



REGULAR MEETING OF THE MILPITAS CITY COUNCIL



AGENDA

TUESDAY, OCTOBER 21, 2025

CITY COUNCIL CHAMBER, 455 E. CALAVERAS BLVD, MILPITAS, CA
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

** To access written translation during the meeting, scan the QR Code.*

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_Z6JPCONnQUa1X8P7FUEHZg

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.
- Use electronic devices appropriately 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 (7:00 PM)

PLEDGE OF ALLEGIANCE

INVOCATION (Councilmember Chua)

PRESENTATIONS

- Diwali (Proclamation)
- Domestic Violence Awareness Month (Proclamation)
- Community Heroes Awards

PUBLIC FORUM

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

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

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

Recommendation: Receive City Council Calendar of Meetings for October 2025.

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

Recommendation: Approve City Council Meeting minutes of September 16, 26, and 30, 2025.

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

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

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

Recommendation: Receive the list of items that have been requested by City Councilmembers and received consensus in previous meetings to date.

C5. Consider Opting into Nationwide Settlement Agreements with Additional Opioid Manufacturers (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3050; and Christopher Creech, Acting City Attorney, 408-586-3040)

Recommendation: Opt into settlement agreements with certain opioids manufacturers, whereby the City will assign will receive the City's designated share of settlement funds to the County of Santa Clara, and direct and authorize the City Manager to execute settlement agreement(s) and any other documents necessary to implement the action.

- C6. Authorize the City Manager, or Designee, to Negotiate and Execute an Agreement with Telemedicine Group DE for Cardio-Metabolic Testing Services (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; and Jared Hernandez, Chief of Police, 408-586-2406)**

Recommendation: Authorize the City Manager, or designee, to negotiate and execute a Professional Services Agreement with Telemedicine Group DE for cardio-metabolic testing services in an amount not-to-exceed \$206,640 for the full three-year term.

- C7. Authorize the City Manager to Execute Grant Agreement with the Office of Traffic Safety to Accept the Fiscal Year 2026 Office of Traffic Safety Selective Traffic Enforcement Program Grant and Approve the Related Budget Appropriation (Staff Contact: Jared Hernandez, Chief of Police, 408-586-2406)**

Recommendation: Authorize the City Manager, or designee, to execute a grant agreement with the Office of Traffic Safety to accept the Fiscal Year 2026 Office of Traffic Safety Selective Traffic Enforcement Program Grant and approve the related budget appropriation in the amount of \$110,000.

- C8. Adopt a Resolution Accepting Completed Public Improvements and Authorizing Bond Reduction and Release for the Parkside Phase 2 Project at 1992 Tarob Court (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Adopt a resolution to (1) accept the completed public improvements; (2) approve a reduction in the faithful performance bond to \$115,250.00; and (3) authorize the City Engineer to release the performance bond after the one-year warranty period without further City Council action, provided all required warranty work has been completed to the satisfaction of the City Engineer for the Parkside Phase 2 Project at 1992 Tarob Court.

- C9. Authorize the City Manager, or Designee, to Negotiate and Execute an Amendment to the Agreement with W.W. Grainger, Inc. for the Purchase of Maintenance Supplies, Equipment, Tools, and Parts for the Public Works Department (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; and Christian Di Renzo, Public Works Director, 408-586-2602)**

Recommendation: Authorize the City Manager, or designee, to negotiate and execute an amendment to the agreement with W. W. Grainger, Inc., to continue purchasing high quality maintenance supplies, equipment, tools, and parts for a four-year term in an amount not-to-exceed \$549,000 for the full term of the contract agreement.

- C10. Adopt a Resolution to Approve Project Plans and Specifications; Award the Construction Contract to Innovative Construction Solutions; and Authorize the Design Services Agreement Amendment No. 2 with MNS Engineers, Inc. for the Gibraltar Pump Station Valves Replacement Project (Staff: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: Adopt a resolution to: (1) Approve the Project plans and specifications; (2) Award the construction contract to Innovative Construction Solutions in the amount of \$1,310,000; (3) Authorize the City Manager, or designee, to execute the construction contract with Innovative Construction Solutions; (4) Authorize the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$196,500; and (5) Approve and Authorize the

City Manager, or designee, to execute Amendment No. 2 to the Professional Services Agreement with MNS Engineers, Inc. in the amount not to exceed of \$32,198 for the Gibraltar Pump Valves Replacement Project, Project Nos. 7133 and 7141.

COMMUNITY DEVELOPMENT

11. **2025 Legislative Season Update and 2025 State and Federal Earmark Requests Update (Staff Contact: Alex Andrade, Director of Economic Development and Strategic Initiatives, 408-586-3046)**

Recommendation: Review and accept the 2025 Legislative Season Agenda Report, including an update on 2025 State and Federal Earmark Requests.

LEADERSHIP AND SUPPORT SERVICES

12. **Report on Violations of the City's Code of Conduct, Council Handbook, Open Government Ordinance, and Municipal Code (Staff Contact: Deanna J. Santana, City Manager, 408-586-3050)**

Recommendation: Discuss violations and determine manner in which the Council will hold one another accountable consistent with the Council Code of Conduct and other applicable rules and policies.

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

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

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: ccreech@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.

September 2025						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

MILPITAS CITY COUNCIL CALENDAR

October 2025

November 2025						
S	M	T	W	T	F	S
	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
			1 2:00 PM-Santa Clara VTA Monthly Briefing - Northeast Group (CM) (Santa Clara) 5:30 PM-Veterans Commission (GB) 7:00 PM-Community Housing Commission (EC)	2 5:30 PM-Milpitas Chamber of Commerce Board (GB) 5:30 PM-Santa Clara VTA Board of Directors (CM)	3	4
5	6 7:00 PM-Parks, Recreation & Cultural Resources Commission (EC)	7 7:00 PM-City Council CANCELLED	8 4:30 PM-City Council Finance Subcommittee (CM/EC) 7:00 PM-Silicon Valley Clean Energy Board of Directors (GB) (Cupertino)	9 4:00 PM-Treatment Plant Advisory Committee (CM) (San Jose) 4:00 PM-Santa Clara VTA Policy Advisory Committee (EC) 6:00 PM-Youth Advisory Commission (HL)	10	11
12	13 4:30 PM-Economic Development and Trade Commission (WL)	14	15	16	17	18
19	20 7:00 PM-Science, Technology, and Innovation Commission (WL)	21 6:00 PM-Closed Session CANCELLED 7:00 PM-City Council	22 5:30 PM-Cities Assoc. of SCC - Recycling and Waste Reduction Commission (CM) 7:00 PM-Planning Commission	23	24	25
26	27	28 1:30 PM-Senior Advisory Commission (HL) 5:30 PM-City Council Special Meeting	29	30 12:00 PM-Santa Clara County Library JPA Board Meeting (CM) (Campbell, CA)	31 	



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

MINUTES

TUESDAY, SEPTEMBER 16, 2025

The City Council of the City of Milpitas convened in a Regular Meeting of the Milpitas City Council on September 16, 2025, 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 6:01 pm. Roll Call was taken by City Clerk Guzzetta.

PRESENT: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam, Councilmember Lien

ABSENT: None

ADJOURN TO CLOSED SESSION

Acting City Attorney Creech briefed the City Council on the Closed Session items.

There were no public speakers.

The City Council adjourned to Closed Session at 6:04 PM.

(a) PUBLIC EMPLOYEE APPOINTMENT/HIRING

Pursuant to California Government Code Section 54957(b)(1)
Position to be filled: City Attorney

(b) CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6
Agency's Designated Representative(s): Deanna J. Santana, Interim City Manager
Employee Organization(s): Unrepresented City Attorney

(c) CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6
Agency's Designated Representative(s): Rick Bolanos, Liebert Cassidy Whitmore
Employee Organization(s): Professional and Technical Employees, Mid-Management and Confidential Employees, Milpitas Employees Association, Unrepresented Employees

CLOSED SESSION ANNOUNCEMENT:

The City Council reconvened in Open Session at 7:30 PM.

Acting City Attorney Creech had nothing to report out from Closed Session.

PLEDGE OF ALLEGIANCE

Mayor Montano led the Pledge of Allegiance.

INVOCATION

Councilmember Lien provide the invocation.

PRESENTATIONS

Mayor Montano, joined by the Milpitas City Council, presented proclamations in recognition of Persistent Systems, Childhood Cancer Awareness Month, and Mexican Independence Day.

- **County of Santa Clara Report on the Impacts to Milpitas and the community from HR1, the Federal Budget Cuts**

Supervisor Otto Lee introduced the item. Valley Health CEO Paul Lorenz presented the report.

There were the following public speakers:

1. Tarhata Brazsal
2. Mortikai Brazsal
3. Raymond Beins
4. Rob Means
5. Voltaire Montemayor

Supervisor Lee and Valley Health CEO Lorenz responded to questions from City Council.

PUBLIC FORUM

There were the following public speakers:

1. Rob Means

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

Acting City Attorney Creech asked the Mayor and City Councilmembers if they had any personal conflicts of interest. By roll call, there were no conflicts of interest. Acting City Attorney Creech asked the Mayor and City Councilmembers if they had any reportable campaign contributions. By roll call, there were no reportable campaign contributions.

READING OF THE CITY COUNCIL CODE OF CONDUCT

Councilmember Chua read the City Council Code of Conduct.

APPROVAL OF AGENDA

After discussion, motion: to approve the agenda.

Motion/Second: Councilmember Lien / Councilmember Chua

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam,
Councilmember Lien

NOES: None

CONSENT CALENDAR

Councilmember Lien requested to pull item C1 and Councilmember Lam requested to pull item C6.

After discussion, motion: to pull Items C1 and C6 and approve the Consent Calendar.

Motion/Second: Councilmember Lien / Councilmember Lam

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam,
Councilmember Lien

NOES: None

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

Item Pulled from Consent Calendar.

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

Approved City Council Meeting minutes of August 26 and September 2, 2025.

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)**

Received the list of items that have been requested by City Councilmembers and received consensus in previous meetings to date.

5. **Consider Recommendations from Mayor Montano for Appointments to City Commissions (Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)**

Received Mayor Montano's recommendations and approved and confirmed recommendations for appointment to the Youth Advisory Commission as follows:

1. Appoint Alice Yu to a full voting seat with a term ending Septmeber 2028.

6. **Accept the FY 2024-25 Commissioners Annual Report for Six (6) Commissions and Approve Six (6) Commission Work Plans for FY 2025-26 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001; and Renee Lorentzen, Director of Recreation and Community Services, 408-586-3409)**

Item pulled from Consent Calendar.

7. **Authorize the City Manager, or Designee, to Negotiate and Execute a Purchase Order with Cummins, Inc. for Cummins Parts & Supplies for City Fleet (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; and Christian Di Renzo, Public Works Director, 408-586-2602)**

Authorized the City Manager, or designee, to negotiate and execute a Purchase Order with Cummins, Inc. for Parts & Supplies for a five-year term and a total five-year not-to-exceed amount of \$500,000, subject to the appropriation of funds.

PUBLIC HEARINGS

8. **Introduce an Ordinance to Modify Chapter 14 of Title 1 of the Milpitas Municipal Code Regarding the Salaries of the Milpitas Mayor and City Council (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)**

Assistant City Manager Cano presented the report and responded to questions from City Council.

Mayor Montano opened the public hearing.

There were the following public speakers:

1. Voltaire Montemayor

Mayor Montano closed the public hearing.

Acting City Attorney Creech read aloud the title of the ordinance.

After discussion, motion: to waive the first reading beyond the title and introduce **Ordinance No. 128.13** amending Chapter 14 of Title 1 of the Milpitas Municipal Code to amend the salaries of the Mayor and City Council in alignment with California Government Code section 36516..

Motion/Second: Councilmember Lam / Mayor Montano

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam, Councilmember Lien

NOES: None

9. Conduct a Public Hearing and Approve the Draft FY 2024-2025 Community Development Block Grant Consolidated Annual Performance and Evaluation Report (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)

Administrative Analyst Silva presented the report.

Mayor Montano opened the public hearing.

There were the following public speakers.

1. Jonathan Darr, Next Door Solutions
2. Deanne Everton, Rebuilding Together
3. Voltaire Montemayor
4. Georgia Bacil, Senior Adults Legal Assistance (SALA)

Mayor Montano closed the public hearing.

Councilmember Chua asked about the microenterprise program. Interim City Manager Santana reported that the grants (approximately \$8,100 per business) were being distributed that week to eligible applicants.

Mayor Montano asked about potentially helping a jewelry store that had recently experienced a robbery with significant damage to their storefront. Interim City Manager Santana indicated that while the police department offers assistance with security assessments, financial support could be considered during upcoming workshops on one-time funding priorities.

After discussion, motion: to (1) Conduct a public hearing; (2) Approve the draft FY 2024-2025 Community Development Block Grant (CDBG) Consolidated Annual Performance and Evaluation Report (CAPER); and (3) Authorize the City Manager, or designee, to make any necessary changes and submit the approved draft FY 2024-2025 CAPER to the U.S. Department of Housing and Urban Development (HUD) to comply with CDBG requirements..

Motion/Second: Councilmember Chua / Councilmember Lien

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam,
Councilmember Lien

NOES: None

ITEMS PULLED FROM CONSENT CALENDAR

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

Councilmember Lien noted that the October 7, 2025 meeting would conflict with the Council's attendance at a conference in Long Beach. City Clerk Guzzetta confirmed that the meeting had been canceled and that notice had been posted on the city website, and a revised calendar would be posted to reflect this cancellation.

There were the following public speakers:

1. Voltaire Montemayor

After discussion, motion: to Receive City Council Calendar of Meetings for September and October 2025.

Motion/Second: Councilmember Lien / Councilmember Chua

by the following:

AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam,
Councilmember Lien

NOES: None

6. Accept the FY 2024-25 Commissioners Annual Report for Six (6) Commissions and Approve Six (6) Commission Work Plans for FY 2025-26 (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001; and Renee Lorentzen, Director of Recreation and Community Services, 408-586-3409)

Councilmember Lam requested that each commission be given an opportunity to present their work plans so the Council could learn more about each commission's activities.

Recreation and Community Services Director Renee Lorentzen and IT Director Daniel Nam provided a presentation on the six commissions' annual reports and work plans.

There were the following public speakers:

1. Voltaire Montemayor

After discussion, motion: to (1) Accept the FY 2024-25 Commissioners Annual Report; and (2) Approve proposed FY 2025-26 Work Plans for: (a) Arts Commission; (b) Library and Education Commission; (c) Parks, Recreation and Cultural Resources Commission; (d) Senior Advisory Commission; (e) Science, Technology and Innovation Commission; and (f) Veterans Commission..

Motion/Second: Councilmember Lam / Councilmember Lien

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam,
Councilmember Lien

NOES: None

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

Interim City Manager Santana provided updated information about the microenterprise program, stating that 39% of approximately 60 applicants were approved for grants, not 63 or 68 as previously mentioned. She also commended the Police Department for their community meeting the previous night, which she described as informative and reflective of the strong relationship between the police department and the community.

Councilmember Lam thanked Police Chief Jared Hernandez and his team for hosting the town hall meeting, creating a space for community dialogue, and demonstrating a commitment to transparency, accountability, and partnership.

Councilmember Chua mentioned that September is Ovarian Cancer Awareness Month and encouraged women residents to get checked through pelvic exams or blood tests, as ovarian cancer is often asymptomatic.

Vice Mayor Barbadillo shared that he was in Qatar during a strike on Doha on September 9 and described the frightening experience. He expressed hope that the Council would consider making a statement against wars and contributing to world peace.

Mayor Montano mentioned receiving numerous complaints about airplane noise and suggested having a community volunteer or council member attend meetings of the relevant organizations to represent Milpitas's interests.

ADJOURNMENT

Mayor Montano adjourned the meeting at 9:48 PM.

Draft meeting minutes submitted by City Clerk, Suzanne Guzzetta



SPECIAL MEETING OF THE MILPITAS CITY COUNCIL

MINUTES

FRIDAY, SEPTEMBER 26, 2025

The City Council of the City of Milpitas convened in a Special Meeting of the Milpitas City Council on September 26, 2025, 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 2:00 PM. She announced that Councilmember Lien would be participating remotely pursuant to California Government Code § 54953 from 2112 Avenue P in Brooklyn, NY.

Roll Call was taken by City Clerk Guzzetta.

PRESENT: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam,
Councilmember Lien

ABSENT: None

PLEDGE OF ALLEGIANCE

Vice Mayor Barbadillo led the Pledge of Allegiance.

PUBLIC FORUM

There were no public speakers.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

Acting City Attorney Creech asked the Mayor and City Councilmembers if they had any personal conflicts of interest. By roll call, there were no conflicts of interest. Acting City Attorney Creech asked the Mayor and City Councilmembers if they had any reportable campaign contributions. By roll call, there were no reportable campaign contributions.

READING OF THE CITY COUNCIL CODE OF CONDUCT

Councilmember Chua read the City Council Code of Conduct.

APPROVAL OF AGENDA

After discussion, motion: to approve the agenda.

Motion/Second: Councilmember Chua / Vice Mayor Barbadillo
by the following:

AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam,
Councilmember Lien

NOES: None

ADJOURN TO CLOSED SESSION

Acting City Attorney Creech briefed the City Council on the Closed Session items.

There were no public speakers.

The City Council adjourned to Closed Session at 2:05 PM.

(a) CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency's Designated Representative(s): Deanna J. Santana, Interim City Manager

Employee Organization(s): Unrepresented City Attorney

(b) CONFERENCE WITH LEGAL COUNSEL

Pursuant to Government Code Section 54956.9(d)(4)

Anticipated Litigation: City as Plaintiff

CLOSED SESSION ANNOUNCEMENT:

The City Council reconvened at 3:28 PM.

Acting City Attorney Creech had nothing to report out.

ADJOURNMENT

Mayor Montano adjourned the meeting at 3:28 PM.

Draft meeting minutes submitted by City Clerk, Suzanne Guzzetta



SPECIAL MEETING OF THE MILPITAS CITY COUNCIL

MINUTES

TUESDAY, SEPTEMBER 30, 2025

The City Council of the City of Milpitas convened in a Special Meeting of the Milpitas City Council on September 30, 2025, 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 4:30 PM. Roll Call was taken by City Clerk Guzzetta.

PRESENT: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam,
Councilmember Lien

ABSENT: None

PLEDGE OF ALLEGIANCE

Councilmember Lien led the Pledge of Allegiance.

PUBLIC FORUM

There were no public speakers.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

Acting City Attorney Creech asked the Mayor and City Councilmembers if they had any personal conflicts of interest. By roll call, there were no conflicts of interest. Acting City Attorney Creech asked the Mayor and City Councilmembers if they had any reportable campaign contributions. By roll call, there were no reportable campaign contributions.

READING OF THE CITY COUNCIL CODE OF CONDUCT

Vice Mayor Barbadillo read the City Council Code of Conduct.

APPROVAL OF AGENDA

After discussion, motion: to approve the agenda.

Motion/Second: Councilmember Lien / Vice Mayor Barbadillo

Motion carried by the following:

AYES: Mayor Montano, Vice Mayor Barbadillo, Councilmember Chua, Councilmember Lam,
Councilmember Lien

NOES: None

ADJOURN TO CLOSED SESSION

Acting City Attorney Creech briefed the City Council on the Closed Session items.

There were no public comments.

The City Council adjourned to Closed Session at 4:36 PM.

(a) CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency's Designated Representative(s): Rick Bolanos, Liebert Cassidy Whitmore

Employee Organization(s): Professional and Technical Employees, Mid-Management and Confidential Employees, Milpitas Employees Association, Unrepresented Employees

(b) CONFERENCE WITH LABOR NEGOTIATOR

Pursuant to Government Code Section 54957.6

Agency's Designated Representative(s): Deanna J. Santana, Interim City Manager

Employee Organization(s): Unrepresented City Attorney

(c) PUBLIC EMPLOYEE APPOINTMENT/HIRING

Pursuant to California Government Code Section 54957(b)(1)

Position to be filled: City Attorney

CLOSED SESSION ANNOUNCEMENT:

The City Council reconvened in Open Session at 6:49 PM.

Acting City Attorney Creech had nothing to report from Closed Session.

ADJOURNMENT

Mayor Montano adjourned the meeting at 6:49 PM.

Draft meeting minutes submitted by City Clerk, Suzanne Guzzetta

TENTATIVE CITY COUNCIL AGENDA ITEM LIST

as of 10/16/2025

October 28, 2025 – Special Meeting (5:30 PM)

CLOSED SESSION

INVOCATION (Councilmember Chua)

PRESENTATION

- Fire Prevention Week
- Hindu American Awareness and Appreciation Month
- California Clean Air Day
- Breast Cancer Awareness Month

CONSENT CALENDAR

1. Receive City Council calendar for October and November 2025 (City Clerk)
2. Approve City Council meeting minutes of October 2, 2025 (City Clerk)
3. Preview list of items for November 4, 2025 (City Clerk)
4. Councilmember Request List (City Clerk)
5. Investment Policies (Finance)
6. NJ Associates Amendment for Architectural Services (Public Works)

PUBLIC HEARINGS

7. Gateway-Main St. Specific Plan Adoption (Planning)

COMMUNITY DEVELOPMENT

8. Main Street Sense of Place Plan Study Session (Planning)

LEADERSHIP AND SUPPORT SERVICES

9. 4FQ25 – Final Unaudited Report (Finance)

**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	Look into concerns regarding increased air traffic over Milpitas	Montano	9/2/2025	An update on this item will be included in the next quarterly prioritization update.
2	Issue a proclamation to thank and recognize the City of Dagupan, Phillipines, follwing his visit there as part of the Sister City program in April 2025	Barbadillo	8/19/2025	Proclamation tentatively scheduled for October 21, 2025
3	Conduct an offsite workshop in early October to discuss and prioritize Council goals and priorities for their terms	Lam	8/19/2025	An update on this item will be included in the next quarterly prioritization update.
4	Revisit the mural selection committee process to make it more inclusive by involving all commissioners in the Arts Commission	Montano	8/19/2025	An update on this item will be included in the next quarterly prioritization update.
5	Exapnd the Milpitas SMART program to include service to the San Jose Airport	Lam	8/12/2025	An update on this item will be included in the next quarterly prioritization update.
6	Staff explore a program similar to San Leandro's, which provides Ring doorbell cameras to residents	Chua	8/12/2025	An update on this item will be included in the next quarterly prioritization update.
7	Policy review on youth sport grant eligibility to address excluding homeschooled children	Mayor	6/17/2025	An update on this item will be included in the next quarterly prioritization update.

ACTIVE ITEMS				
Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
8	Reinstate the posting of the colors by Boy Scouts at City Council Meetings	Chua	4/15/2025	An update on this item will be included in the next quarterly prioritization update.
9	Revise City Council Code of Conduct language regarding the use of electronic devices.	Lam	4/1/2025	An update on this item will be included in the next quarterly prioritization update.
10	Develop a project management informational memo.	Barbadillo	4/1/2025	An update on this item will be included in the next quarterly prioritization update.
11	Create a Milpitas Community Concert Choir with city support for marketing and rehearsal space.	Chua	4/1/2025	An update on this item will be included in the next quarterly prioritization update.
12	Look into adding an entertainment zone to Main Street.	Montano	3/4/2025	An update on this item will be included in the next quarterly prioritization update.
13	Staff provide a detailed analysis of overtime expenditures by department.	Barbadillo	3/4/2025	An update on this item will be included in the next quarterly prioritization update.
14	Look into a policy to require a Super Majority vote by Council for any deductions to budget reserves.	Chua	2/18/2025	An update on this item will be included in the next quarterly prioritization update.
15	Bring back a discussion regarding fentanyl-related issues	Barbadillo	2/18/2025	An update on this item will be included in the next quarterly prioritization update.
16	Feasibility study regarding a police satellite office.	Montano	2/18/2025	An update on this item will be included in the next quarterly prioritization update.
17	Staff organize a job fair for City job openings	Chua	11/19/2024	An update on this item will be included in the next quarterly prioritization update.
18	Bring back a study or analysis of the permit process	Chua	11/19/2024	An update on this item will be included in the next quarterly prioritization update.
19	Explore updating the city's business tax rate schedule	Chua	10/1/2024	An update on this item will be included in the next quarterly prioritization update.
20	Explore funding options for new signage following the decision to rename the Milpitas Library to the Milpitas Jose Esteves Library	Barbadillo	9/3/2024	An update on this item will be included in the next quarterly prioritization update.
21	Update the animal control ordinance to include other animals such as horses and cats	Chua	9/3/2024	An update on this item will be included in the next quarterly prioritization update.
22	Look into adopting an ordinance similar to San Jose allowing ADUs (Accessory Dwelling Units) to have a separate title and be sold separately.	Chua	8/13/2024	An update on this item will be included in the next quarterly prioritization update.
23	Conduct a traffic study on Escuela Parkway to address circulation concerns	Montano	5/7/2024	An update on this item will be included in the next quarterly prioritization update.

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:
24	Explore the possibility of augmenting the Planning Commission stipend	Barbadillo	4/16/2024	An update on this item will be included in the next quarterly prioritization update.
25	Consideration of the 20% Low Income Below Market Rate Housing	Montano	12/5/2023	An update on this item will be included in the next quarterly prioritization update.
26	Referral for utility infrastructure cost on Main Street from Carlo to Corning Streets	Montano	10/17/2023	An update on this item will be included in the next quarterly prioritization update.
27	Main Street International Festival	Lien	10/3/2023	An update on this item will be included in the next quarterly prioritization update.
28	Pickleball Pilot Project	Chua	2/28/2023	An update on this item will be included in the next quarterly prioritization update.
29	Main Street Infrastructure Projects	Montano	2/28/2023	An update on this item will be included in the next quarterly prioritization update.
30	Main Street Flooding at Library	Chua	2/28/2023	An update on this item will be included in the next quarterly prioritization update.
31	Have the City look into the possibility of a Citywide Senior Discount	Barbadillo	2/7/2023	An update on this item will be included in the next quarterly prioritization update.
32	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 on this item will be included in the next quarterly prioritization update.
33	Quarterly or Monthly crime statistics on Homekey Project	Chua	6/7/2022	An update on this item will be included in the next quarterly prioritization update.
34	Evaluate reopening the childcare center with a non-profit organization running the center	Montano	2/1/2022	An update on this item will be included in the next quarterly prioritization update.
35	Staff to look into mural Art on Great Mall Parkway on the VTA owned Light rail pillars	Montano	11/16/2021	An update on this item will be included in the next quarterly prioritization update.
36	Consider Community Museum and Park on Main St.	Phan	8/20/2019	Discussions with the property owner of this site are ongoing and staff is tracking returning to council by June 2025 with an update.

NOTE: Deferred and Completed Items are not listed



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Consider Opting into Nationwide Settlement Agreements with Additional Opioid Manufacturers (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3050; and Christopher Creech, Acting City Attorney, 408-586-3040)
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	10/21/2025
Recommendation:	Opt into settlement agreements with certain opioids manufacturers, whereby the City will assign will receive the City's designated share of settlement funds to the County of Santa Clara, and direct and authorize the City Manager to execute settlement agreement(s) and any other documents necessary to implement the action.

BACKGROUND:

In recent years, states, cities, and counties across the United States have sued opioid manufacturers and distributors for their role in the opioid addiction epidemic. Several of these high-profile lawsuits have resulted in nationwide settlements between these government entities and the defendants. Under the terms of these settlements, the opioid defendants have generally been required to pay billions of dollars to state and local governments, which the government entities must use to address the opioid addiction epidemic in their communities. The City has previously opted in to several of these settlements, including with Amerisource Bergen, Cardinal Health, and McKesson, and Janssen on [December 7, 2021](#), with Teva, Allergan, CVS, Walgreens, and Walmart on [April 18, 2023](#), and most recently with Purdue Pharma L.P. and the Sackler Family on [September 2, 2025](#). The City has previously opted into several settlements, including with Amerisource Bergen, Cardinal Health, and McKesson, and Janssen on [December 7, 2021](#) and with Teva, Allergan, CVS, Walgreens, and Walmart on [April 18, 2023](#).

Now, certain governmental entities have reached a settlement in a similar litigation with eight secondary opioid manufacturers for their role in worsening the opioid crisis: Alvogen, Amneal, Apotex, Hikma, Indivior, Mylan, Sun, and Zydus ("Secondary Manufacturers"). These settlements will provide approximately \$720 million in cash over a period of 10 years to participating states and subdivisions to remediate and abate the impacts of the opioid crisis. These settlements also include a non-monetary component prohibiting all of the eight manufacturers (with the exception of Indivior) from promoting or marketing opioid products; making or selling high dosage oxycodone pills; and implementing a monitoring and reporting system for suspicious orders. Indivior has agreed not to manufacture or sell opioid products for the next ten years, however pursuant to the agreement may continue marketing and selling medication to treat opioid use disorder.

While the City did not participate in this litigation, it may opt into these settlements and thereby receive a share of the settlement proceeds in exchange for a release of its claims against the Secondary Manufacturers. ,executedThese funds would be restricted to certain opioid remediation uses. The City may either assign the funds to the County of Santa Clara for county-wide remediation efforts or elect to use the funds directly. However, if the City elects to directly receive and manage the funds, the City would be subject to strict accounting and reporting requirements, and would likely have to create and partially subsidize additional programs not currently budgeted to operate.

As with the prior settlements, staff recommends the City opt into settlement agreements with these additional manufacturers as well as any future manufacturers that are part of a nationwide settlement agreement and that the City assign its share of the settlement proceeds to Santa Clara County for a coordinated, county-wide remediation effort that will maximize the impact of these funds in the region.

ANALYSIS:

Local governments not direct parties to the litigation – such as the City of Milpitas – must choose to opt into these additional manufacturer settlements by November 5, 2025 to receive a share of these settlement proceeds (\$720 million dollars). In exchange, the City would give up any opioid-related claims they may have against the Secondary Manufacturers.

The City has not yet been allocated a percentage of the settlement amount, as that will be dependent upon whether other agencies participate in the settlement and other calculations the Settlement Administrator has yet to perform. However, the settlement does have an escalation clause such that if Milpitas and other Santa Clara County cities opt into the settlement agreement, additional funds will be directed toward Santa Clara County. Similarly, the total amount of settlement funds available for California increases when the state hits a higher percentage of city and county approval.

As with the prior settlements into which the City has opted, the settlement proceeds will be allocated by default to Santa Clara County for a coordinated, County-wide remediation effort.

Each county and city that receives payment of funds from the settlements must prepare written reports at least annually regarding the use of those funds until the funds are fully expended and for one year thereafter. These reports will also include a certification that all funds received have been used in compliance with the allocation agreements. Further, each county and city will need to track all deposits and expenditures. A county is not responsible for oversight, reporting, or monitoring of funds received by a city that receives direct payment within such county. As such, if the City elected to directly receive these funds, in addition to establishing and funding qualifying programs, it would be required to undertake these additional reporting and administration costs without additional compensation.

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

While the exact amount of money the City could receive annually cannot be calculated at this juncture, it is expected it would not be sufficient to fully fund meaningful programs in Milpitas. The City would likely have to subsidize personnel, administrative, and other costs related to any opioid remediation project. By way of example, in fiscal year 2022-2023, from a \$5 billion dollar settlement with Janssen Pharmaceuticals, these Santa Clara County cities received the following distributions for opioid abatement efforts:

City	Population (2022)	Abatement Amt (2022-2023)
Los Gatos	~31,000	\$8,186.76
Campbell	~42,200	\$8,927.99
Gilroy	~56,800	\$16,092.05
Sunnyvale	~152,700	\$34,427.57
Santa Clara	~130,400	\$43,600.54

In addition, the Janssen settlement, like the presently proposed settlement, contemplates the highest payout during the first settlement year, which was 2022. Staff therefore does not expect the City would receive sufficient additional settlement funds to justify the additional administrative, accounting, and reporting costs for receiving direct payment. These funds could be more immediately and efficiently used with greater local impact through coordinated regional programming through the County.

As with the prior settlements, staff therefore recommends the City opt into these settlements and allow its share to be assigned to the County. Additionally, staff recommends that if additional manufacturers enter into settlement agreements in the future that the City Council delegate authority to the City Manager to enter into those future settlement agreements.

PROJECT/PROGRAM SCHEDULE:

If the Mayor and City Council approve this action, staff will process the agreement prior to the November 5, 2025 deadline. The timing of receiving any funds following this action is not known at this time.

POLICY ALTERNATIVES:

Alternative 1: Do not opt into the settlements.

Pros: The City could pursue legal action against the additional manufacturers and seek to obtain a more favorable settlement or judgment.

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

Reason not recommended: The City would have to hire outside legal counsel to independently bring a lawsuit against the opioid distributors with no certain legal outcome. It is unlikely that the City would obtain a sufficiently more favorable result than the present settlement that would justify this additional expense and uncertainty.

Alternative 2: Choose to receive settlement payment directly.

Pros: The City could directly choose to fund qualifying programs with settlement funds.

Cons: The City would be required to undertake additional accounting, reporting, and administration costs, which may not leave sufficient funds to meaningfully provide annual opioid remediation efforts.

Reason not recommended: The City can achieve the most immediate and best local results possible with the limited settlement funds available through a cooperative effort through the County.

FISCAL IMPACT:

Without an additional cost to the City, the City Council decision to opt into the settlement agreements will provide funding for Santa Clara County to run opioid abatement and remediation programs, the services of which are provided to Milpitas residents enrolled in those programs. If the City elected to directly receive these funds, it would incur additional administrative, accounting, and reporting costs in addition to whatever programmatic costs it may ultimately incur for whatever projects it may choose to fund.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

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. The action has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and is not a project pursuant to Pub. Resources Code, § 21065 and Cal. Code Regs., tit. 14, § 15378. Even if a project, the action is exempt from further CEQA review pursuant to Cal. Code Regs., tit. 14, § 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

ATTACHMENT(S)

[National Opioids Settlement](#) (Link)



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Authorize the City Manager, or Designee, to Negotiate and Execute an Agreement with Telemedicine Group DE for Cardio-Metabolic Testing Services (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; and Jared Hernandez, Chief of Police, 408-586-2406)
Category:	Consent Calendar-Public Safety
Meeting Date:	10/21/2025
Recommendation:	Authorize the City Manager, or designee, to negotiate and execute a Professional Services Agreement with Telemedicine Group DE for cardio-metabolic testing services in an amount not-to-exceed \$206,640 for the full three-year term.

BACKGROUND:

Law enforcement personnel experience a range of daily stressors during the course of performing their work, which requires direct and continuous support for their mental and physical wellbeing. The number one killer of active and retired law enforcement officers is heart disease, and the risk of heart attack in this population is much higher than their civilian counterparts. Studies have shown law enforcement officers are 25 times more likely to die from a heart attack or stroke than in the line of duty. In fact, law enforcement officers have a life expectancy of 57 (current retirement age) while the civilian population has a life expectancy of 79. Additionally, 45% of law enforcement officers have a heart attack before the age of 45 compared to only 7% in the civilian population. Based on this data, a significant number of officers are expected to suffer a cardiac event during the last five years of their career if proper mitigation efforts are not undertaken.

Telemedicine Group DE, formerly JS MD Sigma dba SIGMA Tactical Wellness, created a customized cardio-metabolic testing program for the early identification and treatment of heart disease in law enforcement personnel, a testing protocol otherwise not available through standard medical insurance. In 2022, the Police Department contracted with JS MD Sigma dba SIGMA Tactical Wellness to conduct a pilot program to provide preventative cardiovascular screening to City law enforcement personnel, and over 80% of the Milpitas Police Department staff, both sworn and non-sworn, voluntarily participated and provided overwhelmingly positive feedback. Following the successful pilot period, staff executed new annual contracts in 2023 and 2024 to continue these services in accordance with [City Municipal Code Section I-2-3.13](#). Use of consultants whose services are valued over \$100,000 must be approved by the City Council pursuant to [Municipal Code section 3.13-2](#).

ANALYSIS:

The current agreement with JS MD Sigma, PLLC dba SIGMA Tactical Wellness expired September 30, 2025. To continue these services and be more resource efficient, staff would like to enter into a three-year agreement with the vendor, now known as Telemedicine Group DE, to continue these services. Since the three-year not-to-exceed amount will be \$206,640, City Council approval is required.

The City has a vested interest in prioritizing the health and wellbeing of their employees. Offering these preventative cardio-metabolic testing to Police Department personnel on an ongoing basis will contribute to their long-term health and wellbeing, which can directly impact public safety. Investing in the health and wellbeing of law enforcement employees will not only help participating employees be more productive but will also help retain and attract future employees. Through this program, the City will help support career longevity and reduce worker's compensation liability to the City.

PROJECT/PROGRAM SCHEDULE:

If the City Council approves this action, staff would continue the implementation of this program immediately and services will continue annually throughout the contract period.

POLICY ALTERNATIVE(S):

Alternative 1: Do not authorize the City Manager, or designee, to negotiate and execute a Professional Services Agreement with Telemedicine Group DE.

Pros: The City would not incur the costs for services.

Cons: The City would not be able to offer these services to support the health and wellbeing of law enforcement personnel.

Reason for Not Recommending: These services support law enforcement personnel wellness, enhance recruitment and retention efforts, and assist in maintaining public safety service levels in Milpitas by retaining healthy and productive law enforcement staff.

FISCAL IMPACT:

Funding for this service is included in the FY 2025-26 Adopted Operating Budget. Funding in future fiscal years will be evaluated and amended as part of the annual budget process and is subject to the annual appropriation of funds.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The action has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and is not a project pursuant to Pub. Resources Code, § 21065 and Cal. Code Regs., tit. 14, § 15378. Even if a project, the action is exempt from further CEQA review pursuant to Cal. Code Regs., tit. 14, § 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have significant effect on the environment. The action is continuing administrative activity related to staffing of certain services and therefore is not a project pursuant to Cal. Code Regs., tit. 14, § 15378.

ATTACHMENT(S):

None.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Authorize the City Manager to Execute a Grant Agreement with the Office of Traffic Safety to Accept the Fiscal Year 2026 Office of Traffic Safety Selective Traffic Enforcement Program Grant and Approve the Related Budget Appropriation (Staff Contact: Jared Hernandez, Chief of Police, 408-586-2406)
Category:	Consent Calendar-Public Safety
Meeting Date:	10/21/2025
Recommendation:	Authorize the City Manager, or designee, to execute a grant agreement with the Office of Traffic Safety and take such other actions as necessary to accept and implement the Fiscal Year 2026 Office of Traffic Safety Selective Traffic Enforcement Program Grant and approve the related budget appropriation in the amount of \$110,000.

BACKGROUND:

The California Office of Traffic Safety (OTS) administers the Selective Traffic Enforcement Program (STEP) that offers grant funds from OTS to reimburse law enforcement agencies for overtime expenditures specifically directed toward traffic safety operations.

The grant funding is directed at conducting best practice strategies to reduce the number of persons killed and injured in traffic related collisions involving impaired driving and other primary collision factors. The funded strategies may include enforcement operations focusing on impaired driving, distracted driving, nighttime seatbelt use, motorcycle safety, and pedestrian and bicycle safety. Operations are conducted in areas with a disproportionate number of traffic collisions. Other funded strategies may include public education and police department staff training.

The City of Milpitas has been approved for a reimbursement grant of \$110,000.00 to conduct driving under the influence (DUI) saturation patrols, DUI checkpoints, traffic enforcement operations, distracted driving enforcement, motorcycle safety, pedestrian and bicycle safety, public education, equipment purchases, and training on an overtime basis in conjunction with STEP between October 1, 2025, and September 30, 2026.

ANALYSIS:

The City of Milpitas is not required to accept the OTS STEP grant funding; however, traffic safety is a paramount concern in the City and this funding will help address traffic safety issues throughout the City. If accepted, the City must agree to utilize the funding for enforcement events, public education, and/or training related to specific traffic safety issues. The grant, which will be appropriated to the Police Department's FY2025-26 operating budget, will fund the following during the grant period:

1. Personnel: Overtime for Enforcement Events.....\$ 86,800
2. Travel: In-state Travel for Related training and Events.....3,100
3. Equipment and Supplies: Light Tower & DUI Checkpoint Supplies...20,100
- Total.....\$ 110,000

Examples of specific traffic safety issues to be addressed with the grant funding include but are not limited to: DUI, distracted driving, seat belt violation, and pedestrian/bicycle safety. Enforcement and public education are important components to reducing collisions and saving lives. The light tower to be purchased with grant funds uses LED bulb technology and will replace an existing light tower that uses clandestine bulbs. The replacement light tower offers improved energy efficiency, increased bulb life, and decreased maintenance costs. It will primarily be used for scene lighting during DUI checkpoints to ensure proper lighting for officer and community safety. Additionally, the tower can be used for other purposes such as crime scene investigations requiring

additional lighting, community events like 4th of July, and other department needs for mobile lighting. The old tower will be retained as a backup light tower that can still be used for similar purposes. The funding for DUI checkpoint supplies will be used to purchase 28" traffic cones, Manual on Uniform Traffic Control Devices (MUTCD) compliant traffic signs, MUTCD compliant high-visibility traffic vests, a gas generator, reflective banners, electronic flares, heaters, anti-fatigue standing mats, handheld Preliminary Alcohol Screening devices (PAS), PAS supplies, and rain canopies. This grant will fund three (3) DUI checkpoints as well as other targeted enforcement activities to be conducted on a reimbursed overtime basis.

POLICY ALTERNATIVE(S):

Alternative 1: Refuse the fiscal year 2026 Office of Traffic Safety Selective Traffic Enforcement Program grant of \$110,000.

Pros: There are no identified benefits to this alternative.

Cons: The Police Department would not be able to increase overtime enforcement, public education, or training towards traffic safety.

Reason for Not Recommending: The FY 2026 OTS STEP grant award does not require matching funds nor are there any requirements that result in a negative impact. The City will be reimbursed for the expenses incurred.

BUDGET REFERENCE:

The table below identifies the fund and appropriations accounts to the fund the actions recommended in this Agenda report.

Fund #	Function #	Appropriations Account	FY 2025-26 Adopted, Amended Budget	Recommendation Amount	Appropriation Account Type
268 – State Grant Police	722 – Traffic	State Contributions-Police	\$0	\$110,000	Revenue
		Overtime for Enforcement Events	\$0	\$86,800	Expense
		Equipment, Supplies, and Travel	\$0	\$23,200	Expense

FISCAL IMPACT:

The City would receive \$110,000.00 in grant funding to be applied to the State Grants Police Department Fund. There is no match requirement or leveraging of funds required.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

This action is a fiscal or administrative activity of the City government 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. The action has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and is not a project pursuant to Pub. Resources Code, § 21065 and Cal. Code Regs., tit. 14, § 15378. Even if a project, the action is exempt from further CEQA review pursuant to Cal. Code Regs., tit. 14, § 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

ATTACHMENT(S):

(a) Grant Agreement

1. GRANT TITLE Selective Traffic Enforcement Program (STEP)			
2. NAME OF AGENCY Milpitas		3. Grant Period From: 10/01/2025 To: 09/30/2026	
4. AGENCY UNIT TO ADMINISTER GRANT Milpitas Police Department			
5. GRANT DESCRIPTION Best practice strategies will be conducted to reduce the number of persons killed and injured in crashes involving alcohol and other primary crash factors. The funded strategies may include impaired driving enforcement, enforcement operations focusing on primary crash factors, distracted driving, night-time seat belt enforcement, special enforcement operations encouraging motorcycle safety, enforcement and public awareness in areas with a high number of bicycle and pedestrian crashes, and educational programs. These strategies are designed to earn media attention thus enhancing the overall deterrent effect.			
6. Federal Funds Allocated Under This Agreement Shall Not Exceed: \$110,000.00 Allocation is contingent upon availability of federal funds.			
7. TERMS AND CONDITIONS: The parties agree to comply with the terms and conditions of the following which are by this reference made a part of the Agreement: - Schedule A – Problem Statement, Goals and Objectives and Method of Procedure - Schedule B – Detailed Budget Estimate and Sub-Budget Estimate (if applicable) - Schedule B-1 – Budget Narrative and Sub-Budget Narrative (if applicable) - Exhibit A – Certifications and Assurances - Exhibit B* – OTS Grant Program Manual - Exhibit C – Grant Electronic Management System (GEMS) Access *Items shown with an asterisk (*), are hereby incorporated by reference and made a part of this agreement as if attached hereto. These documents can be viewed at the OTS home web page under Grants: www.ots.ca.gov. We, the officials named below, hereby swear under penalty of perjury under the laws of the State of California that we are duly authorized to legally bind the Grant recipient to the above described Grant terms and conditions. IN WITNESS WHEREOF, this Agreement has been executed by the parties hereto.			
8. Approval Signatures			
A. GRANT DIRECTOR NAME: David Morris TITLE: Police Sergeant EMAIL: dmorris@milpitas.gov PHONE: (408) 586-2902 ADDRESS: 1275 N. Milpitas Blvd. Milpitas, CA 95035 <i>(Signature)</i> <i>(Date)</i>		B. AUTHORIZING OFFICIAL NAME: Jared Hernandez TITLE: Chief EMAIL: jhernandez@milpitas.gov PHONE: (408) 586-2402 ADDRESS: 1275 N. Milpitas Blvd. Milpitas, CA 95035 <i>(Signature)</i> <i>(Date)</i>	
C. FISCAL OFFICIAL NAME: Luz Cofresí-Howe TITLE: Director of Finance EMAIL: lcofresi-howe@milpitas.gov PHONE: (408) 586-3111 ADDRESS: 455 East Calaveras Blvd. Milpitas, CA 95035 <i>(Signature)</i> <i>(Date)</i>		D. AUTHORIZING OFFICIAL OF OFFICE OF TRAFFIC SAFETY NAME: Stephanie Dougherty TITLE: Director EMAIL: stephanie.dougherty@ots.ca.gov PHONE: (916) 509-3030 ADDRESS: 2208 Kausen Drive Suite 300 Sacramento, CA 95758 <i>(Signature)</i> <i>(Date)</i>	

E. ACCOUNTING OFFICER OF OFFICE OF TRAFFIC SAFETY NAME: Carolyn Vu ADDRESS: 2208 Kausen Drive, Suite 300 Elk Grove, CA 95758	9. SAM INFORMATION SAM #: EZ77RK2NWK8 REGISTERED ADDRESS: 455 E Calaveras Blvd CITY: Milpitas ZIP+4: 95035-5411
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10. PROJECTED EXPENDITURES						
FUND	CFDA	ITEM/APPROPRIATION	F.Y.	CHAPTER	STATUTE	PROJECTED EXPENDITURES
				AGREEMENT TOTAL		\$110,000.00
				AMOUNT ENCUMBERED BY THIS DOCUMENT		\$110,000.00
<i>I CERTIFY upon my own personal knowledge that the budgeted funds for the current budget year are available for the period and purpose of the expenditure stated above.</i>				PRIOR AMOUNT ENCUMBERED FOR THIS AGREEMENT		\$ 0.00
				TOTAL AMOUNT ENCUMBERED TO DATE		\$110,000.00
OTS ACCOUNTING OFFICER'S SIGNATURE			DATE SIGNED			

1. PROBLEM STATEMENT

Describe the city, county, or jurisdiction this grant will impact.

The City of Milpitas is located in northern Santa Clara County and is often referred to as the "Crossroads of Silicon Valley." It has become a vital commuter link between Silicon Valley and communities in the Central Valley. Major roadways, including Highways I-680, I-880, State Route 237, and Montague Expressway, facilitate significant vehicular traffic through the city. The Santa Clara Valley Transportation Authority (VTA) operates a central hub at the Great Mall of Milpitas, and the city also features a Bay Area Rapid Transit (BART) station with a six-story parking garage, which attracts visitors from across the Bay Area; daily ridership is projected to be around 10,000.

Milpitas has a residential population exceeding 80,273 people, and despite covering only 14.5 square miles, there are 139 miles of surface streets. This leads to tens of thousands of vehicles passing through the city each day, creating congestion and safety challenges for the local police department. In addition to being a thoroughfare for many drivers, Milpitas serves as a destination for workers and consumers from various Bay Area communities. The city is home to the corporate headquarters and satellite campuses of several international companies, contributing to a daytime population that exceeds 100,000.

Milpitas is also the location of the Great Mall of the Bay Area, the largest indoor outlet and shopping destination in Northern California, offering over 1.3 million square feet of retail space, more than 200 stores, and over 32 dining options. This expansive shopping mall attracts residents from Santa Clara County, neighboring Alameda County, and beyond. Combined with the presence of various Silicon Valley corporate headquarters in Milpitas, these factors significantly increase the volume of vehicular traffic during weekdays. Additionally, both Levi's Stadium and Avaya Stadium are located in nearby cities, contributing to traffic congestion on game days.

Describe the problem(s) to be addressed, supported by current and relevant crash data. (most recent calendar year data/stats).

The Milpitas Police Department (PD) upholds a strict enforcement policy for traffic violations, which has resulted in a decrease in both traffic infractions and the number of injury and fatal crashes. However, like many law enforcement agencies, the Milpitas PD has faced staffing shortages even as calls for service have increased over time, putting a strain on resources. This has led to a reduction in the Traffic Safety Unit (TSU) from 13 positions to just 3. Currently, the unit consists of one Traffic Sergeant and two motorcycle officers responsible for handling crash investigations and traffic enforcement.

To effectively tackle traffic safety concerns despite officer shortages, the TSU collaborates with the Traffic Engineering department to conduct city-wide speed surveys. Additionally, grant-funded overtime allows for focused traffic violation enforcement, which helps to reduce the primary factors contributing to crashes. With funding provided by the Office of Traffic Safety (OTS), the department is able to assign additional officers for targeted enforcement of these primary crash factors. Furthermore, agencies throughout Santa Clara County have enhanced their collaborative enforcement efforts. Through partnerships with the city's Traffic Engineering and neighboring agencies, the Milpitas PD continues to work on maintaining and reducing incidents of injury and fatal crashes.

Thanks to the support and partnership with OTS STEP grants, the department has been able to increase traffic enforcement despite staffing shortages. Grant funding has enabled the department to conduct additional traffic enforcement without impacting daily operations. Moreover, patrol officers interested in joining the TSU have volunteered to participate in various OTS campaigns, which has helped them gain a better understanding of vehicle code and traffic safety. Additionally, due to grant funding, the department has conducted at least two DUI/CDL checkpoints per grant year. Despite the depletion of department funds for staffing overtime, these enforcement efforts remain a priority.

Define the target population the grant intends to serve and how they are affected by the problem(s).

The city's crash data from the past three years indicates a steady increase in both the number of crashes and the number of injuries resulting from these crashes. The primary factors contributing to these incidents have remained consistent: Unsafe Speed, Red Light Violations, and Unsafe Turning Movements. Notably, the frequency of these factors has also risen (see the Traffic Data Summary below).

As Milpitas serves as a major crossroads for many commuters heading to the Bay Area, these primary crash factors often occur on the main thoroughfares throughout the city, affecting both commuters and residents. With our continued partnership and funding from the OTS STEP grant, we can continue best practices and focused enforcement designed to allow the Department success in addressing the problems associated with DUI drivers, red light runners, speeding vehicles, aggressive driving, and distracted driving, pedestrian, and bicyclist safety programs. This coupled with education, we can continue our goal to further reduce the incidence of injuries and fatalities caused by the previously mentioned primary crash factors, to enhance traffic enforcement activities and address safety concerns in the City of Milpitas. Making our city a safer community for everyone.

2. PERFORMANCE MEASURES

A. Goals:

1. Reduce the number of persons killed in traffic crashes.
2. Reduce the number of persons injured in traffic crashes.
3. Reduce the number of pedestrians killed in traffic crashes.
4. Reduce the number of pedestrians injured in traffic crashes.
5. Reduce the number of bicyclists killed in traffic crashes.
6. Reduce the number of bicyclists injured in traffic crashes.
7. Reduce the number of persons killed in alcohol-involved crashes.
8. Reduce the number of persons injured in alcohol-involved crashes.
9. Reduce the number of persons killed in drug-involved crashes.
10. Reduce the number of persons injured in drug-involved crashes.
11. Reduce the number of persons killed in alcohol/drug combo-involved crashes.
12. Reduce the number of persons injured in alcohol/drug combo-involved crashes.
13. Reduce the number of motorcyclists killed in traffic crashes.
14. Reduce the number of motorcyclists injured in traffic crashes.
15. Reduce hit & run fatal crashes.
16. Reduce hit & run injury crashes.
17. Reduce nighttime (2100 - 0259 hours) fatal crashes.
18. Reduce nighttime (2100 - 0259 hours) injury crashes.

B. Objectives:

1. Issue a news release announcing the kick-off of the grant by December 31st. The kick-off news releases and media advisories, alerts, and materials must be emailed to the OTS Public Information Officer at pio@ots.ca.gov, and copied to your OTS Coordinator, for approval 7 days prior to the issuance date of the release.	Target Number 1
2. Participate and report data (as required) in the following campaigns; Quarter 1: National Pedestrian Safety Month, National Walk to School Day, National Teen Driver Safety Week, NHTSA Winter Mobilization; Quarter 3: National Distracted Driving Awareness Month, National Motorcycle Safety Month, National Bicycle Safety Month, National Click it or Ticket Mobilization; Quarter 4: National Speed Prevention Campaigns, NHTSA Summer Mobilization, National Child Passenger Safety Week, and California's Pedestrian Safety Month.	12
3. Develop (by December 31) and/or maintain a "DUI BOLO" program to notify patrol and traffic officers to be on the lookout for identified repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. Updated DUI BOLOs should be distributed to patrol and traffic officers monthly.	12
4. Send law enforcement personnel to the NHTSA Standardized Field Sobriety Testing (SFST) (minimum 16 hours) POST-certified training.	1
5. Send law enforcement personnel to the NHTSA Advanced Roadside Impaired Driving Enforcement (ARIDE) 16 hour POST-certified training.	1

6. Send law enforcement personnel to the Drug Recognition Expert (DRE) training (classroom and field training must be completed).	1
7. Conduct DUI/DL Checkpoints. A minimum of 1 checkpoint should be conducted during the NHTSA Winter Mobilization and 1 during the Summer Mobilization. To enhance the overall deterrent effect and promote high visibility, it is recommended the grantee issue an advance press release and conduct social media activity for each checkpoint. For combination DUI/DL checkpoints, departments should issue press releases that mention DL's will be checked at the DUI/DL checkpoint. Signs for DUI/DL checkpoints should read "DUI/Driver's License Checkpoint Ahead." OTS does not fund or support independent DL checkpoints. Only on an exception basis and with OTS pre-approval will OTS fund checkpoints that begin prior to 1800 hours. When possible, DUI/DL Checkpoint screeners should be DRE- or ARIDE-trained.	3
8. Conduct DUI Saturation Patrol operation(s).	11
9. Conduct Traffic Enforcement operation(s), including but not limited to, primary crash factor violations.	12
10. Conduct highly publicized Distracted Driving enforcement operation(s) targeting drivers using hand held cell phones and texting.	2
11. Conduct highly publicized pedestrian and/or bicycle enforcement operation(s) in areas or during events with a high number of pedestrian and/or bicycle crashes resulting from violations made by pedestrians, bicyclists, and drivers.	4
12. Conduct Traffic Safety educational presentation(s) with an effort to reach community members. Note: Presentation(s) may include topics such as distracted driving, DUI, speed, bicycle and pedestrian safety, seat belts and child passenger safety.	2
13. Participate in highly visible collaborative DUI Enforcement operations.	3
14. Participate in highly visible collaborative Traffic Enforcement operations.	3
3. METHOD OF PROCEDURE A. <u>Phase 1 – Program Preparation (1st Quarter of Grant Year)</u> - The department will develop operational plans to implement the “best practice” strategies outlined in the objectives section. - Conduct all training needed to implement the program, in the first quarter. - Purchase all grant related supplies and materials to implement the program, in the first quarter. - Items with a unit cost of \$5,000 more (including tax and shipping) must comply with Buy America. - In order to develop/maintain the “DUI BOLOs,” research will be conducted to identify the “worst of the worst” repeat DUI offenders with a suspended or revoked license as a result of DUI convictions. The DUI BOLO may include the driver’s name, last known address, DOB, description, current license status, and the number of times suspended or revoked for DUI. DUI BOLOs should be updated and distributed to traffic and patrol officers at least monthly. - Implementation of the STEP grant activities will be accomplished by deploying personnel at high crash locations. <u>Media Requirements</u> Issue a news release approved by the OTS PIO announcing the kick-off of the grant by December 31 and after the grant is signed and executed, but no sooner than October 1, the start of the grant year. The kick-off release must be approved by the OTS PIO. If you are unable to meet the December 31 deadline to issue a kick-off press release, communicate reasons to your OTS grant coordinator and OTS PIO.	
B. <u>Phase 2 – Program Operations (Throughout Grant Year)</u> <u>Media Requirements</u> The following requirements are for all grant-related activities: Send all media advisories, alerts, videos, graphics, artwork, posters, radio/PSA/video scripts, storyboards, digital and/or print educational materials for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS grant coordinator. Optimum lead time would be 7 days before the scheduled release but at least 3 business days prior to the scheduled release date for review and approval is appreciated.	

- Send all PowerPoint presentations, online presentations and trainings for grant-related activities to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS grant coordinator. Certified training courses are EXEMPT from the approval process.
- The OTS PIO is responsible for the approval of the design and content of materials. The agency understands OTS PIO approval is not authorizing approval of budget expenditure or cost. Any cost approvals must come from the OTS grant coordinator.
- Pre-approval is not required when using any OTS-supplied template for media advisories, news releases, social media graphics, videos or posts, or any other OTS-supplied educational material. However, copy the OTS PIO at pio@ots.ca.gov and your OTS grant coordinator when any material is distributed to the media and public, such as a news release, educational material, or link to social media post.
- If an OTS-supplied template, educational material, social media graphic, post or video is substantially changed, the changes shall be sent to the OTS PIO at pio@ots.ca.gov for approval and copy your OTS grant coordinator.
- News releases, social media posts and alerts on platforms such as NextDoor and Nixle reporting immediate and time-sensitive grant activities (e.g. enforcement operations, day of event highlights or announcements, event invites) are EXEMPT from the OTS PIO approval process. The OTS PIO and your OTS grant coordinator should still be notified when the grant-related activity is happening (e.g. car seat checks, bicycle rodeos, community presentations, DUI checkpoints, etc.).
- Enforcement activities such as warrant and probation sweeps, court stings, etc. that are embargoed or could impact operations by publicizing in advance are EXEMPT from the PIO approval process. However, announcements and results of activities should still be copied to the OTS PIO at pio@ots.ca.gov and your OTS grant coordinator with the embargoed date and time or with "INTERNAL ONLY: DO NOT RELEASE" message in subject line of email.
- Any earned or paid media campaigns for TV, radio, digital or social media that are part of a specific grant objective, using OTS grant funds, or designed and developed using contractual services by a subgrantee, requires prior approval.
- Social media posts highlighting state or national traffic safety campaigns (Distracted Driving Month, Motorcycle Safety Awareness Month, etc.), enforcement operations (DUI checkpoints, etc.), or any other grant-related activity such as Bicycle rodeos, presentations, or events, are highly encouraged but do not require prior approval.
- Submit a draft or rough-cut of all digital, printed, recorded or video material (brochures, posters, scripts, artwork, trailer graphics, digital graphics, social posts connected to an earned or paid media campaign grant objective) to the OTS PIO at pio@ots.ca.gov and copy your OTS grant coordinator for approval prior to the production or duplication.
- Use the following standard language in all press, media, and printed materials, space permitting: Funding for this program was provided by a grant from the California Office of Traffic Safety, through the National Highway Traffic Safety Administration.
- Space permitting, include the OTS logo on all grant-funded print materials, graphics and paid or earned social media campaign grant objective; consult the OTS PIO and copy your OTS grant coordinator for specifics, format-appropriate logos, or if space does not permit the use of the OTS logo.
- Email the OTS PIO at pio@ots.ca.gov and copy your OTS grant coordinator at least 21 days in advance, or when first confirmed, a short description of any significant grant-related traffic safety event or program, particularly events that are highly publicized beforehand with anticipated media coverage so OTS has sufficient notice to arrange for attendance and/or participation in the event. If unable to attend, email the OTS PIO and coordinator brief highlights and/or results, including any media coverage (broadcast, digital, print) of event within 7 days following significant grant-related event or program. Media and program highlights are to be reflected in QPRs.
- Any news releases, work plans, scripts, storyboards, artwork, graphics, videos or any educational or informational materials that received OTS PIO approval in a prior grant year needs to be resubmitted for approval in the current grant year.
- For additional guidance, refer to the [OTS Grants Materials Approval Process Guidelines](#) and [OTS Grants Media Approval Process FAQs](#) on the OTS website.
- Contact the OTS PIO or your OTS grant coordinator for consultation when changes from any of the above requirements might be warranted.

C. Phase 3 – Data Collection & Reporting (Throughout Grant Year)

1. Prepare and submit grant claim invoices (due January 30, April 30, July 30, and October 30)
2. Prepare and submit Quarterly Performance Reports (QPR) (due January 30, April 30, July 30, and October 30)
 - Collect and report quarterly, appropriate data that supports the progress of goals and objectives.
 - Provide a brief list of activity conducted, procurement of grant-funded items, and significant media activities. Include status of grant-funded personnel, status of contracts, challenges, or special accomplishments.
 - Provide a brief summary of quarterly accomplishments and explanations for objectives not completed or plans for upcoming activities.
 - Collect, analyze and report statistical data relating to the grant goals and objectives.

4. METHOD OF EVALUATION

Using the data compiled during the grant, the Grant Director will complete the “Final Evaluation” section in the fourth/final Quarterly Performance Report (QPR). The Final Evaluation should provide a brief summary of the grant’s accomplishments, challenges and significant activities. This narrative should also include whether goals and objectives were met, exceeded, or an explanation of why objectives were not completed.

5. ADMINISTRATIVE SUPPORT

This program has full administrative support, and every effort will be made to continue the grant activities after grant conclusion.

FUND NUMBER	CATALOG NUMBER (CFDA)	FUND DESCRIPTION	TOTAL AMOUNT
164AL-26	20.608	Minimum Penalties for Repeat Offenders for Driving While Intoxicated	\$80,000.00
402PT-26	20.600	State and Community Highway Safety	\$28,000.00
405e DDL-26	20.616	Distracted Driving Laws	\$2,000.00

COST CATEGORY	FUND NUMBER	UNIT COST OR RATE	UNITS	TOTAL COST TO GRANT
A. PERSONNEL COSTS				
<u>Straight Time</u>				\$0.00
<u>Overtime</u>				
DUI/DL Checkpoints	164AL-26	\$12,500.00	3	\$37,500.00
DUI Saturation Patrols	164AL-26	\$1,600.00	11	\$17,600.00
Collaborative DUI Enforcement	164AL-26	\$1,600.00	3	\$4,800.00
Traffic Enforcement	402PT-26	\$1,250.00	12	\$15,000.00
Pedestrian and Bicycle Enforcement	402PT-26	\$1,250.00	4	\$5,000.00
Collaborative Traffic Enforcement	402PT-26	\$1,300.00	3	\$3,900.00
Traffic Safety Educational Presentations	402PT-26	\$500.00	2	\$1,000.00
Distracted Driving Enforcement	405e DDL-26	\$1,000.00	2	\$2,000.00
Category Sub-Total				\$86,800.00
B. TRAVEL EXPENSES				
In State Travel	402PT-26	\$3,100.00	1	\$3,100.00
				\$0.00
Category Sub-Total				\$3,100.00
C. CONTRACTUAL SERVICES				
				\$0.00
Category Sub-Total				\$0.00
D. EQUIPMENT				
Portable Light Tower	164AL-26	\$14,000.00	1	\$14,000.00
Category Sub-Total				\$14,000.00
E. OTHER DIRECT COSTS				
DUI Checkpoint Supplies	164AL-26	\$6,100.00	1	\$6,100.00
Category Sub-Total				\$6,100.00
F. INDIRECT COSTS				
				\$0.00
Category Sub-Total				\$0.00
GRANT TOTAL				\$110,000.00

BUDGET NARRATIVE

PERSONNEL COSTS

DUI/DL Checkpoints - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

DUI Saturation Patrols - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Collaborative DUI Enforcement - Overtime for grant funded Collaborative DUI Enforcement operations conducted by appropriate department personnel

Traffic Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Pedestrian and Bicycle Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

Collaborative Traffic Enforcement - Overtime for grant funded Collaborative Traffic Enforcement operations conducted by appropriate department personnel

Traffic Safety Educational Presentations - Overtime for grant funded traffic safety educational presentations conducted by appropriate department personnel.

Distracted Driving Enforcement - Overtime for grant funded law enforcement operations conducted by appropriate department personnel.

TRAVEL EXPENSES

In State Travel - Costs are included for appropriate staff to attend conferences and training events supporting the grant goals and objectives and/or traffic safety. Local mileage for grant activities and meetings is included. Anticipated travel may include the OTS Traffic Safety Law Enforcement Forum. All conferences, seminars or training not specifically identified in the Budget Narrative must be approved by OTS. All travel claimed must be at the agency approved rate. Per Diem may not be claimed for meals provided at conferences when registration fees are paid with OTS grant funds.

CONTRACTUAL SERVICES

-

EQUIPMENT

Portable Light Tower - High intensity light on a telescoping shaft and stabilized platform to illuminate a wide area for greater visibility during night time operations. Costs may include a generator, battery, cart, and accessories.

OTHER DIRECT COSTS

DUI Checkpoint Supplies - On-scene supplies needed to conduct sobriety checkpoints. Costs may include 28" traffic cones, MUTCD compliant traffic signs, MUTCD compliant high visibility vests (maximum of 10), traffic counters (maximum of 2), generator, gas for generators, lighting, reflective banners, electronic flares, PAS Device Supplies, PAS Calibration Supplies, heater, propane for heaters, fan, anti-fatigue mats, and canopies. Additional items may be purchased if approved by OTS. The cost of food and beverages will not be reimbursed.

INDIRECT COSTS

-

STATEMENTS/DISCLAIMERS

**Appendix A to Part 1300—Certifications and Assurances for Highway Safety Grants
(23 U.S.C. Chapter 4 or Section 1906, Public Law 109-59, as amended by Section 25024, Public Law 117-58)**

The officials named on the grant agreement, certify by way of signature on the grant agreement signature page, that the Grantee Agency complies with all applicable Federal statutes, regulations, and directives and State rules, guidelines, policies, and laws in effect with respect to the periods for which it receives grant funding. Applicable provisions include, but are not limited to, the following:

GENERAL REQUIREMENTS

The State will comply with applicable statutes and regulations, including but not limited to:

- 23 U.S.C. Chapter 4—Highway Safety Act of 1966, as amended;
- Sec. 1906, [Public Law 109-59](#), as amended by Sec. 25024, [Public Law 117-58](#);
- [23 CFR part 1300](#)—Uniform Procedures for State Highway Safety Grant Programs;
- [2 CFR part 200](#)—Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards;
- [2 CFR part 1201](#)—Department of Transportation, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.

NONDISCRIMINATION

(applies to subrecipients as well as States)

The State highway safety agency [and its subrecipients] will comply with all Federal statutes and implementing regulations relating to nondiscrimination (“Federal Nondiscrimination Authorities”). These include but are not limited to:

- *Title VI of the Civil Rights Act of 1964* ([42 U.S.C. 2000d](#) et seq., 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- [49 CFR part 21](#) (entitled *Non-discrimination in Federally-Assisted Programs of the Department of Transportation—Effectuation of Title VI of the Civil Rights Act of 1964*);
- [28 CFR 50.3](#) (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);
- *The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970*, ([42 U.S.C. 4601](#)), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- *Federal-Aid Highway Act of 1973*, (23 U.S.C. 324 et seq.), and *Title IX of the Education Amendments of 1972*, as amended ([20 U.S.C. 1681-1683](#) and [1685-1686](#)) (prohibit discrimination on the basis of sex);
- *Section 504 of the Rehabilitation Act of 1973*, ([29 U.S.C. 794](#) et seq.), as amended, (prohibits discrimination on the basis of disability) and [49 CFR part 27](#);
- *The Age Discrimination Act of 1975*, as amended, ([42 U.S.C. 6101](#) et seq.), (prohibits discrimination on the basis of age);
- *The Civil Rights Restoration Act of 1987*, (Pub. L. 100-209), (broadens scope, coverage, and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal aid recipients, subrecipients and contractors, whether such programs or activities are Federally-funded or not);
- *Titles II and III of the Americans with Disabilities Act* ([42 U.S.C. 12131-12189](#)) (prohibits discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing) and [49 CFR parts 37](#) and [38](#)

The preceding statutory and regulatory cites hereinafter are referred to as the “Acts” and “Regulations,” respectively.

GENERAL ASSURANCES

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

“No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including NHTSA.”

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI of the Civil Rights Act of 1964 and other non-discrimination requirements (the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

SPECIFIC ASSURANCES

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted Highway Safety Grant Program:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in § 21.23(b) and (e) of [49 CFR part 21](#) will be (with regard to an “activity”) facilitated, or will be (with regard to a “facility”) operated, or will be (with regard to a “program”) conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all Highway Safety Grant Programs and, in adapted form, in all proposals for negotiated agreements regardless of funding source:
“The [name of Recipient], in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively ensure that in any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.”
3. The Recipient will insert the clauses of appendix A and E of this Assurance (also referred to as DOT order 1050.2A) [\[a\]](#) in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of appendix B of DOT Order 1050.2A, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form of, or for the acquisition of, real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in appendix C and appendix D of this DOT Order 1050.2A, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the

form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:

- a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

By signing this ASSURANCE, the State highway safety agency also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing NHTSA's access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by NHTSA. You must keep records, reports, and submit the material for review upon request to NHTSA, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

The State highway safety agency gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the Highway Safety Grant Program. This ASSURANCE is binding on the State highway safety agency, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the Highway Safety Grant Program. The person(s) signing below is/are authorized to sign this ASSURANCE on behalf of the Recipient.

THE DRUG-FREE WORKPLACE ACT OF 1988 (41 U.S.C. 8103)

The Subgrantee will provide a drug-free workplace by:

- a. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the grantee's workplace, and specifying the actions that will be taken against employees for violation of such prohibition;
- b. Establishing a drug-free awareness program to inform employees about:
 1. The dangers of drug abuse in the workplace;
 2. The grantee's policy of maintaining a drug-free workplace;
 3. Any available drug counseling, rehabilitation, and employee assistance programs;
 4. The penalties that may be imposed upon employees for drug violations occurring in the workplace;
 5. Making it a requirement that each employee engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- c. Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will—
 1. Abide by the terms of the statement;
 2. Notify the employer of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction;
- d. Notifying the agency within ten days after receiving notice under subparagraph (c)(2) from an employee or otherwise receiving actual notice of such conviction;
- e. Taking one of the following actions, within 30 days of receiving notice under subparagraph (c)(2), with respect to any employee who is so convicted—
 1. Taking appropriate personnel action against such an employee, up to and including termination;
 2. Requiring such employee to participate satisfactorily in a drug abuse assistance or

- rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- f. Making a good faith effort to continue to maintain a drug-free workplace through implementation of all of the paragraphs above.

POLITICAL ACTIVITY (HATCH ACT)

(applies to subrecipients as well as States)

The State will comply with provisions of the Hatch Act ([5 U.S.C. 1501-1508](#)), which limits the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.

CERTIFICATION REGARDING FEDERAL LOBBYING

(applies to subrecipients as well as States)

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 any 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 Form to Report Lobbying," in accordance with its instructions;
3. The undersigned shall require that the language of this certification be included in the award documents for all sub-awards at all tiers (including subcontracts, subgrants, and contracts under grant, 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.

RESTRICTION ON STATE LOBBYING

(applies to subrecipients as well as States)

None of the funds under this program will be used for any activity specifically designed to urge or influence a State or local legislator to favor or oppose the adoption of any specific legislative proposal pending before any State or local legislative body. Such activities include both direct and indirect (e.g., "grassroots") lobbying activities, with one exception. This does not preclude a State official whose salary is supported with NHTSA funds from engaging in direct communications with State or local legislative officials, in accordance with customary State practice, even if such communications urge legislative officials to favor or oppose the adoption of a specific pending legislative proposal.

CERTIFICATION REGARDING DEBARMENT AND SUSPENSION

(applies to subrecipients as well as States)

INSTRUCTIONS FOR PRIMARY TIER PARTICIPANT CERTIFICATION (STATES)

1. By signing and submitting this proposal, the prospective primary tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180 and 1200](#).
2. The inability of a person to provide the certification required below will not necessarily result in denial of participation in this covered transaction. The prospective primary tier participant shall submit an explanation of why it cannot provide the certification set out below. The certification or explanation will be considered in connection with the department or agency's determination whether to enter into this transaction. However, failure of the prospective primary tier participant to furnish a certification or an explanation shall disqualify such person from participation in this transaction.
3. The certification in this clause is a material representation of fact upon which reliance was placed when the department or agency determined to enter into this transaction. If it is later determined that the prospective primary tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency may terminate this transaction for cause or default or may pursue suspension or debarment.
4. The prospective primary tier participant shall provide immediate written notice to the department or agency to which this proposal is submitted if at any time the prospective primary tier participant learns its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
5. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in [2 CFR parts 180 and 1200](#). You may contact the department or agency to which this proposal is being submitted for assistance in obtaining a copy of those regulations.
6. The prospective primary tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency entering into this transaction.
7. The prospective primary tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," provided by the department or agency entering into this covered transaction, without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with [2 CFR parts 180 and 1200](#).
8. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
9. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
10. Except for transactions authorized under paragraph 6 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency may terminate the transaction for cause or default.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS—PRIMARY TIER COVERED TRANSACTIONS

1. The prospective primary tier participant certifies to the best of its knowledge and belief, that it and

its principals:

- a. Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency;
 - b. Have not within a three-year period preceding this proposal 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 (1)(b) of this certification; and
 - d. Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or local) terminated for cause or default.
2. Where the prospective primary tier participant is unable to certify to any of the Statements in this certification, such prospective participant shall attach an explanation to this proposal.

INSTRUCTIONS FOR LOWER TIER PARTICIPANT CERTIFICATION

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below and agrees to comply with the requirements of [2 CFR parts 180 and 1200](#).
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms **covered transaction, civil judgment, debarment, suspension, ineligible, participant, person, principal, and voluntarily excluded**, as used in this clause, are defined in [2 CFR parts 180 and 1200](#). You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Instructions for Lower Tier Participant Certification" including the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion—Lower Tier Covered Transaction," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions and will require lower tier participants to comply with [2 CFR parts 180 and 1200](#).
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under [48 CFR part 9, subpart 9.4](#), debarred, suspended, ineligible, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant is responsible for ensuring that its principals are not suspended, debarred, or otherwise ineligible to participate in covered transactions. To verify the eligibility of its principals, as well as the eligibility of any prospective lower tier participants, each participant may, but is not required to, check the System for Award Management Exclusions website (<https://www.sam.gov/>).
8. Nothing contained in the foregoing shall be construed to require establishment of a system of

records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.

9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under [48 CFR part 9, subpart 9.4](#), suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension or debarment.

CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND VOLUNTARY EXCLUSION—LOWER TIER COVERED TRANSACTIONS

1. The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in covered transactions by any Federal department or agency.
2. Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

BUY AMERICA

(applies to subrecipients as well as States)

The State and each subrecipient will comply with the Buy America requirement ([23 U.S.C. 313](#)) when purchasing items using Federal funds. Buy America requires a State, or subrecipient, to purchase with Federal funds only steel, iron and manufactured products produced in the United States, unless the Secretary of Transportation determines that such domestically produced items would be inconsistent with the public interest, that such materials are not reasonably available and of a satisfactory quality, or that inclusion of domestic materials will increase the cost of the overall project contract by more than 25 percent. In order to use Federal funds to purchase foreign produced items, the State must submit a waiver request that provides an adequate basis and justification for approval by the Secretary of Transportation.

CERTIFICATION ON CONFLICT OF INTEREST

(applies to subrecipients as well as States)

GENERAL REQUIREMENTS

No employee, officer, or agent of a State or its subrecipient who is authorized in an official capacity to negotiate, make, accept, or approve, or to take part in negotiating, making, accepting, or approving any subaward, including contracts or subcontracts, in connection with this grant shall have, directly or indirectly, any financial or personal interest in any such subaward. Such a financial or personal interest would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or personal interest in or a tangible personal benefit from an entity considered for a subaward. Based on this policy:

1. The recipient shall maintain a written code or standards of conduct that provide for disciplinary actions to be applied for violations of such standards by officers, employees, or agents.
 - a. The code or standards shall provide that the recipient's officers, employees, or agents may neither solicit nor accept gratuities, favors, or anything of monetary value from present or potential subawardees, including contractors or parties to subcontracts.
 - b. The code or standards shall establish penalties, sanctions, or other disciplinary actions for violations, as permitted by State or local law or regulations.
2. The recipient shall maintain responsibility to enforce the requirements of the written code or standards of conduct.

DISCLOSURE REQUIREMENTS

No State or its subrecipient, including its officers, employees, or agents, shall perform or continue to perform under a grant or cooperative agreement, whose objectivity may be impaired because of any related past, present, or currently planned interest, financial or otherwise, in organizations regulated by NHTSA or in organizations whose interests may be substantially affected by NHTSA activities. Based on this policy:

1. The recipient shall disclose any conflict of interest identified as soon as reasonably possible, making an immediate and full disclosure in writing to NHTSA. The disclosure shall include a description of the action which the recipient has taken or proposes to take to avoid or mitigate such conflict.
2. NHTSA will review the disclosure and may require additional relevant information from the recipient. If a conflict of interest is found to exist, NHTSA may (a) terminate the award, or (b) determine that it is otherwise in the best interest of NHTSA to continue the award and include appropriate provisions to mitigate or avoid such conflict.
3. Conflicts of interest that require disclosure include all past, present, or currently planned organizational, financial, contractual, or other interest(s) with an organization regulated by NHTSA or with an organization whose interests may be substantially affected by NHTSA activities, and which are related to this award. The interest(s) that require disclosure include those of any recipient, affiliate, proposed consultant, proposed subcontractor, and key personnel of any of the above. Past interest shall be limited to within one year of the date of award. Key personnel shall include any person owning more than a 20 percent interest in a recipient, and the officers, employees or agents of a recipient who are responsible for making a decision or taking an action under an award where the decision or action can have an economic or other impact on the interests of a regulated or affected organization.

PROHIBITION ON USING GRANT FUNDS TO CHECK FOR HELMET USAGE **(applies to subrecipients as well as States)**

The State and each subrecipient will not use 23 U.S.C. Chapter 4 grant funds for programs to check helmet usage or to create checkpoints that specifically target motorcyclists.

POLICY ON SEAT BELT USE

In accordance with [Executive Order 13043](#), Increasing Seat Belt Use in the United States, dated April 16, 1997, the Grantee is encouraged to adopt and enforce on-the-job seat belt use policies and programs for its employees when operating company-owned, rented, or personally-owned vehicles. The National Highway Traffic Safety Administration (NHTSA) is responsible for providing leadership and guidance in support of this Presidential initiative. For information and resources on traffic safety programs and policies for employers, please contact the Network of Employers for Traffic Safety (NETS), a public-private partnership dedicated to improving the traffic safety practices of employers and employees. You can download information on seat belt programs, costs of motor vehicle crashes to employers, and other traffic safety initiatives at www.trafficsafety.org. The NHTSA website (www.nhtsa.gov) also provides information on statistics, campaigns, and program evaluations and references.

POLICY ON BANNING TEXT MESSAGING WHILE DRIVING

In accordance with [Executive Order 13513](#), Federal Leadership On Reducing Text Messaging While Driving, and DOT Order 3902.10, Text Messaging While Driving, States are encouraged to adopt and enforce workplace safety policies to decrease crashes caused by distracted driving, including policies to ban text messaging while driving company-owned or rented vehicles, Government-owned, leased or rented vehicles, or privately-owned vehicles when on official Government business or when performing any work on or behalf of the Government. States are also encouraged to conduct workplace safety initiatives in a manner commensurate with the size of the business, such as establishment of new rules and programs or re-evaluation of existing programs to prohibit text messaging while driving, and education, awareness, and other outreach to employees about the safety risks associated with texting while driving.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution Accepting Completed Public Improvements and Authorizing Bond Reduction and Release for the Parkside Phase 2 Project at 1992 Tarob Court (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)
Category:	Consent Calendar-Community Development
Meeting Date:	10/21/2025
Recommendation:	Adopt a resolution to (1) accept the completed public improvements; (2) approve a reduction in the faithful performance bond to \$115,250; and (3) authorize the City Engineer to release the performance bond after the one-year warranty period without further City Council action, provided all required warranty work has been completed to the satisfaction of the City Engineer for the Parkside Phase 2 Project at 1992 Tarob Court.

BACKGROUND:

On September 3, 2019, the City Council approved the Subdivision Improvement Agreement (Agreement) with Toll West Coast, LLC (Developer) for Parkside Phase 2 Project, Tract No. 10455 (Project) to construct 53 condominium units on a 2.3-acre site located at 1992 Tarob Court within the Metro Specific Plan area. The Project has been completed including public improvements constructed along Tarob Court and Lundy Place. Public improvements included concrete improvements such as curb and gutter, driveway aprons and sidewalk; resurfacing of the asphalt pavement; utility improvements such as sewer, storm, and water main and services; and streetscape improvements such as landscaping, signage, and streetlights.

ANALYSIS:

The Developer has successfully completed all required public improvements for the Project in accordance with the Agreement and City-approved Public Improvement Plans, No. 2-1310. The completed public improvements are now ready for acceptance by the City Council thereby commencing the one-year warranty period.

In accordance with [City Municipal Code XI-1-17.05 – Improvement Security: Release or Reduction](#), staff recommends the City Council adopt a Resolution (Attachment 1) granting acceptance of the public improvements; approve a reduction of the performance bond to \$115,250, which is 25% of the security's original value; and grant authorization to the City Engineer to release the performance bond after the one-year warranty period without further City Council action provided all required warranty work is completed to the satisfaction of the City Engineer.

PROJECT/PROGRAM SCHEDULE:

Following this action, the City Engineer will release the performance bond after the one-year warranty period provided all required warranty work is completed.

POLICY ALTERNATIVE(S):

Alternative: Not approve resolution granting acceptance of public improvements including the reduction of the faithful performance bond.

Pros: None

Cons: Not granting acceptance of public improvements would limit public use of the improvements and does not promote orderly completion and closeout of the Project. Also, not granting acceptance would conflict with the City obligation under the Subdivision Improvement Agreement.

Reason for Not Recommending: Granting acceptance of the completed public improvements would allow public use of the improvements and allows for the completion and closeout of the Project as required by the Subdivision Improvement Agreement.

FISCAL IMPACT:

Public improvements completed as part of the Project will be perpetually owned and maintained by the City following acceptance by the City Council and expiration of the one-year warranty period. The Public Works Department will be responsible for maintenance of the improvements and any additional funding required for ongoing maintenance will be requested through future budget appropriations as the Council adopts the annual operating budget for the Department.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The action has no potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment and is not a project pursuant to Pub. Resources Code, § 21065 and Cal. Code Regs., tit. 14, § 15378. Even if a project, the action is exempt from further CEQA review pursuant to Cal. Code Regs., tit. 14, § 15061(b)(3) as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment. At most, the action relates to construction and acceptance of a limited number of new, small facilities or structures or the installation of small new equipment and facilities – including a limited number of water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve approved construction – and therefore is exempt from CEQA pursuant to Cal. Code Regs., tit. 14, § 15303.

Environmental analysis of the construction of public improvements was analyzed at the time the overall project, including the Subdivision Improvement Agreement, was considered and approved by the City Council, and no further environmental analysis is required, including because none of the factors identified in Pub. Res. Code § 21166 and Cal. Code Regs., tit. 14, § 15162 are met.

ATTACHMENT(S):

(a) Resolution

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
ACCEPTANCE OF PUBLIC IMPROVEMENTS; REDUCING FAITHFUL
PERFORMANCE BOND; AND GRANTING AUTHORIZATION TO THE CITY
ENGINEER TO RELEASE THE PERFORMANCE BOND AFTER THE ONE-YEAR
WARRANTY PERIOD FOR PARKSIDE PHASE 2 PROJECT, TRACT NO. 10455**

WHEREAS, the City Council of the City of Milpitas on September 3, 2019 approved the plans and specifications for Parkside Phase 2 Project, (the “Project”) to be completed by Toll West Coast, LLC as part of its development at 1992 Tarob Ct; and

WHEREAS, the City of Milpitas has heretofore entered into a subdivision improvement agreement on September 3, 2019 with Toll West Coast LLC, for the Project; and

WHEREAS, Toll West Coast, LLC, as Principal, and Arch Insurance Company, as Surety, executed and posted a certain Performance Bond Number SU1157373 conditioned upon the faithful performance of the provisions of said improvement agreement and upon the faithful performance of all improvement work required thereunder; and

WHEREAS, said public improvements for the Project have been completed and the improvement agreement provides that the security shall extend for a period of one-year after the date of acceptance of said improvements to cover the warranty period of said improvements under said agreement; and

WHEREAS, the City Council is willing to consent to a reduction in the penal sum of said security during said one year warranty period; and

WHEREAS, the City Engineer of the City of Milpitas has made a final inspection of said improvements for the Project and recommends that the City Council of the City of Milpitas accept the same as constructed in accordance with the approved plans and specifications.

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. Those certain public improvements constructed as part of the Project, are hereby accepted as constructed in accordance with the approved plans and specifications upon recommendation of the City Engineer of the City of Milpitas.
3. The penal sum of the faithful performance bond securing said improvements may be reduced to the sum of \$115,250.00, upon request of Principal and Surety, with said penal sum as reduced to apply from the date of completion and acceptance of said improvements and to extend for the balance of the term of one year of said security. Provided, however, that nothing herein contained shall in any way be deemed to be a waiver, release or relinquish by City of any obligations imposed upon the developer or his surety, or sureties, by law or by the above referend public improvement agreement, save and except as expressly set forth herein.
4. The City Council grants authorization to the City Engineer to release the performance bond after the one-year warranty period without further City Council action provided all required warranty work is completed to the satisfaction of the City Engineer.

PASSED AND ADOPTED this ____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta , City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Christopher Creech, Acting City Attorney



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Authorize the City Manager, or Designee, to Negotiate and Execute an Amendment to the Agreement with W.W. Grainger, Inc. for the Purchase of Maintenance Supplies, Equipment, Tools, and Parts for the Public Works Department (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111; and Christian Di Renzo Public Works Director, 408-586-2602)
Category:	Public Safety
Meeting Date:	10/21/2025
Recommendation:	Authorize the City Manager, or designee, to negotiate and execute an amendment to the agreement with W. W. Grainger, Inc., to continue purchasing high quality maintenance supplies, equipment, tools, and parts for a four-year term in an amount not-to-exceed \$549,000 for the full term of the contract agreement.

BACKGROUND:

The Public Works Department (PW) has an active Cooperative Purchase Agreement Contract (#189) with W.W. Grainger Inc. (Grainger) for the term of August 28, 2024, through November 8, 2028. Ongoing purchases have been made both through in-store and third-party deliveries. Primary purchases include miscellaneous equipment, parts, tools, and supplies in support of the City's maintenance operations. An initial purchase order was established for \$99,000 in FY 2024-2025.

Grainger, located on the border of Milpitas and San Jose, has proven to be a trusted supplier with a robust inventory providing the City with the right products in the right quantities at the right times. Their proximity and wide range of supplies has significantly contributed to the City's operational readiness, minimizing downtime and preventing operational delays. Grainger's products are used throughout the various maintenance and repair disciplines within the Public Works Department ranging from power tools to ladders to pipe materials.

ANALYSIS:

Historically, Public Works has averaged approximately \$96,000 in annual spending with Grainger over the past three fiscal years. In Fiscal Year 2024-2025, Public Works entered into a cooperative purchase agreement with Grainger to leverage an existing competitively-bid contract established through another agency's Request for Proposal (RFP) process. This cooperative purchase approach streamlines administrative processes, enhances efficiencies, and provides economies of scale by combining the purchasing power of multiple agencies. The pricing under this cooperative agreement has already been negotiated and reviewed by the Purchasing Agent, who determined it to be the most advantageous option for the City.

The original contract value reflected only the anticipated spending for Fiscal Year 2024-2025, rather than the estimated total amount for the full contract term. Typically, multi-year agreements are funded and encumbered on a year-by-year basis. During FY 2024-2025, Public Works exceeded the authorized purchase agreement amount by \$26,000. However, the additional funding was within Public Work's authorized budget appropriations. Public Works is requesting an increase of \$450,000 to the authorized cooperative purchase agreement amount, for a revised not-to-exceed amount of \$549,000 for the full term of the contract agreement. The agreement is set to expire on November 8, 2028.

It is critical the City has a reliable local source as Grainger to provide high quality maintenance, repair, and operating (MRO) supplies, equipment, tools, parts, janitorial, plumbing, electrical and other critical maintenance materials. Products are offered at competitive pricing through Sourcewell COOP 091422-WWG that supports cost control. Their products' reliability also reduces the total cost of ownership by minimizing the need for frequent replacements or repairs.

On July 26, 2022, the Sourcewell Cooperative (Sourcewell), a Minnesota municipal contracting agency, solicited Request for Proposal (RFP) #091422 Facility MRO, Industrial, and Building Related Supplies and Equipment. On November 7, 2022, contract No. 091422 was awarded by Sourcewell to Grainger pursuant to the aforementioned RFP. Consistent with Section I-2-3.05 of the Municipal Code, which authorizes the Purchasing Agent to make purchases based upon an agreement or cooperative purchasing program entered into by another public agency, the Purchasing Agent has reviewed all the documentation from Sourcewell and has determined the underlying agreement or program was made utilizing competitive negotiation or procurement procedures at least as restrictive as the City's, and the price quoted is the same as offered in the original contract.

PROJECT/PROGRAM SCHEDULE:

Upon City Council approval of this action, equipment, parts, tools and supplies would continue to be purchased from Grainger on an as-needed basis.

POLICY ALTERNATIVE(S):

Alternative 1: Do not amend the agreement to increase the purchase amount by \$450,000, for a revised not-to-exceed amount of \$549,000, for the continued procurement of equipment, parts, tools, and supplies for the City's Public Works Department.

Pros: City can save funds by not purchasing required maintenance supplies, parts, tools, and equipment. Thereby, contributing directly to reducing the City's deficit.

Cons: Public Works will not be able to properly maintain the City's vehicles, motorized equipment, facility related items that are critically needed to support the City's operational mission. Not having the required maintenance parts, supplies, tools, and miscellaneous equipment could directly impact safety of City staff.

FISCAL IMPACT:

There are sufficient funds available in the FY 2025-26 operating budget for the Public Works Department to cover the costs of maintenance supplies. Funding for the remaining years of this contract will be covered within the various existing ongoing appropriation amounts in the Public Works Department for maintenance, repair and capital replacement; subject to the annual appropriation of funds.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

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

ATTACHMENT(S):

N/A



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution to Approve Project Plans and Specifications; Award the Construction Contract to Innovative Construction Solutions; and Authorize the Design Services Agreement Amendment No. 2 with MNS Engineers, Inc. for the Gibraltar Pump Station Valves Replacement Project (Staff: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)
Category:	Consent Calendar-Community Services and Sustainable Infrastructure
Meeting Date:	10/21/2025
Recommendation:	Adopt a resolution to: (1) Approve the Project plans and specifications; (2) Award the construction contract to Innovative Construction Solutions in the amount of \$1,310,000; (3) Authorize the City Manager, or designee, to execute the construction contract with Innovative Construction Solutions; (4) Authorize the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$196,500; and (5) Approve and Authorize the City Manager, or designee, to execute Amendment No. 2 to the Professional Services Agreement with MNS Engineers, Inc. in the amount not to exceed of \$32,198 for the Gibraltar Pump Valves Replacement Project, Project Nos. 7133 and 7141.

BACKGROUND:

The Gibraltar Pump Station Valves Replacement Project, CIP Nos. 7133 and 7141 (Project), is included in the adopted FY 2025-2029 Capital Improvement Program. Built in 1991, the Gibraltar Pump Station Facility (Facility) is a critical City facility that stores water supplied from San Francisco Public Utility Commission (SFPUC) and Santa Clara Valley Water District (VW) into two 4 million-gallon above-grade reservoirs which totals half of the City's storage capacity. The Facility consists of seven pumps that convey water to service City water zone areas SF1, SF2, VW1 and VW2, directly or indirectly. Based on the preliminary condition assessment as part of the adopted 2020 Water Master Plan, the consequence and likelihood of failure rating for this Facility was deemed to be "Very Likely." The Project provides for design and construction to replace twenty (20) valves that reached the end of their service life, repair corroded sections of piping, and complete minor electrical upgrades.

On November 1, 2023, the City entered into a Professional Services Agreement (PSA) with MNS Engineers, Inc. for the planning and design services of the Project for a not-to-exceed amount of \$98,100. On July 28, 2024, the City authorized Amendment No.1 to the PSA to include design services for additional valve replacements in the amount of \$31,680, which increased the total compensation to \$129,780.

ANALYSIS:

The Project was advertised on the City eProcurement system, OpenGov Procurement, and digital construction trade publication on August 8, 2025, and in the Milpitas Post on August 8 and 15, 2025, in accordance with the bidding requirement of the Uniform Public Construction Cost Accounting Act. It was also posted at City Hall, Sports Center, and Senior Center per City Council direction and Government Code section 36933. The bid opening was held on September 10, 2025, and seven (7) sealed bids were received with the price ranging from \$1,310,000 to \$2,106,715 based on the Project Plans and Specifications (Attachment B). The apparent lowest bidder is Innovative Construction Solutions, submitting a bid in the amount of \$1,310,000. The Summary of Bid Results is as follows and detailed information about the bid results (Attachment C) are included in the Council's agenda packet.

Bidder	Location	Base Bid
Engineer's Construction Estimate	-	\$1,500,000
Innovative Construction Solutions	Concord, CA	\$1,310,000
Corcus Construction, Inc.	San Francisco, CA	\$1,390,500
Anderson Pacific	Santa Clara, CA	\$1,404,000
GSW Construction Inc.	San Francisco, CA	\$1,515,800
Turnkey HVAC	Hayward, CA	\$1,760,000
ACCO Engineering Systems	San Jose, CA	\$1,804,850
Preston Pipelines	Milpitas, CA	\$2,106,715

The bid prices submitted ranged from 13% below to 40% over the Engineer's Construction Estimate which is \$1,500,000. The wide variation is likely due to the current construction market which has been affected by inflation and tariffs, instability of supply chains, bidder's ability to self-perform work, workload schedule, bidder overhead cost and profit margins thresholds, and material and labor markup.

Staff reviewed the bid proposal submitted by Innovative Construction Solutions and found their bid proposal to be responsive. Staff recommends awarding a construction contract in the amount of \$1,310,000 to Innovative Construction Solutions as the lowest responsible bidder submitting a responsive bid and approve the Project's Plans and Specifications. No bid protests were filed with the City. There is sufficient funding available in the CIP Nos. 7133 & 7141 to award this contract and no additional funding appropriation is required.

Despite the Consultant's best effort to capture all relevant information in the Plans and Specifications, a challenge is the discovery of unforeseen existing conditions typically related to the connection of new valves to existing piping and repair of corrosion pipes that may create conflict with the proposed design. The construction contingency established for this Project to address any unforeseen conditions that arise during construction is \$196,500 which is 15% of the total contract value. As previously approved for the successful completion of recent projects with tight completion schedules, staff is requesting the use of the same change order policy used for previous projects (Attachment D). This policy allows for timely completion of the Project, while addressing the need to respond swiftly to construction conditions and approve necessary change orders to limit potential claims or risks to the City. The change order authority will not be exceeded without prior City Council Approval.

Staff also recommends the approval of Amendment No. 2 to the PSA with MNS Engineers, Inc. (Attachment E) to provide construction support services. The services will include construction observation and meetings; reviewing and responding to change order requests, requests for information, and material submittals from the contractor; addressing minor design changes due to unforeseen conditions; and project closeout. Staff has negotiated a scope and fee for Amendment No. 2 in a not-to-exceed amount of \$32,198, which will increase compensation of the agreement from \$129,780 to \$161,978. No additional funding appropriation is required for Amendment No. 2.

PROJECT/PROGRAM SCHEDULE:

The anticipated delivery of the valves is estimated between 6 to 9 months for 20 valves; therefore, the Project is anticipated to be completed by Fall 2026.

POLICY ALTERNATIVES:

Alternative 1: Do not approve the Project's Plans and Specifications and not award the construction contract to Innovative Construction Solutions.

Pros: The Project will not move forward, and the designated funding would be returned to the Water Enterprise Utility fund balance.

Cons: A denial would cause a delay in completing the necessary replacement of the valves to resolve operational deficiencies and repairs to corroded sections of piping that will continue to deteriorate. Being proactive with maintenance and upgrades of the Facility will increase its reliability and safeguard against unanticipated emergencies and shutdowns that could result in an inability to delivery water throughout the community.

Reason not Recommended: The Project is essential to ensuring the City maintains the operational storage capacity mandated by the State's Division of Drinking Water. Not addressing these necessary repairs and replacements will put the Facility at risk of a system shutdown, jeopardizing the supply of drinking water and fire flow to the City's water zone areas SF1, SF2, VW1 and VW2.

FISCAL IMPACT:

Adequate funds are available in CIP Nos. 7133 and 7141 and no additional funding appropriation is required.

As of September 16, 2025, the uncommitted balance of the Project is as follows:

CP 7133	\$1,357,000.00
CP 7141	\$1,685,000.00
Total	\$3,042,000.00

Summary of Estimated Construction Expenditures

Construction Contract	\$ 1,310,000
15% Construction Contingency	\$ 196,500
Amendment No. 2	\$32,198
TOTAL	\$ 1,538,698

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The Project entails replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced and is exempt from CEQA pursuant to Cal. Code Regs., tit. 14, § 15302.

ATTACHMENTS:

- (a) Resolution
- (b) Plans and Specifications
- (c) Bid Summary
- (d) Change Order Policy
- (e) MNS Engineers Amendment No. 2

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING THE PROJECT PLANS & SPECIFICATIONS; AWARDING CONSTRUCTION CONTRACT TO THE LOWEST RESPONSIBLE BIDDER SUBMITTING A RESPONSIVE BID, INNOVATIVE CONSTRUCTION SOLUTIONS, IN A TOTAL AMOUNT OF \$1,310,000; AUTHORIZE THE CITY MANAGER, OR DESIGNEE, TO EXECUTE THE CONSTRUCTION CONTRACT WITH INNOVATIVE CONSTRUCTION SOLUTIONS; AUTHORIZE THE PUBLIC WORKS DIRECTOR, OR DESIGNEE, TO NEGOTIATE AND EXECUTE CONTRACT CHANGE ORDER(S) IN AN AGGREGATE AMOUNT NOT TO EXCEED \$196,500; AND APPROVE AND AUTHORIZE THE CITY MANAGER, OR DESIGNEE, TO EXECUTE AMENDMENT NO. 2 TO THE PROFESSION SERVICES AGREEMENT WITH MNS ENGINEERS INC., IN THE AMOUNT OF \$32,198 FOR GIBRALTAR PUMP STATION VALVES REPLACEMENT PROJECT, CIP NOS. 7133 & 7141

WHEREAS, the Gibraltar Pump Station Valves Replacement Project, CIP Nos. 7133 & 7141 (“Project”), is in the approved 2025-2029 Capital Improvement Program; and provides for the design and construction to replace 20 valves that has reach the end of their service life, repair corroded sections of piping, and minor electrical upgrades in the Gibraltar Pump Station Facility; and

WHEREAS, the Project was advertised on the City eProcurement system, OpenGov Procurement, and digital construction trade publications on August 8, 2025, and in the Milpitas Post on August 8 and 15, 2025, in accordance with the bidding requirements of the Uniform Public Construction Cost Accounting Act; and posted at Milpitas City Hall, Sports Center, and Senior Center per City Council direction and Government Code section 36933; and

WHEREAS, the Engineer’s Estimate for the Project’s base bid items is \$1,500,000; and

WHEREAS, on September 10, 2025, seven (7) sealed bid proposals were received and the bid pricing ranged from \$1,310,000 to \$2,106,715; and

WHEREAS, the lowest responsible bidder submitting a responsive bid is Innovative Construction Solutions in the base bid amount of \$1,310,000; and

WHEREAS, the Notice of Intent to Award Contract to Innovative Construction Solutions, was posted on OpenGov Procurement and no bid protest was filed with the City within seven (7) days of the posting as set forth in the Milpitas Municipal Code 1-2-3.19-Protest Procedure; and

WHEREAS, staff recommends the City Council award a construction contract to Innovative Construction Solutions, the lowest responsible bidder submitting a responsive bid for the Project, and authorize the City Manager or designee to execute a construction contract in the amount of \$1,310,000 in accordance with State law; and

WHEREAS, sufficient funds are available in the CIP Nos. 7133 and 7141 to award the contract to Innovative Construction Solutions, in total amounts of \$1,310,000;

WHEREAS, staff recommends the City Council authorize the Public Works Director, or designee, to negotiate and execute change order(s) in an amount of, not to exceed, \$196,500, fifteen percent (15%) of the total contract value, for the Project’s tight completion schedule and staff capability to respond swiftly to unanticipated construction conditions to limit potential claims or risk to the City; and

WHEREAS, staff recommends the City Council approve the Project plans and specifications; and

WHEREAS, staff recommends the City Council authorize the City Manager to execute Amendment No. 2 to the Professional Services Agreement with MNS Engineers, Inc. in the amount not to exceed \$32,198 for construction services; 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 the Project Plans and Specifications.
3. The City Council hereby awards the construction contract to and authorizes the City Manager, of designee, to execute the contract and related documents with the lowest responsible bidder submitting a responsive bid, Innovative Construction Solutions, in the amount of \$1,310,000 for the Project. The City Manager or designee is authorized to execute a contract with Innovative Construction Solutions not to exceed this amount and take all necessary actions to effectuate this award.
4. The Public Works Director, or designee, is hereby authorized to negotiate and execute contract change order(s) in an aggregate amount not to exceed \$196,500 for the Project.
5. The City Manager is hereby authorized to execute Amendment No. 2 to the design services agreement with MNS Engineers, Inc. in the amount of, not to exceed, \$32,198.

PASSED AND ADOPTED this _____ day of _____, 2025, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta , City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

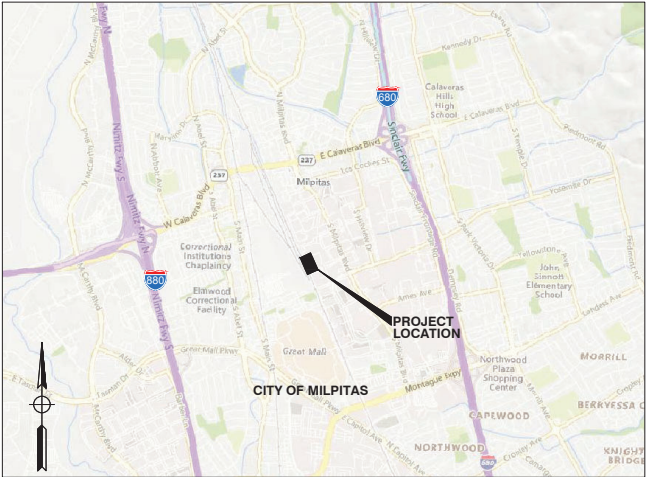
Christopher Creech, Acting City Attorney

CITY OF MILPITAS

GIBRALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT, CIP NO. 7133 & 7141

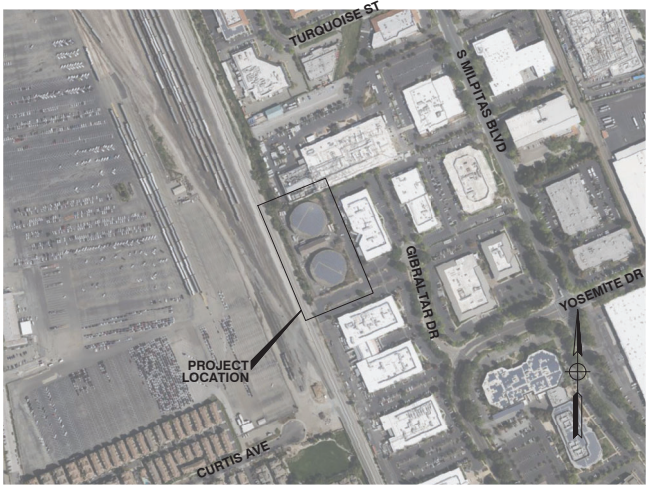


JULY 2025



VICINITY MAP
N.T.S.

SHEET INDEX		
SHEET NO.	DRAWING NO.	DESCRIPTION
1	G-01	TITLE SHEET, VICINITY MAP, LOCATION MAP, AND SHEET INDEX
2	G-02	GENERAL NOTES, ABBREVIATIONS, REFERENCE DRAWINGS AND LEGEND
3	G-03	FACILITY EXISTING PIPING AND PROJECT VALVES REPLACEMENT PLAN
4	D-01	DEMOLITION PLAN 1 - VALVES ASSOCIATED WITH PUMP NOS. 1-4
5	D-02	DEMOLITION PLAN 2 - VALVES ASSOCIATED WITH PUMP NOS. 5-7
6	M-01	VALVE REPLACEMENT PLAN, SECTION, AND DETAILS 1
7	M-02	VALVE REPLACEMENT PLAN, SECTION, AND DETAILS 2
8	M-03	PUMPS NO. 5, 6, 7 SUCTION PIPING REPAIR DETAILS AND GENERAL DETAILS
9	E001	STANDARD ELECTRICAL SYMBOLS, LEGENDS, & ABBREVIATION
10	E020	ELECTRICAL CONTROL STATION AND SCHEDULE
11	E100	ELECTRICAL SITE PLAN
12	E900	ELECTRICAL DETAILS
13	I001	STANDARD PROCESS & INSTRUMENTATION SYMBOLS, LEGENDS & ABBREVIATIONS
14	I100	PAID - 1
15	I101	PAID - 2



LOCATION MAP
N.T.S.

Designer Stamp: 	Record Drawings	Drawn By: KAD Date: _____ Checked By: TNH Date: _____ Designed By: MAB Date: _____	Revisions <table><thead><tr><th>Num.</th><th>Description</th><th>Engr. Appr.</th><th>Date</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td><td> </td></tr></tbody></table>	Num.	Description	Engr. Appr.	Date																														CITY OF MILPITAS ENGINEERING DIVISION	PROJECT NO. 7133 & 7141
	Num.			Description	Engr. Appr.	Date																																
GIBRALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT	Rec. Dwg No. 2-840																																					
TITLE SHEET, VICINITY MAP, LOCATION MAP, AND SHEET INDEX	DRAWING NO. G-01																																					
RECOMMENDED FOR BIDDING BY: <u>Lythak Eam</u> DATE: 07/24/2025 LYTHAK EAM, P.E., PUBLIC WORKS DIVISION MANAGER - ENGINEERING	APPROVED FOR BIDDING BY: <u>Michael Silverio</u> DATE: 7/25/2025 Michael Silverio, P.E., City Engineer	SCALE: SHEET <u>1</u> of <u>15</u>																																				

GENERAL NOTES

1. ALL WORK SHALL BE IN ACCORDANCE WITH THE CITY OF MILPITAS STANDARD DETAILS AND THE STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION (CURRENT EDITION) OF THE AMERICAN PUBLIC WORKS ASSOCIATION (GREENBOOK) AS MODIFIED BY THE PROJECT SPECIFICATIONS AND THESE PLANS.
2. CONTRACTOR SHALL COMPLY WITH CAL OSHA REGULATIONS AT ALL TIMES AND SHALL FURNISH, ERECT, AND MAINTAIN SUCH FENCES, BARRICADES, DETOURS, FLAGMAN, LIGHTS AND SIGNS AS NECESSARY TO GIVE PROTECTION TO THE PUBLIC AT ALL TIMES.
3. CONTRACTOR IS RESPONSIBLE FOR PROVIDING CONSTRUCTION WATER AND POWER FOR ALL EQUIPMENT. NO WATER OR ELECTRICAL CONNECTIONS ARE AVAILABLE AT THE PROJECT SITE.
4. CONSTRUCTION IS PROHIBITED ON SATURDAY, SUNDAY, HOLIDAYS, AND BETWEEN THE HOURS OF 5:00 P.M. AND 7:00 A.M. UNLESS OTHERWISE AUTHORIZED IN WRITING BY THE CITY OF MILPITAS.
5. CONSTRUCTION-RELATED TRUCK TRIPS SHALL NOT BE SCHEDULED DURING PEAK HOURS (7:00 A.M. TO 9:00 A.M. AND 4:00 P.M. TO 6:00 P.M.).
6. CONTRACTOR SHALL MAINTAIN A COMPLETE AND ACCURATE RECORD OF ALL CHANGES OF CONSTRUCTION FROM THAT SHOWN IN THESE PLANS AND SPECIFICATIONS FOR THE PURPOSE OF PROVIDING A BASIS FOR RECORD DRAWINGS. NO CHANGES TO CONSTRUCTION SHALL BE MADE WITHOUT PRIOR WRITTEN APPROVAL OF THE ENGINEER OF RECORD AND THE CITY PUBLIC WORKS DEPARTMENT.
7. CONTRACTOR SHALL FURNISH ONE COMPLETE SET OF RECORD DRAWINGS. CHANGES TO CONSTRUCTION SHALL BE CLEARLY DELINEATED IN RED INK ON THE RECORD DRAWINGS. THE LOCATION, CHARACTER, AND DEPTH OF EXISTING UTILITIES ENCOUNTERED DURING CONSTRUCTION SHALL ALSO BE SHOWN ON THE RECORD DRAWINGS.
8. THE CONTRACTOR SHALL HAVE COPIES OF THE PLANS AND SPECIFICATIONS FOR THIS PROJECT ON-SITE DURING CONSTRUCTION AND SHALL BE FAMILIAR WITH ALL APPLICABLE STANDARDS AND SPECIFICATIONS.
9. ALL DIMENSIONS SHOWN ARE APPROXIMATE AND SHALL BE FIELD VERIFIED AT THE SITE BEFORE STARTING WORK. THE CONTRACTOR SHALL IMMEDIATELY NOTIFY THE CITY AND ENGINEER OF EQUIPMENT THAT IS FOUND TO BE LOCATED DIFFERENTLY THAN SHOWN ON PLANS.
10. ALL SPECIFICATIONS, DRAWINGS, AND DETAILS INCLUDED IN THE CONTRACT DOCUMENTS SHALL FULLY APPLY TO THE WORK WHETHER SPECIFICALLY REFERENCED OR NOT.
11. VIDEO RECORD AND DOCUMENT THE PRE-EXISTING CONDITIONS OF THE PROJECT SITE PRIOR TO BEGINNING FIELD CONSTRUCTION ACTIVITIES. DOCUMENT THE INTERIOR AND EXTERIOR OF THE EXISTING VAULTS. SUBMIT THE RECORDING TO THE CITY PRIOR TO THE START OF CONSTRUCTION.
12. MAINTAIN THE WORK AREA IN A NEAT, CLEAN, AND SANITARY CONDITION AT ALL TIMES AND TO THE SATISFACTION OF THE CITY, OWNER'S REPRESENTATIVE AND AGENCY WITH LOCAL JURISDICTION. STREETS SHALL BE KEPT CLEAN OF DEBRIS, WITH DUST AND OTHER NUISANCES BEING CONTROLLED AT ALL TIMES.
13. THE CITY ENGINEER SHALL BE NOTIFIED AT LEAST SEVEN (7) WORKING DAYS PRIOR TO START OF CONSTRUCTION. CONSTRUCTION WILL NOT TAKE PLACE OUTSIDE OF THE CITY'S STANDARD WORKING HOURS OR ON WEEKENDS UNLESS SPECIFICALLY APPROVED BY CITY. A PRECONSTRUCTION MEETING IS REQUIRED.
14. CONTRACTOR IS RESPONSIBLE TO COORDINATE WATER FACILITY SHUTDOWNS WITH THE CITY, AND TO GAIN WRITTEN APPROVAL FOR SHUTDOWNS A MINIMUM OF 21 CALENDAR DAYS PRIOR TO SHUTDOWN. SHUTDOWN PLANS MUST BE DEVELOPED AND SUBMITTED FOR APPROVAL BY THE CITY'S CONSTRUCTION MANAGER. PLANS SHALL BE APPROVED BY THE CITY PRIOR TO SHUTDOWN. WRITTEN NOTICE SHALL BE SUBMITTED AND APPROVED BY THE CITY'S CONSTRUCTION MANAGER FOR MODIFYING OPERATIONS OF ANY WATER FACILITY A MINIMUM OF 21 CALENDAR DAYS FROM START OF WORK. THE CONTRACTOR SHALL NOTIFY CUSTOMERS IMPACTED BY THE SHUTDOWN IN WRITING OF THE SHUTDOWN 14 CALENDAR DAYS PRIOR TO THE SHUTDOWN AND AGAIN 48 HOURS PRIOR TO SHUTDOWN. CONTRACTOR SHALL SUBMIT NOTIFICATION LETTER TO THE CITY FOR APPROVAL PRIOR TO NOTIFYING THE PUBLIC.
15. INSTALL FLANGE ISOLATION KIT FOR CONNECTION OF PIPING OF DISSIMILAR METALS AT CONNECTIONS TO EXISTING PIPELINES, AND AT TRANSITIONS BETWEEN ABOVE AND BELOW GROUND PIPING.
16. UNLESS OTHERWISE IDENTIFIED ON THE DRAWINGS, PROVIDE RESTRAINED JOINTS FOR ALL NEW WATER PIPING INCLUDED IN THE PROJECT.
17. PROJECT WATER PIPING SHALL BE FULLY RESTRAINED INCLUDING VALVES AND FITTINGS.
18. A MANDATORY CONSTRUCTION PRE BID MEETING WILL BE HELD AT THE GIBRALTAR PUMP STATION.

SUMMARY OF WORK

THE WORK OF THIS PROJECT INCLUDES THE DEMOLITION OF EXISTING MANUAL AND MOTOR OPERATED BUTTERFLY VALVES AND REPLACEMENT OF THE MANUAL AND MOTOR OPERATED BUTTERFLY VALVES THAT ARE DEMOLISHED IN KIND WITH NEW EQUIPMENT AT THE GIBRALTAR PUMP STATION INCLUDING ASSOCIATED ELECTRICAL AND INSTRUMENTATION AND CONTROLS WORK AS IDENTIFIED BY THE ELECTRICAL PLANS AND SPECIFICATIONS. THE WORK INCLUDES PIPING MODIFICATIONS REQUIRED TO INSTALL THE NEW VALVES WHICH MAY OR MAY NOT HAVE THE SAME LAY LENGTH AS THE EXISTING VALVES REPLACED. THE VALVES AND VALVE OPERATORS TO BE REPLACED ARE IDENTIFIED ON DRAWING G-02 AND INCLUDE: BFV 009, BFV 010, BFV 011, BFV 108, BFV 107, BFV 108, BFV 002, BFV 004, BFV 006, BFV 008, BFV 100, BFV 101, BFV 102, BFV 001, BFV 003, BFV 005, BFV 007, BFV 103, BFV 104, AND BFV 105. THE PROJECT WILL ALSO REPAIR CORRODED SUCTION PIPING OF PUMP NOS. 005, 006, AND 007. THIS WORK IS SHOWN ON DRAWING M-03.

LEGEND

PROPOSED

MOTOR OPERATED BUTTERFLY VALVE PER THE VALVE REPLACEMENT SCHEDULE PROVIDED IN SPECIFICATION SECTION 400520. SIZE AND VALVE ID AS NOTED.

MANUAL BUTTERFLY VALVE PER THE VALVE REPLACEMENT SCHEDULE PROVIDED IN SPECIFICATION SECTION 400520. SIZE AND VALVE ID AS NOTED.

RESTRAINED FLANGE COUPLING ADAPTOR

GROOVED COUPLING

FLANGED COUPLING ADAPTOR

PIPING, SIZE PER PLAN

DEMOLISH

EXISTING

MOTOR OPERATED BUTTERFLY VALVE

MANUALLY OPERATED BUTTERFLY VALVE

RESTRAINED FLANGE COUPLING ADAPTOR

GROOVED COUPLING

FLANGED COUPLING ADAPTOR

CHECK VALVE

PIPING, SIZE PER PLAN

DISMANTLING COUPLING

ARV

PRE-SUBMITTAL FIELD SURVEY

THE CONTRACTOR SHALL COMPLETE A DETAILED FIELD INVESTIGATION AND SHALL DOCUMENT THE PRESSURE RATING, SIZE, MATERIAL TYPE, AND/OR MODEL NUMBER AND SERIAL NUMBER FOR EACH EXISTING PIPE, VALVE, OPERATOR, FITTING AND FLANGE TO BE REPLACED OR REHABILITATED BY THE PROJECT. THE CONTRACTOR SHALL SUBMIT THIS INFORMATION ALONG WITH DETAILED SHOP DRAWING SUBMITTALS ELECTRONICALLY IN PDF AND CAD FORMAT DEMONSTRATING THE FEASIBILITY OF THE PIPING MODIFICATIONS, VALVE INSTALLATIONS, AND OPERATOR INSTALLATIONS TO BE COMPLETED BY THE PROJECT. ALL DISCREPANCIES BETWEEN THE FIELD AND DESIGN CONDITIONS SHALL BE IMMEDIATELY IDENTIFIED, DOCUMENTED, AND BROUGHT TO THE ATTENTION OF THE ENGINEER AND THE CITY'S CONSTRUCTION MANAGER.

AGENCY CONTACT INFORMATION

CITY OF MILPITAS PUBLIC WORKS DEPARTMENT
ATTENTION: ADRIANNE NIKOLOFF, ASSISTANT ENGINEER
1265 N. MILPITAS BLVD., MILPITAS CA 95035
(408) 687-1639

DEMOLITION VALVE REPLACEMENT SEQUENCING

THE CONTRACTOR SHALL PREPARE SEPARATE PLANS (2) FOR DEMOLITION OF EXISTING EQUIPMENT AND FOR SEQUENCING OF INSTALLATION FOR NEW EQUIPMENT. EACH PLAN SHALL BE DETAILED PER THE REQUIREMENTS OUTLINED IN THE SPECIFICATIONS. EACH PLAN SHALL BE REVIEWED AND APPROVED BY THE ENGINEER, CONSTRUCTION MANAGER, AND CITY OPERATIONS STAFF. DEMOLITION AND VALVE REPLACEMENT WORK SHALL NOT IMPACT OPERATION OF THE IN SERVICE GIBRALTAR PUMP STATION. NO EQUIPMENT SHALL BE DEMOLISHED OR REPLACED WITHOUT WRITTEN AUTHORIZATION BY THE CITY'S CONSTRUCTION MANAGER.

ABBREVIATIONS

ACP	ASBESTOS CONCRETE PIPE
ARV	AIR RELEASE VALVE
BO	BLOW OFF
BFV	BUTTERFLY VALVE
CALOSHA	CALIFORNIA DIVISION OF OCCUPATIONAL SAFETY AND HEALTH
CITY	CITY OF MILPITAS
CORP	CORPORATION
DI	DUCTILE IRON
E	ELECTRICAL
(E)	EXISTING
ELEV	ELEVATION
FE	FLOW ELEMENT
FF	FINISH FLOOR
FG	FINISH GRADE
FIT	FLOW INDICATING TRANSMITTER
FLG	FLANGE
GV	GATE VALVE
I&C	INSTRUMENTATION AND CONTROLS
NO.	NUMBER
NOS.	NUMBERS
NTS	NOT TO SCALE
RW	RIGHT-OF-WAY
PIT	PRESSURE INDICATING TRANSMITTER
PRV	PRESSURE RELEASE VALVE
PSIG	POUNDS PER SQUARE INCH GAUGE
SC	SANTA CLARA
SCWVD	SANTA CLARA VALLEY WATER DISTRICT
SFPUC	SAN FRANCISCO PUBLIC UTILITIES
SF	SAN FRANCISCO
TYP	TYPICAL
VFD	VARIABLE FREQUENCY DRIVE
WSP	WELDED STEEL PIPE
WQ	WATER QUALITY

REFERENCE DRAWINGS

BACKGROUNDS FOR PROJECT BASE DRAWINGS ARE DEVELOPED FROM AVAILABLE RECORD DRAWINGS INCLUDING:
-- 2011 GIBRALTAR RESERVOIR AND PUMP STATION IMPROVEMENTS PROJECT DRAWINGS. DODSON PSOMAS.
-- 1991 SFPD ZONE 1 & SCWVD RESERVOIRS, PUMPING STATION, AND TRANSMISSION MAIN PROJECT NO. 7054, METCALF & EDDY.
MNS CAN NOT GUARANTEE THE ACCURACY OF THIS DATA.

Designer Stamp:



Record Drawings

Designer: _____ Date: _____
Public Works Inspector: _____ Date: _____
Utility/Facility Dept. Head: _____ Date: _____
Project Engineer: _____ Date: _____
Public Improvements Initially Accepted by the City Council on: _____ Rec. No. _____

Drawn By: KAD Date: _____

Checked By: TNH Date: _____

Designed By: NAB Date: _____

Revisions

Num.	Description	Engr.	Aprv.	Date



CITY OF MILPITAS
ENGINEERING DIVISION

GIBRALTAR PUMP STATION SUCTION PIPING
REPAIR AND VALVES REPLACEMENT PROJECT

GENERAL NOTES, ABBREVIATIONS, REFERENCE DRAWINGS AND LEGEND

RECOMMENDED FOR BIDDING BY: *Lyhak Eam* DATE: 07/24/2025
LYHAK, EAM, P.E., PUBLIC WORKS DIVISION MANAGER -- ENGINEERING

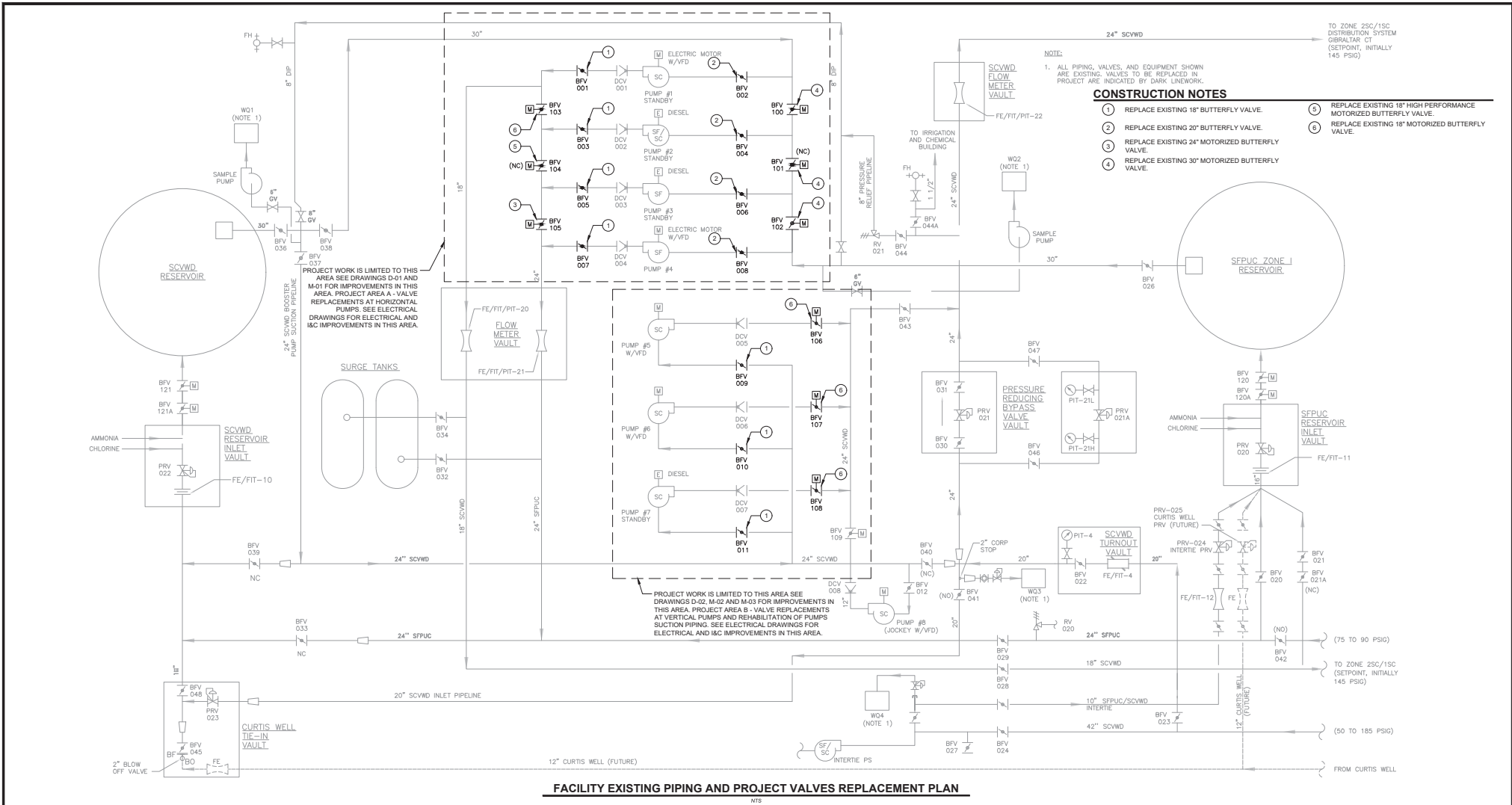
PROJECT NO.
7133 & 7141

Rec. Dwg No.
2-840

DRAWING NO.
G-02

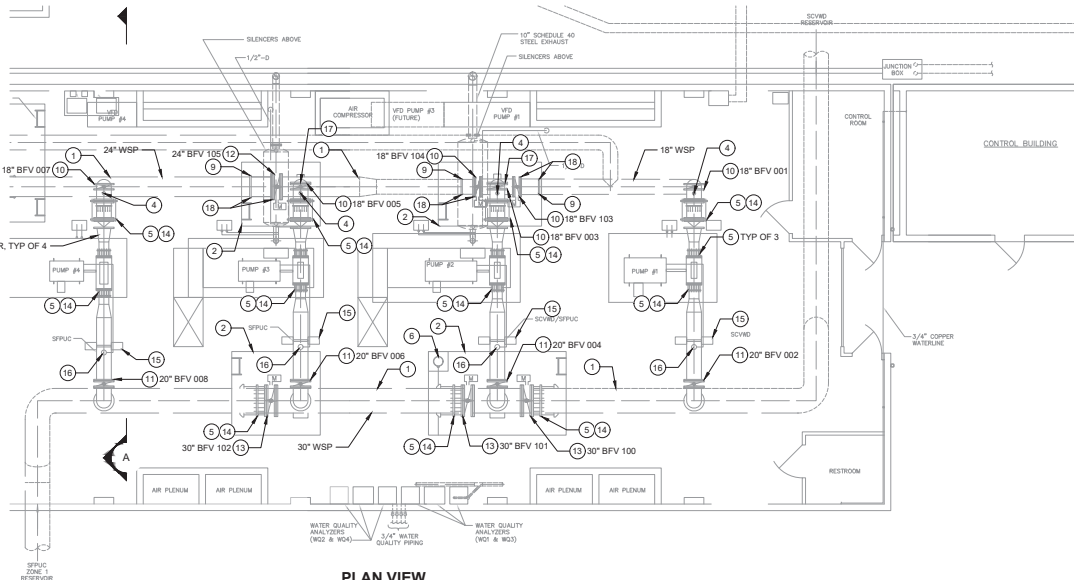
SCALE:

SHEET 2 of 15

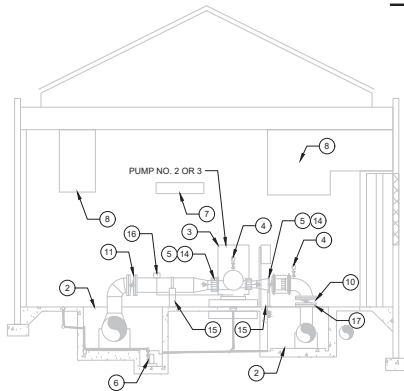


FACILITY EXISTING PIPING AND PROJECT VALVES REPLACEMENT PLAN

Designer Stamp: 	Record Drawings Designer: _____ Date: _____ Public Works Inspector: _____ Date: _____ Utility/Facility Dept. Head: _____ Date: _____ Project Engineer: _____ Date: _____ Public Improvements Initially Accepted by the City Council on: _____ Rec. No.: _____		Revisions <table border="1"> <thead> <tr> <th>Num.</th> <th>Description</th> <th>Engr. Appr.</th> <th>Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>		Num.	Description	Engr. Appr.	Date																													CITY OF MILPITAS ENGINEERING DIVISION GIBALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT FACILITY EXISTING PIPING AND PROJECT VALVES REPLACEMENT PLAN RECOMMENDED FOR BIDDING BY: <i>L'Yhak Eam</i> DATE: 07/24/2025 L'YHAK EAM, P.E., PUBLIC WORKS DIVISION MANAGER - ENGINEERING	PROJECT NO. 7133 & 7141
	Num.	Description	Engr. Appr.	Date																																		
Drawn By: KAD Date: _____		Rec. Dwg No. 2-840																																				
Checked By: TNH Date: _____		DRAWING NO. G-03																																				
Designed By: NAB Date: _____		SCALE: 																																				
		SHEET 3 of 15																																				



PLAN VIEW
NTS



TYP SECTION FOR PUMP NO. 2 AND 3
NTS



PHOTO - TYP FOR BFVS 100, 101, AND 102
NTS

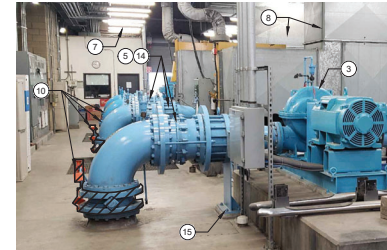


PHOTO - BFV 001, 003, 005, & 007
NTS

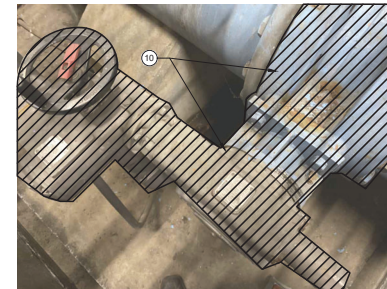


PHOTO - BFV 103
NTS



PHOTO - BFV 002, 004, 006, & 008
NTS

DEMOLITION NOTES

- 1 EXISTING WELDED STEEL PIPE, PROTECT IN PLACE.
- 2 EXISTING UNDERGROUND VALVE VAULT WITH ALUMINUM GRATING, PROTECT IN PLACE.
- 3 EXISTING PUMP AND MOTOR, PROTECT IN PLACE.
- 4 EXISTING ARV, PROTECT IN PLACE.
- 5 EXISTING FITTING, PROTECT IN PLACE.
- 6 EXISTING SUMP PUMP, PIPING, AND APPURTENANCES, PROTECT IN PLACE.
- 7 EXISTING OVERHEAD LIGHTING, PROTECT IN PLACE.
- 8 EXISTING HANGING DUCT, PROTECT IN PLACE.
- 9 REMOVE AND SALVAGE EXISTING GROOVED COUPLING. REMOVE EXISTING 18\"/>
- 10 REMOVE EXISTING 20\"/>
- 11 REMOVE EXISTING 24\"/>
- 12 REMOVE EXISTING 30\"/>
- 13 REMOVE EXISTING 30\"/>
- 14 EXISTING DISMANTLING COUPLING TO BE USED FOR VALVE REPLACEMENT.
- 15 EXISTING PIPE SUPPORT, PROTECT IN PLACE.
- 16 EXISTING PRESSURE INDICATING TRANSMITTER, PROTECT IN PLACE OR REMOVE AND REPLACE AS NEEDED FOR INSTALLATION OF NEW VALVE.
- 17 DEMOLISH EXISTING PIPE FLANGE IN PREPARATION FOR INSTALLATION OF NEW VALVE AND RESTRAINED FLANGE COUPLING ADAPTOR AS SHOWN ON DRAWING M-01. TYP OF 2. AFTER REMOVAL OF PIPE FLANGE, CONTRACTOR SHALL CLEAN AND RECOATE DAMAGED PIPING AREAS PRIOR TO INSTALLING NEW FLANGE COUPLING ADAPTOR AND VALVE.
- 18 EXISTING GROOVED COUPLING AND FLG X GROOVED PIPE SEGMENT, TO BE REPLACED BY DRAWING M-01 AND DETAIL 2, DRAWING M-3.

Designer Stamp:



Record Drawings

Designer: _____ Date: _____
Public Works Inspector: _____ Date: _____
Utility/Facility Dept. Head: _____ Date: _____
Project Engineer: _____ Date: _____
Public Improvements Initially Accepted by the City Council on: _____ Rec. No. _____

Drawn By: KAD Date: _____
Checked By: TNH Date: _____
Designed By: NAB Date: _____

Revisions

Num.	Description	Engr. Aprv.	Date



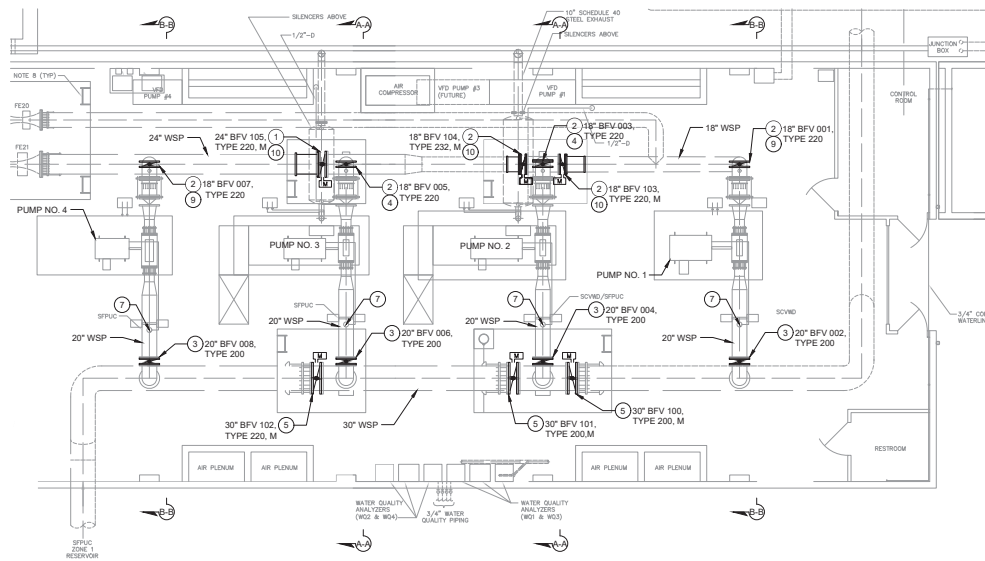
CITY OF MILPITAS
ENGINEERING DIVISION

GIBRALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT

DEMOLITION PLAN 1 - VALVES ASSOCIATED WITH PUMP NOS. 1-4

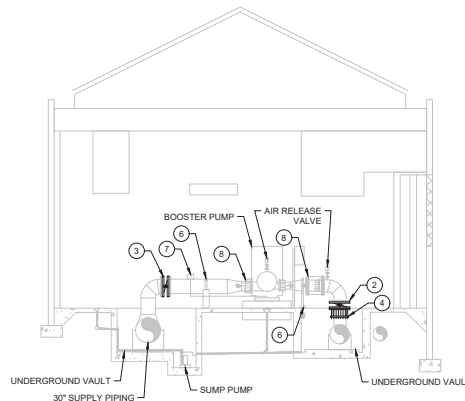
RECOMMENDED FOR BIDDING BY: *Lyhak Eam* DATE: 07/24/2025
LYHAK, EAM, P.E., PUBLIC WORKS DIVISION MANAGER - ENGINEERING

PROJECT NO.
7133 & 7141
Rec. Dwg No.
2-840
DRAWING NO.
D-01
SCALE:
SHEET 4 of 15



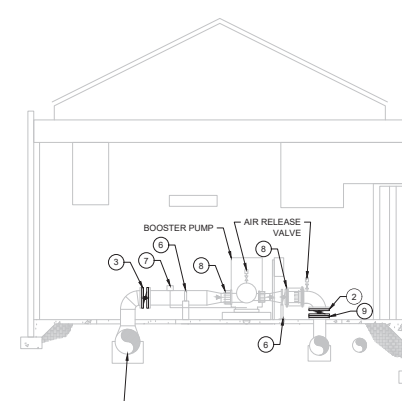
PLAN VIEW

NTS



TYP SECTION A-A FOR PUMP NO. 2 AND 3

NTS



TYP SECTION B-B FOR PUMP NO. 1 AND 4

NTS

CONSTRUCTION NOTES

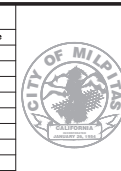
1. INSTALL 24\"/>



Record Drawings	
Designer:	Date:
Public Works Inspector:	Date:
Utility/Facility Dept. Head:	Date:
Project Engineer:	Date:
Public Improvements Initially Accepted by the City Council on:	Res. No.:

Drawn By: KAD	Date:
Checked By: TNH	Date:
Designed By: NAB	Date:

Revisions			
Num.	Description	Engr. Appr.	Date



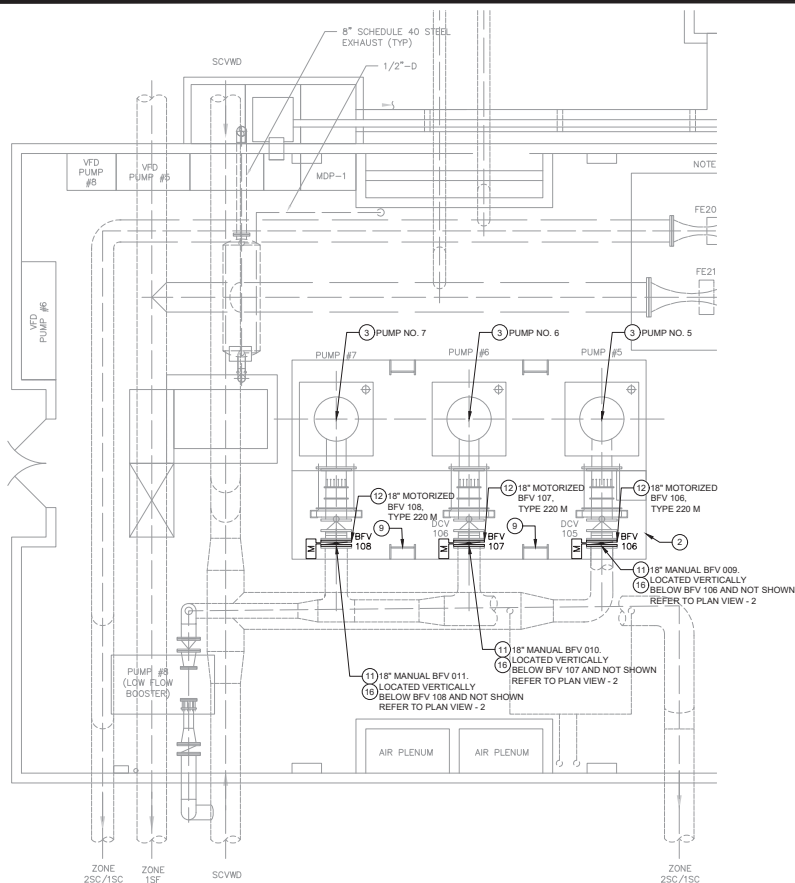
CITY OF MILPITAS ENGINEERING DIVISION		PROJECT NO. 7133 & 7141
GIBRALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT		Rec. Dwg No. 2-840
VALVE REPLACEMENT PLAN, SECTION, AND DETAILS 1		DRAWING NO. M-01
RECOMMENDED FOR BIDDING BY: <i>Lyhak Eam</i> DATE: 07/24/2025		SCALE:
LYHAK, EAM, P.E., PUBLIC WORKS DIVISION MANAGER - ENGINEERING		SHEET 6 of 15

NOTES

1. VALVES 009, 010, AND 011 ARE BELOW VALVES 106, 107, AND 108 IN PLAN VIEW.

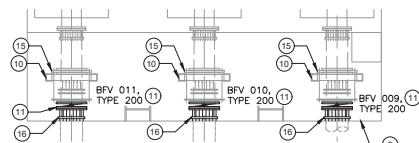
CONSTRUCTION NOTES

- 1 EXISTING WELDED STEEL PIPE, PROTECT IN PLACE.
- 2 EXISTING VAULT, PROTECT IN PLACE.
- 3 EXISTING PUMP AND ENGINE, PROTECT IN PLACE.
- 4 EXISTING ARV, PROTECT IN PLACE.
- 5 EXISTING FITTING, PROTECT IN PLACE.
- 6 EXISTING FLOOR DRAIN, PIPING, AND APPURTENANCES, PROTECT IN PLACE.
- 7 EXISTING AIR PLENUM, PROTECT IN PLACE.
- 8 EXISTING AIR DUCT, PROTECT IN PLACE.
- 9 EXISTING LADDER, PROTECT IN PLACE.
- 10 EXISTING PIPE SUPPORT, PROTECT IN PLACE.
- 11 INSTALL NEW 18" MANUAL BUTTERFLY VALVE PER THE VALVE REPLACEMENT SCHEDULE PROVIDED IN SPECIFICATION SECTION 400520, TYP OF 3.
- 12 INSTALL NEW 18" MOTORIZED BUTTERFLY VALVE INCLUDING OPERATOR PER THE VALVE REPLACEMENT SCHEDULE PROVIDED IN SPECIFICATION SECTION 400520, TYP OF 3.
- 13 EXISTING DUCT SUPPORT, PROTECT IN PLACE.
- 14 EXISTING PRESSURE INDICATING TRANSMITTER, PROTECT IN PLACE OR REMOVE AND REPLACE AS NEEDED FOR INSTALLATION OF NEW VALVE.
- 15 EXISTING DISMANTLING COUPLING TO BE USED FOR VALVE REPLACEMENT.
- 16 INSTALL RESTRAINED FLANGE COUPLING ADAPTOR.
- 17 CORRODED PIPE TO BE REPAIRED. SEE PHOTO 1 DRAWING M-03 FOR REPAIR DETAILS. TYPICAL OF 3, ON SUCTION PIPING FOR PUMPS NOS. 5, 6, 7.



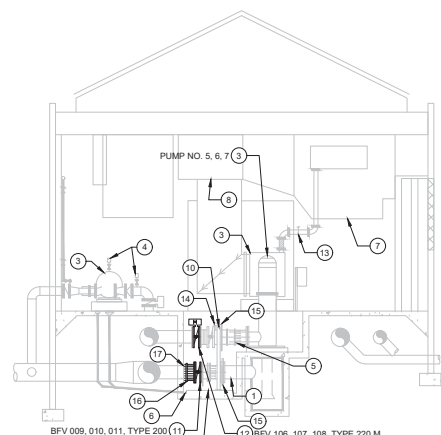
PLAN VIEW

NTS



PLAN VIEW - 2

NTS



TYP SECTION PUMPS NO. 5-7

SCALE: 1" = 5'

Designer Stamp:



Record Drawings

Designer: _____ **Date:** _____
Public Works Inspector: _____ **Date:** _____
Utility/Facility Dept. Head: _____ **Date:** _____
Project Engineer: _____ **Date:** _____
Public Improvements Initially Accepted by the City Council on: _____ **Res. No.** _____

Drawn By: KAD Date: _____
 Checked By: TNH Date: _____
 Designed By: NAB Date: _____

Revisions

Num.	Description	Engr. Aprv.	Date



CITY OF MILPITAS
ENGINEERING DIVISION

GIBRALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT

VALVE REPLACEMENT PLAN, SECTION, AND DETAILS 2

RECOMMENDED FOR BIDDING BY: *Lynhak Eam* DATE: 07/24/2025
 L'YHAK EAM, P.E., PUBLIC WORKS DIVISION MANAGER -- ENGINEERING

PROJECT NO.
7133 & 7141

Rec. Dwg No.
2-840

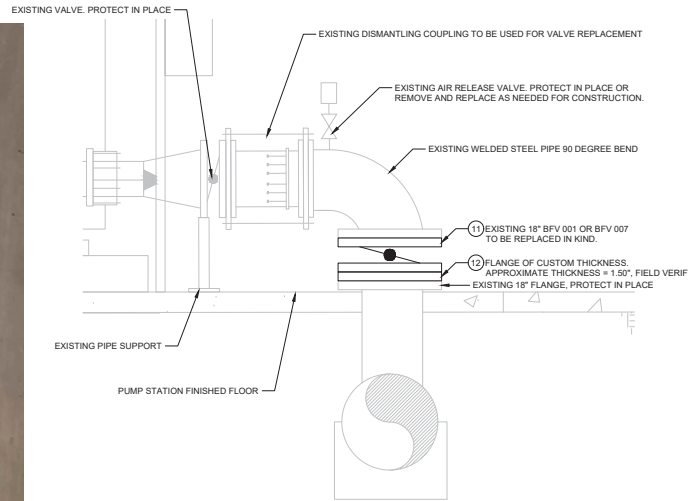
DRAWING NO.
M-02

SCALE:

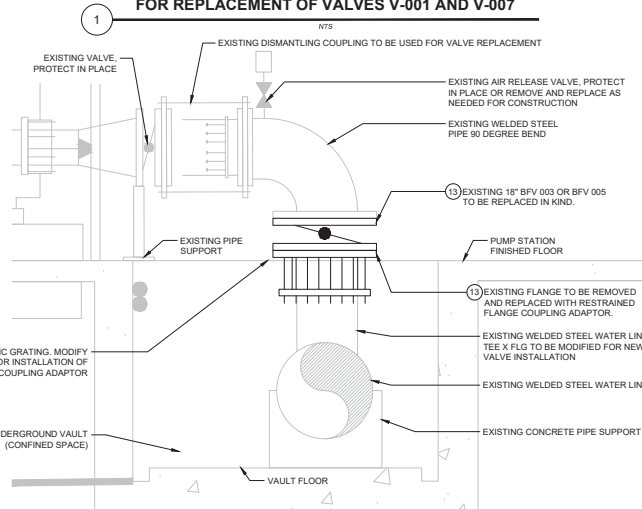
SHEET 7 of 15



PHOTO 1 - PUMP NO. 5, 6, 7 18" SUCTION PIPING TO BE REPAIRED



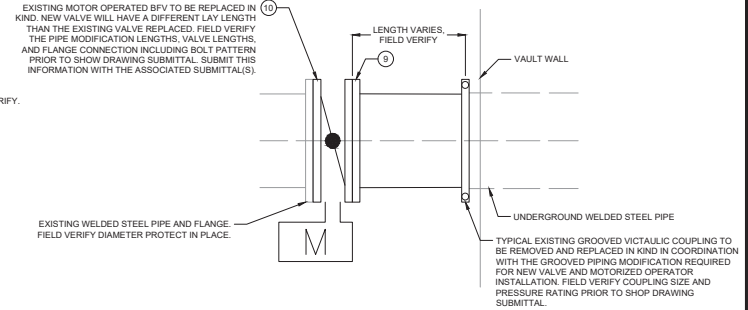
TYPICAL CUSTOM FLANGE ADDITION REQUIRED FOR REPLACEMENT OF VALVES V-001 AND V-007



TYPICAL PIPE MODIFICATION FOR REPLACEMENT OF VALVES V-003 AND V-005

* APPROXIMATE LENGTH, FIELD VERIFY
** FIELD VERIFY

	PIPE DIAMETER**	GROOVED PIPE LENGTH*
V-103	18"	12"
V-104	18"	17"
V-105	24"	12"



TYPICAL GROOVED COUPLING AND PIPING REPLACEMENT, VALVES V-103, V-104 AND V-105

CONSTRUCTION NOTES

- REMOVE EXISTING GROUT BETWEEN SUCTION PIPING AND VAULT.
- ROUGH BLAST EXTERIOR OF SUCTION PIPING, TO VISIBLY CLEAN STEEL, TO REMOVE EXISTING COATING.
- INSPECT AND DOCUMENT THE INTERIOR CONDITION OF THE SUCTION PIPING. MEASURE AND DOCUMENT THE THICKNESS OF THE SUCTION PIPING. SUBMIT FINDINGS TO THE CITY'S CONSTRUCTION MANAGER FOR REVIEW.
- REPLACE NON-SHRINK GROUT REMOVED WITH NON-SHRINK OR POLYMER GROUT.
- FINAL BLAST EXTERIOR OF SUCTION PIPING. COAT SUCTION PIPING EXTERIOR.
- REPAIR CORROSION ON EXISTING SUCTION PIPING PRIOR TO IMPLEMENTING REPLACEMENT OF THE ADJACENT MANUAL BUTTERFLY VALVE.
- EXISTING FLANGE TO BE DEMOLISHED BY DRAWING D-02 AND REPLACED WITH A NEW RESTRAINED FLANGE COUPLING ADAPTOR CONNECTION PER DRAWING M-02 BETWEEN NEW VALVE AND EXISTING PIPING.
- STANDING WATER IS PRESENT ABOVE THE LEVEL OF THE PIPING TO BE REPAIRED ON THE BACK SIDE OF WALL. CONTRACTOR SHALL DEWATER TO LOWER THE WATER LEVEL SUFFICIENT TO ALLOW FOR THE PIPING REPAIRS TO BE MADE IN THE DRY.
- EXISTING FLANGED BY GROOVED WELDED STEEL PIPE SEGMENT TO BE REMOVED AND REPLACED IN KIND WITH PIPE SEGMENT OF LENGTH AS REQUIRED FOR NEW MOTOR OPERATED BUTTERFLY VALVE INSTALLATION. FIELD VERIFY PIPE DIAMETER, PIPE THICKNESS, PIPE LENGTH, AND END CONNECTIONS PRIOR TO SHOP DRAWING SUBMITTAL.
- TYPICAL FOR VALVES V-103, V-104, AND V-105. EXISTING MOTOR OPERATED BUTTERFLY VALVE TO BE REMOVED AND REPLACE IN KIND. REPLACEMENT VALVE MAY OR MAY NOT HAVE THE SAME LAY LENGTH AS THE VALVE REPLACED. FIELD VERIFY LENGTHS. FIELD VERIFY BOLT PATTERN FOR REPLACEMENT EQUIPMENT.
- TYPICAL FOR EXISTING VALVE V-100 AND V-107 REPLACEMENT. REPLACE EXISTING MANUAL VALVE WITH NEW VALVE IN KIND. NEW VALVE LAY LENGTH WILL DIFFER FROM VALVE REPLACED. INSTALL FLANGE OF CUSTOM THICKNESS AS REQUIRED FOR NEW VALVE INSTALLATION. FIELD VERIFY FLANGE THICKNESS AND BOLT PATTERN PRIOR TO SHOP DRAWING SUBMITTAL.
- LAY LENGTH OF NEW VALVE DIFFERS FROM VALVE TO BE REPLACED. INSTALL FLANGE OF CUSTOM THICKNESS AS REQUIRED FOR VALVE INSTALLATION. FIELD VERIFY CUSTOM FLANGE THICKNESS AND BOLT PATTERN PRIOR TO SHOP DRAWING SUBMITTAL.
- TYPICAL FOR EXISTING VALVE V-103 AND V-105 REPLACEMENT. REPLACE EXISTING MANUAL VALVE WITH NEW VALVE IN KIND. NEW VALVE LAY LENGTH WILL DIFFER FROM VALVE REPLACED. REMOVE EXISTING PIPE FLANGE. INSTALL NEW RESTRAINED FLANGE COUPLING ADAPTOR, AND MODIFY EXISTING VAULT GRATING AS NEEDED TO ALLOW FOR INSTALLATION OF FLANGE COUPLING ADAPTOR.

CONTRACTOR MAY INSTEAD INSTALL A FLANGE OF CUSTOM THICKNESS SIMILAR TO THAT INSTALLED FOR VALVES V-001 AND V-007 IN LIEU OF PIPING MODIFICATION AND INSTALLATION OF RESTRAINED FLANGE COUPLING ADAPTOR.

Designer Stamp:



Record Drawings

Designer: _____ Date: _____
Public Works Inspector: _____ Date: _____
Utility/Facility Dept. Head: _____ Date: _____
Project Engineer: _____ Date: _____
Public Improvements Initially Accepted by the City Council on: _____ Rec. No. _____

Drawn By: KAD Date: _____

Checked By: TNH Date: _____

Designed By: MAB Date: _____

Revisions

Num.	Description	Engr.	Appr.	Date



CITY OF MILPITAS
ENGINEERING DIVISION

GIBRALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT

PUMPS NO. 5, 6, 7 SUCTION PIPING REPAIR DETAILS AND GENERAL DETAILS

RECOMMENDED FOR BIDDING BY: *Lyhak Eam* DATE: 07/24/2025
LYHAK EAM, P.E., PUBLIC WORKS DIVISION MANAGER - ENGINEERING

PROJECT NO.
7133 & 7141

Rec. Dwg No.
2-840

DRAWING NO.
M-03

SCALE:

SHEET 8 of 15

	PANEL OR EQUIPMENT WIRING
	FIELD WIRING
	EXISTING WIRING
	CONDUCTORS - NOT CONNECTED
	CONDUCTORS - CONNECTED
	GROUND
	CHASSIS OR FRAME GROUND
	PLUG AND RECEPTACLE
	INCOMING LINE
	SHIELDED CABLE
	CONDUIT CONCEALED IN WALL OR CEILING
	CONDUIT, IN SLAB OR BELOW GRADE
	CONDUIT, EXPOSED 3/4"x2F12, 1F12NGD UON
	CONDUIT, EXPOSED 3/4"x2F12, 1F12NGD UON
	CONDUIT STUBBED OUT AND CAPPED CONDUIT
	BENDS TOWARD OBSERVER CONDUIT
	BENDS AWAY FROM OBSERVER
	BARE COPPER GROUND WIRE
	GROUND CONNECTION BOLTED TYPE
	GROUND CONNECTION EXOTHERMIC WELD

	FLOW SWITCH - CLOSES UPON INCREASING FLOW
	FLOW SWITCH - OPENS UPON INCREASING FLOW
	LEVEL SWITCH - CLOSES UPON INCREASING LEVEL
	LEVEL SWITCH - OPENS UPON INCREASING LEVEL
	PRESSURE SWITCH - CLOSES UPON INCREASING PRESSURE (INCREASING VACUUM)
	PRESSURE SWITCH - OPENS UPON INCREASING PRESSURE (INCREASING VACUUM)
	TEMPERATURE SWITCH - CLOSES UPON INCREASING TEMPERATURE
	TEMPERATURE SWITCH - OPENS UPON INCREASING TEMPERATURE
	LIMIT SWITCH - CLOSES AT SET
	LIMIT SWITCH - OPENS AT SET LIMIT
	PROXIMITY SWITCH - CLOSES UPON DECREASING DISTANCE
	PROXIMITY SWITCH - OPENS UPON DECREASING DISTANCE
	TORQUE SWITCH - CLOSES UPON INCREASING TORQUE
	TORQUE SWITCH - OPENS UPON INCREASING TORQUE

	TOGGLE OR DISCONNECT SWITCH
	PUSHBUTTON - NORMALLY OPEN, MOMENTARY ACTION
	PUSHBUTTON - NORMALLY CLOSED, MOMENTARY ACTION
	LEVEL SWITCH - OPENS UPON INCREASING
HAND AUTO	LEVEL SELECTOR SWITCH, 3 POSITION- CONTACT STATUS SHOWN EXISTS AT POSITION OF H-HAND, C-OFF, A-AUTO
	3-POLE SWITCH

CR 1	CONTROL RELAY CR1 WITH NORMALLY OPEN CONTACT ON LINE 28 AND NORMALLY CONTACT ON LINE 111
28, 111	
TR 2	TIME DELAY RELAY TR2 - ADJUSTABLE TIME DELAY RANGE AND SETTING AS SHOWN
TDE	TIME DELAY RELAY ON ENERGIZATION
TDD	TIME DELAY RELAY ON DE-ENERGIZATION
M1	CONTACTOR OR STARTER M1

INDICATING LIGHT. LETTER INDICATES
COLOR R=RED, G=GREEN, A=AMBER,
W=WHITE Y=YELLOW, B=BLUE

PTT INDICATING LIGHT, PUSH TO TEST

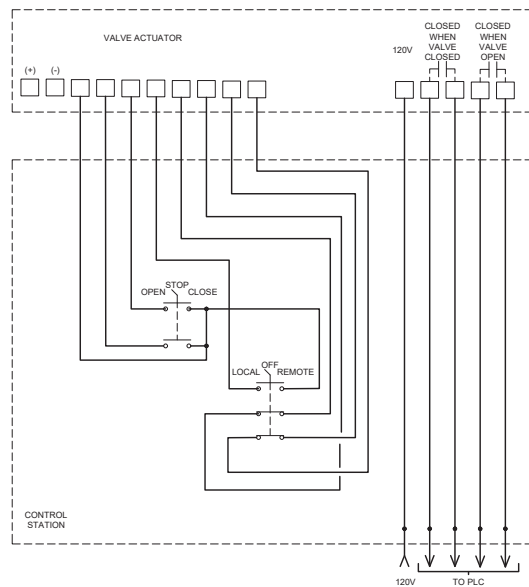
ELAPSED TIME METER

	AUDIBLE ALARM
	HEATER
	MOTOR. # = MOTOR HORSEPOWER
	TRANSFORMER
	GENERATOR
	SMOKE DETECTOR
	DISCONNECT, 3 POLE CONTACT ON LINE 28 AND NORMALLY CONTACT ON LINE 111
	CIRCUIT BREAKER, 3 POLE
	TM = THERMAL MAGNETIC MOP = MOTOR CIRCUIT PROTECTOR
	THERMAL OVERLOAD CONTACT
	THERMAL OVERLOAD ELEMENT
	FUSE WITH BLOWN FUSE INDICATOR LIGHT
	FUSE
	CIRCUIT BREAKER

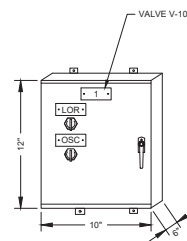
AF	AMPERES	GEN	GENERATOR	NC	NORMALLY CLOSED	SEQ	SEQUENCE
AF	ABOVE FINISHED FLOOR	GFCI	GROUND FAULT CIRCUIT	NC	NOT IN CONTRACT	SHLD	SHIELDED
AI	ANALOG INPUT		INTERRUPT	NL	NIGHT LIGHT	SP	SP
AI	AMPS INTERRUPTING	GND	NO	NL	NORMALLY OPEN	SPD	SURGE PROTECTION DEVICE
AM	CAPACITY SYMM	GR	GROUND ROD	O	OPEN	SPEC	SPECIFICATION
AT	AMMETER	GRS	GROUNDING RIGID STEEL CONDUIT	O	OPERATOR INTERFACE	SPST	SINGLE POLE, SINGLE THROW
AD	ANALOG OUTPUT	GW	GROUNDWELL	OVERCAD	OVERCADD	SR	SENSING RELAY
AS	AUTOMATIC TRANSFER SWITCH	HI	HIGH	P	POLE, PRESSURE	SS	SINGLE STARTER, SURGE
AUX	BATTERY	HID	HIGH INTENSITY DISCHARGE	PB	PULL BOX, PUSHBUTTON		SUPPRESSOR
AWG	AMERICAN WIRE GAUGE	HOA	HAND-OFF-AUTO	PCP	PROCESS CONTROL PANEL	STA	STATION
BATT	AUXILIARY	HP	HORSEPOWER	PF	POWER FACTOR	SV	SOLENOID VALVE
BSC	BARE STRANDED COPPER	HPS	HIGH PRESSURE SODIUM	PFR	POWER (PHASE) FAIL RELAY	SW	SWITCH
BKR	BREAKER	HTR	HEATER	PH	PHASE	SWBD	SWITCHBOARD
BLDG	BUILDING	HZ	HERTZ (CYCLES PER SECOND)	PI	PRESSURE INDICATOR	SYMM	SYMMETRICAL
CB	CONDUIT, CABLE, CONTROL	HZD	HAZARDOUS AREA, EXPLOSION PROOF	PLC	PROGRAMMABLE LOGIC	TRIP	TRIP
CB	CIRCUIT BREAKER		INTERLOCK OR INTELLIGENT LOCK	PLN	CONTROLLER (PUMP PANEL)	T	TERMINAL BLOCK
CK	CIRCUIT	I	INPUT/OUTPUT	PANEL	PANEL	TDD, TDE	TIME DELAY RELAY
CON	CONVENTIONAL	INST	INSTRUMENTATION	POT	POTENTIOMETER	TEL CO	TELEPHONE COMPANY
COAX	COAXIAL CABLE	ISC	SHORT CIRCUIT INTERRUPTING	PR	PAIR, TWISTED AND SHIELDED	TM	THERMAL MAGNETIC
COMM	COMMUNICATION PORT		CURRENT (SW)	PC	CABLE PROVIDE FURNISH, INSTALLED	TEMP	TEMPERATURE
CPT	CONTROL PANEL	ISIR	INTRINSICALLY SAFE RELAY	PS	PRESSURE SWITCH	TS	TEMPERATURE SWITCH
CR	CONTROL RELAY	JJ-BOX	JUNCTION BOX	PT	POTENTIAL TRANSFORMER	TB	TELEPHONE TERMINAL BACKBOARD
CU	CURRENT TRANSFORMER	KILO	THOUSAND (PREFIX)	PS	POUNDS PER SQUARE INCH	TWP	TWISTED PAIR
DI	COPPER	KCMIL	THOUSAND CIRCULAR MILS	PL	POLYVINYLCHLORIDE	TWSP	TWISTED SHIELDED PAIR
DIG	DIGITAL INPUT	LC	LIGHTING CIRCUIT	PVCRC	PVC POLYVINYLCHLORIDE	UG	UNDERGROUND
DISC	DISCONNECT	LOCK-OUT	LOCK-OUT SWITCH	PVCRC	PVC COATED GRC CONDUIT	UN	UNLESS OTHERWISE NOTED
DO	DIGITAL OUTPUT	LI	LEVEL INDICATOR	PVC-RSC	PVC COATED RSC CONDUIT	V	VOLTAGE
DPDT	DOUBLE POLE, DOUBLE THROW	LT	LEVEL INDICATOR TRANSMITTER	PWR	POWER	VA	VOLT AMPS
EF	ELECTRICAL	LEV	LEVEL SWITCH	RED	RED	VF	VARIABLE FREQUENCY DRIVE
EMERG	EMERGENCY	LTG	LIGHTING	REC	RECEPTACLE	VLV	VOLV
EMT	ELECTRICAL METALLIC TUBING	M	MOTOR CONTACTOR	REG	RIGID GALVANIZED STEEL	VS	VARIABLE SPEED
ETM	ETHERNET TIME METER	M	MILLIAMPERES	RMS	ROOT MEAN SQUARE	W	WATTS, WH, WIRE
FACP	FIRE ALARM CONTROL PANEL	MCC	MOTOR CONTROL CENTER	RSC	RIGID STEEL CONDUIT	WHM	WATT-HOUR METER
FAC	FIRE INDICATOR	MCP	MOTOR CIRCUIT PROTECTOR	RT	RESET TIMER	WM	WATTMETER
FT	FLOW INDICATOR TRANSDUCER	MCP	MOISTURE DETECTION	RTM	RUN TIME METER	WP	WEATHERPROOF
FLX	FULL LOAD AMPS	MFR	MANUFACTURER	RTV	REMOTE TERMINAL UNIT	XFMR	TRANSFORMER
FLO	FAL OPEN	MINS	MINUTES	RV	REDUCED VOLTAGE	Y	YELLOW
FLX	LXET METAL LIQUID TIGHT CONDUIT	M	MAIN LUGS ONLY	RTV	AUTOTRANSFORMER	ZAU	INTRUSION ALARM
FS	FLOW SWITCH	MOA	MANUAL-OFF-AUTO	RVNS	REDUCED VOLTAGE	ZS	LIMIT SWITCH
FS	LOCK SWITCH	MOV	MOTOR OPERATED VALVE	RVNS	NON-REVERSING		
FNR	FULL VOLTAGE NON-REVERSING	MTC	MOTOR CONTROLLER WITH PULSEROPE	RVNS	REDUCED VOLTAGE SOFT START		
FUT	FUTURE	MTS	MANUAL TRANSFER SWITCH	SEC	SECONDARY		
FUT	FULL VOLTAGE REVERSING	MTR	MOTOR	SECS	SECONDS		
G	GREEN	N	NEUTRAL				

	DISCONNECT SWITCH		EMERGENCY EXIT LIGHTING
	FIELD MOUNTED DEVICE		CONDUIT AND CONDUCTOR DESIGNATION SEE SCHEDULE FOR SIZE
	SPECIAL RECEPTACLE, SIZE AS INDICATED		3 PHASE SPECIAL RECEPTACLE, SIZE AS INDICATED
	JUNCTION BOX		TELEPHONE OUTLET
	CONTROL STATION		TAMPER SWITCH
	WALL MOUNTED LIGHT FIXTURE		FLOW SWITCH
	SITE LIGHT FIXTURE		THERMOSTAT AT +48" UON
	LED LIGHT FIXTURE LIGHT		REMOVE I/O DATA OUTLET
	FIXTURE TYPE "A" WITH 2-32 WATT LAMPS, TYPICAL FOR ROOM NOTED, UON.		FIBER OPTIC OUTLET
	DUPLEX RECEPTACLE AT +18" UON # = CIRCUIT NUMBER		GROUND ROD, 3/4" X 10'-0" GW INDICATES GROUND ROD IN GROUND ROD BOX. SEE GROUND ROD DETAIL.
	DOUBLE DUPLEX RECEPTACLE AT +18" UON # = CIRCUIT NUMBER		INTERCEPTION POINT - DEMO PLANS: EXISTING TO REMAIN TO EXISTING TO BE REMOVED NEW PLANS: EXISTING TO NEW
	TOGGLE SWITCH AT +48" UON SUBSCRIPT - CIRCUIT CONTROLLED SUPERSUBSCRIPT - BLANK = 1 POLE 2 = 2 POLE 3 = 3 WAY M = MOTOR OVERLOAD T = SPRING WOUND TIMER		MOTION DETECTOR
			PHOTOCELL
			GROUND ROD, 3/4" X 10'-0" GR INDICATES GROUND ROD IN CONCRETE HANDLING WELL.

Designer Stamp:  7/16/2025 	Record Drawings Designer: _____ Date: _____ Public Works Inspection: _____ Date: _____ Utility/Facility Dept. Head: _____ Date: _____ Project Engineer: _____ Date: _____ Public Improvements Initially Accepted by the City Council on: _____ Res. No. _____	Drawn By: <u>MAH</u> Date: <u>7/16/2025</u> Checked By: <u>TTL</u> Date: <u>7/16/2025</u> Designed By: <u>TTL</u> Date: <u>7/16/2025</u>	Revisions <table border="1"> <thead> <tr> <th>Num.</th> <th>Description</th> <th>Engr. Aprv.</th> <th>Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Num.	Description	Engr. Aprv.	Date																																											PROJECT NO. 7133 & 7141 Rec. Draw No. 2-840 DRAWING NO. E001 SCALE: SHEET <u>9</u> of <u>15</u>
Num.	Description	Engr. Aprv.	Date																																															
					CITY OF MILPITAS ENGINEERING DIVISION GIBRALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT STANDARD ELECTRICAL SYMBOLS, LEGENDS & ABBREVIATIONS RECOMMENDED FOR BIDDING BY: <u>Lyzhak Eam</u> L/YHAZ EAM, P.E.; PUBLIC WORKS DIVISION MANAGER – ENGINEERING DATE: <u>07/24/2025</u>																																													



VALVE CONTROL STATION WIRING DIAGRAM
SCALE: NTS (TYPICAL ALL)



VALVE CONTROL STATION
SCALE: NTS (TYPICAL FOR VALVES V-100, V-101 AND V-102)



NOTES

1. ALL POWER AND CONTROL SHALL BE ROUTED THROUGH EACH VALVES CONTROL STATION.
2. VALVES V-100, V-101 AND V-102 CONTROL STATIONS SHALL BE REPLACED WITH NEW CONTROL STATION THAT INCLUDES LOCAL OFF REMOTE "LOW" AND OPEN STOP CLOSE "OSC" SWITCHES TO MATCH EXISTING CONTROL STATIONS FOR REMAINING VALVES V-103 TO V-108.
3. CONTRACTOR TO PULL BACK POWER AND CONTROL WIRES TO VALVE CONTROL STATIONS V-100, V-101 AND V-102. THE NEW CONTROL STATION SHALL INCLUDE TERMINAL BLOCK SUCH THAT THE POWER AND CONTROL WIRES CAN BE TERMINATED WITHIN THE CONTROL STATION. ALL NEW CONDUCTORS SHALL BE ROUTED FROM NEW CONTROL STATIONS TO THE VALVE ACTUATORS IN THE VALVE PIT.
4. DESIGN BASED ON USE OF AUMA OPERATORS. SEE SPECIFICATIONS FOR VALVE ACTUATOR SCHEDULE.

CONDUIT AND CONDUCTOR ROUTING SCHEDULE

C NO.	FROM	TO	CONDUIT QTY	CONDUIT SIZE	WIRE QTY	WIRE SIZE	GND SIZE	CONDUIT TYPE	NOTES
P001	VALVE V-100 CONTROL STATION	VALVE V-100	1	1"	2	#12	#12	PVC-RSC	PWR:120V EXISTING FROM PANEL P CNTRL: OPEN/CLOSED
P002	VALVE V-101 CONTROL STATION	VALVE V-101	1	1"	2	#12	#12	PVC-RSC	PWR:120V EXISTING FROM PANEL P CNTRL: OPEN/CLOSED
P003	VALVE V-102 CONTROL STATION	VALVE V-102	1	1"	2	#12	#12	PVC-RSC	PWR:120V EXISTING FROM PANEL P CNTRL: OPEN/CLOSED
P004	VALVE V-103 CONTROL STATION	VALVE V-103	1	1"	2	#12	#12	PVC-RSC	PWR:120V EXISTING FROM PANEL P CNTRL: OPEN/CLOSED
P005	VALVE V-104 CONTROL STATION	VALVE V-104	1	1"	2	#12	#12	PVC-RSC	PWR:120V EXISTING FROM PANEL P CNTRL: OPEN/CLOSED
P006	VALVE V-105 CONTROL STATION	VALVE V-105	1	1"	2	#12	#12	PVC-RSC	PWR:120V EXISTING FROM PANEL P CNTRL: OPEN/CLOSED
P007	VALVE V-106 CONTROL STATION	VALVE V-106	1	1"	2	#12	#12	PVC-RSC	PWR:120V EXISTING FROM INSTRUMENT PANEL CNTRL: OPEN/CLOSED/FLOW
P008	VALVE V-107 CONTROL STATION	VALVE V-107	1	1"	2	#12	#12	PVC-RSC	PWR:120V EXISTING FROM INSTRUMENT PANEL CNTRL: OPEN/CLOSED/FLOW
P009	VALVE V-108 CONTROL STATION	VALVE V-108	1	1"	2	#12	#12	PVC-RSC	PWR:120V EXISTING FROM INSTRUMENT PANEL CNTRL: OPEN/CLOSED/FLOW

Designer Stamp



7/16/2025



Record Drawings

Designer: _____ Date: _____
 Public Works Inspector: _____ Date: _____
 Utility/Facility Dept. Head: _____ Date: _____
 Project Engineer: _____ Date: _____
 Public Improvements Initially Accepted by: _____
 the City Council on: _____ Res. No.: _____

Drawn By: MAH Date: 7/16/2025
 Checked By: TTL Date: 7/16/2025
 Designed By: TTL Date: 7/16/2025

Revisions

Num.	Description	Engr. Appr.	Date



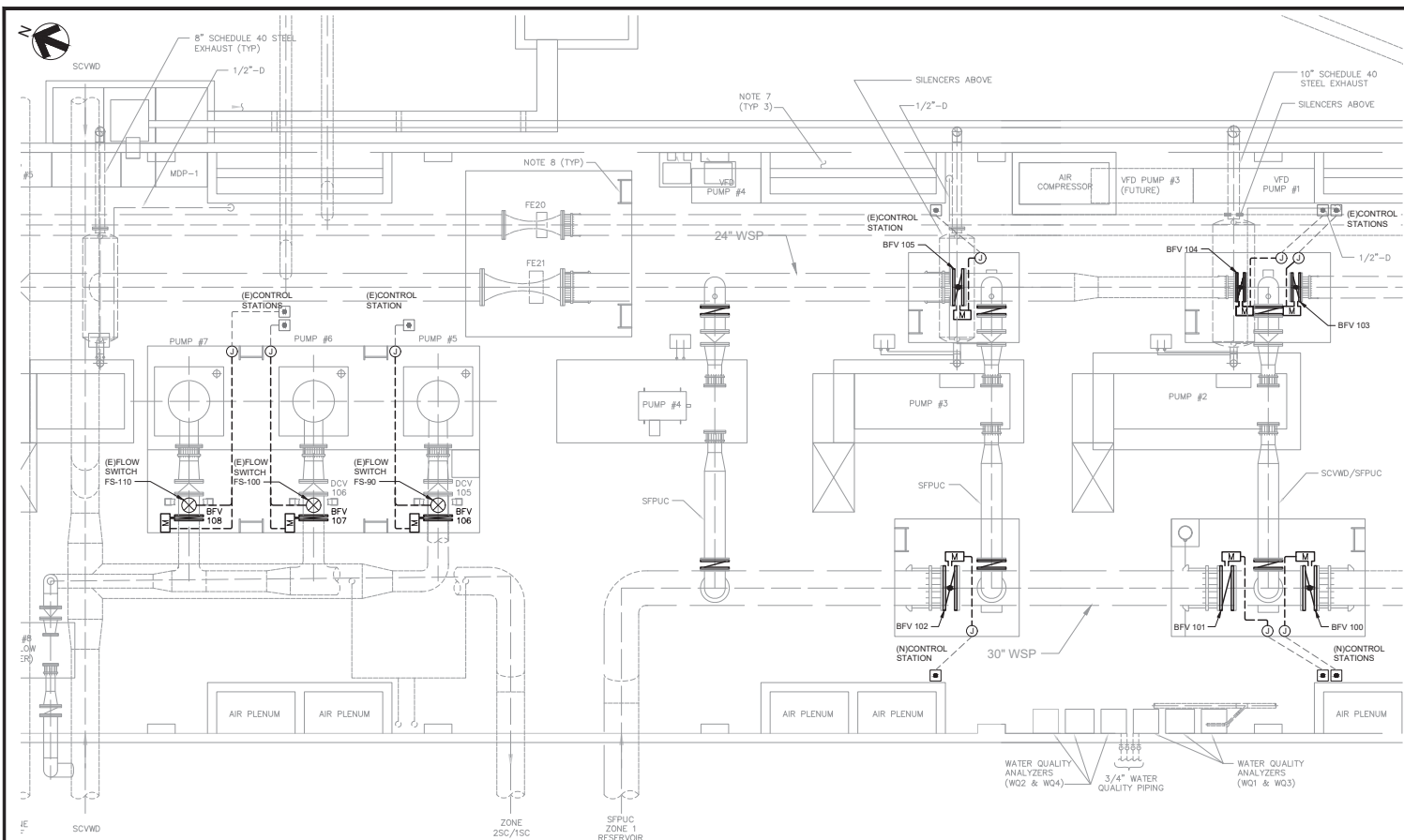
CITY OF MILPITAS
ENGINEERING DIVISION

GIBRALTAR PUMP STATION SUCTION PIPING
REPAIR AND VALVES REPLACEMENT PROJECT

ELECTRICAL CONTROL STATION AND SCHEDULE

RECOMMENDED FOR BIDDING BY: *Dybak Eam* DATE: 07/24/2025
 L'YHAK EAM, P.E.; PUBLIC WORKS DIVISION MANAGER -- ENGINEERING

PROJECT NO.
7133 & 7141
 Rec. Des. No.
2-840
 DRAWING NO.
E020
 SCALE:
 SHEET **10** of **15**

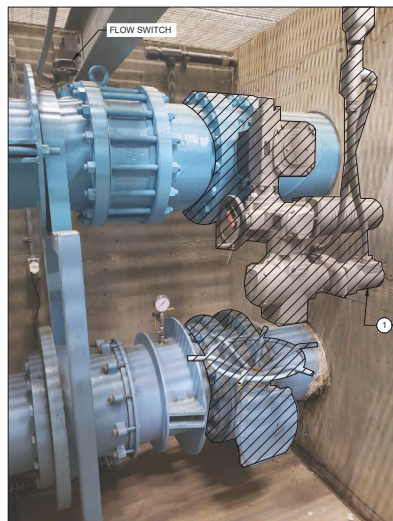


NOTES

1. MOTOR OPERATED BUTTERFLY VALVES "BFV-100, -101, -102, -103, -104, -105, -106, -107 AND -108 TO BE REPLACED IN KIND WITH ALUMA ACTUATORS WITH OPEN AND CLOSE SIGNAL CAPABILITY.
2. NEW FLEXIBLE CONDUIT AND PVC RIGID STEEL CONDUIT SHALL BE PROVIDED FOR ALL CONDUIT WITHIN THE VALVE PITS FROM THE RIGID STEEL CONDUIT STUB OUT IN THE VALVE PIT TO THE VALVES. ALL NEW CONDUCTORS SHALL BE ROUTED THROUGH THE EXISTING RIGID STEEL CONDUIT BACK TO THE VALVES DESIGNATED CONTROL STATION WITH NO SPLICES TO MATCH EXISTING CONDITIONS. SEE TYPICAL PHOTO OF BFV DEMO TO SEE VALVE AND CONDUIT CONFIGURATION THAT SHALL BE TYPICAL TO ALL.
3. ALL PVC COATED RIGID STEEL CONDUIT IN THE VALVE PIT SHALL BE MOUNTED SUCH THAT IT MAINTAINS A MINIMUM 24 INCHES ABOVE THE VALVE PIT FLOOR.
4. VALVE CONTROL SHALL REMAIN THE SAME, CONTRACTOR TO FIELD VERIFY CONDUCTOR COUNTS IN THE FIELD. CONTROL STATION INCLUDES "LOCAL OFF REMOTE" AND "OPEN STOP CLOSE" SWITCHES.
5. EXISTING FLOW SWITCH SIGNAL WIRES ARE INCLUDED IN THE SAME CONDUIT AS THE ACTUATOR CONTROL WIRES. PROVIDE CONDUCTORS FOR THE FLOW SWITCH WITHIN THE NEW CONDUIT SHOWN IN CONDUIT SCHEDULE ON DRAWING E020.

ELECTRICAL SITE PLAN

SCALE: 1"=20'-0"



TYPICAL PHOTO FOR MOTOR OPERATED BFV

NTS

Designer Stamp



7/16/2025

HydroSciences
1411 HAVES RD
DUBLIN, CA 94568
OFFICE: (916) 940-7100 www.hydrosciences.com

Record Drawings

Designer: _____ Date: _____
Public Works Inspector: _____ Date: _____
Utility/Facility Dept. Head: _____ Date: _____
Project Engineer: _____ Date: _____
Public Improvements Initially Accepted by
the City Council on: _____ Res. No. _____

Drawn By: MAH Date: 7/16/2025

Checked By: TTL Date: 7/16/2025

Designed By: TTL Date: 7/16/2025

Revisions

Num.	Description	Engr. Aprv.	Date



CITY OF MILPITAS
ENGINEERING DIVISION

GIBRALTAR PUMP STATION SUCTION PIPING
REPAIR AND VALVES REPLACEMENT PROJECT

ELECTRICAL SITE PLAN

RECOMMENDED FOR BIDDING BY: *Lihak Eam* DATE: 07/24/2025
L'HYAK EAM, P.E., PUBLIC WORKS DIVISION MANAGER - ENGINEERING

PROJECT NO.
7133 & 7141

Rec. Draw No.
2-840

DRAWING NO.
E100

SCALE:

SHEET 11 of 15



TYPICAL CONTROL STATIONS FOR VALVE 100, 101 AND 102 DEMO

NTS



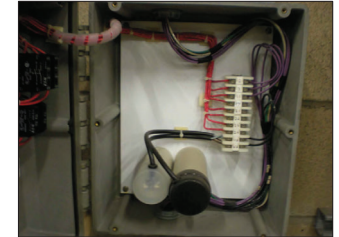
TYPICAL CONTROL STATION FOR VALVE 103, 104 AND 105

NTS



TYPICAL CONTROL STATION FOR VALVE 106, 107 AND 108

NTS



TYPICAL CONTROL STATION INTERIOR

NTS

NOTES

1. CLAMPING: SPECIAL CARE MUST BE TAKEN TO PREVENT DAMAGE TO THE EXTERIOR COATING.
2. CUTTING: USE A REAMER TO REMOVE ANY ROUGH EDGES FROM THE CONDUIT INTERIOR CAUSED BY ANY CUTTING OPERATIONS TO ENSURE THAT THE WIRE PULLED THROUGH THE CONDUIT WILL NOT BE DAMAGED.
3. BENDING: USE EQUIPMENT DESIGNED FOR BENDING PVC COATED CONDUIT TO ACCOMMODATE THE PVC COATING WHEN USING A HAND BENDER. ALWAYS USE THE NEXT LARGER SIZE SIZE. USE A PLASTI-BOND COATED HICKEY TO REDUCE THE POSSIBILITY OF DAMAGE TO THE CONDUIT COATING.
4. TOUCH UP COMPOUND MUST BE USED ON ALL FIELD CUT THREADS AND INTERNAL REAMS.
5. DAMAGE TO PVC COATING: ANY SCRATCHES/CUTS/ETC. INTO THE RS OR ANY SURFACE AREA DEEMED UNPATCHABLE BY MANUFACTURER, MAY NOT BE PATCHED AND MUST BE REPLACED WITH NEW CONDUIT.

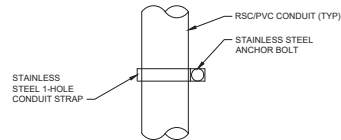
NOTES

1. INSTALLATION SHALL BE PER MANUFACTURER'S RECOMMENDATIONS
2. REFER TO SPECIFICATIONS

CONDUIT JOINT DETAIL

SCALE: NTS

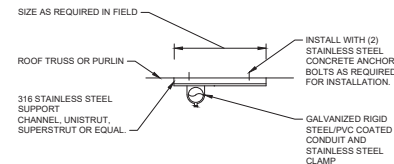
1



TYPICAL CONDUIT MOUNTING STRAP

SCALE: NTS

2



CEILING CONDUIT DETAIL

SCALE: NTS

3

Designer Stamp



Record Drawings

Designer: _____ Date: _____
 Public Works Inspector: _____ Date: _____
 Utility/Facility Dept. Head: _____ Date: _____
 Project Engineer: _____ Date: _____
 Public Improvements Initially Accepted by the City Council on: _____ Res. No. _____

Drawn By: MAH Date: 7/16/2025
 Checked By: TTL Date: 7/16/2025
 Designed By: TTL Date: 7/16/2025

Revisions

Num.	Description	Engr. Aprv.	Date



**CITY OF MILPITAS
ENGINEERING DIVISION**

**GIBRALTAR PUMP STATION SUCTION PIPING
REPAIR AND VALVES REPLACEMENT PROJECT**

ELECTRICAL DETAILS

RECOMMENDED FOR BIDDING BY: *Liyhak Eam* DATE: 07/24/2025
 LIYHAK EAM, P.E.; PUBLIC WORKS DIVISION MANAGER - ENGINEERING

PROJECT NO.
7133 & 7141
 Rec. Day No.
2-840
 DRAWING NO.
E900
 SCALE:
 SHEET 12 of 15

	CENTRIFUGAL PUMP		VARIABLE FREQUENCY DRIVE		FIELD MOUNTED INSTRUMENT
	SUBMERSIBLE PUMP		TANK		FACE MOUNTED INSTRUMENT ON LOCAL PANEL, OPERATOR ACCESSIBLE
	PROPELLER FAN		SLUICE GATE (NORMALLY OPEN)		INSTRUMENT MOUNTED IN LOCAL PANEL, OPERATOR INACCESSIBLE
	BLOWER OR FAN		SLUICE GATE (NORMALLY CLOSED)		FACE MOUNTED INSTRUMENT ON FIELD PANEL, OPERATOR ACCESSIBLE
	COMPRESSOR		SLIDE GATE (NORMALLY OPEN)		INSTRUMENT MOUNTED IN FIELD PANEL, OPERATOR INACCESSIBLE
	ROTARY LOBE COMPRESSOR, BLOWER OR PUMP		SLIDE GATE (NORMALLY CLOSED)		OPERATION PERFORMED WITH LOGIC OR HARDWIRED DEVICES - REFERENCE ELEMENTARY DWG. #
	PROGRESSIVE CAVITY PUMP		STATIC MIXER		LAMP INDICATION (STATUS OR ALARM)
	WEIR GATE		BAFFLE WALL		ANNUNCIATOR WINDOW
	WEIR		SILENCER		COMMUNICATIONS POINT
	STOP GATE / LOGS		INLET AIR FILTER-SILENCER		PLC/RTU or COMPUTER FUNCTION
	CHOPPER PUMP		EQUIPMENT MOTOR		PLC/RTU or COMPUTER FUNCTION
	BARREL PUMP		METERING PUMP		PLC/RTU or COMPUTER PERFORMING INTERNAL OPERATION
			TELESCOPING VALVE		INSTRUMENT PANEL MOUNTED WITH COMPUTING, CONVERTING, OR INTERFACE FUNCTION
			GROUND		
			SHEET NOTE TAG		
			VERTICAL TURBINE PUMP		

	STRAINER		BLIND FLANGE		CALIBRATION TUBE
	MANUAL AIR VENT		FLEXIBLE COUPLING		
	AUTOMATIC AIR VENT		QUICK CONNECTOR		
	CLEANOUT		FLOW METER		
	EXPANSION JOINT		DRAIN		AIR VACUUM RELEASE VALVE OR AIR RELEASE VALVE
	UNION		AIR VENT		HYDRANT
	AUDIBLE ALARM (BUZZER OR HORN)		EMERGENCY SHOWER/ EYEWASH STATION		
	REDUCER		BACKFLOW PREVENTER		HOSE BIBB
	CAP OR PLUG		DIAPHRAGM SEAL		

	THREE WAY VALVE		PRESSURE AND VACUUM RELIEF VALVE
	GATE VALVE (NORMALLY OPEN)		VACUUM RELIEF VALVE
	GATE VALVE (NORMALLY CLOSED)		PRESSURE RELIEF VALVE
	PLUG VALVE (NORMALLY OPEN)		MULTI-FUNCTION VALVE
	PLUG VALVE (NORMALLY CLOSED)		PRESSURE REDUCING REGULATOR (SELF-CONTAINED)
	BALL VALVE (NORMALLY OPEN)		BACK PRESSURE REGULATOR (SELF-CONTAINED)
	BALL VALVE (NORMALLY CLOSED)		PRESSURE REDUCING VALVE
	BUTTERFLY VALVE		BACK PRESSURE REDUCING VALVE
	GLOBE VALVE		SOLENOID (PILOT) VALVE
	DIAPHRAGM VALVE		DIAPHRAGM OPERATED VALVE
	ANGLE VALVE		PRESSURE BALANCE OPERATED VALVE
	FLOAT VALVE		PNEUMATIC OPERATED VALVE (FOR VALVE TYPE - SEE SPECS)
	PINCH VALVE		MOTOR OPERATED VALVE (FOR VALVE TYPE - SEE SPECS)
	NEEDLE VALVE		3-WAY CONTROL VALVE PNEUMATIC OPERATOR
	DOUBLE LEAF CHECK VALVE		PNEUMATIC CYLINDER OPERATED VALVE
	CHECK VALVE		VALVE ACTUATOR
	BALL CHECK VALVE		VALVE POSITIONER
	KNIFE GATE VALVE		
	FLAP GATE		
	BALANCING COCK		
	CIRCUIT SETTER		
	THERMOSTATICALLY CONTROLLED VALVE		

NOTES

1. THE PROCESS SCHEMATIC ARE PRESENTED IN DIAGRAMMATIC FORM TO SHOW PROCESS FLOWS, CONTROLS, CONCEPTS AND UNIT OPERATING PARAMETERS, AND AS SUCH ARE NOT INTENDED TO SHOW ALL VALVING PIPING AND INSTRUMENTATION SYSTEMS.
2. PROCESS SYMBOLS ARE FOR REFERENCE ONLY. NOT ALL SYMBOLS ARE USED IN THESE CONTRACT DRAWINGS.

EQUIPMENT ABBREVIATIONS	DESCRIPTION
ARV	AIR RELIEF VALVE
BUILD	BUILDING
CV	CHECK VALVE
FLR	FLARE
FN	FAN
LVR	LOUVER
MBO	MEMBRANE BIOREACTOR
MF	MOTOR FIXED
MOD	MODULE
P	PUMP
PNL	PANEL
TK	TANK

CODE LETTER	FIRST LETTER(S)		SUCCEEDING LETTER(S)		
	MEASURED OR INITIATING VARIABLE	MODIFIER	READOUT OR PASSIVE FUNCTION	OUTPUT FUNCTION	MODIFIER
A	ANALYSIS		ALARM		AUTO/LAG
B	BURNER FLAME				
C	CHLORINE			CONTROL	CLOSE
D	DENSITY	DIFFERENTIAL			
E	VOLTAGE		ELEMENT, SENSOR		LEAD
F	FLOW	RATIO	FUEL		FAILURE
G	GAUGING		VIEWING DEVICE		
H	HAND				HIGH/HAND
I	CURRENT		INDICATE		
J	POWER	SCAN			
K	TIME	TIME RATE OF CHANGE		CONTROL STATION	
L	LEVEL		PILOT LIGHT		LOW/LOCAL
M	MOISTURE/MOTOR	MOMENTARY	MOTOR		MIDDLE/MANUAL
N	STATUS				
O	OPERATOR		OR/FICE		OPEN/OVERLOAD
P	PRESSURE		POINT		
Q	EVENT	TOTALIZE	TOTAL		
R	RESET		RECORD		RUNNING/REMOTE
S	SPEED	SAFETY		SWITCH	STOP/SPEED
T	TEMPERATURE		TEST	TRANSMIT	
U	MULTIVARIABLE		MULTIFUNCTION		
V	VIBRATION			VALVE	
W	FORCE, WEIGHT		WELL		
X	TELEMETRY INTERFACE				
Y	COMPUTER INTERFACE			COMPUTE/RELAY/CONVERTER	
Z	POSITION			ACTUATE	POSITION

----	FUTURE ELECTRIC SIGNAL
----	ELECTRICAL SIGNAL
----	ELECTRIC POWER/CONTROL
—//—	PNEUMATIC SIGNAL
—X—	CAPILARY TUBING (FILLED SYSTEM)
—t—	HYDRAULIC SIGNAL
—w—	SONIC OR ELECTROMAGNETIC SIGNAL
—	FUTURE PROCESS LINE
—	MAIN PROCESS LINE
—	SECONDARY PROCESS LINE
—	AUXILIARY PROCESS LINE
➔	DIRECTION OF FLOW
—	MANUFACTURER'S PRE-WIRING
—	LOGIC OR DATA SIGNAL

1. ON DWG. P3 CONTINUATION IS SHOWN AS:

2. ON DWG. P4 THIS CONTINUATION IS SHOWN AS:

3. SYSTEM FLOW BOTH DIRECTIONS

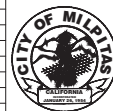
WATER SURFACE ELEVATION

ALL TAG NUMBERS FOR EQUIPMENT AND INSTRUMENTS SHOWN IN THESE DRAWINGS SHALL BE PRECEDED BY A THREE LETTER ABBREVIATION BASED ON PROCESS AREA.

HydroScience
741 ALLSTON WAY
BERKELEY, CA 94710
OFFICE: (510) 540-7100 www.hydroscience.com

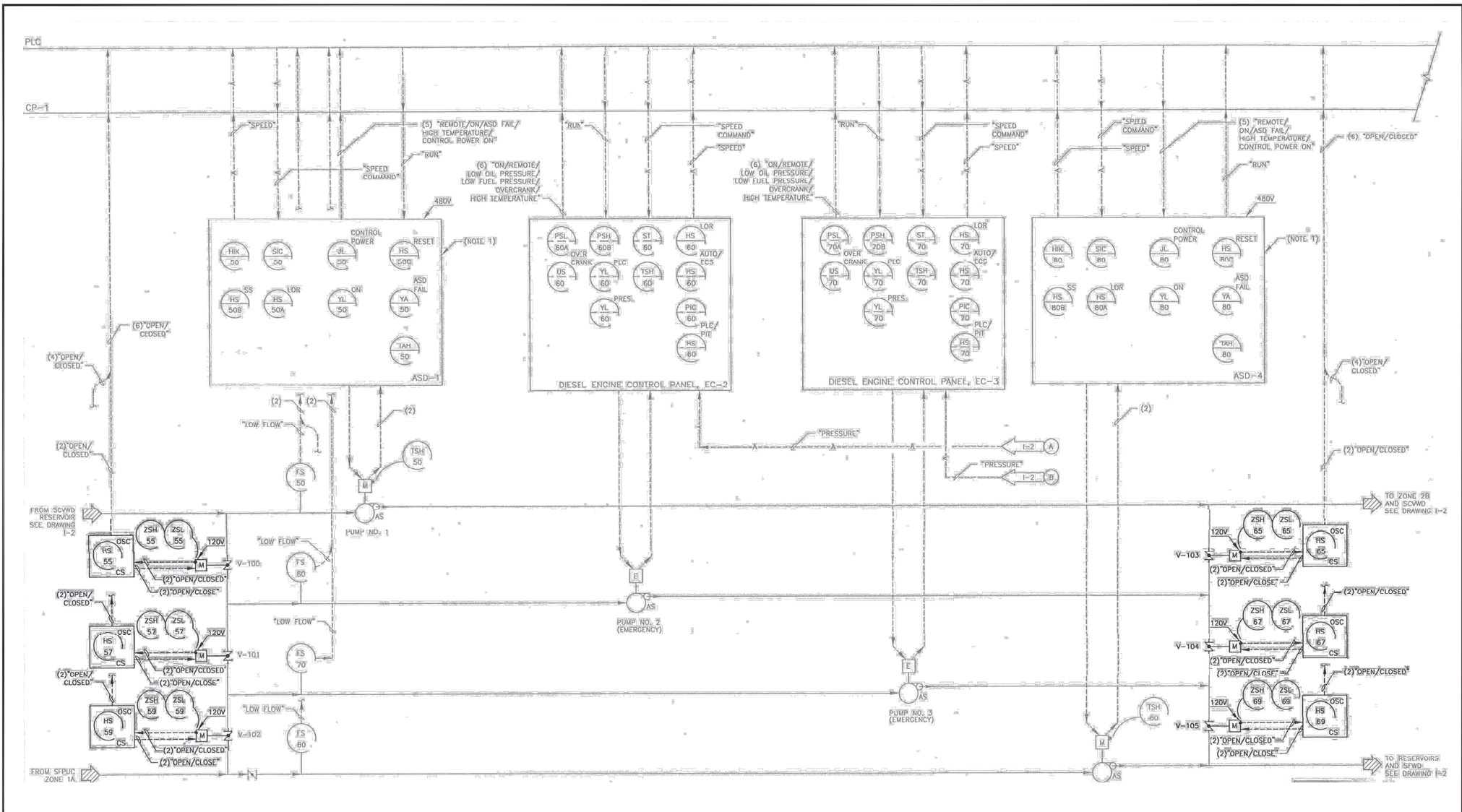
Designer: _____ Date: _____
 Public Works Inspector: _____ Date: _____
 Utility/Facility Dept. Head: _____ Date: _____
 Project Engineer: _____ Date: _____
 Public Improvements Initially Accepted by
 the City Council on: _____ Res. No. _____

Designed By: TTL Date: 7/16/2025

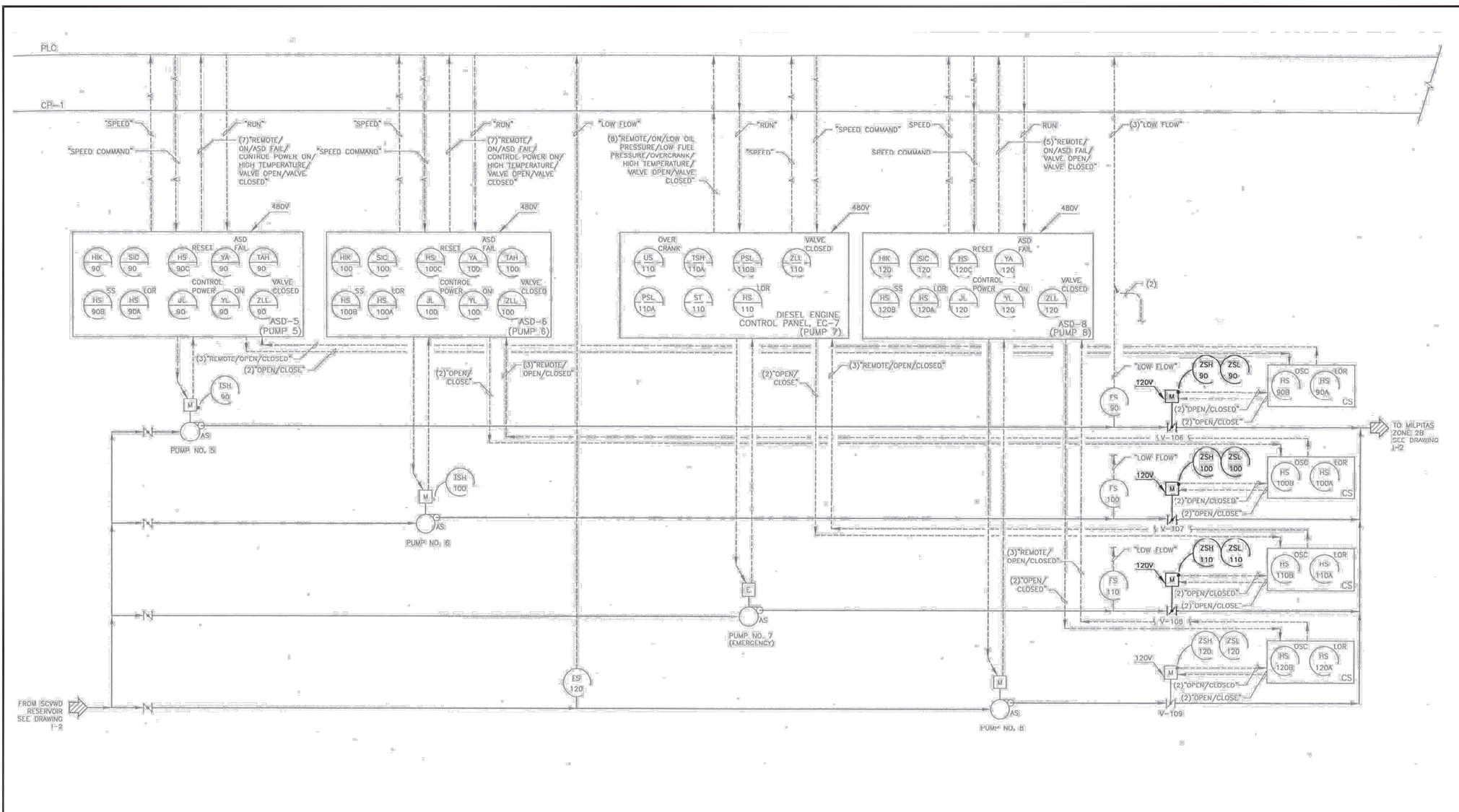
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STANDARD PROCESS & INSTRUMENTATION SYMBOLS, LEGENDS & ABBREVIATION

PROJECT NO. 7133 & 7141
Rec. Dwg No. 2-840
DRAWING NO. 1001
SCALE:
SHEET 13 of 15



Designer Stamp HydroScience 14140 S. 10th Ave. San Jose, CA 95130 OFFICE: (415) 450-7100 www.hydroscience.com	Record Drawings Designer: _____ Date: _____ Public Works Inspector: _____ Date: _____ Utility/Facility Dept. Head: _____ Date: _____ Project Engineer: _____ Date: _____ Public Improvements Initially Accepted by the City Council on: _____ Res. No.: _____	Drawn By: MAH Date: 7/16/2025 Checked By: TIL Date: 7/16/2025 Designed By: TIL Date: 7/16/2025	Revisions <table border="1"> <thead> <tr> <th>Num.</th> <th>Description</th> <th>Engr. Appr.</th> <th>Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Num.	Description	Engr. Appr.	Date																																	 CITY OF MILPITAS ENGINEERING DIVISION GIBRALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT P&ID - 1 PROJECT NO. 7133 & 7141 Rec. Day No. 2-840 DRAWING NO. 1100 SCALE: SHEET 14 of 15
	Num.	Description	Engr. Appr.	Date																																				
RECOMMENDED FOR BIDDING BY: <i>Liyhak Eam</i> DATE: 07/24/2025 LIYHAK EAM, P.E.; PUBLIC WORKS DIVISION MANAGER - ENGINEERING																																								



Designer Stamp HydroScience 15140 S. 15th Ave. Hayward, CA 94543 OFFICE: (510) 945-7102 www.hydroscience.com	Record Drawings Designer: _____ Date: _____ Public Works Inspector: _____ Date: _____ Utility/Facility Dept. Head: _____ Date: _____ Project Engineer: _____ Date: _____ Public Improvements Initially Accepted by the City Council on: _____ Res. No.: _____	Revisions <table border="1"> <thead> <tr> <th>Num.</th> <th>Description</th> <th>Engr. Appr.</th> <th>Date</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td><td> </td></tr> </tbody> </table>	Num.	Description	Engr. Appr.	Date																																					CITY OF MILPITAS ENGINEERING DIVISION GIBRALTAR PUMP STATION SUCTION PIPING REPAIR AND VALVES REPLACEMENT PROJECT P&ID - 2 RECOMMENDED FOR BIDDING BY: <i>Lyrhak Eam</i> DATE: 07/24/2025 LYRHAK EAM, P.E., PUBLIC WORKS DIVISION MANAGER - ENGINEERING	PROJECT NO. 7133 & 7141 Rec. Day No. 2-840 DRAWING NO. 1101 SCALE: SHEET 15 of 15
	Num.	Description	Engr. Appr.	Date																																								



CITY OF MILPITAS
ENGINEERING DIVISION
BID SUMMARY

Project Name: Gibraltar Pump Station Suction Piping Repair and Valves Replacement Project
Project No. : 7133 & 7141
Bid Date: September 10, 2025 @ 2:00PM

Apparent Low Bidder																			
BASE BID				Engineer's Estimate		Innovative Construction Solutions		Corcus Construction, Inc.		Anderson Pacific		GSW Construction Inc,		Turnkey HVAC		ACCO Engineering Systems		Preston Pipelines	
ITEM	DESCRIPTION	Qty.	UNIT	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension	Unit Cost	Extension
1	Mobilization & Demobilization (5% max)	1	LS	\$ 85,594.08	\$ 85,594.08	\$65,000.00	\$65,000.00	\$69,500.00	\$69,500.00	\$60,000.00	\$60,000.00	\$60,100.00	\$60,100.00	\$86,000.00	\$86,000.00	\$50,000.00	\$50,000.00	\$80,000.00	\$80,000.00
2	Demolition of Piping, Valve Removal, and Salvage of Equipment	1	LS	\$ 87,488.46	\$ 87,488.46	\$50,000.00	\$50,000.00	\$30,000.00	\$30,000.00	\$120,000.00	\$120,000.00	\$90,700.00	\$90,700.00	\$83,000.00	\$83,000.00	\$50,000.00	\$50,000.00	\$176,391.00	\$176,391.00
3	Installation of 30" Motorized Butterfly Valve. Valves 100, 101, and 102 with Actuators	3	EA	\$ 88,202.60	\$ 264,607.79	\$110,000.00	\$330,000.00	\$95,000.00	\$285,000.00	\$90,000.00	\$270,000.00	\$103,000.00	\$309,000.00	\$114,000.00	\$342,000.00	\$133,500.00	\$400,500.00	\$145,000.00	\$435,000.00
4	Installation of 24" Motorized Butterfly Valve. Valve 105 with Actuator:	1	EA	\$100,825.37	\$ 100,825.37	\$105,000.00	\$105,000.00	\$120,000.00	\$120,000.00	\$115,000.00	\$115,000.00	\$111,000.00	\$111,000.00	\$152,000.00	\$152,000.00	\$144,750.00	\$144,750.00	\$147,000.00	\$147,000.00
5	Installation of 20" Butterfly Valve. Valves 002, 004, 006 and 008, Manual	4	EA	\$ 39,603.75	\$ 158,415.00	\$25,000.00	\$100,000.00	\$35,000.00	\$140,000.00	\$25,000.00	\$100,000.00	\$25,900.00	\$103,600.00	\$23,500.00	\$94,000.00	\$26,759.50	\$107,038.00	\$59,800.00	\$239,200.00
6	Installation of 18" Butterfly Valve. Valves 001, 003, 005, and 007, Manual	4	EA	\$ 53,699.21	\$ 214,796.85	\$45,000.00	\$180,000.00	\$35,000.00	\$140,000.00	\$35,000.00	\$140,000.00	\$35,900.00	\$143,600.00	\$43,000.00	\$172,000.00	\$50,168.75	\$200,675.00	\$45,800.00	\$183,200.00
7	Installation of 18" Butterfly Valve. Valves 009, 010 and 011, Manual:	3	EA	\$ 43,390.37	\$ 130,171.10	\$17,000.00	\$51,000.00	\$28,000.00	\$84,000.00	\$25,000.00	\$75,000.00	\$35,400.00	\$106,200.00	\$40,000.00	\$120,000.00	\$37,863.00	\$113,589.00	\$37,200.00	\$111,600.00
8	Installation of 18" Motorized Butterfly Valve. Valves 106, 107, and 108 with Actuators	3	EA	\$ 64,639.52	\$ 193,918.56	\$68,000.00	\$204,000.00	\$75,000.00	\$225,000.00	\$80,000.00	\$240,000.00	\$81,900.00	\$245,700.00	\$102,000.00	\$306,000.00	\$99,500.00	\$298,500.00	\$93,300.00	\$279,900.00
9	Installation of 18" Motorized Butterfly Valve. Valve 103 with Actuator	1	EA	\$ 71,371.52	\$ 71,371.52	\$67,000.00	\$67,000.00	\$105,000.00	\$105,000.00	\$90,000.00	\$90,000.00	\$84,100.00	\$84,100.00	\$98,000.00	\$98,000.00	\$119,302.00	\$119,302.00	\$96,300.00	\$96,300.00
10	Installation of High Performance 18" Motorized Butterfly Valve. Valve 104 with Actuator	1	EA	\$112,606.90	\$ 112,606.90	\$70,000.00	\$70,000.00	\$105,000.00	\$105,000.00	\$90,000.00	\$90,000.00	\$86,800.00	\$86,800.00	\$98,000.00	\$98,000.00	\$111,750.00	\$111,750.00	\$99,000.00	\$99,000.00
11	Dewater and Rehabilitate Suction Piping at Pumps 5, 6, and 7	1	LS	\$ 80,000.00	\$ 80,000.00	\$88,000.00	\$88,000.00	\$87,000.00	\$87,000.00	\$104,000.00	\$104,000.00	\$175,000.00	\$175,000.00	\$209,000.00	\$209,000.00	\$208,746.00	\$208,746.00	\$259,124.00	\$259,124.00
TOTAL					\$1,499,795.62		\$1,310,000.00		\$1,390,500.00		\$1,404,000.00		\$1,515,800.00		\$1,760,000.00		\$1,804,850.00		\$2,106,715.00

List of Sub-Contractors:

Description	Innovative Construction Solutions	Corcus Construction, Inc.	Anderson Pacific	GSW Construction Inc,	Turnkey HVAC	ACCO Engineering Systems	Preston Pipelines
Electrical	Blocka Construction	Blocka Construction		Blocka Construction	Systems Electric	Blocka	Blocka Const., Inc
Painting/Coating	Jeffco	Techno Coatings, Inc	Techno Coatings	Jeffco		Techno Coatings	Redwood Painting Co.
Dewatering					Malcolm Drilling Co., Inc	Malcolm	Rain for Rent

Attachment d

Construction Change Order Policy for the Gibraltar Pump Station Valves Replacement, Nos. 7133 & 7141

2021 City Council Approved Construction Change Order Policy

Construction Award <u>Award Amount</u>	Individual Administrative <u>Change Order Authority</u>	Cumulative <u>Change Order Authority</u>
Less than \$100,000	\$10,000	\$15,000
Over \$100,000	10% of Award or \$20,000 whichever is less	15% of Award or \$40,000 whichever is smaller

Gibraltar Pump Station Suction Piping Repair and Valves Replacement Project Nos. 7133 & 7141 Change Order Policy

Construction Award <u>Award Amount</u>	Individual Administrative <u>Change Order Authority</u>	Cumulative <u>Change Order Authority</u>
\$1,310,000	N/A	\$196,500



September 25, 2025

City of Milpitas, Department of Public Works
Attention: Mr. Tony Cao, P.E.
455 E. Calaveras Boulevard
Milpitas, CA 95035

SUBJECT: Amendment Request No. 2 for the Gibraltar Pump Station Suction Piping Repair and Valves Replacement Project (Project). Limited Construction Observation and Engineering Services for Construction.

Dear Mr. Cao,

Thank you for the opportunity to submit this Amendment Request No. 2 to provide Construction Phase Support Services including Limited Construction Observation and Engineering Support Services during Construction. MNS Engineers, Inc. (MNS) offers our qualified Team to provide high quality professional services for the Project.

Background

MNS contracted with the City of Milpitas (City) to provide planning, design, and engineering services during construction at the City’s Gibraltar Reservoirs and Pump Station site to rehabilitate suction piping for existing Pumps #5, #6, and #7 and to replace 20 existing valves, nine of which include electric motor operators. Following completion of Project design and construction bid, the City met with MNS and requested that MNS provide a scope of services and fee proposal to provide limited construction observation and additional budget to provide engineering services during construction. This amendment request includes services for Limited Construction Observation and reinstatement of Engineering Support for Construction.

Scopes of Work

The following work is included in this amendment request as described:

Task 5 – Limited Construction Observation and Engineering Services for Construction

Our construction management and engineering staff will support the City through the construction process as described in the following subtasks.

Subtask 5.0 – Limited Construction Observation

MNS will provide an Assistant Resident Engineer (ARE) once a week for the duration of the Project to provide observation and document weekly construction progress. We have included 2 hours for a pre-construction meeting, and 4 hours per week to provide weekly observation for 12 weeks. The ARE weekly scope will consist of observing the

MNS DETAILS
LEGAL NAME
MNS Engineers, Inc.
FIRM OWNERSHIP TYPE
C-Corporation
YEAR FIRM ESTABLISHED
1962
CALIFORNIA DEPARTMENT OF INDUSTRIAL RELATIONS
DIR No. 1000003564
CORPORATE OFFICE
201 N. Calle Cesar Chavez, Suite 300 Santa Barbara, CA 93103 805.692.6921 Office/Fax mnsengineers.com
LOCAL OFFICE
2025 Gateway Place, Suite 328 San Jose, CA 95110 408.610.4202
PROJECT CONTACT
Nicholas Boswell, PE Project Manager 805.448.4227 Mobile nboswell@mnsengineers.com
AUTHORIZED SIGNATURE
Nick Panofsky, PE Vice President 805.772.2734 Mobile npanofsky@mnsengineers.com

weekly work progress, verifying work is installed per the plans and specifications, and writing a weekly report of findings and observations. The Project Manager will coordinate the construction observation work.

Subtask 5.1 – Meetings

The design Project Manager, Nicholas Boswell, PE, will participate in meetings including select construction meetings and a Project close out meeting. We have budgeted to attend up to 4 meetings during construction. All meetings are anticipated to be conducted virtually via a video conferencing platform acceptable to the City.

Subtask 5.2 - Submittal Review

MNS will review the Contractor's shop drawings and submittals for conformance with the Project drawings and specifications, as well as City standards. We have assumed we will review up to 10 submittals with 5 requiring re-submittal. We will prepare a Shop Drawing Review Letter (SDRL) for each submittal and maintain a Submittal Log. We have assumed all submittals and SDRLs will be transmitted electronically. Electrical shop drawing submittals will be reviewed by design team member Hydrosience Engineers. We have assumed we will review up to 5 electrical submittals with 1 requiring re-submittal. If additional submittal reviews are required, the work will be completed on a time and materials basis with authorization from the City.

Subtask 5.3 - Respond to Contractor RFIs

MNS will prepare responses to requests for information/clarification (RFI/RFCs) forwarded by the City from the Contractor, or develop recommendations based on changed field conditions. We have assumed responses will be prepared for a total of 5 RFIs/RFCs. Electrical RFI/RFCs will be reviewed by design team member Hydrosience Engineers. We have assumed responses will be prepared for a total of 3 electrical RFIs/RFCs. If additional responses to RFI/RFCs are required, the work will be completed on a time and materials basis with prior written authorization from the City.

Subtask 5.4 - Project Closeout

The MNS team will participate in a punch list meeting with the City and Contractor. We will prepare documentation of identified deficiencies and confirm resolution. Our team will prepare Record Drawings based on the contractor's redlined drawings provided to us by City. We assume redline comments will be provided in a single consolidated plan set. Record Drawings will be prepared using AutoCAD and will be transmitted to the City within 30-days of receipt of the redlined drawings. We will provide electronic versions of the record drawings in both AutoCAD and PDF formats. Electrical record drawings will be prepared by design team member Hydrosience Engineers.

Deliverable

1. Weekly Construction Observation Reports (12)
2. Response to Shop Drawing Submittals by MNS (10 Submittals, 5 Re-Submittals) and RFI/RFCs (5 RFIs)
3. Response to Shop Drawing Submittals by Hydrosience (5 Submittals, 1 Re-Submittals) and RFI/RFCs (3 RFIs)
4. Project As-Built Drawings

Compensation

MNS proposes to perform the services described herein for a not-to-exceed fee estimate of **\$32,198**. A detailed fee proposal spreadsheet is included as an attachment to this proposal. These fees are in accordance with the 2023 standard rate schedule included in our current contract.



Closing

Thank you for the opportunity to submit this amendment request. We are excited and look forward to continuing our work with the City. Please contact me with any questions you have regarding our submittal at 805-448-4227 | nboswell@mnsengineers.com. Thank you for your consideration.

Sincerely,
MNS Engineers, Inc.

Nicholas Boswell

Nicholas Boswell, P.E.
Supervising Civil Engineer

Attachments:

1. Detailed Fee Proposal
2. MNS' 2023 Standard Rate Schedule



Exhibit B2 - Compensation

City of Milpitas
Detailed Fee Proposal - Construction Observation Services and Engineering Services for Construction for the Gibraltar Pump Station Suction
Piping Repair and Valves Replacement Project
MNS Engineers Inc.

Subtask ID	Subtask Description	Labor				Subconsultants			Other Direct Costs	Subtotal Subs	Subconsultant Markup, 15%	Total
		Supervising Engineer/ Program Manager/ Nick Boswell	Associate Engineer Ethan Coon	Assistant Resident Engineer Peter Testa	Total Hours	Total Labor Costs	Electrical / Mechanical / I&C	Hydroscience Engineers				
		\$262	\$193	\$220				LS Based on (Fee/Hr.)				
	Gibraltar Pump Station Suction Piping Repair and Valves Replacement Project											
5.0	Construction Observation	8		48	56	\$ 12,640			\$ -	\$ -	\$ -	\$ 12,640
5.1	Meetings (4 Meetings)	4	4		8	\$ 1,821			\$ -	\$ -	\$ -	\$ 1,821
5.2	Submittal Review (10 Submittals, 5 Re-Submittals)	8	10		18	\$ 4,028			\$ -	\$ -	\$ -	\$ 4,028
5.3	Respond to Contractor RFIs (5 RFIs)	8	8		16	\$ 3,642	6,500		\$ -	\$ 6,500	974	\$ 11,116
5.4	Project Closeout	4	8		12	\$ 2,592			\$ -	\$ -	\$ -	\$ 2,592
	Total	32	30	48	110	\$ 24,724	\$ 6,500		\$ -	\$ 6,500	\$ 974	\$ 32,198
	Total	\$ 8,398	\$ 5,785	\$10,541	110	\$ 24,724	\$ 6,500		\$ -	\$ 6,500	\$ 974	\$ 32,198



2023 STANDARD SCHEDULE OF FEES

PROJECT/PROGRAM MANAGEMENT

Principal-In-Charge.....	\$325
Senior Project/Program Manager.....	310
Project/Program Manager	260
Assistant Project/Program Manager	245
Senior Project Coordinator	185
Project Coordinator	155

ENGINEERING

Principal Engineer	\$290
Lead Engineer	255
Supervising Engineer	245
Senior Project Engineer	225
Project Engineer.....	200
Associate Engineer	180
Assistant Engineer.....	165

SURVEYING

Principal Surveyor	\$265
Lead Surveyor	255
Supervising Surveyor	220
Senior Project Surveyor	200
Project Surveyor.....	175
Associate Project Surveyor.....	165
Assistant Project Surveyor.....	150
Party Chief (PW).....	180
Chainperson (PW)	150
One-Person Survey Crew (PW).....	215

CONSTRUCTION MANAGEMENT

Principal Construction Manager	\$320
Senior Construction Manager.....	275
Senior Resident Engineer.....	265
Resident Engineer	255
Structure Representative	245
Construction Manager	220
Assistant Resident Engineer.....	205
Sr. Construction Inspector (PW)	190
Construction Inspector (PW)	180
Office Administrator.....	130

TECHNICAL SUPPORT

CADD Manager	\$200
Supervising Technician	170
Senior Technician	160
Engineering Technician.....	125

ADMINISTRATIVE SUPPORT

Senior Management Analyst.....	\$185
Management Analyst.....	155
IT Technician.....	140
Graphics/Visualization Specialist	150
Administrative Assistant.....	100

GOVERNMENT SERVICES

City Engineer	\$250
Deputy City Engineer	225
Assistant City Engineer.....	215
Plan Check Engineer.....	190
Permit Engineer.....	185
City Inspector	185
Senior City Inspector (PW)	195
City Inspector (PW)	185
Principal Stormwater Specialist	180
Senior Stormwater Specialist.....	170
Stormwater Specialist	160
Stormwater Technician	140
Building Official.....	220
Senior Building Inspector.....	235
Building Inspector	165
Planning Director.....	225
Senior City Planner	205
Assistant Planner	195
Senior Grant Writer.....	180
Grant Writer.....	170
Associate Grant Writer	150
Assistant Grant Writer	130

DIRECT EXPENSES

Use of outside consultants as well as copies, blueprints, survey stakes, monuments, computer plots, telephone, travel (out of area) and all similar charges directly connected with the work will be charged at cost plus fifteen percent (15%). Mileage will be charged at the current federal mileage reimbursement rate.

PREVAILING WAGE RATES

Rates shown with Prevailing Wage "(PW)" annotation are used for field work on projects subject to federal or state prevailing wage law and are subject to increases per DIR.

ANNUAL ESCALATION

Standard fee rates provided for each classification are subject to 3.5% annual escalation or the most recent US Bureau of Labor Statistics Consumer Price Index, whichever is higher.

OVERTIME

Overtime for non-exempt employees will be charged at 1.5 x hourly rate; overtime for exempt employees and other classification will be charged at 1 x hourly rate.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	2025 Legislative Season Update and 2025 State and Federal Earmark Requests Update (Staff Contact: Alex Andrade, Director of Economic Development and Strategic Initiatives, 408-586-3046)
Category:	Community Development
Meeting Date:	10/21/2025
Recommendation:	Review and accept the 2025 Legislative Season Agenda Report, including an update on 2025 State and Federal Earmark Requests.

BACKGROUND:

On [May 18, 2021](#), the City Council approved the Legislative Advocacy Policy for the City of Milpitas (Attachment A). Its purpose is to establish clear guidelines for advancing City goals and positions through legislative review and advocacy at the regional, state, and federal levels of government and to provide guidance for City officials who serve on regional, state, and national boards, committees, and commissions when they are asked to review public policy matters and issues. The Legislative Advocacy Policy has governed the City's legislative activity at the Federal and State levels since 2021.

This Agenda Report provides a high-level overview of the Federal Fiscal Year 2026 budget (H.R. 1, the One Big Beautiful Bill Act) and the State of California's Fiscal Year 2026 budget. It also includes staff's preliminary insights on the potential impacts of these legislative actions on the City of Milpitas and the community.

On October 1, 2025, an Information Memorandum (Attachment B) that summarized the City's legislative activity during Fiscal Year 2025 was provided to the City Council. Attachment B has been revised to include the City's most recent earmark applications, legislative positions, and reflects an overview of the City's congressionally-directed funding requests, state funding requests, and formal positions taken on relevant legislation.

ANALYSIS:

The analysis section below provides an overview of actions under the recently approved One Big Beautiful Bill Act and the California State Fiscal Year 2025-2026 Budget that may have a direct impact on the City of Milpitas and the community.

Impact of the One Big Beautiful Bill Act (OBBBA) on the City of Milpitas

H.R. 1 (OBBBA) reduces direct financial support for certain state and local priorities, specifically in climate initiatives and social safety net programs, and places a greater emphasis on tax incentives for private investment. This is likely to increase the burden on California's State budget, which may result in reduced support to local governments. Consequently, local governments may be forced to prioritize revenue-generating developments over other community needs. It is essential to note that many of the downstream effects of H.R. 1 are unclear currently, as certain of its provisions do not take effect immediately. Please note: the federal government is shut down at the time of the development of this Agenda Report. The Affordable Care Act (ACA) is central to the negotiations between the majority and minority parties. As such, the information in this analysis on the ACA may be subject to change if an agreement is reached that includes concessions from the congressional majority.

- *Funding for Medicaid*
 - Includes a \$1 trillion reduction in federal Medicaid spending, which will have a significant and direct impact on low-income populations.

- California's state budget will bear a larger share of Medicaid and Supplemental Nutrition Assistance Program (SNAP) costs, potentially leading to reduced state funding for the local social safety net, in turn potentially leading to increased pressure on local governments to cover service gaps. If the State and County of Santa Clara reallocate their budgets to limit the negative impacts on populations that rely on these programs, there are likely to be cuts in other areas, like discretionary spending. This is already impacting Milpitas: none of the City's funding requests to Assemblymember Lee and Senator Wahab were approved for the State FY26 Budget, with these cuts specifically being cited by elected officials as the reason.
- On [September 16](#), Santa Clara County Supervisor Otto Lee and Santa Clara Valley Healthcare CEO Paul Lorenz provided a presentation to the City Council to outline the substantial negative impacts that H.R. 1 will have on Santa Clara County's resources. The presentation drew attention to the projected \$1 trillion cut to Medicaid and the \$186 billion cut to SNAP. As a result, Santa Clara County and Santa Clara Valley Healthcare predicted significant annual losses in revenue for Santa Clara Valley Healthcare of \$1 billion starting in 2027. In response to these impending revenue gaps, Santa Clara County's Board of Supervisors declared a fiscal emergency and has advanced Measure A to be considered in the November 2025 election. Measure A proposes a 0.625% sales tax increase for five years and is expected to generate \$330 million per year. However, this only partially fills the predicted gap in revenue.
- In addition to cuts to Medicaid, states will be required to redetermine eligibility twice a year, including individuals between ages 19 and 64, to verify at least 80 hours of work or qualifying activities per month.
- According to Santa Clara County, approximately 1 in 5 Milpitas residents, around 16,000 people, rely on Medicaid. Recent changes are expected to significantly increase the number of uninsured individuals in the city. Without health insurance coverage, many health conditions may go undiagnosed or untreated, potentially leading to a rise in emergency medical calls to the City Fire Department and impacting its personnel resources and budget. Meanwhile, residents who choose to purchase insurance independently may face substantial financial strain and be forced to reduce their discretionary spending. This shift could negatively affect local sales tax revenues as consumer spending on non-essential goods and services may decline.
- *Changes to Medicare and Funding for the Affordable Care Act (ACA)*
 - Limits Medicare eligibility to U.S. citizens, green card holders, certain immigrants from Cuba, and people residing under the Compacts of Free Association (i.e., Micronesia, Marshall Islands, and Palau). It removes eligibility for all other groups, including refugees, asylees, and those with temporary protected status. Ineligible groups will be notified by July 4, 2026, and benefits will be terminated on January 4, 2027.
 - Introduces multiple changes that increase administrative and financial burdens for enrollees receiving premium tax credits, including eliminating automatic enrollment and provisional eligibility, removing repayment caps, shortening open enrollment, ending income-based special enrollment periods, adding new income verification requirements, and funding cost-sharing reductions that are likely to raise premiums and functionally push many people towards being uninsured.
 - Without health insurance coverage, untreated health issues may increase emergency calls and strain the City's Fire Department personnel resources and budget, while residents buying insurance independently may reduce discretionary spending, potentially lowering local sales tax revenues.
- *Funding for Supplemental Nutrition Assistance Program (SNAP)*
 - Includes a \$186 billion reduction to SNAP through 2034. More stringent work-documentation filing requirements will be mandatory for SNAP recipients, including for working-age veterans, recipients experiencing homelessness, youth aging out of foster care, and married, stay-at-home parents. SNAP benefits will also be restricted for immigrants who are not legal permanent residents.
 - These cuts are likely to result in an increased reliance on food pantries and other community-based organizations. Additionally, the financial strain on households may contribute to a decline in local sales tax revenue.

- *Funding for Immigration and Customs Enforcement (ICE)*
 - Provides substantial earmarks for ICE, including \$45 billion to increase detention capacity and \$30 billion to increase enforcement staff. Additionally, it provides \$12.1 billion to be used flexibly by the Department of Homeland Security to support deportations and immigration enforcement. This has already resulted in notable enforcement actions within California and in Santa Clara County. Immigrants make up 40.6 percent of Santa Clara County's population, but account for 49.9 percent of its employed labor force (Source: [County of Santa Clara](#)), driven largely by technology companies. Highly visible immigration enforcement actions on undocumented populations have significant downstream effects of contributing to a more hostile environment towards legal immigrants and people of color. This may have a lasting impact on whether highly skilled foreign nationals choose to locate in Silicon Valley and in the United States, which may affect workforce development and talent searches.
 - It is worthwhile to note that, while not because of H.R. 1 and because of an executive order on September 19, 2025, President Trump's administration announced a new annual \$100,000 fee for H-1B visas for high-skilled workers. Due to Silicon Valley technology companies' current reliance on H-1B visas, this policy may result in an acceleration of offshoring that reduces sales taxes and increases vacancies in office and multi-family properties.
 - A portion of the additional funding allocated to ICE will be directed toward immigration enforcement efforts during the 2026 Super Bowl and FIFA World Cup. Public statements made by senior officials in President Trump's administration may discourage international visitors from attending these events, potentially reducing the positive economic impact that is anticipated by the Bay Area Host Committee.
- *Changes to Community Development Block Grants (CDBG)*
 - Senate appropriations bill 2465 outlined \$3.1 billion for CDBG for fiscal year 2026, which is a reduction from the \$3.3 billion earmarked for fiscal year 2025.
 - The Department of Housing and Urban Development (HUD) has reduced its workforce by approximately 30% since the beginning of the year and has placed 75% of its remaining employees on furlough because of the ongoing shutdown of the federal government.
 - A recent executive order from the Trump administration mandated a new compliance standard to ensure that CDBG funds only benefit persons with documented immigration status. This policy may have a direct impact on some of the non-profits that the City of Milpitas assigns CDBG funds to, and creates a new reporting requirement for both recipient organizations and the City.
 - On October 3, the City Manager's Office released a letter to notify subrecipients that, due to new and unclear compliance requirements in HUD's revised FY 2025-2026 CDBG grant agreement, there is a risk that anticipated funding may be delayed or unavailable, and any expenses incurred before a formal agreement is executed may not be reimbursed.

In addition to the restrictive mandates of H.R. 1 on social safety net programs and related budget items, H.R. 1 includes a variety of individual and business tax measures designed to encourage business activity. This includes individual and business tax cuts that may translate into some positive economic benefits for Milpitas, notwithstanding additional expenditures that result from the above cuts. However, as the impacts of H.R. 1 are not clear at this time, and many of its key measures do not take effect immediately. Any positive impacts that are hypothesized in the analysis section below should be qualified accordingly.

- *Notable Individual Tax Provisions*
 - Temporarily increases the federal State and Local Tax (SALT) deduction cap from \$10,000 to \$40,000 between the 2025 and 2029 tax years for taxpayers with income under \$500,000. The deduction cap and the income phasedown threshold both increase by 1% each year from 2026 through 2029. Because California has a higher state income tax than most other states, the adjustment of the deduction cap will have a significant impact and provide Bay Area residents with additional spending capacity. This may translate into increased consumer spending and sales tax revenue. It is important to recognize the temporary nature of this adjustment. Although it may lead to increased sales tax revenue, staff recommends the City budget for a decrease in sales tax revenue in 2030 after the deduction cap sunsets in 2029.

- Makes the 2017 marginal tax rate cuts permanent.
- Establishes a policy that exempts tips from federal taxes, allowing employees to deduct up to \$25,000. It also exempts overtime pay from federal taxes, permitting a deduction of up to \$12,500. Both measures aim to provide financial relief to working-class Americans. Additionally, the bill eliminates federal tax on car loan interest for U.S.-assembled vehicles, up to \$10,000 per year, and permanently increases the Child Tax Credit for over 40 million families. It also establishes an additional \$6,000 for senior individuals (or \$12,000 for joint filers) with income under \$75,000 (or \$150,000 for joint filers). The deduction phases out for taxpayers making over \$75,000 annually.
- The Bill makes permanent an increased Child Tax Credit of \$2,200 and indexes it to inflation.
- Like the SALT deduction cap increase, these provisions may result in people retaining more money from their paycheck at the lower and middle ends of the pay scale, and may result in more spending/consumption and related sales tax revenue.
- *Notable Business Tax Provisions*
 - Makes permanent and furthers several business tax incentives from the 2017 Tax Cuts and Jobs Act. These provisions offer substantial incentives for businesses to invest in new equipment, expand their operations, and create jobs within local jurisdictions.
 - Renews 100% bonus depreciation for qualifying equipment purchases. Establishes the Qualified Production Property deduction, which includes manufacturing and production facilities, allowing these properties to be 100% expensed.
 - Makes permanent various tax code incentives, such as Section 174 Research Expensing for domestic research costs, Section 163(j) Interest Deduction Limit for excluding amortization, depreciation, and depletion from adjusted taxable income calculations, amongst others, that can help boost domestic research and production.
 - Increases the Section 179 Small Business Expensing Cap from \$1.25 million to \$2.5 million.
 - Makes permanent the 199A Qualified Business Income deduction at 20% for qualified business income.
 - These provisions are likely to have a positive impact on the technology and advanced manufacturing sector. Increased business activity and new construction can boost local government revenues through higher property taxes, sales taxes, and potentially more income from business license fees/taxes.
- *Changes to Inflation Reduction Act Tax Credits and Elective Pay*
 - Repeals or restricts numerous tax credits that previously qualified for elective pay for certain energy and climate resiliency projects through aggressive phase-out timelines for specific credits and eliminates others. Residential solar and energy-efficient home improvements are set to expire after December 31, 2025. Accelerates the phasing out of several key clean energy tax credits, including clean air vehicle purchases, which ended on September 30, 2025.
 - These measures are likely to undermine Milpitas' 2019 Climate Action Plan, increase long-term climate-related risks and costs for communities, and potentially slow down the transition to a greener economy in California. Rivian purchases have not qualified for these credits since the beginning of the year due to the composition of its battery system, but leases have. This may have some impact on the anticipated sales tax revenue from the tax sharing agreement between Rivian and the City. However, the change is likely to have a greater impact on sales tax revenues from Envision Honda and Toyota dealerships because those brands have been beneficiaries of the credit.
- *Low-Income Housing Tax Credit*
 - Permanently increases Housing Credit allocations by 12%, which helps states finance more affordable rental housing projects every year.
 - Permanently reduces the "50% test" to 25%, which will make it much easier to finance affordable homes using tax-exempt bonds.
 - These measures may incentivize the development of a greater number of affordable housing units, which, in aggregate, increases supply and brings down the rental cost burden on renters.

Additionally, these demographics are more likely to spend larger portions of their income on sales tax-generating purchases.

California 2025 Landscape

FY 2025-2026 Budget

California enacted the FY 2026 state budget with an approximately \$11.8 billion budget deficit. The budget was balanced through a combination of program reductions, cuts, and the use of reserves. The changes at the federal level through the passage of H.R. 1, compounded by the January fires in Southern California, have resulted in reduced spending in several key areas and are directly evidenced by the City of Milpitas' four proposals remaining unfunded in the recent budget. Additionally, the budget is informed by the State's revised economic forecast. Tariffs, inflation, reduced growth rates, and rising unemployment have led to lower revenue forecasts, particularly in consumption and income sources.

- *Medi-Cal*
 - A sizable portion of the program cuts and reductions are Medi-Cal related. The state has enacted a Medi-Cal enrollment freeze for undocumented adults, eliminating dental benefits for undocumented adults, and reducing coverage for weight loss medication. Beginning on July 1, 2027, Medi-Cal members between the ages of 19 and 59 who are undocumented will be required to pay a \$30 monthly premium to keep coverage.
 - The cuts to Medi-Cal, imposition of monthly premiums, and reinstatement of asset limits will directly impact the state's most vulnerable populations. These reductions are likely to increase demand on local safety net services like Santa Clara County Healthcare, emergency rooms, and social service agencies.
- *Homelessness Programs*
 - Funding for homelessness programs is also impacted: the Homeless Housing, Assistance, and Prevention (HHAP) Program will not receive any new funding in FY2026. Homeless Housing, Assistance and Prevention Program funds are contingent on a compliant Housing Element, a local encampment policy consistent with state guidance, a Pro-Housing Designation, a demonstration of progress on key housing performance metrics, amongst other requirements.
 - This is likely to result in increased visible homelessness and further strain on local resources; it is effectively a transfer of responsibility and will force cities and counties to find alternative funding sources or reduce services. The City of Milpitas does not receive any money from this funding source, but the City of San José and the County of Santa Clara do. If these agencies' resources come under strain, it may increase reliance on Milpitas' homeless resources and emergency services.
- *Housing*
 - \$120 million for the Multifamily Housing Program, which is one-third of last year's allocation.
 - \$500 million for the Low-Income Housing Tax Credit program, consistent with last year.
 - \$300 million for the California Dream for All program.
 - No support for the Bay Area Housing Finance Authority (BAHFA).
 - Budget trailer bills AB 130 and SB 131 impose a six-year suspension on new residential building standards at both the state and local levels through 2031 to help stabilize construction costs and provide regulatory certainty. This is paired with CEQA streamlining tools that are likely to accelerate the delivery of infill housing and critical infrastructure projects, such as high-speed rail facilities, utilities, broadband, and community-serving facilities, amongst others.
 - These measures are expected to stimulate the development of both affordable and market-rate housing, potentially increasing property tax revenues and permit fees, while advancing the City of Milpitas' Housing Element goals and meeting its Regional Housing Needs Allocation (RHNA) targets.
- *Public Safety*
 - The budget provides a one-time allocation of \$100 million to support the implementation of Proposition 36's (2024 Drug and Theft Crime Penalties and Treatment-Mandated Felonies

Initiative) “treatment-mandated felony” court process for some drug crimes. This may be insufficient to meaningfully advance the goal of the Proposition to reduce drug and theft crimes.

SB 79 Housing Development: Transit-Oriented Development

- Governor Newsom signed SB 79 into law on October 11. The City of Milpitas submitted letters of opposition to this bill on May 1, August 22, and September 5, citing its marked infringement on local control. SB 79 functionally overrides the City of Milpitas’ Housing Element by exempting housing development projects near transit stops from the City zoning ordinance. Transit agencies now have the ability to determine all aspects of residential development, including height, density, and design, without regard to local zoning or planning, as the bill supersedes local zoning rules.
- It establishes two tiers of Transit-Oriented Development (TOD):
 - Tier 1: A Transit-Oriented Development Stop within an urban transit county (i.e., county with more than 15 passenger rail stations) served by heavy rail transit or very high frequency commuter rail.
 - Tier 2: A Transit-Oriented Development Stop (excluding Tier 1) within an urban transit county served by light rail transit, high-frequency commuter rail, or by Bus Rapid Transit.
- Projects that meet certain density thresholds may qualify for additional concessions under California’s Density Bonus Law, and an “adjacency intensifier” allows further increases in height, density, and floor area ratio (FAR) for projects near TOD stops. To qualify, SB 79 projects must include at least five housing units at a minimum density of 30 units per acre, include low-income housing, and cannot involve hotel development or demolition of rent-controlled units. Local zoning standards may apply only if they don’t prevent compliance with SB 79, and eligible projects may receive streamlined, ministerial approval under SB 35, potentially exempting them from CEQA. SB 79 will take effect on July 1, 2026.
- SB 79 residential development projects may negatively affect the City’s plan for developing the Innovation District on the approximately 75 acres of land adjacent to the Milpitas Transit Center and may reduce opportunities for revenue generation and job creation through the Milpitas Metro Specific Plan.
- SB 79 could allow residential development in commercially zoned areas near a transit-oriented development stop that currently do not allow for residential development, resulting in the loss of retail and office space within the City.
- SB 79 also appears to prohibit cities from imposing maximum residential densities, which could allow for more residential development than anticipated in the General Plan and analyzed in the associated Environmental Impact Report and various master plans, resulting in significant impacts to the City’s transportation, recreational, and utility infrastructure.

PROJECT/PROGRAM SCHEDULE:

Staff will continue to track and monitor the impact of H.R. 1 (OBBBA) on City of Milpitas projects and programs and update the Mayor and City Council as developments occur.

FISCAL IMPACT:

Any fiscal impact will be identified when, and if, the implementation of a particular legislation requires City Council approval or funding. This would typically occur during the City’s annual budget approval process.

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 pursuant to Cal. Code of Regs., tit. 14, §15378.

ATTACHMENT(S):

- (A) Legislative Advocacy Policy
- (B) Information Memorandum - 2025 Legislative Activity Update
- (C) Important Update: Potential Non-Receipt of CDBG Funds This Fiscal Year



Attachment A

CITY OF MILPITAS

Revision	Date
Original	5/18/2021

CITY COUNCIL POLICY

Policy No: 1-2	LEGISLATIVE ADVOCACY POLICY	Effective Date: 5/18/2021
Revision No: N/A	Policy Administrator: City Manager	Next Review Due: Click or tap to enter a date.
Related Policies and Procedures: Click or tap here to enter text.	Approved by: City Council, 5/18/2021, Item # C9: 5-0 vote	Date Approved: 5/18/2021

1. PURPOSE

- 1.1. To establish clear guidelines for advancing City goals and positions through legislative review and advocacy at the regional, state, and federal levels of government and to provide guidance for City officials who serve on regional, state, and national boards, committees, and commissions when they are asked to review public policy matters and issues.

2. POLICY

- 2.1. This policy outlines the guiding principles and process to enable a comprehensive review of legislation affecting the City of Milpitas, seek Council's position on proposed legislation, and to make the City's position known.
- 2.2. All legislative reviews shall be made on the basis of the effect on the City and the community as a whole, and taking into account existing City positions, policies, or goals.
- 2.3. The City shall support the legislative positions of the Cities Association of Santa Clara County, League of California Cities, and the National League of Cities, on priority bills that benefit the City of Milpitas.
- 2.4. The City shall adopt Legislative Guiding Principles (LGP) based on approved Council Priority Areas, the adopted General Plan, the Economic Development Strategy, and other Council approved master plans and strategic plans.
- 2.5. On an annual basis, the LGP shall be updated as needed, and shall be approved by the City Council at the beginning of the calendar year.

3. DEFINITIONS

- 3.1. The following definitions are provided solely as a guide to assist in the application of this policy and may be subject to change.
 - 1.1.1. Department – Includes all City departments and offices
 - 1.1.2. Economic Development Strategy – A five year strategy document adopted by the City Council in May 2020
 - 1.1.3. General Plan – A comprehensive planning document adopted by the Council in March 2021



CITY OF MILPITAS

Revision	Date
Original	5/18/2021

LEGISLATIVE ADVOCACY POLICY / POLICY # 1-2

- 1.1.4. Legislative Advocacy – A position of support or opposition to proposed legislation
- 1.1.5. Legislative Guiding Principles – Principles adopted on an annual basis by the City Council to guide the City's position on proposed legislation
- 1.1.6. Milpitas Municipal Code – Codification of the General Ordinances of Milpitas

4. PROCEDURE

- 4.1. Legislation and issues of interest are brought to the City's attention through several means: League of California Cities, National League of Cities, Cities Association of Santa Clara County, Councilmembers, legislators, City staff, community members, and professional or governmental organizations. All legislation or issues of interest shall be referred to the City Manager's Office.
- 4.2. City Manager's Office (CMO) shall review the proposed legislation and, if warranted, request assistance from the City Attorney and/or from one or more departments.
- 4.3. The process for evaluation and action related to proposed legislation of particular interest to the City shall be as follows:
 - 1.1.1. CMO/Department shall evaluate the proposed bill for its impact on Milpitas, recommend a position and potential action, and draft a position statement or support/opposition letter.
 - 1.1.2. If Council has previously adopted a policy directly relevant to the proposed legislation or if the proposed legislation is generally consistent with the City's Legislative Guiding Principles, the Mayor or City Manager may sign a letter supporting or opposing legislation on behalf of the City as further detailed below.
 - 1.1.3. If there is no Council policy relative to the legislation, the issue is politically controversial, or there is significant community interest in the issue, the proposed legislation, including a recommendation to support, remain neutral, or oppose the legislation, will be brought to Council for consideration.
 - 1.1.4. Letters and other communications expressing the City's position on legislation will bear the signature of the Mayor in accordance with the Milpitas Municipal Code. If the legislation will mainly impact the City's operations, the communication may be signed by the City Manager or designee.
 - 1.1.5. In order to keep the City Council informed of all City communications on legislation, copies of the letter or summary of actions will be distributed to the City Council as information items.
- 4.4. Quarterly legislative updates on items of interest will be provided to the City Council.



CITY OF MILPITAS

Revision	Date
Original	5/18/2021

LEGISLATIVE ADVOCACY POLICY / POLICY # 1-2

CITY OF MILPITAS – LEGISLATIVE GUIDING PRINCIPLES

1. Protect Local Control

The City values its ability and authority to exercise local control, enable excellent public services and protect and enhance the quality of life for Milpitas residents and businesses. The City supports efforts to streamline regulations that benefit the administration of the City and opposes efforts that erode the City's authority to control its own affairs.

2. Support Efforts to Keep Milpitas Safe

The City supports legislation and policies that enable local officials to access resources to provide quality police, fire, emergency management, emergency medical services, youth violence prevention initiatives, and to engage the community in its own safety.

3. Support Efforts to Create Affordable Housing

The City supports legislation and policies that enable local officials to access resources to support the creation of affordable housing and to strive for a balance of jobs and housing in each city across the region.

4. Support City's Vision for Strategic, Sustainable, and Smart Growth

The City strives to foster economic development, including planning and implementation of regional transportation and traffic congestion relief projects. The City supports legislation and policies that support local initiatives to develop or redevelop the community to strengthen the local and regional economy, to accommodate local workers' housing needs in places close to transit and jobs, and to continually improve services provided to the community.

5. Protect and Increase Local Funding, No Unfunded Mandates

The City opposes legislation, policies, or budgets that have negative impacts on City services, revenues or costs. The City supports efforts that protect and enhance local governments' revenues, maximize access to State and Federal funding sources, and increase local funding flexibility including legislation that allows the City to recover costs related to state and federal mandates.

6. Pursue or Retain Federal and State Funding for Key Efforts

In order to support the City's efforts and key policies to provide quality services, affordable housing, transportation, and public infrastructure for its residents and businesses, and to fund the needed strategic support services, it is necessary that the federal and state governments act as partners with local government and provide appropriate levels of funding for these City and regional efforts.

7. Support and Promote Inclusive Communities

The City values diversity and recognizes all residents, including immigrants, as valuable contributors to our community's success. Support legislation that helps our residents be safe, healthy, and able to thrive, while providing opportunities to actively engage in civic, cultural, and economic life.



CITY OF MILPITAS

Revision	Date
Original	5/18/2021

LEGISLATIVE ADVOCACY POLICY / POLICY # 1-2

8. Promote Livability and Environmental Stewardship

The City values a sustainable quality of life in an urban environment. The City supports legislation and policies that emphasize sustainable development; improve environmental standards and the regulatory process; provide incentives and financial support for preservation of natural resources; promote sustainable energy and water policies; and support efforts to mitigate odor issues.

9. Promote Investment in Infrastructure

The City supports legislation and policies that promote investing in the maintenance and rehabilitation of aging infrastructure and build system capacity expansion in a smart and sustainable manner.



MEMORANDUM

Office of the City Manager

DATE: October 2, 2025

TO: City Council

VIA: Deanna J. Santana, City Manager *Deanna J. Santana*

FROM: Alex Andrade, Director of Economic Development & Strategic Initiatives *Alex Andrade*

SUBJECT: 2025 Legislative Activity Update

BACKGROUND:

On May 18, 2021, the City Council approved the [Legislative Advocacy Policy](#) for the City of Milpitas. Its purpose is to establish clear guidelines for advancing City goals and positions through legislative review and advocacy at the regional, state, and federal levels of government and to provide guidance for City officials who serve on regional, state, and national boards, committees, and commissions when they are asked to review public policy matters and issues. The Legislative Advocacy Policy has governed the City's legislative activity at the Federal and State levels since 2021.

In January 2023, the City contracted with Kiley & Associates for services that included tracking legislation and issues that were deemed important to the City, advocating or opposing legislation that significantly impacts the City, and engaging with State and Federal agencies to expedite reimbursement for expenditures, clarify administrative rulings, and advocate for funding requests. Kiley & Associates specializes in advocacy at the Federal level, and their subconsultant firm Gonsalves & Sons provides advocacy services at the State level. On June 3, 2025, the City Council approved the Fiscal Year 2025-2026 Operating Budget, which included a budget reduction for the legislative support program. This resulted in the contract for Kiley & Associates and their subconsultant Gonsalves & Sons not being renewed. To continue advancing its legislative advocacy efforts, the City will leverage its existing resources and partnership with Santa Clara County's legislative group, the League of California Cities, and the National League of Cities.

This Information Memorandum serves as an update on the City's legislative activity during the 2025 calendar year. It includes congressionally directed funding requests, state funding requests, legislative positions the City of Milpitas has taken, and new laws that affect the City of Milpitas.

ANALYSIS:

This Information Memorandum serves to provide the City Council with 2025 legislative season updates, which align with Legislative Advocacy Policy 4.4. The document covers the City of Milpitas' advocacy of earmarked Federal and State funding and legislative positions, including preparation and issuance of letters of support and opposition to bills that are currently under consideration by the California

MEMORANDUM

Office of the City Manager



legislature and Governor. The funding request status described below is current as of September 29, 2025. Staff will provide subsequent updates as they are made available.

Funding Requests

The City can request funding for specific projects as a part of the Federal and State budgets each fiscal year. Portions of discretionary spending in the Federal and State budgets can be designated to these projects through advocacy from elected officials. Staff submitted a list of proposals to federal and state-level elected officials. The list of projects submitted was informed based on the priorities of Federal and State elected officials and based on conversations with their respective staff. Staff have been informed of which federal earmarks are being supported by the elected officials to whom they were submitted. The State of California adopted a balanced budget for Fiscal Year 2025-2026 in July; however, none of the City's requests were included. The checkmarks in the table below denote that the project was submitted to the respective elected official. The green checkmarks illustrate that the application is being moved forward by the elected official.

Project Name	United States Senator Alex Padilla	United States Senator Adam Schiff	United States Representative Ro Khanna	State Senator Aisha Wahab	Assemblymember Alex Lee
Jurgens Pump Station at Dixon Landing	✓	✓	✓		
Main Street Revitalization & Safety			✓		✓
Public Safety Microgrid	✓	✓	✓		
Urban Search and Rescue Vehicle	✓	✓			
Milpitas SMART				✓	✓
Rent Relief				✓	✓
Unhoused Services				✓	✓

Project Descriptions and Status Update

Jurgens Pump Station at Dixon Landing Park (Padilla, Schiff, Khanna)

The facility pumps storm runoff into the Penitencia Creek from the northern part of the city. The pump station was designed for less than a ten-year storm event, where Dixon Landing Park is used as a

MEMORANDUM

Office of the City Manager



detention area when the pump station is at full capacity. To provide a level of design protection and eliminate the periodic flooding within the park, a new station is required with a capacity of at least 243 cubic feet per second, which is 1.6 times larger than the existing station's capacity. An order of magnitude estimate for design and construction is \$15 million, with design estimated at \$3 million. This project is identified as the highest priority project in the City's adopted 2021 Storm Water Master Plan. The City's earmark application of \$3 million is to support the design phase of the project.

Senator Padilla and Adam Schiff's Offices confirmed that the Jurgens Pump Station funding request has been submitted to the Senate Appropriations Subcommittees on Energy and Water. Staff is currently working with both Senators' offices to ensure that this project makes it into the Senate bill.

Representative Khanna's Office confirmed that the Jurgens Pump Stations funding request was submitted to the House Appropriations Subcommittee on Energy and Water. However, the project was ultimately not included in the House of Representatives' Energy and Water Development and Related Agencies Appropriations Act, 2026 bill.

Main Street Revitalization and Safety (Khanna)

The application requested funding to extend beautification upgrades from North Main Street to South Main Street's historic core. This includes the installation of tree grates, historic wayfinding signage, new lighting (replacements of lights), and other fixtures that distinguish Main Street as a special district in Milpitas. The improvements will benefit the pedestrian experience in the area by furthering placemaking and advancing the economic development goals of the Gateway-Main Street Specific Plan. The City's Community Project Funding request application was for all or a portion of \$1.9 million to support Main Street Revitalization and Safety.

Representative Khanna's Office confirmed that the Main Street Revitalization funding request was submitted to the House Appropriations Subcommittee on Transportation, Housing, and Urban Development. This funding request was reduced to \$250,000 in the House of Representatives Appropriations Committee's draft bill and is the result of both last year's application and this year's application.

Main Street Revitalization and Safety (Lee)

The City submitted a funding request for the same project at the Federal level, but requested a lower dollar amount from the State. State funding is for extending beautification upgrades from North Main Street to South Main Street's historic core. This includes the installation of tree grates, historic wayfinding signage, new lighting (replacements of lights), and other fixtures that distinguish Main Street as a special district in Milpitas. The improvements will benefit the pedestrian experience in the area by furthering placemaking and advancing the economic development goals of the Gateway-Main Street Specific Plan. The City's funding application amount equaled \$1.5 million to support the implementation of the proposal. The funding request was not included in the State's Fiscal Year 2026 Budget.

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Office of the City Manager



Public Safety Microgrid (Padilla, Schiff, Khanna)

The project consists of installing a solar-microgrid-battery system at the facility housing the City's Police Station, 911 Call Center, Public Works, and IT Departments. This project ensures these critical facilities can operate during power outages and reduces daily greenhouse gas emissions. The system is expected to generate nearly 100% of the facility's energy needs. This project will serve as a model for other public safety agencies and businesses. The City's earmark application is for \$4.5 million.

Senator Padilla and Senator Schiff's Offices have confirmed that the Public Safety Microgrid funding request has been submitted to the Senate Appropriations Subcommittee on Transportation, Housing, and Urban Development, and Related Agencies.

Representative Khanna's Office communicated that this project would not advance for appropriations.

Urban Search and Rescue Vehicle (Padilla, Schiff)

In 2000, the Milpitas Fire Department acquired a heavy rescue apparatus (USAR-86). The primary mission of a heavy rescue is to provide the Fire Department with a multifunction apparatus that can carry and rapidly deploy the thousands of pounds of heavy rescue equipment required to manage the variety of Special Operations and Technical Rescue Incidents that an urban "all hazards" Fire Department can be expected to respond to. The current equipment is at the end of its useful life. The City has allocated nearly \$400,000 for this equipment. The City's application requested support for all or a portion of the remaining funding, \$1.4 million, necessary to purchase the new equipment.

Senator Padilla's Office has confirmed that this project was submitted to the Senate Appropriations Subcommittee on Transportation, Housing, and Urban Development, and Related Agencies.

Milpitas SMART (Wahab, Lee)

The City's application requested continuation funding for the City of Milpitas SMART program. SMART is an ongoing program that provides micro-transit connection services throughout Milpitas. It operates similarly to other ride-hailing services and is a point-to-point service, offering rides from any virtual stop to another virtual stop within Milpitas. This service carries an average of 213 riders per weekday, primarily catering to less mobile populations, including seniors, the disabled, low-income individuals, and students. These populations make up 70% of the program's ridership. If approved, the funding would allow the service to continue for an additional 18 months. This City's funding application amount is \$3 million to support the implementation of the proposal. The funding request was not included in the State's Fiscal Year 2026 Budget.

Rent Relief (Wahab, Lee)

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Office of the City Manager



The City's application requested continuation funding for the City of Milpitas' rent relief program (approximately \$700,000 per year). Milpitas households at or below 120% of the Area Median Income (AMI) are eligible to receive up to \$5,000 per calendar year for rental assistance. Two hundred eleven households accessed the program in FY2024. This City's funding application amount is \$2.1 million to support the Rent Relief program. The funding request was not included in the State's Fiscal Year 2026 Budget.

Unhoused Services (Wahab, Lee)

The City's application requested continuation of funding for homeless services, such as homeless outreach and case management (approximately \$200,000) and weekly mobile shower and laundry services (approximately \$50,000 per year). A discontinuation of this program would hinder the City's ability to respond to reports of homeless encampments and assistance for basic human needs. This City's funding application was \$750,000 to support the Unhoused Services program. The funding request was not included in the State's Fiscal Year 2026 Budget.

2025 Legislative Action Positions

Per the City legislative policy, the City Manager's Office coordinates with the Mayor to identify state bills in their early stages that are likely to have an impact on Milpitas. Per Legislative Advocacy Policy on Procedures, 4.3 (1.1.2), the Mayor or City Manager may sign a letter supporting or opposing legislation on behalf of the City if the proposed legislation is generally consistent with the City's Legislative Guiding Principles. The City has officially taken positions on twelve bills during the 2025 legislative season through support and opposition letters from Mayor Montano. The chart below summarizes these positions and their status in the State's legislative process. Please see the [2024 Legislative Season Report](#) for measures that the City took positions on in 2024.

Item No.	Measure	Measure Title	Measure Description	City Position	Primary Legislative Guiding Principle
1	SB 456 (Ashby)	Contractors: Exemptions: Muralists	SB 456 provides an exemption for muralists from the contractor licensing requirement. The bill is headed to the Governor's Office for consideration.	Support	Promote Livability and Environmental Stewardship
2	SB 79 (Wiener)	Housing Development: Transit-Oriented Development	SB 79 would override the City of Milpitas' Housing Element by largely exempting housing development projects near transit stops from the City's zoning ordinance. The bill is headed to the Governor's Office for consideration.	Oppose	Protect Local Control

MEMORANDUM

Office of the City Manager



3	AB 996 (Pellerin)	Public Resources: Sea Level Rise Plans	AB 996 would provide support to local governments in their development of a sea level rise plan. The Bill is currently with the Assembly Committee on Appropriations.	Support	Promote Livability and Environmental Stewardship
4	AB 650 (Papan)	Planning and Zoning: Housing Element: Regional Housing Needs Allocation	AB 650 seeks to improve the housing element update process by allowing local governments to begin six months earlier and requiring clearer guidance from HCD, addressing timing and clarity issues experienced during the 6 th RHNA cycle.	Support	Support efforts to create affordable housing
5	AB 262 (Caloza)	California Individual Assistance Act	AB 262 proposes the California Individual Assistance Act to provide swift financial aid to individuals, local agencies, and community organizations after emergencies that fall short of federal disaster aid criteria, empowering the CalOES Director to prioritize rebuilding critical infrastructure in hard-hit communities.	Support	Support efforts to keep Milpitas safe
6	AB 476 (Gonzalez)	Enhanced Enforcement Against Copper Wire Theft	AB 476 seeks to strengthen enforcement against copper wire theft by equipping authorities with tools to deter and prosecute offenders, thereby protecting critical public infrastructure and ensuring the safety of essential services.	Support	Support efforts to keep Milpitas safe
7	AB 846 (Connolly)	Endangered Species: Incidental Take: Wildfire Preparedness Activities	AB 846 establishes a voluntary, streamlined process for local agencies to gain California Department of Fish and Wildlife approval for wildfire preparedness programs, enabling timely vegetation management in fire-prone areas while ensuring compliance with environmental laws	Support	Promote livability and environmental stewardship
8	SB 16 (Blakespear)	Ending Street Homelessness Act	SB 16 imposes new requirements on the Homeless Housing, Assistance, and Prevention (HHAP) program by mandating that newly constructed interim housing be included in regional	Oppose	Protect local control

MEMORANDUM

Office of the City Manager



			housing needs allocations for acutely low-income households, creating a state-mandated local program amid budget cuts and limited long-term funding.		
9	SB 346 (Durazo)	Local Agencies: Transient Occupancy Taxes: Short-term Rental Facilitator	SB 346 strengthens local enforcement of transient occupancy taxes (TOT) on short-term rentals by granting cities access to property information and audit authority, addressing inconsistent tax collection and unlicensed unit oversight.	Support	Protect and increase local funding
10	SB 445 (Wiener)	Transportation Projects: Permitting	SB 445 introduces a state permitting process that limits local governments' authority over public infrastructure by imposing strict deadlines and shifting decision-making power, potentially resulting in automatic approvals without adequate local input or safety oversight.	Oppose	Protect local control
11	SB 454 (McNerney)	State Water Resources Control Board: PFAS Mitigation Program	SB 454 establishes the Per- and Polyfluoroalkyl Substances (PFAS) Mitigation Fund to support local water agencies in covering treatment costs and meeting PFAS standards, using existing and future nonstate, federal, and private funding to ensure safe drinking water.	Support	Pursue or retain federal and state funding for key efforts Promote livability and environmental stewardship
12	SB 707 (Durazo)	Open Meetings: Meeting and Teleconference Requirements	SB 707 is a bill that sets standards of openness and dictates the precise operational details of how meetings must be conducted.	Oppose	Protect local control Support efforts to keep Milpitas safe

NEXT STEPS:

Staff will provide a report on the latest 2025 legislative season activities, impacts of the One Big Beautiful Bill Act on the City and local economy, and the California Fiscal Year 2026 Budget on non-land

455 E. Calaveras Blvd., Milpitas, CA 95035

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MEMORANDUM

Office of the City Manager



use impacts, primarily focused on Medi-Cal, homelessness, and housing-related topics, at an upcoming City Council meeting.



October 3, 2025

Subject: Important Update: Potential Non-Receipt of CDBG Funds This Fiscal Year

Dear Subrecipient,

We are writing to inform you of an important update regarding the City of Milpitas' Fiscal Year 2025-2026 (FY 25-26) CDBG entitlement funding which was recommended for allocation to various programs and services as part of Item 16 at the June 3, 2025 meeting of the Milpitas City Council. The City recently received the new and revised United States Department of Housing and Urban Development (HUD) Federal Award Grant Agreement (Agreement) which must be signed before the City can receive, and distribute, the FY 25-26 entitlement funding. The Agreement introduces new policies with unclear compliance requirements. Without further guidance, the City is unable to confidently sign the agreement with these terms at this time. As a result, there is a possibility that you may not receive your expected FY 25-26 CDBG entitlement funds from the City of Milpitas as previously anticipated. We recognize that this uncertainty may affect your planning and operations, and we wanted to notify you as early as possible.

As a reminder, reimbursable activities can only occur after an agreement has been executed between the City and a subgrantee. Please be aware that if you choose to use funds for activities or projects in Milpitas prior to completion of an executed agreement, you do so at your own risk. These expenses may not be reimbursed, including if the City ultimately does not receive FY 25-26 entitlement funding from HUD.

We recommend that you exercise caution and carefully consider this risk in your financial decisions. We will keep you informed of any updates or confirmations regarding funding as soon as more information becomes available.



**FY 25-26 CDBG Entitlement
Funding, City of Milpitas**

October 3, 2025
Page 2 of 2

If you have any questions please contact Matt Cano at 408-890-8065 through October 10th. After October 10th, please contact Michelle Silva at 408-586-3244. Thank you for your understanding and cooperation.

**Matt
Cano**

Digitally signed
by Matt Cano
Date: 2025.10.03
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Matt Cano
Assistant City Manager
City of Milpitas



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Report on Violations of the City's Code of Conduct, Council Handbook, Open Government Ordinance, and Municipal Code (Staff Contact: Deanna J. Santana, City Manager, 408-586-3050)
Category:	Leadership and Support Services
Meeting Date:	10/21/2025
Recommendation:	Discuss violations and determine manner in which the Council will hold one another accountable consistent with the Council Code of Conduct and other applicable rules and policies.

The City of Milpitas has a Code of Conduct, Council Handbook, Municipal Code, and various laws that establish rules and regulations for a Councilmember's conduct, authority and, overall, how to perform the work of an elected official. The Council Code of Conduct specifically states that the Council will "respect the line between policy and administration" and "hold one another accountable to comply with this Code of Conduct."

In accordance with the above, the purpose of this memo is to formally report to the Council that there has been a series of violations by Councilmember Evelyn Chua and allow for the Council to discuss its Code of Conduct and determine next steps. I am delayed in sharing this information because I have been coordinating this public report with the Acting City Attorney who issued an attorney-client memorandum on October 8, 2025.

BACKGROUND:

During the week of August 24, 2025, Councilmember Chua took several actions in violation of the Code of Conduct, Council Handbook, and Municipal Code when an Office Specialist was directed to schedule a Special City Council Closed Session meeting to interview a city attorney candidate with the full Council in attendance. In the process of trying to schedule this meeting, Councilmember Chua did not consult with the appropriate staff responsible for the City's noticing requirements and directed an Office Specialist that the meeting needed to be confidential without any other staff involvement, to poll the Council for availability, and reserve a room for this Council meeting (Exhibit 1).

In California, when a Councilmember directs staff to schedule a meeting that is not legally noticed, it can lead to a violation of the Ralph M. Brown Act--the state's open meeting law. The Act prohibits secret meetings and requires that the public be given notice and an opportunity to participate in local government. A Councilmember who violates these rules can face both civil and criminal penalties. Please see below for more information about Brown Act Violations:

Intentional violation:

- A councilmember who intentionally acts in violation of the Brown Act to deprive the public of information is guilty of a misdemeanor.
- Illegal action: The Brown Act requires local agencies to hold meetings in public and post a proper agenda for special meetings at least 24 hours in advance. If a special meeting is called without this notice, any decision made during that meeting can be declared void by a court.
- Subverting the process: The Brown Act applies to any gathering of a majority of a legislative body to "hear, discuss or deliberate" on matters within its jurisdiction. Directing staff to subvert the public notice process to conduct a meeting in secret is a serious violation of the act's mandate for transparency.

Civil and administrative penalties:

- Voiding the action: Any action taken during a meeting that violates the Brown Act can be challenged in court and declared null and void.
- Legal fees: The city could be sued to invalidate the action, with the agency responsible for paying the legal costs and attorney's fees if the challenge is successful.

- Reputation and trust: Violations of open meeting laws cause significant damage to the public trust and erode confidence in local leadership.

Criminal penalties:

- Misdemeanor charge: An individual councilmember who intentionally conspires with staff to hold an illegal meeting can be charged with a misdemeanor. The penalty could include a jail term of up to six months and/or a fine of up to \$1,000.
- Removal from office: In cases of willful or corrupt misconduct, an elected official's actions could lead to removal from office.

ANALYSIS:

Brown Act Violation Averted

Councilmember Chua's text messages to the Office Specialist (Exhibit 1) demonstrate directives to hold a Closed Session Council meeting that would be confidential and without staff involvement. Had this meeting taken place, a Brown Act violation would have occurred with severe consequences for Councilmember Chua, the city, and the city attorney recruitment. The city is fortunate that the Assistant City Manager immediately recognized the existing risk when the Office Specialist casually commented that she was working on Councilmember Chua's directives. Through discussion with the Assistant City Manager when he learned of these directives, he stated that he was surprised that a request was being made by a Councilmember to set up a Council meeting without going through the proper channels and that the Office Specialist was immediately directed (1) to stop working on the Councilmember's tasks and (2) to ask the Councilmember to reach out to the City Manager to facilitate this request. The Assistant City Manager then called the City Manager advising her to intervene immediately, which resulted in this meeting not being held. The interview was later scheduled with proper procedure and Brown Act compliance.

Key to Councilmember Chua's directives is that the Office Specialist asked for Councilmember Chua to work with the City Manager, so that she could get formal direction and assistance with "figuring this out," (which was at the direction of the Assistant City Manager). The Office Specialist role is not responsible for convening Council meetings or ensuring compliance with the Brown Act, and this request did not follow the process used for other interviews. Rather than Councilmember Chua calling to coordinate the meeting with the City Manager, Councilmember Chua's directives were restated and reinforced. The below text messages transpired, while the Assistant City Manager and the Office Specialist were on a conference call working through these issues. Based on a discussion with the Assistant City Manager, it was clear that the Councilmember was continuing to direct the Office Specialist despite her request for the City Manager to get involved (Exhibit 4). Below is the communication that took place:

Chua	Thanks Michelle! Only Mayor, 4 CMs, Sherrill & [REDACTED], the CA candidate. We can have the closed session OR 3 rd floor conference room for the zoom call. Did you get confirmation of the date/time from the everybody?
Michelle	Thank you for the clarification. Would you mind checking in with Deanna to discuss this so that I can get direction from her I will need her help figuring this out. Thank you so much.
Chua	This is only for elected officials and no staff involved. This is the task: (1) scheduling the time good for the elected officials and (2) save the conference room. Let me know if you have any questions. Thanks.

During the brief process of trying to avert this Brown Act violation, a discussion took place between Councilmember Chua and Interim City Manager Santana. The discussion is summarized in an email dated August 29, 2025 (Exhibit 2). While some details differ between Councilmember Chua and City Manager Santana's recollection of this call, both agree that the call ended with Santana resigning. The City Manager then called the City Manager's Office staff advising of her resignation resulting from the tense telephone call and awareness of the severity of Councilmember Chua's actions to overlook the duties of the city, Councilmembers, City Attorney, City Clerk, City Manager, Assistant City Manager, city attorney candidates and recruitment process, and governance in whole.

This matter was reported to the Santa Clara County District Attorney's Office's Public Integrity Unit for review and determination. The District Attorney reviewed the materials and determined that there was an effort to convene a nonpublic and non-noticed Council interview/meeting, and that had that meeting occurred in violation of the Brown Act, "any subsequent appointment of a new city attorney would have been subject to nullification, and the individual councilmembers potentially subject to criminal prosecution." The District

Attorney's Office concluded, "Fortunately, the system worked as it should, and the city manager was able to avert the violation." (Exhibit 3) It is important to note that it is a misdemeanor to intentionally deprive the public of information it is entitled to under the Brown Act, regardless of if the member intends to violate the law. (Gov. Code, § 54959.) Similarly, a violation occurs where a member has "reason to know" the public is entitled to that information regardless of if the member does not actually know.

Councilmember Interference

With the Brown Act violation averted, there remain other violations that the Council has not yet addressed. Councilmember Chua engaged in interference by directing an Office Specialist to schedule a Council meeting (Exhibit 4). Council requests for a closed session must go through the City Attorney. (Council Handbook, Ch. V, § B(1) and (2).) Council requests for meeting agendization must go through the City Manager (Council Handbook, Ch. V, § B(1) and (2)), who is responsible for coordination and administration of the City's open meeting rules (MMC I-310-4.20), including the posting and creation of meeting agendas and related disclosures (MMC I-310-2.30). Only the Mayor, or the Council by majority vote, can call a special meeting (Council Handbook, Ch. IV, § D(2)), and only the Council by majority vote can similarly place items on a future meeting agenda (Council Handbook, Ch. V, § B). An individual Councilmember working through the Office Specialist does not have authority to schedule, notice, and agendize a Council meeting, let alone a "confidential" meeting "with no staff involvement." A Councilmember giving direct orders to staff to sidestep official procedures can:

- Violate the council-manager form of government,
- Cause needless distress for all staff members impacted by attempts to interfere,
- Overstep legislative authority resulting in interference, and
- Expose the city to an undesirable reputation, legal issues, and overall poor image of governance.

Specifically, Section VI-I-2.04 of the Milpitas Municipal Code explicitly states, "Except for purposes of inquiry, the City Council and its members shall deal with the administrative staff solely through the City Manager." Exhibit 4 provides detail of how the Office Specialist felt stressed, lack of job security, and possibly subjected to inappropriate treatment from Councilmember Chua for not following her directives. Upon returning to work, the Office Specialist asked the City Manager if she would be terminated, not understanding whether she had done something wrong by not following Councilmember Chua's directives. Council interferences is a very serious violation and, in this case, caused for a resignation and months of distress for City Manager and City Attorney Office staff. Councilmember Chua's interference has created workplace discomfort for staff, stress of what will happen next and if it will happen again and, in all, questions of whether there is an understanding on the part of Council and Councilmember Chua, specifically, of how severe these actions were for the staff team.

Other Policy and Procedural Violations

In addition to Councilmember Interference, there were other Code of Conduct and Council Handbook violations which are summarized below:

1. **Avoid Surprises and Model Civility (Code of Conduct Violation)** – Staff was not aware of the need to schedule a Special Council meeting on September 2, 2025, until about 4:15 p.m. on Friday, August 29, 2025. Staff delayed the City Council Agenda production process to get more information about this request. The City Manager learned of this request around 4:30 p.m. by City staff and efforts were made to resolve this matter before 5 p.m. Staff was caught by surprise on a late Friday afternoon and had to redirect not only the City Council Agenda production process, but other priority work that staff needed to complete before close of business and three-day weekend. This type of "surprise" and redirection of staff capacity lacks workplace civility and could have been entirely avoided with advanced coordination as specifically requested by the Office Specialist. Staff in the City Manager's Office, City Attorney's Office, and City Clerk's Office was left needlessly scrambling on a late Friday afternoon about the status of the Council Agenda packet production and Councilmember Chua's request.
2. **Respect the line between policy and administration (Code of Conduct, Council Handbook, and Municipal Code Violation)** – See above re Council Interference and Exhibit 4 for how Council Interference has impacted the Office Specialist.
3. **City Council Meeting Agendas (Council Handbook, Open Government Ordinance, and Council Handbook Violation)** – The City Attorney is responsible for producing Closed Session agendas. The City's Open Government Ordinance states that the City Manager is responsible for the coordination and

administration of open meeting rules. Both the City Attorney and City Manager should have been informed by Councilmember Chua and work with the Council to ensure that all administrative logistics were handled to enable a legally noticed meeting of the Council. No effort was made to adhere to these requirements: in fact, direction was given to the Office Specialist that it was to be confidential with no staff involved.

4. **Calling of a Special Council Meeting (Municipal Code and Council Handbook Violation)** – A Councilmember does not have the authority to call for a Special City Council Meeting. Special meetings can be called by the Mayor or by City Council majority. See # 3 above for more detail.
5. **Sub-Committee Procedures (Council Handbook)** – Several procedural violations took place with respect to the rules for working as a Council sub-committee. Councilmember Chua acted independent of the Sub-Committee and Council by attempting to schedule an interview with a candidate, without the Council or sub-committee consent, and did not work appropriately with the staff to support subcommittee work. The Council Handbook is clear that subcommittees shall obtain Council concurrence before they proceed in any direction different from the original instructions of the Council, and that Subcommittees should not implement policy, provide direction that would result in incurring additional expenses or provide direction to staff to take any actions that are not consistent with existing Council direction without first obtaining Council approval for such actions. There was no new direction from Council, from August 26 through August 29, 2025, to schedule a meeting of this nature.

POLICY ALTERNATIVES:

If the Council desires a more robust conversation on these issues, the Council will need to:

1. By motion and majority vote, waive the confidentiality of the Acting City Attorney's attorney-client memorandum dated October 8, 2025.

By this action, the findings in the above referenced report would be public. However, it is worth noting that this is already not a confidential matter, nor are the materials documenting this series of violations: the text messages, resignation email, District Attorney's letter, recruiter emails, and other materials included in this report are not protected or designated as confidential information. Confidentiality is only limited to the Acting City Attorney's legal opinion of Councilmember Chua's violations: therefore, this is already a public issue and, should be, as the public has the right to know when violations of this nature have occurred.

Given that the City's Code of Conduct explicitly states that Councilmembers "will hold one another accountable," there are options for the Council to consider. These actions can occur regardless of whether the confidentiality of the memorandum mentioned above is waived:

1. **Note and File** – This action would accept this report without taking further action to hold the Councilmember accountable. This action would most likely be in conflict with the City's Code of Conduct.
2. **Council Action Short of Accountability and Censure**– Council, by majority vote, can adopt a statement which disapproves of these actions.
3. **Accountability** – Council can verbally admonish by motion at this Council Meeting or, by a majority vote, direct staff to return with a formal resolution to admonish at a future scheduled meeting. With these listed policy options, the Council may take accountability measures by directing training, requesting a formal apology, and/or other consequences relative to formal duties.
4. **Censure** – Councilmembers may act to Censure Councilmember Chua as detailed in the attached in the City's Censure Policy (Exhibit 5).

ATTACHMENT(S):

Exhibit 1: Text Messages and emails from week of August 24, 2025

Exhibit 2: Correspondence with District Attorney's Office

Exhibit 3: Interim City Manager Resignation email from Friday, August 29, 2025

Exhibit 4: Report from Office Specialist

Exhibit 5: City of Milpitas Censure Policy

EXHIBIT 1

10:09

LTE



+1 (408) 208-6318 >

Thursday 6:32 AM

Good morning, Michelle.

I know you're off today. This is for Friday when you get back.

For the confidential meeting with [REDACTED] I'm only available Monday and Tuesday next week. Monday is a holiday so Tuesday is ideal.

Please refer to the related email and thanks.

CM Chua

Thursday 8:11 AM

Thank you!

Also, if everyone is available on Monday, a holiday. We can do it at City Hall when there no employees around. Something to think about. Thanks

I don't think anyone will be available but I can certainly inquire!



iMessage



10:09

LTE



+1 (408) 208-6318 >

Thursday 2:12 PM

K

Friday 3:15 PM

Anytime Tuesday is good then.

Closed session starts at 6pm.
Maybe 4pm will be good. We'll
just do zoom.

Later on, We can do in person if
the Council decides. Thanks,
Michelle.

Thank you

Kindly let Sherrill know the
confirmed time so she can let [REDACTED]
[REDACTED] know. 🙏

Will do Councilmember!

Hi Councilmember, just so I make
sure I am being diligent I want to
confirm that all council and
Sherrill is to be on this zoom
meeting Tuesday at 4pm to meet
with the candidate?



iMessage



10:09

LTE



+1 (408) 208-6318 >

I have the calendar marker ready to go with your approval thank you!

Thanks, Michelle!

Only Mayor, the 4 CMs, Sherrill, & [REDACTED] the CA candidate.

We can have the closed session OR 3rd floor conference room for the zoom.

Did you get confirmation of the date/time from the everybody? 🙏

Thank you for the clarification, would you mind checking in with Deanna to discuss this so I can get direction from her I will need her help figuring this out. Thank you so much!

Delivered

This only for the elected officials and no staff involved.

This is the task:
1) scheduling the time good for the elected officials



iMessage



her help figuring this out. Thank you so much!

Delivered

This only for the elected officials and no staff involved.

This is the task:

- 1) scheduling the time good for the elected officials
- 2) save the conference room

Let me know if you have any questions. Thanks



iMessage



10:28

LTE 



From: Evelyn Chua <echua@milpitas.gov>
Sent: Wednesday, August 27, 2025 8:43 AM
To: Sherrill Uyeda <suyeda@alliancerc.com>
Cc: Garry Barbadillo <gbarbadillo@milpitas.gov>
Subject: Third CA Candidate

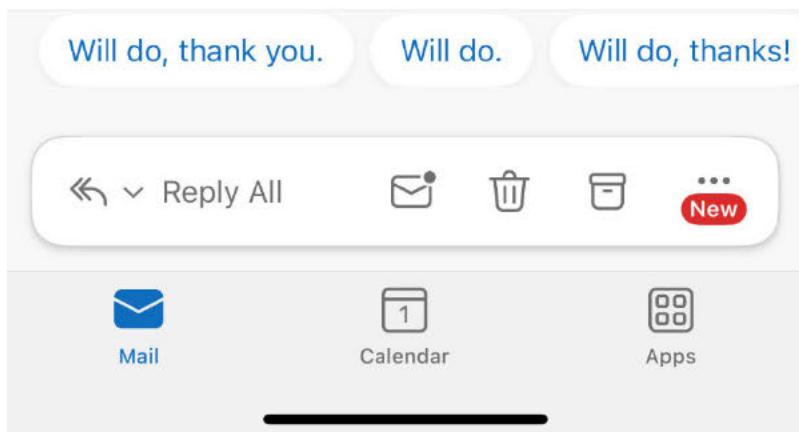
Hello Sherrill,

Can you please connect with the third candidate, [REDACTED] for a zoom interview. The sooner he's available the better.

Please let me know if you need anything else.

Thanks,
Councilmember Chua

Get [Outlook for iOS](#)





From: Sherrill Uyeda <suyeda@alliancerc.com>
Sent: Wednesday, August 27, 2025 9:30:03 AM
To: Evelyn Chua <echua@milpitas.gov>
Cc: Garry Barbadillo <gbarbadillo@milpitas.gov>
Subject: RE: Third CA Candidate

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 security team using the Phish Alert button in your Outlook.

Hi Councilmember Chua,

I am confirming we are checking his dates of availability.

Best,
Sherrill



v Reply All



New



Mail



Calendar



Apps

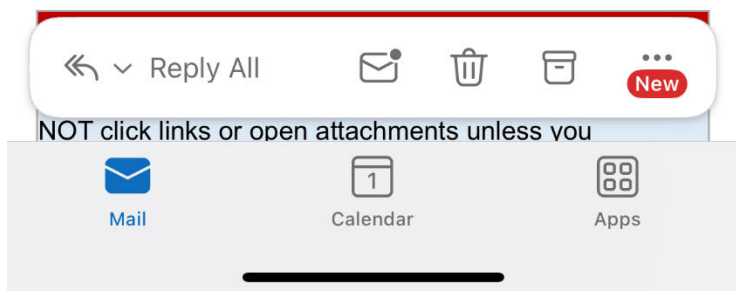


From: Evelyn Chua <echua@milpitas.gov>
Sent: Wednesday, August 27, 2025 10:12 AM
To: Sherrill Uyeda <suyeda@alliancerc.com>
Cc: Garry Barbadillo <gbarbadillo@milpitas.gov>
Subject: Re: Third CA Candidate

Great, thanks for the update.

Get [Outlook for iOS](#)

From: Sherrill Uyeda <suyeda@alliancerc.com>
Sent: Wednesday, August 27, 2025 9:30:03 AM
To: Evelyn Chua <echua@milpitas.gov>
Cc: Garry Barbadillo <gbarbadillo@milpitas.gov>
Subject: RE: Third CA Candidate



**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 security team using the Phish Alert button in your Outlook.

Hi Councilmember Chua and Vice Mayor Barbadillo:

Here is [REDACTED] availability:

I can try to do a zoom call on Friday 8/29 around noon. Otherwise, I get back into town [on Sunday night](#). Given that Monday is a holiday, I can meet [on Tuesday 9/2](#), Wednesday 9/3 or [Friday 9/5](#), preferably mid-morning or early afternoon but can adjust depending on everyone's schedules. It would be great to have the in-person interview next week if possible. I appreciate it, thank you!

Please let me know how to proceed and schedule.

Best,

Sherrill



Reply All



New



Mail

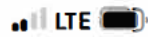


Calendar



Apps

10:28



To You, Garry Barbadillo, +1



Hello Michelle,

Please confidentially reach out to the Mayor and Councilmembers to setup a meeting based on [REDACTED] availability. Please refer to the email thread. The location is to be determined later.

Please let me know if you have any questions.

Thanks,
Councilmember Chua

Get [Outlook for iOS](#)

From: Sherrill Uyeda <suyeda@alliancerc.com>
Sent: Wednesday, August 27, 2025 3:40:59 PM
To: Evelyn Chua <echua@milpitas.gov>
Cc: Garry Barbadillo <gbarbadillo@milpitas.gov>
Subject: RE: Third CA Candidate

CAUTION: EXTERNAL SENDER



Reply All



Mail



Calendar



Apps

EXHIBIT 2

From: [Jared Hernandez](#)
To: [Deanna Santana](#)
Subject: FW: Possible Brown Act Violation
Date: Thursday, September 4, 2025 9:49:57 AM
Attachments: [In Re THE HONORABLE MIKE THOMPSON 80 Ops Cal Attv Gen 308 \(1997\).docx](#)

From: Chase, John <jchase@dao.sccgov.org>
Sent: Thursday, September 4, 2025 9:43 AM
To: Jared Hernandez <jhernandez@milpitas.gov>
Subject: Possible Brown Act Violation

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 security team using the [Phish Alert](#) button in your Outlook.

Dear Chief Hernandez,

I have reviewed the materials you provided and determined that there is no role for the District Attorney's Office at this time regarding the attempted convening of a nonpublic, non-noticed city council interview of a potential city attorney appointee. Fortunately, a Brown Act violation was avoided.

Although Government Code section 54957, subdivision (b), permits such interviews to be conducted outside the public's view (see the attached Attorney General opinion), they must take place in a properly noticed closed session. As I understand the facts, public notice of the interview was not contemplated here.

Had the interviews been conducted in violation of the Brown Act, any subsequent appointment of a new city attorney would have been subject to nullification, and the individual councilmembers potentially subject to criminal prosecution.

Fortunately, the system worked as it should, and the city manager was able to avert the violation.

Regards,

John Chase
Deputy District Attorney

EXHIBIT 3

From: Deanna Santana <dsantana@milpitas.gov>
Sent: Friday, August 29, 2025 5:30:45 PM
To: City Council <city_council@milpitas.gov>
Cc: Christopher Creech <ccreech@milpitas.gov>; Matt Cano <mcano@milpitas.gov>
Subject: CONFIDENTIAL: Two Month Notice -- As required by my Employment Agreement

Good Evening City Council,

The purpose of this notice is to advise the City Council that I am submitting my notice of intention to resign.

Over the past two weeks, I feel that Councilmember Chua has engaged in some poor practices between the Councilmember:Manager relationship and I have felt tension toward me from her. I have tried to respond in the best way possible to support the City Council, but I feel that the tension toward me does not allow for me to fulfill my duties.

The most recent being this evening (at 4:30 p.m.). Without any notice to me, Councilmember Chua reached out to Michelle and asked her to reserve a room, poll the city council for a meeting to be held on Tuesday at 4 p.m., and to reach out to the third City Attorney candidate for to confirm an interview.

Michelle immediately called Matt and then me. I reached out to Councilmember Chua by phone and sent an urgent text for her to call me. When I did not hear back from her, I called the Mayor asking if she can get in touch with Chua so that she could call me because staff was getting ready to leave and we did not know anything about this request.

Michelle called stating that she got a directive from Chua asking for the above requests of holding a room for Council only, polling the Council, and confirming the candidate. I was providing Michelle the instructions of what she could do (hold the room and poll the Council), when Councilmember Chua called at 4:55 p.m.

Councilmember Chua ask why I was calling and I explained to her that a Special Meeting was required to convene the full Council for an interview, she did not agree and stated that it was just an interview. I advised that only the City Attorney or City Manager could notice the meeting and that Michelle did not know how to do that and her response was that I had five minutes. I stated that I was only trying to make sure the meeting was properly noticed and in compliance with state law. She disagreed, and I clarified that a meeting of the full Council requires an agenda and that only the City Attorney and City Manager could initiate that, not Michelle. This caused tension from her toward me.

This is not how to support the Council with its needs, it would have been better for her not to disclose the candidates name and number to Michelle, and instead work through the City Manager or City Attorney. She was frustrated my explanation of the requirements and concern that Michelle play this role.

I expressed to Councilmember Chua that I felt like there was some tension coming from her and that I wanted to talk it over. The conversation got worse and I stated that if she wasn't happy with my work that I would resign. She stated that that is a conversation for next week. Given the above and two other recent examples that I feel have caused tension from her toward me, I told her that I would resign.

I came to Milpitas to help fix the organization, not to fight or be disrespected. Unfortunately, over the last two weeks, both have happened with Councilmember Chua.

Please accept this as my two-month notice, I will fulfill my professional duties and wish you all the best.

Sincerely, Deanna

EXHIBIT 4

October 16, 2025

Dear Milpitas City Council,

I am writing this letter to talk about my interaction with Councilmember Evelyn Chua that took place on Friday, August 29, 2025.

She asked me to schedule a meeting with the city attorney candidate, the recruiter, and the full council. I asked her to clarify if she wanted the whole council present for this meeting, and she confirmed that she did.

Shortly after that request, I had an impromptu call with Matt about a separate scheduling issue. During that call, I mentioned what I had been asked to do. I was unsure if this was something I should be doing, and I was stressed about completing the direction appropriately. A councilmember had made a request, and I wanted to fulfill it, but something about it didn't feel right.

Matt listened and explained why I could not schedule that kind of meeting. He told me to draft a text to CM Chua asking her to connect with the City Manager instead. While I knew that getting the City Manager involved was the right thing to do, that made me nervous, and I told him that. I was nervous because I knew CM Chua would not appreciate the delay in scheduling or the fact that I had not simply followed her direction of having no staff involved. This added more stress and made me feel like I was going to be in trouble with CM Chua.

My role as Office Specialist is to support the Council and their requests, and I take pride in being able to do that. I feel that because I am committed to following through and always trying to meet expectations, I was placed in a situation where I could have been blamed if something went wrong. This made me feel somewhat manipulated by being asked to do something that I had never done and did not know how to do but was asked to keep all of this confidential from my bosses.

I composed the text and sent it. She responded, saying, "this is for elected officials and no staff involved," and then restated the task. At this point, I felt conflicted, unsure, and stressed. I have never been asked to complete work without being able to go to the City Manager or Assistant City Manager and I knew that this was not the right way to work. The tone of her message made me feel like she was unhappy with me, not just for not scheduling the meeting, but also possibly for pushing back by asking her to go through the City Manager. I felt like I was being asked to compromise my regular way of working with the

City Manager and Assistant City Manager to accommodate her need for secrecy. It felt wrong and I felt like she was pressuring me.

So, after thinking this through, I called Matt back, and he had the City Manager on the line. I told them what she had said. I was then asked if I had the authority to schedule a special meeting, because that is what this would be. I said no, because I do not have that authority.

Now it was almost 5 PM, and I was nervous, anxious, and worried. I felt afraid of what was going to happen. I was scared about a councilmember being upset with me. Would that put my job at risk? If I had scheduled the meeting, it could have created a serious issue for the City and my name would have been all over it. I would have been involved in something that could have broken the law, made me look like a co-conspirator, and damaged the City's reputation. Just realizing that was incredibly scary.

I also felt like I looked incompetent for not scheduling it. But if I had scheduled it, I would have looked just as incompetent for not knowing the limits of my role after two years with the City and for putting so many things at risk.

I spent the entire weekend sick to my stomach and worried. Was I in trouble? Did I handle it wrong? Would I be fired first thing Tuesday morning? Should I have just scheduled it and not involved Matt or the City Manager? Can a councilmember have me fired? Will she try to have me fired or retaliate against me for not following her direction?

On Tuesday, I wanted to call in sick because I was unsure what was waiting for me. I was scared to run into her in case she was angry. I've felt that kind of tension before, and the fear of being shut out or on the receiving end of anger made it hard to show up.

This whole situation has been a rollercoaster of emotions for me. Even though both Matt and the City Manager have assured me that I did the right thing, I still cannot shake the anxiety. I am so grateful for Matt being there to guide and support me. Without him and his quick response, I could have made a serious and costly mistake for myself professionally and for the City. I wish that CM Chua would have left me out of this, it has caused for a lot of stress.

Sincerely,

A handwritten signature in black ink, appearing to be 'Michelle Rodriguez', with a stylized, flowing script.

Michelle Rodriguez

EXHIBIT 5

RESOLUTION NO. 8703

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING A
CENSURE POLICY FOR THE CITY COUNCIL**

WHEREAS, on May 16, 2017, the City Council of the City of Milpitas directed staff to draft a policy to allow for censure of members of the City Council and authorized more than four hours staff time to do so; and

WHEREAS, on August 1, 2017, the City Council considered, but did not adopt a proposed censure policy for the City Council; and

WHEREAS, on October 3, 2017, the City Council again considered a proposed censure policy and directed staff to return with a revised version of the policy to have the City Attorney appoint the ad hoc subcommittee charged with reviewing requests for censure, and to provide the City Council with other disciplinary options in addition to a formal resolution of censure.

WHEREAS, staff has drafted a revised censure policy as directed, a copy of which is attached hereto and incorporated herein as Exhibit A; 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 the City of Milpitas Censure Policy, attached hereto as Exhibit A.

PASSED AND ADOPTED this 7th day of November, 2017, by the following vote:

AYES: (5) Mayor Tran, Vice Mayor Grilli, Councilmembers Barbadillo, Nuñez and Phan

NOES: (0) None

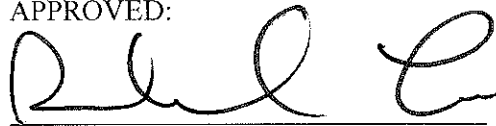
ABSENT: (0) None

ABSTAIN: (0) None

ATTEST:


Mary Lavelle, City Clerk

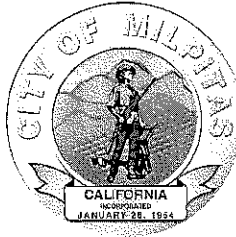
APPROVED:


Rich Tran, Mayor

APPROVED AS TO FORM:


Christopher J. Diaz, City Attorney

EXHIBIT A



CITY OF MILPITAS CENSURE POLICY

- (a) Purpose: This policy provides the mechanism by which the City Council, acting as a whole, may adopt a resolution of censure expressing the Council's disapproval of the conduct of a Councilmember if the Council finds, subject to the procedures set forth herein, that a Councilmember's conduct violates federal, state or local law, or any by-law, standing order, or policy of the City Council.
- (b) Request for Censure: A request for censure may be submitted by any Councilmember or the Mayor in writing to the City Clerk. The request must contain the specific charges on which the proposed censure is based.
- (c) Ad Hoc Committee Consideration: Upon receipt of a request for censure, the City Clerk shall forward the request to the City Attorney. The City Attorney shall appoint an ad hoc Committee of the Council to conduct preliminary review of the request. The ad hoc Committee shall not include the Councilmember making the request or the Councilmember who is the subject of the request.
- (1) The City Clerk shall deliver a copy of the request for censure and the charges to each member of the City Council at least 72 hours prior to the first meeting of the ad hoc Committee to give preliminary consideration to the request.
 - (2) At a meeting held no sooner than 72 hours of receipt by all Councilmembers of the above notice, the ad hoc Committee shall consider the request together with any evidence or testimony submitted by the Councilmember making the request and the Councilmember subject to the request, and shall determine whether:
 - (i) Further investigation of the charges is required; or
 - (ii) The charges should be forwarded to the Council for censure hearing; or
 - (iii) No action is required.
 - (3) If the ad hoc Committee determines that no further action should be taken with regard to the request, the Committee shall make such report to the Council at the earliest opportunity.
 - (4) If the Committee determines that further investigation is required, the Committee shall conduct an investigation and arrive at a recommendation regarding the request and report its conclusions, findings and a summary of its proceedings to the Council at its earliest opportunity.

(5) If the ad hoc Committee does not report its recommendations and findings to the Council within 30 days of the formation of the Committee, the matter shall automatically be sent to the Council for consideration.

(d) Council Consideration: Upon receipt of the report of the ad hoc Committee, or at the expiration of the time for the ad hoc Committee to report, the City Clerk shall place the matter on the Council's next agenda in order for the Council to receive the Committee report and determine whether a censure hearing is warranted. If the Council decides to set the matter for censure hearing, it shall schedule the hearing no sooner than two weeks after its determination to hear the matter. The Council shall not schedule the matter during any previously scheduled excused absence of the subject Councilmember. A Councilmember who is the subject of an alleged violation shall be ineligible to vote on any matter related to a disciplinary action including, but not limited to, agendizing the hearing and adopting a resolution of censure.

(1) Written notice of the hearing shall be delivered in person to the Councilmember subject to the censure hearing at least ten (10) days in advance of the scheduled hearing.

(2) At the censure hearing, the Councilmember who is the subject of the request for censure shall be given the opportunity to make an opening and a closing statement, to call witnesses on his or her behalf and to question his or her accusers. The subject Councilmember may be represented by a person or persons of his or her choice whether or not an attorney at law and may have that representative speak or question witnesses on his or her behalf. The questioning or cross-questioning of witness may be reasonably limited by the Mayor or Vice-Mayor if the Mayor is the subject of the censure. Testimony shall be taken only from witnesses having direct knowledge of facts or circumstances relevant to the specific charges under consideration. However, the rules of evidence and judicial procedure applicable in courts of law shall not be apply to this hearing, and the procedures shall be generally informal.

(e) Disciplinary Action. If, at the close of the censure hearing, a majority of the City Council finds that the subject member's conduct violates federal, state or local law, or any by-law, standing order, or policy of the City Council, the Council may take one or more of the following measures:

(1) Admonition. An admonition may be directed to all members of the City Council, reminding them that a particular type of behavior is in violation of law or City policy.

(2) Direction to Correct. The direction should be given to the subject Councilmember to correct the result of the particular behavior that violated law or City policy.

(3) Informal reprimand. The reprimand should be directed to the subject member of the City Council based on a particular action (or set of actions) that is determined to be in violation of law or City policy, but is considered by the Council to be not sufficiently serious to require formal censure.

(4) Resolution of Censure. The City Council may adopt a resolution of censure based on clear and convincing facts supporting the allegations of misconduct giving rise to the censure. A resolution of censure may include the imposition of sanctions against the Councilmember as a majority of the City Council deems appropriate. Such sanctions may include removal from a committee and restrictions on City-related travel privileges.