (5) years after completion of contract of work.

3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Contractor or Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of work.

4. A copy of the claims reporting requirements must be submitted to the City for review.

5. If the services involve lead-based paint or asbestos identification/remediation, the Contractor's Pollution Liability Policy shall not contain lead-based paint or asbestos exclusions. If the services involve mold identification/remediation, the Contractors Pollution Liability Policy shall not contain a mold exclusion, and the definition of Pollution shall include microbial matter, including mold.

Subcontractors:

Contractor or Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that City is an additional insured on insurance required from subcontractors.

Subcontractor agrees to be bound to Contractor and City in the same manner and to the same extent as Contractor is bound to City under this Agreement and any other contract documents. Subcontractor further agrees to include the same requirements and provisions of this Agreement, including the indemnity and insurance requirements, with any sub-subcontractor to the extent they apply to the scope of the sub-subcontractor's work. A copy of the City indemnity and insurance provisions will be furnished to the subcontractor upon request.

Verification of Coverage:

Contractor or Consultant shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor or Consultant's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Special Risks or Circumstances

City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage or other special circumstances.

Failure to Comply:

Each insurance policy required above shall contain or be endorsed to contain that any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected and appointed officials, officers, attorneys, agents, and employees.

Applicability of Coverage:

Each insurance policy required above shall contain or be endorsed to contain that the Contractor's or Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

Exhibit E
Tyler Technologies Reference Documents

See following pages

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Exhibit A
Investment Summary

The following Investment Summary details the software and services to be delivered by us to you under the Agreement. This Investment Summary is effective as of the Effective Date, despite any expiration date in the Investment Summary that may have lapsed as of the Effective Date. Capitalized terms not otherwise defined will have the meaning assigned to such terms in the Agreement. In the event of conflict between the Agreement and terms in the Comments section of this Investment Summary, the language in the Agreement will prevail.

Tyler sales quotation follows this page.

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Quoted By:	Jennifer Wahlbrink
Quote Expiration:	12/31/23
Quote Name:	City of Milpitas-EERP
Quote Description:	11-30-23 City of Milpitas, CA v.3 (NTE Hours)
Saas Term	5.00

Sales Quotation For:
City of Milpitas
455 E Calaveras Blvd
Milpitas CA 95035-5411

Tyler SaaS and Related Services

Description	Qty	Imp. Hours	Annual Fee
Financial Management			
Accounting	1	300	$ 61,994.00
Accounts Payable	1	88	$ 17,516.00
Bid Management	1	64	$ 7,603.00
Budgeting	1	108	$ 17,516.00
Capital Assets	1	128	$ 16,141.00
Cash Management	1	88	$ 12,079.00
Contract Management	1	64	$ 7,507.00
eProcurement (Vendor Access and Punch-Out)	1	56	$ 12,600.00
Project & Grant Accounting	1	108	$ 10,961.00
Purchasing	1	300	$ 28,998.00
Human Resources Management			
Employee Expense Reimbursement	1	72	$ 6,463.00
Human Resources & Talent Management	1	88	$ 4,883.00
Payroll with Employee Access	1	168	$ 7,134.00
Time & Attendance w Mobile Access - Up to 750 Employees	1	176	$ 8,851.00

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Revenue Management			
Accounts Receivable	1	192	$ 14,083.00
Cashiering	1	80	$ 20,431.00
General Billing	1	108	$ 7,517.00
Content Management			
Content Manager Core includes Onboarding	1	64	$ 21,305.00
Data Insights			
Enterprise Analytics and Reporting w Executive Insights	1	144	$ 25,183.00
Additional			
ACFR Statement Builder	1	32	$ 8,877.00
Enterprise Forms Processing Software (including Common Form Set)	1	0	$ 9,750.00
Sub-Total:			$ 327,392.00
Less Discount:			$ 79,638.00
TOTAL	**2428**		**$ 247,754.00**

Professional Services

Description	Quantity	Unit Price	Ext Discount	Extended Price	Maintenance
Capital Assets Import Hours	24	$ 200.00	$ 0.00	$ 4,800.00	$ 0.00
Executive Insights Implementation	1	$ 10,500.00	$ 0.00	$ 10,500.00	$ 0.00
Foundation Change Management	96	$ 255.00	$ 0.00	$ 24,480.00	$ 0.00
Not-to-Exceed Contingency Hours (remote)	480	$ 200.00	$ 0.00	$ 96,000.00	$ 0.00
P-Card Import Format	1	$ 5,500.00	$ 0.00	$ 5,500.00	$ 0.00
Post Go-Live Support	60	$ 200.00	$ 0.00	$ 12,000.00	$ 0.00
Project Management	392	$ 200.00	$ 0.00	$ 78,400.00	$ 0.00
Report Development Assistance (remote)	160	$ 200.00	$ 0.00	$ 32,000.00	$ 0.00
Conversions – See Detailed Breakdown Below				$ 74,500.00	$ 0.00
Onsite Implementation	624	$ 225.00	$ 0.00	$ 140,400.00	$ 0.00
Remote Implementation	1804	$ 200.00	$ 0.00	$ 360,800.00	$ 0.00
TOTAL				**$ 839,380.00**	**$ 0.00**

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3rd Party Hardware, Software and Services

Description	Qty	Unit Price	Unit Discount	Total Price	Unit Maint/SaaS	Unit Maint/SaaS Discount	Total Maint/SaaS
Cash Drawer	4	$ 260.00	$ 0.00	$ 1,040.00	$ 0.00	$ 0.00	$ 0.00
Hand Held Scanner - Model 1950GSR	1	$ 450.00	$ 0.00	$ 450.00	$ 0.00	$ 0.00	$ 0.00
Hand Held Scanner Stand	1	$ 30.00	$ 0.00	$ 30.00	$ 0.00	$ 0.00	$ 0.00
Printer (TM-S9000II)	1	$ 1,623.00	$ 0.00	$ 1,623.00	$ 0.00	$ 0.00	$ 0.00
Touchscreen 7: Barcode Reader	1	$ 2,195.00	$ 0.00	$ 2,195.00	$ 220.00	$ 0.00	$ 220.00
TOTAL				**$ 5,338.00**			**$ 220.00**

Summary	**One Time Fees**	**Recurring Fees**
Total Tyler License Fees	$ 0.00	$ 0.00
Total SaaS	$ 0.00	$ 247,754.00
Total Tyler Services	$ 839,380.00	$ 0.00
Total Third-Party Hardware, Software, Services	$ 5,338.00	$ 220.00
Summary Total	**$ 844,718.00**	**$ 247,974.00**
Contract Total	**$ 2,083,708.00**	
Estimated Travel Expenses excl in Contract Total	**$ 39,000.00**	

Unless otherwise indicated in the contract or amendment thereto, pricing for optional items will be held For six (6) months from the Quote Date or the Effective Date of the Contract, whichever is later.

Customer Approval: DocuSigned by: Ned Thomas 2338583A68C9429... Date: Dec-22-2023

Print Name: Ned Thomas P.O.#:

All Primary values quoted in US Dollars

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Detailed Breakdown of Conversions (Included in Summary Total)

Description	Qty	Unit Price	Unit Discount	Extended Price
Financials				
Accounting	1	$ 9,500.00	$ 0.00	$ 9,500.00
Accounts Payable	1	$ 14,700.00	$ 0.00	$ 14,700.00
Contracts	1	$ 6,000.00	$ 0.00	$ 6,000.00
Project Accounting	1	$ 9,500.00	$ 0.00	$ 9,500.00
Purchase Orders	1	$ 8,000.00	$ 0.00	$ 8,000.00
Human Resources Management				
Human Resources Management	1	$ 14,300.00	$ 0.00	$ 14,300.00
Revenue Management				
General Billing	1	$ 12,500.00	$ 0.00	$ 12,500.00
	TOTAL			**$ 74,500.00**

Optional Tyler SaaS and Related Services

Description	Qty	Imp. Hours	Annual Fee
Human Resources Management			
Advanced Scheduling w Mobile Access - Up to 800 Employees	1	96	$ 12,840.00
Recruiting	1	16	$ 1,170.00
Revenue Management			
Resident Access	1	104	$ 14,400.00
Utility Billing CIS including Graphing Agent	1	168	$ 17,710.00
Utility Billing Meter Interface	1	32	$ 4,713.00
Civic Services			
My Civic	1	96	$ 12,000.00
Data Insights			
Capital Projects Explorer	1	0	$ 12,000.00
Open Finance	1	0	$ 22,800.00

TOTAL:		**512**	**$ 97,633.00**

Optional Professional Services

Description	Quantity	Unit Price	Ext. Discount	Extended Price	Maintenance
Applicant Tracking Import Hours	8	$ 175.00	$ 0.00	$ 1,400.00	$ 0.00
Install Fee - Capital Projects Explorer	1	$ 4,200.00	$ 0.00	$ 4,200.00	$ 0.00
Install Fee - Open Finance	1	$ 7,000.00	$ 0.00	$ 7,000.00	$ 0.00
Conversion – See Detailed Breakdown Below				$ 32,900.00	$ 0.00
Onsite Implementation	132	$ 225.00	$ 0.00	$ 29,700.00	$ 0.00
Remote Implementation	380	$ 200.00	$ 0.00	$ 76,000.00	$ 0.00
TOTAL				**$ 151,200.00**	**$ 0.00**

Optional Transaction Fees

Description
Enterprise ERP Payments
Utility Access Payments

Optional 3rd Party Hardware, Software and Services

Description	Qty	Unit Price	Unit Discount	Total Price	Unit Maint/SaaS	Unit Maint/SaaS Discount	Total Maint/SaaS
Pattern Stream Automated Document System - Implementation	80	$ 185.00	$ 0.00	$ 14,800.00	$ 0.00	$ 0.00	$ 0.00
Pattern Stream Automated Document System - SaaS	1	$ 0.00	$ 0.00	$ 0.00	$ 12,500.00	$ 0.00	$ 12,500.00
TOTAL				**$ 14,800.00**			**$ 12,500.00**

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Optional Conversion Details (Prices Reflected Above)

Description	Quantity	Unit Price	Discount	Total
Revenue Management				
Utility Billing	1	$ 32,900.00	$ 0.00	$ 32,900.00
TOTAL				**$ 32,900.00**

Tyler Annual Discount Detail (Excludes Optional Products)

Description	Annual Fee	Annual Fee Discount	Annual Fee Net
Financial Management			
Accounting	$ 61,994.00	$ 15,499.00	$ 46,495.00
Accounts Payable	$ 17,516.00	$ 4,379.00	$ 13,137.00
Bid Management	$ 7,603.00	$ 1,901.00	$ 5,702.00
Budgeting	$ 17,516.00	$ 4,379.00	$ 13,137.00
Capital Assets	$ 16,141.00	$ 4,035.00	$ 12,106.00
Cash Management	$ 12,079.00	$ 3,020.00	$ 9,059.00
Contract Management	$ 7,507.00	$ 1,877.00	$ 5,630.00
eProcurement (Vendor Access and Punch-Out)	$ 12,600.00	$ 3,150.00	$ 9,450.00
Project & Grant Accounting	$ 10,961.00	$ 2,740.00	$ 8,221.00
Purchasing	$ 28,998.00	$ 7,250.00	$ 21,748.00
Human Resources Management			
Employee Expense Reimbursement	$ 6,463.00	$ 1,616.00	$ 4,847.00
Human Resources & Talent Management	$ 4,883.00	$ 1,221.00	$ 3,662.00
Payroll with Employee Access	$ 7,134.00	$ 1,784.00	$ 5,350.00
Time & Attendance w Mobile Access - Up to 750 Employees	$ 8,851.00	$ 0.00	$ 8,851.00
Revenue Management			
Accounts Receivable	$ 14,083.00	$ 3,521.00	$ 10,562.00
Cashiering	$ 20,431.00	$ 5,108.00	$ 15,323.00
General Billing	$ 7,517.00	$ 1,879.00	$ 5,638.00
Content Management			
Content Manager Core includes Onboarding	$ 21,305.00	$ 5,326.00	$ 15,979.00
Data Insights			

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Enterprise Analytics and Reporting w Executive Insights	$ 25,183.00	$ 6,296.00	$ 18,887.00
Additional			
ACFR Statement Builder	$ 8,877.00	$ 2,219.00	$ 6,658.00
Enterprise Forms Processing Software (including Common Form Set)	$ 9,750.00	$ 2,438.00	$ 7,312.00
TOTAL	**$ 327,392.00**	**$ 79,638.00**	**$ 247,754.00**

Comments

Tyler's quote contains estimates of the amount of services needed, based on our preliminary understanding of the scope, level of engagement, and timeline as defined in the Statement of Work (SOW) for your project. The actual amount of services required may vary, based on these factors.

Tyler's pricing is based on the scope of proposed products and services contracted from Tyler. Should portions of the scope of products or services be altered by the Client, Tyler reserves the right to adjust prices for the remaining scope accordingly.

Unless otherwise noted, prices submitted in the quote do not include travel expenses incurred in accordance with Tyler's then-current Business Travel Policy.

Tyler's prices do not include applicable local, city or federal sales, use excise, personal property or other similar taxes or duties, which you are responsible for determining and remitting. Installations are completed remotely but can be done onsite upon request at an additional cost.

In the event Client cancels services less than four (4) weeks in advance, Client is liable to Tyler for (i) all non-refundable expenses incurred by Tyler on Client's behalf; and (ii) daily fees associated with the cancelled services if Tyler is unable to re-assign its personnel.

The Implementation Hours included in this quote assume a work split effort of 70% Client and 30% Tyler.

Implementation Hours are scheduled and delivered in four (4) or eight (8) hour increments.

Tyler provides onsite training for a maximum of 15 people per class. In the event that more than 15 users wish to participate in a training class or more than one occurrence of a class is needed, Tyler will either provide additional days at then-current rates for training or Tyler will utilize a Train-the-Trainer approach whereby the client designated attendees of the initial training can thereafter train the remaining users.

As a new Tyler client, you are entitled to a 14-day or a 30-day trial of the Managed Detection and Response cybersecurity service. Please reference https://www.tylertech.com/services/tyler-detect for more information on the service and contact CybersecuritySales@tylertech.com to initiate the trial.

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Tyler currently supports the following identity providers (IdP's) for use with Tyler back-office solutions: Microsoft Active Directory through Azure AD, ADFS or Okta AD agent, Google Cloud Identity, Okta, and Identity Automation Rapid Identity. Any requirement by you to use an IdP not supported by Tyler will require additional costs, available upon request.

Content Manager Core includes up to 1TB of storage. Should additional storage be needed it may be purchased as needed at an annual fee of $5,000 per TB.

The SaaS fees for product that are not named users are based on 150 concurrent users. Should the number of concurrent users be exceeded, Tyler reserves the right to re-negotiate the SaaS fees based upon any resulting changes in the pricing categories.
General Billing conversion includes: Standard - CID, Recurring Invoices, Bills(Header, Detail), Payment History, Invoices - up to 5 years

Financial library includes: standard A/P check, standard EFT/ACH, standard Purchase order, standard Contract, 1099M, 1099INT, 1099S, 1099NEC and 1099G.

General Billing library includes: standard invoice, standard statement, standard general billing receipt and standard miscellaneous receipt.

Personnel Actions Forms Library includes: standard Personnel Action form - New and standard Personnel Action Form - Change.

Standard Project Management responsibilities include project plan creation, initial stakeholder presentation, bi-weekly status calls, updating of project plan task statuses, and go-live planning activities.

Your rights, and the rights of any of your end users, to use Tyler's Data & Insights SaaS Services, or certain Tyler solutions which include Tyler's Data & Insights data platform, are subject to the Terms of Services, available at https://www.tylertech.com/terms/data-insights-saas-services-terms-of-service. By signing this sales quotation, or accessing, installing, or using any of the Tyler solutions listed at the linked terms, you certify that you have reviewed, understand, and agree to said terms.

Your acquisition of clocks and/or clock maintenance is subject to the following terms: https://www.tylertech.com/terms/executime-clock-terms.

Utility Billing CIS includes the Graphing Agent. Utility billing library includes: standard Utility bill, standard UB receipt, standard UB delinquent notice, standard door hanger and standard final utility bill.

Payroll library includes: standard PR check, standard direct deposit, standard vendor from payroll check, standard vendor from payroll direct deposit, W2, W2c, ACA 1095B, ACA 1095C and 1099 R.

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Accounting conversion includes: Actuals (total balances only) up to 5 years, Budgets (total balances only) up to 5 years

Accounts Payable conversion includes: Standard - Vendors, Remit Addresses, 1099 Amounts, Check History(Header, Detail) - up to 5 years, Invoices (Header, Detail) - up to 5 years

Contracts conversion includes: Standard

Human Resources Management conversion includes: Standard - Employee Master, Address, Accumulators (Earnings & Deduction totals by period) - up to 5 years, Check History - up to 5 years, Earning/Deduction History - up to 5 years, PM Action History - up to 5 years, Certifications, Education

Project Accounting conversion includes: Standard, Actuals - up to 5 years, Budgets - up to 5 years

Purchase Orders conversion includes: Standard - Open POs, Closed POs - up to 5 years

Utility Billing conversion includes: Standard - UB Account, CID's, Services/Meter Inventory, Assessments, Consumption History - up to 5 years, Balance Forward AR, Service Orders, Backflow, Budget Billing, Flat Inventory/Containers

In the event Client acquires from Tyler any edition of Content Manager software other than Enterprise Edition, the license for Content Manager is restricted to use with Tyler applications only. If Client wishes to use Content Manager software with non-Tyler applications, Client must purchase or upgrade to Content Manager Enterprise Edition.

Your use of Payments and any related items included on this order is subject to the terms found at: https://www.tylertech.com/terms/payment-card-processing-agreement. By signing this order or the agreement in which it is included, you agree you have read, understand, and agree to such terms. Please see attached Payments fee schedule.

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Exhibit B
Invoicing and Payment Policy

We will provide you with the software and services set forth in the Investment Summary of the Agreement. Capitalized terms not otherwise defined will have the meaning assigned to such terms in the Agreement.

Invoicing: We will invoice you for the applicable software and services in the Investment Summary as set forth below. Your rights to dispute any invoice are set forth in the Agreement.

1. SaaS Fees. SaaS Fees are invoiced on an annual basis, beginning on the commencement of the initial term as set forth in Section F (1) of this Agreement. Your annual SaaS fees for the initial term are payable as set at the end of this section. Upon expiration of the initial term, your annual SaaS fees will be at our then-current rates. The foregoing notwithstanding, Tyler agrees to limit increases to annual SaaS Fees for the first five renewals following the end of the initial five (5)-year term (i.e., years six through ten) as follows:
    - Year 6: 3%
    - Year 7: 3%
    - Year 8: 5%
    - Year 9: 5%
    - Year 10: 5%.

Payment Due Date	Payment Amount
1/1/24	$57,681
4/1/24	$57,681
7/1/24	$61,938
10/1/24	$61,938
1/1/25	&61,938
4/1/25	$61,938
7/1/25	$61,939
10/1/25	$61,939
1/1/26	$247,754
1/1/27	$247,754
1/1/28	$247,754

2. Other Tyler Software and Services.
    2.1 *Implementation and Other Professional Services (including training)*: Implementation and other professional services (including training) are billed and invoiced as delivered, at the rates set forth in the Investment Summary. Hours invoiced during a project phase may not exceed the hours allocated to phase as represented in the project plan without your advanced written consent, not to be unreasonably withheld. The foregoing

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notwithstanding, the Client may retain ten percent (10%) of the implementation and other professional fees payable for services delivered during a phase identified in the Statement of Work (a "Retention"), with such Retention to be paid sixty (60) days following the applicable phase live date. The foregoing notwithstanding, Tyler has the right to invoice Client for a Retention if the Client delays a phase live date by more than ninety (90) days and such delay is not caused by Force Majeure or Tyler's failure to perform.

2.2 *Consulting Services*: If you have purchased any Business Process Consulting services, if they have been quoted as fixed-fee services, they will be invoiced 50% upon your acceptance of the Best Practice Recommendations, by module, and 50% upon your acceptance of custom desktop procedures, by module. If you have purchased any Business Process Consulting services and they are quoted as an estimate, then we will bill you the actual services delivered on a time and materials basis.

2.3 *Conversions*: Fixed-fee conversions are invoiced 50% upon initial delivery of the converted Data, by conversion option, and 50% upon Client acceptance of the converted Data into Live/Production environment, by conversion option. Where conversions are quoted as estimated, we will bill you the actual services delivered on a time and materials basis.

2.4 *Requested Modifications to the Tyler Software*: Requested modifications to the Tyler Software are invoiced 50% upon delivery of specifications and 50% upon delivery of the applicable modification. You must report any failure of the modification to conform to the specifications within thirty (30) days of delivery; otherwise, the modification will be deemed to be in compliance with the specifications after the 30-day window has passed. You may still report Defects to us as set forth in this Agreement.

2.5 *Other Fixed Price Services*: Other fixed price services are invoiced as delivered, at the rates set forth in the Investment Summary. For the avoidance of doubt, where "Project Planning Services" are provided, payment will be due upon delivery of the Implementation Planning document. Dedicated Project Management services, if any, will be billed monthly in arrears, beginning on the first day of the month immediately following initiation of project planning.

2.6 Web Services: Annual fees for web services are payable in advance, commencing upon the availability of the service. Your annual fees for the initial term are set forth in the Investment Summary. Upon expiration of the initial term, your annual fees will be at our then-current rates.

2.7 *Annual Services*: Unless otherwise indicated in this Exhibit B, fees for annual services are due annually, in advance, commencing on the availability of the service. Your annual fees for the initial term are set forth in the Investment Summary. Upon expiration of the initial term, your annual fees will be at our then-current rates.

3. Third Party Products and Hardware.

3.1 *Third Party Software License Fees*: License fees for Third Party Software, if any, are invoiced when we make it available to you for downloading.

3.2 *Third Party Software Maintenance*: The first year maintenance fee for the Third Party Software is invoiced when we make it available to you for downloading. Subsequent annual maintenance fees for Third Party Software are invoiced annually, in advance, at then-current rates, upon each anniversary thereof.

3.3 *Hardware*: Third Party Hardware costs, if any, are invoiced upon delivery.

3.4 *Hardware Maintenance*: The first year maintenance fee for Hardware is invoiced upon delivery of the hardware. Subsequent annual maintenance fees for hardware are invoiced annually, in advance, at then-current rates, upon each anniversary thereof.

3.5 *Third Party Services:* Fees for Third Party Services, if any, are invoiced as delivered, along

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with applicable expenses, at the rates set forth in the Investment Summary. For the avoidance of doubt, Finite Matters will invoice Client directly for any services fees for Pattern Stream.

3.6 *Third Party SaaS*: Third Party SaaS Services fees, if any, are invoiced annually, in advance, commencing with availability of the respective Third Party SaaS Services. Pricing for the first year of Third Party SaaS Services is indicated in the Investment Summary. Pricing for subsequent years will be at the respective third party's then-current rates.

4. Transaction Fees. Unless paid directly by an end user at the time of transaction, per transaction (call, message, etc.) fees are invoiced on a quarterly basis. Fees are indicated in the Investment Summary and may be increased by Tyler upon notice of no less than ninety (90) days.

5. Expenses. The service rates in the Investment Summary do not include travel expenses. Expenses for Tyler delivered services will be billed as incurred and only in accordance with our then-current Business Travel Policy, Our current Business Travel Policy is attached to this Exhibit B as Schedule 1. Copies of receipts will be provided upon request; we reserve the right to charge you an administrative fee depending on the extent of your requests. Receipts for miscellaneous items less than twenty-five dollars and mileage logs are not available.

Payment. Payment for undisputed invoices is due within forty-five (45) days of the invoice date. We prefer to receive payments electronically. Our electronic payment information is available by contacting AR@tylertech.com.

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Exhibit B
Schedule 1
Business Travel Policy

1. Air Travel

   A. Reservations & Tickets

   The Travel Management Company (TMC) used by Tyler will provide an employee with a direct flight within two hours before or after the requested departure time, assuming that flight does not add more than three hours to the employee's total trip duration and the fare is within $100 (each way) of the lowest logical fare. If a net savings of $200 or more (each way) is possible through a connecting flight that is within two hours before or after the requested departure time and that does not add more than three hours to the employee's total trip duration, the connecting flight should be accepted.

   Employees are encouraged to make advanced reservations to take full advantage of discount opportunities. Employees should use all reasonable efforts to make travel arrangements at least two (2) weeks in advance of commitments. A seven (7) day advance booking requirement is mandatory. When booking less than seven (7) days in advance, management approval will be required.

   Except in the case of international travel where a segment of continuous air travel is six (6) or more consecutive hours in length, only economy or coach class seating is reimbursable. Employees shall not be reimbursed for "Basic Economy Fares" because these fares are non-refundable and have many restrictions that outweigh the cost-savings.

   B. Baggage Fees

   Reimbursement of personal baggage charges are based on trip duration as follows:

   - Up to five (5) days = one (1) checked bag
   - Six (6) or more days = two (2) checked bags

   Baggage fees for sports equipment are not reimbursable.

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2. Ground Transportation

A. Private Automobile

Mileage Allowance – Business use of an employee's private automobile will be reimbursed at the current IRS allowable rate, plus out of pocket costs for tolls and parking. Mileage will be calculated by using the employee's office as the starting and ending point, in compliance with IRS regulations. Employees who have been designated a home office should calculate miles from their home.

B. Rental Car

Employees are authorized to rent cars only in conjunction with air travel when cost, convenience, and the specific situation reasonably require their use. When renting a car for Tyler business, employees should select a "mid-size" or "intermediate" car. "Full" size cars may be rented when three or more employees are traveling together. Tyler carries leased vehicle coverage for business car rentals; except for employees traveling to Alaska and internationally (excluding Canada), additional insurance on the rental agreement should be declined.

C. Public Transportation

Taxi or airport limousine services may be considered when traveling in and around cities or to and from airports when less expensive means of transportation are unavailable or impractical. The actual fare plus a reasonable tip (15-18%) are reimbursable. In the case of a free hotel shuttle to the airport, tips are included in the per diem rates and will not be reimbursed separately.

D. Parking & Tolls

When parking at the airport, employees must use longer term parking areas that are measured in days as opposed to hours. Park and fly options located near some airports may also be used. For extended trips that would result in excessive parking charges, public transportation to/from the airport should be considered. Tolls will be reimbursed when receipts are presented.

3. Lodging

Tyler's TMC will select hotel chains that are well established, reasonable in price, and conveniently located in relation to the traveler's work assignment. Typical hotel chains include Courtyard, Fairfield Inn, Hampton Inn, and Holiday Inn Express. If the employee has a discount rate with a local hotel, the hotel reservation should note that discount and the employee should confirm the lower rate with the hotel upon arrival. Employee memberships in travel clubs such as AAA should be noted in their travel profiles so that the employee can take advantage of any lower club rates.

"No shows" or cancellation fees are not reimbursable if the employee does not comply with the hotel's cancellation policy.

Tips for maids and other hotel staff are included in the per diem rate and are not reimbursed separately.

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Employees are not authorized to reserve non-traditional short-term lodging, such as Airbnb, VRBO, and HomeAway. Employees who elect to make such reservations shall not be reimbursed.

4. Meals and Incidental Expenses

Employee meals and incidental expenses while on travel status within the continental U.S. are in accordance with the federal per diem rates published by the General Services Administration. Incidental expenses include tips to maids, hotel staff, and shuttle drivers and other minor travel expenses. Per diem rates are available at www.gsa.gov/perdiem.

Per diem for Alaska, Hawaii, U.S. protectorates and international destinations are provided separately by the Department of State and will be determined as required.

A. Overnight Travel

For each full day of travel, all three meals are reimbursable. Per diems on the first and last day of a trip are governed as set forth below.

Departure Day

Depart before 12:00 noon	Lunch and dinner
Depart after 12:00 noon	Dinner

Return Day

Return before 12:00 noon	Breakfast
Return between 12:00 noon & 7:00 p.m.	Breakfast and lunch
Return after 7:00 p.m.*	Breakfast, lunch, and dinner

*7:00 p.m. is defined as direct travel time and does not include time taken to stop for dinner.

The reimbursement rates for individual meals are calculated as a percentage of the full day per diem as follows:

Breakfast	15%
Lunch	25%
Dinner	60%

B. Same Day Travel

Employees traveling at least 100 miles to a site and returning in the same day are eligible to claim lunch on an expense report. Employees on same day travel status are eligible to claim dinner in the event they return home after 7:00 p.m.*

*7:00 p.m. is defined as direct travel time and does not include time taken to stop for dinner.

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5. Internet Access – Hotels and Airports

   Employees who travel may need to access their e-mail at night. Many hotels provide free high speed internet access and Tyler employees are encouraged to use such hotels whenever possible. If an employee's hotel charges for internet access it is reimbursable up to $10.00 per day. Charges for internet access at airports are not reimbursable.

6. International Travel

   All international flights with the exception of flights between the U.S. and Canada should be reserved through TMC using the "lowest practical coach fare" with the exception of flights that are six (6) or more consecutive hours in length. In such event, the next available seating class above coach shall be reimbursed.

   When required to travel internationally for business, employees shall be reimbursed for photo fees, application fees, and execution fees when obtaining a new passport book, but fees related to passport renewals are not reimbursable. Visa application and legal fees, entry taxes and departure taxes are reimbursable.

   The cost of vaccinations that are either required for travel to specific countries or suggested by the U.S. Department of Health & Human Services for travel to specific countries, is reimbursable.

   Section 4, Meals & Incidental Expenses, and Section 2.b., Rental Car, shall apply to this section.

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Exhibit C
SERVICE LEVEL AGREEMENT

I. Agreement Overview

This SLA operates in conjunction with, and does not supersede or replace any part of, the Agreement. It outlines the information technology service levels that we will provide to you to ensure the availability of the application services that you have requested us to provide. All other support services are documented in the Support Call Process. This SLA does not apply to any Third Party SaaS Services. All other support services are documented in the Support Call Process.

II. Definitions. Except as defined below, all defined terms have the meaning set forth in the Agreement.

Actual Attainment: The percentage of time the Tyler Software is available during a calendar month, calculated as follows: (Service Availability – Downtime) ÷ Service Availability.

Client Error Incident: Any service unavailability resulting from your applications, content or equipment, or the acts or omissions of any of your service users or third-party providers over whom we exercise no control.

Downtime: Those minutes during Service Availability, as defined below, when all users cannot launch, login, search or save primary data in the Tyler Software. Downtime does not include those instances in which only a Defect is present.

Emergency Maintenance Window: (1) maintenance that is required to patch a critical security vulnerability; (2) maintenance that is required to prevent an imminent outage of Service Availability; or (3) maintenance that is mutually agreed upon in writing by Tyler and the Client.

Planned Downtime: Downtime that occurs during a Standard or Emergency Maintenance window.

Service Availability: The total number of minutes in a calendar month that the Tyler Software is capable of receiving, processing, and responding to requests, excluding Planned Downtime, Client Error Incidents, denial of service attacks and Force Majeure. Service Availability only applies to Tyler Software being used in the live production environment.

Standard Maintenance: Routine maintenance to the Tyler Software and infrastructure. Standard Maintenance is limited to five (5) hours per week.

III. Service Availability

a. Your Responsibilities

Whenever you experience Downtime, you must make a support call according to the procedures outlined in the Support Call Process. You will receive a support case number.

b. Our Responsibilities

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When our support team receives a call from you that Downtime has occurred or is occurring, we will work with you to identify the cause of the Downtime (including whether it may be the result of Planned Downtime, a Client Error Incident, denial of service attack or Force Majeure). We will also work with you to resume normal operations.

c. Client Relief

Our targeted Attainment Goal is 100%. You may be entitled to credits as indicated in the Client Relief Schedule found below. Your relief credit is calculated as a percentage of the SaaS Fees paid for the calendar month.

In order to receive relief credits, you must submit a request through one of the channels listed in our Support Call Process within fifteen days (15) of the end of the applicable month. We will respond to your relief request within thirty (30) day(s) of receipt.

The total credits confirmed by us will be applied to the SaaS Fee for the next billing cycle. Issuing of such credit does not relieve us of our obligations under the Agreement to correct the problem which created the service interruption.

Credits are only payable when Actual Attainment results in eligibility for credits in consecutive months and only for such consecutive months.

Client Relief Schedule	
Actual Attainment	**Client Relief**
99.99% - 99.70%	Remedial action will be taken
99.69% - 98.50%	2% of SaaS Fees paid for applicable month
98.49% - 97.50%	4% of SaaS Fees paid for applicable month
97.49% - 96.50%	6% of SaaS Fees paid for applicable month
96.49% - 95.50%	8% of SaaS Fees paid for applicable month
Below 95.50%	10% of SaaS Fees paid for applicable month

* Notwithstanding language in the Agreement to the contrary, Recovery Point Objective is one (1) hour.

IV. Maintenance Notifications

We perform Standard Maintenance during limited windows that are historically known to be reliably low-traffic times. If and when maintenance is predicted to occur during periods of higher traffic, we will provide advance notice of those windows and will coordinate to the greatest extent possible with you.

Not all maintenance activities will cause application unavailability. However, if Tyler anticipates that activities during a Standard or Emergency Maintenance window may make the Tyler Software unavailable, we will provide advance notice, as reasonably practicable, that the Tyler Software will be unavailable during the maintenance window.

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Exhibit C
Schedule 1
Support Call Process

Support Channels

Tyler Technologies, Inc. provides the following channels of software support for authorized users*:

(1) On-line submission (portal) – for less urgent and functionality-based questions, users may create support incidents through the Tyler Customer Portal available at the Tyler Technologies website. A built-in Answer Panel provides users with resolutions to most "how-to" and configuration-based questions through a simplified search interface with machine learning, potentially eliminating the need to submit the support case.
(2) Email – for less urgent situations, users may submit emails directly to the software support group.
(3) Telephone – for urgent or complex questions, users receive toll-free, telephone software support.

** Channel availability may be limited for certain applications.*

Support Resources

A number of additional resources are available to provide a comprehensive and complete support experience:

(1) Tyler Website – www.tylertech.com – for accessing client tools, documentation, and other information including support contact information.
(2) Tyler Search -a knowledge based search engine that lets you search multiple sources simultaneously to find the answers you need, 24x7.
(3) Tyler Community –provides a venue for all Tyler clients with current maintenance agreements to collaborate with one another, share best practices and resources, and access documentation.
(4) Tyler University – online training courses on Tyler products.

Support Availability

Tyler Technologies support is available during the local business hours of 8 AM to 5 PM (Monday – Friday) across four US time zones (Pacific, Mountain, Central and Eastern). Tyler's holiday schedule is outlined below. There will be no support coverage on these days.

New Year's Day	Labor Day
Martin Luther King, Jr. Day	Thanksgiving Day
Memorial Day	Day after Thanksgiving
Independence Day	Christmas Day

For support teams that provide after-hours service, we will provide you with procedures for contacting

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support staff after normal business hours for reporting Priority Level 1 Defects only. Upon receipt of such a Defect notification, we will use commercially reasonable efforts to meet the resolution targets set forth below.

We will also make commercially reasonable efforts to be available for one pre-scheduled Saturday of each month to assist your IT staff with applying patches and release upgrades, as well as consulting with them on server maintenance and configuration of the Tyler Software environment.

Incident Handling

Incident Tracking

Every support incident is logged into Tyler's Customer Relationship Management System and given a unique case number. This system tracks the history of each incident. The case number is used to track and reference open issues when clients contact support. Clients may track incidents, using the case number, through Tyler's Customer Portal or by calling software support directly.

Incident Priority

Each incident is assigned a priority level, which corresponds to the Client's needs. Tyler and the Client will reasonably set the priority of the incident per the chart below. This chart is not intended to address every type of support incident, and certain "characteristics" may or may not apply depending on whether the Tyler software has been deployed on customer infrastructure or the Tyler cloud. The goal is to help guide the Client towards clearly understanding and communicating the importance of the issue and to describe generally expected response and resolution targets in the production environment only.

References to a "confirmed support incident" mean that Tyler and the Client have successfully validated the reported Defect/support incident.

Priority Level	Characteristics of Support Incident	Resolution Targets*	
1 Critical	Support incident that causes (a) complete application failure or application unavailability; (b) application failure or unavailability in one or more of the client's remote location; or (c) systemic loss of multiple essential system functions.	Tyler shall provide an initial response to Priority Level 1 incidents within one (1) business hour of receipt of the incident. Once the incident has been confirmed, Tyler shall use commercially reasonable efforts to resolve such support incidents or provide a circumvention procedure within one (1) business day. For non-hosted customers, Tyler's responsibility for lost or corrupted data is limited to assisting the Client in restoring its last available database.	

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Priority Level	Characteristics of Support Incident	Resolution Targets*	
2 High	Support incident that causes (a) repeated, consistent failure of essential functionality affecting more than one user or (b) loss or corruption of data.	Tyler shall provide an initial response to Priority Level 2 incidents within four (4) business hours of receipt of the incident. Once the incident has been confirmed, Tyler shall use commercially reasonable efforts to resolve such support incidents or provide a circumvention procedure within ten (10) business days. For non-hosted customers, Tyler's responsibility for loss or corrupted data is limited to assisting the Client in restoring its last available database.	
3 Medium	Priority Level 1 incident with an existing circumvention procedure, or a Priority Level 2 incident that affects only one user or for which there is an existing circumvention procedure.	Tyler shall provide an initial response to Priority Level 3 incidents within one (1) business day of receipt of the incident. Once the incident has been confirmed, Tyler shall use commercially reasonable efforts to resolve such support incidents without the need for a circumvention procedure with the next published maintenance update or service pack, which shall occur at least quarterly. For non-hosted customers, Tyler's responsibility for lost or corrupted data is limited to assisting the Client in restoring its last available database.	
4 Non-critical	Support incident that causes failure of non-essential functionality or a cosmetic or other issue that does not qualify as any other Priority Level.	Tyler shall provide an initial response to Priority Level 4 incidents within two (2) business days of receipt of the incident. Once the incident has been confirmed, Tyler shall use commercially reasonable efforts to resolve such support incidents, as well as cosmetic issues, with a future version release.	

**Response and Resolution Targets may differ by product or business need*

Incident Escalation

If Tyler is unable to resolve any priority level 1 or 2 defect as listed above or the priority of an issue has elevated since initiation, you may escalate the incident to the appropriate resource, as outlined by each product support team. The corresponding resource will meet with you and any Tyler staff to establish a mutually agreeable plan for addressing the defect.

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Remote Support Tool

Some support calls may require further analysis of the Client's database, processes, or setup to diagnose a problem or to assist with a question. Tyler will, at its discretion, use an industry-standard remote support tool. Tyler's support team must have the ability to quickly connect to the Client's system and view the site's setup, diagnose problems, or assist with screen navigation. More information about the remote support tool Tyler uses is available upon request.

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Exhibit D
Third Party Terms

ThinPrint Terms. Your use of Tyler Forms software and forms is subject to the End User License Agreement terms for ThinPrint Engine, ThinPrint License Server, and Connected Gateway found here: https://www.thinprint.com/en/legal-notes/eula/. By signing a Tyler Agreement or Order Form, or accessing, installing, or using Tyler Forms software or forms, you agree that you have read, understood, and agree to such terms.

DocOrigin Terms. Your use of Tyler Forms software and forms is subject to the DocOrigin End User License Agreement available for download here: https://eclipsecorp.us/eula/. By signing a Tyler Agreement or Order Form including Tyler forms software or forms, or accessing, installing, or using Tyler Forms software or forms, you agree that you have read, understood, and agree to such terms.

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Exhibit E
Statement of Work

Statement of Work follows this page.

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City of Milpitas, CA

SOW from Tyler Technologies, Inc.

11/2/2023

Presented to:
City of Milpitas
455 E Calaveras Blvd
Milpitas, CA 95035-5411

Contact:
Katharina Howard
Email: Katharina.Howard@TylerTech.com
1 Tyler Drive Yarmouth, Maine 04096

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Part 1: Executive Summary

1. Project Overview

1.1 Introduction

Tyler Technologies ("Tyler") is the largest and most established provider of integrated software and technology services focused solely on the public sector. Tyler's end-to-end solutions empower public sector entities including local, state, provincial and federal government, to operate more efficiently and connect more transparently with their constituents and with each other. By connecting data and processes across disparate systems, Tyler's solutions transform how clients gain actionable insights that solve problems in their communities.

1.2 Project Goals

This Statement of Work ("SOW") documents the methodology, implementation stages, activities, and roles and responsibilities, and project scope listed in the Investment Summary of the Agreement between Tyler and the City of Milpitas (collectively the "Project").

The overall goals of the project are to:

- Successfully implement the contracted scope on time and on budget
- Increase operational efficiencies and empower users to be more productive
- Improve accessibility and responsiveness to external and internal customer needs
- Overcome current challenges and meet future goals

1.3 Methodology

This is accomplished by the City of Milpitas and Tyler working as a partnership and Tyler utilizing its depth of implementation experience. While each Project is unique, all will follow Tyler's six-stage methodology. Each of the six stages is comprised of multiple work packages, and each work package includes a narrative description, objectives, tasks, inputs, outputs/deliverables, assumptions, and a responsibility matrix.

Tailored specifically for Tyler's public sector clients, the project methodology contains Stage Acceptance Control Points throughout each Phase to ensure adherence to scope, budget, timeline controls, effective communications, and quality standards. Clearly defined, the project methodology repeats consistently across Phases, and is scaled to meet the City of Milpitas's complexity and organizational needs.

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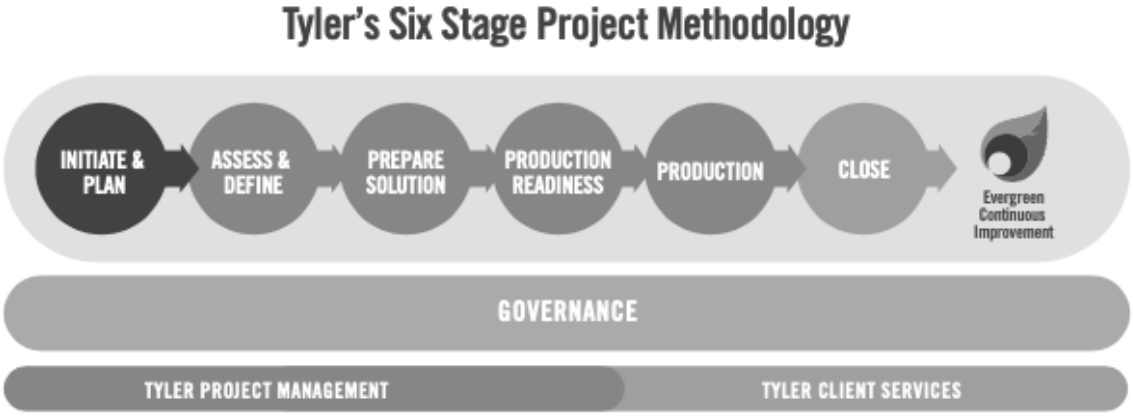
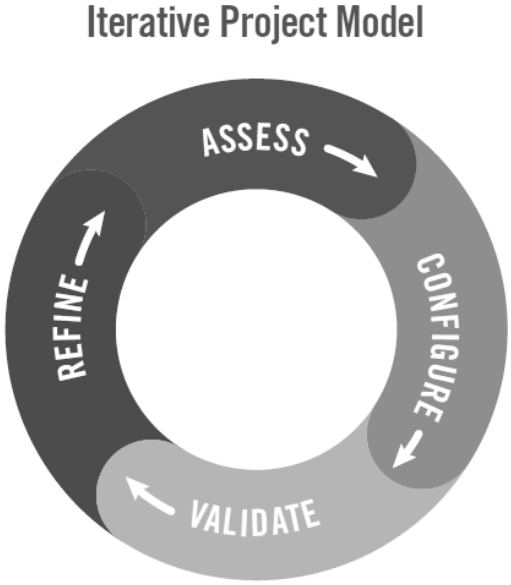


The methodology adapts to both single-phase and multiple-phase projects.

To achieve Project success, it is imperative that both the City of Milpitas and Tyler commit to including the necessary leadership and governance. During each stage of the Project, it is expected that the City of Milpitas and Tyler Project teams work collaboratively to complete tasks. An underlying principle of Tyler's Implementation process is to employ an iterative model where the City of Milpitas's business processes are assessed, configured, validated, and refined cyclically in line with the project budget. This approach is used in multiple stages and work packages as illustrated in the graphic below.



The delivery approach is systematic, which reduces variability and mitigates risks to ensure Project success. As illustrated, some stages, along with work packages and tasks, are intended to be overlapping by nature to complete the Project efficiently and effectively.

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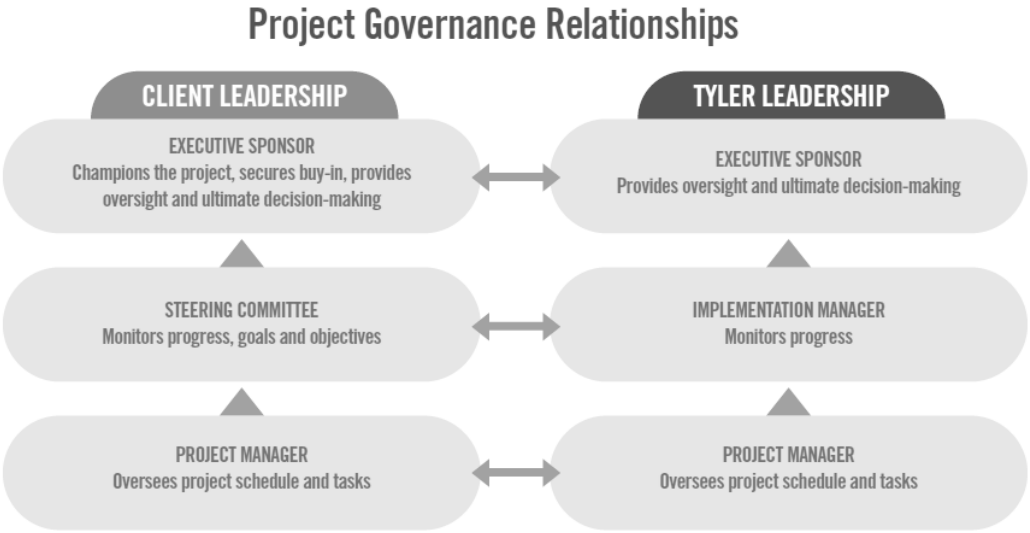
Part 2: Project Foundation

2. Project Governance

Project governance is the management framework within which Project decisions are made. The role of Project governance is to provide a decision-making approach that is logical, robust, and repeatable. This allows organizations to have a structured approach for conducting its daily business in addition to project related activities.

This section outlines the resources required to meet the business needs, objectives, and priorities for the Project, communicate the goals to other Project participants, and provide support and guidance to accomplish these goals. Project governance defines the structure for escalation of issues and risks, Change Control review and authority, and Organizational Change Management activities. Throughout the Statement of Work Tyler has provided RACI Matrices for activities to be completed throughout the implementation which will further outline responsibilities of different roles in each stage. Further refinement of the governance structure, related processes, and specific roles and responsibilities occurs during the Initiate & Plan Stage.

The chart below illustrates an overall team perspective where Tyler and the City of Milpitas collaborate to resolve Project challenges according to defined escalation paths. If project managers do not possess authority to determine a solution, resolve an issue, or mitigate a risk, Tyler implementation management and the City of Milpitas Steering Committee become the escalation points to triage responses prior to escalation to the City of Milpitas and Tyler executive sponsors. As part of the escalation process, each Project governance tier presents recommendations and supporting information to facilitate knowledge transfer and issue resolution. The City of Milpitas and Tyler executive sponsors serve as the final escalation point.



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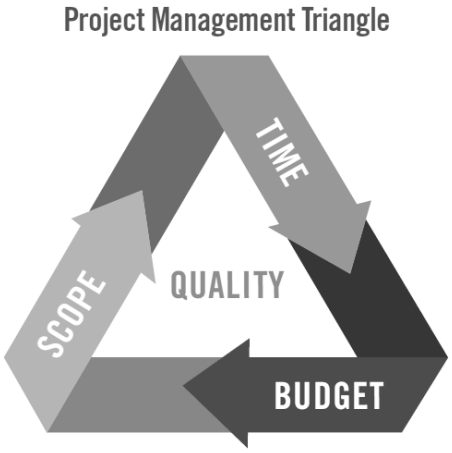
3. Project Scope Control

3.1 Managing Scope and Project Change

Project Management governance principles contend that there are three connected constraints on a Project: budget, timeline, and scope. These constraints, known as the "triple constraints" or project management triangle, define budget in terms of financial cost, labor costs, and other resource costs. Scope is defined as the work performed to deliver a product, service or result with the specified features and functions, while time is simply defined as the schedule. The Triple Constraint theory states that if you change one side of the triangle, the other two sides must be correspondingly adjusted. For example, if the scope of the Project is increased, cost and time to complete will also need to increase. The Project and executive teams will need to remain cognizant of these constraints when making impactful decisions to the Project. A simple illustration of this triangle is included here, showing the connection of each item and their relational impact to the overall Scope.



A pillar of any successful project is the ability to properly manage scope while allowing the appropriate level of flexibility to incorporate approved changes. Scope and changes within the project will be managed using the change control process outlined in the following section.

3.2 Change Control

It may become necessary to change the scope of this Project due to unforeseeable circumstances (e.g., new constraints or opportunities are discovered). This Project is being undertaken with the understanding that Project scope, schedule, and/or cost may need to change to produce optimal results for stakeholders. Changes to contractual requirements will follow the change control process specified in the final contract, and as described below.

3.3 Change Request Management

Should the need for a change to Project scope, schedule, and/or cost be identified during the Project, the change will be brought to the attention of the Steering Committee and an assessment of the change will occur. While such changes may result in additional costs and delays relative to the schedule, some changes may result in less cost to the City of Milpitas; for example, the City of Milpitas may decide it no

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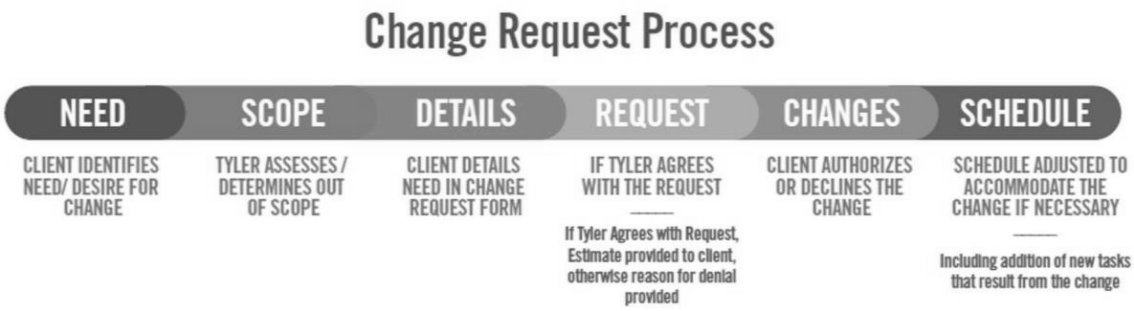
longer needs a deliverable originally defined in the Project. The Change Request will include the following information:

- The nature of the change.
- A good faith estimate of the additional cost or associated savings to the City of Milpitas, if any.
- The timetable for implementing the change.
- The effect on and/or risk to the schedule, resource needs or resource responsibilities.

The City of Milpitas will use its good faith efforts to either approve or disapprove any Change Request within ten (10) Business Days (or other period as mutually agreeable between Tyler and the City of Milpitas). Any changes to the Project scope, budget, or timeline must be documented and approved in writing using a Change Request form. These changes constitute a formal amendment to the Statement of Work and will supersede any conflicting term in the Statement of Work.



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4. Acceptance Process

The implementation of a Project involves many decisions to be made throughout its lifecycle. Decisions will vary from higher level strategy decisions to smaller, detailed Project level decisions. It is critical to the success of the Project that each City of Milpitas office or department designates specific individuals for making decisions on behalf of their offices or departments.

Both Tyler and the City of Milpitas will identify representative project managers. These individuals will represent the interests of all stakeholders and serve as the primary contacts between the two organizations.

The coordination of gaining City of Milpitas feedback and approval on Project deliverables will be critical to the success of the Project. The City of Milpitas project manager will strive to gain deliverable and decision approvals from all authorized City of Milpitas representatives. Given that the designated decision-maker for each department may not always be available, there must be a designated proxy for each decision point in the Project. Assignment of each proxy will be the responsibility of the leadership from each City of Milpitas department. The proxies will be named individuals that have the authorization to make decisions on behalf of their department.

The following process will be used for accepting Deliverables and Control Points:

- The City of Milpitas shall have ten (10) business days from the date of delivery, or as otherwise mutually agreed upon by the parties in writing, to accept each Deliverable or Control Point. If the City of Milpitas does not provide acceptance or acknowledgement within ten (10) business days, or the otherwise agreed upon timeframe, not to be unreasonably withheld, Tyler deems the Deliverable or Control Point as accepted.
- If the City of Milpitas does not agree the Deliverable or Control Point meets requirements, the City of Milpitas shall notify Tyler project manager(s), in writing, with reasoning within ten (10) business days, or the otherwise agreed-upon timeframe, not to be unreasonably withheld, of receipt of the Deliverable.
- Tyler shall address any deficiencies and redeliver the Deliverable or Control Point. The City of Milpitas shall then have five (5) business days from receipt of the redelivered Deliverable or Control Point to accept or again submit written notification of reasons for rejecting the milestone. If the City of Milpitas does not provide acceptance within five (5) business days, or the otherwise agreed upon timeframe, not to be unreasonably withheld, Tyler deems the Deliverable or Control Point as accepted.

5. Roles and Responsibilities

The following defines the roles and responsibilities of each Project resource for the City of Milpitas and Tyler. Roles and responsibilities may not follow the organizational chart or position descriptions at the City of Milpitas, but are roles defined within the Project. It is common for individual resources on both the Tyler and City of Milpitas project teams to fill multiple roles. Similarly, it is common for some roles to be filled by multiple people.

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5.1 Tyler Roles & Responsibilities

Tyler assigns a project manager 45 days prior to the start of each Phase of the Project (some Projects may only be one Phase in duration). Additional Tyler resources are assigned as the schedule develops and as needs arise.

5.1.1 Tyler Executive Manager

Tyler executive management has indirect involvement with the Project and is part of the Tyler escalation process. This team member offers additional support to the Project team and collaborates with other Tyler department managers as needed to escalate and facilitate implementation Project tasks and decisions.

- Provides clear direction for Tyler staff on executing on the Project Deliverables to align with satisfying the City of Milpitas 's overall organizational strategy.
- Authorizes required Project resources.
- Resolves all decisions and/or issues not resolved at the implementation management level as part of the escalation process.
- Acts as the counterpart to the City of Milpitas 's executive sponsor.

5.1.2 Tyler Implementation Manager

- Tyler implementation management has indirect involvement with the Project and is part of the Tyler escalation process. The Tyler project managers consult implementation management on issues and outstanding decisions critical to the Project. Implementation management works toward a solution with the Tyler Project Manager or with City of Milpitas management as appropriate. Tyler executive management is the escalation point for any issues not resolved at this level.
- Assigns Tyler Project personnel.
- Provides support for the Project team.
- Provides management support for the Project to ensure it is staffed appropriately and staff have necessary resources.
- Monitors Project progress including progress towards agreed upon goals and objectives.

5.1.3 Tyler Project Manager

- The Tyler project manager(s) provides oversight of the Project, coordination of Tyler resources between departments, coordination of third parties for interface execution, management of the Project budget and schedule, effective risk, and issue management, and is the primary point of contact for all Project related items. As requested by the City of Milpitas, the Tyler Project Manager provides regular updates to the City of Milpitas Steering Committee and other Tyler governance members. Tyler Project Manager's role includes responsibilities in the following areas:

5.1.3.1 Contract Management

- Validates contract compliance throughout the Project.
- Ensures Deliverables meet contract requirements.
- Acts as primary point of contact for all contract and invoicing questions.

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- Prepares and presents contract milestone sign-offs for acceptance by the City of Milpitas project manager(s).
- Coordinates Change Requests, if needed, to ensure proper Scope and budgetary compliance.

5.1.3.2 Planning

- Delivers project planning documents.
- Defines Project tasks and resource requirements.
- Develops initial Project schedule and Project Management Plan.
- Collaborates with the City of Milpitas project manager(s) to plan and schedule Project timelines to achieve on-time implementation.

5.1.3.3 Implementation Management

- Tightly manages Scope and budget of Project to ensure Scope changes and budget planned versus actual are transparent and handled effectively and efficiently.
- Establishes and manages a schedule and Tyler resources that properly support the Project Schedule and are also in balance with Scope/budget.
- Establishes risk/issue tracking/reporting process between the City of Milpitas and Tyler and proactively manages the resolution of the issues/risks with the assigned Tyler staff and City stakeholders.
- .
- Collaborates with the City of Milpitas ’s project manager(s) to establish key business drivers and success indicators that will help to govern Project activities and key decisions to ensure a quality outcome of the project.
- Collaborates with the City of Milpitas ’s project manager(s) to set a routine communication plan that will aide all Project team members, of both the City of Milpitas and Tyler, in understanding the goals, objectives, status, and health of the Project.
- Prepares for project status meetings by creating meeting agendas, status reports, and facilitating the meetings

5.1.3.4 Resource Management

- Acts as liaison between Project team and Tyler manager(s).
- Identifies and coordinates all Tyler resources across all applications, Phases, and activities including development, forms, installation, reports, implementation, and billing.
- In case of a resource replacement, will coordinate and ensure an internal knowledge transfer that will facilitate a smooth transition from one resource to another.
- Provides direction and support to Project team.
- Manages the appropriate assignment and timely completion of tasks as defined in the Project Schedule, task list, and Go-Live Checklist.
- Assesses team performance and adjusts as necessary.
- Coordinates with City and in Scope 3rd party providers to align activities, including interface development, with ongoing Project tasks.

5.1.4 Tyler Implementation Consultant

- Completes tasks as assigned by the Tyler project manager(s).

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- Communicates with Tyler project manager(s) regarding any issues requiring additional project activities, changes to previous actions, or that may create project risks.
- Documents activities for services performed by Tyler.
- Creates and delivers a site implementation report for each session delivered that captures topics covered, decisions made, issues encountered, agenda items not covered, as well as potential homework items resulting from the training session.
- Guides the City of Milpitas through software validation process following configuration.
- Provides recommendations on configuration and business processes to follow best practices and best utilize the Tyler software.
- Assists during Go-Live process and provides support until the City of Milpitas transitions to Client Services.
- Facilitates training sessions and discussions with the City of Milpitas and Tyler staff to ensure adequate discussion of the appropriate agenda topics during the allotted time.
- Possesses in-depth understanding of functionality within the software products in the scope of their sessions.
- Possesses an understanding of how decisions within the software products in the scope of their sessions may affect other purchased software products, or when to contact another Tyler resource to discuss these decisions.
- May provide conversion review and error resolution assistance.

5.1.5 Tyler Sales

- Supports Sales to Implementation knowledge transfer during Initiate & Plan.
- Provides historical information, as needed, throughout implementation.
- Participates in pricing activities if additional licensing and/or services are needed.

5.1.6 Tyler Technical Services

- Maintains Tyler infrastructure requirements and design document(s).
- Involved in system infrastructure planning/review(s).
- Provides first installation of licensed software with initial database on servers.
- Supports and assists the project team with technical/environmental issues/needs, such as database refreshes, upgrades, loading conversion data, amongst others
- Deploys Tyler products.

5.2 City of Milpitas Roles & Responsibilities

City of Milpitas resources will be assigned prior to the start of each Phase of the Project. One person may be assigned to multiple Project roles.

5.2.1 City of Milpitas Executive Sponsor

The City of Milpitas executive sponsor provides support to the Project by providing strategic direction and communicating key issues about the Project and its overall importance to the organization. When called upon, the executive sponsor also acts as the final authority on all escalated Project issues. The executive sponsor engages in the Project, as needed, to provide necessary support, oversight, guidance, and escalation, but does not participate in day-to-day Project activities. The executive sponsor empowers the

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City of Milpitas steering committee, project manager(s), and functional leads to make critical business decisions for the City of Milpitas.

- Champions the project at the executive level to secure buy-in.
- Authorizes required project resources.
- Actively participates in organizational change communications.

5.2.2 City of Milpitas Steering Committee

The City of Milpitas steering committee understands and supports the cultural change necessary for the Project and fosters an appreciation for the Project's value throughout the organization. The steering committee oversees the City of Milpitas project manager and Project through participation in regular internal meetings. The City of Milpitas steering committee remains updated on all Project progress, Project decisions, and achievement of Project milestones. The City of Milpitas steering committee also serves as primary level of issue resolution for the Project.

- Works to resolve all decisions and/or issues not resolved at the project manager level as part of the escalation process.
- Attends all scheduled steering committee meetings.
- Provides support for the project team.
- Assists with communicating key project messages throughout the organization.
- Prioritizes the project within the organization.
- Ensures the project staffed appropriately and that staff have necessary resources.
- Monitors project progress including progress towards agreed upon goals and objectives.
- Has the authority to approve or deny changes impacting the following areas:
    - Cost
    - Scope
    - Schedule
    - Project Goals
    - City of Milpitas Policies
    - Needs of other client projects

5.2.3 City of Milpitas Project Manager

The City of Milpitas shall assign project manager(s) prior to the start of this project with overall responsibility and authority to make decisions related to Project Scope, scheduling, and task assignment. The City of Milpitas Project Manager should communicate decisions and commitments to the Tyler project manager(s) in a timely and efficient manner. When the City of Milpitas project manager(s) do not have the knowledge or authority to make decisions, he or she engages the necessary resources to participate in discussions and make decisions in a timely fashion to avoid Project delays. The City of Milpitas project manager(s) are responsible for reporting to the City of Milpitas steering committee and determining appropriate escalation points.

5.2.3.1 Contract Management

- Validates contract compliance throughout the project.
- Ensures that invoicing and Deliverables meet contract requirements.
- Acts as primary point of contact for all contract and invoicing questions. Collaborates on and approves Change Requests, if needed, to ensure proper scope and budgetary compliance.

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5.2.3.2 Planning

- Reviews and accepts project planning documents.
- Defines project tasks and resource requirements for the City of Milpitas project team.
- Collaborates in the development and approval of the project schedule.
- Collaborates with Tyler project manager(s) to plan and schedule project timelines to achieve on-time implementation.

5.2.3.3 Implementation Management

- Tightly manages project budget and scope.
- Collaborates with Tyler project manager(s) to establish a process and approval matrix to ensure that scope changes and budget (planned versus actual) are transparent and handled effectively and efficiently.
- Collaborates with Tyler project manager to establish and manage a schedule and resource plan that properly supports the project schedule as a whole and is also in balance with scope and budget.
- Collaborates with Tyler project manager(s) to establish risk and issue tracking and reporting process between the City of Milpitas and Tyler and takes all necessary steps to proactively mitigate these items or communicate with transparency to Tyler any items that may impact the outcomes of the project.
- Collaborates with Tyler project manager(s) to establish key business drivers and success indicators that will help to govern project activities and key decisions to ensure a quality outcome of the project.
- Routinely communicates with both the City of Milpitas staff and Tyler, aiding in the understanding of goals, objectives, current status, and health of the project by all team members.
- Manages the requirements gathering process and ensure timely and quality business requirements are being provided to Tyler.

5.2.3.4 Resource Management

- Acts as liaison between project team and stakeholders.
- Identifies and coordinates all City of Milpitas resources across all modules, phases, and activities including data conversions, forms design, hardware and software installation, reports building, and satisfying invoices.
- Provides direction and support to project team.
- Builds partnerships among the various stakeholders, negotiating authority to move the project forward.
- Manages the appropriate assignment and timely completion of tasks as defined.
- Assesses team performance and takes corrective action, if needed.
- Provides guidance to City of Milpitas technical teams to ensure appropriate response and collaboration with Tyler Technical Support Teams to ensure timely response and appropriate resolution.
- Owns the relationship with in-Scope 3rd party providers and aligns activities with ongoing project tasks.
- Ensures that users have appropriate access to Tyler project toolsets as required.
- Conducts training on proper use of toolsets.
- Validates completion of required assignments using toolsets.

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5.2.4 City of Milpitas Functional Leads

- Makes business process change decisions under time sensitive conditions.
- Communicates existing business processes and procedures to Tyler consultants.
- Assists in identifying business process changes that may require escalation.
- Contributes business process expertise for Current & Future State Analysis.
- Identifies and includes additional subject matter experts to participate in Current & Future State Analysis.
- Validates that necessary skills have been retained by end users.
- Provides End Users with dedicated time to complete required homework tasks.
- Acts as an ambassador/champion of change for the new process and provide business process change support.
- Identifies and communicates any additional training needs or scheduling conflicts to the City of Milpitas project manager.
- Actively participates in all aspects of the implementation, including, but not limited to, the following key activities:
    - Task completion
    - Stakeholder Meeting
    - Project Management Plan development
    - Schedule development
    - Maintenance and monitoring of risk register
    - Escalation of issues
    - Communication with Tyler project team
    - Coordination of City of Milpitas resources
    - Attendance at scheduled sessions
    - Change management activities
    - Modification specification, demonstrations, testing and approval assistance
    - Data analysis assistance
    - Decentralized end user training
    - Process testing
    - Solution Validation

5.2.5 City of Milpitas Power Users

- Participate in project activities as required by the project team and project manager(s).
- Provide subject matter expertise on the City of Milpitas business processes and requirements.
- Act as subject matter experts and attend Current & Future State Analysis sessions as needed.
- Attend all scheduled training sessions.
- Participate in all required post-training processes as needed throughout project.
- Test all application configuration to ensure it satisfies business process requirements.
- Become application experts.
- Participate in Solution Validation.
- Adopt and support changed procedures.
- Complete all deliverables by the due dates defined in the project schedule.
- Demonstrate competency with Tyler products processing prior to Go-live.
- Provide knowledge transfer to the City of Milpitas staff during and after implementation.
- Participate in conversion review and validation.

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5.2.6 City of Milpitas End Users

- Attend all scheduled training sessions.
- Become proficient in application functions related to job duties.
- Adopt and utilize changed procedures.
- Complete all deliverables by the due dates defined in the project schedule.
- Utilize software to perform job functions at and beyond Go-live.

5.2.7 City of Milpitas Technical Lead

- Coordinates updates and releases with Tyler as needed.
- Coordinates the copying of source databases to training/testing databases as needed for training days.
- Coordinates and adds new users, printers and other peripherals as needed.
- Validates that all users understand log-on process and have necessary permission for all training sessions.
- Coordinates interface development for City of Milpitas third party interfaces.
- Develops or assists in creating reports as needed.
- Ensures on-site system meets specifications provided by Tyler.
- Assists with software installation as needed.
- Extracts and transmits conversion data and control reports from the City of Milpitas's legacy system per the conversion schedule set forth in the project schedule.

5.2.7.1 City of Milpitas Upgrade Coordination

- Becomes familiar with the software upgrade process and required steps.
- Becomes familiar with Tyler's releases and updates.
- Utilizes Tyler resources to stay abreast of the latest Tyler releases and updates, as well as the latest helpful tools to manage the City of Milpitas's software upgrade process.
- Assists with the software upgrade process during implementation.
- Manages software upgrade activities post-implementation.
- Manages software upgrade plan activities.
- Coordinates software upgrade plan activities with City of Milpitas and Tyler resources.
- Communicates changes affecting users and department stakeholders.
- Obtains department stakeholder acceptance to upgrade production environment.

5.2.8 City of Milpitas Change Management Lead

- Validates that users receive timely and thorough communication regarding process changes.
- Provides coaching to supervisors to prepare them to support users through the project changes.
- Identifies the impact areas resulting from project activities and develops a plan to address them proactively.
- Identifies areas of resistance and develops a plan to reinforce the change.
- Monitors post-production performance and new process adherence.

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Part 3: Project Plan

6. Project Stages

Work Breakdown Structure

The Work Breakdown Structure (WBS) is a hierarchical representation of a Project or Phase broken down into smaller, more manageable components. The top-level components are called "Stages" and the second level components are called "Work Packages". The work packages, shown below each stage, contain the high-level work to be done. The detailed Project Schedule, developed during Project/Phase Planning and finalized during subsequent stages, lists the tasks to be completed within each work package. Each stage ends with a "Control Point", confirming the work performed during that stage of the Project has been accepted by the City of Milpitas.

Work Breakdown Structure (WBS)

1. Initiate & Plan	2. Assess & Define	3. Prepare Solution	4. Production Readiness	5. Production	6. Close
1.1 Initial Coordination	2.1 Solution Orientation	3.1 Initial System Deployment	4.1 Solution Validation	5.1 Go Live	6.1 Phase Close Out
1.2 Project/Phase Planning	2.2 Current & Future State Analysis	3.2 Configuration	4.2 Go Live Readiness	5.2 Transition to Client Services	6.2 Project Close Out
1.3 GIS Planning*	2.3 Modification Analysis	3.3 Process Refinement	4.3 End User Training	5.3 Post Go Live Activities	
1.4 Infrastructure Planning	2.4 Conversion Assessment	3.4 Conversion Delivery			
1.5 Stakeholder Meeting	2.5 Data Assessment	3.5 Data Delivery			
		3.6 Modifications*			

Items noted with an asterisk in the graphic above relate to specific products and services. If those products and services are not included in the scope of the contract, these specific work packages will be noted as "Intentionally Left Blank" in Section 6 of the Statement of Work.

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6.1 Initiate and Plan

The Initiate and Plan stage involves Project initiation, infrastructure, and planning. This stage creates a foundation for the Project by identifying and establishing sequence and timing for each Phase as well as verifying scope for the Project. This stage will be conducted at the onset of the Project, with a few unique items being repeated for the additional Phases as needed.

6.1.1 Initial Coordination

Prior to Project commencement, Tyler management assigns project manager(s). Additional Project resources will be assigned later in the Project as a Project schedule is developed. Tyler provides the City of Milpitas with initial Project documents used to gather names of key personnel, their functional role as it pertains to the Project, as well as any blackout dates to consider for future planning. the City of Milpitas gathers the information requested by the provided deadline ensuring preliminary planning and scheduling can be conducted moving the Project forward in a timely fashion. Internally, the Tyler Project Manager(s) coordinate with sales to ensure transfer of vital information from the sales process prior to scheduling a Project Planning Meeting with the City of Milpitas's team. During this step, Tyler will work with the City of Milpitas to establish the date(s) for the Project and Phase Planning session.

Objectives:

- Formally launch the project.
- Establish project governance.
- Define and communicate governance for Tyler.
- Identify City of Milpitas project team.

STAGE 1	Initial Coordination																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Tyler project team is assigned (Project Manager to be assigned 45 days prior to start of each phase, and resume provided).	A	R	C	I	I	I	I		I		I						
City of Milpitas project team is assigned									A	I	R	I	I	I			
Provide initial project documents to the City of Milpitas		A	R	C			C		I		I						

Gather preliminary information requested			I						A		R	C		C		C	C
Sales to implementation knowledge transfer		A	R	I	I	I	I				I						
Create Project Portal to store project artifacts and facilitate communication		A	R								I						

Inputs	Contract documents
	Statement of Work

Outputs/Deliverables	Working initial project documents
	Project portal

Work package assumptions:

- Project activities begin after the agreement has been fully executed.

6.1.2 Project/Phase Planning

Project and Phase planning provides an opportunity to review the contract, software, data conversions and services purchased, identify applications to implement in each Phase (if applicable), and discuss implementation timeframes.

During this work package Tyler will work with the City of Milpitas to coordinate and plan a formal Project planning meeting(s). This meeting signifies the start of the Project and should be attended by all City of Milpitas Project team members and the Tyler Project Manager. The meeting provides an opportunity for Tyler to introduce its implementation methodology, terminology, and Project management best practices to the City of Milpitas's Project Team. This will also present an opportunity for project managers and Project sponsors to begin to discuss Project communication, metrics, status reporting and tools to be used to measure Project progress and manage change.

Tyler will work with the City of Milpitas Project Team to prepare and deliver the Project Management Plan as an output of the planning meeting. This plan will continue to evolve and grow as the Project progresses and will describe how the project will be executed, monitored, and controlled.

During project planning, Tyler will introduce the tools that will be used throughout the implementation. Tyler will familiarize the City of Milpitas with these tools during project planning and make them available for review and maintenance as applicable throughout the project. Some examples are Solution validation plan, issue log, and go-live checklist.

STAGE 1	Project/Phase Planning	
	Tyler	City of Milpitas

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RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Schedule and conduct planning session(s)		A	R						I		C	C	I				
Develop Project Management Plan		A	R						I		C	C	I				
Develop initial project schedule		A	R	I	I	I	I		I	I	C	C	I	I	C		I

Inputs	Contract documents
	Statement of Work
	Guide to Starting Your Project

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Project Management Plan	Delivery of document
	Project Operational Plan	Delivery of document
	Initial Project Schedule	City of Milpitas provides acceptance of schedule based on resource availability, project budget, and goals.

Work package assumptions:

- City of Milpitas has reviewed and completed the Guide to Starting Your Project document.

6.1.3 Infrastructure Planning

Procuring required hardware and setting it up properly is a critical part of a successful implementation. This task is especially important for Tyler-hosted/SaaS deployment models. Tyler will be responsible for building the environments for a hosted/SaaS deployment, unless otherwise identified in the Agreement. Tyler will install Licensed Software on application server(s) or train the City of Milpitas to install License Software. The City of Milpitas is responsible for the installation and setup of all peripheral devices.

Objectives:

- Ensure the City of Milpitas's infrastructure meets Tyler's application requirements.
- Ensure the City of Milpitas's infrastructure is scheduled to be in place and available for use on time.

STAGE 1	Infrastructure Planning	
	Tyler	City of Milpitas

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Provide Infrastructure Requirements and Design Document		A	R		C		C				I						I
Initial Infrastructure Meeting		A	R		C		C				C						C
Schedule SaaS Environment Availability		A	R				C				I						
Schedule Installation of All Licensed Software		A	R				C				I						I
Infrastructure Audit		A	R				C				I						C

Inputs	Initial Infrastructure Requirements

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Completed Infrastructure Requirements	Delivery of Requirements
	Infrastructure Audit	System Passes Audit Criteria

6.1.4 Stakeholder Meeting

Communication of the Project planning outcomes to the City of Milpitas Project team, executives and other key stakeholders is vital to Project success. The Stakeholder meeting is a strategic activity to inform, engage, gain commitment, and instill confidence in the City of Milpitas team. During the meeting, the goals and objectives of the Project will be reviewed along with detail on Project scope, implementation methodology, roles and responsibilities, Project timeline and schedule, and keys to Project success.

Objectives:

- Formally present and communicate the project activities and timeline.
- Communicate project expectations.

STAGE 1	Stakeholder Meeting	
	Tyler	City of Milpitas

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Create Stakeholder Meeting Presentation	I	A	R	I	I				I	I	C		I				
Review Stakeholder Meeting Presentation		I	C						A		R		C				
Perform Stakeholder Meeting Presentation	I	A	R	I	I				I	I	C	I	I	I	I	I	I

Inputs	Agreement
	SOW
	Project Management Plan

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Stakeholder Meeting Presentation	

Work package assumptions:

- None

6.1.5 Intentionally left blank.

6.1.6 Control Point 1: Initiate & Plan Stage Acceptance

Acceptance criteria for this stage includes completion of all criteria listed below.

Note: Advancement to the Assess & Define stage is not dependent upon Tyler's receipt of this stage acceptance.

Initiate & Plan Stage Deliverables:

- Project Management Plan
- Initial Project Schedule

Initiate & Plan stage acceptance criteria:

- All stage deliverables accepted based on acceptance criteria previously defined
- Project governance defined
- Project portal made available to the City of Milpitas
- Stakeholder meeting complete

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6.2 Assess & Define

The Assess & Define stage will provide an opportunity to gather information related to current City of Milpitas business processes. This information will be used to identify and define business processes utilized with Tyler software. The City of Milpitas collaborates with Tyler providing complete and accurate information to Tyler staff and assisting in analysis, understanding current workflows and business processes.

6.2.1 Solution Orientation

The Solution Orientation provides the Project stakeholders a high-level understanding of the solution functionality prior to beginning the current and future state analysis. The primary goal is to establish a foundation for upcoming conversations regarding the design and configuration of the solution.

Tyler utilizes a variety of tools for the Solution Orientation, focusing on City of Milpitas team knowledge transfer such as: eLearning, documentation, or walkthroughs. The City of Milpitas team will gain a better understanding of the major processes and focus on data flow, the connection between configuration options and outcome, integration, and terminology that may be unique to Tyler's solution.

Objectives:

- Provide a basic understanding of system functionality.
- Prepare the City of Milpitas for current and future state analysis.

STAGE 2	Solution Orientation																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Provide pre-requisites			A	R							I	I		I	I		I
Complete pre-requisites											A	R		C			C
Conduct orientation			A	R							I	I		I	I		I

Inputs	Solution orientation materials
	Training Plan

6.2.2 Current & Future State Analysis

The Current & Future State Analysis provides the Project stakeholders and Tyler an understanding of process changes that will be achieved with the new system.

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The City of Milpitas and Tyler will evaluate current state processes, options within the new software, pros and cons of each based on current or desired state and make decisions about the future state configuration and processing. This may occur before or within the same timeframe as the configuration work package. The options within the new software will be limited to the scope of this implementation and will make use of standard Tyler functionality.

The City of Milpitas will adopt the existing Tyler solution wherever possible to avoid project schedule and quality risk from over customization of Tyler products. It is the City of Milpitas's responsibility to verify that in-scope requirements are being met throughout the implementation if functional requirements are defined as part of the contract. The following guidelines will be followed when evaluating if a modification to the product is required:

- A reasonable business process change is available.
- Functionality exists which satisfies the requirement.
- Configuration of the application satisfies the requirement.
- An in-scope modification satisfies the requirement.

Requirements that are not met and not responded with a "Y" or "F" or "R" in Tyler's Requirements response of the RFP will follow the agreed upon change control process and can have impacts on the project schedule, scope, budget, and resource availability.

STAGE 2	Current & Future State Analysis																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Current State process review			A	R	I	I	I				C	C	C	C			C
Discuss future-state options			A	R	C	C	C				C	C	C	C			C
Make future-state decisions (non-COTS)			C	C	C	C	C				A	R	I	C			C
Document anticipated configuration options required to support future state			A	R	C	C	C				I	I	I	I			I

Inputs	City of Milpitas current state documentation
	Solution Orientation completion

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables

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	Documentation that describes future-state decisions and configuration options to support future-state decisions.	Delivery of document

Work package assumptions:

- City of Milpitas attendees possess sufficient knowledge and authority to make future state decisions.
- The City of Milpitas is responsible for any documentation of current state business processes.
- The City of Milpitas can effectively communicate current state processes.

6.2.3 Data Assessment

Given the completion of the Current & Future State Analysis, the Data Assessment will provide the implementation team the design for data delivery prior to configuration. The data Assessment will also allow the Tyler and the City of Milpitas teams to identify the data that will be configured within the Tyler System. The team will develop and map out dataset structures to ensure that data is structured in a way that allows maximum utility.

The teams will review any existing data publish and metadata standards for the City of Milpitas's current data program to determine any necessary adjustments or configuration needs. Finally, the implementation team develops data workflows to map data from the source system(s) into the Tyler system, discussing any additional data requirements as needed.

Objectives:

- Communicate a common understanding of the project goals with respect to data.
- Ensure complete and accurate source data is available for review/transfer.
- Map the data from the source to the Tyler system.
- Document the data conversion/loading approach.

STAGE 2	Data Conversion Assessment																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Extract Data from Source Systems			I		C						A						R
Complete Data Analysis/Mapping		A	R	C	C						I	C		C			I
Review and Scrub Source Data			C	C	C						A	R		C			I

Build/Update Data Conversion Plan			R	C	C						C	I	I	I			I

Inputs	City of Milpitas Source data
	City of Milpitas Source data Documentation (if available)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Data Conversion Plan built/updated (if applicable}	City of Milpitas Acceptance of Data Conversion Plan, if Applicable
		City of Milpitas acceptance of Solution Design Document

Work package assumptions:

- Tyler will be provided with data from the Legacy system(s) in a mutually agreed upon format.
- Tyler will work with the City of Milpitas representatives to identify business rules before writing the conversion.
- City of Milpitas subject matter experts and resources most familiar with the current data will be involved in the data conversion planning effort.

6.2.4 Conversion Assessment

Data Conversions are a major effort in any software implementation. Tyler's conversion tools facilitate the predictable, repeatable conversion process that is necessary to support a successful transition to the Tyler system. The first step in this process is to perform an assessment of the existing ("legacy") system(s), to better understand the source data, risks, and options available. Once the data has been analyzed, the plan for data conversion is completed and communicated to the appropriate stakeholders.

Objectives:

- Communicate a common understanding of the project goals with respect to data.
- Ensure complete and accurate source data is available for review/transfer.
- Map the data from the source to the Tyler system.
- Document the data conversion/loading approach.

STAGE 2	Data Conversion Assessment																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads

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Extract Data from Source Systems			I		C						A						R
Review and Scrub Source Data			I	I	I						A	R		C			I
Build/Update Data Conversion Plan			R	C	C						C	I	I	I			I

Inputs	City of Milpitas Source data
	City of Milpitas Source data Documentation (if available)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Data Conversion Plan built/updated that includes conversion options chosen and due dates for each conversion option selected.	City of Milpitas Acceptance of Data Conversion Plan, if Applicable

Work package assumptions:

- Tyler will be provided with data from the Legacy system(s) in a mutually agreed upon format.
- Tyler will work with the City of Milpitas representatives to identify business rules before writing the conversion.
- City of Milpitas subject matter experts and resources most familiar with the current data will be involved in the data conversion planning effort.

6.2.5 Intentionally left blank.

6.2.6 Intentionally left blank.

6.2.7 Control Point 2: Assess & Define Stage Acceptance

Acceptance criteria for this Stage includes completion of all criteria listed below.

Note: Advancement to the Prepare Solution Stage is dependent upon Tyler's receipt of the Stage Acceptance.

Assess & Define Stage Deliverables:

- Documentation of future state decisions and configuration options to support future state decisions.
- Modification specification document, if applicable.
- Assess & Define Stage Acceptance Criteria:
- All stage deliverables accepted based on criteria previously defined.
- Solution Orientation is delivered.
- Conversion data extracts are received by Tyler.
- Data conversion plan built.

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6.3 Prepare Solution

During the Prepare Solution stage, information gathered during the Initiate & Plan and Assess & Define stages will be used to install and configure the Tyler software solution. Software configuration will be validated by the City of Milpitas against future state decisions defined in previous stages and processes refined as needed to ensure business requirements are met.

6.3.1 Initial System Deployment

The timely availability of the Tyler Solution is important to a successful Project implementation. The success and timeliness of subsequent work packages are contingent upon the initial system deployment of Tyler Licensed Software on an approved network and infrastructure. Delays in executing this work package can affect the project schedule.

Objectives:

- All licensed software is installed and operational.
- The City of Milpitas can access the software.

STAGE 3	Initial System Deployment (Hosted/SaaS)*															
	Tyler								City of Milpitas							
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Prepare hosted environment			A				R				I						C
Install Licensed Software with Initial Database on Server(s) for Included Environments			A				R				I						C
Install Licensed Software on City of Milpitas Devices (if applicable)			I				C				A						R
Tyler System Administration Training (if applicable)			A				R				I						C

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Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Licensed Software is Installed on the Server(s)	Software is accessible
	Licensed Software is Installed on City of Milpitas Devices (if applicable)	Software is accessible
	Installation Checklist/System Document	System meets prescribed checklist
	Infrastructure Design Document (C&J – If Applicable)	

Work package assumptions:

- The most current available version of the Tyler Licensed Software will be installed.
- The City of Milpitas will provide network access for Tyler modules, printers, and Internet access to all applicable City of Milpitas and Tyler Project staff.

6.3.2 Configuration

The purpose of Configuration is to prepare the software product for validation.

Tyler staff collaborates with the City of Milpitas to complete software configuration based on the outputs of the future state analysis performed during the Assess and Define Stage. The City of Milpitas collaborates with Tyler staff iteratively to validate software configuration.

Objectives:

- Software is ready for validation.
- Educate the City of Milpitas Power User how to configure and maintain software.
- Prepare standard interfaces for process validation (if applicable).

STAGE 3	Configuration																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Conduct configuration training			A	R							I	C		C			
Complete Tyler configuration tasks (where applicable)			A	R							I	I		I			
Complete City of Milpitas configuration tasks (where applicable)			I	C							A	R		C			

Standard interfaces configuration and training (if applicable)			A	R			C				I	C		C			C
Updates to Solution Validation testing plan			C	C							A	R		C			C

Inputs	Documentation that describes future state decisions and configuration options to support future state decisions.

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Configured System	

Work package assumptions:

- Tyler provides guidance for configuration options available within the Tyler software. The City of Milpitas is responsible for making decisions when multiple options are available.

6.3.3 Process Refinement

Tyler will educate the City of Milpitas users on how to execute processes in the system to prepare them for the validation of the software. The City of Milpitas collaborates with Tyler staff iteratively to validate software configuration options to support future state.

Objectives:

- Ensure that the City of Milpitas understands future state processes and how to execute the processes in the software.
- Refine each process to meet the business requirements.
- Validate standard interfaces, where applicable.
- Validate forms and reports, where applicable.

STAGE 3	Process Refinement																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Conduct process training			A	R							I	C	I	C			
Confirm process decisions			I	C						A	R	C	I	C			
Test configuration			I	C							A	R		C			

Refine configuration (City of Milpitas Responsible)			I	C							A	R		C			
Refine configuration (Tyler Responsible)			A	R							I	I		I			
Validate interface process and results			I	C			C				A	R		C			C
Update City of Milpitas-specific process documentation (if applicable)			I	C							A	R		C			
Updates to Solution Validation testing plan			C	C							A	R		C			C

Inputs	Initial Configuration
	Documentation that describes future state decisions and configuration options to support future state decisions.
	Solution validation test plan

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Updated solution validation test plan	
	Completed City of Milpitas-specific process documentation (completed by City of Milpitas)	

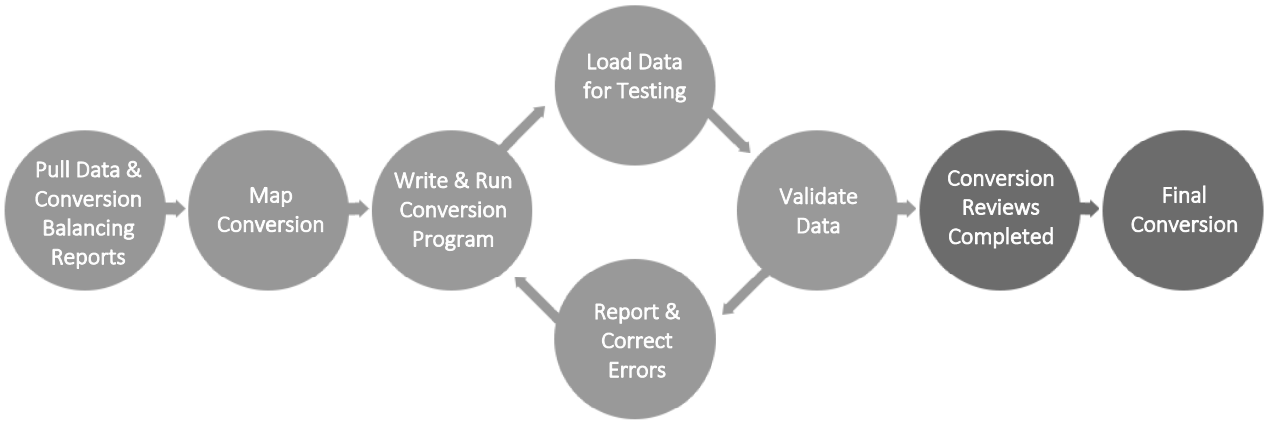
Work package assumptions:

- None

6.3.4 Conversion Delivery

The purpose of this task is to transition the City of Milpitas's data from their source ("legacy") system(s) to the Tyler system(s). The data will need to be mapped from the legacy system into the new Tyler system format. A well-executed data conversion is key to a successful cutover to the new system(s).

With coordination from Tyler, the City of Milpitas will review specific data elements within the system and identify / report discrepancies. Iteratively, Tyler will collaborate with the City of Milpitas to address conversion discrepancies. This process will allow for clean, reconciled data to transfer from the source system(s) to the Tyler system(s). Reference Conversion Appendix for additional detail.



Objectives:

- Data is ready for production (Conversion).

STAGE 3	Data Delivery & Conversion															
	Tyler								City of Milpitas							
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Provide data crosswalks/code mapping tool			A	C	R						I	I		I			
Populate data crosswalks/code mapping tool			I	C	C						A	R		C			
Iterations: Conversion Development			A	C	R						I						I
Iterations: Deliver converted data			A		R		I				I						I
Iterations: Proof/Review data and reconcile to source system			C	C	C						A	R		C			C

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Inputs	
	Data Conversion Plan
	Configuration

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Code Mapping Complete / Validated	
	Conversion Iterations / Reviews Complete	Conversion complete, verified, and ready for final pass

Work package assumptions:

- The City of Milpitas will provide a single file layout per source system as identified in the investment summary.
- The City of Milpitas subject matter experts and resources most familiar with the current data will be involved in the data conversion effort.
- The City of Milpitas project team will be responsible for completing the code mapping activity, with coordination from Tyler.

6.3.5 Intentionally left blank.

6.3.6 Intentionally left blank.

6.3.7 Control Point 3: Prepare Solution Stage Acceptance

Acceptance criteria for this Stage includes all criteria listed below in each Work Package.

Note: Advancement to the Production Readiness Stage is dependent upon Tyler's receipt of the Stage Acceptance.

Prepare Solution Stage Deliverables:

- Licensed software is installed.
- Installation checklist/system document.
- Updated solution design document (Data & Insights only).
- Prioritized data sets for review in Tyler system (Data & Insights only).
- Conversion iterations and reviews complete.

Prepare Solution Stage Acceptance Criteria:

- All stage deliverables accepted based on criteria previously defined.
- Software is configured.
- Solution validation test plan has been reviewed and updated if needed.

6.4 Production Readiness

Activities in the Production Readiness stage will prepare the City of Milpitas team for go-live through solution validation, the development of a detailed go-live plan and end user training. A readiness

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assessment will be conducted with the City of Milpitas to review the status of the project and the organizations readiness for go-live.

6.4.1 Solution Validation

Solution Validation is the end-to-end software testing activity to ensure that the City of Milpitas verifies all aspects of the Project (hardware, configuration, business processes, etc.) are functioning properly, and validates that all features and functions per the contract have been deployed for system use.

Objectives:

- Validate that the solution performs as indicated in the solution validation plan.
- Ensure the City of Milpitas organization is ready to move forward with go-live and training (if applicable).

STAGE 4	Solution Validation																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Update Solution Validation plan			A	R	C						C	C		C			
Update test scripts (as applicable)			C	C	C						A	R		C			
Perform testing			C	C	C						A	R		C			
Document issues from testing			C	C	C						A	R		C			
Perform required follow-up on issues			A	R	C						C	C		C			

Inputs	Solution Validation plan
	Completed work product from prior stages (configuration, business process, etc.)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Solution Validation Report	City of Milpitas updates report with testing results

Work package assumptions:

- Designated testing environment has been established.
- Testing includes current phase activities or deliverables only.

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6.4.2 Go-Live Readiness

Tyler and the City of Milpitas will ensure that all requirements defined in Project planning have been completed and the Go-Live event can occur, as planned. A go-live readiness assessment will be completed identifying risks or actions items to be addressed to ensure the City of Milpitas has considered its ability to successfully Go-Live. Issues and concerns will be discussed, and mitigation options documented. Tyler and the City of Milpitas will jointly agree to move forward with transition to production. Expectations for final preparation and critical dates for the weeks leading into and during the Go-Live week will be planned in detail and communicated to Project teams.

Objectives:

- Action plan for go-live established.
- Assess go-live readiness.
- Stakeholders informed of go-live activities.

STAGE 4	Go-Live Readiness																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Perform Readiness Assessment	I	A	R	C	C	I	C	I	I	I	I		I				I
Conduct Go-Live planning session		A	R	C							C	C	C	C	C		C
Order peripheral hardware (if applicable)			I							A	R						C
Confirm procedures for Go-Live issue reporting & resolution		A	R	I	I	I	I				C	C	I	I	I	I	I
Develop Go-Live checklist		A	R	C	C						C	C	I	C			C
Final system infrastructure review (where applicable)			A				R				C						C

Inputs	Future state decisions
	Go-live checklist

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables

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	Updated go-live checklist Tyler go-live recommendation (readiness assessment)	Updated Action plan and Checklist for go-live delivered to the City of Milpitas

Work package assumptions:

- City has signed off on the agreed upon go-live conversions
- If applicable, two payroll parallels have matched the legacy system and the City has signed off on this as part of acceptance testing.

6.4.3 End User Training

End User Training is a critical part of any successful software implementation. Using a training plan previously reviewed and approved, the Project team will organize and initiate the training activities.

Train the Trainer: Tyler provides one occurrence of each scheduled training or implementation topic. City of Milpitas users who attended the Tyler sessions may train additional users. Additional Tyler led sessions may be contracted at the applicable rates for training.

Tyler will provide standard application documentation for the general use of the software. It is not Tyler's responsibility to develop City of Milpitas specific business process documentation. City of Milpitas-led training labs using City of Milpitas specific business process documentation if created by the City of Milpitas can be added to the regular training curriculum, enhancing the training experiences of the end users.

Objectives:

- End users are trained on how to use the software prior to go-live.
- The City of Milpitas is prepared for on-going training and support of the application.

STAGE 4	End User Training																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Update training plan		A	R	C							C		I		C		
End User training (Tyler-led)		A	R	C							C	C	I	C	C	C	
Train-the-trainer		A	R	C							C	C	I	C			
End User training (City of Milpitas-led)			C	C							A	R	I	C	C	C	

Inputs	Training Plan

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	List of End Users and their Roles / Job Duties
	Configured Tyler System

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Train-the trainer Training	City of Milpitas signoff that pilot (train-the trainer) training was delivered

Work package assumptions:

- The City of Milpitas project team will work with Tyler to jointly develop a training curriculum that identifies the size, makeup, and subject-area of each of the training classes.
- Tyler will work with the City of Milpitas as much as possible to provide end-user training in a manner that minimizes the impact to the daily operations of City of Milpitas departments.
- The City of Milpitas will be responsible for training new users after go-live (exception—previously planned or regular training offerings by Tyler).

6.4.4 Control Point 4: Production Readiness Stage Acceptance

Acceptance criteria for this stage includes all criteria listed below. Advancement to the Production stage is dependent upon Tyler's receipt of the stage acceptance.

Production Readiness stage deliverables:

- Solution Validation Report.
- Update go-live action plan and/or checklist.
- End user training.

Production Readiness stage acceptance criteria:

- All stage deliverables accepted based on criteria previously defined.
- Go-Live planning session conducted.

6.5 Production

Following end user training the production system will be fully enabled and made ready for daily operational use as of the scheduled date. Tyler and the City of Milpitas will follow the comprehensive action plan laid out during Go-Live Readiness to support go-live activities and minimize risk to the Project during go-live. Following go-live, Tyler will work with the City of Milpitas to verify that implementation work is concluded, post go-live activities are scheduled, and the transition to Client Services is complete for long-term operations and maintenance of the Tyler software.

6.5.1 Go-Live

Following the action plan for Go-Live, defined in the Production Readiness stage, the City of Milpitas and Tyler will complete work assigned to prepare for Go-Live.

The City of Milpitas provides final data extract and Reports from the Legacy System for data conversion and Tyler executes final conversion iteration, if applicable. If defined in the action plan, the City of

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Milpitas manually enters any data added to the Legacy System after final data extract into the Tyler system.

Tyler staff collaborates with the City of Milpitas during Go-Live activities. The City of Milpitas transitions to Tyler software for day-to day business processing.

Some training topics are better addressed following Go-Live when additional data is available in the system or based on timing of applicable business processes and will be scheduled following Go-Live per the Project Schedule.

Objectives:

- Execute day to day processing in Tyler software.
- City of Milpitas data available in Production environment.

STAGE 5	Go-Live																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Provide final source data extract, if applicable			C		C						A						R
Final source data pushed into production environment, if applicable			A	C	R						I	C		C			C
Proof final converted data, if applicable			C	C	C						A	R		C			
Complete Go-Live activities as defined in the Go-Live action plan			C	C	C					A	R	C	I	C			
Provide Go-Live assistance At minimum (one week of pre go-live assistance, one week of go-live assistance (onsite, if desired), and one week of post- go live assistance)			A	R	C	C		I			C	C	I	C		I	C

Inputs	Comprehensive Action Plan for Go-Live

	Final source data (if applicable)

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Data is available in production environment	City of Milpitas confirms data is available in production environment

Work package assumptions:

- The City of Milpitas will complete activities documented in the action plan for Go-Live as scheduled.
- External stakeholders will be available to assist in supporting the interfaces associated with the Go-Live live process.
- The City of Milpitas business processes required for Go-Live are fully documented and tested.
- The City of Milpitas Project team and subject matter experts are the primary point of contact for the end users when reporting issues during Go-Live.
- The City of Milpitas Project Team and Power User's provide business process context to the end users during Go-Live.

6.5.2 Transition to Client Services

This work package signals the conclusion of implementation activities for the Phase or Project with the exception of agreed-upon post Go-Live activities. The Tyler project manager(s) schedules a formal transition of the City of Milpitas onto the Tyler Client Services team, who provides the City of Milpitas with assistance following Go-Live, officially transitioning the City of Milpitas to operations and maintenance.

Objectives:

- Ensure no critical issues remain for the project teams to resolve.
- Confirm proper knowledge transfer to the City of Milpitas teams for key processes and subject areas.

STAGE 5	Transition to Client Services																	
	Tyler								City of Milpitas									
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Transfer City of Milpitas to Client Services and review	I	I	A	I	I			R	I	I	C	C		C			

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issue reporting and resolution processes																
Review long term maintenance and continuous improvement			A					R			C	C		C		

Inputs	Open item/issues List

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Client Services Support Document	

Work package assumptions:

- No material project issues remain without assignment and plan.

6.5.3 Post Go-Live Activities

Some implementation activities are provided post-production due to the timing of business processes, the requirement of actual production data to complete the activities, or the requirement of the system being used in a live production state.

Objectives:

- Schedule activities that are planned for after Go-Live.
- Ensure issues have been resolved or are planned for resolution before phase or project close.

STAGE 5	Post Go-Live Activities																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Schedule contracted activities that are planned for delivery after go-live		A	R	C	C	C	C	I			C	C	I	C			C
Determine resolution plan in preparation for phase or project close out		A	R	C	C	C		I			C	C	I	C			

Inputs	List of post Go-Live activities

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Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Updated issues log	

Work package assumptions:

- System is being used in a live production state.

6.5.4 Control Point 5: Production Stage Acceptance

Acceptance criteria for this Stage includes completion of all criteria listed below:

- Advancement to the Close stage is not dependent upon Tyler's receipt of this Stage Acceptance.
- Converted data is available in production environment.

Production Stage Acceptance Criteria:

- All stage deliverables accepted based on criteria previously defined.
- Go-Live activities defined in the Go-Live action plan completed.
- Client services support document is provided.

6.6 Close

The Close stage signifies full implementation of all products purchased and encompassed in the Phase or Project. The City of Milpitas transitions to the next cycle of their relationship with Tyler (next Phase of implementation or long-term relationship with Tyler Client Services).

6.6.1 Phase Closeout

This work package represents Phase completion and signals the conclusion of implementation activities for the Phase. The Tyler Client Services team will assume ongoing support of the City of Milpitas for systems implemented in the Phase.

Objectives:

- Agreement from Tyler and the City of Milpitas teams that activities within this phase are complete.

STAGE 6	Phase Close Out	
	Tyler	City of Milpitas

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Reconcile project budget and status of contract Deliverables	I	A	R						I	I	C						
Hold post phase review meeting		A	R	C	C	C	C				C	C	C	C			C
Release phase-dependent Tyler project resources	A	R	I								I						

Participants	Tyler	City of Milpitas
	Project Leadership	Project Manager
	Project Manager	Project Sponsor(s)
	Implementation Consultants	Functional Leads, Power Users, Technical Leads
	Technical Consultants (Conversion, Deployment, Development)	
	Client Services	

Inputs	Contract
	Statement of Work
	Project artifacts

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Final action plan (for outstanding items)	
	Reconciliation Report	
	Post Phase Review	

Work package assumptions:

- Tyler deliverables for the phase have been completed.

6.6.2 Project Closeout

Completion of this work package signifies final acceptance and formal closing of the Project.

At this time the City of Milpitas may choose to begin working with Client Services to look at continuous improvement Projects, building on the completed solution.

Objectives:

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- Confirm no critical issues remain for the project teams to resolve.
- Determine proper knowledge transfer to the City of Milpitas teams for key processes and subject areas has occurred.
- Verify all deliverables included in the Agreement are delivered.

STAGE 6	Project Close Out																
	Tyler								City of Milpitas								
RACI MATRIX KEY: R = Responsible A = Accountable C = Consulted I = Informed	Executive Manager	Implementation Manager	Project Manager	Implementation Consultant	Data Experts	Modification Services	Technical Services	Client Services	Executive Sponsor	Steering Committee	Project Manager	Functional Leads	Change Management Leads	Subject Matter Experts (Power	Department Heads	End Users	Technical Leads
Conduct post project review		A	R	C	C	C	C				C	C	C	C			C
Deliver post project report to City of Milpitas and Tyler leadership	I	A	R						I	I	C						
Release Tyler project resources	A	R	I								I						

Inputs	Contract
	Statement of Work

Outputs / Deliverables		Acceptance Criteria [only] for Deliverables
	Post Project Report	City of Milpitas acceptance; Completed report indicating all project Deliverables and milestones have been completed

Work package assumptions:

- All project implementation activities have been completed and approved.
- No critical project issues remain that have not been documented and assigned.
- Final project budget has been reconciled and invoiced.
- All Tyler deliverables have been completed.

6.6.3 Control Point 6: Close Stage Acceptance

Acceptance criteria for this Stage includes completion of all criteria listed below.

Close Stage Deliverables:

- Post Project Report.

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Close Stage Acceptance Criteria:

- Completed report indicating all Project deliverables and milestones have been completed.

7. General Assumptions

Tyler and the City of Milpitas will use this SOW as a guide for managing the implementation of the Tyler Project as provided and described in the Agreement. There are a few assumptions which, when acknowledged and adhered to, will support a successful implementation. Assumptions related to specific work packages are documented throughout the SOW. Included here are general assumptions which should be considered throughout the overall implementation process.

7.1 Project

- Project activities will begin after the Agreement has been fully executed.
- The City of Milpitas Project Team will complete their necessary assignments in a mutually agreed upon timeframe to meet the scheduled go-live date, as outlined in the Project Schedule.
- Sessions will be scheduled and conducted at a mutually agreeable time.
- Additional services, software modules and modifications not described in the SOW or Agreement will be considered a change to this Project and will require a Change Request Form as previously referenced in the definition of the Change Control Process.
- Tyler will provide a written agenda and notice of any prerequisites to the City of Milpitas project manager(s) ten (10) business days or as otherwise mutually agreed upon time frame prior to any scheduled on-site or remote sessions, as applicable.
- Tyler will provide guidance for configuration and processing options available within the Tyler software. If multiple options are presented by Tyler, the City of Milpitas is responsible for making decisions based on the options available.
- Implementation of new software may require changes to existing processes, both business and technical, requiring the City of Milpitas to make process changes.
- The City of Milpitas is responsible for defining, documenting, and implementing their policies that result from any business process changes.

7.2 Organizational Change Management

Unless otherwise contracted by Tyler, City of Milpitas is responsible for managing Organizational Change. Impacted City of Milpitas resources will need consistent coaching and reassurance from their leadership team to embrace and accept the changes being imposed by the move to new software. An important part of change is ensuring that impacted City of Milpitas resources understand the value of the change, and why they are being asked to change.

7.3 Resources and Scheduling

- City of Milpitas resources will participate in scheduled activities as assigned in the Project Schedule.
- The City of Milpitas team will complete prerequisites prior to applicable scheduled activities. Failure to do so may affect the schedule.
- Tyler and the City of Milpitas will provide resources to support the efforts to complete the Project as scheduled and within the constraints of the Project budget.

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- Abbreviated timelines and overlapped Phases require sufficient resources to complete all required work as scheduled.
- Changes to the Project Schedule, availability of resources or changes in Scope will be requested through a Change Request. Impacts to the triple constraints (scope, budget, and schedule) will be assessed and documented as part of the change control process.
- The City of Milpitas will ensure assigned resources will follow the change control process and possess the required business knowledge to complete their assigned tasks successfully. Should there be a change in resources, the replacement resource should have a comparable level of availability, change control process buy-in, and knowledge.
- The City of Milpitas makes timely Project related decisions to achieve scheduled due dates on tasks and prepare for subsequent training sessions. Failure to do so may affect the schedule, as each analysis and implementation session is dependent on the decisions made in prior sessions.
- The City of Milpitas will respond to information requests in a comprehensive and timely manner, in accordance with the Project Schedule.
- The City of Milpitas will provide adequate meeting space or facilities, including appropriate system connectivity, to the project teams including Tyler team members.
- For on-site visits, Tyler will identify a travel schedule that balances the needs of the project and the employee.

7.4 Data

- Data will be converted as provided and Tyler will not create data that does not exist.
- The City of Milpitas is responsible for the quality of legacy data and for cleaning or scrubbing erroneous legacy data.
- Tyler will work closely with the City of Milpitas representatives to identify business rules before writing the conversion. The City of Milpitas must confirm that all known data mapping from source to target have been identified and documented before Tyler writes the conversion.
- All in-scope source data is in data extract(s).
- Each legacy system data file submitted for conversion includes all associated records in a single approved file layout.
- The City of Milpitas will provide the legacy system data extract in the same format for each iteration unless changes are mutually agreed upon in advance. If not, negative impacts to the schedule, budget and resource availability may occur and/or data in the new system may be incorrect.
- The City of Milpitas Project Team is responsible for reviewing the converted data and reporting issues during each iteration, with assistance from Tyler.
- The City of Milpitas is responsible for providing or entering test data (e.g., data for training, testing interfaces, etc.)

7.5 Facilities

- The City of Milpitas will provide dedicated space for Tyler staff to work with City of Milpitas resources for both on-site and remote sessions. If Phases overlap, City of Milpitas will provide multiple training facilities to allow for independent sessions scheduling without conflict.
- The City of Milpitas will provide staff with a location to practice what they have learned without distraction.

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8. Glossary

Word or Term	Definition
Acceptance	Confirming that the output or deliverable is suitable and conforms to the agreed upon criteria.
Accountable	The one who ultimately ensures a task or deliverable is completed; the one who ensures the prerequisites of the task are met and who delegates the work to those responsible. [Also see RACI]
Application	A computer program designed to perform a group of coordinated functions, tasks, or activities for the benefit of the user.
Application Programming Interface (API)	A defined set of tools/methods to pass data to and received data from Tyler software products
Agreement	This executed legal contract that defines the products and services to be implemented or performed.
Business Process	The practices, policy, procedure, guidelines, or functionality that the client uses to complete a specific job function.
Business Requirements Document	A specification document used to describe Client requirements for contracted software modifications.
Change Request	A form used as part of the Change Control process whereby changes in the scope of work, timeline, resources, and/or budget are documented and agreed upon by participating parties.
Change Management	Guides how we prepare, equip and support individuals to successfully adopt change in order to drive organizational success & outcomes
Code Mapping [where applicable]	An activity that occurs during the data conversion process whereby users equate data (field level) values from the old system to the values available in the new system. These may be one to one or many to one. Example: Old System [Field = eye color] [values = BL, Blu, Blue] maps to New Tyler System [Field = Eye Color] [value = Blue].
Consulted	Those whose opinions are sought, typically subject matter experts, and with whom there is two-way communication. [Also see RACI]
Control Point	This activity occurs at the end of each stage and serves as a formal and intentional opportunity to review stage deliverables and required acceptance criteria for the stage have been met.
Data Mapping [where applicable]	The activity determining and documenting where data from the legacy system will be placed in the new system; this typically involves prior data analysis to understand how the data is currently used in the legacy system and how it will be used in the new system.

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Deliverable	A verifiable document or service produced as part of the Project, as defined in the work packages.
Go-Live	The point in time when the Client is using the Tyler software to conduct daily operations in Production.
Informed	Those who are kept up-to-date on progress, often only on completion of the task or deliverable, and with whom there is just one-way communication. [Also see RACI]
Infrastructure	The composite hardware, network resources and services required for the existence, operation, and management of the Tyler software.
Interface	A connection to and potential exchange of data with an external system or application. Interfaces may be one way, with data leaving the Tyler system to another system or data entering Tyler from another system, or they may be bi-directional with data both leaving and entering Tyler and another system.
Integration	A standard exchange or sharing of common data within the Tyler system or between Tyler applications
Legacy System	The software from which a client is converting.
Modification	Custom enhancement of Tyler's existing software to provide features or functions to meet individual client requirements documented within the scope of the Agreement.
On-site	Indicates the work location is at one or more of the client's physical office or work environments.
Organizational Change	The process of changing an organization's strategies, processes, procedures, technologies, and culture, as well as the effect of such changes on the organization.
Output	A product, result or service generated by a process.
Peripheral devices	An auxiliary device that connects to and works with the computer in some way. Some examples: scanner, digital camera, printer.
Phase	A portion of the Project in which specific set of related applications are typically implemented. Phases each have an independent start, Go-Live and closure dates but use the same Implementation Plans as other Phases of the Project. Phases may overlap or be sequential and may have different Tyler resources assigned.
Project	The delivery of the software and services per the agreement and the Statement of Work. A Project may be broken down into multiple Phases.

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RACI	A matrix describing the level of participation by various roles in completing tasks or Deliverables for a Project or process. Individuals or groups are assigned one and only one of the following roles for a given task: Responsible (R), Accountable (A), Consulted (C), or Informed (I).
Remote	Indicates the work location is at one or more of Tyler's physical offices or work environments.
Responsible	Those who ensure a task is completed, either by themselves or delegating to another resource. [Also see RACI]
Scope	Products and services that are included in the Agreement.
Solution	The implementation of the contracted software product(s) resulting in the connected system allowing users to meet Project goals and gain anticipated efficiencies.
Stage	The top-level components of the WBS. Each Stage is repeated for individual Phases of the Project.
Standard	Software functionality that is included in the base software (off-the-shelf) package; is not customized or modified.
Statement of Work (SOW)	Document which will provide supporting detail to the Agreement defining Project-specific activities, services, and Deliverables.
System	The collective group of software and hardware that is used by the organization to conduct business.
Test Scripts	The steps or sequence of steps that will be used to validate or confirm a piece of functionality, configuration, enhancement, or Use Case Scenario.
Training Plan	Document(s) that indicate how and when users of the system will be trained relevant to their role in the implementation or use of the system.
Validation (or to validate)	The process of testing and approving that a specific Deliverable, process, program, or product is working as expected.
Work Breakdown Structure (WBS)	A hierarchical representation of a Project or Phase broken down into smaller, more manageable components.
Work Package	A group of related tasks within a project.

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Part 4: Appendices

9. Conversion

9.1 Enterprise ERP Conversion Summary

9.1.1 Accounting

9.1.1.1 Accounting - Actuals

- Summary account balances
- Up to 5 years

9.1.1.2 Accounting - Budgets

- Original budget, budget adjustments, revised budget summaries for accounts
- Up to 5 years

9.1.2 Accounts Payable

9.1.2.1 Vendors

- Vendor Master file including names, addresses, SSN/FID, contacts, phone numbers
- Multiple remittance addresses
- Year-to-date 1099 amounts

9.1.2.2 Accounts Payable - Checks

- Check header data including vendor, warrant, check number, check date, overall check amount, GL cash account and clearing information
- Check detail data including related document and invoice numbers for each check
- Up to 5 years

9.1.2.3 Accounts Payable - Invoices

- Invoice header data containing general information for the invoice
- Invoice detail data containing line-specific information for the invoice
- Up to 5 years

9.1.3 Contracts

- Contract header detail with many fields available to convert including fiscal year and period, vendor number, department code, description, enforcement method code, dates for award, approval, entry and expiration, retention information, user-defined type and review codes, status code, user id for entry and approver. Additional fields are also available. A balance forward contract amount is converted, if original amount is required there will be an additional charge and contracts, po's and invoices must be converted together.

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9.1.4 Project Accounting

9.1.4.1 Project Accounting Master Tables

- Segments, account strings and fund string allocation table
- Requires the use of a Tyler provided (Chart of Accounts) spreadsheet for design and entry of the data to be converted

9.1.4.2 Project Accounting - Actuals

- Summary project ledger string balances. If linking to GL, must be converted at the same time.
- Up to 5 years

9.1.4.3 Project Accounting – Budget

- Original project ledger budget amounts. If linking to GL, must be converted at the same time.
- Up to 3 years

9.1.5 Purchase Orders

- Open purchase orders header data including vendor, buyer, date, accounting information, etc.
- Open purchase orders detail data including line-item descriptions, quantities, amounts, etc.
- Closed purchase orders detail data, up to 5 years, including line-item descriptions, quantities, amounts, etc.

9.1.6 Human Resources Management

9.1.6.1 HRM Employee Master Information

- Payroll Employee Master data including data such as name, address, SSN, legacy employee ID, date of birth, hire date, activity status (such as active/inactive), leave/termination code and date, phone(s), e-address, marital status, gender, race, personnel status (such as full-time, part-time, etc.), highest degree, advice-delivery (print/email/both) and check location, plus primary group, job, location, and account information

9.1.6.2 Accumulators

- YTD, QTD, MTD amounts for employee pay and deductions
- Needed for mid-calendar-year go-live
- May not be needed if converting earnings/deductions history
- Up to 5 years
- Accumulators are converted with check history and earning/deduction history as a default. No accumulator files are necessary to submit when converting history.

9.1.6.3 Check History

- Up to 5 years, additional years must be quoted. We convert amounts for earnings and deductions in employee check history, check number and date.

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9.1.6.4 Earning/Deduction Hist.

- Up to 5 years, additional years must be quoted. Earning and deduction history broken down my individual codes (earnings and deduction) and amounts per pay period, the detail of these lines, sums the check history in opt 4.

9.1.6.5 Personnel Action History

- A variety of Personnel actions, such as job or salary changes and dates these events occurred.
- Up to 5 years

9.1.6.6 Certifications

- Certification area and certification type codes, certification number and effective date, expiration date, and required-by date, codes for certification level and subjects

9.1.6.7 Education

- Codes, for institution, type of degree, and area(s) of study

9.1.7 General Billing

9.1.7.1 Customer Master Files

- Customer information

9.1.7.2 General Billing – Recurring Invoices

- General Billing Invoices that are sent on a regular basis
- Header records with general information about the invoice
- Detail records with line-specific information

9.1.7.3 General Billing – Bills

- 5 years of open and closed invoices
- General Ledger information so open invoices can be processed in Enterprise ERP

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10. Additional Appendices

10.1 Change Management Services – Foundation

10.1.1 General Assumptions

- The Client will identify all stakeholders impacted by the project at the start of the project.
- The Client will encourage invited staff to participate in surveys used for the Organizational Change Readiness Assessment.
- The Organizational Change Assessment data may be gathered remotely.
- The Tyler Change Management Lead will use results of the Change Assessment of the Client to develop the Change Management Plan.
- A Change Management Lead will be part of the Client project team or the Client Project Manager will act in this role.
- The Client core project team will act as the Change Management Team.
- The Client Change Management Lead will execute the Change Management Plan.
- The Tyler Change Management Lead will not be involved in the project beyond Stage 1 – Assess and Define, unless the Client contracts for additional Change Management consulting days.

10.1.2 Roles and Responsibilities

10.1.2.1 Tyler Change Management Lead

- Performs a Change Management Assessment of the Client and provides results.
- Presents a Change Management Plan and related Communication strategies to Client Change Management Lead.
- Delivers Change Management Fundamentals training to Client Change Management Lead.
- Delivers a Change Management coaching presentation to the Sponsor and Change Management Team.
- Trains the Client Change Management Lead in setting up and maintaining the Change Management Tracking Templates.
- Provides presentation for Client Change Management Lead to use in training Change Management concepts and methodologies to Departmental Managers.
-

10.1.2.2 Client Change Management Lead

- Executes Change Management Plan.
- Validates users receive timely and thorough communication regarding process changes.
- Provides coaching to supervisors to prepare them to support users through the project changes.

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- Uses Change Management Guide to steer activities and communications.
- Identifies the impact areas resulting from project activities and develops a plan to address them proactively using the Tyler provided Procedural Change tool.
- Identifies areas of resistance and develops a plan to reinforce the change using the Tyler provided Resistance Management Guide and tool.
- Monitors post-production performance and new process adherence.
- Notifies Tyler if additional Change Management assistance is needed.

10.2 Change Management

The following Change Management sections follow the same implementation methodology as defined in Section 6: Project Stages. Each deliverable and acceptance criteria outlined in the Change Management section therefore becomes part of the overall Project Acceptance and Acknowledgement process for each Stage.

10.2.1 Initiate and Plan (Stage 1)

- N/A

10.2.2 Assess and Define (Stage 2)

10.2.2.1 Organizational Change Readiness Assessment

Tyler Change Management Lead will use survey tools and interviews to gather information and data to understand the scope and organizational readiness for the planned implementation of the project. These surveys may be administered remotely, depending on project conditions and timing.

RACI MATRIX KEY: **R** = Responsible **A** = Accountable **C** = Consulted **I** = Informed

	Tyler Executive Manager	Tyler Implementation Manager	Tyler Project Manager	Tyler Change Management Lead	Tyler Implementation Consultant	Tyler Data Conversion Experts	Tyler Forms & Reports Experts	Tyler Modification Programmers	Tyler Technical Support	Client Executive Sponsor	Client Steering Committee	Client Project Manager	Client Functional Leads	Client Change Management Lead	Client Power Users	Client Department Heads	Client End Users	Client Technical Leads	Client Project Toolset Coordinator	Client Change Management Team
Prepare CM Capacity Surveys for Analysis			C	R						C		C		A						
Take Surveys			A							R	R	R	R	R	R	R	R	R	R	R

Prepare and Deliver Assessment			A	R						I		I		I					I

10.2.2.2 Fundamentals Change Management Introduction

The Tyler Change Management Lead will meet and conduct presentations to the Client CM Lead, the Client Sponsor, and the Client CM Team. The Client CM Lead will also attend a change management fundamentals training session provided by the Tyler CM Lead. These presentations and the training will form the foundation and initial Change Management capacity building for the organization.

RACI MATRIX KEY: **R** = Responsible **A** = Accountable **C** = Consulted **I** = Informed

	Tyler Executive Manager	Tyler Implementation Manager	Tyler Project Manager	Tyler Change Management Lead	Tyler Implementation Consultant	Tyler Data Conversion Experts	Tyler Forms & Reports Experts	Tyler Modification Programmers	Tyler Technical Support	Client Executive Sponsor	Client Steering Committee	Client Project Manager	Client Functional Leads	Client Change Management Lead	Client Power Users	Client Department Heads	Client End Users	Client Technical Leads	Client Project Toolset Coordinator	Client Change Management Team
Sponsor Meeting			A	R						R		A		I						
CM Lead Meeting			A	R								A		R						
CM Team Meeting			A	R								A		I						R

10.2.2.3 Change Management Plan Preparation

The Tyler Change Management Lead will prepare and provide to the Client CM Lead the Change Management Plan and tools templates.

RACI MATRIX KEY: **R** = Responsible **A** = Accountable **C** = Consulted **I** = Informed

	Tyler Executive Manager	Tyler Implementation Manager	Tyler Project Manager	Tyler Change Management Lead	Tyler Implementation Consultant	Tyler Data Conversion Experts	Tyler Forms & Reports Experts	Tyler Modification Programmers	Tyler Technical Support	Client Executive Sponsor	Client Steering Committee	Client Project Manager	Client Functional Leads	Client Change Management Lead	Client Power Users	Client Department Heads	Client End Users	Client Technical Leads	Client Project Toolset Coordinator	Client Change Management Team

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Change Management Preparation			A	R								A		I					I

10.2.2.3 Control Point 2: Assess & Define Stage Acceptance

10.2.2.4 Assess & Define Stage Deliverables

- Organizational Change Readiness Assessment
    - Objective: Determine the organizations preparedness for change activities and determine the ability of the various stakeholders impacted by the change to adopt the change and move toward the future state.
    - Scope: Utilize in-person or remote surveys, interviews, and evaluation methodologies to gauge and score the readiness for change, risk of change, and sponsor positioning for the project.
    - Acceptance criteria: Added to the control point for the project level Stage 2 acceptance.

- Fundamentals Change Management Introduction
    - Objective: Develop capacity for change within the organization by helping the organization gain an understanding of Change Management concepts and the various roles utilized to assist in successful Change Management
    - Scope: Provide three presentations and reference documents to different audiences; 1) Sponsor, CM Lead, and the Change Management Team, as an overview of their specific roles in Change Management.
    - Acceptance criteria: Added to the control point for the project level Stage 2 acceptance.

- Change Management Plan Preparation
    - Objective: Deliver Change Management Plan with strategies, tactics, and best practices to address specific areas of Change Management based on the Organizational Change Readiness Assessment to the Client CM Lead for execution throughout the remainder of the project.
    - Scope: Sponsor Strategy, CM Lead Strategy, Coach Strategy, Team Leads Strategy, Communication Strategy, Resistance Management Strategy, Lessons Learned Strategy, and Project Reinforcement Strategy. Sponsor Guide with a Sponsor Messaging Template. Procedural Change Management Guide with a Process Change Tracking Template. Resistance Management Guide with a Resistance Management Tracking Template. Recognition and Lessons Learned Guide with a Lessons Learned Review Template.
    - Acceptance criteria: Added to the control point for the project level Stage 2 acceptance.

10.2.2.5 Assess & Define Stage Acceptance Criteria

-
    - Sponsor Role Presentation

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- Change Management Lead Role Development Presentation
- Change Management Team Coaching Presentation
- Organizational Change Readiness Assessment

10.3 Interfaces in scope

The following interfaces were included in the City of Milpitas' RFP and were identified as being available via imports/exports (using compatible file formats) or standard interfaces. Items denoted with an asterisk can only be accomplished via API's (not currently in scope) or by way of leveraging Tyler's Resident Access portal (currently quoted as optional).

1 ACH and positive pay files
2 Benefits information to/from Blue Shield
3 Benefits information to/from Delta Dental
4 Benefits information to/From IGOE for FSA and COBRA
5 Benefits information to/from Lincoln
6 Benefits information to/from Mission Square
7 Budgeting information
8 Budgeting information and history (if not replaced)
9 Payment revenue
10 Capital budgeting requests to the ERP
11 Data from the ERP to KNIME to perform data analytics and reporting for workforce planning
12 Data from the ERP to PowerBI to perform data analytics and data visualization
13 Data from the ERP to Tableau to perform data analytics and data visualization
14 Electronic signatures (DocuSign)*
15 Enrollment information from the California Public Employees' Retirement System to the ERP and ERP information about new hires to CalPERS
16 Fire scheduling information
17 Harassment prevention training information from Trust Mineral to the ERP with enrollment/completion information back into Trust Mineral
18 IT learning data/history
19 Learning and training information with course information from LinkedIn into the ERP with enrollment information into LinkedIn*
20 Online background checks for recruitment to report back to the ERP
21 Online background checks information
22 Payment information for CRW and Permits
23 Pre-employment physicals and drug screens information
24 Procurement information and history
25 Purchasing card transaction information and receipts
26 Utility billing revenue to the ERP and payment information from the ERP to the CIS (if not replaced)
27 Human resources management system used for recruitment, applicant tracking, onboarding/offboarding, etc. Applicant information into the ERP and vacancy information into NeoGov (if not replaced) *
28 Billing and payment data/history
29 Customer consumption data/history
30 Service order and work order data*

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31 Online payment data/history with open receivables being sent to invoice cloud and receiving payment information and customer account information changes in the ERP*

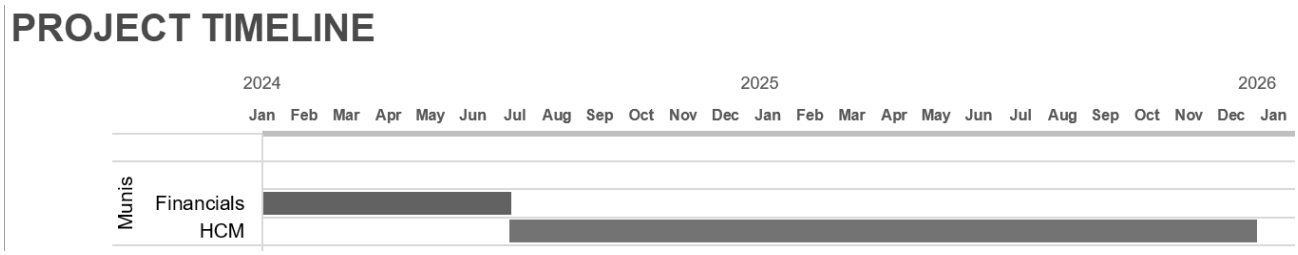
32 Utility billing revenue to the ERP and payment information from the ERP to the CIS (if not replaced)*

11. Project Timeline

11.1 ERP Project Timeline

The Project Timeline establishes a target start and end date for each Phase of the Project. The timeline needs to account for resource availability, business goals, size and complexity of the Project, and task duration requirements. These will be reviewed and adjusted, if needed, during the Initiate and Plan Stage. Refer to the Project Stages section of this SOW for information on work packages associated with each stage of the implementation.

The following dates may be revised based on the date the Agreement is signed and further refined during the course of the project. Tyler will begin the Initiate & Plan Stage activities with the City no later than forty five (45) calendar days following agreement signing .



Phase	Functional Areas	Modules	Start Date	Go-Live Date
1	**Financials**	● Accounting ● Accounts Payable ● Bid Management ● Budgeting ● Capital Assets ● Cash Management ● Contract Management ● E-procurement ● Project and Grant Accounting ● Purchasing ● Accounts Receivable ● General Billing ● ACFR Statement Builder ● Cashiering ●	January 2024	July 2025
	System Wide	● Enterprise Analytics & Reporting o Tyler Reporting Services o Munis Office o HUB ● Enterprise Forms Processing		

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		● Content Manager Core		
2	**Human Resource Management**	● Payroll w/Employee Access ● HR & Talent Management ● Time and Attendance ● Employee Expense Reimbursement	July 2024	January 2026

11.2 Data & Insights Project Plan

Data & Insights Project Plan												
	Week											
	1	2	3	4	5	6	7	8	9	10	11	12
Initiate and Plan												
Assess and Define												
Prepare Solution												
Production Readiness												
Production												
Close												

11.3 Intentionally left blank.

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Exhibit F

REQUIRED CONTRACT PROVISIONS FOR NON-FEDERAL CONTRACTS UNDER FEDERAL AWARDS - APPENDIX II TO 2 CFR PART 200

The following provisions are required when federal funds are expended by Customer for any contract resulting from this procurement process.

1. Contracts for more than the simplified acquisition threshold currently set at $250,000, which is the inflation adjusted amount determined by the Civilian Agency Acquisition Council and the Defense Acquisition Regulations Council (Councils) as authorized by 41 U.S.C. 1908, must address administrative, contractual, or legal remedies in instances where contractors violate or breach contract terms, and provide for such sanctions and penalties as appropriate.
Does vendor agree?

Yes X

No _____

Not Applicable _____

2. All contracts in excess of $10,000 must address termination for cause and for convenience by the non-Federal entity including the manner by which it will be effected and the basis for settlement.
Does vendor agree?

Yes X

No _____

Not Applicable _____

3. Equal Employment Opportunity. Except as otherwise provided under 41 CFR Part 60, all contracts that meet the definition of "federally assisted construction contract" in 41 CFR Part 60-1.3 must include the equal opportunity clause provided under 41 CFR 60-1.4(b), in accordance with Executive Order 11246, "Equal Employment Opportunity" (30 FR 12319, 12935, 3 CFR Part, 1964-1965 Comp., p. 339), as amended by Executive Order 11375, "Amending Executive Order 11246 Relating to Equal Employment Opportunity," and implementing regulations at 41 CFR part 60, "Office of Federal Contract Compliance Programs, Equal Employment Opportunity, Department of Labor."
Does vendor agree?

Yes X

No _____

Not Applicable _____

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4. Davis-Bacon Act, as amended (40 U.S.C. 3141-3148). When required by Federal program legislation, all prime construction contracts in excess of $2,000 awarded by non-Federal entities must include a provision for compliance with the Davis-Bacon Act (40 U.S.C. 3141-3144, and 3146-3148) as supplemented by Department of Labor regulations (29 CFR Part 5, "Labor Standards Provisions Applicable to Contracts Covering Federally Financed and Assisted Construction"). In accordance with the statute, contractors must be required to pay wages to laborers and mechanics at a rate not less than the prevailing wages specified in a wage determination made by the Secretary of Labor. In addition, contractors must be required to pay wages not less than once a week. The non-Federal entity must place a copy of the current prevailing wage determination issued by the Department of Labor in each solicitation. The decision to award a contract or subcontract must be conditioned upon the acceptance of the wage determination. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency. The contracts must also include a provision for compliance with the Copeland "Anti-Kickback" Act (40 U.S.C. 3145), as supplemented by Department of Labor regulations (29 CFR Part 3, "Contractors and Subcontractors on Public Building or Public Work Financed in Whole or in Part by Loans or Grants from the United States"). The Act provides that each contractor or subrecipient must be prohibited from inducing, by any means, any person employed in the construction, completion, or repair of public work, to give up any part of the compensation to which he or she is otherwise entitled. The non-Federal entity must report all suspected or reported violations to the Federal awarding agency.
Does vendor agree?

Yes X

No _____

Not Applicable _____

5. Contract Work Hours and Safety Standards Act (40 U.S.C. 3701-3708). Where applicable, all contracts awarded by the non-Federal entity in excess of $100,000 that involve the employment of mechanics or laborers must include a provision for compliance with 40 U.S.C. 3702 and 3704, as supplemented by Department of Labor regulations (29 CFR Part 5). Under 40 U.S.C. 3702 of the Act, each contractor must be required to compute the wages of every mechanic and laborer on the basis of a standard work week of 40 hours. Work in excess of the standard work week is permissible provided that the worker is compensated at a rate of not less than one and a half times the basic rate of pay for all hours worked in excess of 40 hours in the work week. The requirements of 40 U.S.C. 3704 are applicable to construction work and provide that no laborer or mechanic must be required to work in surroundings or under working conditions which are unsanitary, hazardous, or dangerous. These requirements do not apply to the purchases of supplies or materials or articles ordinarily available on the open market, or contracts for transportation or transmission of intelligence.
Does vendor agree?

Yes _____

No _____

Not Applicable X

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6. Rights to Inventions Made Under a Contract or Agreement. If the Federal award meets the definition of "funding agreement" under 37 CFR §401.2 (a) and the recipient or subrecipient wishes to enter into a contract with a small business firm or nonprofit organization regarding the substitution of parties, assignment or performance of experimental, developmental, or research work under that "funding agreement," the recipient or subrecipient must comply with the requirements of 37 CFR Part 401, "Rights to Inventions Made by Nonprofit Organizations and Small Business Firms Under Government Grants, Contracts and Cooperative Agreements," and any implementing regulations issued by the awarding agency.
Does vendor agree?

Yes _____

No _____

Not Applicable X

7. Clean Air Act (42 U.S.C. 7401-7671q.) and the Federal Water Pollution Control Act (33 U.S.C. 1251-1387), as amended—Contracts and subgrants of amounts in excess of $150,000 must contain a provision that requires the non-Federal award to agree to comply with all applicable standards, orders or regulations issued pursuant to the Clean Air Act (42 U.S.C. 7401-7671q) and the Federal Water Pollution Control Act as amended (33 U.S.C. 1251- 1387). Violations must be reported to the Federal awarding agency and the Regional Office of the Environmental Protection Agency (EPA).
Does vendor agree?

Yes X

No _____

Not Applicable _____

8. Debarment and Suspension (Executive Orders 12549 and 12689)—A contract award (see 2 CFR 180.220) must not be made to parties listed on the government wide exclusions in the System for Award Management (SAM), in accordance with the OMB guidelines at 2 CFR 180 that implement Executive Orders 12549 (3 CFR part 1986 Comp., p. 189) and 12689 (3 CFR part 1989 Comp., p. 235), "Debarment and Suspension." SAM Exclusions contains the names of parties debarred, suspended, or otherwise excluded by agencies, as well as parties declared ineligible under statutory or regulatory authority other than Executive Order 12549.
Does vendor agree?

Yes X

No _____

Not Applicable _____

9. Byrd Anti-Lobbying Amendment (31 U.S.C. 1352)—Contractors that apply or bid for an award exceeding $100,000 must file the required certification. Each tier certifies to the tier above that it will not and has not used Federal appropriated funds to pay any person or organization for influencing or attempting to influence an officer or employee of any agency, a member of Congress, officer or employee of Congress, or an employee of a member of Congress in connection with obtaining any

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Federal contract, grant or any other award covered by 31 U.S.C. 1352. Each tier must also disclose any lobbying with non-Federal funds that takes place in connection with obtaining any Federal award. Such disclosures are forwarded from tier to tier up to the non-Federal award.
Does vendor agree?

Yes X

No _____

Not Applicable _____

10. DOMESTIC PREFERENCEES FOR PROCUREMENTS 2 CFR § 200.322. As appropriate, and to the extent consistent with law, the contractor should, to the greatest extend practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States. This includes, but is not limited to iron, aluminum, steel, cement, and other manufactured products.
For purposes of this clause:

Produced in the Unties States means, for iron and steel products, that all manufacturing processes, from the initial melting state through the application of coatings, occurred in the United States.

Manufactured products means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe, aggregates such as concrete; glass, including optical fiber; and lumber.

Does vendor agree?

Yes _____

No _____

Not Applicable X

11. PROCUREMENT OF RECOVERED MATERIALS 2 CFR § 200.323. In the performance of this contract, the Contractor shall make maximum use of products containing recovered materials that are EPA- designated items unless the product cannot be acquire:
(i) Competitively within a timeframe providing for compliance with the contract performance schedule;

(ii) Meeting contract performance requirements; or

(iii) At a reasonable price.

Information about this requirement, along with the list of EPA-designate items, is available at EPA's Comprehensive Procurement Guidelines web site, https://www.epa.gov/smm/comprehensive-procurement-guideline-cpg-program.

The Contractor also agrees to comply with all other applicable requirements of Section 6002 of the Solid Waste Disposal Act."

Does vendor agree?

Yes X

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No _____

Not Applicable _____

12. RECORD RETENTION REQUIREMENTS FOR CONTRACTS PAID FOR WITH FEDERAL FUNDS 2 CFR § 200.334. When federal funds are expended by Customer for any contract resulting from this procurement process, the Vendor certifies that it will comply with the record retention requirements detailed in 2 CFR § 200.334. The Vendor further certifies that Vendor will retain all records as required by 2 CFR § 200.334 for a period of three years after grantees or subgrantees submit final expenditure reports or quarterly or annual financial reports, as applicable, and all other pending matters are closed. Does vendor agree?

Yes X

No _____

Not Applicable _____

13. BONDING REQUIREMENTS 2 CFR § 200.326. For construction or facility improvement contracts or sub-contracts exceeding the Simplified Acquisition Threshold, the Federal awarding agency or pass-through entity may accept the bonding policy and requirements of the non-Federal entity provided that the Federal awarding agency or pass-through entity has made a determination that the Federal interest is adequately protected. If such a determination has not been made, the minimum requirements must be as follows:
a) A bid guarantee from each bidder relevant to five percent of the bid price. The "bid guarantee" must consist of a firm commitment such as a bid bond, certified check, or other negotiable instrument accompanying a bid as assurance that the bidder will, upon acceptance of the bid, execute such contractual documents as may be required within the time specified.

b) A performance bond on the part of the contractor for 100 percent of the contract price. A "performance bond" is one executed in connection with a contract to secure fulfillment of all the contractor's requirements under such contract.

c) A payment bond on the part of the contractor for 100 percent of the contract price. A "payment bond" is one executed in connection with a contract to assure payment as required by law of all persons supplying labor and material in the executed of the work provided for in the contract.

Does vendor agree?

Yes _____

No _____

Not Applicable X

14. CERTIFICATION OF ACCESS TO RECORDS 2 C.F.R. §200.337. Vendor agrees that the Inspector General of the District or any of their duly authorized representatives shall have access to any books, documents, papers, and records of Vendor that are directly pertinent to Vendor's discharge of its obligations under the Contract for the purpose of making audits, examinations, excerpts, and

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transcriptions. The right also includes timely and reasonable access to Vendor's personnel for the purpose of interview and discussion relating to such documents.
Does vendor agree?

Yes X

No _____

Not Applicable _____

15. CERTIFICATION OF COMPLIANCE WITH THE ENERGY POLICY AND CONSERVATION ACT. When federal funds are expended by Customer for any contract resulting from this procurement process, Vendor certifies it will comply with the mandatory standards and policies relating to energy which are contained in the state energy conservation plan issued in compliance with the Energy Policy and Conservation Act (42 U.S.C. 6321 et seq.; 49 C.F.R. Part 18)
Does vendor agree?

Yes X

No _____

Not Applicable _____

PURCHASING DIVISION **RFP FOR:** ERP Consulting Services **RFP NO:** 24-065 **DUE DATE:** March 8, 2024 **BUYER:** R. Yamashita	**Avero, LLC** **512 West Broadway Avenue** **Maryville, TN 37801**	**Berry, Dunn, McNeil & Parker, LLC** **2211 Congress Street** **Portland, ME 04102**	**SDI Presence** **200E. Randolph, Suite 3550** **Chicago, IL 60601**	**N/A**	**N/A**	**N/A**
	1	**2**	**3**	**4**	**5**	**6**
Final Score	66.75	93	68.5			

*****BID AWARD IN PROGRESS*****

Tentative City Council Date: April 16,2024

Pending Award Awarded To: Berry, Dunn, McNeil & Parker, LLC

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

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Approve and Authorize the City Manager to Execute an Amendment to the Professional Services Agreement with Ascent Environmental for Consultant Services Related to Preparation of the Gateway-Main St. Specific Plan (Staff Contact: Jay Lee, Planning Director, 408-586-3077)**
Category:	Community Development
Meeting Date:	4/16/2024
Recommendation:	(1) Approve an amendment to the Professional Services Agreement with Ascent Environmental for consultant services related to preparation of the Gateway-Main St. Specific Plan; (2) Approve a Budget Appropriation of $90,000.00 from the Community Planning Fund into Capital Improvement Program Project No. 3437; and (3) Authorize the City Manager to execute the amended agreement.

Background:

The Milpitas Midtown Specific Plan was originally adopted by City Council in 2002 to maximize land use, transportation, and economic opportunities along the City's historic Main Street and to energize and catalyze mixed-use, transit-oriented development in the Midtown area, also known as the "heart" of Milpitas. Since adoption of the current Midtown Specific Plan, little of the community's vision for this area has been realized, and many potential development sites remain vacant and underutilized, especially along Main Street. As part of the update process, the Midtown Specific Plan will be renamed the "Milpitas Gateway/Main Street Specific Plan" and will provide a new vision and strategic policy framework to guide redevelopment and reinvestment in three focus areas and transform this important gateway into an attractive and vibrant destination for the City and the region.

On April 6, 2021, the City Council adopted the FY2022-26 Capital Improvement Plan (CIP), which included the Milpitas Gateway/Main Street Plan (Midtown Specific Plan Update) as Project No. 3437 with an initial outlay of up to $960,000 from the Community Planning Fund. On May 26, 2021, the Metropolitan Transportation Commission (MTC) awarded the City of Milpitas an additional $500,000 through its Priority Development Area (PDA) Planning Grant Program to complete the project.

On March 16, 2021, the Purchasing Division released RFP No. 2515 seeking proposals from qualified vendors with demonstrated experience in municipal planning services to assist the City with the Milpitas Gateway/Main Street Specific Plan (Midtown Specific Plan Update). Following a competitive evaluation process in accordance with the City's Municipal Code, the top firm, Ascent Environmental, was invited to continue in the evaluation process by providing a detailed scope of work with the proposed compensation for all services outlined in the RFP.

On September 21, 2021, City Council authorized the City Manager to execute a master funding agreement with the Metropolitan Transportation Commission to receive funding through the PDA Planning Grant Program and a professional services agreement with Ascent Environmental for consultant services to prepare the Gateway/Main Street Specific Plan.

Tasks 1-3, which include existing conditions assessments, extensive community outreach, plan visioning, scenario planning, and preferred plan strategies, have been completed. Task 4 (Specific Plan Drafting) and Task 5 (Environmental Evaluation) are underway, and a Public Draft Plan is expected in May 2024. Following public review of the Public Draft Plan, the project team will continue to refine the plan and environmental analysis and aim for adoption hearings in Fall 2024.

The initial project budget was $930,708. Per Section I-2-3.21 of the Milpitas Municipal Code, the Purchasing Agent is authorized to execute amendment sup to 10 percent of a contract (over $100,000) or $20,000, whichever is less, and up to $40,000 in cumulative amendments. As such, the Purchasing Agent twice executed amendments to the Professional Services Agreement with Ascent Environmental to increase the project budget by $19,500 each time, for a total budget increase of $39,000, resulting in a project budget of $969,708.

Analysis:
An additional amendment to the professional services agreement with Ascent Environmental is needed to reallocate budget amounts between tasks and increase the overall project budget by $90,000. The reallocation of the project budget between tasks will allow the City to complete the Gateway-Main St. Specific Plan more efficiently. Certain tasks by subconsultants were completed under budget and other tasks related to public engagement and outreach were eliminated based on Council feedback from the April 25, 2023 Council study session to streamline the planning process. Therefore, the amendment proposes shifting the excess funds from these tasks to Task 4.2 (Administrative Draft Plan), which is requiring more time and budget than expected.

An additional $90,000 is necessary to augment the budget for Task 4.2 (Administrative Draft Plan), Task 4.3 (Infrastructure and Implementation Chapters), and Task 7 (Project Management). The original scope of work and budget was initially prepared in 2021. At that time, there were several unknowns regarding the scope of work:

1. The project area and boundary;
2. Preparation and inclusion of specific zoning regulations and development standards within the Specific Plan; and
3. The existing condition of utilities and infrastructure within the plan area.

Throughout the preparation of the plan, the project area has expanded to annex adjacent neighborhoods which would benefit from inclusion into the plan area. An additional redevelopment focus area was also added to maximize the development potential of new opportunity sites. Additionally, City staff determined that the scope of work should also include preparing zoning regulations and development standards to ensure consistency between the Specific Plan and Milpitas Zoning Ordinance upon plan adoption rather than amending the zoning map and text later. Furthermore, the existing condition of utilities and infrastructure within the plan area requires additional analysis and utility improvements to ensure that future development will be adequately served. Lastly, due to the added complexity to the scope of work, the project schedule has been extended, requiring additional budget for project management (Task 7).

A redline version of the project budget is attached to show the proposed amendment.

Policy Alternatives:
Alternative 1: Do not approve and authorize the City Manager to execute an amendment to the Professional Services Agreement with Ascent Environmental for consultant services related to the preparation of the Gateway-Main St. Specific Plan.

Pros: None.

Cons: Failure to approve and authorize the City Manager to execute an amendment to the professional services agreement with Ascent Environmental would result in the City being unable to finish updating the Midtown Specific Plan and forgoing $500,000 in approved PDA grant funds, which need to be expended within 36 months of execution of a funding agreement with MTC. Without the Milpitas Gateway/Main Street Specific Plan, the existing Midtown Specific Plan would remain in place. Absent new policies and standards to facilitate catalytic development, the Main Street area and Calaveras Corridor would likely continue to suffer from disinvestment and a lack of identity. The City would potentially miss out on the opportunity to revitalize an important area of the city.

Reason not recommended: In light of the City's anticipated Regional Housing Needs Allocation (RHNA) from the Association of Bay Area Governments (ABAG), the Milpitas Gateway/Main Street Specific Plan is needed to help Midtown realize its full development potential and support regional and state efforts to address critical housing needs. If Midtown is unable to accommodate more housing development, it will be more challenging to meet the City's RHNA obligation. Moreover, the Milpitas Gateway/Main Street Specific Plan is needed to implement the vision of the recently adopted General Plan, which establishes Midtown as a key opportunity area for new economic growth and development in the City.

Fiscal Impact:
The additional $90,000 will be funded by CIP 3437 Milpitas Gateway – Main Street Specific Plan Update project. This project is currently funded by Community Planning Fees and a Priority Development Area Planning Grant from the Metropolitan Transportation Commission. As of 4/11/2024, the remaining balance of this CIP project is $15,927 and there is insufficient funds to fund this activity. City will appropriate additional $74,073 from Community Planning Fund (Fund 214) to increase the funding of this project.

California Environmental Quality Act:
Not applicable. The selection and contractual arrangement of planning services do not constitute a project, in accordance with Section 15378 of the CEQA Guidelines.

Recommendation:
(1) Approve an amendment to the Professional Services Agreement with Ascent Environmental for consultant services related to preparation of the Gateway-Main St. Specific Plan; (2) Approve a Budget Appropriation of $90,000.00 from the Community Planning Fund into Capital Improvement Program Project No. 3437; and (3) Authorize the City Manager to execute the amended agreement.

Attachment:
(a) Amended Project Budget
(b) Amendment No. 3 to the Professional Services Agreement with Ascent Environmental
(c) CIP Project No. 3437
(d) Budget Change Form

PROJECT BUDGET

Main Street/Gateway Specific Plan Update

Updated 5/22/2023, Updated 6/30/23, Updated 9/29/2023, Updated 11/3/2023, Updated 2/21/2024

			Ascent	Subconsultants Summary					
				BAE	Greensfelder	Fehr & Peers	BKF	Plan to Place	Studio J9
Task 1	**Plan Boundaries, Data Gathering, and Assessments**	**Total Cost**	**Labor**						
1.1	Kick-off Meeting and Site Tour	11,055.00	4,520.00		$ 945	$ 1,530	$ 1,170	$ 2,890	
1.2	Material Review and Preliminary Mapping	5,850.00	5,850.00						
1.3	Existing Conditions Assessment (Memos)								
	Land Use, Zoning, and Urban Form Analysis and Memo	19,375.00	19,375.00						
	Market Analysis and Memo	27,955.00	1,355.00	$ 26,600	$ -				
	Affordable Housing and Community Benefits Analysis	14,550.00	1,760.00	$ 12,790					
	Transportation Analysis and Memo	14,555.00	1,080.00			$ 13,475			
	Public Infrastructure and Utilities Analysis and Memo	11,815.00	1,080.00				$ 10,735		
	Subtotal, Task 1	**105,155.00**	**35,020.00**	**$ 39,390**	**$ 945**	**$ 15,005**	**$ 11,905**	**$ 2,890**	**$ -**
Task 2	**Public Outreach and Engagement**		**Labor**						
2.1	Community Engagement Strategy	5,550.00	3,150.00					$ 2,400	
2.2	Project Branding and Communication Materials	13,070.00	1,690.00					$ 4,030	$ 7,350
2.3	Project Website	7,760.00	7,760.00						
2.4	Stakeholder Interviews	6,340.00	6,340.00						
2.5	Community Workshops (up to 2)								
	Workshop 1: Host Community Listening/Vision Session	21,590.00	14,330.00	$ 1,620				$ 5,640	
	Workshop 2: Alternatives	5,640.00				$ -		$ 5,640	
	Survey/ Interactive Web Activities	5,740.00						$ 5,740	
2.6	Pop-Up Events (up to 1, completed)	6,895.00	6,895.00						
2.7	~~Community Open House~~ (Replaced w/ Public Review Process Support)	8,660.00	5,590.00					$ 3,070	
2.8	Meet with Technical Advisory Committee (up to 4)	20,530.00	18,600.00	$ 1,930	$ -	$ -			
2.9	Support Planning Commission and City Council Study Sessions (up to 7)	49,885.00	42,350.00	$ 3,125	$ 4,410	$ -			
	Subtotal, Task 2	**151,660.00**	**106,705.00**	**$ 6,675**	**$ 4,410**	**$ -**	**$ -**	**$ 26,520**	**$ 7,350**
Task 3	**Visioning, Scenarios, and Preferred Plan**		**Labor**						
3.1	Initial Visioning	17,593.00	12,760.00	$ 1,245	$ 945	$ 2,643			
3.2	Scenario Planning	19,985.00	19,985.00						
3.3	Preferred Draft Plan and Strategies for Incorporation into the Plan	63,157.50	63,157.50						
	Land Use Updates, Urban Form, and Parking	0.00							
	Economic Development and Retail Strategies	30,965.50		$ 19,626	$ 11,340				
	Strategic Property Acquisition Revenue ("SPAR") Fund	6,650.00		$ 6,650					
	Economic/Scenario Feasibility Testing	16,040.00		$ 16,040					
	Impact Fee Scoping Coordination	2,320.00		$ 2,320					
	Mobility and Circulation	36,575.00				$ 36,575			
	Public Realm Improvements, Placemaking, and Branding	0.00							
	Subtotal, Task 3	**193,286.00**	**95,902.50**	**$ 45,881**	**$ 12,285**	**$ 39,218**	**$ -**	**$ -**	**$ -**
Task 4	**Specific Plan Drafting**		**Labor**						
4.1	Outline and Mock-up	3,580.00	3,580.00						
4.2	Administrative Draft Plan	228,113.50	185,236.50	$ 10,620	$ 3,150	$ 7,715	$ 21,392		
4.3	~~Revised Draft Plan~~ (Infrastructure and Implementation Chapters)	30,075.00	24,870.00			$ 5,205			
4.4	Screencheck and Public Draft Plan	16,080.00	16,080.00						
	Subtotal, Task 4	**277,848.50**	**229,766.50**	**$ 10,620**	**$ 3,150**	**$ 12,920**	**$ 21,392**	**$ -**	**$ -**
Task 5	**Environmental Evaluation**		**Labor**						
5.1	Initiation of the Environmental Review	840.00	840.00						
5.2	Notice of Preparation and Scoping Meeting	4,900.00	4,900.00						
5.3	Administrative Draft EIR	131,520.00	105,120.00			$ 26,400			
5.4	Public Draft EIR	23,600.00	23,600.00						
5.5	Final EIR	25,990.00	25,990.00						
5.6	CEQA Findings	4,740.00	4,740.00						
5.7	MMRP and Environmental Checklist	6,040.00	6,040.00						
	Subtotal, Task 5	**197,630.00**	**171,230.00**	**$ -**	**$ -**	**$ 26,400**	**$ -**	**$ -**	**$ -**
Task 6:	**Plan Adoption**		**Labor**						
6.1	Support Planning Commission and City Council Hearings (up to 4 meetings total)	23,425.00	16,520.00	$ 3,480	$ 945	$ 2,480			
6.2	Prepare Final Specific Plan	9,120.00	9,120.00						
	Subtotal, Task 6	**32,545.00**	**25,640.00**	**$ 3,480**	**$ 945**	**$ 2,480.00**			
Task 7: Project Management			**Labor**						
	Project Management, Bi-Weekly Calls	72,778.00	64,970.00			$ 3,710	$ 1,608	$ 2,490	
	Subtotal, Project Management	**72,778.00**	**64,970.00**	**$ -**	**$ -**	**$ 3,710**	**$ 1,608**	**$ 2,490**	**$ -**
	Sub-total, Labor: Ascent and Subconsultants	**1,030,902.50**	**729,234.00**	**$ 106,046**	**$ 21,735**	**$ 99,733**	**$ 34,905**	**$ 31,900**	**$ 7,350**
	Sub-Consultant Direct Costs and Mark-Ups	**Cost**							
	Subconsultant Direct Costs	6,895.00		$ 1,250.00	$ 250.00	$ 5,395.00	$ -	$ -	$ -
	Subconsultant Mark-Ups	15,060.68		$ 5,364.78	$ 1,099.25	$ 5,256.40	$ 1,745.25	$ 1,595.00	
	Total			$ 112,660.28	$ 23,084.25	$ 110,384.40	$ 36,650.25	$ 33,495.00	$ 7,350.00

SubC Total Fee **323,624.18**

REIMBURSABLE EXPENSES

The following tasks are reimbursable expenses anticipated for the project, and are contingent upon authorization of the client.

Ascent Expenses	**Cost**
Ascent Direct Costs	6,849.82
Website Maintenance	

Printing and Reproduction	
Mileage/ Parking/ Travel	
TOTAL, Expenses	**6,849.82**
TOTAL, Labor + Reimbursable Expenses	**1,059,708.00**

Current Contract Total	$	969,708.00
	$	90,000.00
Contract Total, with Amendment	$	***1,059,708.00***

Summary of 2/21/2024 Changes

1. Shift the following $14,750, from F&P to Ascent.
   - *Shift $8,750 from F&P Task 2 to Ascent Task 4.2*
   - *Shift $6,000 from Task 3.3 to Ascent Task 4.2*
2. Shift $6,951from Plan to Place to Ascent Labor, including:
   - *Shift $4,120 from Plan to Place Task 2.6 to Ascent Task 4.2*
   - *Remove remaining pop-up from Scope*
   - *Remove Open House, and replace w/ Public Review Process Support*
   - *Move $2,500 Direct Costs to Ascent Task 2.8*
   - *Move $331 mark up to Ascent Task 4.2*
3. Shift $548.49 cost for mark-ups back into labor (Task 4.2)
4. Shift $2,000 from Ascent Direct Costs into Ascent Task 4.2
5. Add $90,000 in new funds to Ascent Labor, including:
   - *Add $70,000 to Ascent Task 4.2*
   - *Add $5,000 to Ascent Task 4.3*
   - *Add $15,000 to Ascent Task 7*
6. Administrative/format clean-up on cost allocations.

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AMENDMENT NO. 3
TO THE AGREEMENT
BETWEEN THE
CITY OF MILPITAS AND ASCENT ENVIRONMENTAL INC
FOR
MAIN STREET GATEWAY SPECIFIC PLAN UPDATE

This Amendment No. 3 is entered into this day of Dec-04-2023, by and between the City of Milpitas, a municipal corporation of the State of California (hereafter referred to as "City"), and Ascent Environmental, Inc. , a corporation (hereafter referred to as "Consultant"). City and Consultant are sometimes individually referred to as “Party” and collectively as “Parties” in this Amendment No 2.

RECITALS

WHEREAS, on September 29, 2021, the Parties entered into an Agreement for Main Street Gateway Specific Plan Update (the “Agreement”) for the term period of September 29, 2021 to June 30, 2023 with a not to exceed sum of $930,708.00; and

WHEREAS, on July 29, 2022 the parties amended the Agreement to increase the not to exceed amount by $19,500.00 to $950,208.00 and extend the agreement to December 31, 2023.

WHEREAS, on April 20, 2023 the parties amended the Agreement Internal Shifts in Budget Allocations, and extend the Agreement to June 30, 2024,with no change in compensation.

WHEREAS, the Parties now desire to amend the Agreement for Internal Shifts in Budget Allocations, and to add $19,500.00 to the overall contract to $969,708.00.

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

1. 2. Compensation is hereby amended to read as follows:

   In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of **Nine Hundred Sixty-Nine Thousand Seven Hundred Eight Dollars and Zero Cents ($969,708.00).** This amount is to cover all printing and related costs, and the City will not pay any additional fees for printing expenses. Periodic payments shall be made within thirty (30) days of receipt of an invoice, which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis. No retainage will be held on payments for this project.

2. Exhibit B- Schedule of Charges/Payments Revised Project Budget is hereby amended and replaced by Exhibit B-2 Project Budget Updated 09/29/2023, attached herein:

3. All other provisions of the Agreement not amended by this Amendment No. 3 shall remain in full force and effect.

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[SIGNATURES ON THE FOLLOWING PAGE]

SIGNATURE PAGE OF AMENDMENT NO. 3
TO THE AGREEMENT FOR
MAIN STREET GATEWAY SPECIFIC PLAN UPDATE BETWEEN THE
CITY OF MILPITAS AND ASCENT ENVIRONMENTAL INC

IN WITNESS WHEREOF, the Parties have executed this Amendment No. 3 as of the date first written above.

CITY OF MILPITAS

Approved By:

DocuSigned by:
Matt Cano
83DE801D4B11402...
N y Manager

Dec-04-2023
Date

Approved As To Form:

DocuSigned by:
71850D37D7764FB...
M ttorney

Approved:

DocuSigned by:
8C79D33218B7434...
L A, MPA
Finance Director/Risk Manager

Approved As to Content:

DocuSigned by:
Jay Lee
2C35F5DD801B443...
Jay Lee, Director of Planning and Neighborhood Services

ASCENT ENVIRONMENTAL INC

DocuSigned by:
7C8CCF3A847A47B...
Si

Christine Babla
Name

Principal
Title

Nov-22-2023
Date

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Exhibit B-1

Project Budget Updated 09/29/2023

[Revised Project Budget on Following Page]

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PROJECT BUDGET

Main Street/Gateway Specific Plan Update

Updated 5/22/2023, Updated 6/30/23, Updated 9/29/2023

Task 1	Plan Boundaries, Data Gathering, and Assessments	Total Cost	Ascent Labor	BAE	Greensfelder	Fehr & Peers	BKF	Plan to Place	Studio J9
1.1	Kick-off Meeting and Site Tour	11,055.00	4,520.00		$ 945	$ 1,530	$ 1,170	$ 2,890	
1.2	Material Review and Preliminary Mapping	5,850.00	5,850.00						
1.3	Existing Conditions Assessment (Memos)								
	Land Use, Zoning, and Urban Form Analysis and Memo	19,375.00	19,375.00						
	Market Analysis and Memo	27,955.00	1,355.00	$ 26,600	$ -				
	Affordable Housing and Community Benefits Analysis	14,550.00	1,760.00	$ 12,790					
	Transportation Analysis and Memo	14,555.00	1,080.00			$ 13,475			
	Public Infrastructure and Utilities Analysis and Memo	11,815.00	1,080.00				$ 10,735		
	Subtotal, Task 1	**105,155.00**	**35,020.00**	**$ 39,390**	**$ 945**	**$ 15,005**	**$ 11,905**	**$ 2,890**	**$ -**

Task 2	Public Outreach and Engagement		Labor						
2.1	Community Engagement Strategy	5,550.00	3,150.00					$ 2,400	
2.2	Project Branding and Communication Materials	9,320.00	1,690.00					$ 4,030	$ 3,600
2.3	Project Website	7,760.00	7,760.00						
2.4	Stakeholder Interviews	6,340.00	6,340.00						
2.5	Community Workshops (up to 2)								
	Workshop 1: Host Community Listening/Vision Session	14,310.00	7,050.00	$ 1,620				$ 5,640	
	Workshop 2: Alternatives	13,740.00	7,050.00			$ 1,050		$ 5,640	
	Survey/ Interactive Web Activities	5,970.00	230.00					$ 5,740	
2.6	Pop-Up Events (up to 2)	11,015.00	6,895.00					$ 4,120	
2.7	Community Open House	8,660.00	5,590.00					$ 3,070	
2.8	Meet with Technical Advisory Committee (up to 4)	21,170.00	16,100.00	$ 1,930	$ -	$ 3,140			
2.9	Support Planning Commission and City Council Study Sessions (up to 7)	57,665.00	45,750.00	$ 3,125	$ 4,410	$ 4,380			
	Subtotal, Task 2	**161,500.00**	**107,605.00**	**$ 6,675**	**$ 4,410**	**$ 8,570**	**$ -**	**$ 30,640**	**$ 3,600**

Task 3	Visioning, Scenarios, and Preferred Plan		Labor						
3.1	Initial Visioning	17,593.00	12,760.00	$ 1,245	$ 945	$ 2,643			
3.2	Scenario Planning	19,985.00	19,985.00						
3.3	Preferred Draft Plan and Strategies for Incorporation into the								
	Land Use Updates, Urban Form, and Parking	31,367.50	31,367.50						
	Economic Development and Retail Strategies	31,425.50	460.00	$ 19,626	$ 11,340				
	Strategic Property Acquisition Revenue ("SPAR") Fund	8,055.00	1,405.00	$ 6,650					
	Economic/Scenario Feasibility Testing	22,475.00	6,435.00	$ 16,040					
	Impact Fee Scoping Coordination	3,010.00	690.00	$ 2,320					
	Mobility and Circulation	42,575.00	0.00			$ 42,575			
	Public Realm Improvements, Placemaking, and Branding	22,800.00	22,800.00						
	Subtotal, Task 3	**199,286.00**	**95,902.50**	**$ 45,881**	**$ 12,285**	**$ 45,218**	**$ -**	**$ -**	**$ -**

Task 4	Specific Plan Drafting		Labor						
4.1	Outline and Mock-up	3,580.00	3,580.00						
4.2	Administrative Draft Plan	136,364.00	93,487.00	$ 10,620	$ 3,150	$ 7,715	$ 21,392		
4.3	Revised Draft Plan	25,075.00	19,870.00			$ 5,205			
4.4	Screencheck and Public Draft Plan	16,080.00	16,080.00						
	Subtotal, Task 4	**181,099.00**	**133,017.00**	**$ 10,620**	**$ 3,150**	**$ 12,920**	**$ 21,392**	**$ -**	**$ -**

Task 5	Environmental Evaluation		Labor						
5.1	Initiation of the Environmental Review	840.00	840.00						
5.2	Notice of Preparation and Scoping Meeting	4,900.00	4,900.00						
5.3	Administrative Draft EIR	131,520.00	105,120.00			$ 26,400			
5.4	Public Draft EIR	23,600.00	23,600.00						
5.5	Final EIR	25,990.00	25,990.00						
5.6	CEQA Findings	4,740.00	4,740.00						
5.7	MMRP and Environmental Checklist	6,040.00	6,040.00						
	Subtotal, Task 5	**197,630.00**	**171,230.00**	**$ -**	**$ -**	**$ 26,400**	**$ -**	**$ -**	**$ -**

Task 6:	Plan Adoption		Labor						
6.1	Support Planning Commission and City Council Hearings (up to 4 meetings total)	23,425.00	16,520.00	$ 3,480	$ 945	$ 2,480			
6.2	Prepare Final Specific Plan	9,120.00	9,120.00						
	Subtotal, Task 6	**32,545.00**	**25,640.00**	**$ 3,480**	**$ 945**	**$ 2,480**			

Task 7: Project Management									
	Project Management, Bi-Weekly Calls	57,778.00	49,970.00			$ 3,710	$ 1,608	$ 2,490	
	Subtotal, Project Management	**57,778.00**	**49,970.00**	**$ -**	**$ -**	**$ 3,710**	**$ 1,608**	**$ 2,490**	**$ -**

	Sub-total, Labor: Ascent and Subconsultants	**934,993.00**	**618,384.50**	**$ 106,046**	**$ 21,735**	**$ 114,303**	**$ 34,905**	**$ 36,020**	**$ 3,600**
								SubC Fee	**$ 316,609**

REIMBURSABLE EXPENSES

The following tasks are reimbursable expenses anticipated for the project, and are contingent upon authorization of the client.

	Expense	Cost	Cost	BAE	Greensfelder	Fehr & Peers	BKF	Plan to Place	Studio J9
	Subconsultant Direct Costs	9,395.00	0.00	$ 1,250	$ 250	$ 5,395	$ -	$ 2,500	$ -
	Website Hosting and Digital Platforms	1,000.00	1,000.00						
	Printing and Reproduction	2,500.00	2,500.00						
	Mileage/ Parking/ Travel	4,000.00	4,000.00						
	Subconsultant Administrative Costs (5%)	17,820.00	17,820.00						
	TOTAL, Expenses	**34,715.00**	**25,320.00**	**$ 1,250**	**$ 250**	**$ 5,395**	**$ -**	**$ 2,500**	**$ -**
	TOTAL, Labor + Reimbursable Expenses	**969,708.00**							

Current Contract Total	$ 950,208.00
Add: $19,500	$ 19,500.00
Contract Total, with Amendment	*$ 969,708.00*

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Summary of 9/29/2023 Changes

1. Shift $30,057 from BAE to Ascent Task 004.
   a. Reduce BAE Task 2.8 (TAC) by $1,550. Move to Ascent Task 4.2
   b. Reduce BAE Task 2.9 (Study Sessions) by $3835. Move to Ascent Task 4.2
   c. Reduce BAE Task 3.3 by $1342, for Strategies. Move to Ascent Task 4.2
   d. Reduce BAE Task 3.3 (SPAR) by $23,330. Move to Ascent Task 4.2
2. Add $19,500 to the overall contract value.
   a. Add $9,500 to Task 4.2 (Admin Draft Plan)
   b. Add $10,000 to Task 7 (Project Management)

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 5/31/2023	Council 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.

City of Milpitas, California

BUDGET CHANGE FORM

Type of Change	From (Credit)		To (Debit)	
	Account	Amount	Account	Amount
Check one:	214-2909 331-951-3437-15-3849	$74,073 $74,073	214-3952 331-951-3437-1-4800	$74,073 $74,073
■ Budget Appropriation				
❒ Budget Transfer				

Recommendation: (1) Approve an amendment to the Professional Services Agreement with Ascent Environmental for consultant services related to preparation of the Gateway-Main St. Specific Plan; (2) Approve a Budget Appropriation of $90,000 from the Community Planning Fund into Capital Improvement Program Project No. 3437; and (3) Authorize the City Manager to execute the amended agreement.

Background:

The Milpitas Midtown Specific Plan was originally adopted by City Council in 2002 to maximize land use, transportation, and economic opportunities along the City's historic Main Street and to energize and catalyze mixed-use, transit-oriented development in the Midtown area, also known as the "heart" of Milpitas. Since adoption of the current Midtown Specific Plan, little of the community's vision for this area has been realized, and many potential development sites remain vacant and underutilized, especially along Main Street. As part of the update process, the Midtown Specific Plan will be renamed the "Milpitas Gateway/Main Street Specific Plan" and will provide a new vision and strategic policy framework to guide redevelopment and reinvestment in three focus areas and transform this important gateway into an attractive and vibrant destination for the City and the region.

On April 6, 2021, the City Council adopted the FY2022-26 Capital Improvement Plan (CIP), which included the Milpitas Gateway/Main Street Plan (Midtown Specific Plan Update) as Project No. 3437 with an initial outlay of up to $960,000 from the Community Planning Fund. On May 26, 2021, the Metropolitan Transportation Commission (MTC) awarded the City of Milpitas an additional $500,000 through its Priority Development Area (PDA) Planning Grant Program to complete the project.

On March 16, 2021, the Purchasing Division released RFP No. 2515 seeking proposals from qualified vendors with demonstrated experience in municipal planning services to assist the City with the Milpitas Gateway/Main Street Specific Plan (Midtown Specific Plan Update). Following a competitive evaluation process in accordance with the City's Municipal Code, the top firm, Ascent Environmental, was invited to continue in the evaluation process by providing a detailed scope of work with the proposed compensation for all services outlined in the RFP.

On September 21, 2021, City Council authorized the City Manager to execute a master funding agreement with the Metropolitan Transportation Commission to receive funding through the PDA Planning Grant Program and a professional services agreement with Ascent Environmental for consultant services to prepare the Gateway/Main Street Specific Plan.

Tasks 1-3, which include existing conditions assessments, extensive community outreach, plan visioning, scenario planning, and preferred plan strategies, have been completed. Task 4 (Specific Plan Drafting) and Task 5 (Environmental Evaluation) are underway, and a Public Draft Plan is expected in May 2024. Following public review of the Public Draft Plan, the project team will continue to refine the plan and environmental analysis and aim for adoption hearings in Fall 2024.

The initial project budget was $930,708. Per Section I-2-3.21 of the Milpitas Municipal Code, the Purchasing Agent is authorized to execute amendment sup to 10 percent of a contract (over $100,000) or $20,000, whichever is less, and up

to $40,000 in cumulative amendments. As such, the Purchasing Agent twice executed amendments to the Professional Services Agreement with Ascent Environmental to increase the project budget by $19,500 each time, for a total budget increase of $39,000, resulting in a project budget of $969,708.

Analysis:
An additional amendment to the professional services agreement with Ascent Environmental is needed to reallocate budget amounts between tasks and increase the overall project budget by $90,000. The reallocation of the project budget between tasks will allow the City to complete the Gateway-Main St. Specific Plan more efficiently. Certain tasks by subconsultants were completed under budget and other tasks related to public engagement and outreach were eliminated based on Council feedback from the April 25, 2023 Council study session to streamline the planning process. Therefore, the amendment proposes shifting the excess funds from these tasks to Task 4.2 (Administrative Draft Plan), which is requiring more time and budget than expected.

An additional $90,000 is necessary to augment the budget for Task 4.2 (Administrative Draft Plan), Task 4.3 (Infrastructure and Implementation Chapters), and Task 7 (Project Management). The original scope of work and budget was initially prepared in 2021. At that time, there were several unknowns regarding the scope of work:

1. The project area and boundary;
2. Preparation and inclusion of specific zoning regulations and development standards within the Specific Plan; and
3. The existing condition of utilities and infrastructure within the plan area.

Throughout the preparation of the plan, the project area has expanded to annex adjacent neighborhoods which would benefit from inclusion into the plan area. An additional redevelopment focus area was also added to maximize the development potential of new opportunity sites. Additionally, City staff determined that the scope of work should also include preparing zoning regulations and development standards to ensure consistency between the Specific Plan and Milpitas Zoning Ordinance upon plan adoption rather than amending the zoning map and text later. Furthermore, the existing condition of utilities and infrastructure within the plan area requires additional analysis and utility improvements to ensure that future development will be adequately served. Lastly, due to the added complexity to the scope of work, the project schedule has been extended, requiring additional budget for project management (Task 7).

A redline version of the project budget is attached to show the proposed amendment.

Policy Alternatives:
Alternative 1: Do not approve and authorize the City Manager to execute an amendment to the Professional Services Agreement with Ascent Environmental for consultant services related to the preparation of the Gateway-Main St. Specific Plan.

Pros: None.

Cons: Failure to approve and authorize the City Manager to execute an amendment to the professional services agreement with Ascent Environmental would result in the City being unable to finish updating the Midtown Specific Plan and forgoing $500,000 in approved PDA grant funds, which need to be expended within 36 months of execution of a funding agreement with MTC. Without the Milpitas Gateway/Main Street Specific Plan, the existing Midtown Specific Plan would remain in place. Absent new policies and standards to facilitate catalytic development, the Main Street area and Calaveras Corridor would likely continue to suffer from disinvestment and a lack of identity. The City would potentially miss out on the opportunity to revitalize an important area of the city.

Reason not recommended: In light of the City's anticipated Regional Housing Needs Allocation (RHNA) from the Association of Bay Area Governments (ABAG), the Milpitas Gateway/Main Street Specific Plan is needed to help Midtown realize its full development potential and support regional and state efforts to address critical housing needs. If Midtown is unable to accommodate more housing development, it will be more challenging to meet the City's RHNA obligation. Moreover, the Milpitas Gateway/Main Street Specific Plan is needed to implement the vision of the recently adopted General Plan, which establishes Midtown as a key opportunity area for new economic growth and development in the City.

Fiscal Impact:
The additional $90,000 will be funded by CIP 3437 Milpitas Gateway – Main Street Specific Plan Update project. This project is currently funded by Community Planning Fees and a Priority Development Area Planning Grant from the Metropolitan Transportation Commission. As of 4/11/2024, the remaining balance of this CIP project is $15,927 and

there are insufficient funds to fund this activity. City will appropriate additional $74,073 from Community Planning Fund (Fund 214) to increase the funding of this project.

California Environmental Quality Act:
Not applicable. The selection and contractual arrangement of planning services do not constitute a project, in accordance with Section 15378 of the CEQA Guidelines.

Recommendation:

1. Approve an amendment to the Professional Services Agreement with Ascent Environmental for consultant services related to preparation of the Gateway-Main St. Specific Plan.
2. Approve a budget appropriation of $90,000 from the Community Planning Fund into CIP Project No. 3437.
3. Authorize the City Manager to execute the amended agreement.

Attachment:

a) Amended Project Budget
b) Professional Services Agreement with Ascent Environmental
c) CIP Project No. 3437
d) Budget Change Form

❒ **Check if City Council Approval required.** **Meeting: April 16, 2024**

Requested by:	**Department Head:** Jay Lee	**Date:** April 16, 2024
Reviewed by:	**Interim Finance Director:** Gabrielle Tsang	**Date:** April 16, 2024
Approved by:	**City Manager:** Ned Thomas	**Date:** April 16, 2024
Date approved by City Council, if required:		**Confirmed by:**

FI/24786/V **Form 30-222 (Rev. 1/92)**

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Authorize the City Manager to Execute the Grant Agreement with the County of Santa Clara to Accept the 2023 State Homeland Security Grant Program Award and Approve a Budget Appropriation in the Amount of $105,205.00 to the Police Department's FY 2023-24 Operating Budget (Staff Contact: Jared Hernandez, Chief of Police, 408-586-2406)**
Category:	Consent Calendar-Public Safety
Meeting Date:	4/16/2024
Recommendation:	Authorize the City Manager to execute the Grant Agreement with the County of Santa Clara to accept the 2023 State Homeland Security Grant Program Award and approve a budget appropriation in the amount of $105,205.00 to the Police Department's FY 2023-24 Operating Budget.

BACKGROUND:

The U.S. Department of Homeland Security (DHS)/Federal Emergency Management Agency's (FEMA) Homeland Security Grant Program provides funding to federal, state and local governments for the purpose of strengthening national security in the ability to prevent, respond to, and recover from major events such as terrorist attacks. This grant program is comprised of three sub-programs, including the State Homeland Security Program.

California's State Homeland Security Grant Program (SHSGP) is administered by the California Governor's Office of Emergency Services (CalOES). The grant funding must be used to supplement existing funds and may not be used to supplant funds that have been appropriated for the same purpose. CalOES prioritized use of the FY 2023 SHSGP funds into 10 homeland security strategy goals including the prevention of violent extremism through multi-jurisdictional collaboration and coordination.

The Milpitas Police Department (MPD) applied for the FY 2023 SHSGP to purchase a FARO threat assessment 3D scanning system and a mobile trailer security system (equipment to be shared regionally, as needed). Subsequently, the application was approved; in January of 2023, MPD was awarded $105,205.00 to purchase the approved equipment. The total cost of the equipment is estimated at $115,560.21, therefore; the $10,355.21 over the grant award will be absorbed by the Police Department's FY 2023-24 Operating Budget.

ANALYSIS:

The acceptance of the FY 2023 SHSGP award is contingent upon purchasing the approved equipment, a FARO threat assessment 3D scanning system and a mobile trailer security system. 3D scanning combined with drone photogrammetry is a proven technology that can be used to create detailed 3D maps of the exterior and interior of locations. This data can be used to identify security concerns, guide incident response, and enhance security measures at any given location. The data can also be used to guide rescue operations and assist in the prosecution of criminal cases. With the use of the FARO 3D scanning equipment, the Police Department will be able to record 3D images of buildings (interior and exterior) and outdoor locations.

The mobile trailer security system utilizes PTZ cameras, thermal imaging, and existing automated license plate readers (ALPRs) in the area surrounding and can be placed at the Milpitas BART station and at other critical infrastructure throughout the City. With this equipment, the Police Department will be able to efficiently respond to and investigate terrorist acts or other critical incidents. The mobility of the trailer security system allows for the Police Department to strategically place the trailer throughout the City to cover the ingress/egress at large-

scale events, such as the 4th of July Parade, and other festivities that are considered soft targets due to the crowded population.
The acquisition of this equipment will enhance public safety in Milpitas and allow the department to be a more effective asset to regional law enforcement partners during a critical incident.

POLICY ALTERNATIVE(S):

Alternative 1: Do not authorize the City Manager to execute the grant agreement and thus refuse the FY 2023 State Homeland Security Grant Program award.

Pros: The City would not incur the $10,355.21 estimated total cost for the equipment that exceeds the grant award amount.
Cons: The Police Department would not have the opportunity to purchase the needed equipment or City general funds would be required to purchase the equipment.
Reason for Not Recommending: The State Homeland Security Grant Program does not require matching funds nor are there any requirements that result in a negative impact. In addition, the acquisition of this equipment will enhance public safety in Milpitas and allow the department to be a more effective asset to regional law enforcement partners during a critical incident.

FISCAL IMPACT:
The grant award is $105,205.00 and total cost of the approved equipment is estimated at $115,560.21. The $10,355.21 over the grant award will be absorbed by the Police Department's FY 2023-24 Operating Budget. A budget amendment to appropriate $105,205.00 to the Police Department's FY 2023-24 operating budget is needed (Attachment 1). This grant does not require matching funds.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):
The action is a fiscal activity of the City government or an action to create a City government funding mechanism that does not involve any commitment to any specific project which may result in a potentially significant impact on the environment and is not a project pursuant to Cal. Code of Regs., tit. 14, § 15378.

RECOMMENDATION:
1. Authorize the City Manager to Execute the Grant Agreement with the County of Santa Clara to Accept the 2023 State Homeland Security Grant Program Award.
2. Approve a Budget Appropriation in the Amount of $105,205.00 to the Police Department's FY 2023-24 Operating Budget.

ATTACHMENT(S):
(a) Budget Change Form
(b) Grant Agreement with Grant Assurances
(c) Resolution

City of Milpitas, California

BUDGET CHANGE FORM

Type of Change	From (Credit)		To (Debit)	
	Account	Amount	Account	Amount
Check one: ■ Budget Appropriation ❒ Budget Transfer	267-3557	$105,205	267-721-4873 267-721-4873	$65,488 $39,717

Recommendation: Authorize the City Manager to execute the Grant Agreement with the County of Santa Clara to accept the 2023 State Homeland Security Grant Program Award and Approve a budget appropriation in the amount of $105,205.00 to the Police Department's FY 2023-24 Operating Budget.

BACKGROUND:

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RECOMMENDATION:
1. Authorize the City Manager to Execute the Grant Agreement with the County of Santa Clara to Accept the 2023 State Homeland Security Grant Program Award.
2. Approve a Budget Appropriation in the Amount of $105,205.00 to the Police Department's FY 2023-24 Operating Budget.

ATTACHMENT(S):
(a) Budget Change Form
(b) Grant Agreement with Grant Assurances

☐ **Check if City Council Approval required.** **Meeting: April 16, 2024**

Requested by:	**Department Head:** Jared Hernandez	**Date:** April 16, 2024
Reviewed by:	**Interim Finance Director:** Gabrielle Tsang	**Date:** April 16, 2024
Approved by:	**City Manager:** Ned Thomas	**Date:** April 16, 2024
Date approved by City Council, if required:		**Confirmed by:**

FI/24786/V **Form 30-222 (Rev. 1/92)**

AGREEMENT BETWEEN THE COUNTY OF SANTA CLARA AND THE CITY OF MILPITAS GRANTING PROGRAM FUNDS FOR THE 2023 STATE HOMELAND SECURITY GRANT PROGRAM

THIS AGREEMENT is made effective when fully executed by the County of Santa Clara ("County") and the City of Milpitas ("City") for the allocation and distribution of 2023 State Homeland Security Grant Program ("SHSGP") funds.

RECITALS

WHEREAS, the 2023 SHSGP (AL# 97.067) supports the implementation of State Homeland Security Strategies to address the identified planning, organization, equipment, training and exercise needs for acts of terrorism and other catastrophic events, and management and administration of the grant. In addition, SHSGP supports the implementation of the National Preparedness Guidelines, the National Incident Management System (NIMS), and the National Response Framework (NRF);

WHEREAS, the State of California ("State") has designated the County as the Operational Area for purposes of distributing SHSGP funds to the cities, special districts and other entities within the County. An Anti-Terrorism Approval Body ("County Approval Authority"), comprised of the County Health Officer, the County Fire Chief, a Municipal Fire Chief, the County Sheriff, and a Chief of Police, has been appointed for the purpose of approving the distribution of SHSGP funds at the Operational Area level;

WHEREAS, on September 1, 2023, the California Governor's Office of Emergency Services ("Cal OES") awarded the County 2023 SHSGP funds in the amount of $1,882,403. The allocation of the SHSGP funds will be determined by the County Approval Authority in accordance with the grant guidelines.

NOW, THEREFORE, the County and City agree as follows:

THE AGREEMENT

Article I. Definitions

1. Specific Terms

(a) **"Burdened Labor Rate"** shall mean the labor rate including benefits, taxes and other deductions from an employee's paycheck. This rate does not include vacation benefits.

(b) **"City"** shall mean the City of Milpitas, its officers, board members, employees, and agents.

(c) **"County"** shall mean the County of Santa Clara, its officers, board members, employees, and agents.

(d) **"SHSGP funds"** or **"SHSGP funding"** shall mean the funding City receives under this Agreement.

(e) **"Federal Program Guidance"** shall mean guidance documents issued by the Federal Emergency Management Agency, including the SHSGP Program Funding Opportunity Announcement, for Fiscal Year 2023.

(f) **"Grant Certifications and Assurances"** shall mean the FY23 SHSGP Agreement Articles, Assurances, Certifications, Terms, and Conditions.

(g) **"Highly Compensated Individual"** shall mean an individual whose income is $300,000 or more per year.

(h) **"Prime Recipient"** shall refer to County.

(i) **"State Guidance"** shall mean the California Supplement to the Federal Program Funding Opportunity Announcement, issued by Cal OES for Fiscal Year 2023.

(j) **"Sub-Recipient"** shall refer to City.

2. References to This Agreement

Any reference to this Agreement shall include: (a) the Agreement; (b) all exhibits, appendices, schedules, and attachments to this Agreement; (c) all statutes, ordinances, regulations, rules, or other documents incorporated by reference into this Agreement; (d) all amendments, modifications, or supplements to this Agreement.

Article II. Payment

1. Payment Eligibility

Unless otherwise approved in advance by the County Office of Emergency Management ("OEM") Grants Administrator (hereinafter "grants administrator"), only an actual cash disbursement by City for a claimed expense shall be eligible for reimbursement by the County as approved and specified in Exhibit A, SHSGP Project Funding, which is attached and hereby incorporated into this Agreement.

2. Amount of Payment

The County will provide City, unless otherwise specified, with the equipment, supplies, and/or other resources as set forth in Exhibit A, SHSGP Project Funding. Specifications for such equipment shall be provided by City's requesting agency to the County for the appropriate procurement process. City's requesting agency will be notified when the procurement process is complete for final approval of equipment prior to the order being placed. If, through previous agreement with the County, City is to procure its own equipment, performance milestone dates will apply (refer to Article IV, Section 3(b)).

The County may reallocate SHSGP funds as specified in Article II, section 4 of this Agreement. County does not guarantee a minimum payment to City.

Authorized personnel budgets are allowable within the County OEM, Central Fire, and County Emergency Medical Services for grant-funded staffing. The personnel budget for these departments will reflect the expenditure authority. Reimbursement for actual cash disbursements will be requested

through the County OEM. Based on the preference of the Department/Agency, reimbursement requests may be requested on a monthly or quarterly basis. For County Departments, reimbursements will be made via inter-county transfer. For all others, a County warrant will be issued.

3. Maximum Amount Payable

Subject to the availability of funds and the priorities established by the County Approval Authority, the maximum amount of SHSGP funds payable by the County to City under this Agreement must not exceed $105,205 for equipment, $0 for training costs, and $0 for planning costs, as allocated by the County Approval Authority.

4. Reallocation of SHSGP Grant Funds

For the purpose of maximizing the resources available for preparedness for acts of terrorism and other catastrophic events within the Operational Area, City agrees that the County Approval Authority may reallocate funds under this Agreement to another applicant if the County determines that City is unable to utilize the amount allocated under this Agreement. The County may base its determination on factors that include but are not limited to the following: delivery timelines, fund expenditure capabilities, and timeliness of expenditure. The County will notify City in writing of any determination to reallocate funds, by issuing a "Notice of Reallocation." SHSGP funds will be put forth to the County Approval Authority for reallocation. City agrees that the County has the authority to increase or decrease the maximum amount payable under this Agreement as specified in the Notice of Reallocation document without liability and the County has the authority to amend Exhibit A, "SHSGP Project Funding," accordingly. Upon issuance, the Notice of Reallocation will automatically become part of this Agreement.

Article III. Requests for Reimbursement and Reimbursements

1. Required Documentation for Reimbursement

The SHSGP is a reimbursement grant under which Cal OES disburses reimbursement funds to County, and County disburses reimbursement funds to City. No cash advances are permitted under the SHSGP program.

(a) Requests for Equipment

The following documentation is required for all reimbursement requests for equipment:

- Quote or solicitation documents
- Summary of pricing and chosen vendor
- Documentation that vendor is not on the excluded parties list (https://sam.gov/content/home) (a print-out of the search result page will suffice)
- Purchase order and/or contract
- Receiving documentation/packing slip
- Invoice
- Proof of payment

All equipment must be approved by the County Approval Authority and must be authorized per the web-based Authorized Equipment List at https://www.fema.gov/grants/tools/authorized-equipment-list. (You may also contact the Grant Manager for a current Authorized Equipment List number.)

(b) Subcontracts

If City awards subcontracts totaling $25,000 or more, it must report on any such subcontracts and on Highly Compensated Individuals on the Financial Disclosure Form, Exhibit D, within 30 days of the award. The following information must be included in City's report on any sub-award exceeding $25,000:

- Name of entity receiving award;
- Amount of award;
- Funding agency;
- Assistance Listing program number;
- Award title (descriptive of the purpose of the funding action);
- Location of the receiving entity and primary location of performance including city, state, and federal Congressional district;
- Federally issued "Unique Entity ID" of the receiving entity, and of its parent if applicable; and
- Total compensation and names of receiving entity's five most highly compensated executives if:
    - In the preceding fiscal year, the subcontractor received 80 percent or more, and $25,000,000 or more, of its gross annual revenue from federal procurement contracts or subcontracts or from federal financial assistance subject to the Transparency Act, as defined at 2 C.F.R. § 170.230; and
    - The public does not have access to information about the compensation of the executives through periodic reports filed under section 13(a) or 15(d) of the Securities Exchange Act of 1934, 15 U.S.C. § 78m(a), 78o(d), or under section 6104 of the Internal Revenue Code of 1986.
    - City must report subcontractor executive compensation by the end of the month following the month in which it makes the sub-award. For example, if the sub-award is obligated in any date in April 2024, City must report any required compensation information by May 31, 2024.

Classified information that, in the interest of national security, requires protection against unauthorized disclosure (i.e., information deemed Top Secret, Secret, or Confidential under Executive Order 12958) is exempt from the Prime and Sub-Recipient reporting requirements, as are contracts with individuals.

(c) Sole and Single Source Contracts

Sole source or single source contracts of $250,000 or more are not allowable under the SHSGP program unless first approved by Cal OES. City must obtain sole/single source request documentation and submit it to the Grants Manager of County's OEM. Upon City's completion and submission of the required sole/single source documentation, County's Grants Manager shall

forward all sole/single source documents to the appropriate Cal OES contact for review and approval. Only after Cal OES approval is given can a sole/single source procurement be completed and expenditures reimbursed using SHSGP allocated funds. All sole source procurements must follow the most current applicable Federal procurement requirements for grants and, if more restrictive, City's own procurement policies.

(d) Other Requests

The following documentation is required for all reimbursement requests for contractors:

- Quote or solicitation documents
- Executive summary of how contractor was chosen
- Documentation that vendor is not on the excluded parties list (https://www.sam.gov/) (a print-out of the search result page will suffice)
- Purchase order and/or contract
- Invoice showing deliverables and milestones completed
- Proof of payment
- Financial Disclosure Form (Exhibit D) if awarded contract exceeds $25,000

The following documentation is required for reimbursement of Salaries:

- Functional timesheet
- Description of scope of job which includes Homeland Security-related functions
- Burdened Labor Rate
- Payroll reports showing amount paid for each pay period being claimed

The following documentation is required for reimbursement for Training activities:

- Class syllabus
- Class sign-in sheet
- Instructor/consultant contract documents
- Instructor's invoice
- Proof of payment

2. Submission of Requests for Reimbursement

(a) City shall submit reimbursement requests to County's OEM on a quarterly basis. Unless pre-approved by County's OEM Director or designee, all reimbursement requests shall be due fifteen calendar days after the end of the quarter, with the exception of the final expenditure and/or invoice, as indicated below. Any expenditure during the final period identified in the chart below shall be made by April 15, 2025, and any related invoice shall be submitted by April 30, 2025, unless otherwise pre-approved by County's OEM Director or designee, in order to meet 2023 SHSGP deadlines.

(b) During the term of this Agreement, County is not obligated to honor any request for reimbursement that is submitted after April 30, 2025.

Article IV. Use of Funds

1. Master Grant Obligations

(a) City shall comply with the SHSGP Federal Program Guidance, the State Guidance, and the Grant Certifications and Assurances, attached as Exhibit B. City shall require any sub-grantee, contractor, or other entity receiving SHSGP funds through or from City to execute a copy of the Grant Certifications and Assurances, and shall be responsible for ensuring that sub-grantee, contractor, or other entity complies with the Grant Certifications and Assurances.

(b) City shall ensure its Project Manager is available to meet with County OEM staff upon request during the period of this agreement to report on progress on each project funded under this Agreement.

(c) City shall comply with all other applicable statutes, regulations, executive orders, requirements, policies, guides, guidelines, information bulletins, Cal OES grant management memos, and instructions; the terms and conditions of the grant award; and any other conditions imposed by Cal OES or by this Agreement, provided that if any provisions of this Agreement conflict with any State requirements, the State requirements will control. City shall ensure that any sub-grantee, contractor, or other entity receiving SHSGP funds through or from City complies with all applicable statutes, regulations, executive orders, requirements, policies, guides, guidelines, information bulletins, Cal OES grant management memos, and instructions; the terms and conditions of the grant award; and any other conditions imposed by Cal OES or by this Agreement.

(d) City shall establish and maintain administrative, programmatic, and fiscal management records in accordance with federal and state requirements, and:

i. Maintain financial management systems that support grant activities in accordance with federal and state requirements.
ii. The County shall provide and affix equipment tracking numbers for all equipment purchased through its procurement process. Using the County-issued tracking number, City shall maintain an equipment tracking ledger that tracks the equipment within City and complies with federal and state requirements.

(e) By executing this Agreement, City certifies that it is not debarred, suspended, or otherwise ineligible to receive SHSGP funds. In addition, City shall ensure and independently verify that any sub-grantee, contractor, or other entity receiving SHSGP funds through or from City is not debarred, suspended, or otherwise excluded from participation in the SHSGP program. City shall maintain documentary proof of this verification in its files.

2. Scope of Services

(a) If City has been allocated funding for a project, Exhibit A, "SHSGP Project Funding," will serve as the basis for the project. A further detailed description may be necessary and will

be requested by the County if needed to be incorporated by reference herein. If future funding is allocated, City shall provide a detailed description of the approved project to be attached hereto and incorporated by reference herein.

(b) City shall use the funds granted under this Agreement in a manner compliant with:
   i. The applications submitted by the County to the State for the grant under this Agreement;
   ii. The grant guidelines issued by the State for the grant under this Agreement; and
   iii. The notifications issued by the State of the approval of the grant under this Agreement.

(c) The documents described in Exhibit B of this Agreement (collectively the "State Grant Requirements") are on file with the County and the granting agencies of the State, and are hereby incorporated into this Agreement. City hereby acknowledges that it has received a copy of the State Grant Requirements.

(d) City shall use the funds granted under this Agreement only for the purpose of implementing applicable initiatives under the 2023 SHSGP program, as indicated in Exhibit A, "SHSGP Project Funding". City shall not use the funds granted under this Agreement for any other purpose. Incumbents filling positions funded by the 2023 SHSGP program shall work at a location inside of the City County Operational Area, and the work of grant-funded personnel must be solely focused on threats to the Santa Clara County Operational Area. County will not disburse funds to or otherwise pay City for services that do not address a terrorism nexus, or for materials, equipment, or supplies provided by City that are beyond the scope of the services, materials, equipment, or supplies agreed upon in this Agreement or a lawfully executed written amendment.

3. Performance and Reporting Requirements

(a) Performance reports indicating the status of outstanding projects are due to the County Grants Administrator on a quarterly basis as follows:

(b) The following dates represent the Grant Performance Period for the SHSGP program:

- Performance Period 1 (September 1, 2023 – December 31, 2023) – due by January 15, 2023
- Performance Period 2 (January 1, 2024 – March 31, 2024) – due by April 15, 2024
- Performance Period 3 (April 1, 2024 – June 30, 2024) – due by July 15, 2024
- Performance Period 4 (July 1, 2024 – September 30, 2024) – due by October 15, 2024
- Performance Period 5 (October 1, 2024 – December 31, 2024) – due by January 15, 2025
- Performance Period 6 (January 1, 2025 – March 31, 2025) – due by April 15, 2025

(c) The County will provide City with a report template (Exhibit C, "Performance Report"), and City will utilize the template to complete the performance submittal to the County.

(d) Payments made by the County to City are conditioned upon the timely receipt of applicable, accurate and complete reports, including supporting document, to be submitted by City.

(e) City will notify the County representative identified in Article VII, Section I, within 15 days, when City has completed all performance obligations for these grants.

(f) City will provide single audit reports to the County by July 31st of each fiscal year.

Article V. Term and Termination

1. Term of Agreement

This Agreement is effective from September 1, 2023 through May 31, 2025.

2. Availability of Funds

(a) The parties acknowledge and agree that this Agreement is dependent upon the availability of county, regional, State and/or federal funding.

(b) Budgetary Contingency: This Agreement is contingent upon the appropriation of sufficient funding by County for the products and services covered by this Agreement. If funding is reduced or eliminated by County for the products or services covered by this Agreement, County has the option to either terminate this Agreement with no liability occurring to County or to offer an amendment to this Agreement indicating the reduced amount.

(c) The obligations of County to make payments in accordance with the provisions of this Agreement may be delayed, reduced or terminated as a result of any delay, reduction, or change in allocation or allotment in funding to County from federal, State or other regional funding sources.

3. Termination

(a) Termination for Convenience. County shall have the option, in its sole discretion, to terminate this Agreement at any time without cause upon written notice to City. The written notice shall specify the date on which termination shall become effective, which shall be no less than seven (7) days from the date of the notice.

(b) Termination for Cause. Either party may terminate this Agreement for cause upon written notice to the other party. The written notice shall specify the date on which termination shall become effective, which shall be no less than thirty (30) days from the date of the notice. Termination for cause includes, but is not limited to, a material breach of this Agreement, a violation of any applicable laws, or failure to comply with applicable SHSGP guidelines.

(c) Opportunity to Cure. In the event of termination for material breach of this Agreement, the non-breaching party shall give written notice of the breach to the breaching party, specifying the breach/cause. The breaching party shall not be deemed in default and the

non-breaching party shall not institute proceedings or exercise any remedies against the breaching party unless the breach has not been cured, corrected or remedied within thirty (30) days after the breaching party's receipt of the notice of breach, or within such longer period as may be reasonably required to cure, correct or remedy the breach, provided the breaching party has commenced its cure, correction or remedy within the thirty (30) day period and diligently and continuously pursues that cure, correction or remedy.

(d) If this Agreement is terminated, City shall return SHSGP funding in accordance with SHSGP program guidelines.

Article VI. Indemnification and Liabilities

1. Indemnification by City

In lieu of and notwithstanding the pro rata risk allocation that might otherwise be imposed between the parties under Government Code section 895.6, County and City agree instead that under Government Code section 895.4, City shall fully indemnify and hold County, its officers, board members, employees, and agents, harmless from any claim, expense or cost, damage or liability imposed for injury (as defined by Government Code section 810.8) occurring by reason of the negligent acts or omissions or willful misconduct of City, its officers, board members, employees or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to City under this Agreement. This indemnity shall include, without limitation, reasonable attorneys' fees, consultants and experts and related costs, and County's cost of investigating any claim.

2. Duty to Defend

City acknowledges and agrees that its obligation to defend County under Article VI: (a) is an immediate obligation, independent of its other obligations under this Agreement; and (b) applies to any claim, expense, cost, damage, or liability falling within the scope of Article VI, regardless of whether the allegations made in connection with that claim, expense, cost, damage, or liability may be groundless, false, or fraudulent. County shall provide City with prompt notice of any claim, expense, cost, damage, or liability under Article VI and City shall have the right to defend, settle, or compromise that claim, expense, cost, damage, or liability, provided, however, that County shall have the right to retain its own counsel at City's expense if representation of County by counsel retained by City would result in a conflict of interest, and that City shall obtain County's prior written consent to settle or compromise if City contends that County shares in any liability. County's failure to notify City promptly of any claim, expense, cost, damage, or liability shall not relieve City of liability to County under Article VI unless that failure materially impairs City's ability to defend against the claim, expense, cost, damage, or liability.

3. Limitation on Liability

County, its officers, board members, employees, and agents shall not be responsible for any damage or liability occurring by reason of the negligent acts or omissions or willful misconduct of City, its officers, board members, employees, or agents, under or in connection with or arising out of any work, authority or jurisdiction delegated to City under this Agreement.

County's obligations under this Agreement shall be limited to the aggregate amount of SHSGP funds actually disbursed. Notwithstanding any other provision in this Agreement or any other document or communication between County and City relating to this Agreement, in no event shall County be liable for any damages arising out of or in connection with this Agreement, the SHSGP funds, City's Spend Plan, or any activities performed in connection with this Agreement.

Article VII. Miscellaneous

1. Notice

All notices required by this Agreement shall be deemed given when provided in writing and delivered personally or deposited in the United States mail, postage prepaid, return receipt requested, addressed to the other party at the address set forth below or at such other address as the party may designate in writing:

To City:

Matthew Miller
Milpitas Police Department
1275 North Milpitas Blvd.
Milpitas, CA 95035

To County:

Michelle Sandoval
Grant and Administrative Services Manager
County of Santa Clara Office of Emergency Management
55 W. Younger Ave., Suite 450
San José, CA 95110

2. Compliance with all Laws, Including Nondiscrimination, Equal Opportunity, and Wage Theft Prevention

(a) Compliance with All Laws: City shall comply with all applicable Federal, State, and local laws, regulations, rules, and policies (collectively, "Laws"), including but not limited to the non-discrimination, equal opportunity, and wage and hour Laws referenced in the paragraphs below.

(b) Compliance with Non-Discrimination and Equal Opportunity Laws: City shall comply with all applicable Laws concerning nondiscrimination and equal opportunity in employment and contracting, including but not limited to the following: Santa Clara County's policies for contractors on nondiscrimination and equal opportunity; Title VII of the Civil Rights Act of 1964 as amended; Americans with Disabilities Act of 1990; the Age Discrimination in Employment Act of 1967; the Rehabilitation Act of 1973 (Sections 503 and 504); the Equal Pay Act of 1963; California Fair Employment and Housing Act (Gov. Code § 12900 et seq.); California Labor Code sections 1101, 1102, and 1197.5; and the Genetic Information Nondiscrimination Act of 2008. In addition to the foregoing, City shall not discriminate against any subcontractor,

employee, or applicant for employment because of age, race, color, national origin, ancestry, religion, sex, gender identity, gender expression, sexual orientation, mental disability, physical disability, medical condition, political belief, organizational affiliation, or marital status in the recruitment, selection for training (including but not limited to apprenticeship), hiring, employment, assignment, promotion, layoff, rates of pay or other forms of compensation. Nor shall City discriminate in the provision of services provided under this contract because of age, race, color, national origin, ancestry, religion, sex, gender identity, gender expression, sexual orientation, mental disability, physical disability, medical condition, political beliefs, organizational affiliations, or marital status.

(c) Compliance with Wage and Hour Laws: City shall comply with all applicable wage and hour Laws, which may include but are not limited to, the Federal Fair Labor Standards Act, the California Labor Code, and, if applicable, any local minimum wage, prevailing wage, or living wage Laws.

(d) Definitions: For purposes of this Subsection (2), the following definitions shall apply. A "Final Judgment" shall mean a judgment, decision, determination, or order (a) which is issued by a court of law, an investigatory government agency authorized by law to enforce an applicable Law, an arbiter, or arbitration panel and (b) for which all appeals have been exhausted or the time period to appeal has expired. For pay equity Laws, relevant investigatory government agencies include the federal Equal Employment Opportunity Commission, the California Division of Labor Standards Enforcement, and the California Department of Fair Employment and Housing. Violation of a pay equity Law shall mean unlawful discrimination in compensation on the basis of an individual's sex, gender, gender identity, gender expression, sexual orientation, race, color, ethnicity, or national origin under Title VII of the Civil Rights Act of 1964 as amended, the Equal Pay Act of 1963, California Fair Employment and Housing Act, or California Labor Code section 1197.5, as applicable. For wage and hour Laws, relevant investigatory government agencies include the federal Department of Labor, the California Division of Labor Standards Enforcement, and the City's Office of Equality Assurance.

(e) Prior Judgments, Decisions or Orders against City: By signing this Agreement, City affirms that it has disclosed any final judgments that (A) were issued in the five years prior to executing this Agreement by a court, an investigatory government agency, arbiter, or arbitration panel and (B) found that City violated an applicable wage and hour law or pay equity law. City further affirms that it has satisfied and complied with – or has reached Agreement with the County regarding the manner in which it will satisfy – any such final judgments.

(f) Violations of Wage and Hour Laws or Pay Equity Laws During Term of Contract: If at any time during the term of this Agreement, City receives a Final Judgment rendered against it for violation of an applicable wage and hour Law or pay equity Law, then City shall promptly satisfy and comply with any such Final Judgment. City shall inform the Office of the County Executive-Office of Countywide Contracting Management ("OCCM") of any relevant Final Judgment against it within 30 days of the Final Judgment becoming final or of learning of the Final Judgment, whichever is later. City shall also provide any documentary evidence of compliance with the Final Judgment within 5 days of satisfying the Final Judgment. Any notice required by this paragraph shall be addressed to the Office of the County Executive-OCCM at 70 W. Hedding Street, East Wing, 11th Floor, San José, CA 95110. Notice provisions in this paragraph are separate from any other notice provisions in this Agreement and, accordingly, only notice

provided to the Office of the County Executive-OCCM satisfies the notice requirements in this paragraph.

(g) Access to Records Concerning Compliance with Pay Equity Laws: In addition to and notwithstanding any other provision of this Agreement concerning access to City's records, City shall permit the County and/or its authorized representatives to audit and review records related to compliance with applicable pay equity Laws. Upon the County's request, City shall provide the County with access to any and all facilities and records, including but not limited to financial and employee records that are related to the purpose of this Section, except where prohibited by federal or state laws, regulations or rules. County's access to such records and facilities shall be permitted at any time during City's normal business hours upon no less than 10 business days' advance notice.

(h) Pay Equity Notification: City shall (1) at least once in the first year of this Agreement and annually thereafter, provide each of its employees working in California and each person applying to City for a job in California (collectively, "Employees and Job Applicants") with an electronic or paper copy of all applicable pay equity Laws or (2) throughout the term of this Agreement, continuously post an electronic copy of all applicable pay equity Laws in conspicuous places accessible to all of City's Employees and Job Applicants.

(i) Material Breach: Failure to comply with any part of this Section shall constitute a material breach of this Agreement. In the event of such a breach, the County may, in its discretion, exercise any or all remedies available under this Agreement and at law. County may, among other things, take any or all of the following actions:
    1. Suspend or terminate any or all parts of this Agreement.
    2. Withhold payment to City until full satisfaction of a Final Judgment concerning violation of an applicable wage and hour Law or pay equity Law.
    3. Offer City an opportunity to cure the breach.

(j) Subcontractors: City shall impose all of the requirements set forth in this Section on any subcontractors permitted to perform work under this Agreement. This includes ensuring that any subcontractor receiving a Final Judgment for violation of an applicable Law promptly satisfies and complies with such Final Judgment.

3. County No-Smoking Policy

City and its employees, agents and subcontractors shall comply with County's No Smoking Policy, as set forth in the Board of Supervisors Policy Manual section 3.47 (as amended from time to time), which prohibits smoking: (1) at the Santa Clara Valley Medical Center Campus and all County-owned and operated health facilities, (2) within 30 feet surrounding County-owned buildings and leased buildings where County is the sole occupant, and (3) in all County vehicles.

4. Food and Beverage Standards

Except in the event of an emergency or medical necessity, the following nutritional standards shall apply to any foods and/or beverages purchased by City with County funds for County-sponsored meetings or events.

If food is to be provided, healthier food options shall be offered. “Healthier food options” include (1) fruits, vegetables, whole grains, and low-fat and low-calorie foods; (2) minimally processed foods without added sugar and with low sodium; (3) foods prepared using healthy cooking techniques; and (4) foods with less than 0.5 grams of trans-fat per serving. Whenever possible, City shall (1) offer seasonal and local produce; (2) serve fruit instead of sugary, high-calorie desserts; (3) attempt to accommodate special dietary and cultural needs; and (4) post nutritional information and/or a list of ingredients for items served. If meals are to be provided, a vegetarian option shall be provided, and City should consider providing a vegan option. If pre-packaged snack foods are provided, the items shall contain: (1) no more than 35% of calories from fat, unless the snack food items consist solely of nuts or seeds; (2) no more than 10% of calories from saturated fat; (3) zero trans-fat; (4) no more than 35% of total weight from sugar and caloric sweeteners, except for fruits and vegetables with no added sweeteners or fats; and (5) no more than 360 mg of sodium per serving.

If beverages are to be provided, beverages that meet the County’s nutritional criteria are: (1) water with no caloric sweeteners; (2) unsweetened coffee or tea, for which sugar and sugar substitutes may be provided as condiments; (3) unsweetened, unflavored nonfat or 1% low-fat dairy milk; (4) plant-derived milk (e.g., soy milk, rice milk, and almond milk) with no more than 130 calories per 8-ounce serving; (5) 100% fruit or vegetable juice (limited to a maximum of 8 ounces per container); and (6) other low-calorie beverages (including tea and/or diet soda) that do not exceed 40 calories per 8-ounce serving. Sugar-sweetened beverages shall not be provided.

5. Governing Law

This Agreement has been executed and delivered in, and shall be construed and enforced in accordance with, the laws of the State of California. Proper venue for legal action regarding this Agreement shall be in the County of Santa Clara.

6. Assignment

The parties may not assign this Agreement or the rights and obligations hereunder without the specific written consent of the other.

7. Entire Agreement

This Agreement and its Appendices (if any) constitutes the final, complete and exclusive statement of the terms of the agreement between the parties. It incorporates and supersedes all the agreements, covenants and understandings between the parties concerning the subject matter hereof, and all such agreements, covenants and understandings have been merged into this Agreement. No prior or contemporaneous agreement or understanding, verbal or otherwise, of the parties or their agents shall be valid or enforceable unless embodied in this Agreement.

8. Amendments

This Agreement may only be amended by a written instrument signed by the parties.

9. Counterparts; Contract Execution

This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which together shall constitute one and the same instrument. Unless otherwise prohibited by law or County policy, the parties agree that an electronic copy of a signed Agreement, or an electronically signed Agreement, has the same force and legal effect as a contract executed with an original ink signature. The term "electronic copy of a signed contract" refers to a transmission by facsimile, electronic mail, or other electronic means of a copy of an original signed contract in a portable document format. The term "electronically signed contract" means a contract that is executed by applying an electronic signature using technology approved by the County.

10. Severability

If any provision of this Agreement is found by a court of competent jurisdiction to be void, invalid or unenforceable, the same shall either be reformed to comply with applicable law or stricken if not so conformable, so as not to affect the validity or enforceability of this Agreement.

11. Waiver

No delay or failure to require performance of any provision of this Agreement shall constitute a waiver of that provision as to that or any other instance. Any waiver granted by a party must be in writing, and shall apply to the specific instance expressly stated.

12. Conflicts of Interest; Political Reform Act

City shall comply, and require its subcontractors to comply, with all applicable (i) requirements governing avoidance of impermissible conflicts; and (ii) federal, state and local conflict of interest laws and regulations including, without limitation, California Government Code section 1090 et. seq., the California Political Reform Act (California Government Code section 87100 et. seq.) and the regulations of the Fair Political Practices Commission concerning disclosure and disqualification (2 California Code of Regulations section 18700 et. seq.). Failure to do so constitutes a material breach of this Agreement and is grounds for immediate termination of this Agreement by the County. In accepting this Agreement, City covenants that is presently has no interest and shall not acquire any interest, direct or indirect, financial or otherwise, which would conflict in any manner or degree with the performance of services under this Agreement. City is responsible for assuring compliance of its subcontractors, if any, with the requirements of this provision.

If applicable, City and its agents shall comply with California Government Code section 84308 ("Levine Act") and the applicable regulations of the Fair Political Practices Commission concerning campaign disclosure (2 California Code of Regulations sections 18438.1 – 18438.8), which (1) require a party to a proceeding involving a contract to disclose on the record of the proceeding any contribution, as defined by Government Code section 84308(a)(6), of more than $250 that the party or their agent has made within the prior 12 months, and (2) prohibit a party to a proceeding involving a contract from making a contribution, as defined by Government Code section 84308(a)(6), of more than $250 to any County officer during the proceeding and for 12 months following the final decision in the proceeding. Disclosures pursuant to the Levine Act must be submitted online at the Office of the Clerk of the Board of Supervisors website at http://www.sccgov.org/levineact.

13. California Public Records Act

County and City are public agencies subject to the disclosure requirements of the California Public Records Act ("CPRA"). If either County's or City's proprietary information is contained in documents or information submitted to the other party, and the submitting party claims that such information falls within one or more CPRA exemptions, the submitting party must clearly mark such information "CONFIDENTIAL AND PROPRIETARY," and identify the specific lines containing the information. In the event of a request for such information, the receiving party will make best efforts to provide notice to the submitting party prior to such disclosure. If the submitting party contends that any documents are exempt from the CPRA and wishes to prevent disclosure, it is required to obtain a protective order, injunctive relief or other appropriate remedy from a court of law in Santa Clara County before the receiving party is required to respond to the CPRA request. If the submitting party fails to obtain such remedy within the time the receiving party is required to respond to the CPRA request, the receiving party may disclose the requested information.

14. Third Party Beneficiaries

This agreement does not, and is not intended to, confer any rights or remedies upon any person or entity other than the parties.

15. COVID-19 Requirements

City shall comply with all County requirements in effect relating to COVID-19 for persons who routinely perform services for County onsite and share airspace with or proximity to other people at a County facility as part of their services for County as set forth in a County Health Order (or similar directives) available at https://covid19.sccgov.org/home, and incorporated herein by this reference. City shall comply with all reasonable requests by County for documentation demonstrating City's compliance with this Section.

16. Survival

All representations, warranties, and covenants contained in this Agreement, or in any instrument, certificate, exhibit, or other writing intended by the parties to survive this Agreement, shall survive the termination or expiration of this Agreement, including but not limited to all terms (1) providing for indemnification of County; (2) relating to the California Public Records Act; (3) relating to County Data; and (4) relating to Contractor's obligations upon termination or expiration of this Agreement.

17. Prohibition on Contracting for Covered Telecommunications Equipment or Services

(a) *Definitions*. As used in this clause, the terms backhaul; covered foreign country; covered telecommunications equipment or services; interconnection arrangements; roaming; substantial or essential component; and telecommunications equipment or services have the meaning as defined in FEMA Policy #405-143-1, Prohibitions on Expending FEMA Award Funds for Covered Telecommunications Equipment or Services.

(b) *Prohibitions*.

1. Section 889(b) of the John S. McCain National Defense Authorization Act for Fiscal Year 2019, Pub. L. No. 115-232, and 2 C.F.R. §200.216 prohibit the head of an executive agency on or after Aug. 13, 2020, from obligating or expending grant, cooperative agreement, loan, or loan guarantee funds on certain telecommunications products or from certain entities for national security reasons.
2. Unless an exception in paragraph (c) of this clause applies, City and any contractor and/or subcontractor may not use grant, cooperative agreement, loan, or loan guarantee funds from the Federal Emergency Management Agency to:
    a. Procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system;
    b. Enter into, extend, or renew a contract to procure or obtain any equipment, system, or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology of any system;
    c. Enter into, extend, or renew contracts with entities that use covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system; or
    d. Provide, as part of its performance of this contract, subcontract or other contractual instrument, any equipment, system or service that uses covered telecommunications equipment or services as a substantial or essential component of any system, or as critical technology as part of any system.

(c) Exceptions.

1. This clause does not prohibit City or its contractors or subcontractors from providing—
    a. A service that connects to the facilities of a third-party, such as backhaul, roaming, or interconnection arrangements; or
    b. Telecommunications equipment that cannot route or redirect user data traffic or permit visibility into any user data or packets that such equipment transmits or otherwise handles.
2. By necessary implication and regulation, the prohibitions also do not apply to:
    a. Covered telecommunications equipment or services that:
        1. Are <u>not used</u> as a substantial or essential component of any system; and
        2. Are <u>not used</u> as critical technology of any system.
    b. Other telecommunications equipment or services that are not considered covered telecommunications equipment or services.

(d) Reporting requirement.

1. In the event the City or its contractor or subcontractor identifies covered telecommunications equipment or services used as a substantial or essential component of any system, or as critical technology as part of any system, during contract performance, or City or its contractor or subcontractor is notified of such by a subcontractor at any tier or by any other source, City shall report the information in paragraph (d)(2) of this clause to the recipient or subrecipient, unless elsewhere in this contract are established procedures for reporting the information.

2. City shall report the following information pursuant to paragraph (d)1 of this clause:
    a. Within one business day for the date of such identification or notification: The contract number; the order number(s), if applicable; supplier name; supplier unique entity identifier (if known); supplier Commercial and Government Entity (CAGE) code (if known); brand; model number (original equipment manufacturer number, manufacturer part number, or wholesaler number); item description; and any readily available information about mitigation actions undertaken or recommended.
    b. Within 10 business days of submitting the information in paragraph (d)2a of this clause: Any further available information about mitigation actions undertaken or recommended. In addition, the contractor shall describe the efforts it undertook to prevent use or submission of covered telecommunications equipment or services, and any additional efforts that will be incorporated to prevent future use or submission of covered telecommunications equipment or services.

(e) Subcontracts.
City shall insert the substance of this clause, including this paragraph (e), in all subcontracts and other contractual instruments.

18. Domestic Preferences for Procurement[1]

(a) As appropriate and to the extent consistent with law, City should, to the greatest extent practicable, provide a preference for the purchase, acquisition, or use of goods, products, or materials produced in the United States (including but not limited to iron, aluminum, steel, cement, and other manufactured products). The requirements of this section must be included in all contracts and purchase orders for work or products under this agreement.

(b) For purposes of this section:
    1. "Produced in the United States" means, for iron and steel products, that all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States.
    2. "Manufactured products" means items and construction materials composed in whole or in part of non-ferrous metals such as aluminum; plastics and polymer-based products such as polyvinyl chloride pipe; aggregates such as concrete; glass, including optical fiber; and lumber.

19. Noncompetitive Procurement & Training

The State will not reimburse grant recipients for non-competitively procured terrorism-related training or exercises, regardless of the cost. Exceptions to this policy may be approved in limited circumstances, e.g., related to a procurement effort that has resulted in inadequate competition. County requires City to submit the Cal OES Request for Noncompetitive Procurement Authorization form for any training or exercise-related sole/single source requests. City must have written approval for non-competitively procured source training or exercises prior to obligating any funds.

[1] "Local preference" is still prohibited under 2 CFR Part 200 Section 200.319(c)

20. Nationwide Cybersecurity Review (NCSR)

All SHSGP recipients must complete the NCSR between October and December and the submission deadline is December 1st of every year. Completion time is approximately 2-3 hours.

The Federal Emergency Management Agency (FEMA) and the Cybersecurity and Infrastructure Security Agency (CISA) have determined that providing information on the Nationwide Cybersecurity Review (NCSR) benefits and improves the quality of cybersecurity investment justifications (IJs) submitted by SHSGP recipients. The NCSR is a no-cost, anonymous, and annual self-assessment designed to measure gaps and capabilities of state, local, tribal, territorial, nonprofit, and private sector agencies' cybersecurity programs. The anonymous results provide actionable feedback and metrics directly to individual respondents.

21. Certified Resolution of Signature Authority

Upon request of County, City shall deliver to County a copy of the resolution(s) authorizing execution, delivery, and performance of this Agreement, certified as true, accurate and complete by the appropriate authorized representative of City.

Signed:

COUNTY OF SANTA CLARA		CITY OF MILPITAS	
By_____	_____	By_____	_____
James R. Williams	Date	Ned Thomas	Date
County Executive		City Manager	
		By _____	_____
		Jared Hernandez	Date
		Chief of Police	
Approved as to Form and Legality:		Approved as to Form:	
_____	_____	_____	_____
Kavita Narayan	Date	Michael Mutalipassi	Date
Chief Assistant County Counsel		City Attorney	

Enclosures

Exhibit A	2023 SHSGP Project Funding List
Exhibit B	2023 SHSGP Grant Assurances
Exhibit C	Quarterly Reporting Requirements and Report Template
Exhibit D	Financial Disclosure Form (FFATA)
Exhibit E	Certification Regarding Lobbying

Line Item #	Discipline	Agency/Contact Info	Funding Category	Project Description	Allocated Amount
20	Law	Milpitas Police Department John Torrez, Assistant Chief of Police	Equipment	Threat Assessment 3D Scanning System	**$65,488.00**
22	Law	Milpitas Police Department Tyler Jamison, Police Lieutenant	Equipment	Mobile Trailer Security System	**$39,717.00**
					$105,205.00

Standard Assurances
For Cal OES Federal Non-Disaster Grant Programs

As the duly authorized representative of the Applicant, I hereby certify that the Applicant has the legal authority to apply for federal assistance and the institutional, managerial, and financial capability (including funds sufficient to pay any non-federal share of project cost) to ensure proper planning, management, and completion of the project described in this application, within prescribed timelines.

The requirements outlined in these assurances apply to Applicant and any of its subrecipients.

I further acknowledge that the Applicant is responsible for reviewing and adhering to all requirements within the:

(a) Applicable Federal Regulations (see below);
(b) Federal Program Notice of Funding Opportunity (NOFO);
(c) Federal Preparedness Grants Manual;
(d) California Supplement to the NOFO; and
(e) Federal and State Grant Program Guidelines.

Federal Regulations
Government cost principles, uniform administrative requirements, and audit requirements for federal grant programs are set forth in Title 2, Part 200 of the Code of Federal Regulations (C.F.R.). Updates are issued by the Office of Management and Budget (OMB) and can be found at http://www.whitehouse.gov/omb/.

In the event Cal OES determines that changes are necessary to the subaward after a subaward has been made, including changes to period of performance or terms and conditions, Applicants will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate Applicant acceptance of the changes to the subaward.

State and federal grant award requirements are set forth below. The Applicant hereby agrees to comply with the following:

1. **Proof of Authority**
   The Applicant will obtain proof of authority from the city council, governing board, or authorized body in support of this project. This written authorization must specify that the Applicant and the city council, governing board, or authorized body agree:

Initials _____

(a) To provide all matching funds required for the grant project and that any cash match will be appropriated as required;
(b) Any liability arising out of the performance of this agreement shall be the responsibility of the Applicant and the city council, governing board, or authorized body;
(c) Grant funds shall not be used to supplant expenditures controlled by the city council, governing board, or authorized body;
(d) The Applicant is authorized by the city council, governing board, or authorized body to apply for federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-federal share of project cost, if any) to ensure proper planning, management and completion of the project described in this application; and
(e) The official executing this agreement is authorized by the Applicant.

This Proof of Authority must be maintained on file and readily available upon request.

2. **Period of Performance**
The period of performance is specified in the Award. The Applicant is only authorized to perform allowable activities approved under the award, within the period of performance.

3. **Lobbying and Political Activities**
As required by Section 1352, Title 31 of the United States Code (U.S.C.), for persons entering into a contract, grant, loan, or cooperative agreement from an agency or requests or receives from an agency a commitment providing for the United States to insure or guarantee a loan, the Applicant certifies that:

(a) No federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant, loan, or cooperative agreement.

(b) If any funds other than federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.

(c) The Applicant shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

The Applicant will also comply with provisions of the Hatch Act (5 U.S.C. §§ 1501- 1508 and §§ 7324-7328) which limit the political activities of employees whose principle employment activities are funded in whole or in part with federal funds.

Finally, the Applicant agrees that federal funds will not be used, directly or indirectly, to support the enactment, repeal, modification or adoption of any law, regulation or policy without the express written approval from the California Governor's Office of Emergency Services (Cal OES) or the federal awarding agency.

4. Debarment and Suspension

As required by Executive Orders 12549 and 12689, and 2 C.F.R. § 200.214 and codified in 2 C.F.R. Part 180, Debarment and Suspension, the Applicant will provide protection against waste, fraud, and abuse by debarring or suspending those persons deemed irresponsible in their dealings with the federal government. The Applicant certifies that it and its subrecipients:

(a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any federal department or agency;

(b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;

(c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in paragraph (4)(b) of this certification; and
(d) Have not within a three-year period preceding this application had one or more public transaction (federal, state, or local) terminated for cause or default.

Where the Applicant is unable to certify to any of the statements in this certification, he or she shall attach an explanation to this application.

5. Non-Discrimination and Equal Employment Opportunity
The Applicant will comply with all state and federal statutes relating to non-discrimination, including:

(a) Title VI of the Civil Rights Act of 1964 (Public Law (P.L.) 88-352 and 42 U.S.C. § 2000d et. seq.) which prohibits discrimination on the basis of race, color, or national origin and requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services;
(b) Title IX of the Education Amendments of 1972, (20 U.S.C. §§ 1681-1683, and 1685-1686), which prohibits discrimination on the basis of sex in any federally funded educational program or activity;
(c) Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794), which prohibits discrimination against those with disabilities or access and functional needs;
(d) Americans with Disabilities Act (ADA) of 1990 (42 U.S.C. § 12101et seq.), which prohibits discrimination on the basis of disability and requires buildings and structures be accessible to those with disabilities and access and functional needs;
(e) Age Discrimination Act of 1975, (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age;
(f) Public Health Service Act of 1912 (42 U.S.C. §§ 290 dd—2), relating to confidentiality of patient records regarding substance abuse treatment;
(g) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), relating to nondiscrimination in the sale, rental or financing of housing as implemented by the Department of Housing and Urban Development at 24 C.F.R. Part100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—

be designed and constructed with certain accessible features (See 24 C.F.R. § 100.201);

(h) Executive Order 11246, which prohibits federal contractors and federally assisted construction contractors and subcontractors, who do over $10,000 in Government business in one year from discriminating in employment decisions on the basis of race, color, religion, sex, sexual orientation, gender identification or national origin;

(i) Executive Order 11375, which bans discrimination on the basis of race, color, religion, sex, sexual orientation, gender identification, or national origin in hiring and employment in both the United States federal workforce and on the part of government contractors;

(j) California Public Contract Code § 10295.3, which prohibits discrimination based on domestic partnerships and those in same sex marriages;

(k) Department of Homeland Security (DHS) policy to ensure the equal treatment of faith-based organizations, under which the Applicant must comply with equal treatment policies and requirements contained in 6 C.F.R. Part 19;

(l) The Applicant will comply with California's Fair Employment and Housing Act (FEHA) (California Government Code §§12940-12957), as applicable. FEHA prohibits harassment and discrimination in employment because of ancestry, familial status, race, color, religious creed (including religious dress and grooming practices), sex (which includes pregnancy, childbirth, breastfeeding and medical conditions related to pregnancy, childbirth or breastfeeding), gender, gender identity, gender expression, sexual orientation, marital status, national origin, ancestry, mental and physical disability, genetic information, medical condition, age, pregnancy, denial of medical and family care leave, or pregnancy disability leave, military and veteran status, and/or retaliation for protesting illegal discrimination related to one of these categories, or for reporting patient abuse in tax supported institutions;

(m) Any other nondiscrimination provisions in the specific statute(s) under which application for federal assistance is being made; and

(n) The requirements of any other nondiscrimination statute(s) that may apply to this application.

6. Drug-Free Workplace

As required by the Drug-Free Workplace Act of 1988 (41 U.S.C. § 701 et seq.),the Applicant certifies that it will maintain a drug-free workplace and a drug-free awareness program as outlined in the Act.

7. Environmental Standards

The Applicant will comply with state and federal environmental standards, including:

(a) California Environmental Quality Act (CEQA) (California Public Resources Code §§ 21000-21177), to include coordination with the city or county planning agency;
(b) CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, §§ 15000-15387);
(c) Federal Clean Water Act (CWA) (33 U.S.C. § 1251 et seq.), which establishes the basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters;
(d) Federal Clean Air Act of 1955 (42 U.S.C. § 7401) which regulates air emissions from stationary and mobile sources;
(e) Institution of environmental quality control measures under the National Environmental Policy Act (NEPA) of 1969 (P.L. 91-190); the Council on Environmental Quality Regulations for Implementing the Procedural Provisions of NEPA; and Executive Order 12898 which focuses on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities;
(f) Evaluation of flood hazards in floodplains in accordance with Executive Order 11988;
(g) Executive Order 11514 which sets forth national environmental standards;
(h) Executive Order 11738 instituted to assure that each federal agency empowered to enter into contracts for the procurement of goods, materials, or services and each federal agency empowered to extend federal assistance by way of grant, loan, or contract shall undertake such procurement and assistance activities in a manner that will result in effective enforcement of the Clean Air Act and the Federal Water Pollution Control Act Executive Order 11990 which requires preservation of wetlands;
(i) The Safe Drinking Water Act of 1974, (P.L. 93-523);
(j) The Endangered Species Act of 1973, (P.L. 93-205);
(k) Assurance of project consistency with the approved state management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§1451 et seq.);
(l) Conformity of Federal Actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clean Air Act of 1955, as amended (42 U.S.C. §§7401 et seq.); and

(m) Wild and Scenic Rivers Act of 1968 (16 U.S.C. § 1271 et seq.) related to protecting components or potential components of the national wild and scenic rivers system.

The Applicant shall not be: (1) in violation of any order or resolution promulgated by the State Air Resources Board or an air pollution district; 2) subject to a cease-and-desist order pursuant to section 13301 of the California Water Code for violation of waste discharge requirements or discharge prohibitions; or 3) determined to be in violation of federal law relating to air or water pollution.

8. Audits

For subrecipients expending $750,000 or more in federal grant funds annually, the Applicant will perform the required financial and compliance audits in accordance with the Single Audit Act Amendments of 1996 and 2 C.F.R., Part 200, Subpart F Audit Requirements.

9. Cooperation and Access to Records

The Applicant must cooperate with any compliance reviews or investigations conducted by DHS. In accordance with 2 C.F.R. § 200.337, the Applicant will give the awarding agency, the Comptroller General of the United States and, if appropriate, the state, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award. The Applicant will require any subrecipients, contractors, successors, transferees and assignees to acknowledge and agree to comply with this provision.

10. Conflict of Interest

The Applicant will establish safeguards to prohibit the Applicant's employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.

11. Financial Management

False Claims for Payment - The Applicant will comply with 31 U.S.C §§ 3729-3733 which provides that Applicant shall not submit a false claim for payment, reimbursement, or advance.

12. Reporting - Accountability

The Applicant agrees to comply with applicable provisions of the Federal Funding Accountability and Transparency Act (FFATA) (P.L. 109-282), including but not limited to (a) the reporting of subawards obligating $30,000 or more in federal funds,

and (b) executive compensation data for first-tier subawards as set forth in 2 C.F.R. Part 170, Appendix A. The Applicant also agrees to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A.

13. Whistleblower Protections

The Applicant must comply with statutory requirements for whistleblower protections at 10 U.S.C. § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. § 4304 and § 4310.

14. Human Trafficking

The Applicant will comply with the requirements of Section 106(g) of the Trafficking Victims Protection Act of 2000, as amended (22 U.S.C. § 7104) which prohibits the Applicant or its subrecipients from: (1) engaging in trafficking in persons during the period of time that the award is in effect; (2) procuring a commercial sex act during the period of time that the award is in effect; or (3) using forced labor in the performance of the award or subawards under the award.

15. Labor Standards

The Applicant will comply with the following federal labor standards:

(a) The Davis-Bacon Act (40 U.S.C. §§ 276a to 276a-7), as applicable, and the Copeland Act (40 U.S.C. § 3145 and 18 U.S.C. § 874) and the Contract Work Hours and Safety Standards Act (40 U.S.C. §§ 327-333), regarding labor standards for federally-assisted construction contracts or subcontracts, and

(b) The Federal Fair Labor Standards Act (29 U.S.C. § 201 et seq.) as they apply to employees of institutes of higher learning (IHE), hospitals and other non-profit organizations.

16. Worker's Compensation

The Applicant must comply with provisions which require every employer to be insured to protect workers who may be injured on the job at all times during the performance of the work of this Agreement, as per the workers compensation laws set forth in California Labor Code §§ 3700 et seq.

17. Property-Related

If applicable to the type of project funded by this federal award, the Applicant will:

(a) Comply with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646)

which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of federal or federally-assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of federal participation in purchase;

(b) Comply with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires federal award subrecipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is $10,000 or more;

(c) Assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. § 470), Executive Order 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16U.S.C. § 469a-1 et seq.); and

(d) Comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. § 4831 and 24 CFR Part 35) which prohibits the use of lead-based paint in construction or rehabilitation of residence structures.

18. Certifications Applicable Only to Federally-Funded Construction Projects

For all construction projects, the Applicant will:

(a) Not dispose of, modify the use of, or change the terms of the real property title or other interest in the site and facilities without permission and instructions from the awarding agency. Will record the federal awarding agency directives and will include a covenant in the title of real property acquired in whole or in part with federal assistance funds to assure nondiscrimination during the useful life of the project;

(b) Comply with the requirements of the awarding agency with regard to the drafting, review and approval of construction plans and specifications; and

(c) Provide and maintain competent and adequate engineering supervision at the construction site to ensure that the complete work conforms with the approved plans and specifications and will furnish progressive reports and such other information as may be required by the assistance awarding agency or State.

19. Use of Cellular Device While Driving is Prohibited

The Applicant is required to comply with California Vehicle Code sections 23123 and 23123.5. These laws prohibit driving motor vehicle while using an electronic wireless communications device to write, send, or read a text-based communication.

Drivers are also prohibited from the use of a wireless telephone without hands-free listening and talking, unless to make an emergency call to 911, law enforcement, or similar services.

20. California Public Records Act and Freedom of Information Act

The Applicant acknowledges that all information submitted in the course of applying for funding under this program, or provided in the course of an entity's grant management activities that are under Federal control, is subject to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, and the California Public Records Act, California Government Code §7920.000 et seq. The Applicant should consider these laws and consult its own State and local laws and regulations regarding the release of information when reporting sensitive matters in the grant application, needs assessment, and strategic planning process.

HOMELAND SECURITY GRANT PROGRAM (HSGP) – PROGRAM SPECIFIC ASSURANCES / CERTIFICATIONS

21. Acknowledgment of Federal Funding from DHS

The Applicant must acknowledge its use of federal funding when issuing statements, press releases, requests for proposals, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

22. Activities Conducted Abroad

The Applicant must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

23. Best Practices for Collection and Use of Personally Identifiable Information (PII)

DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. If the Applicant collects PII, the Applicant is required to have a publicly-available privacy policy that describes standards on the usage and maintenance of PII they collect. The Applicant may refer to the DHS Privacy Impact Assessments: Privacy Guidance and Privacy template as a useful resource.

24. Copyright

The Applicant must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of United States Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

25. Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies, to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions, or for other reasons. However, these prohibitions would not preclude the Applicant from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

26. Energy Policy and Conservation Act

The Applicant must comply with the requirements of 42 U.S.C. § 6201 which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

27. Federal Debt Status

The Applicant is required to be non-delinquent in its repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. See OMB Circular A-129.

28. Fly America Act of 1974

The Applicant must comply with Preference for United States Flag Air Carriers: (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974 (49 U.S.C. § 40118) and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

29. Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, the Applicant must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, as amended, 15 U.S.C. § 2225a.

30. Non-supplanting Requirement

If the Applicant receives federal financial assistance awards made under programs that prohibit supplanting by law, the Applicant must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non- federal sources.

31. Patents and Intellectual Property Rights

Unless otherwise provided by law, the Applicant is subject to the Bayh-Dole Act, Pub. L. No. 96-517, as amended, and codified in 35 U.S.C. § 200 et seq. The Applicant is subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

32. SAFECOM

If the Applicant receives federal financial assistance awards made under programs that provide emergency communication equipment and its related activities, the Applicant must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

33. Terrorist Financing

The Applicant must comply with Executive Order 13224 and United States law that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. The Applicant is legally responsible for ensuring compliance with the Order and laws.

34. Reporting of Matters Related to Recipient Integrity and Performance

If the total value of the Applicant's currently active grants, cooperative agreements, and procurement contracts from all federal assistance offices exceeds $10,000,000 for any period of time during the period of performance of this federal financial assistance award, the Applicant must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

35. USA Patriot Act of 2001

The Applicant must comply with requirements of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act (USA PATRIOT Act), which amends 18 U.S.C. §§ 175-175c.

36. Use of DHS Seal, Logo, and Flags

The Applicant must obtain permission from their DHS Financial Assistance Office, prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

37. Performance Goals

In addition to the Biannual Strategy Implementation Report submission requirements outlined in the Preparedness Grants Manual, the Applicant must demonstrate how the grant-funded project addresses the core capability gap associated with each project and identified in the Threat and Hazard Identification and Risk Analysis or Stakeholder Preparedness Review or sustains existing capabilities, as applicable. The capability gap reduction or capability sustainment must be addressed in the Project Description of the BSIR for each project.

38. Applicability of DHS Standard Terms and Conditions to Tribes

The DHS Standard Terms and Conditions are a restatement of general requirements imposed upon the Applicant and flow down to any of its subrecipients as a matter of law, regulation, or executive order. If the requirement does not apply to Indian tribes or there is a federal law or regulation exempting its application to Indian tribes, then the acceptance by Tribes of, or acquiescence to, DHS Standard Terms and Conditions does not change or alter its inapplicability to an Indian tribe. The execution of grant documents is not intended to change, alter, amend, or impose additional liability or responsibility upon the Tribe where it does not already exist.

39. Required Use of American Iron, Steel, Manufactured Products, and Construction Materials

The Applicant must comply with the "Build America, Buy America" Act (BABAA), enacted as part of the Infrastructure Investment and Jobs Act and Executive Order 14005. Applicants receiving a federal award subject to BABAA requirements may not use federal financial assistance funds for infrastructure projects unless:

(a) All iron and steel used in the project are produced in the United States – this means all manufacturing processes, from the initial melting stage through the application of coatings, occurred in the United States;

(b) All manufactured products used in the project are produced in the United States – this means the manufactured product was manufactured in the United States; and the cost of the components of the manufactured product that are mined, produced, or manufactured in the United States is greater than 55 percent of the total cost of all components of the manufactured product, unless another standard for determining the minimum amount of domestic content of the manufactured product has been established under applicable law or regulation; and
(c) All construction materials are manufactured in the United States – this means that all manufacturing processes for the construction material occurred in the United States.

The "Buy America" preference only applies to articles, materials, and supplies that are consumed in, incorporated into, or affixed to an infrastructure project. It does not apply to tools, equipment, and supplies, such as temporary scaffolding, brought to the construction site and removed at or before the completion of the infrastructure project. Nor does a "Buy America" preference apply to equipment and furnishings, such as movable chairs, desks, and portable computer equipment, that are used at or within the finished infrastructure project but are not an integral part of the structure or permanently affixed to the infrastructure project.

Per section 70914(c) of BABAA, FEMA may waive the application of a "Buy America" preference under an infrastructure program in certain cases.

On July 1, 2022, OMB approved FEMA's General Applicability Public Interest Waiver of the BABAA requirements to be effective for a period of six months, through January 1, 2023. Applicants will not be required to follow the BABAA requirements for FEMA awards made, and any other funding FEMA obligates, during this waiver period. For any new awards FEMA makes after January 1, 2023, as well as new funding FEMA obligates to existing awards or through renewal awards where the new funding is obligated after January 1, 2023, Applicants will be required to follow the BABAA requirements unless another waiver is requested and approved.

40. Advancing Effective, Accountable Policing and Criminal Justice Practice to Enhance Public Trust and Public Safety

The Applicant must comply with the requirements of section 12(c) of Executive Order 14074. The Applicant is also encouraged to adopt and enforce policies consistent with Executive Order 14074 to support safe and effective policing.

Standard Assurances
For Cal OES Federal Non-Disaster Grant Programs

IMPORTANT
The purpose of these assurances is to obtain federal and state financial assistance, including any and all federal and state grants, loans, reimbursement, contracts, etc. Applicant recognizes and agrees that state financial assistance will be extended based on the representations made in these assurances. These assurances are binding on Applicant, its successors, transferees, assignees, etc. as well as any of its subrecipients. Failure to comply with any of the above assurances may result in suspension, termination, or reduction of grant funds.

All appropriate documentation, as outlined above, must be maintained on file by the Applicant and available for Cal OES or public scrutiny upon request. Failure to comply with these requirements may result in suspension of payments under the grant or termination of the grant or both and the Applicant may be ineligible for award of any future grants if Cal OES determines that the Applicant: (1) has made false certification, or (2) violates the certification by failing to carry out the requirements as noted above.

All of the language contained within this document must be included in the award documents for all subawards at all tiers. Applicants are bound by DHS Standard Terms and Conditions 2023, Version 2, hereby incorporated by reference, which can be found at: https://www.dhs.gov/publication/fy15-dhs- standard-terms-and-conditions.

The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the Applicant.

Applicant:_____

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title:_____Date: _____

Initials _____

Exhibit C

Quarterly Performance and Reporting Requirements

Quarterly performance reports indicating the status of FY 2023 State Homeland Security Grant Program (SHSGP) projects are due to the County Grants Administrator, Michelle Sandoval.

The following dates represent the Grant Performance Period for the SHSGP program:

- Performance Period 1 (September 1, 2023 – December 31, 2023) – quarterly performance report due January 15, 2024
- Performance Period 2 (January 1, 2024 – March 31, 2024) – quarterly performance period report due April 15, 2024
- Performance Period 3 (April 1, 2024 – June 30, 2024) – quarterly performance period report due July 15, 2024
- Performance Period 4 (July 1, 2024 – September 30, 2024) – quarterly performance period report due October 15, 2024
- Performance Period 5 (October 1, 2024 – December 31, 2024) – quarterly performance period report due January 15, 2025
- Performance Period 6 (January 1, 2025 – March 31, 2025) – quarterly performance period report due April 15, 2025
- Performance Period 7 (April 1, 2025 – May 31, 2025) – quarterly performance period report due June 1, 2025

Performance Report

FISCAL YEAR 2023 Homeland Security Grant Program

Reporting Sub-recipient: _____

Performance Period: from _____ to _____
(see Agreement with County for Performance Period Report due date)

Mailing Instructions: Please complete the performance report and return it by **the appropriate due date as indicated**: (see Agreement with County for Performance Period Report due dates)

Santa Clara County Office of Emergency Management
Attention: Michelle Sandoval
55 West Younger Ave, Suite 450
San Jose CA, 95110

Questions regarding the completion of this performance report should be directed to Santa Clara County Office of Emergency Management (408) 808-7800. Questions can also be sent via email to GrantsTeam@oem.sccgov.org. Reports can be mailed to the above address.

Part I –Sub-recipient Contact Information

Authorized person who is responsible for completing this form:

Name_____

Title _____

Mailing
Address_____

Phone_____Fax_____

E-mail _____

Part II – Project Activities

Directions: Complete the following items to reflect activities completed on your project during this reporting period.

1. Project Title: _____

2. Please explain the actions/processes being taken and estimated completion date.

Part III –Signature of Preparer

I certify that I have prepared this report with the most timely and accurate information available.

Signature: _____ Date: _____

Printed Name: _____ Title: _____

Cal OES
GOVERNOR'S OFFICE
OF EMERGENCY SERVICES

Federal Funding Accounting and Transparency Act (FFATA) Financial Disclosure

Public Law (PL) 109-282 Federal Funding Accountability and Transparency Act of 2006, as amended by Section 6202(a) of the Government Funding Transparency Act of 2008 (PL 110-252), which is outlined in the Federal Emergency Management Agency, Grant Programs Directorate Information Bulletin No. 350.

As defined by the Office of Management Budget, the following are subject to FFATA reporting requirements:

1. All new federal awards of $30,000 or more, as of August 13, 2020.
   NOTE: Cal OES reports on this requirement in the Federal Funding Accountability and Transparency Act Subaward Reporting System (FSRS).

2. The Total Compensation and Names of the top five executive, if the Subrecipient in the preceding year received:
   a. 80 percent or more of its annual gross revenues in Federal Awards; **and**
   b. $25,000,000 or more in annual gross revenues from Federal awards; **and**
   c. The public does not have access to information about the compensation of the senior executives of the entity.

Subrecipients are required to provide the Executive compensation information in the below chart, if applicable.

Executive Name	Title	Annual Salary	Annual Dollar Value of Benefits	Total Compensation

☐ Not subject to the Executive Compensation requirement of the FFATA Financial Disclosure.

Federal Funding Accounting and Transparency Act (FFATA) Financial Disclosure

The undersigned represents that he/she is authorized to enter into this agreement for and on behalf of the Applicant.

Subrecipient: _____

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____

Certification Regarding Lobbying

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The undersigned certifies, to the best of his or her knowledge and belief, that:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of an agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.

2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL, 'Disclosure of Lobbying Activities,' in accordance with its instructions.

3. The undersigned shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than $10,000 and not more than $100,000 for each such failure.

Initials_____

Certification Regarding Lobbying

The Subrecipient, as identified below, certifies or affirms the truthfulness and accuracy of each statement of its certification and disclosure, if any. In addition, the Subrecipient understands and agrees that the provisions of 31 U.S.C. Chap. 38, Administrative Remedies for False Claims and Statements, apply to this certification and disclosure, if any.

Subrecipient: _____

Signature of Authorized Agent: _____

Printed Name of Authorized Agent: _____

Title: _____ Date: _____

Initials_____

RESOLUTION NO. _____

RESOLUTION OF THE MILPITAS CITY COUNCIL AUTHORIZING EXECUTION, DELIVER, AND PERFORMANCE OF THE AGREEMENT BETWEEN THE COUNTY OF SANTA CLARA AND THE CITY OF MILPITAS GRANTING PROGRAM FUNDS FOR THE 2023 STATE HOMELAND SECURITY GRANT PROGRAM

WHEREAS, the 2023 SHSGP (AL# 97.067) supports the implementation of State Homeland Security Strategies to address the identified planning, organization, equipment, training and exercise needs for acts of terrorism and other catastrophic events, and management and administration of the grant. In addition, SHSGP supports the implementation of the National Preparedness Guidelines, the National Incident Management System (NIMS), and the National Response Framework (NRF); and

WHEREAS, the State of California ("State") has designated the County as the Operational Area for purposes of distributing SHSGP funds to the cities, special districts and other entities within the County. An Anti-Terrorism Approval Body ("County Approval Authority"), comprised of the County Health Officer, the County Fire Chief, a Municipal Fire Chief, the County Sheriff, and a Chief of Police, has been appointed for the purpose of approving the distribution of SHSGP funds at the Operational Area level; and

WHEREAS, on September 1, 2023, the California Governor's Office of Emergency Services ("Cal OES") awarded the County 2023 SHSGP funds in the amount of $1,882,403. The allocation of the SHSGP funds will be determined by the County Approval Authority in accordance with the grant guidelines.

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 Manager for the City of Milpitas is hereby authorized to execute and deliver the Agreement between the County of Santa Clara and the City of Milpitas Granting Program Funds for the 2023 State Homeland Security Grant Program and to take all actions necessary to perform thereunder.

PASSED AND ADOPTED this on _____ day of _____, 2024 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:	**Receive an Update on Storm Drain System Emergency Repairs and Improvements at Evans Road and Piedmont Creek and Determine that the Condition Continues to Constitute an Emergency (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602)**
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	4/16/2024
Recommendation:	(1) Receive an update on the storm drain system emergency repairs and improvements at Evans Road and Piedmont Creek; and (2) Determine by a four-fifths vote that the condition continues to constitute an emergency.

Background:
Pursuant to Public Contract Code section 22050 and the attached Council Resolution No. 9134, the Director of Public Works, in the case of emergency, may authorize a repair of a public facility and procure the work without giving notice for bids. An emergency is defined as "a sudden, unexpected occurrence that poses a clear and imminent danger, requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or essential public services." Additionally, State law requires the Public Works Director, as the City official with delegated authority to take emergency action, to report any emergency authorization and the reason(s) for the authorization to the City Council not later than seven days after the action, or at its next regularly scheduled meeting if that meeting will occur not later than 14 days after the action. Further, the Public Works Director is required to report why the emergency would not permit a delay resulting from a competitive solicitation for bids and the City Council is required to review the emergency action at every regularly scheduled meeting thereafter until the emergency repair is completed. The City Council shall continue to review the emergency action at every regularly scheduled meeting thereafter until the action is terminated. At each review, the City Council shall determine, by a four-fifths vote, whether there is a need to continue the action.

Consistent with applicable State law and Council Resolution, on November 21, 2023, the Public Works Director declared an emergency and authorized the City to contract with local contractor, Able Construction Inc., for the storm drain system emergency repairs and improvements at Evans Road and Piedmont Creek. Further, within the required timeframe the Public Works Director informed the City Council via the attached Information Memorandum on November 21, 2023 regarding the emergency authorization, the reasons for the authorization, and the cost for repair in the amount of $137,519.

Project Update(s):
Below is a current update on the status of the storm drain emergency repairs and improvements at Evans Road and Piedmont Creek.

The contractor substantially completed improvements at Piedmont Creek, per project plans and specifications, the week of February 20th. The first progress payment for improvements at Piedmont Creek was submitted the week of March 4th. Work on storm drain improvements at Evans Road commenced the week of February 20th and was substantially completed the week of March 18th, pending fabrication and installation of the metal grate cover for the concrete storm drain inlet. A change order was issued the week of April 1st for fabrication and installation of the steel grate at Evans Road in the amount of $6,550. This change order was needed to incorporate design modifications that accommodate for long term operation and maintenance of the storm drain inlet. The metal grate is planned for installation the week of April 22nd.

Upon completion of the Evans Road improvements, the City will perform a site walkthrough to ensure the improvements at both project locations have been completed per project plans and specifications and the project site(s) are satisfactorily restored to pre-project conditions. The City will subsequently issue a punch-list for any

outstanding items prior to deeming the project complete. Both projects are anticipated to be deemed complete the week of April 22nd.

Fiscal Impact:
Funding for these repairs is available in the City's Capital Improvement Program (CIP) budget. CIP Project 3715 - Storm Drain System Rehabilitation Project will fund $137,519 for the storm drain system emergency repairs and improvements at Evans Road and Piedmont Creek. Funding source comes from the Storm Drain General Fund and Storm Drain Fund. As of April 4, 2024, the balance in CIP 3715 is $1,460,724.

California Environmental Quality Act:
The emergency repair work is exempt from CEQA, per CEQA Guidelines Section 15301, Existing Facilities and 15302, Replacement or Reconstruction.

Recommendations:
(1) Receive an update on the storm drain system emergency repairs and improvements at Evans Road and Piedmont Creek.
(2) Determine by a four-fifths vote that the condition continues to constitute an emergency.

Attachment:
None

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Approve a Three-Year Agreement with Portford Solutions for Maintenance and Support of ApplicationXtender Document Management Software and Authorize the City Manager to Execute the Agreement (Staff Contact: Daniel Nam, Information Technology Director, 408-586-2712)**
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	4/16/2024
Recommendation:	Approve a three-year agreement with Portford Solutions for the licensing and maintenance and support services related to ApplicationXtender for the not-to-exceed amount of $118,150.19 and authorize the City Manager to execute the agreement.

BACKGROUND:
ApplicationXtender is digital document management software used by various City departments. The City has relied on this software for the past 20 years to categorize, track, and store electronic documents and files. The operation of the system requires software licensing as well as a mandatory support and maintenance service to keep the software updated and obtain future new functionality.

In August 2004, the City entered into an agreement with Peelle Technologies, Inc. to purchase software licensing and maintenance support for ApplicationXtender. In August 2005, the City and Peelle agreed to amend the Peelle Contract (Amendment No. 1) to increase the contract amount. The City has continued to renew the annual agreements with Peelle.

In February 2017, Peelle transferred its ApplicationXtender support and maintenance service to Portford Solutions. In June 2017, Portford and the City entered into an Assumption of Contract Agreement. Portford Solutions assumed the City's existing contract with Peelle under the existing terms and conditions, including the Annual Maintenance Agreement. Portford Solutions has satisfactorily provided support services to the City, and the company has the technical expertise in the document management industry to continue to provide the City with support for the ApplicationXtender product.

In March 2023, the City entered into a new two-year contract with Portford Solutions for maintenance support in the not-to-exceed amount of $71,149.60 for the service period from June 29,2022 through June 28, 2024. The retroactive nature of the contract addressed various delays from the renewal negotiation. The current agreement will expire soon, and the City seeks to enter into a new three-year agreement.

ANALYSIS:
The ApplicationXtender application is a critical document management system used by various City departments. The use of the software requires a service and maintenance contract to ensure proper operation, receive security patches and new features, and receive technical support as needed.

Staff recommends entering into a new agreement with Portford Solutions for maintenance and support services, as described above, and requests Council authorization of a three-year agreement for a not-to-exceed amount of $118,150.19.

POLICY ALTERNATIVES:

Alternative 1: Do not authorize the City Manager to execute the three-year agreement with Portford Solutions contract for ApplicationXtender.

Pros: The City will not incur $118,150.19 in costs.

Cons: The City will not have access to maintenance and support services for the ApplicationXtender software and the ability to manage electronic documents.

Reason for Not Recommending: Without licensing of the ApplicationXtender software, the City will not have a way to track, categorize and store digital documents, and the software also requires access to maintenance and support services. Authorizing the City Manager to execute the three-year agreement with Portford Solutions will ensure a continued capability for document management.

FISCAL IMPACT:
The total not-to-exceed cost for the three-year agreement is $118,150.19. The cost for the first year is $36,750.77. There are sufficient funds available for the first year in the Information Technology FY24-25 operating budget. Funding for future years will be allocated through the annual budget process.

Service Term	Amount
Year 1: 6/29/2024-6/28/2025	$36,750.77
Year 2: 6/29/2025-6/28/2026	$39,323.47
Year 3: 6/29/2026-6/28/2027	$42,075.95

California Environmental Quality Act (CEQA):
The action is an organizational or administrative activity of the City government that will not result in direct or indirect physical changes in the environment and is not a project in accordance with Section 15378 of the California Environmental Quality Act Guidelines.

RECOMMENDATION:
Approve a three-year agreement with Portford Solutions for the licensing and maintenance and support services related to ApplicationXtender for the not-to-exceed amount of $118,150.19 and authorize the City Manager to execute the agreement.

Attachment(s):
Draft Agreement

PROFESSIONAL SERVICES AGREEMENT
BETWEEN THE
CITY OF MILPITAS AND PORTFORD SOLUTIONS GROUP INC

This Agreement is made and entered into as of _____("Effective Date") by and between the City of Milpitas, a municipal corporation organized and operating under the laws of the State of California with its principal place of business at 455 E. Calaveras Boulevard, Milpitas, California 95035 ("City"), and **Portford Solutions Group, Inc.,** a California corporation with its principal place of business at **668 North Coast Highway, Unit 1198, Laguna Beach, CA 92651** (hereinafter referred to as "Consultant"). City and Consultant are sometimes individually referred to as "Party" and collectively as "Parties" in this Agreement.

RECITALS

A. City is a public agency of the State of California and is in need of professional services for the following project:

Support and Maintenance Agreement for ApplicationXtender Software
(hereinafter referred to as "the Project").

B. Consultant is duly licensed and has the necessary qualifications to provide such services.

C. The Parties desire by this Agreement to establish the terms for City to retain Consultant to provide the services described herein.

AGREEMENT

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

1. Services.

Consultant shall provide the City with the services described in the Scope of Services attached hereto as Exhibit A.

2. Compensation.

a. Subject to paragraph 2(b) below, the City shall pay for such services in accordance with the Schedule of Charges set forth in Exhibit B.

b. In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of **One Hundred Eighteen Thousand One Hundred Fifty Dollars and Nineteen Cents ($118,150.19).** This amount is to cover all printing and related costs, and the City will not pay any additional fees for printing expenses. Periodic payments shall be made within thirty (30) days of receipt of an invoice which includes a detailed description of the work performed. Payments to Consultant for work performed will be made on a monthly billing basis.

3. Additional Work.

If changes in the work seem merited by Consultant or the City, and informal consultations with the other party indicate that a change is warranted, it shall be processed in the following manner: a letter

outlining the changes shall be forwarded to the City by Consultant with a statement of estimated changes in fee or time schedule. An amendment to this Agreement shall be prepared by the City and executed by both Parties before performance of such services, or the City will not be required to pay for the changes in the scope of work. Such amendment shall not render ineffective or invalidate unaffected portions of this Agreement.

4. Maintenance of Records.

Books, documents, papers, accounting records, and other evidence pertaining to costs incurred shall be maintained by Consultant and made available at all reasonable times during the Agreement term and for four (4) years from the date of final payment under the Agreement for inspection by City.

5. Term.

The term of this Agreement shall be from **June 29, 2024** to **June 28, 2027**, unless earlier terminated as provided herein. The City reserves the right to review the Consultant's performance at the end of each year and cancel all or part of the Agreement.

Consultant shall perform its services in a prompt and timely manner and shall commence performance upon the Effective Date.

6. Delays in Performance.

a. Neither City nor Consultant shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the non-performing party. For purposes of this Agreement, such circumstances include but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; war; riots and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage or judicial restraint.

b. Should such circumstances occur, the non-performing party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement.

7. Compliance with Law.

a. Consultant shall comply with all applicable laws, ordinances, codes and regulations of the federal, state and local government, including Cal/OSHA requirements.

b. If required, Consultant shall assist the City, as requested, in obtaining and maintaining all permits required of Consultant by federal, state and local regulatory agencies.

c. If applicable, Consultant is responsible for all costs of clean up and/ or removal of hazardous and toxic substances spilled as a result of his or her services or operations performed under this Agreement.

8. Standard of Care

Consultant's services will be performed in accordance with generally accepted professional practices and principles and in a manner consistent with the level of care and skill ordinarily exercised by members of the profession currently practicing under similar conditions.

9. Assignment and Subconsultant

Consultant shall not assign, sublet, or transfer this Agreement or any rights under or interest in this Agreement without the written consent of the City, which may be withheld for any reason. Any attempt to so assign or so transfer without such consent shall be void and without legal effect and shall constitute grounds for termination. Subcontracts, if any, shall contain a provision making them subject to all provisions stipulated in this Agreement. Nothing contained herein shall prevent Consultant from employing independent associates, and subconsultants as Consultant may deem appropriate to assist in the performance of services hereunder.

10. Independent Consultant

Consultant is retained as an independent contractor and is not an employee of City. No employee or agent of Consultant shall become an employee of City. The work to be performed shall be in accordance with the work described in this Agreement, subject to such directions and amendments from City as herein provided.

11. Insurance. Consultant shall not commence work for the City until it has provided evidence satisfactory to the City it has secured all insurance required under Exhibit D (Insurance Requirements), attached hereto and incorporated herein by this reference. In addition, Consultant shall not allow any subcontractor to commence work on any subcontract until it has secured all insurance required therein.

12. Indemnification.

a. To the fullest extent permitted by law, Consultant shall defend (with counsel of City's choosing), indemnify and hold the City, its officials, officers, employees, volunteers, and agents free and harmless from any and all claims, demands, causes of action, costs, expenses, liability, loss, damage or injury of any kind, in law or equity, to property or persons, including wrongful death, in any manner arising out of, pertaining to, or incident to any acts, errors or omissions, or willful misconduct of Consultant, its officials, officers, employees, subcontractors, consultants or agents in connection with the performance of the Consultant's services, the Project or this Agreement, including without limitation the payment of all damages, expert witness fees and attorney's fees and other related costs and expenses. Consultant's obligation to indemnify shall not be restricted to insurance proceeds, if any, received by Consultant, the City, its officials, officers, employees, agents, or volunteers.

b. If Consultant's obligation to defend, indemnify, and/or hold harmless arises out of Consultant's performance of "design professional" services (as that term is defined under Civil Code section 2782.8), then, and only to the extent required by Civil Code section 2782.8, which is fully incorporated herein, Consultant's indemnification obligation shall be limited to claims that arise out of, pertain to, or relate to the negligence, recklessness, or willful misconduct of the Consultant, and, upon Consultant obtaining a final adjudication by a court of competent jurisdiction, Consultant's liability for such claim, including the cost to defend, shall not exceed the Consultant's proportionate percentage of fault.

13. California Labor Code Requirements.

a. Consultant is aware of the requirements of California Labor Code Sections 1720 et seq. and 1770 et seq., which require the payment of prevailing wage rates and the performance of other requirements on certain "public works" and "maintenance" projects ("Prevailing Wage Laws"). 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 One Thousand Dollars and Zero Cents ($1,000.00) or more, Consultant agrees to fully comply with such Prevailing Wage Laws. Consultant shall

defend, indemnify and hold the 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. It shall be mandatory upon the Consultant and all subconsultants 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) and debarment of contractors and subcontractors (Labor Code Section 1777.1). 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.

b. If the services are being performed as part of an applicable "public works" or "maintenance" project, then pursuant to Labor Code Sections 1725.5 and 1771.1, the Consultant and all subconsultants performing such services must be registered with the Department of Industrial Relations. Consultant shall maintain registration for the duration of the Project and require the same of any subconsultants, as applicable. Notwithstanding the foregoing, the contractor registration requirements mandated by Labor Code Sections 1725.5 and 1771.1 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 1725.5 and 1771.1.

c. This Agreement may also be subject to compliance monitoring and enforcement by the Department of Industrial Relations. It shall be Consultant's sole responsibility to comply with all applicable registration and labor compliance requirements. Any stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor that affect Consultant's performance of services, including any delay, shall be Consultant's sole responsibility. Any delay arising out of or resulting from such stop orders shall be considered Consultant caused delay and shall not be compensable by the City. Consultant shall defend, indemnify and hold the City, its officials, officers, employees and agents free and harmless from any claim or liability arising out of stop orders issued by the Department of Industrial Relations against Consultant or any subcontractor.

14. Verification of Employment Eligibility.

By executing this Agreement, Consultant 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.

15. Laws and Venue.

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.

16. Termination or Abandonment

a. City has the right to terminate or abandon any portion or all of the work under this Agreement by giving ten (10) calendar days written notice to Consultant. In such event, City shall be immediately given title and possession to all original field notes, drawings and specifications, written reports and other documents produced or developed for that portion of the work completed and/or being abandoned. City shall pay Consultant the reasonable value of services rendered for any portion of the work completed prior to termination. If said termination occurs prior to completion of any task for the Project for

which a payment request has not been received, the charge for services performed during such task shall be the reasonable value of such services, based on an amount mutually agreed to by City and Consultant of the portion of such task completed but not paid prior to said termination. City shall not be liable for any costs other than the charges or portions thereof which are specified herein. Consultant shall not be entitled to payment for unperformed services, and shall not be entitled to damages or compensation for termination of work.

b. Consultant may terminate its obligation to provide further services under this Agreement upon thirty (30) calendar days' written notice to City only in the event of substantial failure by City to perform in accordance with the terms of this Agreement through no fault of Consultant.

c. The Consultant understands and accepts that at all times; the Agreement is subject to appropriation of funds by the Milpitas City Council. The Agreement may terminate without penalty, liability or expense of any kind to the City at the end of Agreement term. The City has no obligation to make appropriations for the Agreement in lieu of appropriations for new or other contracts. City budget decisions are subject to the discretion of the Mayor and City Council. Consultant's assumption of risk of possible non-appropriation is a part of the consideration for the Agreement. This section controls against any and all other provisions of the Agreement.

17. Documents. Except as otherwise provided in "Termination or Abandonment," above, all original field notes, written reports, Drawings and Specifications and other documents, produced or developed for the Project shall, upon payment in full for the services described in this Agreement, be furnished to and become the property of the City.

18. Organization

Consultant shall assign **Nick Bolton** as Project Manager. The Project Manager shall not be removed from the Project or reassigned without the prior written consent of the City.

19. Limitation of Agreement.

This Agreement is limited to and includes only the work included in the Project described above.

20. Notice

Any notice or instrument required to be given or delivered by this Agreement may be given or delivered by depositing the same in any United States Post Office, certified mail, return receipt requested, postage prepaid, addressed to:

CITY:	CONSULTANT:
City of Milpitas	Portford Solutions Group, Inc.
455 E. Calaveras Boulevard	668 North Coast Highway, Unit 1198,
Milpitas, California 95035	Laguna Beach, CA 92651
Attn: Daniel Nam, Information Technology Director	Attn: Nick Bolton

and shall be effective upon receipt thereof.

21. Third Party Rights

Nothing in this Agreement shall be construed to give any rights or benefits to anyone other than the City and the Consultant.

22. Equal Opportunity Employment.

Consultant 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.

23. Entire Agreement

This Agreement, with its exhibits, represents the entire understanding of City and Consultant as to those matters contained herein, and supersedes and cancels any prior or contemporaneous oral or written understanding, promises or representations with respect to those matters covered hereunder. Each party acknowledges that no representations, inducements, promises or agreements have been made by any person which are not incorporated herein, and that any other agreements shall be void. This Agreement may not be modified or altered except in writing signed by both Parties hereto. This is an integrated Agreement.

24. Severability

The unenforceability, invalidity or illegality of any provision(s) of this Agreement shall not render the provisions unenforceable, invalid or illegal.

25. Successors and Assigns

This Agreement shall be binding upon and shall inure to the benefit of the successors in interest, executors, administrators and assigns of each party to this Agreement. However, Consultant shall not assign or transfer by operation of law or otherwise any or all of its rights, burdens, duties or obligations without the prior written consent of City. Any attempted assignment without such consent shall be invalid and void.

26. Non-Waiver

None of the provisions of this Agreement shall be considered waived by either party, unless such waiver is specifically specified in writing.

27. Time of Essence

Time is of the essence for each and every provision of this Agreement.

28. City's Right to Employ Other Consultants

City reserves its right to employ other consultants, including engineers, in connection with this Project or other projects.

29. Prohibited Interests

Consultant maintains and warrants that it has not employed nor retained any company or person, other than a bona fide employee working solely for Consultant, to solicit or secure this Agreement. Further,

Consultant warrants that it has not paid nor has it agreed to pay any company or person, other than a bona fide employee working solely for Consultant, any fee, commission, percentage, brokerage fee, gift or other consideration contingent upon or resulting from the award or making of this Agreement. For breach or violation of this warranty, City shall have the right to rescind this Agreement without liability. For the term of this Agreement, no director, official, officer or employee of City, during the term of his or her service with City, shall have any direct interest in this Agreement, or obtain any present or anticipated material benefit arising therefrom.

30. Wage Theft Prevention

a. Consultant, and any subconsultant it employs to complete work under this Agreement, 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.

b. BY SIGNING THIS AGREEMENT, CONSULTANT 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 EXECUTING THIS AGREEMENT THAT CONSULTANT OR ITS SUBCONSULTANTS HAS VIOLATED ANY APPLICABLE WAGE AND HOUR LAWS. CONSULTANT FURTHER AFFIRMS THAT IT OR ITS SUBCONSULTANT(S) HAS EITHER FULLY SATISFIED EACH JUDGMENT, DECISION OR ORDER, OR, IF ANY JUDGMENT, DECISION OR ORDER HAS NOT BEEN FULLY SATISFIED, CONSULTANT AFFIRMS THAT IT OR ITS SUBCONSULTANT(S) IS CURRENTLY SATISFYING SAID JUDGMENT, DECISION OR ORDER THROUGH A PAYMENT OR ALTERNATIVE PLAN APPROVED BY THE APPLICABLE COURT/GOVERNMENT AGENCY AND THAT CONSULTANT OR ITS SUBCONSULTANT(S) ARE IN COMPLIANCE WITH SAID PLAN AS OF THE DATE OF EXECUTING THIS AGREEMENT.

c. If at any time during the term of this Agreement, a court or investigatory government agency issues a final judgment, decision or order finding that Consultant or a subconsultant it employs to perform work under this Agreement has violated any applicable wage and hour law, or Consultant learns of such a judgment, decision, or order that was not previously disclosed in its bid/proposal, Consultant 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. Consultant or its subconsultant(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 Consultant or its subconsultant is subject to a payment or other alternative plan, the Consultant or its subconsultant shall continue to submit documentary evidence every thirty (30) calendar days during the term of the Agreement demonstrating continued compliance with the plan until the judgment, decision or order has been fully satisfied.

d. For purposes of this Section, 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.

e. Failure to comply with any part of this Section constitutes a material breach of this Agreement. Such breach may serve as a basis for immediate termination of this Agreement and/or any other remedies available under this Agreement and/or law.

f. Notice provided to the City shall be addressed to: Attention: Finance Director, 455 E. Calaveras Blvd. Milpitas, CA 95035. The Notice provisions of this Section are separate from any other notice provisions in this Agreement and, accordingly, only notice provided to the above address satisfies the notice requirements in this Section.

[SIGNATURES ON FOLLOWING PAGE]

SIGNATURE PAGE FOR PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MILPITAS AND PORTFORD SOLUTIONS GROUP INC

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the date first written above.

CITY OF MILPITAS
Approved By:

Ned Thomas, City Manager

Date

Approved As To Form:

Michael Mutalipassi, City Attorney

Approved:

Gabrielle Tsang, Acting
Finance Director/Risk Manager

Approved As To Content:

Daniel Nam, Information Technology Director

PORTFORD SOLUTIONS GROUP INC

Signature

Name

Title

Date

EXHIBIT A

Scope of Services

Consultant shall provide the following Support Services:

Support Services

a) **Support Center**. Portford provides dedicated resource to support it different services. These resources provide Tier 1 support and triage support to the appropriate Tier 2 resources if necessary.

b) **Support Hours**. Portford's standard support hours are from 8am to 6pm PST, Monday through Friday.

c) **Contacting Support**. Portford's support services can be accessed by using the following methods:

Support Portal: https://support.portfordsolutions.com/portal/
Tel: (949) 333-0402, Option #2
Email: support@portfordsolutions.com

d) **Support Management**. Portford utilizes a support case management system that tracks the case history. This system automatically manages the service level escalation. There is a customer portal that allows users to log, track and update case information.

e) **Upgrade Support**. Customers can let Portford know in advance if they are upgrading hardware or software out of hours and Portford will arrange a contact. However, actual software upgrade services are not covered with our standard support.

f) **Call and Escalation Process**. The following points summarize the support call process and escalation:

1) Once contact is received from a customer, a Portford support representative creates a case number and assigns the service level severity.
2) The Portford support representative will work with the customer representative either on the phone, or via a web conference to ascertain the source of the problem.

3) Once the source has been determined the Portford support representative will complete any remaining case information and confirm/update the priority.
4) The Portford support representative will try to resolve the issue on the first call. If further investigation is required, then the Portford support representative will consider the following

Service Level Agreements (SLAs)

Every support call is assigned a unique case number, and case history is tracked and facilitated through Portford's support system. The following table details the case priorities and associated Service Level Agreements (SLA) that are used once a case number is assigned:

Priority	Description	Service Level Agreement (SLA)
P1 – PROD DOWN	Production system is down and not operational	• Problem Identification Within 4 Hours • 24 Hours issue resolution
P2 – PROD IMPACTED	Production is operational but is impacted by the issue.	• Problem Identification Within 4 Hours • 24 Hours issue resolution
P3 – PROD CONFIGURATION	Production is operational, and a configuration change or question has been reported for research purposes.	Collaborative. Configuration support calls may be on-going and as such may require several tasks to complete. The Portford support representative will collaborate with customer to determine a resolution date. Typical resolution is 1 day to 5 days.
P4 – PROJECT CASE	Questions or issues pertaining to an in-progress project, such as an upgrade or enhancement	Collaborative. Configuration support calls may be on-going and as such may require several tasks to complete. The Portford support representative will collaborate with customer to determine a resolution date. Typical resolution is 1 day to 5 days.

Note: An internal customer contact will be assigned as an escalation point: to assist Portford with any internal resources that are required in resolving issues.

Note: Portford will make every attempt to work within the above timeframes; however, some tasks (e.g. Network environments and access) that may be outside the control of the Portford support representative could delay.

Software Bugs and Enhancements

If the case issue is determined to be a bug or an enhancement in the software, then the appropriate manufacturer will be notified the appropriate request will be made. The records of the enhancement number assigned from the software vendor will be recorded in the case. Alternatively, the customer will be notified of service packs and hot fixes when they are released for download. Note, hot fix installation is covered under support, however, software upgrades are performed by our professional services team and quotes for this service can be provided on request.

Miscellaneous

a) **Independent Contractors**. It is expressly agreed that the relationship between the Parties hereto shall be that of independent contractors. Under no circumstances shall the relationship between the Parties constitute a partnership, joint venture or agency of any kind. Neither Party shall have the authority to make any statements, representations or commitments of any kind, or to take any action, which shall be binding on the other Party, without the prior written consent of the other Party.

Systems Supported

The following are the systems supported by this agreement:

DESCRIPTION	Number of Units
456-100-466R - ApplicationXtender Server - Concurrent Connection	35
456-100-427R - ApplicationXtender OCR Server / Maintenance	1
456-100-386R - AppXtender Media Distribution License / Maintenance	1
456-100-442R - AppXtender Web Access.Net PAL - 75 Users / Maintenance	1
456-106-023R - ApplicationXtender Xplore Full Text Server=IA -Renewal	1
456-106-022R - ApplicationXtender Xplore Full Text 5cc User Pk=UB -Renewal	1
AE#VM01U025K-C Upg Scan Vol 25K/mo v5-7 VL27126 - Extended Support	3
S5750C-BAPWNBD-1 fi-5750C 1 Year Basic NBD Fujitsu Service	1
DocuNECT Maintenance	1
Application Xtender	1

EXHIBIT B

Schedule of Charges/Payments

Consultant will invoice City on an annual cycle. Consultant will include with each invoice a detailed progress report that indicates the amount of budget spent on each task. Consultant will obtain City written approval regarding any out-of-scope work prior to being performed by Consultant. This is a time-and-materials Agreement.

In no event shall the total amount paid for services rendered by Consultant under this Agreement exceed the sum of **One Hundred Eighteen Thousand One Hundred Fifty Dollars and Nineteen Cents ($118,150.19).**

Annual Support Renewal Schedule

Period 6/29/2024-6/28/2025	$36,750.77
Period 6/29/2025-6/28/2026	$39,323.47
Period 6/29/2026-6/28/2027	$42,075.95

EXHIBIT C

Activity Schedule

[RESERVED]

EXHIBIT D

INSURANCE REQUIREMENTS

Please refer to the insurance requirements listed below. **Those that have an "X" indicated in the space before the requirement apply to Contractor's or Consultant's Agreement.**

Contractor or Consultant shall procure and maintain for the duration of the Agreement insurance against claims for injuries to persons or damages to property which may arise from or in connection with the performance of the work hereunder and the results of that work by the Contractor or Consultant, its agents, representatives, employees or subcontractors.

Contractor or Consultant shall provide its insurance broker(s)/agent(s) with a copy of these requirements and request that they provide Certificates of Insurance complete with copies of all required endorsements.

Contractor or Consultant shall furnish City with copies of original endorsements affecting coverage required by this Exhibit D. The endorsements are to be signed by a person authorized by that insurer to bind coverage on its behalf. All endorsements and certificates are to be received and approved by City before work commences. City has the right to require Contractor's or Consultant's insurer to provide complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications.

Commercial General Liability (CGL):

____ Coverage at least as broad as Insurance Services Office ("ISO") Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than $2,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

____ Coverage at least as broad as ISO Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than $1,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

____ Coverage at least as broad as ISO Form CG 00 01 covering CGL on an "occurrence" basis, including products and completed operations, property damage, bodily injury and personal and advertising injury with limits no less than $5,000,000.00 per occurrence. If a general aggregate limit applies, either the general aggregate limit shall apply separately to this project/location or the general aggregate limit shall be twice the required occurrence limit.

Automobile Liability:

____ Coverage at least as broad as ISO Form Number CA 0001 covering, Code 1 (any auto), of if Contractor or Consultant has no owned autos, Code 8 (hired) and 9 (non-owned), with limits no less than $1,000,000.00 combined single limit for bodily injury and property damage.

____ Coverage at least as broad as ISO Form Number CA 0001 covering, Code 1 (any auto), with limits no less than $5,000,000.00 combined single liit for bodily injury and property damage.

____ Garage keepers' extra liability endorsement to extend coverage to all vehicles in the care, custody and control of the Contractor or Consultant, regardless of where the vehicles are kept or driven.

Professional Liability (Errors and Omissions):

____ Insurance appropriates to the Contractor or Consultant's profession, with limit no less than $1,000,000.00 per occurrence or claim, $2,000,000.00 aggregate.

____ (If Design/Build), with limits no less than $1,000,000.00 per occurrence or claim, and $2,000,000.00 policy aggregate.

____ Insurance appropriates to the Contractor or Consultant's profession, with limit no less than _____per occurrence or claim, _____aggregate

Workers' Compensation Insurance:

____ Insurance as required by the State of California, with Statutory Limits, and Employer's Liability Insurance with limit of no less than $1,000,000.00 per accident for bodily injury or disease. *(Not required if Contractor or Consultant provides written verification it has no employees)*

The Employer's Liability policy shall be endorsed to waive any right of subrogation as respects the City, its elected and appointed officials, officers, attorneys, agents, and employees.

Builder's Risk (Course of Construction):

____ Insurance utilizing an "All Risk" (Special Perils) coverage form, with limits equal to the completed value of the project and no coinsurance penalty provisions. If the project does not involve new or major reconstruction, at the option of the City, an Installation Floater may be acceptable. For such projects, a Property Installation Floater shall be obtained that provides for the improvement, remodel, modification, alteration, conversion or adjustment to existing buildings, structures, processes, machinery and equipment. The Property Installation Floater shall provide property damage coverage for any building, structure, machinery or equipment damaged, impaired, broken, or destroyed during the performance of the Work, including during transit, installation, and testing at the City's site.

Contractor's or Consultant's Pollution Legal Liability:

____ Contractor's or Consultant's pollution legal liability and/or Asbestos Legal Liability and/or Errors and Omissions (if project involves environmental hazards) with limits no less than $1,000,000.00 per occurrence or claim and $2,000,000.00 policy aggregate.

If the Contractor or Consultant maintains higher limits than the minimums shown above, the City requires and shall be entitled to coverage for the higher limits maintained by the Contractor or Consultant. Any available insurance proceeds in excess of the specified minimum limits of insurance and coverage shall be available to City.

Cyber Liability Insurance

____ Cyber Liability Insurance with limits not less than $1,000,000 per claim.

Coverage shall be sufficiently broad to respond to the duties and obligations as is undertaken by Contractor or Consultant in this Agreement and shall include, but not be limited to, claims involving infringement of intellectual property, including but not limited to infringement of copyright, trademark, trade dress, invasion of privacy violations, information theft, damage to or destruction of electronic information, release of private information, alteration of electronic information, extortion, and network security.

The policy shall provide coverage for breach response costs as well as regulatory fines and penalties, and credit monitoring expenses with limits sufficient to respond to these obligations.

Surety Bonds:

Contractor shall provide the following Surety Bonds:

_____ Bid Bond
_____ Performance Bond
_____ Payment Bond

The Payment Bond and Performance Bond shall be in a sum equal to the contract price. Bonds shall be duly executed by a responsible corporate surety, authorized to issue such bonds in the State of California and secured through an authorized agent with an office in California.

Other Insurance Provisions:

The insurance policies are to contain, or be endorsed to contain the following provisions:

____ Additional Insured Status and Primary/Non-Contributory Language:

Contractor's general liability and automobile liability policies shall be primary and shall not seek contribution from the City's coverage and be endorsed to add the City and its elected and appointed officials, officers, attorneys, agents employees and volunteers as additional insureds under such policies using Insurance Services Office form CG 20 10 (or equivalent) on the general liability policy. For construction projects, an endorsement providing completed operations coverage for

the additional insured on the general liability policy, ISO form CG 20 37 (or equivalent), is also required.

The limits of insurance required in this Agreement may be satisfied by a combination of primary and umbrella or excess insurance. Any umbrella or excess insurance shall contain or be endorsed to contain a provision that such coverage shall also apply on a primary and non-contributory basis for the benefit of City (if agreed to in a written contract or agreement) before the City's own insurance or self-insurance shall be called upon to protect it as a named insured.

____ Loss Payee Status – Builder's Risk/Course of Construction Insurance (applicable to Construction Contracts only)

Contractor or Consultant may submit evidence of Builder's Risk insurance in the form of Course of Construction coverage. Such coverage shall name the City as a loss payee as their interest may appear.

____ Notice of Cancellation, Suspension or Otherwise Voiding Policies:

Each insurance policy required above shall contain or be endorsed to contain that coverage shall not be suspended, voided, canceled or reduced in coverage or in limits except with thirty (30) days' prior written notice by certified mail, return receipt requested to the City.

____ Waiver of Subrogation:

Contractor or Consultant hereby grants to City a waiver of any right to subrogation which any insurer of said Contractor or Consultant may acquire against the City by virtue of the payment of any loss under such insurance. Contractor or Consultant agrees to obtain any endorsement that may be necessary to affect this waiver of subrogation, but this provision applies regardless of whether or not the City has received a waiver of subrogation endorsement from the insurer. The Workers' Compensation Policy shall be endorsed with a waiver of subrogation in favor of the City for all work performed by Contractor or Consultant, its employees, agents and subcontractors.

____ Completed Operations

For Construction Agreements, Contractor shall maintain insurance as required by this Agreement to the fullest amount allowed by law and shall maintain insurance for a minimum of five (5) years following the completion of this project. In the event Contractor fails to obtain or maintain completed operations coverage as required by this Agreement, the City at its sole discretion may purchase the coverage required and the cost will be paid by Contractor.

<u>THE FOLLOWING PROVISIONS APPLY TO ALL AGREEMENTS</u>

Deductibles and Self-Insured Retentions ("SIR"):

Any deductibles or self-insured retentions must be declared to and approved by City. The City may require the Contractor or Consultant to purchase coverage with a lower deductible or retention

or provide proof of ability to pay losses and related investigations, claim administration, and defense expenses within the retention. At the option of the City, either (1) the insurer shall reduce or eliminate such deductibles or self-insured retentions as respects the City, its elected and appointed officials, officers, attorneys, agents, and employees; or (2) the Contractor or Consultant shall procure a bond guaranteeing payment of losses and related investigations, claim administration and defense expenses.

All SIRs must be disclosed to Risk Management for approval and shall not reduce the limits of liability.

Policies containing any SIR provision shall provide or be endorsed to provide that the SIR may be satisfied by either the named insured or the City.

City reserves the right to obtain a full-certified copy of any insurance policy and endorsements. Failure to exercise this right shall not constitute a waiver of right to exercise later.

Acceptability of Insurers:

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A-:VII, unless otherwise acceptable to City.

Claims Made Policies: (note - should be applicable only to professional liability, see below)

1. The Retroactive Date must be shown and must be before the date of the contract or the beginning of contract work.

2. Insurance must be maintained, and evidence of insurance must be provided for at least five (5) years after completion of contract of work.

3. If coverage is canceled or non-renewed, and not replaced with another claims-made policy form with a Retroactive Date prior to the contract effective date, the Contractor or Consultant must purchase "extended reporting" coverage for a minimum of five (5) years after completion of work.

4. A copy of the claims reporting requirements must be submitted to the City for review.

5. If the services involve lead-based paint or asbestos identification/remediation, the Contractor's Pollution Liability Policy shall not contain lead-based paint or asbestos exclusions. If the services involve mold identification/remediation, the Contractors Pollution Liability Policy shall not contain a mold exclusion, and the definition of Pollution shall include microbial matter, including mold.

Subcontractors:

Contractor or Consultant shall require and verify that all subcontractors maintain insurance meeting all the requirements stated herein, and Contractor shall ensure that City is an additional insured on insurance required from subcontractors.

Subcontractor agrees to be bound to Contractor and City in the same manner and to the same extent as Contractor is bound to City under this Agreement and any other contract documents. Subcontractor further agrees to include the same requirements and provisions of this Agreement, including the indemnity and insurance requirements, with any sub-subcontractor to the extent they apply to the scope of the sub-subcontractor's work. A copy of the City indemnity and insurance provisions will be furnished to the subcontractor upon request.

Verification of Coverage:

Contractor or Consultant shall furnish the City with original certificates and amendatory endorsements or copies of the applicable policy language effecting coverage required by this clause. All certificates and endorsements are to be received and approved by the City before work commences. However, failure to obtain the required documents prior to the work beginning shall not waive the Contractor or Consultant's obligation to provide them. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements required by these specifications, at any time.

Special Risks or Circumstances

City reserves the right to modify these requirements, including limits, based on the nature of the risk, prior experience, insurer, coverage or other special circumstances.

Failure to Comply:

Each insurance policy required above shall contain or be endorsed to contain that any failure to comply with reporting provisions of the policies shall not affect coverage provided to the City, its elected and appointed officials, officers, attorneys, agents, and employees.

Applicability of Coverage:

Each insurance policy required above shall contain or be endorsed to contain that the Contractor's or Consultant's insurance shall apply separately to each insured against whom claim is made or suit is brought, except with respect to the limits of the insurer's liability.

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Consider One Donation Request from Milpitas Community Education Endowment, Inc. (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)**
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	4/16/2024
Recommendation:	Approve a donation request of $500.00 for Milpitas Community Education Endowment, Inc. for their annual fundraiser on Friday, April 26, 2024.

BACKGROUND:
On March 19, 2024, staff received a Donation and Fee Waiver/Reduction Policy request from Milpitas Community Educational Endowment, Inc. (MCEE) for their Annual Fundraiser at the Milpitas Community Center on Friday, April 26, 2024. The request is for a $500 donation for costs associated with producing the event.

ANALYSIS:
The Milpitas City Council adopted an updated "City Council Donation and Fee Waiver/Reduction Policy" on June 21, 2022. Per the policy, eligible organizations can request City fees to be waived up to $1,500 or a donation amount up to $500 to be granted upon request. Eligible organizations are defined as "a non-profit organization as described by the Internal Revenue Section such as 501(c)(3) or an intergovernmental agency; Non-discriminatory, and non-political in nature." Fee Waiver or Donation requests for events must provide a community benefit within the City of Milpitas proper. Applying organizations must provide proof of non-profit status from the federal Internal Revenue Service or the state Franchise Tax Board.

MCEE is requesting that the City Council donate $500 to offset the costs associated with hosting the fundraiser.

As required, MCEE provided a copy of their respective determination letters from the Internal Revenue Service stating they are a tax-exempt organization. The applicant meets the requirements as outlined in the Council-adopted Donation and Fee Waiver/Reduction Policy.

POLICY ALTERNATIVE(S):
Alternative: Do not approve the donation application as requested.

Pros: The City's General Fund will not incur the costs of the fees waived.
Con: Denial of the request may not allow the non-profit organization to hold their event.

Reason not recommended: This request is consistent with the Council-approved Policy.

FISCAL IMPACT:
$25,000 was approved and included in the FY 2023-24 City Adopted Budget for the City Council's Unallocated Community Promotions with a current balance of $20,355. If the City Council approves this request, then $19,855 would remain for the current year's budget.

CEQA:
The action is an organizational or administrative activity of the City government that will not result in direct or indirect physical changes in the environment and is not a project pursuant to Cal. Code of Regs., tit. 14, § 15378.

RECOMMENDATION:
Approve a Donation request of $500.00 for Milpitas Community Educational Endowment, Inc. annual fudraiser on Friday, April 26, 2024.

Attachment(s):
(a) MCEE Application
(b) MCEE Internal Revenue Service (IRS) non-profit letter

#21

Name of Organization	Milpitas Community Education Endowment
Is there a Milpitas Branch or Affiliation?	- Yes
Organization Address (as listed on your 501 (c) 3)	1765 Landess Ave #101 , Milpitas, CA 95035 United States
Organization Web Site	https://www.mceefoundation.org/
Organization Contact Name	Swati Shah
Organization Contact Phone	(408) 242-2241
Organization Contact Email	info@mceefoundation.org
Request Type	- Donation (up to $500)
Requested Amount (request types cannot be combined or exceed maximum listed amounts)	$500
Description of Use of Funds/Fees to be Waived	Appreciation Dinner
Event Name	Appreciation Dinner
Event Date(s)	Apr 26, 2024
Event Location (Facility Name and Address)	457 E Calaveras Blvd
Is your Event Open to the Public	No

What is the purpose of the Event?
At Appreciation dinner we will reflect on the incredible impact made possible by the generous support of our donors and partners.

How will the Milpitas Community Benefit from this Event?
It offers an opportunity for fostering a stronger sense of community to come together, and camaraderie. Additionally, the event serves as a platform to recognize and honor the contributions of individuals within the community, fostering appreciation and gratitude.

What is you anticipated Event attendance?	150
What percentage of your event fundraising proceeds will benefit the Milpitas Community?	60% or more

How will the City's contribution (if approved) be recognized in event media and publicity?
The City's contribution will be acknowledged and appreciated through various channels, both before and during the appreciation dinner, showcasing its commitment to supporting community events .

Upload your Entity Status Letter (Entity Name listed on this application must match the Entity Status Letter Name)	MCEE Letter of Determination.pdf

Within 60 days after completion of the event for which a donation was received or a fee waiver was granted by the City of Milpitas, your organization will provide a report to the Director of Recreation and Community Services to include at minimum: number of participants, copies of all publicity of the event, any benefit to the community, amount of funds raised and an accounting of how the proceeds of the event will be dispersed.

Failure to abide by the rules and procedures set forth in the City Council Donation/Fee Waiver Policy will result in the organization being denied for funding and/or fee waiver in the future.
Draw your signature into the box below.

STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO BOX 942857
SACRAMENTO CA 94257-0540

Entity Status Letter

Date: 3/28/2024

ESL ID: 8377792331

Why You Received This Letter

According to our records, the following entity information is true and accurate as of the date of this letter.

Entity ID: 3259010

Entity Name: MILPITAS COMMUNITY EDUCATIONAL ENDOWMENT, INC.

- [x] 1. The entity is in good standing with the Franchise Tax Board.
- [ ] 2. The entity is **not** in good standing with the Franchise Tax Board.
- [x] 3. The entity is currently exempt from tax under Revenue and Taxation Code (R&TC) Section 23701 d.
- [ ] 4. We do not have current information about the entity.
- [ ] 5. The entity was administratively dissolved/cancelled on through the Franchise Tax Board Administrative Dissolution process.

Important Information

- This information does not necessarily reflect the entity's current legal or administrative status with any other agency of the state of California or other governmental agency or body.
- If the entity's powers, rights, and privileges were suspended or forfeited at any time in the past, or if the entity did business in California at a time when it was not qualified or not registered to do business in California, this information does not reflect the status or voidability of contracts made by the entity in California during the period the entity was suspended or forfeited (R&TC Sections 23304.1, 23304.5, 23305a, 23305.1).
- The entity certificate of revivor may have a time limitation or may limit the functions the revived entity can perform, or both (R&TC Section 23305b).

Connect With Us

Web: **ftb.ca.gov**
Phone: 800-852-5711 from 7 a.m. to 5 p.m. weekdays, except state holidays
916-845-6500 from outside the United States

California
Relay Service: 711 or 800-735-2929 (For persons with hearing or speech impairments)

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Adopt a Resolution Approving Site Development Permit, Density Bonus Permit and Environmental Assessment and Allow the Development of Two Multi-Family Residential Buildings at 1300 South Main Street (Staff Contact: Jay Lee, Planning Director, 408-586-3077)**
Category:	Public Hearings-Community Development
Meeting Date:	4/16/2024
Recommendation:	(1) Conduct a public hearing on the development of two multi-family residential buildings with 118 below-market rate (100% affordable); (2) Consider the project to be categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section §15332 (Class 32: In-Fill Projects) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning); and, (3) Adopt a resolution to approve Site Development Permit No. SD22-0015, Density Bonus Permit No. DB23-0011 and Environmental Assessment No. EA23-0015, subject to the findings and Conditions of Approval.

BACKGROUND:

The City of Milpitas received an application from AMG & Associates, LLC (applicant) requesting a Site Development Permit, Density Bonus Permit, and Environmental Assessment to allow the development of two separate multi-family residential buildings, consisting of 118 below-market-rate dwelling units, up to 77 feet and 8 inches (six stories), 39 vehicular parking spaces, community garden, and associated site improvements on a 0.966-acre site at 1300 South Main Street in the McCandless District of the Milpitas Metro Specific Plan.

The Project consists of 15 studios, 39 one-bedroom, 34 two-bedroom, and 30 three-bedroom apartment units. All of the units, with the exception of two manager's units, will be reserved for lower income households (94 units – low income & 22 – moderate income) and the Project will fully comply with the City's Affordable Housing Ordinance (AHO). Since the applicant proposes to dedicate more than 10 percent of the units as low-income, the Project also qualifies for concessions, waivers, and parking reductions under the State Density Bonus Law.

The proposed Project requires two entitlements, as follows:

1. Site Development Permit No. SD22-0015: To allow the development of two separate multi-family residential buildings consisting of 118 below-market-rate dwelling units, up to 77 feet in height, 39 vehicular parking spaces, a community garden, and associated site improvements on a 0.966-acre (42,079 sf) parcel; and,
2. Density Bonus Permit No. DB23-0001: To ensure compliance with State Density Bonus Law (Gov. Code § 65915 et seq)

Although not an entitlement, Environmental Assessment No. EA23-0015 was prepared to establish CEQA compliance.

At its March 27, 2024 meeting the Planning Commission voted (6-1) to adopt Resolution No. 24-011 recommending that the City Council approve Site Development Permit No. SD22-0015, Density Bonus No. DB23-0011, and Environmental Assessment No. EA23-0015, based on the Findings and subject to the Conditions of Approval attached hereto and incorporated herein as Exhibit 1, the CEQA Exemption

Memorandum attached hereto as Exhibit 2, and the CEQA Exemption Supporting Technical Studies attached hereto as Exhibit 3, subject to the Conditions of Approval. With a recommendation that the Applicant explore all available opportunities to provide alternative sources of parking. Including parking agreements with other nearby entities.

Staff has found that the required entitlements comply with the policies, standards, and processes outlined in the State Density Bonus Law, the City of Milpitas 2040 General Plan, the Milpitas Metro Specific Plan (MMSP), the Zoning Ordinance, Objective Design Standards (ODS), and other provisions of the Milpitas Municipal Code (MMC), and recommends that the Planning Commission open and close the public hearing, consider the exemptions in accordance with CEQA, and adopt Resolution No. 24-011, recommending approval of the Project to the Milpitas City Council, subject to the conditions of approval. The balance of this report provides specific details regarding the Project.

History

On May 19, 1983, the Planning Commission approved a Conditional Use Permit (No. 591) for a tool rental business as required by the zoning ordinance for a “Contractors yard and office.” As of October 2018, Arena Stuart Rentals, Inc. has been operating out of the existing 1,300-square-foot office building onsite.

On June 3, 2008, the City Council adopted the Transit Area Specific Plan (TASP or Plan). The Plan encompassed 437 acres and envisioned the development of 7,109 dwelling units, 287,075 square feet of retail space, 993,843 square feet of office and industrial park space, and 350 hotel rooms. The Plan included development standards, goals, and policies to guide development within the Plan area. Because of the unique physical characteristics of various portions of the TASP, the Plan also established seven subdistricts, each with specific goals and policies to accommodate those unique characteristics.

On February 8, 2021, AMG & Associates, LLC. (applicant) submitted a Notice of Intent (NOI) informing the Planning Department of their intent to seek streamlined ministerial approval under SB 35.

On November 23, 2021, AMG & Associates (AMG) submitted a formal planning application (File No. P-PP21-0013) to develop two multi-family residential buildings AMG claimed the project qualified for Senate Bill 35 (SB35) status. SB35 is a statute streamlining housing construction in California counties and cities that fail to build enough housing to meet state mandated housing construction requirements.

On February 1, 2022, the City of Milpitas (City) conducted a Public Oversight Meeting to discuss the Project. At that meeting, it was determined the project is SB35 compliant, but requested AMG consider modifying the project to incorporate the following:

- Adding some on-site parking.
- Creating a ride-share drop-off vehicle parking space.
- Installing digital surveillance (i.e., security cameras) within the project site.
- Provide some open space.
- Consider a portion of property to be used as a community garden.

On January 25, 2023, the applicant submitted a formal application for the subject Project which added 39 on-site parking spaces.

On February 7, 2023, the City adopted the Milpitas Metro Specific Plan (MMSP) to replace the TASP. The MMSP increases the Plan Area from approximately 437 acres to approximately 510 gross acres and includes annexations on the east and west sides of the original Plan Area. The long-term focus of this work is to continue and accelerate the transformation of this area from industrial and auto-oriented to a vibrant, connected, and fully developed transit-oriented neighborhood.

At the Planning Commission meeting of March 27, 2024, the Applicant confirmed that digital surveillance (i.e., security cameras) will be installed within the project site, and buildings, garages, laundry rooms and stairwells.

Additionally, the Project provides some open space along S Main Steet, for both residents and guests of the property and a private Community Garden has been added to the north end of the project site, along S Main Street.

ANALYSIS:

This analysis will evaluate elements of the proposed Project for conformance with the Milpitas 2040 General Plan, the Zoning Ordinance, and other provisions of the Milpitas Municipal Code and the State Density Bonus Law.

This section will evaluate elements of the proposed Project for conformance with the Milpitas 2040 General Plan, the Milpitas Metro Specific Plan (MMSP), the Zoning Ordinance, Objective Design Standards (ODS), other provisions of the Milpitas Municipal Code, and the State Density Bonus Law.

General Plan Conformance

The General Plan designation for the project site is the Milpitas Metro Specific Plan – MMSP. The designation is intended to create a framework for a walkable, transit-oriented area with a mix of land uses, which encourages walking, biking, and transit trips and minimizes vehicle trips and reduces vehicle miles traveled (VMT).

The project is consistent with the applicable policies and standards in the City's General Plan, as outlined in Table 1.

Table 1: General Plan Consistency

Policy	Conformance
Policy LU 1-4: *Continue to provide for a variety of housing types and densities that meet the needs of individuals and families and offer residents of all income levels, age groups, and special needs sufficient housing opportunities and choices for locating in Milpitas.*	**Consistent.** The Project provides 118 new housing units, resulting in a housing density of 122.15 dwelling units per acre. Of the 118 units, 94 would be rental units offered at 80-percent area median income (low income), and 22 would be rental units offered at 110-percent area median income (moderate income). By providing this type of housing at this density, Milpitas can accommodate residents from various income levels, age groups, and with special needs, fostering a more vibrant and sustainable community.
Policy LU 4-4: *Encourage new development to facilitate pedestrian, bicycle, and transit access through techniques such as minimizing building separation from public sidewalks; providing safe, direct, accessible, convenient, and pleasant pedestrian connections; including secure and convenient bike storage; and orienting building entrances to transit service.*	**Consistent**. The Project maintains the existing sidewalks and provides long and short-term bike racks on-site to accommodate pedestrians and gives bicyclists unobstructed access to a major transit stop (VTA Great Mall Light Rail Station), which is located within one-half mile of the site.
Policy CD 2-7: *Include design elements during the development review process that address security, aesthetics, and safety. Safety issues include, but are not limited to, minimum clearance around buildings, fire protection measures such as peak load water requirements, construction techniques, and minimum standards for vehicular, bicycle, and pedestrian facilities and other standards set forth in local, state, and federal regulations.*	**Consistent.** The proposed apartment parking structure provides adequate and safe circulation for vehicles. The proposed apartment complex also provides adequate site illumination by installing wall-mounted lighting. Furthermore, the Milpitas Fire Department (MFD) and the Milpitas Police Department (MPD) have reviewed the site plans for the Project to ensure adequate protection measures are implemented.

Policy	Conformance
Policy LU 2-3: *Allow densities and intensities which exceed the generally allowed ranges defined by the underlying land use for projects utilizing Density Bonus provisions (included within the Milpitas Affordable Housing Ordinance Title XII - HOUSING Chapter 1 - AFFORDABLE HOUSING ORDINANCE) including bonuses for senior housing, affordable housing, and for projects within designated overlay districts included in Milpitas Municipal Code Section 12 - Overlay Districts and Standards.*	**Consistent.** Through State Density Bonus Law, the Project provides a density of 122 dwelling units per gross acre, which exceeds the generally allowed density range in general plan the underlying zoning district.
Policy CD-10: *Design multi-family residential, mixed use, commercial, and employment-generating development in neighborhoods, districts, and centers to:* *a.) Include open space and/or recreational amenities to provide visual relief from development, form pedestrian and bicyclist linkages to adjacent uses and other portions of the neighborhood, district, or center, and serve as buffers between uses, where necessary;* *b.) Locate building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity;* *c.) Create a human-scale ground-floor environment that includes public open areas that separate pedestrian space from auto traffic or where these intersect, give special regard to pedestrian safety; and* *d.) Provide comfortable pedestrian amenities, such as quality seating areas, lighting, and wide, shaded paths, along with specialized and engaging design features, such as interesting fountains or public art to draw and maintain people's attention.*	**Consistent.** The Project provides open space and recreational amenities on-site, including an outdoor recreational area that consists of an outdoor playground on turf areas, a bench, and bike racks. The proposed outdoor recreational area will be visible to pedestrians, bicyclists, and motorists traveling along South Main Street. Pedestrian and bicycle access to the Project Site will be provided along South Main Street. Pedestrian access on-site will be provided to each apartment building. Additionally, pedestrian and bicycle routes will be provided via walkways and sidewalks. Refer to response to Policy CD 2-7 regarding the proposed lighting fixtures for the Project. The Project will include a direct connection to an existing pedestrian sidewalk on S Main. The Project also provides an entrance plaza for Building B, which creates a separate pedestrian space from the auto traffic. The site includes a community garden area, benches, and bike parking along South Main Street.

Milpitas Metro Specific Plan (MMSP) Conformance

The MMSP land use designation for the Project is Multi-Family Very High Density Residential (VHD). This designation allows high-density residential development, such as multi-story apartments and condos. As demonstrated in Table 2, the Project is consistent with the applicable MMSP land use policies.

Table 2: MMSP Consistency

Policy	Conformance
LU 3. Housing Diversity and Affordability. Provide transit-oriented housing that is accessible and affordable for a range of household types and income levels.	**Consistent**. The Project provides 118 new housing units, resulting in a housing density of 122.15 dwelling units per acre. Of the 118 units, 94 units would be rental units offered at 80 percent area median income (low income) and 22 units would be rental units offered at 110 percent area median income (moderate income). By providing this type of housing at this density, Milpitas can accommodate residents from various income levels, age groups, and with special needs, fostering a more vibrant and sustainable community.
PPS 6. Community Gardens. Include Community Gardens for community wellness and benefit.	**Consistent**. The Project provides a private community garden that will allow residents to grow local flowers, fruits, vegetables, and herbs.
LU 2. Transit Orientation. Capitalize on the transit orientation of the Plan Area to support transit ridership, reduce traffic congestion and greenhouse gas emissions, and support livability.	**Consistent.** The Project maintains the existing sidewalks and provides long and short-term bike racks on-site to accommodate pedestrians and provide bicyclists unobstructed access to a major transit stop (VTA Great Mall Light Rail Station), which is located within one-half mile of the site.
PA 4.1. Citywide Objective Design Standards. Follow Citywide Objective Design Standards for multi-family and mixed-use buildings, when applicable.	**Consistent**. As demonstrated in the attached Objective Standards Checklist, the project is consistent with most of the applicable Objective Design Standards (ODS). Where the project is not in compliance with objective standards, the State Density Bonus Law requires the City to grant appropriate concessions and waivers for qualifying projects.
PA 3.4. Landmark Building Design. Design and build new signature, landmark buildings to reflect Milpitas Metro's regional connectivity within Silicon Valley as a place for innovation, and to create a memorable skyline. Buildings are encouraged to have their own identity and use contemporary methods to define the character of the district.	**Consistent**: The Project's contemporary flat iron architectural design visually separates its typology from other suburban housing offerings while complementing the adjacent townhome projects along South Main Street. Grouped into small blocks that are stacked and glued together, the articulated façades foster a dynamic vertical play between space and void with layers of light and color.

Zoning Conformance

The specific plan designation is Multi-Family Very High Density Residential (VHD), and the planned implementing zoning district of that designation is Metro Multi-Family Very High Density Residential (R4-Metro). However, the Project site has not been rezoned yet. As such, the current zoning designation Multiple-Family Very High Density with Transit Oriented Development Overlay (R4-TOD) and its standards remain in place wherever the MMSP is silent for development standards. The purpose of this overlay district is to provide for land uses, land densities and intensities and development standards that act to enhance and support transit and to locate such uses near rail transit stations. These provisions allow for a mix of goods and services within a convenient walk of the transit stations, encourage the creation of stable, attractive residential, commercial, and industrial environments within the District, and provide for a desirable transition to the surrounding conventional areas. The project, as proposed, with the approval of Density Bonus concessions and waivers, meets the development standards of the Multiple Family – Very High Density Residential (R4) zoning district.

As demonstrated in Table 3, the project is consistent with most of the applicable development standards for the Metro - Multiple Family – Very High Density Residential (R4) Zoning District. Where the project is not in compliance with objective standards, the State Density Bonus Law requires the City to grant appropriate concessions and waivers for qualifying projects. In addition, the City of Milpitas Affordable Housing Ordinance (AHO) provides waivers for qualifying projects.

Table 3: Summary of MMSP and R4-TOD - Development Standards

Development Standard	Required	Proposed	Complies?
Density (Objective Zoning Standard)	40-85 dwelling units/acre (base density under MMSP) 72 – 153 dwelling units/acre (with an 80% density bonus allowed for 100% affordable projects under the State Density Bonus Law 65915(f)(3)(D)(i).	122.15 dwelling units/acre	Yes, because the project complies with State Density Bonus Law
Building Height, maximum	75 feet, an increase of up to three additional stories, or 33 feet are allowed with the State Density Bonus Law	77 feet, 8 inches	Yes, because the project complies with State Density Bonus Law and is located within ½-mile of the VTA Great Mall light rail station
Front Yard Setback	8 feet min, 20 feet max from the back of the sidewalk	6 feet	Yes, with approval of a waiver under the AHO
Side Yard Setback (street side), minimum	8 feet min, 15 feet max from the back of the sidewalk	32 feet, 11 inches	Yes, with approval of a waiver under the AHO
Side Yard Setback (interior) Minimum	10 feet	6 feet, 9 inches	Yes, with approval of a waiver under the AHO
Rear Yard Setback, Minimum	10 feet	6 feet	Yes, with approval of a waiver under the AHO
Projections into Required Yards	Porches, stairs, balconies, bay windows, and awnings may project up to six feet into required setbacks.	The project includes no projections into required yards	Yes
Building Orientation and Entrances	Buildings must face the street; and primary building entrances must be oriented toward the street.	Buildings entrances face S. Main Street	Yes

Development Standard	Required	Proposed	Complies?
Common Open Space (MMSP) • Courtyards • Gardens • Play areas • Outdoor dining • Recreation amenities • Rooftop amenities • Landscaping	Private development must provide on-site open space at a rate of 100 square feet of private or common space per unit. 118 Units x 100 sq ft = 11,800 sq ft required delta of 2,386 sq ft	9,414 sq ft	Yes, with approval of a waiver under the State Density Bonus Law.
	Common Shared Space Minimum of 30% of total open space .30 X 11,800 = 3,540 sq ft required	3,975 sq ft	Yes
Publicly accessible • Park • Plaza • Garden • Public sitting area	Accessible to the Public Minimum of 5% of total open space .05 X 11,800 = 590 sq ft required	+590 sq ft	Yes
Off-Street Parking, minimum	Minimum parking requirements are no longer applicable to 100% affordable projects of this kind with unobstructed access to a major transit stop within ½ mile. (Gov. Code, § 65915(p)(3)(A).)	39	Yes, this project is located within one-half mile of the VTA Great Mall light rail station.
Bicycle Parking	Long-Term Parking Requirement 0.5 spaces per bedroom, 197 bedrooms/2= 98.5 Short-Term Parking Requirement 0.1 spaces per bedroom, 197/10=19.7~	Long Term:26 Short Term:20	Yes, with approval of a waiver under the AHO
Tree Removal	If any protected trees are proposed for removal, they must be replaced by a 2:1 ratio.	None	Yes

State Density Bonus Law

To encourage affordable housing production, the State Density Bonus Law (Gov. Code § 65915 et seq.) allows developers to receive a density bonus and other incentives, such as concessions, waivers, and parking reductions, when affordable housing is incorporated within a project. The Density Bonus is a state mandate, and any Project that meets the requirements of the state law is entitled to receive the incentives associated with it.

Since 100 percent of the units in the development, exclusive of manager units, are for lower income households, and no more than 20 percent of the units are for moderate-income households, the density bonus

shall be an increase of 80 percent over the maximum allowable residential density (85 units/ac) under the Metro Specific Plan. The applicant may also request waivers and concessions under the State Density Bonus Law. For a project of this kind, the applicant is entitled to 5 concessions. There is no limit to the waivers an applicant may request to reduce additional development standards, but waivers must be justified by showing that they eliminate a physical impediment to the construction of a development the applicant would otherwise be permitted to build. The Project includes 94 apartment units at the lower-income rental level and 22 apartment units at the moderate-income level, which satisfies the 15 percent total units required under the City's Affordable Housing Ordinance. The City must grant appropriate waivers and concessions requested by the applicant for a qualifying project under the State Density Bonus Law, unless there are unmitigable specific, adverse health or safety impacts.

Table 4 outlines the density bonus, waivers, requested for the proposed Project.

Table 4: State Density Bonus – Concessions, Waivers, and Incentives

Type of Modification	Standard	Applicant Request	Justification	Discretion
Concession(s)	ODS Standard 3.4.1 Active Frontage: This development standard requires active frontages with active uses at the ground level.	Not provide an active frontage	The City Council On February 1,2022 requested parking within the development project, and due to the site constraints, the project was unable to meet this standard as the podium parking configuration was the only way to provide adequate parking	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety
Concession(s)	ODS Standard 5.5.1 Allowed Building Materials: This development standard requires a variation in building materials. Secondary materials shall cover the remainder of each facade (excluding windows, doors, garage doors, and building trim) from 25 to 35% (of the total facade).	Not to provide a secondary material	The applicant estimates that secondary materials can cost an additional $10 per sq ft. For Building A alone, the facades roughly total 171,162 sf. ft. in area, of which an estimated 42,790 sq. ft. will need to feature a secondary material. With the above estimates, the applicant calculates an additional cost of $427,905 for the budget of Building A alone	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety

Type of Modification	Standard	Applicant Request	Justification	Discretion
Concession(s)	ODS Standard 5.3.1 Fenestration Design: This development standard requires windows to be recessed a minimum of 2 inches or for flat windows to provide a recessed facade modulation with a minimum of 4 inches in depth.	Not provide the required recessed at a minimum of 2 inches.	Applicant estimates the implementation of the recessed facade modulation to cost an additional $30 per window for the additional material and labor for the installation. The project proposes 427 windows on the residential floors. This amounts to an additional cost of $12,810 to the project	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety
Concession(s)	ODS Standard 4.3.2 Base/Middle/Top: This development standard requires buildings three stories or taller and a building length greater than 50 feet to be designed to differentiate a defined base, middle, or top.	Not provide a defined upper floor or TOP differentiation design/material	The introduction of upper floor setbacks will eliminate units, thus increasing the land basis for each unit	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety
Concession(s)	ODS Standard 5.1.2 Ground Floor Facades: This development standard requires facades to have a minimum 50% transparent glazing between 3 and 7.5 feet in height above finished floor.	Not provide ground floor façade glazing	Additional glazing is estimated to be at least $25 per square foot. The frontage facing Main Street is an estimated 520 ft., therefore 260 linear feet must meet the glazing requirements. This equates to an estimated minimum additional cost of $29,250 to the project	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety

Type of Modification	Standard	Applicant Request	Justification	Discretion
Waivers(s)	Common Open Space (MMSP)	Not meet the total sq ft amount required	This standard is eligible as a waiver because including the delta in private/ common open space would require the reconfiguration of units on the higher floors to accommodate the additional on-site open space, which would result in the loss of units and residential floor area.	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare
Waivers(s)	ODS Standard 3.2.2 Pedestrian Connections: This development standard is found in section 3.2.2 of the Milpitas Objective Design Standard. This standard requires entrances serving more than 20 units to be 8 feet.	Not provide entrance at a minimum of 8 feet in width	The Applicant requests relief from this requirement because of the site's unusual triangular shape. Pedestrian pathways are provided to the main entrance of each building. Should these pathways be widened to 8 ft., the developable area of the site will be greatly reduced, and an estimated 30 units would be eliminated	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare

Type of Modification	Standard	Applicant Request	Justification	Discretion
Waivers(S)	ODS Standard 3.5.1 Vehicle Access + Parking: This development standard requires above grade structured parking levels facing a public right-of-way to be lined with commercial or habitable uses with a minimum depth of 20 feet.	Not provide commercial or habitable use along the public right-of-way	The site is unusually shaped and physically constrained from adding the required uses to the ground floor, as this would place the structure well beyond the minimum setback area. Adding these uses within the existing footprint would eliminate parking spaces and require the relocation of some equipment and utility rooms to upper floors. As a result, residential units will be eliminated	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare
Waivers(S)	ODS Standard 3.7.1 Service Areas, Storage, Utilities, and Equipment: This development standard requires utilities and equipment, service, storage, and non-passenger loading areas to be located inside buildings or on facades other than the Primary Building Frontage, along alleys, parking areas, and/or at the rear or side of building.	Provide Service Areas, Storage, Utilities, and Equipment along the façade of the Primary Building Frontage	The project site is uniquely shaped and narrow. It is physically impossible to relocate the mentioned rooms and equipment without placing those items on residential floors. Additionally, some of these rooms, like the fire command room, must be accessible from Main Street. Thus, this standard is eligible to be waived because it would have the effect of physically precluding construction of the project at the proposed density	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare

Affordable Housing Ordinance

According to MMC Section XII-1-3.00 (Affordable Housing), the Applicant must reserve 15 percent of the total number of dwelling units within the development as affordable units.

The project will meet the City of Milpitas's Affordable Housing Ordinance by reserving 94 units for lower income and 22 units for moderate income, as shown in Table 5 and Figures 11 and 12 below. The Project has been

conditioned to execute an agreement imposing appropriate ownership controls on the affordable units and all other requirements per MMC Section XII-1-3.04 (Design and distribution of affordable units).

Table 5 shows the project's proposed unit type and affordability, and Figures 11 and 12 show the distribution of affordable units.

Table 5: Summary of Unit Type/Configuration and Affordably Levels

Unit Type	Bedroom Size	Unit Size (SF)	Managers' Units	Low Income Units – 80% AMI	Moderate Income Units – 110% AMI	Total Units
S	0	416		12	3	15
A	1	547		32	7	39
B	2	692-799	2	26	6	34
C	3	1,100		24	6	30
Total			2	94	22	118

The Housing Division reviewed the proposed Project for compliance with the City's Affordable Housing Ordinance. In accordance with the distribution of the unit types shown in Table 5 above, the Applicant has agreed to distribute the number of affordable unit types as outlined below and as shown to be dispersed throughout the Project as identified in Figures 11 & 12:

Figure 11 – Project Affordable Unit Distribution Building A

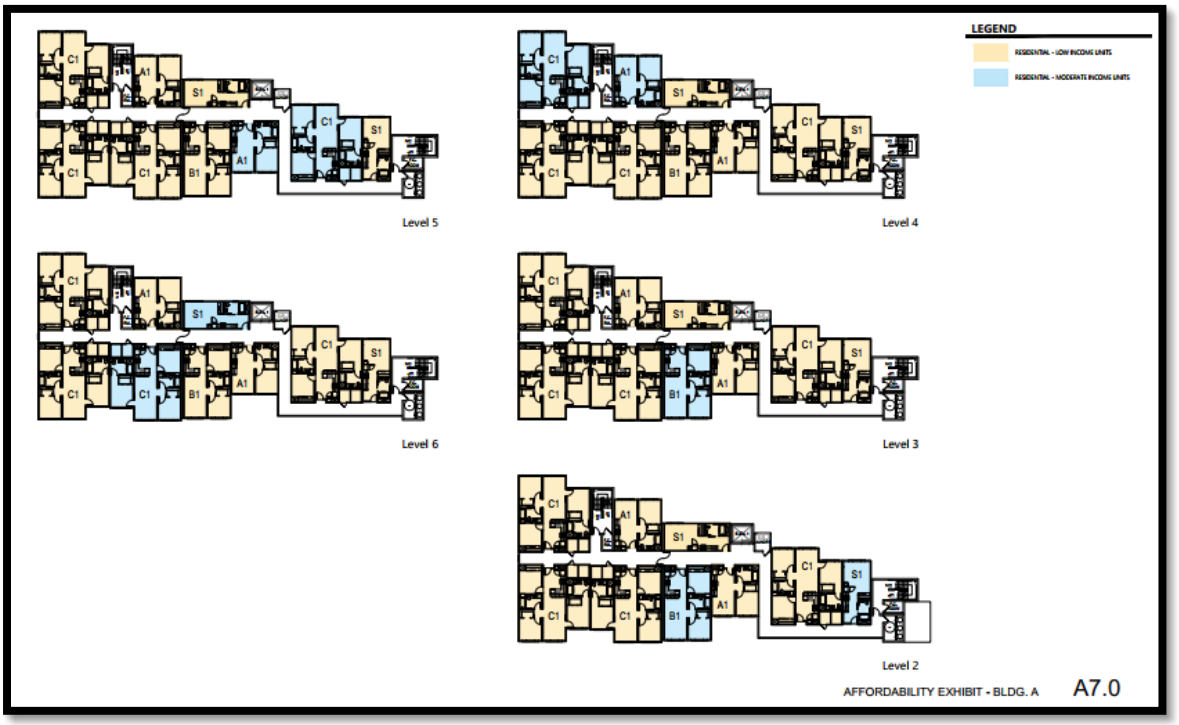
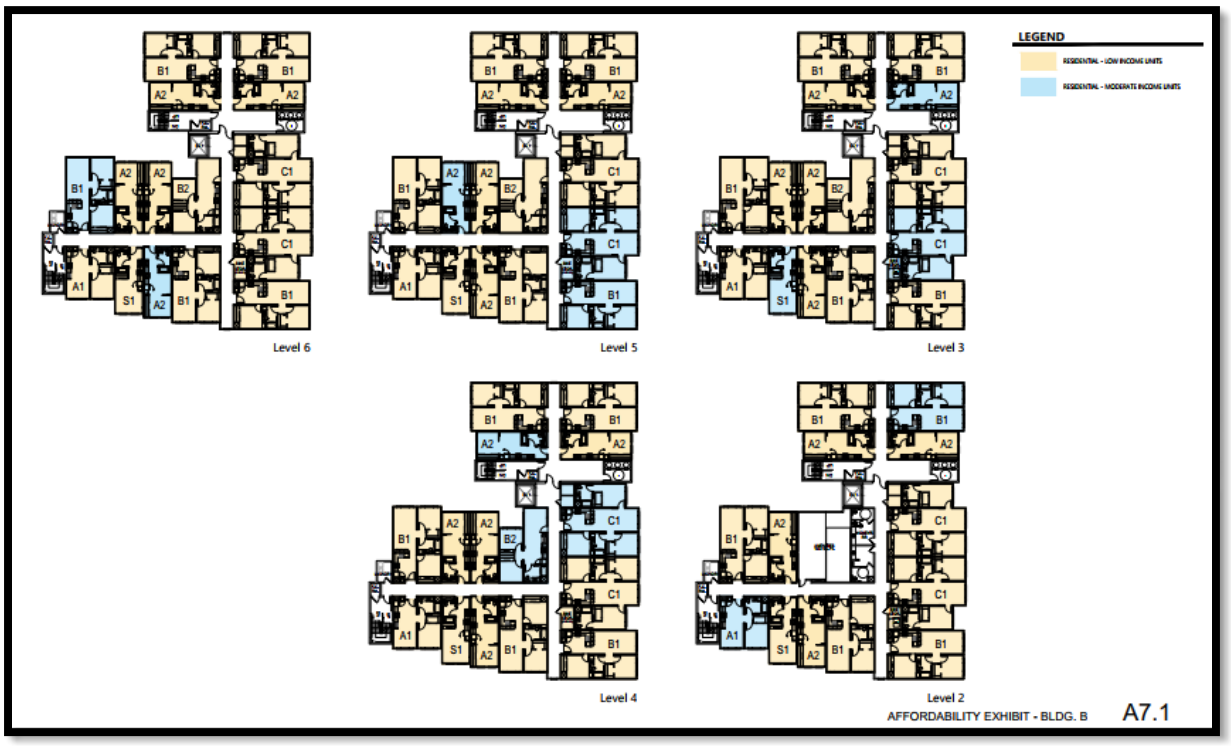


Figure 11 – Project Affordable Unit Distribution Building B



Since the Project reserves 100 percent of the total housing units for lower income households, the Applicant shall receive incentives as specified in Section 7 - Incentives to Encourage On-Site Construction of Affordable Units XII-1-7.00. In addition to waivers, incentives and/or concessions that may be provided pursuant to Density Bonus Law, as outlined in MMC Section XI-10-54.15, if the Applicant provides affordable units in excess of 20 percent of the total number of units in the development, the Director of Planning shall grant up to two of the waivers listed in MMC Section XII-1-7.00 that can help increase the feasibility of the construction of affordable units. The Applicant will receive an additional two waivers from the list for every additional five percent of affordable units provided above the 20 percent. The Applicant has chosen the following five waivers outlined in Table 6 below.

Table 6: AHO Waivers

Type of Modification	Standard	Applicant Request	Discretion
Waivers(s)	Front Setback – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 8 to 20 feet.	The project will provide a front yard setback of 6 feet. MMC Section XII-1-7.00 (A)(2) of the Milpitas Municipal Code allows for a 50 percent reduction of the required minimum setback	Approved by the Planning Director

Type of Modification	Standard	Applicant Request	Discretion
Waiver(s)	Side Setback – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 10 feet	The project will provide a side yard setback of 6 feet and 9 inches. Section XII-1-7.00 (A)(2) of the Milpitas Municipal Code allows for a 50 percent reduction of the required minimum setback	Approved by the Planning Director
Waiver(s)	Rear Setback – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 10 feet	The project will provide a rear yard setback of 6 feet. Section XII-1-7.00 (A)(2) of the allows for a 50 percent reduction of the required minimum setback	Approved by the Planning Director
Waiver(s)	Long-Term Parking Requirement 0.5 spaces per bedroom, 197 bedrooms/2= 98.5 Short-Term Parking Requirement 0.1 spaces per bedroom, 197/10=19.7~ Long Term:26 Short Term:20	Long Term:26 Short Term:20	Approved by the Planning Director

Objective Design Standards

The development of residential multi-family projects and mixed-use projects in the City of Milpitas is regulated by a variety of documents including the General Plan, Zoning Ordinance, Specific Plans, and other topic specific ordinances. Following the passage of California State Senate Bill 330 (SB 330), the City of Milpitas is required to adopt objective design standards and streamline its housing development and review process to ensure high quality design and facilitate the efficient delivery of new residential units.

Senate Bill 330 (SB 330) defines objective design standards as any standard that: "[Involves] no personal or subjective judgment by a public official and that is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application." (SB 330, Section 66300.7) These standards contain concise and quantifiable language that are designed for consistent interpretation by applicants, reviewers, and approval bodies alike.

These Objective Design Standards (ODS) apply to all new construction projects that meet the following criteria:

- Multi-family projects. Defined as a project consisting of multifamily residential uses only with 2 or more Dwelling Unit or,
- Mixed-use projects, featuring a combination of residential and other uses. Defined as a project consistent of a mix of multifamily residential and nonresidential uses, where at least two-thirds of the square footage of the development is designated for residential use.

The Project was considered a (L) Large – Mid-Rise Building type due to the size of the building. Staff reviewed the project's conformance against several different quantifiable design standards, including Site Planning, Site Design, Building Design, Building Elements, and Usable and Open Space.

As demonstrated in the attached Objective Standards Checklist, the project is consistent with most of the applicable Objective Design Standards (ODS). Where the project is not in compliance with objective standards, the State Density Bonus Law requires the City to grant appropriate concessions and waivers for qualifying projects. These are outlined in Table 4: State Density Bonus – Concessions, Waivers, and Incentives.

In conclusion, the project is considered compliant because it conforms to all of the ODS applicable standards, other than those that the Applicant has requested be waived by way of the State Density Bonus Law.

Figures 7 and 8 show the rendering of the apartment building, and Figure 9 shows the colors and materials board.

Figure 7 – Apartment Building 3D Renderings

Figure 8 – Apartment Building 3D Renderings

Figure 9 – Apartment Colors and Materials Board

Figure 10 – Landscape Plan

Other Project Details

Specific information regarding project details is provided below to aid the Planning Commission in making its recommendation:

Vehicle Miles Traveled Analysis

The City has adopted a new transportation analysis policy that specifies vehicle miles traveled as the new metric for evaluating transportation impacts, and therefore a project's effect on automobile delay shall no longer constitute a significant impact. Because VMT is a relatively new method for measuring transportation impacts under CEQA, less data exists to estimate VMT than trip generation based on use and location. VMT is typically estimated using an area-wide travel demand model from a regional transportation agency that calculates VMT based on the number of vehicles multiplied by the typical distance traveled by each vehicle originating from or driving to a certain area.

The City's adopted Transportation Analysis Policy (dated May 18, 2021) describes the VMT screening process which specifies that "All land-use projects located within one half mile of a major transit stop, or a stop along a high-quality transit corridor, pursuant to State definitions for such facilities; provided the projects include all the following characteristics: minimum Floor Area Ratio (FAR) of 0.75; or minimum residential density of 35 dwelling units/acre except in the Milpitas Metro Specific Plan area which requires a minimum residential density of 50 dwelling units/acre, and the Serra Center which requires a minimum residential density of 40 dwelling units per acre." The policy also states that in order for a project to be considered exempt, it must also be "Consistent with the applicable Sustainable Communities Strategy (SCS); does not provide more parking than required by the jurisdiction; and does not replace affordable housing with a fewer number of moderate or high- income residential units." The project meets all these conditions and therefore, subject to City approval, this project would be considered to have a less than significant impact on the VMT in the area.

Traffic and Access

A study was conducted in accordance with the requirements and methodologies set forth by the City of Milpitas, the Valley Transportation Authority (VTA), Caltrans, and the applicable provisions of CEQA. Based on the project's design and the required transportation impact analysis guidelines, there would be no significant impacts to traffic operations according to established traffic engineering standards and no off-site traffic or transportation mitigations would be required.

The project would have one access driveway from South Main Street for passenger loading and deliveries only. Staff has determined that the site circulation's functionality would not cause any safety or operational problems.

Open Space and Landscaping
The landscape plan includes approximately 9,414 sq ft square feet of open space, providing a lush and inviting environment for residents and visitors alike. It consists of a community garden at the north end of the property, an enclosed outdoor play area in front of building B, six 'U' style bike racks, an entrance plaza with accent paving, two benches, and two tables. Seven existing street trees will line the street frontage along S Main Street, and ten new Princeton Sentry Gingkos and 12 Elegant Water Gum trees will be plated between the buildings to soften the exterior along with shrubs and ground cover. Refer to Figure 10 – Landscape Plan for location details.

Grading
The proposed Project would result in the demolition of all existing structures, paving, and landscaping on the subject site. Minimal grading is required to prepare the site for the new building pad.

Utilities
The project site is in an urban area and is currently served by existing utilities, including water, sanitary sewer, storm drainage, electricity, and telecommunications infrastructure. All public utilities will be provided to the Project site.

Climate Action Plan
The City of Milpitas Climate Action Plan (CAP) was adopted in 2013, updated in 2022, and included Greenhouse Gas (GHG) reduction goals, policies, and actions for new and existing development projects. The Project would support these goals and policies by locating future residents near public transportation, jobs, restaurants, and services. In addition, the Project would incorporate green building measures in compliance with CAL Green standard building measures for residential buildings and Title 24 requirements to reduce energy usage.

Applicants requested revision to the Planning Commission CONDITIONS OF APPROVAL.
In response to the Applicant's request for modification to the conditions of approval, the Planning staff has prepared attachment (J), which outlines the requested revision focusing on delaying payment of certain applicable development fees prior to the issuance of any certificates of occupancy (Tentative or Final).

Development Impact Fees

POLICY ALTERNATIVE(S):
Alternative 1: Deny the applicant's request for a Site Development Permit, Density Bonus Permit, and Environmental Assessment.

Pros: Denial of the Project would allow the existing 0.97-acre site to continue to operate as Arena Stuart Rental Inc.

Cons: Denial of the Project would deprive the City of 118 new residential units, 116 of which are reserved for below market rate households. The Project would further support affordable housing needs within the region, including the City's Regional Housing Needs Allocation (RHNA). Denial of the Project would also be contrary to the goals and objectives of State and local density bonus laws.

Reason for Not Recommending: The proposed project, is consistent with the City's General Plan and Zoning, all of which support the development of affordable housing. The Project includes 94 apartment rental units reserved for lower-income households and 22 apartment rental units reserved for moderate-income households, increasing the number of affordable units in the City of Milpitas, and providing more options of housing for its residents. The project complies with the affordability provisions of the State Density Bonus Law and qualifies for the concessions and waivers requested by the applicant. The project complements nearby residential projects.

Development Impact Fees
The project is subject to the Transit Area Specific Plan Development Impact Fee (TADIF) and the Public Art Fee. The Applicant qualifies for a waiver of the Public Art Fee pursuant to MMC section XI-10-14.03. Given this waiver, the Council need not undertake a *Nolan/Dolan* analysis regarding the Public Art Fee. The Council will, however, need to make specific findings that there is (1) an essential nexus between the TADIF fees and the

Project, and (2) that the TADIF fees are roughly proportional to the Project's impact on the City's land use interest.

The purpose of the TADIF fees, as adopted on March 4, 2014 by Resolution No. 8344 of the Milpitas City Council, is to finance basic public infrastructure facilities, as identified in the Basic Infrastructure Program, as amended, that are needed to provide essential public services and assure public safety for new development within the Transit Area Specific Plan (TASP) area. The Project will be supported by the basic infrastructure facilities financed by the TADIF. An essential nexus exists between the basic public infrastructure facilities financed by the TADIF and the Project, which those facilities will support.

In adopting the TADIF, the City relied on a nexus study to ensure that each project within the TASP area would pay only its fair share of the basic public infrastructure facilities. The nexus study relied on the uses and densities of the parcels within the plan area in calculating the TADIF fee to be applied. The Project has the same use as contemplated in the nexus study. The Project's density is slightly higher than that contemplated in the nexus study. As such, the TADIF fees owed by the project will be roughly proportional to, though slightly less than, the basic public infrastructure facilities that the project will require. The TADIF fee is roughly proportional to the Project's impact on the City's land use interest.

FISCAL IMPACT:

The Project is subject to the following impact fees:

Transit Area Specific Plan Development Impact Fee (TADIF)

The TADIF is currently set at $50,056 per residential unit for Fiscal Year 2023-2024, but the exact TASP fee will not be calculated until the building permit is ready for issuance. Based on approval for the development of 118 units, the estimated TADIF for this project is $5,906,608. The TADIF fee accounts for a percentage of the Park Land Fee, and because the Applicant is paying this fee, no additional Parkland Fee is required. This fee is automatically adjusted each fiscal year in conjunction with the City's annual budget process. The Applicant must pay the fee before the issuance of building permits.

Public Art Fee

Per Milpitas Municipal Code Section XI-10-14, private developments must include publicly accessible works of art for placement on the development site or contribute a Public Art Program In-Lieu Contribution as a condition of project approval. The Applicant is seeking a Public Art Exclusion, as specified in Milpitas Municipal Code Section XI-10-14.03(E), which states that Section 14 shall not apply to an affordable housing development with a minimum of 20 percent affordable housing units if the developer and/or owner demonstrates to the satisfaction of the City Council that said requirements would cause the development project not to be economically feasible. The fee is currently set at one-half of one percent of building development costs, which would result in a fee payment of $91,983.45 based on the estimated building development costs of $18,396,690. The Applicant has demonstrated in Attachment Hthat the Public Art Program In-Lieu Fee would make the development project economically infeasible due to a funding gap of $91,983.45.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The City conducted an environmental assessment in accordance with the California Environmental Quality Act ("CEQA"), as amended. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section §15332 (Class 32: In-Fill Projects) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). This exemption is the appropriate CEQA determination for the proposed Project as it meets the Class 32 eligibility criteria. For additional details, see Exhibit 2 of the Resolution (Attachment B) for the proposed Project memorandum demonstrating compliance with CEQA Guidelines Section 15332. Exhibit 3 of the Resolution (Attachment C) includes the supporting technical reports as substantial evidence for the CEQA memorandum.

RECOMMENDATIONS:

(1) Conduct a public hearing on the development of two multi-family residential buildings with 118 below-market rate (100% affordable); (2) Consider the project to be categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section §15332 (Class

32: In-Fill Projects) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning); and, (3) Adopt a resolution to approve Site Development Permit No. SD22-0015, Density Bonus Permit No. DB23-0011 and Environmental Assessment No. EA23-0015, subject to the findings and Conditions of Approval.

ATTACHMENT(S):

(a) City Council Resolution, including Exhibit 1 to the Resolution: Conditions of Approval
(b) Planning Commission Staff Report dated April 27, 2025
(c) Planning Commission Resolution No. 24-011
(d) Exhibit 2 to the Resolution: CEQA Exemption Memorandum
(e) Exhibit 3 to the Resolution: CEQA Exemption Supporting Technical Studies
(f) Project Plans
(g) Request for Development Incentives
(h) Public Art Contribution Exclusion Memo
(i) Objective Standards Checklist
(j) Applicants requested revision to the Planning Commission CONDITIONS OF APPROVAL

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING SITE DEVELOPMENT PERMIT NO. SD22-0003, DENSITY BONUS PERMIT NO. DB23-0003, AND ENVIRONMENTAL ASSESSMENT NO. EA22-0002 TO ALLOW THE DEVELOPMENT OF TWO MULTI-FAMILY RESIDENTIAL BUILDINGS, UP TO 77 FEET AND 8 INCHES (SIX STORIES) IN HEIGHT, WITH 118 BELOW-MARKET-RATE (100% AFFORDABLE) DWELLING UNITS, 39 VEHICULAR PARKING SPACES, A COMMUNITY GARDEN, AND ASSOCIATED SITE IMPROVEMENTS ON A 0.966-ACRE (42,079-SQUARE FOOT) PARCEL IN THE MULTI-FAMILY VERY HIGH DENSITY RESIDENTIAL (R4) ZONING DISTRICT AT 1300 SOUTH MAIN STREET (APN 083-36-002), MILPITAS METRO SPECIFIC PLAN (METRO) AND MAKING FINDINGS OF CEQA EXEMPTION

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code, § 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, title 14, § 15000 et seq.) (collectively, "CEQA"), the City of Milpitas is the lead agency for the proposed project described below; and

WHEREAS, on June 3, 2008, the City Council of the City of Milpitas certified an Environmental Impact Report (State Clearinghouse No. 2006032091) prepared to analyze the environmental impacts associated with the proposed Transit Area Specific Plan, and subsequently adopted the Transit Area Specific Plan (TASP); and

WHEREAS, the Transit Area Specific Plan encompasses some 437 acres and envisions the development of 7,109 dwelling units, 287,075 square feet of retail space, and 993,843 square feet of office space and industrial, and includes development standards, goals and policies guiding development within the Plan area. Due to the physical characteristics of the area, including major streets, railroads and creeks, the Transit Area Specific Plan also established sub-districts with specific goals and policies to accommodate those unique characteristics; and

WHEREAS, on January 25, 2023, AMG & ASSOCIATES, INC. (the "Applicant") submitted an application to the City of Milpitas for the entitlements necessary to allow the development of two multi-family residential buildings, up to 77 feet and 8 inches (six stories) in height, with up to 118 below-market-rate (100% affordable) dwelling units at 1300 south main street (APN 083-36-002), within the Milpitas metro specific plan (metro) (the "Project")

The Project requires approvals of the following entitlements:

1. Site Development Permit No. SD22-0015: To allow the development of two separate multi-family residential buildings consisting of 118 below-market-rate dwelling units, up to 77 feet in height, 39 vehicular parking spaces, community garden, and associated site improvements on a 0.966-acre (42,079 sf) parcel; and,
2. Density Bonus Permit No. DB23-0001: To ensure compliance with State Density Bonus Law (Gov. Code § 65915 et seq)

Although not an entitlement, Environmental Assessment No. EA23-0015 was prepared to establish CEQA compliance.

WHEREAS, the Planning Department completed Environmental Assessment No. EA23-0015 for the Project in accordance with the CEQA, and recommends that the Planning Commission determine this Project is covered under CEQA Guidelines Section 15332 (In-fill Development Projects) as discussed within a memorandum (the "Memorandum,"), a true and correct copy of which is attached hereto and incorporated herein, as **Exhibit 2 to the Resolution. Exhibit 3 to the Resolution** includes the CEQA Memorandum supporting technical studies), and the Project is located within the Milpitas Metro Specific Plan area and is therefore exempt from further environmental review pursuant to CEQA Guidelines Section 15168 (Program EIR); and

WHEREAS, the Planning Department recommends the Planning Commission find that this Project is consistent with the goals, policies, and regulations of the California Density Bonus Law (Government Code sections 65915 *et seq*.), Milpitas 2040 General Plan, Milpitas Metro Specific Plan, and Milpitas Zoning Ordinance, specifically Milpitas Municipal Code Section XI-10-54.15 (Density Bonus for Affordable Housing Developments), which permits waivers and concessions to development standards, as analyzed and documented in the staff report; and

WHEREAS, the Planning Commission is an advisory body to the City Council pursuant to Milpitas Municipal Code Section XI-10-64.03 (Consideration of Concurrent Applications), where, as here, due to the application for a density bonus pursuant to Milpitas Municipal Code Section XI-10-54.15, the City Council is the highest review authority for the Project and, accordingly, all review by other bodies with approval authority over the application shall be in the form of a recommendation to the City Council; and

WHEREAS, on March 27, 2024, the Planning Commission held a duly-noticed public hearing, during which meeting the Planning Commission considered the CEQA exemption findings as well as Site Development Permit No. SD22-0015, Density Bonus Permit No. DB23-0001 and Environmental Assessment No. EA23-0015 for 1300 South Main Street, heard a presentation from staff, offered the applicant the opportunity to present evidence, and had the opportunity to hear from members of the public; and

WHEREAS, by adoption of Resolution No. 24-011, the Planning Commission recommended (6-1) that the City Council approve Site Development Permit No. SD22-0015, Density Bonus Permit No. DB23-0001 and Environmental Assessment No. EA22-0015 for 1300 S Main Street, with a recommendation that the Applicant explore all available opportunities to provide alternative sources of parking. Including parking agreements with other nearby entities.; and

WHEREAS, the City Council received in evidence a plan for the subject property titled "1300 S Main Street", dated February, and said plans are on file in the Planning Department and are available for inspection by anyone interested herein, and said plans are incorporated herein by this reference, the same as if it were fully set forth herein; and

WHEREAS, the documents and other materials which constitute the record of proceedings upon which the City Council bases the recommendation and the findings contained within this Resolution are available and may be reviewed at Milpitas City Hall, located at 455 E. Calaveras Boulevard, Milpitas, California 95035; and

WHEREAS, on April 16, 2024, the City Council held a duly-noticed public hearing, during which meeting the City Council considered the categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15332 (In-fill Development Projects) as well as Site Development Permit No. SD22-0015, Density Bonus Permit No. DB22-0015 and Environmental

Assessment No. EA22-0015 for 1300 S Main Street, heard a presentation from staff, and had the opportunity hear from members of the public; and

WHEREAS, the findings and conclusions made by the City Council pursuant to this Resolution are based upon the oral and written evidence before it as a whole; and

WHEREAS, all other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, the City Council of the City of Milpitas hereby finds, determines, and resolves as follows:

SECTION 1. Recitals

The City Council has considered the full record before it, which includes, but is not limited to, such things as all published staff reports, oral and written testimony by staff, the Planning Commission, City Council and the public, and all other relevant materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and incorporated herein by reference.

SECTION 2. California Environmental Quality Act

The City conducted an environmental assessment (memorialized in the attached memorandum, dated March 7, 2024) for the proposed Project in accordance with the California Environmental Quality Act (CEQA).

The proposed Project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15332 (In-fill Development Projects) in that the Project is consistent with the General Plan and zoning designation while invoking the State Density Bonus Law waivers from development standards and reduced parking requirements, is located in an urban area that has either been previously developed or adjoins existing qualified urban uses on all of the site's perimeter and is under five-acres in size, has no value to endangered, rare, or threatened species, would not result in any significant effects related to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services. A CEQA Exemption Memorandum demonstrating compliance with the categorical exemption is included as Exhibit 2 of the Resolution (EA23-0015) and the CEQA Exemption Supporting Technical Studies is included as Exhibit 3 of the Resolution. The analysis in these exhibits is hereby approved, adopted, and incorporated by reference.

As a separate and independent basis, the Project is also exempt from further environmental review pursuant to CEQA Guidelines Section 15168 (Program EIR) per the Metro Specific Plan EIR (State Clearinghouse No. 2006032091) adopted by the City Council in February 2023, as amended.

SECTION 3. Site Development Permit Findings (Milpitas Municipal Code Section XI-10-57.03(F))

The City Council makes the following findings based on the evidence in the public record in support of Site Development Permit No. SD22-0015, as referenced as "1300 S Main Street", dated February 14, 2024 on file with the Planning Department:

a. *The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.*

The Project is split between two buildings consisting of 118 apartment units and associated site amenities on a 0.97-acre site. Overall, the Project's contemporary flat iron architectural design visually separates its typology from other suburban housing offerings while complementing the adjacent townhome projects along South Main Street. Grouped into small blocks that are stacked and glued together, the articulated façades foster a dynamic vertical play between space and void, layers of light and color. The proposed six-story multi-family residential building maintains a strong relationship to the street in that its primary entrances are oriented toward the street. The building's design features exterior stucco walls, vinyl windows, accented with metal frame awnings along the ground floor, along with an aluminum storefront window systems at entrances. The Project, as designed, will further strengthen the identity of the existing neighborhood, and achieve compatibility and aesthetic harmony with the surrounding development.

b. The Project is consistent with the Milpitas Zoning Ordinance.

The proposed Project is generally consistent with the Milpitas Zoning Ordinance, as demonstrated in Table 1. Where exceptions from the Milpitas Metro Specific Plan Area (MMSP), Multiple-Family Very High Density (R4) standards, and Objective Design standards are needed, the Applicant has requested waivers and concessions pursuant to the State Density Bonus Law (Gov. Code § 65915 et seq.). The requested waivers and concessions will support the development of affordable housing on a site where it would not otherwise be possible through a strict application of the specified standard.

Table 1: Summary of MMSP and R4-TOD - Development Standards

Development Standard	Required	Proposed	Complies?
Density (Objective Zoning Standard)	40-85 dwelling units/acre (base density under MMSP) 72 – 153 dwelling units/acre (with an 80% density bonus allowed for 100% affordable projects under the State Density Bonus Law 65915(f)(3)(D)(i).	122.15 dwelling units/acre	Yes, because the project complies with State Density Bonus Law
Building Height, maximum	75 feet, an increase of up to three additional stories, or 33 feet are allowed with the State Density Bonus Law	77 feet, 8 inches	Yes, because the project complies with State Density Bonus Law and is located within ½-mile of the VTA Great Mall light rail station
Front Yard Setback	8 feet min, 20 feet max from the back of the sidewalk	6 feet	Yes, with approval of a waiver under the AHO

Development Standard	Required	Proposed	Complies?
Side Yard Setback (street side), minimum	8 feet min, 15 feet max from the back of the sidewalk	32 feet, 11 inches	Yes, with approval of a waiver under the AHO
Side Yard Setback (interior) Minimum	10 feet	6 feet, 9 inches	Yes, with approval of a waiver under the AHO
Rear Yard Setback, Minimum	10 feet	6 feet	Yes, with approval of a waiver under the AHO
Projections into Required Yards	Porches, stairs, balconies, bay windows, and awnings may project up to six feet into required setbacks.	The project includes no projections into required yards	Yes
Building Orientation and Entrances	Buildings must face the street; and primary building entrances must be oriented toward the street.	Buildings entrances face S. Main Street	Yes
Common Open Space (MMSP) • Courtyards • Gardens • Play areas • Outdoor dining • Recreation amenities • Rooftop amenities • Landscaping	Private development must provide on-site open space at a rate of 100 square feet of private or common space per unit. 118 Units x 100 sq ft = 11,800 sq ft required	9,414 sq ft	Yes, with approval of a waiver under the State Density Bonus Law.

Development Standard	Required	Proposed	Complies?
	Common Shared Space Minimum of 30% of total open space .30 X 11,800 = 3,540 sq ft required	3,975 sq ft	Yes
Publicly accessible • Park • Plaza • Garden • Public sitting area	Accessible to the Public Minimum of 5% of total open space .05 X 11,800 = 590 sq ft required	+590 sq ft	Yes
Off-Street Parking, minimum	Minimum parking requirements are no longer applicable to 100% affordable projects of this kind with unobstructed access to a major transit stop within ½ mile. (Gov. Code, § 65915(p)(3)(A).)	39	Yes, this project is located within one-half mile of the VTA Great Mall light rail station.
Bicycle Parking	Long-Term Parking Requirement 0.5 spaces per bedroom, 197 bedrooms/2= 98.5 Short-Term Parking Requirement 0.1 spaces per bedroom, 197/10=19.7~	Long Term:26 Short Term:20	Yes, with approval of a waiver under the AHO
Tree Removal	If any protected trees are proposed for removal, they must be replaced by a 2:1 ratio.	None	Yes

c. The Project is consistent with the General Plan.

The proposed Project is consistent with the Milpitas General Plan, as demonstrated and outlined in Table 2.

Table 2: General Plan Consistency

Policy	Conformance
Policy LU 1-4: *Continue to provide for a variety of housing types and densities that meet the needs of individuals and families and offer residents of all income levels, age groups, and special needs sufficient housing opportunities and choices for locating in Milpitas.*	**Consistent.** The Project provides 118 new housing units, resulting in a housing density of 122.15 dwelling units per acre. Of the 118 units, 94 would be rental units offered at 80-percent area median income (low income), and 22 would be rental units offered at 110-percent area median income (moderate income). By providing this type of housing at this density, Milpitas can accommodate residents from various income levels, age groups, and with special needs, fostering a more vibrant and sustainable community.
Policy LU 4-4: *Encourage new development to facilitate pedestrian, bicycle, and transit access through techniques such as minimizing building separation from public sidewalks; providing safe, direct, accessible, convenient, and pleasant pedestrian connections; including secure and convenient bike storage; and orienting building entrances to transit service.*	**Consistent**. The Project maintains the existing sidewalks and provides long and short-term bike racks on-site to accommodate pedestrians and gives bicyclists unobstructed access to a major transit stop (VTA Great Mall Light Rail Station), which is located within one-half mile of the site.
Policy CD 2-7: *Include design elements during the development review process that address security, aesthetics, and safety. Safety issues include, but are not limited to, minimum clearance around buildings, fire protection measures such as peak load water requirements, construction techniques, and minimum standards for vehicular, bicycle, and pedestrian facilities and other standards set forth in local, state, and federal regulations.*	**Consistent.** The proposed apartment parking structure provides adequate and safe circulation for vehicles. The proposed apartment complex also provides adequate site illumination by installing wall-mounted lighting. Furthermore, the Milpitas Fire Department (MFD) and the Milpitas Police Department (MPD) have reviewed the site plans for the Project to ensure adequate protection measures are implemented.
Policy LU 2-3: *Allow densities and intensities which exceed the generally allowed ranges defined by the underlying land use for projects utilizing Density Bonus provisions (included within the Milpitas Affordable Housing Ordinance Title XII - HOUSING Chapter 1 - AFFORDABLE HOUSING ORDINANCE) including bonuses for senior housing, affordable housing, and for projects within designated overlay districts included in Milpitas Municipal Code Section 12 - Overlay Districts and Standards.*	**Consistent.** Through State Density Bonus Law, the Project provides a density of 122 dwelling units per gross acre, which exceeds the generally allowed density range in general plan the underlying zoning district.

Policy	Conformance
Policy CD-10: *Design multi-family residential, mixed use, commercial, and employment-generating development in neighborhoods, districts, and centers to:* *a.) Include open space and/or recreational amenities to provide visual relief from development, form pedestrian and bicyclist linkages to adjacent uses and other portions of the neighborhood, district, or center, and serve as buffers between uses, where necessary;* *b.) Locate building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity;* *c.) Create a human-scale ground-floor environment that includes public open areas that separate pedestrian space from auto traffic or where these intersect, give special regard to pedestrian safety; and* *d.) Provide comfortable pedestrian amenities, such as quality seating areas, lighting, and wide, shaded paths, along with specialized and engaging design features, such as interesting fountains or public art to draw and maintain people's attention.*	**Consistent.** The Project provides open space and recreational amenities on-site, including an outdoor recreational area that consists of an outdoor playground on turf areas, a bench, and bike racks. The proposed outdoor recreational area will be visible to pedestrians, bicyclists, and motorists traveling along South Main Street. Pedestrian and bicycle access to the Project Site will be provided along South Main Street. Pedestrian access on-site will be provided to each apartment building. Additionally, pedestrian and bicycle routes will be provided via walkways and sidewalks. Refer to response to Policy CD 2-7 regarding the proposed lighting fixtures for the Project. The Project will include a direct connection to an existing pedestrian sidewalk on S Main. The Project also provides an entrance plaza for Building B, which creates a separate pedestrian space from the auto traffic. The site includes a community garden area, benches, and bike parking along South Main Street.

d. The Project is consistent with the Metro Specific Plan.

The proposed Project is consistent with the Metro Specific Plan, as demonstrated and outlined in Table 3.

Table 3: MMSP Consistency

Policy	Conformance
LU 3. Housing Diversity and Affordability. Provide transit-oriented housing that is accessible and affordable for a range of household types and income levels.	**Consistent**. The Project provides 118 new housing units, resulting in a housing density of 122.15 dwelling units per acre. Of the 118 units, 94 units would be rental units offered at 80 percent area median income (low income) and 22 units would be rental units offered at 110 percent area median income (moderate income). By providing this type of housing at this density, Milpitas can accommodate residents from various income levels, age groups, and with special needs, fostering a more vibrant and sustainable community.
PPS 6. Community Gardens. Include Community Gardens for community wellness and benefit.	**Consistent**. The Project provides a community garden that will allow residents to grow local flowers, fruits, vegetables, and herbs.
LU 2. Transit Orientation. Capitalize on the transit orientation of the Plan Area to support transit ridership, reduce traffic congestion and greenhouse gas emissions, and support livability.	**Consistent.** The Project maintains the existing sidewalks and provides long and short-term bike racks on-site to accommodate pedestrians and provide bicyclists unobstructed access to a major transit stop (VTA Great Mall Light Rail Station), which is located within one-half mile of the site.
PA 4.1. Citywide Objective Design Standards. Follow Citywide Objective Design Standards for multi-family and mixed-use buildings, when applicable.	**Consistent**. As demonstrated in the attached Objective Standards Checklist, the project is consistent with most of the applicable Objective Design Standards (ODS). Where the project is not in compliance with objective standards, the State Density Bonus Law requires the City to grant appropriate concessions and waivers for qualifying projects.
PA 3.4. Landmark Building Design. Design and build new signature, landmark buildings to reflect Milpitas Metro's regional connectivity within Silicon Valley as a place for innovation, and to create a memorable skyline. Buildings are encouraged to have their own identity and use contemporary methods to define the character of the district.	**Consistent**: The Project's contemporary flat iron architectural design visually separates its typology from other suburban housing offerings while complementing the adjacent townhome projects along South Main Street. Grouped into small blocks that are stacked and glued together, the articulated façades foster a dynamic vertical play between space and void with layers of light and color.

SECTION 3. Density Bonus Permit (Milpitas Municipal Code Section XI-10-54.15(D))

The City Council makes the following findings based on the evidence in the public record in support of Density Bonus Permit No. DB22-0002, as referenced as "1300 S Main Street", dated February 14, 2024, on file with the Planning Department:

1. *The maximum allowable base density specified in the General Plan, including any other permitted increases to density.*

The proposed Project includes 118 apartments, equal to 122.15 dwelling units per acre, exceeding the General Plan density allowed in the immediate area.

2. *All affordable units shall be reasonably dispersed throughout the project, shall contain on average the same number of bedrooms as the non-affordable units in the project, and shall be comparable with the non-affordable units in terms of appearance, materials, and finished quality. The Planning Commission may recommend to the City Council and/or Redevelopment Agency modifying the requirements as to unit size or type, if it is found that such a modification would better serve the affordable housing need of Milpitas.*

The Applicant has proposed 30 three-bedroom, 34 two-bedroom, 39 one-bedroom, and 15 studio units as affordable units reserved for low and moderate-income households to meet the requirement to develop fifteen percent (15%) of the total residential units into affordable units. The Housing Division has identified and approved the affordable unit locations as meeting the intent of the Affordable Housing Ordinance (AHO).

3. *Prior to final building inspection and occupancy for a project containing affordable units, the applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements. The agreement shall be approved by the Milpitas City Attorney prior to recordation.*

The Project has been conditioned to provide an agreement to the City of Milpitas explaining the affordability requirements, processes, and procedures, to the satisfaction of the Milpitas City Attorney prior to the release of any Certificate of Occupancy.

4. *Retaining Affordability. A developer shall agree to, and the City shall insure continued affordability of, all lower- or very low-income density bonus units for fifty-five (55?) years or a longer period of time, if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.*

Prior to final building inspection and occupancy for the Project containing affordable units, the Applicant shall execute and record at the Santa Clara County Recorder’s Office the City’s Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements, including continued affordability for moderate-income households. The agreement shall be approved by the Milpitas City Attorney prior to recordation.

5. *Affordable Rents. Those units targeted for lower-income households, as defined in Section 50079.5 of the Health and Safety Code shall be affordable at a rent that does not exceed thirty (30%) of sixty (60%) percent of the Santa Clara County median income. Those units targeted for very low-income households, as defined in Section 50105 of the Health and Safety Code, shall be affordable at a rent that does not exceed thirty (30%) of fifty (50%) percent of County median income.*

94 of the Project’s units will be targeted for lower-income households, as defined in Section 50079.5 of the Health and Safety Code, which states that lower-income households shall be affordable at a rent that does not exceed thirty (30%) of sixty (60%) percent of the Santa Clara County median income.

6. *Relation to Statute. Density bonus requirements not specified in these regulations shall be governed by the State Density Bonus Law, Government Code section 65915, et seq.*

The developer has identified and requested bonus incentives held within the State Density Bonus Law, and the Planning Department supports this request.

Density Bonus Concessions, Incentives and Waivers

In accordance with California Government Code Section 65915 and MMC Section X-10-54.15, the City must grant the requested incentives/concessions unless the City can make either of the following findings in writing and based on substantial evidence:

a. *The concession is not required in order to provide for affordable housing costs as defined in State Health and Safety Section 50052.2 or for rents for the affordable units pursuant to Section XI-10-54.15(D)(5), Standards, of Chapter 10 (Zoning) of the Milpitas Municipal Code.*

b. *The concession would have a specific adverse impact as defined in State Government Code Section 65589.5(d) (2) upon the public health and safety or the physical environment, or on any real property that is listed in the California Register of Historical Resources and for which there is no feasible method to satisfactorily mitigate or avoid the specific adverse impact without rendering the development unaffordable to low- and moderate-income households.*

If findings cannot be made, then the proposed concessions/incentives and waivers must be granted, based on the requirements of the City's Municipal Code and California Government Code Sections 65915 – 65918.

The City does not have substantial evidence to demonstrate that the concessions/incentives and waivers described in Table 4 would fail to result in actual and identifiable cost savings, and/or that these savings are unnecessary to provide the level of affordability proposed. Moreover, the City has no substantial evidence that any of the requested concessions, incentives or waivers would result in any specific, adverse impacts to public health, safety, the physical environment, or historical resources. Accordingly, the City Council hereby approves such requested concessions/incentives and waivers.

Table 4: State Density Bonus – Concessions, Waivers, and Incentives

Type of Modification	Standard	Applicant Request	Justification	Discretion
Concession(s)	ODS Standard 3.4.1 Active Frontage: This development standard requires active frontages with active uses at the ground level.	Not provide an active frontage	The City Council requested parking within the development project, and due to the site constraints, the project was unable to meet this standard as	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon

Type of Modification	Standard	Applicant Request	Justification	Discretion
			the podium parking configuration was the only way to provide adequate parking	substantial evidence, that the waiver would have a specific adverse impact on public health or safety
Concession(s)	ODS Standard 5.5.1 Allowed Building Materials: This development standard requires a variation in building materials. Secondary materials shall cover the remainder of each facade (excluding windows, doors, garage doors, and building trim) from 25 to 35% (of the total facade).	Not to provide a secondary material	The applicant estimates that secondary materials can cost an additional $10 per sq ft. For Building A alone, the facades roughly total 171,162 sf. ft. in area, of which an estimated 42,790 sq. ft. will need to feature a secondary material. With the above estimates, the applicant calculates an additional cost of $427,905 for the budget of Building A alone	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety

Type of Modification	Standard	Applicant Request	Justification	Discretion
Concession(s)	ODS Standard 5.3.1 Fenestration Design: This development standard requires windows to be recessed a minimum of 2 inches or for flat windows to provide a recessed facade modulation with a minimum of 4 inches in depth.	Not provide the required recessed at a minimum of 2 inches.	Applicant estimates the implementation of the recessed facade modulation to cost an additional $30 per window for the additional material and labor for the installation. The project proposes 427 windows on the residential floors. This amounts to an additional cost of $12,810 to the project	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety
Concession(s)	ODS Standard 4.3.2 Base/Middle/Top: This development standard requires buildings three stories or taller and a building length greater than 50 feet to be designed to differentiate a defined base, middle, or top.	Not provide a defined upper floor or TOP differentiation design/material	The introduction of upper floor setbacks will eliminate units, thus increasing the land basis for each unit	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety

Type of Modification	Standard	Applicant Request	Justification	Discretion
Concession(s)	ODS Standard 5.1.2 Ground Floor Facades: This development standard requires facades to have a minimum 50% transparent glazing between 3 and 7.5 feet in height above finished floor.	Not provide ground floor façade glazing	Additional glazing is estimated to be at least $25 per square foot. The frontage facing Main Street is an estimated 520 ft., therefore 260 linear feet must meet the glazing requirements. This equates to an estimated minimum additional cost of $29,250 to the project	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety
Waivers(s)	Common Open Space (MMSP)	Not meet the total sq ft amount required	This standard is eligible as a waiver because including the delta in private/ common open space would require the reconfiguration of units on the higher floors to accommodate the additional on-site open space, which would result in the loss of units and residential floor area.	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse

Type of Modification	Standard	Applicant Request	Justification	Discretion
				impact on public health or safety and welfare
Waivers(s)	ODS Standard 3.2.2 Pedestrian Connections: This development standard is found in section 3.2.2 of the Milpitas Objective Design Standard. This standard requires entrances serving more than 20 units to be 8 feet.	Not provide entrance at a minimum of 8 feet in width	The Applicant requests relief from this requirement because of the site's unusual triangular shape. Pedestrian pathways are provided to the main entrance of each building. Should these pathways be widened to 8 ft., the developable area of the site will be greatly reduced, and an estimated 30 units would be eliminated	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare
Waivers(S)	ODS Standard 3.5.1 Vehicle Access + Parking: This development standard requires above grade structured parking levels facing a public right-of-way to be lined with commercial or habitable uses	Not provide commercial or habitable use along the public right-of-way	The site is unusually shaped and physically constrained from adding the required uses to the ground floor, as this would place the structure well beyond the	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City

Type of Modification	Standard	Applicant Request	Justification	Discretion
	with a minimum depth of 20 feet.		minimum setback area. Adding these uses within the existing footprint would eliminate parking spaces and require the relocation of some equipment and utility rooms to upper floors. As a result, residential units will be eliminated	unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare
Waivers(S)	ODS Standard 3.7.1 Service Areas, Storage, Utilities, and Equipment: This development standard requires utilities and equipment, service, storage, and non-passenger loading areas to be located inside buildings or on facades other than the Primary Building Frontage, along alleys, parking areas, and/or at the rear or side of building.	Provide Service Areas, Storage, Utilities, and Equipment along the façade of the Primary Building Frontage	The project site is uniquely shaped and narrow. It is physically impossible to relocate the mentioned rooms and equipment without placing those items on residential floors. Additionally, some of these rooms, like the fire command room, must be accessible from Main Street. Thus, this standard is eligible to be waived because it would have the effect of physically precluding	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare

Type of Modification	Standard	Applicant Request	Justification	Discretion
			construction of the project at the proposed density	

SECTION 3. Per MMC Section XII-1-3.00 (Affordable Housing), (Incentives to Encourage On-Site Construction of Affordable Units XII-1-7.00.)

Since the Project reserves 100 percent of the total housing units for lower income households, the Applicant shall receive incentives as specified in Section 7 - Incentives to Encourage On-Site Construction of Affordable Units XII-1-7.00. In addition to waivers, incentives and/or concessions that may be provided pursuant to Density Bonus Law, as outlined in MMC Section XI-10-54.15, if the Applicant provides affordable units in excess of 20 percent of the total number of units in the development, the Director of Planning shall grant up to two of the waivers listed in MMC Section XII-1-7.00 that can help increase the feasibility of the construction of affordable units. The Applicant will receive an additional two waivers from the list for every additional five percent of affordable units provided above the 20 percent. The Applicant has chosen the following five waivers outlined in Table 5 below.

Table 5: AHO Waivers

Type of Modification	Standard	Applicant Request	Discretion
Waivers(s)	Front Setback – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 8 to 20 feet.	The project will provide a front yard setback of 6 feet. MMC Section XII-1-7.00 (A)(2) of the Milpitas Municipal Code allows for a 50 percent reduction of the required minimum setback	Approved by the Planning Director
Waiver(s)	Side Setback – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan.	The project will provide a side yard setback of 6 feet and 9 inches. Section XII-1-7.00 (A)(2) of the Milpitas Municipal Code	Approved by the Planning Director

Type of Modification	Standard	Applicant Request	Discretion
	This standard requires a setback of 10 feet	allows for a 50 percent reduction of the required minimum setback	
Waiver(s)	Rear Setback – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 10 feet	The project will provide a rear yard setback of 6 feet. Section XII-1-7.00 (A)(2) of the allows for a 50 percent reduction of the required minimum setback	Approved by the Planning Director
Waiver(s)	Long-Term Parking Requirement 0.5 spaces per bedroom, 197 bedrooms/2= 98.5 Short-Term Parking Requirement 0.1 spaces per bedroom, 197/10=19.7~ Long Term:26 Short Term:20	Long Term:26 Short Term:20	Approved by the Planning Director

SECTION 5. Development Impact Fees

The project is subject to the Transit Area Specific Plan Development Impact Fee (TADIF) and the Public Art Fee. The Applicant qualifies for a waiver of the Public Art Fee pursuant to MMC section XI-10-14.03. Given this waiver, the Council need not undertake a *Nolan/Dolan* analysis regarding the Public Art Fee. The Council will, however, need to make specific findings that there is (1) an essential nexus between the TADIF fees and the Project, and (2) that the TADIF fees are roughly proportional to the Project's impact on the City's land use interest.

The purpose of the TADIF fees, as adopted on March 4, 2014 by Resolution No. 8344 of the Milpitas City Council, is to finance basic public infrastructure facilities, as identified in the Basic Infrastructure Program, as amended, that are needed to provide essential public services and assure public safety for new development within the Transit Area Specific Plan (TASP) area. The Project will be supported by the basic infrastructure facilities financed by the TADIF. The Council finds that an

essential nexus exists between the basic public infrastructure facilities financed by the TADIF and the Project, which those facilities will support.

In adopting the TADIF, the City relied on a nexus study to ensure that each project within the TASP area would pay only its fair share of the basic public infrastructure facilities. The nexus study relied on the uses and densities of the parcels within the plan area in calculating the TADIF fee to be applied. The Project has the same use as contemplated in the nexus study. The Project's density is slightly higher than that contemplated in the nexus study, which will mean the project will have a slightly higher impact than assumed in the nexus study. As such, the TADIF fees owed by the project will be roughly proportional to, though slightly less than, the basic public infrastructure facilities that the project will require. The Council finds that TADIF fee is roughly proportional to the Project's impact on the City's land use interest.

SECTION 5. Severability

If any section, subsection, sentence, clause, phrase, or portion of this Resolution is for any reason held incorrect, invalid, illegal, or unenforceable, such decision shall not affect the validity of the remaining portions of this Resolution. The City Council hereby declares that it would have passed each section, subsection, phrase, or clause thereof irrespective of the fact that any one or more sections, subsections, phrases or clauses be declared incorrect, invalid, illegal, or unenforceable.

SECTION 6. City Council Approval

The City Council hereby approves Site Development Permit No. SD22-0015, Density Bonus Permit No. DB23-0011, and Environmental Assessment No. EA23-0015 (subject to the Conditions of Approval attached hereto and incorporated herein as **Exhibit "1"),** based on the above findings.

PASSED AND ADOPTED this 16th day of April 2024 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Suzanne Guzzetta, City Clerk

APPROVED:

Carmen Montano, Mayor

APPROVED AS TO FORM:

Michael Mutalipassi, City Attorney

EXHIBIT '1'

CONDITIONS OF APPROVAL
1300 S MAIN STREET RESIDENTIAL DEVELOPMENT

SITE DEVELOPMENT PERMIT NO. SD22-0003
DENSITY BONUS PERMIT NO. DB23-0001
ENVIRONMENTAL ASSESSMENT NO. EA22-0002

The City of Milpitas approves Site Development Permit No. SD22-0015 in accordance with Section XI-10-57.03 of the Milpitas Municipal Code, to allow the issuance of building permits in accordance with Section XI-10-03-1 of the Milpitas Municipal Code for the development of two multi-family residential buildings, up to 77 feet and 8 inches (six stories) in height, with 118 below-market-rate (100% affordable) dwelling units, 39 vehicular parking spaces, a community garden, and associated site improvements on a 0.966-acre (42,079-square foot) parcel in the Multi-Family Very High Density Residential (R4) Zoning District at 1300 South Main Street (APN: 083-36-002), subject to all necessary reviews, approvals, studies, and inspections for the issuance of such building permits. The City of Milpitas also approves Density Bonus Permit No. DB23-0001 in accordance with Subsection XI-10-57.05 of the Milpitas Municipal Code to assess compliance with State regulations and Subsection XI-10-54.15 of the Milpitas Municipal Code antecedent to the above development and entitlement(s). These approvals are subject to all applicable State and local regulations and the conditions of approval outlined below.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL

GENERAL CONDITIONS

1. General Compliance: The Permittee and owner, including all successors in interest (collectively "Permittee") shall comply with each and every condition set forth in this Permit, known as "1300 S Main Street", dated February 14, 2024 on file with the Planning Department **SITE DEVELOPMENT PERMIT SD22-0015, DENSITY BONUS PERMIT NO. DB23-0001 and ENVIRONMENTAL ASSESSMENT EA22-0015** (collectively "Permit") shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed. The Permittee shall develop the site in accordance with the approved Attachments and as modified by these Conditions of Approval.

2. Effective Date: Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the City Council approved this Permit.

3. Acceptance of Permit: Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following:
    a. Acceptance of this Permit by Permittee; and
    b. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all of the terms, obligations, and conditions of this Permit.

4. Permit Expiration: Pursuant to Section XI-10-64-06 of the Milpitas Municipal Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Section XI-10-64.06(B) of the Milpitas Municipal Code, an activity permitted by this Permit shall be deemed to have commenced when the Project:

a. Completes a foundation associated with the Project; or
b. Dedicates any land or easement as required from the zoning action; or
c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.

5. Time Extension: Pursuant to Section XI-10-64.07 of the Milpitas Municipal Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Department prior to the expiration date of the approval. **(P)**

6. Project Job Account: If Permittee's project job account is at any time delinquent or below the required deposit amount, City will not continue to review or process the application until Permittee's project job account is paid in full and the required deposit has been made. Additionally, prior to the issuance of any building permit or occupancy permit as applicable, Permittee shall pay in full the Project account balance and establish a remaining balance of at least twenty-five percent (25%) of the required initial deposit. **(P/E)**

7. Notice: Pursuant to California Government Code Section 66020, any protest filed in court relating to the imposition of fees, dedication, reservations, or other exactions to be imposed on the development project shall be filed within ninety (90) days after the date of the adoption of this Resolution. This provision serves as notice from the local agency to the Permittee that the ninety (90) day period in which the Permittee may file a protest has begun under California Government Code Section 66020(d)(1).

8. Cost and Approval: Permittee shall fully complete and satisfy each and every condition set forth in this Resolution and any other condition applicable to the Project to the sole satisfaction of the City. Additionally, Permittee shall be solely responsible and liable for the cost to satisfy each and every condition. **(ALL)**

9. Conditions: Each and every condition set forth in this Exhibit shall apply to the Project and continue to apply to the Project so long as the Project is operating under the permits and approvals in this Resolution. **(ALL)**

10. Compliance with Laws: The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state and federal laws, rules, regulations, guidelines, requirements and policies. **(CAO/P/E/B)**

11. Indemnification: To the fullest extent permitted by law, Permittee shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the project, including, but not limited to, the approval of the discretionary permits, the approval of any waivers, exemptions, alternatives, modifications, or amendments to the City’s General Plan or Municipal Code, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, and (ii) Permittee's construction, operation, use or related activity under this Permit. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by Permittee, City and/or the parties initiating or bringing such proceeding. Permittee shall indemnify the City for all

of City's costs, attorneys' fees and damages, which City incurs in enforcing the indemnification provisions set forth in this condition. Permittee shall pay to the City upon demand or, as applicable, to counsel of City's choosing, any amount owed pursuant to the indemnification requirements prescribed in this condition. The above indemnification is intended to be as broad as permitted by applicable law. To the extent the above indemnification is limited by Government Code Section 66474.9, any limitations shall only apply to Vesting Tentative Map No. MT22-0002, and the balance of the Permit shall be unaffected by Government Code Section 66474.9.

12. Certificate of Insurance: Permittee shall provide certificate of insurance and name City as an additional insured in its insurance policies for the Project.

13. Revocation, Suspension, Modification: This Permit may be suspended, revoked or modified in accordance with Section XI-10-63.06 of the Milpitas Municipal Code.

14. Severability: If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding and fully enforceable.

15. Response to Conditions of Approval: Permittee shall provide a written response to comments upon submittal for building permit application. The responses should clearly indicate how each condition of approval has been addressed in the plans and shall note the appropriate plan sheet. **(P)**

16. Compliance with Fire Department and California Fire Code: The project shall comply with the requirements of the Milpitas Fire Department and the California Fire Code, as adopted by the City. Changes to the site plan and/or buildings requires review and re-approval by the Fire Department. **(F)**

17. Compliance with Building Department and California Building Code: The project shall comply with the requirements of the Milpitas Building Department and the California Building Code, as adopted by the City. Changes to the site plan and/or buildings requires review and re-approval by the Building Department. **(B)**

18. Development in Conformance with Approved Plans: Permittee shall develop the approved Project in conformance with the plans dated February 14, 2024 and approved by the City Council April 16, 2024, in accordance with these Conditions of Approval. Any deviation from the approved site plan, elevations, materials, colors, landscape plan or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review, and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the Planning Commission or City Council, as applicable, in accordance with the Milpitas Zoning Code. **(P)**

PLANNING DEPARTMENT CONDITIONS

19. Landscape: All approved landscaping shall be permanently maintained and replaced with substantially similar plant material as necessary to provide a permanent, attractive and effective appearance.

20. Lighting Plan. Prior to issuance of any building permit, Permittee shall submit a lighting and iso-illumination plan that shall demonstrate 1) safe and adequate lighting of the project site and 2) lighting is contained and does not spill over onto adjacent properties or create unwanted glare. Permittee shall provide detail, elevations and manufacturer's specifications on proposed light fixture for, light standards, and wall sconces subject to Planning Director for approval. Proposed light fixtures shall be

high quality and complement the architectural style of each townhome. Light fixtures over garage doors shall be of high-quality, residential scale, architectural design, subject to final approval by the Planning Director. The proposed lighting plan shall also incorporate the Midtown Specific Plan lighting design standards as follows:

a. Lights should be designed and placed to direct lighting to direct lighting to appropriate surfaces and minimize glare into adjacent areas.
b. The light source used in outdoor lighting should provide a white light for better color representation to create a more pedestrian-friendly environment.
c. Low pressure sodium lamps are prohibited.
d. To reinforce the pedestrian character of the area, light standards along sidewalks should not exceed 12 to 16 feet in height.
e. The use of uplighting to accent interesting architectural features or landscaping is encouraged.

21. Signage. Any future proposed signage and/or sign program for the Project shall receive a separate planning permit per the latest City adopted zoning regulations for signs in the City and shall incorporate signage design standards in the Midtown Specific Plan as applicable. The Midtown Specific Plan signage standards are as follows:

    a. A coordinated signage plan should be included for all multi-tenant buildings.
    b. Freestanding signs are discouraged, except at a single major site entry.
    c. Animated, moving, flashing, blinking, reflecting and revolving signs are prohibited.
    d. Cabinet signs are prohibited.
    e. All signs should be designed to complement the architectural style and setting of the structure or use it is adjacent to. Building wall and fascia signs should be compatible with the predominant visual elements of the building.
    f. Signs should be an integral part of the design of the storefronts in mixed-use buildings.
    g. The size of signs and sign letters should be proportional to the space they are located in, with the letters typically 6 and 16-inches high.
    h. Sign letters and materials should be professionally designed and fabricated. Primary signs should contain only the name of the business and/or its logo.
    i. Signs should be constructed using high quality materials such as metal, stone, wood.
    j. Exposed conduit and tubing are prohibited. All transformers and other equipment should be concealed.
    k. Projecting signs mounted perpendicular to the façade of the building should be located at least 8 feet above the sidewalk. The outside edge should be no more than 5 feet from the face of the building.
    l. Window signs should not exceed 15% of the window area. Signs should not obstruct visibility into and out of the window.
    m. Window signs may include one “open” or “closed” sign less than 2 square-feet.
    n. While bilingual signs are allowed, the size of English lettering should be at least equal to the size of letters of another language.

22. Site Improvement. Onsite water and sewer mains and laterals shall be City owned, operated, and maintained. All proposed streets and all other utilities within the project site shall be private and owned,

operated, and maintained by Permittee or any Homeowners Association that may subsequently be established. The main entries and driveways shall have vertical curbs in all areas including parking areas; rolled curbs may be allowed in the alleys.

23. Parking: Parking shall be provided as depicted on the Site Plan approved by the City Council and shall consist of the following:

    a. RESIDENT: A total of 39 vehicle spaces

24. Bicycle Racks: A total of six (20) short-term bicycle and thirty (26) long-term bicycle parking spaces shall be installed on the site.

25. Site Improvement. Prior to issuance of any certificates of occupancy (Tentative or Final), the Permittee must pay all applicable development fees, including but not limited to connection fees (water, sewer, and storm), plan check and inspection deposit, and a 3.8% building permit automation fee. These fees are collected as part of the secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials.

26. Public Art Requirement: Permittee shall comply with the City's Public Art Requirements for Private Development, as set forth in Milpitas Municipal Code Section XI-10-14. Fee shall be no less than one-half of one percent of building development costs and shall be payable at time of building permit issuance.

27. The applicant will continue to work with the Planning Staff to design an ODS-compliant Lobby for both Buildings A and B prior to submitting a Building Permit.

28. The Project shall be subject to the following development fees: *Transit Area Specific Plan Development Impact Fee (TADIF)*

    The TADIF is currently set at $50,056 per residential unit for Fiscal Year 2023-2024, but the exact TASP fee will not be calculated until the building permit is ready for issuance. Based on approval for the development of 118 units, the estimated TADIF for this project is $5,906,608. This fee is automatically adjusted each fiscal year in conjunction with the City's annual budget process. The Applicant must pay the fee prior to the issuance of any certificates of occupancy (Tentative or Final).

29. Prior to the commencement of any ground-disturbing activity on the Project site, the Permittee shall retain tribal monitors from Tamien Nation, as needed, to be present during all ground-disturbing activity associated with the project.

    a. Tamien Nation shall be given five (5) days' written notice prior to the start of any ground disturbing activity as defined in subsection c. below. Permittee shall document receipt of notification in writing.

    b. Prior to any ground-disturbing activity on the Project site, all Project personnel shall receive mandatory tribal cultural resource sensitivity training from Tamien Nation.

    c. The tribal monitor will be present during construction phases that involve ground-disturbing activities. For the purposes of these conditions, ground-disturbing activities shall be defined as any ground disturbance, including but not limited to, excavation, grading, grubbing, scarring, drilling, scraping, blading, trenching, vegetation removal, or demolition of existing structures or site improvements within the development area shown on the Project plans.

d. The tribal monitor will complete daily monitoring logs that will provide description of the day's activities, includes construction activities, locations, and any cultural materials identified. The daily monitoring logs shall be retained by Tamien Nation.

e. Upon discovery of any tribal cultural resources (TCRs), all ground-disturbing and construction activities within 50 feet of discovery shall cease on the Project site until the find can be assessed to the satisfaction of Tamien Nation. All TCRs unearthed by project activities shall be evaluated by the tribal monitor or other tribal representatives and a registered professional archeologist.

f. At the discretion of Tamien Nation, soils that have been previously subject to excavations and were monitored by the tribal representative need not be monitored again if re-excavated or moved. Permittee shall consult with the tribal monitor prior to any disturbance of previously excavated soils.

g. Should Tamien Nation choose not to send a monitor for any of the above-referenced grounddisturbing activity, work may continue without the monitor, provided that the Permittee has given a minimum of five (5) days' written notice to Tamien Nation. Permittee shall document
receipt of notification in writing.

h. At the completion of monitoring, Tamien Nation shall send an email notification to the City that monitoring has been completed

30. Permittee shall retain a registered professional archaeologist for on-call site monitoring, investigation, and analysis in the event that TCRs or human remains are discovered and identified on the project site during ground-disturbing activities.

31. In the event that TCRs are discovered on the Project site and cannot be avoided, a detailed archaeological treatment plan shall be implemented.

i. The treatment plan shall be developed by the on-call professional archaeologist in collaboration with and agreed upon by Tamien Nation to determine the most appropriate treatment measures to avoid, minimize, or mitigate any potential impacts. This shall include documentation of the resource and may include data recovery or other measures.

j. Any treatment other than preservation in place must be approved by Tamien Nation and the City of Milpitas. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in resource. Data recovery shall be subject to approval by Tamien Nation.

k. Tamien Nation shall determine the disposition of any TCR artifacts discovered during on-site excavation or construction activities or TCR artifacts resulting from execution of a treatment plan. The disposition of TCR artifacts shall include, but not be limited to, reburying in close proximity of the finds without scientific study, allowing scientific study before reburying the materials either near the origin of the find or in another protected place, or temporary curation at a facility at an institution that meets the U.S. Secretary of the Interior's criteria for curation (36 CFR 79) prior to reburial. Disposition of any TCR artifacts shall be subject to approval by Tamien Nation. All curation fees and related expenses shall be paid by the Permittee.

l. To ensure adequate space and protection are provided for reburial of any TCRs discovered on the project site, the Permittee shall designate a cultural easement area. The easement area shall be in a location that will not be subject to future disturbance and that will not require the relocation of buildings or other physical improvements on the site.

m. Tamien Nation shall have sole discretion in determining if reburial within the cultural easement area is the desired method of disposition.

n. The Project archeologist shall file State of California Department of Parks and Recreation (DPR) Series 523 forms for the cultural easement/TCR reburial location (if used) with the California Historical Resources Information System (CHRIS) Center in accordance with the guidelines established by the California Office of Historic Preservation. The DPR Series 523 forms shall establish a permanent record of the cultural easement location and any TCRs discovered on the Project site for future site identification and protection. The Project archeologist shall also file a Sacred Lands File record with the Native American Heritage Commission (NAHC) on behalf of Tamien Nation.

32. In the event that human remains and/or grave goods are discovered or recognized during ground-disturbing activities or construction, all ground disturbance work shall cease within 50 feet of the discovery, and the tribal monitor shall immediately notify the construction supervisor. The construction supervisor shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641) and shall immediately notify the City and the Santa Clara County Medical Examiner-Coroner (per California Health and Safety Code Section 7050.5).

o. California Health and Safety Code Section 7050.5 stipulates that no further disturbance will occur in the area until the County Medical Examiner-Coroner has determined origin and disposition pursuant to California Public Resources Code Section 5097.98.

p. If the County Medical Examiner-Coroner determines that the remains are Native American in origin, the Medical Examiner-Coroner shall notify the NAHC by telephone within twenty-four (24 hours).

q. Pursuant to California Public Resources Code Section 5097.98(a), Tamien Nation shall be allowed to: (1) inspect the site of the discovery; and (2) make recommendations concerning the treatment and disposition of the human remains and/or grave goods.

r. Tamien Nation shall have forty-eight (48) hours from the time access to the Project site is granted to inspect the site and make recommendations concerning the treatment and disposition of the remains.

s. Tamien Nation shall have sole discretion regarding the final disposition and treatment of human remains and grave goods. Disposition may include avoidance of the human remains, reburial within the cultural easement identified on the project plans, or reburial on tribal or other lands that will not be disturbed in the future.

t. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code Sections 5097.98(a) and (b).

Permittee shall, in consultation with Tamien Nation, incorporate into the Project design a commemorative plaque that acknowledges the traditional history of the land with respect to tribal communities

BUILDING SAFETY AND HOUSING DEPARTMENT CONDITIONS

BUILDING

33. Compliance with California Code of Regulations. The Project shall comply with the requirements of the Building Safety and Housing Department and the California Code of Regulations Title 24 and the Milpitas Municipal Code as adopted by the City. Building permits shall be submitted to and approved by the Building Safety and Housing Department prior to start of construction. All California Code of Regulations Title 24 and Milpitas Municipal Code requirements applicable at the time of building permit application must be met in advance of any building permit approvals or related construction. Changes to the site plan and/or building plan require review and approval by the Building Safety and Housing Department.

HOUSING

34. Affordable Housing Requirement: Permittee shall comply with the City's Affordable Housing Ordinance, as set forth in Milpitas Municipal Code Section XI-1-3.00. The City Council has granted the following deviation from the City's AHO (H):
    a. Permittee shall reserve a minimum of 94 apartment units for low income households consisting of:
        i. 12 studio units
        ii. 32 one-bedroom units
        iii. 26 two-bedroom units
        iv. 24 three-bedroom units
    b. Permittee shall reserve 22 apartment units for moderate income households, consisting of:
        i. 3 studio units
        ii. 7 one-bedroom units
        iii. 6 two-bedroom units
        iv. 6 three-bedroom units

35. Affordable Housing Agreement: Prior to final building inspection and occupancy for a project containing affordable units, the applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements. The agreement shall be approved by the Milpitas City Attorney prior to recordation. (H)

36. Retaining Affordability. Developer shall agree to, and the City shall insure continued affordability of, all lower- or very low-income density bonus units for fifty (50) years or a longer period of time, if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. (H)

FIRE DEPARTMENT CONDITIONS

37. Please do not consider this review an approval for construction from the Fire Department. The plans submitted are not reviewed nor approved for conformance to the California Building Code (CBC), California Fire Code (CFC) and the Milpitas Municipal Code (MMC). These notes are a general list of the applicable code requirements (2019 Edition), but not limited to, and are provided to assist with

the construction permit process.

40. To determine the acceptability of technologies, processes, products, facilities, materials, and uses attending the design, operation or use of a building or premises subject to inspection by the Fire Code Official, the Fire Code Official is authorized to require the owner or agent to provide, without charge to the jurisdiction, a technical opinion(s), plan review(s) and/or report(s). CFC Section 104.7.2

41. Fire Department Access: Fire Department apparatus and staff access shall be provided to all buildings and site. Detailed review will be done during construction permit process. CFC Section 503

    a. Fire apparatus access roads shall meet the Milpitas Fire Department turning radii guidelines and shall provide continuous apparatus travel. Turning radii for fire apparatus access roads shall be a minimum net clearance of 48 feet 6 inches for the outside radius and 28 feet 0 inches for the inside radius. The layout for the outside and the inside radius shall be from the same reference point (center). CFC Section 503

    b. Fire apparatus access shall extend to within 150 feet of all portions of exterior walls of the building/structure per the California Fire Code Section 503.1. When there is a dead-end condition, means for fire apparatus turn-around shall be provided.

    c. Adjacent Access. No source of access from lands adjoining a property to be developed shall be considered unless there is obtained the irrevocable and unobstructed right to use same. CFC Section 503.7, added by MMC V-300-2.56

    d. Fire access roads shall be paved (concrete and/or asphalt cement, or other concrete type pavement approved by the Fire Dept.). Fire apparatus access roads/lanes and emergency vehicle roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather capabilities. Design criteria shall be based on the City of Milpitas fire apparatus Sutphen S95 Aerial Platform unit. Please contact the Fire Prevention Division if specifications are needed. CFC Section 503.2.3

    e. Ground structures (including landscape) and building projections shall not encroach or impede the fire apparatus access requirements. CFC Section 503.4

    f. Emergency Vehicle Access (EVA) roads, when required, shall meet the fire department site access requirements specified herein this document. CFC Section 503

    g. No parking in fire access roads. The required access road shall be designated and clearly marked as a fire lane. The designated fire lane shall be identified as set forth in Section 22500.1 of the Vehicle Code. The designation shall be indicated (1) by a sign posted immediately adjacent to, and visible from, the designated place clearly stating in letters not less than one inch in height that the place is a fire lane, (2) by outlining or painting the place in red and, in contrasting color, marking the place with the words "FIRE LANE", which are clearly visible from a vehicle, or (3) by a red curb or red paint on the edge of the roadway upon which is clearly marked the words "FIRE LANE". CFC Section 503.3

       Minimum marking shall be pole signage and red curb with “FIRE LANE – CVC 22500.1” stencil. Signage and red curbs shall be done throughout and as needed to clearly identify the no parking zones.

h. Fire Protection. When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. Combustible construction shall not begin until water mains and hydrants are operational and fire apparatus access roads are installed (paved). CFC Section 501.4

i. The Fire Department reserves the right to request site design changes as needed to meet the requirements of the CFC, and/or make the request for additional fire protection measures in conformance with the CFC Section 102.9.

42. Fire Protection Water Supply (hydrants, on-site and public)
    a. An approved water supply (hydrants on-site and public) capable of supplying the required fire flow for fire protection shall be provided upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Water supply shall meet the Fire Code and the City of Milpitas Engineering Division water supply guidelines and the CFC Section 507, Appendix B and Appendix C. Fire flow reduction as noted in the Appendix B of the Fire Code is not permitted, CFC Section B103.2.

    b. Water System Calculations Requirements. Private fire service mains and appurtenances shall be designed and installed in accordance with the City of Milpitas Engineering design guideline requirements and the NFPA 24. Design calculations and all the necessary design information for the water system to meet the domestic and fire flow requirements as per the City of Milpitas Engineer Division water design requirements shall be provided as part of the construction permit process. CFC Section 507

       The minimum water flow at the worst case hydrant outlet within the private system shall be not less than 2,500 gpm.

    c. Hydrant for automatic fire sprinkler and or standpipe systems. Buildings equipped with an automatic fire sprinkler system and or a standpipe system installed in accordance with Sections 903 and or 905 shall have a fire hydrant within 50 feet of the fire department connections. CFC Section 507.1.1, amended by MMC Section V-300-2.61

    d. Private hydrants shall have the bottom 6 inches of the hydrant painted, with a weather resistive paint, white in color. CFC Section 507.5.7, added by MMC V-300-2.62

    e. No parking is permitted in front of fire hydrants. Hydrants located on streets (Public or Private Street) shall have an unobstructed clearance of not less than 30 feet per CA Vehicle Code 22514. Provide stripping per CA Vehicle Code 22500.1. CFC Section 507.5.4

43. Fire service water laterals for building sprinkler systems.
    a. Each building shall have a fire service water laterals for the automatic fire sprinkler system and shall meet the California Fire Code requirements Chapter 9 and the NFPA 13 and other applicable Standards. Note, the utilities drawings provided are not reviewed nor approved for construction. CFC Section 912.1

    b. The location of the FDC's/PIV's (fire department connection/post indicator valve) shall be at a readily visible and accessible location off the fire access road and approved by the Fire Code Official. FDC's/PIV's shall not be located behind parking stalls nor behind any other obstruction. Final review for location for the FDC's/PIV's will be conducted during the construction permit process. CFC Section 912.2

c. FDC/PIV Signage. A metal sign with raised letters at least 1 inch in size shall be mounted on all fire department connections. Signage shall be reflective, weather resistive and approved by the Fire Code Official. CFC Section 912.5

d. Backflow Protection. Potable water supply to the automatic sprinkler and/or the standpipe systems shall be protected against backflow as required by the Health and Safety Code section 13114.7 and the City of Milpitas Utilities Engineering Division. CFC Section 912.6

e. Automatic fire sprinkler riser location. The fire sprinkler system riser shall not be located within electrical rooms or storage closets and shall be provided with clear access and working clearance. California Fire Code Section 903.3.5.5, added by MMC Section V-300-2.66

44. Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the Fire Code Official. All access control devices shall be provided with an approved means for deactivation or unlocking by the fire department. Access control devices shall also comply with Chapter 10 Egress. CFC Section 504.6, added by MMC Section V-300-2.59

45. Premises Identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters and shall be consistent with Milpitas standardized addressing guidelines. CFC Section 505

    The Fire Dept. may require the installation of address numbers at multiple building locations. CFC Section 102.9

46. All required addresses shall be illuminated. CFC Section 505.3, added by MMC V-300-2.60

47. Fire Dept. emergency Key Box (Knox Box, Knox locks, Knox electric switches, etc). The Fire Code Official is authorized to require a key box(es) to be installed in an approved location(s) if necessary for life-saving or fire-fighting purposed. Quantify and location shall be as directed by the Fire Code Official. CFC Section 506

    Locked mechanical closets, electrical closets, fire alarm closets, sprinkler riser closets, etc. will need a Fire Dept. approved lock or “Knox” key box.

48. Building/Structure Requirements.
    a. The buildings shall be provided with an automatic fire sprinkler system in conformance with the NFPA 13 or NFPA 13D Standards. System type will depend on building/structure construction type and area analysis. California Fire Code Section 903.3

    b. All new installations of sprinkler systems shall preclude sprinkler test and system drain water from discharging into the storm drain; provisions to direct water to the sanitary sewer or landscape or other approved means shall be provided. Sprinkler system design shall include the proposed method for drainage of sprinkler system discharge. Storm Water Pollution Regulations

c. Landscape sheets. The proposed landscaping may be impacted by the comments above and the requirements for fire access, fire systems and devices (such as apparatus access, hydrants, fire service lines, fire department connections valves, etc.). The Fire Dept. reserves the right to relocate, delete or change the proposed landscaping when in conflict with fire systems and devices. CFC 507.5.4

d. Appropriate devices Complete plans and specifications for all aspects of fire protection systems shall be submitted to the Fire Department for review and approval prior to system installation. CFC Section 901.2

POLICE DEPARTMENT CONDITIONS

49. Parking lot areas shall have postings with appropriate signs per 22658(a) CVC to assist in removal of vehicles at the property owners'/managers' request.

50. "No Trespassing/Loitering" signage should be posted at the entrances of parking lots placed in conspicuous areas. Signs should be at least 2' x 1' in overall size, with white background and black 2'' high letters.

51. "No Parking Signs" shall be posted along the northbound curb line of South Main Street spanning the area of the building so vehicles will not park blocking the dedicated bicycle lane or impede the movement of vehicular traffic in the area.

Addressing:

52. Address numbers shall be illuminated during hours of darkness and should be strategically positioned as to be readily visible from the street. Address numbers should have a minimum height of 12 inches. If numerous alarm zones are utilized then zone numbers should be clearly marked above appropriate common doorways (i.e. fitness/recreational center, laundry room, etc.). All other housing alarms shall be directly linked to specific housing unit (if installed).

53. Signs directing apartment numbers shall be placed near main areas (elevators, intersections at hallways) so apartments can be easily located within the buildings.

Visibility:

54. Parking lots and associated driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with lighting of sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness.

55. Large convex mirrors should be installed at the ends of each floor level making users open to visual scrutiny.

56. Any posters, material, and objects near common area exterior windows should not block views in those common areas from the street.

57. From a public safety perspective, the front entrance as well as the recreational area need to have as much natural surveillance as possible and exposed to public view. When natural surveillance is afforded, the likely occurrence of burglaries, robberies, etc. to that particular establishment/area are substantially reduced because the risk of detection and apprehension of the perpetrator increases. Seclusion is one of the main elements sought after by perpetrators of a crime.

Accessibility:

58. Any and all areas controlled by electronic security devices (i.e. key fobs, access cards, keypads, etc.) should have Knox boxes installed near such access points with the Knox boxes containing the appropriate security devices to gain entry. If access points are controlled by keypads or access cards, management should provide the police department with the needed code(s) or electronic key(s) and regularly update the police department if such code(s)/key(s) change.

59. An up-to-date map of the interior of the building should be provided to the police department. The map should minimally identify the locations of each apartment, entry/exit points, elevators, storage areas, entry/exit points controlled by electronic security devices, locations of security cameras, maintenance areas, stairwells, recreation centers, laundry room, etc.

Security:

60. A camera security system shall be required for the facility, with coverage at all exterior access points to the building. Additionally, the security system shall cover the interior of the parking garages. It shall have the clarity necessary to identify an individual, vehicle, etc., and have a field of view to maximize the area of coverage. Security cameras shall also cover the playground/recreational area.

61. The security camera system shall be recorded, and the recording shall be maintained for a minimum of thirty (30) days. A copy shall be made available to the police department upon request to assist in investigations. It is recommended that the employees of the property be properly trained on how to use the security surveillance camera system so that footage can be reviewed and collected in a timely fashion by the police department if needed.

62. Appropriate devices should be installed in the parking garage to ensure law enforcement radio frequencies have sufficient signals to communicate with dispatch and other officers.

63. Underground parking garages present unique security issues. Implementing CPTED measures will help reduce the number of serious and/or violent crimes that occur nationally in parking garages. The proposed parking garage plans must ensure natural surveillance and effective lighting.

64. The police department recommends installing Automated License Plate Readers (ALPR) at the entrance/exit of the parking garages to assist law enforcement in collecting information on investigations and possible illegal activity.

65. Extra security measures should be taken to properly secure mail deliveries including larger boxes. Installing temporary package lock boxes or large parcel drop boxes should assist in preventing package theft. A security camera system should be installed covering both the package lock boxes and the cluster box units to assist the police department and the US Postal Service Inspectors in identifying package/mail thieves.

Miscellaneous:

66. Management shall keep information (names, apartment numbers, etc.) on each resident living within the unit and the make, model, and license plate information for their vehicles. That

information shall be made available to the police department upon request during police investigations.

67. The Property Manager shall file an emergency notification form with the police department so law enforcement can contact the property manager in the event of any major accident, emergency, or unforeseen circumstance.

ENGINEERING DEPARTMENT CONDITIONS

PRIOR TO CONSTRUCTION PLAN SUBMITTALS

*The following conditions shall be met **prior to** any detailed construction plan check submittals (Building or Engineering, except demolition and rough grade plans), unless otherwise approved by the Director of Engineering/City Engineer. City reserves the right to reject any plan check submittal if any of the following conditions are not met.* ***(E)***

68. Modifications: The Site Development Plan dated June 28, 2023 is subject to change during the plan check stage based upon City's previous comments and conditions stated herein.

69. Solid Waste and Recycling Handling Plan: Permittee shall submit final Solid Waste and Recycling Handling Plan based upon City's previous comments for City's review and approval by the Solid Waste Program. The Plan shall show calculations of waste generation volumes and how materials will be transferred from the waste generation areas to the trash enclosure/external collection point; demonstrate how recycling, food waste, and yard trimmings shall have a separately maintained process from garbage handling; address other requirements such as waste generation and compactor sizing, chute shut-off and property management responsibility for bin management and litter control; outreach and education to tenants/occupants, and procure sufficient service frequency based upon waste generation calculation volumes. Solid Waste trucks will be permitted to back onto the site for removal of solid waste but are not allowed to back onto South Main Street when exiting the site.

70. Stormwater Control Plan: Permittee shall submit City approved final Stormwater Control Plan (SWCP) that complies with the latest Municipal Regional Stormwater NPDES Permit, including Low Impact Development (LID) Section C3.c.i.(2)(b) measures for harvesting and reuse, infiltration, or evapo-transpiration, for City's review and approval by the Engineering Department.

71. Photometric Analysis: Permittee shall submit streetlight photometric analysis for City's review and approval by the Engineering Department along South Main Street that meet the Illuminating Engineering Society of North America (IESNA), RP8, for roadway and sidewalk lighting standards and City standard design guidelines.

72. Submittal Requirements: Permittee to ensure that all plan check submittals are in accordance with City's submittal check list for each permit type, including but not limited to, payment of permit fees and/or fee deposit at the time of the submittal.

73. Project Job Account/Fee Deposit: Permittee shall open a new PJ account as a deposit to cover the costs for Engineering Department's services for review and inspection of the project. The amount shall be determined based on the approved City fee schedule at the time of application submittal.

74. Coordination with other Projects and Agencies: Permittee shall coordinate designs with 1316 South Main Street (Zhang Condos) Project as well as with the Santa Clara Valley Water District, in advance prior to any plan submittal.

PRIOR TO OFF-SITE PLAN APPROVAL/ENCROACHMENT PERMIT ISSUANCE

*The following conditions shall be addressed as part of the off-site improvement plan review and shall be met **prior to** encroachment permit issuance, unless otherwise approved by the Director of Engineering/City Engineer.* ***(E)***

75. Public Improvement Design Standards: All public improvements shall be designed and constructed in accordance with all applicable public improvement design standards, including but not limited to:
    a. Milpitas Design Guidelines: (http://www.ci.milpitas.ca.gov/milpitas/departments/engineering/design-guidelines/);
    b. Standard details and specifications: (http://www.ci.milpitas.ca.gov/milpitas/departments/engineering/standard-details-and-specifications/);
    c. Mid-town Specific Plan design guidelines: (https://www.milpitas.gov/_pdfs/engDesignGuidelines/en_dg_vii_midtownSpecificPlan.pdf); and
    d. Americans with Disabilities Act (ADA) requirements, where applicable.

76. Sanitary Sewer Calculations: Permittee shall submit a completed "Sewer Needs Questionnaire" form and sanitary sewer calculations to justify lateral size design, allocation of discharge for each of the lateral, and impact to the existing main. Permittee shall be responsible to implement any necessary improvements if there is any identified deficiency to the existing main as a result of the project.

77. Storm Drain Design: Permittee shall submit storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full, without surcharging the main line pipe, and to be reviewed and approved by the Engineering Department.

78. Domestic Water and Fire Service Calculations: Permittee shall submit potable water and fire service calculations to confirm adequacy of lateral size, pressure and flow, to be reviewed and approved by the Engineering Department and Fire Department. Hydraulic modeling analysis by the City and paid by the Permittee may be required as needed. Permittee shall be responsible to implement any necessary improvements if there is any identified deficiency to the existing main as a result of the project.

79. Specific Improvements: In addition to standard public improvements required under Milpitas Municipal Code (MMC) Title XI, Chapter 1, Section 7, Permittee shall install other specific improvements listed below including incidental improvements as required by the City as part of the encroachment permit.
    a) Installation of separate water service tap and meter for each of the following services: residential, irrigation, and fire.
    b) Installation of separate utility service lines (domestic water, fire service, sanitary sewer) for residential.
    c) Installation of radio-transmitted water meters with a meter antenna, any repeaters or transmitters as needed with dedicated power supplies at no cost to the City at locations acceptable to the City to ensure accurate and timely reception of meter readings. Permittee shall execute a recorded instrument providing dedicated space, access rights and dedicated power supplies to the City for operation/maintenance/repair/replacement of subject radio antenna.
    d) Installation of half-street width (up to the median) asphalt concrete base repair as needed and micro-surface along the project street frontage while replacing striping on South Main Street to the City Engineer's satisfaction.
    e) Installation of missing street tree(s) along the project frontage. The locations of tree(s) and tree species shall be in compliance with applicable City standards and details.

80. Abandonment of Existing City Utilities: Permittee shall cap, abandon or remove any unused existing public utilities based upon City's Abandonment Notes and to the City's satisfaction.

81. Relocation and Adjustment of Existing Public Utilities: Permittee shall relocate and/or adjust existing public utilities as needed that are in conflict with the proposed improvements.

82. Concurrent Off-site Plan Reviews: Permittee shall submit separate off-site improvement plans for City's review and approval by the Engineering Department.

83. Improvement Agreement and Securities: Permittee shall execute an Improvement Agreement and provide improvement securities, and submit all other supplemental documents as stipulated in the Improvement Agreement (such as certificate of insurance).

84. Annexation to the Community Facilities District: Permittee shall submit an executed petition affirmatively consenting to annex the subject property to the Community Facilities District (CFD) 2008-1 and agree to pay the special taxes levied by the CFD 2008-1 for the purpose of maintaining the public services. The CFD annexation process shall be completed prior to encroachment permit issuance. Permittee shall comply with all rules, regulations, policies and practices established by the State Law and/or by the City with respect to the CFD including, without limitation, requirements for notice and disclosure to future owners and/or residents. This condition of approval is nonseverable from the Permit and invalidation or limitation of this condition invalidates the Permit, condition 14 notwithstanding.

85. Water Service Agreement: Permittee shall complete a water service agreement to obtain water service.

86. Encroachment Permit: Prior to any work in the public right-of-way and/or public easement, obtain an encroachment permit with insurance requirements for all public improvements including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Engineering Department.

87. Pothole Encroachment Permit: Due to multiple new utility service connections on streets, Permittee shall pothole and verify all potential utility crossing conflict as part of the public improvement plan during the design stage.

PRIOR TO BUILDING PERMIT ISSUANCE

The following conditions shall be addressed during the building plan check process and shall be met ***prior to*** *any building permit issuance (except demolition permit and rough grade permit), unless otherwise approved by the Director of Engineering/City Engineer.* ***(E)***

88. Dedication of New Easements: Permittee shall dedicate emergency vehicle access easements, min 5-ft public service utility easements (behind the property line), street easements, public access easement and other public easements (if any) deemed necessary for the project.

89. Abandonment/Quitclaim Easements: Permittee shall abandon/quit claim existing easements that are in conflict with or unnecessary for the project. Permittee shall not abandon/quitclaim the existing 10-ft PSUEs in the north and south corner of the lot that are still necessary for the project.

90. Valley Water Approval: Permittee shall provide an acknowledgement letter to Valley Water for building a multi-level building adjacent to their structure. The letter should explain how impact the proposed building structure to their existing culvert structures within the SCCFC & WD Easement, see

Tract Map 524M25; and provide the mitigation measures for the impacts during and post construction, if any.

91. Demolition of Existing Building: Permittee shall demolish existing buildings/facilities that are in conflict with the new property lines.

92. Easements on the Building Permit Plans: Permittee shall depict all existing easements to remain based upon current preliminary title report and depict new easements on applicable building permit plans.

93. Stormwater Facility Operation & Maintenance Plan: Permittee shall incorporate design details into applicable construction plans in accordance with City approved Storm Water Control Plan (SWCP). Permittee shall also submit Stormwater Facility Operation & Maintenance Plan that describes operation and maintenance procedures needed to ensure that treatment Best Management Practices (BMPs) and other storm water control measures continue to work as intended and do not create a nuisance (including vector control).

94. Stormwater Management Facilities O&M Agreement: Permittee shall execute and record a Stormwater Management Facilities Operation and Maintenance (O&M) Agreement associated with the SWCP O&M Plan, including perpetual maintenance of treatment areas/units, as reviewed and accepted by the Engineering Department.

95. Water Supply and Force Majeure: The City reserves the right to suspend the issuance of building permits in case of an emergency declaration of water supply in the case of a major catastrophic event that restricts City's assurance to provide water supply.

96. Water Efficient Landscapes: Permittee shall comply with Milpitas Municipal Code Title VIII, Chapter 5 Water Efficient Landscapes for landscape design, including but not limited to, providing separate water meters for domestic water service and irrigation service and providing applicable landscape documentation package.

97. Solid Waste and Recycling Facility Design: Permittee shall comply with all applicable City design guidelines/details associated with haul route, turning radius, vertical and horizontal clearance, trash enclosure, staging area, storage area, etc.

98. Recycling Report Prior to Demolition Permit Issuance: Permittee shall submit Part I of a Recycling Report on business letterhead to the Building Department, for forwarding to the Engineering Department for review and approval. The report shall describe the following resource recovery activities:
    a. What materials will be salvaged.
    b. How materials will be processed during demolition.
    c. Intended locations or businesses for reuse or recycling.
    d. Quantity estimates in tons (both recyclable and for landfill disposal). Estimates for recycling and disposal tonnage amounts by material type shall be included as separate items in all reports to the Building Division before demolition begins.

Permittee shall make every effort to salvage materials for reuse and recycling, and shall comply with the City's demolition and construction debris recycling ordinance.

99. Recycling Report Prior to Building Permit Issuance: Permittee shall submit Part II of the Recycling Report to the Building Department, for forwarding to the Engineering Department. Part II of the Recycling Report shall be supported by copies of weight tags and/or receipts of "end dumps." Actual reuse, recycling and disposal tonnage amounts (and estimates for "end dumps") shall be submitted to

the Building Department for approval by the Engineering Department prior to inspection by the Building Department.

100. Flood Plain Management: This project is in the Flood Zone "AO" with 1' average flood depth, therefore, Permittee shall comply with all applicable flood protection criterion required by the Federal Emergency Management Agency (FEMA) and MMC Title XI, Chapter 15. Permittee shall also submit a Flood Study for the Project demonstrating, to the satisfaction of the City Engineer, that the proposed development has no adverse impact to the surrounding flood plain within the Special Flood Hazard Area (SFHA) and to the flood carrying capacity of the area. The study should include cumulative effects of existing and proposed developments demonstrating the combined effects will not increase the water surface elevation of the Base Flood Elevation (BFE) more than one foot at any point. For the AO Flood Zone, the flood study is required to establish the BFE, and set the building elevation accordingly. The flood study shall be consistent with the requirements in accordance with Title 44 of the Code of Federal Regulations by establishing a hydraulic model and HEC-RAS. The study shall clearly identify the lowest floor elevation as being either the bottom of garage, bottom of first floor residential units, bottom of elevator pit, etc. and shall be completely elevated out of the SFHA.

101. Mailboxes: The Permittee shall coordinate with US Postal Services regarding placement of required mailboxes. Mailbox location shall not be on public street frontages and shall be approved by City and US Postal Services prior to building permit issuance. Mailbox locations shall be shown on the improvement plans and Permittee shall submit a letter to the City's Land Development Engineering Section from the Post Master approving the location of the mailbox. Structures to protect mailboxes may require Building, Engineering and Planning Department review.

DURING CONSTRUCTION

*The following conditions shall be complied with at all times **during** the construction phase of the project, unless otherwise approved by the Director of Engineering/City Engineer.* ***(E)***

102. Dewatering: If dewatering is needed during construction, Permittee shall obtain a Short-Term Industrial Wastewater Permit from the San Jose/Santa Clara Water Pollution Control Plant for discharging the groundwater to a sanitary sewer system.

103. Prohibition of Potable Water Usage: Permittee shall use recycled water for construction purposes, including dust control and compaction. Permittee shall comply with MMC VIII-6-5.00 and 6-6.00 where potable water usage is prohibited, unless otherwise approved by the City Council.

104. Construction Staging and Employee Parking: Permittee shall place all construction related materials, equipment, and arrange construction workers parking on-site and not located in the public right-of-ways or public easements.

105. Water Shut-down Plan: Permittee shall provide a water shut-down plan at least seven days in advance of the shut-down in coordination with the Engineering Inspector, and notify affected property owners/tenants when cut-in tee(s) is/are required.

PRIOR TO FIRST OCCUPANCY

*The following conditions shall be met **prior to** first building occupancy on either lot, unless otherwise approved by the Director of Engineering/City Engineer.*

106. Completion of Public Improvements: Permittee shall complete all public improvements, including but not limited to South Main Street frontage improvements as shown on City approved plans.

107. LOMR-F: Permittee shall submit the FEMA approved LOMR-F for each unit/building associated with the requested occupancy, if project is located in the SFHA. Lack of documentation will not preclude occupancy release.

108. Elevation and/or Flood Proofing Certificate: Permittee's civil engineer shall submit Elevation and/or Flood Proofing Certificate for the lowest finished floor elevation of each building for City record.

109. Landscape Certificate of Completion: Permittee shall submit a Certificate of Substantial Completion that complies with the Milpitas Municipal Code Water Efficient Landscapes ordinance.

110. Certificate of Cross-Connection: Permittee shall ensure that the cross-connection specialist complete the required recycled water construction inspection checklist, cross connection test results and any special inspection checklist as required by the South Bay Recycling Program http://www.sanjoseca.gov/index.aspx?NID=1595 and forward them to the City.

111. Record Drawings: Permittee shall submit record drawings in Full size hard copy, AutoCAD, Tiff, and PDF formats for City records. Record drawings shall include all public improvements. Additionally, if the project uses recycled water, the permittee shall also submit record drawings of on-site irrigation facilities.

112. Private Job (PJ) Balance: Permittee shall pay for any remaining balance from the Private Job deposit.

113. Backflow Devices: All backflow preventer devices shall be tested by a certified backflow tester, and results of the test shall be submitted to the city before going into service.

114. Development Fees: Permittee shall pay the following development fees. The information listed in items “a” through “e” are based upon current fee rates; however, those fee rates are subject to change. The exact fee amount shall be determined at the time of building permit fee payment.
   a. Storm water connection fee at $16,771/acre for residential.
   b. Water connection fee at $1,164/unit for residential, based upon increased water usage.
   c. Sewer connection fee at $1,406/unit for residential, based upon increased average wastewater flow.
   d. 3.8% of applicable fees in accordance with City Resolution No. 8969 as Permitting Automation Fee.
   e. FEMA Flood Zone Designation Letter fee in the amount of $100.00 each.

115. Utility Company Approval: Permittee shall obtain approval letters from utility companies (PG&E, AT&T, Comcast) for abandonment of existing and dedication of new public service utilities easements, if any.

LEGEND
P = Planning Department
B = Building Department
E = Engineering Department
F = Fire Department
H = Housing Division
CAO = City Attorney’s Office
ALL = All Reviewing Departments

NOTICE OF RIGHT TO PROTEST

The Conditions of Project Approval set forth herein include certain fees, dedication requirements,reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

AGREEMENT

Permittee/Property Owner

The undersigned agrees to each and every condition of approval and acknowledges the NOTICE OF RIGHT TO PROTEST and hereby agrees to use the Project property on the terms and conditions set forth in this resolution.

Dated: _____ _____

Signature of Permittee

MILPITAS PLANNING COMMISSION
STAFF REPORT

March 27, 2024

APPLICATION: **TWO SEPARATE MULTI-FAMILY RESIDENTIAL APARTMENT BUILDINGS – 1300 S MAIN STREET – P-SD22-0015 AND P-DB23-0001:** An application for a Site Development and Density Bonus permits to develop two multi-family residential buildings, up to 77-8" feet,- eight inches (six stories) in height, with 118 below-market-rate (100% affordable) dwelling units, 39 vehicular parking spaces, a community garden, and associated site improvements on a 0.966-acre (42,079-square foot) parcel in the Multi-Family Very High Density Residential (R4) Zoning District at 1300 South Main Street.

RECOMMENDATION: Staff recommends that the Planning Commission open and close the public hearing, and adopt Resolution 24-011, recommending approval of the above applications to the Milpitas City Council, subject to the Conditions of Approval.

PROJECT LOCATION:

Addresses and Assessor's Parcel Number (APN):	1300 South Main Street (APN 083-36-002)
Area of City:	Milpitas Metro Specific Plan (MMSP): McCandless Subdistrict. The project site is located immediately southeast of the intersection of South Main Street and Great Mall Parkway.

PEOPLE:

Project Applicant and Owner:	AMG & ASSOCIATES, LLC
Project Planner:	Avery Stark, Acting Senior Planner

LAND USE:

General Plan Designation:	Milpitas Metro Specific Plan
Specific Plan Area:	Milpitas Metro Specific Plan (MMSP)
Zoning District:	Multiple-Family Very High Density with Transit Oriented Development Overlay (R4-TOD)

ENVIRONMENTAL: The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section §15332 (Class 32: In-Fill Projects) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning

EXECUTIVE SUMMARY

The City of Milpitas received an application from AMG & Associates, LLC (applicant) requesting a Site Development Permit, Density Bonus Permit, and Environmental Assessment to allow the development of two separate multi-family residential buildings, consisting of 118 below-market-rate dwelling units, up to 77-8" feet,- eight inches (six stories), 39 vehicular parking spaces, community garden, and associated site improvements on a 0.966-acre site at 1300 South Main Street in the McCandless District of the Milpitas Metro Specific Plan.

The Project consists of 15 studios, 39 one-bedroom, 34 two-bedroom, and 30 three-bedroom apartment units. All of the units, with the exception of two manager's units, will be reserved for lower income households (94 units – low income & 22 – moderate income) and the Project will fully comply with the City's Affordable Housing Ordinance (AHO). Since the applicant proposes to dedicate more than 10 percent of the units as low-income, the Project also qualifies for concessions, waivers, and parking reductions under the State Density Bonus Law.

The proposed Project requires two entitlements, as follows:

1. Site Development Permit No. SD22-0015: To allow the development of two separate multi-family residential buildings consisting of 118 below-market-rate dwelling units, up to 77 feet in height, 39 vehicular parking spaces, community garden, and associated site improvements on a 0.966-acre (42,079 sf) parcel; and,
2. Density Bonus Permit No. DB23-0001: To ensure compliance with State Density Bonus Law (Gov. Code § 65915 et seq)

Although not an entitlement, Environmental Assessment No. EA23-0015 was prepared to establish CEQA compliance.

Staff has found that the required entitlements comply with the policies, standards, and processes outlined in the State Density Bonus Law, the City of Milpitas 2040 General Plan, the Milpitas Metro Specific Plan (MMSP), the Zoning Ordinance, Objective Design Standards (ODS), and other provisions of the Milpitas Municipal Code (MMC), and recommends that the Planning Commission open and close the public hearing, consider the exemptions in accordance with CEQA, and adopt Resolution No. 24-011, recommending approval of the Project to the Milpitas City Council, subject to the conditions of approval. The balance of this report provides specific details regarding the Project.

BACKGROUND

History

On May 19, 1983, the Planning Commission approved a Conditional Use Permit (No. 591) for a tool rental business as required by the zoning ordinance for a "Contractors yard and office." As of October 2018, Arena Stuart Rentals, Inc. has been operating out of the existing 1,300-square-foot office building onsite.

On June 3, 2008, the City Council adopted the Transit Area Specific Plan (TASP or Plan). The Plan encompassed 437 acres and envisioned the development of 7,109 dwelling units, 287,075 square feet of retail space, 993,843 square feet of office and industrial park space, and 350 hotel rooms. The Plan included development standards, goals, and policies to guide development within

the Plan area. Because of the unique physical characteristics of various portions of the TASP, the Plan also established seven subdistricts, each with specific goals and policies to accommodate those unique characteristics.

On February 7, 2023, the City adopted the Milpitas Metro Specific Plan (MMSP) to replace the TASP. The MMSP increases the Plan Area from approximately 437 acres to approximately 510 gross acres and includes annexations on the east and west sides of the original Plan Area. The long-term focus of this work is to continue and accelerate the transformation of this area from industrial and auto-oriented to a vibrant, connected, and fully developed transit-oriented neighborhood.

On February 8, 2021, AMG & Associates, LLC. (applicant) submitted a Notice of Intent (NOI) informing the Planning Department of their intent to seek streamlined ministerial approval under SB 35.

On November 23, 2021, AMG & Associates (AMG) submitted a formal planning application (File No. P-PP21-0013) to develop two multi-family residential buildings AMG claimed the project qualified for Senate Bill 35 (SB35) status. SB35 is a statute streamlining housing construction in California counties and cities that fail to build enough housing to meet state mandated housing construction requirements.

On February 1, 2022, the City of Milpitas (City) conducted a Public Oversight Meeting to discuss the Project. At that meeting, it was determined the project is SB35 compliant, but requested AMG consider modifying the project to incorporate the following:

- Adding some on-site parking.
- Creating a ride-share drop-off vehicle parking space.
- Installing digital surveillance (i.e., security cameras) within the project site.
- Provide some open space
- Consider a portion of property to be used as a community garden.

On January 25, 2023, the applicant submitted a formal application for the subject Project.

On February 7, 2023, the City adopted the Milpitas Metro Specific Plan (MMSP) to replace the TASP. The MMSP increases the Plan Area from approximately 437 acres to approximately 510 gross acres and includes annexations on the east and west sides of the original Plan Area. The long-term focus of this work is to continue and accelerate the transformation of this area from industrial and auto-oriented to a vibrant, connected, and fully developed transit-oriented neighborhood.

PROJECT DESCRIPTION

Overview

The Project consists of two separate multi-family residential buildings. Building A includes 45 residential units and a gross floor area of 61,919 square feet, and Building B includes a total of 73 units and a gross floor area of 79,594 square feet. The overall unit mix is 15 studios (13%), 39 one-bedroom units (39%), 34 two-bedroom units (29%) and 30 three-bedroom units (25%). The Project proposes to dedicate 100 percent of the total units (94 units – low income & 22 – moderate

income), exclusive of the managers' units, as affordable for lower-income households, as defined by Section 50079.5 of the Health and Safety Code. Moreover, the Project meets both the City's affordable housing requirement and the State Density Bonus Law under Government Code Section 65915(b)(1)(G).

Since more than 30 percent of the apartment units are reserved for low-income households, the Project is eligible for certain concessions, waivers, and parking incentives under State Density Bonus Law (Gov. Code § 65915 et seq.). The "Project Analysis" section of this staff report includes a full discussion of the State Density Bonus provisions related to this Project.

Location and Context

The project is located on a 0.97-acre site located immediately southeast of the intersection of South Main Street and Great Mall Parkway. The site is located within the Milpitas Metro Specific Plan Area (MMSP). The specific plan designation is Multi-Family Very High Density Residential (VHD), and the planned implementing zoning district of that designation is Metro Multi-Family Very High Density Residential (R4-Metro). However, the Project site has not been rezoned yet. As such, the current zoning designation (Multi-Family Very High Density Residential with Transit Oriented Development Overlay (R4-TOD) and its standards remain in place wherever the MMSP is silent for such development standards. The site is currently occupied by a one-story light industrial building that is proposed for demolition. An existing masonry wall borders the western and northern property lines. The wall connects to an existing iron fence that borders the eastern and southern property lines. A metal gate and driveway off South Main Street provides vehicular access. Table 1 summarizes the project site's land use designation and surrounding uses. See Figures 1 and 2 for more information.

Table 1: Surrounding Zoning and Land Uses

	General Plan	Zoning	Existing Uses
Subject Site	MMSP - Milpitas Metro Specific Plan	Multi-Family Very High Density Residential (R4) with a Transit Oriented Development (TOD)	One-story Light Industrial Building
North	N/A	N/A	The intersection of Great Mall Park Way and South Main Street
South	MMSP - Milpitas Metro Specific Plan	Multi-Family Very High Density Residential (R4) with a Transit Oriented Development (TOD)	The future "Main Street Condos" site at 1316 South Main
East	MMSP - Milpitas Metro Specific Plan	High Density Mixed Use (MXD2)	Union Pacific Railroad
West	VHDR - Very High Density Residential	Multi-Family Very High Density Residential (R4) with a Transit Oriented Development (TOD)	Ilara Apartment Building

Figure 1 – Aerial Map – 1300 S Main St

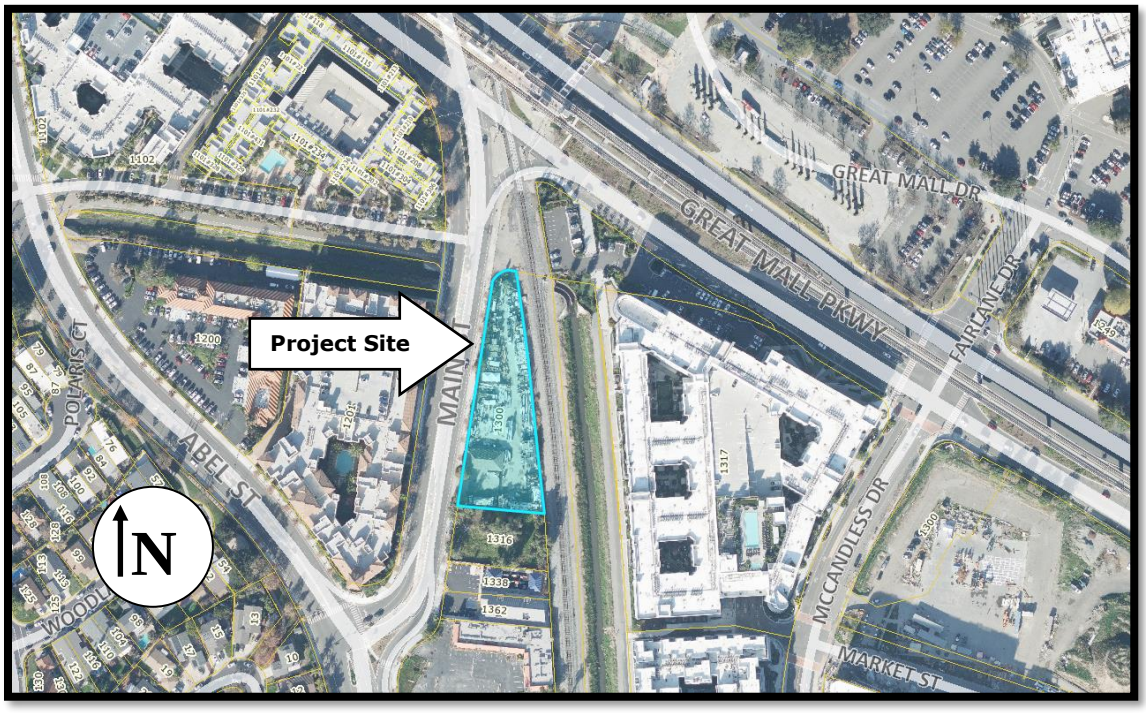
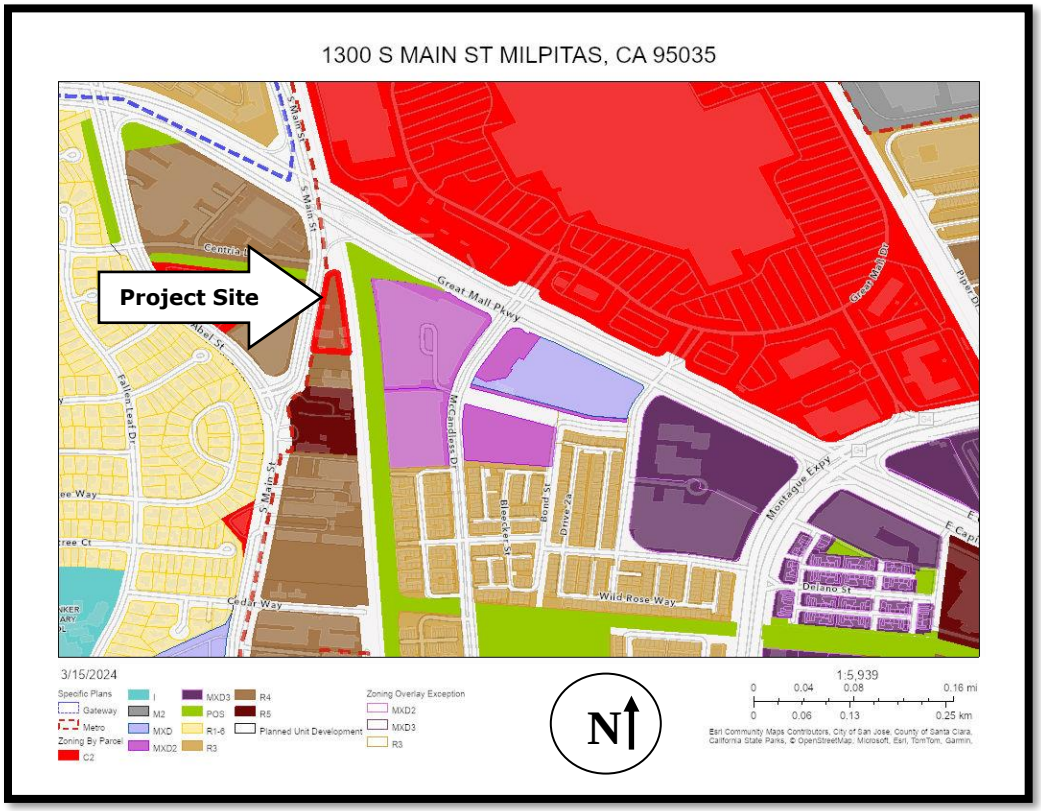


Figure 2 – Zoning Map – 1300 S Main St



PROJECT ANALYSIS

This section will evaluate elements of the proposed Project for conformance with the Milpitas 2040 General Plan, the Milpitas Metro Specific Plan (MMSP), the Zoning Ordinance, Objective Design Standards (ODS), other provisions of the Milpitas Municipal Code, and the State Density Bonus Law.

General Plan Conformance

The General Plan designation for the project site is the Milpitas Metro Specific Plan – MMSP. The designation is intended to create a framework for a walkable, transit-oriented area with a mix of land uses, which encourages walking, biking, and transit trips and minimizes vehicle trips and reduces vehicle miles traveled (VMT).

The project is consistent with the applicable policies and standards in the City's General Plan, as outlined in Table 2.

Table 2: General Plan Consistency

Policy	Conformance
Policy LU 1-4: *Continue to provide for a variety of housing types and densities that meet the needs of individuals and families and offer residents of all income levels, age groups, and special needs sufficient housing opportunities and choices for locating in Milpitas.*	**Consistent.** The Project provides 118 new housing units, resulting in a housing density of 122.15 dwelling units per acre. Of the 118 units, 94 would be rental units offered at 80-percent area median income (low income), and 22 would be rental units offered at 110-percent area median income (moderate income). By providing this type of housing at this density, Milpitas can accommodate residents from various income levels, age groups, and with special needs, fostering a more vibrant and sustainable community.
Policy LU 4-4: *Encourage new development to facilitate pedestrian, bicycle, and transit access through techniques such as minimizing building separation from public sidewalks; providing safe, direct, accessible, convenient, and pleasant pedestrian connections; including secure and convenient bike storage; and orienting building entrances to transit service.*	**Consistent**. The Project maintains the existing sidewalks and provides long and short-term bike racks on-site to accommodate pedestrians and gives bicyclists unobstructed access to a major transit stop (VTA Great Mall Light Rail Station), which is located within one-half mile of the site.

Policy	Conformance
Policy CD 2-7: *Include design elements during the development review process that address security, aesthetics, and safety. Safety issues include, but are not limited to, minimum clearance around buildings, fire protection measures such as peak load water requirements, construction techniques, and minimum standards for vehicular, bicycle, and pedestrian facilities and other standards set forth in local, state, and federal regulations.*	**Consistent.** The proposed apartment parking structure provides adequate and safe circulation for vehicles. The proposed apartment complex also provides adequate site illumination by installing wall-mounted lighting. Furthermore, the Milpitas Fire Department (MFD) and the Milpitas Police Department (MPD) have reviewed the site plans for the Project to ensure adequate protection measures are implemented.
Policy LU 2-3: *Allow densities and intensities which exceed the generally allowed ranges defined by the underlying land use for projects utilizing Density Bonus provisions (included within the Milpitas Affordable Housing Ordinance Title XII - HOUSING Chapter 1 - AFFORDABLE HOUSING ORDINANCE) including bonuses for senior housing, affordable housing, and for projects within designated overlay districts included in Milpitas Municipal Code Section 12 - Overlay Districts and Standards.*	**Consistent.** Through State Density Bonus Law, the Project provides a density of 122 dwelling units per gross acre, which exceeds the generally allowed density range in general plan the underlying zoning district.

Policy	Conformance
Policy CD-10: *Design multi-family residential, mixed use, commercial, and employment-generating development in neighborhoods, districts, and centers to:* *a.) Include open space and/or recreational amenities to provide visual relief from development, form pedestrian and bicyclist linkages to adjacent uses and other portions of the neighborhood, district, or center, and serve as buffers between uses, where necessary;* *b.) Locate building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity;* *c.) Create a human-scale ground-floor environment that includes public open areas that separate pedestrian space from auto traffic or where these intersect, give special regard to pedestrian safety; and* *d.) Provide comfortable pedestrian amenities, such as quality seating areas, lighting, and wide, shaded paths, along with specialized and engaging design features, such as interesting fountains or public art to draw and maintain people's attention.*	**Consistent.** The Project provides open space and recreational amenities on-site, including an outdoor recreational area that consists of an outdoor playground on turf areas, a bench, and bike racks. The proposed outdoor recreational area will be visible to pedestrians, bicyclists, and motorists traveling along South Main Street. Pedestrian and bicycle access to the Project Site will be provided along South Main Street. Pedestrian access on-site will be provided to each apartment building. Additionally, pedestrian and bicycle routes will be provided via walkways and sidewalks. Refer to response to Policy CD 2-7 regarding the proposed lighting fixtures for the Project. The Project will include a direct connection to an existing pedestrian sidewalk on S Main. The Project also provides an entrance plaza for Building B, which creates a separate pedestrian space from the auto traffic. The site includes a community garden area, benches, and bike parking along South Main Street.

Milpitas Metro Specific Plan (MMSP) Conformance

The MMSP land use designation for the Project is Multi-Family Very High Density Residential (VHD). This designation allows high-density residential development, such as multi-story apartments and condos. As demonstrated in Table 3, the Project is consistent with the applicable MMSP land use policies.

Table 3: MMSP Consistency

Policy	Conformance
LU 3. Housing Diversity and Affordability. Provide transit-oriented housing that is accessible and affordable for a range of household types and income levels.	**Consistent**. The Project provides 118 new housing units, resulting in a housing density of 122.15 dwelling units per acre. Of the 118 units, 94 units would be rental units offered at 80 percent area median income (low income) and 22 units would be rental units offered at 110 percent area median income (moderate income). By providing this type of housing at this density, Milpitas can accommodate residents from various income levels, age groups, and with special needs, fostering a more vibrant and sustainable community.
PPS 6. Community Gardens. Include Community Gardens for community wellness and benefit.	**Consistent**. The Project provides a community garden that will allow residents to grow local flowers, fruits, vegetables, and herbs.
LU 2. Transit Orientation. Capitalize on the transit orientation of the Plan Area to support transit ridership, reduce traffic congestion and greenhouse gas emissions, and support livability.	**Consistent.** The Project maintains the existing sidewalks and provides long and short-term bike racks on-site to accommodate pedestrians and provide bicyclists unobstructed access to a major transit stop (VTA Great Mall Light Rail Station), which is located within one-half mile of the site.
PA 4.1. Citywide Objective Design Standards. Follow Citywide Objective Design Standards for multi-family and mixed-use buildings, when applicable.	**Consistent**. As demonstrated in the attached Objective Standards Checklist, the project is consistent with most of the applicable Objective Design Standards (ODS). Where the project is not in compliance with objective standards, the State Density Bonus Law requires the City to grant appropriate concessions and waivers for qualifying projects.
PA 3.4. Landmark Building Design. Design and build new signature, landmark buildings to reflect Milpitas Metro's regional connectivity within Silicon Valley as a place for innovation, and to create a memorable skyline. Buildings are encouraged to have their own identity and use contemporary methods to define the character of the district.	**Consistent**: The Project's contemporary flat iron architectural design visually separates its typology from other suburban housing offerings while complementing the adjacent townhome projects along South Main Street. Grouped into small blocks that are stacked and glued together, the articulated façades foster a dynamic vertical play between space and void with layers of light and color.

Zoning Conformance

The specific plan designation is Multi-Family Very High Density Residential (VHD), and the planned implementing zoning district of that designation is Metro Multi-Family Very High Density Residential (R4-Metro). However, the Project site has not been rezoned yet. As such, the current zoning designation Multiple-Family Very High Density with Transit Oriented Development Overlay (R4-TOD) and its standards remain in place wherever the MMSP is silent for development standards. The purpose of this overlay district is to provide for land uses, land densities and intensities and development standards that act to enhance and support transit and to locate such uses near rail transit stations. These provisions allow for a mix of goods and services within a convenient walk of the transit stations, encourage the creation of stable, attractive residential, commercial, and industrial environments within the District, and provide for a desirable transition to the surrounding conventional areas. The project, as proposed, with the approval of Density Bonus concessions and waivers, meets the development standards of the Multiple Family – Very High Density Residential (R4) zoning district.

As demonstrated in Table 4, the project is consistent with most of the applicable development standards for the Metro - Multiple Family – Very High Density Residential (R4) Zoning District. Where the project is not in compliance with objective standards, the State Density Bonus Law requires the City to grant appropriate concessions and waivers for qualifying projects. In addition, the City of Milpitas Affordable Housing Ordinances (AHO) provides waivers for qualifying projects.

Table 4: Summary of MMSP and R4-TOD - Development Standards

Development Standard	Required	Proposed	Complies?
Density (Objective Zoning Standard)	40-85 dwelling units/acre (base density under MMSP) 72 – 153 dwelling units/acre (with an 80% density bonus allowed for 100% affordable projects under the State Density Bonus Law 65915(f)(3)(D)(i).	122.15 dwelling units/acre	Yes, because the project complies with State Density Bonus Law
Building Height, maximum	75 feet, an increase of up to three additional stories, or 33 feet are allowed with the State Density Bonus Law	77 feet, 8 inches	Yes, because the project complies with State Density Bonus Law and is located within ½-mile of the VTA Great Mall light rail station
Front Yard Setback	8 feet min, 20 feet max from the back	6 feet	Yes, with approval of a waiver under the AHO

Development Standard	Required	Proposed	Complies?
	of the sidewalk		
Side Yard Setback (street side), minimum	8 feet min, 15 feet max from the back of the sidewalk	32 feet, 11 inches	Yes, with approval of a waiver under the AHO
Side Yard Setback (interior) Minimum	10 feet	6 feet, 9 inches	Yes, with approval of a waiver under the AHO
Rear Yard Setback, Minimum	10 feet	6 feet	Yes, with approval of a waiver under the AHO
Projections into Required Yards	Porches, stairs, balconies, bay windows, and awnings may project up to six feet into required setbacks.	The project includes no projections into required yards	Yes
Building Orientation and Entrances	Buildings must face the street; and primary building entrances must be oriented toward the street.	Buildings entrances face S. Main Street	Yes
Common Open Space (MMSP) • Courtyards • Gardens • Play areas • Outdoor dining • Recreation amenities • Rooftop amenities • Landscaping	Private development must provide on-site open space at a rate of 100 square feet of private or common space per unit. 118 Units x 100 sq ft = 11,800 sq ft required delta of 2,386 sq ft	9,414 sq ft	Yes, with approval of a waiver under the State Density Bonus Law.
	Common Shared Space Minimum of 30% of total open space .30 X 11,800 = 3,540 sq ft required	3,975 sq ft	Yes

Development Standard	Required	Proposed	Complies?
Publicly accessible • Park • Plaza • Garden • Public sitting area	Accessible to the Public Minimum of 5% of total open space .05 X 11,800 = 590 sq ft required	+590 sq ft	Yes
Off-Street Parking, minimum	Minimum parking requirements are no longer applicable to 100% affordable projects of this kind with unobstructed access to a major transit stop within ½ mile. (Gov. Code, § 65915(p)(3)(A).)	39	Yes, this project is located within one-half mile of the VTA Great Mall light rail station.
Bicycle Parking	Long-Term Parking Requirement 0.5 spaces per bedroom, 197 bedrooms/2= 98.5 Short-Term Parking Requirement 0.1 spaces per bedroom, 197/10=19.7~	Long Term:26 Short Term:20	Yes, with approval of a waiver under the AHO
Tree Removal	If any protected trees are proposed for removal, they must be replaced by a 2:1 ratio.	None	Yes

State Density Bonus Law

To encourage affordable housing production, the State Density Bonus Law (Gov. Code § 65915 et seq.) allows developers to receive a density bonus and other incentives, such as concessions, waivers, and parking reductions, when affordable housing is incorporated within a project. The Density Bonus is a state mandate, and any Project that meets the requirements of the state law is entitled to receive the incentives associated with it.

Since 100 percent of the units in the development, exclusive of manager units, are for lower income households, and no more than 20 percent of the units are for moderate-income households, the density bonus shall be an increase of 80 percent over the maximum allowable residential density (85 units/ac) under the Metro Specific Plan. The applicant may also request waivers and concessions under the State Density Bonus Law. For a project of this kind, the applicant is entitled to 5 concessions. There is no limit to the waivers an applicant may request to reduce additional standards, but waivers must be justified by eliminating a physical impediment to the construction of a development the applicant would otherwise be permitted to build. The Project includes 94 apartment units at the lower-income rental level and 22 apartment units at the moderate-income level, which satisfies the 15 percent total units required under the City's

Affordable Housing Ordinance. The City must grant appropriate waivers and concessions requested by the applicant for a qualifying project under the State Density Bonus Law, unless there are unmitigable specific, adverse health or safety impacts.

Table 5 outlines the density bonus, waivers, requested for the proposed Project.

Table 5: State Density Bonus – Concessions, Waivers, and Incentives

Type of Modification	Standard	Applicant Request	Justification	Discretion
Concession(s)	ODS Standard 3.4.1 Active Frontage: This development standard requires active frontages with active uses at the ground level.	Not provide an active frontage	The City Council requested parking within the development project, and due to the site constraints, the project was unable to meet this standard as the podium parking configuration was the only way to provide adequate parking	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety
Concession(s)	ODS Standard 5.5.1 Allowed Building Materials: This development standard requires a variation in building materials. Secondary materials shall cover the remainder of each facade (excluding windows, doors, garage doors, and building trim) from 25 to 35% (of the total facade).	Not to provide a secondary material	The applicant estimates that secondary materials can cost an additional $10 per sq ft. For Building A alone, the facades roughly total 171,162 sf. ft. in area, of which an estimated 42,790 sq. ft. will need to feature a secondary material. With the above estimates, the applicant calculates an additional cost of	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact

Type of Modification	Standard	Applicant Request	Justification	Discretion
			$427,905 for the budget of Building A alone	on public health or safety
Concession(s)	ODS Standard 5.3.1 Fenestration Design: This development standard requires windows to be recessed a minimum of 2 inches or for flat windows to provide a recessed facade modulation with a minimum of 4 inches in depth.	Not provide the required recessed at a minimum of 2 inches.	Applicant estimates the implementation of the recessed facade modulation to cost an additional $30 per window for the additional material and labor for the installation. The project proposes 427 windows on the residential floors. This amounts to an additional cost of $12,810 to the project	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety
Concession(s)	ODS Standard 4.3.2 Base/Middle/Top: This development standard requires buildings three stories or taller and a building length greater than 50 feet to be designed to differentiate a defined base, middle, or top.	Not provide a defined upper floor or TOP differentiation design/material	The introduction of upper floor setbacks will eliminate units, thus increasing the land basis for each unit	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety

Type of Modification	Standard	Applicant Request	Justification	Discretion
Concession(s)	ODS Standard 5.1.2 Ground Floor Facades: This development standard requires facades to have a minimum 50% transparent glazing between 3 and 7.5 feet in height above finished floor.	Not provide ground floor façade glazing	Additional glazing is estimated to be at least $25 per square foot. The frontage facing Main Street is an estimated 520 ft., therefore 260 linear feet must meet the glazing requirements. This equates to an estimated minimum additional cost of $29,250 to the project	This Concession is allowed under State Density Bonus Law and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific adverse impact on public health or safety
Waivers(s)	Common Open Space (MMSP)	Not meet the total sq ft amount required	This standard is eligible as a waiver because including the delta in private/ common open space would require the reconfiguration of units on the higher floors to accommodate the additional on-site open space, which would result in the loss of units and residential floor area.	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare

Type of Modification	Standard	Applicant Request	Justification	Discretion
Waivers(s)	ODS Standard 3.2.2 Pedestrian Connections: This development standard is found in section 3.2.2 of the Milpitas Objective Design Standard. This standard requires entrances serving more than 20 units to be 8 feet.	Not provide entrance at a minimum of 8 feet in width	The Applicant requests relief from this requirement because of the site's unusual triangular shape. Pedestrian pathways are provided to the main entrance of each building. Should these pathways be widened to 8 ft., the developable area of the site will be greatly reduced, and an estimated 30 units would be eliminated	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare
Waivers(S)	ODS Standard 3.5.1 Vehicle Access + Parking: This development standard requires above grade structured parking levels facing a public right-of-way to be lined with commercial or habitable uses with a minimum depth of 20 feet.	Not provide commercial or habitable use along the public right-of-way	The site is unusually shaped and physically constrained from adding the required uses to the ground floor, as this would place the structure well beyond the minimum setback area. Adding these uses within the existing footprint would eliminate parking spaces and require the relocation of some equipment and utility rooms to upper floors. As a result, residential	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public

Type of Modification	Standard	Applicant Request	Justification	Discretion
			units will be eliminated	health or safety and welfare
Waivers(S)	ODS Standard 3.7.1 Service Areas, Storage, Utilities, and Equipment: This development standard requires utilities and equipment, service, storage, and non-passenger loading areas to be located inside buildings or on facades other than the Primary Building Frontage, along alleys, parking areas, and/or at the rear or side of building.	Provide Service Areas, Storage, Utilities, and Equipment along the façade of the Primary Building Frontage	The project site is uniquely shaped and narrow. It is physically impossible to relocate the mentioned rooms and equipment without placing those items on residential floors. Additionally, some of these rooms, like the fire command room, must be accessible from Main Street. Thus, this standard is eligible to be waived because it would have the effect of physically precluding construction of the project at the proposed density	This Waiver is allowed under the State Density Bonus Law if it physically prevents development and must be granted by the City unless it finds, based upon substantial evidence, that the waiver would have a specific unmitigable adverse impact on public health or safety and welfare

Affordable Housing Ordinance

According to MMC Section XII-1-3.00 (Affordable Housing), the Applicant must reserve 15 percent of the total number of dwelling units within the development as affordable units.

The project will meet the City of Milpitas's Affordable Housing Ordinance by reserving 94 units for lower income and 22 units for moderate income, as shown in Table 6 and Figures 11 and 12 below. The Project has been conditioned to execute an agreement imposing appropriate ownership

controls on the affordable units and all other requirements per MMC Section XII-1-3.04 (Design and distribution of affordable units).

Table 6 shows the project's proposed unit type and affordability, and Figures 11 and 12 show the distribution of affordable units.

Table 6: Summary of Unit Type/Configuration and Affordably Levels

Unit Type	Bedroom Size	Unit Size (SF)	Managers' Units	Low Income Units – 80% AMI	Moderate Income Units – 110% AMI	Total Units
S	0	416		12	3	15
A	1	547		32	7	39
B	2	692-799	2	26	6	34
C	3	1,100		24	6	30
Total			2	94	22	118

The Housing Division reviewed the proposed Project for compliance with the City's Affordable Housing Ordinance. In accordance with the distribution of the unit types shown in Table 6 above, the Applicant has agreed to distribute the number of affordable unit types as outlined below and as shown to be dispersed throughout the Project as identified in Figures 11 & 12:

Figure 11 – Project Affordable Unit Distribution Building A

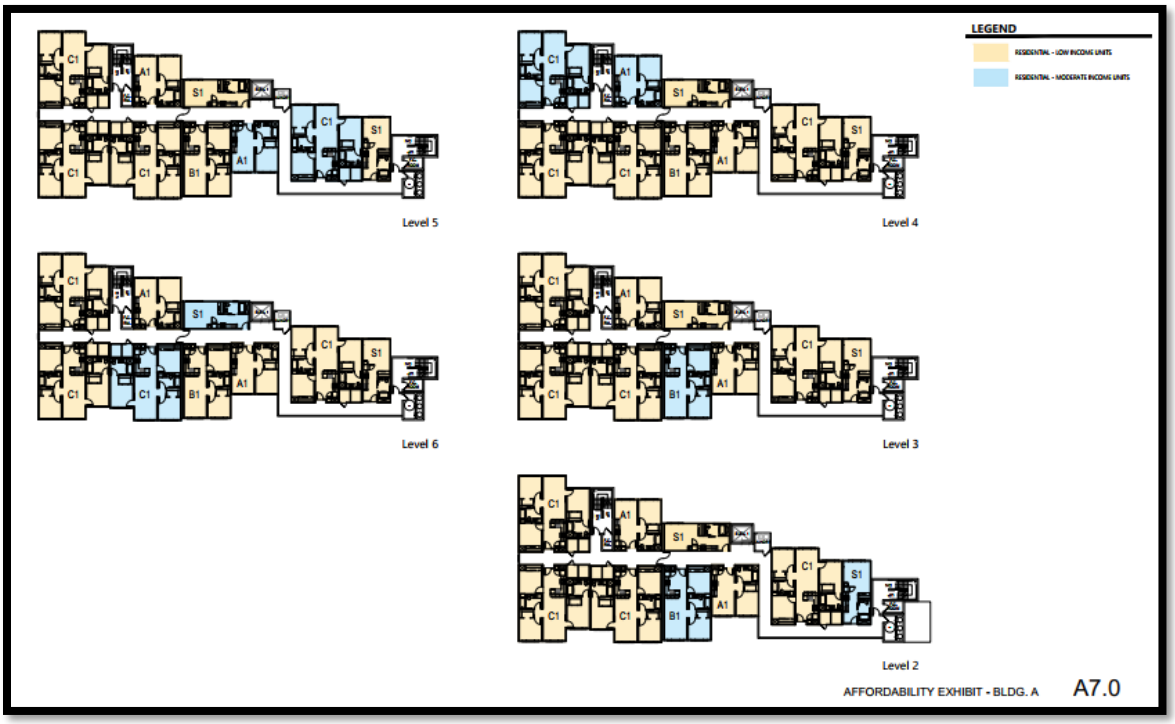


Figure 11 – Project Affordable Unit Distribution Building B

Since the Project reserves 100 percent of the total housing units for lower income households, the Applicant shall receive incentives as specified in Section 7 - Incentives to Encourage On-Site Construction of Affordable Units XII-1-7.00. In addition to waivers, incentives and/or concessions that may be provided pursuant to Density Bonus Law, as outlined in MMC Section XI-10-54.15, if the Applicant provides affordable units in excess of 20 percent of the total number of units in the development, the Director of Planning shall grant up to two of the waivers listed in MMC Section XII-1-7.00 that can help increase the feasibility of the construction of affordable units. The Applicant will receive an additional two waivers from the list for every additional five percent of affordable units provided above the 20 percent. The Applicant has chosen the following five waivers outlined in Table 7 below.

Table 7: AHO Waivers

Type of Modification	Standard	Applicant Request	Discretion
Waivers(s)	Front Setback – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 8 to 20 feet.	The project will provide a front yard setback of 6 feet. MMC Section XII-1-7.00 (A)(2) of the Milpitas Municipal Code allows for a 50 percent reduction of the required minimum setback	Approved by the Planning Director

Type of Modification	Standard	Applicant Request	Discretion
Waiver(s)	Side Setback – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 10 feet	The project will provide a side yard setback of 6 feet and 9 inches. Section XII-1-7.00 (A)(2) of the Milpitas Municipal Code allows for a 50 percent reduction of the required minimum setback	Approved by the Planning Director
Waiver(s)	Rear Setback – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 10 feet	The project will provide a rear yard setback of 6 feet. Section XII-1-7.00 (A)(2) of the allows for a 50 percent reduction of the required minimum setback	Approved by the Planning Director
Waiver(s)	Long-Term Parking Requirement 0.5 spaces per bedroom, 197 bedrooms/2= 98.5 Short-Term Parking Requirement 0.1 spaces per bedroom, 197/10=19.7~ Long Term:26 Short Term:20	Long Term:26 Short Term:20	Approved by the Planning Director

Objective Design Standards

The development of residential multi-family projects and mixed-use projects in the City of Milpitas is regulated by a variety of documents including the General Plan, Zoning Ordinance, Specific Plans, and other topic specific ordinances. Following the passage of California State Senate Bill 330 (SB 330), the City of Milpitas is required to adopt objective design standards and streamline its housing development and review process to ensure high quality design and facilitate the efficient delivery of new residential units.

Senate Bill 330 (SB 330) defines objective design standards as any standard that: "[Involves] no personal or subjective judgment by a public official and that is uniformly verifiable by reference to an external and uniform benchmark or criterion available and knowable by both the development applicant or proponent and the public official before submittal of an application." (SB 330, Section 66300.7) These standards contain concise and quantifiable language that are designed for consistent interpretation by applicants, reviewers, and approval bodies alike.

These Objective Design Standards apply to all new construction projects that meet the following criteria:

- Multi-family projects. Defined as a project consisting of multifamily residential uses only with 2 or more Dwelling Unit or,
- Mixed-use projects, featuring a combination of residential and other uses. Defined as a project consistent of a mix of multifamily residential and nonresidential uses, where at least two-thirds of the square footage of the development is designated for residential use

The Project was considered a (L) Large – Mid-Rise Building type due to the size of the building. Staff reviewed the project's conformance against several different quantifiable design standards, including Site Planning, Site Design, Building Design, Building Elements, and Usable and Open Space.

As demonstrated in the attached Objective Standards Checklist, the project is consistent with most of the applicable Objective Design Standards (ODS). Where the project is not in compliance with objective standards, the State Density Bonus Law requires the City to grant appropriate concessions and waivers for qualifying projects. These are outlined in Table 5: State Density Bonus – Concessions, Waivers, and Incentives.

In conclusion, the project is considered compliant because it conforms to all of the ODS applicable standards, other than those that the Applicant has requested be waived by way of the State Density Bonus Law.

Figures 7 and 8 show the rendering of the apartment building, and Figure 9 shows the colors and materials board.

Figure 7 – Apartment Building 3D Renderings

Figure 8 – Apartment Building 3D Renderings

Figure 9 – Apartment Colors and Materials Board

Figure 10 – Landscape Plan

Other Project Details

Specific information regarding project details is provided below to aid the Planning Commission in making its recommendation:

Vehicle Miles Traveled Analysis

The City has adopted a new transportation analysis policy that specifies vehicle miles traveled as the new metric for evaluating transportation impacts, and therefore a project's effect on automobile delay shall no longer constitute a significant impact. Because VMT is a relatively new method for measuring transportation impacts under CEQA, less data exists to estimate VMT than trip generation based on use and location. VMT is typically estimated using an area-wide travel demand model from a regional transportation agency that calculates VMT based on the number of vehicles multiplied by the typical distance traveled by each vehicle originating from or driving to a certain area.

The City's adopted Transportation Analysis Policy (dated May 18, 2021) describes the VMT screening process which specifies that "All land-use projects located within one half mile of a major transit stop, or a stop along a high-quality transit corridor, pursuant to State definitions for such facilities; provided the projects include all the following characteristics: minimum Floor Area Ratio (FAR) of 0.75; or minimum residential density of 35 dwelling units/acre except in the Milpitas Metro Specific Plan area which requires a minimum residential density of 50 dwelling units/acre, and the Serra Center which requires a minimum residential density of 40 dwelling units per acre." The policy also states that in order for a project to be considered exempt, it must also be "Consistent with the applicable Sustainable Communities Strategy (SCS); does not provide more parking than required by the jurisdiction; and does not replace affordable housing with a fewer

number of moderate or high- income residential units." The project meets all these conditions and therefore, subject to City approval, this project would be considered to have a less than significant impact on the VMT in the area.

Traffic and Access

A study was conducted in accordance with the requirements and methodologies set forth by the City of Milpitas, the Valley Transportation Authority (VTA), Caltrans, and the applicable provisions of CEQA. Based on the project's design and the required transportation impact analysis guidelines, there would be no significant impacts to traffic operations according to established traffic engineering standards and no off-site traffic or transportation mitigations would be required.

The project would have one access driveway from South Main Street for passenger loading and deliveries only. Staff has determined that the site circulation's functionality would not cause any safety or operational problems.

Open Space and Landscaping

The landscape plan includes approximately 9,414 sq ft square feet of open space, providing a lush and inviting environment for residents and visitors alike. It consists of a community garden at the north end of the property, an enclosed outdoor play area in front of building B, six 'U' style bike racks, an entrance plaza with accent paving, two benches, and two tables. Seven existing street trees will line the street frontage along S Main Street, and ten new Princeton Sentry Gingkos and 12 Elegant Water Gum trees will be plated between the buildings to soften the exterior along with shrubs and ground cover. Refer to Figure 10 – Landscape Plan for location details.

Grading

The proposed Project would result in the demolition of all existing structures, paving, and landscaping on the subject site. Minimal grading is required to prepare the site for the new building pad.

Utilities

The project site is in an urban area and is currently served by existing utilities, including water, sanitary sewer, storm drainage, electricity, and telecommunications infrastructure. All public utilities will be provided to the Project site.

Climate Action Plan

The City of Milpitas Climate Action Plan (CAP) was adopted in 2013, updated in 2022, and included Greenhouse Gas (GHG) reduction goals, policies, and actions for new and existing development projects. The Project would support these goals and policies by locating future residents near public transportation, jobs, restaurants, and services. In addition, the Project would incorporate green building measures in compliance with CAL Green standard building measures for residential buildings and Title 24 requirements to reduce energy usage.

Development Fees

The Project shall be subject to the following development fees.

Transit Area Specific Plan Development Impact Fee (TADIF)

The TADIF is currently set at $50,056 per residential unit for Fiscal Year 2023-2024, but the exact TASP fee will not be calculated until the building permit is ready for issuance. Based on approval for the development of 118 units, the estimated TADIF for this project is $5,906,608. The TADIF fee accounts for a % of the Park Land Fee, and because the Applicant is paying this fee, no additional Parkland Fee is required. This fee is automatically adjusted each fiscal year in conjunction with the City's annual budget process. The Applicant must pay the fee before the issuance of building permits.

Public Art Fee

Per Milpitas Municipal Code Section XI-10-14, private developments must include publicly accessible works of art for placement on the development site or contribute a Public Art Program In-Lieu Contribution as a condition of project approval. The Applicant is seeking a Public Art Exclusion, as specified in Milpitas Municipal Code Section XI-10-14.03(E), which states that Section 14 shall not apply to an affordable housing development with a minimum of 20 percent affordable housing units if the developer and/or owner demonstrates to the satisfaction of the City Council that said requirements would cause the development project not to be economically feasible. The fee is currently set at one-half of one percent of building development costs, which would result in a fee payment of $91,983.45 based on the estimated building development costs of $18,396,690. The Applicant has demonstrated in Attachment G that the Public Art Program In-Lieu Fee would make the development project economically infeasible due to a funding gap of $91,983.45.

FINDINGS FOR APPROVAL

A finding is a statement of fact relating to the information that the Planning Commission has considered in making a decision. Findings shall identify the rationale behind the decision to take a certain action.

Site Development Permit

To approve the Site Development Permit, the following findings must be made pursuant to Milpitas Municipal Code Section XI-10-57.03(F):

1. *The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.*

   The Project is split between two buildings consisting of 118 apartment units and associated site amenities on a 0.97-acre site. Overall, the Project's contemporary flat iron architectural design visually separates its typology from other suburban housing offerings while complementing the adjacent townhome projects along South Main Street. Grouped into small blocks that are stacked and glued together, the articulated façades foster a dynamic vertical play between space and void, layers of light and color. The proposed six-story multi-family residential building maintains a strong relationship to the street in that its primary entrances are oriented toward the street. The building's design features exterior

stucco walls, vinyl windows, accented with metal frame awnings along the ground floor, along with an aluminum storefront window systems at entrances. The Project, as designed, will further strengthen the identity of the existing neighborhood, and achieve compatibility and aesthetic harmony with the surrounding development.

2. *The Project is consistent with the Milpitas Zoning Ordinance.*

   The proposed Project is generally consistent with the Milpitas Zoning Ordinance, as demonstrated in Table 4. Where exceptions from the Milpitas Metro Specific Plan Area (MMSP), Multiple-Family Very High Density (R4) standards, and Objective Design standards are needed, the Applicant has requested waivers and concessions pursuant to the State Density Bonus Law (Gov. Code § 65915 et seq.). The requested waivers and concessions will support the development of affordable housing on a site where it would not otherwise be possible through a strict application of the specified standard.

3. *The Project is consistent with the Milpitas General Plan.*

   The proposed Project is consistent with the Milpitas General Plan, as demonstrated and outlined in Table 2.

Density Bonus Permit

To qualify for a Density Bonus Permit, the following standards must be met pursuant to Milpitas Municipal Code Section XI-10-54.15(D):

1. *The maximum allowable base density specified in the General Plan, including any other permitted increases to density.*

   The proposed Project includes 118 apartments, equal to 122.15 dwelling units per acre, exceeding the General Plan density allowed in the immediate area.

2. *All affordable units shall be reasonably dispersed throughout the project, shall contain on average the same number of bedrooms as the non-affordable units in the project, and shall be comparable with the non-affordable units in terms of appearance, materials, and finished quality. The Planning Commission may recommend to the City Council and/or Redevelopment Agency modifying the requirements as to unit size or type, if it is found that such a modification would better serve the affordable housing need of Milpitas.*

   The Applicant has proposed 30 three-bedroom, 34 two-bedroom, 39 one-bedroom, and 15 studio units as affordable units reserved for low and moderate-income households to meet the requirement to develop fifteen percent (15%) of the total residential units into affordable units. The Housing Division has identified and approved the affordable unit locations as meeting the intent of the Affordable Housing Ordinance (AHO).

3. *Prior to final building inspection and occupancy for a project containing affordable units, the applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain*

the affordability requirements. The agreement shall be approved by the Milpitas City Attorney prior to recordation.

The Project has been conditioned to provide an agreement to the City of Milpitas explaining the affordability requirements, processes, and procedures, to the satisfaction of the Milpitas City Attorney prior to the release of any Certificate of Occupancy.

4. *Retaining Affordability. A developer shall agree to, and the City shall insure continued affordability of, all lower- or very low-income density bonus units for fifty-five (55?) years or a longer period of time, if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.*

   Prior to final building inspection and occupancy for the Project containing affordable units, the Applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements, including continued affordability for moderate-income households. The agreement shall be approved by the Milpitas City Attorney prior to recordation.

5. *Affordable Rents. Those units targeted for lower-income households, as defined in Section 50079.5 of the Health and Safety Code shall be affordable at a rent that does not exceed thirty (30%) of sixty (60%) percent of the Santa Clara County median income. Those units targeted for very low-income households, as defined in Section 50105 of the Health and Safety Code, shall be affordable at a rent that does not exceed thirty (30%) of fifty (50%) percent of County median income.*

   94 of the Project's units will be targeted for lower-income households, as defined in Section 50079.5 of the Health and Safety Code, which states that lower-income households shall be affordable at a rent that does not exceed thirty (30%) of sixty (60%) percent of the Santa Clara County median income.

6. *Relation to Statute. Density bonus requirements not specified in these regulations shall be governed by the State Density Bonus Law, Government Code section 65915, et seq.*

   The developer has identified and requested bonus incentives held within the State Density Bonus Law, and the Planning Department supports this request.

ENVIRONMENTAL REVIEW

The City conducted an environmental assessment in accordance with the California Environmental Quality Act ("CEQA"), as amended. The project is categorically exempt from environmental review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section §15332 (Class 32: In-Fill Projects) and, as a separate and independent basis, Section 15183 (Projects Consistent with a Community Plan, General Plan, or Zoning). This exemption is the appropriate CEQA determination for the proposed Project as it meets the Class 32 eligibility criteria. For additional details, see Exhibit 2 of the Resolution (Attachment B) for the proposed Project memorandum demonstrating compliance with CEQA Guidelines Section 15332. Exhibit 3

of the Resolution (Attachment C) includes the supporting technical reports as substantial evidence for the CEQA memorandum.

PUBLIC COMMENT/OUTREACH

Staff provided public notice of the application in accordance with City and State public noticing requirements. A notice was published in the Milpitas Post on March 15, 2024. In addition, notices were sent to all owners and occupants within 300 feet of the project site. A public notice was also posted at the project site, on the City's Website, www.milpitas.gov, and at City Hall. At the time of publishing this report, no public comments have been received.

RECOMMENDATION

Staff recommends that the Planning Commission:

1. Open the Public Hearing to receive comments;
2. Close the Public Hearing;
3. Adopted Resolution No. 24-011 recommending that the City Council approve Site Development Permit SD22-0015, Density Bonus DB23-0011, and Environmental Assessment No. EA23-0015, based on the above Findings and subject to the Conditions of Approval attached hereto and incorporated herein as Exhibit 1, the CEQA Exemption Memorandum attached hereto as Exhibit 2, and the CEQA Exemption Supporting Technical Studies attached hereto as Exhibit 3, subject to the Conditions of Approval

ATTACHMENTS

A. Resolution No. 24-011, including Exhibit 1 to the Resolution: Conditions of Approval
B. Exhibit 2 to the Resolution: CEQA Exemption Memorandum
C. Exhibit 3 to the Resolution: CEQA Exemption Supporting Technical Studies
D. Project Plans
E. Request for Development Incentives
F. Objective Standards Checklist
G. Public Art Contribution Exclusion Memo

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RESOLUTION NO. 24-011

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS RECOMMENDING TO THE CITY COUNCIL APPROVAL OF SITE DEVELOPMENT PERMIT NO. SD22-0007, DENSITY BONUS PERMIT NO. DB22-0002, AND ENVIRONMENTAL ASSESSMENT NO. EA22-0005 TO ALLOW THE DEVELOPMENT OF TWO MULTI-FAMILY RESIDENTIAL BUILDINGS, UP TO 77-8" FEET,- EIGHT INCHES (SIX STORIES) IN HEIGHT, WITH 118 BELOW-MARKET-RATE (100% AFFORDABLE) DWELLING UNITS, 39 VEHICULAR PARKING SPACES, A COMMUNITY GARDEN, AND ASSOCIATED SITE IMPROVEMENTS ON A 0.966-ACRE (42,079-SQUARE FOOT) PARCEL IN THE MULTI-FAMILY VERY HIGH DENSITY RESIDENTIAL (R4) ZONING DISTRICT AT 1300 SOUTH MAIN STREET (APN 083-36-002), MILPITAS METRO SPECIFIC PLAN (METRO) AND MAKING FINDINGS OF CEQA EXEMPTION

WHEREAS, pursuant to the California Environmental Quality Act (Public Resources Code, § 21000 et seq.), the State CEQA Guidelines (California Code of Regulations, title 14, § 15000 et seq.) (collectively, "CEQA"), the City of Milpitas is the lead agency for the proposed project described below; and

WHEREAS, on June 3, 2008, the City Council of the City of Milpitas certified an Environmental Impact Report (State Clearinghouse No. 2006032091) prepared to analyze the environmental impacts associated with the proposed Transit Area Specific Plan, and subsequently adopted the Transit Area Specific Plan (TASP); and

WHEREAS, the Transit Area Specific Plan encompasses some 437 acres and envisions the development of 7,109 dwelling units, 287,075 square feet of retail space, and 993,843 square feet of office space and industrial, and includes development standards, goals and policies guiding development within the Plan area. Due to the physical characteristics of the area, including major streets, railroads and creeks, the Transit Area Specific Plan also established sub-districts with specific goals and policies to accommodate those unique characteristics; and

WHEREAS, on January 25, 2023, AMG & ASSOCIATES, INC. (the "Applicant") submitted an application to the City of Milpitas for the entitlements necessary to allow the development of two multi-family residential buildings, up to 77-8" feet - eight inches (six stories) in height, with up to 118 below-market-rate (100% affordable) dwelling units at 1300 south main street (APN 083-36-002), within the Milpitas metro specific plan (metro) (the "Project"); and

WHEREAS, the Planning Department completed Environmental Assessment No. EA23-0015 for the Project in accordance with the CEQA, and recommends that the Planning Commission determine this Project is covered under CEQA Guidelines Section 15332 (In-fill Development Projects) as discussed within a memorandum (the "Memorandum,"), a true and correct copy of which is attached hereto and incorporated herein, as **Exhibit 2 to the Resolution. Exhibit 3 to the Resolution** includes the CEQA Memorandum supporting technical studies), and the Project is located within the Milpitas Metro Specific Plan area and is therefore exempt from further environmental review pursuant to CEQA Guidelines Section 15168 (Program EIR); and

WHEREAS, the Planning Department recommends the Planning Commission find that this Project is consistent with the goals, policies, and regulations of the California Density Bonus Law (Government Code sections 65915 *et seq*.), Milpitas 2040 General Plan, Milpitas Metro Specific Plan, and Milpitas Zoning Ordinance, specifically Milpitas Municipal Code Section XI-10-54.15 (Density Bonus for Affordable Housing Developments), which permits waivers and concessions to development standards, as analyzed and documented in the staff report; and

WHEREAS, the Planning Commission is an advisory body to the City Council pursuant to Milpitas Municipal Code Section XI-10-64.03 (Consideration of Concurrent Applications), where, as here, due to the application for a density bonus pursuant to Milpitas Municipal Code Section XI-10-54.15, the City Council is the highest review authority for the Project and, accordingly, all review by other bodies with approval authority over the application shall be in the form of a recommendation to the City Council; and

WHEREAS, on March 27, 2024, the Planning Commission held a duly-noticed public hearing, during which meeting the Planning Commission considered the CEQA exemption findings as well as Site Development Permit No. SD22-0015, Density Bonus Permit No. DB23-0001 and Environmental Assessment No. EA23-0015 for 1300 South Main Street, heard a presentation from staff, offered the applicant the opportunity to present evidence, and had the opportunity to hear from members of the public; and

WHEREAS, the Planning Commission hereby finds and determines that the Project is exempt from further CEQA review pursuant to CEQA Guidelines Section 15332 (In-fill Development Projects); and, as separate and independent basis, the Project is exempt from further CEQA review pursuant to CEQA Guidelines Section 15168 (Program EIR); and

WHEREAS, the Planning Commission makes and accepts its own findings as set forth below in the Recitals; and

WHEREAS, the documents and other materials which constitute the record of proceedings upon which the Planning Commission bases its recommendation and the findings contained within this Resolution are available as part of the agenda packet posting on the City of Milpitas website and may be reviewed at Milpitas City Hall, located at 455 E. Calaveras Boulevard, Milpitas, California 95035; and

WHEREAS, the findings and conclusions made by the Planning Commission pursuant to this Resolution are based upon the oral and written evidence presented before it as a whole.

NOW, THEREFORE, the Planning Commission of the City of Milpitas hereby finds, determines, and resolves as follows:

SECTION 1. Recitals.

The Planning Commission has duly considered the full record before it, which may include but is not limited to such things as all published staff reports, oral and written testimony by staff, the Planning Commission, and the public, and all other relevant materials and evidence submitted or provided to the Planning Commission. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. California Environmental Quality Act

The City conducted an environmental assessment (memorialized in the attached memorandum, dated March 7, 2024) for the proposed Project in accordance with the California Environmental Quality Act (CEQA).

The proposed Project is categorically exempt from further environmental review pursuant to CEQA Guidelines Section 15332 (In-fill Development Projects) in that the Project is consistent with the General Plan and zoning designation while invoking the State Density Bonus Law waivers from development standards and reduced parking requirements, is located in an urban area that has either been previously developed or adjoins existing qualified urban uses on all of the site's perimeter and is under five-acres in size, has no value to endangered, rare, or threatened species, would not result in any significant effects related to traffic, noise, air quality, or water quality, and the site can be adequately served by all required utilities and public services. A CEQA Exemption Memorandum demonstrating compliance with the categorical exemption is included as Exhibit

2 of the Resolution (EA23-0015) and the CEQA Exemption Supporting Technical Studies is included as Exhibit 3 of the Resolution. The analysis in these exhibits is hereby approved, adopted, and incorporated by reference.

As a separate and independent basis, the Project is also exempt from further environmental review pursuant to CEQA Guidelines Section 15168 (Program EIR) per the Metro Specific Plan EIR (State Clearinghouse No. 2006032091) adopted by the City Council in February 2023, as amended.

SECTION 3. Site Development Permit Findings (Milpitas Municipal Code Section XI-10-57.03(F))

The Planning Commission makes the following findings based on the evidence in the public record in support of Site Development Permit No. SD22-0015:

1. *The layout of the site and design of the proposed buildings, structures and landscaping are compatible and aesthetically harmonious with adjacent and surrounding development.*

   The Project is split between two buildings consisting of 118 apartment units and associated site amenities on a 0.97-acre site. Overall, the Project's contemporary flat iron architectural design visually separates its typology from other suburban housing offerings while complementing the adjacent townhome projects along South Main Street. Grouped into small blocks that are stacked and glued together, the articulated façades foster a dynamic vertical play between space and void, layers of light and color. The proposed six-story multi-family residential building maintains a strong relationship to the street in that its primary entrances are oriented toward the street. The building's design features exterior stucco walls, vinyl windows, accented with metal frame awnings along the ground floor, along with an aluminum storefront window systems at entrances. The Project, as designed, will further strengthen the identity of the existing neighborhood, and achieve compatibility and aesthetic harmony with the surrounding development.

2. *The Project is consistent with the Milpitas Zoning Ordinance.*

   The proposed Project is generally consistent with the Milpitas Zoning Ordinance, as demonstrated in Table 1. Where exceptions from the Milpitas Metro Specific Plan Area (MMSP), Multiple-Family Very High Density (R4) standards, and Objective Design standards are needed, the Applicant has requested waivers and concessions pursuant to the State Density Bonus Law (Gov. Code § 65915 et seq.). The requested waivers and concessions will support the development of affordable housing on a site where it would not otherwise be possible through a strict application of the specified standard.

Table 1: Summary of MMSP and R4-TOD - Development Standards

Development Standard	Required	Proposed	Complies?
Density (Objective Zoning Standard)	40-85 dwelling units/acre (base density under MMSP) 72 – 153 dwelling units/acre (with an 80% density bonus allowed for 100% affordable projects under the State Density Bonus Law 65915(f)(3)(D)(i).	122.15 dwelling units/acre	Yes, because the project complies with State Density Bonus Law

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Development Standard	Required	Proposed	Complies?
Building Height, maximum	75 feet, an increase of up to three additional stories, or 33 feet are allowed with the State Density Bonus Law	77 feet, 8 inches	Yes, because the project complies with State Density Bonus Law and is located within ½-mile of the VTA Great Mall light rail station
Front Yard Setback	8 feet min, 20 feet max from the back of the sidewalk	6 feet	Yes, with approval of a waiver under the AHO
Side Yard Setback (street side), minimum	8 feet min, 15 feet max from the back of the sidewalk	32 feet, 11 inches	Yes, with approval of a waiver under the AHO
Side Yard Setback (interior) Minimum	10 feet	6 feet, 9 inches	Yes, with approval of a waiver under the AHO
Rear Yard Setback, Minimum	10 feet	6 feet	Yes, with approval of a waiver under the AHO
Projections into Required Yards	Porches, stairs, balconies, bay windows, and awnings may project up to six feet into required setbacks.	The project includes no projections into required yards	Yes
Building Orientation and Entrances	Buildings must face the street; and primary building entrances must be oriented toward the street.	Buildings entrances face S. Main Street	Yes
Common Open Space (MMSP) • Courtyards • Gardens • Play areas • Outdoor dining • Recreation amenities • Rooftop amenities • Landscaping	Private development must provide on-site open space at a rate of 100 square feet of private or common space per unit. 118 Units x 100 sq ft = 11,800 sq ft required	9,414 sq ft	Yes, with approval of a waiver under the State Density Bonus Law.

Development Standard	Required	Proposed	Complies?
	Common Shared Space Minimum of 30% of total open space .30 X 11,800 = 3,540 sq ft required	3,975 sq ft	Yes
Publicly accessible • Park • Plaza • Garden • Public sitting area	Accessible to the Public Minimum of 5% of total open space .05 X 11,800 = 590 sq ft required	+590 sq ft	Yes
Off-Street Parking, minimum	Minimum parking requirements are no longer applicable to 100% affordable projects of this kind with unobstructed access to a major transit stop within ½ mile. (Gov. Code, § 65915(p)(3)(A).)	39	Yes, this project is located within one-half mile of the VTA Great Mall light rail station.
Bicycle Parking	Long-Term Parking Requirement 0.5 spaces per bedroom, 197 bedrooms/2= 98.5 Short-Term Parking Requirement 0.1 spaces per bedroom, 197/10=19.7~	Long Term:26 Short Term:20	Yes, with approval of a waiver under the AHO
Tree Removal	If any protected trees are proposed for removal, they must be replaced by a 2:1 ratio.	None	Yes

3. *The Project is consistent with the General Plan.*

   The proposed Project is consistent with the Milpitas General Plan, as demonstrated and outlined in Table 2.

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Table 2: General Plan Consistency

Policy	Conformance
Policy LU 1-4: *Continue to provide for a variety of housing types and densities that meet the needs of individuals and families and offer residents of all income levels, age groups, and special needs sufficient housing opportunities and choices for locating in Milpitas.*	**Consistent.** The Project provides 118 new housing units, resulting in a housing density of 122.15 dwelling units per acre. Of the 118 units, 94 would be rental units offered at 80-percent area median income (low income), and 22 would be rental units offered at 110-percent area median income (moderate income). By providing this type of housing at this density, Milpitas can accommodate residents from various income levels, age groups, and with special needs, fostering a more vibrant and sustainable community.
Policy LU 4-4: *Encourage new development to facilitate pedestrian, bicycle, and transit access through techniques such as minimizing building separation from public sidewalks; providing safe, direct, accessible, convenient, and pleasant pedestrian connections; including secure and convenient bike storage; and orienting building entrances to transit service.*	**Consistent**. The Project maintains the existing sidewalks and provides long and short-term bike racks on-site to accommodate pedestrians and gives bicyclists unobstructed access to a major transit stop (VTA Great Mall Light Rail Station), which is located within one-half mile of the site.
Policy CD 2-7: *Include design elements during the development review process that address security, aesthetics, and safety. Safety issues include, but are not limited to, minimum clearance around buildings, fire protection measures such as peak load water requirements, construction techniques, and minimum standards for vehicular, bicycle, and pedestrian facilities and other standards set forth in local, state, and federal regulations.*	**Consistent.** The proposed apartment parking structure provides adequate and safe circulation for vehicles. The proposed apartment complex also provides adequate site illumination by installing wall-mounted lighting. Furthermore, the Milpitas Fire Department (MFD) and the Milpitas Police Department (MPD) have reviewed the site plans for the Project to ensure adequate protection measures are implemented.
Policy LU 2-3: *Allow densities and intensities which exceed the generally allowed ranges defined by the underlying land use for projects utilizing Density Bonus provisions (included within the Milpitas Affordable Housing Ordinance Title XII - HOUSING Chapter 1 - AFFORDABLE HOUSING ORDINANCE) including bonuses for senior housing, affordable housing, and for projects within designated overlay districts included in Milpitas Municipal Code Section 12 -*	**Consistent.** Through State Density Bonus Law, the Project provides a density of 122 dwelling units per gross acre, which exceeds the generally allowed density range in general plan the underlying zoning district.

Policy	Conformance
Overlay Districts and Standards.	
Policy CD-10: *Design multi-family residential, mixed use, commercial, and employment-generating development in neighborhoods, districts, and centers to:* *a.) Include open space and/or recreational amenities to provide visual relief from development, form pedestrian and bicyclist linkages to adjacent uses and other portions of the neighborhood, district, or center, and serve as buffers between uses, where necessary;* *b.) Locate building access points along sidewalks, pedestrian areas, and bicycle routes, and include amenities that encourage pedestrian activity;* *c.) Create a human-scale ground-floor environment that includes public open areas that separate pedestrian space from auto traffic or where these intersect, give special regard to pedestrian safety; and* *d.) Provide comfortable pedestrian amenities, such as quality seating areas, lighting, and wide, shaded paths, along with specialized and engaging design features, such as interesting fountains or public art to draw and maintain people's attention.*	**Consistent.** The Project provides open space and recreational amenities on-site, including an outdoor recreational area that consists of an outdoor playground on turf areas, a bench, and bike racks. The proposed outdoor recreational area will be visible to pedestrians, bicyclists, and motorists traveling along South Main Street. Pedestrian and bicycle access to the Project Site will be provided along South Main Street. Pedestrian access on-site will be provided to each apartment building. Additionally, pedestrian and bicycle routes will be provided via walkways and sidewalks. Refer to response to Policy CD 2-7 regarding the proposed lighting fixtures for the Project. The Project will include a direct connection to an existing pedestrian sidewalk on S Main. The Project also provides an entrance plaza for Building B, which creates a separate pedestrian space from the auto traffic. The site includes a community garden area, benches, and bike parking along South Main Street.

4. *The Project is consistent with the Metro Specific Plan.*

The proposed Project is consistent with the Metro Specific Plan, as demonstrated and outlined in Table 3

Table 3: MMSP Consistency

Policy	Conformance
LU 3. Housing Diversity and Affordability. Provide transit-oriented housing that is accessible and affordable for a range of household types and income levels.	**Consistent**. The Project provides 118 new housing units, resulting in a housing density of 122.15 dwelling units per acre. Of the 118 units, 94 units would be rental units offered at 80 percent area median income (low income) and 22 units would be rental units offered at 110 percent area median income (moderate income). By providing this type of housing at this density, Milpitas can

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Policy	Conformance
	accommodate residents from various income levels, age groups, and with special needs, fostering a more vibrant and sustainable community.
PPS 6. Community Gardens. Include Community Gardens for community wellness and benefit.	**Consistent**. The Project provides a community garden that will allow residents to grow local flowers, fruits, vegetables, and herbs.
LU 2. Transit Orientation. Capitalize on the transit orientation of the Plan Area to support transit ridership, reduce traffic congestion and greenhouse gas emissions, and support livability.	**Consistent.** The Project maintains the existing sidewalks and provides long and short-term bike racks on-site to accommodate pedestrians and provide bicyclists unobstructed access to a major transit stop (VTA Great Mall Light Rail Station), which is located within one-half mile of the site.
PA 4.1. Citywide Objective Design Standards. Follow Citywide Objective Design Standards for multi-family and mixed-use buildings, when applicable.	**Consistent**. As demonstrated in the attached Objective Standards Checklist, the project is consistent with most of the applicable Objective Design Standards (ODS). Where the project is not in compliance with objective standards, the State Density Bonus Law requires the City to grant appropriate concessions and waivers for qualifying projects.
PA 3.4. Landmark Building Design. Design and build new signature, landmark buildings to reflect Milpitas Metro's regional connectivity within Silicon Valley as a place for innovation, and to create a memorable skyline. Buildings are encouraged to have their own identity and use contemporary methods to define the character of the district.	**Consistent**: The Project's contemporary flat iron architectural design visually separates its typology from other suburban housing offerings while complementing the adjacent townhome projects along South Main Street. Grouped into small blocks that are stacked and glued together, the articulated façades foster a dynamic vertical play between space and void with layers of light and color.

SECTION 4. Density Bonus Permit (Milpitas Municipal Code Section XI-10-54.15(D))

The Planning Commission makes the following findings based on the evidence in the public record in support of Density Bonus Permit No. DB22-0002:

1. *The maximum allowable base density specified in the General Plan, including any other permitted increases to density.*

   The proposed Project includes 118 apartments, equal to 122.15 dwelling units per acre, exceeding the General Plan density allowed in the immediate area.

2. *All affordable units shall be reasonably dispersed throughout the project, shall contain on average the same number of bedrooms as the non-affordable units in the project, and shall be comparable with the*

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non-affordable units in terms of appearance, materials, and finished quality. The Planning Commission may recommend to the City Council and/or Redevelopment Agency modifying the requirements as to unit size or type, if it is found that such a modification would better serve the affordable housing need of Milpitas.

The Applicant has proposed 30 three-bedroom, 34 two-bedroom, 39 one-bedroom, and 15 studio units as affordable units reserved for low and moderate-income households to meet the requirement to develop fifteen percent (15%) of the total residential units into affordable units. The Housing Division has identified and approved the affordable unit locations as meeting the intent of the Affordable Housing Ordinance (AHO).

3. *Prior to final building inspection and occupancy for a project containing affordable units, the applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements. The agreement shall be approved by the Milpitas City Attorney prior to recordation.*

   The Project has been conditioned to provide an agreement to the City of Milpitas explaining the affordability requirements, processes, and procedures, to the satisfaction of the Milpitas City Attorney prior to the release of any Certificate of Occupancy.

4. *Retaining Affordability. A developer shall agree to, and the City shall insure continued affordability of, all lower- or very low-income density bonus units for fifty-five (55?) years or a longer period of time, if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program.*

   Prior to final building inspection and occupancy for the Project containing affordable units, the Applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements, including continued affordability for moderate-income households. The agreement shall be approved by the Milpitas City Attorney prior to recordation.

5. *Affordable Rents. Those units targeted for lower-income households, as defined in Section 50079.5 of the Health and Safety Code shall be affordable at a rent that does not exceed thirty (30%) of sixty (60%) percent of the Santa Clara County median income. Those units targeted for very low-income households, as defined in Section 50105 of the Health and Safety Code, shall be affordable at a rent that does not exceed thirty (30%) of fifty (50%) percent of County median income.*

   94 of the Project's units will be targeted for lower-income households, as defined in Section 50079.5 of the Health and Safety Code, which states that lower-income households shall be affordable at a rent that does not exceed thirty (30%) of sixty (60%) percent of the Santa Clara County median income.

6. *Relation to Statute. Density bonus requirements not specified in these regulations shall be governed by the State Density Bonus Law, Government Code section 65915, et seq.*

   The developer has identified and requested bonus incentives held within the State Density Bonus Law, and the Planning Department supports this request.

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SECTION 5: The Planning Commission of the City of Milpitas hereby adopts Resolution No. 24-011 recommending to the City Council approval of Site Development Permit No. SD22-0015, Density Bonus DB23-0011, and Environmental Assessment No. EA23-0015, based on the above Findings and subject to the Conditions of Approval attached hereto and incorporated herein as Exhibit 1, the CEQA Exemption Memorandum attached hereto as Exhibit 2, and the CEQA Exemption Supporting Technical Studies attached hereto as Exhibit 3.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Milpitas on March 27, 2024

DocuSigned by:
Chair Mercedes Albana
2B40D51C93E540A...
Mar-28-2024

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 27, 2024, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Alexander Galang	✓			
Chia Ling Kong	✓			
Dipak Awasthi	✓			
Mercedes Albana	✓			
Michael Caulkins		✓		
Parveen Gupta	✓			
Sonia Medina-Ashby	✓			

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EXHIBIT 1

SITE DEVELOPMENT PERMIT NO. SD22-0015
DENSITY BONUS PERMIT NO. DB23-0001
1300 SOUTH MAIN STREET (APN 083-36-002)

The City of Milpitas approves Site Development Permit No. SD22-0015 in accordance with Section XI-10-57.03 of the Milpitas Municipal Code, to allow the issuance of building permits in accordance with Section XI-10-03-1 of the Milpitas Municipal Code for the development of two multi-family residential buildings, up to 77-8" feet,- eight inches (six stories) in height, with 118 below-market-rate (100% affordable) dwelling units, 39 vehicular parking spaces, a community garden, and associated site improvements on a 0.966-acre (42,079-square foot) parcel in the Multi-Family Very High Density Residential (R4) Zoning District at 1300 South Main Street (APN: 083-36-002), subject to all necessary reviews, approvals, studies, and inspections for the issuance of such building permits. The City of Milpitas also approves Density Bonus Permit No. DB23-0001 in accordance with Subsection XI-10-57.05 of the Milpitas Municipal Code to assess compliance with State regulations and Subsection XI-10-54.15 of the Milpitas Municipal Code antecedent to the above development and entitlement(s). These approvals are subject to all applicable State and local regulations and the conditions of approval outlined below.

APPROVED SUBJECT TO THE FOLLOWING CONDITIONS OF APPROVAL:

GENERAL CONDITIONS

1. General Compliance: The Permittee and owner, including all successors in interest (collectively "Permittee") shall comply with each and every condition set forth in this Permit. **SITE DEVELOPMENT PERMIT SD22-0015, DENSITY BONUS PERMIT NO. DB23-0001 and ENVIRONMENTAL ASSESSMENT EA22-0015** (collectively "Permit") shall have no force or effect and no building permit shall be issued unless and until all things required by the below-enumerated precedent conditions have been performed or caused to be performed. The Permittee shall develop the site in accordance with the approved Attachments and as modified by these Conditions of Approval.

2. Effective Date: Unless there is a timely appeal filed in accordance with the Milpitas Zoning Code, the date of approval of this Permit is the date on which the City Council approved this Permit.

3. Acceptance of Permit: Should Permittee fail to file a timely appeal within twelve (12) calendar days of the date of approval of this Permit, inaction by Permittee shall be deemed to constitute each of the following:
    a. Acceptance of this Permit by Permittee; and
    b. Agreement by the Permittee to be bound by, comply with, and to do all things required of or by Permittee pursuant to all the terms, obligations, and conditions of this Permit.

4. Permit Expiration: Pursuant to Section XI-10-64-06 of the Milpitas Municipal Code, this Permit shall become null and void if the activity permitted by this Permit is not commenced within two (2) years from the date of approval, or for a project submitted with a tentative map, within the time limits of the approved tentative map. Pursuant to Section XI-10-64.06(B) of the Milpitas Municipal Code, an activity permitted by this Permit shall be deemed to have commenced when the Project:
    a. Completes a foundation associated with the Project; or
    b. Dedicates any land or easement as required from the zoning action; or

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c. Complies with all legal requirements necessary to commence the use, or obtains an occupancy permit, whichever is sooner.

5. Time Extension: Pursuant to Section XI-10-64.07 of the Milpitas Municipal Code, unless otherwise provided by State law, Permittee shall have the right to request a one-time extension of the Permit if the request is made in writing to the Planning Division prior to the expiration date of the approval. **(P)**

6. Project Job Account: If Permittee's project job account is at any time delinquent or below the required deposit amount, City will not continue to review or process the application until Permittee's project job account is paid in full and the required deposit has been made. Additionally, prior to the issuance of any building permit or occupancy permit as applicable, Permittee shall pay in full the Project account balance and establish a remaining balance of at least twenty-five percent (25%) of the required initial deposit. **(P/E)**

7. Notice: Pursuant to California Government Code Section 66020, any protest filed in court relating to the imposition of fees, dedication, reservations, or other exactions to be imposed on the development project shall be filed within ninety (90) days after the date of the adoption of this Resolution. This provision serves as notice from the local agency to the Permittee that the ninety (90) day period in which the Permittee may file a protest has begun under California Government Code Section 66020(d)(1).

8. Cost and Approval: Permittee shall fully complete and satisfy each and every condition set forth in this Resolution and any other condition applicable to the Project to the sole satisfaction of the City. Additionally, Permittee shall be solely responsible and liable for the cost to satisfy each and every condition. **(ALL)**

9. Conditions: Each and every condition set forth in this Exhibit shall apply to the Project and continue to apply to the Project so long as the Project is operating under the permits and approvals in this Resolution. **(ALL)**

10. Compliance with Laws: The construction, use, and all related activity authorized under this Permit shall comply with all applicable local, state and federal laws, rules, regulations, guidelines, requirements and policies. **(CAO/P/E/B)**

11. Indemnification: To the fullest extent permitted by law, Permittee shall indemnify, defend with counsel of the City's choosing, and hold harmless City, its City Council, its boards and commissions, officials, officers, employees and agents from and against any and all claims, demands, obligations, damages, actions, causes of action, suits, losses, judgments, fines, penalties, liabilities, costs and expenses (including without limitation, attorney's fees, disbursements and court costs) of every kind and nature whatsoever which may arise from or in any manner relate (directly or indirectly) to (i) City's approval of the project, including, but not limited to, the approval of the discretionary permits, maps under the Subdivision Map Act, and/or the City's related determinations or actions under the California Environmental Quality Act, and (ii) Permittee's construction, operation, use or related activity under this Permit. This indemnification shall include, but not be limited to, damages awarded against the City, if any, costs of suit, attorneys' fees, and other expenses incurred in connection with such claim, action, causes of action, suit or proceeding whether incurred by Permittee, City and/or the parties initiating or bringing such proceeding. Permittee shall indemnify the City for all of City's costs, attorneys' fees and damages, which City incurs in enforcing the indemnification provisions set forth in this condition. Permittee shall pay to the City upon demand or, as applicable, to counsel of City's choosing, any amount owed pursuant to the indemnification requirements prescribed in this condition. The above indemnification is intended to be as broad as permitted by applicable law. To the extent the above indemnification is limited by Government Code Section 66474.9, any limitations shall only apply to Vesting Tentative Map No. MT22-0003, and the balance of the Permit shall be unaffected by Government Code Section 66474.9.

12. Certificate of Insurance: Permittee shall provide certificate of insurance and name City as an additional insured in its insurance policies for the Project.

13. Revocation, Suspension, Modification: This Permit may be suspended, revoked or modified in accordance with Section XI-10-63.06 of the Milpitas Municipal Code.

14. Severability: If any term, provision, or condition of this Permit is held to be illegal or unenforceable by the Court, such term, provision or condition shall be severed and shall be inoperative, and the remainder of this Permit shall remain operative, binding and fully enforceable.

15. Response to Conditions of Approval: Permittee shall provide a written response to comments upon submittal for building permit application. The responses should clearly indicate how each condition of approval has been addressed in the plans and shall note the appropriate plan sheet. **(P)**

16. Compliance with Fire Department and California Fire Code: The project shall comply with the requirements of the Milpitas Fire Department and the California Fire Code, as adopted by the City. Changes to the site plan and/or buildings requires review and re-approval by the Fire Department. **(F)**

17. Compliance with Land Development Department. The Project/development shall comply with the requirements of the Engineering Division, as may be amended by the City of Milpitas. **(E)**

18. Compliance with Milpitas Police Department. The Project/development shall comply with the requirements of the Police Department, as may be amended by the City of Milpitas. **(POL)**

19. Mitigation Monitoring. The Project shall comply with the applicable mitigation measures from the certified Metro Specific Plan EIR. The mitigation measures are compiled in the Mitigation Monitoring and Reporting Program as adopted with the Final EIR.

20. Conditions of Approval. As part of the issuance of building permits, the Permittee shall include within the first four pages of the working drawings for a plan check, a list of all conditions of approval imposed by the final approval of the Project. **(P)**

21. Development in Conformance with Approved Plans: Permittee shall develop the approved Project in conformance with the plans dated **February 14, 2024** and approved by the City Council on the date of the signed City Council Resolution, in accordance with these Conditions of Approval. Any deviation from the approved site plan, elevations, materials, colors, landscape plan or other approved submittal shall require that, prior to the issuance of building permits, the Permittee shall submit modified plans and any other applicable materials as required by the City for review and obtain the approval of the Planning Director or Designee. If the Planning Director or designee determines that the deviation is significant, the owner or designee shall be required to apply for review and obtain approval of the Planning Commission or City Council, as applicable, in accordance with the Milpitas Zoning Code. **(P)**

PLANNING DEPARTMENT CONDITIONS

22. Landscape: All approved landscaping shall be permanently maintained and replaced with substantially similar plant material as necessary to provide a permanent, attractive and effective appearance.

23. Lighting Plan. Prior to issuance of any building permit, Permittee shall submit a lighting and iso-illumination plan that shall demonstrate 1) safe and adequate lighting of the project site and 2) lighting is contained and does not spill over onto adjacent properties or create unwanted glare. Permittee shall provide detail, elevations and manufacturer's specifications on proposed light fixture for, light standards, and wall

sconces subject to Planning Director for approval. Proposed light fixtures shall be high quality and complement the architectural style of each townhome. Light fixtures over garage doors shall be of high-quality, residential scale, architectural design, subject to final approval by the Planning Director. The proposed lighting plan shall also incorporate the Midtown Specific Plan lighting design standards as follows:

a. Lights should be designed and placed to direct lighting to direct lighting to appropriate surfaces and minimize glare into adjacent areas.
b. The light source used in outdoor lighting should provide a white light for better color representation to create a more pedestrian-friendly environment.
c. Low pressure sodium lamps are prohibited.
d. To reinforce the pedestrian character of the area, light standards along sidewalks should not exceed 12 to 16 feet in height.
e. The use of uplighting to accent interesting architectural features or landscaping is encouraged.

24. Signage. Any future proposed signage and/or sign program for the Project shall receive a separate planning permit per the latest City adopted zoning regulations for signs in the City and shall incorporate signage design standards in the Midtown Specific Plan as applicable. The Midtown Specific Plan signage standards are as follows:

a. A coordinated signage plan should be included for all multi-tenant buildings.
b. Freestanding signs are discouraged, except at a single major site entry.
c. Animated, moving, flashing, blinking, reflecting and revolving signs are prohibited.
d. Cabinet signs are prohibited.
e. All signs should be designed to complement the architectural style and setting of the structure or use it is adjacent to. Building wall and fascia signs should be compatible with the predominant visual elements of the building.
f. Signs should be an integral part of the design of the storefronts in mixed-use buildings.
g. The size of signs and sign letters should be proportional to the space they are located in, with the letters typically 6 and 16-inches high.
h. Sign letters and materials should be professionally designed and fabricated. Primary signs should contain only the name of the business and/or its logo.
i. Signs should be constructed using high quality materials such as metal, stone, wood.
j. Exposed conduit and tubing are prohibited. All transformers and other equipment should be concealed.
k. Projecting signs mounted perpendicular to the façade of the building should be located at least 8 feet above the sidewalk. The outside edge should be no more than 5 feet from the face of the building.
l. Window signs should not exceed 15% of the window area. Signs should not obstruct visibility into and out of the window.
m. Window signs may include one “open” or “closed” sign less than 2 square-feet.
n. While bilingual signs are allowed, the size of English lettering should be at least equal to the size of letters of another language.

25. Site Improvement. Onsite water and sewer mains and laterals shall be City owned, operated, and maintained. All proposed streets and all other utilities within the project site shall be private and owned, operated, and maintained by Permittee or any Homeowners Association that may subsequently be established. The main

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entries and driveways shall have vertical curbs in all areas including parking areas; rolled curbs may be allowed in the alleys.

26. Parking: Parking shall be provided as depicted on the Site Plan approved by the City Council and shall consist of the following:

    a. RESIDENT: A total of 39 vehicle spaces

27. Bicycle Racks: A total of six (20) short-term bicycle and thirty (26) long-term bicycle parking spaces shall be installed on the site.

28. Site Improvement. Prior to issuance of any building permit, Permittee must pay all applicable development fees, including but not limited to, connection fees (water, sewer and storm), plan check and inspection deposit, and 3.8% building permit automation fee. These fees are collected as part of the secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials.

29. Public Art Requirement: Permittee shall comply with the City's Public Art Requirements for Private Development, as set forth in Milpitas Municipal Code Section XI-10-14. Fee shall be no less than one-half of one percent of building development costs and shall be payable at time of building permit issuance.

30. The applicant will continue to work with the Planning Staff to design an ODS-compliant Lobby for both Buildings A and B prior to submitting a Building Permit.

31. The Project shall be subject to the following development fees: *Transit Area Specific Plan Development Impact Fee (TADIF)*

    The TADIF is currently set at $50,056 per residential unit for Fiscal Year 2023-2024, but the exact TASP fee will not be calculated until the building permit is ready for issuance. Based on approval for the development of 118 units, the estimated TADIF for this project is $5,906,608. This fee is automatically adjusted each fiscal year in conjunction with the City's annual budget process. The Applicant must pay the fee before the issuance of building permits.

32. Prior to the commencement of any ground-disturbing activity on the Project site, the Permittee shall retain tribal monitors from Tamien Nation, as needed, to be present during all ground-disturbing activity associated with the project.

    a. Tamien Nation shall be given five (5) days' written notice prior to the start of any ground disturbing activity as defined in subsection c. below. Permittee shall document receipt of notification in writing.

    b. Prior to any ground-disturbing activity on the Project site, all Project personnel shall receive mandatory tribal cultural resource sensitivity training from Tamien Nation.

    c. The tribal monitor will be present during construction phases that involve ground-disturbing activities. For the purposes of these conditions, ground-disturbing activities shall be defined as any ground disturbance, including but not limited to, excavation, grading, grubbing, scarring, drilling, scraping, blading, trenching, vegetation removal, or demolition of existing structures or site improvements within the development area shown on the Project plans.

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d. The tribal monitor will complete daily monitoring logs that will provide description of the day's activities, includes construction activities, locations, and any cultural materials identified. The daily monitoring logs shall be retained by Tamien Nation.

e. Upon discovery of any tribal cultural resources (TCRs), all ground-disturbing and construction activities within 50 feet of discovery shall cease on the Project site until the find can be assessed to the satisfaction of Tamien Nation. All TCRs unearthed by project activities shall be evaluated by the tribal monitor or other tribal representatives and a registered professional archeologist.

f. At the discretion of Tamien Nation, soils that have been previously subject to excavations and were monitored by the tribal representative need not be monitored again if re-excavated or moved. Permittee shall consult with the tribal monitor prior to any disturbance of previously excavated soils.

g. Should Tamien Nation choose not to send a monitor for any of the above-referenced grounddisturbing activity, work may continue without the monitor, provided that the Permittee has given a minimum of five (5) days' written notice to Tamien Nation. Permittee shall document receipt of notification in writing.

h. At the completion of monitoring, Tamien Nation shall send an email notification to the City that monitoring has been completed

33. Permittee shall retain a registered professional archaeologist for on-call site monitoring, investigation, and analysis in the event that TCRs or human remains are discovered and identified on the project site during ground-disturbing activities.

34. In the event that TCRs are discovered on the Project site and cannot be avoided, a detailed archaeological treatment plan shall be implemented.

a. The treatment plan shall be developed by the on-call professional archaeologist in collaboration with and agreed upon by Tamien Nation to determine the most appropriate treatment measures to avoid, minimize, or mitigate any potential impacts. This shall include documentation of the resource and may include data recovery or other measures.

b. Any treatment other than preservation in place must be approved by Tamien Nation and the City of Milpitas. Treatment for most resources would consist of (but would not be limited to) sample excavation, artifact collection, site documentation, and historical research, with the aim to target the recovery of important scientific data contained in resource. Data recovery shall be subject to approval by Tamien Nation.

c. Tamien Nation shall determine the disposition of any TCR artifacts discovered during on-site excavation or construction activities or TCR artifacts resulting from execution of a treatment plan. The disposition of TCR artifacts shall include, but not be limited to, reburying in close proximity of the finds without scientific study, allowing scientific study before reburying the materials either near the origin of the find or in another protected place, or temporary curation at a facility at an institution that meets the U.S. Secretary of the Interior's criteria for curation (36 CFR 79) prior to reburial. Disposition of any TCR artifacts shall be subject to approval by Tamien Nation. All curation fees and related expenses shall be paid by the Permittee.

d. To ensure adequate space and protection are provided for reburial of any TCRs discovered on the project site, the Permittee shall designate a cultural easement area. The easement area shall be in a

location that will not be subject to future disturbance and that will not require the relocation of buildings or other physical improvements on the site.

e. Tamien Nation shall have sole discretion in determining if reburial within the cultural easement area is the desired method of disposition.

f. The Project archeologist shall file State of California Department of Parks and Recreation (DPR) Series 523 forms for the cultural easement/TCR reburial location (if used) with the California Historical Resources Information System (CHRIS) Center in accordance with the guidelines established by the California Office of Historic Preservation. The DPR Series 523 forms shall establish a permanent record of the cultural easement location and any TCRs discovered on the Project site for future site identification and protection. The Project archeologist shall also file a Sacred Lands File record with the Native American Heritage Commission (NAHC) on behalf of Tamien Nation.

35. In the event that human remains and/or grave goods are discovered or recognized during ground-disturbing activities or construction, all ground disturbance work shall cease within 50 feet of the discovery, and the tribal monitor shall immediately notify the construction supervisor. The construction supervisor shall ensure reasonable protection measures are taken to protect the discovery from disturbance (Assembly Bill [AB] 2641) and shall immediately notify the City and the Santa Clara County Medical Examiner-Coroner (per California Health and Safety Code Section 7050.5).

a. California Health and Safety Code Section 7050.5 stipulates that no further disturbance will occur in the area until the County Medical Examiner-Coroner has determined origin and disposition pursuant to California Public Resources Code Section 5097.98.

b. If the County Medical Examiner-Coroner determines that the remains are Native American in origin, the Medical Examiner-Coroner shall notify the NAHC by telephone within twenty-four (24 hours).

c. Pursuant to California Public Resources Code Section 5097.98(a), Tamien Nation shall be allowed to: (1) inspect the site of the discovery; and (2) make recommendations concerning the treatment and disposition of the human remains and/or grave goods.

d. Tamien Nation shall have forty-eight (48) hours from the time access to the Project site is granted to inspect the site and make recommendations concerning the treatment and disposition of the remains.

e. Tamien Nation shall have sole discretion regarding the final disposition and treatment of human remains and grave goods. Disposition may include avoidance of the human remains, reburial within the cultural easement identified on the project plans, or reburial on tribal or other lands that will not be disturbed in the future.

f. Reburial of human remains shall be accomplished in compliance with the California Public Resources Code Sections 5097.98(a) and (b).

Permittee shall, in consultation with Tamien Nation, incorporate into the Project design a commemorative plaque that acknowledges the traditional history of the land with respect to tribal communities

BUILDING SAFETY AND HOUSING DEPARTMENT CONDITIONS

BUILDING

36. Compliance with California Code of Regulations. The Project shall comply with the requirements of the Building Safety and Housing Department and the California Code of Regulations Title 24 and the Milpitas Municipal Code as adopted by the City. Building permits shall be submitted to and approved by the Building Safety and Housing Department prior to start of construction. All California Code of Regulations Title 24 and Milpitas Municipal Code requirements applicable at the time of building permit application must be met in advance of any building permit approvals or related construction. Changes to the site plan and/or building plan require review and approval by the Building Safety and Housing Department.

HOUSING

37. Affordable Housing Requirement: Permittee shall comply with the City's Affordable Housing Ordinance, as set forth in Milpitas Municipal Code Section XI-1-3.00. The City Council has granted the following deviation from the City's AHO **(H)**:
    a. Permittee shall reserve a minimum of 94 apartment units for low income households consisting of:
        i. 12 studio units
        ii. 32 one-bedroom units
        iii. 26 two-bedroom units
        iv. 24 three-bedroom units
    b. Permittee shall reserve 22 apartment units for moderate income households, consisting of:
        i. 3 studio units
        ii. 7 one-bedroom units
        iii. 6 two-bedroom units
        iv. 6 three-bedroom units

38. Affordable Housing Agreement: Prior to final building inspection and occupancy for a project containing affordable units, the applicant shall execute and record at the Santa Clara County Recorder's Office the City's Agreement Imposing Restrictions on Real Property, which Agreement shall explain the affordability requirements. The agreement shall be approved by the Milpitas City Attorney prior to recordation. **(H)**

39. Retaining Affordability. Developer shall agree to, and the City shall insure continued affordability of, all lower- or very low-income density bonus units for fifty (50) years or a longer period of time, if required by the construction or mortgage financing assistance program, mortgage insurance program, or rental subsidy program. **(H)**

FIRE DEPARTMENT CONDITIONS

40. Please do not consider this review an approval for construction from the Fire Department. The plans submitted are not reviewed nor approved for conformance to the California Building Code (CBC), California Fire Code (CFC) and the Milpitas Municipal Code (MMC). These notes are a general list of the applicable code requirements (2019 Edition), but not limited to, and are provided to assist with the construction permit process.

41. To determine the acceptability of technologies, processes, products, facilities, materials, and uses attending the design, operation or use of a building or premises subject to inspection by the Fire Code Official, the Fire Code Official is authorized to require the owner or agent to provide, without charge to the jurisdiction, a technical opinion(s), plan review(s) and/or report(s). CFC Section 104.7.2

42. Fire Department Access: Fire Department apparatus and staff access shall be provided to all buildings and site. Detailed review will be done during construction permit process. CFC Section 503

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a. Fire apparatus access roads shall meet the Milpitas Fire Department turning radii guidelines and shall provide continuous apparatus travel. Turning radii for fire apparatus access roads shall be a minimum net clearance of 48 feet 6 inches for the outside radius and 28 feet 0 inches for the inside radius. The layout for the outside and the inside radius shall be from the same reference point (center). CFC Section 503

b. Fire apparatus access shall extend to within 150 feet of all portions of exterior walls of the building/structure per the California Fire Code Section 503.1. When there is a dead-end condition, means for fire apparatus turn-around shall be provided.

c. Adjacent Access. No source of access from lands adjoining a property to be developed shall be considered unless there is obtained the irrevocable and unobstructed right to use same. CFC Section 503.7, added by MMC V-300-2.56

d. Fire access roads shall be paved (concrete and/or asphalt cement, or other concrete type pavement approved by the Fire Dept.). Fire apparatus access roads/lanes and emergency vehicle roads shall be designed and maintained to support the imposed loads of fire apparatus and shall be surfaced so as to provide all-weather capabilities. Design criteria shall be based on the City of Milpitas fire apparatus Sutphen S95 Aerial Platform unit. Please contact the Fire Prevention Division if specifications are needed. CFC Section 503.2.3

e. Ground structures (including landscape) and building projections shall not encroach or impede the fire apparatus access requirements. CFC Section 503.4

f. Emergency Vehicle Access (EVA) roads, when required, shall meet the fire department site access requirements specified herein this document. CFC Section 503

g. No parking in fire access roads. The required access road shall be designated and clearly marked as a fire lane. The designated fire lane shall be identified as set forth in Section 22500.1 of the Vehicle Code. The designation shall be indicated (1) by a sign posted immediately adjacent to, and visible from, the designated place clearly stating in letters not less than one inch in height that the place is a fire lane, (2) by outlining or painting the place in red and, in contrasting color, marking the place with the words "FIRE LANE", which are clearly visible from a vehicle, or (3) by a red curb or red paint on the edge of the roadway upon which is clearly marked the words "FIRE LANE". CFC Section 503.3

   Minimum marking shall be pole signage and red curb with “FIRE LANE – CVC 22500.1” stencil. Signage and red curbs shall be done throughout and as needed to clearly identify the no parking zones.

h. Fire Protection. When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to and during the time of construction. Combustible construction shall not begin until water mains and hydrants are operational and fire apparatus access roads are installed (paved). CFC Section 501.4

i. The Fire Department reserves the right to request site design changes as needed to meet the requirements of the CFC, and/or make the request for additional fire protection measures in conformance with the CFC Section 102.9.

43. Fire Protection Water Supply (hydrants, on-site and public)
   a. An approved water supply (hydrants on-site and public) capable of supplying the required fire flow for fire protection shall be provided upon which facilities, buildings, or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Water supply shall meet the Fire Code and the City

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of Milpitas Engineering Division water supply guidelines and the CFC Section 507, Appendix B and Appendix C. Fire flow reduction as noted in the Appendix B of the Fire Code is not permitted, CFC Section B103.2.

b. Water System Calculations Requirements. Private fire service mains and appurtenances shall be designed and installed in accordance with the City of Milpitas Engineering design guideline requirements and the NFPA 24. Design calculations and all the necessary design information for the water system to meet the domestic and fire flow requirements as per the City of Milpitas Engineer Division water design requirements shall be provided as part of the construction permit process. CFC Section 507

   The minimum water flow at the worst case hydrant outlet within the private system shall be not less than 2,500 gpm.

c. Hydrant for automatic fire sprinkler and or standpipe systems. Buildings equipped with an automatic fire sprinkler system and or a standpipe system installed in accordance with Sections 903 and or 905 shall have a fire hydrant within 50 feet of the fire department connections. CFC Section 507.1.1, amended by MMC Section V-300-2.61

d. Private hydrants shall have the bottom 6 inches of the hydrant painted, with a weather resistive paint, white in color. CFC Section 507.5.7, added by MMC V-300-2.62

e. No parking is permitted in front of fire hydrants. Hydrants located on streets (Public or Private Street) shall have an unobstructed clearance of not less than 30 feet per CA Vehicle Code 22514. Provide stripping per CA Vehicle Code 22500.1. CFC Section 507.5.4

44. Fire service water laterals for building sprinkler systems.
   a. Each building shall have a fire service water laterals for the automatic fire sprinkler system and shall meet the California Fire Code requirements Chapter 9 and the NFPA 13 and other applicable Standards. Note, the utilities drawings provided are not reviewed nor approved for construction. CFC Section 912.1

   b. The location of the FDC's/PIV's (fire department connection/post indicator valve) shall be at a readily visible and accessible location off the fire access road and approved by the Fire Code Official. FDC's/PIV's shall not be located behind parking stalls nor behind any other obstruction. Final review for location for the FDC's/PIV's will be conducted during the construction permit process. CFC Section 912.2

   c. FDC/PIV Signage. A metal sign with raised letters at least 1 inch in size shall be mounted on all fire department connections. Signage shall be reflective, weather resistive and approved by the Fire Code Official. CFC Section 912.5

   d. Backflow Protection. Potable water supply to the automatic sprinkler and/or the standpipe systems shall be protected against backflow as required by the Health and Safety Code section 13114.7 and the City of Milpitas Utilities Engineering Division. CFC Section 912.6

   e. Automatic fire sprinkler riser location. The fire sprinkler system riser shall not be located within electrical rooms or storage closets and shall be provided with clear access and working clearance. California Fire Code Section 903.3.5.5, added by MMC Section V-300-2.66

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45. Access Control Devices. When access control devices including bars, grates, gates, electric or magnetic locks or similar devices, which would inhibit rapid fire department emergency access to the building, are installed, such devices shall be approved by the Fire Code Official. All access control devices shall be provided with an approved means for deactivation or unlocking by the fire department. Access control devices shall also comply with Chapter 10 Egress. CFC Section 504.6, added by MMC Section V-300-2.59

46. Premises Identification. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Address numbers shall be Arabic numerals or alphabet letters and shall be consistent with Milpitas standardized addressing guidelines. CFC Section 505

    The Fire Dept. may require the installation of address numbers at multiple building locations. CFC Section 102.9

47. All required addresses shall be illuminated. CFC Section 505.3, added by MMC V-300-2.60

48. Fire Dept. emergency Key Box (Knox Box, Knox locks, Knox electric switches, etc). The Fire Code Official is authorized to require a key box(es) to be installed in an approved location(s) if necessary for life-saving or fire-fighting purposed. Quantify and location shall be as directed by the Fire Code Official. CFC Section 506

    Locked mechanical closets, electrical closets, fire alarm closets, sprinkler riser closets, etc. will need a Fire Dept. approved lock or "Knox" key box.

49. Building/Structure Requirements.
    a. The buildings shall be provided with an automatic fire sprinkler system in conformance with the NFPA 13 or NFPA 13D Standards. System type will depend on building/structure construction type and area analysis. California Fire Code Section 903.3

    b. All new installations of sprinkler systems shall preclude sprinkler test and system drain water from discharging into the storm drain; provisions to direct water to the sanitary sewer or landscape or other approved means shall be provided. Sprinkler system design shall include the proposed method for drainage of sprinkler system discharge. Storm Water Pollution Regulations

    c. Landscape sheets. The proposed landscaping may be impacted by the comments above and the requirements for fire access, fire systems and devices (such as apparatus access, hydrants, fire service lines, fire department connections valves, etc.). The Fire Dept. reserves the right to relocate, delete or change the proposed landscaping when in conflict with fire systems and devices. CFC 507.5.4

    d. Complete plans and specifications for all aspects of fire protection systems shall be submitted to the Fire Department for review and approval prior to system installation. CFC Section 901.2

POLICE DEPARTMENT CONDITIONS

50. Parking lot areas shall have postings with appropriate signs per 22658(a) CVC to assist in removal of vehicles at the property owners'/managers' request.

51. "No Trespassing/Loitering" signage should be posted at the entrances of parking lots placed in conspicuous areas. Signs should be at least 2' x 1' in overall size, with white background and black 2'' high letters.

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52. "No Parking Signs" shall be posted along the northbound curb line of South Main Street spanning the area of the building so vehicles will not park blocking the dedicated bicycle lane or impede the movement of vehicular traffic in the area.

Addressing:

53. Address numbers shall be illuminated during hours of darkness and should be strategically positioned as to be readily visible from the street. Address numbers should have a minimum height of 12 inches. If numerous alarm zones are utilized then zone numbers should be clearly marked above appropriate common doorways (i.e. fitness/recreational center, laundry room, etc.). All other housing alarms shall be directly linked to specific housing unit (if installed).

54. Signs directing apartment numbers shall be placed near main areas (elevators, intersections at hallways) so apartments can be easily located within the buildings.

Visibility:

56. Parking lots and associated driveways, circulation areas, aisles, passageways, recesses, and grounds contiguous to buildings shall be provided with lighting of sufficient wattage to provide adequate illumination to make clearly visible the presence of any person on or about the premises during the hours of darkness.

57. Large convex mirrors should be installed at the ends of each floor level making users open to visual scrutiny.

58. Any posters, material, and objects near common area exterior windows should not block views in those common areas from the street.

59. From a public safety perspective, the front entrance as well as the recreational area need to have as much natural surveillance as possible and exposed to public view. When natural surveillance is afforded, the likely occurrence of burglaries, robberies, etc. to that particular establishment/area are substantially reduced because the risk of detection and apprehension of the perpetrator increases. Seclusion is one of the main elements sought after by perpetrators of a crime.

Accessibility:

60. Any and all areas controlled by electronic security devices (i.e. key fobs, access cards, keypads, etc.) should have Knox boxes installed near such access points with the Knox boxes containing the appropriate security devices to gain entry. If access points are controlled by keypads or access cards, management should provide the police department with the needed code(s) or electronic key(s) and regularly update the police department if such code(s)/key(s) change.

61. An up-to-date map of the interior of the building should be provided to the police department. The map should minimally identify the locations of each apartment, entry/exit points, elevators, storage areas, entry/exit points controlled by electronic security devices, locations of security cameras, maintenance areas, stairwells, recreation centers, laundry room, etc.

Security:

62. A camera security system shall be required for the facility, with coverage at all exterior access points to the building. Additionally, the security system shall cover the interior of the parking garages. It shall have the clarity necessary to identify an individual, vehicle, etc., and have a field of view to maximize the area of coverage. Security cameras shall also cover the playground/recreational area.

63. The security camera system shall be recorded, and the recording shall be maintained for a minimum of thirty (30) days. A copy shall be made available to the police department upon request to assist in investigations. It is recommended that the employees of the property be properly trained on how to use the security surveillance camera system so that footage can be reviewed and collected in a timely fashion by the police department if needed.

64. Appropriate devices should be installed in the parking garage to ensure law enforcement radio frequencies have sufficient signals to communicate with dispatch and other officers.

65. Underground parking garages present unique security issues. Implementing CPTED measures will help reduce the number of serious and/or violent crimes that occur nationally in parking garages. The proposed parking garage plans must ensure natural surveillance and effective lighting.

66. The police department recommends installing Automated License Plate Readers (ALPR) at the entrance/exit of the parking garages to assist law enforcement in collecting information on investigations and possible illegal activity.

67. Extra security measures should be taken to properly secure mail deliveries including larger boxes. Installing temporary package lock boxes or large parcel drop boxes should assist in preventing package theft. A security camera system should be installed covering both the package lock boxes and the cluster box units to assist the police department and the US Postal Service Inspectors in identifying package/mail thieves.

Miscellaneous:

67. Management shall keep information (names, apartment numbers, etc.) on each resident living within the unit and the make, model, and license plate information for their vehicles. That information shall be made available to the police department upon request during police investigations.

68. The Property Manager shall file an emergency notification form with the police department so law enforcement can contact the property manager in the event of any major accident, emergency, or unforeseen circumstance.

ENGINEERING DEPARTMENT CONDITIONS

PRIOR TO CONSTRUCTION PLAN SUBMITTALS

*The following conditions shall be met **prior to** any detailed construction plan check submittals (Building or Engineering, except demolition and rough grade plans), unless otherwise approved by the Director of Engineering/City Engineer. City reserves the right to reject any plan check submittal if any of the following conditions are not met.* ***(E)***

69. Modifications: The Site Development Plan dated June 28, 2023 is subject to change during the plan check stage based upon City's previous comments and conditions stated herein.

70. Solid Waste and Recycling Handling Plan: Permittee shall submit final Solid Waste and Recycling Handling Plan based upon City's previous comments for City's review and approval by the Solid Waste Program. The Plan shall show calculations of waste generation volumes and how materials will be transferred from the waste generation areas to the trash enclosure/external collection point; demonstrate how recycling, food waste, and yard trimmings shall have a separately maintained process from garbage handling; address other requirements such as waste generation and compactor sizing, chute shut-off and property management responsibility for bin management and litter control; outreach and education to tenants/occupants, and procure sufficient service frequency based upon waste generation calculation volumes. Solid Waste trucks will be permitted to back onto the site for removal of solid waste but are not allowed to back onto South Main Street when exiting the site.

71. Stormwater Control Plan: Permittee shall submit City approved final Stormwater Control Plan (SWCP) that complies with the latest Municipal Regional Stormwater NPDES Permit, including Low Impact Development (LID) Section C3.c.i.(2)(b) measures for harvesting and reuse, infiltration, or evapo-transpiration, for City's review and approval by the Engineering Department.

72. Photometric Analysis: Permittee shall submit streetlight photometric analysis for City's review and approval by the Engineering Department along South Main Street that meet the Illuminating Engineering Society of North America (IESNA), RP8, for roadway and sidewalk lighting standards and City standard design guidelines.

73. Submittal Requirements: Permittee to ensure that all plan check submittals are in accordance with City's submittal check list for each permit type, including but not limited to, payment of permit fees and/or fee deposit at the time of the submittal.

74. Project Job Account/Fee Deposit: Permittee shall open a new PJ account as a deposit to cover the costs for Engineering Department's services for review and inspection of the project. The amount shall be determined based on the approved City fee schedule at the time of application submittal.

75. Coordination with other Projects and Agencies: Permittee shall coordinate designs with 1316 South Main Street (Zhang Condos) Project as well as with the Santa Clara Valley Water District, in advance prior to any plan submittal.

PRIOR TO OFF-SITE PLAN APPROVAL/ENCROACHMENT PERMIT ISSUANCE

The following conditions shall be addressed as part of the off-site improvement plan review and shall be met ***prior to*** *encroachment permit issuance, unless otherwise approved by the Director of Engineering/City Engineer.* ***(E)***

76. Public Improvement Design Standards: All public improvements shall be designed and constructed in accordance with all applicable public improvement design standards, including but not limited to:
    a. Milpitas Design Guidelines: (http://www.ci.milpitas.ca.gov/milpitas/departments/engineering/design-guidelines/);
    b. Standard details and specifications: (http://www.ci.milpitas.ca.gov/milpitas/departments/engineering/standard-details-and-specifications/);
    c. Mid-town Specific Plan design guidelines: (https://www.milpitas.gov/_pdfs/engDesignGuidelines/en_dg_vii_midtownSpecificPlan.pdf); and
    d. Americans with Disabilities Act (ADA) requirements, where applicable.

77. Sanitary Sewer Calculations: Permittee shall submit a completed "Sewer Needs Questionnaire" form and sanitary sewer calculations to justify lateral size design, allocation of discharge for each of the lateral, and impact to the existing main. Permittee shall be responsible to implement any necessary improvements if there is any identified deficiency to the existing main as a result of the project.

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78. Storm Drain Design: Permittee shall submit storm drain hydrology and hydraulic calculations based upon a 10-year storm event to justify the size of the storm drain lateral flowing full, without surcharging the main line pipe, and to be reviewed and approved by the Engineering Department.

79. Domestic Water and Fire Service Calculations: Permittee shall submit potable water and fire service calculations to confirm adequacy of lateral size, pressure and flow, to be reviewed and approved by the Engineering Department and Fire Department. Hydraulic modeling analysis by the City and paid by the Permittee may be required as needed. Permittee shall be responsible to implement any necessary improvements if there is any identified deficiency to the existing main as a result of the project.

80. Specific Improvements: In addition to standard public improvements required under Milpitas Municipal Code (MMC) Title XI, Chapter 1, Section 7, Permittee shall install other specific improvements listed below including incidental improvements as required by the City as part of the encroachment permit.
    a) Installation of separate water service tap and meter for each of the following services: residential, irrigation, and fire.
    b) Installation of separate utility service lines (domestic water, fire service, sanitary sewer) for residential.
    c) Installation of radio-transmitted water meters with a meter antenna, any repeaters or transmitters as needed with dedicated power supplies at no cost to the City at locations acceptable to the City to ensure accurate and timely reception of meter readings. Permittee shall execute a recorded instrument providing dedicated space, access rights and dedicated power supplies to the City for operation/maintenance/repair/replacement of subject radio antenna.
    d) Installation of half-street width (up to the median) asphalt concrete base repair as needed and micro-surface along the project street frontage while replacing striping on South Main Street to the City Engineer's satisfaction.
    e) Installation of missing street tree(s) along the project frontage. The locations of tree(s) and tree species shall be in compliance with applicable City standards and details.

81. Abandonment of Existing City Utilities: Permittee shall cap, abandon or remove any unused existing public utilities based upon City's Abandonment Notes and to the City's satisfaction.

82. Relocation and Adjustment of Existing Public Utilities: Permittee shall relocate and/or adjust existing public utilities as needed that are in conflict with the proposed improvements.

83. Concurrent Off-site Plan Reviews: Permittee shall submit separate off-site improvement plans for City's review and approval by the Engineering Department.

84. Improvement Agreement and Securities: Permittee shall execute an Improvement Agreement and provide improvement securities, and submit all other supplemental documents as stipulated in the Improvement Agreement (such as certificate of insurance).

85. Annexation to the Community Facilities District: Permittee shall submit an executed petition affirmatively consenting to annex the subject property to the Community Facilities District (CFD) 2008-1 and agree to pay the special taxes levied by the CFD 2008-1 for the purpose of maintaining the public services. The CFD annexation process shall be completed prior to encroachment permit issuance. Permittee shall comply with all rules, regulations, policies and practices established by the State Law and/or by the City with respect to the CFD including, without limitation, requirements for notice and disclosure to future owners and/or residents. This condition of approval is nonseverable from the Permit and invalidation or limitation of this condition invalidates the Permit, condition 14 notwithstanding.

86. Water Service Agreement: Permittee shall complete a water service agreement to obtain water service.

87. Encroachment Permit: Prior to any work in the public right-of-way and/or public easement, obtain an encroachment permit with insurance requirements for all public improvements including a traffic control plan per the latest California Manual on Uniform Traffic Control Devices (MUTCD) standards to be reviewed and approved by the Engineering Department.

88. Pothole Encroachment Permit: Due to multiple new utility service connections on streets, Permittee shall pothole and verify all potential utility crossing conflict as part of the public improvement plan during the design stage.

PRIOR TO BUILDING PERMIT ISSUANCE

The following conditions shall be addressed during the building plan check process and shall be met ***prior to*** *any building permit issuance (except demolition permit and rough grade permit), unless otherwise approved by the Director of Engineering/City Engineer.* ***(E)***

89. Dedication of New Easements: Permittee shall dedicate emergency vehicle access easements, min 5-ft public service utility easements (behind the property line), street easements, public access easement and other public easements (if any) deemed necessary for the project.

90. Abandonment/Quitclaim Easements: Permittee shall abandon/quit claim existing easements that are in conflict with or unnecessary for the project. Permittee shall not abandon/quitclaim the existing 10-ft PSUEs in the north and south corner of the lot that are still necessary for the project.

91. Utility Company Approval: Permittee shall obtain approval letters from utility companies (PG&E, AT&T, Comcast) for abandonment of existing and dedication of new public service utilities easements, if any.

92. Valley Water Approval: Permittee shall provide an acknowledgement letter to Valley Water for building a multi-level building adjacent to their structure. The letter should explain how impact the proposed building structure to their existing culvert structures within the SCCFC & WD Easement, see Tract Map 524M25; and provide the mitigation measures for the impacts during and post construction, if any.

93. Demolition of Existing Building: Permittee shall demolish existing buildings/facilities that are in conflict with the new property lines.

94. Easements on the Building Permit Plans: Permittee shall depict all existing easements to remain based upon current preliminary title report and depict new easements on applicable building permit plans.

95. Stormwater Facility Operation & Maintenance Plan: Permittee shall incorporate design details into applicable construction plans in accordance with City approved Storm Water Control Plan (SWCP). Permittee shall also submit Stormwater Facility Operation & Maintenance Plan that describes operation and maintenance procedures needed to ensure that treatment Best Management Practices (BMPs) and other storm water control measures continue to work as intended and do not create a nuisance (including vector control).

96. Stormwater Management Facilities O&M Agreement: Permittee shall execute and record a Stormwater Management Facilities Operation and Maintenance (O&M) Agreement associated with the SWCP O&M Plan, including perpetual maintenance of treatment areas/units, as reviewed and accepted by the Engineering Department.

97. Water Supply and Force Majeure: The City reserves the right to suspend the issuance of building permits in case of an emergency declaration of water supply in the case of a major catastrophic event that restricts City's assurance to provide water supply.

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98. Water Efficient Landscapes: Permittee shall comply with Milpitas Municipal Code Title VIII, Chapter 5 Water Efficient Landscapes for landscape design, including but not limited to, providing separate water meters for domestic water service and irrigation service and providing applicable landscape documentation package.

99. Solid Waste and Recycling Facility Design: Permittee shall comply with all applicable City design guidelines/details associated with haul route, turning radius, vertical and horizontal clearance, trash enclosure, staging area, storage area, etc.

100. Recycling Report Prior to Demolition Permit Issuance: Permittee shall submit Part I of a Recycling Report on business letterhead to the Building Department, for forwarding to the Engineering Department for review and approval. The report shall describe the following resource recovery activities:
    a. What materials will be salvaged.
    b. How materials will be processed during demolition.
    c. Intended locations or businesses for reuse or recycling.
    d. Quantity estimates in tons (both recyclable and for landfill disposal). Estimates for recycling and disposal tonnage amounts by material type shall be included as separate items in all reports to the Building Division before demolition begins.

    Permittee shall make every effort to salvage materials for reuse and recycling, and shall comply with the City's demolition and construction debris recycling ordinance.

101. Recycling Report Prior to Building Permit Issuance: Permittee shall submit Part II of the Recycling Report to the Building Department, for forwarding to the Engineering Department. Part II of the Recycling Report shall be supported by copies of weight tags and/or receipts of "end dumps." Actual reuse, recycling and disposal tonnage amounts (and estimates for "end dumps") shall be submitted to the Building Department for approval by the Engineering Department prior to inspection by the Building Department.

102. Flood Plain Management: This project is in the Flood Zone "AO" with 1' average flood depth, therefore, Permittee shall comply with all applicable flood protection criterion required by the Federal Emergency Management Agency (FEMA) and MMC Title XI, Chapter 15. Permittee shall also submit a Flood Study for the Project demonstrating, to the satisfaction of the City Engineer, that the proposed development has no adverse impact to the surrounding flood plain within the Special Flood Hazard Area (SFHA) and to the flood carrying capacity of the area. The study should include cumulative effects of existing and proposed developments demonstrating the combined effects will not increase the water surface elevation of the Base Flood Elevation (BFE) more than one foot at any point. For the AO Flood Zone, the flood study is required to establish the BFE, and set the building elevation accordingly. The flood study shall be consistent with the requirements in accordance with Title 44 of the Code of Federal Regulations by establishing a hydraulic model and HEC-RAS. The study shall clearly identify the lowest floor elevation as being either the bottom of garage, bottom of first floor residential units, bottom of elevator pit, etc. and shall be completely elevated out of the SFHA.

103. Development Fees: Permittee shall pay the following development fees. The information listed in items "a" through "e" are based upon current fee rates; however, those fee rates are subject to change. The exact fee amount shall be determined at the time of building permit fee payment.
    a. Storm water connection fee at $16,771/acre for residential.
    b. Water connection fee at $1,164/unit for residential, based upon increased water usage.
    c. Sewer connection fee at $1,406/unit for residential, based upon increased average wastewater flow.
    d. 3.8% of applicable fees in accordance with City Resolution No. 8969 as Permitting Automation Fee.
    e. FEMA Flood Zone Designation Letter fee in the amount of $100.00 each.

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104. Mailboxes: The Permittee shall coordinate with US Postal Services regarding placement of required mailboxes. Mailbox location shall not be on public street frontages and shall be approved by City and US Postal Services prior to building permit issuance. Mailbox locations shall be shown on the improvement plans and Permittee shall submit a letter to the City's Land Development Engineering Section from the Post Master approving the location of the mailbox. Structures to protect mailboxes may require Building, Engineering and Planning Department review.

DURING CONSTRUCTION

*The following conditions shall be complied with at all times **during** the construction phase of the project, unless otherwise approved by the Director of Engineering/City Engineer.* ***(E)***

105. Dewatering: If dewatering is needed during construction, Permittee shall obtain a Short-Term Industrial Wastewater Permit from the San Jose/Santa Clara Water Pollution Control Plant for discharging the groundwater to a sanitary sewer system.

106. Prohibition of Potable Water Usage: Permittee shall use recycled water for construction purposes, including dust control and compaction. Permittee shall comply with MMC VIII-6-5.00 and 6-6.00 where potable water usage is prohibited, unless otherwise approved by the City Council.

107. Construction Staging and Employee Parking: Permittee shall place all construction related materials, equipment, and arrange construction workers parking on-site and not located in the public right-of-ways or public easements.

108. Water Shut-down Plan: Permittee shall provide a water shut-down plan at least seven days in advance of the shut-down in coordination with the Engineering Inspector, and notify affected property owners/tenants when cut-in tee(s) is/are required.

PRIOR TO FIRST OCCUPANCY

*The following conditions shall be met **prior to** first building occupancy on either lot, unless otherwise approved by the Director of Engineering/City Engineer.*

109. Completion of Public Improvements: Permittee shall complete all public improvements, including but not limited to South Main Street frontage improvements as shown on City approved plans.

110. LOMR-F: Permittee shall submit the FEMA approved LOMR-F for each unit/building associated with the requested occupancy, if project is located in the SFHA.

111. Elevation and/or Flood Proofing Certificate: Permittee's civil engineer shall submit Elevation and/or Flood Proofing Certificate for the lowest finished floor elevation of each building for City record.

112. Landscape Certificate of Completion: Permittee shall submit a Certificate of Substantial Completion that complies with the Milpitas Municipal Code Water Efficient Landscapes ordinance.

113. Certificate of Cross-Connection: Permittee shall ensure that the cross-connection specialist complete the required recycled water construction inspection checklist, cross connection test results and any special inspection checklist as required by the South Bay Recycling Program http://www.sanjoseca.gov/index.aspx?NID=1595 and forward them to the City.

114. Record Drawings: Permittee shall submit record drawings in Full size hard copy, AutoCAD, Tiff, and PDF formats for City records. Record drawings shall include all public improvements. Additionally, if the project uses recycled water, the permittee shall also submit record drawings of on-site irrigation facilities.

115. Private Job (PJ) Balance: Permittee shall pay for any remaining balance from the Private Job deposit.

116. Backflow Devices: All backflow preventer devices shall be tested by a certified backflow tester, and results of the test shall be submitted to the city before going into service.

LEGEND
P = Planning Department
B = Building Department
E = Engineering Department
F = Fire Department
POL = Police Department
CAO = City Attorney's Office
ALL = All Reviewing Departments

NOTICE OF RIGHT TO PROTEST

The Conditions of Project Approval set forth herein include certain fees, dedication requirements, reservation requirements, and other exactions. Pursuant to Government Code Section 66020(d)(1), these Conditions constitute written notice of a statement of the amount of such fees, and a description of the dedications, reservations, and other exactions. You are hereby further notified that the 90-day approval period in which you may protest these fees, dedications, reservations, and other exactions, pursuant to Government Code Section 66020(a), began on date of adoption of this resolution. If you fail to file a protest within this 90-day period complying with all of the requirements of Section 66020, you will be legally barred from later challenging such exactions.

AGREEMENT

Permittee/Property Owner

The undersigned agrees to each and every condition of approval and acknowledges the NOTICE OF RIGHT TO PROTEST and hereby agrees to use the Project property on the terms and conditions set forth in this resolution.

Dated: Apr-04-2024

DocuSigned by:
Alexis Gevorgian
B514D1029210439...
Signature of Permittee

Amg Pres

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EXHIBIT 2

CEQA EXEMPTION MEMORANDUM

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EXHIBIT 3

CEQA EXEMPTION MEMORANDUM SUPPORTING TECHNICAL STUDIES

Part 1: Trip Generation Study for 1300 South Main Street, Milpitas, California, prepared by Abrams Associated dated September 20, 2021.

Part 2: Preliminary Stormwater Quality Control Plan for South Main Street Milpitas 1300 South Main Street prepared by Schaaf & Wheeler dated May 2021.

DocuSign

Certificate Of Completion

Envelope Id: FE864A83303C4ABF974DE9F414ED7D02
Status: Completed
Subject: Complete with DocuSign: Reso 24-011 1300 S Main Street for DocuSign.pdf
Source Envelope:
Document Pages: 31
Signatures: 2
Certificate Pages: 5
Initials: 0
AutoNav: Enabled
EnvelopeId Stamping: Enabled
Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Envelope Originator:
Liz Medina
455 E Calaveras Blvd
Milpitas, CA 95035
emedina@milpitas.gov
IP Address: 50.59.22.2

Record Tracking

Status: Original
March 28, 2024 | 11:05
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emedina@milpitas.gov
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Pool: StateLocal

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Signer Events	Signature	Timestamp
Chair Mercedes Albana mercedesalbana@gmail.com Security Level: Email, Account Authentication (None)	DocuSigned by: Chair Mercedes Albana 2B40D51C93E540A... Signature Adoption: Pre-selected Style Using IP Address: 73.222.229.150	Sent: March 28, 2024 | 11:11 Viewed: March 28, 2024 | 12:22 Signed: March 28, 2024 | 12:24
Electronic Record and Signature Disclosure: Accepted: March 28, 2024 | 12:22 ID: 6b31cb7b-88e8-4c83-ab9e-1757fd465270		
Alexis Gevorgian agevorgian@amgland.com Pres Amg Security Level: Email, Account Authentication (None)	DocuSigned by: Alexis Gevorgian B514D1029210439... Signature Adoption: Pre-selected Style Using IP Address: 174.218.96.169 Signed using mobile	Sent: March 28, 2024 | 12:24 Resent: April 3, 2024 | 10:46 Resent: April 4, 2024 | 13:16 Viewed: April 4, 2024 | 14:13 Signed: April 4, 2024 | 14:14
Electronic Record and Signature Disclosure: Accepted: April 4, 2024 | 14:13 ID: f61d39e5-539b-4436-8636-9efab7aca7c0		

In Person Signer Events	Signature	Timestamp

Editor Delivery Events	Status	Timestamp

Agent Delivery Events	Status	Timestamp

Intermediary Delivery Events	Status	Timestamp

Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
Avery Stark astark@ci.milpitas.ca.gov Security Level: Email, Account Authentication (None)	COPIED	Sent: April 4, 2024 | 14:14 Viewed: April 4, 2024 | 14:51
Electronic Record and Signature Disclosure: Accepted: April 12, 2021 | 18:35 ID: b96a6b7c-b48f-4555-8b5e-3ad49059ed2e		

Carbon Copy Events	Status	Timestamp
Kimberly Calica kcalica@amgland.com Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Accepted: March 28, 2024 | 14:13 ID: 6976f817-045f-46e8-9b30-f105d1248c1e	COPIED	Sent: April 4, 2024 | 14:14 Viewed: April 4, 2024 | 14:20
Liz Medina emedina@milpitas.gov Administrative Assistant City of Milpitas Security Level: Email, Account Authentication (None) **Electronic Record and Signature Disclosure:** Not Offered via DocuSign	COPIED	Sent: April 4, 2024 | 14:14 Resent: April 4, 2024 | 14:14

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MEMORANDUM

Planning Department

To: Jay Lee AICP, Planning Director, City of Milpitas

From: Avery Stark, Acting Senior Planner, City of Milpitas

Subject: 1300 South Main Street Project Categorical Exemption

Date: March 8, 2024

This memorandum supports the finding that the proposed project at 1300 South Main Street "Project" would be exempt from further review pursuant to California Environmental Quality Act (CEQA) Section 15332 (In-Fill Development Projects). The Project site located at 1300 South Main Street is a single parcel: (APN 083-36-002) in the City of Milpitas, Santa Clara County. The proposed Project is described in the attached staff report. All supporting technical studies referenced herein are included as Exhibit 3.

Class 32 Infill Exemption, Per CEQA Guidelines Section 15332

Article 19 of the California Environmental Quality Act (CEQA Guidelines Section 15300 to Section 15333) includes a list of classes of projects that have been determined to not have a significant effect on the environment and as a result, are exempt from review under CEQA. Among the classes of projects that are exempt from CEQA review are those projects that are specifically identified as urban in-fill development. CEQA Guidelines Section 15332 (Class 32) consists of projects characterized as in-fill development when meeting the following conditions:

- (a) The Project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations; and
- (b) The proposed Project occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses; and
- (c) The Project site has no value as habitat for endangered, rare or threatened species; and
- (d) Approval of the proposed Project would not result in any significant effects relating to traffic, noise, air quality or water quality, and
- (e) The site can be adequately served by all required utilities and public services.

The analysis presented in the following section provides substantial evidence that the proposed Project qualifies for an exemption under CEQA Guidelines Section 15332 as a Class 32 urban in-fill development, and would not have a significant effect on the environment. Section 15183(a) of the California Environmental Quality Act (CEQA) Guidelines states that "…projects which are consistent with the development density

established by the existing zoning, community plan, or general plan policies for which an Environmental Impact Report (EIR) was certified shall not require additional environmental review, except as may be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site."

Section 15332 (a): General Plan & Zoning Consistency

Yes	No	
X		The Project is consistent with the applicable General Plan designation and all applicable planning policies and is consistent with the applicable zoning designation and regulations.

As described in the staff report and in Table 1 of Exhibit A, the Project is consistent with the Milpitas 2040 General Plan and policies and meets the majority of the METRO Multiple-Family Very High Density (R4) zoning regulations under the Metro Specific Plan. The Project is restricting the sale of 100 percent of the housing units to moderate-income and low-income residents and qualifies for concessions, waivers, and parking reductions under the mandated State Density Bonus Law and Milpitas Affordable Housing Ordinance. Therefore, the City must grant the requested Project waivers to the front, rear and side yard setback development standards and allow for parking reductions if those development standards would physically preclude the development from construction and do not cause a public health or safety problem.

Section 15332 (b): Project Location, Size, and Context

Yes	No	
X		The proposed Project occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.

The Project is on a site smaller than five acres, as it is approximately 0.97 acres in size, and is entirely surrounded by urban uses with existing developed lots, including several multifamily apartment buildings, Union Pacific Rail Road property, and the intersection of Great Mall Parkway and S Main Street.

Section 15332 (c): Endangered, Rare or Threatened Species

Yes	No	
X		The Project site has no value as habitat for endangered, rare or threatened species.

The Project site includes one lot that is occupied by an existing one-story commercial and office building located within a developed urban area. The Project site has no significant riparian corridors, estuaries, marshes, wetlands, or any other potential wildlife habitat that might contain endangered, rare , or threatened species as documented by the Biological Constraints Analysis for the Milpitas Metro Specific Plan. Thus, the Project site has no value as habitat for rare, threatened, or endangered species.

Section 15332 (d): Traffic, Noise, Air Quality, or Water Quality

Yes	No	Approval of the proposed Project would not result in any significant effects related to traffic, noise, air quality or water quality.
X		

Traffic: The proposed Project would not result in any significant impacts to traffic operations according to established traffic engineering standards, and no off-site traffic or transportation mitigations would be required. Based on the City's adopted transportation analysis policy and CEQA Guidelines section 15064.3(c) the project would not have a significant impact on vehicle miles traveled (VMT).

Noise: The introduction of 118 new housing units on the Project site would not result in significant noise impacts upon adjacent uses, because noise emanating from the proposed residences would be typical of the neighborhood and would not result in a significant change or increase in the existing noise environment. The Project will be required to comply with Section 1207 of the California Building Code, which requires that the interior noise levels of multi-family units have interior noise levels of 45 dB DNL or lower. The Project would also have to comply with the City's noise ordinance per Milpitas Municipal Code Chapter V-213-3. Construction noise will be limited to 7:00 a.m. to 7:00 p.m. on weekdays and weekends and prohibited on federal holidays.

Air Quality: The impact of dust and exhaust generated by grading and excavation of future construction activities is temporary in nature and limited to site preparation and future construction of the new apartment buildings. The Project will not conflict with the 2017 Clean Air Plan by the Bay Area Air Quality Management District (BAAQMD) and the proposed residential land use is below BAAQMD's construction and operational screening levels for requiring further quantitative criteria air pollutant analysis and would not introduce a new source of odors. Furthermore, the Metro Specific Plan EIR identified air quality mitigation measures that have been incorporated into the Conditions of Approval, which the Project must adhere to. As such, the Project would not result in any significant effects related to air quality.

Water Quality: The Project will not violate water quality standards or waste discharge requirements because it will be required to comply with the standard Best Management Practices per the C.3 Stormwater Handbook by the Santa Clara Valley Urban Runoff Pollution Prevention Program, which regulates discharge into the City's storm drainage system. Furthermore, the increase in runoff would not be large enough to cause flooding on- or off-site. All projects of this nature are required to comply with these standards and will be reviewed for compliance by the City's Engineering Department during the building permit review process. Furthermore, the Applicant prepared a Preliminary Stormwater Quality Control Plan dated May 21, 2021, by consultants Schaaf & Wheeler for the Project.

Section 15332 (e): Utilities and Public Services

Yes	No	
X		The site can be adequately served by all required utilities and public services.

The Project site is located in an area surrounded completely by existing development and infrastructure and has been reviewed by all major reviewing Departments including but not limited to Building, Fire, Police, Land Development, Traffic, Water, and Solid Waste Departments. As a result, it has been determined that the site can be adequately serviced to preserve public health, safety, and wellness. The Applicant has also agreed to a number of onsite utility improvements as included in the Conditions of Approval.

GEOTECHNICAL ENGINEERING INVESTIGATION
PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT
1300 SOUTH MAIN STREET
MILPITAS, CALIFORNIA

KA PROJECT NO. 042-21016
JULY 23, 2021

Prepared for:

MS. KIMBERLY CALICA
AMG & ASSOCIATES, LLC
P.O. BOX 260770
ENCINO, CALIFORNIA 91426

Prepared by:

KRAZAN & ASSOCIATES, INC.
GEOTECHNICAL ENGINEERING DIVISION
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(925) 307-1160

July 23, 2021 KA Project No. 042-21016

Ms. Kimberly Calica
AMG & Associates, LLC
P.O. Box 260770
Encino, California 91426

RE: Geotechnical Engineering Investigation
Proposed Multi-Family Residential Development
1300 South Main Street
Milpitas, California

Dear Ms. Calica:

In accordance with your request, we have completed a Geotechnical Engineering Investigation for the above-referenced site. The results of our investigation are presented in the attached report.

If you have any questions, or if we may be of further assistance, please do not hesitate to contact our office at (925) 307-1160.

Respectfully submitted,
KRAZAN & ASSOCIATES, INC.

David R. Jarosz, II
Managing Engineer
RGE No. 2698/RCE No. 60185

DRJ:ht

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July 23, 2021 KA Project No. 042-21016

GEOTECHNICAL ENGINEERING INVESTIGATION
PROPOSED MULTI-FAMILY RESIDENTIAL DEVELOPMENT
1300 SOUTH MAIN STREET
MILPITAS, CALIFORNIA

INTRODUCTION

This report presents the results of our Geotechnical Engineering Investigation for the proposed multi-family residential development to be located at 1300 South Main Street in Milpitas, California. Discussions regarding site conditions are presented herein, together with conclusions and recommendations pertaining to site preparation, Engineered Fill, utility trench backfill, drainage and landscaping, foundations, concrete floor slabs and exterior flatwork, retaining walls, pavement design and soil cement reactivity.

A site plan showing the approximate boring locations is presented following the text of this report. A description of the field investigation, boring logs, and the boring log legend are presented in Appendix A. Appendix A also contains a description of the laboratory testing phase of this study, along with the laboratory test results. Appendices B and C contain guides to earthwork and pavement specifications. When conflicts in the text of the report occur with the general specifications in the appendices, the recommendations in the text of the report have precedence.

PURPOSE AND SCOPE

This investigation was conducted to evaluate the soil and groundwater conditions at the site, to make geotechnical engineering recommendations for use in design of specific construction elements, and to provide criteria for site preparation and Engineered Fill construction.

Our scope of services was outlined in our proposal dated May 10, 2021 (KA Proposal No. P366-21) and included the following:

- A site reconnaissance by a member of our engineering staff to evaluate the surface conditions at the project site.
- A field investigation consisting of drilling 4 borings to depths ranging from approximately 20 to 45 feet for evaluation of the subsurface conditions at the project site.
- Performing laboratory tests on representative soil samples obtained from the borings to evaluate the physical and index properties of the subsurface soils.

- Evaluation of the data obtained from the investigation and an engineering analysis to provide recommendations for use in the project design and preparation of construction specifications.

- Preparation of this report summarizing the results, conclusions, recommendations, and findings of our investigation.

PROPOSED CONSTRUCTION

We understand that design of the proposed development is currently underway; structural load information and other final details pertaining to the structures are unavailable. On a preliminary basis, it is understood that development will include the construction of a new multi-family residential development. It is anticipated the buildings will be five-story structures. Foundation loads are anticipated to be moderate to heavy. On-site paved areas and landscaping are also planned for the development of the project.

In the event, these structural or grading details are inconsistent with the final design criteria, the Soils Engineer should be notified so that we may update this writing as applicable.

SITE LOCATION, SITE HISTORY AND SITE DESCRIPTION

The site is irregular in shape and encompasses approximately 1.1 acres. The site is located at the southeast corner of Centria Lane and Main Street in Milpitas, California. The site has a street address of 1300 South Main Street. Railroad tracks trend along the eastern edge of the site. The remainder of the site is predominately surrounded by commercial developments.

Site history was obtained by reviewing historical aerial photographs taken in 1993, 2004, 2013 and 2020. Review of the 1993 aerial photograph indicates that the project site predominately consisted of vacant land. Several structures were located at the south end of the site. Railroad tracks trended along the eastern edge of the site. The remainder of the site was predominately surrounded by roadways and vacant land.

Review of the 2004 aerial photograph indicates that a structure was located in the southwestern portion of the site. The remainder of the site was utilized as a storage area for palleted materials.

Review of the 2013 aerial photograph indicates that the project site conditions appeared relatively similar to that noted in the 2004 aerial photograph, with additional buildings and storage containers located on the site.

Review of the 2020 aerial photograph indicates that the project site conditions appeared relatively similar to that noted in the 2013 aerial photograph, with additional materials stored at the site. Several trees were located along the western edge of the site.

Presently, the site is utilized as a building material and equipment storage yard. The majority of the site is covered with concrete and asphaltic concrete pavements. Trees and shrubs are located along the edges of the site. Buried utilities are located along the edges of the site and extend into portions of the site. The site is relatively level with no major changes in grade.

GEOLOGIC SETTING

The project area is located just south of San Francisco Bay and east of the Santa Cruz Mountains within the northern portion of the Coast Ranges Geomorphic Province of California. The Coast Ranges generally consist of an alternating series of parallel mountains and valleys located adjacent to the Pacific Coast. The bedrock units that form the range have been disrupted by intense folding, faulting, and crushing that occurred when the range was formed by the processes of plate tectonics. During the Jurassic and Cretaceous Periods (about 150 to 80 million years ago), the Pacific Oceanic Plate, which was progressively moving towards the east, collided with the North American Continental Plate, which was moving toward the west. This collision caused the less rigid Pacific Oceanic Plate to be subducted beneath the North American Continental Plate. The colliding motion of the two plates caused portions of the Pacific Oceanic Crust and overlying marine sediments to be piled onto the North American Continental Plate along the west coast of California. The resulting chaotic jumble of bedrock units scraped off onto the North American Plate, is known as the "Franciscan Assemblage" and comprises a large portion of the Coast Range Province. Subsequent development of a series of northwest-trending fault zones has further contributed to the deformation of the Coast Range.

The near-surface deposits in the vicinity of the subject site are indicated to be comprised of Holocene alluvial fan deposits and alluvial fan levee deposits consisting of sands, silt, and clays derived from erosion of local mountain ranges. Deposits encountered on the subject site during exploratory drilling are discussed in detail in this report.

Seven major faults are located near the site: The Hayward fault, Calaveras fault, Monte Vista-Shannon fault, San Andreas fault, Greenville Fault, Mount Diablo Thrust, Zaynte Vergeles fault and San Gregorio fault. The Calaveras fault is located approximately 5 miles east of the site and is considered capable of producing an earthquake of magnitude of 6.9. The Monte Vista–Shannon fault and the San Andreas fault are located approximately 11 to 15 miles west of the site, respectively. The San Andreas fault was the source of the 1906 San Francisco Earthquake. The Hayward fault is located approximately 4 miles north of the site. The Hayward fault is considered capable of producing an earthquake event of magnitude 7.0. The last recorded movement of the Hayward fault was in 1868. The Zaynte-Vergeles fault is approximately 23 miles south of the site and is considered capable of producing an earthquake of magnitude 7.0. The Mount Diablo Thrust and San Gregorio fault are located approximately 22 miles north and 28 miles west of the site, respectively, and are also considered capable of producing large earthquakes. Although the site is in close proximity to several faults, the site is not within a State of California Earthquake Fault Zone or Special Study Zone for faulting.

The probability of one or more earthquakes of magnitude 6.7 or higher occurring in the San Francisco Bay Area within a 30-year period of time was evaluated by the U.S. Geological Survey (USGS) Working Group on California Earthquake Probabilities on a periodic basis. The result of the 2008 evaluation indicated a 63 percent likelihood that such an earthquake event will occur in the Bay Area between 2007 and 2036 (USGS 2008). The faults with the greater probability of a magnitude 6.7 or higher earthquake are the Hayward fault at 31 percent and the San Andreas fault at 21 percent.

The Alquist-Priolo Earthquake Fault Zoning Act went into effect in March, 1973. Since that time, the act has been amended 11 times (Hart, 2007). The purpose of the Act, as provided in CGS Special Publication 42 (SP 42), is to prohibit the location of most structures for human occupancy across the traces of active faults and to mitigate thereby the hazard of fault-rupture." The act was renamed the Alquist-Priolo Earthquake Fault Zoning Act in 1994, and at that time, the originally designated "Special Studies Zones" was renamed the "Earthquake Fault Zones."

The area of the subject site is included on the Earthquake Zones of Regional Investigation for the Milpitas Quadrangle. However, the site is not within a Fault-Rupture Hazard Zone. The nearest zoned faults are portions of the Hayward fault located 4 miles east of the subject site.

In 1990, the California State Legislature passed the Seismic Hazard Mapping Act to protect public safety from the effects of strong shaking, liquefaction, landslides, or other ground failure, and other hazards caused by earthquakes. The Act requires that the State Geologist delineate various seismic hazards zones on Seismic Hazards Zones Maps. Specifically, the maps identify areas where soil liquefaction and earthquake-induced landslides are most likely to occur. A site-specific geotechnical evaluation is required prior to permitting most urban developments within the mapped zones. The Act also requires sellers of real property within the zones to disclose this fact to potential buyers. The area of the subject site is located within the bounds of the hazard zone associated with liquefaction potential and is outside of the zones associated with landslide potential, on the Seismic Hazards Milpitas Quadrangle, released: October 19, 2004. In addition, the site is included on the U.S. Geological Survey map entitled "Liquefaction Susceptibility, Central San Francisco Bay Region, California" (U.S. Geological Survey Open-File Report 2006-1037), dated 2006. The site is located within an area identified as a moderate susceptibility to liquefaction.

FIELD AND LABORATORY INVESTIGATIONS

Subsurface soil conditions were explored by drilling 4 borings to depths ranging from approximately 20 to 45 feet below existing site grade, using a truck-mounted drill rig. In addition, 2 bulk subgrade samples were obtained from the site for laboratory R-value testing. The approximate boring and bulk sample locations are shown on the site plan. During drilling operations, penetration tests were performed at regular intervals to evaluate the soil consistency and to obtain information regarding the engineering properties of the subsoils. Soil samples were retained for laboratory testing. The soils encountered were continuously examined and visually classified in accordance with the Unified Soil Classification System. A more detailed description of the field investigation is presented in Appendix A.

Laboratory tests were performed on selected soil samples to evaluate their physical characteristics and engineering properties. The laboratory testing program was formulated with emphasis on the evaluation of natural moisture, density, gradation, shear strength, consolidation potential, expansion potential, plasticity, R-value and moisture-density relationships of the materials encountered. In addition, chemical tests were performed to evaluate the soil-cement reactivity. Details of the laboratory test program and results of the laboratory tests are summarized in Appendix A. This information, along with the field observations, was used to prepare the final boring logs in Appendix A.

SOIL PROFILE AND SUBSURFACE CONDITIONS

Based on our findings, the subsurface conditions encountered appear typical of those found in the geologic region of the site. In general, the pavement section consisted of approximately 1 inch of asphaltic concrete underlain by 3 inches of aggregate base.

Beneath the pavement section, approximately 4 feet of stiff sandy clay or loose clayey sandy silt was encountered. Field and laboratory tests indicate these soils have moderate strength characteristics and are slightly compressible. Penetration resistance ranged from 12 to 15 blows per foot. Dry densities ranged from 100 to 111 pcf. A representative soil sample consolidated approximately 2 percent under a 2 ksf load when saturated. A representative soil sample had an angle of internal friction of 22 degrees. Representative samples of the clayey soils had expansion indices of 24 and 27.

Below 4 feet, approximately 3 to 4 feet of stiff sandy clay and silty clay or loose to medium dense sandy silt/sandy clay and clayey sandy silt were encountered. Field and laboratory tests suggest that these soils are moderately strong and slightly compressible. Penetration resistance ranged from 10 to 21 blows per foot. Dry densities ranged from 102 to 112 pcf. Representative soil samples consolidated approximately 2 to 2½ percent under a 2 ksf load when saturated.

Below 7 to 8 feet, layers of predominately stiff to very stiff silty clay and sandy clay or loose to medium dense clayey sand, sandy silt/sandy clay and clayey sandy silt were encountered. Field and laboratory tests suggest that these soils are moderately strong and slightly compressible. Penetration resistance ranged from 10 to 28 blows per foot. Dry densities ranged from 90 to 120 pcf. Representative soil samples contained approximately 31 to 97 percent fines. These soils had similar strength characteristics as the upper soils and extended to the termination depth of our borings.

For additional information about the soils encountered, please refer to the logs of borings in Appendix A.

PERCOLATION TESTING

Two percolation tests were performed on the site. The percolation tests were performed at depths of 3 to 5 feet. The tests were conducted in accordance with the criteria set in the "Manual of Septic Tank Practice" published by the Department of Health, Education, and Welfare. The tests were performed within the project site to represent the anticipated sewage disposal areas. Results of the tests are as follows:

Test No.	Depth (feet)	Percolation rate (min/inch)	Soil Type
P1	3	60	Sandy Clay (CL)
P2	5	40	Sandy Silt/Sandy Clay (ML/CL)

The percolation tests indicate that the soils tested have fair absorption characteristics. The percolation rates given are based on 1 inch of fall within a 6-inch diameter hole with a 6-inch head of water.

GROUNDWATER

Test boring locations were checked for the presence of groundwater during and immediately following the drilling operations. Free groundwater was encountered at approximately 15 to 25 feet below site grade during our exploratory drilling. Historic high groundwater was estimated to be 7 feet based on information obtained from the California Geological Survey.

It should be recognized that water table elevations may fluctuate with time, being dependent upon seasonal precipitation, irrigation, land use and climatic conditions, as well as other factors. Therefore, water level observations at the time of the field investigation may vary from those encountered during the construction phase of the project. The evaluation of such factors is beyond the scope of this report.

SOIL LIQUEFACTION

Soil liquefaction is a state of soil particle suspension, caused by a complete loss of strength when the effective stress drops to zero. Liquefaction normally occurs in soils, such as sands, in which the strength is purely frictional. However, liquefaction has occurred in soils other than clean sands. Liquefaction usually occurs under vibratory conditions, such as those induced by seismic events.

To evaluate the liquefaction potential of the site, the following items were evaluated:

1) Soil type

2) Groundwater depth

3) Relative density

4) Initial confining pressure

5) Intensity and duration of groundshaking

The predominant soils within the project site consist of alternating layers of clayey sands, silty clays, sandy clays and sandy silts. Free groundwater was encountered at depths of 15 to 25 feet below existing site grade during our exploratory drilling. Historically, groundwater has been as shallow as 7 feet within the project site vicinity (California Department of Water Resources, Water Data Library). A groundwater depth of 7 feet was used in this analysis.

The potential for soil liquefaction during a seismic event was evaluated using the LIQUEFYPRO computer program (version 5.8h) developed by CivilTech Software. For the analysis, a maximum earthquake magnitude of 6.93 was used. A peak horizontal ground surface acceleration of 0.937g was considered conservative and appropriate for the liquefaction analysis. A high groundwater depth of 7 feet was used for our analysis. The computer analysis indicates that soils above a depth of 7 feet are non-liquefiable due to the absence of groundwater. Some of the soils below a depth of 7 feet have a slight to moderate potential for liquefaction under seismic shaking.

The analysis indicates that the estimated total seismic induced settlement ranges from 2.5 to 2.9 inches. Differential settlement caused by a seismic event is estimated to be less than 1½ inches. The anticipated differential settlement is estimated over a horizontal distance of 100 feet. The result of the liquefaction analysis is attached. The results of the screening analysis are as follows:

Boring: B1 Project No.: 042-21016

Liquefaction Assessment of Fine-Grained Soils									
Sample Depth	Soil Description	Soil Class. (USCS)	Passing #200 (%)	Wc/LL	Moisture Content (%)	Liquid Limit	Plasticity Index	Liquefiable	
2	Sandy Clay	CL	85	--	19.0	--	--	?	
5	Sandy Clay	CL	86	--	14.3	--	--	?	
10	Sandy Clay	CL	95	0.635	30.5	48	30	N	N
15	Sandy Clay	CH	97	0.457	27.9	61	42	N	N
20	Sandy Clay	CL	84	0.543	19.0	35	19	N	Y
25	Sandy Clay	CL	82	0.800	22.4	28	11	Y	Y
30	Clayey Sand w/ gravel	SC	36	0.452	14.0	31	17	N	Y
35	Sandy Clay	CL	77	0.557	19.5	35	19	N	Y
40	Sandy Clay	CL	60	0.661	18.5	28	10	N	Y
45	Sandy Clay	CL	60	0.661	18.5	28	10	N	Y

Boring: B4 Project No.: 042-21016

Liquefaction Assessment of Fine-Grained Soils									
Sample Depth	Soil Description	Soil Class. (USCS)	Passing #200 (%)	Wc/LL	Moisture Content (%)	Liquid Limit	Plasticity Index	Liquefiable	
2	Sandy Clay	CL	85	--	28.5	--	--	?	
5	Sandy Silt	ML	74	--	18.3	--	--	Y	
10	Sandy Clay	CH	96	0.472	25.5	54	32	N	N
15	Sandy Clay	CL	97	0.556	26.7	48	28	N	N
20	Silty Clay w/ trace sand	CH	99	0.443	31.9	72	49	N	N
25	Sandy Clay	CH	94	0.548	28.5	52	36	N	N
30	Sandy Clay	CL	98	0.749	27.7	37	21	N	N
35	Sandy Clay	CH	81	0.807	24.2	30	16	Y	Y
40	Clayey Sand	SC	31	0.538	15.6	29	12	N	Y
45	Clayey Sand	SC	31	0.538	15.6	29	12	N	Y

CONCLUSIONS AND RECOMMENDATIONS

Based on the findings of our field and laboratory investigations, along with previous geotechnical experience in the project area, the following is a summary of our evaluations, conclusions, and recommendations.

Administrative Summary

In brief, the subject site and soil conditions, with the exception of the surrounding development, existing development, expansion potential of the on-site clayey soils, and estimated settlement associated with the potential for liquefaction, appear to be conducive to the development of the project.

Fill material was not encountered within our borings. However, fill material may be located between and beyond our boring locations. The thickness and extent of fill material was determined based on limited test borings and visual observation. It is recommended that fill soils that have not been properly compacted and certified be excavated and stockpiled so that the native soils can be properly prepared. It is anticipated these soils will be suitable for reuse as Engineered Fill, provided they are cleansed of excessive organics and debris. Prior to backfilling, Krazan & Associates, Inc., should inspect the bottom of the excavation to verify no additional removal is required.

The site predominately consists of vacant lot. However, structures were previously located within the site. In addition, several structures are located within the project site and vicinity. Any surface or buried structures, including utilities, encountered during construction should be properly removed and the resulting excavations backfilled. It is suspected demolition of the existing structures will disturb the upper soils. Areas disturbed by demolition activities should be excavated to firm native ground. The resulting excavations should be backfilled with Engineered Fill. This compaction effort should stabilize the upper soils and locate any unsuitable or pliant areas not found during our field investigation.

The on-site clayey soils have a low swell potential. The clayey soils in their present condition present a minor to moderate hazard to construction in terms of possible post-construction movement of slab-on-grade construction. To reduce potential soil movement related to swell potential of the clayey soils, it is recommended that slabs-on-grade and exterior flatwork areas be supported by at least 12 inches of non-expansive Engineered Fill. The fill material should be a well-graded silty sand or sandy silt soil. A clean sand or very sandy soil is not acceptable for this purpose. A sandy soil will allow the surface water to drain into the expansive soils below, which may result in soil swelling. The replacement soils and/or upper 12 inches of Imported Fill soils should meet the specifications as described under the subheading Engineered Fill. The replacement soils should extend 5 feet beyond the perimeter of slab-on-grade areas. The non-expansive replacement soils should be compacted to at least 90 percent of relative compaction based on ASTM Test Method D1557. The exposed native soils in the excavation should not be allowed to dry out and should be kept continually moist, prior to backfilling.

As an alternative to the use of non-expansive soils, the upper 12 inches of soil supporting slab areas can consist of lime-treated clayey soils. The lime-treated soils should be recompacted to a minimum of 90 percent of maximum density. Preliminary application rate of lime should be 5 percent by dry weight. The lime material should be calcium oxide, commonly known as quick-lime. The clayey soils should be at or near optimum moisture during the mixing operations.

Based on the soil liquefaction analysis performed within the site, the estimated total seismic-induced settlement ranges from 2.5 to 2.9 inches. Differential settlement caused by a seismic event is estimated to be less than 1½ inches. The anticipated differential settlement is estimated over a horizontal distance of 100 feet. The seismic settlements would develop if liquefaction of the underlying saturated subsoils were to occur during a seismic event.

Sandy and gravelly soil conditions were encountered at the site. These cohesionless soils have a tendency to cave in trench wall excavations. Shoring or sloping back trench sidewalls may be required within these sandy and gravelly soils.

Groundwater Influence on Structures/Construction

During our recent field investigation groundwater was encountered at approximately 15 to 25 feet below existing site grade. Historic high groundwater level for the site was determined to be 7 feet. Therefore, dewatering and/or waterproofing may be required should structures or excavations extend below this depth. If groundwater is encountered, our firm should be consulted prior to dewatering the site. Installation of a standpipe piezometer is suggested prior to construction should groundwater levels be a concern.

In addition to the groundwater level if earthwork is performed during or soon after periods of precipitation, the subgrade soils may become saturated, "pump," or not respond to densification techniques. Typical remedial measures include: discing and aerating the soil during dry weather; mixing the soil with dryer materials; removing and replacing the soil with an approved fill material; or mixing the soil with an approved lime or cement product. Our firm should be consulted prior to implementing remedial measures to observe the unstable subgrade conditions and provide appropriate recommendations.

Site Preparation – Mat Foundation

General site clearing should include removal of vegetation; existing utilities; structures including foundations; basement walls and floors; existing stockpiled soil; trees and associated root systems; rubble; rubbish; and any loose and/or saturated materials. Site stripping should extend to a minimum depth of 2 to 4 inches, or until all organics in excess of 3 percent by volume are removed. Deeper stripping may be required in localized areas. These materials will not be suitable for reuse as Engineered Fill. However, stripped topsoil may be stockpiled and reused in landscape or non-structural areas.

Fill material was not encountered within our borings. However, fill material may be located between and beyond our boring locations. The thickness and extent of fill material was determined based on limited test borings and visual observation. It is recommended that fill soils that have not been properly compacted and certified be excavated and stockpiled so that the native soils can be properly prepared. It is anticipated these soils will be suitable for reuse as Engineered Fill, provided they are cleansed of excessive organics and debris. Prior to backfilling, Krazan & Associates, Inc., should inspect the bottom of the excavation to verify no additional removal is required.

Existing structures are located within the site vicinity. In addition, several structures previously occupied the site. Associated with these developments are buried structures, such as utility lines. Any surface or buried structures, such as utilities or loosely backfilled excavations, encountered during construction should be properly removed and the resulting excavations backfilled. After demolition activities, it is recommended that these disturbed soils be removed and/or recompacted. Excavations, depressions, or soft and pliant areas extending below planned, finished subgrade levels should be cleaned to firm, undisturbed soil and backfilled with Engineered Fill. In general, any septic tanks, debris pits, cesspools, or similar structures should be entirely removed. Concrete footings should be removed to an equivalent depth of at least 3 feet below proposed footing elevations or as recommended by the Soils Engineer. Any other buried structures should be removed in accordance with the recommendations of the Soils Engineer. The resulting excavations should be backfilled with Engineered Fill.

Trees and shrubs are located within the site. If not utilized for the proposed development, tree and shrub removal operations should include roots greater than 1 inch in diameter. The resulting excavations should be backfilled with Engineered Fill compacted to a minimum of 90 percent of maximum density based on ASTM Test Method D1557.

Following stripping, fill removal, and demolition activities, it is recommended that at a minimum, the upper 36 inches of exposed subgrade soils beneath the building pad be excavated, worked until uniform and free from large clods, moisture-conditioned to a minimum of 2 percent above optimum moisture content, and recompacted to a minimum of 90 percent of maximum density based on ASTM Test Method D1557. In addition, it is recommended mat foundations be supported on a minimum of 2 feet of Engineered Fill. Limits of recompaction should extend a minimum of 5 feet beyond structural elements. Prior to backfilling, the bottom of the excavation should be proof-rolled and observed by Krazan & Associates, Inc. to verify stability. This compaction effort should stabilize the upper soils and locate any unsuitable or pliant areas not found during our field investigation. Soft or pliant areas should be excavated to firm native ground.

Following stripping, fill removal, and demolition activities, it is recommended that at a minimum, the upper 12 inches of exposed subgrade soils beneath the exterior flatwork and pavement areas be excavated, worked until uniform and free from large clods, moisture-conditioned to a minimum of 2 percent above optimum moisture content, and recompacted to a minimum of 90 percent of maximum density based on ASTM Test Method D1557. Limits of recompaction should extend a minimum of 2 feet beyond flatwork and pavements. This compaction effort should stabilize the upper soils and locate

any unsuitable or pliant areas not found during our field investigation. Prior to backfilling, the bottom of the excavation should be proofrolled and observed by Krazan & Associates, Inc. to verify stability. Soft or pliant areas should be excavated to firm native ground.

It is recommended that the upper 12 inches of soil within proposed slab-on-grade and exterior flatwork areas consist of non-expansive Engineered Fill or lime-treated Engineered Fill. The fill placement serves two functions: 1) it provides a uniform amount of soil which will more evenly distribute the soil pressures and 2) it reduces moisture content fluctuation in the clayey material beneath the building area. The non-expansive fill material should be a well-graded silty sand or sandy silt soil. A clean sand or very sandy soil is not acceptable for this purpose. A sandy soil will allow the surface water to drain into the expansive clayey soil below, which may result in soil swelling. Imported Fill should be approved by the Soils Engineer prior to placement. The fill should be placed as specified as Engineered Fill. In addition, it is recommended footings and concrete slabs-on-grade be nominally reinforced.

The upper soils, during wet winter months, become very moist due to the absorptive characteristics of the soil. Earthwork operations performed during winter months may encounter very moist unstable soils, which may require removal to grade a stable building foundation. Project site winterization consisting of placement of aggregate base and protecting exposed soils during the construction phase should be performed.

A representative of our firm should be present during all site clearing and grading operations to test and observe earthwork construction. This testing and observation is an integral part of our service, as acceptance of earthwork construction is dependent upon compaction and stability of the material. The Soils Engineer may reject any material that does not meet compaction and stability requirements. Further recommendations of this report are predicated upon the assumption that earthwork construction will conform to recommendations set forth in this section and the Engineered Fill section.

Engineered Fill

The organic-free, on-site, upper native soils and fill material are predominately clayey sands, silty clays, sandy clays and clayey sandy silts. These soils contained varying amounts of gravel. The clayey soils will not be suitable for reuse as non-expansive Engineered Fill. The clayey soils will be suitable for reuse for fill placement within the upper 12 inches of slab-on-grade and exterior flatwork areas, provided they are lime-treated. The preliminary application rate of lime should be 5 percent by dry weight. The lime material should be calcium oxide, commonly known as quick-lime. The clayey soils should be above optimum moisture-condition during mixing operations. Additional testing is recommended to determine the appropriate application rate of lime prior to placement. These clayey soils will be suitable for reuse as General Engineered Fill, within pavement areas and below 12 inches from finished pad grade in building areas, provided they are cleansed of excessive organics, debris, and moisture-conditioned to at least 2 percent above optimum moisture. It is recommended that additional testing be performed on the on-site soils and fill material to evaluate the physical and index properties prior to reuse as Engineered Fill.

The preferred materials specified for Engineered Fill are suitable for most applications with the exception of exposure to erosion. Project site winterization and protection of exposed soils during the construction phase should be the sole responsibility of the Contractor, since he has complete control of the project site at that time.

Imported Fill should consist of a well-graded, slightly cohesive, fine silty sand or sandy silt soil, with relatively impervious characteristics when compacted. This material should be approved by the Soils Engineer prior to use and should typically possess the following characteristics:

Percent Passing No. 200 Sieve	20 to 50
Plasticity Index	10 maximum
UBC Standard 29-2 Expansion Index	15 maximum

Fill soils should be placed in lifts approximately 6 inches thick, moisture-conditioned to a minimum of 2 percent above optimum moisture content, and compacted to achieve at least 90 percent of maximum density based on ASTM D1557. Additional lifts should not be placed if the previous lift did not meet the required dry density or if soil conditions are not stable.

Drainage and Landscaping

The ground surface should slope away from building pad and pavement areas toward appropriate drop inlets or other surface drainage devices. In accordance with Section 1804 of the 2019 California Building Code, it is recommended that the ground surface adjacent to foundations be sloped a minimum of 5 percent for a minimum distance of 10 feet away from structures, or to an approved alternative means of drainage conveyance. Swales used for conveyance of drainage and located within 10 feet of foundations should be sloped a minimum of 2 percent. Impervious surfaces, such as pavement and exterior concrete flatwork, within 10 feet of building foundations should be sloped a minimum of 1 percent away from the structure. Drainage gradients should be maintained to carry all surface water to collection facilities and off-site. These grades should be maintained for the life of the project.

Slots or weep holes should be placed in drop inlets or other surface drainage devices in pavement areas to allow free drainage of adjoining base course materials. Cutoff walls should be installed at pavement edges adjacent to vehicular traffic areas these walls should extend to a minimum depth of 12 inches below pavement subgrades to limit the amount of seepage water that can infiltrate the pavements. Where cutoff walls are undesirable subgrade drains can be constructed to transport excess water away from planters to drainage interceptors. If cutoff walls can be successfully used at the site, construction of subgrade drains is considered unnecessary.

Utility Trench Backfill

Utility trenches should be excavated according to accepted engineering practice following OSHA (Occupational Safety and Health Administration) standards by a Contractor experienced in such work. The responsibility for the safety of open trenches should be borne by the Contractor. Traffic and

vibration adjacent to trench walls should be reduced; cyclic wetting and drying of excavation side slopes should be avoided. Depending upon the location and depth of some utility trenches, groundwater flow into open excavations could be experienced; especially during or following periods of precipitation.

Utility trench backfill placed in or adjacent to buildings and exterior slabs should be compacted to at least 90 percent of maximum density based on ASTM Test Method D1557. The utility trench backfill placed in pavement areas should be compacted to at least 90 percent of maximum density based on ASTM Test Method D1557. Pipe bedding should be in accordance with pipe manufacturer's recommendations.

Sandy and gravelly soil conditions were encountered at the site. These cohesionless soils have a tendency to cave in trench wall excavation. Shoring or sloping back trench sidewalls may be required within these sandy and gravelly soils.

The Contractor is responsible for removing all water-sensitive soils from the trench regardless of the backfill location and compaction requirements. The Contractor should use appropriate equipment and methods to avoid damage to the utilities and/or structures during fill placement and compaction.

Foundations - Structural Slab (Mat Foundations)

The building may be supported on a structural slab/mat foundation system. The structural slab/mat foundation should be supported by a minimum of 2 feet of Engineered Fill. The previously recommended densification of the upper native soils and fill material at the site should still be performed. After completion of the recommended site preparation, the structural slab foundation can be designed utilizing allowable bearing pressure of 1,500 pounds per square foot for dead-plus-live loads. The slab can be designed for isolated concentrated peak stress loads of 2,000 psf for dead-plus-live loads. These values may be increased ⅓ for short duration loads such as wind or seismic. The slab may be designed using a modulus of subgrade reaction (k) of 50 pounds per square inch per inch (pci). The thickened edges of the slab should have a minimum depth of 12 inches below pad grade (soil grade) or exterior grade, whichever is lower. Ultimate design of the slab and reinforcement should be performed by the project Structural Engineer.

Resistance to lateral displacement can be computed using an allowable friction factor of 0.3 acting between the base of foundations and the supporting subgrade. Lateral resistance for footings can alternatively be developed using an allowable equivalent fluid passive pressure of 250 pounds per cubic foot acting against the appropriate vertical footing faces. The frictional and passive resistance of the soil may be combined without reduction in determining the total lateral resistance. A ⅓ increase in the above value may be used for short duration, wind, or seismic loads.

Floor Slabs and Exterior Flatwork

In areas that will utilize moisture-sensitive floor coverings, concrete slab-on-grade floors should be underlain by a water vapor retarder. The water vapor retarder should be installed in accordance with accepted engineering practice. The water vapor retarder should consist of a vapor retarder sheeting underlain by a minimum of 3 inches of compacted, clean, gravel of ¾-inch maximum size. To aid in

concrete curing an optional 2 to 4 inches of granular fill may be placed on top of the vapor retarder. The granular fill should consist of damp clean sand with at least 10 to 30 percent of the sand passing the 100 sieve. The sand should be free of clay, silt, or organic material. Rock dust which is manufactured sand from rock crushing operations is typically suitable for the granular fill. This granular fill material should be compacted.

The exterior floors should be poured separately in order to act independently of the walls and foundation system. Exterior finish grades should be sloped a minimum of 2 percent away from all interior slab areas to preclude ponding of water adjacent to the structures. All fills required to bring the building pads to grade should be Engineered Fills.

Moisture within the structure may be derived from water vapors, which were transformed from the moisture within the soils. This moisture vapor can travel through the vapor membrane and penetrate the slab-on-grade. This moisture vapor penetration can affect floor coverings and produce mold and mildew in the structure. To reduce moisture vapor intrusion, it is recommended that a vapor retarder be installed. It is recommended that the utility trenches within the structure be compacted, as specified in our report, to reduce the transmission of moisture through the utility trench backfill. Special attention to the immediate drainage and irrigation around the building is recommended. Positive drainage should be established away from the structure and should be maintained throughout the life of the structure. Ponding of water should not be allowed adjacent to the structure. Over-irrigation within landscaped areas adjacent to the structure should not be performed. In addition, ventilation of the structure (i.e. ventilation fans) is recommended to reduce the accumulation of interior moisture.

Lateral Earth Pressures and Retaining Walls

Walls retaining horizontal backfill and capable of deflecting a minimum of 0.1 percent of its height at the top may be designed using an equivalent fluid active pressure of 50 pounds per square foot per foot of depth. Walls that are incapable of this deflection or walls that are fully constrained against deflection may be designed for an equivalent fluid at-rest pressure of 70 pounds per square foot per foot per depth. Expansive soils should not be used for backfill against walls. The wedge of non-expansive backfill material should extend from the bottom of each retaining wall outward and upward at a slope of 2:1 (horizontal to vertical) or flatter. The stated lateral earth pressures do not include the effects of hydrostatic water pressures generated by infiltrating surface water that may accumulate behind the retaining walls; or loads imposed by construction equipment, foundations, or roadways.

During grading and backfilling operations adjacent to any walls, heavy equipment should not be allowed to operate within a lateral distance of 5 feet from the wall, or within a lateral distance equal to the wall height, whichever is greater, to avoid developing excessive lateral pressures. Within this zone, only hand operated equipment ("whackers," vibratory plates, or pneumatic compactors) should be used to compact the backfill soils.

Retaining and/or below grade walls should be drained with either perforated pipe encased in free-draining gravel or a prefabricated drainage system. The gravel zone should have a minimum width of 12 inches wide and should extend upward to within 12 inches of the top of the wall. The upper 12 inches of backfill should consist of native soils, concrete, asphaltic concrete or other suitable backfill to reduce

surface drainage into the wall drain system. The aggregate should conform to Class 2 permeable materials graded in accordance with the CalTrans Standard Specifications (2018). Prefabricated drainage systems, such as Miradrain®, Enkadrain®, or an equivalent substitute, are acceptable alternatives in lieu of gravel provided they are installed in accordance with the manufacturer's recommendations. If a prefabricated drainage system is proposed, our firm should review the system for final acceptance prior to installation.

Drainage pipes should be placed with perforations down and should discharge in a non-erosive manner away from foundations and other improvements. The pipes should be placed no higher than 6 inches above the heel of the wall in the center line of the drainage blanket and should have a minimum diameter of 4 inches. Collector pipes may be either slotted or perforated. Slots should be no wider than ⅛ inch in diameter, while perforations should be no more than ¼ inch in diameter. If retaining walls are less than 6 feet in height, the perforated pipe may be omitted in lieu of weep holes on 4 feet maximum spacing. The weep holes should consist of 4-inch diameter holes (concrete walls) or unmortared head joints (masonry walls) and not be higher than 18 inches above the lowest adjacent grade. Two 8-inch square overlapping patches of geotextile fabric (conforming to the CalTrans Standard Specifications for "edge drains") should be affixed to the rear wall opening of each weep hole to retard soil piping.

R-Value Test Results and Pavement Design

Two subgrade soil samples were obtained from the project site for R-value testing at the locations shown on the attached site plan. The samples were tested in accordance with the State of California Materials Manual Test Designation 301. Results of the tests are as follows:

Sample	Depth	Description	R-Value at Equilibrium
1	12-24"	Sandy Silt (ML) w/ clay	21
2	12-24"	Sandy Silt (ML) w/ clay	22

The test results are moderate and indicate fair subgrade support characteristics under dynamic traffic loads. The following table shows the recommended pavement sections for various traffic indices.

Traffic Index	Asphaltic Concrete	Class II Aggregate Base*	Class III Aggregate Subbase*	Compacted Subgrade**
4.0	2.0"	6.5"	--	12.0"
4.0	2.0"	4.5"	2.0"	12.0"
4.5	2.5"	6.5"	--	12.0"
4.5	2.5"	4.0"	3.0"	12.0"
5.0	2.5"	8.0"	--	12.0"
5.0	2.5"	5.0"	3.5"	12.0"
5.5	3.0"	8.0"	--	12.0"
5.5	3.0"	5.0"	3.5"	12.0"

6.0	3.0"	10.0"	--	12.0"
6.0	3.0"	6.5"	4.0"	12.0"
6.5	3.5"	10.5"	--	12.0"
6.5	3.5"	6.0"	5.0"	12.0"
7.0	4.0"	11.5"	--	12.0"
7.0	4.0"	6.5"	5.5"	12.0"
7.5	4.0"	13.0"	--	12.0"
7.5	4.0"	7.5"	6.0"	12.0"

** 95% compaction based on ASTM Test Method D1557 or CAL 216*
*** 90% compaction based on ASTM Test Method D1557 or CAL 216*

If traffic indices are not available, an estimated (typical value) index of 4.5 may be used for light automobile traffic and an index of 7.0 may be used for light truck traffic.

The following recommendations are for light-duty and heavy-duty Portland Cement Concrete pavement sections.

PORTLAND CEMENT PAVEMENT
LIGHT DUTY

Traffic Index	Portland Cement Concrete***	Class II Aggregate Base*	Compacted Subgrade**
4.5	5.5"	4.0"	12.0"

HEAVY DUTY

Traffic Index	Portland Cement Concrete***	Class II Aggregate Base*	Compacted Subgrade**
7.0	7.0"	4.0"	12.0"

** 95% compaction based on ASTM Test Method D1557 or CAL 216*
*** 90% compaction based on ASTM Test Method D1557 or CAL 216*
****Minimum compressive strength of 3000 psi*

It is recommended that any uncertified fill material encountered within pavement areas be removed and/or recompacted. The fill material should be moisture-conditioned to near optimum moisture and recompacted to a minimum of 90 percent of maximum density based on ASTM Test Method D1557. As an alternative, the Owner may elect not to recompact the existing fill within paved areas. However, the Owner should be aware that the paved areas may settle which may require annual maintenance. At a minimum, it is recommended that the upper 12 inches of subgrade soil be moisture-conditioned as necessary and recompacted to a minimum of 90 percent of maximum density based on ASTM Test Method D1557.

Seismic Parameters – 2019 California Building Code

The Site Class per Section 1613 of the 2019 California Building Code (2019 CBC) and ASCE 7-16, Chapter 20 is based upon the site soil conditions. It is our opinion that a Site Class D is most consistent with the subject site soil conditions. For seismic design of the structures based on the seismic provisions of the 2019 CBC, we recommend the following parameters:

Seismic Item	Value	CBC Reference
Site Class	D	Section 1613.2.2
Site Coefficient F_a	1.200	Table 1613.2.3 (1)
S_s	1.856	Section 1613.2.1
S_{MS}	2.227	Section 1613.2.3
S_{DS}	1.485	Section 1613.2.4
Site Coefficient F_v	1.700	Table 1613.2.3 (2)
S_1	0.708	Section 1613.2.1
S_{M1}	1.204	Section 1613.2.3
S_{D1}	0.802	Section 1613.2.4
T_S	0.540	Section 1613.2

* Values based on equivalent static force procedure being used in design.

Soil Cement Reactivity

Excessive sulfate in either the soil or native water may result in an adverse reaction between the cement in concrete (or stucco) and the soil. HUD/FHA and CBC have developed criteria for evaluation of sulfate levels and how they relate to cement reactivity with soil and/or water.

Soil samples were obtained from the site and tested in accordance with State of California Materials Manual Test Designation 417. The sulfate concentrations detected in these soil samples were less than 150 ppm and are below the maximum allowable values established by HUD/FHA and CBC. However, it is recommended that a Type II cement be used within the concrete to compensate for sulfate reactivity with the cement.

Compacted Material Acceptance

Compaction specifications are not the only criteria for acceptance of the site grading or other such activities. However, the compaction test is the most universally recognized test method for assessing the performance of the Grading Contractor. The numerical test results from the compaction test cannot be used to predict the engineering performance of the compacted material. Therefore, the acceptance of compacted materials will also be dependent on the stability of that material. The Soils Engineer has the option of rejecting any compacted material regardless of the degree of compaction if that material is considered to be unstable or if future instability is suspected. A specific example of rejection of fill material passing the required percent compaction is a fill which has been compacted with an in-situ moisture content significantly less than optimum moisture. This type of dry fill (brittle fill) is susceptible to future settlement if it becomes saturated or flooded.

Testing and Inspection

A representative of Krazan & Associates, Inc. should be present at the site during the earthwork activities to confirm that actual subsurface conditions are consistent with the exploratory fieldwork. This activity is an integral part of our service, as acceptance of earthwork construction is dependent upon compaction testing and stability of the material. This representative can also verify that the intent of these recommendations is incorporated into the project design and construction. Krazan & Associates, Inc. will not be responsible for grades or staking, since this is the responsibility of the Prime Contractor.

LIMITATIONS

Soils Engineering is one of the newest divisions of Civil Engineering. This branch of Civil Engineering is constantly improving as new technologies and understanding of earth sciences advance. Although your site was analyzed using the most appropriate and most current techniques and methods, undoubtedly there will be substantial future improvements in this branch of engineering. In addition to advancements in the field of Soils Engineering, physical changes in the site, either due to excavation or fill placement, new agency regulations, or possible changes in the proposed structure after the soils report is completed may require the soils report to be professionally reviewed. In light of this, the Owner should be aware that there is a practical limit to the usefulness of this report without critical review. Although the time limit for this review is strictly arbitrary, it is suggested that 2 years be considered a reasonable time for the usefulness of this report.

Foundation and earthwork construction is characterized by the presence of a calculated risk that soil and groundwater conditions have been fully revealed by the original foundation investigation. This risk is derived from the practical necessity of basing interpretations and design conclusions on limited sampling of the earth. The recommendations made in this report are based on the assumption that soil conditions do not vary significantly from those disclosed during our field investigation. If any variations or undesirable conditions are encountered during construction, the Soils Engineer should be notified so that supplemental recommendations may be made.

The conclusions of this report are based on the information provided regarding the proposed construction. If the proposed construction is relocated or redesigned, the conclusions in this report may not be valid. The Soils Engineer should be notified of any changes so the recommendations may be reviewed and re-evaluated.

This report is a Geotechnical Engineering Investigation with the purpose of evaluating the soil conditions in terms of foundation design. The scope of our services did not include any Environmental Site Assessment for the presence or absence of hazardous and/or toxic materials in the soil, groundwater, or atmosphere; or the presence of wetlands. Any statements, or absence of statements, in this report or on any boring log regarding odors, unusual or suspicious items, or conditions observed, are strictly for descriptive purposes and are not intended to convey engineering judgment regarding potential hazardous and/or toxic assessment.

The geotechnical engineering information presented herein is based upon professional interpretation utilizing standard engineering practices and a degree of conservatism deemed proper for this project. It is not warranted that such information and interpretation cannot be superseded by future geotechnical engineering developments. We emphasize that this report is valid for the project outlined above and should not be used for any other sites.

If you have any questions, or if we may be of further assistance, please do not hesitate to contact our office at (925) 307-1160.

Respectfully submitted,
KRAZAN & ASSOCIATES, INC.

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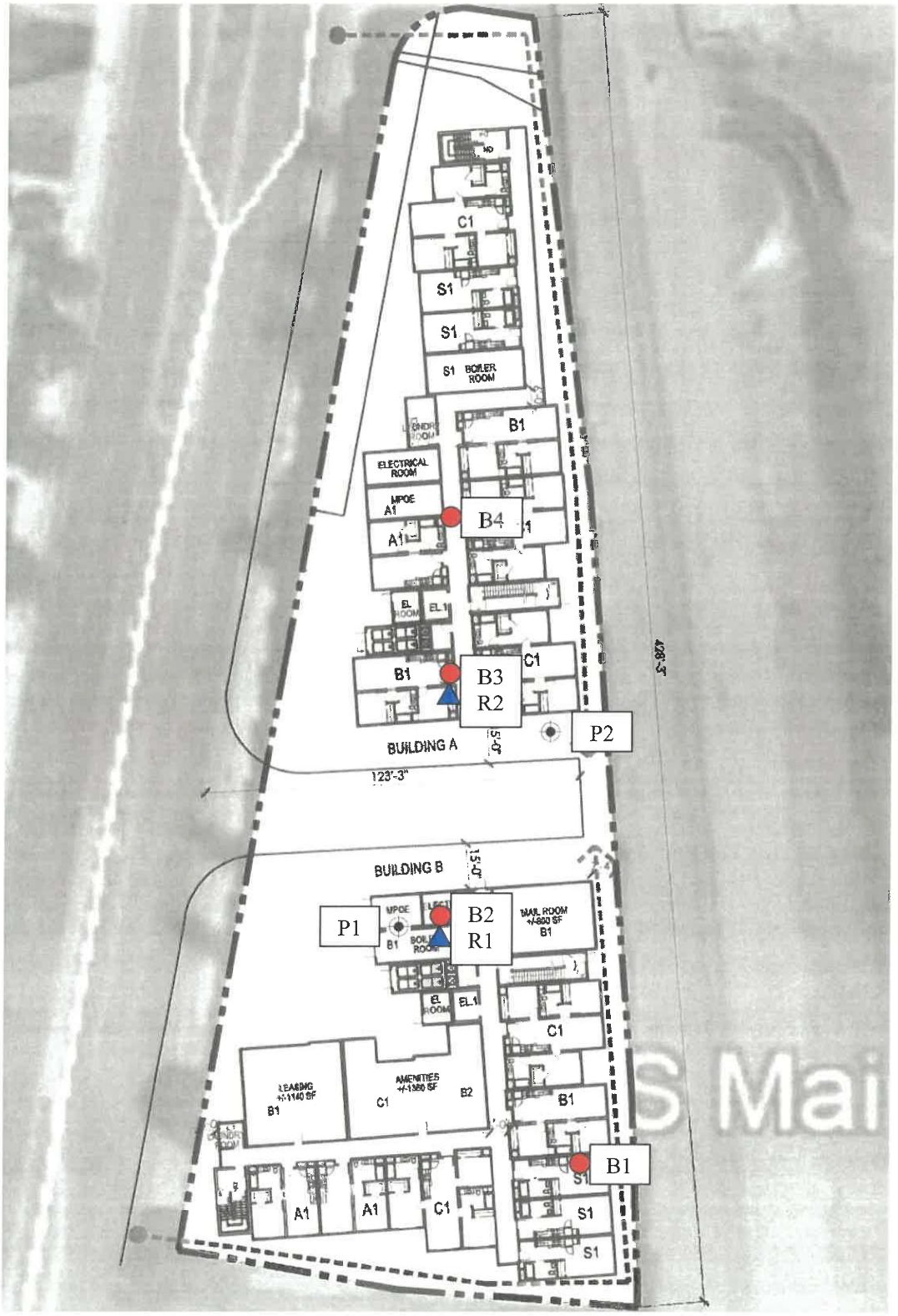


APPROXIMATE BORING LOCATION APPROXIMATE R-VALUE LOCATION

APPROXIMATE PERCOLATION TEST LOCATION

SITE MAP	Scale: NTS	Date: July 2021	Krazan GEOTECHNICAL ENGINEERING
Multi-Family Residential Development 1300 South Main Street Milpitas, California	Drawn by: HT	Approved by: DJ	
	Project No. 042-21016	Figure No. 1	

APPENDIX A

FIELD AND LABORATORY INVESTIGATIONS

Field Investigation

The field investigation consisted of a surface reconnaissance and a subsurface exploratory program. Four 4½-inch to 6½-inch diameter exploratory borings were advanced. The boring locations are shown on the site plan.

The soils encountered were logged in the field during the exploration and with supplementary laboratory test data are described in accordance with the Unified Soil Classification System.

Modified standard penetration tests and standard penetration tests were performed at selected depths. These tests represent the resistance to driving a 2½-inch and 1½-inch diameter split barrel sampler, respectively. The driving energy was provided by a hammer weighing 140 pounds falling 30 inches. Relatively undisturbed soil samples were obtained while performing this test. Bag samples of the disturbed soil were obtained from the auger cuttings. The modified standard penetration tests are identified in the sample type on the boring logs with a full shaded in block. The standard penetration tests are identified in the sample type on the boring logs with half of the block shaded. All samples were returned to our Clovis laboratory for evaluation.

Laboratory Investigation

The laboratory investigation was programmed to determine the physical and mechanical properties of the foundation soil underlying the site. Test results were used as criteria for determining the engineering suitability of the surface and subsurface materials encountered.

In-situ moisture content, dry density, consolidation, direct shear and sieve analysis tests were completed for the undisturbed samples representative of the subsurface material. Atterberg limits, expansion index and R-value tests were completed for select bag samples obtained from the auger cuttings. These tests, supplemented by visual observation, comprised the basis for our evaluation of the site material.

The logs of the exploratory borings and laboratory determinations are presented in this Appendix.

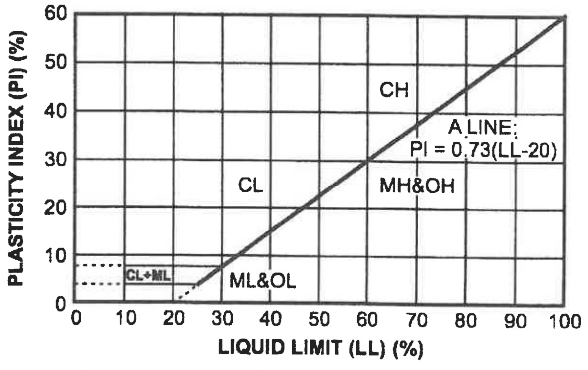
UNIFIED SOIL CLASSIFICATION SYSTEM

UNIFIED SOIL CLASSIFICATION AND SYMBOL CHART			
COARSE-GRAINED SOILS (more than 50% of material is larger than No. 200 sieve size.)			
GRAVELS More than 50% of coarse fraction larger than No. 4 sieve size	Clean Gravels (Less than 5% fines)		
		GW	Well-graded gravels, gravel-sand mixtures, little or no fines
		GP	Poorly-graded gravels, gravel-sand mixtures, little or no fines
	Gravels with fines (More than 12% fines)		
		GM	Silty gravels, gravel-sand-silt mixtures
		GC	Clayey gravels, gravel-sand-clay mixtures
SANDS 50% or more of coarse fraction smaller than No. 4 sieve size	Clean Sands (Less than 5% fines)		
		SW	Well-graded sands, gravelly sands, little or no fines
		SP	Poorly graded sands, gravelly sands, little or no fines
	Sands with fines (More than 12% fines)		
		SM	Silty sands, sand-silt mixtures
		SC	Clayey sands, sand-clay mixtures
FINE-GRAINED SOILS (50% or more of material is smaller than No. 200 sieve size.)			
SILTS AND CLAYS Liquid limit less than 50%		ML	Inorganic silts and very fine sands, rock flour, silty of clayey fine sands or clayey silts with slight plasticity
		CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
		OL	Organic silts and organic silty clays of low plasticity
SILTS AND CLAYS Liquid limit 50% or greater		MH	Inorganic silts, micaceous or diatomaceous fine sandy or silty soils, elastic silts
		CH	Inorganic clays of high plasticity, fat clays
		OH	Organic clays of medium to high plasticity, organic silts
HIGHLY ORGANIC SOILS		PT	Peat and other highly organic soils

CONSISTENCY CLASSIFICATION	
Description	**Blows per Foot**
Granular Soils	
Very Loose	< 5
Loose	5 – 15
Medium Dense	16 – 40
Dense	41 – 65
Very Dense	> 65
Cohesive Soils	
Very Soft	< 3
Soft	3 – 5
Firm	6 – 10
Stiff	11 – 20
Very Stiff	21 – 40
Hard	> 40

GRAIN SIZE CLASSIFICATION		
Grain Type	*Standard Sieve Size*	*Grain Size in Millimeters*
Boulders	Above 12 inches	Above 305
Cobbles	12 to 13 inches	305 to 76.2
Gravel	3 inches to No. 4	76.2 to 4.76
Coarse-grained	3 to ¾ inches	76.2 to 19.1
Fine-grained	¾ inches to No. 4	19.1 to 4.76
Sand	No. 4 to No. 200	4.76 to 0.074
Coarse-grained	No. 4 to No. 10	4.76 to 2.00
Medium-grained	No. 10 to No. 40	2.00 to 0.042
Fine-grained	No. 40 to No. 200	0.042 to 0.074
Silt and Clay	Below No. 200	Below 0.074

PLASTICITY CHART



Log of Boring B1

Project: Multi-Family Residential Development

Project No: 042-21016

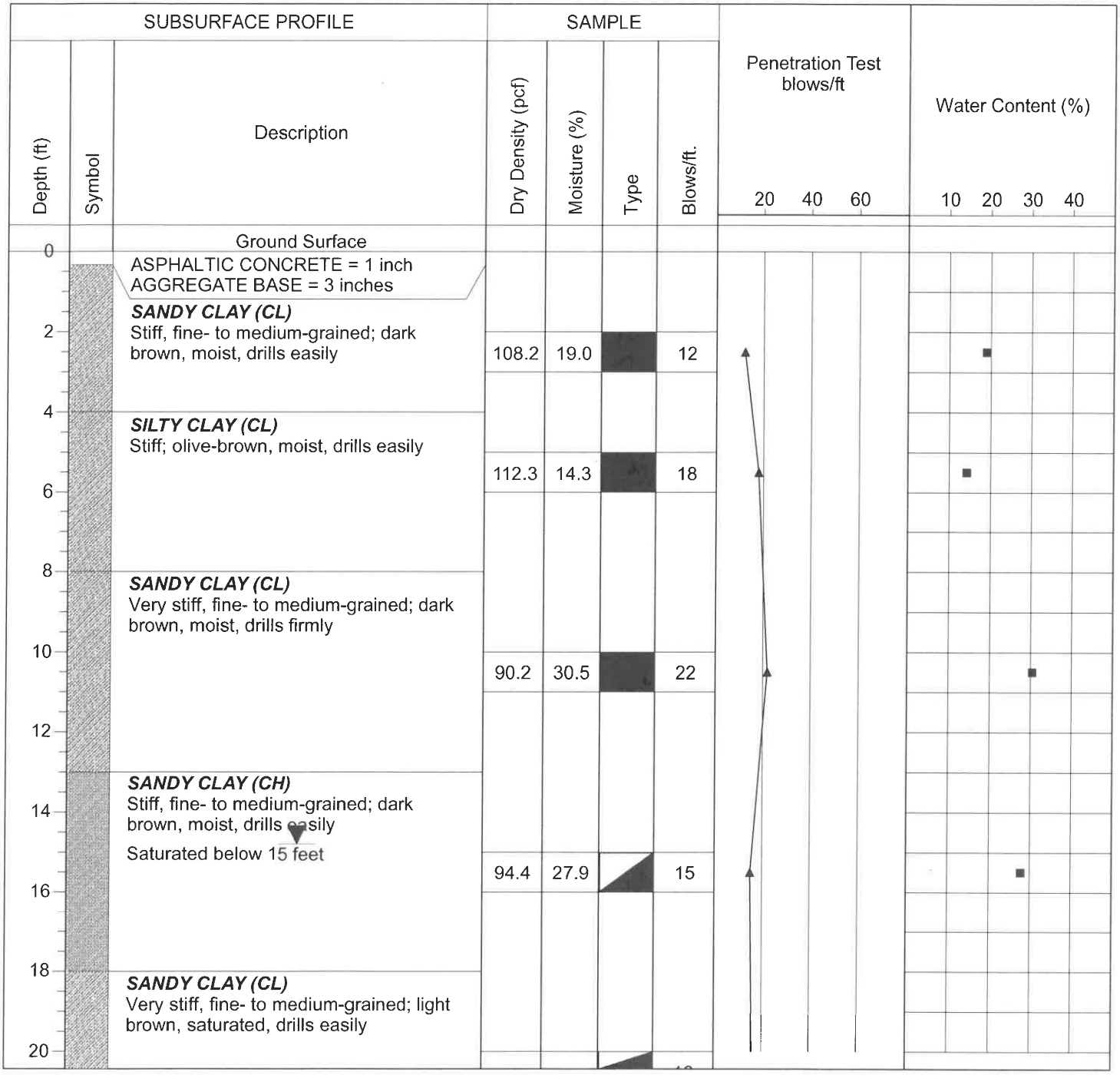
Client: AMG & Associates, LLC

Figure No.: A-1

Location: 1300 South Main Street, Milpitas, California

Logged By: Carlos Jimenez

Depth to Water> **Initial:** 20½ Feet **At Completion:** 15 Feet



Drill Method: Hollow Stem

Drill Date: 6-22-21

Drill Rig: CME 45C-1

Krazan and Associates

Hole Size: 6½ Inches

Driller: Chris Wyneken

Elevation: 45 Feet

Sheet: 1 of 3

Log of Boring B1

Project: Multi-Family Residential Development

Project No: 042-21016

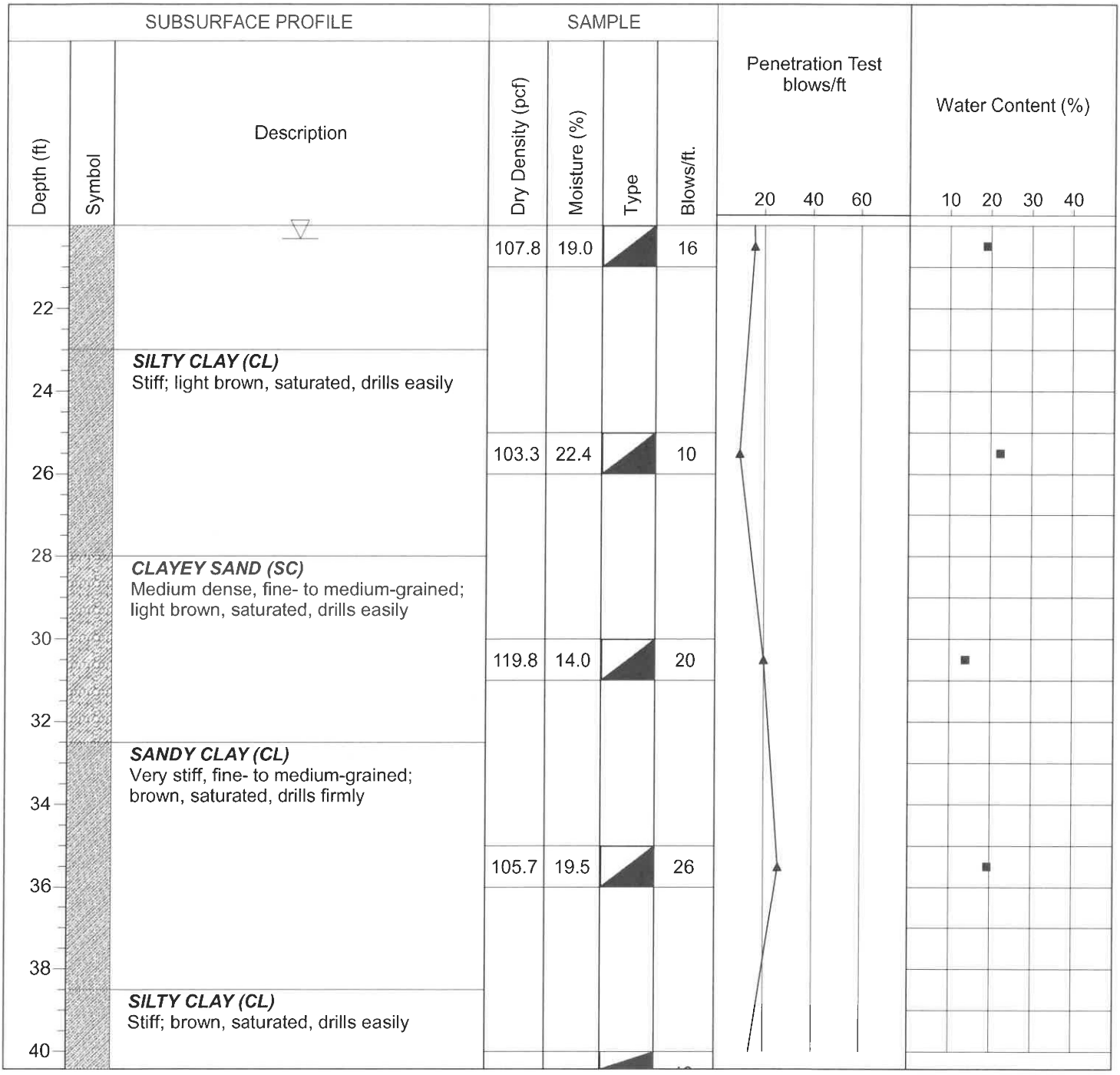
Client: AMG & Associates, LLC

Figure No.: A-1

Location: 1300 South Main Street, Milpitas, California

Logged By: Carlos Jimenez

Depth to Water> **Initial:** 20½ Feet **At Completion:** 15 Feet



Drill Method: Hollow Stem

Drill Date: 6-22-21

Drill Rig: CME 45C-1

Krazan and Associates

Hole Size: 6½ Inches

Driller: Chris Wyneken

Elevation: 45 Feet

Log of Boring B1

Project: Multi-Family Residential Development

Project No: 042-21016

Client: AMG & Associates, LLC

Figure No.: A-1

Location: 1300 South Main Street, Milpitas, California

Logged By: Carlos Jimenez

Depth to Water> **Initial:** 20½ Feet **At Completion:** 15 Feet

SUBSURFACE PROFILE			SAMPLE				Penetration Test blows/ft	Water Content (%)
Depth (ft)	Symbol	Description	Dry Density (pcf)	Moisture (%)	Type	Blows/ft.	20 40 60	10 20 30 40
42			111.9	18.5		13		
44								
46		End of Borehole						
48								
50								
52								
54								
56								
58								
60								

Drill Method: Hollow Stem

Drill Rig: CME 45C-1

Driller: Chris Wyneken

Krazan and Associates

Drill Date: 6-22-21

Hole Size: 6½ Inches

Elevation: 45 Feet

Sheet: 3 of 3

Log of Boring B2

Project: Multi-Family Residential Development

Project No: 042-21016

Client: AMG & Associates, LLC

Figure No.: A-2

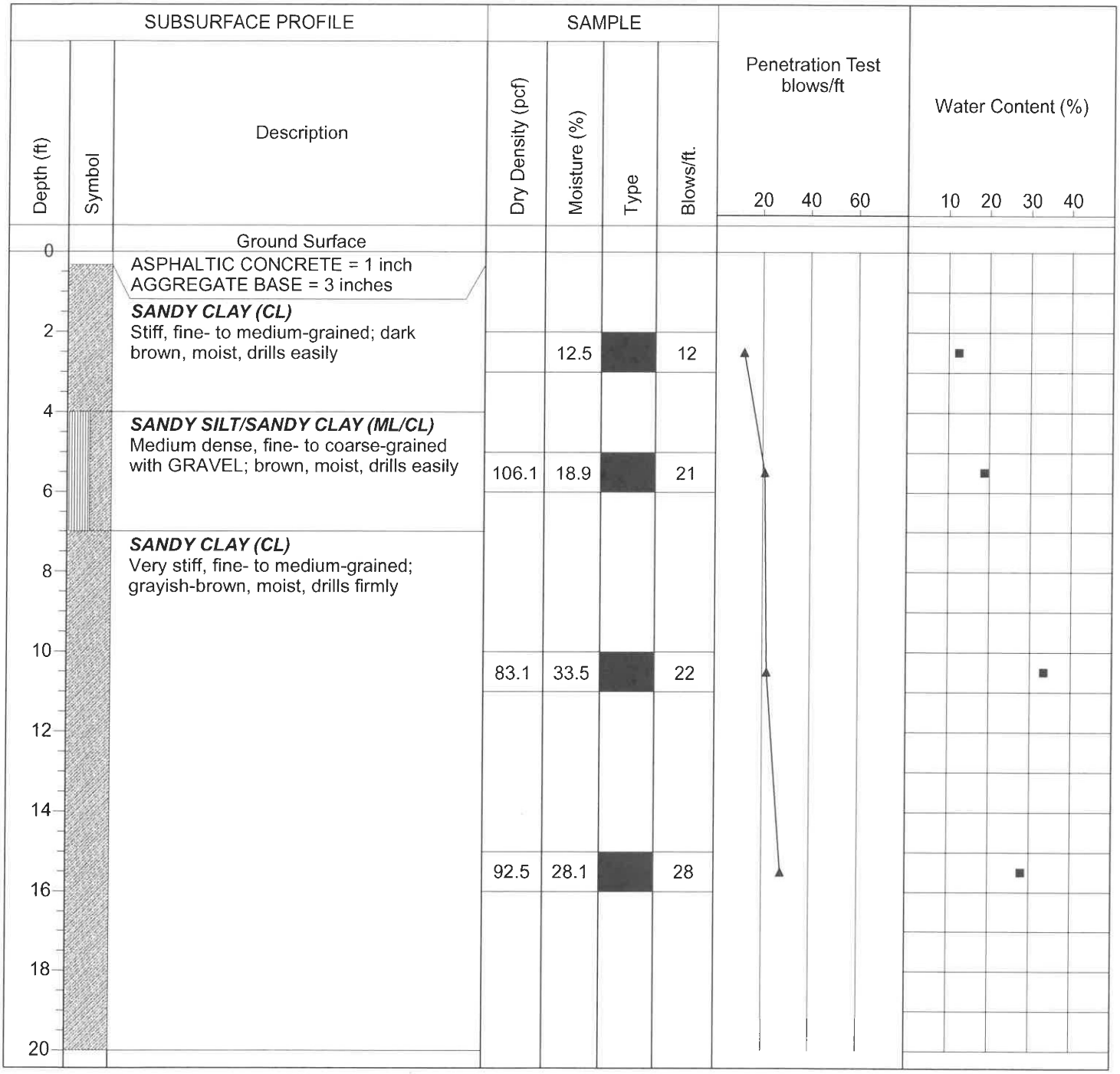
Location: 1300 South Main Street, Milpitas, California

Logged By: Carlos Jimenez

Depth to Water>

Initial: None

At Completion: None



Drill Method: Solid Flight

Drill Rig: CME 45C-1

Driller: Chris Wyneken

Krazan and Associates

Drill Date: 6-22-21

Hole Size: 4½ Inches

Elevation: 20 Feet

Sheet: 1 of 1

Log of Boring B3

Project: Multi-Family Residential Development

Project No: 042-21016

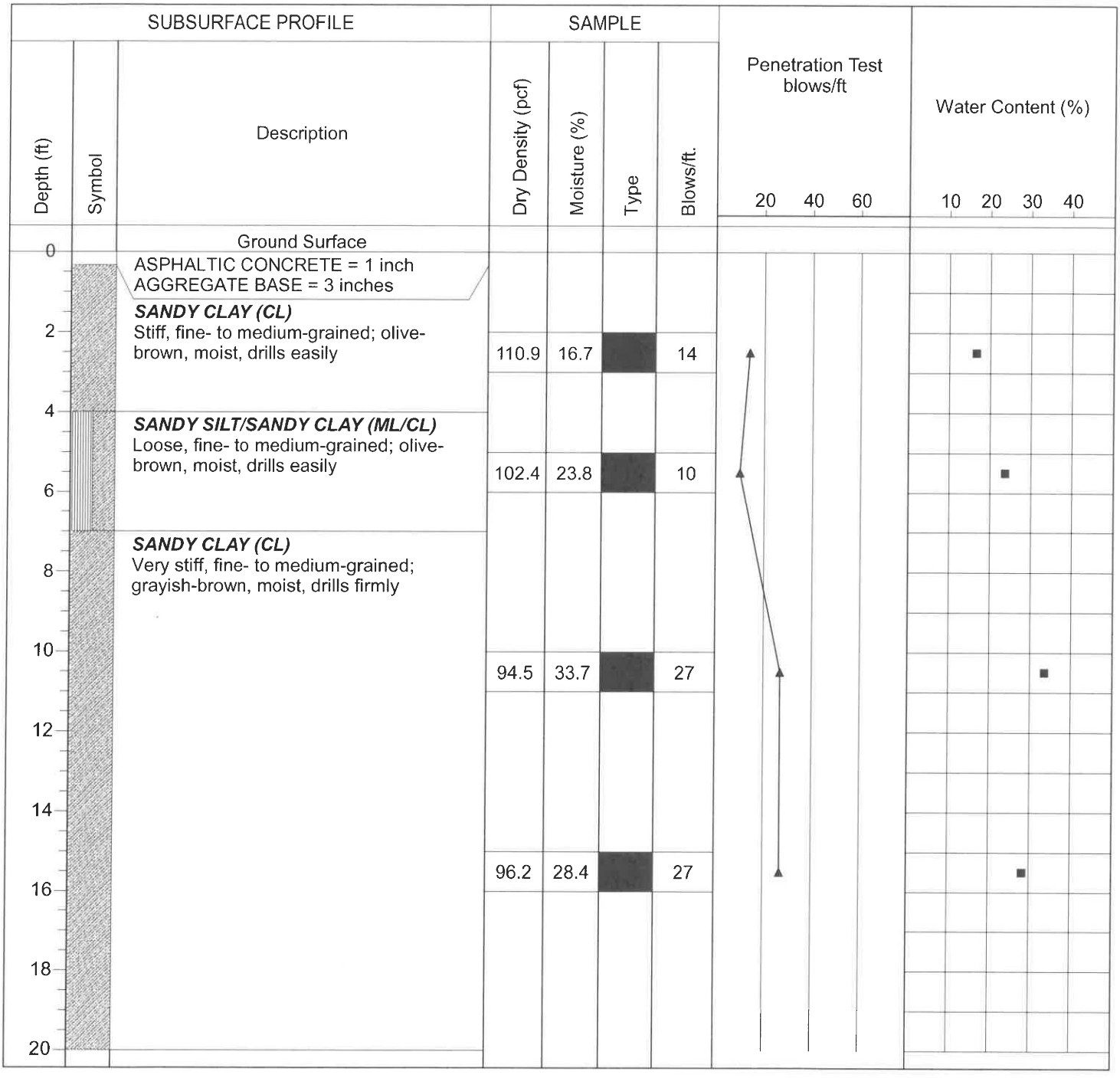
Client: AMG & Associates, LLC

Figure No.: A-3

Location: 1300 South Main Street, Milpitas, California

Logged By: Carlos Jimenez

Depth to Water> **Initial:** None **At Completion:** None



Drill Method: Solid Flight

Drill Date: 6-22-21

Drill Rig: CME 45C-1

Krazan and Associates

Hole Size: 4½ Inches

Driller: Chris Wyneken

Elevation: 20 Feet

Sheet: 1 of 1

Log of Boring B4

Project: Multi-Family Residential Development

Project No: 042-21016

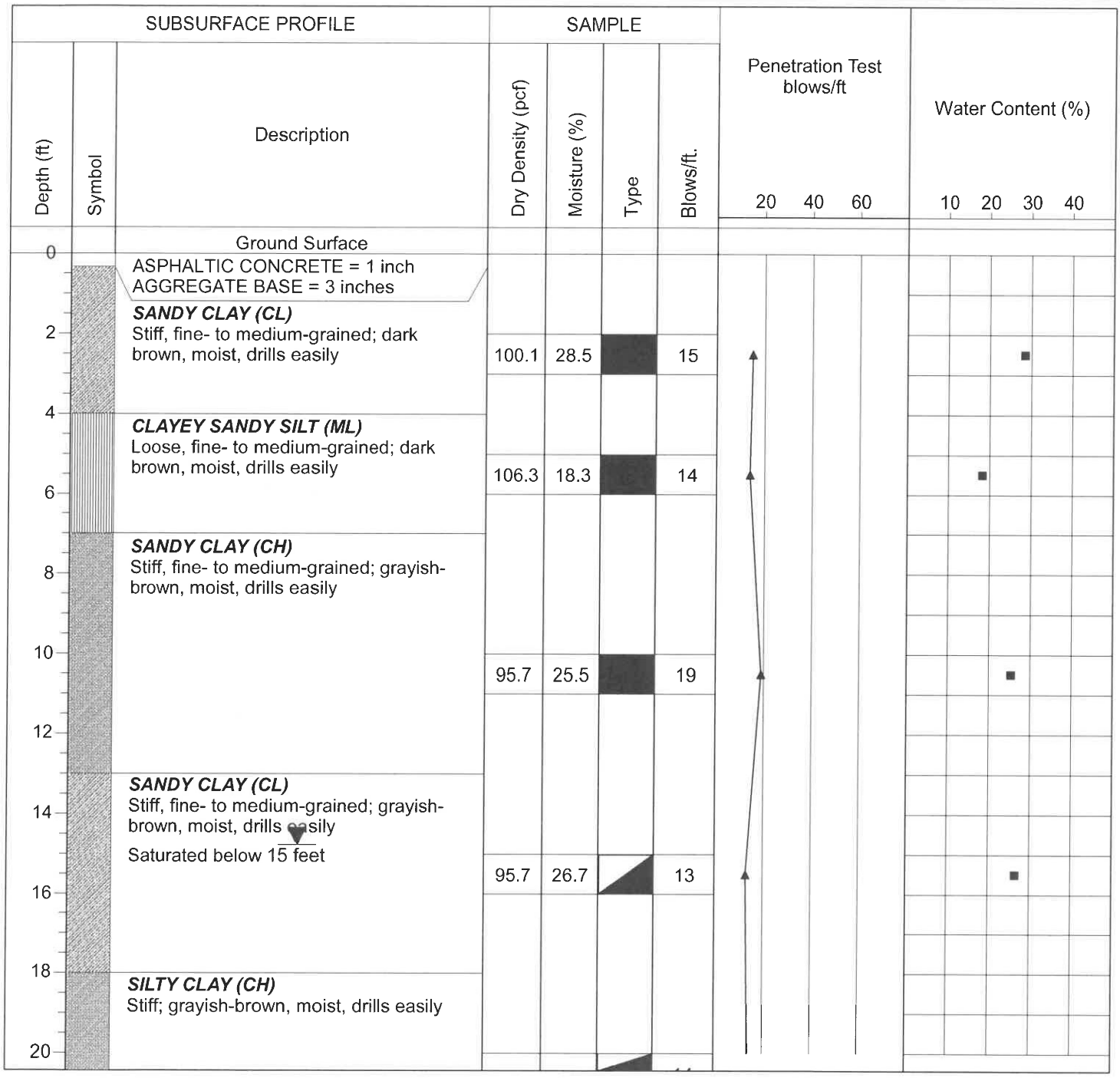
Client: AMG & Associates, LLC

Figure No.: A-4

Location: 1300 South Main Street, Milpitas, California

Logged By: Carlos Jimenez

Depth to Water> **Initial:** 25 Feet **At Completion:** 20 Feet



Drill Method: Hollow Stem

Drill Date: 6-22-21

Drill Rig: CME 45C-1

Krazan and Associates

Hole Size: 6½ Inches

Driller: Chris Wyneken

Elevation: 45 Feet

Log of Boring B4

Project: Multi-Family Residential Development

Project No: 042-21016

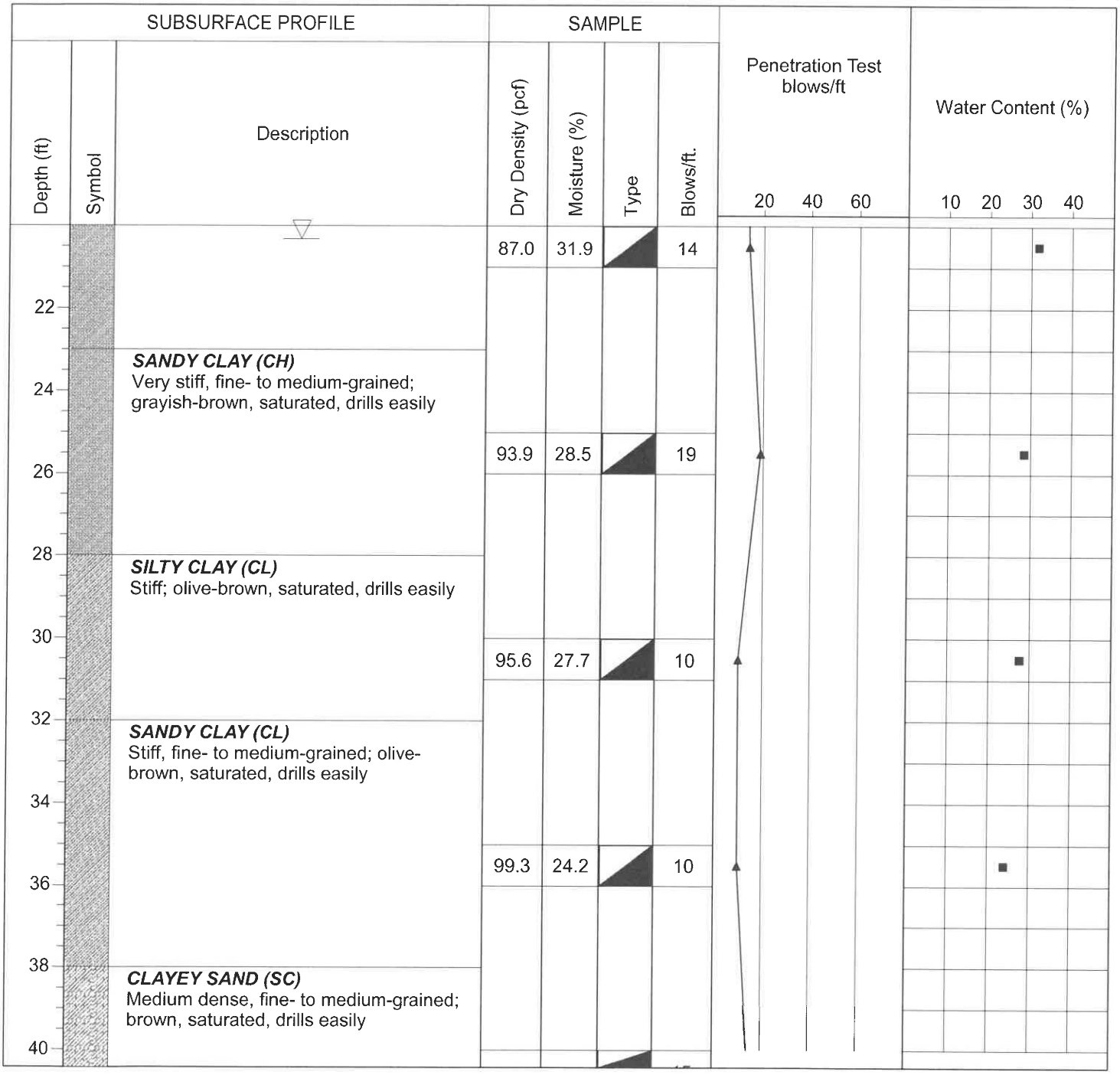
Client: AMG & Associates, LLC

Figure No.: A-4

Location: 1300 South Main Street, Milpitas, California

Logged By: Carlos Jimenez

Depth to Water> **Initial:** 25 Feet **At Completion:** 20 Feet



Drill Method: Hollow Stem

Drill Date: 6-22-21

Drill Rig: CME 45C-1

Krazan and Associates

Hole Size: 6½ Inches

Driller: Chris Wyneken

Elevation: 45 Feet

Log of Boring B4

Project: Multi-Family Residential Development

Project No: 042-21016

Client: AMG & Associates, LLC

Figure No.: A-4

Location: 1300 South Main Street, Milpitas, California

Logged By: Carlos Jimenez

Depth to Water>

Initial: 25 Feet

At Completion: 20 Feet

SUBSURFACE PROFILE			SAMPLE				Penetration Test blows/ft	Water Content (%)
Depth (ft)	Symbol	Description	Dry Density (pcf)	Moisture (%)	Type	Blows/ft.	20 40 60	10 20 30 40
			115.9	15.6		15		
42								
44								
		End of Borehole						
46								
48								
50								
52								
54								
56								
58								
60								

Drill Method: Hollow Stem

Drill Date: 6-22-21

Drill Rig: CME 45C-1

Krazan and Associates

Hole Size: 6½ Inches

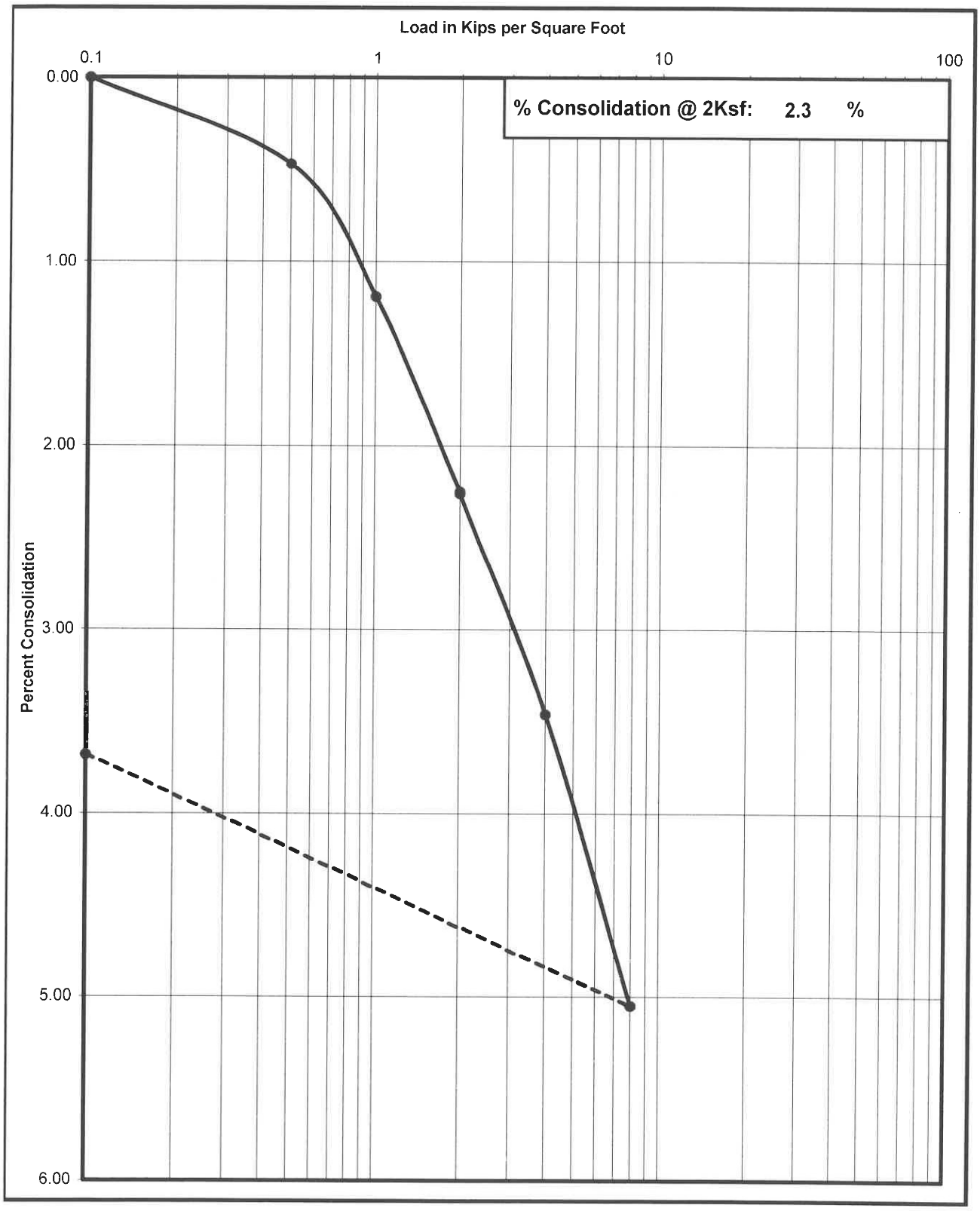
Driller: Chris Wyneken

Elevation: 45 Feet

Sheet: 3 of 3

Consolidation Test

Project No	Boring No. & Depth	Date	Soil Classification
042-21016	B2 @ 5-6'	7/13/2021	ML-CL



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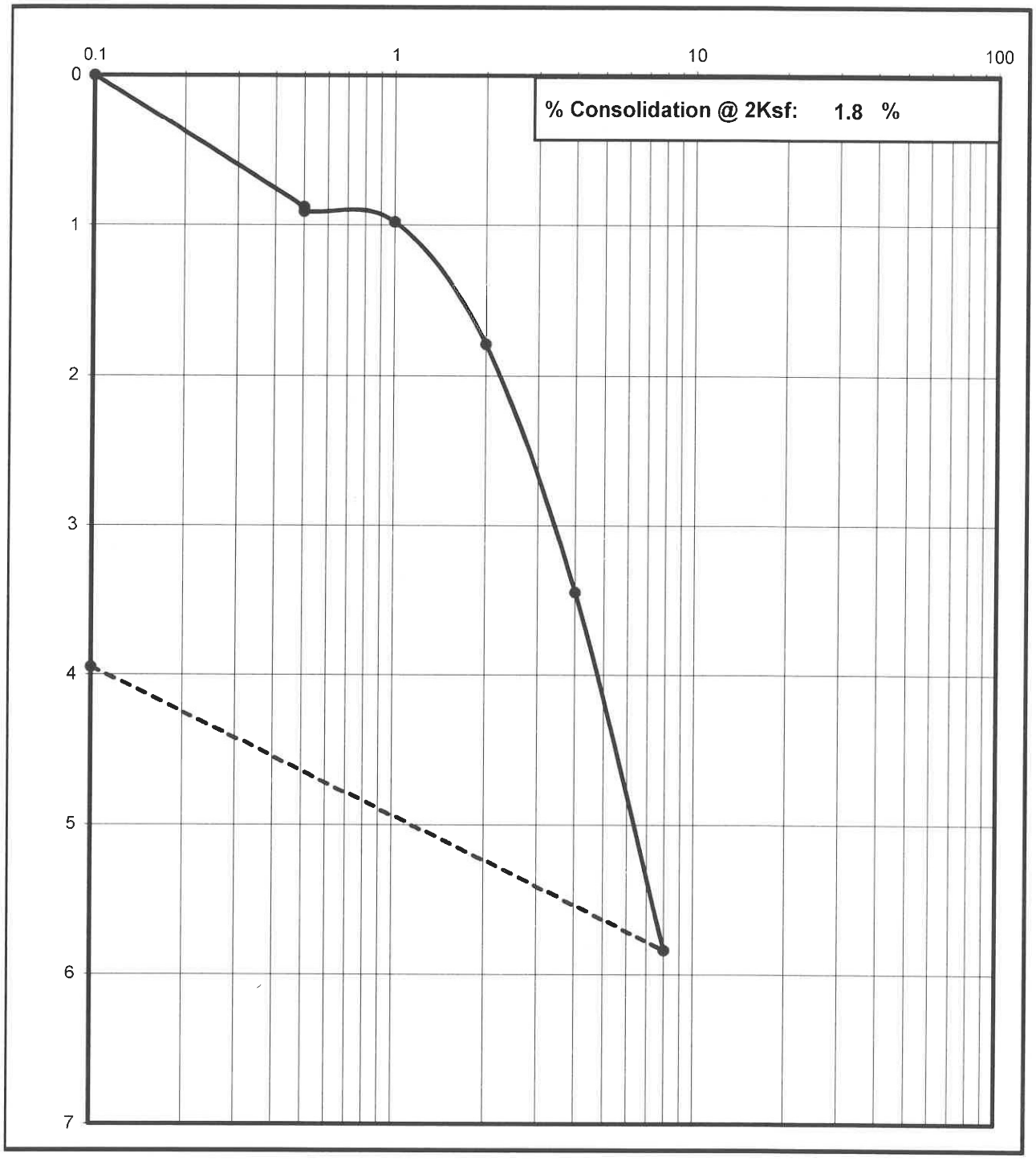
Consolidation Test

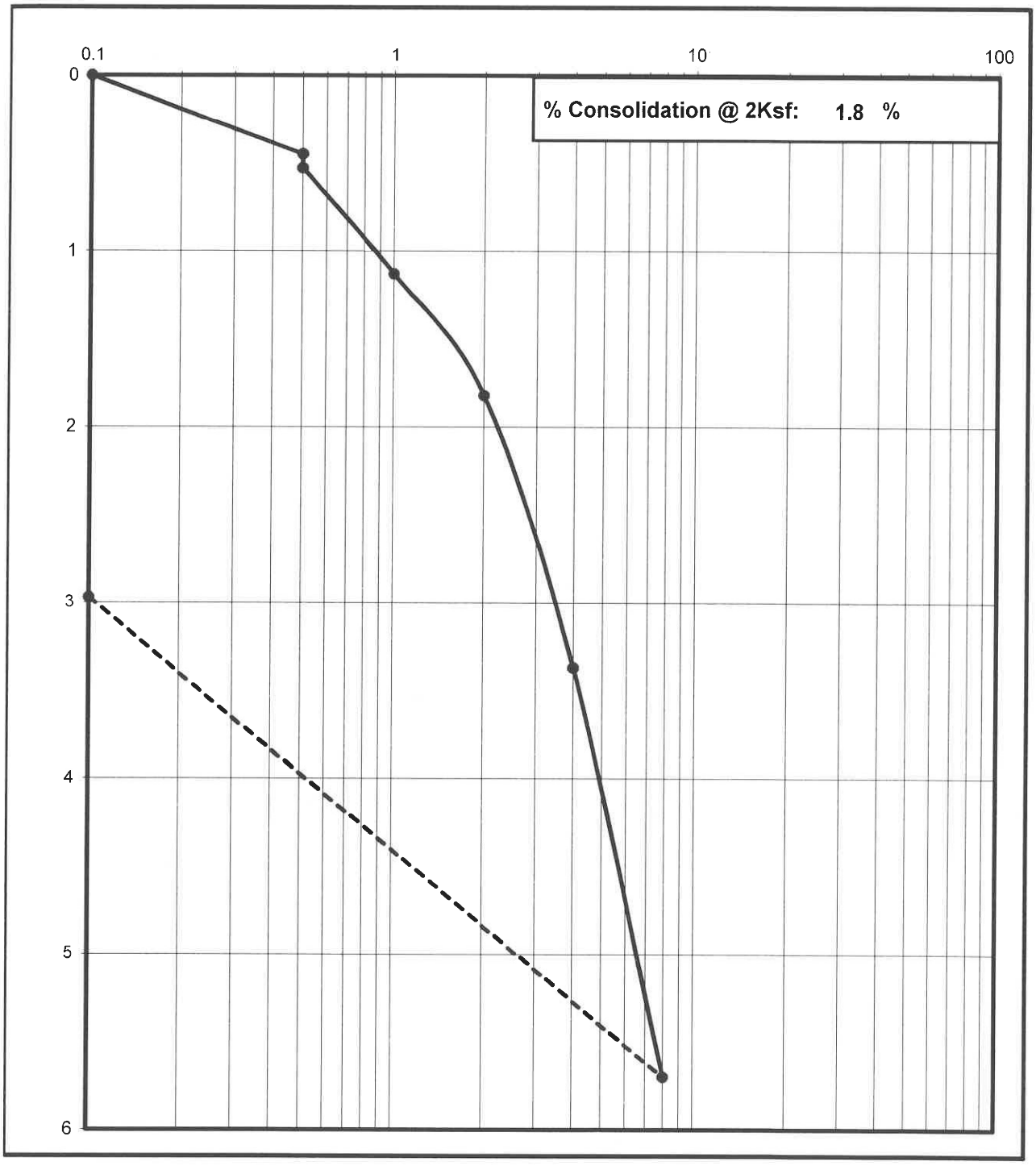
Project No	Boring No. & Depth	Date	Soil Classification
042-21016	B3 @ 2-3'	7/13/2021	CL



Krazan Testing Laboratory

Consolidation Test

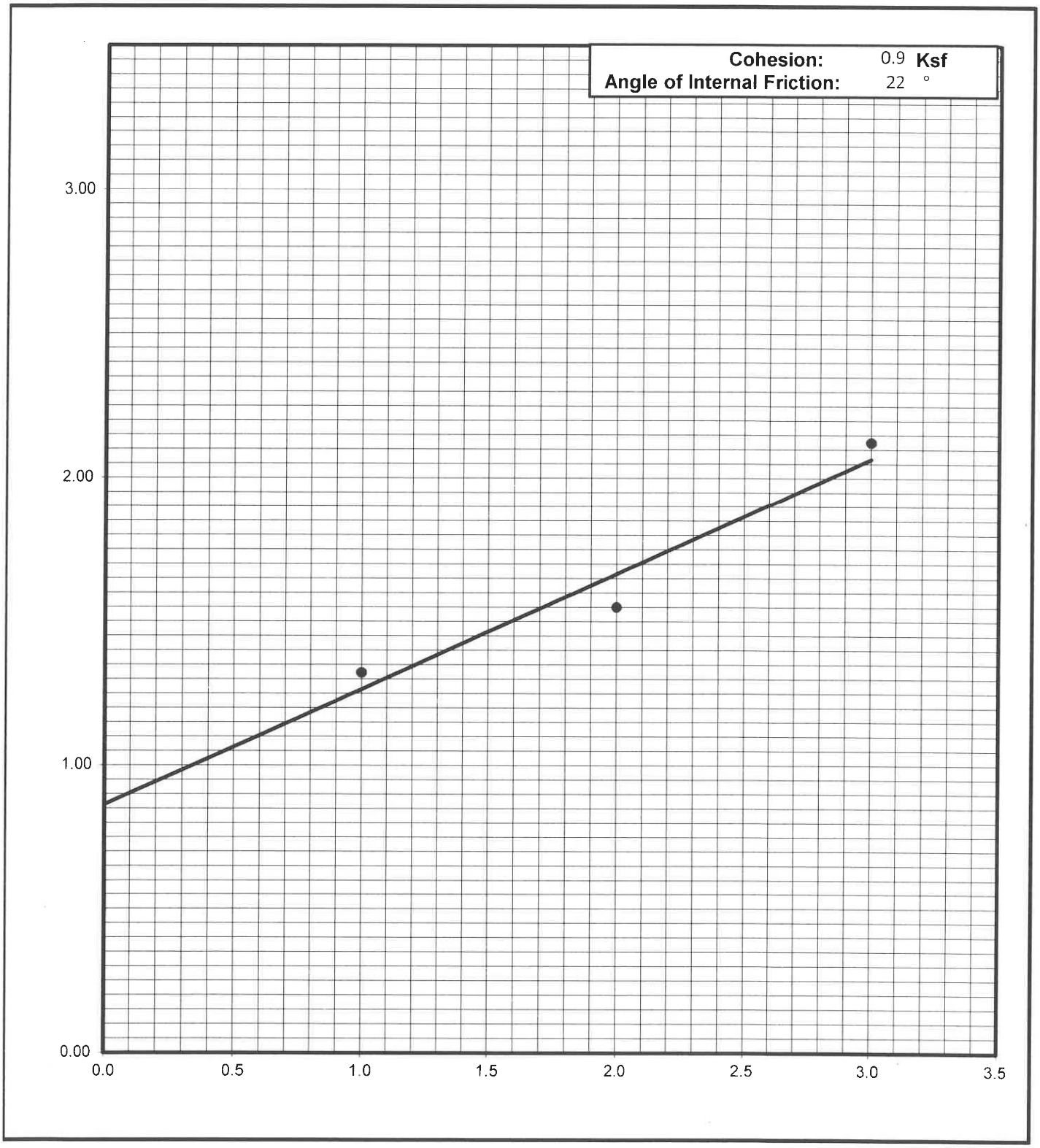
Project No	Boring No. & Depth	Date	Soil Classification
042-21016	B3 @ 5-6'	7/13/2021	ML-CL



Krazan Testing Laboratory

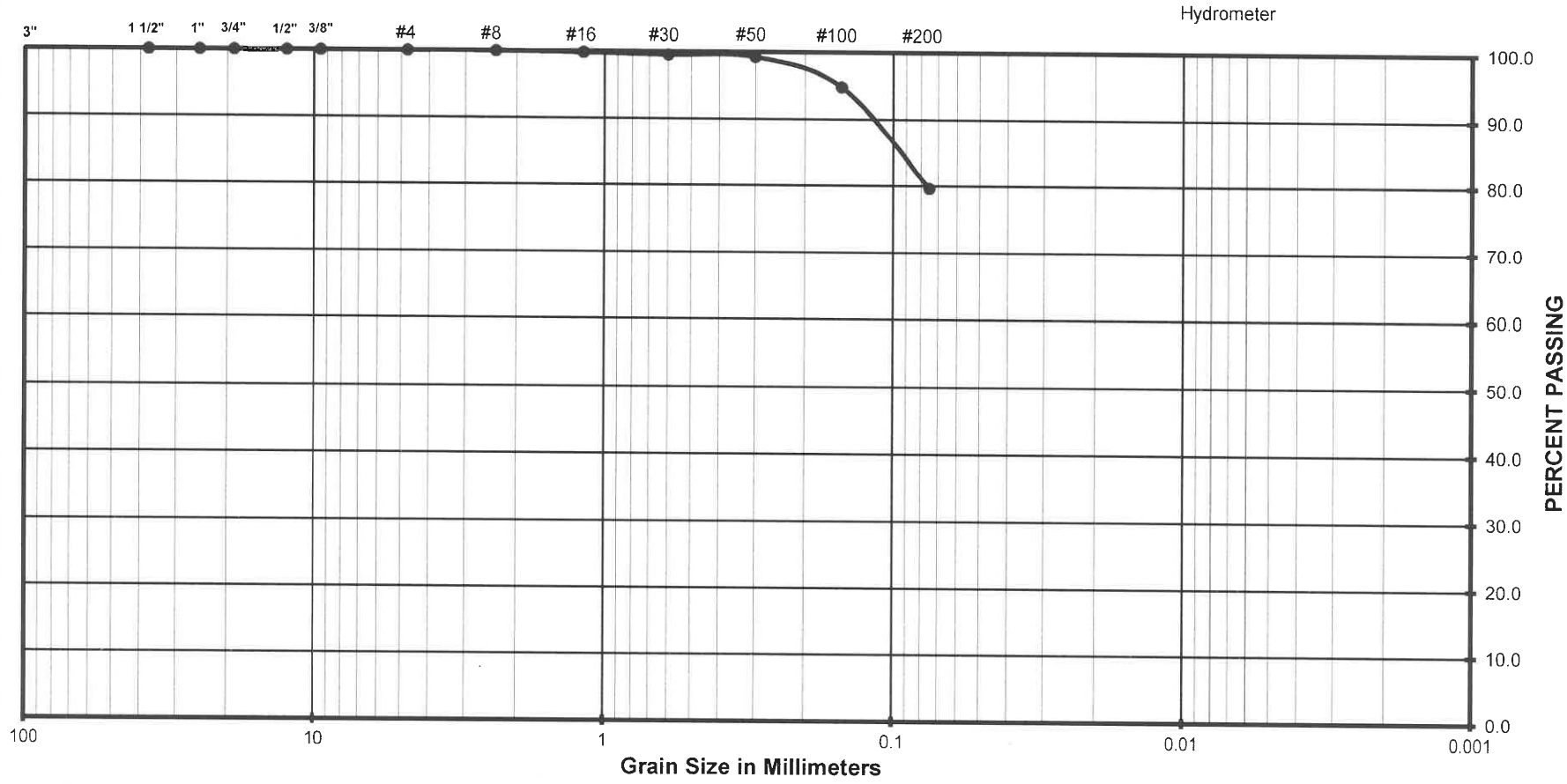
Shear Strength Diagram (Direct Shear)
ASTM D - 3080 / AASHTO T - 236

Project Number	Boring No. & Depth	Soil Type	Date
042-21016	B4 @ 2-3'	CL w/ grvl	7/13/2021



Krazan Testing Laboratory

Grain Size Analysis



(Unified Soils Classification)

Project Name	Multi Family Residential Development
Project Number	042-21016
Soil Classification	CL
Sample Number	B3 @ 2-3'

Krazan Testing Laboratory

Expansion Index Test

ASTM D - 4829

Project Number	: 042-21016
Project Name	: Multi Family Residential Development
Date	: 7/13/2021
Sample location/ Depth	: 1-3'
Sample Number	: RV#1
Soil Classification	: ML w/ clay

Trial #	1	2	3
Weight of Soil & Mold, gms	768.8		
Weight of Mold, gms	367.4		
Weight of Soil, gms	401.4		
Wet Density, Lbs/cu.ft.	121.1		
Weight of Moisture Sample (Wet), gms	200.0		
Weight of Moisture Sample (Dry), gms	182.5		
Moisture Content, %	9.6		
Dry Density, Lbs/cu.ft.	110.5		
Specific Gravity of Soil	2.7		
Degree of Saturation, %	49.3		

Time	Inital	30 min	1 hr	6hrs	12 hrs	24 hrs
Dial Reading	0	--	--	--	--	0.0244

Expansion Index $_{measured}$ = 24.4

Expansion Index = **24**

Expansion Potential Table	
Exp. Index	Potential Exp.
0 - 20	Very Low
21 - 50	Low
51 - 90	Medium
91 - 130	High
>130	Very High

Krazan Testing Laboratory

Expansion Index Test

ASTM D - 4829

Project Number	: 042-21016
Project Name	: Multi Family Residential Development
Date	: 7/13/2021
Sample location/ Depth	: 1-3'
Sample Number	: RV#2
Soil Classification	: ML w/ clay

Trial #	**1**	**2**	**3**
Weight of Soil & Mold, gms	770.7		
Weight of Mold, gms	367.4		
Weight of Soil, gms	403.3		
Wet Density, Lbs/cu.ft.	121.6		
Weight of Moisture Sample (Wet), gms	200.0		
Weight of Moisture Sample (Dry), gms	183.0		
Moisture Content, %	9.3		
Dry Density, Lbs/cu.ft.	111.3		
Specific Gravity of Soil	2.7		
Degree of Saturation, %	48.8		

Time	Inital	30 min	1 hr	6hrs	12 hrs	24 hrs
Dial Reading	0	--	--	--	--	0.0267

Expansion Index $_{measured}$ = 26.7

Expansion Index = **27**

Expansion Potential Table	
Exp. Index	Potential Exp.
0 - 20	Very Low
21 - 50	Low
51 - 90	Medium
91 - 130	High
>130	Very High

Krazan Testing Laboratory

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

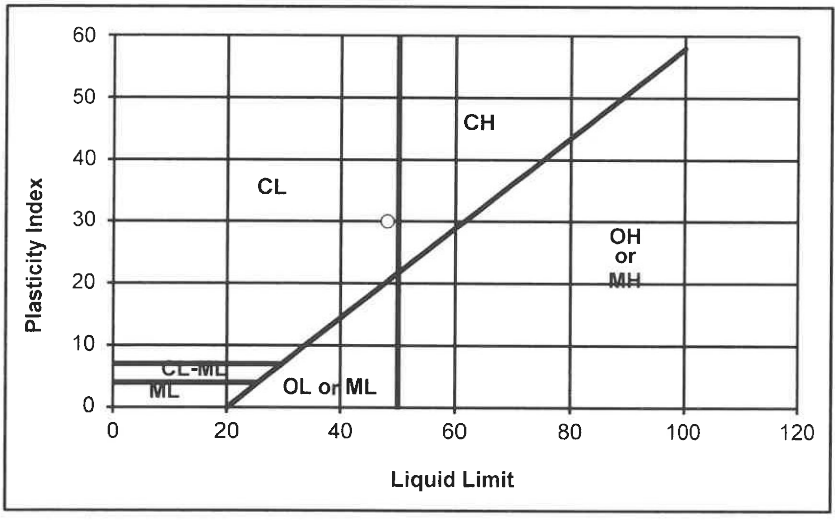
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B1 @ 10-11'
Sample Description: CL

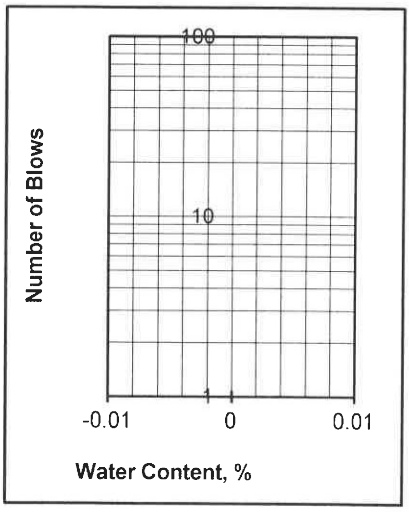
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

Trial Number	Plastic Limit			Liquid Limit		
	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	29.30	28.06		27.23	25.72	
Weight of Dry Soil & Tare (g)	27.49	26.38		23.82	23.04	
Weight of Tare (g)	17.19	17.21		16.85	17.35	
Weight of water (g)	1.81	1.69		3.41	2.69	
Weight of Dry Soil (g)	10.31	9.16		6.97	5.69	
Water Content (% of dry wt.)	17.5%	18.4%		49.0%	47.2%	
Number of Blows				25	25	

Plastic Limit : 18 **Liquid Limit : 48**

Plasticity Index : 30
Unified Soil Classification : CL
Requirement:
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

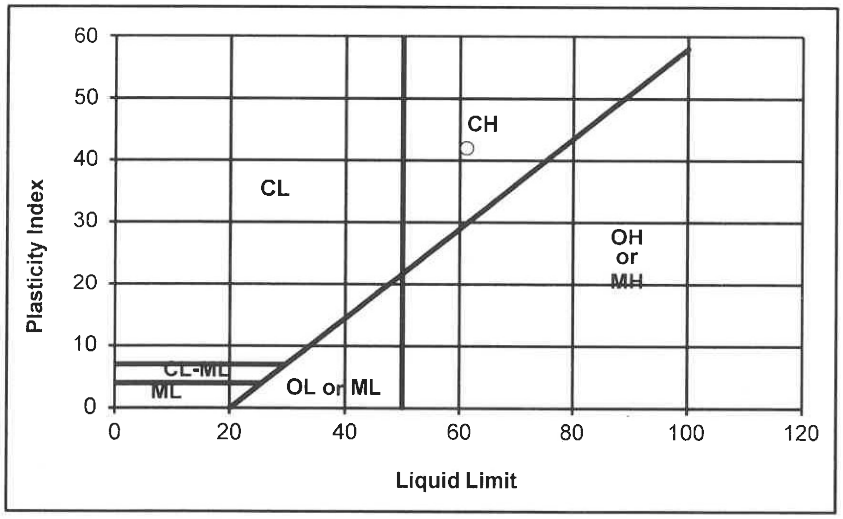
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B1 @ 15-16'
Sample Description: CH

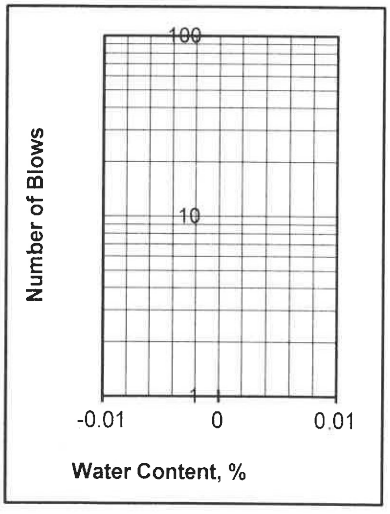
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	22.58	23.75		27.58	31.01	
Weight of Dry Soil & Tare (g)	21.65	22.70		23.63	25.77	
Weight of Tare (g)	16.83	17.32		17.16	17.20	
Weight of water (g)	0.93	1.05		3.96	5.24	
Weight of Dry Soil (g)	4.82	5.38		6.46	8.57	
Water Content (% of dry wt.)	19.3%	19.6%		61.2%	61.1%	
Number of Blows				25	25	

Plastic Limit : 19 **Liquid Limit : 61**

Plasticity Index : 42
Unified Soil Classification : CH **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

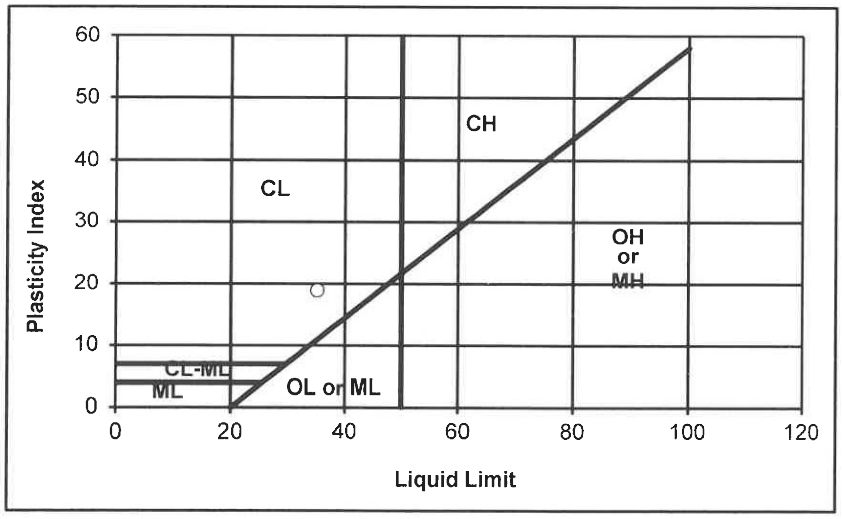
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B1 @ 20-21'
Sample Description: CL

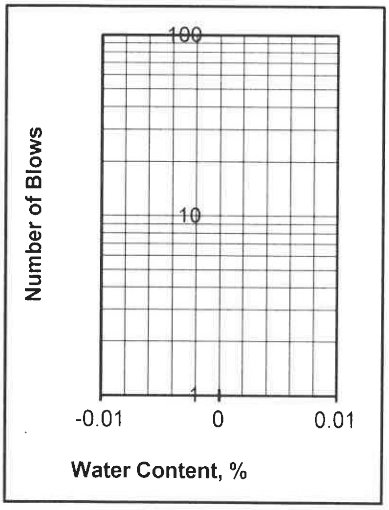
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	28.67	33.09		32.74	33.84	
Weight of Dry Soil & Tare (g)	27.09	30.95		28.14	28.78	
Weight of Tare (g)	16.83	17.36		15.11	14.28	
Weight of water (g)	1.58	2.14		4.60	5.06	
Weight of Dry Soil (g)	10.26	13.59		13.03	14.50	
Water Content (% of dry wt.)	15.4%	15.8%		35.3%	34.9%	
Number of Blows				25	25	

Plastic Limit : 16 **Liquid Limit : 35**

Plasticity Index : 19
Unified Soil Classification : CL
Requirement:
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

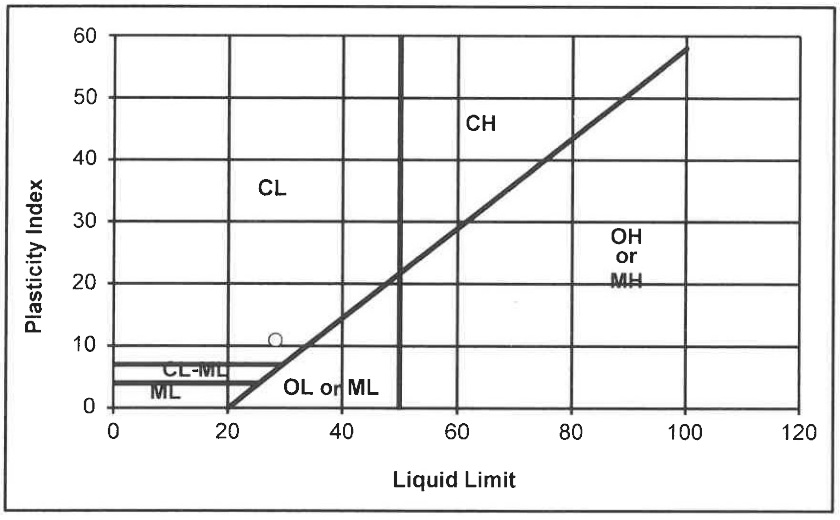
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B1 @ 25-26'
Sample Description: CL

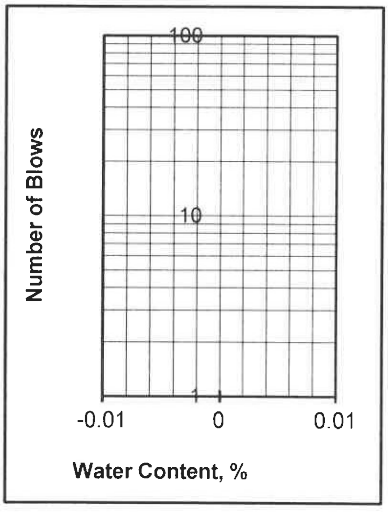
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	26.45	24.89		27.79	24.92	
Weight of Dry Soil & Tare (g)	25.16	23.05		24.72	22.47	
Weight of Tare (g)	17.22	13.01		13.97	13.78	
Weight of water (g)	1.30	1.84		3.07	2.45	
Weight of Dry Soil (g)	7.93	10.05		10.76	8.69	
Water Content (% of dry wt.)	16.4%	18.3%		28.5%	28.2%	
Number of Blows				25	25	

Plastic Limit : 17 **Liquid Limit : 28**

Plasticity Index : 11
Unified Soil Classification : CL
Requirement:
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

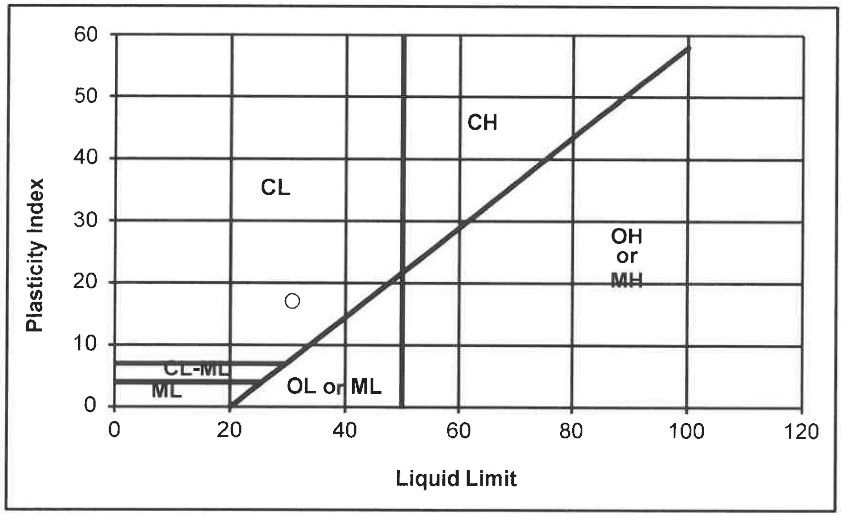
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B1 @ 30-31'
Sample Description: SC w/ grvl

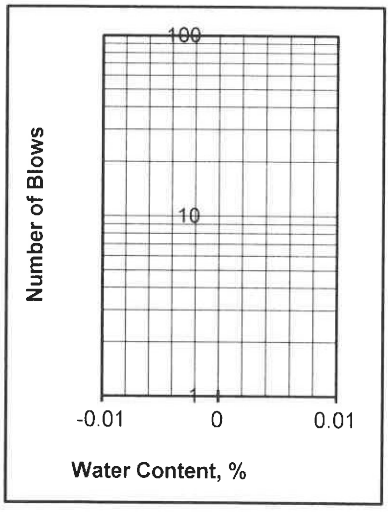
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	23.45	29.15		27.01	31.35	
Weight of Dry Soil & Tare (g)	22.17	27.74		23.81	27.44	
Weight of Tare (g)	13.08	17.07		13.69	14.33	
Weight of water (g)	1.28	1.41		3.20	3.92	
Weight of Dry Soil (g)	9.09	10.68		10.12	13.11	
Water Content (% of dry wt.)	14.0%	13.2%		31.6%	29.9%	
Number of Blows				25	25	

Plastic Limit : 14 **Liquid Limit : 31**

Plasticity Index : 17
Unified Soil Classification : CL **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

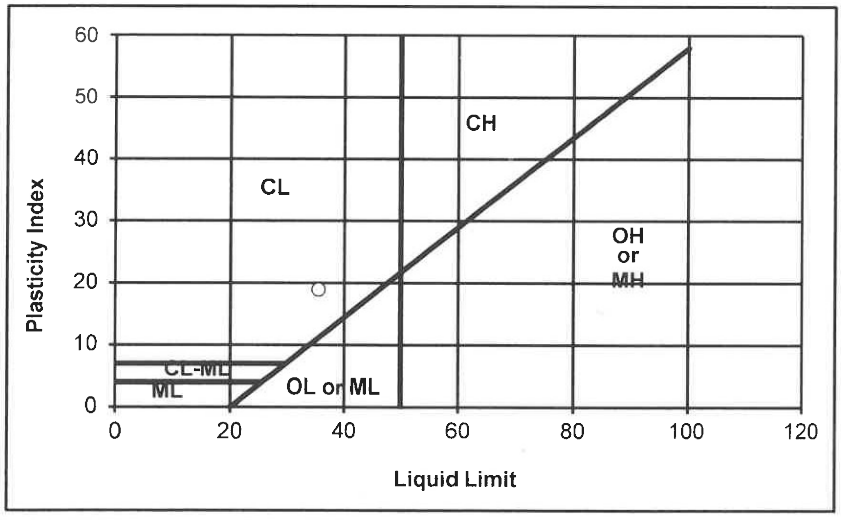
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B1 @ 35-36'
Sample Description: CL

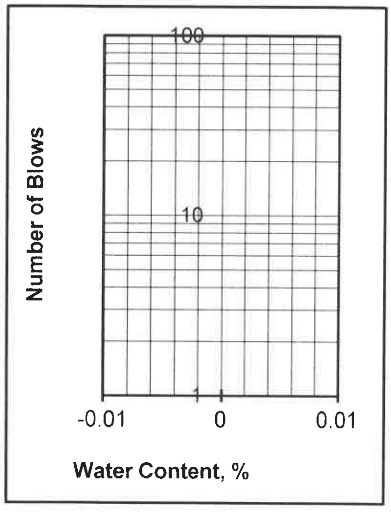
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	22.94	28.70		27.06	28.43	
Weight of Dry Soil & Tare (g)	21.38	26.59		23.60	25.48	
Weight of Tare (g)	12.04	13.50		13.81	17.12	
Weight of water (g)	1.56	2.11		3.47	2.96	
Weight of Dry Soil (g)	9.34	13.09		9.78	8.36	
Water Content (% of dry wt.)	16.7%	16.1%		35.4%	35.4%	
Number of Blows				25	25	

Plastic Limit : 16 **Liquid Limit : 35**

Plasticity Index : 19
Unified Soil Classification : CL
Requirement:
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

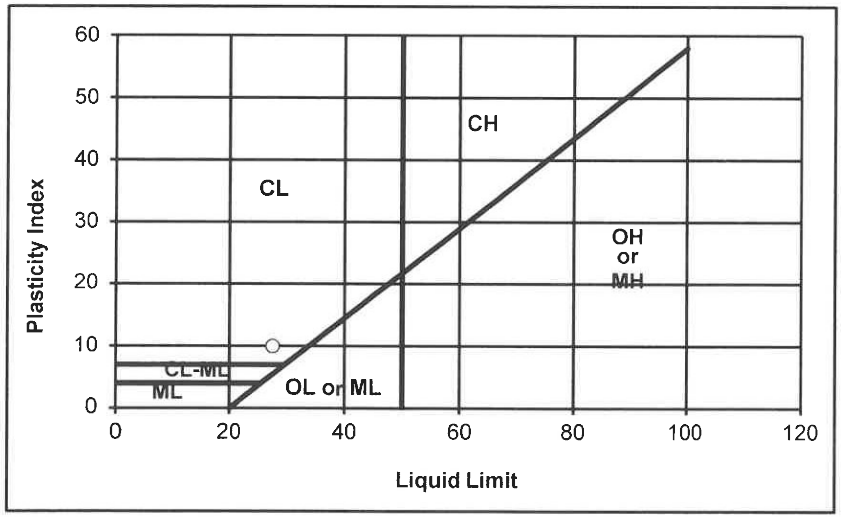
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B1 @ 40-41'
Sample Description: CL

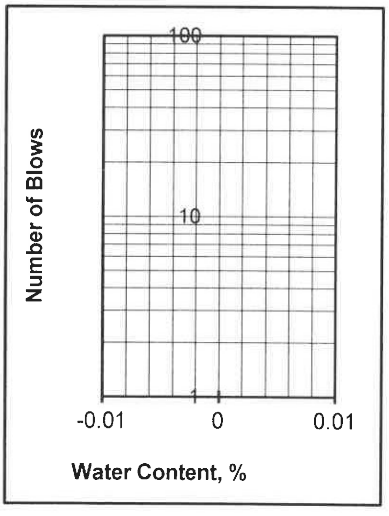
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	25.15	29.28		26.59	27.47	
Weight of Dry Soil & Tare (g)	23.33	27.47		24.23	24.38	
Weight of Tare (g)	13.01	17.14		15.68	13.19	
Weight of water (g)	1.82	1.81		2.36	3.08	
Weight of Dry Soil (g)	10.32	10.33		8.54	11.20	
Water Content (% of dry wt.)	17.7%	17.5%		27.6%	27.5%	
Number of Blows				25	25	

Plastic Limit : 18 **Liquid Limit : 28**

Plasticity Index : 10
Unified Soil Classification : CL **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

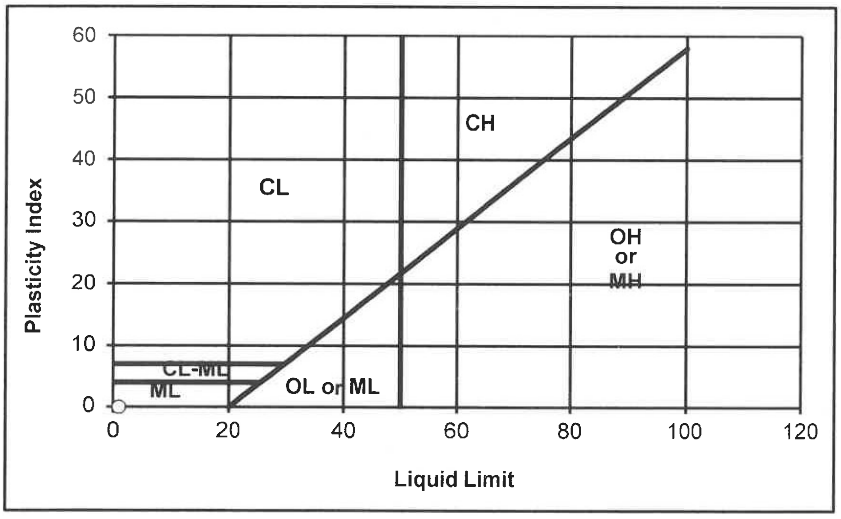
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B4 @ 5-6'
Sample Description: ML

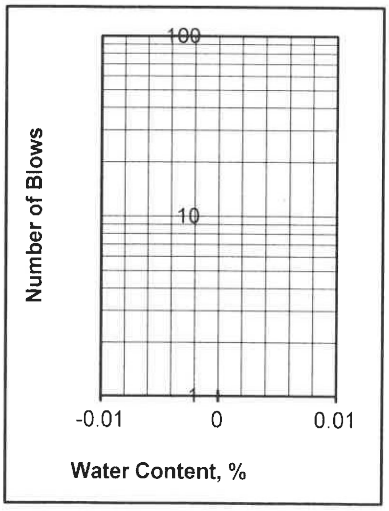
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)						
Weight of Dry Soil & Tare (g)						
Weight of Tare (g)						
Weight of water (g)						
Weight of Dry Soil (g)						
Water Content (% of dry wt.)						
Number of Blows						

Plastic Limit : N/D **Liquid Limit : N/D**

Plasticity Index : NON-PLASTIC
Unified Soil Classification : NON-PLASTIC **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

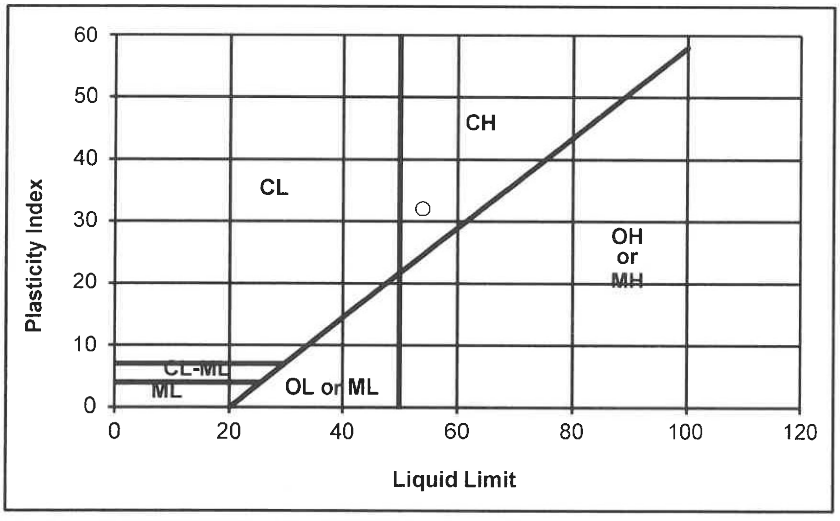
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B4 @ 10-11'
Sample Description: CH

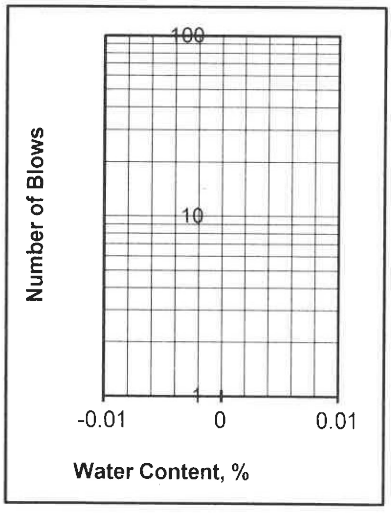
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	21.46	23.48		33.58	27.60	
Weight of Dry Soil & Tare (g)	19.85	21.76		26.84	23.47	
Weight of Tare (g)	12.55	13.76		14.52	15.70	
Weight of water (g)	1.61	1.72		6.74	4.13	
Weight of Dry Soil (g)	7.30	8.00		12.32	7.77	
Water Content (% of dry wt.)	22.0%	21.5%		54.7%	53.1%	
Number of Blows				25	25	

Plastic Limit : 22 **Liquid Limit : 54**

Plasticity Index : 32
Unified Soil Classification : CH
Requirement:
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

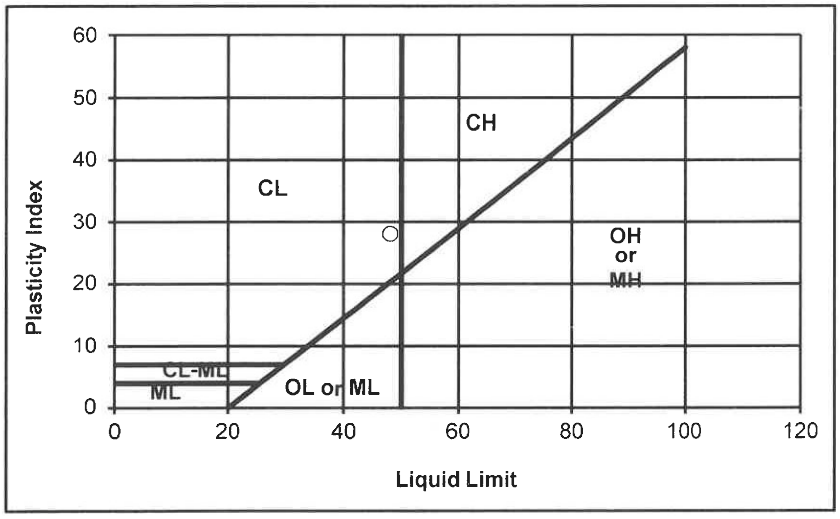
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B4 @ 15-16'
Sample Description: CL

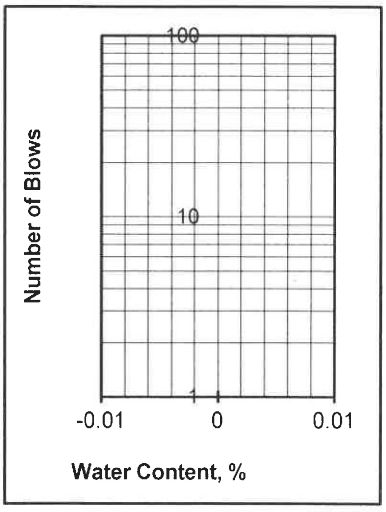
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	26.24	29.90		28.67	26.54	
Weight of Dry Soil & Tare (g)	24.06	27.71		23.90	22.40	
Weight of Tare (g)	13.00	17.23		13.99	13.79	
Weight of water (g)	2.18	2.19		4.77	4.14	
Weight of Dry Soil (g)	11.06	10.48		9.92	8.62	
Water Content (% of dry wt.)	19.7%	20.9%		48.1%	48.1%	
Number of Blows				25	25	

Plastic Limit : 20 **Liquid Limit : 48**

Plasticity Index : 28
Unified Soil Classification : CL **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

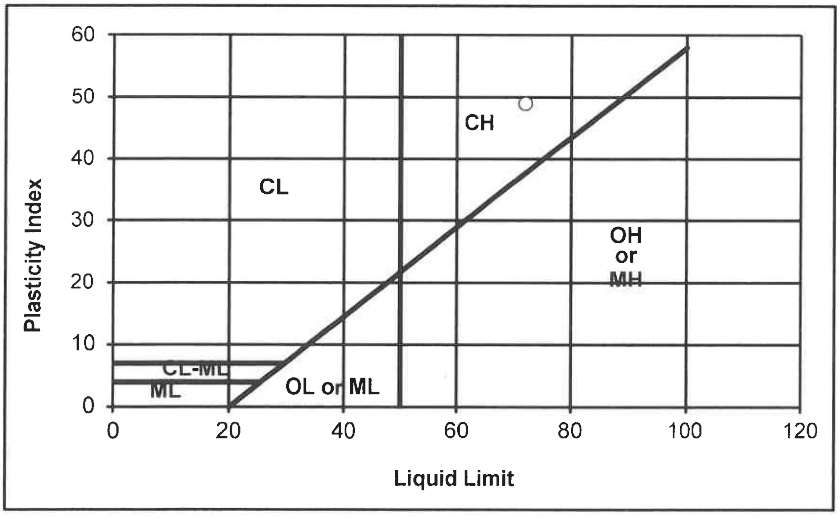
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B4 @ 20-21'
Sample Description: CH

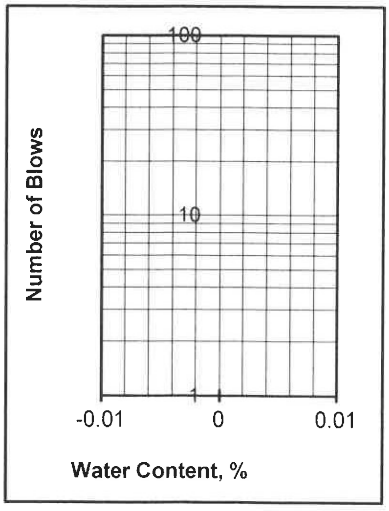
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	20.14	19.86		29.15	22.33	
Weight of Dry Soil & Tare (g)	19.04	18.73		24.12	18.43	
Weight of Tare (g)	14.31	13.76		17.06	13.06	
Weight of water (g)	1.10	1.13		5.03	3.90	
Weight of Dry Soil (g)	4.73	4.97		7.05	5.37	
Water Content (% of dry wt.)	23.3%	22.7%		71.3%	72.7%	
Number of Blows				25	25	

Plastic Limit : 23 **Liquid Limit : 72**

Plasticity Index : 49
Unified Soil Classification : CH **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

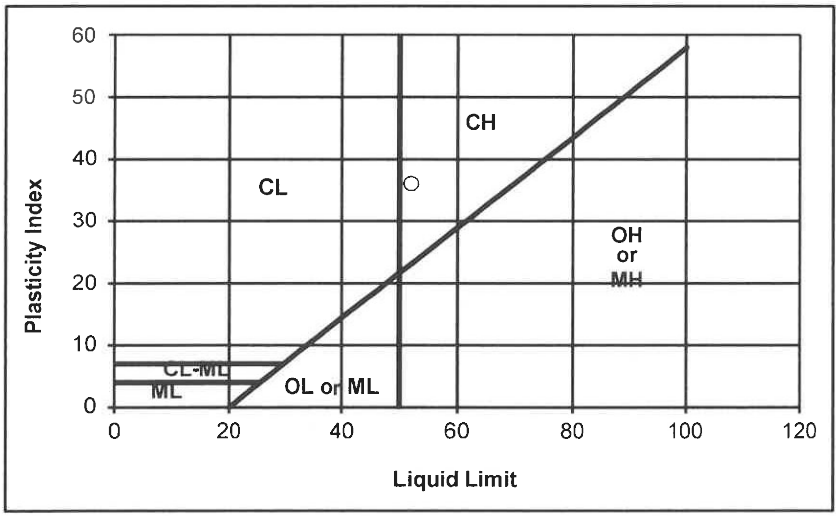
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B4 @ 25-26'
Sample Description: CH

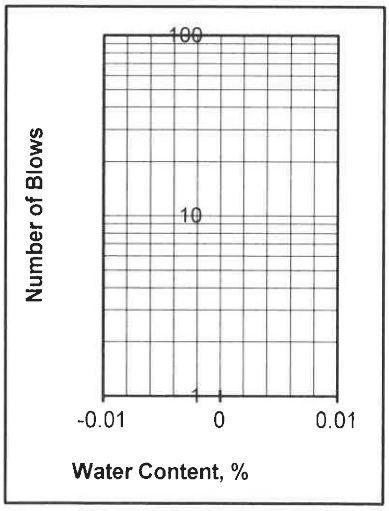
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	30.43	21.97		25.49	24.92	
Weight of Dry Soil & Tare (g)	28.57	20.74		21.59	21.12	
Weight of Tare (g)	17.26	13.06		14.01	13.82	
Weight of water (g)	1.85	1.23		3.90	3.80	
Weight of Dry Soil (g)	11.31	7.69		7.58	7.30	
Water Content (% of dry wt.)	16.4%	16.0%		51.5%	52.1%	
Number of Blows				25	25	

Plastic Limit : 16 **Liquid Limit : 52**

Plasticity Index : 36
Unified Soil Classification : CH **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

ASTM D4318/AASHTO T89 T90/CT 204

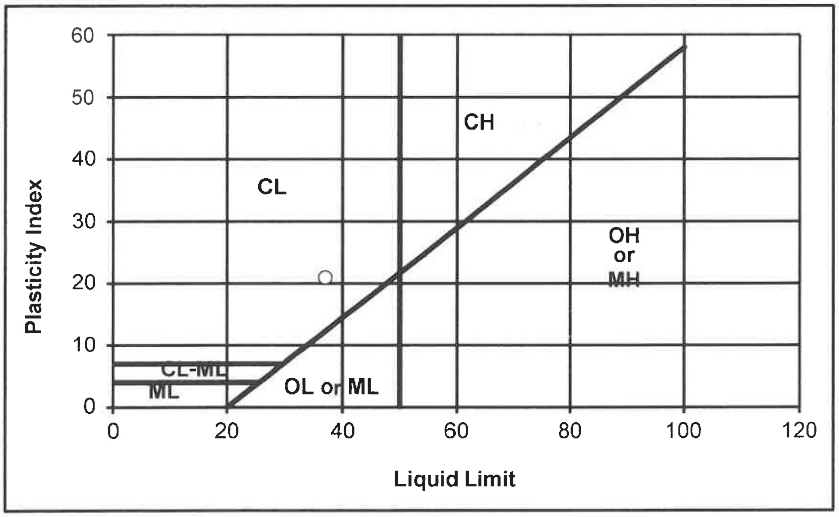
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021
Sampled By: CJ
Sample Number:
Sample Location: B4 @ 30-31'
Sample Description: CL

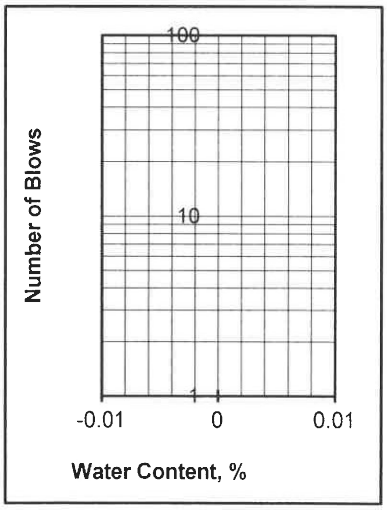
Date Tested: 7/8/2021
Tested By: JM
Verified By: JG

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	27.54	32.87		28.22	26.41	
Weight of Dry Soil & Tare (g)	25.48	30.85		24.40	22.98	
Weight of Tare (g)	13.02	17.20		13.96	13.75	
Weight of water (g)	2.06	2.02		3.82	3.44	
Weight of Dry Soil (g)	12.46	13.65		10.43	9.23	
Water Content (% of dry wt.)	16.6%	14.8%		36.6%	37.2%	
Number of Blows				25	25	

Plastic Limit : 16 **Liquid Limit : 37**

Plasticity Index : 21
Unified Soil Classification : CL **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

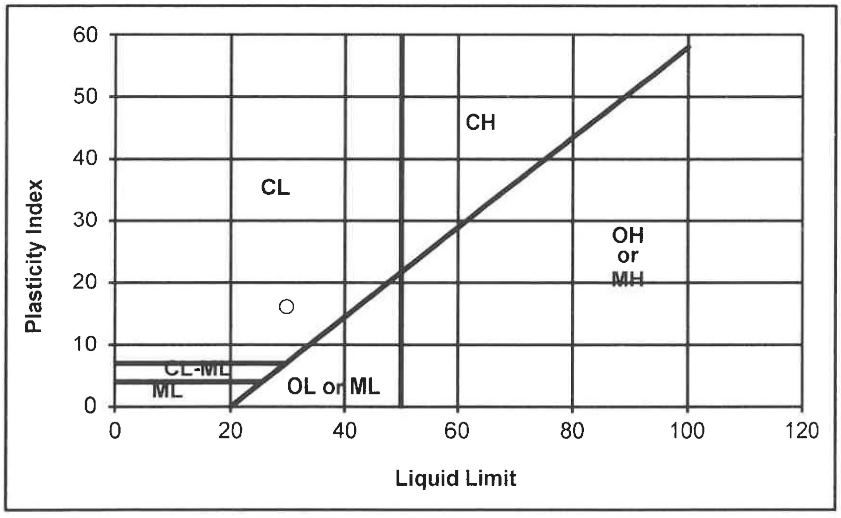
ASTM D4318/AASHTO T89 T90/CT 204

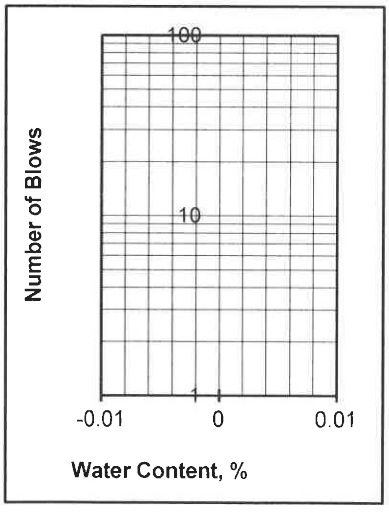
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021 Date Tested: 7/8/2021
Sampled By: CJ Tested By: JM
Sample Number: Verified By: JG
Sample Location: B4 @ 35-36'
Sample Description: CL

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	19.59	21.98		32.11	30.36	
Weight of Dry Soil & Tare (g)	18.67	20.97		27.96	26.50	
Weight of Tare (g)	12.00	13.46		13.71	13.83	
Weight of water (g)	0.91	1.01		4.14	3.86	
Weight of Dry Soil (g)	6.67	7.51		14.26	12.67	
Water Content (% of dry wt.)	13.7%	13.4%		29.1%	30.5%	
Number of Blows				25	25	

Plastic Limit : 14 **Liquid Limit : 30**

Plasticity Index : 16
Unified Soil Classification : CL **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

Unusual Conditions, Other Notes:

Plasticity Index of Soils

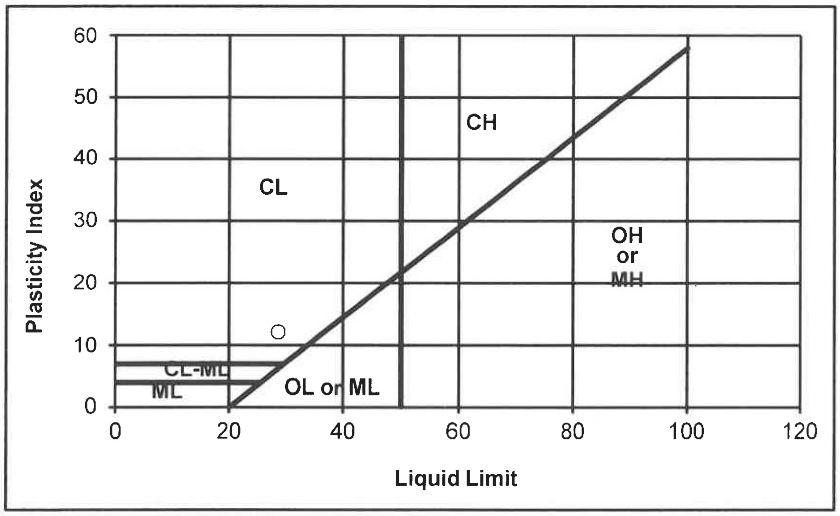
ASTM D4318/AASHTO T89 T90/CT 204

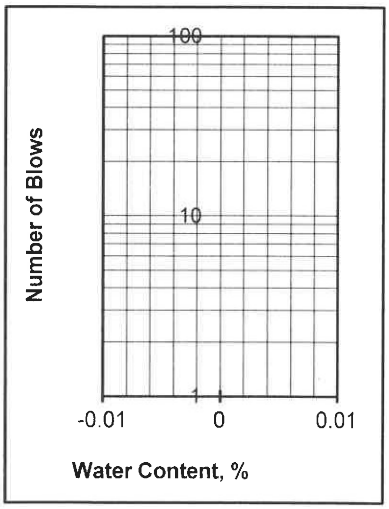
Project: **Multi Family Residential Development**
Project Number: **042-21016**
Date Sampled: 7/13/2021 Date Tested: 7/8/2021
Sampled By: CJ Tested By: JM
Sample Number: Verified By: JG
Sample Location: B4 @ 40-41'
Sample Description: SC w/ grvl

	Plastic Limit			Liquid Limit		
Trial Number	1	2	3	1	2	3
Weight of Wet Soil & Tare (g)	28.09	24.06		25.24	28.55	
Weight of Dry Soil & Tare (g)	26.54	22.50		22.65	26.03	
Weight of Tare (g)	17.18	13.52		13.70	17.08	
Weight of water (g)	1.55	1.56		2.60	2.53	
Weight of Dry Soil (g)	9.35	8.98		8.95	8.95	
Water Content (% of dry wt.)	16.6%	17.4%		29.0%	28.2%	
Number of Blows				25	25	

Plastic Limit : 17 **Liquid Limit : 29**

Plasticity Index : 12
Unified Soil Classification : CL **Requirement:**
Approx. % of Material Retained on # 40 Sieve:





Departures from Outlined Procedure:

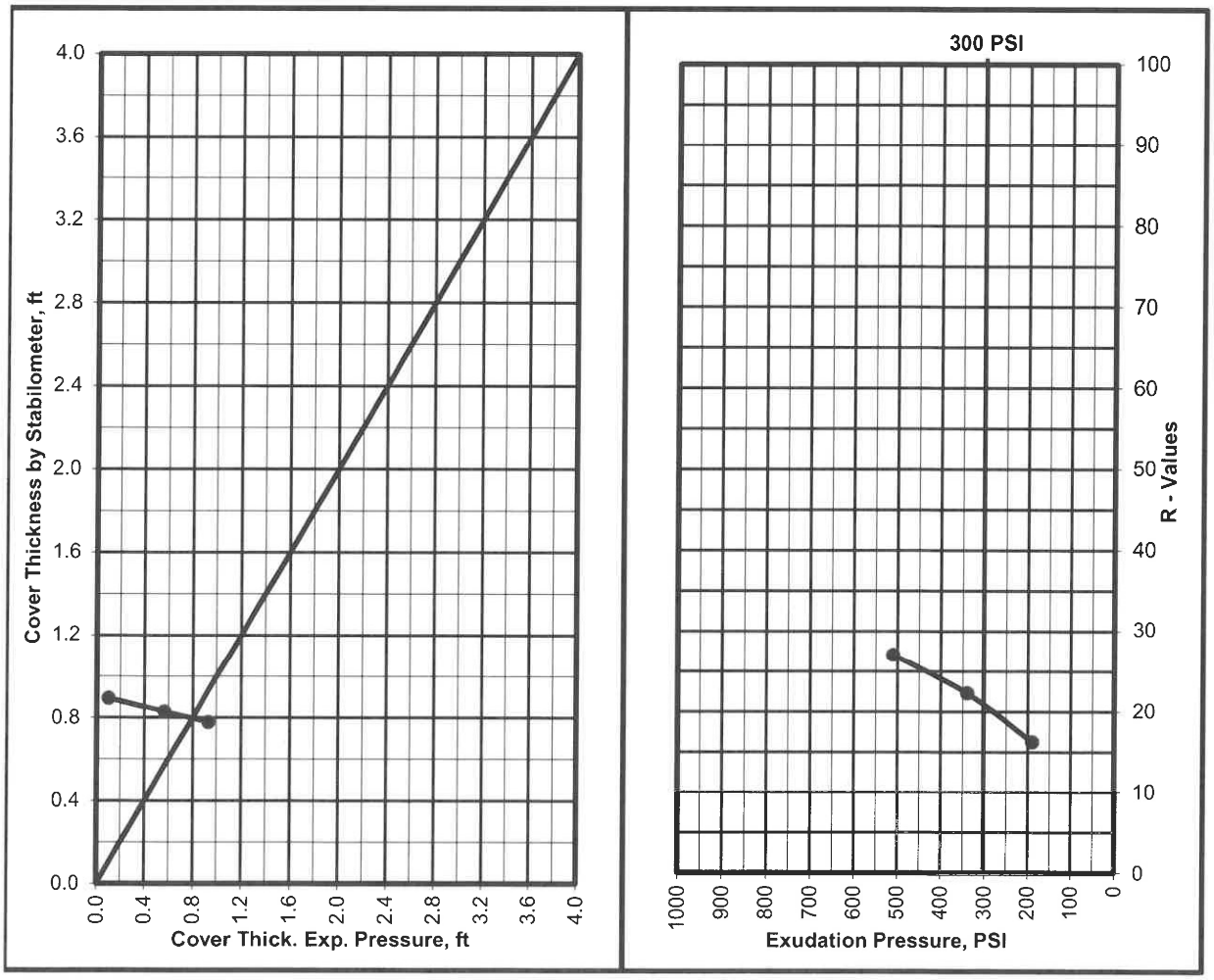
Unusual Conditions, Other Notes:

R - VALUE TEST
ASTM D - 2844 / CAL 301

Project Number	:	042-21016
Project Name	:	Multi Family Residential Development
Date	:	7/7/2021
Sample Location/Curve Number	:	RV#1
Soil Classification	:	ML w/ clay

TEST	A	B	C
Percent Moisture @ Compaction, %	12.3	13.4	11.8
Dry Density, lbm/cu.ft.	123.3	119.8	124.8
Exudation Pressure, psi	340	190	510
Expansion Pressure, (Dial Reading)	17	3	28
Expansion Pressure, psf	74	13	121
Resistance Value R	22	16	27

R Value at 300 PSI Exudation Pressure	**21**
R Value by Expansion Pressure (TI =): 5	**25**



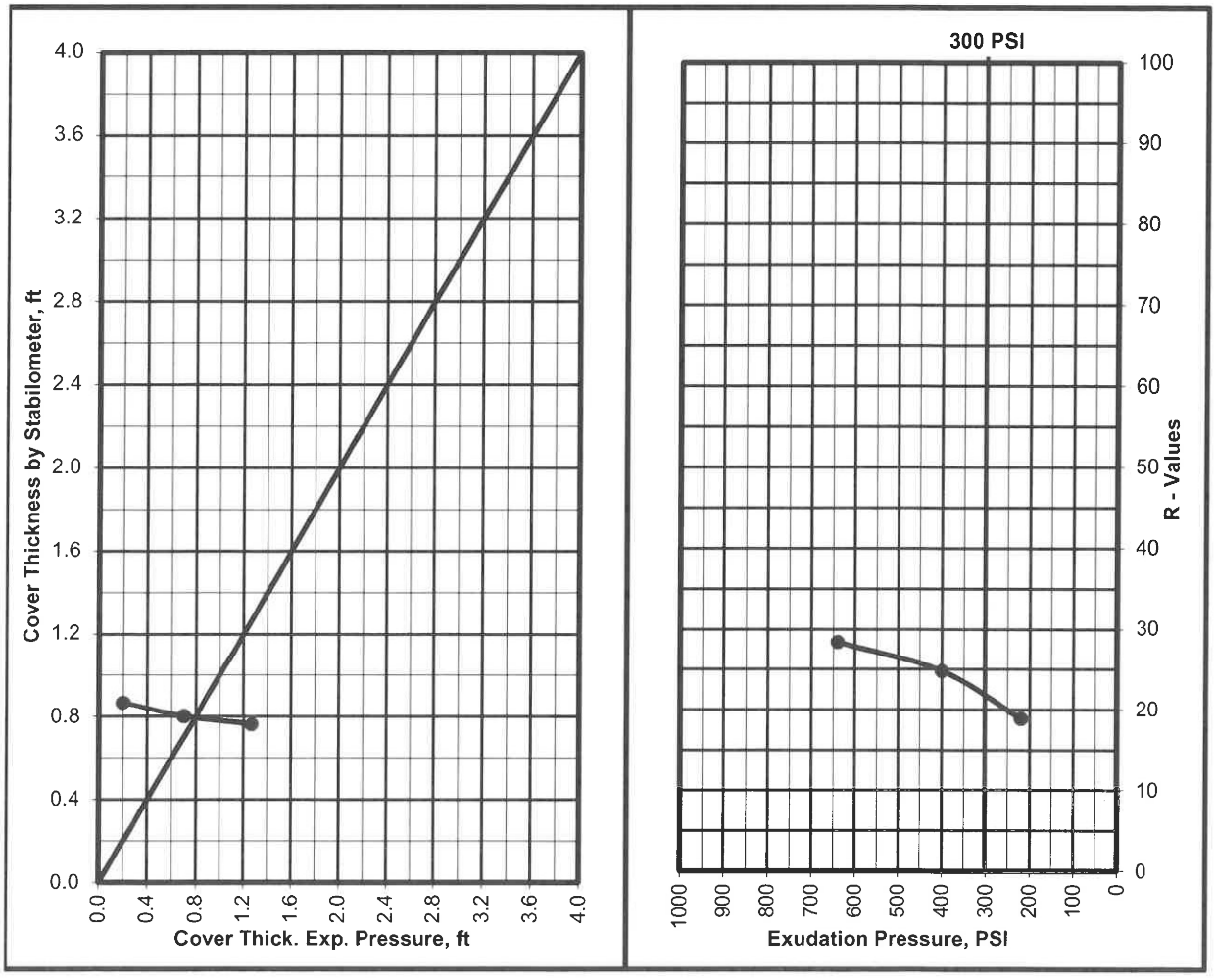
Krazan Testing Laboratory

R - VALUE TEST
ASTM D - 2844 / CAL 301

Project Number	:	042-21016
Project Name	:	Multi Family Residential Development
Date	:	7/7/2021
Sample Location/Curve Number	:	RV#2
Soil Classification	:	ML w/ clay

TEST	A	B	C
Percent Moisture @ Compaction, %	13.4	14.4	12.9
Dry Density, lbm/cu.ft.	121.6	118.8	124.3
Exudation Pressure, psi	400	220	640
Expansion Pressure, (Dial Reading)	21	6	38
Expansion Pressure, psf	91	26	165
Resistance Value R	25	19	28

R Value at 300 PSI Exudation Pressure	**22**
R Value by Expansion Pressure (TI =): 5	**25**



Krazan Testing Laboratory

APPENDIX B

EARTHWORK SPECIFICATIONS

GENERAL

When the text of the report conflicts with the general specifications in this appendix, the recommendations in the report have precedence.

SCOPE OF WORK: These specifications and applicable plans pertain to and include all earthwork associated with the site rough grading, including but not limited to the furnishing of all labor, tools, and equipment necessary for site clearing and grubbing, stripping, preparation of foundation materials for receiving fill, excavation, processing, placement and compaction of fill and backfill materials to the lines and grades shown on the project grading plans, and disposal of excess materials.

PERFORMANCE: The Contractor shall be responsible for the satisfactory completion of all earthwork in accordance with the project plans and specifications. This work shall be inspected and tested by a representative of Krazan and Associates, Inc., hereinafter known as the Soils Engineer and/or Testing Agency. Attainment of design grades when achieved shall be certified by the project Civil Engineer. Both the Soils Engineer and the Civil Engineer are the Owner's representatives. If the Contractor should fail to meet the technical or design requirements embodied in this document and on the applicable plans, he shall make the necessary readjustments until all work is deemed satisfactory as determined by both the Soils Engineer and the Civil Engineer. No deviation from these specifications shall be made except upon written approval of the Soils Engineer, Civil Engineer or project Architect.

No earthwork shall be performed without the physical presence or approval of the Soils Engineer. The Contractor shall notify the Soils Engineer at least 2 working days prior to the commencement of any aspect of the site earthwork.

The Contractor agrees that he shall assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and that the Contractor shall defend, indemnify and hold the Owner and the Engineers harmless from any and all liability, real or alleged, in connection with the performance of work on this project, except for liability arising from the sole negligence of the Owner or the Engineers.

TECHNICAL REQUIREMENTS: All compacted materials shall be densified to a density not less than 90 percent relative compaction based on ASTM Test Method D1557 or CAL-216, as specified in the technical portion of the Soil Engineer's report. The location and frequency of field density tests shall be as determined by the Soils Engineer. The results of these tests and compliance with these specifications shall be the basis upon which satisfactory completion of work will be judged by the Soils Engineer.

SOILS AND FOUNDATION CONDITIONS: The Contractor is presumed to have visited the site and to have familiarized himself with existing site conditions and the contents of the data presented in the soil report.

The Contractor shall make his own interpretation of the data contained in said report, and the Contractor shall not be relieved of liability under the Contract documents for any loss sustained as a result of any variance between conditions indicated by or deduced from said report and the actual conditions encountered during the progress of the work.

DUST CONTROL: The work includes dust control as required for the alleviation or prevention of any dust nuisance on or about the site or the borrow area, or off-site if caused by the Contractor's operation either during the performance of the earthwork or resulting from the conditions in which the Contractor leaves the site. The Contractor shall assume all liability, including court costs of codefendants, for all claims related to dust or windblown materials attributable to his work.

SITE PREPARATION

Site preparation shall consist of site clearing and grubbing and the preparations of foundation materials for receiving fill.

CLEARING AND GRUBBING: The Contractor shall accept the site in this present condition and shall demolish and/or remove from the area of designated project earthwork all structures, both surface and subsurface, trees, brush, roots, debris, organic matter, and all other matter determined by the Soils Engineer to be deleterious or otherwise unsuitable. Such materials shall become the property of the Contractor and shall be removed from the site.

Tree root systems in proposed building areas should be removed to a minimum depth of 3 feet and to such an extent which would permit removal of all roots larger than 1 inch. Tree roots removed in parking areas may be limited to the upper 1½ feet of the ground surface. Backfill of tree root excavations should not be permitted until all exposed surfaces have been inspected and the Soils Engineer is present for the proper control of backfill placement and compaction. Burning in areas which are to receive fill materials shall not be permitted.

SUBGRADE PREPARATION: Surfaces to receive Engineered Fill, building or slab loads shall be prepared as outlined above, excavated/scarified to a depth of 12 inches, moisture-conditioned as necessary, and compacted to 90 percent relative compaction.

Loose soil areas, areas of uncertified fill, and/or areas of disturbed soils shall be moisture-conditioned as necessary and recompacted to 90 percent relative compaction. All ruts, hummocks, or other uneven surface features shall be removed by surface grading prior to placement of any fill materials. All areas which are to receive fill materials shall be approved by the Soils Engineer prior to the placement of any of the fill material.

EXCAVATION: All excavation shall be accomplished to the tolerance normally defined by the Civil Engineer as shown on the project grading plans. All over-excavation below the grades specified shall be backfilled at the Contractor's expense and shall be compacted in accordance with the applicable technical requirements.

FILL AND BACKFILL MATERIAL: No material shall be moved or compacted without the presence of the Soils Engineer. Material from the required site excavation may be utilized for construction site fills provided prior approval is given by the Soils Engineer. All materials utilized for constructing site fills shall be free from vegetation or other deleterious matter as determined by the Soils Engineer.

PLACEMENT, SPREADING AND COMPACTION: The placement and spreading of approved fill materials and the processing and compaction of approved fill and native materials shall be the responsibility of the Contractor. However, compaction of fill materials by flooding, ponding, or jetting shall not be permitted unless specifically approved by local code, as well as the Soils Engineer.

Both cut and fill areas shall be surface-compacted to the satisfaction of the Soils Engineer prior to final acceptance.

SEASONAL LIMITS: No fill material shall be placed, spread, or rolled while it is frozen or thawing or during unfavorable wet weather conditions. When the work is interrupted by heavy rains, fill operations shall not be resumed until the Soils Engineer indicates that the moisture content and density of previously placed fill are as specified.

APPENDIX C

PAVEMENT SPECIFICATIONS

1. DEFINITIONS - The term "pavement" shall include asphaltic concrete surfacing, untreated aggregate base, and aggregate subbase. The term "subgrade" is that portion of the area on which surfacing, base, or subbase is to be placed.

The term "Standard Specifications": hereinafter referred to is the 2018 Standard Specifications of the State of California, Department of Transportation, and the "Materials Manual" is the Materials Manual of Testing and Control Procedures, State of California, Department of Public Works, Division of Highways. The term "relative compaction" refers to the field density expressed as a percentage of the maximum laboratory density as defined in the applicable tests outlined in the Materials Manual.

2. SCOPE OF WORK - This portion of the work shall include all labor, materials, tools, and equipment necessary for, and reasonably incidental to the completion of the pavement shown on the plans and as herein specified, except work specifically noted as "Work Not Included."

3. PREPARATION OF THE SUBGRADE - The Contractor shall prepare the surface of the various subgrades receiving subsequent pavement courses to the lines, grades, and dimensions given on the plans. The upper 12 inches of the soil subgrade beneath the pavement section shall be compacted to a minimum relative compaction of 90 percent. The finished subgrades shall be tested and approved by the Soils Engineer prior to the placement of additional pavement courses.

4. UNTREATED AGGREGATE BASE - The aggregate base material shall be spread and compacted on the prepared subgrade in conformity with the lines, grades, and dimensions shown on the plans. The aggregate base material shall conform to the requirements of Section 26 of the Standard Specifications for Class 2 material, 1½ inches maximum size. The aggregate base material shall be spread and compacted in accordance with Section 26 of the Standard Specifications. The aggregate base material shall be spread in layers not exceeding 6 inches and each layer of aggregate material course shall be tested and approved by the Soils Engineer prior to the placement of successive layers. The aggregate base material shall be compacted to a minimum relative compaction of 95 percent.

5. AGGREGATE SUBBASE - The aggregate subbase shall be spread and compacted on the prepared subgrade in conformity with the lines, grades, and dimensions shown on the plans. The aggregate subbase material shall conform to the requirements of Section 25 of the Standard Specifications for Class 2 material. The aggregate subbase material shall be compacted to a minimum relative compaction of 95 percent, and it shall be spread and compacted in accordance with Section 25 of the Standard Specifications. Each layer of aggregate subbase shall be tested and approved by the Soils Engineer prior to the placement of successive layers.

6. ASPHALTIC CONCRETE SURFACING - Asphaltic concrete surfacing shall consist of a mixture of mineral aggregate and paving grade asphalt, mixed at a central mixing plant and spread and compacted on a prepared base in conformity with the lines, grades and dimensions shown on the plans. The viscosity grade of the asphalt shall be PG 64-10. The mineral aggregate shall be Type B, ½ inch maximum size, medium grading and shall conform to the requirements set forth in Section 39. The drying, proportioning and mixing of the materials shall conform to Section 39.

The prime coat, spreading and compacting equipment and spreading and compacting mixture shall conform to the applicable chapters of Section 39, with the exception that no surface course shall be placed when the atmospheric temperature is below 50° F. The surfacing shall be rolled with a combination of steel wheel and pneumatic rollers, as described in Section 39-6. The surface course shall be placed with an approved self-propelled mechanical spreading and finishing machine.

7. FOG SEAL COAT - The fog seal (mixing type asphaltic emulsion) shall conform to and be applied in accordance with the requirements of Section 37.

MAIN STREET
MILPITAS, CA

DESIGN REVIEW SUBMITTAL
FEBRUARY 14, 2024

SHEET INDEX

G1.0	COVER SHEET
G1.1	AFFORDABILITY MEMO

CIVIL ENGINEERING

C1.1	EXISTING CONDITION PLAN
C2.1	PRELIMINARY GRADING AND DRAINAGE PLAN
C3.1	PRELIMINARY UTILITY PLAN
C4.1	PRELIMINARY STORMWATER MANAGEMENT PLAN
C5.1	PRELIMINARY FIRE ACCESS PLAN

ARCHITECTURE

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A1.1	CONCEPTUAL FIRE PLAN
A1.2	CONCEPTUAL TRASH MANAGEMENT PLAN
A1.3	CONCEPTUAL OPEN SPACE PLAN
A1.4	CONCEPTUAL SECTIONS
A2.0	CONCEPTUAL BLDG. PLANS - BLDG. A
A2.1	CONCEPTUAL BLDG. PLANS - BLDG. A
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A2.4	CONCEPTUAL BLDG. PLANS - BLDG. B
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A3.0	CONCEPTUAL UNIT PLANS
A4.0	CONCEPTUAL BLDG. ELEVATIONS - BLDG. A
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ARCHITECTURE (CONT.)

A5.0	CONCEPTUAL 3D VIEWS
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A6.0	CONCEPTUAL MATERIAL AND COLOR BOARD
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A7.1	AFFORDABILITY EXHIBIT - BLDG. B

LANDSCAPE ARCHITECTURE

L1	LANDSCAPE PLAN
L2	LANDSCAPE PLAN

ELECTRICAL

E1.0	ELECTRICAL SITE PLAN
E1.1	PHOTOMETRIC PLAN

CURRENT ZONING:	MULTIPLE FAMILY VERY HIGH DENSITY DISTRICT(R4); TOD OVERLAY		
EXISTING USE	COMMERCIAL		
PROPOSED USE:	MULTIFAMILY RESIDENTIAL		
APN	083-36-002		
PROJECT ADDRESS:	1300 S MAIN STREET MILPITAS, CA 95035		
PROPOSED TYPE OF CONSTRUCTION:	BLDG. A & B - 5-STORIES TYPE III-A OVER 1 STORY OF RAISED PODIUM TYPE I		
AUTOMATIC SPRINKLER:	YES		
FAR:			
ALLOWABLE FAR:	2		
PROPOSED FAR:	3.36		
LOT SIZE:			
SUBJECT PROPERTY:	0.966 ACRES (42,079 SF)		
NUMBER OF UNITS:	**118 UNITS**		
DENSITY:	118 UNITS / 0.966 ACRES = **122.2 DU/AC**		
GROSS FLOOR AREA	**BLDG A. (SQ.FT.)**	**BLDG B. (SQ.FT.)**	**TOTAL (SQ.FT.)**
1ST FLOOR	11,054	13,809	24,863
2ND FLOOR	10,173	13,157	23,330
3RD FLOOR	10,173	13,157	23,330
4TH FLOOR	10,173	13,157	23,330
5TH FLOOR	10,173	13,157	23,330
6TH FLOOR	10,173	13,157	23,330
GRAND TOTAL:	**61,919**	**79,594**	**141,513**
OPEN SPACE CALCULATIONS			
REQUIRED COMMON OPEN SPACE: 100 SF/ UNIT	**11,800 SQ.FT.**		
GROUND LEVEL COMMON OPEN SPACE:	8,998		
ENCLOSED COMMON SPACE (AMENITIES):	1,150		
TOTAL OPEN SPACE PROVIDED (SQ.FT.):	**10,148**		
SETBACKS:	REQUIRED	PROVIDED	
FRONT YARD:	12'-20'	6'-0"	
SIDE YARD:	12'-20'	6'-9"	
REAR YARD:	12'-20'	6'-0"	
MAXIMUM HEIGHT PROVIDED (TOP OF STAIR TOWER):	77'-8"		
VEHICULAR PARKING PROVIDED:	**BLDG A.**	**BLDG B.**	**TOTAL**
	15 STALLS	24 STALLS	39 STALLS
BICYCLE PARKING	REQUIRED	PROVIDED	
LONG TERM: 1 SPACE PER 4 UNITS	30 STALLS	30 STALLS	
SHORT TERM: 1 SPACE PER 20 PARKING SPACES	6 STALLS	6 STALLS	
UNIT MIX:	**BLDG A.**	**BLDG B.**	**TOTAL**
STUDIOS	10 UNITS (22%)	5 UNITS (7%)	15 UNITS (13%)
1 BEDROOM	10 UNITS (22%)	29 UNITS (39.5%)	39 UNITS (33%)
2 BEDROOM	5 UNITS (11%)	29 UNITS (39.5%)	34 UNITS (29%)
3 BEDROOM	20 UNITS (45%)	10 UNITS (14%)	30 UNITS (25%)
TOTAL	**45 UNITS**	**73 UNITS**	**118 UNITS**

PROJECT TEAM

APPLICANT/OWNER:
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agevorgian@amgland.com

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Meridian, Idaho 83642
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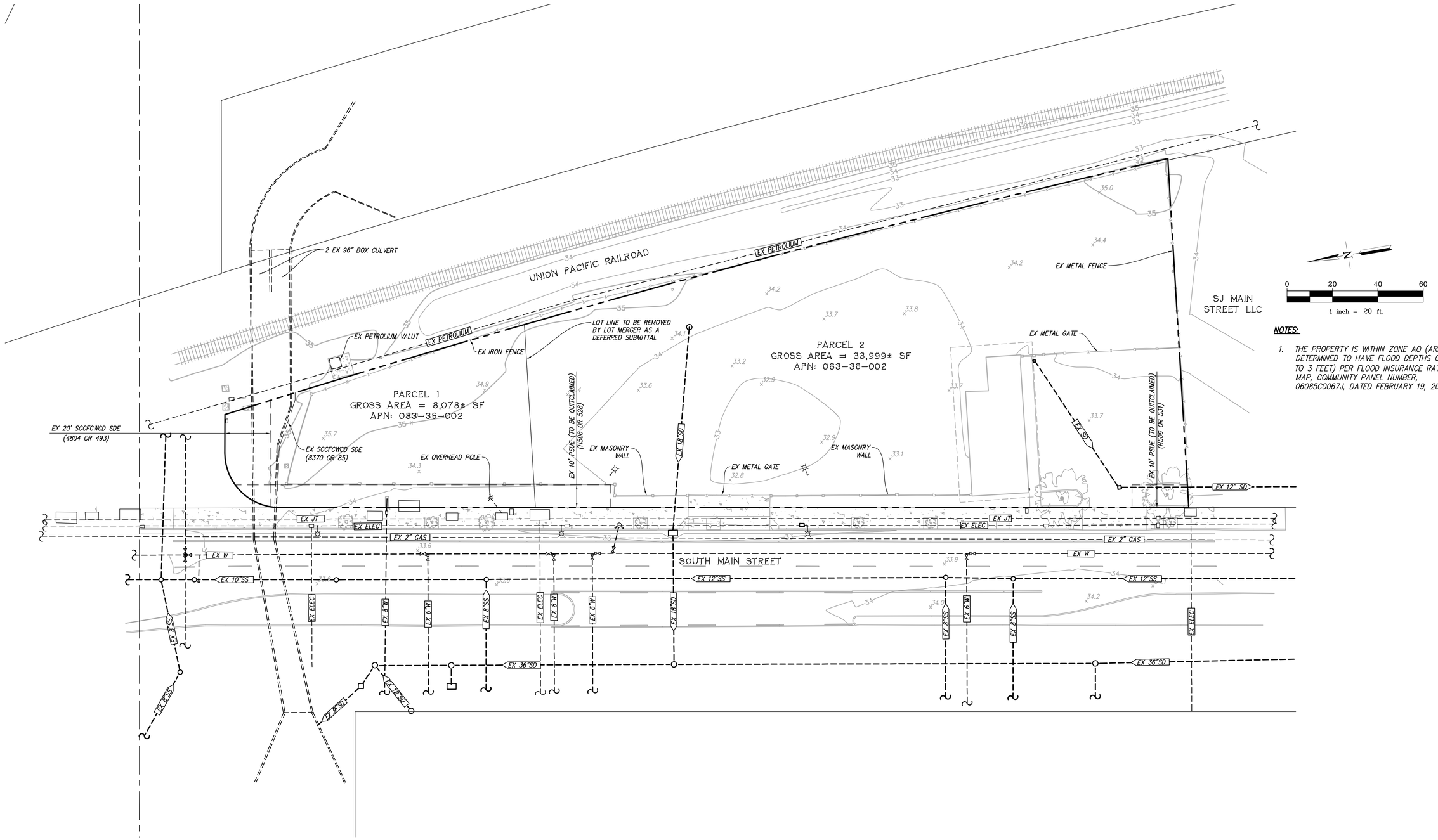
Contact: Josh Farmer
jfarmer@dcengineering.net

G1.0



NOTES:

1. THE PROPERTY IS WITHIN ZONE AO (AREAS DETERMINED TO HAVE FLOOD DEPTHS OF 1 TO 3 FEET) PER FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NUMBER, 06085C0067J, DATED FEBRUARY 19, 2014.

EXISTING CONDITIONS PLAN
1300 SOUTH MAIN STREET

CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

FOR: AMG & ASSOCIATES

RUGGERI-JENSEN-AZAR
ENGINEERS ▪ PLANNERS ▪ SURVEYORS
4690 CHABOT DRIVE, SUITE 200 PLEASANTON, CA 94588
PHONE: (925) 227-9100 FAX: (925) 227-9300

DATE: FEBRUARY 14, 2024 JOB NO. 211023 **C1.1**

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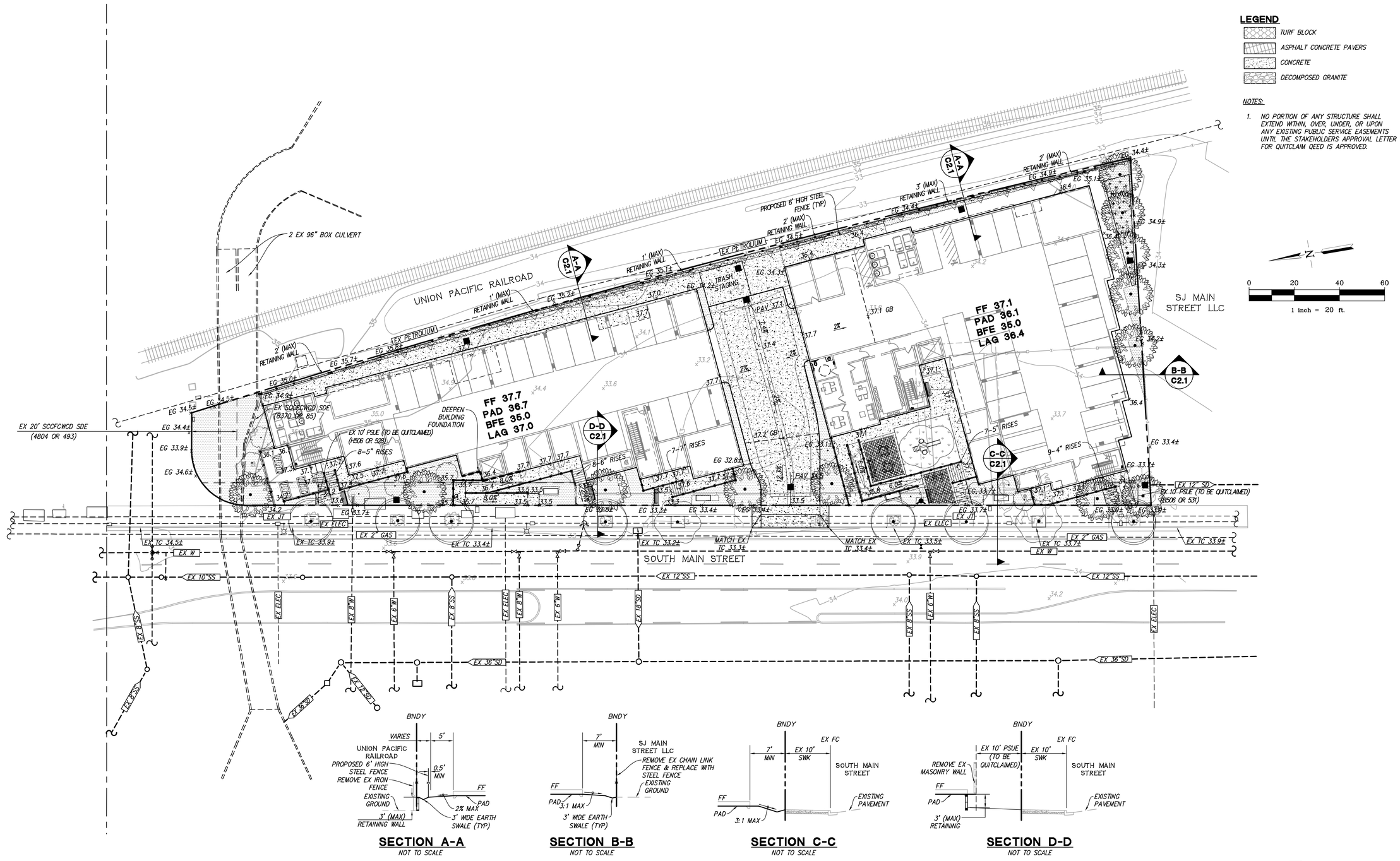

LEGEND

- TURF BLOCK
- ASPHALT CONCRETE PAVERS
- CONCRETE
- DECOMPOSED GRANITE

NOTES:

1. NO PORTION OF ANY STRUCTURE SHALL EXTEND WITHIN, OVER, UNDER, OR UPON ANY EXISTING PUBLIC SERVICE EASEMENTS UNTIL THE STAKEHOLDERS APPROVAL LETTER FOR QUITCLAIM DEED IS APPROVED.

SECTION A-A
NOT TO SCALE

SECTION B-B
NOT TO SCALE

SECTION C-C
NOT TO SCALE

SECTION D-D
NOT TO SCALE

PRELIMINARY GRADING AND DRAINAGE PLAN

1300 SOUTH MAIN STREET

CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

FOR: AMG & ASSOCIATES

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DATE: FEBRUARY 14, 2024 JOB NO. 211023 **C2.1**

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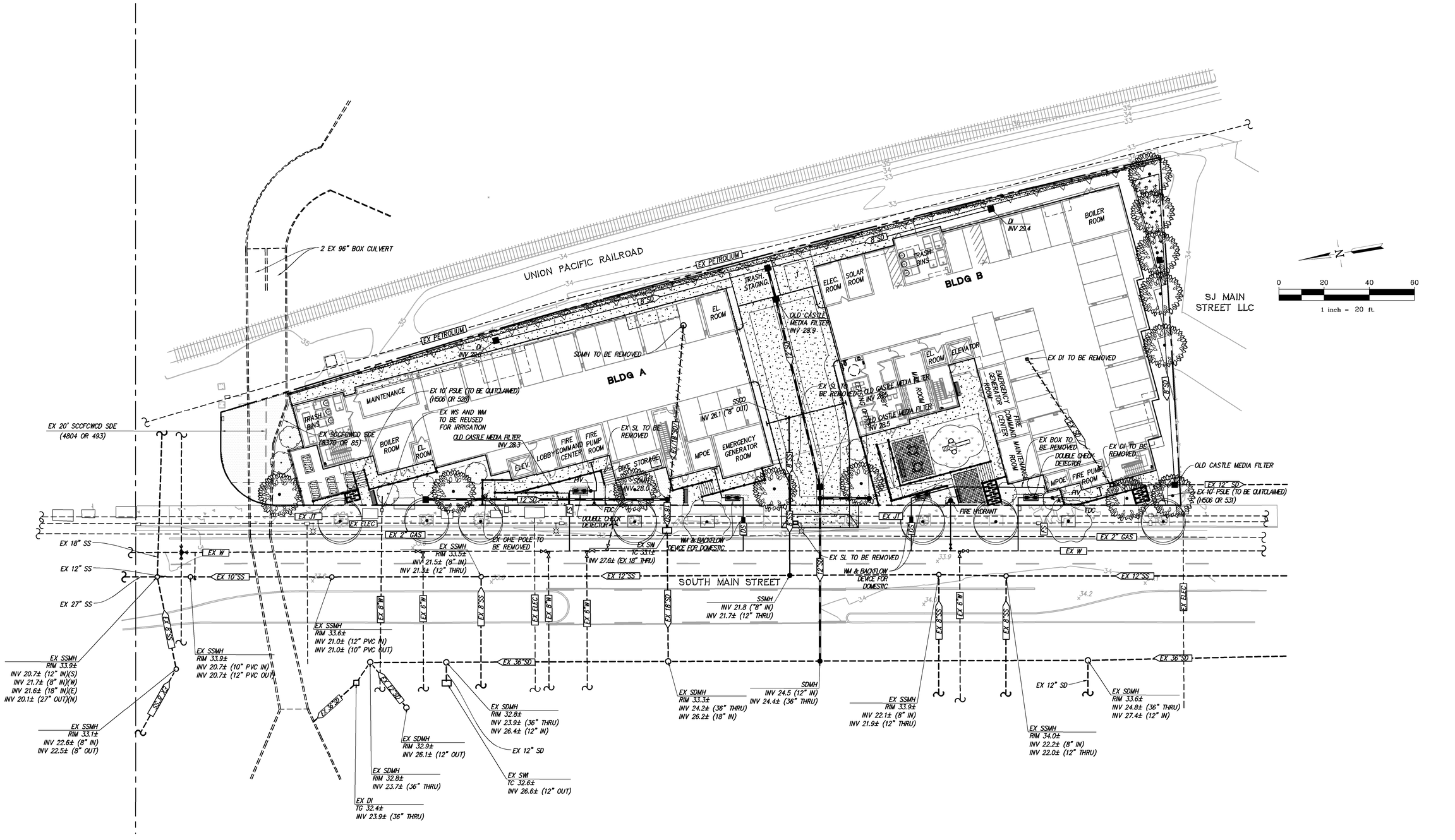
LEGEND

EX UTILITY TO BE REMOVED



PRELIMINARY UTILITY PLAN
1300 SOUTH MAIN STREET

CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

FOR: AMG & ASSOCIATES

RJA
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DATE: FEBRUARY 14, 2024 JOB NO. 211023 **C3.1**

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STORMWATER TREATMENT CALCULATIONS

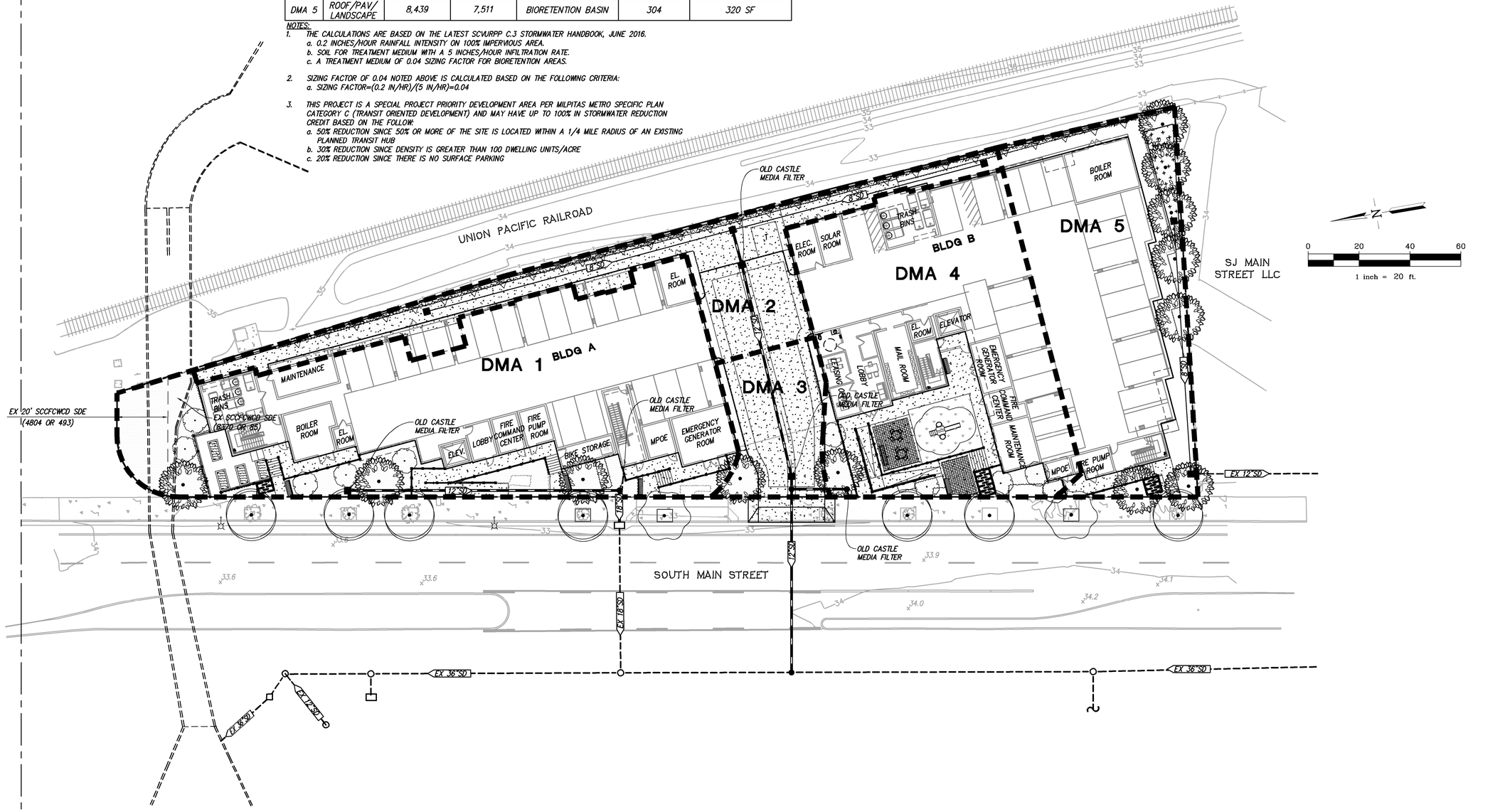
AREA ID	SURFACE TYPE	TOTAL AREA AREA (SF)	IMPERVIOUS AREA (SF)	BMP USED	REQUIRED SURFACE AREA (SF)	SURFACE AREA PROVIDED
DMA 1	ROOF/PAV/ LANDSCAPE	15,184	11,953	OLD CASTLE MFS UNIT	491	2-12"+12" CARTRIDGES
DMA 2	PAV/ LANDSCAPE	5,271	4,610	OLD CASTLE MFS UNIT	187	1-12" CARTRIDGE
DMA 3	ROOF/PAV/ LANDSCAPE	2,205	1,836	OLD CASTLE MFS UNIT	75	1-12" CARTRIDGE
DMA 4	ROOF/PAV/ LANDSCAPE	10,976	9,291	OLD CASTLE MFS UNIT	378	1-18" CARTRIDGE
DMA 5	ROOF/PAV/ LANDSCAPE	8,439	7,511	BIORETENTION BASIN	304	320 SF

NOTES:

1. THE CALCULATIONS ARE BASED ON THE LATEST SCVURPP C.3 STORMWATER HANDBOOK, JUNE 2016.
   a. 0.2 INCHES/HOUR RAINFALL INTENSITY ON 100% IMPERVIOUS AREA.
   b. SOIL FOR TREATMENT MEDIUM WITH A 5 INCHES/HOUR INFILTRATION RATE.
   c. A TREATMENT MEDIUM OF 0.04 SIZING FACTOR FOR BIORETENTION AREAS.
2. SIZING FACTOR OF 0.04 NOTED ABOVE IS CALCULATED BASED ON THE FOLLOWING CRITERIA:
   a. SIZING FACTOR=(0.2 IN/HR)/(5 IN/HR)=0.04
3. THIS PROJECT IS A SPECIAL PROJECT PRIORITY DEVELOPMENT AREA PER MILPITAS METRO SPECIFIC PLAN CATEGORY C (TRANSIT ORIENTED DEVELOPMENT) AND MAY HAVE UP TO 100% IN STORMWATER REDUCTION CREDIT BASED ON THE FOLLOW:
   a. 50% REDUCTION SINCE 50% OR MORE OF THE SITE IS LOCATED WITHIN A 1/4 MILE RADIUS OF AN EXISTING PLANNED TRANSIT HUB
   b. 30% REDUCTION SINCE DENSITY IS GREATER THAN 100 DWELLING UNITS/ACRE
   c. 20% REDUCTION SINCE THERE IS NO SURFACE PARKING

LEGEND

DRAINAGE MANAGEMENT AREA (DMA)



PRELIMINARY STORMWATER MANAGEMENT PLAN

1300 SOUTH MAIN STREET

CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA

FOR: AMG & ASSOCIATES

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DATE: FEBRUARY 14, 2024 JOB NO. 211023 **C4.1**

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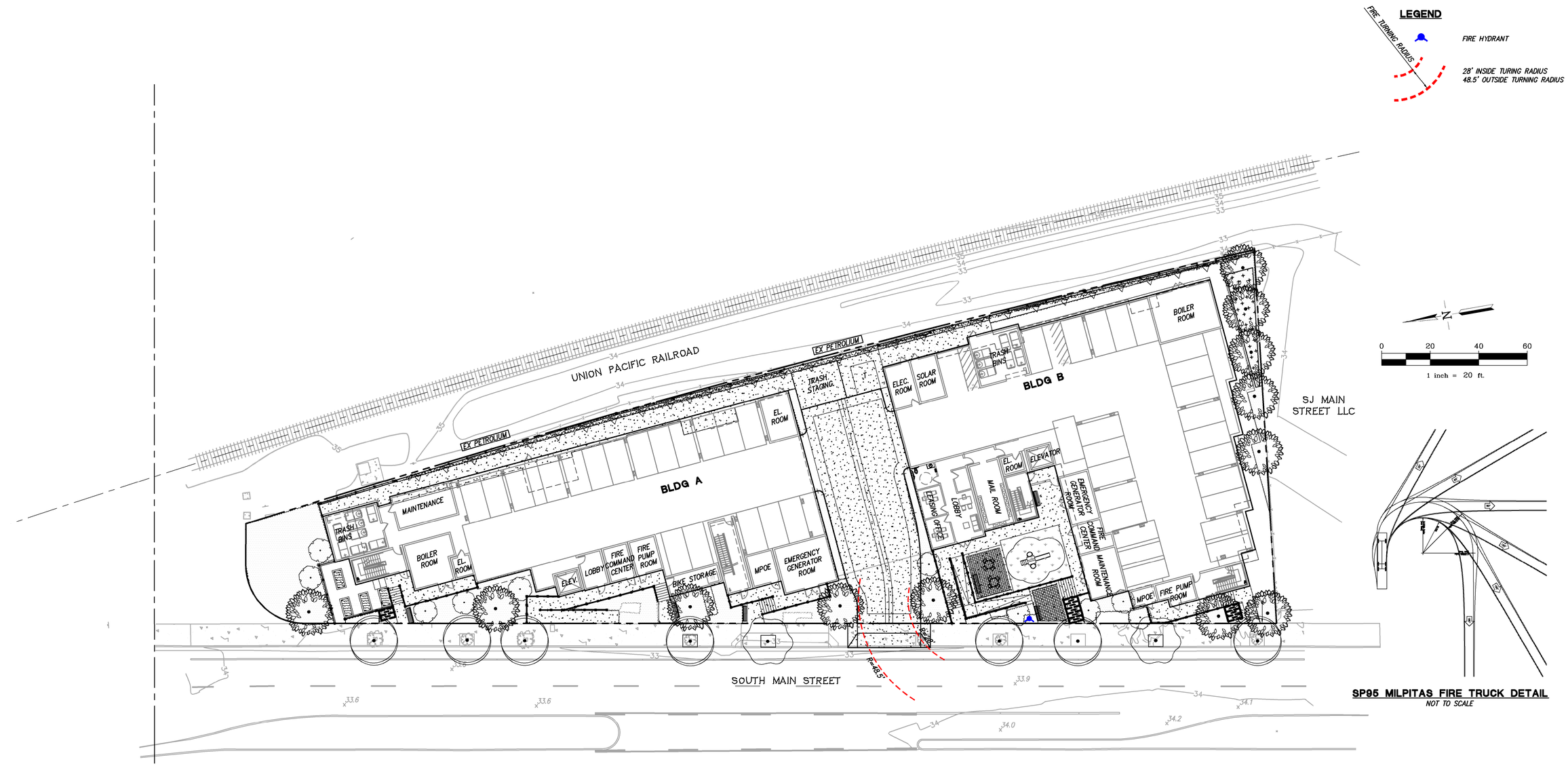

SP95 MILPITAS FIRE TRUCK DETAIL
NOT TO SCALE

PRELIMINARY FIRE ACCESS PLAN
1300 SOUTH MAIN STREET

CITY OF MILPITAS, SANTA CLARA COUNTY, CALIFORNIA
FOR: AMG & ASSOCIATES

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DATE: FEBRUARY 14, 2024 JOB NO. 211023 **C5.1**

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CURRENT ZONING:	MULTIPLE FAMILY VERY HIGH DENSITY DISTRICT(R4); TOD OVERLAY		
EXISTING USE	COMMERCIAL		
PROPOSED USE:	MULTIFAMILY RESIDENTIAL		
APN	083-36-002		
PROJECT ADDRESS:	1300 S MAIN STREET MILPITAS, CA 95035		
PROPOSED TYPE OF CONSTRUCTION:	BLDG. A & B - 5-STORIES TYPE III-A OVER 1 STORY OF RAISED PODIUM TYPE I		
AUTOMATIC SPRINKLER:	YES		
FAR:			
ALLOWABLE FAR:	2		
PROPOSED FAR:	3.36		
LOT SIZE:			
SUBJECT PROPERTY:	0.966 ACRES (42,079 SF)		
NUMBER OF UNITS:	**118 UNITS**		
DENSITY:	118 UNITS / 0.966 ACRES = **122.2 DU/AC**		
GROSS FLOOR AREA	**BLDG A. (SQ.FT.)**	**BLDG B. (SQ.FT.)**	**TOTAL (SQ.FT.)**
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5TH FLOOR	10,173	13,157	23,330
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GROUND LEVEL COMMON OPEN SPACE:	8,998		
ENCLOSED COMMON SPACE (AMENITIES):	1,150		
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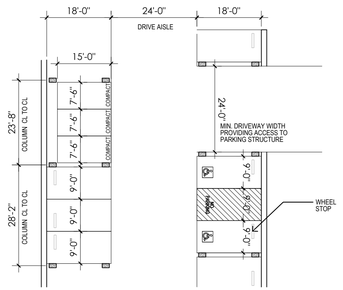
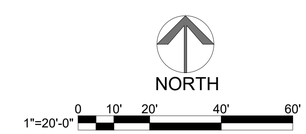
SETBACKS:	REQUIRED	PROVIDED	
FRONT YARD:	12'-20'	6'-0"	
SIDE YARD:	12'-20'	6'-9"	
REAR YARD:	12'-20'	6'-0"	
MAXIMUM HEIGHT PROVIDED (TOP OF STAIR TOWER):	77'-8"		
VEHICULAR PARKING PROVIDED:	**BLDG A.**	**BLDG B.**	**TOTAL**
	15 STALLS	24 STALLS	39 STALLS
BICYCLE PARKING	REQUIRED	PROVIDED	
LONG TERM: 1 SPACE PER 4 UNITS	30 STALLS	30 STALLS	
SHORT TERM: 1 SPACE PER 20 PARKING SPACES	6 STALLS	6 STALLS	
UNIT MIX:	**BLDG A.**	**BLDG B.**	**TOTAL**
STUDIOS	10 UNITS (22%)	5 UNITS (7%)	15 UNITS (13%)
1 BEDROOM	10 UNITS (22%)	29 UNITS (39.5%)	39 UNITS (33%)
2 BEDROOM	5 UNITS (11%)	29 UNITS (39.5%)	34 UNITS (29%)
3 BEDROOM	20 UNITS (45%)	10 UNITS (14%)	30 UNITS (25%)
TOTAL	**45 UNITS**	**73 UNITS**	**118 UNITS**

REFER TO CIVIL AND LANDSCAPE EXHIBITS FOR MORE INFORMATION



TYPICAL STANDARD PARKING GARAGE STALL



CONCEPTUAL SITE PLAN

A1.0

DATE: 02-15-2024
JOB NO.: 2020-503

MAIN STREET
MILPITAS,CA

AMG & ASSOCIATES

AO ARCHITECTS
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(714) 639-9860

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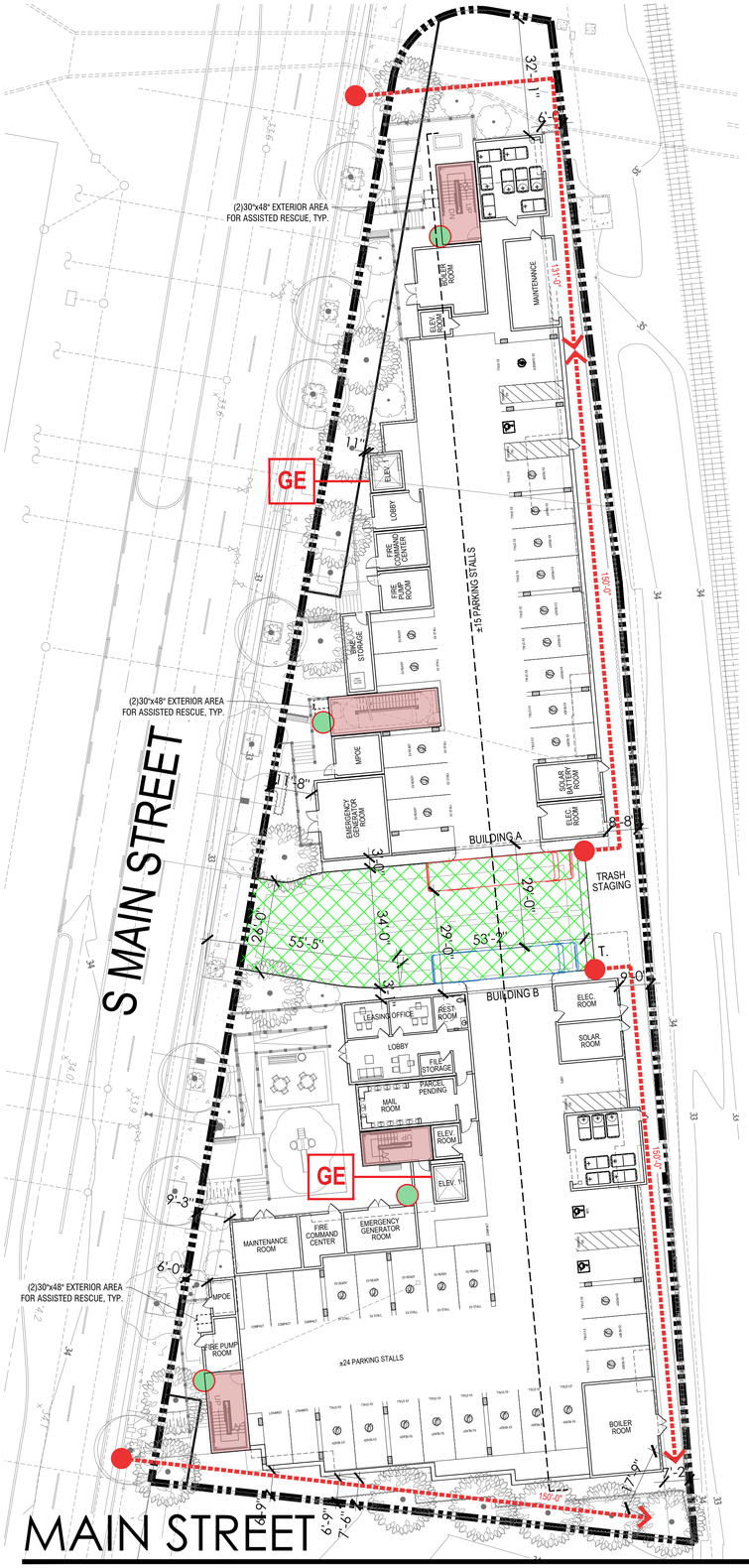
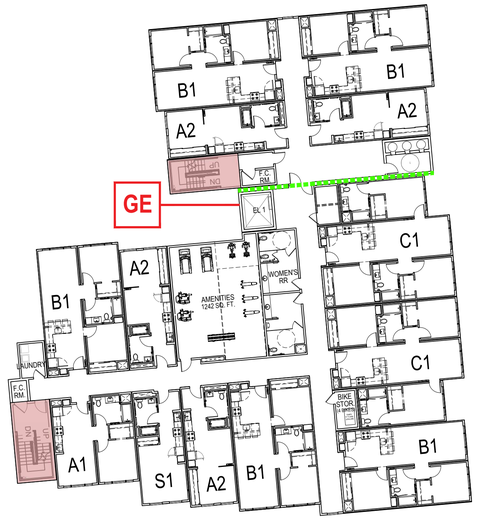
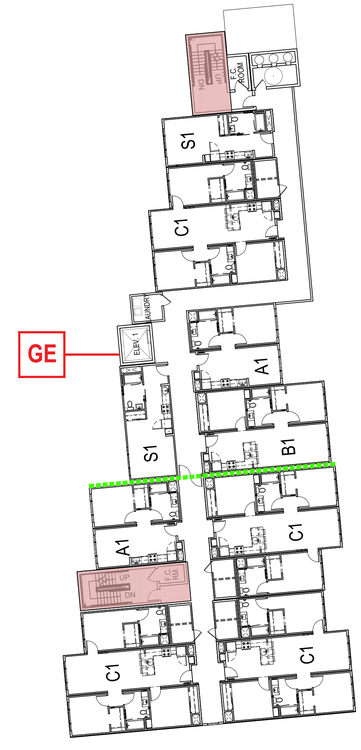
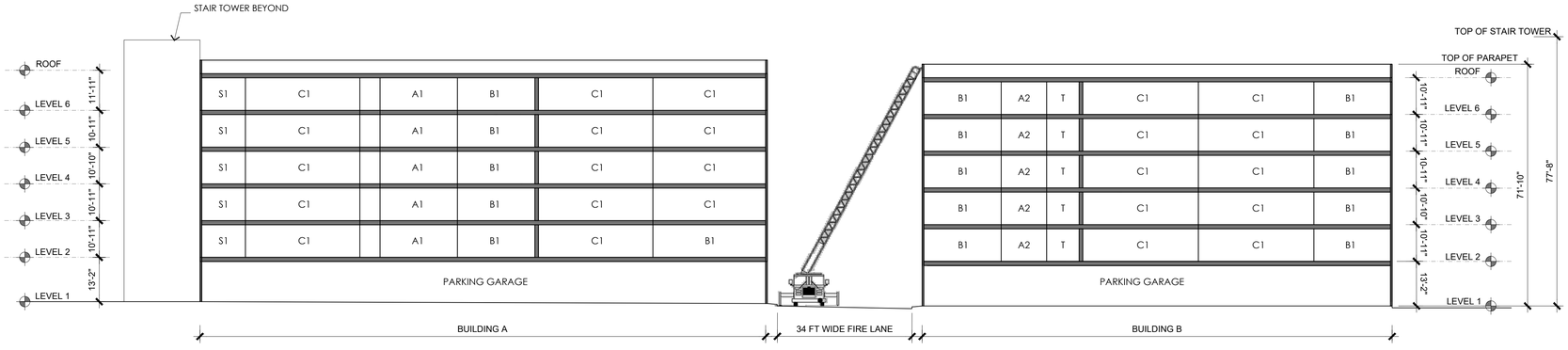


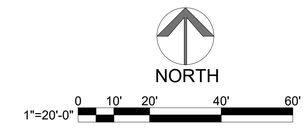


BUILDING B - TYPICAL UPPER PLAN 2



BUILDING A - TYPICAL UPPER PLAN 1





LEGEND

- STAIR WITH ROOF ACCESS
- PROPOSED FIRE ACCESS DRIVEWAY
- NEW PUBLIC FIRE HYDRANT
- 150' HOSE PULL
- FIRE AREA SEPARATION WALL
- MAIN ACCESS POINT TO BUILDING
- GUERNY-SIZE ELEVATOR
- FIRE APPARATUS FOR BUILDING A
- FIRE APPARATUS FOR BUILDING B

MAIN STREET

MILPITAS,CA

AMG & ASSOCIATES

CONCEPTUAL FIRE PLAN

A1.1

DATE: 02-14-2024
JOB NO.: 2020-503

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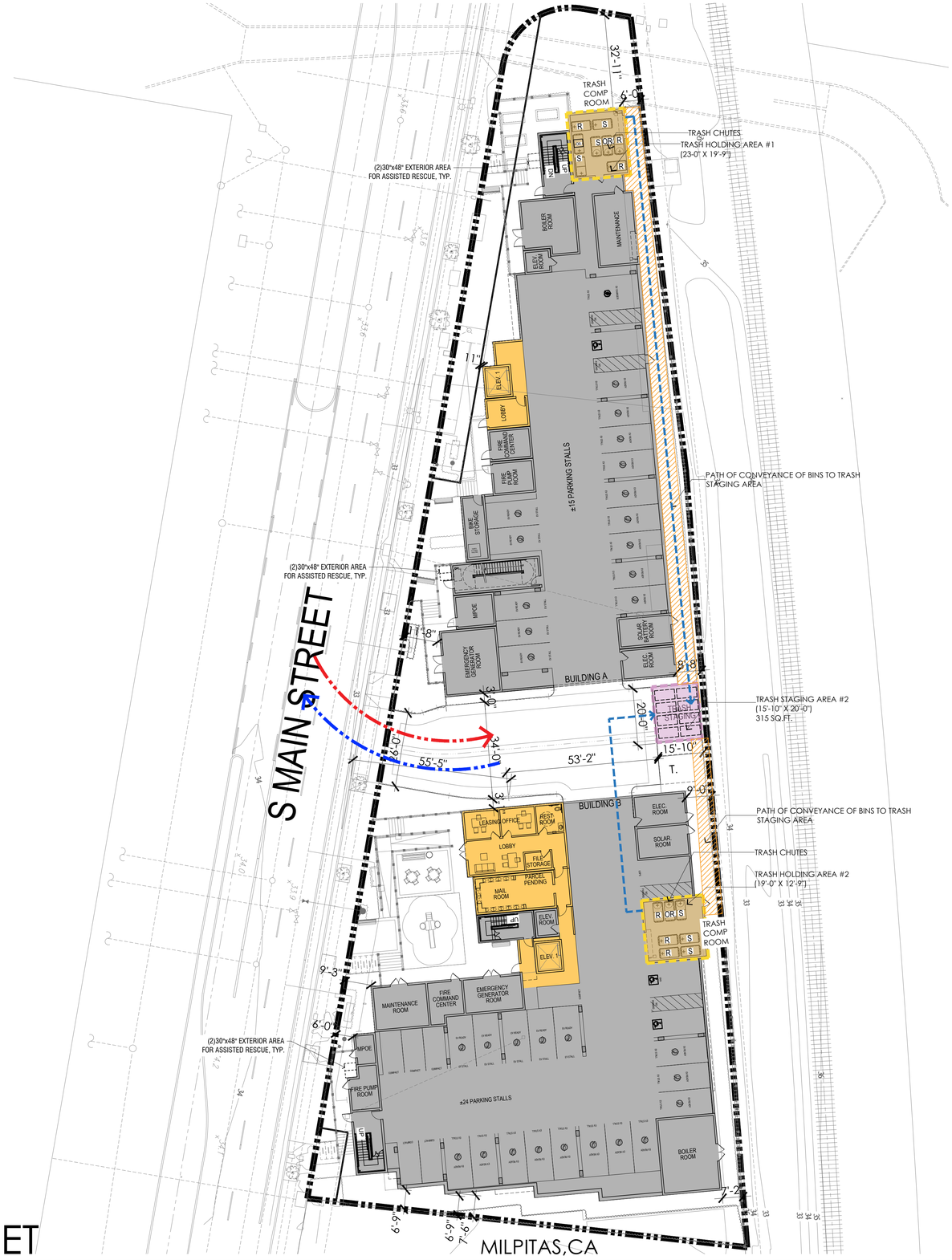

TRASH NARRATIVE

Residents will dispose of trash and waste for recycling via chutes for refuse and recycling (1each) which are provided in a room at two locations on each level. Trash chutes drop into trash bins located in rooms on the lower garage level, as shown on this sheet. Vertical Trash Compactors are provided within these receiving / compaction rooms to directly compact refuse or recyclable material. Management personnel will bring compacted bins out of the receiving / compaction rooms for "scout" truck collection / "train-ing". (Internal transport from Holding/Compaction areas to the Collection Area shall remain the responsibility of the property owner throughout the lifecycle of this development). The scout truck will then transport compacted bins to the collection area as shown.

Waste Hauler truck to reverse into property to acces trash staging area and pull forward to exit onto Main Street as designated on plan.

Per City of Milpitas Development Guidelines for Solid Waste Service, 3 cubic yard bin size is 42" x 72".

Color of bins used for solid waste to be different from bins used for recycling.

TRASH COLLECTION SUMMARY

3(b) Chutes. Chutes, if provided for on-site collection of material, shall comply with the following guidelines:

i. Application.
Contact City engineering department if recycled material chutes are proposed since special care must be taken to assure material does not hang up in chutes and to minimize contamination by trash. In addition, a property manager shall be available to monitor the chute daily (including weekends)to check operations, maintain bins and chutes, and avoid nuisance conditions.

ii. Adequate Designated Recycled Area Required. Provide adequate area for separate recycled material collection adjacent to chute area; property management to transport recycled material to central location for pickup.

iii. Chute Design.
1. Provide 16 inch square chute doors (which is smaller than the 24 inch chute diameter) to preclude dumping of large items which may hang up in chute.
2. Provide chute doors with side panels to avoid hands being caught in doors.
3.Provide temporary "shutoff door" at end of chute to prevent disposal when receiving trash bins are being changed.
4. Provide insulation around chute to reduce noise.
5. Provide sanitary systems to minimize nuisance conditions:
-Placement of the manufacturers optional, built-in water cleaning system, where appropriate**
-Use of the deodorizer device, where appropriate***
-Include positive, mechanical air ventilation of at least six (6) room volumes per hour or as designed for specific use by registered engineer. Fan switch shall be located at a convenient location near trash bins.
6. Provide individual slide-out refuse cabinet with 15 pound plastic bag holder in each residential kitchen for plastic, tie-top disposal bags to be used for disposal into chutes.
7. For chutes in excess of three floors, a baffle system to reduce the drop impact of material shall be included.

iv. Others.
1. Adhere to fire code (City Fire Department will review).
2. Conform to all Equipment Manufacturer's requirements.

REFER TO CIVIL EXHIBITS FOR MORE INFORMATION

LEGEND

- ROUTE TO TRASH STAGING
- HAULER TRUCK BACKING-IN
- HAULER TRUCK MOVING HEAD-ON
- TRASH ROOM
- TRASH STAGING AREA
- 6'-0" MINIMUM PATHWAY

S INDICATES SOLID WASTE BIN
R INDICATES RECYCLABLE BIN
OR INDICATES ORGANIC WASTE CART

NORTH

0 10' 20' 40' 60'
1"=20'-0"

CONCEPTUAL TRASH MANAGEMENT PLAN

A1.2

DATE: 02-14-2024
JOB NO.: 2020-503

MAIN STREET
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CURRENT ZONING:	MULTIPLE FAMILY VERY HIGH DENSITY DISTRICT(R4); TOD OVERLAY		
EXISTING USE	COMMERCIAL		
PROPOSED USE:	MULTIFAMILY RESIDENTIAL		
APN	083-36-002		
PROJECT ADDRESS:	1300 S MAIN STREET MILPITAS, CA 95035		
PROPOSED TYPE OF CONSTRUCTION:	BLDG. A & B - 5-STORIES TYPE III-A OVER 1 STORY OF RAISED PODIUM TYPE I		
AUTOMATIC SPRINKLER:	YES		
FAR:			
ALLOWABLE FAR:	2		
PROPOSED FAR:	3.36		
LOT SIZE:			
SUBJECT PROPERTY:	0.966 ACRES (42,079 SF)		
NUMBER OF UNITS:	**118 UNITS**		
DENSITY:	118 UNITS / 0.966 ACRES = **122.2 DU/AC**		
GROSS FLOOR AREA	**BLDG A. (SQ.FT.)**	**BLDG B. (SQ.FT.)**	**TOTAL (SQ.FT.)**
1ST FLOOR	11,054	13,809	24,863
2ND FLOOR	10,173	13,157	23,330
3RD FLOOR	10,173	13,157	23,330
4TH FLOOR	10,173	13,157	23,330
5TH FLOOR	10,173	13,157	23,330
6TH FLOOR	10,173	13,157	23,330
GRAND TOTAL:	**61,919**	**79,594**	**141,513**
OPEN SPACE CALCULATIONS			
REQUIRED COMMON OPEN SPACE: 100 SF/ UNIT	**11,800 SQ.FT.**		
GROUND LEVEL COMMON OPEN SPACE:	8,998		
ENCLOSED COMMON SPACE (AMENITIES):	1,150		
TOTAL OPEN SPACE PROVIDED (SQ.FT.):	**10,148**		
SETBACKS:	REQUIRED	PROVIDED	
FRONT YARD:	12'-20'	6'-0"	
SIDE YARD:	12'-20'	6'-9"	
REAR YARD:	12'-20'	6'-0"	
MAXIMUM HEIGHT PROVIDED (TOP OF STAIR TOWER):	77'-8"		
VEHICULAR PARKING PROVIDED:	**BLDG A.**	**BLDG B.**	**TOTAL**
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REFER TO CIVIL AND LANDSCAPE EXHIBITS FOR MORE INFORMATION

LEGEND
COMMON OPEN SPACE

NORTH

1"=20'-0" 0 10' 20' 40' 60'

MAIN STREET

AMG & ASSOCIATES

CONCEPTUAL OPEN SPACE PLAN

A1.3

DATE: 02-15-2024
JOB NO.: 2020-503

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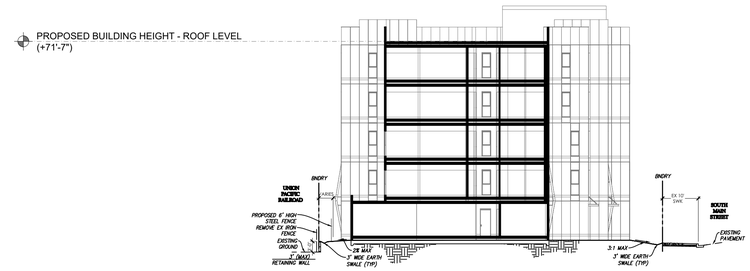
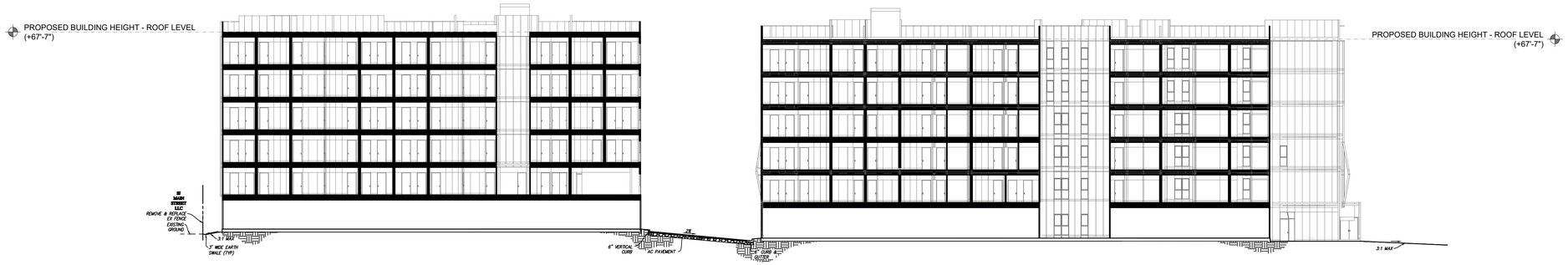


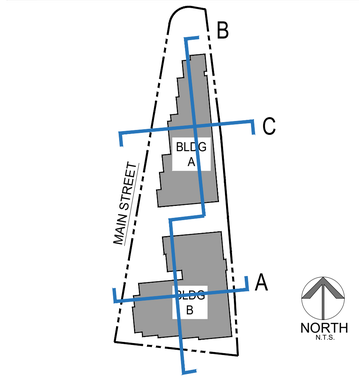
SECTION C



SECTION B

SECTION A

KEY MAP



CONCEPTUAL SITE SECTIONS

A1.4

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
JOB NO.: 2020-503

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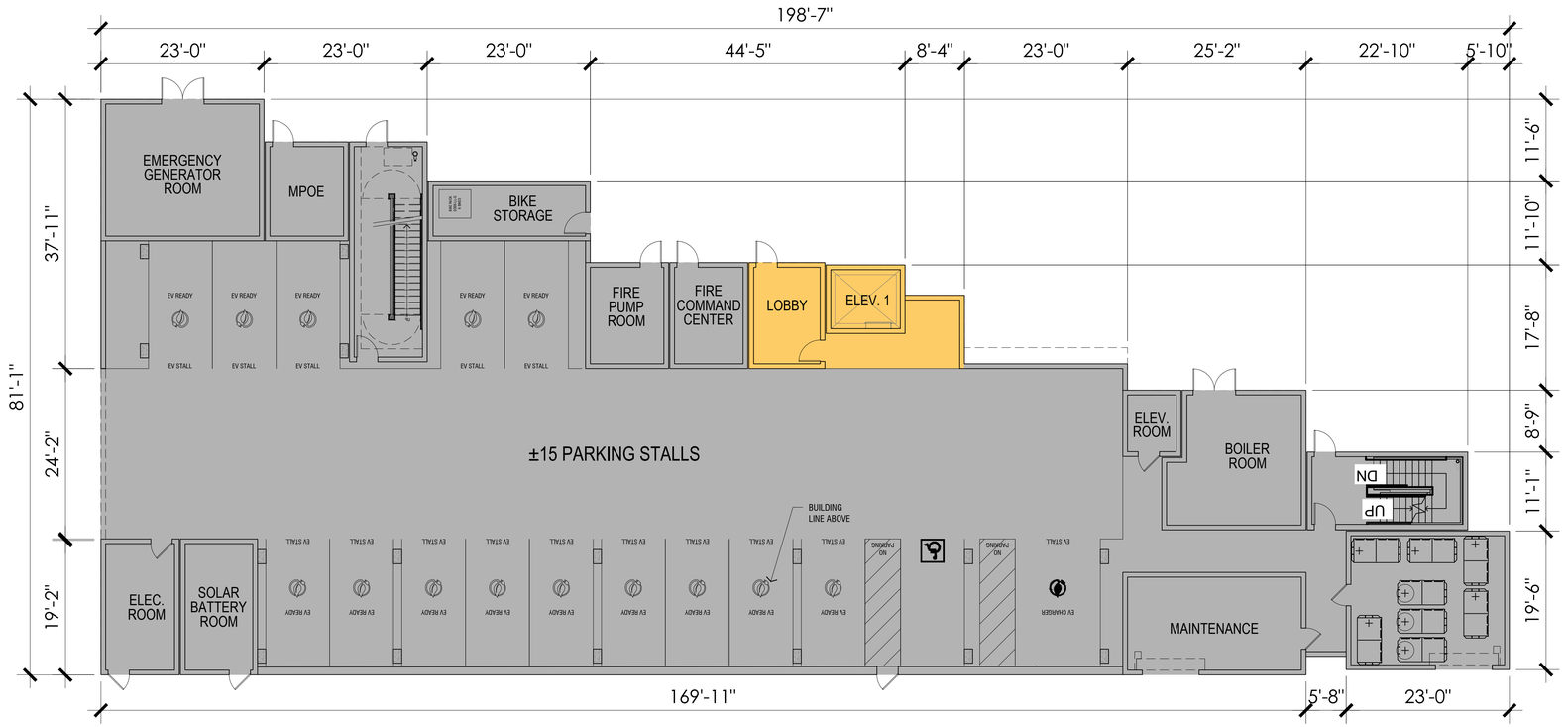


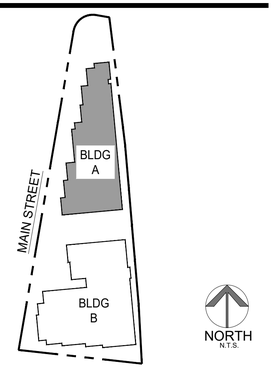
Level 1

Levels 2-6

LEGEND

- RESIDENTIAL
- RESIDENTIAL AMENITIES
- PARKING

KEY MAP



CONCEPTUAL BLDG. PLANS - BLDG. A

A2.0

DATE: 02-14-2024
JOB NO.: 2020-503

MAIN STREET

MILPITAS,CA

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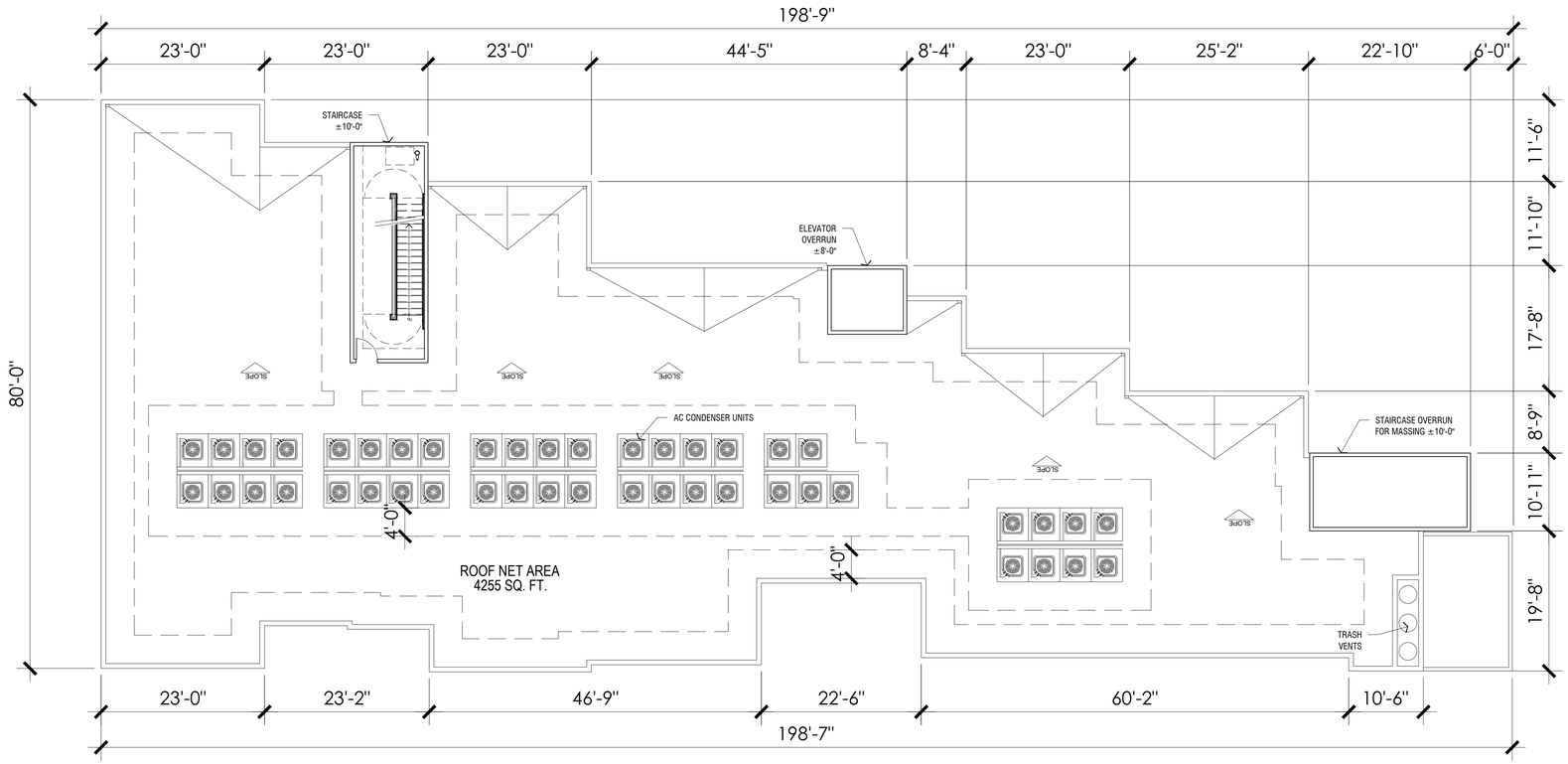
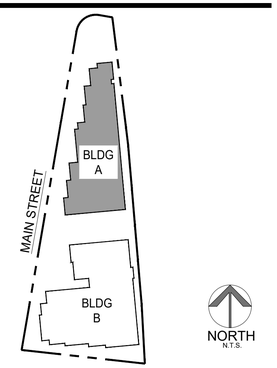


Roof Level

KEY MAP



CONCEPTUAL BLDG. PLANS - BLDG. A

A2.1

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
JOB NO.: 2020-503

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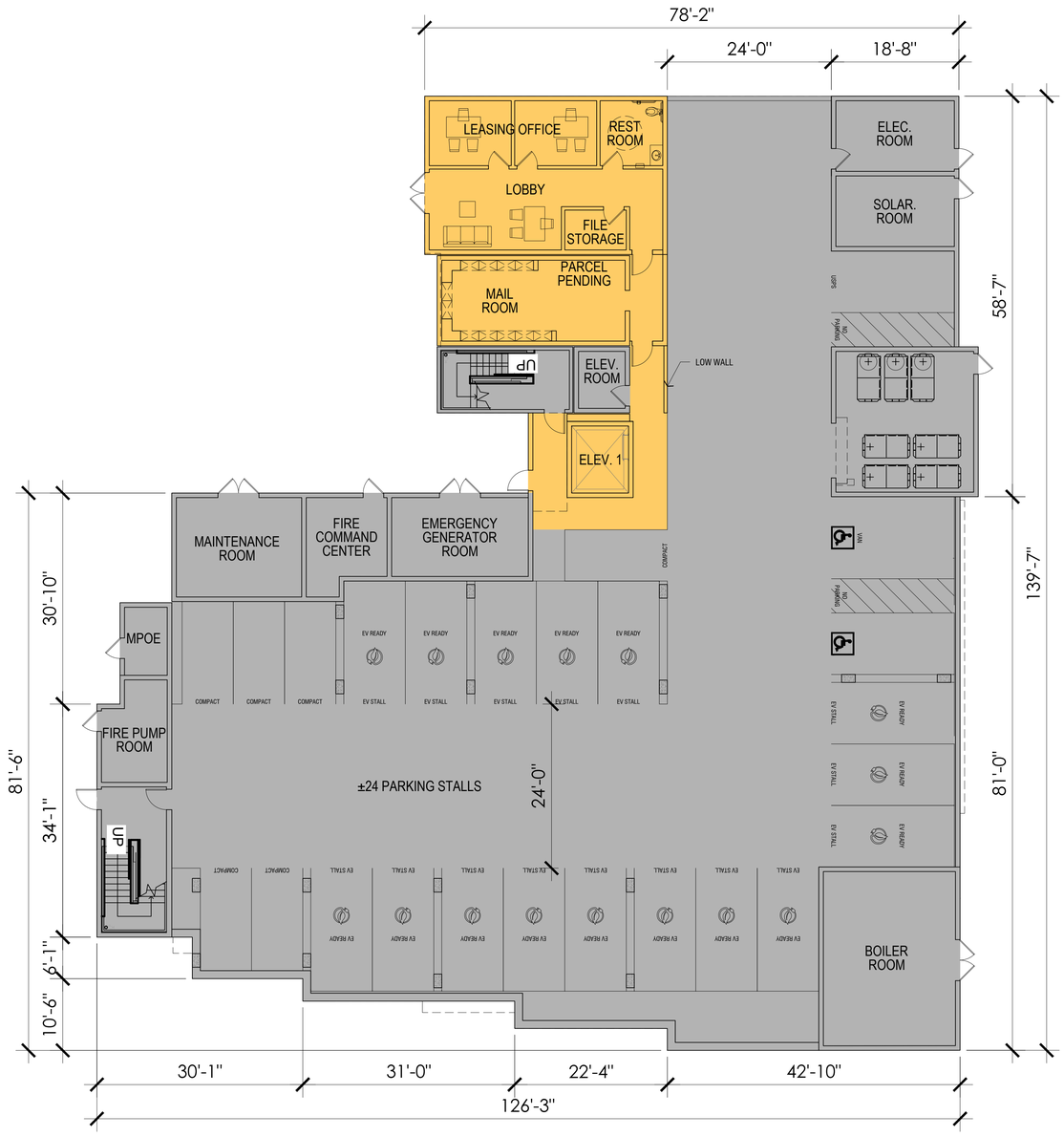
Design.
Relationships.

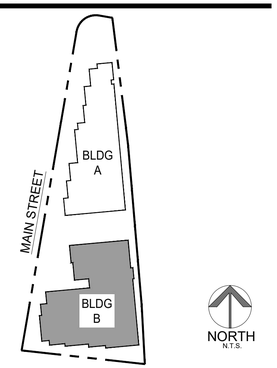
LEGEND

- RESIDENTIAL
- RESIDENTIAL AMENITIES
- PARKING



Level 1

KEY MAP



NORTH

1"=10'-0" 0 5' 10' 20' 30'

CONCEPTUAL BLDG. PLANS - BLDG. B

A2.2

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
JOB NO.: 2020-503

AMG & ASSOCIATES

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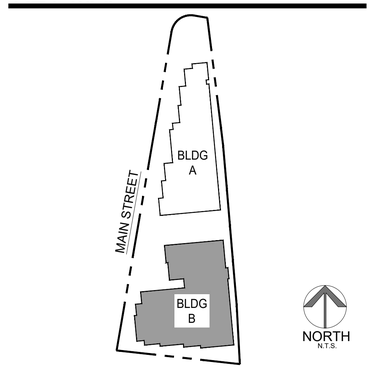
LEGEND

- RESIDENTIAL
- RESIDENTIAL AMENITIES
- PARKING

Level 2

KEY MAP



NORTH

1"=10'-0" 0 5' 10' 20' 30'

CONCEPTUAL BLDG. PLANS - BLDG. B

A2.3

MAIN STREET

MILPITAS,CA

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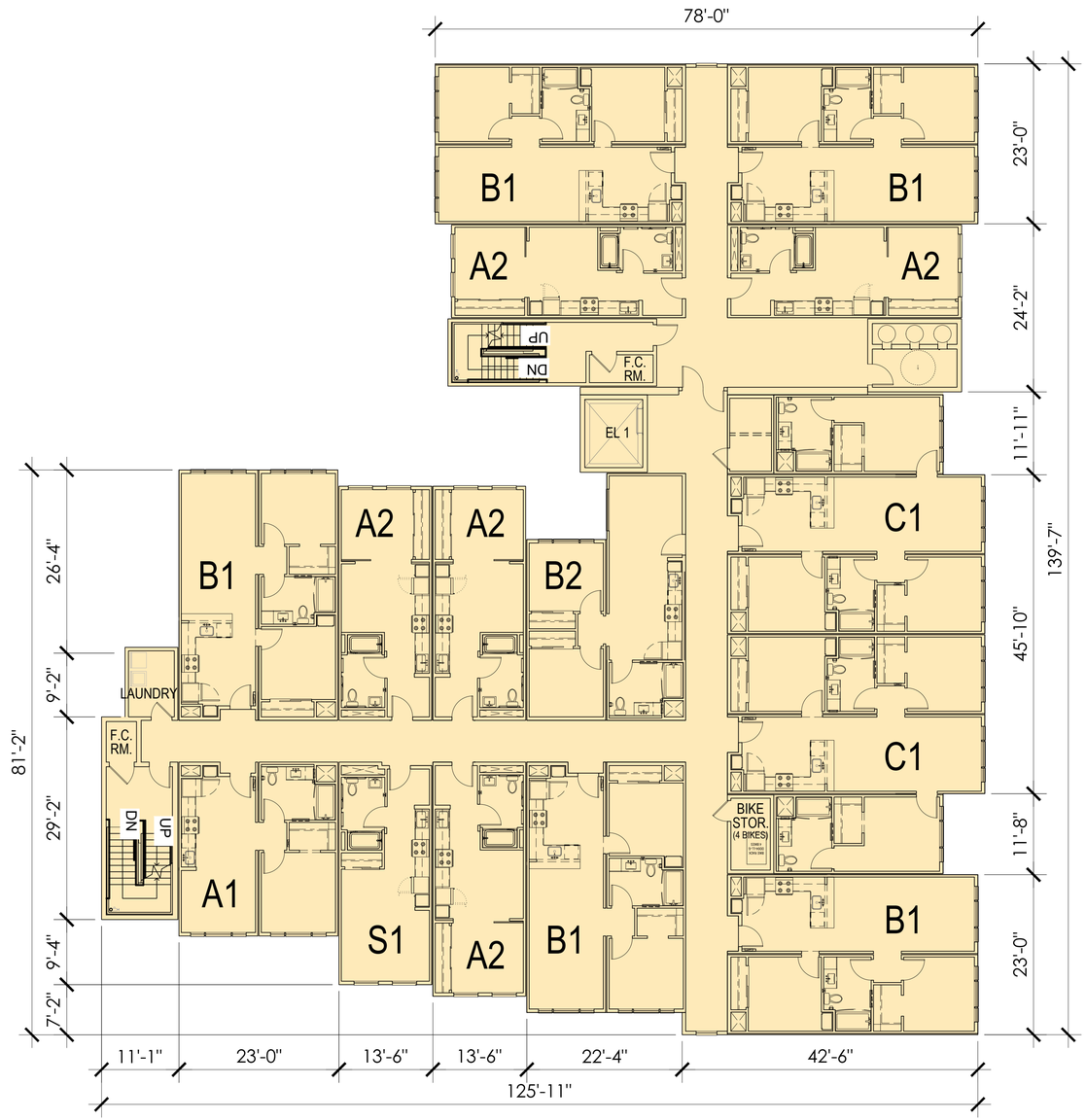
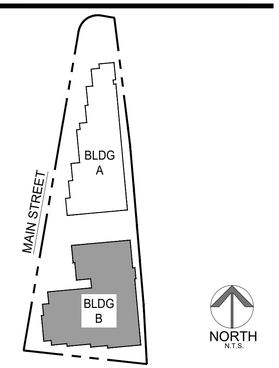
LEGEND

- RESIDENTIAL
- RESIDENTIAL AMENITIES
- PARKING



Level 3-6

KEY MAP



NORTH

1"=10'-0" 0 5' 10' 20' 30'

CONCEPTUAL BLDG. PLANS - BLDG. B

A2.4

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
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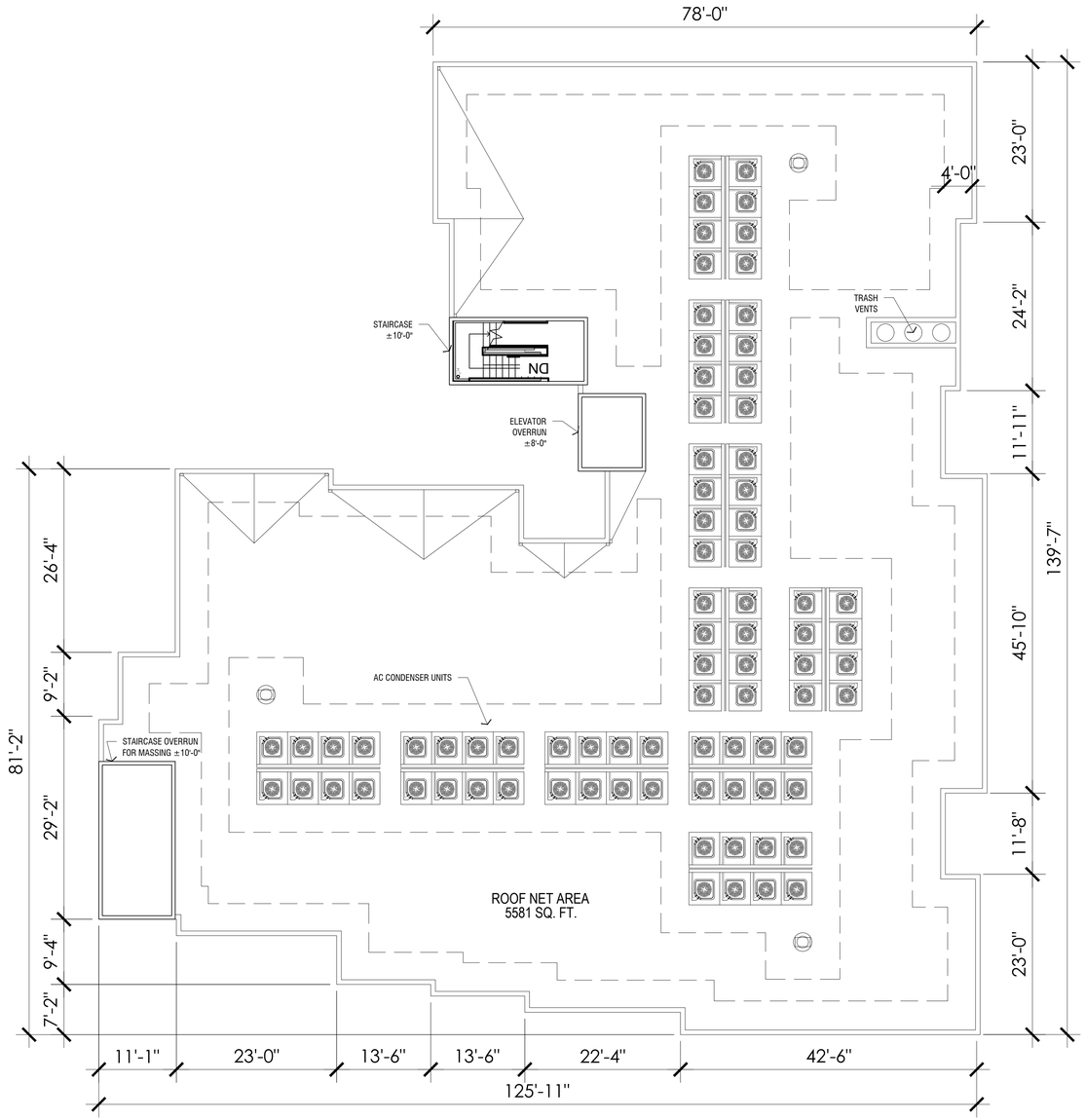
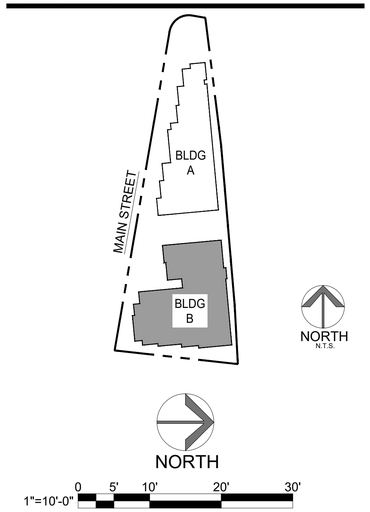
NOTE: SOLAR PANEL EQUIPMENT IS EXPECTED TO EXCEED 581 SQ. FT. IN AREA. THIS WOULD DISQUALIFY THE ROOF NET AREA FROM MEETING GREEN ROOF REQUIREMENT THRESHOLDS.



Roof Level

KEY MAP



CONCEPTUAL BLDG. PLANS - BLDG. B

A2.5

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
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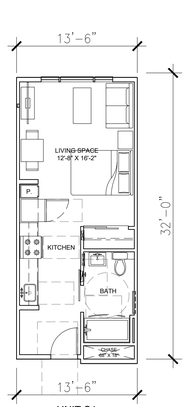
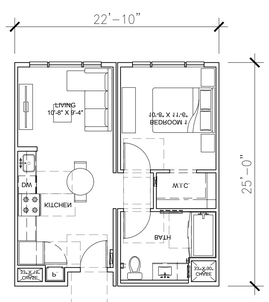
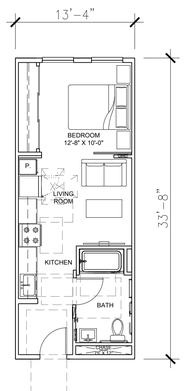


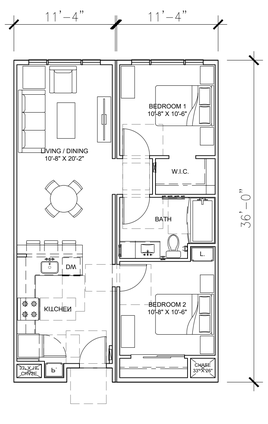
UNIT S1
STUDIO - 1 BATH
UNIT AREA: 416 SQ. FT.



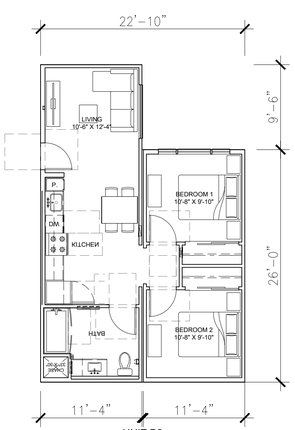
UNIT A1
1 BED - 1 BATH
UNIT AREA: 585 SQ. FT.



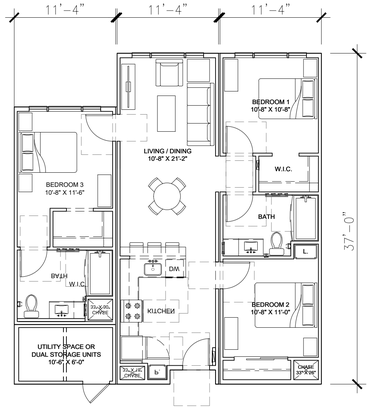
UNIT A2
1 BED - 1 BATH
UNIT AREA: 450 SQ. FT.



UNIT B1
2 BED - 1 BATH
UNIT AREA: 799 SQ. FT.



UNIT B2
2 BED - 1 BATH
UNIT AREA: 799 SQ. FT.



UNIT C1
3 BED - 2 BATH
UNIT AREA: 1100 SQ. FT.

1/8"=1'-0" 0 4' 8' 16' 24'

CONCEPTUAL UNIT PLANS

A3.0

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
JOB NO.: 2020-503

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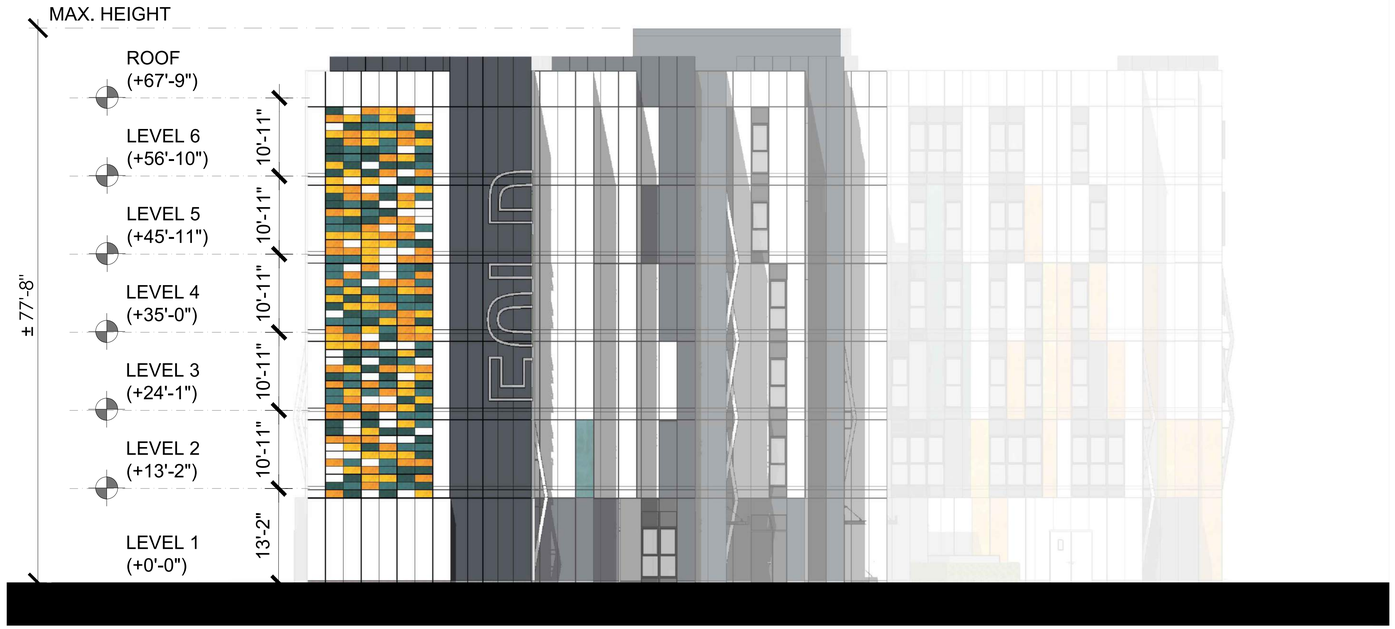
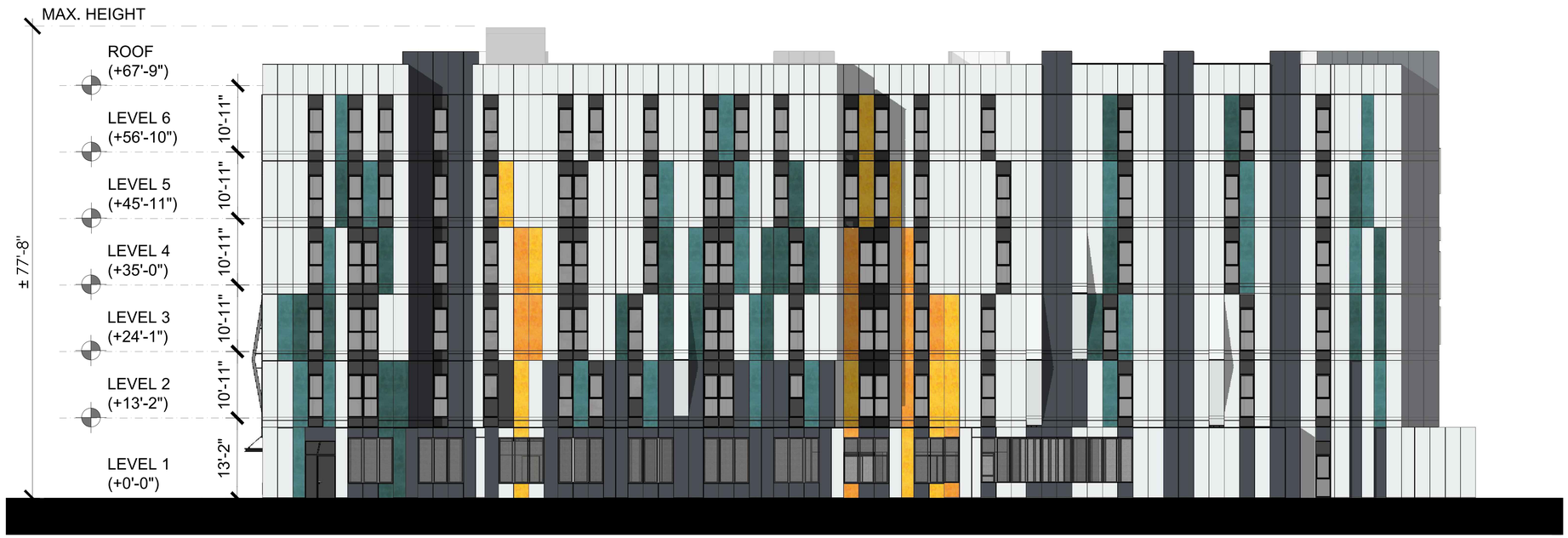
Design.
Relationships.

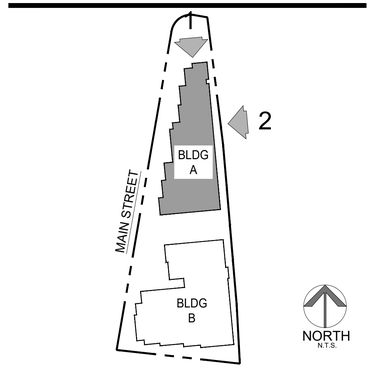


BUILDING A - NORTH ELEVATION 1



BUILDING A - EAST ELEVATION 2

KEY MAP



1"=10'-0" 0 5' 10' 20' 30'

CONCEPTUAL BLDG. ELEVATIONS - BLDG. A

A4.0

MAIN STREET

MILPITAS,CA

AMG & ASSOCIATES

DATE: 02-14-2024
JOB NO.: 2020-503

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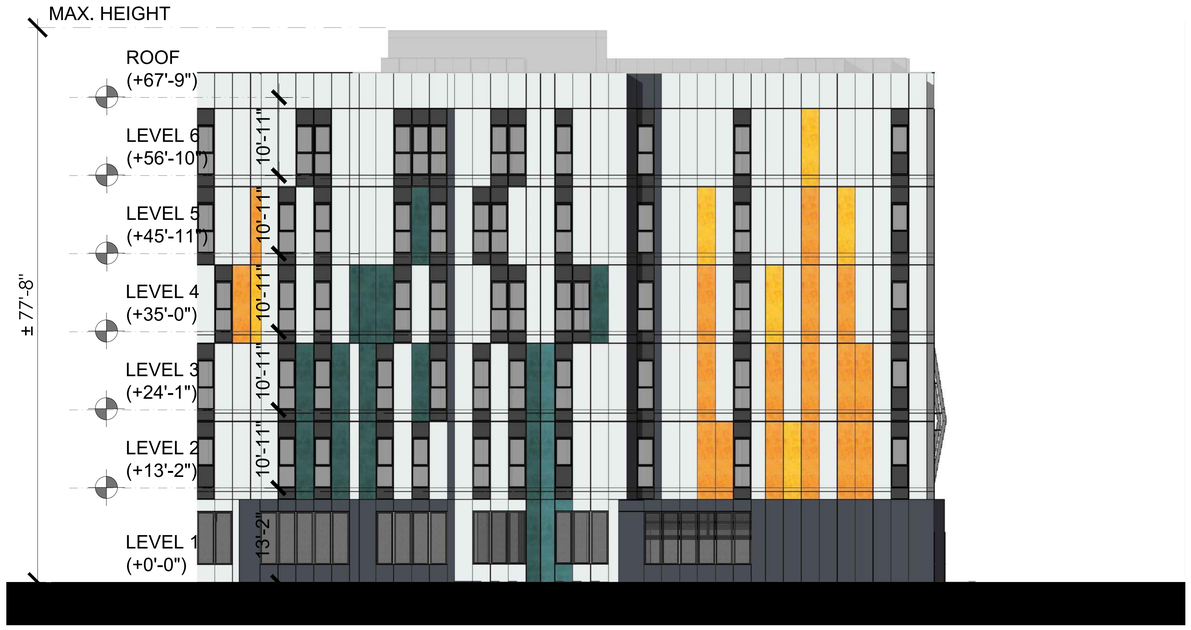
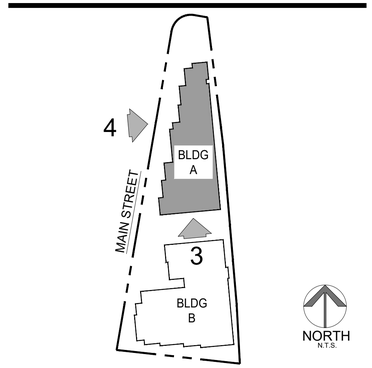
Design.
Relationships.



BUILDING A - SOUTH ELEVATION 3

BUILDING A - WEST ELEVATION 4

KEY MAP



1"=10'-0" 0 5' 10' 20' 30'

CONCEPTUAL BLDG. ELEVATIONS - BLDG. A

A4.1

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
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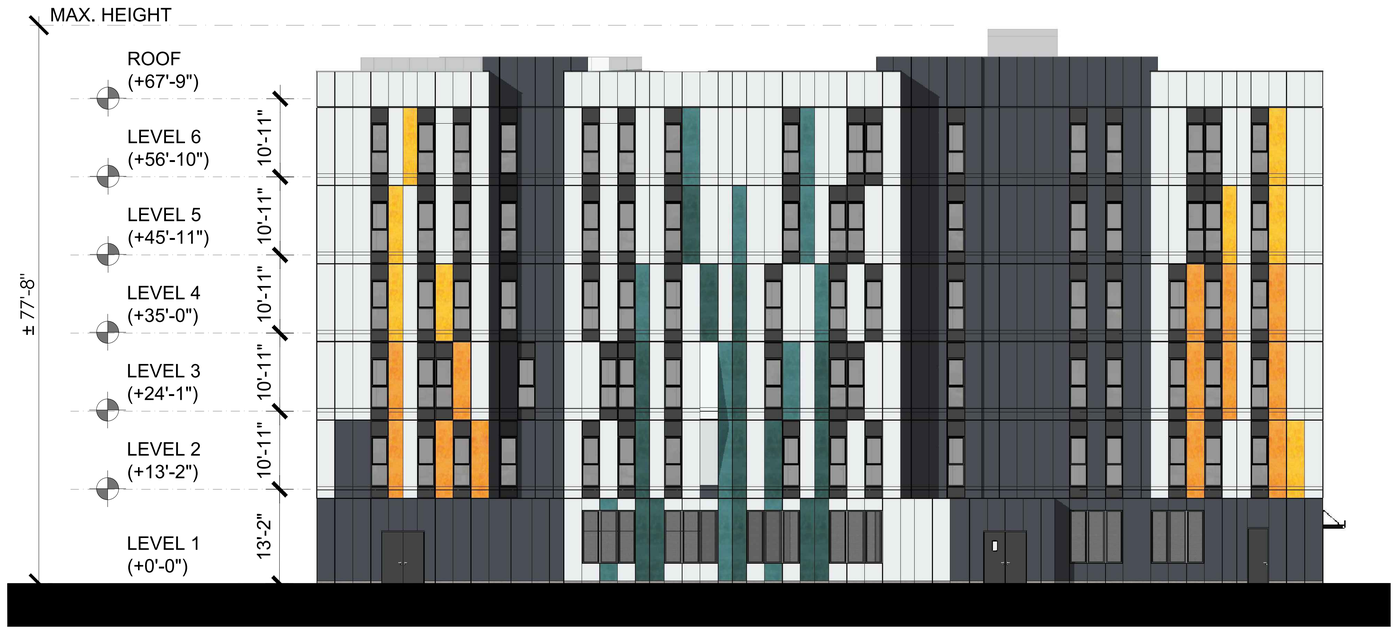
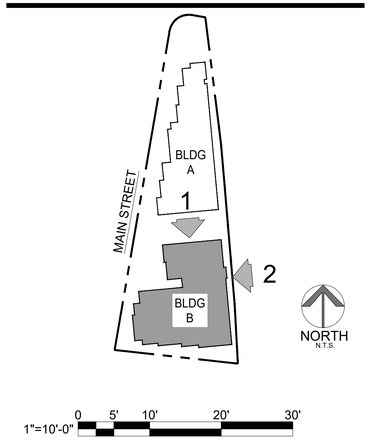
BUILDING B - NORTH ELEVATION 1



BUILDING B - EAST ELEVATION 2

KEY MAP



CONCEPTUAL BLDG. ELEVATIONS - BLDG. B

A4.2

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
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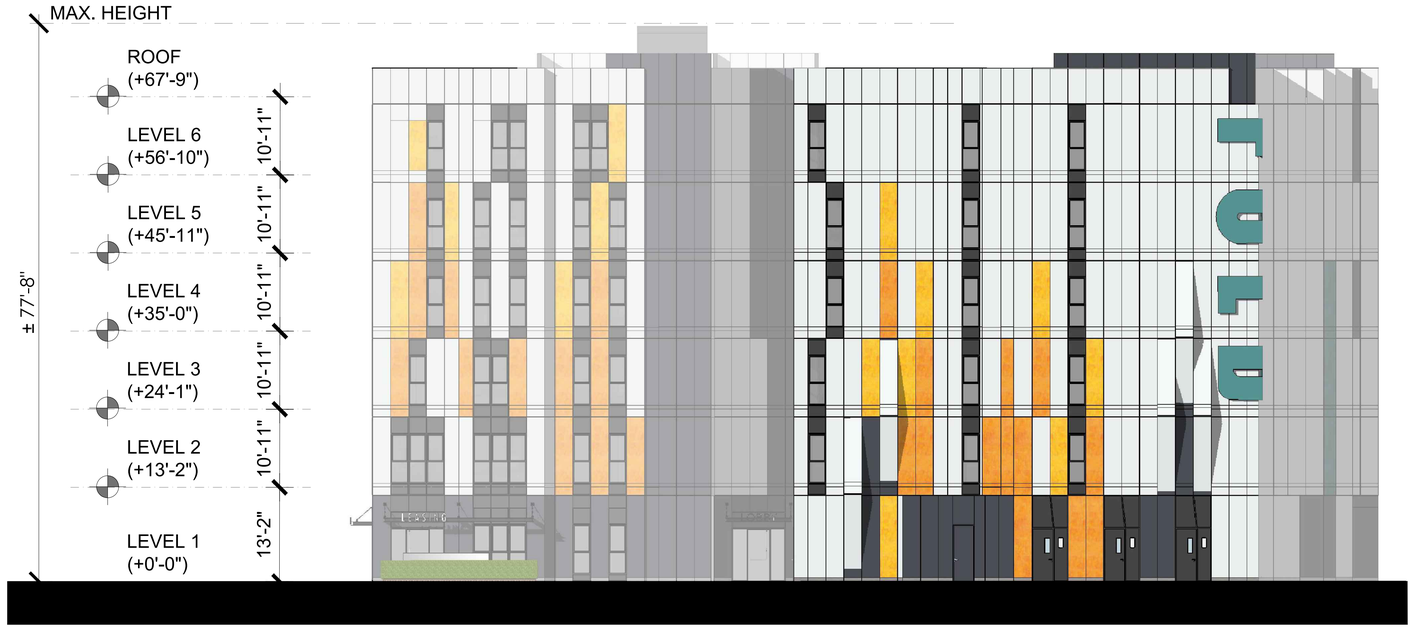
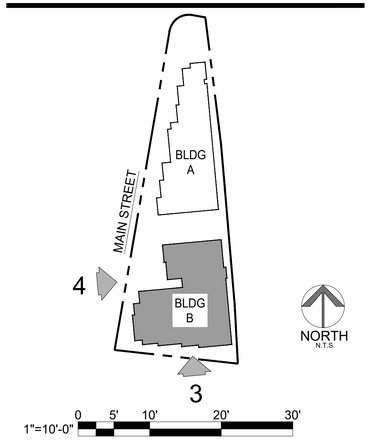
Relationships.

BUILDING B - SOUTH ELEVATION 3



BUILDING B - WEST ELEVATION 4

KEY MAP



CONCEPTUAL BLDG. ELEVATIONS - BLDG. B

A4.3

MAIN STREET

MILPITAS,CA

AMG & ASSOCIATES

DATE: 02-14-2024
JOB NO.: 2020-503

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Architecture.
Design.
Relationships.

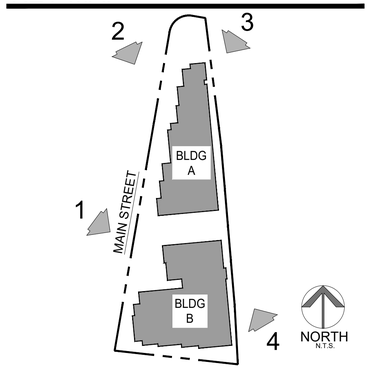
VIEW FROM RAIL ROAD TRACKS LOOKING NORTH 4

VIEW ON MAIN STREET LOOKING SOUTH 2

VIEW FROM RAIL ROAD TRACKS LOOKING SOUTH 3

VIEW ON MAIN STREET LOOKING TOWARDS BUILDING B LEASING 1

KEY MAP



CONCEPTUAL 3D VIEWS

A5.0

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
JOB NO.: 2020-503

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Architecture.
Design.
Relationships.

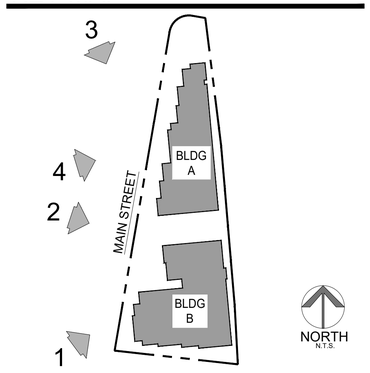
VIEW FROM MAIN STREET LOOKING AT BUILDING A 4

VIEW ON MAIN STREET LOOKING SOUTHEAST 2

AERIAL VIEW FROM NORTHEAST CORNER 3

VIEW FROM SOUTHWEST CORNER OF BUILDING B LOOKING NORTH 1

KEY MAP



CONCEPTUAL 3D VIEWS

A5.1

MAIN STREET

MILPITAS,CA

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Design.
Relationships.

BUILDING A - EAST ELEVATION

BUILDING B - NORTH ELEVATION

A. SW 7071 GRAY SCREEN

B. SW 9685 AFTER THE STORM

C. SW 6905 GOLDFINCH

D. SW 6894 FORCEFUL ORANGE

E. SW 6481 GREEN BAY

F. SW 6475 COUNTRY SQUIRE

1. STUCCO
   LIGHT SAND FINISH

2. VINYL WINDOWS
   BLACK OR EQUAL

3. ALUMINUM STOREFRONT WINDOW
   BLACK OR EQUAL

4. METAL AWNING
   BLACK OR EQUAL

5. PERFORATED METAL SCREEN
   BLACK OR EQUAL

CONCEPTUAL MATERIAL AND COLOR BOARD

A6.0

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
JOB NO.: 2020-503

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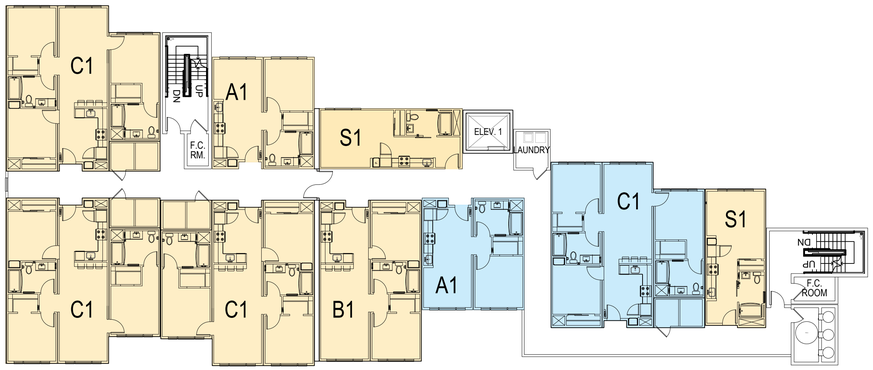
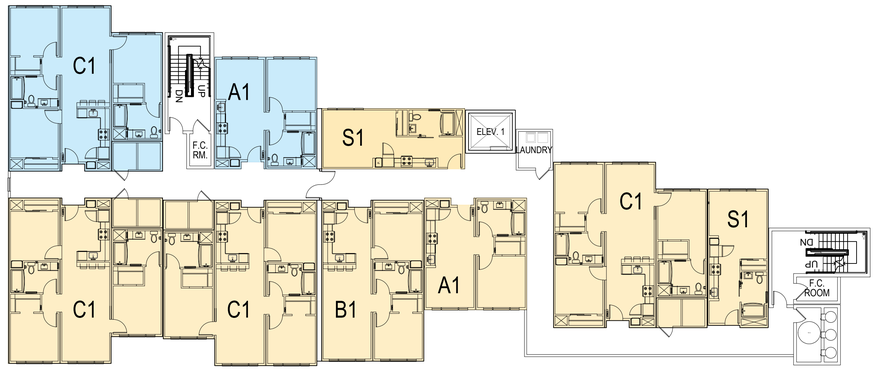
Design.
Relationships.

LEGEND

- RESIDENTIAL - LOW INCOME UNITS
- RESIDENTIAL - MODERATE INCOME UNITS



Level 5



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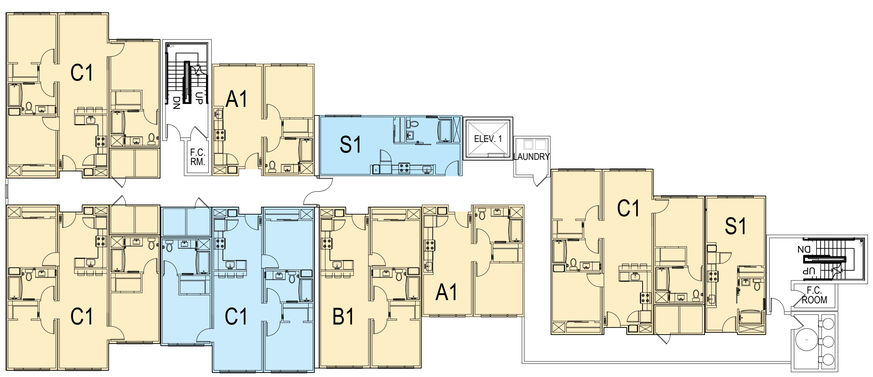

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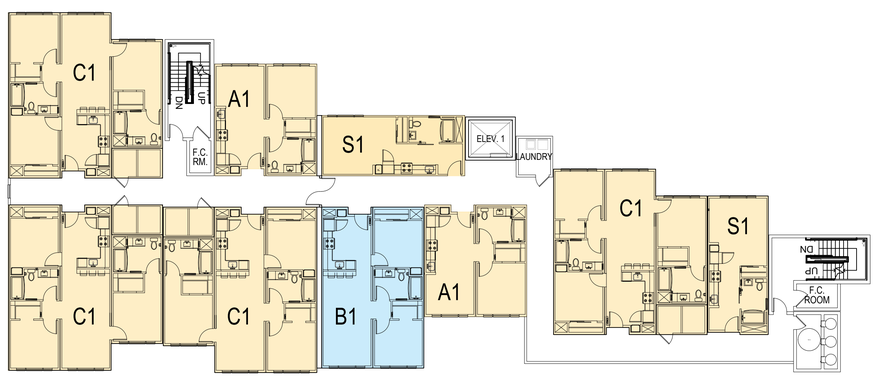

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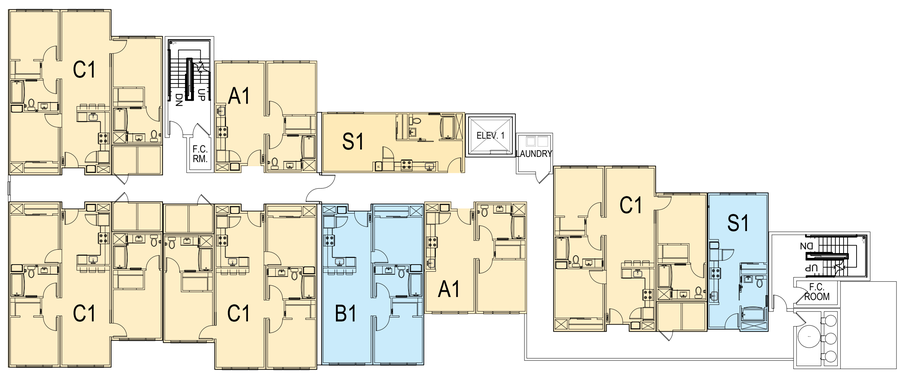

Level 2

AFFORDABILITY EXHIBIT - BLDG. A

A7.0

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
JOB NO.: 2020-503

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Architecture.
Design.
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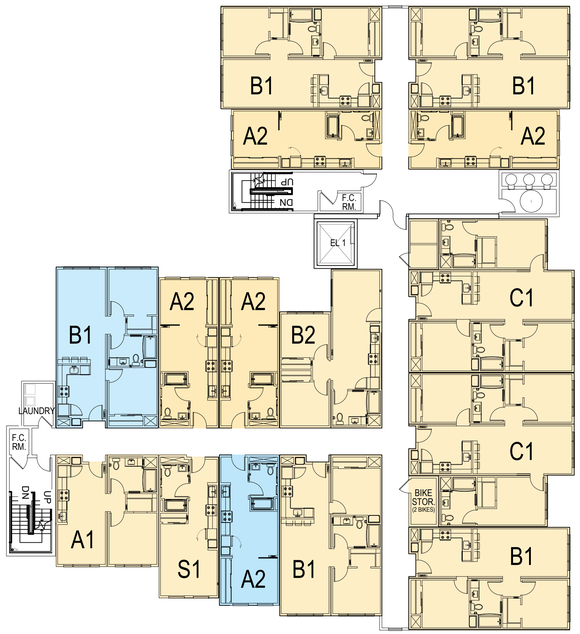
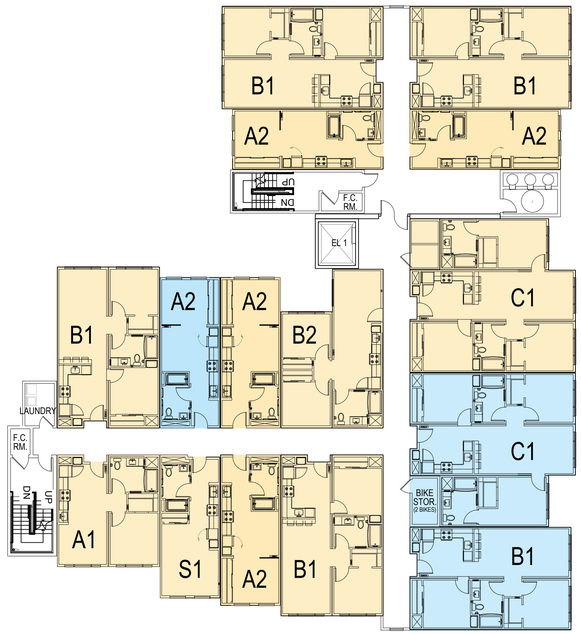


Level 6



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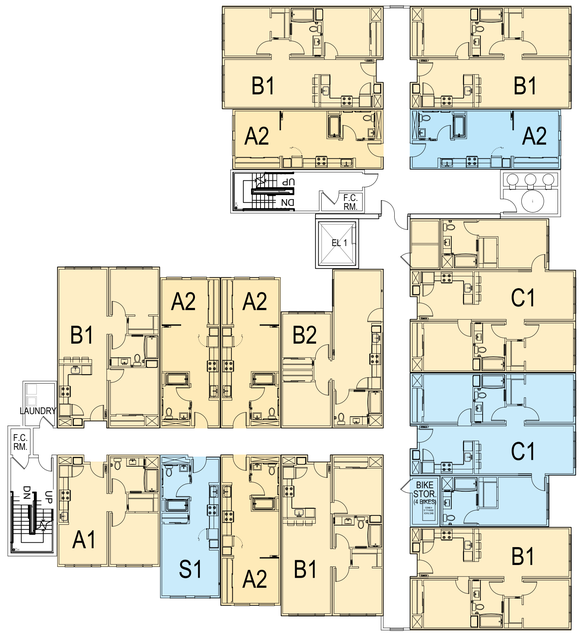
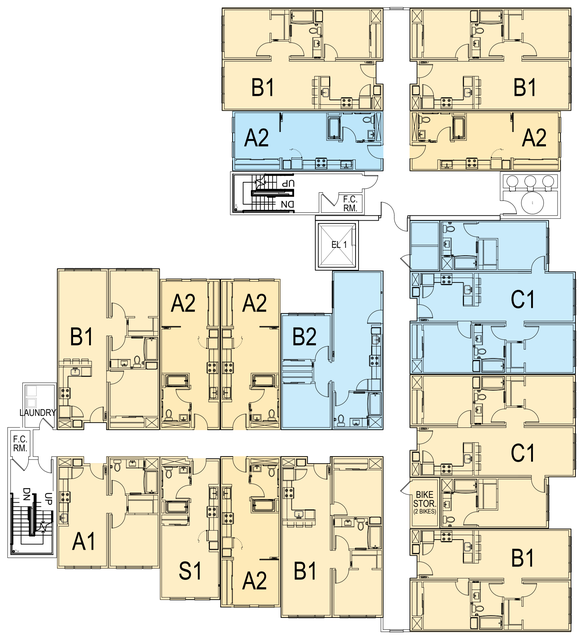


Level 3



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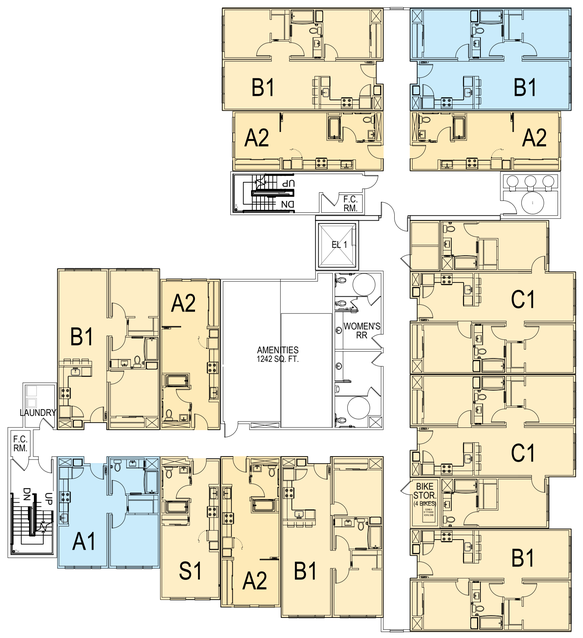

Level 2

LEGEND

- RESIDENTIAL - LOW INCOME UNITS
- RESIDENTIAL - MODERATE INCOME UNITS

AFFORDABILITY EXHIBIT - BLDG. B

A7.1

MAIN STREET

MILPITAS,CA

DATE: 02-14-2024
JOB NO.: 2020-503

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PLANT SCHEDULE

PLANT SCHEDULE

2023-06-21 09:06

SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
	ARCTOSTAPHYLOS DENSIFLORA `HOWARD MCMINN`	HOWARD MCMINN MANZANITA	5 GAL	LOW
	BERBERIS THUNBERGII `CRIMSON PYGMY`	CRIMSON PYGMY BARBERRY	5 GAL	LOW - MEDIUM
	CALLISTEMON VIMINALIS `LITTLE JOHN`	DWARF WEEPING BOTTLEBRUSH	5 GAL	LOW - MEDIUM
	CEANOTHUS X `JULIA PHELPS`	CALIFORNIA LILAC	5 GAL	LOW
	CISTUS SALVIIFOLIUS `PROSTRATUS`	SAGELEAF ROCKROSE	5 GAL	LOW
	CISTUS X PURPUREUS	ORCHID ROCKROSE	5 GAL	LOW
	MAHONIA REPENS	CREEPING MAHONIA	1 GAL	LOW
	NANDINA DOMESTICA `GULF STREAM` TM	HEAVENLY BAMBOO	5 GAL	LOW - MEDIUM
	PRUNUS CAROLINIANA `BRIGHT `N TIGHT` TM	BRIGHT `N TIGHT CAROLINA LAUREL	5 GAL	
	TEUCRIUM X LUCIDRYS PROSTRATUM	GERMANDER	1 GAL	LOW - MEDIUM
	WESTRINGIA FRUTICOSA `MORNING LIGHT`	MORNING LIGHT COAST ROSEMARY	5 GAL	LOW

GRASSES	BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
	CALAMAGROSTIS X ACUTIFLORA `KARL FOERSTER`	FEATHER REED GRASS	5 GAL	LOW - MEDIUM
	FESTUCA IDAHOENSIS `SISKIYOU BLUE`	SISKIYOU BLUE FESCUE	1 GAL	VERY LOW - LOW
	MUHLENBERGIA CAPILLARIS `PINK CLOUD`	PINK MUHLY	1 GAL	LOW - MEDIUM
	PENNISETUM ALOPECUROIDES `HAMELN`	HAMELN DWARF FOUNTAIN GRASS	1 GAL	LOW - MEDIUM

PERENNIALS	BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
	DIANELLA REVOLUTA `DTN03` TM	BABY BLISS FLAX LILY	1 GAL	LOW - MEDIUM
	DIETES VEGETA	AFRICAN IRIS	1 GAL	LOW - MEDIUM
	IRIS DOUGLASIANA	DOUGLAS IRIS	1 GAL	LOW - MEDIUM
	SALVIA GREGGII `RED`	AUTUMN SAGE	5 GAL	LOW - MEDIUM
	TULBAGHIA VIOLACEA `SILVER LACE`	SILVER LACE SOCIETY GARLIC	1 GAL	LOW - MEDIUM

SUCCULENTS	BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
	AGAVE X `BLUE GLOW`	BLUE GLOW AGAVE	5 GAL	LOW

VINE/ESPALIER	BOTANICAL NAME	COMMON NAME	SIZE	WATER USE
	CAMPSIS RADICANS	TRUMPET CREEPER VINE	5 GAL	MEDIUM

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	QTY
TREES				
	EXISTING TREE TO REMAIN		---	7
	GINKGO BILOBA `PRINCETON SENTRY`	PRINCETON SENTRY GINGKO	15 GAL	10
	STREET TREE MATCH EXISTING	STREET TREE	24"	2
	TRISTANIA LAURINA `ELEGANT`	ELEGANT WATER GUM	24"	12

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE	SPACING	QTY
SHRUB AREAS					
	FALL ZONE MATERIAL ARTIFICIAL TURF TYPE	FALL ZONE	---		539 SF
	SHRUB & GROUND COVER	PLANTING AREA	---		6,266 SF
	VEGETABLE GARDEN		---		76 SF

LANDSCAPE PLAN

0 20 40 80 feet

SCALE: 1" = 20'

NORTH

LANDSCAPE PLAN NOTES:

A. 6' STEEL FENCE WITH VINE PLANTINGS
B. 6' WIDE DECOMPOSED GRANITE FIRE ACCESS
C. STAIR ENTRANCE, RAMP AND WALKWAYS INTO THE BUILDING. REFER TO THE CIVIL ENG. PLANS.
D. OUTDOOR ENTRANCE PLAZA WITH ACCENT PAVING.
E. BENCH LOCATION, TYPICAL
F. OUTDOOR PLAY EQUIPMENT AREA WITH ARTIFICIAL TURF TYPE FALL ZONE MATERIAL. RECREATIONAL USE AREA IS AT THE PLAZA LEVEL. THE PLAY AREA IS SECURED WITH A 4' HIGH METAL FENCE AND GATE.
G. PERIMETER RETAINING WALL (REFER TO CIVIL) WITH A 4' HIGH STEEL FENCE
H. FIRE ACCESS LANE
I. TRASH ACCESS
J. CONNECTING WALK WAY
K. TRASH STAGING
L. 4' WIDE PERIMETER COLORED CONCRETE TO GUIDE PEDESTRIAN CIRCULATION
M. SCREEN THE SITE UTILITIES WITH PLANTINGS WHERE POSSIBLE
N. ELECTRICAL TRANSFORMER WITH 3' CLEAR SPACE AND ACCESS
O. DRAINAGE EASEMENT
P. COMMUNITY GARDEN
Q. EXISTING STREET TREES AND FRONTAGE IMPROVEMENTS TO REMAIN
R. PROPOSED NEW STREET TREE AND TREE WELL
S. BIKE PARKING, INVERTED 'U' STYLE, TWO BIKES PER STALL

THOMAS H. PHELPS
LANDSCAPE ARCHITECTURE
IDLA, INC.
California Landscape Architect #4122
ID #LA-16771 * HI #LA-16112
AZ #76633

P.O.BOX 170129
Boise, Idaho 83717
thp@idlainc.net
(208) 906-1300

MAIN STREET
AMG & ASSOCIATES, INC.
MILPITAS, CALIFORNIA

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Sheet Title
LANDSCAPE PLAN

Seal
LICENSED LANDSCAPE ARCHITECT
THOMAS H. PHELPS 4122
Expiration 08/31/24
Renewal Date
Date
STATE OF CALIFORNIA

No.	Date	Revision
1		
2		
3		
4		
5		

Project Mgr.: THP
Drawn By: THP
Scale: 1"=20'
Date: 14 FEB 2024
File Name:
Sheet No.: L
of _____ sheets

R50A25F9A
NE VIEW

R5 | FOR KIDS AGES 2-5

STRUCTURE#: R50A25F9A
PROJECT#: R50A25F9A
DATE: 4/10/2020 | DRAWN BY: Derick

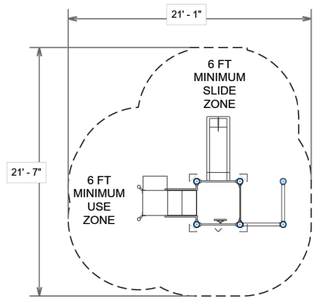
PLAYCRAFT

R50A25F9A
SITE PLAN

ADA ACCESSIBILITY GUIDELINE - ADAAG CONFORMANCE

ELEVATED	ACCESSIBLE	RAMP ACCESSIBLE	GROUND	TYPES
2	2/1	0	2/1	2/1

R5 | FOR KIDS AGES 2-5



GENERAL NOTES:

This Preliminary Site Plan is based on measurements that were provided in the initial planning phase. All dimensions must be verified prior to the submission of a purchase order. Playcraft Systems will not be held responsible for any discrepancies between actual dimensions and dimensions submitted in the planning phase.

The Minimum Use Zone for a play structure is based on the product design at the time of proposal. Components and structure designs may be subject to change which may affect dimensions. Therefore, before preparing the site, we strongly recommend obtaining final drawings from the factory (available after the order is placed and included in the Assembly Manual).

WARNING: Accessible safety surfacing material is required beneath and around this equipment that has a critical height value (fall Height) appropriate for the highest accessible part of this equipment. Refer to the CPSC's Handbook For Public Playground Safety, Section 4: Surfacing.

PROJECT#: R50A25F9A
DATE: 4/10/2020 | DRAWN BY: Derick

MIN. USE ZONE: 22' x 22'

PLAYCRAFT REP:
Playcraft Direct, Inc.

PLAYCRAFT

1 TOT LOT EXAMPLE
Scale: NTS

ULINE 1-800-295-5510

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Home > All Products > Facilities Maintenance > Bike Racks > Wave Bike Racks

1-Loop Wave Style Bike Rack - 3 Bike Capacity, Galvanized

More Images

Upscale stylish look for downtown shopping and business districts.

- For stadiums, parks and athletic fields.
- 10-gauge galvanized steel.
- 2 3/8" diameter bar.
- Mounting hardware included.

SPECIFY COLOR:

MODEL NO.	DESCRIPTION	SIZE L x W x H	BIKE CAP.	WT. (LBS.)	PRICE EACH 1	PRICE EACH 3+	COLOR	IN STOCK SHIPS TODAY
H-2892GALV	1-Loop	22 x 2 1/2 x 34"	3	27	$230	$220	Galvanized	1 ADD

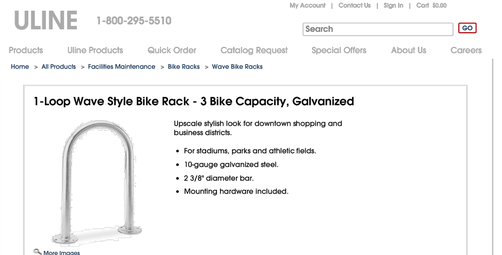
Additional Info | Parts | Shopping Lists | Request a Catalog

SAME DAY SHIPPING | HUGE SELECTION IN STOCK | SHIPS FROM 13 LOCATIONS

2 OUTDOOR EXERCISE FALL ZONE
Scale: NTS

SYNLAWN®

SYNLAWN
2680 ABUTMENT ROAD SE
DALTON, GA 30721
TOLL FREE: 1-866-SYNLAWN
FAX: (706) 277-1128
www.synlawn.com



SPECIFICATIONS:

YARN TYPE: GRASS ZONE™:	POLYETHYLENE WITH HEATBLOCK™ TECHNOLOGY
YARN TYPE: THATCH ZONE™:	POLYPROPYLENE
YARN COLOR:	FIELD GREEN / LIME & TURF GREEN
PILE HEIGHT: GRASS ZONE™:	1 1/2"
PILE HEIGHT: THATCH ZONE™:	1"+/-15%
YARN FACE WEIGHT:	80 OZ
ROLL WIDTH:	15' WIDTH
MAXIMUM DRAIN RATE:	30 GALLONS PER HOUR PER YARD

NOTES:
1. INSTALLATION TO BE COMPLETED IN ACCORDANCE WITH SPECIFICATIONS BY FACTORY AUTHORIZED INSTALLERS.
2. DO NOT SCALE DRAWINGS.
3. CONTRACTORS NOTE: FOR PRODUCT AND COMPANY INFORMATION VISIT www.CADdetails.com/info REFERENCE NUMBER 1437-319.

SYNLAWN PLAY PREMIUM
OVER 2 1/8" POLYGREEN FOAM

1437-319 REVISION DATE 10/24/2014

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CADdetails.com

3 BENCH & TRASH RECEPTACLE
Scale: NTS

OUTDOOR FURNITURE

ROUND

SQUARE

BENCH WITH BACK

6' RECTANGLE

BENCH WITHOUT BACK

8' RECTANGLE

INGROUND MOUNT

Uline loves these! Attractive, rugged and built to last. Give your corporate office patio an upscale look.

- Thermoplastic coating withstands heat, cold and all weather elements. Rust free.
- High gloss, smooth surface allows for easy spray paint and graffiti removal.
- 9-gauge expanded metal with 2" black steel frame.
- Rounded corners for added safety.
- ADA models, see uline.com

Inground Mount Furniture – Permanently anchor in ground. Secure with concrete. See page 398.

BROWN

BURGUNDY

AVAILABLE IN 10 HOT COLORS!

SPECIFY COLOR: Blue, Red, Brown, Green, Black, Bulgndy, Gray, Navy, Orange, Beige

TABLES

MODEL NO.	DESCRIPTION	SIZE L x W x H	WT. (LBS.)	PRICE EACH 1	PRICE EACH 3+
H-2126	46" Square	80 x 80 x 30½"	185	$720	$670
H-2127	46" Round	81 x 81 x 30½"	175	740	690
H-2128	6' Rectangle	72 x 61 x 30½"	145	650	600
H-2129	8' Rectangle	96 x 61 x 30½"	170	700	650
H-2672	46" ADA Round	81 x 81 x 30½"	160	720	670

DROP SHIPS IN 1 DAY FROM NC UNASSEMBLED VIA MOTOR FREIGHT

BENCHES

H-3500	4' Bench with Back	48 x 12 x 31"	80	$340	$320
H-3501	4' Bench without Back	48 x 12 x 18"	35	240	225
H-2294	6' Bench with Back	72 x 12 x 31"	100	380	360
H-2295	6' Bench without Back	72 x 12 x 18"	40	260	245
H-3502	8' Bench with Back	96 x 12 x 31"	120	450	430
H-3503	8' Bench without Back	96 x 12 x 18"	45	340	325

DROP SHIPS IN 1 DAY FROM NC UNASSEMBLED VIA MOTOR FREIGHT

ULINE *Shipping Supply Specialists* PHONE 1-800-295-5510 399

4 BIKE RACK
Scale: NTS

5 PICNIC TABLE
Scale: NTS

TERRACE RECEPTACLES

A beauty and a beast. Heavy-duty slatted steel with chiseled good looks.

- For schools, parks and corporate campuses.
- Side-door access for easy trash removal.
- Weather-resistant, powder-coated finish.
- Includes built-in rain bonnet and plastic liner.

MODEL NO.	DESCRIPTION	CAP. (GAL.)	SIZE L x W x H	WT. (LBS.)	PRICE EACH 1	PRICE EACH 2+
H-7234	Terrace	32	26 x 28 x 38"	171	$849	$819

SPECIFY COLOR: Gray, Black, Beige

EASY ASSEMBLY. SHIPS VIA MOTOR FREIGHT.

TERRACE BENCHES

Strength and style for office parks and streetscapes.

- Comfortable, contoured seat and armrests.
- Weather-resistant, powder-coated finish.
- Heavy-duty slatted steel construction.

Bench mounting hardware included

MODEL NO.	DESCRIPTION	SIZE L x W x H	WT. (LBS.)	PRICE EACH 1	PRICE EACH 2+
H-7930	6' Bench with Back	72 x 25 x 37"	255	$900	$850

SPECIFY COLOR: Gray, Black, Beige

DROP SHIPS IN 1 DAY FROM NC ASSEMBLED VIA MOTOR FREIGHT

WAVE BIKE RACKS

H-2544

Upscale stylish look. Easy to secure your bike.

- For stadiums, parks and athletic fields.
- 10-gauge galvanized steel or attractive powder coating.
- 2½" diameter bar.

Mounting hardware included

SPECIFY COLOR: Galvanized, Black, Green

MODEL NO.	DESCRIPTION	SIZE L x W x H	BIKE CAPACITY	WT. (LBS.)	PRICE EACH 1	PRICE EACH 3+
H-2892*	1-Loop	22 x 2½ x 34"	3	27	$190	$180
■H-2543	3-Loop	43 x 2½ x 39"	5	56	360	340
■H-2544	5-Loop	68 x 2½ x 39"	7	80	450	430

* Galvanized and Black only ■SHIPS VIA MOTOR FREIGHT

COURTYARD RECEPTACLES

An attractive, vandal-proof hideaway for trash.

- For parks, offices and city streets.
- Slatted steel bars deter vandalism.
- Weather and rust-resistant, powder-coated finish.
- Includes Black Plastic Liner and Anchor Kit.

MODEL NO.	DESCRIPTION	CAP. (GAL.)	SIZE DIAM. x H	WT. (LBS.)	PRICE EACH 1	PRICE EACH 2+
H-2865	Flat Lid	36	28 x 36"	93	$629	$599
H-5171	Bonnet Lid			96	699	669

SHIPS ASSEMBLED VIA MOTOR FREIGHT

COURTYARD BENCHES

An elegant choice for hotels and shopping centers.

- Smooth, comfortable seat and armrests.
- Glossy weather-resistant, powder-coated finish.
- Durable, heavy-duty steel bar construction.

Coordinating Planter and Bench Mounting Hardware sold separately, see uline.com

MODEL NO.	DESCRIPTION	SIZE L x W x H	WT. (LBS.)	PRICE EACH 1	PRICE EACH 3+
H-3018	6' Bench without Back	71 x 25 x 32"	180	$605	$545
H-3018	6' Bench with Back	71 x 26 x 32"	253	1,065	985

DROP SHIPS IN 1 DAY FROM WI ASSEMBLED VIA MOTOR FREIGHT

GRID BIKE RACKS

Everybody's biking! Secures bikes, deters theft.

H-2540

- For commuter stations, libraries and schools.
- Sturdy 14-gauge galvanized steel or attractive powder coating.

Mounting hardware included

SPECIFY COLOR: Galvanized, Black

MODEL NO.	DESCRIPTION	SIZE L x W x H	BIKE CAPACITY	WT. (LBS.)	PRICE EACH 1	PRICE EACH 3+
H-2890	Single-Sided	48 x 31 x 31"	4	48	$310	$290
■H-2891		110 x 31 x 31"	9	78	500	470
H-2540	Double-Sided	48 x 36 x 31"	8	61	345	325
■H-2541		110 x 36 x 31"	18	112	550	520

SHIPS UNASSEMBLED ■SHIPS VIA MOTOR FREIGHT

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THOMAS H. PHELPS
LANDSCAPE ARCHITECTURE
IDLA, INC.
California Landscape Architect #4122
ID #LA-16771 * HI #LA-16112

P.O.BOX 170129
Boise, Idaho 83717
thp@idlainc.net
(208) 906-1300

MAIN STREET AMG & ASSOCIATES, INC.
MILPITAS, CALIFORNIA

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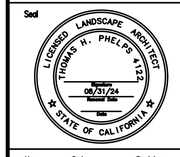
Sheet Title
SITE AMENITIES

Seal



No.	Date	Revision
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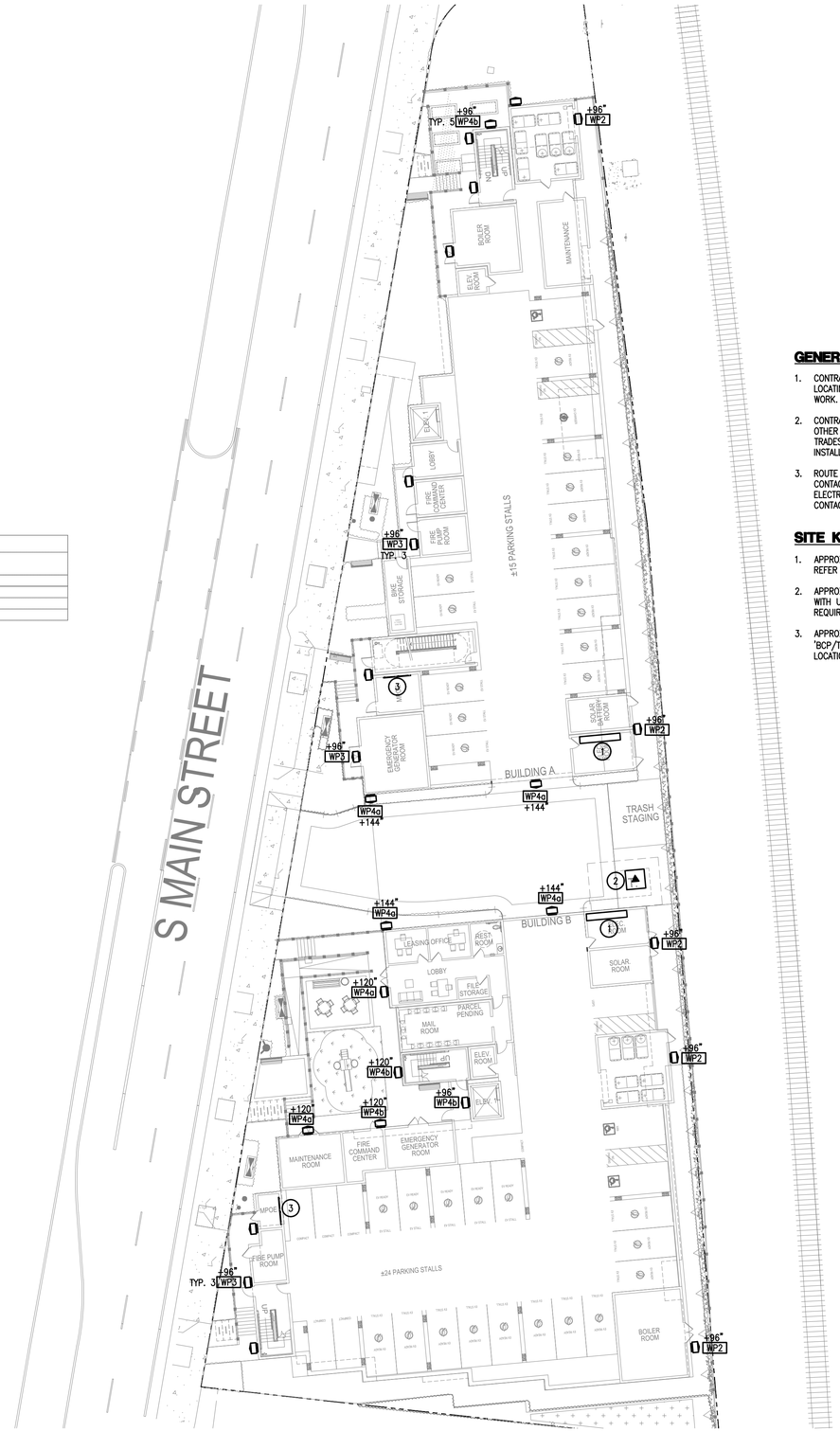
Project Mgr.: THP
Drawn By: THP
Scale:
Date: 28 JUNE 2023
File Name:

Sheet No.: L2
of _____ sheets

LUMINAIRE SCHEDULE							
LUMINAIRE	MANUFACTURER	CATALOG NUMBER	LAMPS	WATTS	VOLTS	MOUNTING	COMMENTS
WP2	COOPER LIGHTING INVUE	ENT-SA1-730-U-SL2-XXB -- DIM-BPC-AHD145	LED	13	120	WALL	WALL MOUNTED AREA LIGHT
WP3	COOPER LIGHTING INVUE	ENT-SA1-730-U-SL3-XXB -- DIM-BPC-AHD145	LED	13	120	WALL	WALL MOUNTED AREA LIGHT
WP4a	COOPER LIGHTING INVUE	ENT-SA1A-730-U-SL4 -- DIM-BPC-AHD145	LED	20	120	WALL	WALL MOUNTED AREA LIGHT
WP4b	COOPER LIGHTING INVUE	ENT-SA1-730-U-SL4-XXB -- DIM-BPC-AHD145	LED	13	120	WALL	WALL MOUNTED AREA LIGHT



GENERAL SITE NOTES:

1. CONTRACTOR SHALL CONTACT UNDERGROUND UTILITY LOCATING SERVICE PRIOR TO EXCAVATION FOR ELECTRICAL WORK.
2. CONTRACTOR IS RESPONSIBLE FOR COORDINATION WITH ALL OTHER SITE DISCIPLINES INCLUDING BUT NOT LIMITED TO TRADES ASSOCIATED WITH WATER, SEWER, AND GAS INSTALLATIONS.
3. ROUTE ALL EXTERIOR LIGHTING THROUGH A LIGHTING CONTACTOR. PROVIDE PHOTO-CELL ON ROOF AND ELECTRO-MECHANICAL 7-DAY TIME CLOCK ADJACENT TO CONTACTOR CABINET.

SITE KEY NOTES:

1. APPROXIMATE LOCATION OF BUILDING ELECTRICAL GEAR. REFER TO PLAN SHEETS FOR EXACT LOCATIONS.
2. APPROXIMATE UTILITY TRANSFORMER LOCATION. VERIFY WITH UTILITY SERVICE PLAN FOR EXACT LOCATION AND REQUIREMENTS.
3. APPROXIMATE LOCATION OF LOW VOLTAGE EQUIPMENT 'BCP/TTB'. REFER TO PLAN SHEETS FOR EXACT LOCATIONS.

NORTH

1"=20'-0" 0 10' 20' 40' 60'

DC ENGINEERING
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208.288.2181 Project:22AMG01

MAIN STREET

AMG & ASSOCIATES

MILPITAS,CA

ELECTRICAL SITE PLAN

E1.0

02-15-2024
2020-503

AO ARCHITECTS
144 NORTH ORANGE ST., ORANGE, CA 92866
(714) 639-9860
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Invue

DESCRIPTION

The Entri LED luminaire features a classic and stylish design with the added benefits of solid state lighting technology, offering outstanding uniformity and energy savings. Using Cooper Lighting Solutions' proprietary LED LightSquare technology and AccuLED Optics™ system, the Entri LED luminaire offers designers vast versatility in system design, function and performance. Use Entri LED for wall mount architectural lighting applications and egress lighting requirements. UL/cUL listed for use in wet locations.

Catalog #	SEE LUMINAIRE SCHEDULE	Type
Project		WP2, WP3, WP4a, WP4b
Comments		Date
Prepared by		

SPECIFICATION FEATURES

Construction
HOUSING: Heavy wall, one-piece, die-cast aluminum construction for precise tolerance control and repeatability in manufacturing. Integral extruded aluminum heat sink provides superior thermal heat transfer in +40°C ambient environments. FACEPLATE / DOOR: One-piece, die-cast aluminum construction. Captive, side hinged faceplate swings open via release of one flush mount die-cast aluminum latch on housing side panel. GASKET: One-piece molded silicone gasket mates perfectly between the door and housing for repeatable seal. LENS: Uplight lens is impact-resistant, 5/32" thick tempered frosted glass sealed to housing with continuous bead silicone gasket. Downlight lens is an LED LightSquare with integral optics sealed for IP66 rating. HARDWARE: Stainless steel mounting screws and latch hardware allow access to electrical components for installation and servicing.

Optics
Choice of 9 patented, high efficiency AccuLED Optics™ distributions. Optics are precisely designed to shape the light output, maximizing efficiency and application spacing. AccuLED Optics technology creates consistent distributions with the scalability to meet customized application requirements. CRI and CCT offering includes 2200K, 2700K, 3000K, 3500K, 4000K, 5000K, and 5700K with minimum 70CRI and 2700K and 3000K with minimum 80CRI all within 5-step MacAdam ellipse.

Electrical
LED drivers mount to die-cast aluminum back housing for optimal heat sinking. operation efficacy, and prolonged life. Standard drivers feature electronic universal voltage (120-277V 50/60Hz), 347V 60Hz or 480V 60Hz operation. 480V is compatible for use with 480Y Wye systems only. Greater than 0.9 power factor, less than 20% harmonic distortion, and is suitable for operation in -40°C to 40°C ambient environments and optional 50C construction available. All fixtures are shipped standard with 10kV/10kA common – and differential – mode surge protection. LightSquare feature an IP66 enclosure rating and maintain greater than 98% lumen maintenance at 60,000 hours per IESNA TM-21. Emergency egress options for -20°C ambient environments, WaveLinx™, occupancy sensor, and dimming options available.

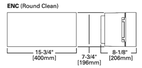
Mounting
JUNCTION BOX: Standard with zinc-plated, quick-mount junction box plate that mounts directly to 4" J-Box. LightSquare mounts facing downward. Fixture slides over mounting plate and is secured with two stainless steel fasteners. Mounting plate features a one-piece EPDM gasket on back side of plate to firmly seal fixture to wall surface, forbidding entry of moisture and particulates. Optional mounting arrangements utilize a die-cast mounting adaptor box to allow for LED battery pack, surface conduit and trough branch wiring. The Entri LED luminaire is approved for mounting on combustible surfaces.

Finish
Housing is finished in five-stage super TGIC polyester powder coat paint, 2.5 mil nominal thickness for superior protection against fade and wear. LightSquare cover plates are standard white and may be specified to match finish of luminaire housing. Standard colors include black, bronze, grey, white, dark platinum and graphite metallic. RAL and custom color matches available. Consult Outdoor Architectural Colors brochure for a complete selection.

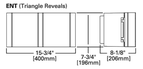
Warranty
Five-year warranty.

DIMENSIONS

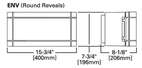
ENC (Round Clean)



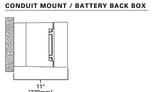
ENT (Triangle Reveals)



ENV (Round Reveals)



CONDUIT MOUNT / BATTERY BACK BOX



COOPER Lighting Solutions

ENC/ENT/ENV
ENTRI LED

LightSquare
Solid State LED

ARCHITECTURAL WALL LUMINAIRE

CERTIFICATION DATA
DesignLights Consortium® Qualified*
UL/cUL Listed
ISO 9001
IP66 LightSquares
LM79 / LM80 Compliant

ENERGY DATA
Electronic LED Driver
>0.9 Power Factor
<20% Total Harmonic Distortion
120-277V/50 & 60Hz, 347V/60Hz, 480V/60Hz
-30°C Minimum Temperature
40°C Ambient Temperature Rating (Optional)

SHIPPING DATA
Approximate Net Weight:
15.2 lbs. (6.9 kgs.) - Without backbox
29.1 lbs. (13.2 kgs.) - With backbox

TD516150EN
January 6, 2022 5:45 PM

ORDERING INFORMATION

Sample Number: ENC-SA1C-740-U-T4W-GM-ULG-HA-ZW-SWPD4BK

Domestic Preferences [25]	Product Family [1]	Light Engine: Configuration	Light Engine: Drive Current	Color Temperature	Voltage	Distribution	Finish
[Blank]=Standard **BAA**=Buy American Act **TAA**=Trade Agreements Act	**ENC**=Entri Round Clean **ENT**=Entri Triangle Reveals **ENV**=Entri Round Reveals	**SA1**=1 Square	**A**=350mA **B**=450mA **C**=600mA **D**=800mA **E**=1000mA **F**=1200mA	**722**=70CRI, 2200K [2] **727**=70CRI, 2700K [2] **730**=70CRI, 3000K [2] **735**=70CRI, 3500K **740**=70CRI, 4000K **750**=70CRI, 5000K [2] **760**=70CRI, 5700K [2] **827**=80CRI, 2700K [2] **830**=80CRI, 3000K [2] **835**=80CRI, 3500K [2]	**U**=UNV (120-277) [3] **1**=120 **2**=208 **3**=240 **4**=277 **8**=480 **9**=347	**T2**=Type II **T3**=Type III **T4FT**=Type IV Forward Throw **T4W**=Type IV Wide **SL2**=Type II w/Spill Control **SL3**=Type III w/Spill Control **SL4**=Type IV w/Spill Control **SLL**=90° Spill Light Eliminator Left **SLR**=90° Spill Light Eliminator Right	**BZ**=Bronze **AP**=Grey **BK**=Black **DP**=Dark Platinum **GM**=Graphite Metallic **WH**=White

Options (Add as Suffix)

F=Singled fused (Must specify voltage, fused on single hot leg of 120, 277, or 347)
FF=Doubled fused (Must specify voltage, fused on both hot legs of 208, 240, or 480)
X=Driver Surge Protection (6kV) Only
20K=Series 20kV UL 1449 Surge Protective Device
2L=Two-Circuit Light Engine [26]
DBL=0-10V Dimming Driver [4, 5]
EBP=Battery Pack with Back Box (Must specify voltage, available in 120V or 277V) [3, 4, 5]
CBP=Battery Pack with Back Box, Cold Weather Rated (Must specify voltage, available in 120V or 277V) [3, 4, 5]
CBP-CEC=Battery Pack with Back Box, Cold Weather Rated, CEC compliant (Must specify voltage, available in 120V or 277V) [3, 4, 5]
R90=Rotated Right 90°
L90=Rotated Left 90°
HSS=Factory Installed House Side Shield [6]
LCF=LightSquare Trim Plate Matches Housing Finish [6]
ULG=Uplight Glow [7]
HA=50°C High Ambient [8]
WG=Wire Guard
TR=Tamper Resistant Hardware
BOX=Empty back box (1/2" NPT each side with plugs installed
BPC=Button Type Photocontrol (Must specify voltage, available in 120, 208, 240, 277V, 347, and 480)
AHD14S=After Hours Dim, 5 Hours, 50% [9]
AHD24S=After Hours Dim, 6 Hours, 50% [9]
AHD25S=After Hours Dim, 7 Hours, 50% [9]
AHD35S=After Hours Dim, 8 Hours, 50% [9]
SPS1=Dimming Occupancy Sensor with Bluetooth Interface, <8' Mounting [10, 22]
SPS2=Dimming Occupancy Sensor with Bluetooth Interface, 8'-20' Mounting [10, 22]
SPS4=Dimming Occupancy Sensor with Bluetooth Interface, 21'-40' Mounting [10, 22]
MS-L08=Motion Sensor for ON/OFF Operation, Up to 8' Mounting Height [11, 12, 13]
MS-L20=Motion Sensor for ON/OFF Operation, 9' - 20' Mounting Height [11, 12, 13]
MS/DIM-L08=Motion Sensor for Dimming Operation, Up to 8' Mounting Height [11, 12, 13]
MS/DIM-L20=Motion Sensor for Dimming Operation, 9' - 20' Mounting Height [11, 12, 13]
ZW=WaveLinx-enabled 4-PIN Twistlock Receptacle [14, 15]
ZW-SWPDXXX=WaveLinx Wireless Sensor, 7' - 15' Mounting Height [16, 20, 21]
ZW-SWPDSXX=WaveLinx Wireless Sensor, 15' - 40' Mounting Height [16, 20, 21]
OC=Coastal Construction [17]

Accessories (Order Separately) [18]

MA1252=10kV Circuit Module Replacement
MA1252-480V=10kV Circuit Module Replacement (480V only)
FSIR-100-PK=Wireless Configuration Tool for Occupancy Sensor [11]
VA4172SA=Wirenaard Accessory
VA6173=Tamper-Resistant Driver Bit
VA6174=Vandal Shield Accessory
VA2001-XX=Thru-Way Conduit Box
SWPD4-XX=WaveLinx Wireless Sensor, 7' – 15' Mounting Height (Available colors: BZ=Bronze; WH=White; BK=Black) [16, 20, 21]
SWPDS-XX=WaveLinx Wireless Sensor, 15' – 40' Mounting Height (Available colors: BZ=Bronze; WH=White; BK=Black) [16, 20, 21]
WDLC-7P-10A=WaveLinx Outdoor Control Module (7-pin)
LS/HSS=House Side Shield (Works with all distributions listed for Entri)

NOTES:
1. DesignLights Consortium® Qualified. Refer to www.designlights.org Qualified Products List under Family Models for details. DLC Family Code: MMMSPO
2. EBP or CBP options limited to 25°C, 120-277V only. Control option limited to BPC=Button Type Photocontrol (must specify voltage).
3. Not available with 347V or 480V. See dedicated IES files when performing layouts.
4. Not available with HA option.
5. Cannot be used with other control options.
6. Low voltage control lead brought out 18" outside fixture.
7. ULG only available in 740.
8. Not available with ULG option
9. EBP is rated for minimum operating temperature of 0°C (32°F). Operates downlight for 90-minutes.
10. CBP is rated for minimum operating temperature of -20°C (-4°F). Operates downlight for 90-minutes.
11. The FSIR-100 configuration tool is required to adjust parameters including high and low modes, sensitivity, time delay, cutoff and more. Consult your lighting representative at Cooper Lighting
12. Replace LXX with the available mounting height options: L08, L20, L40 or L40W are the only choices.
13. Not available with HSS option.
14. Bronze sensor is shipped with Bronze fixtures. White sensor shipped on all other housing color options.
15. Not available with HSS option
16. Only for use with SL2, SL3 and SL4 distributions. The light square trim plate is painted black when the HSS option is selected.
17. Requires the use of BPC photocontrol. See After Hours Dim supplemental guide for additional information.
18. Control option limited to BPC=Button Type Photocontrol (must specify voltage).
19. WAC Gateway required to enable field-configurability: Order WAC-PoE and WPOE-120 (10V to PoE injector) power supply if needed.
20. Not for use with SL2.
21. Replace XX with sensor color (WH, BZ, or BK).
22. Smart device with mobile application required to change system defaults. See controls section for details.
23. Coastal construction finish salt spray tested to over 5,000 hours per ASTM B117, with a scribe rating of 9 per ASTM D1654.
24. ZL not available with FF, ULG or AHD options. Controls and/or battery packs operate only one of the two circuits when ZL is specified.
25. Domestic Preferences: Products meet the applicable requirements of the Buy American Act of 1933 (BAA) or Trade Agreements Act of 1979 (TAA), respectively. Please refer to DOMESTIC PREFERENCES website for more information. Components shipped separately may be separately analyzed under domestic preference requirements.
26. Accessories sold separately will be separately analyzed under domestic preference requirements. Consult factory for further information.

COOPER Lighting Solutions

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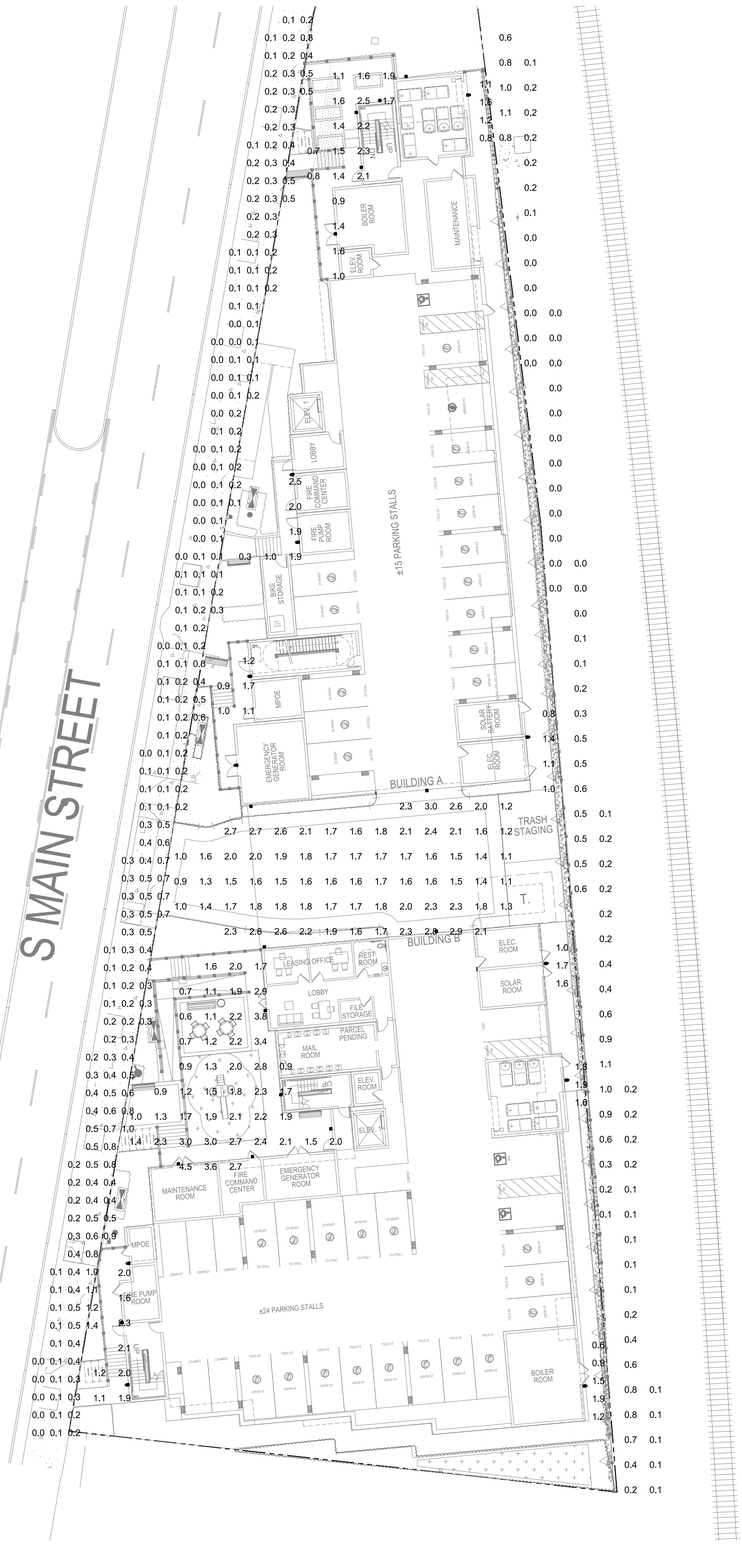
January 6, 2022 5:45 PM



NORTH

1"=20'-0" 0 10' 20' 40' 60'

PHOTOMETRIC PLAN

E1.1

02-15-2024
2020-503

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208.288.2181 Project:22AMG01

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MILPITAS,CA

AMG & ASSOCIATES

AO ARCHITECTS
144 NORTH ORANGE ST., ORANGE, CA 92866
(714) 639-9860

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P.O. Box 260770
Encino, California 91426
Land Planning, Finance & Development
Tel. 818-380-2600

February 14, 2024

Avery Stark
City of Milpitas
455 East Calaveras Boulevard
Milpitas, California 95035

Re: Request for Development Incentives
1300 South Main Street, Milpitas, CA 95035 (APN: 083-36-002)

Dear Mr. Stark,

Pursuant to State Density Bonus Law, AMG & Associates, LLC (the "Applicant") wishes to pursue concessions from the City's development standards.

The site is zoned Multi-Family Very High Density Residential (R4) with TOD overlay allowing a density of up 41 units to 60 units per gross acre. The R4 District is intended to provide for higher-density residential "villages" structured around transit stations, streets, creek side open spaces, trails and parks. The project site is located within the Milpitas Metro Specific Plan and carries a land use designation of Metro Multi-Family Very High Density Residential which allows a density of up to 40 to 85 dwelling units per acre. Additionally, the project site is designated in Table B-2 of the General Plan Housing Element as a housing opportunity site. For further details, see attached letter prepared by Erik Ramakrishnan of Berliner Cohen, LLP.

The property is within one-half mile from the VTA Greatmall Light Rail Station. Because the development is located within one-half mile of a major transit stop and there is unobstructed access to the major transit stop from the development upon the request of the developer, a city, county, or city and county shall not impose vehicular parking standards per State Density Bonus Law [Government Code §65915 (p)(3)(A)].

The Applicant will comply with the affordability presented below. The project will meet the City of Milpitas's Affordable Housing Ordinance ("Affordable Housing Ordinance") and will comply with Government Code Section 65915(b)(1)(G), wherein 100 percent of the total units exclusive of a manager's unit or units will be for lower income households, as defined by Section 50079.5 of the Health and Safety Code (includes 15 percent to lower income per Affordable Housing Ordinance), except that up to 20 percent of the units in the development, including total units and density bonus units, may be for moderate-income households, as defined in Section 50053 of the Health and Safety Code.

AMI	Low Incl.	Low	Mod	Total Rentable	Manager's Unit	TOTAL
# Units	15	79	22	116	2	118
% Rentable Units	15%	65%	20%			

Milpitas's Zoning Code ("Zoning Code") imposes specific development standards depending on the project's location. Pursuant to State Density Bonus Law, an eligible housing development shall be entitled to five

concessions for projects meeting the criteria of subparagraph (G) of paragraph (1) of subdivision (b). The Applicant is requesting concessions and waivers, please see below details on each concession and waiver being requested, which are based on the current plan and the standards set forth in the Zoning Code:

State Density Bonus Law Concession

1. **ODS Standard 3.4.1 Active Frontage:** This development standard requires active frontages with active uses at the ground level. For context, this project previously provided ground floor residential units and no parking. A Public Oversight Meeting was held on February 1, 2022 and City Council requested the Applicant include parking as part of the project. While the project was likely to have met this standard in the past with ground floor residential units, the project is no longer able to meet the active frontages standard as a parking podium is now included to satisfy the City Council request. To meet this requirement, the project will be required to expand the ground floor podium beyond its current footprint to minimize the amount of parking spaces lost. For the purposes of providing an estimate, the area of the equipment and utility rooms existing along the frontage were calculated as those rooms will need to be relocated to a new area on the ground floor. These areas measure to an estimated 2,200 square feet. We estimate that construction of a concrete podium to cost at least $50 per square foot or an additional $110,000 to the project budget. The request for a concession from this standard comports with density bonus law because eliminating the active frontage standard is necessary to be able to provide affordable rents for the targeted units within the project, and as such we have demonstrated that there will be an actual, identifiable cost reduction within the meaning of §65915(d).

2. **ODS Standard 5.5.1 Allowed Building Materials:** This development standard requires a variation in building materials. Secondary materials shall cover the remainder of each facade (excluding windows, doors, garage doors, and building trim) from 25 to 35% (of the total facade). We estimate that secondary materials can cost an additional $10 per sq ft. For Building A alone, the facades roughly total to 171,162 SF in area among which an estimated 42,790 SF will need to feature a secondary material. With the above estimates, we can calculate an additional cost of $427,905 for the budget of Building A alone. The request for a concession from this standard comports with density bonus law because eliminating the allowed building materials requirement is necessary to be able to provide affordable rents for the targeted units within the project, and as such we have demonstrated that there will be an actual, identifiable cost reduction within the meaning of §65915(d).

3. **ODS Standard 5.3.1 Fenestration Design:** This development standard requires windows to be recessed a minimum of 2 inches or for flat windows to provide a recessed facade modulation with a minimum of 4 inches in depth. We estimate the implementation of the recessed facade modulation to cost an additional $30 per window for the additional material and labor for the installation. The project proposes 427 windows on the residential floors. This amounts to an additional cost of $12,810 to the project. The request for a concession from this standard comports with density bonus law because eliminating the fenestration design requirement is necessary to be able to provide affordable rents for the targeted units within the project, and as such we have demonstrated that there will be

an actual, identifiable cost reduction within the meaning of §65915(d).

4. **ODS Standard 4.3.2 Base/Middle/Top:** This development standard requires buildings three stories or taller and a building length greater than 50 feet to be designed to differentiate a defined base, middle, or top. The Applicant is requesting a concession to Base/Middle/Top design standards. As such, the possible implementations to meet this standard are limited to upper floor stepbacks and other material changes that will introduce new cost to the project. The introduction of upper floor stepbacks will eliminate units, thus increasing the land basis for each unit. The request for a concession from this standard comports with density bonus law because eliminating the base/middle/top requirement is necessary to be able to provide affordable rents for the targeted units within the project, and as such we have demonstrated that there will be an actual, identifiable cost reduction within the meaning of §65915(d).

5. **ODS Standard 5.1.2 Ground Floor Facades:** This development standard requires facades to have a minimum 50% transparent glazing between 3 and 7.5 feet in height above finished floor. Additional glazing is estimated to be at least $25 per square foot. The frontage facing Main Street is an estimated 520 ft meaning 260 linear feet must meet the glazing requirements. This equates to an estimated minimum additional cost of $29,250 to the project. Many of the rooms along the frontage are necessary equipment rooms and will not create the ground floor effect this standard intends to promote. The request for a concession from this standard comports with density bonus law because eliminating the allowed ground floor transparency requirement is necessary to be able to provide affordable rents for the targeted units within the project, and as such we have demonstrated that there will be an actual, identifiable cost reduction within the meaning of §65915(d).

State Density Bonus Law Waivers

1. **Private Open Space:** This development standard is found in Table 2-3 of the Milpitas Metro Specific Plan. This standard requires 100 square feet of on-site open space to be provided for each dwelling unit in the form of common or private open space. This equates to a required 11,800 square feet of on-site open space for this project. As currently designed, the project is deficient 2,386 square feet of common or private open space. The ground level is fully utilized for common open space. The most viable way to increase common open space would require the elimination of units at the 5th residential level of each building to accommodate. A reduction of 2,386 square feet of residential floor area is equivalent to around 6 studio units. The Applicant requests relief from this requirement of providing on-site open space as the inclusion of on-site open space will result in the loss of units and residential floor area. Thus, this development standard is eligible to be waived because it would have the effect of physically precluding construction of the project at the proposed density.

2. **ODS Standard 3.2.2 Pedestrian Connections:** This development standard is found in section 3.2.2 of the Milpitas Objective Design Standard. This standard requires entrances serving more than 20 units to be 8 feet. The Applicant requests relief from this requirement because of the site's unusual shape as a narrow triangle. Pedestrian pathways are provided to the main entrance of each building. Should these pathways be widened to 8 feet, the developable are of the site will be greatly reduced and an estimated 30 units will be eliminated. Thus, this standard is eligible to be waived because it would have the effect of physically precluding construction of the project at the proposed density.

3. **ODS Standard 3.5.1 Vehicle Access + Parking:** This development standard requires above grade structured parking levels facing a public right-of-way to be lined with commercial or habitable uses with a minimum depth of 20 feet. The site is unusually shaped and physically constrained from adding

the required uses to the ground floor as this would place the structure well beyond the minimum setback area. Adding these uses within the existing footprint would eliminate parking spaces and require the relocation of some equipment and utility rooms to upper floors. As a result, residential units will be eliminated. Thus, this standard is eligible to be waived because it would have the effect of physically precluding construction of the project at the proposed density.

4. **ODS Standard 3.7.1 Service Areas, Storage, Utilities, and Equipment:** This development standard requires utilities and equipment, service, storage, and non-passenger loading areas to be located inside buildings or on facades other than the Primary Building Frontage, along alleys, parking areas, and/or at the rear or side of building. The project site is uniquely shaped and narrow. It is physically impossible to relocated the mentioned rooms and equipment without placing those items on residential floors. Additionally, some of these rooms like the fire command room must be accessible from Main Street. Thus, this standard is eligible to be waived because it would have the effect of physically precluding construction of the project at the proposed density.

City of Milpitas Planning Waivers

Applicants shall receive incentives as specified in Section XII-1-7.00 of the City of Milpitas Municipal Code to encourage the on-site construction of affordable units. If an applicant provides affordable units in excess of 20 percent of the total number of units in the project the City will provide the following incentives to include Planning waivers. In addition to waivers, incentives and/or concessions that may be provided pursuant to density bonus law as outlined in Section XI-10-54.15 in the Milpitas Municipal Code if the applicant provides affordable units in excess of 20 percent of the total number of units in the development, the Director of Planning shall grant up to two of the waivers listed below in this Section that help increase the feasibility of the construction of affordable units. The applicant will receive an additional two waivers from the list below for every additional five percent of affordable units provided above the 20 percent. The project is one hundred percent affordable and is thus afforded 18 total planning waivers.

1. **Front Setback** – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 8 to 20 feet. The project will provide a front yard setback of 6 feet. Section XII-1-7.00 (A)(2) of the Milpitas Municipal Code allows for a 50 percent reduction of the required minimum setback. With this waiver granted, the project will meet the minimum front setback standard.

2. **Side Setback** – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 10 feet. The project will provide a side yard setback of 6 feet and 9 inches. Section XII-1-7.00 (A)(2) of the Milpitas Municipal Code allows for a 50 percent reduction of the required minimum setback. With this waiver granted, the project will meet the minimum front setback standard.

3. **Rear Setback** – This development standard is found in Table 2-2 of the Milpitas Metro Specific Plan. This standard requires a setback of 10 feet. The project will provide a side yard setback of 6 feet. Section XII-1-7.00 (A)(2) of the Milpitas Municipal Code allows for a 50 percent reduction of the required minimum setback. With this waiver granted, the project will meet the minimum front setback standard.

4. **Long Term Bicycle Storage** - This development standard is found in Table 4-2 of the Milpitas Metro Specific Plan. This standard requires 0.5 bicycles spaces per bedroom. The project features 212 total bedrooms over a mixture of unit types. This standard requires 106 long term bicycle storage spaces to be provided. The project is providing 26 long term bicycle storage spaces within designated storage

rooms located at the parking garage of Building A and on all residential levels of Building B. Meeting this standard would require the elimination of units or the expansion of bicycle storage areas interior to the structure, which would eliminate units and residential floor area. Section XII-1-7.00 (A)(5) of the Milpitas Municipal Code allows the reduction of interior and exterior amenities. A reduction is requested from this standard to reduce the required amount of long term bicycle storage spaces from 106 to 26.

Granting these concessions and waivers allows the Applicant to develop the project at the allowed 118 units pursuant to the State Density Bonus Law. The Applicant may revise the concessions and waivers should they be needed during the entitlement of the project. Should you have any questions on the project, please contact me at: 818-697-4919 / kcalica@amgland.com.

Sincerely,

Kimberly Calica

AMG
LAND DEVELOPMENT

PO Box 260770
Encino, CA 91426
818-380-2600

March 7, 2024

Avery Stark
City of Milpitas
455 East Calaveras Blvd
Milpitas, CA 95035

Re: Request for Exclusion to Public Art Contribution Requirements
1300 S Main St, Milpitas, CA 95035

Dear Mr. Stark,

The Milpitas Municipal Code Section XI-10-14.03 requires residential building developments of 20 or more new dwelling units to devote an amount not less than one-half of one percent of Building Development Costs for acquisition and installation of Publicly Accessible Art on the development site. Section XI-10-14.03 (E) allows an Affordable Housing development with a minimum of 20 percent Affordable Housing units to be exempt from this standard if the Developer demonstrates the requirement would cause the development project not to be economically feasible.

The construction cost for the development is currently estimated to be $18,396,690 which equates to a contribution amount of $91,983.45. The project is one hundred percent affordable, well above the 20 percent affordable threshold, and is thus more sensitive to any additional costs. The Public Art Contribution amount creates a $91,983.45 funding gap for the project which is a huge impact to the feasibility of the one hundred percent affordable project.

Should you have any further questions, please feel free to contact me at (818) 380-2600 Ext. 17 or at kcalica@amgland.com.

Sincerely,

Kimberly Calica

1 Building Type and Project Size

Building Type ☐ (S) Small ☐ (M) Medium ☑ (L) Large ☐ (XL) Extra Large

Site Type ☐ Development considered Large Site/Master Planned Project

2 Site Planning

Page		Applicant N/A	Applicant Compliance	City Use Only N/A	City Use Only Compliance	Drawing References (Sheet/Exhibit):
	2.1 Block Length	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
10	(a) Maximum block length does not exceed 400 feet	☐	☑	☐	☑	**C1.1** -- Existing Conditions. Existing block measures 400' in length.
10	(b) Maximum perimeter length of block does not exceed 1,400 feet					**C1.1** -- Existing Conditions. Existing block measures 1,022.3' in length

Additional Applicant Comments (Optional)

Additional City Comments (Optional)

	2.2 Mid-Block Connections	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	2.2.1 Mid-block Connections					
11	Mid-block Connections shall meet all stormwater management and c.3 requirements	☐	☑	☐	☑	**C4.1** -- Stormwater management and c.3 requirements provided on this sheet.
	2.2.2 Minimum Building Setbacks for private streets and publicly accessible pedestrian pathways					
11	Primary building frontage is set back a minimum of 5 feet from a public access easement or back of pedestrian pathway, whichever is closer (*Residential projects-only)*	☐	☑	☐	☑	**A1.0** -- Front setback meets this requirement.
12 to 15	**2.2.3 Paseo/Pedestrian Path; 2.2.4 Shared Street/Woonerf; 2.2.5 Private Street**					
	Mid-block connections meet standards by type of connection described in Section 2.2.3-2.2.5	☑	☑	☐	☑	**A1.0** -- Existing railroad at rear of property. Mid-block connection not applicable.

Additional Applicant Comments (Optional)

Additional City Comments (Optional)

	2.3 Shared Publicly Accessible Open Space (Large Sites/Master Planned Projects Only)	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	2.3.1 Required Publicly Accessible Open Space					
16	(i) Projects with an average building height less than 45 feet, Publicly Accessible Open Space is equal to or greater than 5% of lot area.	☑	☐	☐	☑	
17	(ii) Projects with an average building height greater than 45 feet, Publicly Accessible Open Space is equal to or greater than 10% of lot area.	☐	☑	☐	☑	The project is compliant because a concession was requested for this standard. The project is providing publicly accessible open space (less than 10% of lot area) in the form of a community garden, as shown on sheet L1. Please refer to the separately enclosed Density Bonus memo for full details.
	2.3.2 Minimum Design Requirements					
17	Publicly Accessible Open Space includes one contiguous open space that is equal to or greater than 1/3 of the required *Publicly Accessible Open Space area.*	☑	☐	☐	☑	See response to item #17.
17	Publicly Accessible Open Space has a minimum length and width of 40 feet	☑	☐	☐	☑	See response to item #17.
17	Publicly Accessible Open Spaces located adjacent to a public right-of-way, or visible from a public right-of-way and connected to a public sidewalk with a public access easement with a pedestrian pathway that is less than 100 feet in length	☑	☐	☐	☑	See response to item #17.
17	A public access easement is provided for the entire Publicly Accessible Open Space	☑	☐	☐	☑	See response to item #17.

Additional Applicant Comments (Optional)

Additional City Comments (Optional)

	2.4 Services and Utilities (Large Sites/Master Planned Projects Only)	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	2.4.1 Mail Delivery					
18	Project met with U.S. Postmaster for project review prior to submittal of plans to the City for review	☐	☑	☐	☑	A virtual meeting was held on 09/06/23 attended by Nestor Deperalta and Gurpreet Randhawa with USPS. Feedback was received and noted by the Applicant.
18	Mailbox(es) within a single multifamily or mixed-use building are located within shared lobbies. If a shared lobby is not provided, mailboxes are located adjacent to a primary pedestrian pathway	☐	☑	☐	☑	**A1.0** -- mailboxes are located within a shared lobby adjacent to the leasing office. Should the lobby configuration need to be minorly adjusted, we request

Additional Applicant Comments (Optional)

Additional City Comments (Optional)

3 Site Design

Page		Applicant N/A	Applicant Compliance	City Use Only N/A	City Use Only Compliance	Drawing References (Sheet/Exhibit):
	3.1 Sidewalk Design	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	3.1.1 Effective Sidewalk Widths					
19	Sidewalks shall meet the standards for different project types	☐	☑	☐	☑	**C2.1** -- Existing 10' sidewalk along Main Street. No changes are proposed for this sidewalk, therefore the project is compliant with this standard.

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

	3.2 Building Orientation	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	3.2.1 Building Frontages					
20	Primary building frontages shall face a public sidewalk or a publicly accessible pathway.	☐	☑	☐	☑	**A1.0** -- Building frontanges face the public sidewalk on Main Street.
	3.2.2 Pedestrian Connections					
20	Primary entries to buildings or units shall be connected to a public sidewalk or publicly accessible pathway with a pedestrian pathway with the specified minimum width dimensions.	☐	☑	☐	☑	**A1.0** -- Entries to buildings are connected to Main Street. A waiver is requested for the minimum width dimension requirement.
	3.2.3 Building Setback/Build-to-Zone					
20	Buildings shall occupy the minimum percentage of the building frontage within the Build-to-Zone defined by Building Type.	☐	☑	☐	☑	**A1.0** -- Greater than 60% of the building frontage is within the Build-to-Zone.

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

	3.3 Building Setback Character	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	3.3.1 Landscaping					
21	Required front setbacks shall meet the standards for required landscaped area.	☐	☑	☐	☑	**L1** -- Landscaped areas are in compliance. Refer to the landscape sheets for full details.
	3.3.2 Encroachments					
22	The project shall only includes elements that are allowed within required front setback areas and required primary frontage setbacks.	☐	☑	☐	☑	**L1** -- Landscaped areas are in compliance. Refer to the landscape sheets for full details.

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

	3.4 Ground Floor Uses	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	3.4.1 Active Frontage (M), (L), or (XL) Projects					
23	Active Frontages shall count for a minimum of 80% of each building façade facing a public street or publicly accessible pathway with adjacent Primary Building Frontages	☑	☐	☑	☐	Not feasible -- a development incentive is requested for this standard. See separately enclosed memo for full details
24	Active Frontage uses shall have a minimum interior depth of gross building area as defined by use type.	☑	☐	☑	☐	
25	Active Frontage uses shall have a finished floor height above grade at back of sidewalk within the ranges defined by use type.	☑	☐	☑	☐	
26	Active Frontage uses shall have a minimum floor-to-floor as defined by use type.	☑	☐	☑	☐	

Additional Applicant Comments (Optional)	Additional City Comments (Optional)
City Council requested implementation of parking. Listed active frontage types are not feasible.	

	3.5 Access and Parking	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	3.5.1 Vehicle Acess + Parking					
26	Driveways shall be a minimum of 50 feet from any street intersection. For parcels less than 75 feet wide, driveways shall be located along the lot line farthest from the intersection.	☐	☑	☐	☑	**A1.0** -- Proposed driveway is more than 50 feet from any street intersection.
26	Each development project site shall be limited to one curb cut, including driveways and private/service streets, per 250 feet of public street frontage, or two curb cuts per street frontage, whichever is less (unless otherwise required for emergency vehicle access).	☐	☑	☐	☑	**A1.0** -- The project proposes one curb cut for the driveway.
26	Driveways shall be a minimum of 3 feet from a property line or include a shared driveway access with adjoining parcel.	☐	☑	☐	☑	**A1.0** -- Proposed driveway is more than 3 feet from a property line.
27	No more than 30% of the primary street frontage shall be devoted to garage openings, carports, surface parking, or service/loading entries).	☐	☑	☐	☑	**A1.0** -- Garage openings are interior to the site.
27	Entries to structure parking when combined with loading, and utility/service areas shall not exceed 30 feet in width. Vehicle entries shall not exceed 22 feet in width.	☐	☑	☐	☑	**A1.0** -- Entrances into parking podium are 24' to meet drive aisle width requirements. Loading area is located within the podium

27	Above grade structured parking levels facing a public right-of-way or Publicly Accessible Open Space/pedestrian pathway, except for vehicular alleys, shall be lined with commercial or habitable uses with a minimum depth of 20 feet or minimum depth of 16 feet for residential units.	☐	☑	☑	☐	Parking was requested by City Council. Addition of parking and unique property characteristics prevent implementation of commercial/habitable use screening. The project before implementation of City Council's request for parking was compliant with this standard. A waiver is requested for this standard.
27	All portions of partially subgrade parking visible above grade shall not exceed 5 feet in height, shall be architecturally treated no differently than that primary structure and shall utilize the same level of detail, articulation, and materials as the primary façade, and shall be screened with landscape screening (e.g., shrubs, landscaped trellises) a minimum of 3 feet in height and/or crafted ornamental metal screens.	☑	☐	☑	☐	

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

3.6 Landscaping	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
3.6.1 Bay Friendly Planting and Water Conservation					
28 A minimum of 75% of non-turf landscaped areas shall be planted with native or drought-tolerant planting.	☐	☑	☐	☑	**L1** -- Landscaped areas are in compliance. Refer to the landscape sheets for full details.
3.6.2 Non-Plant Materials, Soil, and Mulch					
28 Planting in above grade courtyards shall have a minimum soil depth of 12 inches for ground cover, 20 inches for shrubs, and 36 inches for trees.	☐	☑	☐	☑	**L1** -- Landscaped areas are in compliance. Refer to the landscape sheets for full details.
3.6.3 Parking Lot Landscaping					
29 A minimum of 15% of the total off-street open parking area shall be landscaped with a mixture of trees, shrubs, ground cover, and other plant material	☑	☐	☑	☐	No surface parking -- parking within a podium only
29 Tree wells shall have a minimum 5-foot dimension between parking spaces					
29 Contiguous parking spaces shall not exceed bumber of spaces without a tree well defined for residential and commercial parking.	☑	☐	☑	☐	No surface parking -- parking within a podium only
3.6.4 Plant Size and Spacing					
29 Plant size and spacing shall meet the standards for minimum plant material sizes, plant spacing, and minimum planter widths.	☐	☑	☐	☑	**L1** -- Landscaped areas are in compliance. Refer to the landscape sheets for full details.

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

3.7 Utilities, Service Areas, and Building Equipment	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
3.7.1 Service Areas, Storage, Utilities, and Equipment					
30 Project shall satisfy all the applicable standards described in Section 3.7.1.1-3.7.1.5	☐	☑	☑	☐	A waiver is requested for this standard.
3.7.2 Waste Removal					
31 Project shall satisfy all the applicable standards described in Section 3.7.2.1-3.7.2.2	☐	☑	☐	☑	**A1.2** -- The Project meets these standards. Reference the conceptual trash management plan for full details. This plan was developed with Public Works Dept input.

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

3.8 Site Lighting	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
3.8.1 Nuisance Prevention					
32 Project shall satisfy all the applicable standards described in Section 3.8.1	☐	☑	☐	☑	**E1.0; E1.1** -- Compliant, see photometric sheets for full details.
3.8.2 Maximum Height					
32 Freestanding outdoor light fixtures shall not exceed 16 feet in height.	☐	☑	☐	☑	**E1.0; E1.1** -- Compliant, see photometric sheets for full details.
3.8.3 Fixture Types					
32 Project shall satisfy all the applicable standards described in Section 3.8.3	☐	☑	☐	☑	**E1.0; E1.1** -- Compliant, see photometric sheets for full details.
3.8.4 Minimum Lighting Requirements					
33 Project shall satisfy all the applicable standards described in Section 3.8.4	☐	☑	☐	☑	**E1.0; E1.1** -- Compliant, see photometric sheets for full details.
3.8.5 Design of Fixtures					
33 Project shall satisfy all the applicable standards described in Section 3.8.5	☐	☑	☐	☑	**E1.0; E1.1** -- Compliant, see photometric sheets for full details.
3.8.6 Energy Efficiency					
33 All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than 10,000 hours	☐	☑	☐	☑	**E1.0; E1.1** -- Compliant, see photometric sheets for full details.

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

3.9 Standards for Special Conditions and Adjacencies	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
3.9.1 Adjacency to Lower Density Development					

33	Buildings shall meet the standards for required setback along the shared property line(s).	☑	☐	☑	☐	
34	No portion of a building shall be within a 45-degree daylight plane measured perpendicularly from the shared rear property line from a height of 10 feet for the full length of the property line.	☑	☐	☑	☐	
34	Rear and side yards shall be planted with a minimum of one tree per every 30 linear feet of shared property line.	☑	☐	☑	☐	
34	The maximum distance between two trees shall not be greater than 50 feet. Rear and side yards shall be planted with a minimum of three shrubs per 20	☑	☐	☑	☐	
	3.9.2 Adjacency to Major Roadways					
34	All residential units shall meet the minimum set back distance from face-of-curb.	☐	☑	☑	☐	Not feasible; additionally, setbacks are addressed in the separately enclosed Density Bonus Memo. As such, the Project is compliant with this standard.
35	Ground floor residential units fronting a Major Roadway shall meet the average and minimum finished floor height above top-of-curb elevation.	☑	☐	☑	☐	No ground floor units
35	A double row of trees shall be planted between the building and the curb. Each row shall have a minimum of one tree per every 30 linear feet.	☐	☑	☐	☑	**L1** -- Landscaped areas are in compliance. Refer to the landscape sheets for full details.
	3.9.3 Adjacency to Freeways					
36	Residential buildings shall be set back a minimum 60 feet from the edge of a freeway right-of-way.	☑	☐	☑	☐	
36	A double row of trees shall be planted within 40 feet of the freeway right-of-way. Each row shall be within 30 feet of each other and have a minimum of one tree per every 30 linear feet.	☑	☐	☑	☐	
	3.9.4 Adjacency to Railroads					
36	All residential buildings shall be set back a minimum 40 feet from the railroad right-of-way.	☐	☑	☑	☐	Not feasible; additionally, setbacks are addressed in the separately enclosed Density Bonus Memo. As such, the Project is compliant with this standard.
	3.9.5 Adjacency to Natural Areas/Creeks/Channels					
37	All buildings shall be set back a minimum of 40 feet from the top of the bank of channel.	☑	☐	☑	☐	
37	Where a public path is not located between the building and top of bank, a 12-foot-wide public access easement shall be located within the first 30 feet depth from the adjacent property line and be consistent with the Ped/Bike & Trails	☑	☐	☑	☐	
37	A continuous planting strip with a minimum width of 12 feet and a length greater than 80% of the length of the property line shall be located between the building and top of bank. Trees shall be planted at a minimum of one tree per every 30 linear feet.	☑	☐	☑	☐	
37	A minimum of 60% of the site area between buildings and the property line adjacent to the natural area, creek, or channel shall be landscaped.	☑	☐	☑	☐	

Additional Applicant Comments (Optional)

Additional City Comments (Optional)

4 Building Design

Page		Applicant N/A	Applicant Compliance	City Use Only N/A	City Use Only Compliance	
	4.1 Small and Medium Building Types	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	4.1.3 Design Standards (S) (M)					
40	Projects shall meet the development standards outlined in Table 4.1.3.1	☑	☐	☑	☐	
41	Residential buildings shall employ at least two of the building modulation strategies described in Section 4.1.3.2	☑	☐	☑	☐	
41	All builidng facades shall incorporate at least three of the features, consistent in design style, which provide articulation and design interest described in Section 4.1.3.2	☑	☐	☑	☐	
41	Any building with the Primary Façade and building entry facing a street or pathway perpendicular to a public street right-of-way, private street, or publicly accessible pathway shall meet the standards for end units described in Section	☑	☐	☑	☐	
42	For multifamily residential buildings with up to 8 units and not exceeding 40 feet in width, the Primary Building Entry may be located on the side of the building not facing the public right-of-way if a publicly accessible pedestrian pathway connects directly to a forecourt or front porch with a minimum dimension of 6 feet.	☑	☐	☑	☐	
42	Small and Rowhouse Building Types shall meet the parking standards described in Section 4.1.3.5	☑	☐	☑	☐	
42	Projects shall meet the Open Space standards described in Section 4.1.3.6 for Cottage Clusters, Courtyard Buildings, or Middle Housing types.	☑	☐	☑	☐	

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

	4.2 Large and Extra large Building Types	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	4.2.1 Massing and Form					
45	Buildings shall not exceed 380 feet in length or width.	☐	☑	☐	☑	A1.0
45	Buildings greater than 6 stories in height shall provide a variety in building heights and reduce the massing of upper floors through one or more of the techniques described in Section 4.2.1.2	☐	☐	☑	☐	Please note, the buildings were raised in height to accommodate a City Council request to include parking. A development incentive is requested for this standard, see separately enclosed memo for full details.
46	High-rise buildings shall meet the standards for maximum floorplate, maximum building length, and tower separations described in Section 4.2.1.3	☑	☐	☐	☑	
	4.2.2 Façade Modulation					
46	Exterior facing building facades shall meet the standards for Major Break(s) described in Section 4.2.2.1	☐	☑	☐	☑	A1.0; A4.0
48	Façade planes shall choose one of the minor vertical façade modulations for Minor Break(s) described in Section 4.2.2.2	☐	☑	☐	☑	A1.0; A4.0

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

	4.3 Façade Design	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	4.3.1 Façade Composition					
51	Each building façade greater than 100 feet in length shall include a minimum of two distinct façade compositions. For every additional 100 feet of building façade, an additional distinct façade composition is required.	☐	☑	☑	☐	A concession is requested for this standard
	4.3.2 Base/Middle/Top					
52	Buildings three stories or taller and a building length greater than 50 feet shall be designed to differentiate a defined base or ground floor, a middle or body, and a top, cornice, or parapet cap as described in Section 4.3.2.1 and 4.3.2.2. This standard applies to all exterior facing facades.	☐	☑	☑	☐	A concession is requested for this standard

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

5 Building Elements

		Applicant N/A	Applicant Compliance	City Use Only N/A	City Use Only Compliance	
	5.1 Ground Floor Design	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	5.1.1 Building Entries (M) (L) (XL)					
62	The Primary Building Entry for multifamily buildings shall meet the standards described in Section 5.1.1.1	☐	☑	☐	☑	A1.0
62	Storefront/Retail Entries shall meet the standards described in Section 5.1.1.2	☑	☐	☑	☐	
62	Individual Residential Unit Entries shall meet the standards described in Section 5.1.1.3	☑	☐	☑	☐	
	5.1.2 Ground Floor Facades					
63	Ground Floor Storefront/Retail Façades shall meet the standards described in Section 5.1.2.1	☑	☐	☑	☐	
64	Ground Floor Non-residential Façades shall meet the standards described in Section 5.1.2.2	☐	☑	☑	☐	A1.0; A4.1; A4.3 -- a waiver is requested for this standard
64	Ground Floor Residential Façades shall meet the standards described in Section 5.1.2.3	☑	☐	☑	☐	

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

	5.3 Fenestration Design	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	5.3.1 Fenestration Design					
68	Windows shall be recessed a minimum of 2 inches. Façades or portions of façades utilizing a curtain wall are exempt from this standard.	☑	☐	☑	☐	A development incentive is requested for this standard. Please review the separately enclosed memo for full
68	Windows that are flat or "flush" with the façade are prohibited unless applied to a portion of a building that is part of a recessed façade modulation with a minimum 4 inches in depth. Façades or portions of façades utilizing curtain walls are exempt from this standard.	☑	☐	☑	☐	

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

	5.4 Green/Productive Roofscapes	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	5.4.1 Green/Productive Roofscapes					
69	Green/Productive Rooftops shall meet the standards described in Section 5.4.1	☑	☐	☑	☐	and places the net roof area below this requirements threshold.

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

	5.5. Building Materials	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	5.5.1 Allowed Building Materials					
71	All Building Materials shall meet the standards described in Section 5.5.1	☑	☐	☑	☐	A development incentive is requested for this standard. Please review the separately enclosed memo for full details.

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

6 Usable Open Space

		Applicant		City Use Only		
		N/A	Compliance	N/A	Compliance	
	6.1 Distribution of Open Space	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
72	For (L) and (XL) projects, a minimum of 30% of required Usable Open Space shall be Common Shared Open Space.	☐	☑	☑	☐	All usable open space is common open space
72	Publicly Accessible Open Spaces greater than 5,000 sf in continuous area may count as 1.2 times the amount of required common shared open space.	☑	☐	☑	☐	

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

	6.2 Open Space Types	N/A	Compliance	N/A	Compliance	Drawing References (Sheet/Exhibit):
	6.2.1 Publicly Accessible Open Space					
72	If Publicly Accessible Open Space is provided, it shall meet the standards described in Section 6.2.1	☑	☐	☐	☑	
	6.2.2 Common Open Space					
72	Common Open Space shall meet the standards described in Section 6.2.2	☑	☐	☑	☐	A waiver is requested for this standard.
	6.2.3 Private Open Space					
73	Private Open Space shall meet the standards described in Section 6.2.3	☑	☐	☑	☐	

Additional Applicant Comments (Optional)	Additional City Comments (Optional)

In response to the Applicant's request for modification to the conditions of approval, Planning staff is proposing the following text in **bold** and *italicized*.

PLANNING DEPARTMENT CONDITIONS

#25. Site Improvement. ***Prior to the issuance of any certificates of occupancy (Tentative or Final),*** the Permittee must pay all applicable development fees, including but not limited to connection fees (water, sewer, and storm), plan check and inspection deposit, and a 3.8% building permit automation fee. These fees are collected as part of the secured public improvement agreement. The agreement shall be secured for an amount of 100% of the engineer's estimate of the construction cost for faithful performance and 100% of the engineer's estimate of the construction cost for labor & materials.

#28. The Project shall be subject to the following development fees: Transit Area Specific Plan Development Impact Fee (TADIF)

The TADIF is currently set at $50,056 per residential unit for Fiscal Year 2023-2024, but the exact TASP fee will not be calculated until the building permit is ready for issuance. Based on approval for the development of 118 units, the estimated TADIF for this project is $5,906,608. This fee is automatically adjusted each fiscal year in conjunction with the City's annual budget process. The Applicant must pay the fee ***Prior to the issuance of any certificates of occupancy (Tentative or Final)***.

ENGINEERING DEPARTMENT CONDITIONS

#90. Utility Company Approval: Permittee shall obtain approval letters from utility companies (PG&E, AT&T, Comcast) for abandonment of existing and dedication of new public service utilities easements, if any.

This condition was moved to the section labeled "prior to first occupancy section" of the ENGINEERING DEPARTMENT CONDITIONS. Engineering staff accepted and approved this revision.

#107 LOMR-F: Permittee shall submit the FEMA approved LOMR-F for each unit/building associated with the requested occupancy, if project is located in the SFHA. ***Lack of documentation will not preclude occupancy release.***

#115. Development Fees: Permittee shall pay the following development fees. The information listed in items "a" through "e" are based upon current fee rates; however, those fee rates are subject to change. The exact fee amount shall be determined at the time of building permit fee payment.
a. Storm water connection fee at $16,771/acre for residential.
b. Water connection fee at $1,164/unit for residential, based upon increased water usage.
c. Sewer connection fee at $1,406/unit for residential, based upon increased average wastewater flow.
d. 3.8% of applicable fees in accordance with City Resolution No. 8969 as Permitting Automation Fee.
e. FEMA Flood Zone Designation Letter fee in the amount of $100.00 each.

This condition was moved to the section labeled “prior to first occupancy section” of the ENGINEERING DEPARTMENT CONDITIONS. Engineering staff accepted and approved this revision.

CITY OF MILPITAS
AGENDA REPORT
(AR)

Item Title:	**Conduct a Public Hearing and Adopt a Resolution Approving the Proposed 2025-2029 Capital Improvement Program (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602, Michael Silveira, City Engineer, 408-586-3303)**
Category:	Public Hearings-Community Services and Sustainable Infrastructure
Meeting Date:	4/16/2024
Recommendation:	Conduct a public hearing and adopt a resolution approving the 2025-2029 Capital Improvement Program.

Background:
The City plans and budgets for its capital improvement projects through a five-year Capital Improvement Program (CIP). The funding for projects in the first year of any proposed CIP are appropriated 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 the five-year Capital Improvement Program before June 30, 2024, as part of the annual budget process.

On February 22, 2024 staff presented the Proposed 2025-29 CIP, Departmental workplans, and referrals to the City Council for review and consideration. On March 11, 2024, staff presented the Park Improvement section of the Proposed CIP to the Parks Recreation and Cultural Resources Commission for review and consideration and recommended approval to the City Council. On March 22, 2024, the Proposed 2025-29 CIP was presented to the Planning Commission who found the program to be in conformance with the City's General Plan in accordance with the California Government Code Section 65401.

Analysis:
Based on City Council feedback during the CIP Study Session held on February 22, 2024, this staff report transmits the updated Proposed 2025-29 Capital Improvement Program document and enumerates the changes from the version presented at the Study Session. An electronic copy of the updated Proposed CIP (Attachment 2) is included in the Agenda Report.

The following is the only notable change to the Proposed 2025-2029 CIP since the City Council Study Session.

- Decreased the funding for San Jose-Santa Clara Regional Wastewater Facility, Project No. 6118 from $6,886,000 to $3,940,000 and adjusted the outyear budget amounts based on the draft ten-year forecast provided by the City of San Jose.

The updated Proposed 2025-2029 CIP totals $243,234,562 in estimated project costs over the next five-years and the project funding appropriation for FY 2024-25 is $33,172,962. As shown in Table 1, the FY 2024-25 proposed funding includes contributions from Streets Funds ($8.42 million), Sewer Fund ($7.07 million), Water Fund ($5.94 million), General Government CIP Fund ($4.69 million), General Fund ($2.5 million), Park Fund ($0.28 million), and Other Funds ($3.56 million).

Proposed FY 2024-25 Capital Improvement Investments
Major projects recommended to be funded for FY 2024-25 include the Annual Street Resurfacing Project ($4,597,562; funded via Measure B, SB1 RMRA, Vehicle Registration Fee); the City's capital contribution to the San Jose-Santa Clara Regional Wastewater Facility ($3,940,000; Sewer Fund); the design and replacement of the air handlers at City Hall ($2,500,000; General Fund Facility Replacement Reserve); the design and replacement of the land management/permit system software ($1,500,000; Information Technology Replacement Fund); the design and replacement of the financial management system ($1,450,000; General Government CIP Fund, Sewer Fund, Water Fund); the planning of the basic infrastructure plan and developer

impact study for the Milpitas Gateway-Main St. Specific Plan ($600,000; MTC PDA Funding Grant); an assessment of the flooding occurrence on Main Street, Railroad Avenue, and Winsor Street ($500,000; Storm Drain Fund); the master planning of the fountain and landscaping renovation at the City Hall campus ($250,000; General Gov't CIP Fund); the design for the installation of street lights on Hammond Way ($100,000; Street Improvement Fund); the design of improvements for the play area at Sinnott Park ($100,000; Park Fund), and various maintenance and rehabilitation projects managed by Information Technology, Planning, Public Works, and Recreation Departments ($17,635,000).

Table 1: Summary of Funding for projects funded in FY 2024-25

CIP Category	General Fund*	General Gov't CIP	Park Fund	Sewer Funds	Streets Funds**	Water Fund	Other Funds***	Total
Comm.	$2,500,000	$4,292,000	$0	$687,000	$0	$687,000	$2,753,000	**$10,919,000**
Parks	$0	$0	$280,000	$0	$0	$0	$800,000	**$1,080,000**
Streets	$0	$400,000	$0	$0	$8,427,562	$0	$98,400	**$8,925,962**
Water	$0	$0	$0	$0	$0	$5,260,000	$0	**$5,260,000**
Sewer	$0	$0	$0	$6,388,000	$0	$0	$0	**$6,388,000**
Storm	$0	$0	$0	$0	$0	$0	$600,000	**$600,000**
Total	**$2,500,000**	**$4,692,000**	**$280,000**	**$7,075,000**	**$8,427,562**	**$5,947,000**	**$4,251,400**	**$33,172,962**

* Total of $2.5M is funded through the General Fund Facility Replacement Reserve.
**Includes Gas Tax Fund ($2.73M), Measure B ($2.097M), SB1 RMRA ($2.0M), Street Improvement Fund ($1.02M), and Vehicle Registration Fee ($500k).
***Includes Grants ($800k), Information Technology Replacement ($1.95M), Light and Landscape Maintenance District ($98.4k), Public Art ($50k), Storm Drain ($500k), Storm Drain General ($100k), and TASP Impact Fee ($753k) Funds.

Proposed 2025-29 Capital Improvement Program

The Proposed 2025-2029 CIP in the amount of $243,234,562 million is only partially funded. Funding sources identified for projects in the last four years (2026-2029) of the budget are based on projected available funding. The value of City infrastructure needing funding over those years is estimated at $58.0 million, or 24% of the budget. The $58.0 million in funding needs include:

- Approximately $22.5M is estimated for ongoing infrastructure repairs, rehabilitation, or replacement projects such as Citywide Park Rehabilitation ($2.4M), Sandalwood Park Renovation ($2.2M), City Building Improvements ($2.0M), Community Center Roof Renovation ($2.0M); Sport Center Football Bleacher Replacement ($1.5M), Median Conversion Project ($1.2M), and On-Call Facilities Maintenance & Repair Services ($1.2M).
- Approximately $35.5M is estimated for new infrastructure projects such as Montague Pedestrian Overcrossing at Penitencia Creek ($21.5M), Cardoza Park Softball Fields Improvement ($7.0M), S. Main St. Street Light Project ($4.8M), and S. Main St. Utility Undergrounding ($2.0M).

In addition to the funding needs within the Proposed 2025-29 CIP, staff has identified $426 million of needed capital improvements beyond the 5-year capital budget. This is through work completed in the master plans for parks, sanitary sewer, storm drain, trail, pedestrian, and bicycle, and water systems, as well as assessments of facilities and traffic safety. These projects will need to be funded through a combination of future utility rate increases, impact fees, General Fund appropriation, grants, and other funding sources such as a general obligation bond or other financing measure. The $426 million in funding needs include:

- Approximately $243.6M is estimated for ongoing infrastructure repairs, rehabilitation, or replacement projects.
    - $129.1 million of this funding has no clear funding source identified, such as improvements to City's storm drain system ($57.8M); renovation of the Public Works/Police Department building ($26.6M); Fire Stations No. 3 Replacement ($20.0M); and the City's Park system ($4.7M).

- It is expected that $114.5 million of this backlog would be addressed by future sewer and water rate increases in 2028 and beyond.

- Approximately $182.5M 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); Montague Expressway Widening west of Great Mall Parkway ($20.2M) as identified in the Basic Infrastructure Project list of the TASP Specific Plan; and Traffic Safety Improvements ($7.5M) as identified in the adopted Travel Safety 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 $483 million of unfunded infrastructure needs. Of this, $279.1 million is for infrastructure replacement and $203.9 million is for new infrastructure. It is expected that 40% ($114.5M) of the infrastructure replacement needs will be funded through future rate increases for sewer and water infrastructure. 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 will need to be repaired and/or replaced. As we move forward, it will be critical to focus on (1) identifying new revenues sources and (2) maintaining fiscal discipline by allocating available funding towards the repair and replacement of existing infrastructure, whenever possible, as opposed to new amenities.

Additionally, it should be noted that as a result of the recent completion of master planning work for the City's parks, storm, sewer and water utilities, the infrastructure needs in these master plans have a high degree of certainty. However, additional assessment is needed in the coming years to identified infrastructure needs for the City's buildings and other public right of way.

Table 2: Summary of Unfunded Infrastructure Repairs/Replacement Needs and New Infrastructure Projects

	Unfunded Infrastructure Repair/Replacement Needs	Unfunded New Infrastructure Projects	Total
5-Year Budget	$35,550,000*	$22,423,000	**$57,973,000**
Beyond 6 Years	$243,600,000**	$182,500,000	**$426,100,000**
Total	**$279,150,000**	**$204,923,000**	**$484,073,000**

**Of this $243.6 million, approximately $114.5 million is expected to be raised through ongoing sewer and water rate fee adjustments.

City Council Study Session on February 22, 2024

During the Study Session, City Council provided insightful feedback on the Proposed 2025-29 CIP and priorities. The following is a summary of this feedback and any pertinent action items.

- **ARPA Park Rehabilitation Projects, No. 3500 & 3501**

  On August 9, 2021, City Council approved an allocation of $4,386,815 American Rescue Plan Act funding to address immediate health and safety repairs and short-term improvements of parks in critical and poor condition at 20 parks as identified in the Parks and Recreation Master Plan adopted in December 2021.

On December 6, 2022, City Council awarded a construction contract of Phase 1 to G&G Builders, Inc. for the repair and/or replacement of failed pour-in-place play surfaces, sand with engineered wood fiber, and aging playground equipment components at nine (9) parks. The work was completed in December of 2023 at Cerano, John McDermott, O'Toole Elm, Parc Metro Central, Parc Metro East, Pinewood, Selwyn, Sunnyhills Albert Augustine Jr. Memorial and Tom Evatt parks in the amount of $1,218,000.

On April 2, 2024, City Council awarded a construction contract for Phase 2 to Bay Construction Co. in the amount of $2,532,000 to replace aging site furnishings, improve and repair picnic areas and pathways, improve fitness station and playground areas, and upgrade restroom fixtures to comply with ADA standards at 13 parks. Work is anticipated to start in May and be completed by the end of the year. The affected parks include: Ben Rogers, Foothill, Hidden Lake, Murphy, Oliver Jones, Parc Metro West, Robert E. Browne, Sandalwood, Sinnott, Strickroth, Starlite, Sunnyhills Albert Augustine Jr. Memorial, and Tom Evatt.

As there were some remaining funds in the project budget for Phase 2 after the award of the construction contract, City Council approved the allocation of $75,000 towards the design of the playground improvements at Sinnott Park. Combined with the $100,000 in the Proposed 2025-2029 CIP presented at City Council Study Session on February 22, 2024, the design budget would increase to $175,000 which should be sufficient to complete the design of the improvements. Staff is anticipating completing conceptual design by fall 2024 to determine the project needs and construction budget. Sinnott's estimated short-term and long-term improvements as noted in the Parks and Recreation Master Plan amount to $6 million.

- **Library Roof Replacement**

  Funding for the replacement of metal roof at the City library was approved by City Council as part of the adopted 2024-2028 CIP. The funding was appropriated from the General Government CIP Fund in the amount of $200,000 into City Building Roof Improvements, Project No. 3422. The Invitation for Bid was posted on March 8, 2024, and bid opening was held on April 12, 2024. The Purchasing Division will bring the award of the construction contract to City Council for consideration on May 7, 2024. Staff is anticipating completing the work by fall 2024.

- **Main Street Decorative Streetlight Project, No. 3430**

  This project provides for the installation of decorative streetlights along South Main Street from Carlo Street to Great Mall Parkway which 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. The estimated cost for the entire project is approximately $10.0 million.

  The design of Phase 1 is complete, and the construction is estimated at $2.4 million which is not funded. This phase is on hold currently until funding is available, and adoption of the Main Street/Gateway Specific Plan (Gateway Plan) occurs to establish a developer impact fee to fund the project. In the meantime, staff has secured $500,000 in federal funding through Representative Ro Khanna's efforts and continues to pursue state and federal grant funding opportunities for construction. In additional, staff is researching a more cost-effective option such as solar energy that meets the artistic standards as reflected in the Gateway Plan, the standards of roadway safety, and minimizes impacts to maintenance. Upon completion of the research, staff will provide an Informational Memo to City Council.

- **Annual Street Resurfacing Program**

  Metropolitan Transportation Commission (MTC) performs a visual inspection of the paved street network maintained by the City as part of Pavement Management Technical Assistance Program (P-TAP) grant program on a bi-annual basis. According to the Pavement Management Program (PMP Report) completed by MTC in December 2023, the City's Pavement Condition Index (PCI) rating is 71

which is considered in “Good Condition”. The City’s PCI rating is above the Bay Area Regional Weighted Network PCI rating of 67 which is considered in “Fair Condition”.

As part of the Capital Improvement Program, the City programs an annual street resurfacing project where streets are selected based on the recommendations in the PMP Report to maintain and improve the overall city pavement condition. According to the PMP Report, the City should invest $22.5 million over the next five years or $4.5 million annually to maintain the current PCI rating of 71 which is funded through varies local and state tax measures such as the Gas Tax, Measure B, Senate Bill 1 Road Maintenance and Rehabilitation Program (SB1 RMRA), Transportation Development Act Article 3 (TDA 3), and the Vehicle Registration Fee.

To increase the City’s PCI rating to 76, the City would need to increase the funding levels to $40.0 million over the next five years or $8.0 million annually, which translates to $700,000 per each incremental PCI rating point. And, to achieve an ‘optimal’ condition or an overall street network PCI rating of 84, the City will need to spend $95.6 million over the next five years or $19.1 million annually. As local and state tax measures are limited, staff will continue to pursue state and federal grant funding opportunities to increase the City’s overall PCI value.

- **Curtis, McCandless, and Pinewood Well Improvements**

  Under Title 22 of the California Code Regulations Code related to drinking water, the State Water Resource Control Board - Division of Drinking Water (DDW) requires local agencies to submit a Source Capacity Planning Study to assure there is sufficient water supply for peak usage and events of an emergency and prolonged drought. In 2015, DDW recommended that the City build additional storage to meet the water demand for the projected growth expected by the City’s Gateway/Main Street (Midtown) Specific Plan and Metro (TASP) Specific Plan.

  On June 15, 2021, City Council adopted the 2020 Urban Water Management Plan which included an assessment of the City’s water supply needs and a recommended strategy to ensure compliance with Title 22. Given the cost and scarcity of land for the construction of a new reservoir, the strategy to implement the use of groundwater wells in conjunction with above-grade storage tanks and blend the water supply from the City’s two water wholesalers (SFPUC and Valley Water) would reduce the water storage requirements from 6 million gallons to 2 million gallons required for the projected growth. In addition, expanding the City’s portfolio to include groundwater wells will offset the loss of water in case the wholesalers cut back supply in the event of a prolong drought, or in the event a natural disaster impairs any or both of the wholesaler’s delivery systems.

  The City has three wells located in the southwestern part of the City. The Pinewood Well is the only fully developed well in the City but is permitted for use as a standby emergency well. It can only operate for 15 days and no more than 5 consecutive days per year as regulated by the State. It only serves the City in the event the wholesalers are unable to deliver contract-treated water supply. To meet the water needs of the City, the proposed Capital Improvement Program will add the Pinewood well Facility Rehabilitation Project to convert the well from an emergency use to a production well. The wells at Curtis Ave. and McCandless Dr. are still in development. Curtis Well was drilled in 2003 but was never equipped with the above-grade facility to become an active water supply. According to the adopted 2021 Water Master Plan, the well is scheduled to be in service by 2035. McCandless Well, Project No. 7076 was drilled in 2021 and the above-grade facility is anticipated to begin construction in 2025.

Next Steps:

Staff recommends the City Council hold a public hearing to review and consider the document and to approve a Resolution (Attachment 1) adopting the 2025-2029 Capital Improvement Program.

Related funding actions for the first year of the Adopted 2025-2029 CIP will be presented for City Council consideration as part of the approval of the Proposed FY2024-25 Operating Budget scheduled for June 4, 2024.

Fiscal Impact:
The Final 2025-29 Capital Improvement Program includes funding recommendations for 47 projects in the amount of $33,172,962 for FY 2024-25 for repairs and improvements to City infrastructure commencing July 1, 2024. The appropriation actions to fund the projects in FY 2024-25 will be included in the Proposed FY 2024-25 Operating Budget scheduled for adoption in June.

Description	General Fund *	General Gov't CIP	Park Fund	Sewer Fund	Streets Funds**	Water Fund	Other Funds***	Total
Available Fund Balance as of 4/8/2024	$2,500,000	$5,273,000	$437,000	$27,804,000	$10,893,562	$22,311,000	$55,902,000	**$125,120,562**
FY 2024-25 Proposed Capital Projects	$2,500,000	$4,692,000	$280,000	$7,075,000	$8,427,562	$5,947,000	$4,251,400	**$33,172,962**
Remaining Fund Balance	$0	$581,000	$157,000	$20,729,000	$2,466,000	$16,364,000	$51,650,600	**$91,947,600**

* Total of $2.5M is funded through the General Fund Facility Replacement Reserve.
**Includes Gas Tax Fund ($2.73M), Measure B ($2.097M), SB1 RMRA ($2.0M), Street Improvement Fund ($1.02M), and Vehicle Registration Fee ($500k).
***Includes Grants ($800k), Information Technology Replacement ($1.95M), Light and Landscape Maintenance District ($98.4k), Public Art ($50k), Storm Drain ($500k), Storm Drain General ($100k), and TASP Impact Fee ($753k) 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:
Conduct a public hearing and adopt a resolution approving the 2025-2029 Capital Improvement Program.

Attachment:
a) Resolution
b) Final 2025-2029 Capital Improvement Program

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING THE 2025-2029 CAPITAL IMPROVEMENT PROGRAM

WHEREAS, on March 27, 2024, the Planning Commission of the City of Milpitas reviewed the 2025-2029 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 16, 2024, 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 2025-2029 CIP and the first year, 2024-2025 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 2025-2029 Capital Improvement Program, as included in the City Council meeting agenda package and totaling $243,234,562 over the five-period and $33,172,962 in fiscal year 2024-25.

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 _____, 2024, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

ATTEST:

_____
Suzanne Guzzetta, City Clerk

APPROVED:

_____
Carmen Montano, Mayor

APPROVED AS TO FORM:

_____
Michael Mutalipassi, City Attorney

2025-2029

FINAL

CAPITAL IMPROVEMENT PROGRAM

Milpitas

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.

Organizational Mission

The City of Milpitas is committed to accomplishing the community's vision by providing fiscally sound, superior services.

Our Values

Superior Customer Service • Open Communication • Integrity and Accountability
Trust and Respect • Recognition and Celebration

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.

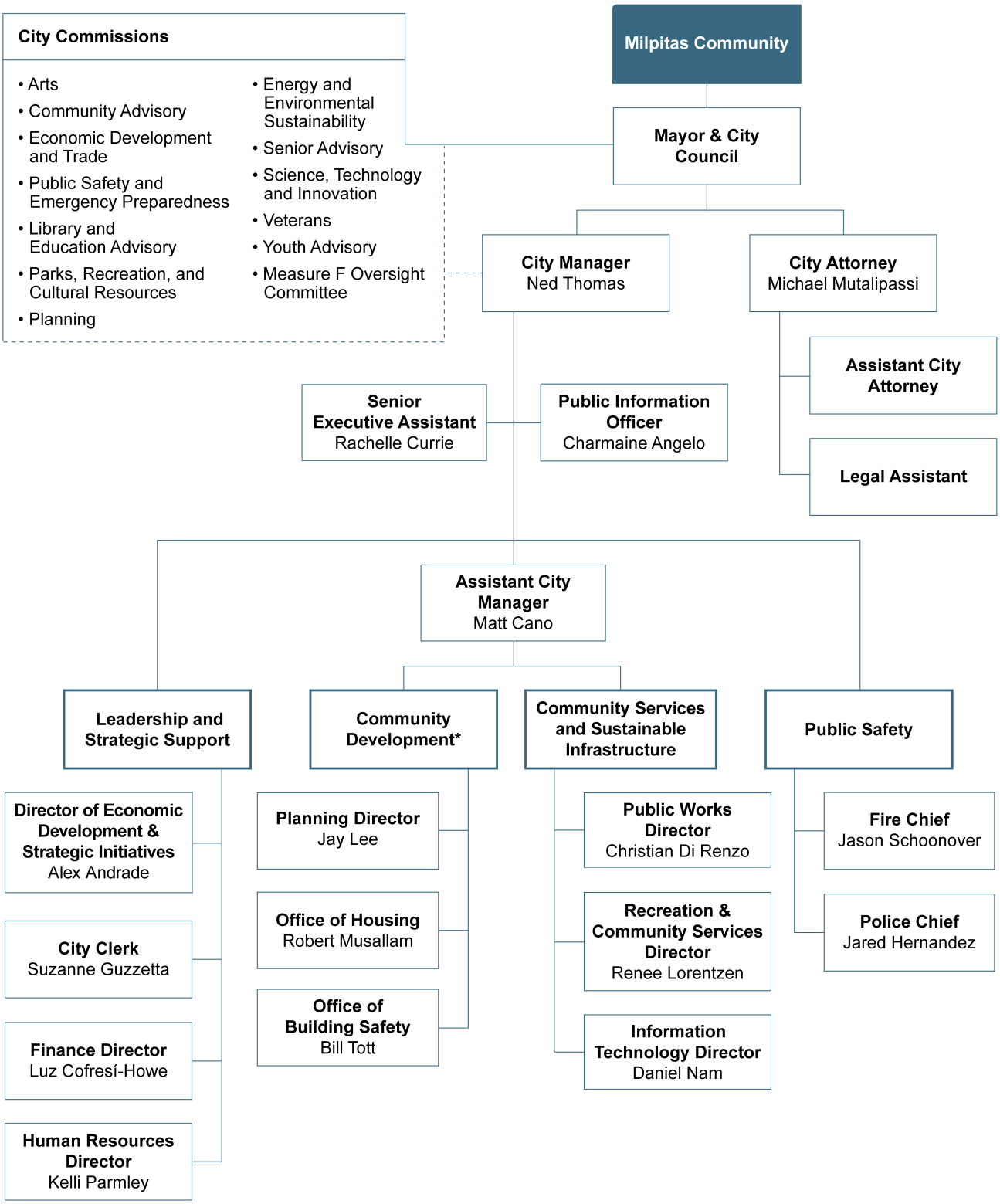
Public Safety

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 (Public Works Department) are part of Community Development.

Budget Acknowledgments

Capital Improvement Budget Process and Document Production

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Milpitas

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Milpitas

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 thought 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.

Milpitas

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RESOLUTION NO. 24-014

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MILPITAS FINDING THAT THE PROPOSED 2025-2029 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 27, 2024, 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 2025-2029 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 2025-2029 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.

Action LU-2c. Establish and adopt Innovation District Overlay standards and guidelines for the Innovation District Overlay identified on the City's Land Use Map. Standards should:

- Foster a competitive and desirable district by establishing a sense of place and ensuring that development provides amenities and is connected to nearby community assets;

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

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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-1a. Adopt a Vision Zero or similar policy with a goal of eliminating severe injury and fatal collisions.
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.
Action CIR-2b. Adopt traffic calming metrics and strategies to reduce vehicle speeds, enhance safety, increase options for physical activity and account for the needs of emergency vehicle access.
Action CIR-2c. Develop a traffic calming plan including priority corridors, specific locations, and an implementation strategy.
Action CIR-2d. Coordinate with Caltrans to implement complete streets and traffic calming projects along state highways.

Transit (Goal CIR-3):
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.

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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 bicycling and walking between high density residential developments, retail centers, civic buildings, and recreational centers.
CIR 4-6. Eliminate gaps in the pedestrian and bicycle network, especially between neighborhoods, trails that access schools, and areas with 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-4c. Support bicycle education programs for people of all ages and abilities.
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.
Action CIR-4u. Where appropriate, require new development to provide public access points to the trail system and/or contribute to staging areas

Sustainability (Goal CIR-6):
CIR 6-4. Prioritize transportation improvements in part based on consideration of benefits to disadvantaged communities.
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.

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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 1-6 Emphasize landscaping as a fundamental design component, retaining mature landscaping when appropriate, to reinforce a sense of the natural environment and to maintain an established appearance.
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.

Residential Neighborhoods and Commercial, Mixed Use, and Employment Districts and Centers (Goal CD-3)
Action CD-3a. As part of the development review process for private development and public capital projects, encourage the integration of civic, cultural, natural, art, and other themes that create a sense of place for each neighborhood, district, and center, and contribute to the overall character of the community.

Districts (Goal CD-4)
CD 4-1. Provide special attention to development within or adjacent to Specific Plan areas or special districts.
CD 4-2. Incorporate identifiable and consistent design themes through architecture, landscaping, public realm improvements, historic references and signage within special districts.
CD 4-3. Support and seek surrounding land uses and development that correspond to or enrich special districts and Specific Plan areas.
CD 4-4. Strengthen the aesthetic, environmental and functional links between the city's Specific Plan areas and other surrounding neighborhoods and districts.

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Action CD-4a. Adopt and apply design guidelines for development in each identified district in Milpitas. The guidelines should address architecture, size and scale of structures, compatibility with other residential development, building materials and colors, landscaping, site planning, and similar development subjects

Gateways, Landmarks, and Wayfinding (Goal CD-8):
CD 8-1. Support strong and identifiable City boundaries that provide a sense of arrival into the City and its districts to reinforce Milpitas' high quality image and the desirable characteristics of the surround neighborhoods and districts' community form.
CD 8-2. Identify entries to the city and special districts (California Circle, Civic Center, Midtown, McCarthy Ranch, Transit Area, and others) with special features. Install city identification signs including distinctive landscaping and lighting or other markers at community gateways to signify entry. Anchor gateway intersections with landmark buildings that incorporate distinctive architectural character and activate the area. Orient landmark buildings to face and frame the corners of intersections.
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 9-2. Provide for community and neighborhood activity centers at appropriate locations that create recreational opportunities, encourage social interaction, and provide a sense of public space and centers for neighborhood gathering.
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.

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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 design of new facilities can accommodate significant anticipated future increases in bicycle and pedestrian activity.
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.

ECONOMIC DEVELOPMENT POLICES AND ACTIONS

Opportunity Areas (Goal ED-3):
ED 3-2. Continue to implement the City's adopted Specific Plans to create attractive and vibrant mixed-use neighborhoods that provide a mixture of housing, shopping, employment, as well as entertainment, cultural and recreational activities.
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.

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.
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.

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Action CON–1h. Periodically review and report on the effectiveness of the measures outlined in the CAP and the strategies in this Element. Institutionalize sustainability by developing a methodology to ensure all environmental, social and lifecycle costs are considered in project, program, policy and budget decisions.

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):
CON 4-3. Work with Native American representatives to identify and appropriately address, through avoidance or mitigation, impacts to Native American cultural resources and sacred sites during the development review process.
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.
Action CON-5d. Continue to implement the City's Conceptual Historic Resources Master Plan and periodically review and modify the Plan as necessary in order to ensure that it continues to meet the City's historic preservation goals.

Air Quality (Goal CON-7):
CON 7-5. Use the City's development review process and the California Environmental Quality Act (CEQA) to evaluate and mitigate the local and cumulative effects of new development on air quality.
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.
Action CON-7i. Require construction activity plans, and grading and drainage plans to include and/or provide for dust management to prevent fugitive dust from leaving the property boundaries and causing a public nuisance or a violation of an ambient air standard. Project applicants, or their assigned agents/contractors, shall be responsible for ensuring that all adequate dust control measures are implemented in a timely manner during all phases of project grading and construction.

UTILITIES & COMMUNITY SERVIVES 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.

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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.
UCS 2-2. Ensure safe drinking water standards are met.
UCS 2-3 Pursue additional water supply sources to supplement the City's existing supply as needed to meet projected future demand.
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.
Action UCS-2i. Regularly monitor water quality of the water system and implement necessary measures to remain in compliance with local, state, and federal safe drinking water standards.

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.

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.

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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):
SA 1-3. Require geotechnical investigations to be completed prior to approval of any public safety or other critical facilities, in order to ensure that these facilities are constructed in a way that mitigates site-specific seismic and/or geologic hazards.
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-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 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.

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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.
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.

Emergency Services (Goal SA-4):
SA 4-1. Provide adequate funding for police and fire facilities and personnel to accommodate existing and future citizens' needs to ensure a safe and secure environment for people and property throughout the city.
SA 4-10. Ensure that adequate water supplies are available for fire suppression throughout the city. Require development to construct and fund all fire suppression infrastructure equipment needed to provide adequate fire protection services to new development.

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 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.

NOISE

Excessive Noise Levels (Goal N-1):
Action N-1d. During the environmental review process, determine if proposed construction will constitute a significant impact on nearby sensitive receptors and, if necessary, require mitigation measures in addition to the standard best practice controls. Suggested best practices for control of construction noise include:

- Noise-generating construction activities, including truck traffic coming to and from the construction site for any purpose, shall be limited to between the hours of 7:00 am and 7:00 pm. No construction shall occur on National holidays.
- All equipment driven by internal combustion engines shall be equipped with mufflers, which are in good condition and appropriate for the equipment.
- The construction contractor shall utilize "quiet" models of air compressors and other stationary noise sources where technology exists.

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- At all times during project grading and construction, stationary noise-generating equipment shall be located as far as practicable from sensitive receptors and placed so that emitted noise is directed away from residences.
- Unnecessary idling of internal combustion engines shall be prohibited for a duration of longer than five minutes.
- Construction staging areas shall be established at locations that will create the greatest distance between the construction-related noise sources and noise-sensitive receptors nearest the project site during all project construction activities, to the extent feasible.
- Neighbors located adjacent to the construction site shall be notified of the construction schedule in writing.
- The construction contractor shall designate a "noise disturbance coordinator" who will be responsible for responding to any local complaints about construction noise. The disturbance coordinator shall be responsible for determining the cause of the noise complaint (e.g., starting too early, poor muffler, etc.) and instituting reasonable measures as warranted to correct the problem. A telephone number for the disturbance coordinator shall be conspicuously posted at the construction site.

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.
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 1-14. Further expand public access to a variety of park and recreational facilities through the pursuit of joint use agreements with entities and organizations that control existing non-city owned open space lands, such as public and private schools, Santa Clara Valley Water District, Santa Clara County and other public agencies, private entities and businesses and nonprofit groups.
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.

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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-1d. Investigate and pursue a diverse range of funding opportunities for parks, trails, and recreation facilities, including but not limited to grants, joint use/management strategies, user fees, private sector funding, assessment districts, homeowners' associations, non-profit organizations, funding mechanisms for the maintenance of older parks, and management assistance through Federal, State, and regional partnerships.
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):
PROS 2-2. Emphasize and prioritize public participation and workshops when developing new park facilities, and/or substantially renovating existing parks, trails, and other recreation facilities. Provide diverse outreach resources that enable close collaboration with a variety of members of the community in the design, and programming, of parks and recreation facilities to ensure that these facilities meet community needs.
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.

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b) The proposed 2025-2029 Capital Improvement Program is consistent with the General Plan because of the following:

Land Use

This element provides polices and actions seeking to promote a balance citywide land use program with community amenities, public services, and the creation of a park-like setting within the City. It also seeks to maintain and improve the City's fiscal position by planning and coordinating capital improvement projects in relation to growth and land use. The CIP proposes significant investments of approximately $243,632,562 over the next five years to City facilities, parks, streets, and utilities, but $57,973,000 does not have identified funding. It is consistent with the Land Use Element because its provides a coordinated effort of public improvements related to the growth, maintenance, and safety of the City on an annual basis. The following are a few examples of projects that specifically contribute to achieving these goals:

- Comprehensive Zoning Ordinance Update, Project No. 3460
- Innovation District Parks and Trails Master Plan, New Project
- Metro Impact Fee Study, Project No. 3469
- Milpitas Gateway-Main Street Specific Plan Update, Project No. 3437
- Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan, New Project

Circulation

This element provides polices and actions for vehicular and non-vehicular travel throughout the City. A main principal of the General Plan is to reduce reliance on the automobile by providing and emphasizing the use of non-vehicular such as BART, VTA Lightrail, share rides, and bicycle and pedestrian facilities. The CIP is consistent with Circulation element because it strives to maintain and provide efficient transportation systems such as sidewalks, streets, and trails. It proposes approximately $76,024,563 towards improvements over the next five years since the City is primarily responsible for these facilities, but $32,420,000 does not have identified funding. The following are a few examples of projects that specifically contribute to achieving these goals:

- ADA Curb Ramp Transition Program, Project No. 4283
- Annual Sidewalk Repair Program, Project No. 3426
- Bicycle Improvement Project, Project No. 4299
- Calaveras Blvd. Widening Project, Project No. 4258
- City Traffic Safety Assessment & Traffic Modeling, Project Nos. 4293, 4297
- Milpitas SMART, Project No. 3493
- Montague Pedestrian Overcrossing at Penitencia, Project No. 2018
- Montague Pedestrian Overcrossing at Piper Dr., Project No. 2008
- (Rmb) Metro Linear Trails, Project No. 2012
- S. Milpitas Blvd. Vehicle Bridge at Penitencia, Project No. 2016
- SR237 HOV Lane Improvements, Project No. 4294
- Streetlight, Signal, and Signage Improvements, Project No. 3440
- Street Pavement Restriping Program, Project No. 4295
- Street Resurfacing Projects 2025-2029, Plan Projects
- Traffic Studies & Safety Improvements, New Project

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Community Design

This element provides polices and actions to address the built and natural environment of the City's infrastructure which is closely related to elements of Land Use, Circulation, and Parks, Recreation, Open Space. The General Plan seeks to the built character, order, and sense of place of the City by it's character of many unique neighborhoods and districts; historical attributes; and the quality of buildings, streets, and public spaces. The CIP is consistent with Community Design element because integrates the character and components of buildings, transportation systems, open space, interaction of humans between each other, the natural environment, heritage, and economics into the Milpitas community. The following are a few examples of projects that specifically contribute to achieving these goals:

- City Hall Fountain & Landscape Renovation, New Project
- Delano Manongs Park, Project No. 5102
- Delano Manongs Pedestrian Bridge, Project No. 2005
- Gateway Signage, Project No. 3508
- Innovation District Parks and Trails Master Plan, New Project
- Main St. Utility Undergrounding & Streetlight Project, Project Nos. 3425, 3430
- Metro Tango Subdistrict Park, Project No. 2023
- Median Conversion Project, Project No. 3468
- Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan, New Project
- Montague Pedestrian Overcrossing at Penitencia, Project No. 2018
- Public Art Project, Project No. 3489
- Sandalwood Park Renovation, Project No. 5110
- S. Milpitas Blvd. Vehicle Bridge at Penitencia, Project No. 2016

Economic Development

This element provides polices and actions to build sustainable growth and development while ensuring community priorities are integrated for a livable City. The General Plan seeks to 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 element as it provides for adequate, convenient access to commercial, industrial and service areas, and encourage changes and revitalization of Main St. The following are a few examples of projects that specifically contribute to achieving these goals:

- Annual Sidewalk Repair Program, Project No. 3426
- Bicycle Improvement Project, Project No. 4299
- Comprehensive Zoning Ordinance Update, Project No. 3460
- Innovation District Parks and Trails Master Plan, New Project
- Main St. Utility Undergrounding & Streetlight Project, Project Nos. 3425, 3430
- Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan, New Project
- Milpitas Gateway-Main Street Specific Plan Update, Project No. 3437
- Milpitas SMART, Project No. 3493
- (Rmb) Metro Linear Trails, Project No. 2012

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Conservation and Sustainability

The element provides polices and actions for City facilities to preserve and improve natural resources, increase sustainability, and reduce energy consumption. Most assets within the City such as buildings, trees and native vegetation, parks, transportation systems, and water system are constructed, improved, maintained, and preserved through the CIP. It is consistent with Conservation and Sustainability element because it provides resiliency energy sources like solar to support statewide alternative energy use; preserve natural resource such as native vegetation, natural habitat, trees, and creeks and waterways; cultural and historical resources such as city-owned buildings and parks; and support the increase connective and safety for pedestrians and cyclists and opportunities for alternative transportation choices. The following are a few example of projects that specifically contribute to achieving these goals:

- Annual Tree Replacement Program, Project No. 3438
- Bicycle Improvement Project, Project No. 4299
- Climate Action Plan Implementation, Project No. 3453
- Historic Resource Master Plan Update, Project No. 3503
- Innovation District Parks and Trails Master Plan, New Project
- Median Conversion Project, Project No. 3468
- Milpitas SMART, Project No. 3493
- Montague Pedestrian Overcrossing at Penitencia, Project No. 2018
- Pilot Street Sweeping Program, Project No. 3455
- (Rmb) Metro Recycled Water Distribution, Project No. 1019
- (Rmb) SCVWD Creek Projects, Project No. 3452
- Water Conservation Program, Project No. 7126

Utilities and Community Service

This element provides polices and actions for the City's sanitary sewer, storm drain, and water infrastructure to provide safe, reliable, and high-quality services for residents and businesses of the City. The CIP is consistent with Utility and Community Service element because it provides for the expansion, improvement, and maintenance for majority of the City's utility infrastructure system to meet the needs of existing and projected growth. The five-year capital budget proposes approximately $123,708,000 investment towards these infrastructure systems. The following are a few examples of projects that specifically contribute to achieving these goals:

- 2nd SCVWD Water Reservoir & Pump Station, Project No. 2002
- Asset Renewal and Replacement Program, Plan Project
- Forcemain "A" Project, Project No. 6137
- Minor Water Projects, Project No. 7133
- Minor Sewer Projects, Project No. 6126
- Pinewood Well Facility Rehabilitation Project, New Project
- Sewer Pump Station Rehabilitation Program, Project No. 6124
- Storm Drain System Rehabilitation, Project No. 3715
- Well Upgrade project, Project No. 7076

Safety

This element provides the framework to reduce risks that may pose a risk to life and property to the community of City associated with environmental and human-caused hazards such as geologic/seismic, flooding, hazardous materials, and effects of climate change. The CIP

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supports the core principle of this element which is to maintain emergency preparedness and services of Public Safety resources to ensure the safety of the community, respond to emergencies, and prevent interruption during disasters. The CIP is consistent with the Safety element because it provides investment in improving and maintaining city's water infrastructure by hardening critical transmission mains, increasing resiliency in the system, providing adequate fire flow at hydrants; maintaining storm drain system to prevent flooding; and replacing the aging infrastructure of Public Safety facilities such as Mobile Emergency Operations Center vehicle and module building at Fire Station No. 1 that houses the office of Emergency Operation Office and training center. The following are a few projects that specifically contribute to achieving these goals:

- Asset Renewal and Replacement Program, Plan Project
- Dempsey Road Water Line Replacement, Project No. 7100 & 7118
- Flap Gate Replacement, Project No. 3714
- Fire Flow Interconnection & Pipelines Improvements, Plan Projects
- Fire Station No. 1 Modular Building, Project No. 3465
- Fire Station Improvements, Project No. 3403
- Hydrant Replacement Program, Project No. 7110
- Mobile Emergency Operations Center, Project No. 3464
- Public Safety Mobile Computer Terminals, Project No. 3497
- Public Safety/DPW Disaster Plan Update, Project No. 3445
- (Rmb) SCVWD Creek Projects, Project No. 3452
- Street Resurfacing projects 2025-2028, Plan Projects
- Storm Drain System Rehabilitation, Project No. 3715
- Watershed Analysis, Project No. 3506

Parks, Recreation, and Open Space

This element provides the framework to ensure that all Milpitas residents, employees, and visitors have safe, convenient, and equitable access to a diverse range of outdoor activities, naturalized open space areas, and recreational opportunities. The CIP supports the core principle of and consistent with this element because it dedicates a specific category for improvement, maintenance, and preservation of the city park and trail infrastructure. It proposes approximately $18,850,000 toward park improvements over the five-year CIP to maintain and strengthen the City as a park-like setting, but a value of $14,220,000 does not have identified funding source. The following are a few projects that specifically contribute to achieving these goals:

- ARPA Park Rehabilitation, Project Nos. 3500, 3501
- Cardoza Park Softball Fields Improvement, Project No. 3491
- Delano Manongs Park, Project No. 5102
- Metro Tango Subdistrict Park, Project No. 2023
- Minor Sports Courts Rehabilitation, Project No. 5108
- Pickleball Improvements, Project No. 5116
- (Rmb) Metro Trail Trails, Project No. 2012
- Sandalwood Park Renovation, Project No. 5110
- Sports Fields Turf Rehabilitation Program, Project No. 5113
- Sport Center Football Home Bleachers, Project No. 3505

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Section 4: The Planning Commission finds that 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). This conformity finding is not a project and is not subject to CEQA review because it does not have the potential for resulting in either a direct physical change in the environment or a reasonably foreseeable indirect physical change, particularly in that it does not alter the use of land or at most does not do so inconsistently with uses already authorized, prohibited, or regulated by law. (Cal. Code Regs., tit. 14, § 15378.) Furthermore, even if considered a project, this consistency finding is categorically exempt from CEQA review as by common sense it can be seen with certainly that there is no possibility that the activity in question may have a significant effect on the environment particularly in consideration of the activities already permitted, prohibited, or regulated by law and that this is merely a finding of consistency with the City's General Plan, which itself was already subject to environmental review. (Cal. Code Regs., tit. 14, § 15061(b)(3)).) Furthermore, this item only involves a general plan consistency review for possible future actions that the City Council has not yet approved, adopted, or funded for which sufficient consideration of environmental factors has occurred or will occur, which are statutorily exempt from the preparation of an EIR or negative declaration. (Cal. Code Regs., tit. 14, § 15262.)

Section 5: The Planning Commission of the City of Milpitas hereby adopts Resolution No. 24-014 finding that the proposed 2025-2029 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 27, 2027.

DocuSigned by:
Chair Mercedes Albana Mar-28-2024
2B40D51C93E540A...
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 27, 2024, and carried by the following roll call vote:

COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Mercedes Albana	✓			
Dipak Awasthi	✓			
Michael Caulkins	✓			
Chia Ling Kong	✓			
Alexander Galang	✓			

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COMMISSIONER	AYES	NOES	ABSENT	ABSTAIN
Sonia Medina-Ashby	✓			
Parveen Gupta	✓			

Capital Improvement Program Grand Summary

Project Expenses	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Community Improvement	10,919,000	5,379,000	3,969,000	2,429,000	2,354,000	25,050,000
Park Improvement	1,080,000	2,455,000	13,605,000	855,000	855,000	18,850,000
Street Improvement	8,925,962	15,803,400	12,098,400	29,578,400	9,618,400	76,024,562
Water Improvement	5,260,000	11,225,000	6,917,000	9,875,000	15,292,000	48,569,000
Sewer Improvement	6,388,000	32,619,000	5,550,000	18,070,000	11,114,000	73,741,000
Storm Drain Improvement	600,000	0	400,000	0	0	1,000,000
Total	**$33,172,962**	**$67,481,400**	**$42,539,400**	**$60,807,400**	**$39,233,400**	**$243,234,562**

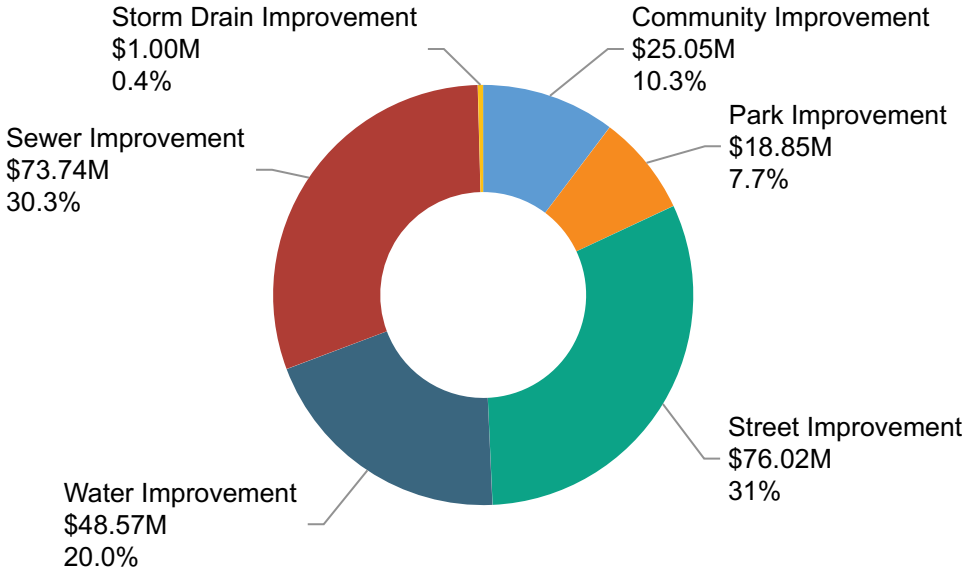
Funding Sources	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Gas Tax Fund	2,730,000	3,095,000	2,690,000	2,220,000	2,060,000	12,795,000
General Fund	2,500,000	0	0	0	0	2,500,000
General Government CIP Fund	4,692,000	0	0	0	0	4,692,000
Information Technology Replacement	1,950,000	0	0	0	0	1,950,000
LLMD	98,400	98,400	98,400	98,400	98,400	492,000
Measure B	2,097,562	1,900,000	1,900,000	1,900,000	1,900,000	9,697,562
Park Fund	280,000	0	0	0	0	280,000
Public Art Fund	50,000	50,000	50,000	50,000	50,000	250,000
SB1 RMRA	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000	10,000,000
Sewer Fund	325,000	0	0	0	0	325,000
Sewer Infrastructure Fund	4,901,000	12,781,000	5,712,000	18,232,000	11,276,000	52,902,000
Sewer Treatment Fund	1,849,000	0	0	0	0	1,849,000
Storm Drain General Fund	100,000	0	400,000	0	0	500,000
Storm Drain Fund	500,000	0	0	0	0	500,000
Street Improvement Fund	1,020,000	0	0	0	0	1,020,000
TASP Impact Fees	753,000	6,453,000	4,393,000	3,953,000	11,715,000	27,267,000
TDA Article III	80,000	80,000	80,000	80,000	80,000	400,000
Vehicle Registration Fee	500,000	500,000	500,000	500,000	500,000	2,500,000
Water Capital Surcharge	5,442,000	11,207,000	6,899,000	6,057,000	3,712,000	33,317,000
Water Fund	325,000	0	0	0	0	325,000
Water Line Extension Fund	180,000	180,000	180,000	180,000	180,000	900,000
Sub Total	**$32,372,962**	**$38,344,400**	**$24,902,400**	**$35,270,400**	**$33,571,400**	**$164,461,562**

External Financing	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Grants/Reimb./Developer Fees	800,000	0	0	0	0	800,000
Wastewater Revenue Bonds	0	20,000,000	0	0	0	20,000,000
Sub Total	**$800,000**	**$20,000,000**	**$0**	**$0**	**$0**	**$20,800,000**

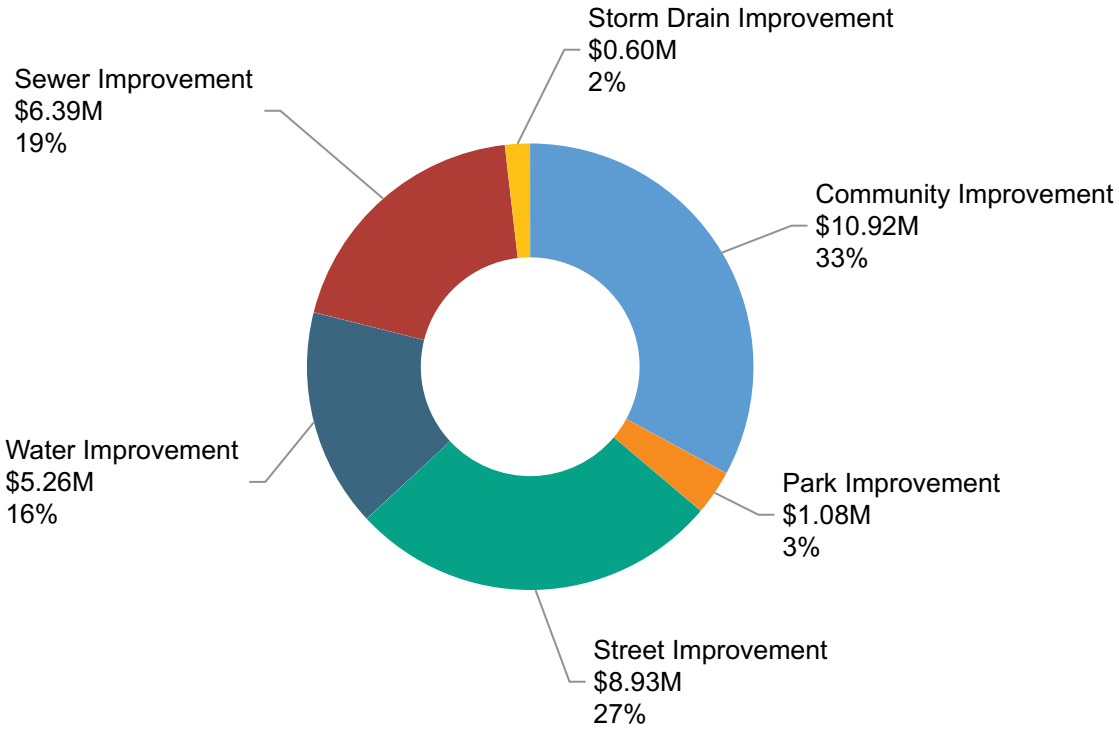
	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
No Funding Source	0	9,137,000	17,637,000	25,537,000	5,662,000	57,973,000
Total	**$33,172,962**	**$67,481,400**	**$42,539,400**	**$60,807,400**	**$39,233,400**	**$243,234,562**

Capital Improvement Program Grand Summary

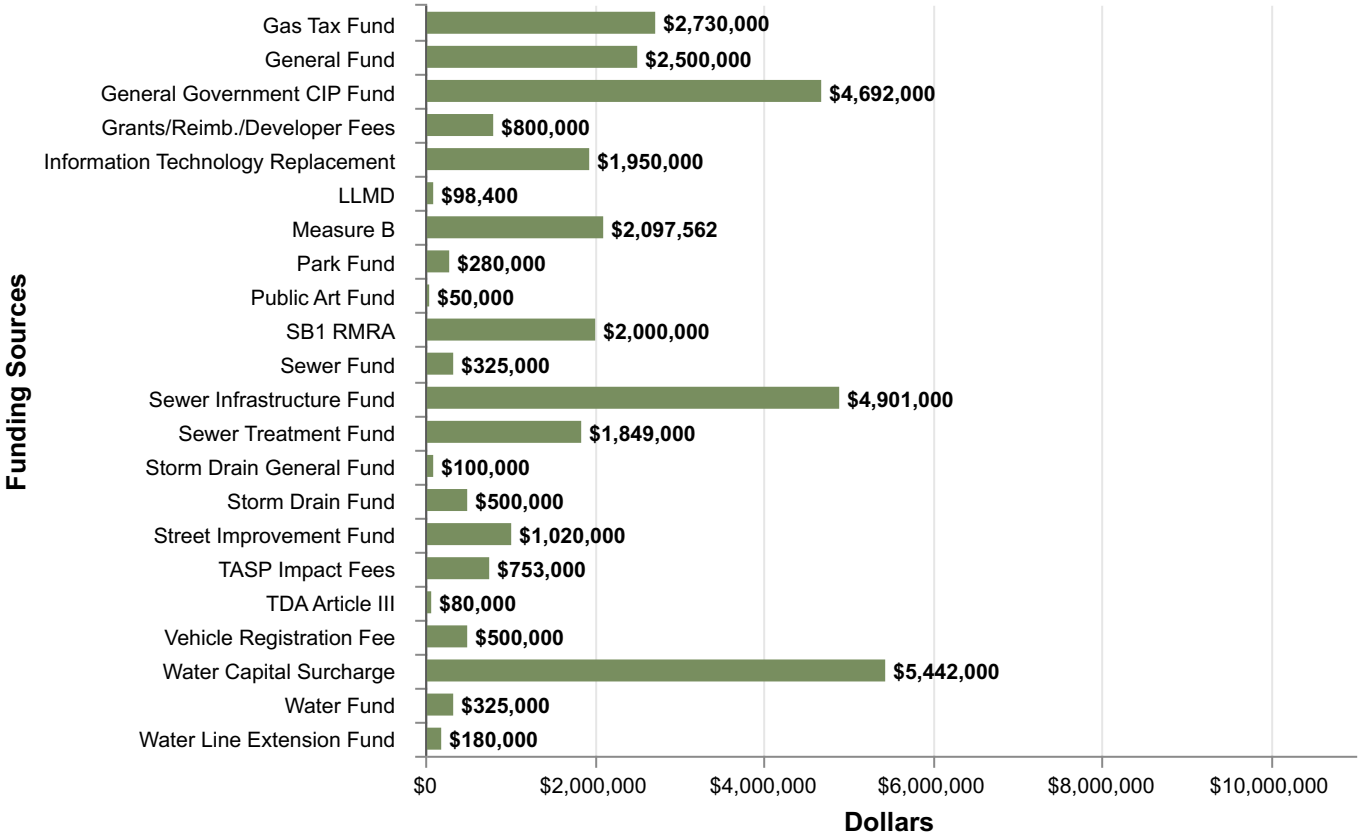
Five-Year Expenditure by Category for 2025-29



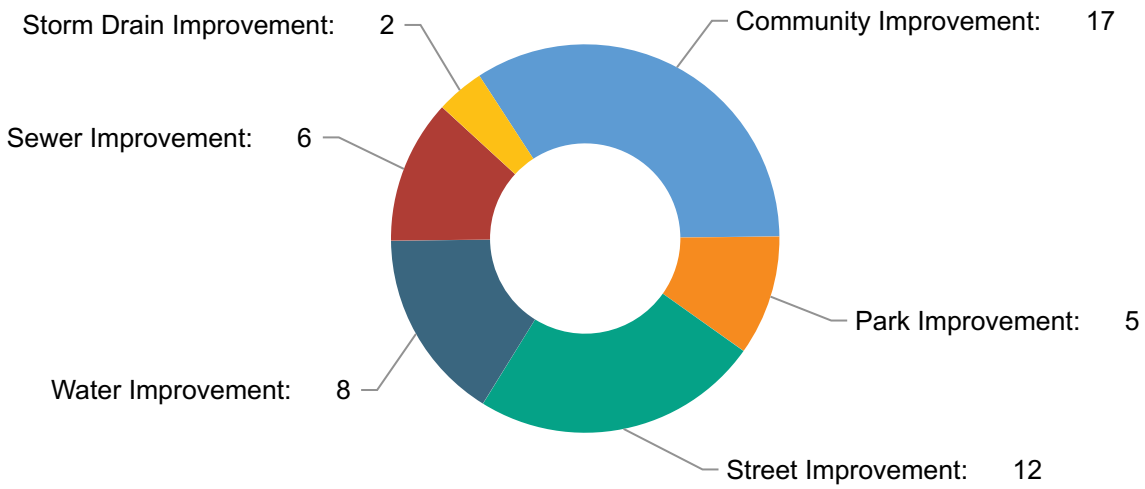
Expenditures by Category for FY 2024-25



Funding Sources for FY 2024-25



Number of Projects Funded by Category for FY 2024-25



Proposed New Projects in 2025-29

Community Improvements

Pg.	No.	Project Name	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
152	New	Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan	600,000	0	0	0	0	600,000
154	New	Land Management System Replacement	1,500,000	0	0	0	0	1,500,000
156	New	City Hall Air Handlers Replacement	2,500,000	0	0	0	0	2,500,000
158	New	Community Center Roof Renovation	500,000	2,000,000	0	0	0	2,500,000
160	New	Electronic Records Management System	150,000	200,000	0	0	0	350,000
162	New	City Hall Fountain & Landscape Renovation	250,000	0	0	0	0	250,000
		Total	$5,500,000	$2,200,000	$0	$0	$0	$7,700,000

Park Improvements

Pg.	No.	Project Name	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
204	New	Innovation District Parks and Trails Master Plan	200,000	0	0	0	0	200,000
206	New	Sinnott Park Playground Assessment	100,000	0	0	0	0	100,000
		Total	$300,000	$0	$0	$0	$0	$300,000

Street Improvements

Pg.	No.	Project Name	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
298	New	Street Resurfacing Project 2028-29	0	0	0	0	4,400,000	4,400,000
300	New	Hammond Way Street Light Project	100,000	400,000	0	0	0	500,000
302	New	Calaveras Road Landslide Repair	500,000	0	0	0	0	500,000
		Total	$600,000	$400,000	$0	$0	$4,400,000	$5,400,000

Water Improvements

Pg.	No.	Project Name	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
362	New	Pinewood Well Facility Rehabilitation Project	500,000	1,500,000	0	0	0	2,000,000
364	New	Pressure Reducing Valve Station Relocation Project	465,000	1,580,000	0	0	0	2,045,000
366	New	Sunnyhills Turnout Rehabilitation Project	1,165,000	0	0	0	0	1,165,000
		Total	**$2,130,000**	**$3,080,000**	**$0**	**$0**	**$0**	**$5,210,000**

Storm Drain Improvements

Pg.	No.	Project Name	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
416	New	Main Street Flood Study	500,000	0	0	0	0	**500,000**
		Total	**$500,000**	**$0**	**$0**	**$0**	**$0**	**$500,000**

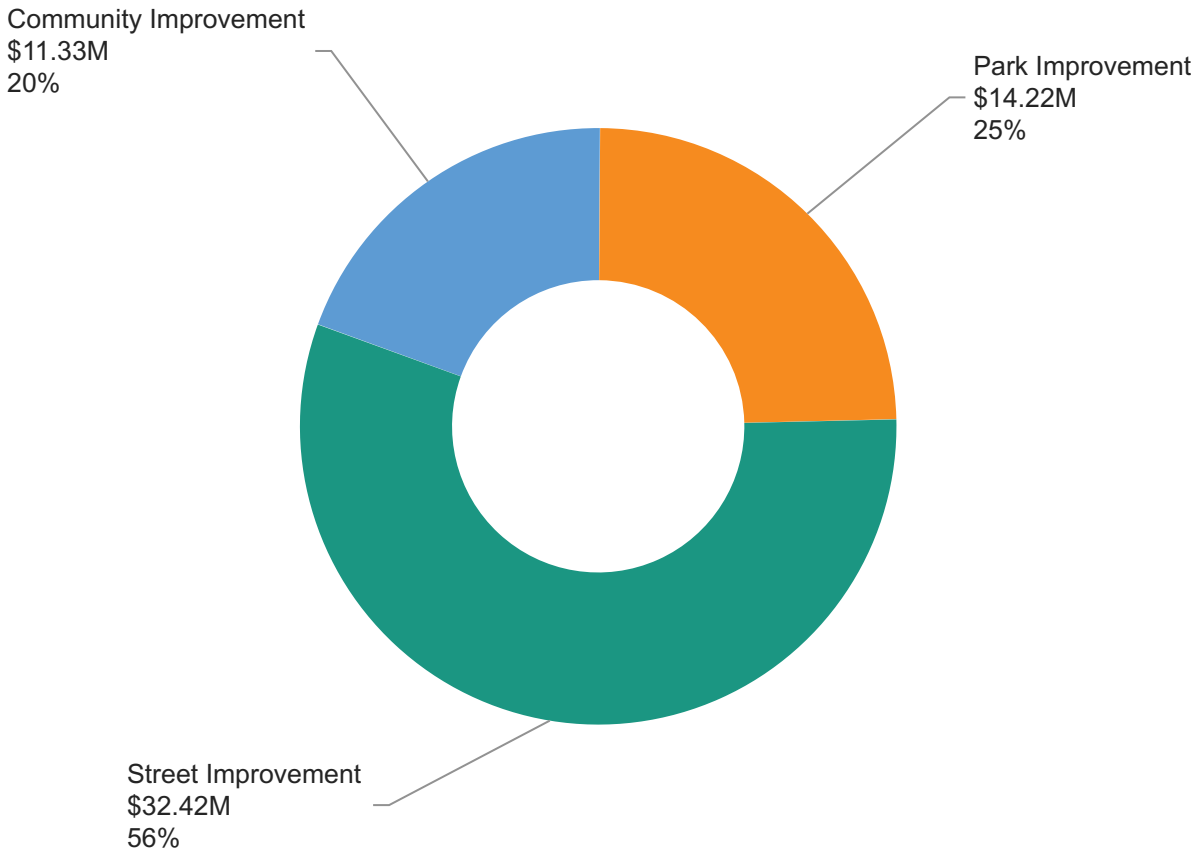
New Projects added to the Capital Improvement Program as approved by the City Council without an identified funding source are listed under the Planned Projects Without Funding tab.

Milpitas

Project Categories with Insufficient or No Funding

Summary Overview

Project Categories	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Community Improvement	0	4,852,000	2,752,000	1,902,000	1,827,000	11,333,000
Park Improvement	0	2,455,000	10,055,000	855,000	855,000	14,220,000
Street Improvement	0	1,830,000	4,830,000	22,780,000	2,980,000	32,420,000
Water Improvement	0	0	0	0	0	0
Sewer Improvement	0	0	0	0	0	0
Storm Drain Improvement	0	0	0	0	0	0
Total	**$0**	**$9,137,000**	**$17,637,000**	**$25,537,000**	**$5,662,000**	**$57,973,000**



Projects with Insufficient or No Funding

Community Improvement Projects

Pg.	No.	Project Name	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Estimated Cost
78	3403	Fire Station Improvements	0	150,000	150,000	150,000	150,000	600,000
80	3406	City Buildings Improvements	0	500,000	500,000	500,000	500,000	2,000,000
82	3414	City Buildings Exterior Improvements	0	150,000	150,000	150,000	150,000	600,000
88	3422	City Buildings Roof Improvements	0	400,000	1,000,000	150,000	150,000	1,700,000
92	3427	Technology Projects	0	150,000	0	0	0	150,000
116	3462	On-Call Facilities Maintenance & Repair Services	0	300,000	300,000	300,000	300,000	1,200,000
134	3490	Capital Improvement Program Administration	0	252,000	252,000	252,000	252,000	1,008,000
136	3496	GIS Development and Data Collection	0	200,000	200,000	200,000	125,000	725,000
148	3508	Gateway Signage	0	150,000	0	0	0	150,000
150	3716	City Parking Lot Rehabilitation Program	0	400,000	200,000	200,000	200,000	1,000,000
158	New	Community Center Roof Renovation	0	2,000,000	0	0	0	2,000,000
160	New	Electronic Records Management System	0	200,000	0	0	0	200,000
Total Community Improvement Needs			**$0**	**$4,852,000**	**$2,752,000**	**$1,902,000**	**$1,827,000**	**$11,333,000**

Park Improvement Projects

Pg.	No.	Project Name	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Estimated Cost
180	3424	Citywide Park Rehabilitation	0	600,000	600,000	600,000	600,000	2,400,000
182	3463	On-Call Parks and Landscaping Services	0	100,000	100,000	100,000	100,000	400,000
184	3491	Cardoza Park Softball Fields Improvement	0	0	7,000,000	0	0	7,000,000
190	3505	Sport Center Football Bleacher Replacement	0	1,500,000	0	0	0	1,500,000
198	5110	Sandalwood Park Renovation	0	0	2,200,000	0	0	2,200,000
200	5113	Minor Sports Courts Rehabilitation Program	0	155,000	155,000	155,000	155,000	620,000
202	5116	Pickleball Improvements	0	100,000	0	0	0	100,000
Total Park Improvement Needs			**$0**	**$2,455,000**	**$10,055,000**	**$855,000**	**$855,000**	**$14,220,000**

Projects with Insufficient or No Funding

Street Improvement Projects

Pg.	No.	Project Name	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Estimated Cost
228	2018	Montague Ped. Overcrossing at Penitencia	0	0	0	21,500,000	0	21,500,000
236	3425	Main St. Utility Undergrounding	0	500,000	1,500,000	0	0	2,000,000
240	3430	Main St. Street Light Project	0	0	2,400,000	350,000	2,050,000	4,800,000
242	3438	Annual Tree Replacement Program	0	100,000	100,000	100,000	100,000	400,000
246	3449	Park & Street Landscape Irrigation Improvements	0	320,000	320,000	320,000	320,000	1,280,000
254	3468	Median Conversion Project	0	300,000	300,000	300,000	300,000	1,200,000
262	4267	Soundwall and Barrier Improvements	0	210,000	210,000	210,000	210,000	840,000
300	New	Hammond Way Street Light Project	0	400,000	0	0	0	400,000
Total Street Improvement Needs			**$0**	**$1,830,000**	**$4,830,000**	**$22,780,000**	**$2,980,000**	**$32,420,000**

Milpitas

Projects Proposed to be Funded as of July 1, 2024

Community Improvement Projects

Refer to project details on pages 52-70.

Pg.	No.	Project Name	Proposed FY 2024-25 Amount
74	2010	Land/Right-of-Way Value Determination	9,000
80	3406	City Buildings Improvements	1,140,000
92	3427	Technology Projects	100,000
116	3462	On-Call Facilities Maintenance & Repair Services	400,000
122	3466	Financial System Enterprise Resource Planning	1,450,000
124	3467	Human Resources Information System	350,000
132	3489	Public Art Program	50,000
134	3490	Capital Improvement Program Administration	720,000
136	3496	GIS Development and Data Collection	495,000
142	3499	City Building's HVAC System Improvements	355,000
150	3716	City Parking Lot Rehabilitation Program	350,000
152	**New**	**Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan**	**600,000**
154	**New**	**Land Management System Replacement**	**1,500,000**
156	**New**	**City Hall Air Handlers Replacement**	**2,500,000**
158	**New**	**Community Center Roof Renovation**	**500,000**
160	**New**	**Electronic Records Management System**	**150,000**
162	**New**	**City Hall Fountain & Landscape Renovation**	**250,000**
		Total	**$10,919,000**

Funding Source	
General Fund	2,500,000
General Government CIP Fund	4,292,000
Grants/Reimb./Developer Fees	600,000
Information Technology Replacement	1,950,000
Public Art Fund	50,000
Sewer Infrastructure Fund	362,000
Sewer Fund	325,000
TASP Impact Fees	153,000
Water Fund	325,000
Water Capital Surcharge	362,000
Total	**$10,919,000**

Projects Proposed to be Funded as of July 1, 2024

Park Improvement Projects

Refer to project details on pages 166-171.

Pg.	No.	Project Name	Proposed FY 2024-25 Amount
172	2005	Delano Manongs Pedestrian Bridge	600,000
180	3424	Citywide Park Rehabilitation	50,000
200	5113	Minor Sports Courts Rehabilitation Program	130,000
204	**New**	**Innovation District Parks and Trails Master Plan**	**200,000**
206	**New**	**Sinnott Park Playground Assessment**	**100,000**
		Total	**$1,080,000**

Funding Source	
Grants/Reimb./Developer Fees	200,000
Park Fund	280,000
TASP Impact Fees	600,000
Total	**$1,080,000**

Street Improvement Projects

Refer to project details on pages 210-220.

Pg.	No.	Project Name	Proposed FY 2024-25 Amount
232	3402	McCarthy Blvd. LLMD 95-1 Improvements	75,000
234	3411	Sinclair LLMD 98-1 Improvements	23,400
236	3425	Main St. Utility Undergrounding	100,000
238	3426	Annual Sidewalk Repair Program	890,000
244	3440	Streetlight, Signage, Traffic Signal Improvements	1,220,000
254	3468	Median Conversion Project	300,000
266	4283	ADA Curb Ramp Transition Program	400,000
268	4288	Traffic Studies & Safety Improvements	420,000
276	4295	Street Pavement Restriping Program	300,000
290	**New**	**Street Resurfacing Project 2024-25**	**4,597,562**
300	**New**	**Hammond Way Street Light Project**	**100,000**
302	**New**	**Calaveras Road Landslide Repair**	**500,000**
		Total	**$8,925,962**

Funding Source	
Gas Tax Fund	2,730,000
General Government CIP Fund	400,000
LLMD	98,400
Measure B	2,097,562
SB1 RMRA	2,000,000
Street Improvement Fund	1,020,000
TDA Article III	80,000
Vehicle Registration Fee	500,000
Total	**$8,925,962**

Projects Proposed to be Funded as of July 1, 2024

Water Improvement Projects

Refer to project details on pages 306-311.

Pg.	No.	Project Name	Proposed FY 2024-25 Amount
320	7076	Well Upgrade Project	1,500,000
324	7110	Hydrant Replacement Program	180,000
326	7112	Reservoir Cleaning Program	600,000
344	7137	On-Call Water Maintenance & Repair Services	350,000
348	7141	Asset Renewal and Replacement Program	500,000
362	**New**	**Pinewood Well Facility Rehabilitation Project**	**500,000**
364	**New**	**Pressure Reducing Valve Station Relocation Project**	**465,000**
366	**New**	**Sunnyhills Turnout Rehabilitation Project**	**1,165,000**
		Total	**$5,260,000**

Funding Source	
Water Capital Surcharge	5,080,000
Water Line Extension Fund	180,000
Total	**$5,260,000**

Sewer Improvement Projects

Refer to project details on pages 370-375.

Pg.	No.	Project Name	Proposed FY 2024-25 Amount
376	6118	SJ/SC Regional Waste Water Facility	3,940,000
380	6124	Sewer Pump Station Rehabilitation Program	925,000
382	6126	Minor Sewer Projects	50,000
388	6134	On-Call Sewer Maintenance & Repair Services	100,000
390	6135	Sanitary Sewer CCTV Inspections & Improvements	433,000
392	6137	Forcemain "A" Project	940,000
		Total	**$6,388,000**

Funding Source	
Sewer Infrastructure Fund	4,539,000
Sewer Treatment Fund	1,849,000
Total	**$6,388,000**

Storm Drain Improvement Projects

Refer to project details on pages 398-403.

Pg.	No.	Project Name	Proposed FY 2024-25 Amount
414	3719	On-Call Storm Maintenance & Repair Services	100,000
416	**New**	**Main Street Flood Study**	**500,000**
		Total	**$600,000**

Funding Source	
Storm Drain General Fund	100,000
Storm Drain Fund	500,000
Total	**$600,000**

Projects Funded in Prior Years

Community Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2024	Approved Funding as of 3/31/2024
74	2010	Land/Right-of-Way Value Determination	3,000	37,000
76	2011	Metro Area Police Substation	196,000	310,000
78	3403	Fire Station Improvements	1,023,000	2,250,000
80	3406	City Buildings Improvements	712,000	4,845,000
82	3414	City Buildings Exterior Improvements	360,000	600,000
84	3415	PD Communications	229,000	3,155,000
86	3418	City Std. Details, Guidelines, & Specifications	395,000	400,000
88	3422	City Buildings Roof Improvements	404,000	1,250,000
90	3423	Police Records Management System	112,000	1,099,721
92	3427	Technology Projects	388,000	1,915,000
94	3434	Permitting Technology Improvements	314,000	550,000
96	3435	Finance System Upgrade	71,000	1,250,000
98	3436	ADA Compliance Review	18,000	331,158
100	3437	Milpitas Gateway - Main Street Specific Plan Update	15,000	1,100,000
102	3445	Public Safety/DPW Disaster Plan Update	192,000	250,000
104	3447	Fire Station No. 2 Replacement	1,059,000	14,320,000
106	3452	(Rmb) SCVWD Creek Projects	25,000	2,400,862
108	3453	Climate Action Plan Implementation	200,000	445,000
110	3459	ALPRs and Security Cameras Program	188,000	515,000
112	3460	Comprehensive Zoning Ordinance Update	102,000	1,000,000
114	3461	Fire Stations Security	43,000	200,000
116	3462	On-Call Facilities Maintenance & Repair Services	108,000	1,495,000
118	3464	Mobile Emergency Operations Center	150,000	1,240,000
120	3465	Fire Station No. 1 Modular Building Replacement	978,000	1,000,000
122	3466	Financial System Enterprise Resource Planning	1,506,000	1,850,000
124	3467	Human Resources Information System	769,000	1,100,000
126	3469	Metro Impact Fee Study	0	150,000
128	3487	Citywide LED Lighting Upgrade Project	0	6,872,425
130	3488	Community and Senior Center Energy Resilience Project	860,000	5,107,597
132	3489	Public Art Program	528,000	706,000
134	3490	Capital Improvement Program Administration	700,000	1,825,000
136	3496	GIS Development and Data Collection	176,000	492,000
138	3497	Public Safety Mobile Computer Terminals	410,000	610,000
140	3498	Council Chamber AV System Replacement	56,000	800,000
142	3499	City Building's HVAC System Improvements	0	620,000
144	3503	Historic Resource Master Plan Update	200,000	200,000
146	3506	Watershed Analysis	59,000	180,000
148	3508	Gateway Signage	214,000	250,000
150	3716	City Parking Lot Rehabilitation Program	183,000	490,000
		Total	**$12,946,000**	**$63,211,763**

Projects Funded in Prior Years

Park Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2024	Approved Funding as of 3/31/2024
172	2005	Delano Manongs Pedestrian Bridge	1,200,000	1,825,000
174	2012	(Rmb) Metro Linear Trails	2,770,000	3,270,000
176	2013	(Rmb) Trade Zone/Montague Park - North	1,977,000	3,100,000
178	2023	Metro Tango Subdistrict Park	154,000	600,000
180	3424	Citywide Park Rehabilitation	747,000	2,653,497
182	3463	On-Call Parks and Landscaping Services	253,000	720,000
184	3491	Cardoza Park Softball Fields Improvement	324,000	800,000
186	3500	ARPA Park Rehabilitation – DPW	120,000	1,340,543
188	3501	ARPA Park Rehabilitation – Engineering	2,764,000	3,270,815
190	3505	Sport Center Football Bleacher Replacement	24,000	200,000
192	5055	Alviso Adobe Renovation	228,000	8,359,272
194	5102	Delano Manongs Park	898,000	12,154,820
196	5108	Sports Fields Turf Rehabilitation Program	615,000	776,000
198	5110	Sandalwood Park Renovation	235,000	475,000
200	5113	Minor Sports Courts Rehabilitation Program	236,000	1,070,000
202	5116	Pickleball Improvements	100,000	100,000
		Total	**$12,645,000**	**$40,714,947**

Projects Funded in Prior Years

Street Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2024	Approved Funding as of 3/31/2024
222	2001	Light Rail Median Landscaping	2,049,000	5,996,000
224	2008	Montague Pedestrian Overcrossing at Piper Dr.	904,000	8,750,000
226	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	3,127,000	6,400,000
228	2018	Montague Ped. Overcrossing at Penitencia	1,121,000	3,500,000
230	2021	Costa Street Plan Line Study	125,000	125,000
232	3402	McCarthy Blvd. LLMD 95-1 Improvements	433,000	1,098,756
234	3411	Sinclair LLMD 98-1 Improvements	98,000	253,225
236	3425	Main St. Utility Undergrounding	35,000	180,613
238	3426	Annual Sidewalk Repair Program	278,000	3,286,840
240	3430	Main St. Street Light Project	35,000	300,000
242	3438	Annual Tree Replacement Program	208,000	544,000
244	3440	Streetlight, Signage, Traffic Signal Improvements	167,000	2,494,432
246	3449	Park & Street Landscape Irrigation Improvements	526,000	806,000
248	3454	Enhanced Crosswalk Striping and Beacons	225,000	603,000
250	3455	Pilot Street Sweeping Program	582,000	700,000
252	3458	Radar Speed Feedback Signage	194,000	400,000
254	3468	Median Conversion Project	268,000	300,000
256	3493	Milpitas SMART	1,600,000	2,955,916
258	4258	Calaveras Blvd. Widening Project	56,000	5,106,960
260	4265	BART Extension Coordination and Planning	105,000	2,480,956
262	4267	Soundwall and Barrier Improvements	436,000	1,388,466
264	4274	I-880 Interchange Right-of-Way Closeout	616,000	727,181
266	4283	ADA Curb Ramp Transition Program	400,000	2,670,801
268	4288	Traffic Studies & Safety Improvements	142,000	200,000
270	4290	City Bridge Improvements	88,000	250,000
272	4293	Citywide Traffic Safety Assessment	3,000	400,000
274	4294	SR237 HOV Lane Improvements	250,000	300,000
276	4295	Street Pavement Restriping Program	224,000	600,000
278	4297	Citywide Traffic Modeling	0	400,000
280	4299	Bicycle Improvement Project	1,000,000	1,000,000
282	4303	Street Resurfacing Project 2021-22	76,000	4,337,276
284	4304	Street Resurfacing Project 2022-23	2,318,000	4,334,325
286	4305	Street Resurfacing Project 2023-24	3,995,000	4,000,000
288	4306	Bike and Pedestrian Outreach	36,000	129,000
		Total	**$21,720,000**	**$67,018,747**

Projects Funded in Prior Years

Water Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2024	Approved Funding as of 3/31/2024
312	2002	2nd SCVWD Water Reservoir & Pump Station	197,000	200,000
314	2009	SCVWD Second Water Supply Turnout	99,000	100,000
316	2019	(Rmb) Metro Recycled Water Distribution	0	500,391
318	2020	SCVWD Zone 1 Pressure Red. Valve	100,000	100,000
320	7076	Well Upgrade Project	7,181,000	14,490,000
322	7100	Aging Water System/Seismic Improvements	3,408,000	4,382,781
324	7110	Hydrant Replacement Program	0	656,360
326	7112	Reservoir Cleaning Program	109,000	240,000
328	7118	Dempsey Road Water Line Replacement	5,828,000	7,857,772
330	7121	Automated Meter Replacement Program	579,000	14,047,700
332	7125	BART Project - Water Improvements	683,000	2,503,920
334	7126	Water Conservation Program	329,000	1,785,000
336	7127	Water Supervisory Control & Data Acquisition	65,000	6,516,600
338	7133	Minor Water Projects	2,375,000	3,446,000
340	7135	Water Leak Detection & Condition Assessment Program	332,000	631,474
342	7136	Water Master Plan Update	0	650,000
344	7137	On-Call Water Maintenance & Repair Services	237,000	1,225,000
346	7140	Cross Connection Control Program	750,000	750,000
		Total	**$22,272,000**	**$60,082,998**

Projects Funded in Prior Years

Sewer Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2024	Approved Funding as of 3/31/2024
376	6118	SJ/SC Regional Waste Water Facility	6,734,000	93,822,245
378	6121	BART Project - Sewer Improvements	13,000	243,323
380	6124	Sewer Pump Station Rehabilitation Program	709,000	1,127,000
382	6126	Minor Sewer Projects	118,000	263,000
384	6127	Sanitary Supervisory Control & Data Acquisition	22,000	316,600
386	6130	Main Lift Station Odor Emissions Control	603,000	2,450,000
388	6134	On-Call Sewer Maintenance & Repair Services	18,000	265,000
390	6135	Sanitary Sewer CCTV Inspections & Improvements	524,000	533,000
392	6137	Forcemain "A" Project	2,000,000	2,000,000
		Total	**$10,741,000**	**$101,020,168**

Storm Drain Improvement Projects

Pg.	No.	Project Name	Uncommitted Balance as of 3/31/2024	Approved Funding as of 3/31/2024
404	3709	Dempsey Road Storm Drain Replacement	1,401,000	1,660,000
406	3711	BART Project - Storm Improvements	33,000	33,000
408	3714	Flap Gate Replacement	471,000	500,000
410	3715	Storm Drain System Rehabilitation	1,400,000	2,616,410
412	3718	Storm Supervisory Control & Data Acquisition	90,000	2,416,590
414	3719	On-Call Storm Maintenance & Repair Services	13,000	145,000
		Total	**$3,408,000**	**$7,371,000**

Projects Proposed to be Closed as of June 30, 2024

Project		Reason to Close
Community Improvement Projects		**Reason to Close**
3461	Fire Stations Security	Completed
3487	Citywide LED Lighting Upgrade Project	Completed
Park Improvements Projects		**Reason to Close**
2013	(Rmb) Trade Zone/Montague Park - North	Completed
Street Projects		**Reason to Close**
2021	Costa Street Plan Line Study	Completed
3454	Enhanced Crosswalk Striping and Beacons	Completed
3458	Radar Speed Feedback Signage	Completed
Water Projects		**Reason to Close**
7136	Water Master Plan Update	Completed
Storm Drain Projects Projects		
3709	Dempsey Road Storm Drain Replacement	Reallocated

Milpitas

COMMUNITY IMPROVEMENT PROJECTS

2025-29 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total Cost
74	2010	Land/Right-of-Way Value Determination	37,000	9,000	9,000	9,000	9,000	9,000	82,000
76	2011	Metro Area Police Substation	310,000	0	0	690,000	0	0	1,000,000
78	3403	Fire Station Improvements	2,250,000	0	150,000	150,000	150,000	150,000	2,850,000
80	3406	City Buildings Improvements	4,845,000	1,140,000	500,000	500,000	500,000	500,000	7,985,000
82	3414	City Buildings Exterior Improvements	600,000	0	150,000	150,000	150,000	150,000	1,200,000
84	3415	PD Communications	3,155,000	0	0	0	0	0	3,155,000
86	3418	City Std. Details, Guidelines, & Specifications	400,000	0	0	0	0	0	400,000
88	3422	City Buildings Roof Improvements	1,250,000	0	400,000	1,000,000	150,000	150,000	2,950,000
90	3423	Police Records Management System	1,099,721	0	0	0	0	0	1,099,721
92	3427	Technology Projects	1,915,000	100,000	150,000	0	0	0	2,165,000
94	3434	Permitting Technology Improvements	550,000	0	0	0	0	0	550,000
96	3435	Finance System Upgrade	1,250,000	0	0	0	0	0	1,250,000
98	3436	ADA Compliance Review	331,158	0	0	0	0	0	331,158
100	3437	Milpitas Gateway - Main Street Specific Plan Update	1,100,000	0	0	0	0	0	1,100,000
102	3445	Public Safety/DPW Disaster Plan Update	250,000	0	0	0	0	0	250,000
104	3447	Fire Station No. 2 Replacement	14,320,000	0	0	0	0	0	14,320,000
106	3452	(Rmb) SCVWD Creek Projects	2,400,862	0	0	0	0	0	2,400,862
108	3453	Climate Action Plan Implementation	445,000	0	0	0	0	0	445,000
110	3459	ALPRs and Security Cameras Program	515,000	0	0	0	0	0	515,000
112	3460	Comprehensive Zoning Ordinance Update	1,000,000	0	0	0	0	0	1,000,000
114	3461	Fire Stations Security	200,000	0	0	0	0	0	200,000
116	3462	On-Call Facilities Maintenance & Repair Services	1,495,000	400,000	300,000	300,000	300,000	300,000	3,095,000
118	3464	Mobile Emergency Operations Center	1,240,000	0	0	0	0	0	1,240,000
120	3465	Fire Station No. 1 Modular Building Replacement	1,000,000	0	0	0	0	0	1,000,000
122	3466	Financial System Enterprise Resource Planning	1,850,000	1,450,000	0	0	0	0	3,300,000
124	3467	Human Resources Information System	1,100,000	350,000	0	0	0	0	1,450,000
126	3469	Metro Impact Fee Study	150,000	0	0	0	0	0	150,000
128	3487	Citywide LED Lighting Upgrade Project	6,872,425	0	0	0	0	0	6,872,425
130	3488	Community and Senior Center Energy Resilience Project	5,107,597	0	0	0	0	0	5,107,597
132	3489	Public Art Program	706,000	50,000	50,000	50,000	50,000	50,000	956,000

2025-29 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total Cost
134	3490	Capital Improvement Program Administration	1,825,000	720,000	720,000	720,000	720,000	720,000	5,425,000
136	3496	GIS Development and Data Collection	492,000	495,000	200,000	200,000	200,000	125,000	1,712,000
138	3497	Public Safety Mobile Computer Terminals	610,000	0	0	0	0	0	610,000
140	3498	Council Chamber AV System Replacement	800,000	0	0	0	0	0	800,000
142	3499	City Building's HVAC System Improvements	620,000	355,000	0	0	0	0	975,000
144	3503	Historic Resource Master Plan Update	200,000	0	0	0	0	0	200,000
146	3506	Watershed Analysis	180,000	0	0	0	0	0	180,000
148	3508	Gateway Signage	250,000	0	150,000	0	0	0	400,000
150	3716	City Parking Lot Rehabilitation Program	490,000	350,000	400,000	200,000	200,000	200,000	1,840,000
152	**New**	**Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan**	**0**	**600,000**	**0**	**0**	**0**	**0**	**600,000**
154	**New**	**Land Management System Replacement**	**0**	**1,500,000**	**0**	**0**	**0**	**0**	**1,500,000**
156	**New**	**City Hall Air Handlers Replacement**	**0**	**2,500,000**	**0**	**0**	**0**	**0**	**2,500,000**
158	**New**	**Community Center Roof Renovation**	**0**	**500,000**	**2,000,000**	**0**	**0**	**0**	**2,500,000**
160	**New**	**Electronic Records Management System**	**0**	**150,000**	**200,000**	**0**	**0**	**0**	**350,000**
162	**New**	**City Hall Fountain & Landscape Renovation**	**0**	**250,000**	**0**	**0**	**0**	**0**	**250,000**
		Total Cost	**$63,211,763**	**$10,919,000**	**$5,379,000**	**$3,969,000**	**$2,429,000**	**$2,354,000**	**$88,261,763**

Funding Summary

General Fund	2,500,000	0	0	0	0
General Government CIP Fund	4,292,000	0	0	0	0
Grants/Reimb./Developer Fees	600,000	0	0	0	0
Information Technology Replacement	1,950,000	0	0	0	0
Public Art Fund	50,000	50,000	50,000	50,000	50,000
Sewer Infrastructure Fund	362,000	162,000	162,000	162,000	162,000
Sewer Fund	325,000	0	0	0	0
TASP Impact Fees	153,000	153,000	843,000	153,000	153,000
Water Fund	325,000	0	0	0	0
Water Capital Surcharge	362,000	162,000	162,000	162,000	162,000
Total Financing Available	**10,919,000**	**527,000**	**1,217,000**	**527,000**	**527,000**
No Funding Source	0	4,852,000	2,752,000	1,902,000	1,827,000
Total	**$10,919,000**	**$5,379,000**	**$3,969,000**	**$2,429,000**	**$2,354,000**

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	General Fund	General Government CIP Fund	Grants/Reimb./ Developer Fees
74	2010	Land/Right-of-Way Value Determination	0	0	0
76	2011	Metro Area Police Substation	0	0	0
78	3403	Fire Station Improvements	0	0	0
80	3406	City Buildings Improvements	0	1,140,000	0
82	3414	City Buildings Exterior Improvements	0	0	0
84	3415	PD Communications	0	0	0
86	3418	City Std. Details, Guidelines, & Specifications	0	0	0
88	3422	City Buildings Roof Improvements	0	0	0
90	3423	Police Records Management System	0	0	0
92	3427	Technology Projects	0	0	0
94	3434	Permitting Technology Improvements	0	0	0
96	3435	Finance System Upgrade	0	0	0
98	3436	ADA Compliance Review	0	0	0
100	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0	0
102	3445	Public Safety/DPW Disaster Plan Update	0	0	0
104	3447	Fire Station No. 2 Replacement	0	0	0
106	3452	(Rmb) SCVWD Creek Projects	0	0	0
108	3453	Climate Action Plan Implementation	0	0	0
110	3459	ALPRs and Security Cameras Program	0	0	0
112	3460	Comprehensive Zoning Ordinance Update	0	0	0
114	3461	Fire Stations Security	0	0	0
116	3462	On-Call Facilities Maintenance & Repair Services	0	400,000	0
118	3464	Mobile Emergency Operations Center	0	0	0
120	3465	Fire Station No. 1 Modular Building Replacement	0	0	0
122	3466	Financial System Enterprise Resource Planning	0	950,000	0
124	3467	Human Resources Information System	0	0	0
126	3469	Metro Impact Fee Study	0	0	0
128	3487	Citywide LED Lighting Upgrade Project	0	0	0
130	3488	Community and Senior Center Energy Resilience Project	0	0	0
132	3489	Public Art Program	0	0	0
134	3490	Capital Improvement Program Administration	0	252,000	0
136	3496	GIS Development and Data Collection	0	95,000	0
138	3497	Public Safety Mobile Computer Terminals	0	0	0
140	3498	Council Chamber AV System Replacement	0	0	0
142	3499	City Building's HVAC System Improvements	0	355,000	0
144	3503	Historic Resource Master Plan Update	0	0	0

Summary of Project Funding Sources FY 2024-25

Information Technology Replacement	Public Art Fund	Sewer Infrastructure Fund	Sewer Fund	TASP Impact Fees	Water Fund	Water Capital Surcharge
0	0	0	0	9,000	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
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	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	0	0	0
0	0	0	0	0	0	0
0	0	0	0	0	0	0
0	0	0	250,000	0	250,000	0
200,000	0	0	75,000	0	75,000	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	0	0	0	0	0
0	0	162,000	0	144,000	0	162,000
0	0	200,000	0	0	0	200,000
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

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Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	General Fund	General Government CIP Fund	Grants/Reimb./ Developer Fees
146	3506	Watershed Analysis	0	0	0
148	3508	Gateway Signage	0	0	0
150	3716	City Parking Lot Rehabilitation Program	0	350,000	0
152	New	Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan	0	0	600,000
154	New	Land Management System Replacement	0	0	0
156	New	City Hall Air Handlers Replacement	2,500,000	0	0
158	New	Community Center Roof Renovation	0	500,000	0
160	New	Electronic Records Management System	0	0	0
162	New	City Hall Fountain & Landscape Renovation	0	250,000	0
		Subtotal by Funding Source	**2,500,000**	**4,292,000**	**600,000**
		Total	**$10,919,000**		

Summary of Project Funding Sources FY 2024-25

Information Technology Replacement	Public Art Fund	Sewer Infrastructure Fund	Sewer Fund	TASP Impact Fees	Water Fund	Water Capital Surcharge
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
1,500,000	0	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
1,950,000	**50,000**	**362,000**	**325,000**	**153,000**	**325,000**	**362,000**

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	General Government CIP Fund	Public Art Fund
74	2010	Land/Right-of-Way Value Determination	0	0
76	2011	Metro Area Police Substation	0	0
78	3403	Fire Station Improvements	0	0
80	3406	City Buildings Improvements	0	0
82	3414	City Buildings Exterior Improvements	0	0
84	3415	PD Communications	0	0
86	3418	City Std. Details, Guidelines, & Specifications	0	0
88	3422	City Buildings Roof Improvements	0	0
90	3423	Police Records Management System	0	0
92	3427	Technology Projects	0	0
94	3434	Permitting Technology Improvements	0	0
96	3435	Finance System Upgrade	0	0
98	3436	ADA Compliance Review	0	0
100	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0
102	3445	Public Safety/DPW Disaster Plan Update	0	0
104	3447	Fire Station No. 2 Replacement	0	0
106	3452	(Rmb) SCVWD Creek Projects	0	0
108	3453	Climate Action Plan Implementation	0	0
110	3459	ALPRs and Security Cameras Program	0	0
112	3460	Comprehensive Zoning Ordinance Update	0	0
114	3461	Fire Stations Security	0	0
116	3462	On-Call Facilities Maintenance & Repair Services	0	0
118	3464	Mobile Emergency Operations Center	0	0
120	3465	Fire Station No. 1 Modular Building Replacement	0	0
122	3466	Financial System Enterprise Resource Planning	0	0
124	3467	Human Resources Information System	0	0
126	3469	Metro Impact Fee Study	0	0
128	3487	Citywide LED Lighting Upgrade Project	0	0
130	3488	Community and Senior Center Energy Resilience Project	0	0
132	3489	Public Art Program	0	50,000
134	3490	Capital Improvement Program Administration	0	0
136	3496	GIS Development and Data Collection	0	0
138	3497	Public Safety Mobile Computer Terminals	0	0
140	3498	Council Chamber AV System Replacement	0	0
142	3499	City Building's HVAC System Improvements	0	0
144	3503	Historic Resource Master Plan Update	0	0

Summary of Project Funding Sources FY 2025-26

Sewer Infrastructure Fund	TASP Impact Fees	Water Capital Surcharge	No Funding Source
0	9,000	0	0
0	0	0	0
0	0	0	150,000
0	0	0	500,000
0	0	0	150,000
0	0	0	0
0	0	0	0
0	0	0	400,000
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	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
162,000	144,000	162,000	252,000
0	0	0	200,000
0	0	0	0
0	0	0	0
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
146	3506	Watershed Analysis	0	0
148	3508	Gateway Signage	0	0
150	3716	City Parking Lot Rehabilitation Program	0	0
152	New	Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan	0	0
154	New	Land Management System Replacement	0	0
156	New	City Hall Air Handlers Replacement	0	0
158	New	Community Center Roof Renovation	0	0
160	New	Electronic Records Management System	0	0
162	New	City Hall Fountain & Landscape Renovation	0	0
		Subtotal by Funding Source	**0**	**50,000**
		Total	**$5,379,000**	

Summary of Project Funding Sources FY 2025-26

Sewer Infrastructure Fund	TASP Impact Fees	Water Capital Surcharge	No Funding Source
0	0	0	0
0	0	0	150,000
0	0	0	400,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	2,000,000
0	0	0	200,000
0	0	0	0
162,000	**153,000**	**162,000**	**4,852,000**

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	General Government CIP Fund	Public Art Fund
74	2010	Land/Right-of-Way Value Determination	0	0
76	2011	Metro Area Police Substation	0	0
78	3403	Fire Station Improvements	0	0
80	3406	City Buildings Improvements	0	0
82	3414	City Buildings Exterior Improvements	0	0
84	3415	PD Communications	0	0
86	3418	City Std. Details, Guidelines, & Specifications	0	0
88	3422	City Buildings Roof Improvements	0	0
90	3423	Police Records Management System	0	0
92	3427	Technology Projects	0	0
94	3434	Permitting Technology Improvements	0	0
96	3435	Finance System Upgrade	0	0
98	3436	ADA Compliance Review	0	0
100	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0
102	3445	Public Safety/DPW Disaster Plan Update	0	0
104	3447	Fire Station No. 2 Replacement	0	0
106	3452	(Rmb) SCVWD Creek Projects	0	0
108	3453	Climate Action Plan Implementation	0	0
110	3459	ALPRs and Security Cameras Program	0	0
112	3460	Comprehensive Zoning Ordinance Update	0	0
114	3461	Fire Stations Security	0	0
116	3462	On-Call Facilities Maintenance & Repair Services	0	0
118	3464	Mobile Emergency Operations Center	0	0
120	3465	Fire Station No. 1 Modular Building Replacement	0	0
122	3466	Financial System Enterprise Resource Planning	0	0
124	3467	Human Resources Information System	0	0
126	3469	Metro Impact Fee Study	0	0
128	3487	Citywide LED Lighting Upgrade Project	0	0
130	3488	Community and Senior Center Energy Resilience Project	0	0
132	3489	Public Art Program	0	50,000
134	3490	Capital Improvement Program Administration	0	0
136	3496	GIS Development and Data Collection	0	0
138	3497	Public Safety Mobile Computer Terminals	0	0
140	3498	Council Chamber AV System Replacement	0	0
142	3499	City Building's HVAC System Improvements	0	0
144	3503	Historic Resource Master Plan Update	0	0

Summary of Project Funding Sources FY 2026-27

Sewer Infrastructure Fund	TASP Impact Fees	Water Capital Surcharge	No Funding Source
0	9,000	0	0
0	690,000	0	0
0	0	0	150,000
0	0	0	500,000
0	0	0	150,000
0	0	0	0
0	0	0	0
0	0	0	1,000,000
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	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
162,000	144,000	162,000	252,000
0	0	0	200,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0

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Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	General Government CIP Fund	Public Art Fund
146	3506	Watershed Analysis	0	0
148	3508	Gateway Signage	0	0
150	3716	City Parking Lot Rehabilitation Program	0	0
152	New	Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan	0	0
154	New	Land Management System Replacement	0	0
156	New	City Hall Air Handlers Replacement	0	0
158	New	Community Center Roof Renovation	0	0
160	New	Electronic Records Management System	0	0
162	New	City Hall Fountain & Landscape Renovation	0	0
		Subtotal by Funding Source	**0**	**50,000**
		Total	**$3,969,000**	

Summary of Project Funding Sources FY 2026-27

Sewer Infrastructure Fund	TASP Impact Fees	Water Capital Surcharge	No Funding Source
0	0	0	0
0	0	0	0
0	0	0	200,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
162,000	**843,000**	**162,000**	**2,752,000**

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	General Government CIP Fund	Public Art Fund
74	2010	Land/Right-of-Way Value Determination	0	0
76	2011	Metro Area Police Substation	0	0
78	3403	Fire Station Improvements	0	0
80	3406	City Buildings Improvements	0	0
82	3414	City Buildings Exterior Improvements	0	0
84	3415	PD Communications	0	0
86	3418	City Std. Details, Guidelines, & Specifications	0	0
88	3422	City Buildings Roof Improvements	0	0
90	3423	Police Records Management System	0	0
92	3427	Technology Projects	0	0
94	3434	Permitting Technology Improvements	0	0
96	3435	Finance System Upgrade	0	0
98	3436	ADA Compliance Review	0	0
100	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0
102	3445	Public Safety/DPW Disaster Plan Update	0	0
104	3447	Fire Station No. 2 Replacement	0	0
106	3452	(Rmb) SCVWD Creek Projects	0	0
108	3453	Climate Action Plan Implementation	0	0
110	3459	ALPRs and Security Cameras Program	0	0
112	3460	Comprehensive Zoning Ordinance Update	0	0
114	3461	Fire Stations Security	0	0
116	3462	On-Call Facilities Maintenance & Repair Services	0	0
118	3464	Mobile Emergency Operations Center	0	0
120	3465	Fire Station No. 1 Modular Building Replacement	0	0
122	3466	Financial System Enterprise Resource Planning	0	0
124	3467	Human Resources Information System	0	0
126	3469	Metro Impact Fee Study	0	0
128	3487	Citywide LED Lighting Upgrade Project	0	0
130	3488	Community and Senior Center Energy Resilience Project	0	0
132	3489	Public Art Program	0	50,000
134	3490	Capital Improvement Program Administration	0	0
136	3496	GIS Development and Data Collection	0	0
138	3497	Public Safety Mobile Computer Terminals	0	0
140	3498	Council Chamber AV System Replacement	0	0
142	3499	City Building's HVAC System Improvements	0	0
144	3503	Historic Resource Master Plan Update	0	0

Summary of Project Funding Sources FY 2027-28

Sewer Infrastructure Fund	TASP Impact Fees	Water Capital Surcharge	No Funding Source
0	9,000	0	0
0	0	0	0
0	0	0	150,000
0	0	0	500,000
0	0	0	150,000
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	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	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
162,000	144,000	162,000	252,000
0	0	0	200,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	General Government CIP Fund	Public Art Fund
146	3506	Watershed Analysis	0	0
148	3508	Gateway Signage	0	0
150	3716	City Parking Lot Rehabilitation Program	0	0
152	New	Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan	0	0
154	New	Land Management System Replacement	0	0
156	New	City Hall Air Handlers Replacement	0	0
158	New	Community Center Roof Renovation	0	0
160	New	Electronic Records Management System	0	0
162	New	City Hall Fountain & Landscape Renovation	0	0
		Subtotal by Funding Source	**0**	**50,000**
		Total	**$2,429,000**	

Summary of Project Funding Sources FY 2027-28

Sewer Infrastructure Fund	TASP Impact Fees	Water Capital Surcharge	No Funding Source
0	0	0	0
0	0	0	0
0	0	0	200,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
162,000	**153,000**	**162,000**	**1,902,000**

Summary of Project Funding Sources FY 2028-29

Pg.	No.	Project Name	General Government CIP Fund	Public Art Fund
74	2010	Land/Right-of-Way Value Determination	0	0
76	2011	Metro Area Police Substation	0	0
78	3403	Fire Station Improvements	0	0
80	3406	City Buildings Improvements	0	0
82	3414	City Buildings Exterior Improvements	0	0
84	3415	PD Communications	0	0
86	3418	City Std. Details, Guidelines, & Specifications	0	0
88	3422	City Buildings Roof Improvements	0	0
90	3423	Police Records Management System	0	0
92	3427	Technology Projects	0	0
94	3434	Permitting Technology Improvements	0	0
96	3435	Finance System Upgrade	0	0
98	3436	ADA Compliance Review	0	0
100	3437	Milpitas Gateway - Main Street Specific Plan Update	0	0
102	3445	Public Safety/DPW Disaster Plan Update	0	0
104	3447	Fire Station No. 2 Replacement	0	0
106	3452	(Rmb) SCVWD Creek Projects	0	0
108	3453	Climate Action Plan Implementation	0	0
110	3459	ALPRs and Security Cameras Program	0	0
112	3460	Comprehensive Zoning Ordinance Update	0	0
114	3461	Fire Stations Security	0	0
116	3462	On-Call Facilities Maintenance & Repair Services	0	0
118	3464	Mobile Emergency Operations Center	0	0
120	3465	Fire Station No. 1 Modular Building Replacement	0	0
122	3466	Financial System Enterprise Resource Planning	0	0
124	3467	Human Resources Information System	0	0
126	3469	Metro Impact Fee Study	0	0
128	3487	Citywide LED Lighting Upgrade Project	0	0
130	3488	Community and Senior Center Energy Resilience Project	0	0
132	3489	Public Art Program	0	50,000
134	3490	Capital Improvement Program Administration	0	0
136	3496	GIS Development and Data Collection	0	0
138	3497	Public Safety Mobile Computer Terminals	0	0
140	3498	Council Chamber AV System Replacement	0	0
142	3499	City Building's HVAC System Improvements	0	0
144	3503	Historic Resource Master Plan Update	0	0

Summary of Project Funding Sources FY 2028-29

Sewer Infrastructure Fund	TASP Impact Fees	Water Capital Surcharge	No Funding Source
0	9,000	0	0
0	0	0	0
0	0	0	150,000
0	0	0	500,000
0	0	0	150,000
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	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	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
162,000	144,000	162,000	252,000
0	0	0	125,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0

Summary of Project Funding Sources FY 2028-29

Pg.	No.	Project Name	General Government CIP Fund	Public Art Fund
146	3506	Watershed Analysis	0	0
148	3508	Gateway Signage	0	0
150	3716	City Parking Lot Rehabilitation Program	0	0
152	New	Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan	0	0
154	New	Land Management System Replacement	0	0
156	New	City Hall Air Handlers Replacement	0	0
158	New	Community Center Roof Renovation	0	0
160	New	Electronic Records Management System	0	0
162	New	City Hall Fountain & Landscape Renovation	0	0
		Subtotal by Funding Source	**0**	**50,000**
		Total	**$2,354,000**	

Summary of Project Funding Sources FY 2028-29

Sewer Infrastructure Fund	TASP Impact Fees	Water Capital Surcharge	No Funding Source
0	0	0	0
0	0	0	0
0	0	0	200,000
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
0	0	0	0
162,000	**153,000**	**162,000**	**1,827,000**

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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Evaluation
Estimated Schedule	
Design:	Spring 2024
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 3/31/2024	Council Approval
$3,000	**7/1/2019**

Land/Right-of-Way Value Determination

Project No. 2010

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	32,000	9,000	9,000	9,000	9,000	9,000	77,000
Administration	5,000	0	0	0	0	0	5,000
TOTAL	**$37,000**	**$9,000**	**$9,000**	**$9,000**	**$9,000**	**$9,000**	**$82,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
TASP Impact Fees	37,000	9,000	9,000	9,000	9,000	9,000	82,000
TOTAL	**$37,000**	**$9,000**	**$9,000**	**$9,000**	**$9,000**	**$9,000**	**$82,000**

Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

Metro Area Police Substation

PROJECT NO.
2011

Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Police/Engineering
Contact Person:	Michael Silveira [3303]/ Frank Morales [2521]
Project Stage:	Assessment
Estimated Schedule	
Design:	TBD
Construction:	TBD
Recurring Project:	No

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 traffic congestion and increased volume of calls from the residents of Metro developments, entertainment zone, and the Milpitas Transit Station.

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. In FY23-24, Engineering completed a feasibility study of converting the building(s) to a PD station, indoor vehicle evidence storage, and emergency operation center on City-owned parcels at 1452-1488 Main Street. Staff provided information to City Council on 8/15/2023. (Not in TADIF)

Uncommitted Balance as of 3/31/2024	Council Approval
$196,000	**7/1/2019**

Metro Area Police Substation

Project No. 2011

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	300,000	0	0	0	0	0	300,000
Administration	10,000	0	0	90,000	0	0	100,000
Improvements	0	0	0	600,000	0	0	600,000
TOTAL	**$310,000**	**$0**	**$0**	**$690,000**	**$0**	**$0**	**$1,000,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
TASP Impact Fees	310,000	0	0	690,000	0	0	1,000,000
TOTAL	**$310,000**	**$0**	**$0**	**$690,000**	**$0**	**$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.

Fire Station Improvements

PROJECT NO.
3403

Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	Fire Stations
Managing Department:	Public Works - Operations
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 assessment, design, and construction of minor improvements at all Fire Stations, including the Training Tower at Fire Station 1. 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 living quarters and concrete repairs at training tower at Fire Station 1, and design of the restroom improvements and living quarters at Fire Station 4. Workplan in FY2023-24 is to improve the operations of the overhead door operators in the apparatus bays at Fire Stations 1, 3, and 4, design of the living quarters at Fire Station 3, and continue upgrades and repairs to the training tower at Fire Station 1. Workplan in FY2024-25 is to construct the restroom improvements at Fire Station 4, living quarters at Fire Stations 3 and 4, and install the “No Smoke” units on the new apparatus vehicles. This project is only partially funded.

Uncommitted Balance as of 3/31/2024	Council Approval
$1,023,000	**7/1/2011**

Fire Station Improvements

Project No. 3403

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	165,000	0	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	1,900,000	0	125,000	125,000	125,000	125,000	2,400,000
TOTAL	**$2,250,000**	**$0**	**$150,000**	**$150,000**	**$150,000**	**$150,000**	**$2,850,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	1,550,000	0	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	150,000	150,000	150,000	150,000	600,000
TOTAL	**$2,250,000**	**$0**	**$150,000**	**$150,000**	**$150,000**	**$150,000**	**$2,850,000**

Finance Notes

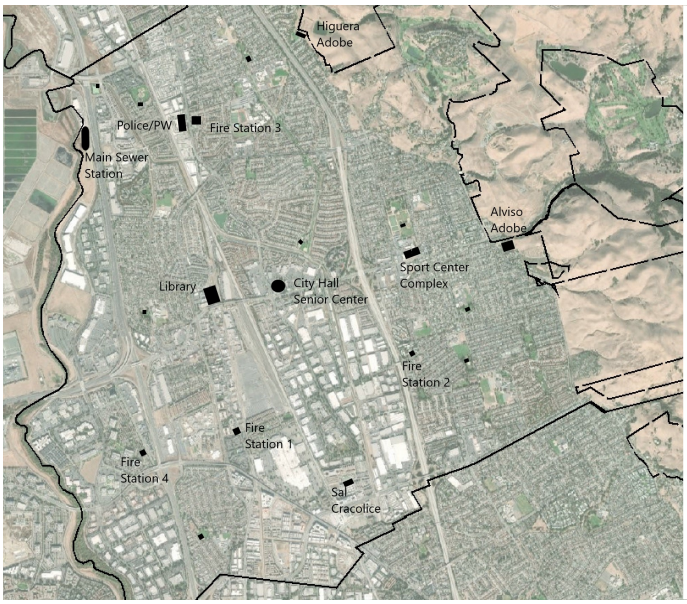
City Council 6/4/2020 - $520k in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.
City Council 2/20/2024 - Mid-Year Budget Appropriation of $400k from General Government CIP Fund in prior years was defunded for other projects.

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.

City Buildings Improvements

PROJECT NO.
3406



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities
Managing Department:	Public Works - Operations
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 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, restroom and shower facilities, 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 FY2023-24, Public Works completed the emergency repairs of the HVAC system at City Hall and Public Works/Information Technology/Police Department building; replacement of the desk tabletops and fire alarm panel at City Hall, and sand filters and AC unit #4 at the Sports Center; resurfacing of the dance studio (Dance Studio #1 and #2) floors at the Sports Center and the auditorium floor at the Senior Center; and design of the boiler replacement at Public Works/Police Department & Sports Center and the locker rooms at the Police Department. Workplan in FY2023-24 & FY2024-25 is to continue replacement of the fire alarm panels at various facilities; repair the auditorium floor, replace the storefront door and install a door badge system at the Community Center; install sound acoustic panels at Sal Cracolice building; design the reconfiguration of the HR office; and replace the automated gate operators, lockers and high security storage cabinets in the evidence room, and reconfigure the report writing room in the Police Department.

Funding request in FY2024-25 is for the assessment to replace the alarm system (ADEMCO unit) citywide and upgrade security measures at the Police Department and Fire facilities; office reconfiguration at City Hall; replacement of the pool fence at the Sports Center and fuel dispenser at Public Works' yard; and construction of the locker room at the Police Department. Planned funding request in FY2025-26 is for the rekeying of all City Facilities; implementation of the risk assessment; and replacement of shelving and freezer in the evidence storage room and improvements to entry processing workspace in the Police Department. This project is only partially funded.

Uncommitted Balance as of 3/31/2024	Council Approval
$712,000	**7/1/2007**

City Buildings Improvements

Project No. 3406

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	170,000	100,000	0	0	0	0	270,000
Administration	65,000	0	0	0	0	0	65,000
Inspection	60,000	0	0	0	0	0	60,000
Improvements	4,150,000	1,040,000	500,000	500,000	500,000	500,000	7,190,000
Equipment	400,000	0	0	0	0	0	400,000
TOTAL	**$4,845,000**	**$1,140,000**	**$500,000**	**$500,000**	**$500,000**	**$500,000**	**$7,985,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	4,695,000	1,140,000	0	0	0	0	5,835,000
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	**$4,845,000**	**$1,140,000**	**$500,000**	**$500,000**	**$500,000**	**$500,000**	**$7,985,000**

Finance Notes

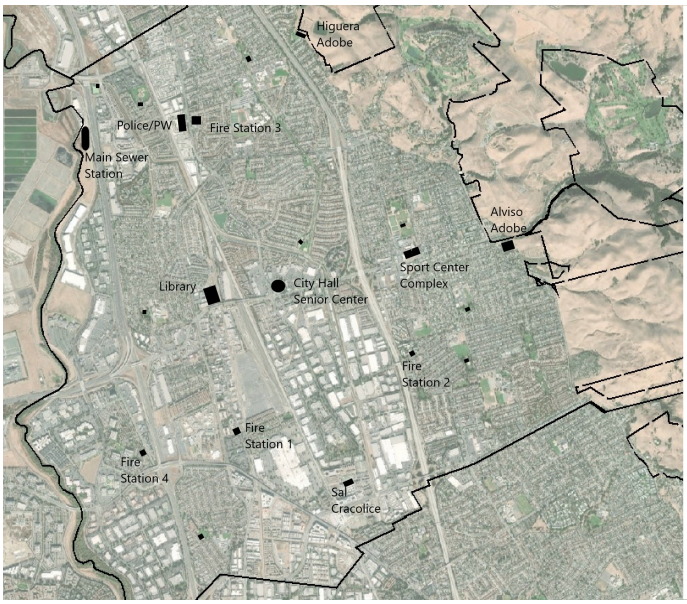
City Council 11/17/2020 - Budget Appropriation of $670k in prior years funding from General Government CIP Fund was defunded for Facilities Water Features, Project No. 3486.
City Council 9/15/2020 - Budget Amendment returning of $40k from contract to the General Government CIP Fund.
City Council 2/20/2024 - Mid-Year Budget Amendment of $445k 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.

City Buildings Exterior Improvements

PROJECT NO.
3414



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities
Managing Department:	Public Works - Operations
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 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

Workplan in FY2024-25 is to paint and waterproof the exterior of the Sports Center after the completion of the roof repairs. Planned funding request in FY2025-26 is for the exterior painting of the Public Works Corporation Yard/Fleet buildings.

Uncommitted Balance as of 3/31/2024	Council Approval
$360,000	**7/1/2014**

City Buildings Exterior Improvements

Project No. 3414

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	150,000	150,000	150,000	150,000	1,100,000
TOTAL	**$600,000**	**$0**	**$150,000**	**$150,000**	**$150,000**	**$150,000**	**$1,200,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	600,000	0	0	0	0	0	600,000
No Funding Source	0	0	150,000	150,000	150,000	150,000	600,000
TOTAL	**$600,000**	**$0**	**$150,000**	**$150,000**	**$150,000**	**$150,000**	**$1,200,000**

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.

PD Communications

PROJECT NO.
3415

Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	Fire Stations, Police/Public Works Facility
Managing Department:	Police
Contact Person:	Steve Fox [2525]/ Lisa Beaulieu [2434]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

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 Locution 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.

Uncommitted Balance as of 3/31/2024	Council Approval
$229,000	**7/1/2015**

PD Communications

Project No. 3415

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

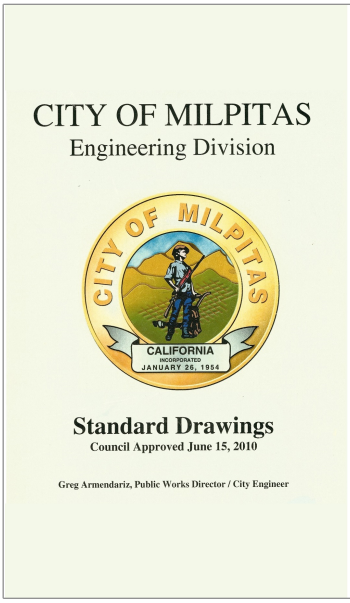
Fund	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29
General Fund	19,070	19,070	0	0	0

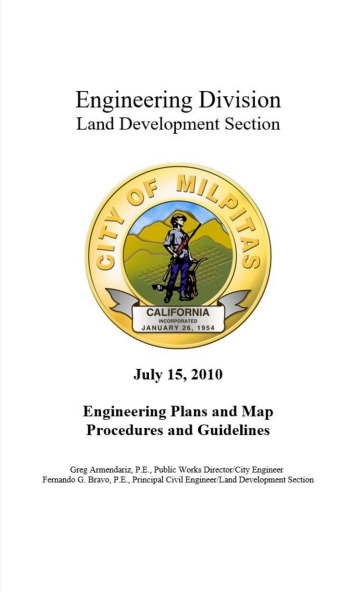
Operating Impact Notes

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.

City Std. Details, Guidelines, & Specifications

PROJECT NO.
3418





Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Engineering Department
Managing Department:	Public Works - Engineering
Contact Person:	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 3/31/2024	Council Approval
$395,000	**7/1/2016**

City Std. Details, Guidelines, & Specifications

Project No. 3418

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Permit Automation Fund	400,000	0	0	0	0	0	400,000
TOTAL	**$400,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$400,000**

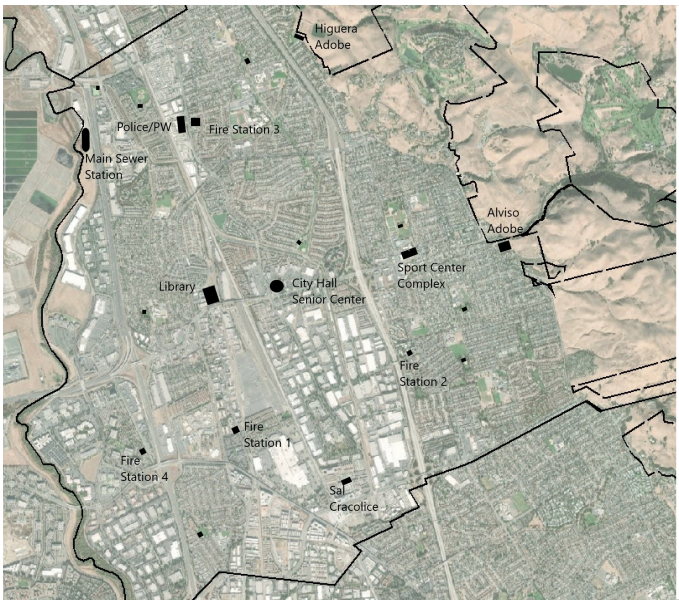
Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

PROJECT NO.
3422

City Buildings Roof Improvements



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities
Managing Department:	Public Works - Operations
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 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

City Council awarded a construction contract for the roof repairs at the Sports Center building on 11/14/2023 and replace the metal roof at the City library on 5/7/2024. Workplan in FY2023-24 is to begin the assessment of the roof replacement at the Community Center building. Planned funding request in FY2025-26 and FY2026-27 is for the design and rehabilitation of the roof at the Public Works/Information Technology/Police Department building and roof repairs at Fire Station 4. This project is only partially funded.

Uncommitted Balance as of 3/31/2024	Council Approval
$404,000	**7/1/2015**

City Buildings Roof Improvements

Project No. 3422

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	150,000	0	200,000	0	0	0	350,000
Administration	45,000	0	0	0	0	0	45,000
Inspection	45,000	0	0	0	0	0	45,000
Improvements	1,010,000	0	200,000	1,000,000	150,000	150,000	2,510,000
TOTAL	**$1,250,000**	**$0**	**$400,000**	**$1,000,000**	**$150,000**	**$150,000**	**$2,950,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	1,250,000	0	0	0	0	0	1,250,000
No Funding Source	0	0	400,000	1,000,000	150,000	150,000	1,700,000
TOTAL	**$1,250,000**	**$0**	**$400,000**	**$1,000,000**	**$150,000**	**$150,000**	**$2,950,000**

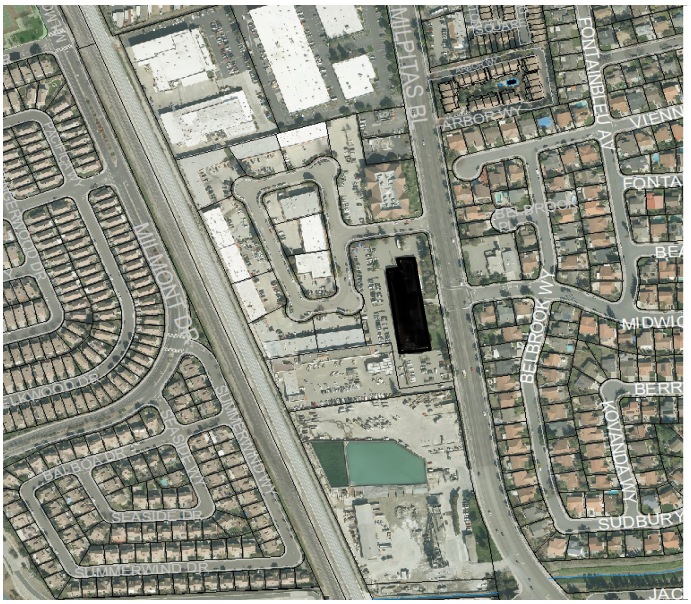
Finance Notes

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.

Police Records Management System

PROJECT NO.
3423



Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	Police Department
Managing Department:	Police
Contact Person:	Steve Fox [2525]/ Lisa Beaulieu [2434]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

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 was completed 2023.

Uncommitted Balance as of 3/31/2024	Council Approval
$112,000	5/20/2014

Police Records Management System

Project No. 3423

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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]/ Vikram Chand [2723]
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 the City's cybersecurity improvement initiatives, improvements to the audio video system, mobile workforce support, network infrastructure, including the City's website, record management systems, and public safety system maintenance and upgrades.

Notes

In FY2022-23, the IT department completed the upgrades to the City's website, capacity improvements of NetMotion Mobility, and increased the server capacity to support public safety. On 12/12/2023, City Council awarded a construction contract to replace the audio video equipment hardware in the Committee Conference Room at City Hall, which is anticipated to be completed by fall 2024.

Workplan in FY2023-24 and funding request in FY2024-25 is for cybersecurity projects, expansion of Nutanix HCI capacity, increased licensing of Office 365, improvements to the datacenter backup systems, infrastructure monitoring, and remote support capability. Planned funding request in FY2025-26 is for the replacement of the audio video systems at Community Center, Senior Center, and Sports Center.

Uncommitted Balance as of 3/31/2024	Council Approval
$388,000	**7/1/2016**

Technology Projects

Project No. 3427

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	1,065,000	100,000	150,000	0	0	0	1,315,000
Equipment	750,000	0	0	0	0	0	750,000
Others	100,000	0	0	0	0	0	100,000
TOTAL	**$1,915,000**	**$100,000**	**$150,000**	**$0**	**$0**	**$0**	**$2,165,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	515,000	0	0	0	0	0	515,000
Information Technology Replacement	0	100,000	0	0	0	0	100,000
Permit Automation Fund	1,400,000	0	0	0	0	0	1,400,000
No Funding Source	0	0	150,000	0	0	0	150,000
TOTAL	**$1,915,000**	**$100,000**	**$150,000**	**$0**	**$0**	**$0**	**$2,165,000**

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.

Permitting Technology Improvements

PROJECT NO.
3434

Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Hall
Managing Department:	Information Technology
Contact Person:	Daniel Nam [2706]/ Jason Pham [2733]
Project Stage:	Ongoing Planning/ Implementation
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	No

Description

This project provides for the upgrade and 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 the City Ordinance, permit submittal and issuance process, plan review and inspections process, and archival and retrieval of documents and record information.

Notes

Workplan in FY2023-24 and FY2024-25 is to continue general upgrades and maintenance to the City's permit automation systems.

Uncommitted Balance as of 3/31/2024	Council Approval
$314,000	**7/1/2017**

Permitting Technology Improvements

Project No. 3434

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Finance System Upgrade

PROJECT NO.
3435

Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Finance Department
Managing Department:	Finance
Contact Person:	Gabrielle Tsang [3131]
Project Stage:	Ongoing Upgrades
Estimated Schedule	
Design:	—
Construction:	—
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 orders. The system also manages budget preparation, business license, investment software, and fixed asset systems.

Notes

Continue ongoing minor upgrades and improvements to Cayenta system.

Uncommitted Balance as of 3/31/2024	Council Approval
$71,000	**7/1/2011**

Finance System Upgrade

Project No. 3435

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities
Managing Department:	Public Works - 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.

Uncommitted Balance as of 3/31/2024	Council Approval
$18,000	**7/1/2012**

ADA Compliance Review

Project No. 3436

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

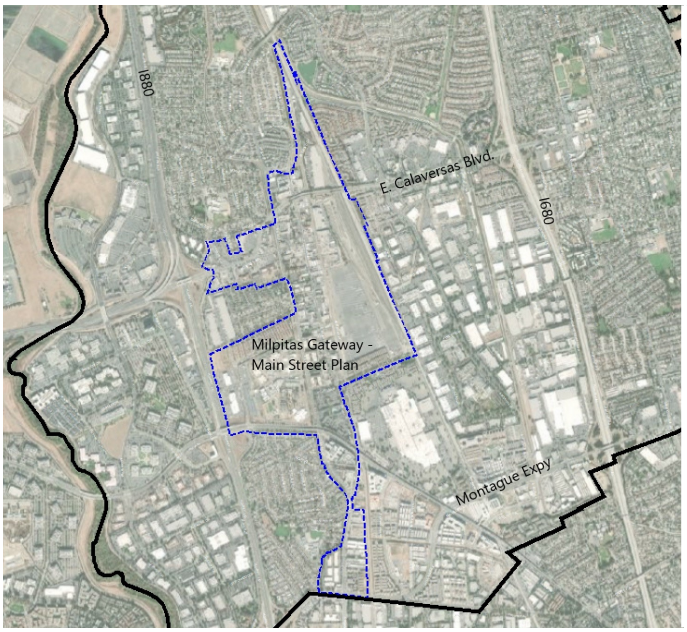
City Council 9/7/2021 - Budget Appropriation of $134,158 in PLAN JPA Grant Funding and $37,000 in General Government CIP Funding.

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:	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 9/21/2021, City Council approved an agreement with the Metropolitan Transportation Commission (MTC) to receive $500k through its Priority Development Area (PDA) Planning Grant Program. The program provides funding for specific plans that results in intensified land uses around public transit hubs, and bus and rail corridors in the Bay Area. City Council approved a consultant agreement to update the Specific Plan on 9/21/2021 and approved amendment no. 1 on 6/2024. On 4/25/2023, City Council received a progress report and provided direction. The Plan is anticipated to be adopted by fall 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$15,000	7/1/2016

Milpitas Gateway - Main Street Specific Plan Update

Project No. 3437

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 $200k 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.
City Council 6/2024 - Budget Appropriation of $75k from Community Planning Fund.

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

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

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 2024 in order to procure emergency management training and equipment for the Office of Emergency Services.

Uncommitted Balance as of 3/31/2024	Council Approval
$192,000	**7/1/2018**

Public Safety/DPW Disaster Plan Update

Project No. 3445

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

City Council 2/20/2024 - Mid-Year Budget Appropriation of $75k from General Government CIP Fund in prior years was defunded for other projects.

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.

Fire Station No. 2 Replacement

PROJECT NO.
3447

Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	1263 Yosemite Drive
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

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. City Council granted acceptance of the project on 5/16/2023.

Uncommitted Balance as of 3/31/2024	Council Approval
$1,059,000	**7/1/2016**

Fire Station No. 2 Replacement

Project No. 3447

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

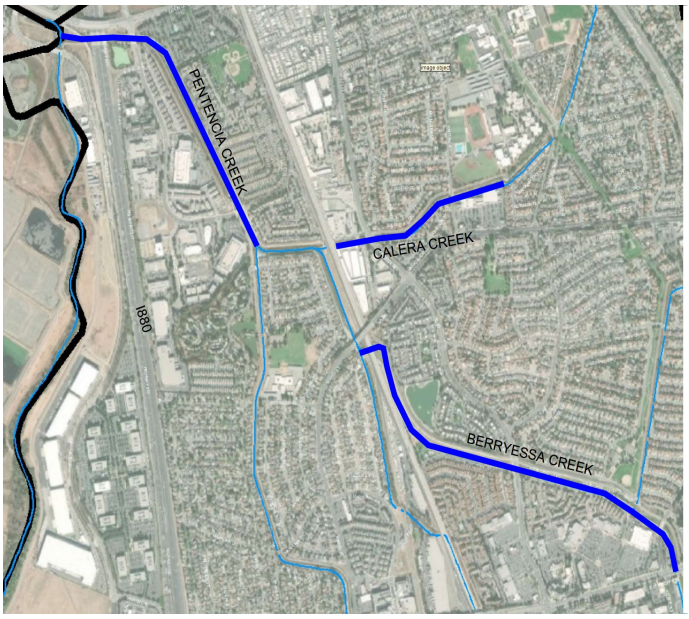
City Council 12/4/2018 - Mid-Year Budget Appropriation of $320k from General Government CIP Fund.
City Council 2/26/2019 - Mid-Year Budget Appropriation of $250k from General Government CIP Fund.
City Council 10/20/2020 - Approved 2020 Lease Revenue Bond financing for $9.6M.
City Council 2/21/2023 - Mid-Year Budget Appropriation of $1.5M from General Government CIP Fund in prior years was defunded for other projects.
City Council 2/20/2024 - Mid-Year Budget Appropriation of $900k from General Government CIP Fund in prior years was defunded for other projects and $2,795 interest earned from 2020 Lease Revenue Bonds increase project funding.

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.

(Rmb) SCVWD Creek Projects

PROJECT NO.
3452



Category:	Community Improvement
City Council Priority:	Environment
Project Location:	Berryessa, Calera, and Lower Penitencia Creeks
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides reimbursement to 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, and Lower Penitencia Creek and Calera Creek in 2023. On 2/2/2021, City Council approved a Master Agreement to reimburse SCVWD for the City improvements. On 8/15/2023, City Council approved Amendment No. 1 to the Master Agreement for the improvement of sewer line and city water main under Calera Creek which was completed in winter 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$25,000	**7/1/2019**

(Rmb) SCVWD Creek Projects

Project No. 3452

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	1,500,000	0	0	0	0	0	1,500,000
Improvements	900,862	0	0	0	0	0	900,862
TOTAL	**$2,400,862**	**$0**	**$0**	**$0**	**$0**	**$0**	**$2,400,862**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	1,750,000	0	0	0	0	0	1,750,000
Sewer Infrastructure Fund	145,692	0	0	0	0	0	145,692
Water Line Extension Fund	505,170	0	0	0	0	0	505,170
TOTAL	**$2,400,862**	**$0**	**$0**	**$0**	**$0**	**$0**	**$2,400,862**

Finance Notes

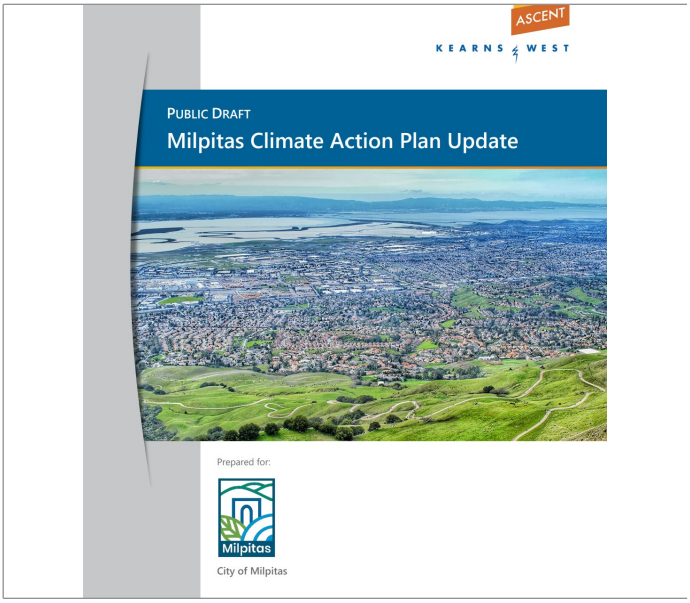
City Council 2/26/2019 - Mid-Year Budget Appropriation of $1.5M from General Government CIP Fund.
City Council 8/15/2023 - Budget appropriation of $650,862 from the Sewer Infrastructure Replacement Fund ($145,692), and Water Line Extension Fund ($505,170) in project No. 7100 Aging Waster System/Seismic Improvements.

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.

Climate Action Plan Implementation

PROJECT NO.
3453



Category:	Community Improvement
City Council Priority:	Environment
Project Location:	Citywide
Managing Department:	Public Works - Operations
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 and implementation of policies and programs to meet new reduction targets as specified in the adopted 2022 City Climate Action Plan (CAP). The CAP serves as the Greenhouse Gas (GHG) reduction strategy to meet the new State's mid- and long-term emissions targets of 40% reduction below 1990 levels by 2030 and 80% reduction by 2050.

Notes

Workplan in FY2023-24 and FY2024-25 is to continue implementing 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 who will lead and coordinate community engagement as identified in the CAP Update. 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. On 3/7/2023, the City Manager executed a grant agreement with Silicon Valley Clean Energy of $95k to support community engagement and staff. In addition, staff is working the Department of Energy to finalize the funding agreement for the Milpitas Carbon Neutral Homes Incentive Program that was authorized through Congressional District 17’s Community Project Funding process.

Uncommitted Balance as of 3/31/2024	Council Approval
$200,000	**7/1/2019**

Climate Action Plan Implementation

Project No. 3453

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	190,000	0	0	0	0	0	190,000
Administration	105,000	0	0	0	0	0	105,000
Improvements	150,000	0	0	0	0	0	150,000
TOTAL	**$445,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$445,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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
Grants/Reimb./ Developer Fees	95,000	0	0	0	0	0	95,000
TOTAL	**$445,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$445,000**

Finance Notes

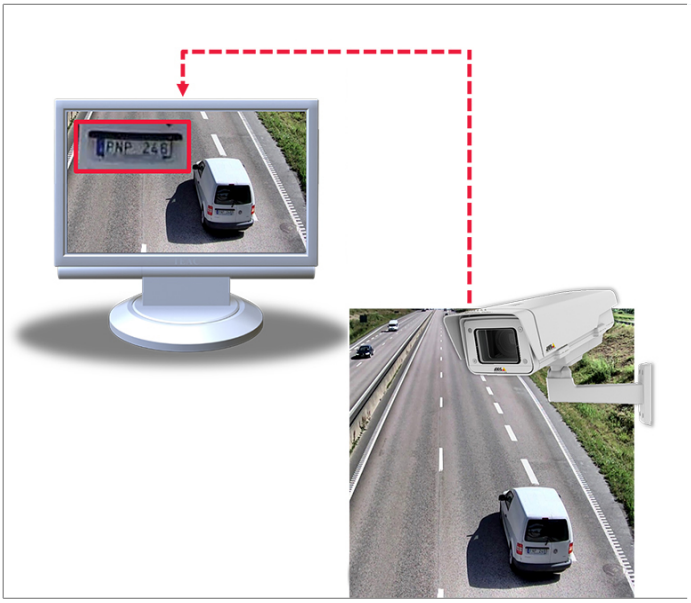
City Council 8/9/2022 - Budget Appropriation of $150k from General Fund - Unassigned.
On 3/7/2023 - Decarbonization Grant of $95k from SVCE.

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.

ALPRs and Security Cameras Program

PROJECT NO.
3459



Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	Citywide
Managing Department:	Police
Contact Person:	Steve Parodi [2525]/ Lisa Beaulieu [2434]
Project Stage:	Implementation
Estimated Schedule	
Design:	Completed
Construction:	Ongoing
Recurring Project:	No

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. On 12/12/2023, Council approved a sole source services agreement through 2028 for the existing 35 cameras and to installing 20 new cameras.

Uncommitted Balance as of 3/31/2024	Council Approval
$188,000	**7/1/2019**

ALPRs and Security Cameras Program

Project No. 3459

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

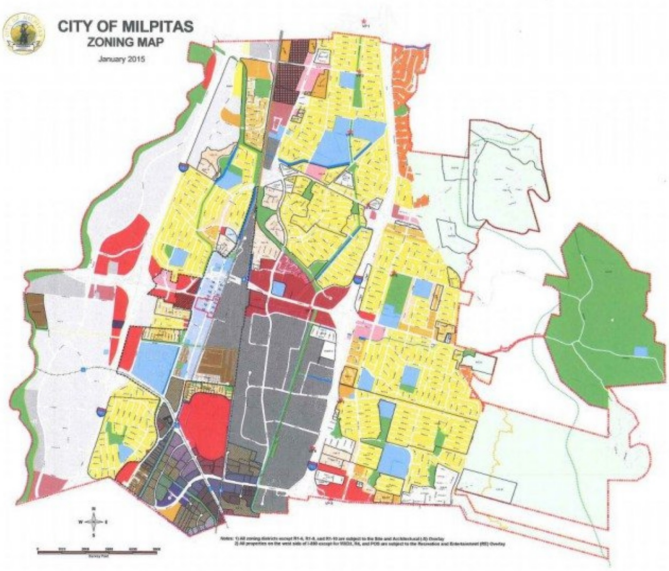
City Council 6/4/2020 - $300K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.
In FY2021/22, Grants/Reimb./Developer Fees of $315k is from State Car Break-in Grant.

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:	Jay Lee [3077]/ Holly Pearson [3283]
Project Stage:	Development
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 regards 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 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. It 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. On 10/3/2023, City Council received a progress report and provided direction on Phase 1 which is to update the zoning ordinance and map according to the land use policies adopted in the 2040 General Plan & Metro Specific Plan. Workplan in FY2023-24 is to return to the Planning Commission and City Council for adoption of Phase 1 and initiate Phase 2 which will update the entire zoning ordinance. Project completion is anticipated in 2025.

Uncommitted Balance as of 3/31/2024	Council Approval
$102,000	7/1/2020

Comprehensive Zoning Ordinance Update

Project No. 3460

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Fire Stations Security

PROJECT NO.
3461

Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	Fire Stations
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
Project Stage:	Project Closure
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

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

Public Works completed the installation of the ACAM system at Fire Station No. 1, 3, and 4 in FY2023-24.

Uncommitted Balance as of 3/31/2024	Council Approval
$43,000	**7/1/2020**

Fire Stations Security

Project No. 3461

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

City Council 2/20/2024 - Mid-Year Budget Appropriation of $43k from General Government CIP Fund in prior years was defunded for other projects.

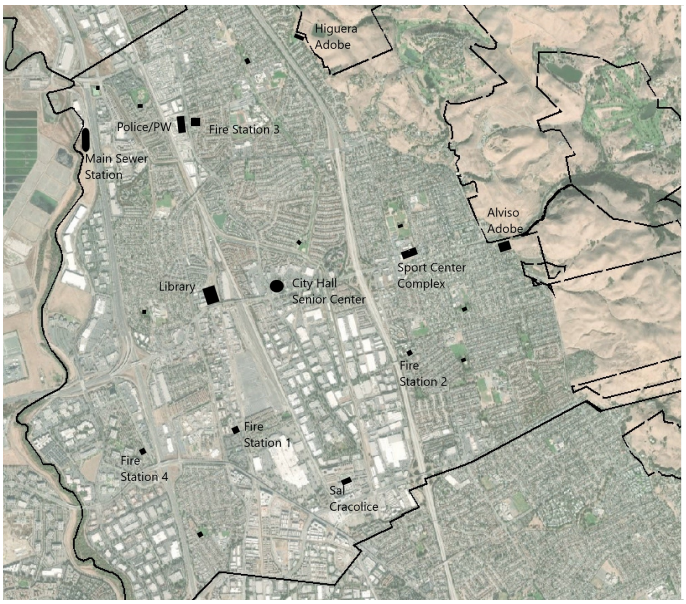
Operating Impact Notes

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, 2024

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 - Operations
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

Funding request in FY2024-25 is for on-call repair & maintenance service contracts related to City facilities.

Uncommitted Balance as of 3/31/2024	Council Approval
$108,000	**7/1/2020**

On-Call Facilities Maintenance & Repair Services

Project No. 3462

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	1,495,000	400,000	300,000	300,000	300,000	300,000	3,095,000
TOTAL	**$1,495,000**	**$400,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$3,095,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	1,495,000	400,000	0	0	0	0	1,895,000
No Funding Source	0	0	300,000	300,000	300,000	300,000	1,200,000
TOTAL	**$1,495,000**	**$400,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$3,095,000**

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.

Mobile Emergency Operations Center

PROJECT NO.
3464

Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	Police Department Fleet
Managing Department:	Police
Contact Person:	Frank Morales [2521]/ Jason Schoonover [2802]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

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 MEOC was completed in January 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$150,000	**7/1/2020**

Mobile Emergency Operations Center

Project No. 3464

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 Replacement

Category:	Community Improvement
City Council Priority:	Public Safety
Project Location:	777 South Main Street
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2025
Recurring Project:	No

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 the late 1990s to house the operation staff during the construction of the fire station. Since then it has served as City's Office of Emergency Services (OES) and for training meetings and conferences.

Notes

Vendor selection of the modular is anticipated to start in spring 2024 and construction is anticipated to be completed in 2025.

Uncommitted Balance as of 3/31/2024	Council Approval
$978,000	**7/1/2022**

Fire Station No. 1 Modular Building Replacement

Project No. 3465

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	100,000	0	0	0	0	0	100,000
Administration	100,000	0	0	0	0	0	100,000
Improvements	800,000	0	0	0	0	0	800,000
TOTAL	**$1,000,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$1,000,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	750,000	0	0	0	0	0	750,000
Grants/Reimb./ Developer Fees	250,000	0	0	0	0	0	250,000
TOTAL	**$1,000,000**	**$0**	**$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.
3466

Financial System Enterprise Resource Planning

Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Finance Department
Managing Department:	Finance
Contact Person:	Gabrielle Tsang [3131]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2025
Construction:	2025-2027
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). On 12/12/2023, City Council awarded a five-year software service agreement for replacement of the system. The system will be implemented in three phases starting in 2025. Funding request in FY2024-25 is for the remaining project budget.

Uncommitted Balance as of 3/31/2024	Council Approval
$1,506,000	**7/1/2023**

Financial System Enterprise Resource Planning

Project No. 3466

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	500,000	650,000	0	0	0	0	1,150,000
Improvements	1,350,000	800,000	0	0	0	0	2,150,000
TOTAL	**$1,850,000**	**$1,450,000**	**$0**	**$0**	**$0**	**$0**	**$3,300,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Fund	1,600,000	0	0	0	0	0	1,600,000
General Government CIP Fund	250,000	950,000	0	0	0	0	1,200,000
Sewer Fund	0	250,000	0	0	0	0	250,000
Water Fund	0	250,000	0	0	0	0	250,000
TOTAL	**$1,850,000**	**$1,450,000**	**$0**	**$0**	**$0**	**$0**	**$3,300,000**

Finance Notes

In FY23/24, City Council approved $1.6M funding from the 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.
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:	Kelli Parmley [3086]/ Vicky Lien [3085]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2025
Construction:	2025-2027
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 and will be coordinated with Financial System Enterprise Resource Planning project (#3466). On 12/12/2023, City Council awarded a five-year software service agreement for replacement of the system. The system will be implemented in three phases starting in 2025. Funding request in FY2024-25 is for the remaining project budget.

Uncommitted Balance as of 3/31/2024	Council Approval
$769,000	**8/9/2021**

Human Resources Information System

Project No. 3467

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	370,000	250,000	0	0	0	0	620,000
Improvements	730,000	100,000	0	0	0	0	830,000
TOTAL	**$1,100,000**	**$350,000**	**$0**	**$0**	**$0**	**$0**	**$1,450,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Grants/Reimb./ Developer Fees	1,100,000	0	0	0	0	0	1,100,000
Information Technology Replacement	0	200,000	0	0	0	0	200,000
Sewer Fund	0	75,000	0	0	0	0	75,000
Water Fund	0	75,000	0	0	0	0	75,000
TOTAL	**$1,100,000**	**$350,000**	**$0**	**$0**	**$0**	**$0**	**$1,450,000**

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.

Metro Impact Fee Study

PROJECT NO.
3469

Category:	Community Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	Metro Specific Area
Managing Department:	Planning
Contact Person:	Jay Lee [3077]/ Kevin Riley [3292]
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

The study started in spring 2023 and is anticipated to be adopted in fall 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	2/21/2023

Metro Impact Fee Study

Project No. 3469

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

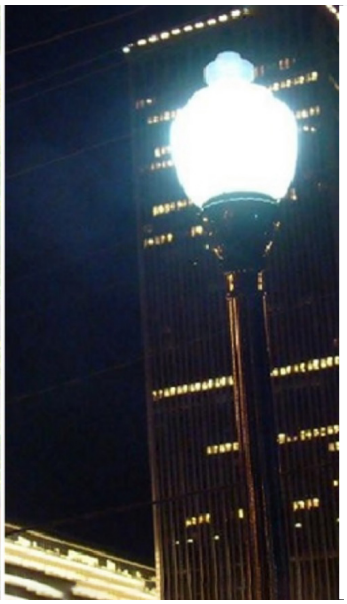
City Council 2/21/2023 - Project created with Budget Appropriation of $150k from TASP Impact Fees.
City Council 2/20/2024 - Budget Appropriation of $180k from TASP Impact Fees.

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

Citywide LED Lighting Upgrade Project

PROJECT NO.
3487



Category:	Community Improvement
City Council Priority:	Environment
Project Location:	Citywide
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Project Closure
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 3/31/2024	Council Approval
$0	11/17/2020

Citywide LED Lighting Upgrade Project

Project No. 3487

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, 2024

PROJECT NO.
3488

Community and Senior Center Energy Resilience Project

Category:	Community Improvement
City Council Priority:	Environment
Project Location:	Community and Senior Center
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for the design and installation of solar photovoltaics and battery energy storage at the Community and Senior 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. The infrastructure helps the City avoid peak demand charges and optimize energy rates, and 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 completed the project in winter 2023. On 11/21/2021, City Council approved a grant agreement with Silicon Valley Clean Energy Resilience Program of $700k to assist with the installation of solar and battery backup systems. Workplan in FY2023-24 and FY2024-25 is to conduct a feasibility study for installation of solar photovoltaics and battery energy storage at other City facilities such as Public Works/Information Technology/Police Department building, City Hall, etc.

Uncommitted Balance as of 3/31/2024	Council Approval
$860,000	**11/17/2020**

Community and Senior Center Energy Resilience Project

Project No. 3488

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.

Public Art Program

PROJECT NO.
3489

Category:	Community Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Various Locations
Managing Department:	Recreation & Community
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, and procedures; implementation of the Mural Program policy to promote mural activity reflective of the heritage, diversity and aspirations of the 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. On 9/19/2023, City Council approved the historical marker concept for Bob McGuire, Delano Manongs, Frederick Creighton, Peter B. Gill, Jose Higuera Adobe, Leo Murphy, and Sunnyhills Albert Augustine Jr. Memorial Park. On 12/12/2023, City Council approved a mural to be painted on 3 traffic signal cabinets located at Jacklin/Escuela, Yosemite/Sinclair Frontage, and Calaveras/ Gadsden.

Workplan in FY2023-24 is to start the development of the Public Art Master Plan, design of the mural art on VTA's light rail pillars and Dixon Landing Park and paint a mural on 3 traffic signal cabinets, and install an art sculpture at Higuera Park and historical markers at various parks. Funding request in FY2024-25 is for the annual contribution from the Public Art Fund for continuous implementation of the Mural Program.

Uncommitted Balance as of 3/31/2024	Council Approval
$528,000	**2/16/2021**

Public Art Program

Project No. 3489

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	338,500	50,000	50,000	50,000	50,000	50,000	588,500
Improvements	367,500	0	0	0	0	0	367,500
TOTAL	**$706,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$956,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Public Art Fund	706,000	50,000	50,000	50,000	50,000	50,000	956,000
TOTAL	**$706,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$956,000**

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.
City Council 9/19/2023 - Budget Appropriation of $90k 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.

Capital Improvement Program Administration

PROJECT NO.
3490

Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Engineering and Finance Department
Managing Department:	Public Works - 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

Funding request in FY2024-25 is for the annual administration and preparation of the Capital Improvement Program.

Uncommitted Balance as of 3/31/2024	Council Approval
$700,000	**7/1/2021**

Capital Improvement Program Administration

Project No. 3490

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	1,825,000	720,000	720,000	720,000	720,000	720,000	5,425,000
TOTAL	**$1,825,000**	**$720,000**	**$720,000**	**$720,000**	**$720,000**	**$720,000**	**$5,425,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	639,000	252,000	0	0	0	0	891,000
Sewer Infrastructure Fund	410,000	162,000	162,000	162,000	162,000	162,000	1,220,000
TASP Impact Fees	366,000	144,000	144,000	144,000	144,000	144,000	1,086,000
Water Capital Surcharge	410,000	162,000	162,000	162,000	162,000	162,000	1,220,000
No Funding Source	0	0	252,000	252,000	252,000	252,000	1,008,000
TOTAL	**$1,825,000**	**$720,000**	**$720,000**	**$720,000**	**$720,000**	**$720,000**	**$5,425,000**

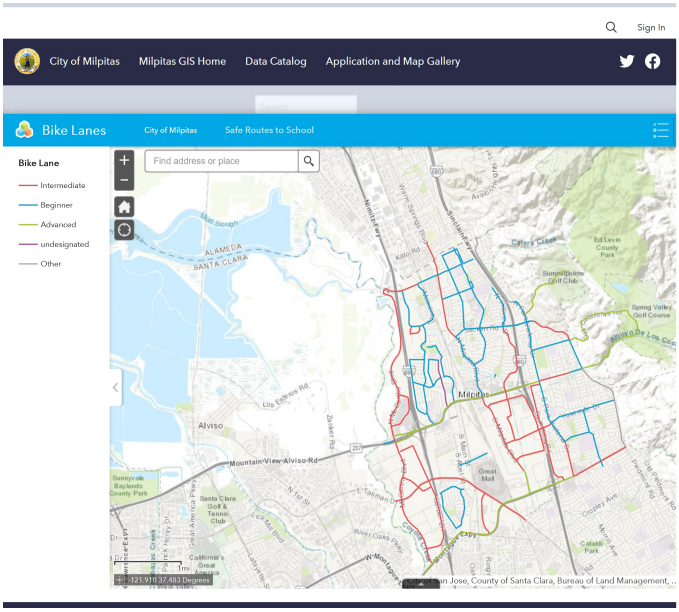
Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

PROJECT NO.
3496

GIS Development and Data Collection



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Information Technology Department
Managing Department:	Information Technology
Contact Person:	Daniel Nam [2706]/ Ron Long [2713]
Project Stage:	Ongoing Planning/ Implementation
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for the maintenance and enhancement of the City's Geographic Information System (GIS). It provides field-verified spatial information data that is extensively used by numerous applications in all City departments and the public.

Notes

Workplan in FY2023-24 and funding request in FY2024-25 is to continue software updates, data acquisition, and mapping system modifications, and consultant contracts for system upgrades.

Uncommitted Balance as of 3/31/2024	Council Approval
$176,000	**7/1/2022**

GIS Development and Data Collection

Project No. 3496

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	199,000	420,000	25,000	50,000	100,000	25,000	819,000
Administration	98,000	25,000	100,000	130,000	75,000	75,000	503,000
Improvements	195,000	50,000	75,000	20,000	25,000	25,000	390,000
TOTAL	**$492,000**	**$495,000**	**$200,000**	**$200,000**	**$200,000**	**$125,000**	**$1,712,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	62,000	95,000	0	0	0	0	157,000
Permit Automation Fund	150,000	0	0	0	0	0	150,000
Sewer Infrastructure Fund	140,000	200,000	0	0	0	0	340,000
Water Capital Surcharge	140,000	200,000	0	0	0	0	340,000
No Funding Source	0	0	200,000	200,000	200,000	125,000	725,000
TOTAL	**$492,000**	**$495,000**	**$200,000**	**$200,000**	**$200,000**	**$125,000**	**$1,712,000**

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
City Council Priority:	Public Safety
Project Location:	Police & Fire Fleet
Managing Department:	Information Technology
Contact Person:	Daniel Nam [2706]/ Vikram Chand [2723]
Project Stage:	Design & Implementation
Estimated Schedule	
Design:	2022-2024
Construction:	—
Recurring Project:	No

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

In June 2023, IT purchased units to be installed in 32 police vehicles which is anticipated to be completed in 2024. Workplan in FY2023-24 is to select units for 20 Fire vehicle units and 8 Police motorcycle units and replacement is anticipated in FY2024-25.

Uncommitted Balance as of 3/31/2024	Council Approval
$410,000	**7/1/2022**

Public Safety Mobile Computer Terminals

Project No. 3497

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	610,000	0	0	0	0	0	610,000
TOTAL	**$610,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$610,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	610,000	0	0	0	0	0	610,000
TOTAL	**$610,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$610,000**

Finance Notes

City Council 2/20/2024 - Mid-Year Budget Appropriation of $130k from General Government CIP Fund in prior years 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.

Council Chamber AV System Replacement

PROJECT NO.
3498

Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Council Chamber
Managing Department:	Information Technology
Contact Person:	Daniel Nam [2706]/ Vikram Chand [2723]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
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. The work includes a redesign of the camera and conference systems and replacing the rear-projection screen with an LED display.

Notes

On 12/12/2023, City Council awarded a construction contract to replace the AV system which will occur during the City Council summer recess in 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$56,000	**7/1/2023**

Council Chamber AV System Replacement

Project No. 3498

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	800,000	0	0	0	0	0	800,000
TOTAL	**$800,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$800,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Fund	800,000	0	0	0	0	0	800,000
TOTAL	**$800,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$800,000**

Finance Notes

In FY23-24, City Council approved $800k from the General Fund - Facilities Replacement Reserve.

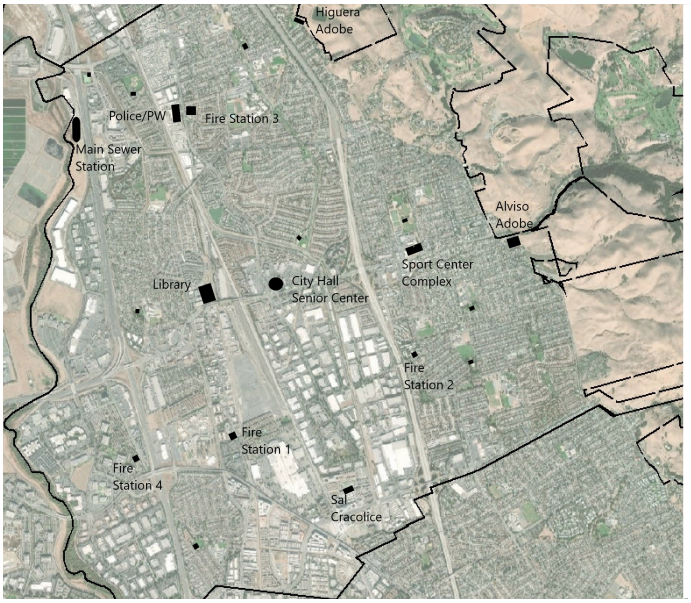
Operating Impact Notes

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.

3499

City Building's HVAC System Improvements



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Facilities
Managing Department:	Public Works - Operations
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, replacement, and/or upgrades to the HVAC systems at all City facilities. Many of the existing systems are nearing the end of their useful life, requiring extensive repairs, including replacement.

Notes

On April 27, 2023, the Public Works Director declared an emergency for the repairs of the HVAC system at City Hall and the Public Works/Information Technology/Police Department buildings which were completed in the fall 2023. Funding request in FY2024-25 is for the replacement of the AC units at the Sports Center.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2022

City Building's HVAC System Improvements

Project No. 3499

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	620,000	355,000	0	0	0	0	975,000
TOTAL	**$620,000**	**$355,000**	**$0**	**$0**	**$0**	**$0**	**$975,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	620,000	355,000	0	0	0	0	975,000
TOTAL	**$620,000**	**$355,000**	**$0**	**$0**	**$0**	**$0**	**$975,000**

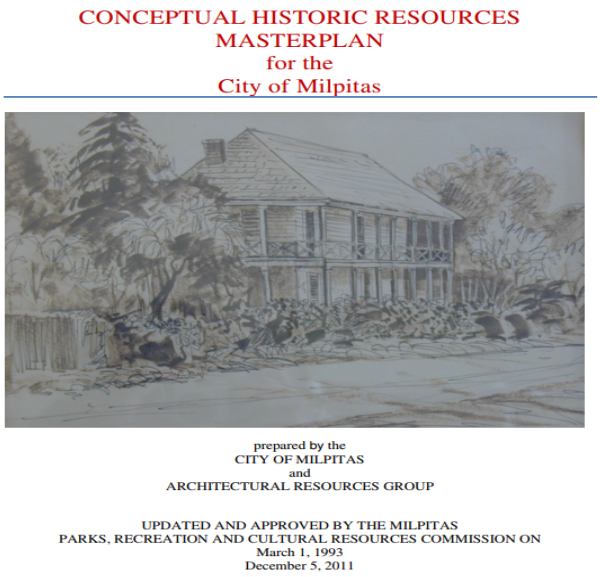
Finance Notes

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



Category:	Community Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Recreation & Community
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 will include 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

Recreation and Community Services department is anticipating to complete the update by the end of 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$200,000	**7/1/2022**

Historic Resource Master Plan Update

Project No. 3503

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	200,000	0	0	0	0	0	200,000
TOTAL	**$200,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$200,000**

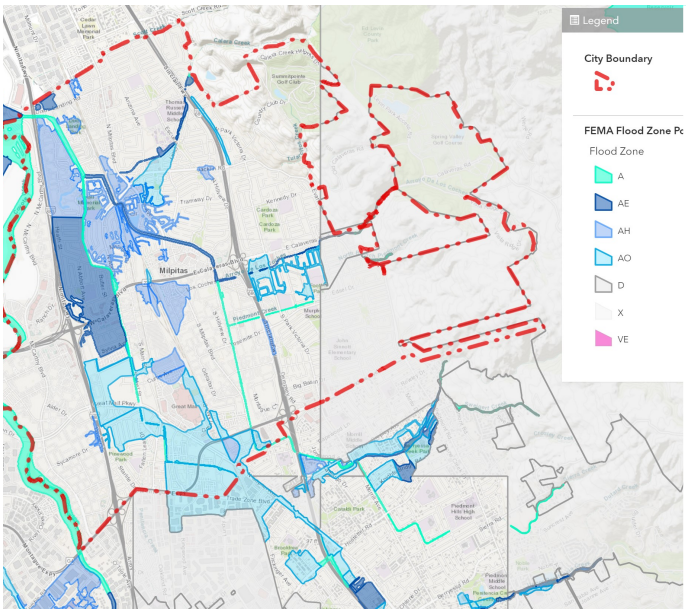
Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

Watershed Analysis

PROJECT NO.
3506



Category:	Community Improvement
City Council Priority:	Economic Development and Growth
Project Location:	Flood Zone Areas
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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 determined in 500-point increments, resulting in a 5% reduction in flood insurance premiums for residents and businesses with each increase in class rating. Through various activities and credits, the City currently has 1692 points, with a buffer of 192 points above Class 7 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 suggests conducting a watershed analysis to potentially boost the City's point total by up to 110 points. This is crucial to safeguarding the Class 7 rating against any future alterations in FEMA's point allocation methodology. The analysis is anticipated to be completed by fall 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$59,000	**7/2/2023**

Watershed Analysis

Project No. 3506

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	150,000	0	0	0	0	0	150,000
Administration	30,000	0	0	0	0	0	30,000
TOTAL	**$180,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$180,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	180,000	0	0	0	0	0	180,000
TOTAL	**$180,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$180,000**

Finance Notes

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

Gateway Signage

PROJECT NO.
3508

Category:	Community Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	Citywide
Managing Department:	Engineering & Planning
Contact Person:	Jay Lee [3077]/ 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. 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 on available funding.

Notes

The project received a developer contribution for gateway signage in 2014, Council Resolution. No. 8421. Engineering completed the installation of a gateway "Welcome" sign that incorporates the City's new community mark at Arco gas station in July 2023 and on Waterstone HOA along California Circle in June 2024. Planning department will present potential locations for Council consideration as part of the Milpitas Gateway - Main Street Specific Plan (#3437) in 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$214,000	**7/2/2023**

Gateway Signage

Project No. 3508

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	30,000	0	0	0	0	0	30,000
Administration	15,000	0	0	0	0	0	15,000
Inspection	5,000	0	0	0	0	0	5,000
Improvements	200,000	0	150,000	0	0	0	350,000
TOTAL	**$250,000**	**$0**	**$150,000**	**$0**	**$0**	**$0**	**$400,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Grants/Reimb./ Developer Fees	250,000	0	0	0	0	0	250,000
No Funding Source	0	0	150,000	0	0	0	150,000
TOTAL	**$250,000**	**$0**	**$150,000**	**$0**	**$0**	**$0**	**$400,000**

Finance Notes

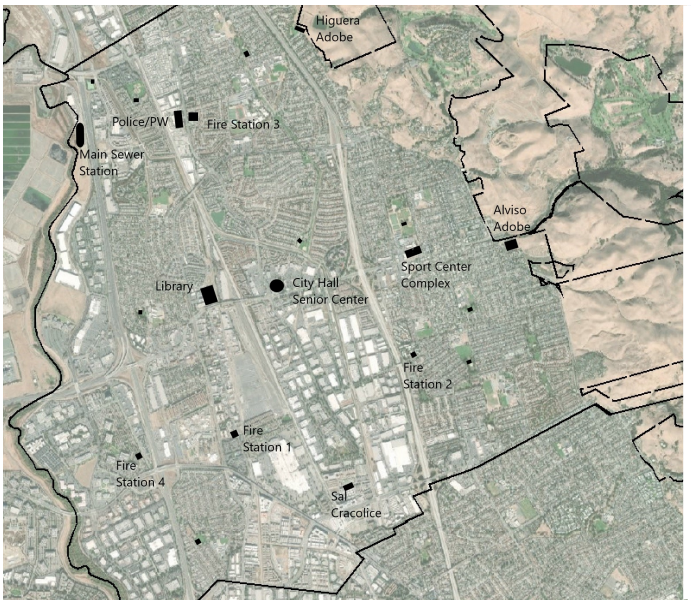
City Council 8/18/2014: Accepted Developer Fee of $250k per Resolution. No. 8421 - Community Benefit Fund 215.

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.

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 - Operations
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, Parks, and Utility Pump Stations.

Notes

Funded in FY2022-23, resurfacing of the parking lot at Sports Center Complex is scheduled for FY2024-25 after Milpitas Unified School District has completed the construction of the Innovation Campus project. Funding request in FY2024-25 is for the resurfacing and repairs of the parking lots at Cardoza, Dixon Landing and Hall parks. Planned funding request in FY2025-26 is for the resurfacing and repairs of the parking lot at City Hall, Community Center, and Senior Center. This project is only partially funded.

Uncommitted Balance as of 3/31/2024	Council Approval
$183,000	**7/1/2019**

City Parking Lot Rehabilitation Program

Project No. 3716

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	55,000	0	0	0	0	0	55,000
Improvements	435,000	350,000	400,000	200,000	200,000	200,000	1,785,000
TOTAL	**$490,000**	**$350,000**	**$400,000**	**$200,000**	**$200,000**	**$200,000**	**$1,840,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	400,000	350,000	0	0	0	0	750,000
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	400,000	200,000	200,000	200,000	1,000,000
TOTAL	**$490,000**	**$350,000**	**$400,000**	**$200,000**	**$200,000**	**$200,000**	**$1,840,000**

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.

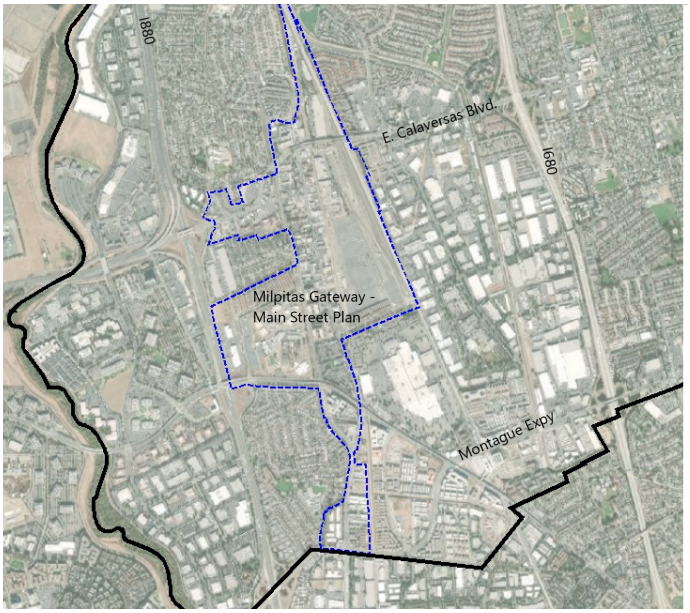
Operating Impact Notes

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

Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan



Category:	Community Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	Milpitas Gateway - Main St. Specific Plan
Managing Department:	Planning
Contact Person:	Jay Lee [3077]/ Randy Baez [3287]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2026
Construction:	—
Recurring Project:	No

Description

The Milpitas Main Street Sense of Place Plan will be based on the efforts and policies of the Milpitas Gateway/ Main Street Specific Plan by: (1) identifying streetscape and transportation improvements along Main Street; (2) creating a Basic Infrastructure Plan (BIP) that details each type of improvement and assigns a priority, and; (3) establishing a plan-specific development impact fee to fund the BIP improvements. The goal of the project is to revitalize and transform Main Street into a complete neighborhood with infrastructure and amenities to support high-density, mixed-use development along the corridor.

Notes

Planning department secured a $600k Priority Development Area (PDA) Planning Grant Program through Metropolitan Transportation Commission (MTC). The master planning is anticipating to start in fall 2024 and be completed in FY2025-26.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Milpitas Gateway-Main St. Impact Fee Study and Sense of Place Plan

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	600,000	0	0	0	0	600,000
TOTAL	**$0**	**$600,000**	**$0**	**$0**	**$0**	**$0**	**$600,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Grants/Reimb./ Developer Fees	0	600,000	0	0	0	0	600,000
TOTAL	**$0**	**$600,000**	**$0**	**$0**	**$0**	**$0**	**$600,000**

Finance Notes

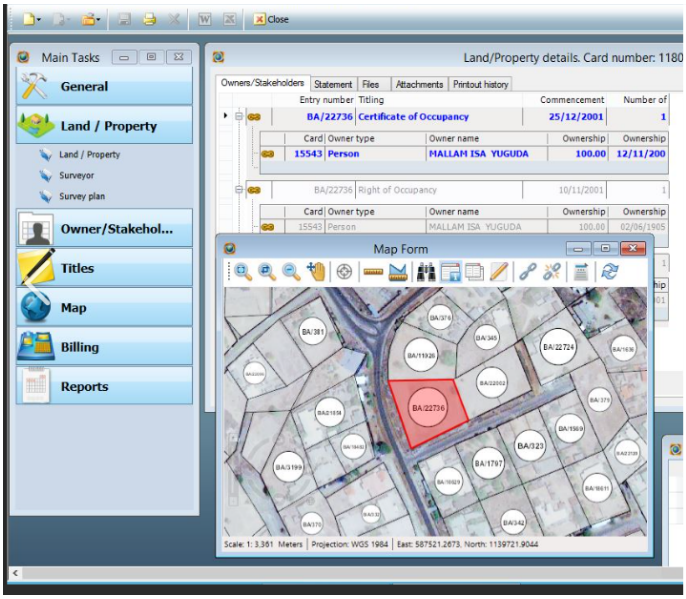
Operating Impact Notes

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.

Land Management System Replacement

PROJECT NO.

New



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Hall
Managing Department:	Information Technology
Contact Person:	Daniel Nam [2706]/ Vikram Chand [2723]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2026
Recurring Project:	No

Description

This project provides for the replacement of the existing TRACKiT permit/land management system which is outdated and no longer meets the needs of the City. The vendor of the TRACKiT permit system will no longer support the City's current software version. The new system will enable departments to collaborate and provide seamless services to the development community.

Notes

Funding request in FY2024-25 is for the replacement of the system. Implementation of software is anticipated to start in FY2024-25 and will take approximately 12 to 18 months to complete.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Land Management System Replacement

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	0	100,000	0	0	0	0	100,000
Improvements	0	1,400,000	0	0	0	0	1,400,000
TOTAL	**$0**	**$1,500,000**	**$0**	**$0**	**$0**	**$0**	**$1,500,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Information Technology Replacement	0	1,500,000	0	0	0	0	1,500,000
TOTAL	**$0**	**$1,500,000**	**$0**	**$0**	**$0**	**$0**	**$1,500,000**

Finance Notes

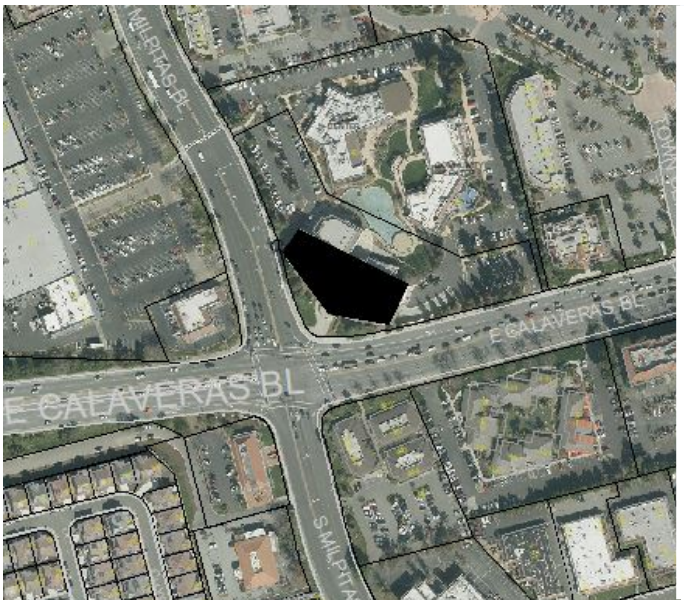
Operating Impact Notes

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.

City Hall Air Handlers Replacement

PROJECT NO.

New



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Hall
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2025
Recurring Project:	No

Description

This project provides for the replacement of the air handlers at City Hall which have exceed its service life. On April 27, 2023, the Public Works Director declared an emergency for the repairs of the air handlers and HVAC system at City Hall.

Notes

Funding request in FY2024-25 is for the replacement of the air handlers. The design is anticipated to start in spring 2024 and replacement is anticipated in 2025, pending lead time of the material.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	**7/1/2024**

City Hall Air Handlers Replacement

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	0	2,500,000	0	0	0	0	2,500,000
TOTAL	**$0**	**$2,500,000**	**$0**	**$0**	**$0**	**$0**	**$2,500,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Fund	0	2,500,000	0	0	0	0	2,500,000
TOTAL	**$0**	**$2,500,000**	**$0**	**$0**	**$0**	**$0**	**$2,500,000**

Finance Notes

In FY24-25, City Council approved $2.5M from the General Fund - Facilities Replacement Reserve.

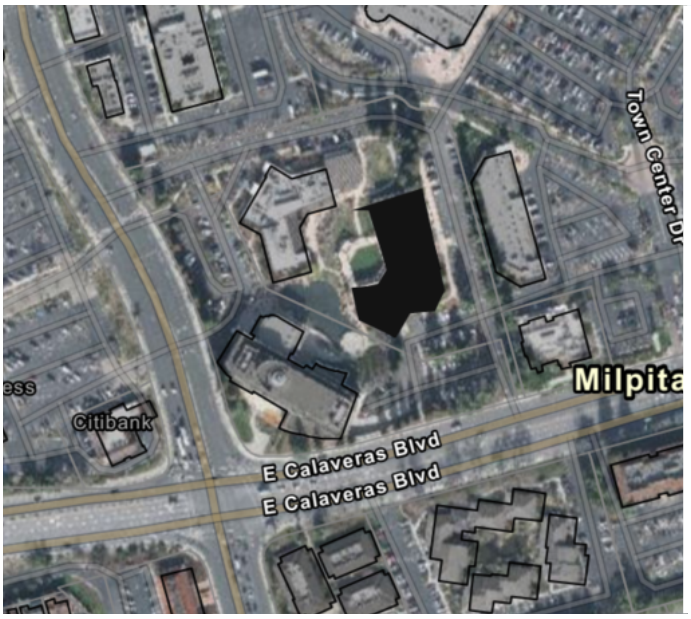
Operating Impact Notes

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.

Community Center Roof Renovation

PROJECT NO.

New



Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	Community Center
Managing Department:	Public Works - Engineering/ Operations
Contact Person:	Michael Silveira [3303]/ Samu Tiumalu [2648]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2026
Construction:	2026-2028
Recurring Project:	No

Description

This project provides for the replacement of the roof at the Community Center which has exceeded its service life. Work may include mechanical units replacements, electrical and structural upgrades, kitchen remodel, etc.

Notes

Funding request in FY2024-25 is for the planning and design of the roof replacement. Construction is anticipated in FY2026-27, pending funding and relocation of Recreation and Community Services department operations.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Community Center Roof Renovation

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	350,000	0	0	0	0	350,000
Administration	0	150,000	0	0	0	0	150,000
Inspection	0	0	100,000	0	0	0	100,000
Improvements	0	0	1,900,000	0	0	0	1,900,000
TOTAL	**$0**	**$500,000**	**$2,000,000**	**$0**	**$0**	**$0**	**$2,500,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	0	500,000	0	0	0	0	500,000
No Funding Source	0	0	2,000,000	0	0	0	2,000,000
TOTAL	**$0**	**$500,000**	**$2,000,000**	**$0**	**$0**	**$0**	**$2,500,000**

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

Electronic Records Management System

Category:	Community Improvement
City Council Priority:	Governance and Administration
Project Location:	City Clerk Office
Managing Department:	City Clerk & Information Technology
Contact Person:	Suzanne Guzzetta [3001]/ Daniel Nam [2706]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2025
Construction:	2025-2026
Recurring Project:	No

Description

This project provides for the replacement of the City's in-house electronic records management system known as ApplicationExtender which has exceeded its service life. The new system will allow the City Clerk Office to easily manage the City's records management program in compliance with federal and state statutes. It will be a modern, centralized system that will provide easier access and management of records retention to all departments and the public. It will allow the public to search records which will minimize staff time and meet the City's transparency and efficiency goals.

Notes

Funding request in FY2024-25 is for obtaining a consultant to assist in selecting a vendor for the replacement of the system. Planned funding request in FY2025-26 is for the implementation of system which will take approximately 12 to 18 months to complete.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Electronic Records Management System

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	150,000	0	0	0	0	150,000
Improvements	0	0	200,000	0	0	0	200,000
TOTAL	**$0**	**$150,000**	**$200,000**	**$0**	**$0**	**$0**	**$350,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Information Technology Replacement	0	150,000	0	0	0	0	150,000
No Funding Source	0	0	200,000	0	0	0	200,000
TOTAL	**$0**	**$150,000**	**$200,000**	**$0**	**$0**	**$0**	**$350,000**

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.

New

City Hall Fountain & Landscape Renovation

Category:	Community Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	City Hall
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Assessment
Estimated Schedule	
Design:	2025
Construction:	TBD
Recurring Project:	No

Description

This project provides for the assessment and design to restore the landscaping within the City Hall campus including Senior Center and Community Center buildings to enhance the quality of life and community pride for all residents. Also, the project will assess alternatives to convert the derelict fountain, pond, and waterfall located in the front and rear of City Hall to a more usage open space for community events and gatherings. The cost of maintaining and repairing of the water features has impacted budget resources.

Notes

Funding request in FY2024-25 is for the assessment and conceptual design of restoring landscaping and converting the water features within the City Hall campus. The assessment is anticipated to start in 2025. The cost of the design and construction is unknown and not funded at this time.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

City Hall Fountain & Landscape Renovation

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	175,000	0	0	0	0	175,000
Administration	0	75,000	0	0	0	0	75,000
TOTAL	**$0**	**$250,000**	**$0**	**$0**	**$0**	**$0**	**$250,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	0	250,000	0	0	0	0	250,000
TOTAL	**$0**	**$250,000**	**$0**	**$0**	**$0**	**$0**	**$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.

Milpitas

PARK IMPROVEMENT PROJECTS

2025-29 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total Cost
172	2005	Delano Manongs Pedestrian Bridge	1,825,000	600,000	0	0	0	0	2,425,000
174	2012	(Rmb) Metro Linear Trails	3,270,000	0	0	0	0	0	3,270,000
176	2013	(Rmb) Trade Zone/Montague Park - North	3,100,000	0	0	0	0	0	3,100,000
178	2023	Metro Tango Subdistrict Park	600,000	0	0	3,550,000	0	0	4,150,000
180	3424	Citywide Park Rehabilitation	2,653,497	50,000	600,000	600,000	600,000	600,000	5,103,497
182	3463	On-Call Parks and Landscaping Services	720,000	0	100,000	100,000	100,000	100,000	1,120,000
184	3491	Cardoza Park Softball Fields Improvement	800,000	0	0	7,000,000	0	0	7,800,000
186	3500	ARPA Park Rehabilitation – DPW	1,340,543	0	0	0	0	0	1,340,543
188	3501	ARPA Park Rehabilitation – Engineering	3,270,815	0	0	0	0	0	3,270,815
190	3505	Sport Center Football Bleacher Replacement	200,000	0	1,500,000	0	0	0	1,700,000
192	5055	Alviso Adobe Renovation	8,359,272	0	0	0	0	0	8,359,272
194	5102	Delano Manongs Park	12,154,820	0	0	0	0	0	12,154,820
196	5108	Sports Fields Turf Rehabilitation Program	776,000	0	0	0	0	0	776,000
198	5110	Sandalwood Park Renovation	475,000	0	0	2,200,000	0	0	2,675,000
200	5113	Minor Sports Courts Rehabilitation Program	1,070,000	130,000	155,000	155,000	155,000	155,000	1,820,000
202	5116	Pickleball Improvements	100,000	0	100,000	0	0	0	200,000
204	**New**	**Innovation District Parks and Trails Master Plan**	**0**	**200,000**	**0**	**0**	**0**	**0**	**200,000**
206	**New**	**Sinnott Park Playground Assessment**	**0**	**100,000**	**0**	**0**	**0**	**0**	**100,000**
		Funding Subtotal	**40,714,947**	**1,080,000**	**2,455,000**	**13,605,000**	**855,000**	**855,000**	**59,564,947**
		Total Cost	**$40,714,947**	**$1,080,000**	**$2,455,000**	**$13,605,000**	**$855,000**	**$855,000**	**$59,564,947**

Funding Summary

Grants/Reimb./Developer Fees	200,000	0	0	0	0
Park Fund	280,000	0	0	0	0
TASP Impact Fees	600,000	0	3,550,000	0	0
Total Financing Available	**1,080,000**	**0**	**3,550,000**	**0**	**0**
No Funding Source	0	2,455,000	10,055,000	855,000	855,000
Total	**$1,080,000**	**$2,455,000**	**$13,605,000**	**$855,000**	**$855,000**

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	Grants/Reimb./ Developer Fees	Park Fund	TASP Impact Fees
172	2005	Delano Manongs Pedestrian Bridge	0	0	600,000
174	2012	(Rmb) Metro Linear Trails	0	0	0
176	2013	(Rmb) Trade Zone/Montague Park - North	0	0	0
178	2023	Metro Tango Subdistrict Park	0	0	0
180	3424	Citywide Park Rehabilitation	0	50,000	0
182	3463	On-Call Parks and Landscaping Services	0	0	0
184	3491	Cardoza Park Softball Fields Improvement	0	0	0
186	3500	ARPA Park Rehabilitation – DPW	0	0	0
188	3501	ARPA Park Rehabilitation – Engineering	0	0	0
190	3505	Sport Center Football Bleacher Replacement	0	0	0
192	5055	Alviso Adobe Renovation	0	0	0
194	5102	Delano Manongs Park	0	0	0
196	5108	Sports Fields Turf Rehabilitation Program	0	0	0
198	5110	Sandalwood Park Renovation	0	0	0
200	5113	Minor Sports Courts Rehabilitation Program	0	130,000	0
202	5116	Pickleball Improvements	0	0	0
204	**New**	**Innovation District Parks and Trails Master Plan**	**200,000**	**0**	**0**
206	**New**	**Sinnott Park Playground Assessment**	**0**	**100,000**	**0**
		Subtotal by Funding Source	**200,000**	**280,000**	**600,000**
		Total	**$1,080,000**		

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	Park Fund	TASP Impact Fees	No Funding Source
172	2005	Delano Manongs Pedestrian Bridge	0	0	0
174	2012	(Rmb) Metro Linear Trails	0	0	0
176	2013	(Rmb) Trade Zone/Montague Park - North	0	0	0
178	2023	Metro Tango Subdistrict Park	0	0	0
180	3424	Citywide Park Rehabilitation	0	0	600,000
182	3463	On-Call Parks and Landscaping Services	0	0	100,000
184	3491	Cardoza Park Softball Fields Improvement	0	0	0
186	3500	ARPA Park Rehabilitation – DPW	0	0	0
188	3501	ARPA Park Rehabilitation – Engineering	0	0	0
190	3505	Sport Center Football Bleacher Replacement	0	0	1,500,000
192	5055	Alviso Adobe Renovation	0	0	0
194	5102	Delano Manongs Park	0	0	0
196	5108	Sports Fields Turf Rehabilitation Program	0	0	0
198	5110	Sandalwood Park Renovation	0	0	0
200	5113	Minor Sports Courts Rehabilitation Program	0	0	155,000
202	5116	Pickleball Improvements	0	0	100,000
204	**New**	**Innovation District Parks and Trails Master Plan**	**0**	**0**	**0**
206	**New**	**Sinnott Park Playground Assessment**	**0**	**0**	**0**
		Subtotal by Funding Source	**0**	**0**	**2,455,000**
		Total	**$2,455,000**		

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	Park Fund	TASP Impact Fees	No Funding Source
172	2005	Delano Manongs Pedestrian Bridge	0	0	0
174	2012	(Rmb) Metro Linear Trails	0	0	0
176	2013	(Rmb) Trade Zone/Montague Park - North	0	0	0
178	2023	Metro Tango Subdistrict Park	0	3,550,000	0
180	3424	Citywide Park Rehabilitation	0	0	600,000
182	3463	On-Call Parks and Landscaping Services	0	0	100,000
184	3491	Cardoza Park Softball Fields Improvement	0	0	7,000,000
186	3500	ARPA Park Rehabilitation – DPW	0	0	0
188	3501	ARPA Park Rehabilitation – Engineering	0	0	0
190	3505	Sport Center Football Bleacher Replacement	0	0	0
192	5055	Alviso Adobe Renovation	0	0	0
194	5102	Delano Manongs Park	0	0	0
196	5108	Sports Fields Turf Rehabilitation Program	0	0	0
198	5110	Sandalwood Park Renovation	0	0	2,200,000
200	5113	Minor Sports Courts Rehabilitation Program	0	0	155,000
202	5116	Pickleball Improvements	0	0	0
204	**New**	**Innovation District Parks and Trails Master Plan**	**0**	**0**	**0**
206	**New**	**Sinnott Park Playground Assessment**	**0**	**0**	**0**
		Subtotal by Funding Source	**0**	**3,550,000**	**10,055,000**
		Total	**$13,605,000**		

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	Park Fund	TASP Impact Fees	No Funding Source
172	2005	Delano Manongs Pedestrian Bridge	0	0	0
174	2012	(Rmb) Metro Linear Trails	0	0	0
176	2013	(Rmb) Trade Zone/Montague Park - North	0	0	0
178	2023	Metro Tango Subdistrict Park	0	0	0
180	3424	Citywide Park Rehabilitation	0	0	600,000
182	3463	On-Call Parks and Landscaping Services	0	0	100,000
184	3491	Cardoza Park Softball Fields Improvement	0	0	0
186	3500	ARPA Park Rehabilitation – DPW	0	0	0
188	3501	ARPA Park Rehabilitation – Engineering	0	0	0
190	3505	Sport Center Football Bleacher Replacement	0	0	0
192	5055	Alviso Adobe Renovation	0	0	0
194	5102	Delano Manongs Park	0	0	0
196	5108	Sports Fields Turf Rehabilitation Program	0	0	0
198	5110	Sandalwood Park Renovation	0	0	0
200	5113	Minor Sports Courts Rehabilitation Program	0	0	155,000
202	5116	Pickleball Improvements	0	0	0
204	**New**	**Innovation District Parks and Trails Master Plan**	**0**	**0**	**0**
206	**New**	**Sinnott Park Playground Assessment**	**0**	**0**	**0**
		Subtotal by Funding Source	**0**	**0**	**855,000**
		Total	**$855,000**		

Summary of Project Funding Sources FY 2028-29

Pg.	No.	Project Name	Park Fund	TASP Impact Fees	No Funding Source
172	2005	Delano Manongs Pedestrian Bridge	0	0	0
174	2012	(Rmb) Metro Linear Trails	0	0	0
176	2013	(Rmb) Trade Zone/Montague Park - North	0	0	0
178	2023	Metro Tango Subdistrict Park	0	0	0
180	3424	Citywide Park Rehabilitation	0	0	600,000
182	3463	On-Call Parks and Landscaping Services	0	0	100,000
184	3491	Cardoza Park Softball Fields Improvement	0	0	0
186	3500	ARPA Park Rehabilitation – DPW	0	0	0
188	3501	ARPA Park Rehabilitation – Engineering	0	0	0
190	3505	Sport Center Football Bleacher Replacement	0	0	0
192	5055	Alviso Adobe Renovation	0	0	0
194	5102	Delano Manongs Park	0	0	0
196	5108	Sports Fields Turf Rehabilitation Program	0	0	0
198	5110	Sandalwood Park Renovation	0	0	0
200	5113	Minor Sports Courts Rehabilitation Program	0	0	155,000
202	5116	Pickleball Improvements	0	0	0
204	**New**	**Innovation District Parks and Trails Master Plan**	**0**	**0**	**0**
206	**New**	**Sinnott Park Playground Assessment**	**0**	**0**	**0**
		Subtotal by Funding Source	**0**	**0**	**855,000**
		Total	**$855,000**		

PROJECT NO.
2005

Delano Manongs Pedestrian Bridge

Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Lower Penitencia Channel at Delano Manongs Park
Managing Department:	Public Works - 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 Delano Manongs Park.

Notes

Joint Use Agreement will be required with Santa Clara Valley Water District for the bridge. Funding request in FY2024-25 is for consultant agreements, regulatory permitting coordination and processing, escalating cost of construction, and staff administration. The design and regulatory permitting is anticipated to be completed by winter 2025 in order to start construction by spring 2025. (Not In TADIF)

Uncommitted Balance as of 3/31/2024	Council Approval
$1,200,000	**3/17/2015**

Delano Manongs Pedestrian Bridge

Project No. 2005

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	290,000	100,000	0	0	0	0	390,000
Administration	225,000	100,000	0	0	0	0	325,000
Inspection	150,000	0	0	0	0	0	150,000
Improvements	1,160,000	400,000	0	0	0	0	1,560,000
TOTAL	**$1,825,000**	**$600,000**	**$0**	**$0**	**$0**	**$0**	**$2,425,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Grants/Reimb./ Developer Fees	842,842	0	0	0	0	0	842,842
TASP Impact Fees	982,158	600,000	0	0	0	0	1,582,158
TOTAL	**$1,825,000**	**$600,000**	**$0**	**$0**	**$0**	**$0**	**$2,425,000**

Finance Notes

City Council 3/17/2015 - Project created with budget appropriation of $150k from TASP Impact Fees.
Developer Fees: Contributions include $250k 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 2/5/2019 - 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.

(Rmb) Metro Linear Trails

PROJECT NO.
2012

Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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 south side of Penitence Creek between Montague Expressway and Lundy Place. The City reimbursed Anton Development ($189K) and Lennar Homes ($310k) for trail improvements in June 2022. (TASP ID: DB#41/42)

Uncommitted Balance as of 3/31/2024	Council Approval
$2,770,000	**7/1/2019**

(Rmb) Metro Linear Trails

Project No. 2012

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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**

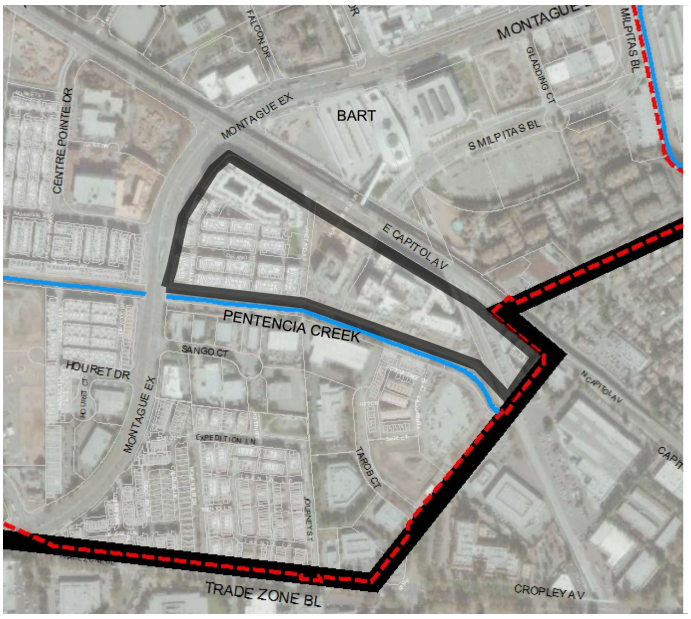
Finance Notes

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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closure
Estimated Schedule	
Design:	—
Construction:	—
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. The developers within the subdistrict have completed the linear park(s) as identified in the Transit Area Specific Plan's BIP. (TASP ID: DB#30)

Uncommitted Balance as of 3/31/2024	Council Approval
$1,977,000	**7/1/2019**

(Rmb) Trade Zone/Montague Park - North

Project No. 2013

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

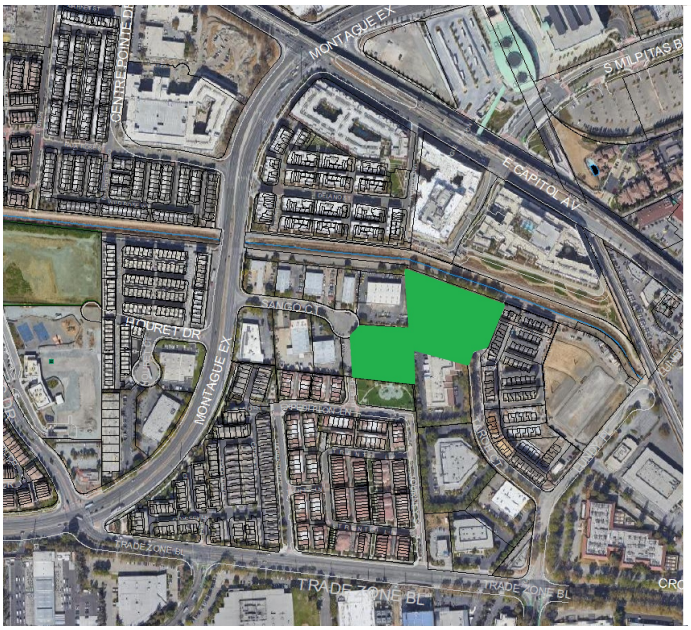
Operating Impact Notes

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.

Close at the end of Fiscal Year: June 30, 2024

PROJECT NO.
2023

Metro Tango Subdistrict Park



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Expedition Lane, Jubilee Dr., Sango Ct. and Tarob Ct.
Managing Department:	Public Works-Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2026
Construction:	2027-2028
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 expand Rapbone Park and be adjacent to Expedition Lane, Jubliee Lane, Sango Court, and Tarob Court. The park may include benches, landscaping and irrigation system, pedestrian pathways, picnic areas, restroom, 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 0.45 acres property on Sango Ct. (APN 86-036-011) to complete the land requirement for the park. The project will be coordinated with the S. Milpitas Blvd. Vehicle Bridge at Penitencia Creek Project (#2016) and Tarob-Geomax 2 Development (Toll Brothers) at 1901 Tarob Ct. to construct the park and road network. On 3/19/2024, City Council approved a consultant agreement to start master planning of the park. Construction is anticipated to start in 2027 after the Sango and S. Milpitas Blvd road extension is completed. (TASP ID: DB#28)

Uncommitted Balance as of 3/31/2024	Council Approval
$154,000	**7/1/2019**

Metro Tango Subdistrict Park

Project No. 2023

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	50,000	0	0	50,000
Improvements	0	0	0	3,500,000	0	0	3,500,000
TOTAL	**$600,000**	**$0**	**$0**	**$3,550,000**	**$0**	**$0**	**$4,150,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
TASP Impact Fees	600,000	0	0	3,550,000	0	0	4,150,000
TOTAL	**$600,000**	**$0**	**$0**	**$3,550,000**	**$0**	**$0**	**$4,150,000**

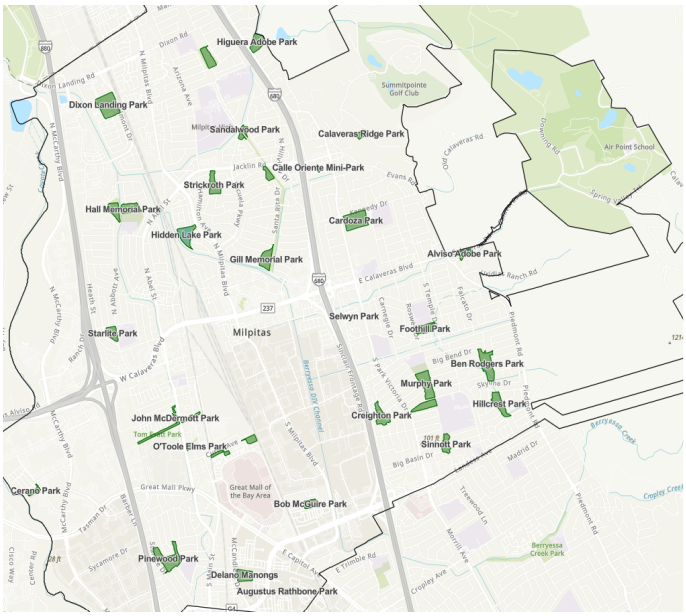
Finance Notes

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.

Citywide Park Rehabilitation

PROJECT NO.
3424



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide Parks
Managing Department:	Public Works - Operations
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 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

In 2022-23, Public Works completed the repairs of the fence at Ed Levin Park and pedestrian bridge at Hall Park. In 2023-24, Public Works completed minor asphalt pathway repairs along the Coyote Creek and Rancho Middle School between Yellowstone Ave. and Sinnott Park, and Engineering completed paver repairs at the picnic areas in Tom Evatt park. Workplan in FY2023-24 is to repair the trails in the Hetch Hetchy right of way between Kevenaire Dr. to Trammway Rd., adjacent to Coyote Creek from approximate Main Lift Station to McCarthy Blvd., and at Strickroth Park; repair fences at Sports Center Complex, Dixon Landing Park and Peter Gill Memorial Park; and continue ongoing replacement of site furnishings and signage, and repairs to play areas at various parks. Funding request in FY2024-25 is for ongoing replacement of site furnishings and signage, and repairs to play areas at various parks.

Uncommitted Balance as of 3/31/2024	Council Approval
$747,000	**7/1/2016**

Citywide Park Rehabilitation

Project No. 3424

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	60,000	0	0	0	0	0	60,000
Inspection	30,000	0	0	0	0	0	30,000
Improvements	2,523,497	50,000	600,000	600,000	600,000	600,000	4,973,497
Equipment	40,000	0	0	0	0	0	40,000
TOTAL	**$2,653,497**	**$50,000**	**$600,000**	**$600,000**	**$600,000**	**$600,000**	**$5,103,497**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	1,350,000	50,000	0	0	0	0	1,400,000
No Funding Source	0	0	600,000	600,000	600,000	600,000	2,400,000
TOTAL	**$2,653,497**	**$50,000**	**$600,000**	**$600,000**	**$600,000**	**$600,000**	**$5,103,497**

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 - Operations
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 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

Funding request in FY2024-25 is for various maintenance and repairs on-call service contracts related to the City's park infrastructure.

Uncommitted Balance as of 3/31/2024	Council Approval
$253,000	**7/1/2020**

On-Call Parks and Landscaping Services

Project No. 3463

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	720,000	0	100,000	100,000	100,000	100,000	1,120,000
TOTAL	**$720,000**	**$0**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$1,120,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Community Facilities District	150,000	0	0	0	0	0	150,000
General Government CIP Fund	470,000	0	0	0	0	0	470,000
Park Fund	100,000	0	0	0	0	0	100,000
No Funding Source	0	0	100,000	100,000	100,000	100,000	400,000
TOTAL	**$720,000**	**$0**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$1,120,000**

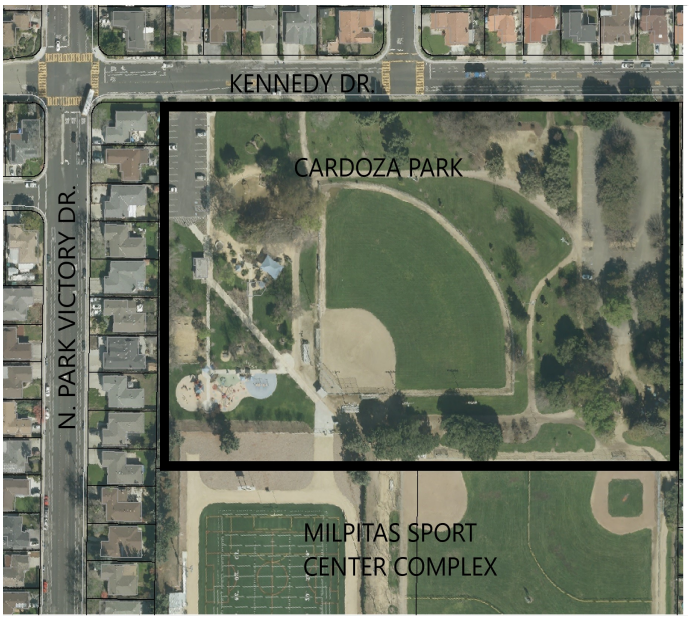
Finance Notes

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.

Cardoza Park Softball Fields Improvement

PROJECT NO.
3491



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Cardoza Park
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2025
Construction:	TBD
Reoccurring Project:	No

Description

This project provides for the design and construction of new softball fields at Cardoza Park. Work may include 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 master planning of the project. A design consultant was selected in fall 2023 and preliminary designs, community outreach, and environmental review under CEQA is anticipated to be completed by the end of 2025. Construction is anticipated to start FY2026-27 pending on available funding and approval of the 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 3/31/2024	Council Approval
$324,000	**7/1/2021**

Cardoza Park Softball Fields Improvement

Project No. 3491

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	650,000	0	0	350,000	0	0	1,000,000
Administration	150,000	0	0	250,000	0	0	400,000
Inspection	0	0	0	100,000	0	0	100,000
Improvements	0	0	0	6,300,000	0	0	6,300,000
TOTAL	**$800,000**	**$0**	**$0**	**$7,000,000**	**$0**	**$0**	**$7,800,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	300,000	0	0	0	0	0	300,000
Park Fund	500,000	0	0	0	0	0	500,000
No Funding Source	0	0	0	7,000,000	0	0	7,000,000
TOTAL	**$800,000**	**$0**	**$0**	**$7,000,000**	**$0**	**$0**	**$7,800,000**

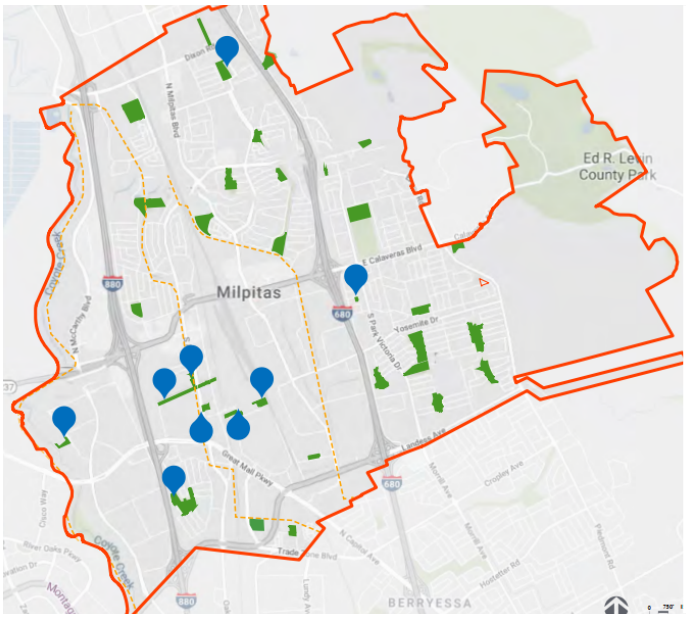
Finance Notes

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:	Various Parks
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
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, Parc Metro Central & East, Pinewood, Selwyn, Sunnyhills Albert Augustine Jr. Memorial, and Tom Evatt parks which was was completed in winter 2024. 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 3/31/2024	Council Approval
$120,000	**8/9/2021**

ARPA Park Rehabilitation – DPW

Project No. 3500

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

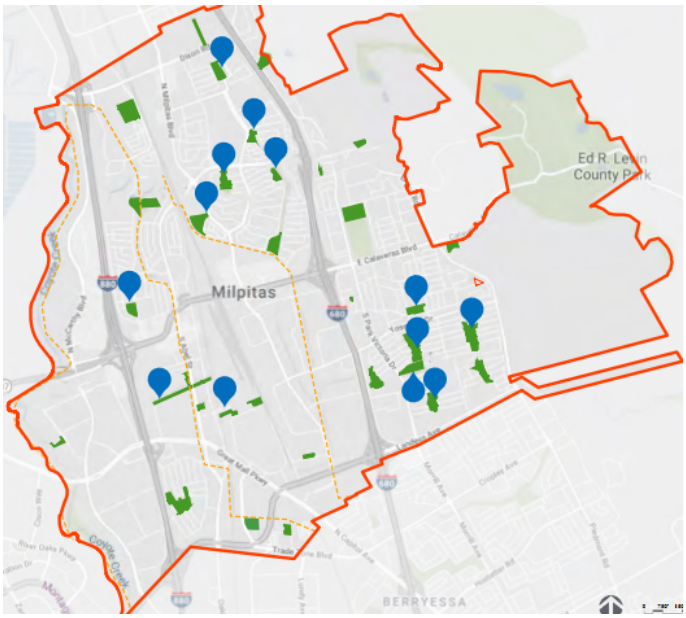
City Council 8/9/2021 - approved American Rescue Plan Act funding of $1.116M for this project.
City Council 12/20/2022 - accepted a Per Capita Grant Fund of $224,543.

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:	Various Parks
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
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, picnic 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. On 4/2/2024, City Council awarded a construction contract to address health and safety repairs and short-term improvements at Ben Rodgers, Foothill, Hidden Lake, Murphy, Oliver Jones, Parc Metro West, Robert E. Browne, Sandalwood, Sinnott, Strickroth, Starlite, Sunnyhills Albert Augustine Jr. Memorial and Tom Evatt parks and approved amendment no. 1 to the design consultant agreement. The project is anticipated to be completed by spring 2025.

Uncommitted Balance as of 3/31/2024	Council Approval
$2,764,000	**8/9/2021**

ARPA Park Rehabilitation – Engineering

Project No. 3501

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 of $3,270,815 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.

PROJECT NO.
3505

Sport Center Football Bleacher Replacement

Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Sport Center Complex
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2024
Construction:	2026-2027
Recurring Project:	No

Description

The project provides for design and construction of the home-side football bleachers at the Sport Center Complex. The bleachers were installed in the 1970s which are 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

Design is underway and is anticipating to be completed by fall 2024. Planned funding request in FY2025-26 is for the construction of the new bleachers and associated site improvements, pending on available funding.

Uncommitted Balance as of 3/31/2024	Council Approval
$24,000	**7/1/2023**

Sport Center Football Bleacher Replacement

Project No. 3505

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	150,000	0	50,000	0	0	0	200,000
Administration	50,000	0	50,000	0	0	0	100,000
Inspection	0	0	50,000	0	0	0	50,000
Improvements	0	0	1,350,000	0	0	0	1,350,000
TOTAL	**$200,000**	**$0**	**$1,500,000**	**$0**	**$0**	**$0**	**$1,700,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Park Fund	200,000	0	0	0	0	0	200,000
No Funding Source	0	0	1,500,000	0	0	0	1,500,000
TOTAL	**$200,000**	**$0**	**$1,500,000**	**$0**	**$0**	**$0**	**$1,700,000**

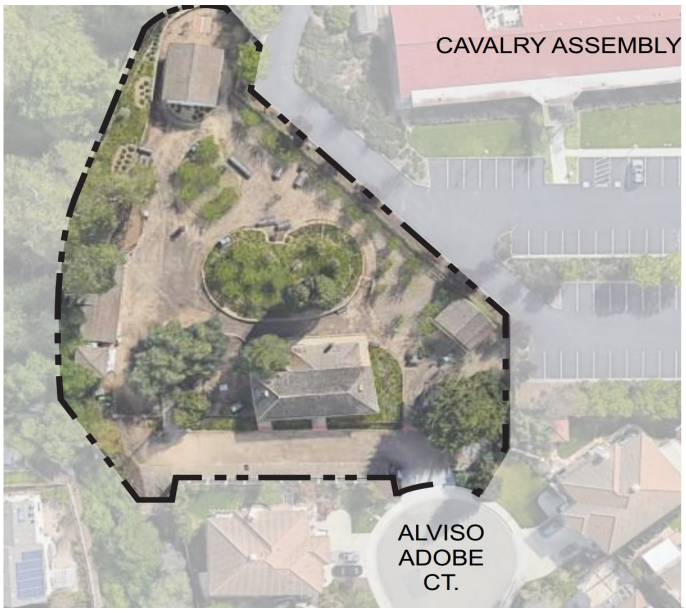
Finance Notes

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.

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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Ph 5C: Construction
Estimated Schedule	
Design:	Completed
Construction:	2024
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 5 completed installation of park amenities, ADA access improvements, seismic upgrades and exterior & interior renovation of the historic Adobe house and outbuilding, and installation of historical exhibits and media in the Adobe house for public tours.

Notes

On 3/7/2023, City Council granted acceptance of historical exhibits and media improvements for public tours. On 3/5/2024, City Council awarded a construction contract to install a HVAC system to control the temperature of the building during public tours and for the audio video system which is anticipated to be completed by fall 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$228,000	**7/1/2002**

Alviso Adobe Renovation

Project No. 5055

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	524,000	0	0	0	0	0	524,000
Administration	315,000	0	0	0	0	0	315,000
Inspection	336,000	0	0	0	0	0	336,000
Improvements	7,127,972	0	0	0	0	0	7,127,972
Others	56,300	0	0	0	0	0	56,300
TOTAL	**$8,359,272**	**$0**	**$0**	**$0**	**$0**	**$0**	**$8,359,272**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	5,888,362	0	0	0	0	0	5,888,362
TOTAL	**$8,359,272**	**$0**	**$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.

Delano Manongs Park

PROJECT NO.
5102

Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	1650 McCandless Drive
Managing Department:	Public Works - 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: 2025-2026
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

On 4/18/2023, the City Council approved the name of “Delano Manongs” for the park. On 5/16/2023, City Council granted acceptance of improvements for Phase 1 which included picnic areas, play areas, small dog play area, fitness stations, community and butterfly gardens, pathways, restroom, utilities, landscaping, and irrigation system. On 6/6/2023, City Council granted acceptance of improvements for the sports field (Phase 2). 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 FY2025-26.

On 9/18/2018, City Council accepted a grant from Santa Clara County's Safe All-Access Playground Grant for the construction of the play areas and 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 play area, butterfly garden, water main relocation, and sport field. On 12/1/2023, the Department of Parks and Recreation's Office of Grants and Local Services selected the project to receive a funding grant through the Land and Water Conservation Fund Program for construction of Phase 3. (TASP ID: DB#22)

Uncommitted Balance as of 3/31/2024	Council Approval
$898,000	**4/7/2015**

Delano Manongs Park

Project No. 5102

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

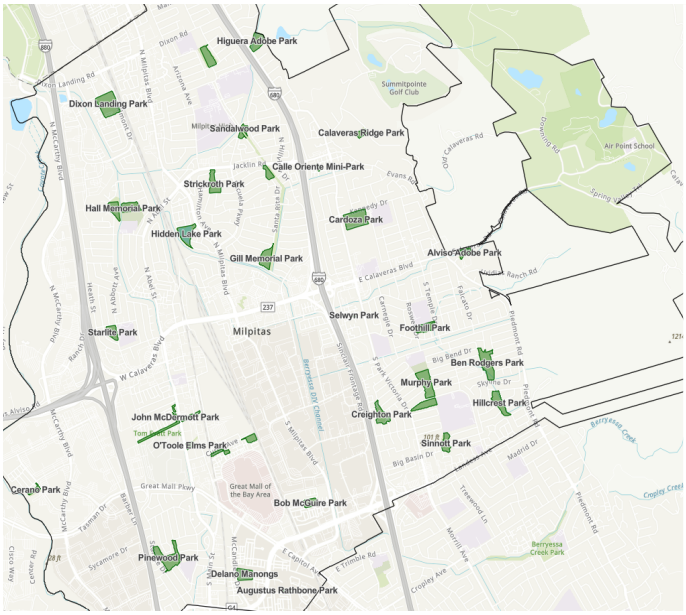
City Council 4/7/15 - Project created with Budget Appropriation of $300k from TASP Impact Fees.
City Council 2/21/17 - Budget Appropriation of $400K from TASP Impact Fees.
City Council 9/18/18 - County Safe All-Access Playground Grant approved for $779,820.
City Council 12/4/18 - Mid-Year Budget Appropriation 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 - Operations
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 rehabilitation and restoration of the City's turf fields. The program addresses deferred maintenance, trip hazards, and over compaction areas 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 FY2023-24 and FY2024-25 is to rehabilitate turfs at Bob McGuire and Robert E. Browne and the soccer fields at Hall Memorial and Murphy parks. Workplan in FY2025-26 and FY2026-27 is to repair the infield and warming track and improve the drainage system of the softball field at Cardoza Park and replace the infields and warming tracks of the playing fields at the Sports Center Complex, Dixon Landing and Peter Gill Memorial parks.

Uncommitted Balance as of 3/31/2024	Council Approval
$615,000	**7/1/2017**

Sports Fields Turf Rehabilitation Program

Project No. 5108

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	85,000	0	0	0	0	0	85,000
Improvements	691,000	0	0	0	0	0	691,000
TOTAL	**$776,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$776,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Midtown Park Fund	425,000	0	0	0	0	0	425,000
Park Fund	351,000	0	0	0	0	0	351,000
TOTAL	**$776,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$776,000**

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.

Sandalwood Park Renovation

PROJECT NO.
5110

Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Escuela Parkway between Russell Lane and Sandalwood Court.
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Design
Estimated Schedule	
Design:	Completed
Construction:	2026-2027
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 play 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 FY2026-27, pending on available funding. Picnic area and pathway improvements will be included in the ARPA Park Rehabilitation - Engineering project (#3501).

Uncommitted Balance as of 3/31/2024	Council Approval
$235,000	**7/1/2015**

Sandalwood Park Renovation

Project No. 5110

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 - Operations
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 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 broads, etc.

Notes

In FY2022-23, Public Works completed the repairs of the basketball and tennis courts posts at Tom Evatt Park; crack repairs and restriping of the tennis and pickleball courts at Hall Park; and replacement of the basketball backboards at Gill Park. In FY2023-24, Public Works completed the resurfacing of the basketball courts at Cerano and Selwyn parks. Workplan in FY2023-24 is to replace the electronic score boards at Dixon Landing Park and Sports Center Complex, and replace windscreens and park rule signage at various parks. Workplan in FY2024-25 is to resurface and/or restrip the tennis courts at Dixon Landing, Hall Memorial, and Robert E. Browne parks. Funding request in FY2024-25 is for minor repairs of amenities such as basketball poles, backboards, hoops, and tennis court fabric netting. The project is only partially funded.

Uncommitted Balance as of 3/31/2024	Council Approval
$236,000	**7/1/2018**

Minor Sports Courts Rehabilitation Program

Project No. 5113

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	85,000	0	0	0	0	0	85,000
Improvements	985,000	130,000	155,000	155,000	155,000	155,000	1,735,000
TOTAL	**$1,070,000**	**$130,000**	**$155,000**	**$155,000**	**$155,000**	**$155,000**	**$1,820,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	457,500	130,000	0	0	0	0	587,500
No Funding Source	0	0	155,000	155,000	155,000	155,000	620,000
TOTAL	**$1,070,000**	**$130,000**	**$155,000**	**$155,000**	**$155,000**	**$155,000**	**$1,820,000**

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.

Pickleball Improvements

PROJECT NO.
5116

Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	TBD
Managing Department:	Recreation & Community/Public Works-Operations
Contact Person:	Renee Lorentzen [3409]/ Christian Di Renzo [2602]
Project Stage:	Planning
Estimated Schedule	
Design:	TBD
Construction:	TBD
Reoccurring Project:	No

Description

This project provides for improvements of permanent pickleball courts at a City park(s). Work may include resurfacing and restriping, permanent and/or temporary netting, striping overlay of existing tennis court, etc.

Notes

On March 15, 2022, City Council approved a Pickleball Pilot Program at Peter Gill Park and Hall Memorial Park which is ongoing. On April 18, 2023, City Council approved reserve funding of $100,000 for future pickleball improvements. Recreation & Community Services will present community feedback and alternative options to the City Council for consideration prior to proceeding with the use of funding.

Uncommitted Balance as of 3/31/2024	Council Approval
$100,000	**7/1/2023**

Pickleball Improvements

Project No. 5116

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	100,000	0	100,000	0	0	0	200,000
TOTAL	**$100,000**	**$0**	**$100,000**	**$0**	**$0**	**$0**	**$200,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Park Fund	100,000	0	0	0	0	0	100,000
No Funding Source	0	0	100,000	0	0	0	100,000
TOTAL	**$100,000**	**$0**	**$100,000**	**$0**	**$0**	**$0**	**$200,000**

Finance Notes

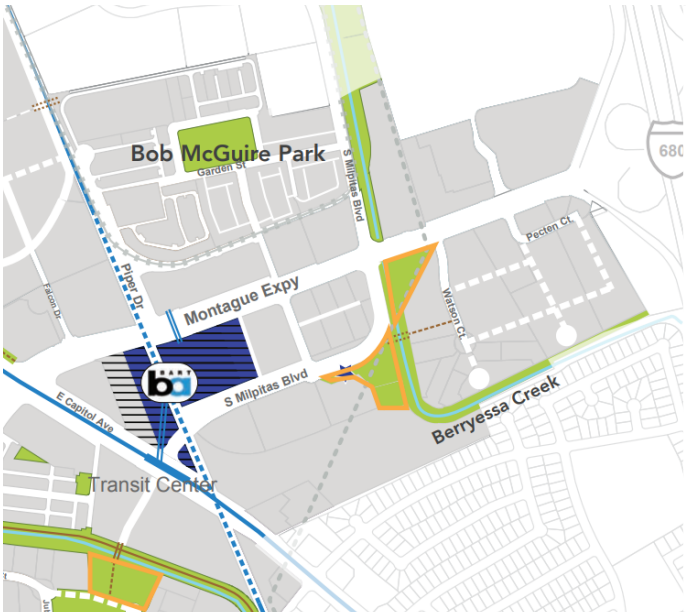
Operating Impact Notes

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.

New

Innovation District Parks and Trails Master Plan



Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Planning
Contact Person:	Jay Lee [3077]/ Lillian VanHua [3073]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2025
Construction:	—
Recurring Project:	No

Description

This project provides for existing conditions analysis, public engagement, and conceptual designs of the proposed open space and trails in the Innovation District as identified in the Metro Specific Plan. The District will be a new center for innovation and applied technology which will include mixed-use, office, R&D, and light industrial development area. Publicly accessible parks and trails are planned adjacent to Berryessa Creek and S. Milpitas Boulevard to provide recreational opportunities for adjacent residential development, visitors, and workers. The project will also reduce vehicle miles traveled by enhancing access to the Milpitas Transit Center via installation of bike lanes along the surrounding streets, and trails and a pedestrian bridge along Berryessa Creek.

Notes

Planning department secured a $200k Priority Development Area (PDA) Planning Grant Program through Metropolitan Transportation Commission (MTC). The master planning is anticipating to start in fall 2024 and be completed in FY2025-26.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Innovation District Parks and Trails Master Plan

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	200,000	0	0	0	0	200,000
TOTAL	**$0**	**$200,000**	**$0**	**$0**	**$0**	**$0**	**$200,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Grants/Reimb./ Developer Fees	0	200,000	0	0	0	0	200,000
TOTAL	**$0**	**$200,000**	**$0**	**$0**	**$0**	**$0**	**$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.

Sinnott Park Playground Assessment

PROJECT NO.

New

Category:	Park Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Located between Butano Dr. and Big Basin Dr.
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Assessment
Estimated Schedule	
Design:	2025
Construction:	TBD
Reoccurring Project:	No

Description

This project provides for the assessment of the play area at Sinnott Park which is 4.7-acre neighborhood park located in the southeastern corner of the City. The park was built in 1967 and expanded in 1970, and the play equipment was replaced in 1991. As specified in the adopted 2021 Parks & Recreation Master Plan, the park's infrastructure is aging and lacks of ADA complaint amenities and play area. The assessment will evaluate the condition of the play area including equipment and surfacing and ADA compliance, and provide a cost analysis for alternatives such as a like-for-like equipment replacement or a complete play area renovation including ADA improvements.

Notes

Funding request in FY2024-25 is for the planning and design to determine a project for construction which is anticipated to start in fall 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2015

Sinnott Park Playground Assessment

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	80,000	0	0	0	0	80,000
Administration	0	20,000	0	0	0	0	20,000
TOTAL	**$0**	**$100,000**	**$0**	**$0**	**$0**	**$0**	**$100,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Park Fund	0	100,000	0	0	0	0	100,000
TOTAL	**$0**	**$100,000**	**$0**	**$0**	**$0**	**$0**	**$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.

STREET IMPROVEMENT PROJECTS

2025-29 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total Cost
222	2001	Light Rail Median Landscaping	5,996,000	0	0	0	0	0	5,996,000
224	2008	Montague Pedestrian Overcrossing at Piper Dr.	8,750,000	0	0	0	0	0	8,750,000
226	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	6,400,000	0	6,300,000	0	0	0	12,700,000
228	2018	Montague Ped. Overcrossing at Penitencia	3,500,000	0	0	0	21,500,000	0	25,000,000
230	2021	Costa Street Plan Line Study	125,000	0	0	0	0	0	125,000
232	3402	McCarthy Blvd. LLMD 95-1 Improvements	1,098,756	75,000	75,000	75,000	75,000	75,000	1,473,756
234	3411	Sinclair LLMD 98-1 Improvements	253,225	23,400	23,400	23,400	23,400	23,400	370,225
236	3425	Main St. Utility Undergrounding	180,613	100,000	500,000	1,500,000	0	0	2,280,613
238	3426	Annual Sidewalk Repair Program	3,286,840	890,000	890,000	890,000	600,000	600,000	7,156,840
240	3430	Main St. Street Light Project	300,000	0	0	2,400,000	350,000	2,050,000	5,100,000
242	3438	Annual Tree Replacement Program	544,000	0	100,000	100,000	100,000	100,000	944,000
244	3440	Streetlight, Signage, Traffic Signal Improvements	2,494,432	1,220,000	1,075,000	980,000	800,000	640,000	7,209,432
246	3449	Park & Street Landscape Irrigation Improvements	806,000	0	320,000	320,000	320,000	320,000	2,086,000
248	3454	Enhanced Crosswalk Striping and Beacons	603,000	0	0	0	0	0	603,000
250	3455	Pilot Street Sweeping Program	700,000	0	0	0	0	0	700,000
252	3458	Radar Speed Feedback Signage	400,000	0	0	0	0	0	400,000
254	3468	Median Conversion Project	300,000	300,000	300,000	300,000	300,000	300,000	1,800,000
256	3493	Milpitas SMART	2,955,916	0	0	0	0	0	2,955,916
258	4258	Calaveras Blvd. Widening Project	5,106,960	0	0	0	0	0	5,106,960
260	4265	BART Extension Coordination and Planning	2,480,956	0	0	0	0	0	2,480,956
262	4267	Soundwall and Barrier Improvements	1,388,466	0	210,000	210,000	210,000	210,000	2,228,466
264	4274	I-880 Interchange Right-of-Way Closeout	727,181	0	0	0	0	0	727,181
266	4283	ADA Curb Ramp Transition Program	2,670,801	400,000	300,000	300,000	300,000	300,000	4,270,801
268	4288	Traffic Studies & Safety Improvements	200,000	420,000	150,000	150,000	150,000	150,000	1,220,000
270	4290	City Bridge Improvements	250,000	0	460,000	150,000	150,000	150,000	1,160,000
272	4293	Citywide Traffic Safety Assessment	400,000	0	0	0	0	0	400,000
274	4294	SR237 HOV Lane Improvements	300,000	0	0	0	0	0	300,000

2025-29 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total Cost
276	4295	Street Pavement Restriping Program	600,000	300,000	300,000	300,000	300,000	300,000	2,100,000
278	4297	Citywide Traffic Modeling	400,000	0	0	0	0	0	400,000
280	4299	Bicycle Improvement Project	1,000,000	0	0	0	0	0	1,000,000
282	4303	Street Resurfacing Project 2021-22	4,337,276	0	0	0	0	0	4,337,276
284	4304	Street Resurfacing Project 2022-23	4,334,325	0	0	0	0	0	4,334,325
286	4305	Street Resurfacing Project 2023-24	4,000,000	0	0	0	0	0	4,000,000
288	4306	Bike and Pedestrian Outreach	129,000	0	0	0	0	0	129,000
290	Plan	Street Resurfacing Project 2024-25	0	4,597,562	0	0	0	0	4,597,562
292	Plan	Street Resurfacing Project 2025-26	0	0	4,400,000	0	0	0	4,400,000
294	Plan	Street Resurfacing Project 2026-27	0	0	0	4,400,000	0	0	4,400,000
296	Plan	Street Resurfacing Project 2027-28	0	0	0	0	4,400,000	0	4,400,000
298	New	Street Resurfacing Project 2028-29	0	0	0	0	0	4,400,000	4,400,000
300	New	Hammond Way Street Light Project	0	100,000	400,000	0	0	0	500,000
302	New	Calaveras Road Landslide Repair	0	500,000	0	0	0	0	500,000
		Total Cost	**$67,018,747**	**$8,925,962**	**$15,803,400**	**$12,098,400**	**$29,578,400**	**$9,618,400**	**$143,043,309**

Funding Summary

Gas Tax Fund	2,730,000	3,095,000	2,690,000	2,220,000	2,060,000
General Government CIP Fund	400,000	0	0	0	0
LLMD	98,400	98,400	98,400	98,400	98,400
Measure B	2,097,562	1,900,000	1,900,000	1,900,000	1,900,000
SB1 RMRA	2,000,000	2,000,000	2,000,000	2,000,000	2,000,000
Street Improvement Fund	1,020,000	0	0	0	0
TDA Article III	80,000	80,000	80,000	80,000	80,000
TASP Impact Fees	0	6,300,000	0	0	0
Vehicle Registration Fee	500,000	500,000	500,000	500,000	500,000
Total Financing Available	**8,925,962**	**13,973,400**	**7,268,400**	**6,798,400**	**6,638,400**
No Funding Source	0	1,830,000	4,830,000	22,780,000	2,980,000
Total	**$8,925,962**	**$15,803,400**	**$12,098,400**	**$29,578,400**	**$9,618,400**

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	Gas Tax Fund	General Government CIP Fund	LLMD
222	2001	Light Rail Median Landscaping	0	0	0
224	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0	0
226	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0	0
228	2018	Montague Ped. Overcrossing at Penitencia	0	0	0
230	2021	Costa Street Plan Line Study	0	0	0
232	3402	McCarthy Blvd. LLMD 95-1 Improvements	0	0	75,000
234	3411	Sinclair LLMD 98-1 Improvements	0	0	23,400
236	3425	Main St. Utility Undergrounding	0	100,000	0
238	3426	Annual Sidewalk Repair Program	890,000	0	0
240	3430	Main St. Street Light Project	0	0	0
242	3438	Annual Tree Replacement Program	0	0	0
244	3440	Streetlight, Signage, Traffic Signal Improvements	1,220,000	0	0
246	3449	Park & Street Landscape Irrigation Improvements	0	0	0
248	3454	Enhanced Crosswalk Striping and Beacons	0	0	0
250	3455	Pilot Street Sweeping Program	0	0	0
252	3458	Radar Speed Feedback Signage	0	0	0
254	3468	Median Conversion Project	0	300,000	0
256	3493	Milpitas SMART	0	0	0
258	4258	Calaveras Blvd. Widening Project	0	0	0
260	4265	BART Extension Coordination and Planning	0	0	0
262	4267	Soundwall and Barrier Improvements	0	0	0
264	4274	I-880 Interchange Right-of-Way Closeout	0	0	0
266	4283	ADA Curb Ramp Transition Program	320,000	0	0
268	4288	Traffic Studies & Safety Improvements	0	0	0
270	4290	City Bridge Improvements	0	0	0
272	4293	Citywide Traffic Safety Assessment	0	0	0
274	4294	SR237 HOV Lane Improvements	0	0	0
276	4295	Street Pavement Restriping Program	300,000	0	0
278	4297	Citywide Traffic Modeling	0	0	0
280	4299	Bicycle Improvement Project	0	0	0
282	4303	Street Resurfacing Project 2021-22	0	0	0
284	4304	Street Resurfacing Project 2022-23	0	0	0
286	4305	Street Resurfacing Project 2023-24	0	0	0
288	4306	Bike and Pedestrian Outreach	0	0	0
290	Plan	Street Resurfacing Project 2024-25	0	0	0
292	Plan	Street Resurfacing Project 2025-26	0	0	0
294	Plan	Street Resurfacing Project 2026-27	0	0	0
296	Plan	Street Resurfacing Project 2027-28	0	0	0
298	**New**	**Street Resurfacing Project 2028-29**	**0**	**0**	**0**
300	**New**	**Hammond Way Street Light Project**	**0**	**0**	**0**
302	**New**	**Calaveras Road Landslide Repair**	0	0	0
		Subtotal by Funding Source	**2,730,000**	**400,000**	**98,400**
		Total	**$8,925,962**		

Summary of Project Funding Sources FY 2024-25

Measure B	SB1 RMRA	Street Improvement Fund	TDA Article III	Vehicle Registration Fee
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	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	0	0	0
0	0	0	0	0
0	0	0	80,000	0
0	0	420,000	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
2,097,562	2,000,000	0	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**	**100,000**	**0**	**0**
0	**0**	**500,000**	**0**	**0**
2,097,562	**2,000,000**	**1,020,000**	**80,000**	**500,000**

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	Gas Tax Fund	LLMD	Measure B
222	2001	Light Rail Median Landscaping	0	0	0
224	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0	0
226	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0	0
228	2018	Montague Ped. Overcrossing at Penitencia	0	0	0
230	2021	Costa Street Plan Line Study	0	0	0
232	3402	McCarthy Blvd. LLMD 95-1 Improvements	0	75,000	0
234	3411	Sinclair LLMD 98-1 Improvements	0	23,400	0
236	3425	Main St. Utility Undergrounding	0	0	0
238	3426	Annual Sidewalk Repair Program	890,000	0	0
240	3430	Main St. Street Light Project	0	0	0
242	3438	Annual Tree Replacement Program	0	0	0
244	3440	Streetlight, Signage, Traffic Signal Improvements	1,075,000	0	0
246	3449	Park & Street Landscape Irrigation Improvements	0	0	0
248	3454	Enhanced Crosswalk Striping and Beacons	0	0	0
250	3455	Pilot Street Sweeping Program	0	0	0
252	3458	Radar Speed Feedback Signage	0	0	0
254	3468	Median Conversion Project	0	0	0
256	3493	Milpitas SMART	0	0	0
258	4258	Calaveras Blvd. Widening Project	0	0	0
260	4265	BART Extension Coordination and Planning	0	0	0
262	4267	Soundwall and Barrier Improvements	0	0	0
264	4274	I-880 Interchange Right-of-Way Closeout	0	0	0
266	4283	ADA Curb Ramp Transition Program	220,000	0	0
268	4288	Traffic Studies & Safety Improvements	150,000	0	0
270	4290	City Bridge Improvements	460,000	0	0
272	4293	Citywide Traffic Safety Assessment	0	0	0
274	4294	SR237 HOV Lane Improvements	0	0	0
276	4295	Street Pavement Restriping Program	300,000	0	0
278	4297	Citywide Traffic Modeling	0	0	0
280	4299	Bicycle Improvement Project	0	0	0
282	4303	Street Resurfacing Project 2021-22	0	0	0
284	4304	Street Resurfacing Project 2022-23	0	0	0
286	4305	Street Resurfacing Project 2023-24	0	0	0
288	4306	Bike and Pedestrian Outreach	0	0	0
290	Plan	Street Resurfacing Project 2024-25	0	0	0
292	Plan	Street Resurfacing Project 2025-26	0	0	1,900,000
294	Plan	Street Resurfacing Project 2026-27	0	0	0
296	Plan	Street Resurfacing Project 2027-28	0	0	0
298	**New**	**Street Resurfacing Project 2028-29**	**0**	**0**	0
300	**New**	**Hammond Way Street Light Project**	**0**	**0**	**0**
302	**New**	**Calaveras Road Landslide Repair**	0	0	0
		Subtotal by Funding Source	**3,095,000**	**98,400**	**1,900,000**
		Total	**$15,803,400**		

Summary of Project Funding Sources FY 2025-26

SB1 RMRA	TDA Article III	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	500,000
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	320,000
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	210,000
0	0	0	0	0
0	80,000	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
2,000,000	0	0	500,000	0
0	0	0	0	0
0	0	0	0	0
0	**0**	**0**	**0**	**0**
0	**0**	**0**	**0**	**400,000**
0	**0**	**0**	**0**	**0**
2,000,000	**80,000**	**6,300,000**	**500,000**	**1,830,000**

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	Gas Tax Fund	LLMD
222	2001	Light Rail Median Landscaping	0	0
224	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0
226	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0
228	2018	Montague Ped. Overcrossing at Penitencia	0	0
230	2021	Costa Street Plan Line Study	0	0
232	3402	McCarthy Blvd. LLMD 95-1 Improvements	0	75,000
234	3411	Sinclair LLMD 98-1 Improvements	0	23,400
236	3425	Main St. Utility Undergrounding	0	0
238	3426	Annual Sidewalk Repair Program	890,000	0
240	3430	Main St. Street Light Project	0	0
242	3438	Annual Tree Replacement Program	0	0
244	3440	Streetlight, Signage, Traffic Signal Improvements	980,000	0
246	3449	Park & Street Landscape Irrigation Improvements	0	0
248	3454	Enhanced Crosswalk Striping and Beacons	0	0
250	3455	Pilot Street Sweeping Program	0	0
252	3458	Radar Speed Feedback Signage	0	0
254	3468	Median Conversion Project	0	0
256	3493	Milpitas SMART	0	0
258	4258	Calaveras Blvd. Widening Project	0	0
260	4265	BART Extension Coordination and Planning	0	0
262	4267	Soundwall and Barrier Improvements	0	0
264	4274	I-880 Interchange Right-of-Way Closeout	0	0
266	4283	ADA Curb Ramp Transition Program	220,000	0
268	4288	Traffic Studies & Safety Improvements	150,000	0
270	4290	City Bridge Improvements	150,000	0
272	4293	Citywide Traffic Safety Assessment	0	0
274	4294	SR237 HOV Lane Improvements	0	0
276	4295	Street Pavement Restriping Program	300,000	0
278	4297	Citywide Traffic Modeling	0	0
280	4299	Bicycle Improvement Project	0	0
282	4303	Street Resurfacing Project 2021-22	0	0
284	4304	Street Resurfacing Project 2022-23	0	0
286	4305	Street Resurfacing Project 2023-24	0	0
288	4306	Bike and Pedestrian Outreach	0	0
290	Plan	Street Resurfacing Project 2024-25	0	0
292	Plan	Street Resurfacing Project 2025-26	0	0
294	Plan	Street Resurfacing Project 2026-27	0	0
296	Plan	Street Resurfacing Project 2027-28	0	0
298	**New**	**Street Resurfacing Project 2028-29**	**0**	**0**
300	**New**	**Hammond Way Street Light Project**	**0**	**0**
302	**New**	**Calaveras Road Landslide Repair**	0	0
		Subtotal by Funding Source	**2,690,000**	**98,400**
		Total	**$12,098,400**	

Summary of Project Funding Sources FY 2026-27

Measure B	SB1 RMRA	TDA Article III	Vehicle Registration Fee	No Funding Source
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	1,500,000
0	0	0	0	0
0	0	0	0	2,400,000
0	0	0	0	100,000
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	300,000
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	80,000	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
1,900,000	2,000,000	0	500,000	0
0	0	0	0	0
0	**0**	**0**	**0**	**0**
0	**0**	**0**	**0**	**0**
0	**0**	**0**	**0**	**0**
1,900,000	**2,000,000**	**80,000**	**500,000**	**4,830,000**

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	Gas Tax Fund	LLMD
222	2001	Light Rail Median Landscaping	0	0
224	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0
226	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0
228	2018	Montague Ped. Overcrossing at Penitencia	0	0
230	2021	Costa Street Plan Line Study	0	0
232	3402	McCarthy Blvd. LLMD 95-1 Improvements	0	75,000
234	3411	Sinclair LLMD 98-1 Improvements	0	23,400
236	3425	Main St. Utility Undergrounding	0	0
238	3426	Annual Sidewalk Repair Program	600,000	0
240	3430	Main St. Street Light Project	0	0
242	3438	Annual Tree Replacement Program	0	0
244	3440	Streetlight, Signage, Traffic Signal Improvements	800,000	0
246	3449	Park & Street Landscape Irrigation Improvements	0	0
248	3454	Enhanced Crosswalk Striping and Beacons	0	0
250	3455	Pilot Street Sweeping Program	0	0
252	3458	Radar Speed Feedback Signage	0	0
254	3468	Median Conversion Project	0	0
256	3493	Milpitas SMART	0	0
258	4258	Calaveras Blvd. Widening Project	0	0
260	4265	BART Extension Coordination and Planning	0	0
262	4267	Soundwall and Barrier Improvements	0	0
264	4274	I-880 Interchange Right-of-Way Closeout	0	0
266	4283	ADA Curb Ramp Transition Program	220,000	0
268	4288	Traffic Studies & Safety Improvements	150,000	0
270	4290	City Bridge Improvements	150,000	0
272	4293	Citywide Traffic Safety Assessment	0	0
274	4294	SR237 HOV Lane Improvements	0	0
276	4295	Street Pavement Restriping Program	300,000	0
278	4297	Citywide Traffic Modeling	0	0
280	4299	Bicycle Improvement Project	0	0
282	4303	Street Resurfacing Project 2021-22	0	0
284	4304	Street Resurfacing Project 2022-23	0	0
286	4305	Street Resurfacing Project 2023-24	0	0
288	4306	Bike and Pedestrian Outreach	0	0
290	Plan	Street Resurfacing Project 2024-25	0	0
292	Plan	Street Resurfacing Project 2025-26	0	0
294	Plan	Street Resurfacing Project 2026-27	0	0
296	Plan	Street Resurfacing Project 2027-28	0	0
298	**New**	**Street Resurfacing Project 2028-29**	**0**	**0**
300	**New**	**Hammond Way Street Light Project**	**0**	**0**
302	**New**	**Calaveras Road Landslide Repair**	**0**	**0**
		Subtotal by Funding Source	**2,220,000**	**98,400**
		Total	**$29,578,400**	

Summary of Project Funding Sources FY 2027-28

Measure B	SB1 RMRA	TDA Article III	Vehicle Registration Fee	No Funding Source
0	0	0	0	0
0	0	0	0	0
0	0	0	0	0
0	0	0	0	21,500,000
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	0	0	0	350,000
0	0	0	0	100,000
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	300,000
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	80,000	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	0
1,900,000	2,000,000	0	500,000	0
0	**0**	**0**	**0**	**0**
0	**0**	**0**	**0**	**0**
0	**0**	**0**	**0**	**0**
1,900,000	**2,000,000**	**80,000**	**500,000**	**22,780,000**

Summary of Project Funding Sources FY 2028-29

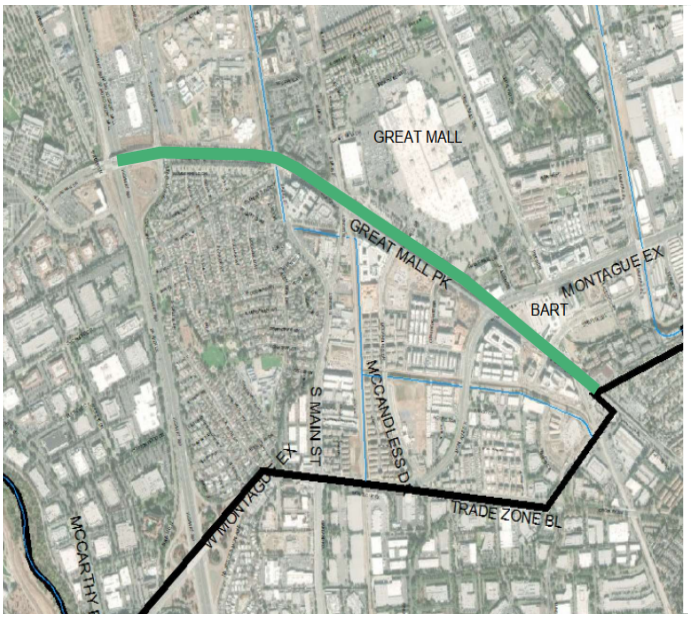
Pg.	No.	Project Name	Gas Tax Fund	LLMD
222	2001	Light Rail Median Landscaping	0	0
224	2008	Montague Pedestrian Overcrossing at Piper Dr.	0	0
226	2016	S. Milpitas Blvd. Vehicle Bridge at Penitencia	0	0
228	2018	Montague Ped. Overcrossing at Penitencia	0	0
230	2021	Costa Street Plan Line Study	0	0
232	3402	McCarthy Blvd. LLMD 95-1 Improvements	0	75,000
234	3411	Sinclair LLMD 98-1 Improvements	0	23,400
236	3425	Main St. Utility Undergrounding	0	0
238	3426	Annual Sidewalk Repair Program	600,000	0
240	3430	Main St. Street Light Project	0	0
242	3438	Annual Tree Replacement Program	0	0
244	3440	Streetlight, Signage, Traffic Signal Improvements	640,000	0
246	3449	Park & Street Landscape Irrigation Improvements	0	0
248	3454	Enhanced Crosswalk Striping and Beacons	0	0
250	3455	Pilot Street Sweeping Program	0	0
252	3458	Radar Speed Feedback Signage	0	0
254	3468	Median Conversion Project	0	0
256	3493	Milpitas SMART	0	0
258	4258	Calaveras Blvd. Widening Project	0	0
260	4265	BART Extension Coordination and Planning	0	0
262	4267	Soundwall and Barrier Improvements	0	0
264	4274	I-880 Interchange Right-of-Way Closeout	0	0
266	4283	ADA Curb Ramp Transition Program	220,000	0
268	4288	Traffic Studies & Safety Improvements	150,000	0
270	4290	City Bridge Improvements	150,000	0
272	4293	Citywide Traffic Safety Assessment	0	0
274	4294	SR237 HOV Lane Improvements	0	0
276	4295	Street Pavement Restriping Program	300,000	0
278	4297	Citywide Traffic Modeling	0	0
280	4299	Bicycle Improvement Project	0	0
282	4303	Street Resurfacing Project 2021-22	0	0
284	4304	Street Resurfacing Project 2022-23	0	0
286	4305	Street Resurfacing Project 2023-24	0	0
288	4306	Bike and Pedestrian Outreach	0	0
290	Plan	Street Resurfacing Project 2024-25	0	0
292	Plan	Street Resurfacing Project 2025-26	0	0
294	Plan	Street Resurfacing Project 2026-27	0	0
296	Plan	Street Resurfacing Project 2027-28	0	0
298	**New**	**Street Resurfacing Project 2028-29**	**0**	**0**
300	**New**	**Hammond Way Street Light Project**	**0**	**0**
302	**New**	**Calaveras Road Landslide Repair**	**0**	**0**
		Subtotal by Funding Source	**2,060,000**	**98,400**
		Total	**$9,618,400**	

Summary of Project Funding Sources FY 2028-29

Measure B	SB1 RMRA	TDA Article III	Vehicle Registration Fee	No Funding Source
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	2,050,000
0	0	0	0	100,000
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	300,000
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	80,000	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	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
1,900,000	**2,000,000**	**0**	**500,000**	**0**
0	**0**	**0**	**0**	**0**
0	**0**	**0**	**0**	**0**
1,900,000	**2,000,000**	**80,000**	**500,000**	**2,980,000**

Light Rail Median Landscaping

PROJECT NO.
2001



Category:	Street Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Great Mall Parkway
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
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 N. Capital Ave. from I-880 to the southern City limits. There are eight median islands under the Light Rail Train viaduct structure that will be landscaped and irrigated by recycled water (which was part of a cooperative agreement with the Santa Clara Valley Transportation Authority). The project also included the construction of a recycled water main line along Great Mall Parkway for development in the Metro Specific Plan.

Notes

The recycle water main project along Great Mall Parkway was completed in 2012. Six of the eight medians, north of Montague Expressway, were completed in 2018. The 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 revaluated after the adoption of Milpitas Metro Specific Plan Update (#2006), Metro Impact Nexus Study (#3469) and completion of median landscape standards (#3468). (TASP ID: DB#5)

Uncommitted Balance as of 3/31/2024	Council Approval
$2,049,000	**7/1/2015**

Light Rail Median Landscaping

Project No. 2001

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 11/15/2011 - 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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closeout
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

On 8/5/2021, City Council granted acceptance for Pedestrian Overcrossing. (TASP ID: DB#7)

Uncommitted Balance as of 3/31/2024	Council Approval
$904,000	**7/1/2019**

Montague Pedestrian Overcrossing at Piper Dr.

Project No. 2008

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

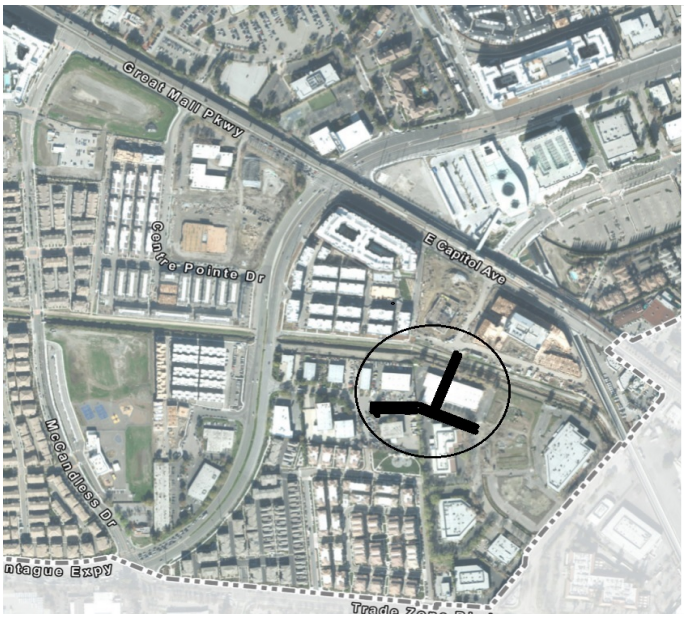
Transit Performance Initiative (TPI) Grant of $2.7M.
One Bay Area (OBAG) Cycle 2 Grant of $7.0M.
City Council 4/04/2017 – Mid-Year Budget Appropriation of $1.5M from TASP Impact Fees.
VTA and the City entered into an agreement for VTA to administer the project under the VTA/Milpitas Master Agreement 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:	Public Works - 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 safe and convenient bicycle, pedestrian, and vehicular connectivity between Metro's residential neighborhoods, parks, and schools; Milpitas BART Station, and The Great Mall.

Notes

The project includes the architectural enhancement of the vehicular bridge, demolition of the building and site at 1831 Tarob Court; potential purchase of land on 1901 Tarob Ct. and 0.45 acres property on Sango Ct. (APN 86-036-011) to complete the road network; and reimbursement to Lennar Homes for the design documents of the vehicular bridge. On 6/20/2023, City Council approved the fee reimbursement agreement with Sango Court L.P. of $445k for constructing portion of the road network between Sango Ct. and Tarob Ct. along the frontage of 355 Sango project.

On 6/2024, City Council approved the conceptual design of the bridge and road network, and adopted Initial Study/Mitigated Negative Declaration under CEQA. Workplan in FY2023-24 and FY2024-25 is to continue project administration, CEQA and NEPA clearances, permitting process and design. Construction is anticipated to start spring 2026 pending the approval of the joint use agreement with Valley Water, right-of-way acquisition, permits from regulatory agencies, and development of 1901 Tarob Ct.

The project was awarded $3 million earmarked from the Federal Community Project Funding as part of the federal appropriations package signed by the President on March 11, 2022. The City must obligate the funds by 9/30/2025 and request reimbursement for expenditures by 9/30/2030. (TASP ID: DB#9)

Uncommitted Balance as of 3/31/2024	Council Approval
$3,127,000	**7/1/2019**

S. Milpitas Blvd. Vehicle Bridge at Penitencia

Project No. 2016

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	1,200,000	0	800,000	0	0	0	2,000,000
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	5,400,000	0	0	0	6,400,000
TOTAL	**$6,400,000**	**$0**	**$6,300,000**	**$0**	**$0**	**$0**	**$12,700,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Montague Ped. Overcrossing at Penitencia

PROJECT NO.
2018

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Montague Expressway at Penitencia Creek
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Design
Estimated Schedule	
Design:	2021-2024
Construction:	TBD
Recurring Project:	No

Description

This project provides for the design and construction of a pedestrian overcrossing (POC) over Montague Expressway adjacent to east of Penitencia Creek channel. The POC is part of the Metro Area Specific Plan circulation infrastructure plan to provide safe and convenient bicycle, pedestrian, and vehicular connectivity between Metro's residential neighborhoods, parks, and schools; Milpitas BART Station, and The Great Mall.

Notes

The project includes design and installation of architectural enhancements, reimbursement to Lennar Homes for the design documents, undergrounding of PG&E overhead fiber optic wires in conflict, and retaining a consultant to manage the construction.

Engineering completed environmental review under CEQA in 2021 and will circulate it for public review prior to construction. Construction is anticipated to between 2026 to 2028 pending on available funding, permits from regulatory agencies, etc. Workplan in FY2023-24 is to continue administration, design, and permitting. PG&E completed undergrounding of overhead facilities in summer 2024. (TASP ID: DB#7)

Uncommitted Balance as of 3/31/2024	Council Approval
$1,121,000	**7/1/2016**

Montague Ped. Overcrossing at Penitencia

Project No. 2018

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	2,000,000	0	0	0	500,000	0	2,500,000
Administration	500,000	0	0	0	1,500,000	0	2,000,000
Inspection	0	0	0	0	300,000	0	300,000
Improvements	1,000,000	0	0	0	19,200,000	0	20,200,000
TOTAL	**$3,500,000**	**$0**	**$0**	**$0**	**$21,500,000**	**$0**	**$25,000,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
TASP Impact Fees	3,500,000	0	0	0	0	0	3,500,000
No Funding Source	0	0	0	0	21,500,000	0	21,500,000
TOTAL	**$3,500,000**	**$0**	**$0**	**$0**	**$21,500,000**	**$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.

Costa Street Plan Line Study

PROJECT NO.
2021

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Costa Street
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closure
Estimated Schedule	
Design:	2022-2024
Construction:	—
Recurring Project:	No

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 extension of Costa Street was deemed to be infeasible due to entitled developments. (Not in TADIF)

Uncommitted Balance as of 3/31/2024	Council Approval
$125,000	**7/1/2019**

Costa Street Plan Line Study

Project No. 2021

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Close at the end of Fiscal Year: June 30, 2024

PROJECT NO.
3402

McCarthy Blvd. LLMD 95-1 Improvements

Category:	Street Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	McCarthy Blvd. and Ranch Drive
Managing Department:	Public Works - Operations
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 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.

Notes

Funding request in FY2024-25 is the annual contribution. Workplan in FY23-24 and FY24-25 is to replace the irrigation controllers, improve and upgrade the irrigation system, and removal and replanting of decaying vegetation.

Uncommitted Balance as of 3/31/2024	Council Approval
$433,000	**7/1/2011**

McCarthy Blvd. LLMD 95-1 Improvements

Project No. 3402

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	905,756	75,000	75,000	75,000	75,000	75,000	1,280,756
TOTAL	**$1,098,756**	**$75,000**	**$75,000**	**$75,000**	**$75,000**	**$75,000**	**$1,473,756**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
LLMD	1,098,756	75,000	75,000	75,000	75,000	75,000	1,473,756
TOTAL	**$1,098,756**	**$75,000**	**$75,000**	**$75,000**	**$75,000**	**$75,000**	**$1,473,756**

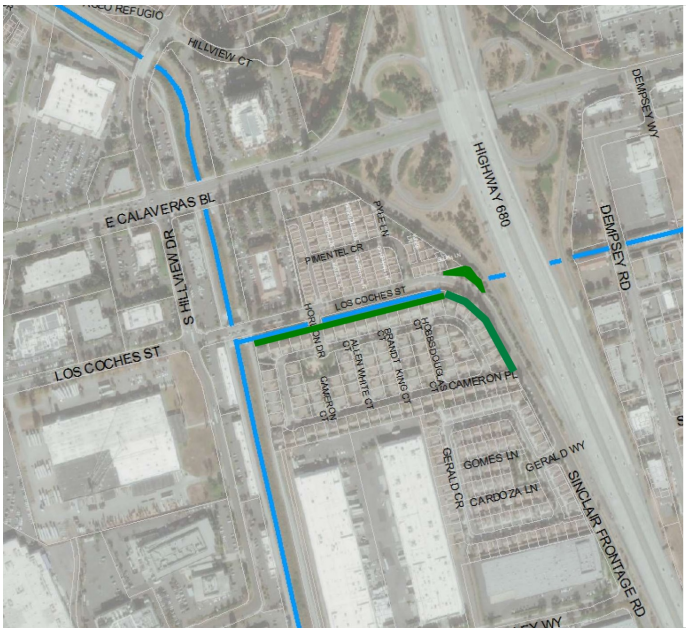
Finance Notes

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.

Sinclair LLMD 98-1 Improvements

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 - Operations
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 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

Funding request in FY2024-25 is the annual contribution. Workplan in FY23-24 and FY24-25 is to replace the irrigation controller, improve and upgrade the irrigation system, and removal and replanting of decaying vegetation.

Uncommitted Balance as of 3/31/2024	Council Approval
$98,000	**7/1/2013**

Sinclair LLMD 98-1 Improvements

Project No. 3411

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	139,100	23,400	23,400	23,400	23,400	23,400	256,100
TOTAL	**$253,225**	**$23,400**	**$23,400**	**$23,400**	**$23,400**	**$23,400**	**$370,225**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Grants/Reimb./ Developer Fees	85,750	0	0	0	0	0	85,750
LLMD	167,475	23,400	23,400	23,400	23,400	23,400	284,475
TOTAL	**$253,225**	**$23,400**	**$23,400**	**$23,400**	**$23,400**	**$23,400**	**$370,225**

Finance Notes

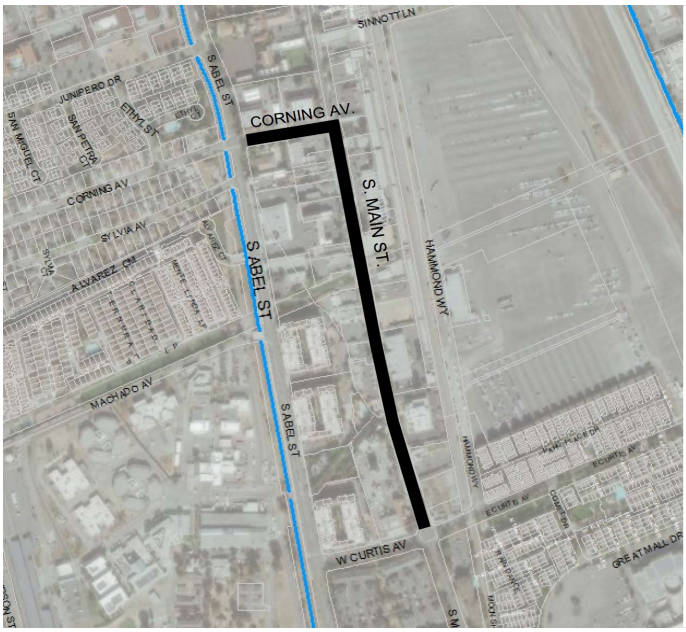
City Council 9/15/2020 - Approved settlement agreement of $86,125 reimbursement from Valley Water District Kuskokwin Corporation, and Suulutaaq. Inc. for landscape repairs.
City Council 2/16/2021 - Mid-Year Budget Appropriation of $86,125 reimbursement into the project.
City Council 2/21/2023 - Mid-Year 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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Design
Estimated Schedule	
Design:	2024-2026
Construction:	2026-2027
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 12/31/2023, 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.

Funding request in FY2024-25 is for retaining a consultant to acquire and negotiate easements for necessary improvements. Planned funding request in FY2025-26 is for easement acquisition and in FY2026-27 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 3/31/2024	Council Approval
$35,000	**5/11/2015**

Main St. Utility Undergrounding

Project No. 3425

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	130,613	0	0	0	0	0	130,613
Administration	50,000	100,000	0	100,000	0	0	250,000
Land	0	0	500,000	0	0	0	500,000
Improvements	0	0	0	1,400,000	0	0	1,400,000
TOTAL	**$180,613**	**$100,000**	**$500,000**	**$1,500,000**	**$0**	**$0**	**$2,280,613**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	180,613	100,000	0	0	0	0	280,613
No Funding Source	0	0	500,000	1,500,000	0	0	2,000,000
TOTAL	**$180,613**	**$100,000**	**$500,000**	**$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 Repair Program

PROJECT NO.
3426

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works - Operations
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 repairs and replacement of citywide sidewalks, curb & gutter and curb ramps to address safety and trip hazards that may be caused by settlement, tree roots, and drainage issues. Prioritization of repairs and replacement are based on service requests from the public and suggested routes to school which will minimize the City's risk and liability.

Notes

Public Works completed repairs and replacement of greater than 2" at 125 locations in fall 2022 and 50 locations in spring 2023, and 600 panels of less than 2" in Fall 2023 along routes to school. Workplan in FY2023-24 includes the assessment of sidewalk trip hazards along routes to school and the annual repair and replacement contract. On 2/6/2024, City Council awarded a construction contract for sidewalk repairs and replacement at 110 locations which is anticipated to be completed by Fall 2024. Funding request in FY 2024-25 is to continue the assessment of sidewalk trip hazards along routes to school, the annual repair and replacement contract, and on-call service repair contracts.

Uncommitted Balance as of 3/31/2024	Council Approval
$278,000	**7/1/2016**

Annual Sidewalk Repair Program

Project No. 3426

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	115,184	0	0	0	0	0	115,184
Improvements	3,171,656	890,000	890,000	890,000	600,000	600,000	7,041,656
TOTAL	**$3,286,840**	**$890,000**	**$890,000**	**$890,000**	**$600,000**	**$600,000**	**$7,156,840**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Gas Tax Fund	2,119,605	890,000	890,000	890,000	600,000	600,000	5,989,605
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
TOTAL	**$3,286,840**	**$890,000**	**$890,000**	**$890,000**	**$600,000**	**$600,000**	**$7,156,840**

Finance Notes

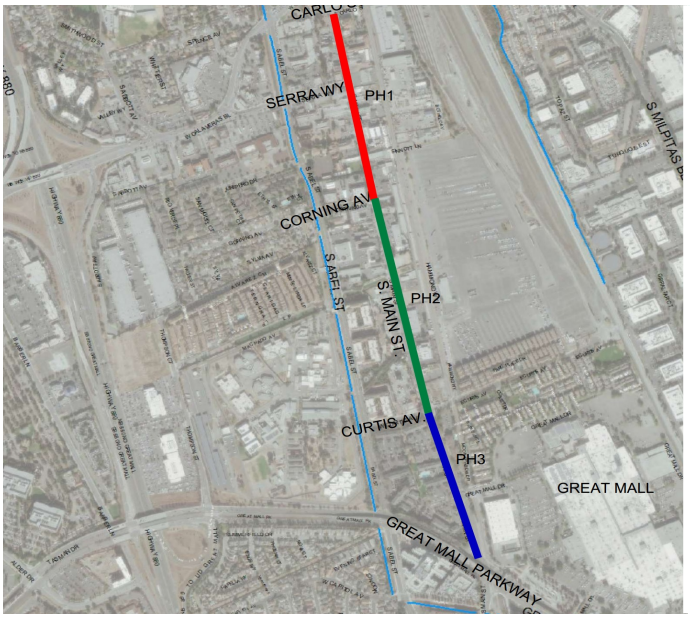
In FY2019-20, $300k in prior year funding from General Gov. CIP Fund revised to Gas Tax Fund.

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.

Main St. Street Light Project

PROJECT NO.
3430



Category:	Street Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	South Main Street
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Design
Estimated Schedule	
Design:	2025-2027
Construction:	2028-2029
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

The design of Phase 1 is completed and construction is pending on funding and adoption of the Milpitas Gateway - Main Street Specific Plan Update. Phase 1 construction is anticipated for FY2026-27. Phase 2 construction is anticipated to start in FY2028-29 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.

Uncommitted Balance as of 3/31/2024	Council Approval
$35,000	**5/17/2016**

Main St. Street Light Project

Project No. 3430

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 Tree Replacement Program

PROJECT NO.
3438

Category:	Street Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu [2648]
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. Work may include minor tree maintenance, irrigation improvements, and utility relocations for proper tree sustainability.

Notes

The UFMP recommends replacing approximately 75 trees biannually. Workplan in FY2023-24 and FY20245-25 is for the ongoing replacement of City-owned trees that have been removed since the last major planting cycle. This project is only partially funded.

Uncommitted Balance as of 3/31/2024	Council Approval
$208,000	**7/1/2017**

Annual Tree Replacement Program

Project No. 3438

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	125,000	0	0	0	0	0	125,000
Improvements	419,000	0	100,000	100,000	100,000	100,000	819,000
TOTAL	**$544,000**	**$0**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$944,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	100,000	100,000	100,000	100,000	400,000
TOTAL	**$544,000**	**$0**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$944,000**

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 - Mid-Year Budget Appropriation of $60K from General Government CIP Fund in prior years 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.

Streetlight, Signage, Traffic Signal Improvements

PROJECT NO.
3440

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works - Operations
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 repairs, replacement, and minor improvements of streetlights, street signage, and traffic signal control system. Work includes replacement of various type of streetlights, street signage, and illuminated overhead street signs; upgrades to traffic signal system including controllers & cabinets, detection cameras, cabinets, battery backup system and pedestrian safety devices; on-call service repair contracts; and related appurtenances.

Notes

City Council approved the purchasing of traffic cameras and funding agreement with VTA for the installation of 4 traffic control cabinets along Great Mall Parkway corridor on 11/7/2023 and traffic detection controllers, cabinets, and battery backup system on 3/5/2024. In FY2022-23 and FY2023-24, Public Works completed the installation of 40 traffic controllers, detection cameras at 5 intersections, and illuminated overhead street signs, and improvements to the sign shop.

Workplan in FY2023-24 is to continue the replacement of various type of streetlights, street signage, and illuminated overhead street signs; and upgrades to traffic signal intersections including controllers, detection cameras, cabinets, and battery backup system. Funding request in FY2024-25 is for the annual on-call traffic light and signal repair contracts; ongoing replacement of street signs and streetlights; upgrades to traffic signal intersections including controllers, detection cameras, cabinets, and battery backup system; and replacement of intersection communication equipment at Public Works building. This project is only partially funded.

Uncommitted Balance as of 3/31/2024	Council Approval
$167,000	**7/1/2017**

Streetlight, Signage, Traffic Signal Improvements

Project No. 3440

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	60,000	0	0	0	0	0	60,000
Improvements	1,940,000	1,220,000	1,075,000	980,000	800,000	640,000	6,655,000
Equipment	494,432	0	0	0	0	0	494,432
TOTAL	**$2,494,432**	**$1,220,000**	**$1,075,000**	**$980,000**	**$800,000**	**$640,000**	**$7,209,432**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Gas Tax Fund	1,994,432	1,220,000	1,075,000	980,000	800,000	640,000	6,709,432
General Government CIP Fund	500,000	0	0	0	0	0	500,000
TOTAL	**$2,494,432**	**$1,220,000**	**$1,075,000**	**$980,000**	**$800,000**	**$640,000**	**$7,209,432**

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.
3449

Park & Street Landscape Irrigation Improvements

Category:	Street Improvement
City Council Priority:	Community Wellness and Open Space
Project Location:	Citywide
Managing Department:	Public Works - Operations
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 repairs and improvements of citywide irrigation systems within parks, streetscape, and medians that have exceeded its service life. There are several systems that 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 FY2023-24 and FY2024-25 is for the annual on-call service repair contracts, and to continue upgrade and repair of the irrigation systems. Public Works started the citywide irrigation controller conversion project which will be phased over several years.

Uncommitted Balance as of 3/31/2024	Council Approval
$526,000	**7/1/2015**

Park & Street Landscape Irrigation Improvements

Project No. 3449

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	655,000	0	320,000	320,000	320,000	320,000	1,935,000
TOTAL	**$806,000**	**$0**	**$320,000**	**$320,000**	**$320,000**	**$320,000**	**$2,086,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	806,000	0	0	0	0	0	806,000
No Funding Source	0	0	320,000	320,000	320,000	320,000	1,280,000
TOTAL	**$806,000**	**$0**	**$320,000**	**$320,000**	**$320,000**	**$320,000**	**$2,086,000**

Finance Notes

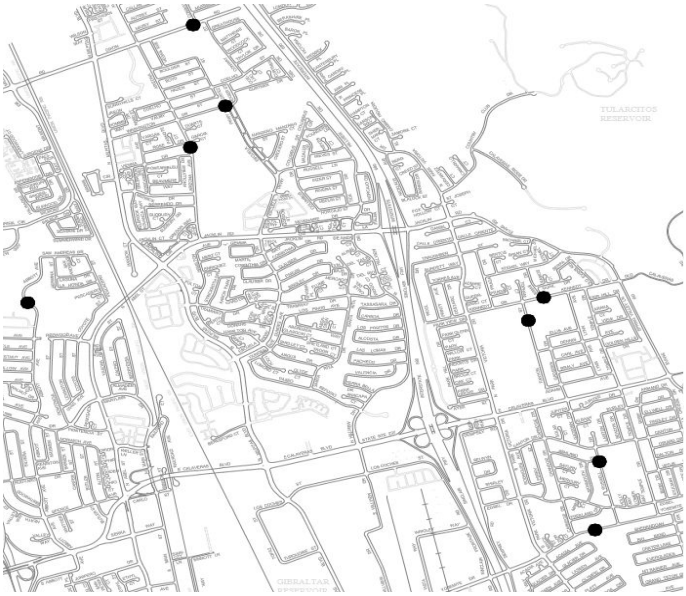
City Council 6/4/2020 - $174K in prior years funding from the General Government CIP Fund was defunded to address the projected shortfalls in the General Fund.

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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closure
Estimated Schedule	
Design:	—
Construction:	—
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 coordinated 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.

Uncommitted Balance as of 3/31/2024	Council Approval
$225,000	**7/1/2019**

Enhanced Crosswalk Striping and Beacons

Project No. 3454

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.
City Council 2/20/2024 - Mid-Year Budget Appropriation of $225k from Street Improvement Fund in prior years was defunded for other projects.

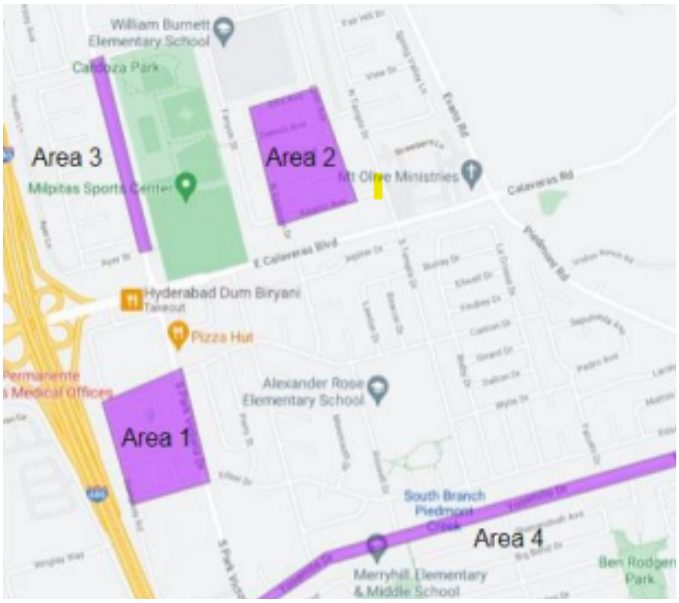
Operating Impact Notes

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.

Close at the end of Fiscal Year: June 30, 2024

Pilot Street Sweeping Program

PROJECT NO.
3455



Category:	Street Improvement
City Council Priority:	Environment
Project Location:	Various Streets, East of I680
Managing Department:	Public Works - Operations
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. 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 minimizes parking impacts.

Notes

Based on the Trash Load Reduction Plan, City staff and Milpitas Sanitation, Inc. identified four areas for the one-year pilot program that concluded in March 2022. The areas were (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.

Public Works presented findings of the pilot program to City Council on 6/14/2022 and presented alternative areas for expansion of the program on 3/7/2023 where City Council directed staff to continue the program development. Since this meeting, doorhangers were distributed to all potential expansion areas to survey residents support of street sweeping signage in their neighborhood. Staff will continue to track responses and perform additional outreach, as necessary, and report to City Council on results of the outreach in spring/summer 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$582,000	**7/1/2019**

Pilot Street Sweeping Program

Project No. 3455

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closure
Estimated Schedule	
Design:	—
Construction:	—
Recurring Project:	No

Description

This project provides for the design 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 coordinated 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.

Uncommitted Balance as of 3/31/2024	Council Approval
$194,000	**7/1/2019**

Radar Speed Feedback Signage

Project No. 3458

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

City Council 2/20/2024 - Mid-Year Budget Appropriation of $194k from Street improvement Fund in prior years 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.

Close at the end of Fiscal Year: June 30, 2024

Median Conversion Project

PROJECT NO.
3468

Category:	Street Improvement
City Council Priority:	Environment
Project Location:	Citywide
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Samu Tiumalu[2648]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2024
Construction:	TBD
Recurring Project:	Yes

Description

This project provides for the conversion of landscaping and irrigation systems in street medians and landscape strips with drought tolerant plants that supports the State's drought emergency mandate and City's climate action goals. Work includes replacing a wide variety of existing vegetation species with standardized planting that is optimally suited for the environment and minimize the City's maintenance. It also includes converting non-functional turf irrigated by potable water to comply with the State's ongoing mandate. The project will be completed in several phases and will be prioritized based on available funding.

Notes

In FY2023-24, Public Works retained a landscape consultant to establish landscaping standards and prioritize and design the citywide median conversion project. Funding request in FY2024-25 is for the Calaveras Blvd. median conversion project.

Uncommitted Balance as of 3/31/2024	Council Approval
$268,000	**7/1/2023**

Median Conversion Project

Project No. 3468

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	300,000	300,000	300,000	300,000	300,000	300,000	1,800,000
TOTAL	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$1,800,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	300,000	300,000	0	0	0	0	600,000
No Funding Source	0	0	300,000	300,000	300,000	300,000	1,200,000
TOTAL	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$1,800,000**

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.

Milpitas SMART

PROJECT NO.
3493

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Planning
Contact Person:	Jay Lee [3077]
Project Stage:	Implementation
Estimated Schedule	
Design:	2022-2025
Construction:	—
Recurring Project:	No

Description

This project provides for a 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

City Council approved a funding agreement on 4/5/2022 and Amendment No. 1 on 8/8/2023 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. On 9/5/2023, after the conclusion of the one-year pilot program (9/2022 to 9/2023), Planning Department presented findings and recommendations to City Council. In addition, City Council accepted state funding through the Budget Act of 2023 (AB 102) to continue operating the program for approximately a year.

Uncommitted Balance as of 3/31/2024	Council Approval
$1,600,000	**4/5/2022**

Milpitas SMART

Project No. 3493

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	2,955,916	0	0	0	0	0	2,955,916
TOTAL	**$2,955,916**	**$0**	**$0**	**$0**	**$0**	**$0**	**$2,955,916**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	71,184	0	0	0	0	0	71,184
Grants/Reimb./ Developer Fees	1,800,000	0	0	0	0	0	1,800,000
Measure B	1,084,732	0	0	0	0	0	1,084,732
TOTAL	**$2,955,916**	**$0**	**$0**	**$0**	**$0**	**$0**	**$2,955,916**

Finance Notes

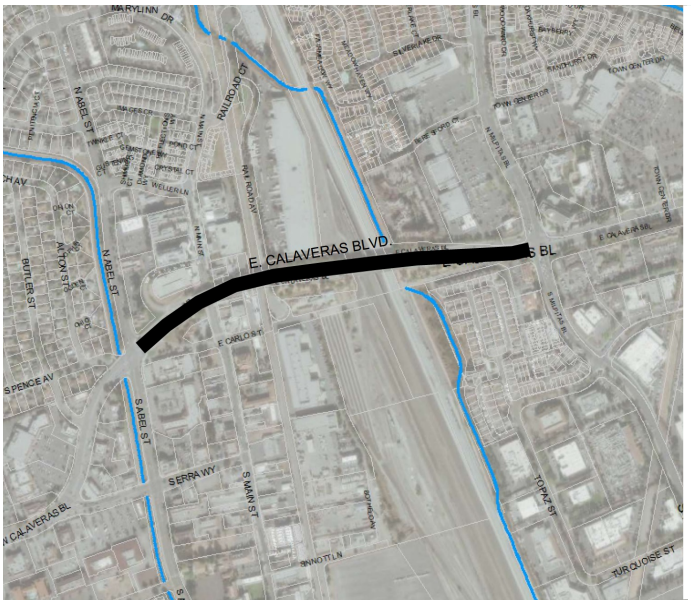
City Council 4/5/2022 - Project created with Budget Appropriation of $1,084,732 from Measure B Innovative Transit Service Models Program Funds, $200,000 from Developer Fees and $71,184 from General Government CIP Fund for a total of $1,355,916. Developer Fees: contribution from Embarcadero Capital Partners and Bridge Development (235 N. McCarthy Blvd).
City Council 9/5/2023 - Budget Appropriation of $1.6M from State's Budget Act of 2023 (AB 102).

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.
4258

Calaveras Blvd. Widening Project



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	E. Calaveras Boulevard
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	2022-2025
Construction:	TBD
Recurring Project:	No

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 a minimum local match of 10% of the project estimate cost between $150M to $210M, approximately $15M to $21M, 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 Caltran'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 in 2025. (TASP ID: DB#2)

Uncommitted Balance as of 3/31/2024	Council Approval
$56,000	**7/1/2004**

Calaveras Blvd. Widening Project

Project No. 4258

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closeout
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 2024 after right-of-way acquisition is completed.

Uncommitted Balance as of 3/31/2024	Council Approval
$105,000	7/1/2006

BART Extension Coordination and Planning

Project No. 4265

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Soundwall and Barrier Improvements

PROJECT NO.
4267

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works - Operations
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 improvement and repair of City-owned sound walls, fences, and barriers within parks and along streets.

Notes

In FY2023-24, Public Works retained a structural engineer consultant to conduct an assessment of City-owned sound walls and barriers. Workplan in FY2023-24 and FY2024-25 is to continue ongoing maintenance and improvements based on the completed assessment.

Uncommitted Balance as of 3/31/2024	Council Approval
$436,000	**7/1/2009**

Soundwall and Barrier Improvements

Project No. 4267

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	1,013,466	0	210,000	210,000	210,000	210,000	1,853,466
TOTAL	**$1,388,466**	**$0**	**$210,000**	**$210,000**	**$210,000**	**$210,000**	**$2,228,466**

Funding Source

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	400,000	0	0	0	0	0	400,000
Street Improvement Fund	988,466	0	0	0	0	0	988,466
No Funding Source	0	0	210,000	210,000	210,000	210,000	840,000
TOTAL	**$1,388,466**	**$0**	**$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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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 3/31/2024	Council Approval
$616,000	**7/1/2014**

I-880 Interchange Right-of-Way Closeout

Project No. 4274

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Construction
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This mandatory program is for the replacement of 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 such as TDA Article III. The curb ramp improvements will be coordinated and implemented with the annual Street Resurfacing project. Work also includes push button upgrades, crosswalk striping, signage, and sidewalk improvement associate with curb ramps. The target completion date for citywide ADA public street curb ramp compliance is 2040.

Notes

In 2023, 84 curb ramps were upgraded in conjunction with Street Resurfacing Project FY2022-23 (#4303 & 4304). In 2024, 17 curb ramps are planned to be upgraded in conjunction with Street Resurfacing Project FY2023-24 (#4304 & 4305). In 2025, 15 curb ramps are planned to be upgraded in conjunction with Street Resurfacing Project FY2024-25 (#4300 & 4305).

Uncommitted Balance as of 3/31/2024	Council Approval
$400,000	**7/1/2016**

ADA Curb Ramp Transition Program

Project No. 4283

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	70,000	10,000	10,000	10,000	10,000	10,000	120,000
Administration	70,000	10,000	10,000	10,000	10,000	10,000	120,000
Inspection	150,000	0	0	0	0	0	150,000
Improvements	2,380,801	380,000	280,000	280,000	280,000	280,000	3,880,801
TOTAL	**$2,670,801**	**$400,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$4,270,801**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Gas Tax Fund	2,200,000	320,000	220,000	220,000	220,000	220,000	3,400,000
Grants/Reimb./ Developer Fees	282,903	0	0	0	0	0	282,903
TDA Article III	187,898	80,000	80,000	80,000	80,000	80,000	587,898
TOTAL	**$2,670,801**	**$400,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$4,270,801**

Finance Notes

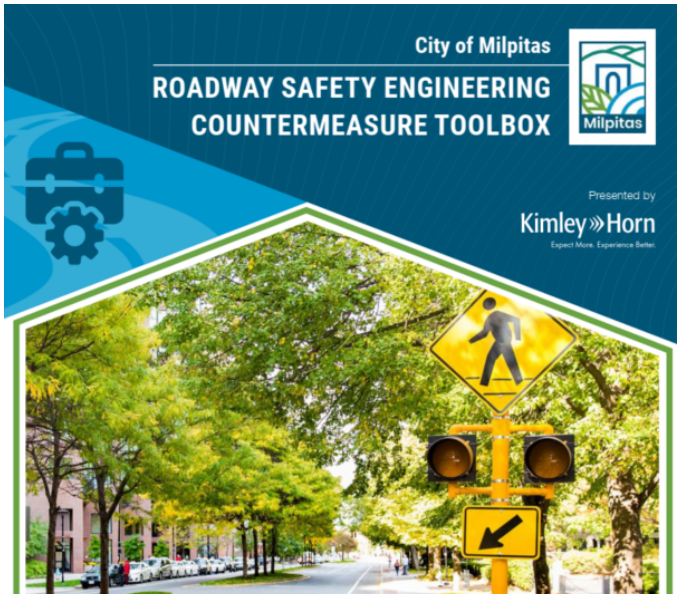
City Council 5/7/2019 - Adopted a resolution requesting allocation of $84,296 for TDA Article 3 funding (Resolution No. 8869).
City Council 4/6/2021 - Budget Appropriation of $155,316 in TDA Article 3 funding.
City Council 5/4/2021 - Budget Appropriation of $127,586 in TDA Article 3 funding.
City Council 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 & Safety Improvements

PROJECT NO.
4288



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	Yes

Description

This project provides for citywide traffic studies, safety and minor traffic improvements as described in the citywide Travel Safety Plan and from community service requests. Traffic studies may include, but are not limited to, data collection including vehicle, bicycle, and pedestrian counts, level of service analysis, speed surveys, traffic flow and safety assessment and Vehicle Miles Traveled Analysis.

Minor traffic and safety improvements may include, but are not limited to, traffic signal improvements including emergency vehicle preemption, pedestrian signals, signal cabinets and heads upgrades, and signal timing and phasing/turning movements; pedestrian improvements including bulb-outs, fencing, guardrails, intersection and crosswalk striping, and flashing beacons; roadway improvements including advanced stop bars, green bike and buffer lanes, high-friction pavement treatments, lighting, radar feedback signs, retroreflective signage, rumble strips, and striping and marking.

Notes

Funding request for FY2024-25 is for programing and planning of the traffic safety improvements as identified in the adopted Citywide Traffic Safety Plan dated December 2023.

Uncommitted Balance as of 3/31/2024	Council Approval
$142,000	**7/1/2015**

Traffic Studies & Safety Improvements

Project No. 4288

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	40,000	200,000	50,000	50,000	50,000	50,000	440,000
Administration	20,000	0	0	0	0	0	20,000
Improvements	140,000	220,000	100,000	100,000	100,000	100,000	760,000
TOTAL	**$200,000**	**$420,000**	**$150,000**	**$150,000**	**$150,000**	**$150,000**	**$1,220,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Gas Tax Fund	200,000	0	150,000	150,000	150,000	150,000	800,000
Street Improvement Fund	0	420,000	0	0	0	0	420,000
TOTAL	**$200,000**	**$420,000**	**$150,000**	**$150,000**	**$150,000**	**$150,000**	**$1,220,000**

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.

City Bridge Improvements

PROJECT NO.
4290

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide Bridges
Managing Department:	Public Works - Engineering/ Operations
Contact Person:	Michael Silveira [3303]/ Samu Tiumalu [2648]
Project Stage:	Planning
Estimated Schedule	
Design:	TBD
Construction:	TBD
Recurring Project:	Yes

Description

This project provides for improvements, repairs and rehabilitation of 65 City-own bridges which consist of 9 pedestrian and 56 vehicular box culvert and span bridges. Work will be associated with the approach and roof slabs, barriers, crack sealing, coating, concrete spalling, deck surfaces, guard rails, fencing, headwall, and joint seal. Caltrans performs supplemental inspection for 24 City owned bridges which meet the the minimum total length of 20 feet as defined by the Federal Highway Administration National Bridge Inspection Standards. These bridges are part of the National Bridge Inventory and are generally eligible for federal funding assistance under the Highway Bridge or Bridge Preventive Maintenance Programs which is administered by Caltrans.

Notes

Inspection of all vehicular box culverts and pedestrian bridges were completed in 2021. Planned funding request in FY 2025-26 is for bridge deck improvements at California Circle, Machado Ave., Milmont Dr., N. Abbott Ave., and N. McCarthy Blvd.

Uncommitted Balance as of 3/31/2024	Council Approval
$88,000	**7/1/2017**

City Bridge Improvements

Project No. 4290

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	20,000	0	65,000	15,000	15,000	15,000	130,000
Administration	15,000	0	45,000	10,000	10,000	10,000	90,000
Improvements	215,000	0	350,000	125,000	125,000	125,000	940,000
TOTAL	**$250,000**	**$0**	**$460,000**	**$150,000**	**$150,000**	**$150,000**	**$1,160,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Gas Tax Fund	250,000	0	460,000	150,000	150,000	150,000	1,160,000
TOTAL	**$250,000**	**$0**	**$460,000**	**$150,000**	**$150,000**	**$150,000**	**$1,160,000**

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.

Citywide Traffic Safety Assessment

PROJECT NO.
4293

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Assessment
Estimated Schedule	
Design:	Completed
Construction:	—
Recurring Project:	No

Description

This project provides for a citywide traffic safety assessment to analyze and identify locations of concerns and provide a Citywide Travel Safety Plan. The plan summarizes the existing safety data based on crash records obtained from the California Highway Patrol Statewide Integrated Traffic Records System database, staff, stakeholders, and the community. The data was used to identify Citywide crash and safety trends, high-crash locations, and locations with unusual crash patterns or high-crash severities to determine traffic safety improvements. The plan will also provides a foundation for a decision-making framework so that it can identify, prioritize, and implement proven safety countermeasures from the City's toolbox in the following years and serve as an ongoing resource to identify and pursue funding through various programs to implement the identified safety improvements.

Notes

On 1/23/2024, City Council adopted the Citywide Travel Safety Plan.

Uncommitted Balance as of 3/31/2024	Council Approval
$3,000	**7/1/2019**

Citywide Traffic Safety Assessment

Project No. 4293

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Close at the end of Fiscal Year: June 30, 2024

SR237 HOV Lane Improvements

PROJECT NO.
4294

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	State Route 237 at McCarthy Blvd.
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Construction
Estimated Schedule	
Design:	2021-2024
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 a high-occupancy vehicle (HOV) 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. On 1/23/2024, City Council approved budget appropriation for additional local matching funding and authorized the City Manager to execute future amendment to the funding agreement. VTA will administrate the project and the City will provide 10% local match. VTA anticipates completing the project in 2025.

Uncommitted Balance as of 3/31/2024	Council Approval
$250,000	**7/1/2019**

SR237 HOV Lane Improvements

Project No. 4294

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

City Council 1/23/2024 - Budget appropriation of $250k from the Gas Tax Fund.

Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

Street Pavement Restriping Program

PROJECT NO.
4295

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works - Operations
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 improvement, restriping, and replacement of pavement markings on City's paved roadways in accordance with California Manual on Uniform Traffic Control Devices (MUTCD). The program will provide guidance and information, and improve roadway safety for motorists, bicyclists, and pedestrians. Work includes minor repairs to asphalt pavement; restriping of existing pavement legends, lane lines, and crosswalks; placement of markers; and respond to public requests through MyMilpitas App.

Notes

In FY2022-23, Public Works completed restriping of school zones in the Manor area. Workplan in FY2023-24 is to restripe school zones in the Sunnyhills area including Milpitas High, Pomeroy, and Russell Schools. Funding request in FY2024-25 is for on-call service repair contracts; restriping in school zones, high traffic areas and main thorough-fares; minor repairs to asphalt pavement; and responding to public requests received through the MyMilpitas App.

Uncommitted Balance as of 3/31/2024	Council Approval
$224,000	**7/1/2019**

Street Pavement Restriping Program

Project No. 4295

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	40,000	0	0	0	0	0	40,000
Improvements	560,000	300,000	300,000	300,000	300,000	300,000	2,060,000
TOTAL	**$600,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$2,100,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Gas Tax Fund	600,000	300,000	300,000	300,000	300,000	300,000	2,100,000
TOTAL	**$600,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$300,000**	**$2,100,000**

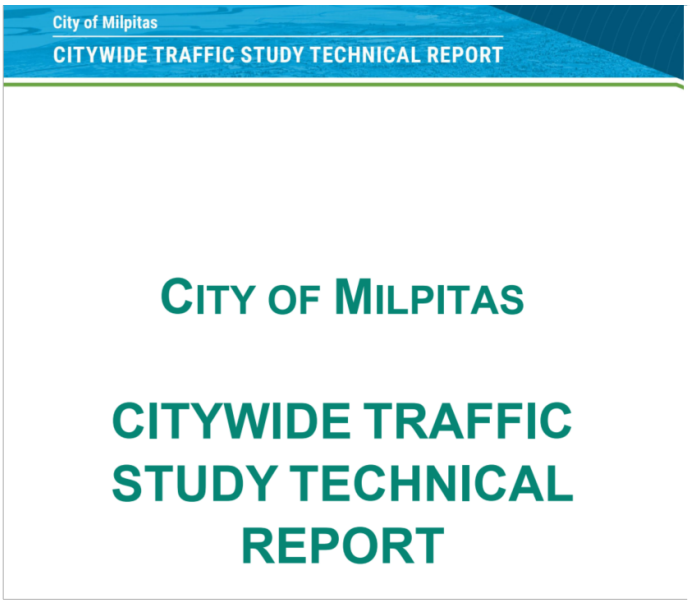
Finance Notes

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.

Citywide Traffic Modeling

PROJECT NO.
4297



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Assessment
Estimated Schedule	
Design:	Completed
Construction:	—
Recurring Project:	No

Description

This project provides for a citywide intersection geometric improvement analysis. The goal of the proposed project is to identify intersection geometric improvements for major signalized intersections throughout the City that may reduce queuing and congestion based on planned growth. This report summarizes the baseline intersection deficiencies based on intersection level of service (LOS) and queuing, the recommended operational improvements identified, and the rough order of magnitude (ROM) planning level opinion of probable costs (OPC) for the proposed intersection improvements.

Notes

The modeling was completed in spring 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2019

Citywide Traffic Modeling

Project No. 4297

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

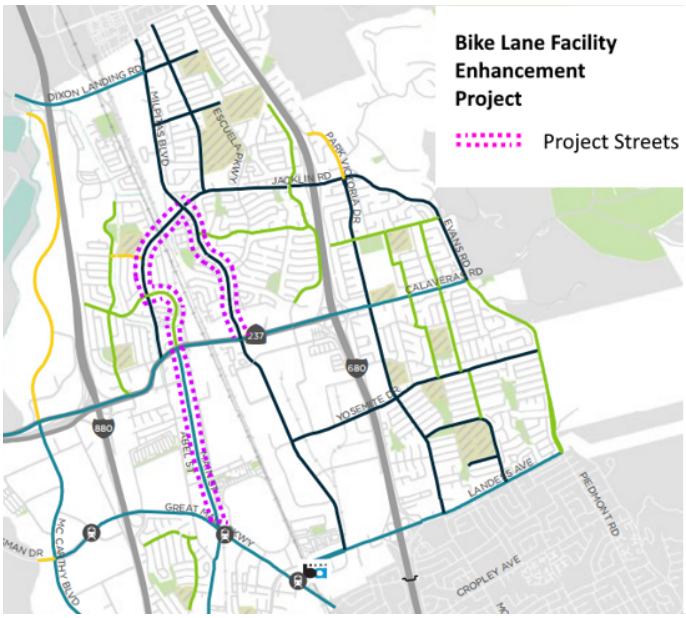
Operating Impact Notes

There are no operating or maintenance expenses associated with this project.

Close at the end of Fiscal Year: June 30, 2024

Bicycle Improvement Project

PROJECT NO.
4299



Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Able St., Main St., Marylinn Dr., S. Milpitas Blvd.
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Design
Estimated Schedule	
Design:	2024-2025
Construction:	2025
Recurring Project:	No

Description

This project provides for the design and construction of bicycle facilities improvements to upgrade existing facilities and improve safety, reduce traffic stress for users, and promote use by eliminating facility gaps. The project will focus on Abel Street, Main Street, and Milpitas Boulevard corridors as identified as high priority routes in the adopted 2022 Trail, Pedestrian and Bicycle Master Plan to connect to historical downtown on Main Street, schools, and a key routes that crosses railroad tracks and creeks. Work includes buffered bike lane (Class IIB), bike route (Class III), cycle track (Class IV), green bike lane at bicycle and vehicular conflict zones, pavement markings and striping, and installation of signage.

Notes

On 1/23/2024, City Council approved the fund transfer agreement with Caltrans to receive Caltrans 2022 Priority Legislative Budget Project Earmarked funding of $1.0M for bicycle facility improvements. On 9/19/23, City Council approved bike enhancements along Abel St. from Milpitas Blvd. to Redwood Ave. and Marylinn Dr. to Redwood Ave.; Marylinn Dr. from Abel St. to Weller Ln.; Main St. from Weller Ln. to Great Mall Pkwy; and Milpitas Blvd. from Abel St. to Calaveras Blvd. The design is anticipated to start in summer 2024 to start construction by the summer 2025.

Uncommitted Balance as of 3/31/2024	Council Approval
$1,000,000	**7/1/2023**

Bicycle Improvement Project

Project No. 4299

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	125,000	0	0	0	0	0	125,000
Administration	50,000	0	0	0	0	0	50,000
Inspection	25,000	0	0	0	0	0	25,000
Improvements	800,000	0	0	0	0	0	800,000
TOTAL	**$1,000,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$1,000,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Grants/Reimb./ Developer 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

City Council 1/23/2024 - Approved a Fund Transfer Agreement for Caltrans 2022 Priority Legislative Budget Project Earmarked funding 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.

Street Resurfacing Project 2021-22

PROJECT NO.
4303

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Streets
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for the repair, rehabilitation, and/or reconstruction of roadway pavement. 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, and installation of Class II bike lanes and Class III bike route facilities as described in the 2022 Trail, Pedestrian and Bicycle Master Plan.

Notes

On 5/2/2023, 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 3/31/2024	Council Approval
$76,000	**7/1/2017**

Street Resurfacing Project 2021-22

Project No. 4303

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	237,276	0	0	0	0	0	237,276
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	**$4,337,276**	**$0**	**$0**	**$0**	**$0**	**$0**	**$4,337,276**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	1,604,446	0	0	0	0	0	1,604,446
Vehicle Registration Fee	764,432	0	0	0	0	0	764,432
TOTAL	**$4,337,276**	**$0**	**$0**	**$0**	**$0**	**$0**	**$4,337,276**

Finance Notes

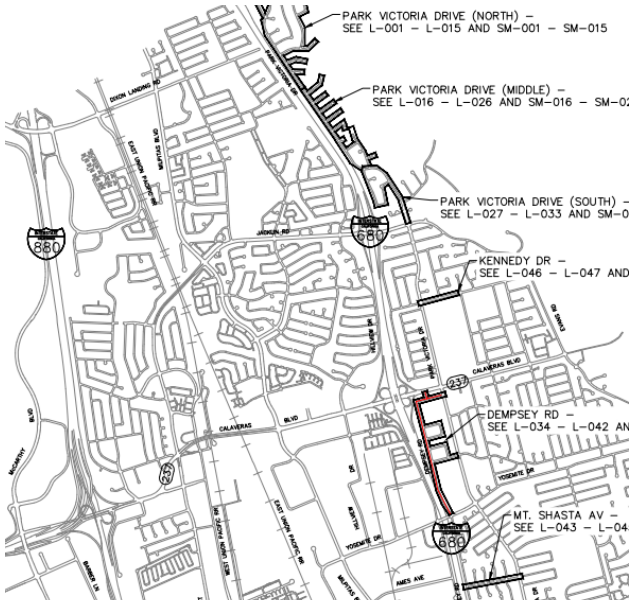
In FY2021-22, this project received $1,877,344 from Measure B funding. Measure B grant funding is distributed on a reimbursement basis. City funds must be expended on eligible projects prior to any reimbursement requests.
In FY 2021-22, this project received $1,664,446 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.
City Council 5/17/2022 - Budget Change amending funding amounts of Gas Tax fund decrease by $894,514, Measure B fund increase by $1,377,344, and SBI RMRA fund increase by $67,170.
City Council 6/6/2023 - Budget Change amending funding amounts of SBI RMRA fund increase by $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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

Description

This project provides for the repair, rehabilitation, and/or reconstruction of roadway pavement. 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, and installation of Class II bike lanes and Class III bike route facilities as described in the 2022 Trail, Pedestrian and Bicycle Master Plan.

Notes

On 4/2/2024, City Council granted acceptance for the street resurfacing at 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., Selwyn Dr., Shirley Dr., Edsel Dr., Kennedy Dr. from N. Park Victoria Dr. to Fanyon St., Mt. Shasta Ave. from Dempsey Rd. to S. Park Victoria Dr.

Uncommitted Balance as of 3/31/2024	Council Approval
$2,318,000	**7/1/2018**

Street Resurfacing Project 2022-23

Project No. 4304

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	584,325	0	0	0	0	0	584,325
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	**$4,334,325**	**$0**	**$0**	**$0**	**$0**	**$0**	**$4,334,325**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	1,778,739	0	0	0	0	0	1,778,739
Vehicle Registration Fee	500,000	0	0	0	0	0	500,000
TOTAL	**$4,334,325**	**$0**	**$0**	**$0**	**$0**	**$0**	**$4,334,325**

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 $1,778,739 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.
City Council 6/6/2023 - Budget Change amending funding amounts of SBI RMRA fund increased by $334,325.
City Council 4/2/2024 - Budget Change amending funding amounts of SBI RMRA fund increased by $76,575.29 and Vehicle Registration Fee decreased by $33,850.

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.
4305

Street Resurfacing Project 2023-24

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Streets
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Construction
Estimated Schedule	
Design:	2023-2024
Construction:	2024
Recurring Project:	No

Description

This project provides for the repair, rehabilitation, and/or reconstruction of roadway pavement. 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, and installation of Class II bike lanes and Class III bike route facilities as described in the 2022 Trail, Pedestrian and Bicycle Master Plan.

Notes

On 4/2/2024, City Council awarded a construction contract for the street resurfacing of Great Mall Parkway from I-880 to McCandless Dr. and Thompson St. and Ct., north of Great Mall Parkway.

Uncommitted Balance as of 3/31/2024	Council Approval
$3,995,000	**7/1/2019**

Street Resurfacing Project 2023-24

Project No. 4305

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Gas Tax Fund	300,000	0	0	0	0	0	300,000
Measure B	1,700,000	0	0	0	0	0	1,700,000
SB1 RMRA	1,500,000	0	0	0	0	0	1,500,000
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 FY2023-24, this project will be eligible for estimated $2,017,862 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 $1,987,328 from SB1 RMRA funding. SB1 RMRA is distributed on an allocation basis.
City Council 4/2/2024 - Budget Change amending funding amounts of Measure B fund increased by $317,862.27, SBI RMRA fund increased by $463,551, and Vehicle Registration Fee increased by $100,705.

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:	Bike and Pedestrian Routes
Managing Department:	Communication CMO
Contact Person:	Charmaine Angelo [3055]
Project Stage:	Implementation
Estimated Schedule	
Design:	2021-2024
Construction:	—
Recurring Project:	No

Description

This project provides for the public outreach activities to promote, educate, and encourage bicycling and walking in support of the circulation policy goals of the City's 2040 General Plan and Trail, Pedestrian, and Bicycle Master Plan. The Valley Transportation Authority (VTA) adopted and established a 2016 Measure B Bike and Pedestrian Education and Encouragement Program. They distributed based funding on a population-based formula to eligible cities that encourages the use of bicycles and walking for transportation rather than motorized vehicles.

Notes

On 6/1/2021, City Council approved a Master Agreement with VTA for the 2016 Measure B Bike and Pedestrian Education and Encouragement Program. In FY2022-23, staff completed a parent survey regarding the Safe Route to Schools program, contracted a production company to develop educational shareable videos, and reached out to local businesses to gage their interest in the program. Workplan in FY2023-24 is to continue coordination with the Silicon Valley Bicycle Coalition and Steering Committee to develop the program, update the City's bike and pedestrian map, complete the development of educational shareable videos, develop and offer classes and workshops, and continue outreach through community events.

Uncommitted Balance as of 3/31/2024	Council Approval
$36,000	**6/1/2021**

Bike and Pedestrian Outreach

Project No. 4306

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 created 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.

PROJECT NO.

Plan

Street Resurfacing Project 2024-25

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Streets
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Design
Estimated Schedule	
Design:	2024-2025
Construction:	2025
Recurring Project:	No

Description

This project provides for the repair, rehabilitation, and/or reconstruction of roadway pavement. 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, and installation of Class II bike lanes and Class III bike route facilities as described in the 2022 Trail, Pedestrian and Bicycle Master Plan.

Notes

Planned streets for resurfacing includes Tasman Drive from Alder Dr. to I-880, Great Mall Parkway from McCandless Dr. to Montague Expy., and Alder Dr. from Tasman Dr. to Barber Ln.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2020

Street Resurfacing Project 2024-25

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	250,000	0	0	0	0	250,000
Administration	0	150,000	0	0	0	0	150,000
Inspection	0	100,000	0	0	0	0	100,000
Improvements	0	4,097,562	0	0	0	0	4,097,562
TOTAL	**$0**	**$4,597,562**	**$0**	**$0**	**$0**	**$0**	**$4,597,562**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Measure B	0	2,097,562	0	0	0	0	2,097,562
SB1 RMRA	0	2,000,000	0	0	0	0	2,000,000
Vehicle Registration Fee	0	500,000	0	0	0	0	500,000
TOTAL	**$0**	**$4,597,562**	**$0**	**$0**	**$0**	**$0**	**$4,597,562**

Finance Notes

In FY2024-25, this project will be eligible for $2,097,562 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 $2,000,000 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:	Various Streets
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	2025-2026
Construction:	2026
Recurring Project:	No

Description

This project provides for the repair, rehabilitation, and/or reconstruction of roadway pavement. 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, and installation of Class II bike lanes and Class III bike route facilities as described in the 2022 Trail, Pedestrian and Bicycle Master Plan.

Notes

Planned street for resurfacing includes Dempsey Road.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2021

Street Resurfacing Project 2025-26

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	0	250,000	0	0	0	250,000
Administration	0	0	150,000	0	0	0	150,000
Inspection	0	0	100,000	0	0	0	100,000
Improvements	0	0	3,900,000	0	0	0	3,900,000
TOTAL	**$0**	**$0**	**$4,400,000**	**$0**	**$0**	**$0**	**$4,400,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Measure B	0	0	1,900,000	0	0	0	1,900,000
SB1 RMRA	0	0	2,000,000	0	0	0	2,000,000
Vehicle Registration Fee	0	0	500,000	0	0	0	500,000
TOTAL	**$0**	**$0**	**$4,400,000**	**$0**	**$0**	**$0**	**$4,400,000**

Finance Notes

In FY2025-26, this project will be eligible for estimated $1,900,000 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 $2,000,000 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 2026-27

PROJECT NO.
Plan

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Streets
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	2026-2027
Construction:	2027
Recurring Project:	No

Description

This project provides for the repair, rehabilitation, and/or reconstruction of roadway pavement. 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, and installation of Class II bike lanes and Class III bike route facilities as described in the 2022 Trail, Pedestrian and Bicycle Master Plan.

Notes

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2022

Street Resurfacing Project 2026-27

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	0	0	250,000	0	0	250,000
Administration	0	0	0	150,000	0	0	150,000
Inspection	0	0	0	100,000	0	0	100,000
Improvements	0	0	0	3,900,000	0	0	3,900,000
TOTAL	**$0**	**$0**	**$0**	**$4,400,000**	**$0**	**$0**	**$4,400,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Measure B	0	0	0	1,900,000	0	0	1,900,000
SB1 RMRA	0	0	0	2,000,000	0	0	2,000,000
Vehicle Registration Fee	0	0	0	500,000	0	0	500,000
TOTAL	**$0**	**$0**	**$0**	**$4,400,000**	**$0**	**$0**	**$4,400,000**

Finance Notes

In FY2026-27, this project will be eligible for estimated $1,900,000 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 $2,000,000 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 2027-28

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Streets
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	2027-2028
Construction:	2028
Recurring Project:	No

Description

This project provides for the repair, rehabilitation, and/or reconstruction of roadway pavement. 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, and installation of Class II bike lanes and Class III bike route facilities as described in the 2022 Trail, Pedestrian and Bicycle Master Plan.

Notes

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2023

Street Resurfacing Project 2027-28

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	0	0	0	250,000	0	250,000
Administration	0	0	0	0	150,000	0	150,000
Inspection	0	0	0	0	100,000	0	100,000
Improvements	0	0	0	0	3,900,000	0	3,900,000
TOTAL	**$0**	**$0**	**$0**	**$0**	**$4,400,000**	**$0**	**$4,400,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Measure B	0	0	0	0	1,900,000	0	1,900,000
SB1 RMRA	0	0	0	0	2,000,000	0	2,000,000
Vehicle Registration Fee	0	0	0	0	500,000	0	500,000
TOTAL	**$0**	**$0**	**$0**	**$0**	**$4,400,000**	**$0**	**$4,400,000**

Finance Notes

In FY2027-28, this project will be eligible for estimated $1,900,000 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 $2,000,000 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 2028-29

PROJECT NO.
New

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Various Streets
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	2028-2029
Construction:	2029
Recurring Project:	No

Description

This project provides for the repair, rehabilitation, and/or reconstruction of roadway pavement. 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, and installation of Class II bike lanes and Class III bike route facilities as described in the 2022 Trail, Pedestrian and Bicycle Master Plan.

Notes

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Street Resurfacing Project 2028-29

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	0	0	0	0	250,000	250,000
Administration	0	0	0	0	0	150,000	150,000
Inspection	0	0	0	0	0	100,000	100,000
Improvements	0	0	0	0	0	3,900,000	3,900,000
TOTAL	**$0**	**$0**	**$0**	**$0**	**$0**	**$4,400,000**	**$4,400,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Measure B	0	0	0	0	0	1,900,000	1,900,000
SB1 RMRA	0	0	0	0	0	2,000,000	2,000,000
Vehicle Registration Fee	0	0	0	0	0	500,000	500,000
TOTAL	**$0**	**$0**	**$0**	**$0**	**$0**	**$4,400,000**	**$4,400,000**

Finance Notes

In FY2028-29, this project will be eligible for estimated $1,900,000 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 2028-29, this project will be eligible for estimated $2,000,000 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

Hammond Way Street Light Project

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Hammond Way
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2025
Construction:	2025
Recurring Project:	No

Description

This project provides for the design and construction of extending the street light system on Hammond Way from Parc Place Dr. for approximately 1,000 feet north. The of lack of street lighting along this portion of the Hammond Way has become a public safety hazard to the surrounding neighborhood community. Work includes installation of 6 city standard street lights, electrical wiring conduit trenching, and PG&E coordination.

Notes

Funding request in FY2024-25 is for the design of the street light system. Planned funding request in FY2025-26 is for the construction, pending on available funding.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Hammond Way Street Light Project

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	80,000	0	0	0	0	80,000
Administration	0	20,000	0	0	0	0	20,000
Inspection	0	0	10,000	0	0	0	10,000
Improvements	0	0	390,000	0	0	0	390,000
TOTAL	**$0**	**$100,000**	**$400,000**	**$0**	**$0**	**$0**	**$500,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Street Improvement Fund	0	100,000	0	0	0	0	100,000
No Funding Source	0	0	400,000	0	0	0	400,000
TOTAL	**$0**	**$100,000**	**$400,000**	**$0**	**$0**	**$0**	**$500,000**

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

Calaveras Road Landslide Repair

Category:	Street Improvement
City Council Priority:	Transportation and Transit
Project Location:	Calaveras Road
Managing Department:	Public Works - Engineering
Contact Person:	Christian Di Renzo [2602]/ Michael Silveira [3303]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2026
Construction:	2026-2028
Recurring Project:	No

Description

This project provides for the assessment, design, improvements, and repairs of portion of the city owned segment of Calaveras Road approximately 1,500 feet east of the Evans/Piedmont Road and Calaveras Road intersection. The heavy rain storm event that occurred on 12/31/2022 triggered a renewed ground movement downslope of the existing soldier beam that was installed in 2017 on the southside of road. In 1992, the City constructed three Mechanically Stabilized Earth retaining walls and reconstructed the roadway due to slope and roadway failures caused by ground movement. Since then, the City has repaired several failures such as roadway, slope and retaining wall. Per Geotechnical & Geologic engineer preliminary assessment, it was observed that the existing retaining walls and roadway appears to be in a current state of failure due to the active historic ground movement.

Notes

In spring 2023, Public Works retained the services of a Geotechnical & Geologic engineering firm to provide an assessment and investigation report of the latest slope failure that accompanied a submittal for federal-aid through the Federal Highway Administration Emergency Relief Program for reconstruction of the roadway. Funding request in FY2024-25 is to retain a firm to design the immediate slope failure repair and prepare a design and cost analysis to reconstruct the existing retaining wall and roadway due to its state of failure condition.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Calaveras Road Landslide Repair

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	400,000	0	0	0	0	400,000
Administration	0	100,000	0	0	0	0	100,000
TOTAL	**$0**	**$500,000**	**$0**	**$0**	**$0**	**$0**	**$500,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Street Improvement Fund	0	500,000	0	0	0	0	500,000
TOTAL	**$0**	**$500,000**	**$0**	**$0**	**$0**	**$0**	**$500,000**

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.

WATER IMPROVEMENT PROJECTS

2025-29 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total Cost
312	2002	2nd SCVWD Water Reservoir & Pump Station	200,000	0	0	0	3,800,000	9,800,000	13,800,000
314	2009	SCVWD Second Water Supply Turnout	100,000	0	0	0	0	532,000	632,000
316	2019	(Rmb) Metro Recycled Water Distribution	500,391	0	0	0	0	800,000	1,300,391
318	2020	SCVWD Zone 1 Pressure Red. Valve	100,000	0	0	0	0	430,000	530,000
320	7076	Well Upgrade Project	14,490,000	1,500,000	0	2,000,000	0	0	17,990,000
322	7100	Aging Water System/Seismic Improvements	4,382,781	0	0	0	0	0	4,382,781
324	7110	Hydrant Replacement Program	656,360	180,000	180,000	180,000	180,000	180,000	1,556,360
326	7112	Reservoir Cleaning Program	240,000	600,000	0	0	0	100,000	940,000
328	7118	Dempsey Road Water Line Replacement	7,857,772	0	0	0	0	0	7,857,772
330	7121	Automated Meter Replacement Program	14,047,700	0	0	0	0	0	14,047,700
332	7125	BART Project - Water Improvements	2,503,920	0	0	0	0	0	2,503,920
334	7126	Water Conservation Program	1,785,000	0	200,000	200,000	200,000	200,000	2,585,000
336	7127	Water Supervisory Control & Data Acquisition	6,516,600	0	0	0	0	0	6,516,600
338	7133	Minor Water Projects	3,446,000	0	0	90,000	90,000	90,000	3,716,000
340	7135	Water Leak Detection & Condition Assessment Program	631,474	0	0	100,000	100,000	100,000	931,474
342	7136	Water Master Plan Update	650,000	0	0	0	0	0	650,000
344	7137	On-Call Water Maintenance & Repair Services	1,225,000	350,000	350,000	350,000	350,000	350,000	2,975,000
346	7140	Cross Connection Control Program	750,000	0	0	0	0	0	750,000
348	Plan	Asset Renewal and Replacement Program	0	500,000	1,685,000	1,685,000	1,685,000	1,685,000	7,240,000
350	Plan	Water Meter Test Program	0	0	100,000	0	0	0	100,000
352	Plan	Risk and Resiliency Improvements	0	0	135,000	0	2,000,000	0	2,135,000
354	Plan	Pipeline & Facility Condition Assessment	0	0	2,740,000	0	0	0	2,740,000
356	Plan	Fire Flow Pipeline Improvements	0	0	2,755,000	1,340,000	1,470,000	0	5,565,000
358	Plan	Fire Flow Interconnection Improvements	0	0	0	972,000	0	0	972,000
360	Plan	Lower Berryessa Creek Water Line	0	0	0	0	0	1,025,000	1,025,000
362	**New**	**Pinewood Well Facility Rehabilitation Project**	**0**	**500,000**	**1,500,000**	**0**	**0**	**0**	**2,000,000**
364	**New**	**Pressure Reducing Valve Station Relocation Project**	**0**	**465,000**	**1,580,000**	**0**	**0**	**0**	**2,045,000**
366	**New**	**Sunnyhills Turnout Rehabilitation Project**	**0**	**1,165,000**	**0**	**0**	**0**	**0**	**1,165,000**
		Funding Subtotal	**60,082,998**	**5,260,000**	**11,225,000**	**6,917,000**	**9,875,000**	**15,292,000**	**108,651,998**
		Total Cost	**$60,082,998**	**$5,260,000**	**$11,225,000**	**$6,917,000**	**$9,875,000**	**$15,292,000**	**$108,651,998**

Funding Summary

TASP Impact Fees	0	0	0	3,800,000	11,562,000
Water Capital Surcharge	5,080,000	11,045,000	6,737,000	5,895,000	3,550,000
Water Line Extension Fund	180,000	180,000	180,000	180,000	180,000
Total Financing Available	**5,260,000**	**11,225,000**	**6,917,000**	**9,875,000**	**15,292,000**
Total	**$5,260,000**	**$11,225,000**	**$6,917,000**	**$9,875,000**	**$15,292,000**

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	Water Capital Surcharge	Water Line Extension Fund
312	2002	2nd SCVWD Water Reservoir & Pump Station	0	0
314	2009	SCVWD Second Water Supply Turnout	0	0
316	2019	(Rmb) Metro Recycled Water Distribution	0	0
318	2020	SCVWD Zone 1 Pressure Red. Valve	0	0
320	7076	Well Upgrade Project	1,500,000	0
322	7100	Aging Water System/Seismic Improvements	0	0
324	7110	Hydrant Replacement Program	0	180,000
326	7112	Reservoir Cleaning Program	600,000	0
328	7118	Dempsey Road Water Line Replacement	0	0
330	7121	Automated Meter Replacement Program	0	0
332	7125	BART Project - Water Improvements	0	0
334	7126	Water Conservation Program	0	0
336	7127	Water Supervisory Control & Data Acquisition	0	0
338	7133	Minor Water Projects	0	0
340	7135	Water Leak Detection & Condition Assessment Program	0	0
342	7136	Water Master Plan Update	0	0
344	7137	On-Call Water Maintenance & Repair Services	350,000	0
346	7140	Cross Connection Control Program	0	0
348	Plan	Asset Renewal and Replacement Program	500,000	**0**
350	Plan	Water Meter Test Program	0	0
352	Plan	Risk and Resiliency Improvements	0	0
354	Plan	Pipeline & Facility Condition Assessment	0	0
356	Plan	Fire Flow Pipeline Improvements	0	0
358	Plan	Fire Flow Interconnection Improvements	0	0
360	Plan	Lower Berryessa Creek Water Line	0	0
362	**New**	**Pinewood Well Facility Rehabilitation Project**	**500,000**	0
364	**New**	**Pressure Reducing Valve Station Relocation Project**	**465,000**	0
366	**New**	**Sunnyhills Turnout Rehabilitation Project**	**1,165,000**	**0**
		Subtotal by Funding Source	**5,080,000**	**180,000**
		Total	**$5,260,000**	

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	Water Capital Surcharge	Water Line Extension Fund
312	2002	2nd SCVWD Water Reservoir & Pump Station	0	0
314	2009	SCVWD Second Water Supply Turnout	0	0
316	2019	(Rmb) Metro Recycled Water Distribution	0	0
318	2020	SCVWD Zone 1 Pressure Red. Valve	0	0
320	7076	Well Upgrade Project	0	0
322	7100	Aging Water System/Seismic Improvements	0	0
324	7110	Hydrant Replacement Program	0	180,000
326	7112	Reservoir Cleaning Program	0	0
328	7118	Dempsey Road Water Line Replacement	0	0
330	7121	Automated Meter Replacement Program	0	0
332	7125	BART Project - Water Improvements	0	0
334	7126	Water Conservation Program	200,000	0
336	7127	Water Supervisory Control & Data Acquisition	0	0
338	7133	Minor Water Projects	0	0
340	7135	Water Leak Detection & Condition Assessment Program	0	0
342	7136	Water Master Plan Update	0	0
344	7137	On-Call Water Maintenance & Repair Services	350,000	0
346	7140	Cross Connection Control Program	0	0
348	Plan	Asset Renewal and Replacement Program	1,685,000	0
350	Plan	Water Meter Test Program	100,000	0
352	Plan	Risk and Resiliency Improvements	135,000	0
354	Plan	Pipeline & Facility Condition Assessment	2,740,000	0
356	Plan	Fire Flow Pipeline Improvements	2,755,000	0
358	Plan	Fire Flow Interconnection Improvements	0	0
360	Plan	Lower Berryessa Creek Water Line	0	0
362	**New**	**Pinewood Well Facility Rehabilitation Project**	**1,500,000**	**0**
364	**New**	**Pressure Reducing Valve Station Relocation Project**	**1,580,000**	**0**
366	**New**	**Sunnyhills Turnout Rehabilitation Project**	**0**	**0**
		Subtotal by Funding Source	**11,045,000**	**180,000**
		Total	**$11,225,000**	

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	Water Capital Surcharge	Water Line Extension Fund
312	2002	2nd SCVWD Water Reservoir & Pump Station	0	0
314	2009	SCVWD Second Water Supply Turnout	0	0
316	2019	(Rmb) Metro Recycled Water Distribution	0	0
318	2020	SCVWD Zone 1 Pressure Red. Valve	0	0
320	7076	Well Upgrade Project	2,000,000	0
322	7100	Aging Water System/Seismic Improvements	0	0
324	7110	Hydrant Replacement Program	0	180,000
326	7112	Reservoir Cleaning Program	0	0
328	7118	Dempsey Road Water Line Replacement	0	0
330	7121	Automated Meter Replacement Program	0	0
332	7125	BART Project - Water Improvements	0	0
334	7126	Water Conservation Program	200,000	0
336	7127	Water Supervisory Control & Data Acquisition	0	0
338	7133	Minor Water Projects	90,000	0
340	7135	Water Leak Detection & Condition Assessment Program	100,000	0
342	7136	Water Master Plan Update	0	0
344	7137	On-Call Water Maintenance & Repair Services	350,000	0
346	7140	Cross Connection Control Program	0	0
348	Plan	Asset Renewal and Replacement Program	1,685,000	0
350	Plan	Water Meter Test Program	0	0
352	Plan	Risk and Resiliency Improvements	0	0
354	Plan	Pipeline & Facility Condition Assessment	0	0
356	Plan	Fire Flow Pipeline Improvements	1,340,000	0
358	Plan	Fire Flow Interconnection Improvements	972,000	0
360	Plan	Lower Berryessa Creek Water Line	0	0
362	**New**	**Pinewood Well Facility Rehabilitation Project**	**0**	**0**
364	**New**	**Pressure Reducing Valve Station Relocation Project**	**0**	**0**
366	**New**	**Sunnyhills Turnout Rehabilitation Project**	**0**	**0**
		Subtotal by Funding Source	**6,737,000**	**180,000**
		Total	**$6,917,000**	

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	TASP Impact Fees	Water Capital Surcharge	Water Line Extension Fund
312	2002	2nd SCVWD Water Reservoir & Pump Station	3,800,000	0	0
314	2009	SCVWD Second Water Supply Turnout	0	0	0
316	2019	(Rmb) Metro Recycled Water Distribution	0	0	0
318	2020	SCVWD Zone 1 Pressure Red. Valve	0	0	0
320	7076	Well Upgrade Project	0	0	0
322	7100	Aging Water System/Seismic Improvements	0	0	0
324	7110	Hydrant Replacement Program	0	0	180,000
326	7112	Reservoir Cleaning Program	0	0	0
328	7118	Dempsey Road Water Line Replacement	0	0	0
330	7121	Automated Meter Replacement Program	0	0	0
332	7125	BART Project - Water Improvements	0	0	0
334	7126	Water Conservation Program	0	200,000	0
336	7127	Water Supervisory Control & Data Acquisition	0	0	0
338	7133	Minor Water Projects	0	90,000	0
340	7135	Water Leak Detection & Condition Assessment Program	0	100,000	0
342	7136	Water Master Plan Update	0	0	0
344	7137	On-Call Water Maintenance & Repair Services	0	350,000	0
346	7140	Cross Connection Control Program	0	0	0
348	Plan	Asset Renewal and Replacement Program	0	1,685,000	0
350	Plan	Water Meter Test Program	0	0	0
352	Plan	Risk and Resiliency Improvements	0	2,000,000	0
354	Plan	Pipeline & Facility Condition Assessment	0	0	0
356	Plan	Fire Flow Pipeline Improvements	0	1,470,000	0
358	Plan	Fire Flow Interconnection Improvements	0	0	0
360	Plan	Lower Berryessa Creek Water Line	0	0	0
362	**New**	**Pinewood Well Facility Rehabilitation Project**	**0**	**0**	**0**
364	**New**	**Pressure Reducing Valve Station Relocation Project**	**0**	**0**	**0**
366	**New**	**Sunnyhills Turnout Rehabilitation Project**	**0**	**0**	**0**
		Subtotal by Funding Source	**3,800,000**	**5,895,000**	**180,000**
		Total	**$9,875,000**		

Summary of Project Funding Sources FY 2028-29

Pg.	No.	Project Name	TASP Impact Fees	Water Capital Surcharge	Water Line Extension Fund
312	2002	2nd SCVWD Water Reservoir & Pump Station	9,800,000	0	0
314	2009	SCVWD Second Water Supply Turnout	532,000	0	0
316	2019	(Rmb) Metro Recycled Water Distribution	800,000	0	0
318	2020	SCVWD Zone 1 Pressure Red. Valve	430,000	0	0
320	7076	Well Upgrade Project	0	0	0
322	7100	Aging Water System/Seismic Improvements	0	0	0
324	7110	Hydrant Replacement Program	0	0	180,000
326	7112	Reservoir Cleaning Program	0	100,000	0
328	7118	Dempsey Road Water Line Replacement	0	0	0
330	7121	Automated Meter Replacement Program	0	0	0
332	7125	BART Project - Water Improvements	0	0	0
334	7126	Water Conservation Program	0	200,000	0
336	7127	Water Supervisory Control & Data Acquisition	0	0	0
338	7133	Minor Water Projects	0	90,000	0
340	7135	Water Leak Detection & Condition Assessment Program	0	100,000	0
342	7136	Water Master Plan Update	0	0	0
344	7137	On-Call Water Maintenance & Repair Services	0	350,000	0
346	7140	Cross Connection Control Program	0	0	0
348	Plan	Asset Renewal and Replacement Program	0	1,685,000	0
350	Plan	Water Meter Test Program	0	0	0
352	Plan	Risk and Resiliency Improvements	0	0	0
354	Plan	Pipeline & Facility Condition Assessment	0	0	0
356	Plan	Fire Flow Pipeline Improvements	0	0	0
358	Plan	Fire Flow Interconnection Improvements	0	0	0
360	Plan	Lower Berryessa Creek Water Line	0	1,025,000	0
362	**New**	**Pinewood Well Facility Rehabilitation Project**	**0**	**0**	**0**
364	**New**	**Pressure Reducing Valve Station Relocation Project**	**0**	**0**	**0**
366	**New**	**Sunnyhills Turnout Rehabilitation Project**	**0**	**0**	**0**
		Subtotal by Funding Source	**11,562,000**	**3,550,000**	**180,000**
		Total	**$15,292,000**		

2nd SCVWD Water Reservoir & Pump Station

PROJECT NO.
2002

Category:	Water Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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 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. The facility will include an aboveground steel tank storage reservoir, enclosed pump station, site piping, earthwork, paving, instrumentation, and related site improvement.

Notes

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 3/31/2024	Council Approval
$197,000	**7/1/2010**

2nd SCVWD Water Reservoir & Pump Station

Project No. 2002

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	3,800,000	0	3,800,000
Improvements	0	0	0	0	0	6,800,000	6,800,000
TOTAL	**$200,000**	**$0**	**$0**	**$0**	**$3,800,000**	**$9,800,000**	**$13,800,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
TASP Impact Fees	200,000	0	0	0	3,800,000	9,800,000	13,800,000
TOTAL	**$200,000**	**$0**	**$0**	**$0**	**$3,800,000**	**$9,800,000**	**$13,800,000**

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:	Economic Development and Job Growth
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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 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. The facility will include control valves, a concrete utility vault, site piping, earthwork, paving, SCADA, and related site improvements.

Notes

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 3/31/2024	Council Approval
$99,000	**7/1/2008**

SCVWD Second Water Supply Turnout

Project No. 2009

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	100,000	0	0	0	0	532,000	632,000
TOTAL	**$100,000**	**$0**	**$0**	**$0**	**$0**	**$532,000**	**$632,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
TASP Impact Fees	100,000	0	0	0	0	532,000	632,000
TOTAL	**$100,000**	**$0**	**$0**	**$0**	**$0**	**$532,000**	**$632,000**

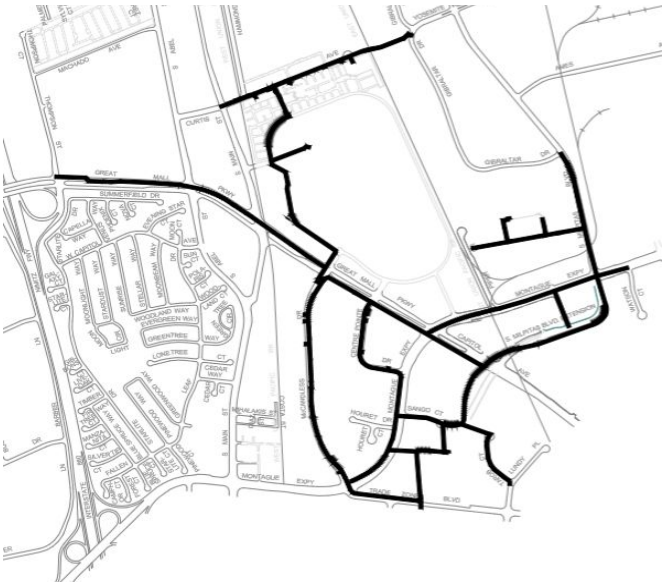
Finance Notes

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:	Environment
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Planning
Estimated Schedule	
Design:	Ongoing
Construction:	Ongoing
Recurring Project:	No

Description

This project provides for the reimbursement to developers for the construction of recycled water system extension in the Metro Specific Plan area beyond their project frontage. 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. On 6/20/2023, City Council approved a fee reimbursement of $605k to Sango Court, L.P. for the construction of 8" recycled water main on Sango Ct. from the Cul-De-Sac to Montague Expressway at 355 Sango Ct. project. Potential future reimbursement for plan segments include (1) 350 feet on Montague Expy between Houret Dr. and McCandless Dr.; (2) 3,000 feet on Main St. between Montague Expy. and Great Mall Pky.; and (3) 200 feet on Montague Expy. between Pecten Ct. and Watson Ct. (TASP ID: DB#21)

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2019

(Rmb) Metro Recycled Water Distribution

Project No. 2019

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	500,391	0	0	0	0	800,000	1,300,391
TOTAL	**$500,391**	**$0**	**$0**	**$0**	**$0**	**$800,000**	**$1,300,391**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
TASP Impact Fees	500,391	0	0	0	0	800,000	1,300,391
TOTAL	**$500,391**	**$0**	**$0**	**$0**	**$0**	**$800,000**	**$1,300,391**

Finance Notes

City Council 2/16/2021 - Mid-Year Budget Appropriation accounting correction of $599,609 from TASP Impact Fees.
City Council 6/20/2023 - Budget Appropriation of $104,609 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:	Economic Development and Job Growth
Project Location:	Milpitas Metro Specific Plan
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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. The location of the additional SCVWD PRV is to be determine and will be based on the adopted Water Master Plan and Urban Water Management Plan. 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

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 3/31/2024	Council Approval
$100,000	**7/1/2017**

SCVWD Zone 1 Pressure Red. Valve

Project No. 2020

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Well Upgrade Project

PROJECT NO.
7076

Category:	Water Improvement
City Council Priority:	Economic Development and Job Growth
Project Location:	Delano Manongs Park
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Design
Estimated Schedule	
Design:	2023-2024
Construction:	2025-2026
Recurring Project:	Yes

Description

This project provides for the design and construction of a new Well including pump station and treatment facility at Delano Manongs Park to serve the Midtown and Metro Specific Plan areas as recommended by the Water Supply Augmentation Feasibility Report and Water Master Plan.

Notes

Engineering completed the underground casing of the Well in 2020. Funding request in FY2024-25 is to retain a construction manager and escalation cost of construction. The design of above-ground facility is anticipated to be completed in fall 2024 and construction is anticipated to start in spring 2025. (Not in 2014 TADIF)

Uncommitted Balance as of 3/31/2024	Council Approval
$7,181,000	**7/1/2002**

Well Upgrade Project

Project No. 7076

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	3,858,200	0	0	0	0	0	3,858,200
Administration	1,172,800	0	0	0	0	0	1,172,800
Surveying	3,000	0	0	0	0	0	3,000
Inspection	685,800	0	0	0	0	0	685,800
Land	2,980,000	0	0	0	0	0	2,980,000
Improvements	5,790,200	1,500,000	0	2,000,000	0	0	9,290,200
TOTAL	**$14,490,000**	**$1,500,000**	**$0**	**$2,000,000**	**$0**	**$0**	**$17,990,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	1,500,000	0	2,000,000	0	0	7,015,000
Water Fund	935,000	0	0	0	0	0	935,000
Water Line Extension Fund	2,395,000	0	0	0	0	0	2,395,000
TOTAL	**$14,490,000**	**$1,500,000**	**$0**	**$2,000,000**	**$0**	**$0**	**$17,990,000**

Finance Notes

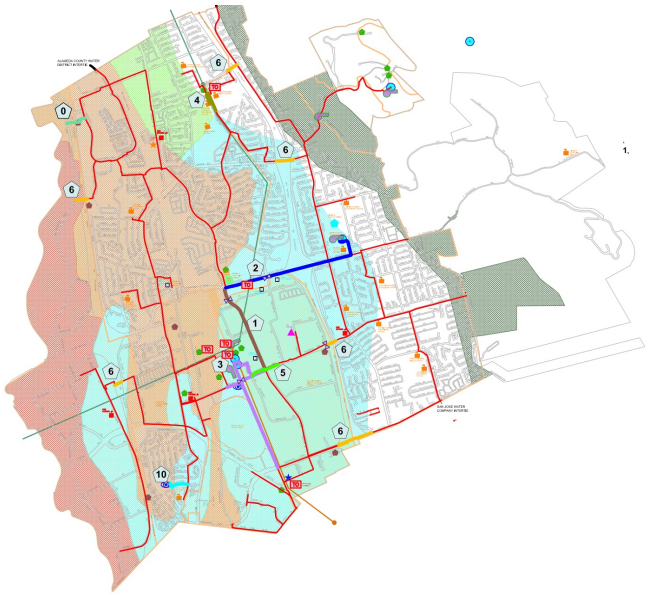
Reimbursement to VTA: $140k for requested modifications due to BART Transit Station.
City Council 11/17/2020: Budget Appropriation of $3M in prior years funding from Water Bond was defunded for Automated Meter Replacement Program, Project No. 7121.
City Council 2/16/2021: Mid-Year Budget Appropriation 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:	Governance and Administration
Project Location:	Dempsey Road
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Design
Estimated Schedule	
Design:	2024
Construction:	2024-2025
Recurring Project:	No

Description

This project provides for seismic improvements and upgrades to the City's "back-bone" water system as defined in the Water System Seismic Improvement Strategic Plan and Water Master Plan.

Notes

This project will be coordinated with Dempsey Road Water Line Replacement (Project #7118).

Uncommitted Balance as of 3/31/2024	Council Approval
$3,408,000	**7/1/2003**

Aging Water System/Seismic Improvements

Project No. 7100

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	624,830	0	0	0	0	0	624,830
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	**$4,382,781**	**$0**	**$0**	**$0**	**$0**	**$0**	**$4,382,781**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	1,694,830	0	0	0	0	0	1,694,830
TOTAL	**$4,382,781**	**$0**	**$0**	**$0**	**$0**	**$0**	**$4,382,781**

Finance Notes

City Council 8/15/2023 - $505,170 in prior year funding from Water Line Extension Fund was defunded for (RMB) SCVWD Creek Projects, No. 3452.

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:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Operations
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 replacement of citywide hydrants and related infrastructure as recommended in the 2021 Water Master Plan. The City maintains approximately 2,900 fire hydrants which typically have a service life of 30 years.

Notes

Public Works to complete a minimum of 30 hydrant replacements annually. On 4/18/2023, City Council authorized the purchase of hydrants and valves. Workplan in FY2023-24 is to replace approximately 20 hydrants by City staff. Funding request in FY2024-25 is for the purchase and replacement of 30 hydrants and valves.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2009

Hydrant Replacement Program

Project No. 7110

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	631,360	180,000	180,000	180,000	180,000	180,000	1,531,360
TOTAL	**$656,360**	**$180,000**	**$180,000**	**$180,000**	**$180,000**	**$180,000**	**$1,556,360**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	344,260	0	0	0	0	0	344,260
Water Line Extension Fund	312,100	180,000	180,000	180,000	180,000	180,000	1,212,100
TOTAL	**$656,360**	**$180,000**	**$180,000**	**$180,000**	**$180,000**	**$180,000**	**$1,556,360**

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:	Governance and Administration
Project Location:	City Reservoirs
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Inspection/Cleaning
Estimated Schedule	
Design:	—
Construction:	2023-2025
Recurring Project:	Yes

Description

This project provides for the exterior and interior cleaning, inspections, and repairs of City's potable water reservoirs and storage tanks. Regular inspection and cleaning help 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

Workplan in FY2023-24 is to inspect, clean, and repair all reservoirs and storage tanks which was last completed in 2019. Funding request in FY2024-25 is for the interior/exterior coating inspection and recoating of the steel tanks as necessary.

Uncommitted Balance as of 3/31/2024	Council Approval
$109,000	**7/1/2011**

Reservoir Cleaning Program

Project No. 7112

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	0	600,000	0	0	0	100,000	700,000
Equipment	240,000	0	0	0	0	0	240,000
TOTAL	**$240,000**	**$600,000**	**$0**	**$0**	**$0**	**$100,000**	**$940,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	240,000	600,000	0	0	0	100,000	940,000
TOTAL	**$240,000**	**$600,000**	**$0**	**$0**	**$0**	**$100,000**	**$940,000**

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.
7118

Dempsey Road Water Line Replacement

Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Dempsey Road
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Design
Estimated Schedule	
Design:	2024
Construction:	2025-2026
Recurring Project:	No

Description

This project provides for the design and construction to replace approximately 5,400 feet of 12" diameter cast iron pipe with PVC pipe in Dempsey Rd. from N. Park Victory Drive to north of Yosemite Dr. intersection, Dempsey Way, and Yosemite Dr. The pipe segment was installed in the 1970s and has reached the end of its service life. The pipeline has experienced excessive corrosion which is causing several line breaks. Replacement must occur to minimize impacts to surrounding customers.

Notes

The design started in January 2024 and construction is anticipated to start by spring 2025.

Uncommitted Balance as of 3/31/2024	Council Approval
$5,828,000	**7/1/2013**

Dempsey Road Water Line Replacement

Project No. 7118

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
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 completed the meter replacement in 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$579,000	**7/1/2014**

Automated Meter Replacement Program

Project No. 7121

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closeout
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 which will 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 2024 after right-of-way acquisition is completed.

Uncommitted Balance as of 3/31/2024	Council Approval
$683,000	**7/1/2011**

BART Project - Water Improvements

Project No. 7125

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 - Operations
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 program and lawn conversion pilot.

Notes

While California's water and snowpack conditions have vastly improved due to significant rainfall and storms in the winter of 2023, California continues to encourage and emphasize efficient use and management of water resources. Existing water efficiency legislation (AB 1668 and SB 606) establish guidelines for efficient water use and a framework for the implementation and oversight of the new water efficiency standards that local water retailers must meet over the next five years and beyond.

Workplan in FY2023-24 and FY2024-25 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. On 11/7/2023, City Council approved an amendment to the agreement with Valley Water District for "Our City Forest" to continue administering the Lawn Bust Milpitas pilot program.

Uncommitted Balance as of 3/31/2024	Council Approval
$329,000	**6/16/2015**

Water Conservation Program

Project No. 7126

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	360,000	0	0	0	0	0	360,000
Administration	895,000	0	35,000	35,000	35,000	35,000	1,035,000
Inspection	50,000	0	0	0	0	0	50,000
Improvements	480,000	0	165,000	165,000	165,000	165,000	1,140,000
TOTAL	**$1,785,000**	**$0**	**$200,000**	**$200,000**	**$200,000**	**$200,000**	**$2,585,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Park Fund	400,000	0	0	0	0	0	400,000
Water Capital Surcharge	385,000	0	200,000	200,000	200,000	200,000	1,185,000
Water Fund	1,000,000	0	0	0	0	0	1,000,000
TOTAL	**$1,785,000**	**$0**	**$200,000**	**$200,000**	**$200,000**	**$200,000**	**$2,585,000**

Finance Notes

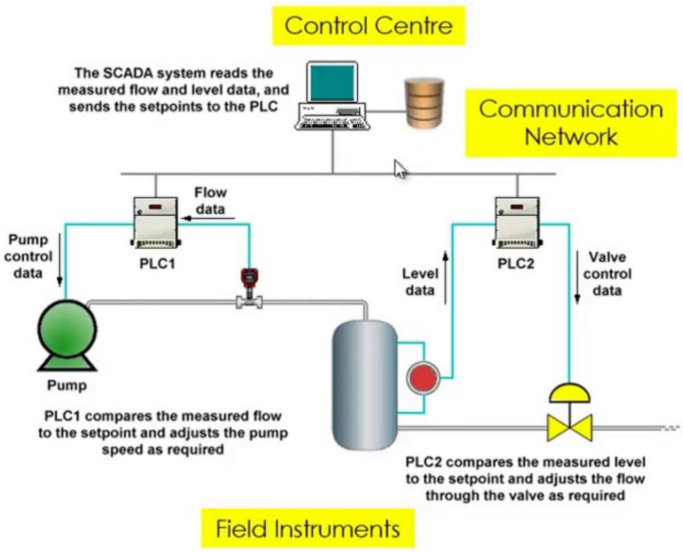
City Council 6/16/2015 - Project created with Budget Appropriation of $600k from Water Fund and $200k from Park Fund.

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 - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Project Closeout
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 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 efficiency 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 3/31/2024	Council Approval
$65,000	**5/14/2013**

Water Supervisory Control & Data Acquisition

Project No. 7127

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Minor Water Projects

PROJECT NO.
7133

Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Operations
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 FY2022-23, Public Works completed fence repairs at Minnis Reservoir and installation of a fence and concrete pad at Capital PRV. In FY2023-24, Public Works completed the replacement of the check valve on Ames Ave. at S. Milpitas Blvd. On 5/2/2023, City Council authorized the purchase of valves for the emergency repair at Fire Station 1 pressure reducing station.

Workplan in FY2023-24 and FY2024-25 is to replace the check valve on Yosemite Dr. at S. Milpitas Blvd.; rehabilitate the vault, replace the VFD, and design the replacement of booster pump suction piping at Gibraltar Reservoir; upgrade the security gate, and replace the surge tank controls and VDFs at Ayer Reservoir; improve the building and concrete at Minnis Reservoir; replace the hatch, repair the pavement, and paint the building at Tularcitos/Country Club Reservoir; and improve Fire Station 1 pressure reducing valve station. Workplan in FY2025-26 is to replace booster pump suction piping at Gibraltar Reservoir.

Uncommitted Balance as of 3/31/2024	Council Approval
$2,375,000	**7/1/2013**

Minor Water Projects

Project No. 7133

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	335,000	0	0	0	0	0	335,000
Administration	547,000	0	0	0	0	0	547,000
Improvements	2,564,000	0	0	90,000	90,000	90,000	2,834,000
TOTAL	**$3,446,000**	**$0**	**$0**	**$90,000**	**$90,000**	**$90,000**	**$3,716,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	3,396,000	0	0	90,000	90,000	90,000	3,666,000
Water Line Extension Fund	50,000	0	0	0	0	0	50,000
TOTAL	**$3,446,000**	**$0**	**$0**	**$90,000**	**$90,000**	**$90,000**	**$3,716,000**

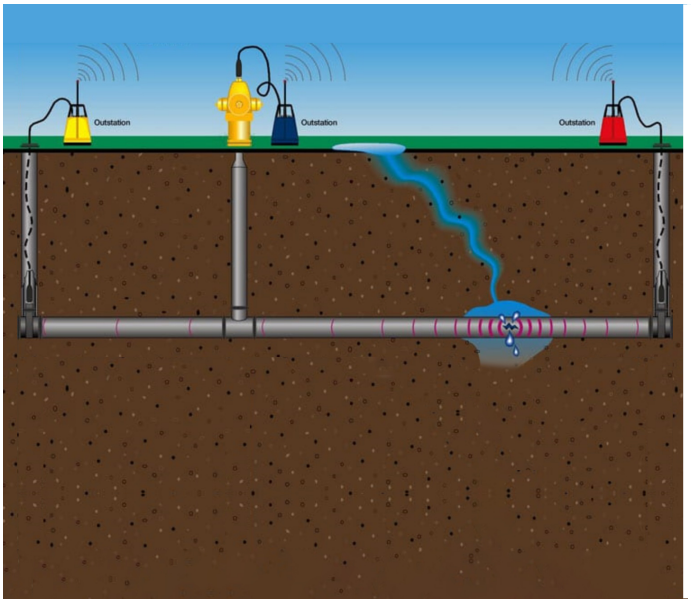
Finance Notes

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 - Engineering
Contact Person:	Michael Silveira [3303]/ 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 which 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 FY2023-24 and FY2024-25 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 3/31/2024	Council Approval
$332,000	**7/1/2018**

Water Leak Detection & Condition Assessment Program

Project No. 7135

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	631,474	0	0	100,000	100,000	100,000	931,474
TOTAL	**$631,474**	**$0**	**$0**	**$100,000**	**$100,000**	**$100,000**	**$931,474**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Grants/Reimb./ Developer Fees	31,474	0	0	0	0	0	31,474
Water Capital Surcharge	600,000	0	0	100,000	100,000	100,000	900,000
TOTAL	**$631,474**	**$0**	**$0**	**$100,000**	**$100,000**	**$100,000**	**$931,474**

Finance Notes

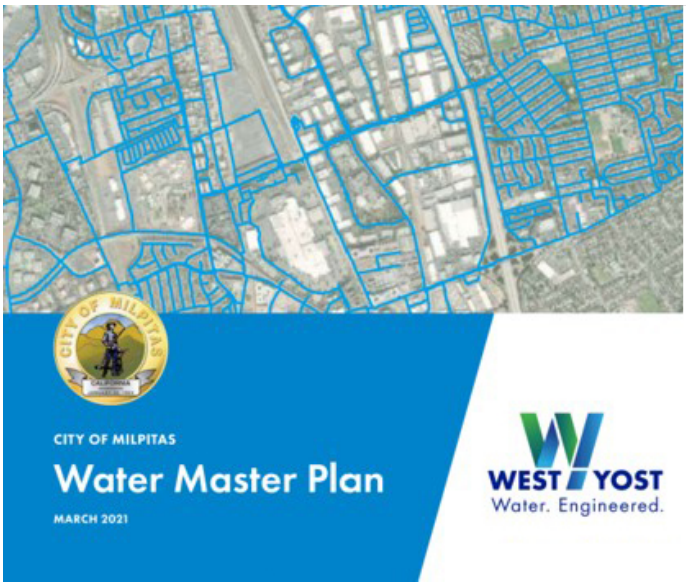
City Council 5/3/2022: Accepted a grant of $31,474 from Bureau of Reclamation WaterSmart Small-Scale Water Efficiency Project (SWEP) grant program.

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 - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
Project Stage:	Project Closure
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.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2018

Water Master Plan Update

Project No. 7136

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Close at the end of Fiscal Year: June 30, 2024

On-Call Water Maintenance & Repair Services

PROJECT NO.
7137

Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Operations
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
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

Funding request in FY2024-25 is for on-call maintenance and repair contracts related to the City's water infrastructure.

Uncommitted Balance as of 3/31/2024	Council Approval
$237,000	**7/1/2020**

On-Call Water Maintenance & Repair Services

Project No. 7137

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	1,225,000	350,000	350,000	350,000	350,000	350,000	2,975,000
TOTAL	**$1,225,000**	**$350,000**	**$350,000**	**$350,000**	**$350,000**	**$350,000**	**$2,975,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	997,000	350,000	350,000	350,000	350,000	350,000	2,747,000
Water Line Extension Fund	228,000	0	0	0	0	0	228,000
TOTAL	**$1,225,000**	**$350,000**	**$350,000**	**$350,000**	**$350,000**	**$350,000**	**$2,975,000**

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.

Cross Connection Control Program

PROJECT NO.
7140

Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
Project Stage:	Implementation
Estimated Schedule	
Design:	2024-2026
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, which 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 will achieve compliance with State code. Workplan in FY23-24 is to start the cross-connection program and is anticipated to be completed in 2026.

Uncommitted Balance as of 3/31/2024	Council Approval
$750,000	**7/1/2023**

Cross Connection Control Program

Project No. 7140

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	750,000	0	0	0	0	0	750,000
TOTAL	**$750,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$750,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	750,000	0	0	0	0	0	750,000
TOTAL	**$750,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$750,000**

Finance Notes

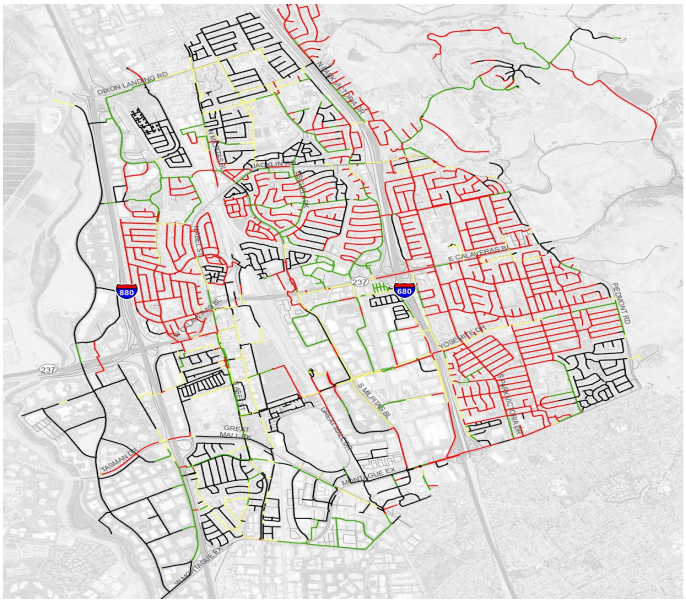
Operating Impact Notes

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.

Plan

Asset Renewal and Replacement Program



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
Project Stage:	Implementation
Estimated Schedule	
Design:	Ongoing
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 prioritized per the Master Plan but are subject to change pending findings from the detailed condition assessments.

Notes

Funding request in FY2024-25 is for the repair of the 12" water main on Topaz St. and Los Coches St.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2023

Asset Renewal and Replacement Program

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	0	500,000	1,685,000	1,685,000	1,685,000	1,685,000	7,240,000
TOTAL	**$0**	**$500,000**	**$1,685,000**	**$1,685,000**	**$1,685,000**	**$1,685,000**	**$7,240,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	0	500,000	1,685,000	1,685,000	1,685,000	1,685,000	7,240,000
TOTAL	**$0**	**$500,000**	**$1,685,000**	**$1,685,000**	**$1,685,000**	**$1,685,000**	**$7,240,000**

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.

Water Meter Test Program

PROJECT NO.
Plan

Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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

Planned funding request in FY2025-26 is for the development of the program.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2023

Water Meter Test Program

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	0	0	100,000	0	0	0	100,000
TOTAL	**$0**	**$0**	**$100,000**	**$0**	**$0**	**$0**	**$100,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	0	0	100,000	0	0	0	100,000
TOTAL	**$0**	**$0**	**$100,000**	**$0**	**$0**	**$0**	**$100,000**

Finance Notes

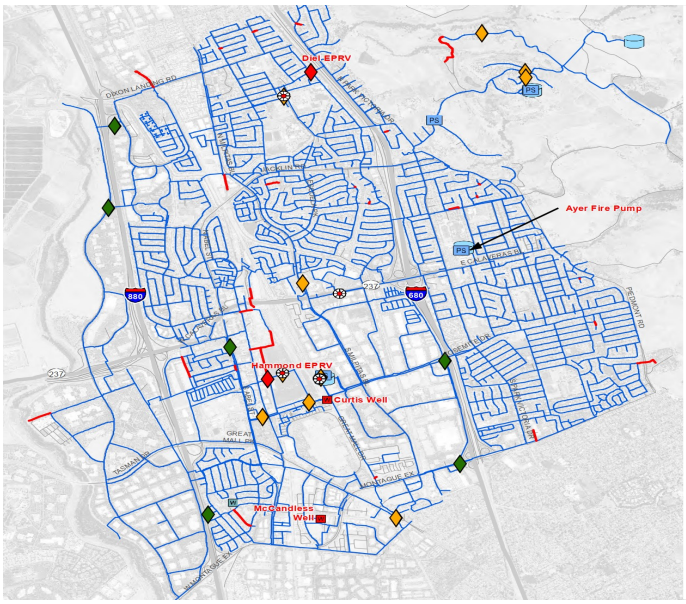
Operating Impact Notes

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.

Plan

Risk and Resiliency Improvements



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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 3/31/2024	Council Approval
$0	7/1/2023

Risk and Resiliency Improvements

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	0	0	135,000	0	2,000,000	0	2,135,000
TOTAL	**$0**	**$0**	**$135,000**	**$0**	**$2,000,000**	**$0**	**$2,135,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	0	0	135,000	0	2,000,000	0	2,135,000
TOTAL	**$0**	**$0**	**$135,000**	**$0**	**$2,000,000**	**$0**	**$2,135,000**

Finance Notes

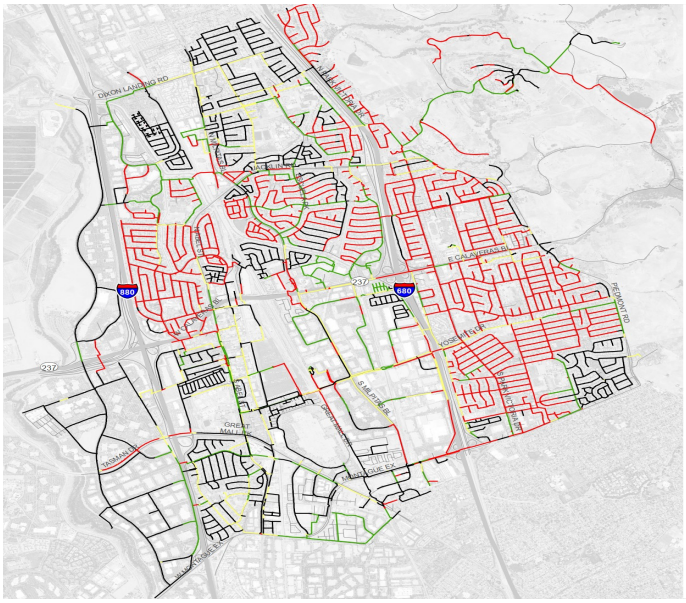
Operating Impact Notes

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.

Plan

Pipeline & Facility Condition Assessment



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
Project Stage:	Assessment
Estimated Schedule	
Design:	2025-2026
Construction:	—
Recurring Project:	No

Description

This project provides for a 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; and, 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 3/31/2024	Council Approval
$0	7/1/2023

Pipeline & Facility Condition Assessment

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Administration	0	0	2,740,000	0	0	0	2,740,000
TOTAL	**$0**	**$0**	**$2,740,000**	**$0**	**$0**	**$0**	**$2,740,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	0	0	2,740,000	0	0	0	2,740,000
TOTAL	**$0**	**$0**	**$2,740,000**	**$0**	**$0**	**$0**	**$2,740,000**

Finance Notes

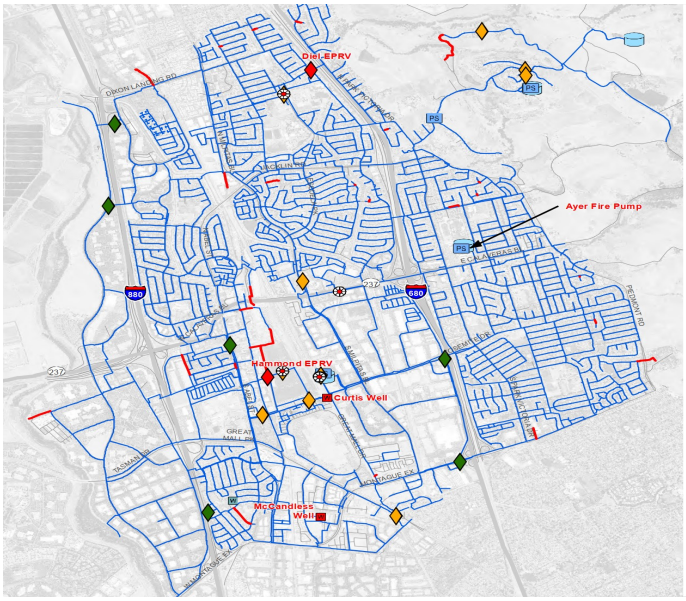
Operating Impact Notes

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.

PROJECT NO.

Plan

Fire Flow Pipeline Improvements



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2025-2031
Construction:	2026-2032
Recurring Project:	No

Description

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.

Notes

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 3/31/2024	Council Approval
$0	7/1/2023

Fire Flow Pipeline Improvements

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	0	300,000	140,000	170,000	0	610,000
Administration	0	0	450,000	220,000	270,000	0	940,000
Inspection	0	0	55,000	30,000	30,000	0	115,000
Improvements	0	0	1,950,000	950,000	1,000,000	0	3,900,000
TOTAL	**$0**	**$0**	**$2,755,000**	**$1,340,000**	**$1,470,000**	**$0**	**$5,565,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	0	0	2,755,000	1,340,000	1,470,000	0	5,565,000
TOTAL	**$0**	**$0**	**$2,755,000**	**$1,340,000**	**$1,470,000**	**$0**	**$5,565,000**

Finance Notes

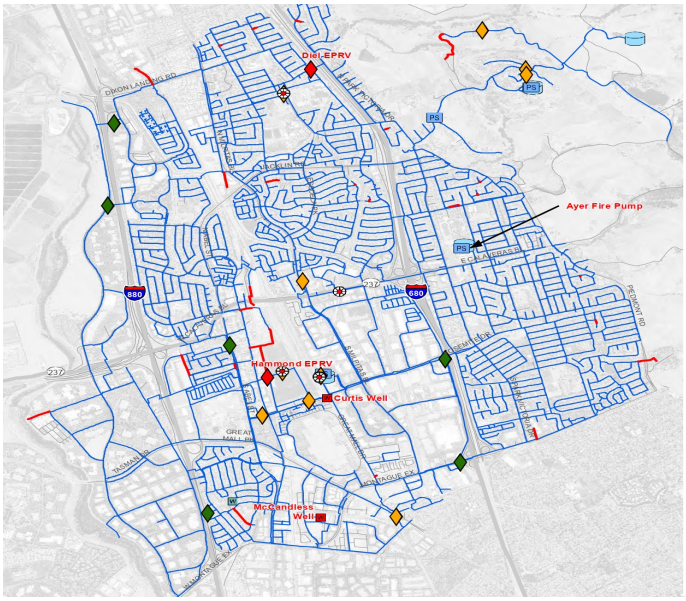
Operating Impact Notes

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.

Plan

Fire Flow Interconnection Improvements



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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 3/31/2024	Council Approval
$0	7/1/2023

Fire Flow Interconnection Improvements

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	0	0	100,000	0	0	100,000
Administration	0	0	0	160,000	0	0	160,000
Inspection	0	0	0	20,000	0	0	20,000
Improvements	0	0	0	692,000	0	0	692,000
TOTAL	**$0**	**$0**	**$0**	**$972,000**	**$0**	**$0**	**$972,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	0	0	0	972,000	0	0	972,000
TOTAL	**$0**	**$0**	**$0**	**$972,000**	**$0**	**$0**	**$972,000**

Finance Notes

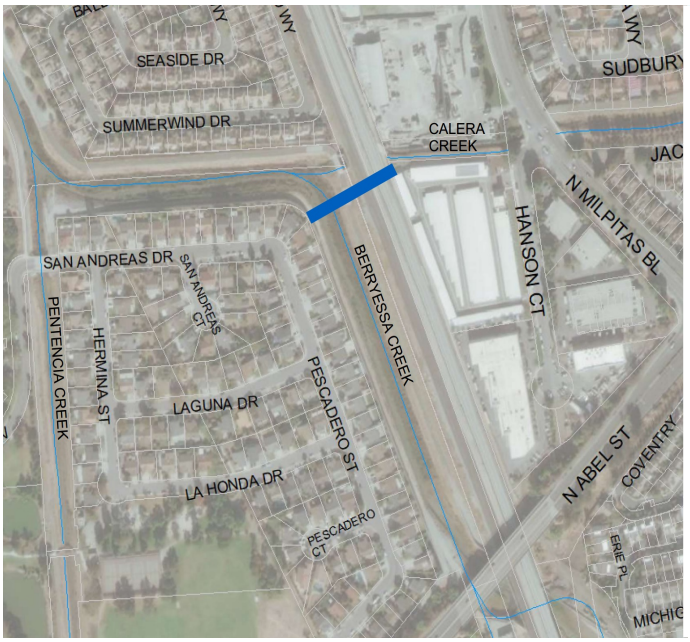
Operating Impact Notes

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.

PROJECT NO.

Plan

Lower Berryessa Creek Water Line



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Berryessa Creek between Hanson Ct. and San Andreas Drive
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
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 3/31/2024	Council Approval
$0	7/1/2016

Lower Berryessa Creek Water Line

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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

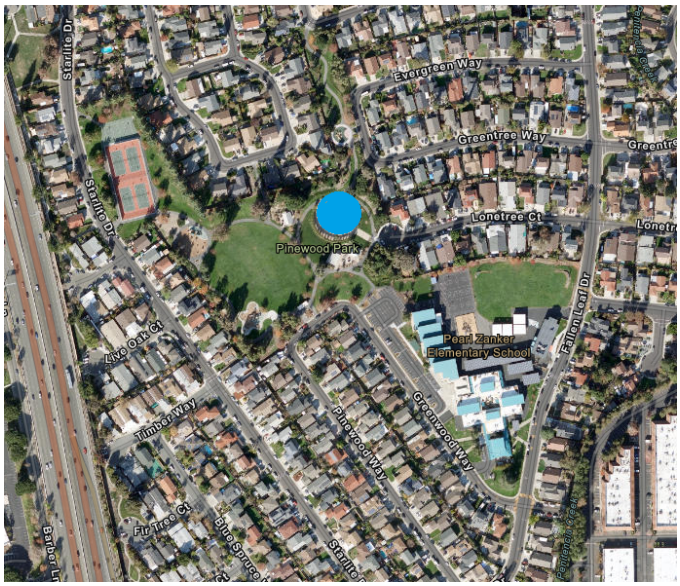
Operating Impact Notes

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

Pinewood Well Facility Rehabilitation Project



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Pinewood Park
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	2025-2026
Recurring Project:	No

Description

This project provides for the assessment, design, and improvements to Pinewood Well Facility as recommended by the Water Supply Augmentation Feasibility Report and Water Master Plan, dated June 2021.

Notes

In FY2023-24, Public Works is assessing if the emergency well can be converted to a production well and determine necessary improvements and upgrades for a conversion, if feasible. Funding request in FY2024-25 is for the design of the improvements at the facility based on the assessment. Planned funding request in FY2025-26 is for construction of the improvements determined by the assessment.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Pinewood Well Facility Rehabilitation Project

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	400,000	0	0	0	0	400,000
Administration	0	100,000	0	0	0	0	100,000
Inspection	0	0	50,000	0	0	0	50,000
Improvements	0	0	1,450,000	0	0	0	1,450,000
TOTAL	**$0**	**$500,000**	**$1,500,000**	**$0**	**$0**	**$0**	**$2,000,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	0	500,000	1,500,000	0	0	0	2,000,000
TOTAL	**$0**	**$500,000**	**$1,500,000**	**$0**	**$0**	**$0**	**$2,000,000**

Finance Notes

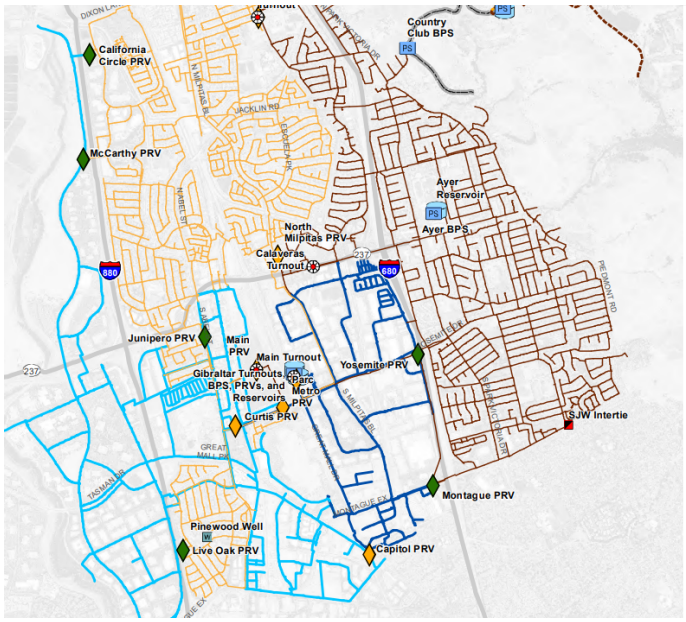
Operating Impact Notes

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

Pressure Reducing Valve Station Relocation Project



Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	California Circle, McCarthy, Junpero, Montague, and Live Oak
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2024-2025
Construction:	2025-2026
Recurring Project:	No

Description

This project provides for the design and construction of pressure reducing valve station relocation at California Circle, McCarthy, Junipero, Montague, and Live Oak which has exceeded their service life.

Notes

Funding request in FY2024-25 is for the design of the PRVs. Planned funding request in FY2025-26 is for the construction of the PRVs.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Pressure Reducing Valve Station Relocation Project

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	415,000	0	0	0	0	415,000
Administration	0	50,000	0	0	0	0	50,000
Inspection	0	0	50,000	0	0	0	50,000
Improvements	0	0	1,530,000	0	0	0	1,530,000
TOTAL	**$0**	**$465,000**	**$1,580,000**	**$0**	**$0**	**$0**	**$2,045,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	0	465,000	1,580,000	0	0	0	2,045,000
TOTAL	**$0**	**$465,000**	**$1,580,000**	**$0**	**$0**	**$0**	**$2,045,000**

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

Sunnyhills Turnout Rehabilitation Project

Category:	Water Improvement
City Council Priority:	Governance and Administration
Project Location:	Washington Dr.
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
Project Stage:	Planning
Estimated Schedule	
Design:	2023-2024
Construction:	2024-2025
Recurring Project:	No

Description

This project provides for the design and rehabilitation of the Sunnyhills turnout that has exceeded its service life.

Notes

Funding request in FY2024-25 is for the design and rehabilitation of the turnout.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Sunnyhills Turnout Rehabilitation Project

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	196,000	0	0	0	0	196,000
Improvements	0	969,000	0	0	0	0	969,000
TOTAL	**$0**	**$1,165,000**	**$0**	**$0**	**$0**	**$0**	**$1,165,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Water Capital Surcharge	0	1,165,000	0	0	0	0	1,165,000
TOTAL	**$0**	**$1,165,000**	**$0**	**$0**	**$0**	**$0**	**$1,165,000**

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.

Milpitas

SEWER IMPROVEMENT PROJECTS

2025-29 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total Cost
376	6118	SJ/SC Regional Waste Water Facility	93,822,245	3,940,000	7,340,000	2,955,000	14,675,000	9,266,000	131,998,245
378	6121	BART Project - Sewer Improvements	243,323	0	0	0	0	0	243,323
380	6124	Sewer Pump Station Rehabilitation Program	1,127,000	925,000	500,000	695,000	0	0	3,247,000
382	6126	Minor Sewer Projects	263,000	50,000	50,000	50,000	50,000	50,000	513,000
384	6127	Sanitary Supervisory Control & Data Acquisition	316,600	0	0	0	0	0	316,600
386	6130	Main Lift Station Odor Emissions Control	2,450,000	0	0	0	0	0	2,450,000
388	6134	On-Call Sewer Maintenance & Repair Services	265,000	100,000	100,000	100,000	100,000	100,000	765,000
390	6135	Sanitary Sewer CCTV Inspections & Improvements	533,000	433,000	433,000	333,000	333,000	333,000	2,398,000
392	6137	Forcemain "A" Project	2,000,000	940,000	23,200,000	0	0	0	26,140,000
394	Plan	Sanitary Sewer Pipeline Improvements	0	0	996,000	1,417,000	2,912,000	1,365,000	6,690,000
		Total Cost	**$101,020,168**	**$6,388,000**	**$32,619,000**	**$5,550,000**	**$18,070,000**	**$11,114,000**	**$174,761,168**

Funding Summary

Sewer Infrastructure Fund	4,539,000	12,619,000	5,550,000	18,070,000	11,114,000
Sewer Treatment Fund	1,849,000	0	0	0	0
Wastewater Revenue Bonds	0	20,000,000	0	0	0
Total Financing Available	**6,388,000**	**32,619,000**	**5,550,000**	**18,070,000**	**11,114,000**
No Funding Source	0	0	0	0	0
Total	**$6,388,000**	**$32,619,000**	**$5,550,000**	**$18,070,000**	**$11,114,000**

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	Sewer Infrastructure Fund	Sewer Treatment Fund
376	6118	SJ/SC Regional Waste Water Facility	2,091,000	1,849,000
378	6121	BART Project - Sewer Improvements	0	0
380	6124	Sewer Pump Station Rehabilitation Program	925,000	0
382	6126	Minor Sewer Projects	50,000	0
384	6127	Sanitary Supervisory Control & Data Acquisition	0	0
386	6130	Main Lift Station Odor Emissions Control	0	0
388	6134	On-Call Sewer Maintenance & Repair Services	100,000	0
390	6135	Sanitary Sewer CCTV Inspections & Improvements	433,000	0
392	6137	Forcemain "A" Project	940,000	0
394	Plan	Sanitary Sewer Pipeline Improvements	0	0
		Subtotal by Funding Source	**4,539,000**	**1,849,000**
		Total	**$6,388,000**	

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	Sewer Infrastructure Fund	Wastewater Revenue Bonds
376	6118	SJ/SC Regional Waste Water Facility	7,340,000	0
378	6121	BART Project - Sewer Improvements	0	0
380	6124	Sewer Pump Station Rehabilitation Program	500,000	0
382	6126	Minor Sewer Projects	50,000	0
384	6127	Sanitary Supervisory Control & Data Acquisition	0	0
386	6130	Main Lift Station Odor Emissions Control	0	0
388	6134	On-Call Sewer Maintenance & Repair Services	100,000	0
390	6135	Sanitary Sewer CCTV Inspections & Improvements	433,000	0
392	6137	Forcemain "A" Project	3,200,000	20,000,000
394	Plan	Sanitary Sewer Pipeline Improvements	996,000	0
		Subtotal by Funding Source	**12,619,000**	**20,000,000**
		Total	**$32,619,000**	

Summary of Project Funding Sources FY 2026-27

Pg.	No.	Project Name	Sewer Infrastructure Fund
376	6118	SJ/SC Regional Waste Water Facility	2,955,000
378	6121	BART Project - Sewer Improvements	0
380	6124	Sewer Pump Station Rehabilitation Program	695,000
382	6126	Minor Sewer Projects	50,000
384	6127	Sanitary Supervisory Control & Data Acquisition	0
386	6130	Main Lift Station Odor Emissions Control	0
388	6134	On-Call Sewer Maintenance & Repair Services	100,000
390	6135	Sanitary Sewer CCTV Inspections & Improvements	333,000
392	6137	Forcemain "A" Project	0
394	Plan	Sanitary Sewer Pipeline Improvements	1,417,000
		Subtotal by Funding Source	**5,550,000**
		Total	**$5,550,000**

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	Sewer Infrastructure Fund
376	6118	SJ/SC Regional Waste Water Facility	14,675,000
378	6121	BART Project - Sewer Improvements	0
380	6124	Sewer Pump Station Rehabilitation Program	0
382	6126	Minor Sewer Projects	50,000
384	6127	Sanitary Supervisory Control & Data Acquisition	0
386	6130	Main Lift Station Odor Emissions Control	0
388	6134	On-Call Sewer Maintenance & Repair Services	100,000
390	6135	Sanitary Sewer CCTV Inspections & Improvements	333,000
392	6137	Forcemain "A" Project	0
394	Plan	Sanitary Sewer Pipeline Improvements	2,912,000
		Subtotal by Funding Source	**18,070,000**
		Total	**$18,070,000**

Summary of Project Funding Sources FY 2028-29

Pg.	No.	Project Name	Sewer Infrastructure Fund
376	6118	SJ/SC Regional Waste Water Facility	9,266,000
378	6121	BART Project - Sewer Improvements	0
380	6124	Sewer Pump Station Rehabilitation Program	0
382	6126	Minor Sewer Projects	50,000
384	6127	Sanitary Supervisory Control & Data Acquisition	0
386	6130	Main Lift Station Odor Emissions Control	0
388	6134	On-Call Sewer Maintenance & Repair Services	100,000
390	6135	Sanitary Sewer CCTV Inspections & Improvements	333,000
392	6137	Forcemain "A" Project	0
394	Plan	Sanitary Sewer Pipeline Improvements	1,365,000
		Subtotal by Funding Source	**11,114,000**
		Total	**$11,114,000**

PROJECT NO.
6118

SJ/SC Regional Waste Water Facility

Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	San Jose/Santa Clara Regional Waste Water Facility
Managing Department:	Public Works - Engineering
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. The City of Milpitas uses approximately 7%, which equals to approximately $140 million of the cost of improvements 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 Approved Capital Improvement Program.

Uncommitted Balance as of 3/31/2024	Council Approval
$6,734,000	**7/1/2013**

SJ/SC Regional Waste Water Facility

Project No. 6118

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	93,822,245	3,940,000	7,340,000	2,955,000	14,675,000	9,266,000	131,998,245
TOTAL	**$93,822,245**	**$3,940,000**	**$7,340,000**	**$2,955,000**	**$14,675,000**	**$9,266,000**	**$131,998,245**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Sewer Fund	21,765,000	0	0	0	0	0	21,765,000
Sewer Infrastructure Fund	17,007,245	2,091,000	7,340,000	2,955,000	14,675,000	9,266,000	53,334,245
Sewer Treatment Fund	19,550,000	1,849,000	0	0	0	0	21,399,000
Wastewater Revenue Bonds	35,500,000	0	0	0	0	0	35,500,000
TOTAL	**$93,822,245**	**$3,940,000**	**$7,340,000**	**$2,955,000**	**$14,675,000**	**$9,266,000**	**$131,998,245**

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.

BART Project - Sewer Improvements

PROJECT NO.
6121

Category:	Sewer Improvement
City Council Priority:	Transportation and Transit
Project Location:	Milpitas BART
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closeout
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 2024 after right-of-way acquisition is completed.

Uncommitted Balance as of 3/31/2024	Council Approval
$13,000	7/1/2011

BART Project - Sewer Improvements

Project No. 6121

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Sewer Fund	243,323	0	0	0	0	0	243,323
TOTAL	**$243,323**	**$0**	**$0**	**$0**	**$0**	**$0**	**$243,323**

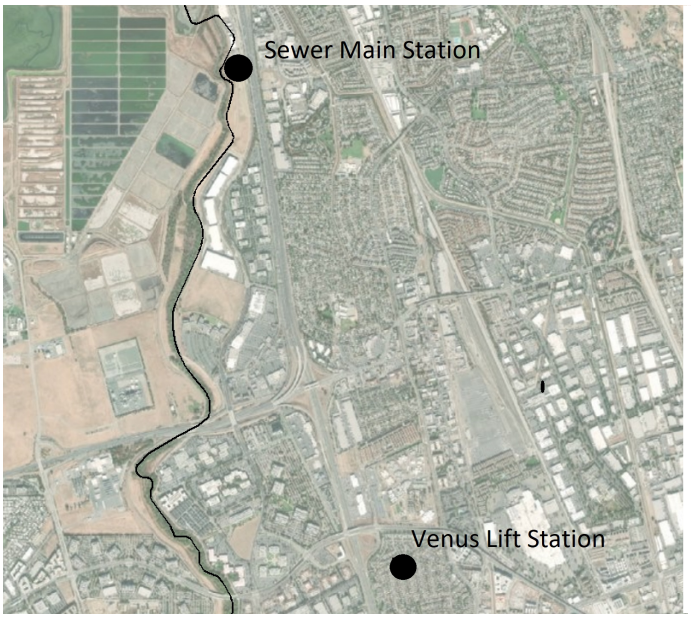
Finance Notes

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:	Governance and Administration
Project Location:	Main and Venus Wastewater Lift Stations
Managing Department:	Public Works - Operations
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 (VFD), and grinders.

Notes

In FY2022-23, Public Works completed the repair of VDF#3 and rebuilt the Pump#4 at the Main Lift Station. Workplan in FY2023-24 is to replace grinders and VFDs, design the replacement of the air vact system and magnetic flow meter and Wet Well Grease Management Project at the Main Lift Station.

Funding request in FY2024-25 is for the annual replacement of grinders and VFDs, preparation of a technical memo for Vactor Truck Disposal Facility project, and construction of magnetic flow meter and Wet Well Grease Management Project at the Main Lift Station. Planned funding request in FY2025-26 and FY 2026-27 is for the annual replacement of grinders and VFDs, and the design and construction of Vactor Truck Disposal Facility project at the Main Lift Station.

Uncommitted Balance as of 3/31/2024	Council Approval
$709,000	**7/1/2017**

Sewer Pump Station Rehabilitation Program

Project No. 6124

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	100,000	100,000	120,000	0	0	320,000
Administration	175,000	0	0	0	0	0	175,000
Improvements	852,000	825,000	400,000	575,000	0	0	2,652,000
Equipment	100,000	0	0	0	0	0	100,000
TOTAL	**$1,127,000**	**$925,000**	**$500,000**	**$695,000**	**$0**	**$0**	**$3,247,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Sewer Infrastructure Fund	1,127,000	925,000	500,000	695,000	0	0	3,247,000
TOTAL	**$1,127,000**	**$925,000**	**$500,000**	**$695,000**	**$0**	**$0**	**$3,247,000**

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.

Minor Sewer Projects

PROJECT NO.
6126

Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Operations
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 2022-23, Public Works completed the replacements of siphons at Santa Rita, raised the manholes to grade at the intersection of Montague Expressway and S. Main St., and reformed the manhole concrete channel on Sylvia Ct. and Petaluma Ct. Workplan in FY2023-24 is to connect the sewer main to the manhole at the intersection of Conway St. and Greathouse Dr. and pavement restoration at Main Lift Station. Funding request in FY2024-25 is for the site improvements at north yard dump and ongoing minor repairs.

Uncommitted Balance as of 3/31/2024	Council Approval
$118,000	**7/1/2013**

Minor Sewer Projects

Project No. 6126

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	13,000	0	0	0	0	0	13,000
Improvements	250,000	50,000	50,000	50,000	50,000	50,000	500,000
TOTAL	**$263,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$513,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Sewer Fund	100,000	0	0	0	0	0	100,000
Sewer Infrastructure Fund	163,000	50,000	50,000	50,000	50,000	50,000	413,000
TOTAL	**$263,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$50,000**	**$513,000**

Finance Notes

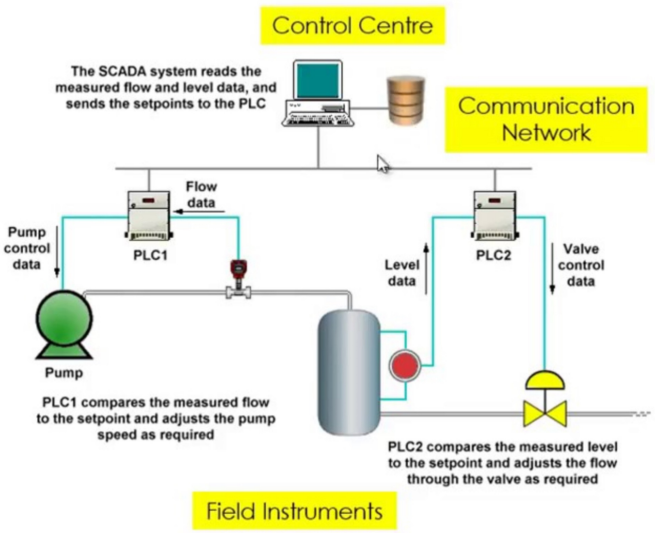
City Council 6/4/2020 - $37K in prior years funding from Sewer Infrastructure Fund was defunded for other projects in FY 2020-21.

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 - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Project Closeout
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 efficiency 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 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$22,000	7/1/2013

Sanitary Supervisory Control & Data Acquisition

Project No. 6127

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Main Lift Station Odor Emissions Control

PROJECT NO.
6130

Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Main Wastewater Lift Station
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
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

On 6/15/2021, City Council awarded a construction contract which was completed in 2024.

Uncommitted Balance as of 3/31/2024	Council Approval
$603,000	**7/1/2018**

Main Lift Station Odor Emissions Control

Project No. 6130

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

On-Call Sewer Maintenance & Repair Services

PROJECT NO.
6134

Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Operations
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

Funding request in FY2024-25 is for on-call maintenance and repair contracts related to the city's sewer infrastructure.

Uncommitted Balance as of 3/31/2024	Council Approval
$18,000	**7/1/2020**

On-Call Sewer Maintenance & Repair Services

Project No. 6134

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	265,000	100,000	100,000	100,000	100,000	100,000	765,000
TOTAL	**$265,000**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$765,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Sewer Fund	74,000	0	0	0	0	0	74,000
Sewer Infrastructure Fund	191,000	100,000	100,000	100,000	100,000	100,000	691,000
TOTAL	**$265,000**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$100,000**	**$765,000**

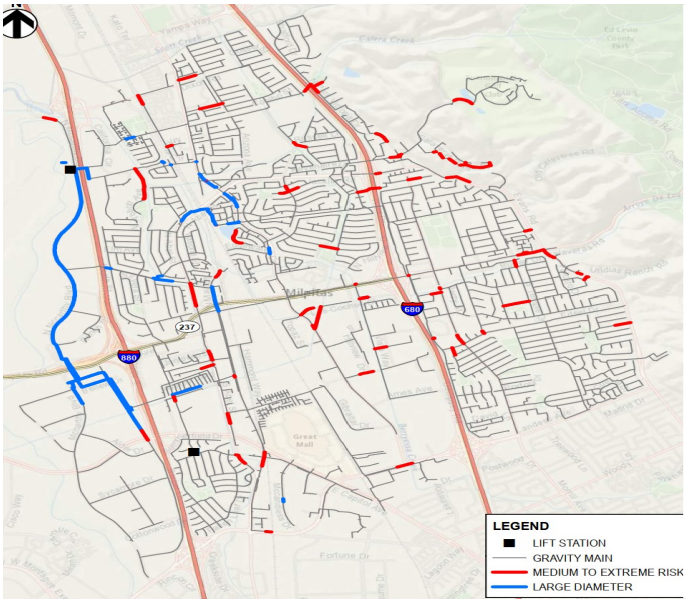
Finance Notes

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.
6135

Sanitary Sewer CCTV Inspections & Improvements



Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Harris Siddiqui [3358]
Project Stage:	Implementation
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 FY2024-25 is for the ongoing CCTV inspection of pipelines greater than 24" and repair pipeline defects discovered during inspections.

Uncommitted Balance as of 3/31/2024	Council Approval
$524,000	**7/1/2023**

Sanitary Sewer CCTV Inspections & Improvements

Project No. 6135

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	533,000	433,000	433,000	333,000	333,000	333,000	2,398,000
TOTAL	**$533,000**	**$433,000**	**$433,000**	**$333,000**	**$333,000**	**$333,000**	**$2,398,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Sewer Infrastructure Fund	533,000	433,000	433,000	333,000	333,000	333,000	2,398,000
TOTAL	**$533,000**	**$433,000**	**$433,000**	**$333,000**	**$333,000**	**$333,000**	**$2,398,000**

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.

Forcemain "A" Project

PROJECT NO.
6137

Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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 from the 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

Workplan in FY2023-24 is to retain a design consultant and perform a condition assessment of the pipeline to determine the method of construction. Funding request in FY2024-25 is for the design, environmental review under CEQA, 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 Wastewater Revenue Bond.

Uncommitted Balance as of 3/31/2024	Council Approval
$2,000,000	**7/1/2023**

Forcemain "A" Project

Project No. 6137

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	1,500,000	940,000	0	0	0	0	2,440,000
Administration	500,000	0	1,000,000	0	0	0	1,500,000
Inspection	0	0	200,000	0	0	0	200,000
Improvements	0	0	22,000,000	0	0	0	22,000,000
TOTAL	**$2,000,000**	**$940,000**	**$23,200,000**	**$0**	**$0**	**$0**	**$26,140,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Sewer Infrastructure Fund	2,000,000	940,000	3,200,000	0	0	0	6,140,000
Wastewater Revenue Bonds	0	0	20,000,000	0	0	0	20,000,000
TOTAL	**$2,000,000**	**$940,000**	**$23,200,000**	**$0**	**$0**	**$0**	**$26,140,000**

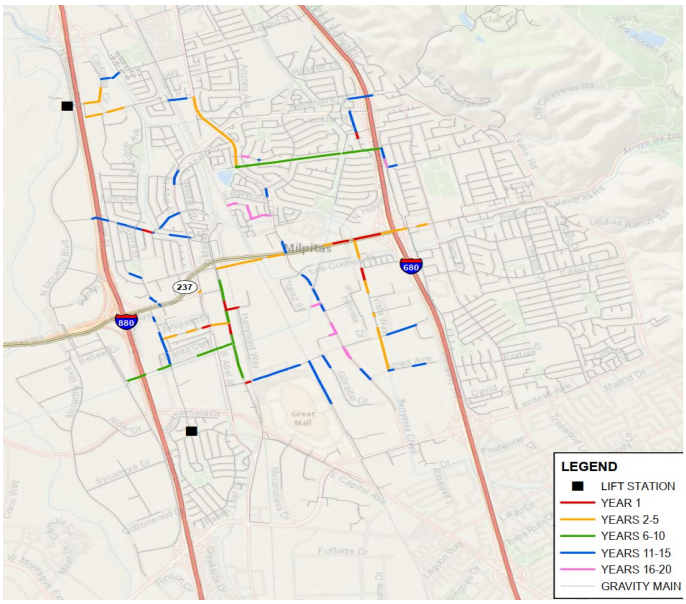
Finance Notes

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.

Sanitary Sewer Pipeline Improvements

PROJECT NO.
Plan



Category:	Sewer Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ 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 FY2027-28 is for Phase 3 improvements (PI 11). Planned funding request in FY2028-29 is for phase 4 improvement (PI 12 & 14).

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2023

Sanitary Sewer Pipeline Improvements

Project No. Plan

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	0	100,000	147,000	300,000	140,000	687,000
Administration	0	0	146,000	200,000	425,000	200,000	971,000
Inspection	0	0	20,000	30,000	60,000	30,000	140,000
Improvements	0	0	730,000	1,040,000	2,127,000	995,000	4,892,000
TOTAL	**$0**	**$0**	**$996,000**	**$1,417,000**	**$2,912,000**	**$1,365,000**	**$6,690,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Sewer Infrastructure Fund	0	0	996,000	1,417,000	2,912,000	1,365,000	6,690,000
TOTAL	**$0**	**$0**	**$996,000**	**$1,417,000**	**$2,912,000**	**$1,365,000**	**$6,690,000**

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.

Milpitas

STORM DRAIN IMPROVEMENT PROJECTS

2025-29 Summary of Estimated Costs

Pg.	No.	Project Name	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total Cost
404	3709	Dempsey Road Storm Drain Replacement	1,660,000	0	0	0	0	0	1,660,000
406	3711	BART Project - Storm Improvements	33,000	0	0	0	0	0	33,000
408	3714	Flap Gate Replacement	500,000	0	0	400,000	0	0	900,000
410	3715	Storm Drain System Rehabilitation	2,616,410	0	0	0	0	0	2,616,410
412	3718	Storm Supervisory Control & Data Acquisition	2,416,590	0	0	0	0	0	2,416,590
414	3719	On-Call Storm Maintenance & Repair Services	145,000	100,000	0	0	0	0	245,000
416	**New**	**Main Street Flood Study**	**0**	**500,000**	**0**	**0**	**0**	**0**	**500,000**
		Total Cost	**$7,371,000**	**$600,000**	**$0**	**$400,000**	**$0**	**$0**	**$8,371,000**

Funding Summary

Storm Drain General Fund	100,000	0	400,000	0	0
Storm Drain Fund	500,000	0	0	0	0
Total Financing Available	**600,000**	**0**	**400,000**	**0**	**0**
No Funding Source	0	0	0	0	0
Total	**$600,000**	**$0**	**$400,000**	**$0**	**$0**

Summary of Project Funding Sources FY 2024-25

Pg.	No.	Project Name	Storm Drain General Fund	Storm Drain Fund
404	3709	Dempsey Road Storm Drain Replacement	0	0
406	3711	BART Project - Storm Improvements	0	0
408	3714	Flap Gate Replacement	0	0
410	3715	Storm Drain System Rehabilitation	0	0
412	3718	Storm Supervisory Control & Data Acquisition	0	0
414	3719	On-Call Storm Maintenance & Repair Services	100,000	0
416	**New**	**Main Street Flood Study**	**0**	**500,000**
		Subtotal by Funding Source	**100,000**	**500,000**
		Total	**$600,000**	

Summary of Project Funding Sources FY 2025-26

Pg.	No.	Project Name	Storm Drain General Fund	Storm Drain Fund	No Funding Source
404	3709	Dempsey Road Storm Drain Replacement	0	0	0
406	3711	BART Project - Storm Improvements	0	0	0
408	3714	Flap Gate Replacement	0	0	0
410	3715	Storm Drain System Rehabilitation	0	0	0
412	3718	Storm Supervisory Control & Data Acquisition	0	0	0
414	3719	On-Call Storm Maintenance & Repair Services	0	0	0
416	**New**	**Main Street Flood Study**	**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
404	3709	Dempsey Road Storm Drain Replacement	0	0	0
406	3711	BART Project - Storm Improvements	0	0	0
408	3714	Flap Gate Replacement	400,000	0	0
410	3715	Storm Drain System Rehabilitation	0	0	0
412	3718	Storm Supervisory Control & Data Acquisition	0	0	0
414	3719	On-Call Storm Maintenance & Repair Services	0	0	0
416	**New**	**Main Street Flood Study**	**0**	**0**	**0**
		Subtotal by Funding Source	**400,000**	**0**	**0**
		Total	**$400,000**		

Summary of Project Funding Sources FY 2027-28

Pg.	No.	Project Name	Storm Drain General Fund	Storm Drain Fund	No Funding Source
404	3709	Dempsey Road Storm Drain Replacement	0	0	0
406	3711	BART Project - Storm Improvements	0	0	0
408	3714	Flap Gate Replacement	0	0	0
410	3715	Storm Drain System Rehabilitation	0	0	0
412	3718	Storm Supervisory Control & Data Acquisition	0	0	0
414	3719	On-Call Storm Maintenance & Repair Services	0	0	0
416	**New**	**Main Street Flood Study**	**0**	**0**	**0**
		Subtotal by Funding Source	**0**	**0**	**0**
		Total	**$0**		

Summary of Project Funding Sources FY 2028-29

Pg.	No.	Project Name	Storm Drain General Fund	Storm Drain Fund	No Funding Source
404	3709	Dempsey Road Storm Drain Replacement	0	0	0
406	3711	BART Project - Storm Improvements	0	0	0
408	3714	Flap Gate Replacement	0	0	0
410	3715	Storm Drain System Rehabilitation	0	0	0
412	3718	Storm Supervisory Control & Data Acquisition	0	0	0
414	3719	On-Call Storm Maintenance & Repair Services	0	0	0
416	**New**	**Main Street Flood Study**	**0**	**0**	**0**
		Subtotal by Funding Source	**0**	**0**	**0**
		Total	**$0**		

Dempsey Road Storm Drain Replacement

PROJECT NO.
3709

Category:	Storm Drain Improvement
City Council Priority:	Governance and Administration
Project Location:	Dempsey Road
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Lyhak Eam [3349]
Project Stage:	Project Closure
Estimated Schedule	
Design:	—
Construction:	—
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

Public Works has reprioritized the importance of this project and reallocated the available funding to other higher priority projects.

Uncommitted Balance as of 3/31/2024	Council Approval
$1,401,000	**7/1/2014**

Dempsey Road Storm Drain Replacement

Project No. 3709

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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	0	0	1,080,000
TOTAL	**$1,660,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$1,660,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Storm Drain Fund	1,660,000	0	0	0	0	0	1,660,000
TOTAL	**$1,660,000**	**$0**	**$0**	**$0**	**$0**	**$0**	**$1,660,000**

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.

Close at the end of Fiscal Year: June 30, 2024

PROJECT NO.
3711

BART Project - Storm Improvements

Category:	Storm Drain Improvement
City Council Priority:	Transportation and Transit
Project Location:	Milpitas BART
Managing Department:	Public Works - Engineering
Contact Person:	Michael Silveira [3303]/ Roberto Alonzo [3316]
Project Stage:	Project Closeout
Estimated Schedule	
Design:	Completed
Construction:	Completed
Recurring Project:	No

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 2024 after right-of-way acquisition is completed.

Uncommitted Balance as of 3/31/2024	Council Approval
$33,000	**7/1/2011**

BART Project - Storm Improvements

Project No. 3711

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

Flap Gate Replacement

PROJECT NO.
3714

Category:	Storm Drain Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide Creeks
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Design
Estimated Schedule	
Design:	2024-2026
Construction:	2026-2027
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

Public Works is to retain a consultant to complete the technical memo in FY2023-24 and design in FY2025-26 for the Penitencia Stormwater Pump Station and Hall Lagoon Improvements project. Planned funding request in FY2026-27 is for the installation of the improvements.

Uncommitted Balance as of 3/31/2024	Council Approval
$471,000	**7/1/2013**

Flap Gate Replacement

Project No. 3714

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	50,000	0	0	0	0	0	50,000
Administration	30,000	0	0	0	0	0	30,000
Improvements	420,000	0	0	400,000	0	0	820,000
TOTAL	**$500,000**	**$0**	**$0**	**$400,000**	**$0**	**$0**	**$900,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Storm Drain Fund	500,000	0	0	0	0	0	500,000
Storm Drain General Fund	0	0	0	400,000	0	0	400,000
TOTAL	**$500,000**	**$0**	**$0**	**$400,000**	**$0**	**$0**	**$900,000**

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.

PROJECT NO.
3715

Storm Drain System Rehabilitation

Category:	Storm Drain Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Construction
Estimated Schedule	
Design:	Completed
Construction:	2023-2025
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

In FY2022-23, Public Works completed repairs to the pump at Manor Storm Pump Station and sump pump at PD and Wrigley-Ford Creek sediment evaluation. On 12/5/2023, the PW Director declared an emergency for the replacement of the storm drain pipe on Evans Road and rehabilitation of the weir and riprap in Piedmont Creek at Piedmont Road which were completed in March 2024. Workplan in FY2023-24 is to start the improvement of the wet well and installation of the liner in the concrete drainage ditch behind Friendly Village Mobilehome Park and replacement of the fuel piping at McCarthy Pump Station.

Uncommitted Balance as of 3/31/2024	Council Approval
$1,400,000	**7/1/2016**

Storm Drain System Rehabilitation

Project No. 3715

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	100,000	0	0	0	0	0	100,000
Administration	608,000	0	0	0	0	0	608,000
Inspection	50,000	0	0	0	0	0	50,000
Improvements	1,858,410	0	0	0	0	0	1,858,410
TOTAL	**$2,616,410**	**$0**	$0	$0	$0	$0	**$2,616,410**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Storm Drain General Fund	558,000	0	0	0	0	0	558,000
Storm Drain Fund	2,058,410	0	0	0	0	0	2,058,410
TOTAL	**$2,616,410**	**$0**	**$0**	**$0**	**$0**	**$0**	**$2,616,410**

Finance Notes

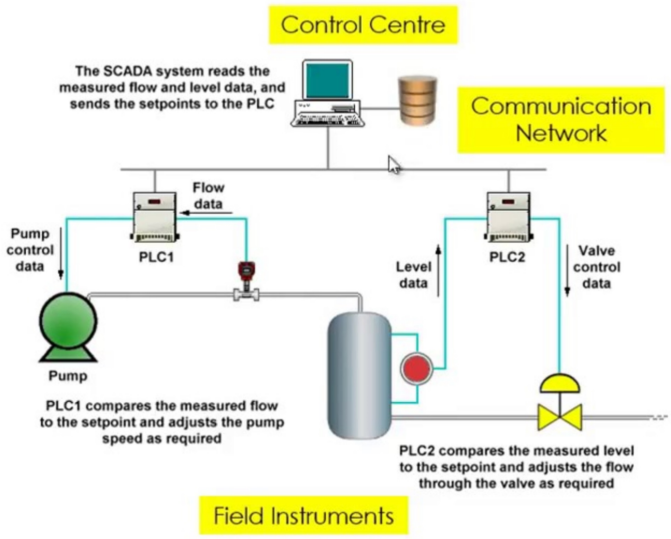
In FY2019-20, $400k of prior year funding from General Government CIP Fund revised to Storm Drain Fund.
City Council 11/17/2020: Budget Appropriation of $1,366,590 in prior years funding from Storm Drain Fund was defunded for Storm Supervisory Control & Data acquisition Project No. 3718.

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.

Storm Supervisory Control & Data Acquisition

PROJECT NO.
3718



Category:	Storm Drain Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Operations
Contact Person:	Christian Di Renzo [2602]/ Elaine Marshall [2603]
Project Stage:	Project Closeout
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 efficiency 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 2024. The project includes the replacement of system controls at Oak Creek, McCarthy, and Murphy pump stations.

Uncommitted Balance as of 3/31/2024	Council Approval
$90,000	7/1/2015

Storm Supervisory Control & Data Acquisition

Project No. 3718

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	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.

On-Call Storm Maintenance & Repair Services

PROJECT NO.
3719

Category:	Storm Drain Improvement
City Council Priority:	Governance and Administration
Project Location:	Citywide
Managing Department:	Public Works - Operations
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

Funding request in FY2024-25 is for on-call maintenance and repair contracts related to the city's storm drain infrastructure.

Uncommitted Balance as of 3/31/2024	Council Approval
$13,000	**7/1/2020**

On-Call Storm Maintenance & Repair Services

Project No. 3719

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Improvements	145,000	100,000	0	0	0	0	245,000
TOTAL	**145,000**	**100,000**	**0**	**0**	**0**	**0**	**245,000**

Funding Source

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
General Government CIP Fund	145,000	0	0	0	0	0	145,000
Storm Drain General Fund	0	100,000	0	0	0	0	100,000
TOTAL	**145,000**	**100,000**	**0**	**0**	**0**	**0**	**245,000**

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.

Main Street Flood Study

PROJECT NO.

New

Category:	Storm Drain Improvement
City Council Priority:	Governance and Administration
Project Location:	Main Street
Managing Department:	Public Works - Engineering
Contact Person:	Christian Di Renzo [2602]/ Michael Silveira [3303]
Project Stage:	Assessment
Estimated Schedule	
Design:	2024-2025
Construction:	—
Recurring Project:	No

Description

This project provides for assessment of the flooding that occurs on Main Street under 237 overpass due to Wrigley Ford Creek.

Notes

Funding request in FY2024-25 is to retain a consultant to conduct the assessment of the flooding.

Uncommitted Balance as of 3/31/2024	Council Approval
$0	7/1/2024

Main Street Flood Study

Project No. New

Estimated Cost

Phase	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Design	0	400,000	0	0	0	0	400,000
Administration	0	100,000	0	0	0	0	100,000
TOTAL	**$0**	**$500,000**	**$0**	**$0**	**$0**	**$0**	**$500,000**

Funding Source

	Prior Year	FY 2024-25	FY 2025-26	FY 2026-27	FY 2027-28	FY 2028-29	Total
Storm Drain Fund	0	500,000	0	0	0	0	500,000
TOTAL	**$0**	**$500,000**	**$0**	**$0**	**$0**	**$0**	**$500,000**

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.

Milpitas

Planned Projects Without Funding

"Planned Projects Without Funding" section identifies long-term infrastructure needs in the City. These projects are not included within 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	$57,600,000	$19,700,000	**$77,300,000**
Park Improvement	$4,700,000	$63,200,000	**$67,900,000**
Street Improvement	$9,000,000	$99,600,000	**$108,600,000**
Water Improvement	$52,900,000	$0	**$52,900,000**
Sewer Improvement	$61,600,000	$0	**$61,600,000**
Storm Drain Improvement	$57,800,000	$0	**$57,800,000**
Total	**$243,600,000**	**$182,500,000**	**$426,100,000**

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**

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**

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**

Police Firearms Range Improvements	Estimated Cost: $1.0M
This project provides for the improvement of Police Firearms Range located in Alameda County.	Project added to the CIP on **July 1, 2024**

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 Quite Zone along portions of the UPRR Warm Springs corridor within City of Milpitas.	Projected added to the CIP on **July 1, 2021**

Park Improvements

Higuera Adobe Caretaker Cottage Renovation	Estimated Cost: $0.2M
This project provides for the interior and exterior restoration of the Higuera Adobe Park caretaker cottage.	Project added to the CIP on **July 1, 2016**

Ben Rogers Park Renovation	Estimated Cost: $4.5M
This project provides for the design and construction of improvements at Ben Rogers Park. Improvements may include picnic and playground areas, ADA access and pathways, pedestrian lighting, irrigation and landscaping, site furnishing replacement, and restroom installation.	Project added to the CIP on **July 1, 2017**

Calle Oriente Park Improvements	Estimated Cost: $460k
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.	Project added to the CIP on **July 1, 2022**

Calaveras Ridge Park	Estimated Cost: $1.7M
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.	Project added to the CIP on **July 1, 2018**

Cardoza Park Improvements	Estimated Cost: $340k
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.	Project added to the CIP on **July 1, 2022**

Dixon Landing Park Renovation	Estimated Cost: $4.1M
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.	Project added to the CIP on **July 1, 2017**

Foothill Park Renovation	Estimated Cost: $2.7M
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.	Project added to the CIP on **July 1, 2017**

Hall Memorial Renovation	Estimated Cost: $5.0M
This project provides for the design and construction of improvements 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.	Project added to the CIP on **July 1, 2022**

Planned Projects Without Funding

Park Improvements (continued)

Hidden Lake Park Renovation	Estimated Cost: $1.9M
This project provides for the design and construction of improvements at Hidden Lake Park. Improvements may include picnic areas, ADA access, pathways, lighting, irrigation, landscaping and shade tree installation.	Project added to the CIP on **July 1, 2017**

Hillcrest Park Renovation	Estimated Cost: $2.8M
This project provides for the design and construction of improvement 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.	Project added to the CIP on **July 1, 2022**

John McDermott Park Improvements	Estimated Cost: $520k
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.	Project added to the CIP on **July 1, 2022**

Milpitas Sports Center Complex Improvements	Estimated Cost: $3.5M
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.	Project added to the CIP on **July 1, 2020**

Murphy Park Renovation	Estimated Cost: $4.8M
This project provides for the design and construction of improvements 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.	Project added to the CIP on **July 1, 2009**

Oliver W. Jones Memorial Park Renovation	Estimated Cost: $1.9M
This project provides for the design and construction of improvements at Oliver W. Jones Memorial 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.	Project added to the CIP on **July 1, 2022**

Parc Metro Central Park Improvements	Estimated Cost: $370k
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.	Project added to the CIP on **July 1, 2022**

Parc Metro East Park Improvements	Estimated Cost: $580k
This project provides for the design and construction of improvements at Parc Metro East Park. Improvements may include open space and playground areas, irrigation and landscaping, site furnishing replacement, and restroom renovation.	Project added to the CIP on **July 1, 2022**

Park Improvements (continued)

Parc Metro West Park Improvements	Estimated Cost: $950k
This project provides for the design and construction of improvements 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 improvements 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: $180k
This project provides for the design and construction of improvements 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: $800k
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: $4.0M
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: $3.6M
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: $5.7M
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	**Estimated Cost: $3.8M**
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.	Project added to the CIP on **July 1, 2015**

Sunnyhills Albert Augustine Jr. Memorial Park Renovation	**Estimated Cost: $5.6M**
This project provides for the design and construction of improvements 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.	Project added to the CIP on **July 1, 2022**

Strickroth Park Renovation	**Estimated Cost: $5.0M**
This project provides for the design and construction of improvements 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.	Project added to the CIP on **July 1, 2022**

Tom Evatt Park Improvements	**Estimated Cost: $270k**
This project provides for the design and construction of improvements at Tom Evatt Park. Improvements may include playground areas, irrigation and landscaping, and site furnishing replacement.	Project added to the CIP on **July 1, 2022**

Sport Center Synthetic Fields Replacement	**Estimated Cost: $1.7M**
This project provides for replacement of the football and soccer synthetic fields at the Sports Center Complex which was installed in 2016. Life expectancy field is approximately 15 years.	Project added to the CIP on **July 1, 2021**

PStreet Improvements

Traffic Signal Installation	Estimated Cost: $0.7M
This project provides for the design and construction of a new traffic signal system. Possible locations include Milpitas Blvd. & Tramway Dr., S. Park Victoria Dr. & Mt. Shasta Ave., N. Park Victoria Dr. & Kennedy Dr., and elsewhere.	Project added to the CIP on **July 1, 2008**

Trail Amenity Improvements	Estimated Cost: $3.9M
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: $20.2M
This project provides for the City's fair share contribution to the County for streetscape improvements and widening the road on Montague Expy from Great Mall Pkwy to S. Main St. The fair share goal from TASP Impact Fees for streetscape and widening improvement is estimated at $12.3M (DB#6) and $7.9M (DB#2), respectively.	Project added to the CIP on **July 1, 2019**

Railroad Ct. Bridge Replacement	Estimated Cost: $5.0M
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: $4.0M
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: $54.7M
This project provides for the design and construction of pedestrian improvements in the 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: $11.5M
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: $1.1M
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**

Traffic Safety Improvements	Estimated Cost: $7.5M
This project provides for the design and construction of traffic safety improvements at 25 locations identified in the adopted Travel Safety Plan dated December 2023.	Project added to the CIP on **July 1, 2024**

Planned Projects Without Funding

Water Improvements

Asset Renewal and Replacement Program	Estimated Cost: $43.0M
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.	Project added to the CIP on **July 1, 2023**

Fire Flow Improvements	Estimated Cost: $3.9M
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.	Project added to the CIP on **July 1, 2023**

Curtis Well Facility	Estimated Cost: $6.0M
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.	Project added to the CIP on **July 1, 2023**

Sewer Improvements

Sanitary Sewer CCTV Inspections & Improvements	Estimated Cost: $44.6M
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.	Project added to the CIP on **July 1, 2023**

Sanitary Sewer Pipeline Improvements	Estimated Cost: $17.0M
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.	Project added to the CIP on **July 1, 2023**

Storm Drain Improvements

Channel and Lagoon Dredging	Estimated Cost: $1.5 M
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.	Project approved by City Council **June 2, 2019**

Penitencia Pump Station Replacement	Estimated Cost: $10.0 M
This project provides for the design and replacement of the Penitencia Pump Station located at Hall Memorial Park as recommend in the adopted Master Plan, dated October 22, 2021.	Project added to the CIP on **July 1, 2012**

Jurgens Pump Station Replacement	Estimated Cost: $15.0 M
This project provides for the design and replacement of Jurgens Pump Station as recommend in the adopted Master Plan, dated October 22, 2021.	Project added to the CIP on **July 1, 2017**

Storm Drain Pipeline Capacity Improvements - High Priority	Estimated Cost: $15.8 M
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.	Project added to the CIP on **July 1, 2023**

Storm Drain Pipeline Capacity Improvements - Low Priority	Estimated Cost: $12.4 M
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.	Project added to the CIP on **July 1, 2023**

Storm Drain Pipeline Extension Improvements	Estimated Cost: $0.5 M
This project provides for the design and construction of storm drain pipeline extension as identified in the adopted Master Plan, dated October 22, 2021.	Project added to the CIP on **July 1, 2023**

Storm Drain Pump Station Improvements	Estimated Cost: $2.6 M
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.	Project added to the CIP on **July 1, 2023**

Milpitas

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 roads, bridges, buildings, utilities, 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 park 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
ABAG	Association of Bay Area Governments
ac	Acres
AC	Asphalt Concrete
ACAMS	Access Control and Alarm Monitoring System
ACOE	Army Corp of Engineers
ADA	Americans with Disabilities Act
ALPRs	Automated License Plate Readers
Ave.	Avenue
BAAQMD	Bay Area Air Quality Management District
BART	Bay Area Rapid Transit
Blvd.	Boulevard
CAD	Computer Aided Design
Caltrans	California Department of Transportation
CAP	Climate Action Plan
CATV	Cable Television
CCPI	California Consumer Price Index
CCTV	Closed-Circuit Television
CDBG	Community Development Block Grant
CEQA	California Environmental Quality Act
CFD	Community Facilities District
CIP	Capital Improvement Program
CMMS	Computerized Maintenance Management System
CMO	City Manager's Office
COPS	Citizen Options for Public Safety Grant
CPI	Consumer Price Index
CRK	Creek
Ct.	Court
DB#	Basic Infrastructure Program Identification Number in Milpitas Transit Area Infrastructure Financing technical report dated June 2008 by EPS
DG	Decomposed Granite
DHS	Department of Health Service
DPW	Department of Public Works
Dr.	Drive
DSA	Division of the State Architect
E.	East
EIR	Environmental Impact Report
EOC	Emergency Operations Center
EPA	Environmental Protection Agency
Expwy	Expressway
FCC	Federal Communications Commission
FD	Fire Department
FEMA	Federal Emergency Management Admin
FF&E	Furnishings, Fixtures, & Equipment
FSAS	Fire Station Alert System
FY	Fiscal Year
GHG	Greenhouse Gas
GIS	Geographic Information System
Gov.	Government
GPS	Global Positioning System
Haz Mat	Hazardous Materials
HOV	High-Occupancy Vehicle
HVAC	Heating, Ventilating and Air Conditioning
I	Interstate
ID	Identification
IT	Information Technology
Imprv.	Improvement
k	Thousand
LAFCO	Local Agency Formation Commission
LED	Light-Emitting Diode
LID	Local Improvement District
LLMD	Light & Landscape Maintenance District
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.

Milpitas

Milpitas

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