



STUDY SESSION AND REGULAR MEETING OF THE MILPITAS CITY COUNCIL



AGENDA

TUESDAY, MARCH 3, 2026

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

5:00 PM (STUDY SESSION)

7:00 PM (CLOSED SESSION & 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_2Ja-12tRQ96wnY8ttnzTNQ

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 (5:00 PM)

STUDY SESSION

- 1. Receive a Staff Presentation on the Preliminary FY2027 2031 Five-Year General Fund Financial Forecast and Provide Feedback on Desired Service Levels to Inform FY2026 27 Budget Development (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111)**

Recommendation: Receive a staff presentation on the Preliminary FY2027 2031 Five-Year General Fund Financial Forecast and provide feedback on service-level priorities to inform the FY2026 27 budget development.

CALL REGULAR MEETING TO ORDER (7:00 PM)

ADJOURN TO CLOSED SESSION

(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, International Association of Firefighters, Milpitas Police Officers Association, Unrepresented Employees

(b) CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code Section 54956.8
Property: APN Nos. 028-34-001 through 028-34-094
Agency's Negotiator(s): Assistant City Manager Matt Cano
Negotiating Parties: City of Milpitas and Milpitas Community Museum
Under Negotiation: Price and terms of payment

CLOSED SESSION ANNOUNCEMENT:

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

PLEDGE OF ALLEGIANCE

INVOCATION (Councilmember Chua)

PRESENTATIONS

- Red Cross Month (Proclamation)
- Youth Art Month (Proclamation)

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.

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

Recommendation: Receive City Council Calendar of Meetings for March 2026.

C3. Approve City Council Meeting Minutes (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

Recommendation: Approve City Council Meeting minutes of February 17, 2026.

C4. Receive the Preview List of Anticipated Items for the Next Regular City Council Meeting (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

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

C5. Receive and Review the List of Agenda Items Requested by City Councilmembers (Staff Contact: Suzanne Guzzetta, City Clerk, 408-586-3001)

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

C6. Authorize and Approve Travel Request for Mayor Montano, Councilmember Chua, and Councilmember Lam to Sacramento, CA for the CalCities City Leader Summit (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)

Recommendation: Authorize and approve travel to Sacramento, CA, for Mayor Montano, Councilmember Chua, and Councilmember Lam to Sacramento, CA for the CalCities City Leader Summit to be held on April 22-24, 2026, for a combined estimated total amount of \$6,000, budgeted under the Individual Elected Official allocation for Conferences/Meetings/Trainings.

C7. Establish Accessibility Compliance Fund (CAsp) (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111)

Recommendation: Adopt a resolution establishing the Accessibility Compliance Fund as a separate special revenue fund and authorizing the transfer of previously collected fees to the fund.

C8. Adopt a Resolution to Accept the Improvements, Authorize the City Engineer to File a Notice of Completion and Issue a Notice of Final Acceptance After the One-Year Warranty for the Hammond Way Streetlight Project (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)

Recommendation: (1) Adopt a resolution to accept the improvements; and (2) Authorize the City Engineer to file a Notice of Completion and issue a Notice of Final Acceptance after one-year warranty period for Hammond Way Streetlight Project, CIP No. 4301.

- C9. Adopt a Resolution to Accept the Improvements, and Authorize the City Engineer to File a Notice of Completion and Issue a Notice of Final Acceptance After the One-Year Warranty for Street Sealing Project 2024 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Recommendation: (1) Adopt a resolution to accept the improvements; and (2) Authorize the City Engineer to file a Notice of Completion and issue a Notice of Final Acceptance after the one-year warranty for Street Sealing Project 2024, CIP No. 3424, 3426, 4283, 4305 and 7118.

PUBLIC HEARINGS

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

- 10. Conduct the 2026 Weed Abatement Public Hearing and Adopt a Resolution to Abate the Weeds (Staff Contact: Arthur Belton, Deputy Fire Chief/Fire Marshal, 408-586-3384)**

Recommendation: (1) Conduct a public hearing; and (2) Adopt a resolution directing the County of Santa Clara Consumer and Environmental Protection Agency Weed Abatement Program to abate the nuisance, keep an account of the cost, and embody such account in a report and assessment list to the City Council in accordance with the Milpitas Municipal Code.

- 11. Approval of Issuance of Tax and Equity Fiscal Responsibility Act (TEFRA) Tax-Exempt Revenue Bonds by the California Municipal Finance Authority for An Amount Not Exceeding \$25,000,000 to Finance the CA Circle Family Apartments, An Affordable Housing Development Located at 1355 California Circle (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)**

Recommendation: (1) Conduct a public hearing under the requirements of TEFRA; and (2) Adopt a resolution approving the California Municipal Finance Authority's issuance of tax-exempt revenue bonds for the benefit of CA Circle Family Apartment LP to finance the multi-family affordable housing development located at 1355 California Circle, pursuant to the requirements of TEFRA.

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.



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Receive a Staff Presentation on the Preliminary FY2027-2031 Five-Year General Fund Financial Forecast and Provide Feedback on Desired Service Levels to Inform FY2026-27 Budget Development (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111)
Category:	Leadership and Support Services
Meeting Date:	3/3/2026
Recommendation:	Receive a staff presentation on the Preliminary FY2027-2031 Five-Year General Fund Financial Forecast and provide feedback on service-level priorities to inform the FY2026-27 budget development.

BACKGROUND:

The City of Milpitas (City) opens the public portion of its annual operating budget process with a preliminary budget study session with the City Council. This session is typically held in the 1st quarter of the calendar year to allow time for data collection and forecast refinement. At this City Council study session of the annual budget cycle, staff presents the preliminary five-year General Fund Financial Forecast for the operating budget, the contemplated budget community engagement plan, and a report on the City Council prioritizations. Staff seeks City Council direction on service-level priorities, including any areas where enhanced or reduced service levels, should be considered during budget development.

ANALYSIS:

Consistent with prior years, staff begin the FY2026-27 Operating Budget process with the Preliminary FY2027-2031 Five-Year General Fund Financial Forecast (Forecast). This document provides a preliminary base budget, incorporating guidance, methodologies, policies, and service levels reflective of the current 2025-26 fiscal year. This Forecast does not include Department and/or City Council-initiated proposals for changes to City levels of service in FY2026-27; those proposals will be brought forward and deliberated in a subsequent City Council Study Session.

Primary revenue projections are developed with input from subject matter experts and through trend and operational analyses. Expenditure forecasts consider staffing costs based on the authorized levels of the current fiscal year, prevailing union contracts, and anticipated increases for medical, pension, and cost-of-living adjustments. City fiscal policies remain in line with FY2025-26 as adopted by the City Council on [June 3, 2025](#), and forecasting methodologies have been refined through staff development of the Forecast over the past several months. The fiscal policies and methodologies may be adjusted during the budget development process or as directed by the City Council.

The Forecast presentation will also include high-level macro- and regional and local economic outlooks, addressing elements such as monetary policy, economic growth, inflation, labor markets, and consumer spending.

POLICY ALTERNATIVE(S):

Not applicable.

PROJECT SCHEDULE/KEY MILESTONES:

Public engagement is an essential component of the City's annual budget process. To better understand community priorities, the City conducted a statistically valid community survey, which found that two-thirds of respondents are satisfied with the quality of life in Milpitas. As the City moves forward with current budget and

service level discussions, community feedback continues to be gathered through an online community survey. Participation is being encouraged through coordinated messaging across City-owned social media platforms, newsletters, outdoor signage with QR codes, strategically placed postcards, utility bill inserts, and opinion leader letters to ensure residents are aware of the opportunity to share their input. Both surveys are available at: [Keep Milpitas Safe & Stable | Milpitas, CA](#). Findings from these surveys, along with additional community input, will inform the operating budget development process for FY 2026-27.

The following table outlines the major milestones and additional public engagement opportunities during the FY2026-27 budget development cycle.

Date(s)	Major Milestones and Public Engagement Opportunities
✓ December 12-30, 2024	Statistically valid community survey
✓ February 24, 2026	Budget Study Session – FY2027-2031 Capital Improvement Program (CIP) Study Session
→ March 3, 2026	Budget Study Session – Five-Year General Fund Financial Forecast
□ March – April 2026	Open Town Halls / Community Engagement Meeting(s)
□ March – April 2026	Employee Town Hall(s)
□ March – April 2026	Additional City Council FY2026-27 Operating Budget Study Session(s)
□ April 2026	User and Regulatory Fee 5-Year Update – Public Hearing
□ May 5, 2026	FY2027-2031 CIP Budget Adoption – Public Hearing
□ June 2, 2026	FY2026-27 Operating Budget Adoption – Public Hearing

FISCAL IMPACT:

Feedback from the Council on priorities and service levels will be used to develop the Proposed FY2026-27 Operating Budget. There is no direct fiscal impact associated with receiving this presentation.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The action is an administrative and 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.

ATTACHMENT(S):

None.

February 2026						
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

Milpitas City Council Calendar

March 2026

April 2026						
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		

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
1	2 7:00 PM -Parks, Recreation & Cultural Resources Commission (EC)	3 5:00 PM -Study Session 7:00 PM -Closed Session/City Council	4 2:00 PM -Santa Clara VTA Monthly Briefing - Northeast Group (CM) (Santa Clara)	5 5:30 PM -Santa Clara VTA Board of Directors (CM) 5:30 PM -Milpitas Chamber of Commerce Board (GB)	6	7
8	9 4:30 PM -Economic Development and Trade Commission (WL)	10 4:00 PM - Milpitas HOPE	11 7:00 PM -Silicon Valley Clean Energy Board of Directors (GB) (Sunnyvale)	12 4:00 PM -Santa Clara VTA Policy Advisory Committee (EC) 4:00 PM -Treatment Plant Advisory Committee (CM) (San Jose) 6:00 PM -Youth Advisory Commission (HL) 7:00 PM -Cities Assoc of SCC (CM)	13	14
15	16 7:00 PM -Science, Technology, and Innovation Commission (WL) 7:00 PM -Library and Education Commission (HL) (Milpitas Public Library)	17 5:00 PM -Closed Session 7:00 PM -City Council	18 4:00 PM - Finance Subcommittee (CM/EC) 6:00 PM -Energy and Environmental Sustainability Commission (EC)	19 5:30PM - Measure F Oversight Committee 6:30 PM -Bay Area Water Supply Conserv Agency (CM) (Oak Room - San Mateo Main Library) 7:00 PM -Public Safety and Emergency Preparedness Commission (WL)	20	21
22	23 7:00 PM -Arts Commission (CM)	24	25 7:00 PM -Planning Commission	26 4:00 PM -Silicon Valley Regional Interoperability Authority (SVRIA) (GB)	27	28
29	30	31  Cesar Chavez Day City Hall Closed				



REGULAR MEETING OF THE MILPITAS CITY COUNCIL

MINUTES

TUESDAY, FEBRUARY 17, 2026

The City Council of the City of Milpitas convened in a Regular Meeting of the Milpitas City Council on February 17, 2026, 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 7:00 PM. Roll Call was taken by Assistant City Manager Cano.

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

ABSENT: None

PLEDGE OF ALLEGIANCE

The City Council recited the Pledge of Allegiance.

INVOCATION

Councilmember Lien provided the invocation.

PRESENTATIONS

Mayor Montano, joined by the City Council, presented a proclamation recognizing Lunar New Year 2026. The proclamation was presented to members of the Milpitas High School Diabolo Club, including President Leah Wong, Vice President Forrest Lynn, and Treasurer Peter Lee, who accepted on behalf of their club and thanked the City Council for the recognition.

PUBLIC FORUM

There were the following public speakers:

1. Andres Mino
2. Alex Li
3. Kaveri

Acting City Manager Jared Hernandez responded that staff is preparing an information memo on cell tower installations for the Council that will be delivered within the next few days. Vice Mayor Barbadillo also requested follow-up information on the permitting process and policy considerations that the Council could address to alleviate community concerns.

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

Motion carried by the following:

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

NOES: None

CONSENT CALENDAR

There were no public speakers.

Motion: to approve the Consent Calendar.

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

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

Received City Council Calendar of Meetings for February and March 2026.

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

Approved City Council Meeting minutes of January 19 and February 3, 2026.

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. Adopt a Resolution to Authorize the City Manager to Submit an Application for Elective Coverage of State Disability Insurance (SDI) for Professional and Technical Employees (ProTech) Bargaining Unit Employees (Staff Contact: Kelli Parmley, Human Resources Director, 408-586-3086)

(1) Adopted **Resolution No. 9477** authorizing the City to apply for State Disability Insurance (SDI) elective coverage for the Professional and Technical Employees (ProTech) Bargaining Unit; and (2)

Authorized the City Manager to execute the SDI application form DE 1378N and take any necessary steps to implement SDI for ProTech Employees, including negotiating and executing all necessary agreements and forms.

6. **Adopt a Resolution to Approve Project Plans and Specifications, Award Construction Contract to DeSilva Gates Construction, LLC for Dempsey Road and Great Mall Parkway (Phase II) Street Resurfacing Project and Approve Budget Amendment for Street Resurfacing Project FY24-25 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Adopted **Resolution No. 9478** to (1) Approve project plans and specifications; (2) Award the Construction Contract to DeSilva Gates Construction, LLC, the lowest responsible bidder, submitting a responsive bid in the amount of \$4,229,695; (3) Authorize the City Manager, or designee, to execute the construction contract with DaSilva Gates Construction, LLC; (4) Authorize the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not-to-exceed \$635,000 for the Dempsey Road and Great Mall Parkway (Phase II) Street Resurfacing Project, CIP Nos. No. 3440, 4283, 4295, 4304, 4305, 7118; and (5) Approve a Budget Amendment to increase the Senate Bill 1 Road Maintenance and Rehabilitation Account funding in the amount of \$333,311.50 and Vehicle Registration Fee funding in the amount of \$39,502 for the Street Resurfacing Project 2024-25, CIP Project No. 4300.

7. **Adopt a Resolution Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 95-1 - McCarthy Ranch for Fiscal Year 2026-27 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Adopted **Resolution No. 9479** initiating proceedings for the annual levy and collection of assessments and ordering the preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 95-1 - McCarthy Ranch for Fiscal Year 2026-27.

8. **Adopt a Resolution Initiating Proceedings for the Annual Levy and Collection of Assessments and Ordering the Preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 98-1 - Sinclair Horizon for Fiscal Year 2026-27 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Adopted **Resolution No. 9480** initiating proceedings for the annual levy and collection of assessments and ordering the preparation of the Annual Engineer's Report for Landscaping and Lighting Maintenance Assessment District No. 98-1 - Sinclair Horizon for Fiscal Year 2026-27.

9. **Adopt a Resolution to Approve Project Plans and Specifications, Award Construction Contract to Bosco Construction, Inc. for the Annual Sidewalk, Curb, and Gutter Improvement Project 2025, CIP No. 3426 (Staff Contact: Christian Di Renzo, Public Works Director, 408-586-2602; and Michael Silveira, City Engineer, 408-586-3303)**

Adopted **Resolution No. 9481** to (1) Approve Project Plans and Specifications; (2) Award the Construction Contract to the lowest responsible bidder Bosco Construction, Inc. in the amount of \$700,756.87; (3) Authorize the City Manager, or designee, to execute the construction contract with Bosco Construction, Inc.; and (4) Authorize the Public Works Director to negotiate and execute contract change order(s) in an aggregate amount not-to-exceed \$140,151 for the Annual Sidewalk, Curb, and Gutter Improvement Project 2025, CIP No. 3426.

10. Accept Additional Grant Funding from Silicon Valley Clean Energy Member Agency Grant Program (Staff Contact: Christian Di Renzo, 408-586-2602, Public Works Director)

(1) Accepted additional grant funding from Silicon Valley Clean Energy (SVCE) Member Agency Grants program in the amount of \$38,461, increasing the previously accepted non-competitive grant from \$372,233 to a total grant of \$410,694; and (2) Authorized the Acting City Manager, or designee, to execute the Member Agency non-competitive grant agreement with SVCE.

11. Approve the Addition of Samuel Ayer to the City Naming List for Streets, Parks and Facilities (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)

Approved the addition of Samuel Ayer to the to the Milpitas Historical Names Naming List.

12. Approve Milpitas Arts and Culture Grant Request for a Juneteenth Celebration Event (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)

Approved a Milpitas Arts and Culture in-kind grant request from Sunnyhills Neighborhood Association for a Juneteenth Celebration Event on June 20, 2026.

COMMUNITY SERVICES AND SUSTAINABLE INFRASTRUCTURE

13. Approve Increase to the Milpitas Assistance Program (MAP) Water Utilities Bill Subsidy Amount (Staff Contact: Renee Lorentzen, Recreation and Community Services Director, 408-586-3409)

Acting City Manager Hernandez introduced the item and Recreation and Community Services Director Lorentzen presented a proposal to increase the MAP Water Utility Bill Subsidy using a tiered model (50-30-20) as previously directed by Council in November.

There were no public speakers.

Council discussion focused on the household cap, with Councilmember Lam initially suggesting increasing the cap from 205 to 230 households to accommodate the current 236 enrolled participants. After further discussion, he agreed with Councilmember Chua to advocate for removing the cap entirely for the first year to ensure all qualifying households are served. This included direction to staff to report back to the Council if funding issues arise. Recreation Director Lorentzen confirmed that this represents a substantial increase from the previous flat rate of \$22.52 per bill and that the program will conduct enhanced outreach efforts to reach more qualifying families through various channels including PG&E bill inserts, water bill mailings, social media, resource centers, and school district communications. Finance Director Cofresí-Howe confirmed that Fund 109 earns approximately 4% interest on its balance and that all late fees, including those from businesses, are deposited into the fund.

After discussion, motion: to approve an increase to the Milpitas Assistance Program (MAP) Water Utilities Bill Subsidy Amount with modifications removing the household limit for the first year and authorizing the City Manager, or designee, to suspend new enrollments if projected annual expenditures appear they may exceed projected annual revenues

Motion/Second: Councilmember Lam / Councilmember Chua

Motion carried by the following:

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

NOES: None

LEADERSHIP AND SUPPORT SERVICES

14. Adopt a Resolution Appointing a Permanent City Attorney (Staff Contact: Jared Hernandez, Acting City Manager, 408-586-3059)

Acting City Manager Hernandez presented the report. Acting City Attorney Christopher Creech disclosed that the position salary is \$340,000 with benefits as outlined in the employment contract.

Mayor Montano commended the thorough search process, noting that the City had received several highly qualified candidates and expressing confidence that the selected candidate would greatly benefit the City and staff.

There were the following public speakers:

1. Voltaire Montemayor

After discussion, motion: to (1) Adopt **Resolution No. 9482** to appoint Christian M. Curtis as City Attorney; (2) Approve and authorize the Mayor to execute an employment agreement on behalf of the City; and (3) Authorize the Acting City Manager, or designee, to take such other actions as necessary and appropriate to carry out the purpose of this appointment..

Motion/Second: Vice Mayor Barbadillo / Councilmember Chua

Motion carried by the following:

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

NOES: None

ANNOUNCEMENTS AND FUTURE AGENDA ITEMS

Councilmember Chua thanked the Recreation and Community Services team for organizing a well-attended and well-organized Lunar New Year celebration. Mayor Montano echoed this appreciation and commended staff for their excellent work.

ADJOURNMENT

Mayor Montano adjourned the meeting at 8:05 PM.

Draft meeting minutes submitted by City Clerk, Suzanne Guzzetta

TENTATIVE CITY COUNCIL AGENDA ITEM LIST

as of 2/24/2026

March 17, 2026 – Regular Meeting

CLOSED SESSION

- Special Closed Session (3:30 – 5:00pm)

INVOCATION (Councilmember Chua)

PRESENTATION

- International Women's Day (Proclamation)

CONSENT CALENDAR

1. Receive City Council calendar for March and April 2026 (City Clerk)
2. Approve City Council Meeting minutes of February 24 and March 3, 2026 (City Clerk)
3. Preview list of items for April 7, 2026 (City Clerk)
4. Councilmember Request List (City Clerk)
5. Housing Element Annual Progress Report + Successor Agency Report (Housing)
6. Amendments to Planning Commission Bylaws and Ordinance (Planning)
7. General Plan Annual Progress Report (Planning)
8. Construction Contract Award for Calaveras Blvd Median Improvement, CIP 3468 (Public Works / Engineering))

**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	Alcohol and Massage Parlor Permits come before the City Council.	Montano	2/3/2026	An update on this item will be included in the next quarterly prioritization update.
2	Providing city-branded jackets, hat, and t-shirts to Councilmembers	Lam	2/3/2026	An update on this item will be included in the next quarterly prioritization update.
3	Consider allocating \$300,000 from one-time funds for a street fair during the FIFA timeframe (June/July).	Lam	1/13/2026	An update on this item will be included in the next quarterly prioritization update.
4	Review the city's affordable housing ordinance and agreements with developers in light of the experience with KB Homes to ensure preservation of housing affordability policies.	Barbadillo	1/13/2026	An update on this item will be included in the next quarterly prioritization update.
5	Consider an "Adopt a Drain" program to engage community members and students	Lien	12/16/2025	An update on this item will be included in the next quarterly prioritization update.
6	Conduct a review of commission names to better reflect their focus	Montano	11/18/2025	An update on this item will be included in the next quarterly prioritization update.
7	Review the Council prioritization process	Chua	11/18/2025	An update on this item will be included in the next quarterly prioritization update.
8	Look into the process of establishing a Friendship City relationship	Montano	11/18/2025	An update on this item will be included in the next quarterly prioritization update.
9	Research how public funds could be used to advertise local restaurants during the upcoming Super Bowl	Montano	11/18/2025	An update on this item will be included in the next quarterly prioritization update.
10	Have a community forum on the Crown Castle Small Cell towers.	Montano	11/18/2025	An update on this item will be included in the next quarterly prioritization update.
11	Install debrillators on city properties	Barbadillo	10/28/2025	An update on this item will be included in the next quarterly prioritization update.
12	Place a billboard at the Sport Center to inform the community about events and activities	Montano	10/21/2025	An update on this item will be included in the next quarterly prioritization update.
13	Explore the creation of small parks in neighborhoods without them	Montano	10/21/2025	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:
14	Increase the amount of funding for the ADU Permit Subsidy	Council	4/1/2025	An update on this item will be included in the next quarterly prioritization update.
15	Council Special Events Fund to provide funding for City Councilmembers to attend local, non-political, events where their attendance is beneficial for the City of Milpitas	Montano/Chua	4/1/2025	An update on this item will be included in the next quarterly prioritization update.
16	Add to the existing Strategic Land Acquisition Revenue Reserve	Council		An update on this item will be included in the next quarterly prioritization update.
17	Storefront and Crime Prevention Initiative by making funding available for businesses to focus on public safety related physical improvements to their storefronts.	Montano		An update on this item will be included in the next quarterly prioritization update.
18	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.
19	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.
20	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.
21	Develop a project management informational memo.	Barbadillo	4/1/2025	An update on this item will be included in the next quarterly prioritization update.
22	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.

NOTE: Deferred and Completed Items are not listed

**MILPITAS CITY COUNCIL
AGENDA ITEM REQUESTS**

ACTIVE ITEMS				
Request No.	Topic	Submitted by:	Date Requested	STATUS and/or DATE scheduled on City Council meeting agenda:
23	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.
24	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.
25	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.
26	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.
27	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.
28	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.
29	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.
30	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.
31	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.
32	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.
33	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.
34	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.
35	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.
36	Main Street International Festival	Lien	10/3/2023	An update on this item will be included in the next quarterly prioritization update.
37	Pickleball Pilot Project	Chua	2/28/2023	An update on this item will be included in the next quarterly prioritization update.
38	Main Street Infrastructure Projects	Montano	2/28/2023	An update on this item will be included in the next quarterly prioritization update.
39	Main Street Flooding at Library	Chua	2/28/2023	An update on this item will be included in the next quarterly prioritization update.
40	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.
41	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.
42	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.
43	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.
44	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:	Authorize and Approve Travel Request for Mayor Montano, Councilmember Chua, and Councilmember Lam to Sacramento, CA for the CalCities City Leader Summit (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	3/3/2026
Recommendation:	Authorize and approve travel to Sacramento, CA, for Mayor Montano, Councilmember Chua, and Councilmember Lam to Sacramento, CA for the CalCities City Leader Summit to be held on April 22-24, 2026, for a combined estimated total amount of \$6,000, budgeted under the Individual Elected Official allocation for Conferences/Meetings/Trainings.

BACKGROUND:

The League of California Cities holds its Annual *CalCities City Leader Summit* (Summit) in Sacramento, CA. This year, the Summit is scheduled for April 22-24, 2026. This statewide conference brings together mayors, council members, city managers, and other local officials for educational sessions, policy discussions, and networking opportunities. The Summit focuses on key issues facing California communities and provides practical tools, best practices, and collaborative strategies to support effective local governance. Included in this agenda packet is the preliminary agenda for this academy as Attachment A.

ANALYSIS:

The City of Milpitas Travel and Expense Policy requires the City Council to approve travel for the elected officials and City Manager. Council approval of the Sacramento travel request will allow Mayor Montano, Councilmember Chua, and Councilmember William Lam to gain additional knowledge from other California policymakers and bring it back to share with their colleagues. Continued conference participation and attendance also ensure the Milpitas community is fully represented at the regional, state, and national levels.

POLICY ALTERNATIVE(S):

Not Applicable

FISCAL IMPACT:

The estimated individual expense for the Sacramento, CA League of CA Cities CalCities City Leader Summit, including the registration fee, lodging, meals, mileage, and incidental reimbursements, is \$2,000.

Fiscal year to date, Mayor Montano has spent \$4,965.87 from her Individual Elected Official allocation of \$10,000 for Conferences/Meetings/Memberships. With the additional estimated \$2,000 expenses, she will have an estimated remaining balance of \$3,034.13 for the fiscal year.

Fiscal year to date, Councilmember Chua has spent \$0 from her Individual Elected Official allocation of \$10,000 for Conferences/Meetings/Memberships. With the additional estimated \$2,000 expenses, she will have an estimated remaining balance of \$8,000 for the fiscal year.

Fiscal year to date, Councilmember William Lam has spent \$4,302.41 from his Individual Elected Official allocation of \$10,000 for Conferences/Meetings/Memberships. With the additional estimated \$2,000 expenses, he will have an estimated remaining balance of \$3,697.59 for the fiscal year.

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) League of California Cities Mayors and Council Members Academy Draft Agenda
- (b) Council Conferences Budget Tracking

Wednesday, April 22

9:00 a.m. - 5:30 p.m.	Registration Open
10:00 - 11:15 a.m.	Opening General Session
11:30 a.m. - 12:15 p.m.	Member Rally and Press Conference
12:15 - 5:00 p.m.	Lunch on Your Own Lobbying at the Capitol (contact your Regional Public Affairs Manager)
1:30 - 4:30 p.m.	NEW! Optional activities at the convention center Roundtable discussions (topics TBD) Discussions with State Agencies
5:00 - 7:00 p.m.	Reception

Thursday, April 23

7:30 a.m. - 4:00 p.m.	Registration Open
7:30 a.m. - 5:00 p.m.	Elite Sponsor Tables Open
7:30 - 8:30 a.m.	Networking Breakfast
8:30 - 9:45 a.m.	Concurrent Sessions
10:00 - 11:15 a.m.	Concurrent Sessions
11:15 a.m. - 12:15 p.m.	Networking Lunch
12:15 - 1:30 p.m.	General Session
1:30 - 2:00 p.m.	Break
2:00 - 3:15 p.m.	Concurrent Sessions
3:15 - 3:45 p.m.	Break
3:45 - 5:00 p.m.	Concurrent Sessions

Friday, April 24

8:00 - 11:00 a.m.	Registration Open
8:00 - 9:00 a.m.	Networking Breakfast
9:00 - 10:15 a.m.	Educational Session
10:30 a.m. - 12:00 p.m.	Closing General Session

Council Conferences/Trainings FY 25-26 Budget Tracking Sheet

Mayor Montano				
	Training/Travel Event	FY25-26 Amount Expended/Estimates	Total	Remaining Balance
			\$ 6,965.87	\$ 3034.13
1	42 nd Annual NALEO Conference	\$1,490.99		
2	2025 Cal Cities	\$3,094.88		
3	Cities Association of Santa Clara County Annual Holiday Party Ticket	\$75.00		
4	Mission College Gala	\$150.00		
5	Mayors Academy Registration Cancellation Fee	\$75.00		
6	Kiwanis Crab Feed	\$80.00		
7	CalCities Summit	\$2,000.00		estimates only
Vice Mayor Barbadillo				
	Training/Travel Event	FY25-26 Amount Expended/Estimates	Total	Remaining Balance
			\$ 5075.78	\$ 4,924.22
1	Cal Cities Long Beach 2025	\$2,537.89		
Councilmember Chua				
	Training/Travel Event	FY25-26 Amount Expended/Estimates	Total	Remaining Balance
			\$ 2,000.00	\$8,000.00
1	CalCities Summit	\$2,000.00		estimates only
Councilmember Lien				
	Training/Travel Event	FY25-26 Amount Expended/Estimates	Total	Remaining Balance
			\$ 2,737.33	\$ 7,262.67
1	2025 Cal Cities	\$2,662.33		
2	Cities Association of SCC Annual Holiday Dinner 2025	\$75.00		
Councilmember Lam				
	Training/Travel Event	FY25-26 Amount Expended/Estimates	Total	Remaining Balance
			\$6,302.41	\$3,697.59
1	2025 Cal Cities	\$2,833.17		
2	Cities Association of SCC Annual Holiday Dinner 2025	\$75.00		
3	Mayor and Councilmember Academy – Jan 21-23, 2026	\$1,299.24		
4	Kiwanis Crab Feed	\$80.00		
5	Connecting Communities Summit	\$25.00		
6	CalCities Summit	\$2,000.00		estimates only



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Establish Accessibility Compliance Fund (CASp) (Staff Contact: Luz Cofresí-Howe, Finance Director, 408-586-3111)
Category:	Consent Calendar-Leadership and Support Services
Meeting Date:	3/3/2026
Recommendation:	Adopt a resolution establishing the Accessibility Compliance Fund as a separate special revenue fund and authorizing the transfer of previously collected fees to the fund.

BACKGROUND:

[California Government Code Section 4467](#), originally enacted by Senate Bill 1186 (Chapter 383, Statutes of 2012) and most recently amended by Assembly Bill 2164 (Chapter 895, Statutes of 2022), requires cities to collect an additional four-dollar fee on business licenses and building permits to support Americans with Disabilities Act (ADA) compliance activities. Under the statute, cities retain ninety (90) percent of the collected fees, with the remaining ten (10) percent transmitted quarterly to the California Division of the State Architect for deposit in the Disability Access and Education Revolving Fund. The law contemplates the creation of a special “Accessibility Compliance Fund” for the portion of these funds retained by the City.

The Accessibility Compliance Fund supports the Certified Access Specialist (CASp) Program is established under [Civil Code Section 55.53](#). A CASp is a professional certified by the Division of the State Architect to inspect facilities for compliance with state and federal construction-related accessibility codes and standards. The CASp program was created as part of California’s response to a growing number of accessibility-related lawsuits against businesses and property owners. Property owners who proactively obtain CASp inspections receive significant legal protections, including reduced statutory damages and the ability to request a ninety-day stay of litigation proceedings.

The City has been collecting these fees as required by law and using the revenues for accessibility-related purposes. To ensure full alignment with the statutory framework and facilitate the comprehensive reporting requirements under Government Code Section 4467, staff recommends formally establishing the Accessibility Compliance Fund as a separate special revenue fund. This action will provide clear segregation of restricted revenues, transparent accounting, and a framework for the annual reporting required by the State.

ANALYSIS:

The statute establishes a priority hierarchy for use of fund monies. The highest priority use is training and retention of Certified Access Specialists to meet the needs of the public within the jurisdiction. Additional permitted uses include facilitating compliance with construction-related accessibility requirements, providing financial assistance to small businesses for construction of physical accessibility improvements, and activities undertaken to increase CASp services within the jurisdiction. For purposes of the statute, a “small business” is defined as one that has employed fifty (50) or fewer employees on average over the past three (3) years. Up to five (5) percent of the retained monies may be used for related administrative costs.

The City is also required to submit quarterly transmittals of ten (10) percent of collected fees to the Division of the State Architect within fifteen (15) days of the last day of each fiscal quarter, using Form DSA 786. Additionally, the City must file an annual report with the Division of the State Architect by March 1 of each year detailing the previous calendar year’s total fees collected, distribution of funds by statutory category, number of small businesses assisted, and total financial assistance provided. Establishing the Accessibility Compliance

Fund as a separate special revenue fund will facilitate compliance with these reporting obligations and ensure proper stewardship of restricted revenues.

The following table summarizes annual fee collections and expenditures for the past five (5) fiscal years.

Fiscal Year	2025	2024	2023	2022	2021
Carryover	\$110,427	\$117,248	\$100,622	\$ 81,063	\$62,189
CASp Revenues	20,068	19,743	19,801	19,559	18,874
Total CASp Carryover & Revenues	\$130,495	\$136,991	\$120,423	\$100,622	\$81,063
Expenses					
Administrative Expense	\$ 4,838	\$ 16,794	\$ 841	\$ -	\$ -
CASp Services (Training, etc.)	4,276	\$ 9,769	\$ 2,335	-	-
Access Compliance Facilitation	-	-	-	-	-
Small Business Accessibility Improvement	-	-	-	-	-
Total Expenses	\$ 9,114	\$ 26,563	\$ 3,176	\$ -	\$ -
Remaining Balance	\$121,381	\$110,427	\$117,248	\$100,622	\$81,063

The City is mandated to collect a \$4.00 CASp program fee for all in-town business license applications and renewals. State law requires that these funds primarily support the training and retention of city staff as Certified Access Specialists (CASp) to ensure local construction projects meet accessibility standards. Once these internal training needs are met, the remaining funds may be used to provide financial assistance to small businesses for accessibility upgrades at their business locations. To realize this concept, the City Council could consider establishing an ADA Compliance Grant Program, which would offer direct financial support to local small businesses for physical ADA improvements at their business locations. This program could be complemented with an information-sharing campaign on ADA compliance, including but not limited to a workshop led by the City's Certified Access Specialist. Staff will return to the City Council at a later date to recommend an implementation for this funding.

POLICY ALTERNATIVE(S):

Do not establish the Accessibility Compliance Fund and continue current practices.

Alternative 1:

Pros: No additional administrative effort required to set up a new fund.

Cons: The City would not have created a specially designated fund as contemplated by Government Code Section 4467(b)(1).

Reason for Not Recommending: Establishment of the separate fund is a statutory requirement, not a discretionary action. Staff does not recommend this alternative because it would leave the City out of compliance with state law.

PROJECT SCHEDULE/KEY MILESTONES

Upon City Council approval, staff will establish the Accessibility Compliance Fund in the Tyler ERP system and transfer previously collected fees to the new fund. Staff anticipates completing the fund setup and initial transfer within thirty days of adoption. Quarterly transmittals to the Division of the State Architect will commence in the first full quarter following fund establishment. The first annual report under the new fund structure will be due to the Division of the State Architect by March 1, 2027, covering calendar year 2026 activity.

FISCAL IMPACT:

There is no direct fiscal impact associated with establishing the Accessibility Compliance Fund. This recommended action creates a new fund within the City's financial system to properly account for revenues and expenditures that are already being collected and used for accessibility-related purposes.

Staff recommends appropriating and transferring previously collected and unspent fees totaling approximately \$121,381 to the newly established Accessibility Compliance Fund. All fund expenditures will be subject to the annual budget process and must comply with the statutory restrictions on use outlined in Government Code Section 4467.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

This item is not a project under the California Environmental Quality Act (CEQA) Guideline 15378(b). The establishment of a special revenue fund is a fiscal and organizational activity that does not directly or indirectly result in a physical impact on the environment.

ATTACHMENT(S):

- (a) Resolution Establishing the Accessibility Compliance Fund
- (b) California Government Code Section 4467

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
ESTABLISHING THE ACCESSIBILITY COMPLIANCE FUND AS A SEPARATE
SPECIAL REVENUE FUND AND AUTHORIZING THE TRANSFER OF PREVIOUSLY
COLLECTED FEES**

WHEREAS, California Government Code Section 4467, originally enacted by Senate Bill 1186 (Chapter 383, Statutes of 2012) and most recently amended by Assembly Bill 2164 (Chapter 895, Statutes of 2022), requires cities to collect an additional four-dollar fee on business licenses and building permits to support Americans with Disabilities Act (ADA) compliance activities; and

WHEREAS, Government Code Section 4467(b)(1) contemplates that cities deposit ninety percent of collected fees into a separate special fund to be known as the “Accessibility Compliance Fund,” with the remaining ten percent transmitted quarterly to the Division of the State Architect for deposit in the Disability Access and Education Revolving Fund; and

WHEREAS, the Accessibility Compliance Fund supports the Certified Access Specialist (CASP) Program established under Civil Code Section 55.53, which provides legal protections to property owners who proactively obtain accessibility inspections, thereby reducing construction-related accessibility lawsuits against businesses within the City; and

WHEREAS, the Accessibility Compliance Fund also supports, among other things, compliance with construction-related accessibility requirements, including financial assistance to small businesses for construction of physical accessibility improvements; and

WHEREAS, the City has been collecting the fees required by Government Code Section 4467 and using the revenues for authorized accessibility-related purposes, and now seeks to formally establish the Accessibility Compliance Fund as a separate special revenue fund to ensure full compliance with the statutory mandate and facilitate the comprehensive annual reporting requirements; and

WHEREAS, the City Council desires to establish the Accessibility Compliance Fund, authorize the transfer of previously collected and unspent fees to the fund, and direct staff to implement the necessary accounting, reporting, and administrative procedures.

NOW THEREFORE, the City Council of the City of Milpitas hereby finds, determines and resolves as follows:

1. The City Council has considered the full record before it, which may include but is not limited to such things as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.
2. Pursuant to Government Code Section 4467, the City Council hereby establishes a separate special revenue fund to be known as the “Accessibility Compliance Fund.” All fees collected under Government Code Section 4467 that are retained by the City (ninety percent of total collections) shall be deposited into this fund. Fund moneys shall be used exclusively for the purposes specified in Government Code Section 4467, with the highest priority given to training and retention of Certified Access Specialists. Up to five percent of retained moneys may be used for related administrative costs.
3. The Finance Director is hereby authorized and directed to transfer previously collected and unspent fees to the Accessibility Compliance Fund and to take whatever actions are appropriate and

necessary to carry out the purpose and intent of this resolution, including establishment of the fund in the City's financial system, implementation of quarterly transmittal procedures to the Division of the State Architect, and preparation of annual reports as required by Government Code Section 4467.

Passed and adopted this _____, day of 2026, 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

State of California

GOVERNMENT CODE

Section 4467

4467. (a) (1) On and after January 1, 2013, through December 31, 2017, inclusive, any applicant for a local business license or equivalent instrument or permit, and from any applicant for the renewal of a business license or equivalent instrument or permit, shall pay an additional fee of one dollar (\$1) for that license, instrument, or permit, which shall be collected by the city, county, or city and county that issued the license, instrument, or permit.

(2) On and after January 1, 2018, the following shall apply:

(A) Any applicant for a local business license or equivalent instrument or permit, and any applicant for the renewal of a business license or equivalent instrument or permit, shall pay an additional fee of four dollars (\$4) for that license, instrument, or permit, which shall be collected by the city, county, or city and county that issued the license, instrument, or permit.

(B) In any city, county, or city and county that does not issue a business license or an equivalent instrument or permit, an applicant for a building permit shall pay an additional fee of four dollars (\$4) for that building permit, which the city, county, or city and county that issued the building permit shall collect.

(b) (1) The city, county, or city and county shall retain 90 percent of the fees collected under this section, of which up to 5 percent of the retained moneys may be used for related administrative costs of this chapter. The city, county, or city and county shall deposit the remaining moneys in a special fund, established by the city, county, or city and county to be known as the "Accessibility Compliance Fund." The moneys in the fund shall be used for increased certified access specialist (CASP) training and certification within that local jurisdiction and to facilitate compliance with construction-related accessibility requirements, to include providing financial assistance to small businesses for construction of physical accessibility improvements. The highest priority shall be given to the training and retention of certified access specialists to meet the needs of the public in the jurisdiction as provided in Section 55.53 of the Civil Code.

(c) The remaining amount of all fees collected under this section and not retained by the city, county, or city and county pursuant to subdivision (b) shall be transmitted on a quarterly basis to the Division of the State Architect for deposit in the Disability Access and Education Revolving Fund established under Sections 4465 and 4470. The funds shall be transmitted within 15 days of the last day of the fiscal quarter. The Division of the State Architect shall develop and post on its internet website a standard reporting form for use by all local jurisdictions. Up to 75 percent of the collected funds in the Disability Access and Education Revolving Fund shall be used to establish

and maintain oversight of the CASp program and to moderate the expense of CASp certification and testing.

(d) Each city, county, or city and county shall make an annual report, commencing March 1, 2014, to the Division of the State Architect of the total fees collected in the previous calendar year and of its distribution, including the moneys spent on administrative services, the activities undertaken and moneys spent to increase CASp services, the activities undertaken and moneys spent to fund programs to facilitate accessibility compliance, including the total amount of financial assistance provided to small businesses for construction of physical accessibility improvements and the number of small businesses that obtained financial assistance for construction of physical accessibility improvements, and the moneys transmitted to the Disability Access and Education Revolving Fund.

(e) For purposes of this section, a “small business” is a business that has employed 50 or fewer employees on average over the past three years, or for the years it has been in existence if less than three years, as evidenced by wage report forms filed with the Employment Development Department.

(Amended by Stats. 2022, Ch. 895, Sec. 1. (AB 2164) Effective January 1, 2023.)



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution to Accept the Improvements, Authorize the City Engineer to File a Notice of Completion and Issue a Notice of Final Acceptance After the One-Year Warranty for the Hammond Way Streetlight Project (Staff Contact: 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:	3/3/2026
Recommendation:	(1) Adopt a resolution to accept the improvements; and (2) Authorize the City Engineer to file a Notice of Completion and issue a Notice of Final Acceptance after one-year warranty period for Hammond Way Streetlight Project, CIP No. 4301.

BACKGROUND:

On [December 2, 2025](#), the City Council approved conducting a solar streetlight pilot project and a cooperative purchase agreement with Fonroche Lighting America for Hammond Way Streetlight Project, CIP No. 4301 Project) in an amount of \$100,712. The Project is in the Adopted FY 2026-2030 Capital Improvement Program (CIP) to install six (6) solar streetlights to address a public safety hazard to nearby residents parking their vehicles and to motorists traveling in front of the Union Pacific Railroad (UPRR) property on Hammond Way between Parc Place Drive and the San Francisco Public Utility Commission (SFPUC) property for approximately 1,000 feet in length.

ANALYSIS:

The Project was successfully completed on time and within budget. Staff recommends the City Council adopt a Resolution (Attachment A) granting acceptance of the Project and authorizing the City Engineer to file a Notice of Completion in accordance with the provisions of Section 9204 of the Civil Code. Staff also recommends the City Council authorize the City Engineer to issue a Notice of Final Acceptance after the one-year warranty period without further City Council action, provided that all warranty work is completed to the satisfaction of the City Engineer.

POLICY ALTERNATIVES:

Alternative: Do not adopt a Resolution for Project acceptance and filing the Notice of Completion to begin the one-year warranty.

Pros: None

Cons: A denial would result in the City being unable to accept the completed improvements and commence the one-year warranty period in accordance with the contract documents and release any funds remaining back into the Project budget.

Reason not Recommended: Since the Contractor has completed the Project in accordance with the approved agreement, a denial to accept the Project could be considered as a breach of contract and risk a possible claim by the Contractor.

FISCAL IMPACT:

There is no fiscal impact as the Project has been completed within the approved budget. The Public Works Department will be responsible for maintenance and operations of the improvements. Any required additional

funding for ongoing maintenance will be requested through future budget appropriations as the City Council considers and adopts the annual operating budget.

CALIFORNIA ENVIRONMENTAL QUALITY ACT:

The Project consists of the construction and location of a limited number of new small facilities, as it involves a minor extension of the streetlighting system of reasonable length within the existing public right-of-way, which is exempt from CEQA pursuant to Cal. Code Regs., tit. 14, § 15303.

ATTACHMENTS:

(a) Resolution and Notice of Completion

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS GRANTING
ACCEPTANCE OF THE HAMMOND WAY STREETLIGHT PROJECT, CIP NO. 4301**

WHEREAS, On December 2, 2025, the City Council approve to conduct a solar streetlight polit project and a cooperative purchase agreement with Fonroche Lighting America for Hammond Way Streetlight Project, CIP No. 4301 ("Project") in an amount of \$100,712; and

WHEREAS, the City Engineer of the City of Milpitas has recommended acceptance of said improvements as completed in accordance with plans, specifications and approved change orders and correction lists, and in accordance with the final inspection of said City Engineer.

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 of Milpitas does hereby accept said improvement as completed on this 3rd of March, 2026, and does hereby authorize and direct the City Engineer of the City of Milpitas to file a Notice of Completion in accordance with the provisions of Section 9204 of the Civil Code of the State of California, and does hereby authorize and direct the City Engineer to file a Certificate of Completion in accordance with the provisions of Section 4005 of the Government Code of the State of California, if said work was by day's labor or force account.
3. The City Council authorizes the City Engineer to issue the Notice of Final Acceptance after the one-year warranty period without further City Council action, provided all required warranty repairs are completed to the satisfaction of the City Engineer; and nothing herein contained shall in any way be deemed to be a waiver, release or relinquishment by City of any obligations imposed upon the contractor or its surety, or sureties, by law or by the above-referenced improvement contract, save and except those obligations specifically mentioned herein.

PASSED AND ADOPTED this _____ day of March, 2026 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

Recording Requested by and
When Recorded Mail to:

City of Milpitas
455 East Calaveras Boulevard
Milpitas, CA 95035
Attention: City Clerk

Record without fee under
Section 6103 - Government Code
State of California

CITY OF MILPITAS
NOTICE OF COMPLETION
(Civil Code Section 9204)

NOTICE IS HEREBY GIVEN:

1. On or about December 2nd, 2025, the City Council of the City of Milpitas, a municipal corporation of the State of California, whose address is City Hall, 455 East Calaveras Boulevard, Milpitas, California, 95035 (as owner) entered into a contract for work of: **Hammond Way Streetlight Project, CIP No. 4301**
2. A description of the site of which the City is owner for said work of improvement is: **Hammond Way** in the City of Milpitas, Santa Clara County, California, more particularly described on the plans.
3. The name and address of the direct contractor is: **Fonroche Lighting America, 224 SE Loop 820, Building C, Fort Worth, TX 76140**
4. A general statement of the kind of work done or materials furnished to the City is as follows: **The Project provides for the procurement and installation of six (6) solar-power streetlights at Hammond Way.**
5. Said work of improvement was accepted by the Milpitas City Council as complete on March 3rd, 2026

I, the undersigned, declare that I am the **City Engineer** of the City of Milpitas and am authorized to execute the foregoing Notice of Completion and this Verification thereof. I have read the foregoing Notice of Completion. I declare under penalty of perjury that the foregoing Notice of Completion is true and correct. Executed on _____, 2026 at Milpitas, California.

Michael Silveira, P.E., City Engineer
City of Milpitas

NOTE: RECORD WITHIN 15 DAYS OF ACCEPTANCE WITH COUNTY RECORDER OF SANTA
CLARA COUNTY



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Adopt a Resolution to Accept the Improvements, and Authorize the City Engineer to File a Notice of Completion and Issue a Notice of Final Acceptance After the One-Year Warranty for Street Sealing Project 2024 (Staff Contact: 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:	3/3/2026
Recommendation:	(1) Adopt a resolution to accept the improvements; and (2) Authorize the City Engineer to file a Notice of Completion and issue a Notice of Final Acceptance after the one-year warranty for Street Sealing Project 2024, CIP No. 3424, 3426, 4283, 4305 and 7118.

BACKGROUND:

On [May 6, 2025](#), the City Council awarded a construction contract to VSS International, Inc. in the amount of \$3,031,971.04 for Street Sealing Project 2024, CIP No. 3424, 3426, 4283, 4305 and 7118 ("Project"). The Project included construction of asphalt concrete improvements consisting of grind and overlay, cape, crack and slurry sealing, and spot repairs; concrete improvements including repairs to curb, gutter, and sidewalk and curb ramp replacements in compliance with the Americans with Disabilities Act; pedestrian improvements at adjacent signalized intersections; and reinstallation of striping and pavement delineation.

The following streets were approved for this Project as part of the accepted workplan:

- E. Calaveras Blvd. from I-680 to Evans Road (except for the portion of the road improved by the Milpitas Unified School District Innovation Campus project)
- North Park Victoria from Jacklin Road to East Calaveras Blvd.
- North and south side streets adjacent to Mt. Shasta Ave. including Courtland Court and Avenue, Jungfrau Court, Bee Court, Matterhorn Court, Big Bear Court, and Chewpon Avenue.
- South Temple Drive from East Calaveras Boulevard to Wylie Drive
- Beacon Drive, Canton Drive from Roswell Drive and Bixby Drive, Lawton Drive, and Roswell Drive from Canton Drive to end of cul-de-sac
- Sepulveda Court
- Resurfacing of the asphalt pathway at Strickroth Park

ANALYSIS:

The Project has been successfully completed within budget. Staff recommends the City Council adopt a Resolution (Attachment a) granting acceptance of the Project and authorize the City Engineer to file a Notice of Completion in accordance with the provisions of Section 9204 of the Civil Code. Staff also recommend the City Council authorize the City Engineer to issue a notice of final acceptance after the one-year warranty period without further City Council action, provided that all warranty work is completed to the satisfaction of the City Engineer.

POLICY ALTERNATIVE(S):

Alternative 1: Deny the adoption of the Resolution granting acceptance of the Project and the filling the Notice of Completion to begin the one-year warranty.

Pros: None.

Cons: A denial would result in the City being unable to accept the completed improvements and commence the one-year warranty period in accordance with the contract documents and release any funds remaining back into the Project budget.

Reason not Recommended: Since the Contractor has completed the Project in accordance with the approved agreement, a denial to accept the Project could be considered as a breach of contract and risk a possible claim by the Contractor.

FISCAL IMPACT:

There is no fiscal impact as the Project has been completed within the approved budget. The Public Works Department will be responsible for maintenance and operations of the improvements. Any required additional funding for ongoing maintenance will be requested through future budget appropriations as the City Council considers and adopts the annual operating budget.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA):

The project is exempt under Section 15301 (Existing Facilities) of the CEQA guidelines. A Notice of Exemption (NOE) was filed with the County of Santa Clara on February 18, 2025.

ATTACHMENT(S):

(a) Resolution and Notice of Completion

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS GRANTING
ACCEPTANCE OF THE STREET SEALING PROJECT 2024, CIP NOS. 3424, 3426, 4283,
4305, AND 7118**

WHEREAS, the City of Milpitas has heretofore entered into a contract with VSS International, Inc, in the amount of \$3,031,971.04 for Street Sealing Project 2024, CIP Nos. 3424, 3426, 4283, 4305, and 7118 (“Project”), and

WHEREAS, the City Engineer of the City of Milpitas has recommended acceptance of said improvements as completed in accordance with plans, specifications and approved change orders and correction lists, and in accordance with the final inspection of said City Engineer.

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 of Milpitas does hereby accept the Project as completed on this 3rd day of March, 2026, and does hereby authorize and direct the City Engineer of the City of Milpitas to file a Notice of Completion in accordance with the provisions of Section 9204 of the Civil Code of the State of California, and does hereby authorize and direct the City Engineer to file a Certificate of Completion in accordance with the provisions of Section 4005 of the Government Code of the State of California, if said work was by day’s labor or force account.
3. The City Council authorizes the City Engineer to issue the Notice of Final Acceptance after the one-year warranty period without further City Council action, provided all required warranty repairs are completed to the satisfaction of the City Engineer; and nothing herein contained shall in any way be deemed to be a waiver, release or relinquishment by City of any obligations imposed upon the contractor or its surety, or sureties, by law or by the above-referenced improvement contract, save and except those obligations specifically mentioned herein.

PASSED AND ADOPTED this _____ day of March 2026, 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

Recording Requested by and
When Recorded Mail to:

City of Milpitas
455 East Calaveras Boulevard
Milpitas, CA 95035
Attention: City Clerk

Record without fee under
Section 6103 - Government Code
State of California

CITY OF MILPITAS

NOTICE OF COMPLETION
(Civil Code Section 9204)

NOTICE IS HEREBY GIVEN:

1. On or about March 3rd, 2026, the City Council of the City of Milpitas, a municipal corporation of the State of California, whose address is City Hall, 455 East Calaveras Boulevard, Milpitas, California, 95035 (as owner) entered into a contract for work of: **Street Sealing Project 2024, CIP Nos. 3424, 3426, 4283, 4305, & 7118.**
2. A description of the sites of which the City is co-owner for said work of improvement is: E. Calaveras Blvd. from I-680 to Evans Road, excluding the portion of the road that was improved by the Milpitas Unified School District Innovation Campus project. North Park Victoria from Jacklin Road to East Calaveras Blvd. North and south side streets adjacent to Mt. Shasta Ave. including Courtland Court and Avenue, Jungfrau Court, Bee Court, Matterhorn Court, Big Bear Court, and Chewpon Avenue. South Temple Drive from East Calaveras Boulevard to Wylie Drive, Beacon Drive, Canton Drive from Roswell Drive and Bixby Drive, Lawton Drive, and Roswell Drive from Canton Drive to end of cul-de-sac, Sepulveda Court and Resurfacing of the asphalt pathway at Strickroth Park
3. The name and address of the direct contractor is: **VSS International, Inc., 3785 Channel Drive, West Sacramento, CA, 95691**
4. A general statement of the kind of work done or materials furnished to the City is as follows: construction to repair of localized asphalt concrete pavement and concrete pavement such as sidewalk, curb & gutter, and driveway; resurface asphalt concrete pavement; and install of Americans with Disabilities Act (ADA) compliant curb ramps, class II bike lanes, and pavement delineation.
5. Said work of improvement was accepted by the Milpitas City Council as complete on **March 3rd, 2026.**

I, the undersigned, declare that I am the **City Engineer** of the City of Milpitas and am authorized to execute the foregoing Notice of Completion and this Verification thereof. I have read the foregoing Notice of Completion. I declare under penalty of perjury that the foregoing Notice of Completion is true and correct. Executed on _____, 2026 at Milpitas, California.

Michael Silveira, City Engineer,
City of Milpitas

NOTE: RECORD WITHIN 15 DAYS OF ACCEPTANCE WITH COUNTY RECORDER OF SANTA CLARA COUNTY



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Conduct the 2026 Weed Abatement Public Hearing and Adopt a Resolution to Abate the Weeds (Staff Contact: Arthur Belton, Deputy Fire Chief/Fire Marshal, 408-586-3384)
Category:	Public Hearings-Public Safety
Meeting Date:	3/3/2026
Recommendation:	(1) Conduct a public hearing; and (2) Adopt a resolution directing the County of Santa Clara Consumer and Environmental Protection Agency Weed Abatement Program to abate the nuisance, keep an account of the cost, and embody such account in a report and assessment list to the City Council in accordance with the Milpitas Municipal Code.

BACKGROUND:

Fire risk in California with regard to climate has been steadily increasing each wildfire season. Much of the loss to property and life is attributed to areas known as Wildland Urban Interface (WUI) where housing development has been integrated into traditionally open land space. However, some notable firestorms have not been limited to WUI, resulting in rapid fire spread within fully developed urban landscapes. Three factors that contribute to wildfire behavior and spread are weather, topography, and fuel load. Of these factors, fuel load is the one that can be managed proactively to reduce the risk of fire initiation and spread. As a result, community fire prevention efforts focus on factors such as fuel reduction and defensible space. Weeds are significant contributors to initial and escalating fire growth. Categorized as light, flashy fuels, they are an easily ignitable fuel source that burns rapidly, increasing fire risk both in frequency and size. For many years Milpitas has been successful in reducing the fire risk posed by these light, flashy fuels through a weed abatement program.

On February 2, 1976, an Agreement was established and approved to abate weeds by the County of Santa Clara for the City of Milpitas. On [June 21, 2022](#), City Council approved an amended and restated agreement, authorizing the City Manager to execute and sign the updated agreement. The Agreement promotes the efficiency and economy of operations in the abatement of weeds by the City and the County. The major procedural functions to be performed by the County and / or City shall include but are not limited to:

1. The County shall prepare the list of parcels requiring abatement of weeds in the City and transmit the said list to the City for review and approval for processing.
2. The County shall prepare the notice of weed abatement and cause such notice to be mailed to the owners of the parcels requiring weed abatement.
3. The City Council shall conduct public hearings on the proposed removal of weeds pursuant to the provisions of the City Ordinance when the City Fire Marshal presents such appropriate resolutions for adoption. The City Council may by resolution declare the weeds on the respective parcels of the land as nuisance and make the determination to proceed with the abatement of weeds and authorize the performance of the service to remove the weeds in accordance with the aforementioned Agreement.
4. Upon proper authorization by the City, the County shall remove the weeds on the designated properties.
5. The County shall render to the City an itemized assessment report for the cost of the weed abatement services performed on the respective parcels.
6. The City Council, after a public hearing, shall require the County Assessor's Office to include the costs of the weed abatement services performed for the City for the current year as a special assessment on

bills for taxes levied against the affected parcels. Such special assessments shall be liens on the respective properties.

7. Pursuant to California Health and Safety Code 14915, a copy of the report, as confirmed, shall be turned over to the auditor of the County, on or before the tenth day of August following such confirmation, and the auditor shall enter the amounts of the assessments against the respective parcels of land as they appear on the current assessment roll, (Amended by Stats. 1939, Ch. 354).

ANALYSIS:

On [February 3, 2026](#), the City Council adopted Resolution No. 9473 declaring weeds on certain described properties to be a public nuisance and setting a public hearing for March 3, 2026 to hear any objection to the list prepared. All properties upon the list have been inspected and/or otherwise identified as containing an unlawful accumulation of weeds, rubbish, refuse and/or dirt in violation of applicable law, including Section V-202-2.00 of the Milpitas Municipal Code (MMC). Such unlawful accumulations are detrimental to the public health, safety, and welfare, including by posing a fire safety risk. A copy of the resolution was forwarded to the County of Santa Clara Consumer and Environmental Protection Agency- Weed Abatement Program (County). A notice for the public hearing was sent by the City Clerk's Office to the local newspaper for publication. Additionally, the notice was mailed to owners of the properties proposed for abatement by both the City of Milpitas and the County. The purpose of the public hearing is for the parcel owners who object to the removal of the weeds to state their objections before the weeds are removed, and the costs made as a lien upon the property. A list of properties to be abated is included in the City Council's agenda packet along with a resolution directing the County to abate the weeds.

POLICY ALTERNATIVE(S):

Alternative 1: Not pass a resolution

Pros: None

Cons: This would reverse a long-standing agreement with Santa Clara County to provide weed abatement service within the City of Milpitas

Reason for Not Recommending: Without a resolution, property owners will not be notified and weed abatement will not be conducted. Weeds covered under this program, classified as "light flashy fuels" are prone to easy ignition and contribute significantly to rapid fire growth. Left unmitigated, these weeds pose a significant public safety issue in terms of fire potential.

FISCAL IMPACT:

At a City Council meeting prior to August 10th of each year during a public hearing, the City Municipal Code provides the City Council hear the assessment report for the list of weeds abated within the City, together with any objections of the property owners liable to be assessed, and to make such modifications on the proposed assessment as it deems necessary. Following adoption by the City Council, the resolution will be recorded and charges thereon become a lien on the land involved to be collected in the same manner as property taxes.

There are no City-owned parcels listed (Attachment 1) for weed abatement services. If the money collected from property owners in Santa Clara County for weed abatement services does not cover the County's fixed costs, the County may request the City to pay its fair share of the deficit by September 1. The City's deficit share is determined by the percentage of parcels in the City that received weed abatement services compared to the total number of parcels serviced by the County. The County payment request would include details about the total shortfall, any available program revenues to offset it, and the City's calculated share of the shortfall.

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. The action is a continuing administrative or maintenance activity and is not a project pursuant to Cal. Code Regs., tit. 14, § 15378. The action entails the maintenance of existing public or private property involving negligible or no expansion of existing or former use and is exempt from CEQA pursuant to Cal. Code Regs., tit. 14, § 15301.

ATTACHMENT(S):

- (a) 2026 Milpitas Commencement Report (Exhibit A)
- (b) Resolution

2025 WEED ABATEMENT PROGRAM
COMMENCEMENT REPORT
CITY OF MILPITAS

EXHIBIT A

Situs				APN
634	N	ABEL	ST	022-06-010
7280		MARYLINN	DR	022-07-007
99	S.	MAIN	ST	022-24-017
99	S	MAIN	ST	022-24-017
111	S.	MAIN	ST	022-24-040
		VALLEY	WY	022-28-026
1735		CALIFORNIA	CR	022-37-002
		CALIFORNIA	CIR	022-38-026
		CALIFORNIA	CIR	022-38-027
81		DIXON	RD	026-05-021
		DIXON	RD	026-05-023
		DIXON	RD	026-06-012
1720		ARIZONA	AVE	026-07-016
1840		ARIZONA	AVE	026-07-051
1640		ARIZONA	AVE	026-11-067
		BOTHELO	LN	028-23-017
		RAILROAD	AVE	028-24-006
1390		EL CAMINO		029-02-007
980		CALAVERAS	Dr	029-03-023
1327		CALLE		029-05-010
880		EVANS	RD	029-06-003
666		EVANS	RD	029-06-008
826		CALAVERAS	DR	029-06-031
1220		COUNTRY	DR	029-52-014
1039		CAMARILLO	CT	029-52-015
673		QUINCE	LN	029-59-014
517		VISTA RIDGE	DR	042-30-009
519		VISTA RIDGE	DR	042-30-010
529		VISTA RIDGE	DR	042-30-015
410		VISTA RIDGE	DR	042-30-024
350		VISTA RIDGE	DR	042-30-025
531		VISTA RIDGE	DR	042-30-029

		SERRA	WY	083-06-006
	S.	MAIN	ST	083-06-008
	S	MAIN	ST	083-07-015
91		MONTAGUE	EXP	083-42-002
		HAMMOND	WA	086-25-018
	S	MAIN	ST	086-25-028
		HAMMOND	WA	086-25-030
		HAMMOND	WY	086-25-032
		BOTHELO	AVE	086-26-039
		HAMMOND	WY	086-26-040
		HAMMOND	WY	086-26-042
		MILPITAS	BLV	086-28-006
		VISTA	WA	086-29-005
		WRIGLEY	WA	086-29-036
		YOSEMITE	DR	086-29-047
876		YOSEMITE	DR	086-30-047
		YOSEMITE	DR	086-30-048
		AMES	AVE	086-30-060
		SINCLAIR	RD	086-31-003
		MILPITAS	BLV	086-32-084
1646		CENTRE POINT	DR	086-33-110
		COSTA	ST	086-41-014
1001	S	MILPITAS	BLV	086-42-033
		GARDEN	ST	086-94-014
375		DEMPSEY	RD	088-01-002
534	S	PARK	DR	088-06-039
1459		CANTON	DR	088-09-039
1496		JUPITER	CT	088-09-089
575		CARLSBAD	ST	088-20-102
1791		ROCKY	AV	088-23-075
1966		YOSEMITE	DR	088-26-149
		OLD	RD	092-34-008
1250		PIEDMONT	RD	092-34-014
2235		URIDIAS	RD	092-37-050

RESOLUTION NO. ____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS
AUTHORIZING THE CITY MANAGER TO CONTRACT WITH THE OFFICE OF
SANTA CLARA COUNTY CONSUMER AND ENVIRONMENTAL PROTECTION
AGENCY – WEED ABATEMENT PROGRAM TO ABATE WEEDS AND/OR CAUSE
THE REMOVAL OF RUBBISH, REFUSE OR DIRT DECLARED TO BE A PUBLIC
NUISANCE, TO KEEP AN ACCOUNT OF THE COSTS OF ABATING SUCH
NUISANCE, AND TO FILE SUCH ACCOUNT IN A REPORT AND ASSESSMENT LIST
WITH THE CITY COUNCIL**

WHEREAS, Section V-202-2.00 of the Milpitas Municipal Code (MMC) declares that it is unlawful for any owner, agent, leasee, occupant, or other person having charge or control of any parcel of property within the City of Milpitas to permit weeds, rubbish, refuse or dirt to be accumulated or remain on said parcel of property or adjacent sidewalks, or adjacent streets (to the centerline thereof) and recognizes and places a duty upon such persons to not permit the accumulation of such nuisances; and

WHEREAS, Section V-202-3.00 of the MMC declares that the City Council, by resolution, may declare such unlawful accumulations a nuisance and fix a time and place for hearing upon any objections to the ordered abatement of this nuisance; and

WHEREAS, the City Council of the City of Milpitas adopted Resolution No. 9473 on February 3, 2026, declaring weeds and/or the accumulation of rubbish, refuse or dirt on the properties listed on the annual list attached hereto as **Exhibit A** to be a public nuisance and setting a public hearing in accordance with Title V, Chapter 202 of the Milpitas Municipal Code; and

WHEREAS, a public hearing was duly noticed and such hearing was held on March 3, 2026, to hear public comments and consider any objections to the proposed removal of the weeds, rubbish, refuse and/or dirt on these properties; and

WHEREAS, the City Council duly considered and overruled any objections to the abatement of nuisances on the now confirmed annual list, and further wishes to have these nuisances abated by the Office of Santa Clara County Consumer and Environmental Protection Agency – Weed Abatement Program.

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 finds that the properties on the annual list attached hereto as **Exhibit A** contain unlawful weeds, rubbish, refuse, and/or dirt in violation of law, including Section V-202-2.00 of the MMC, and that such weeds, rubbish, refuse, and/or dirt constitute a public nuisance detrimental to public health, safety, and welfare that can and should be abated in accordance with Sections V-202-3.00 and V-202-7.00 of the MMC. All objections made to this list are overruled and this list is hereby confirmed.
3. The City Manager is hereby ordered and authorized to contract with the Office of Santa Clara County Consumer and Environmental Protection Agency – Weed Abatement Program to abate such public nuisances existing on those properties included on the attached **Exhibit A**. The Office of Santa Clara County Consumer and Environmental Protection Agency – Weed Abatement Program shall keep an account of the cost of abatement on each listed parcel and submit to the City

Clerk, for confirmation by the City Council, an itemized written report showing such costs to be assessed on the listed properties as provided for in Sections V-202-7.00 through V-202-10.00 of the MMC.

PASSED AND ADOPTED this 3rd day of March, 2026, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Suzanne Guzzetta, City Clerk

Carmen Montano, Mayor

APPROVED AS TO FORM:

Christopher Creech, City Attorney



CITY OF MILPITAS AGENDA REPORT (AR)

Item Title:	Approval of Issuance of Tax and Equity Fiscal Responsibility Act (TEFRA) Tax-Exempt Revenue Bonds by the California Municipal Finance Authority for An Amount Not Exceeding \$25,000,000 to Finance the CA Circle Family Apartments, An Affordable Housing Development Located at 1355 California Circle (Staff Contact: Matt Cano, Assistant City Manager, 408-586-3012)
Category:	Public Hearings-Community Development
Meeting Date:	3/3/2026
Recommendation:	(1) Conduct a public hearing under the requirements of TEFRA; and (2) Adopt a resolution approving the California Municipal Finance Authority's issuance of tax-exempt revenue bonds for the benefit of CA Circle Family Apartment LP to finance the multi-family affordable housing development located at 1355 California Circle, pursuant to the requirements of TEFRA.

BACKGROUND:

The City Council is being asked to conduct a public hearing and approve a resolution authorizing the California Municipal Finance Authority ("CMFA", the "Authority") to issue up to \$25,000,000 in tax-exempt revenue bonds to finance the construction of 75 affordable rental units at 1355 California Circle (the "Project"). The Project is being developed by CA Circle Family Apartment LP (the "Borrower"). Tax-exempt bond financing is a common and established tool for affordable housing development in California. Under Section 147(f) of the Internal Revenue Code of 1986, bonds of this type are classified as qualified private activity bonds, and the interest paid to bondholders is excluded from gross income for federal income tax purposes. However, to preserve that tax-exempt status, in addition to the public entity actually issuing the bonds, federal law requires that a public hearing be held and that an elected body with jurisdiction over the project site formally approves the bond issuance. Because the Project is located within the City of Milpitas, the City Council is the appropriate authority for approval. City Council approval does not constitute a City of Milpitas financial obligation or endorsement of the bonds; it is a procedural prerequisite that allows the Borrower to access this financing.

For the interest on the bonds to be exempt from federal income tax, an "applicable elected representative" of the government unit must approve the issuance of the bonds after a noticed public hearing, known as a Tax Equity and Fiscal Responsibility Act of 1982 ("TEFRA") hearing. A notice of the TEFRA hearing was published in Milpitas Post by the Authority on February 18, 2026. In addition to the governmental unit that issued the bond or on whose behalf the bond was issued, TEFRA requires that each governmental unit with elected representatives and jurisdiction over the area where the financed project is located conduct a public hearing and approve the issue. In this case, the City of Milpitas City Council is the "applicable elected representative" with respect to issuance of the bonds as it is the elected governing body over the entire area where the Project is located.

The Authority was established on January 1, 2004, under California Government Code as a statewide Joint Powers Authority to provide local governments, non-profit organizations, and businesses with access to tax-exempt low interest financing to achieve public benefit goals such as affordable housing. The Board of Directors of the California Foundation for Stronger Communities, a California non-profit public benefit corporation, acts as the Board of Directors for the Authority. The Authority shares a portion of its issuance fees with its member communities and donates a portion of issuance fees to the California Foundation for Stronger Communities to support local charities. Additionally, it is expected that a portion of the CMFA issuance fee, or approximately \$13,500, will be contributed to the City by the Authority.

Bonds issued by the Authority for a project are the sole responsibility of the developer or borrower, and the City would have no financial, legal, moral obligation, liability or responsibility for the financed project or the repayment

of the bonds for financing the project. All financing documents with respect to the issuance of the bonds will contain clear disclaimers that the bonds are not obligations of the City or the State of California but are to be paid for solely from funds provided by the developer or borrower.

ANALYSIS:

Staff is recommending the City Council hold a TEFRA hearing and consider a resolution to authorize bond financing by the Authority to construct the CA Circle Family Apartments (“Project”). The TEFRA hearing notifies the public and allows for comments on the intent of the Authority to issue the Bonds for the Project. Since the Project was previously approved by the City Council and no project changes are proposed, the hearing does not involve receiving comments on the development itself.

The Project is part of a larger development that was approved by the City Council on November 7, 2023. The development consists of two (2) components on a 6.7-acre site: 1) 131 units of market-rate for-sale townhomes; and 2) CA Circle Family Apartments – 75 affordable rental units located in a multi-story building. The City Council approved allowing all the required inclusionary units to be located in the apartment building pursuant to the alternative compliance measures in the Affordable Housing Ordinance. Each component of the project was intended to be constructed by a different developer and generally built concurrently. The original developer for the apartment building later determined that they could not build the project as approved. A new developer was secured – Waterford Property Company, doing business as CA Circle Family Apartment LP (“Borrower”) for the Project. The Borrower requested revising the Project to more favorably qualify for California Municipal Finance Authority and other financing. An amended application for the apartment building was submitted and ultimately approved by the City Council on April 15, 2025. While the apartment building continued to contain 75 rental units, the bedroom mix was modified and the household affordability levels were significantly reduced, as shown in the table below.

**Housing Unit Mix & Affordability Level
1355 California Circle**

Approved Development			
Component	Unit Type	Units	Affordability
Townhomes	Townhomes	131	Market-rate
CA Circle Family Apartments	Studios	0	75 Very Low & Low Income
	1-bedroom	30	
	2-bedroom	21	
	3-bedroom	24	
Total Units		206	
Affordable Units		75	36.4%

The Authority proposes to issue Bonds for the CA Circle Family Apartments as currently approved by the City Council. The Bonds would support the construction of 75 affordable rental units that will provide essential and urgent housing for very low/low-income households. The Bonds would not cover the townhomes. The development will contribute to meeting the City’s Housing Element goals and will add new affordable rental units in the northern portion of Milpitas where such housing is needed.

Following the TEFRA hearing, approval of the recommended resolution will authorize the Authority to issue the Bonds to finance construction of the Project. No City funding or other financial commitment is required. City Council approval will allow the Borrower to move forward with its financing plan to develop much needed affordable rental housing in Milpitas. The proceeds from the Bonds will be used to: (1) finance the acquisition, construction, improvement, and equipping of the Project; and (2) pay certain expenses incurred in connection with the issuance of the Bonds.

POLICY ALTERNATIVE(S):

Alternative 1: Do not approve the resolution to allow issuance of tax-exempt revenue bonds by the Authority.

Pros: None.

Cons: Financing for the Project would be severely jeopardized and delayed. The Project might also need to be substantially modified to create a financially feasible project, which could result in a project with fewer and/or less affordable units.

Reason for Not Recommending: The construction of much-needed very low and low-income rental housing in the City would be delayed until the project can secure an alternative source of funds to substitute for the Authority bonds. The proposed bond financing facilitates investment in the City for a public benefit that does not require the City to assume any financial obligation or liability. The Authority bond program has been an important and reliable source of financing for many affordable housing projects in California.

PROJECT SCHEDULE/KEY MILESTONES:

Upon City Council approval of the resolution, the Authority will work with the Borrower to proceed with all required actions to allow issuance of the Bonds for the Project, which is anticipated to be completed by May 2026. The building permit plans for the Project are currently under review by the City Office of Building Safety, and construction could begin by the end of this year. Office of Housing staff is also preparing the required Affordable Housing Agreement for the Project to be executed between the City and developer/property owner before the issuance of the building permit.

FISCAL IMPACT:

Approval of the resolution for Authority bond financing will not have a fiscal impact on the City. The Authority will share a portion of the issuance fees it receives with its member communities. With respect to the City of Milpitas for this Project, the portion of the fee that will be allocated to the City is approximately \$13,500. This fee is planned to be deposited in the City's General Fund and is not restricted for a specific use.

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 Public 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. The action entails financing for an approved residential development, involving no changes or expansion of the approved use, and is exempt from CEQA pursuant to Cal. Code Regs., tit. 14, § 15301. The action is a fiscal or administrative activity of public government that does not involve any commitment to any new, 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 environmental impacts of the underlying development were adequately studied and considered by the City, and the previously certified Final Environmental Impact Report (FEIR) (SCH#2022110251) remains a sufficient environmental analysis for the underlying development, including as found most recently by City Council Resolution No. 9403. No condition for further CEQA review of the underlying development has occurred (Cal. Pub. Resources Code, § 21166; Cal. Code Regs., tit. 14, §§ 15162-15164).

ATTACHMENTS:

- (a) TEFRA Resolution
- (b) TEFRA Public Hearing Notice

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF MILPITAS APPROVING THE
ISSUANCE OF TAX-EXEMPT MULTI-FAMILY REVENUE BONDS BY THE
CALIFORNIA MUNICIPAL FINANCE AUTHORITY FOR AN AMOUNT NOT
TO EXCEED \$25,000,000 TO FINANCE THE CONSTRUCTION OF THE CA
CIRCLE FAMILY APARTMENTS**

WHEREAS, the California Municipal Finance Authority (“Authority”) was established on January 1, 2004, under the California Government Code Section 6500 et seq. as a statewide Joint Powers Authority to provide tax-exempt low-interest financing to achieve public benefits such as affordable housing; and

WHEREAS, the Authority informed the City of Milpitas (“City”) of its interest to issue up to \$25,000,000 of tax-exempt multi-family revenue bonds for the benefit of CA Circle Family Apartment LP (“Borrower”), a partnership of which Waterford Development (the “Developer”) or a related person to the Developer is the general partner, to fund the construction of the CA Circle Family Apartments, an affordable rental housing project located at 1355 California Circle (“Project”); and

WHEREAS, the bonds issued by the Authority will be the sole responsibility of the Borrower, and the City will have no financial, legal obligation, liability, or responsibility for the financed project or the repayment of the bonds; and

WHEREAS, the Project is a multi-family apartment building that is part of a larger residential development approved by the City Council on November 7, 2023, and the Project was later revised and approved by the City Council on April 15, 2025, to contain seventy-five (75) very low and low-income one, two, and three-bedroom rental units to qualify the Project for Authority financing; and

WHEREAS, the Project will further the City’s General Plan and Housing Element goals to increase the supply and production of affordable housing in the City for lower-income households; and

WHEREAS, in addition to the Authority, pursuant to Tax Equity and Fiscal Responsibility Act of 1982 (“TEFRA”), specifically Section 147(f) of the Internal Revenue Code (26 U.S.C. § 147(f)), a governmental unit with elected representatives and jurisdiction over the area where the financed project is located must approve the issuance of the private activity bonds by the Authority and, for this Project, the City of Milpitas City Council is an applicable approval body; and

WHEREAS, for the interest on the bonds to be exempt from federal income tax, the applicable elected representative of the government unit must approve the issuance of the bonds after a noticed public hearing, commonly known as a TEFRA hearing; and

WHEREAS, a notice of the TEFRA public hearing for issuance of the bonds was published in the Milpitas Post on February 18, 2026, and the City Council held a duly noticed hearing on March 3, 2026.

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 items such as the staff report, testimony by staff and the public, and other materials and evidence submitted or provided to it and finds that the recitals set forth above are true and correct and are incorporated herein by reference.

2. 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 Public 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 may have a significant effect on the environment or involve any changes or expansion of the approved use, and is exempt from CEQA pursuant to Cal. Code Regs., tit. 14, § 15301. The action is a fiscal or administrative activity of public government that does not involve any commitment to any new, 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 environmental impacts of the underlying development were adequately studied and considered by the City, and the previously certified Final Environmental Impact Report (FEIR) (SCH#2022110251) remains a sufficient environmental analysis for the underlying development, including as found most recently by City Council Resolution No. 9403. No condition for further CEQA review of the underlying development has occurred (Cal. Pub. Resources Code, § 21166; Cal. Code Regs., tit. 14, §§ 15162-15164).
3. Pursuant to Section 147(f) of the Internal Revenue Code, the City Council, as the elected legislative body of the governmental unit with jurisdiction over the area where the Project is located, hereby approves the issuance of the bonds by the Authority.
4. This action is taken expressly for purposes of Section 147(f) of the Internal Revenue Code, and nothing contained herein shall be construed to signify approval for any aspect of the Project, including necessary entitlements, permits, and licenses required for the construction and operation of the Project.
5. The adoption of this Resolution shall not obligate the City or any department thereof to (i) provide any financing to acquire or construct the Project or any refinancing of the Project; (ii) approve any application or request for or take any other action in connection with any planning approval, permit or other action necessary for the acquisition, construction, rehabilitation, installation or operation of the Project; (iii) make any contribution or advance any funds whatsoever to the Authority; or (iv) take any further action with respect to the Authority or its membership therein.
6. The issuance of the bonds shall be subject to the approval of the Authority of all financing documents relating therein to which the Authority is the party. The City shall have no responsibility or liability whatsoever with respect to the Bonds.
7. The City Manager or their designee is authorized to execute and deliver any and all documents deemed necessary or advisable to comply with this resolution.

PASSED AND ADOPTED this ____ day of _____, 2026 by the following vote:

AYES

NOES

ABSENT

ABSTAIN

ATTEST:

Suzanne Guzzetta, City Clerk

APPROVED:

Carmen Montano, Mayor

APPROVED AS TO FORM:

Christopher Creech, Acting City Attorney

2060573

ORRICK, HERRINGTON & SUTCLIFFE LLP
ATTN: LAUREN SOMMERHAUSER
405 HOWARD ST.
SAN FRANCISCO, CA 94105-2669

PROOF OF PUBLICATION**FILE NO. TEFRA-CA Circle Family Milpitas****Milpitas Post**

The undersigned, being first duly sworn, deposes and says: That at all times hereinafter mentioned affiant was and still is a citizen of the United States, over the age of eighteen years, and not a party to or interested in the above entitled proceedings; and was at and during all said times and still is the principal clerk of the printer and publisher of the Milpitas Post, a newspaper of general circulation printed and published daily in the city of Milpitas in said County of Santa Clara, State of California as determined by the court's decree dated February 27, 1956, Case Number 97379, and that said Milpitas Post is and was at all times herein mentioned a newspaper of general circulation as that term is defined by Sections 6000 and following, of the Government Code of the State of California and, as provided by said sections, is published for the dissemination of local or telegraphic news and intelligence of a general character, having a bona fide subscription list of paying subscribers, and is not devoted to the interests or published for the entertainment or instruction of a particular class, professional, trade, calling, race or denomination, or for the entertainment and instruction of any number of such classes, professionals, trades, callings, races or denominations; that at all times said newspaper has been established, printed and published in the said city of Milpitas in said County and State at regular intervals for more than one year preceding the first publication of the notice herein mentioned. Said decree has not been revoked, vacated or set aside.

I declare that the notice, of which the annexed is a true printed copy, has been published in each regular or entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

02/13/2026

Dated at Milpitas, California
February 13, 2026

I declare under penalty of perjury that the foregoing is true and correct.



Principal clerk of the printer and publisher of the Milpitas Post

Legal No. **0006948506****CITY OF MILPITAS
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that on March 3, 2026, the Milpitas City Council will hold a public hearing at its regular City Council meeting as required by Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), with respect to a proposed plan of financing providing for the issuance by the California Municipal Finance Authority (the "Authority") of exempt facility bonds for a qualified residential rental project pursuant to Section 142(a)(7) of the Code in one or more series issued from time to time, including bonds issued to refund such exempt facility bonds in one or more series from time to time, in an amount not to exceed \$25,000,000 in aggregate principal amount (the "Bonds"). The proceeds of the Bonds will be used to: (1) finance or refinance the acquisition, construction, improvement and equipping of CA Circle Family, a multifamily rental housing project located at 1355 California Circle, Milpitas, California; and (2) pay certain expenses incurred in connection with the issuance of the Bonds. The facilities are to be owned by CA Circle Family Apartments LP (the "Borrower") or a partnership of which Waterford Development (the "Developer") or a related person to the Developer is the general partner.

The Bonds and the obligation to pay principal of and interest thereon and any redemption premium with respect thereto do not constitute indebtedness or an obligation of the Authority, the State of California or any political subdivision thereof, within the meaning of any constitutional or statutory debt limitation, or a charge against the general credit or taxing powers of any of them. The Bonds shall be a limited obligation of the Authority, payable solely from certain revenues duly pledged therefor and generally representing amounts paid by the Borrower.

The hearing will commence at 7:00 p.m. or as soon thereafter as the matter can be heard, and will be held in the Milpitas City Hall City Council Chamber, 455 E. Calaveras Boulevard, 2nd Floor, Milpitas, California. Interested persons wishing to express their views on the issuance of the Bonds may provide public comments in person during the public hearing or, prior to the time of the hearing, submit written comments. Written comments may be submitted by email to cityclerk@milpitas.gov. Written comments will not be read aloud during the meeting but will be digitally distributed to the City Council if received by 5:00 p.m. on the date of the public hearing and will become part of the official public record. Additional procedures will be detailed in the published meeting agenda; and any updated information will be posted to the City's website at www.milpitas.gov.

Dated: February 18, 2026

MP 6948506; Feb. 13, 2026