

## 4.0 CITY OF MILPITAS

The services that are provided by the City and evaluated within this service review include:

- Wastewater
- Solid Waste
- Parks and Recreation
- Storm Water Drainage
- Law Enforcement
- Library

### 4.1 LOCATION, ADMINISTRATION, AND OPERATIONS

The City of Milpitas is located in the northernmost area of Santa Clara County. The City is bounded on the south and west by the City of San Jose and on the north by Alameda County. The Milpitas incorporated limits encompass approximately 13.6 square miles.

The City of Milpitas was incorporated as a “general law” city on January 26, 1954, and operates under a council/manager form of government. The community elects the Mayor for a two-year term and the four Council members are elected to serve staggered four-year terms. Council elections are in November of even-numbered years. Regularly scheduled Council meetings are held at 7:00 p.m. on the first and third Tuesday of each month in the City Hall Council Chambers. Complete agenda packets, including the supporting staff reports, are available for review in the City Clerk’s office and at the Milpitas Library on the Friday before each Council meeting. In addition, residents can receive a copy of Council meeting agendas and minutes in the mail before each meeting. The City has a \$30.00 annual charge for this service to defray the cost of postage and handling. The City provides citizens opportunities at each meeting to address the Council on items of concern. The City also has 14 advisory committees in which residents can participate. In addition, the City publishes a newsletter several times per year to reach out to residents regarding City activities, services, and issues of concern to the community.

The City adopts an operating budget on or before June 30 each year. The proposed budget details each department’s objectives and significant policy issues for Council direction. After reviewing the proposed budget, the City Council holds public hearings to provide opportunity for public comment. The City Council then adopts the proposed budget as it is amended during the public hearings. The operating budget is subject to supplemental appropriations throughout the year in order to provide flexibility to meet changing needs and conditions. Expenditures cannot exceed the appropriated budget at the Department level without City Council approval. Along with budget preparation, the City reviews utility and service rates and fees annually. The City has a policy that directs setting rates and fees at a level that fully supports the total direct and indirect costs of the activity, including depreciation of assets, overhead charges, and reserves for unanticipated expenses and capital projects. Pursuant to State law, the City also implements an annual independent audit of financial records.

The City is currently facing fiscal challenges as increases in expenditures continue to outpace revenue growth. Thus, the FY 2004–2005 General Fund Budget utilized approximately \$2 million in reserve funds. In order to balance the FY 2005–2006 budget without using any General Fund reserves and have reserve fund balances that are in compliance with the City’s policy of maintaining a 15 percent reserve, the proposed budget includes the following cost savings:

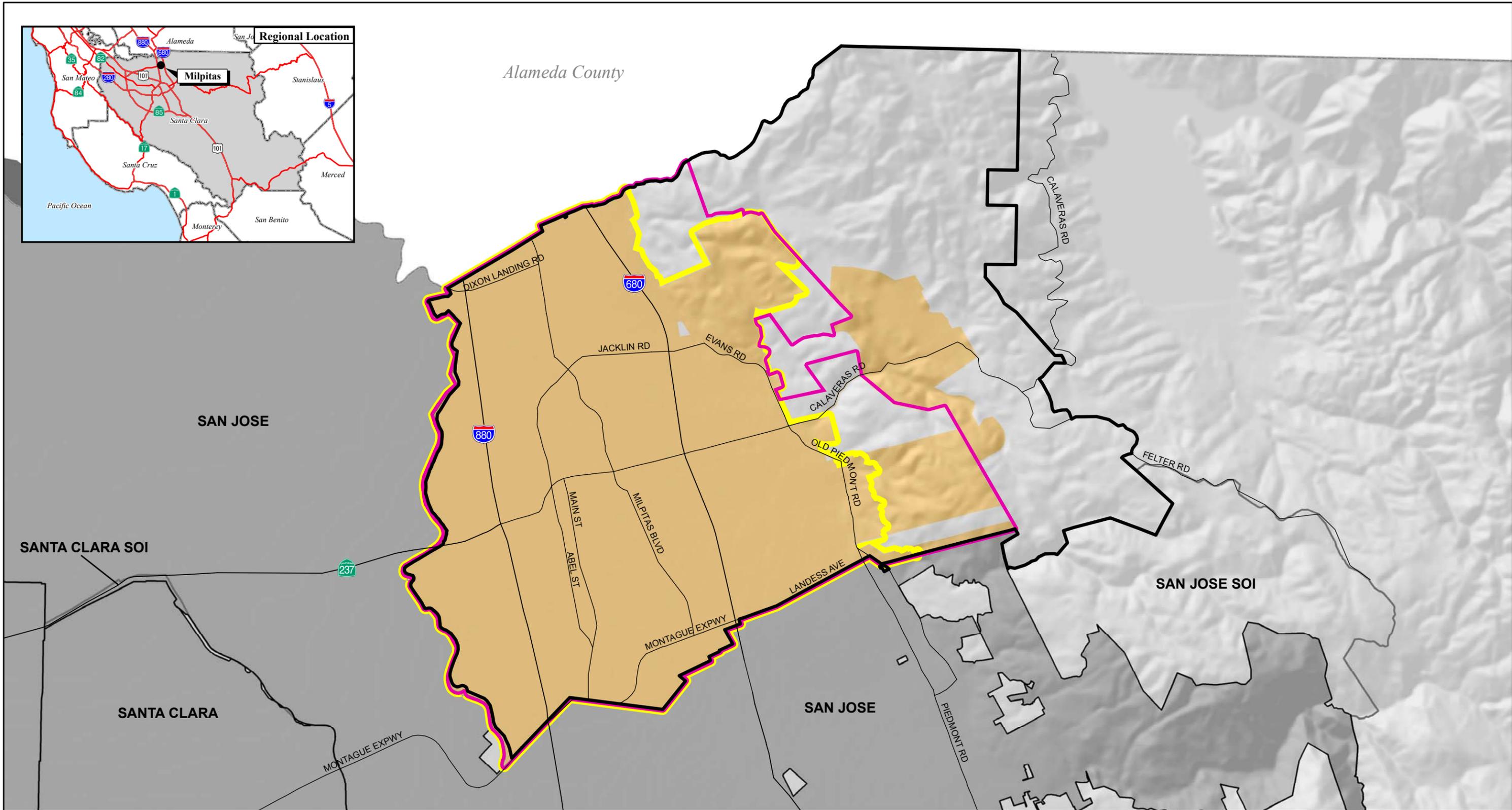
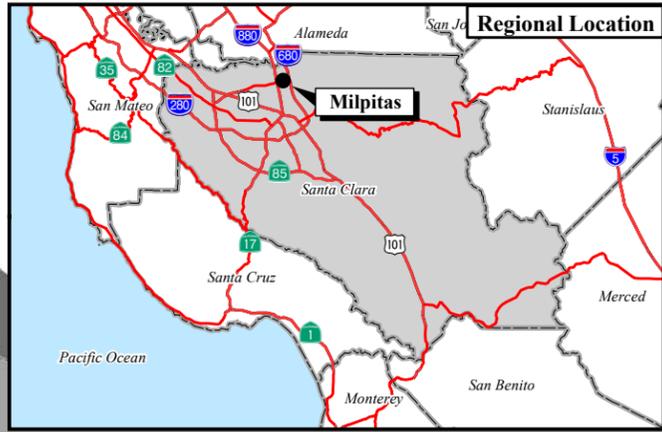
- Continue the present hiring freeze, as it is projected to provide more than \$4 million in savings this fiscal year
- Reduce the City work force through attrition
- Fund 95 percent of the operating budget, which would allow each City department to prioritize expenditures

The City also adopts a separate CIP budget annually that provides a detailed description of each project. The CIP document includes all projects for the budget year, in addition to detailing anticipated needs over the subsequent four years. Due to the existing fiscal issues, the 2005–2006 budget was prioritized to provide needed services and projects that are expected to bring economic benefits to the City.

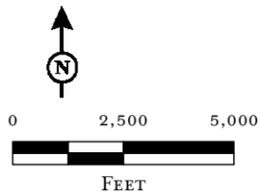
The City has maintained an AA credit rating with “Standard and Poor,” and the City has received the Distinguished Budget Presentation Award for the fiscal year beginning July 1, 2004. This award is presented to agencies with budgets that meet the criteria as a policy document, operations guide, financial plan, and communication device. In addition, the City has received an Excellence in Operational Budgeting Award for FY 2004–2005 from the California Society of Municipal Finance Officers. This award reflects outstanding budget documents and the budgeting process through which the budget is implemented.

The City has a formal investment policy that is subject to annual review and approval by the City Council. The purpose of the Investment Policy is to establish the investment objectives of safety, liquidity, and yield. The City’s investments are in the State Treasurer’s Local Agency Investment Fund, corporate notes, money market funds, commercial paper, and governmental securities. The City Treasurer provides quarterly investment reports to the City Manager and City Council.

As a cost savings measure, the City participates in ABAG Plan Corporation, a nonprofit public benefit corporation that provides liability insurance, claims and risk management, and legal defense to its participating members. This method of insurance provision is less costly than other forms of insurance coverage.



LSA



Legend

- County Boundary
- City of Milpitas
- City of Milpitas Sphere of Influence
- Milpitas Urban Service Area
- Milpitas Urban Growth Boundary
- Surrounding City Limits
- Surrounding City Sphere of Influence
- Unincorporated Areas

FIGURE 4.1

SOURCE: Santa Clara County  
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## **4.2 CITY PLANNING BOUNDARIES AND GROWTH**

### **4.2.1 Planning Boundaries**

In 1998, the City established a UGB with the passage of a ballot initiative. The City designated this as a 20-year growth boundary. The Measure and UGB delineation will be effective until December 31, 2018. The following are the objectives of the UGB:

- Preserve the predominately natural character of the hillsides
- Protect the view of the hillsides as seen from the valley floor
- Conserve environmental resources
- Minimize public service and infrastructure costs associated with development

As shown on Figure 4.1, the location of the voter-approved UGB is either coterminous or within the existing City limit, which indicates that the City would not propose any annexations through 2018. It should also be noted that the City's USA extends past the UGB. The ballot initiative that approved the UGB also included a provision to retract the USA boundary to be coterminous with the UGB. However, the voter approved USA retraction has not been implemented by the City. The existing location of the USA (being beyond the UGB) creates an inconsistency between planning boundaries and could create confusion regarding where urban development can occur and where City services would be provided. Therefore, it would be appropriate for the City to apply to LAFCO to retract the USA to be coterminous with the UGB.

### **Urban Pockets**

As discussed in Section 1.2.5, the County and LAFCO have adopted policies that state that urban islands and pockets should be annexed. LAFCO has identified six unincorporated islands that are less than 150 acres and two islands that are greater than 150 acres within the City of Milpitas. When the USA is retracted only two island areas will remain, as the other areas will be outside of the Milpitas USA. LAFCO has provided maps of the islands to the City and are also provided via the LAFCO website.

### **4.2.2 Growth and Availability of Vacant Land**

A majority of the City is currently developed. The areas remaining to be developed include very low density hillside areas and industrial park areas, as shown in Table 4.1 below. Other than the hillsides and the industrial areas, the remaining vacant developable lands are mostly small parcels that are scattered throughout the City.

Per the City's 2002 General Plan, approximately 15 percent of the land in the Valley Floor area of the City is vacant and available for development. However, most of the vacant land in this area includes the industrial area mentioned above and the Midtown Specific Plan Area. The Specific Plan focuses on redevelopment of old industrial and commercial areas. The Specific Plan has been implemented and is anticipated to be 50 percent complete by 2007 and 100 percent complete by 2020.

**Table 4.1: Acreage of Vacant Land within the Milpitas City Limits**

<b>Land Use Designation</b>	<b>Total Acres</b>	<b>Undeveloped Acres<sup>1</sup></b>
<b>Hillside</b>	<b>5,625</b>	<b>3,747</b>
Hillside Medium Density	105	16
Hillside Low Density	372	154
Hillside Very Low Density	3,618	3,577
Ed. R. Levin County Park	1,530	0
<b>Valley Floor</b>	<b>6,792</b>	<b>623</b>
Single Family Low Density	2,099	7
Single Family Mod. Density	215	30
Multi-Family Med. Density	165	0
Multi-Family High Density	351	27
Town Center	91	9
Office	14	2
Retail Subcenter	60	4
General Commercial	412	27
Highway Service	271	44
Industrial Park	950	272
Manufacturing	854	57
Public	311	13
Parks and Greenways	347	83
Major Streets, Freeways, Rail	652	48
<b>Total</b>	<b>12,417</b>	<b>4,370</b>

<sup>1</sup> Milpitas defines undeveloped acres as those currently vacant or underdeveloped in terms of their potential under the current General Plan land use designation. Source: Milpitas General Plan, March 2002.

**Milpitas, please provide the average vacant land absorption rate. Need to include information here.**

### **4.3 WASTEWATER SERVICES**

The City provides wastewater services within the City limits. The sanitary sewer system collects wastewater through approximately 860,640 linear feet of sewers. The flows are conveyed mostly by gravity to the Milpitas Main Pump Station, which pumps all the flow to the San Jose/Santa Clara Water Pollution Control Plant, which is operated and maintained by the City of San Jose. A second pump station, located on Venus Way, connects a low-elevation portion of the City to the gravity sewer system.

The Plant treats wastewater from eight cities and districts. The Plant's treatment capacity is allocated through contract to each discharger on the basis of the peak five-day dry weather flow, also referred to as the peak-week flow. The City's current contract with the plant allows for a peak-week flow capacity of 12.5 mgd. In 2001, the City discharged 9.0 mgd. The City's contracted capacity of 12.5 mgd is projected to be reached by approximately 2015.

The City prepared and adopted a Sewer Master Plan Revision in 2004, which is an update to the 2002 Sewer Master Plan. The Master Plan analyzed both the system’s design and projected flows through 2018 at the Milpitas Pump Station, as shown in Tables 4.A and 4.B.

**Table 4.A: Wastewater Design Flows**

	Estimated Flow MGD			
	2004	2008	2018	2018 with Midtown Build Out
Design Base Wastewater Flow	8.2	9.2	10.3	10.9
Design Groundwater Infiltration	1.48	1.84	1.93	1.93
Design Rainfall Infiltration	4.76	5.45	5.81	5.81
<b>Total</b>	<b>14.44</b>	<b>16.49</b>	<b>18.04</b>	<b>18.64</b>

Source: City of Milpitas 2004 Sewer Master Plan Revision.

**Table 4.B: Wastewater Flow Projections at Milpitas Main Pump Station**

	Estimated Flow MGD			
	2004	2008	2018	2018 with Midtown Build Out
Average Dry-Weather Flow	9.5	10.5	11.7	12.3
Peak Wet-Weather Flow	19.3	21.5	23.3	24.4

Source: City of Milpitas 2004 Sewer Master Plan Revision.

The projected flows in Table 4.B are higher than the system’s design capacity, shown in Table 4.A. The design flows were based upon the City’s wastewater generation factor of 85 gallons per person per day. The Master Plan has considered this a conservative number for use as a maximum, and actual flows are expected to be less. Likewise, an evaluation (during preparation of the Master Plan Revision) of the flows at the Main Pump Station and the flow-monitoring readings during the monitored rainfall storm events show that the peak flows during those events were much lower than the projected flows listed in Table 4.B (13.3–14.7 mgd versus 19.3 mgd). This leads to the conclusion that the Master Plan Revision is conservative in its estimation of peak wet-weather flow and that the actual capacity would be higher.

The Master Plan has identified 10 areas where pipelines or manholes are potentially deficient in wet-weather conveyance capacity. To remediate these potential deficiencies, seven sewer conveyance capacity improvement projects were identified within the Plan. The recommended projects consist of pipeline replacements to alleviate the potential capacity deficiency. In addition to evaluating the existing sewer infrastructure conditions, the Master Plan defines the system improvements that are necessary to accommodate the City’s future land use development plans and projected growth to 2018. In addition, the Master Plan includes a CIP and cost information to provide for project implementation.

### 4.3.1 Wastewater Rate Comparison

The wastewater rates for residential service are set as monthly fees as shown below. Commercial and industrial customer rates are dependant upon the amount and type of flow. Table 4.C compares Milpitas’s sewer rates to those of nearby jurisdictions. It should also be noted that the City’s FY

2005–2006 proposed budget includes a 9 percent sewer rate increase for single-family residential customers in 2005–2006 and 2006–2007. The 2005–2006 rates are as follows.

**Table 4.C: Monthly Wastewater Rates**

	<b>Morgan Hill</b>	<b>Santa Clara</b>	<b>Milpitas</b>
Residential: Single-Family	\$32.57	\$9.94	\$27.39
Residential: Multifamily	\$22.33 per unit	\$9.94 per unit	\$19.75 per unit
Commercial and Industrial	Calculated depending on use	Calculated depending on use	Calculated depending on use

#### 4.4 SOLID WASTE SERVICES

Solid waste services are provided by the City via a contract with Browning-Ferris Industries (BFI). The solid waste that is collected within the City of Milpitas is hauled to the landfills that are listed below. These facilities are Class III, which accept construction/demolition waste and mixed municipal refuse. Additional detail regarding these facilities is located in Appendix A.

- Keller Canyon Landfill
- Newby Island Sanitary Landfill
- Guadalupe Sanitary Landfill
- Zanker Material Processing Facility
- Vasco Road Sanitary Landfill
- Altamont Landfill & Resource Recovery
- Kirby Canyon Recycling & Disposal Facility

In 2000, the City of Milpitas disposed of 65,979 tons of solid waste. CIWMB shows that the solid waste disposal generation factor for the City is one pound per resident per day and five pounds per employee per day.

Diversion rates are defined as the percentage of total solid waste that a jurisdiction diverted from being disposed in landfills through reduction, reuse, recycling programs, and composting programs. The California Public Resources Code (PRC 41780) requires all jurisdictions to achieve 50 percent solid waste diversion after the year 2000. Per CIWMB, the City was below this goal and had a 39 percent diversion rate in 2003, which is the most recent data posted. Based upon this information, the City has not met the required levels of solid waste diversion.

The City has set rates for residential solid waste services, which are dependent upon the type of residence (i.e., single-family, multi-family). Commercial rates are based on the refuse bin size and by number of pickups per week. Table 4.D provides a comparison of City solid waste service rates.

**Table 4.D: Monthly Solid Waste Rates**

	<b>Milpitas</b>	<b>Gilroy</b>	<b>Santa Clara</b>
<b>Residential</b>			
Single-Family	\$23.55	32 gallon can at \$22.79	32 gallon can at \$13.25
Multi-Family	\$59.50–\$1,275.55 Dependent upon size of bin and number of pickups per week	32 gallon can at \$22.79	32 gallon can at \$13.25
Low-Income Senior	\$11.77	32 gallon can at \$19.19	-
Cart Rental	\$2.62	-	-
<b>Commercial</b>			
	\$25.51–\$1,636.68 Dependent on size of bin and number of pickups per week	\$22.79–\$2,367.57 Dependent on size of bin and number of pickups per week	\$8.53–\$1,889.67 Dependent on size of bin and number of pickups per week

#### 4.5 PARKS AND RECREATION

The City of Milpitas provides park and recreational services within the City. Table 4.E lists all of the existing facilities within the City. Many of these facilities may be rented. Rental fees vary by facility type, and reservations are available on a first-come, first-served basis.

**Table 4.E: City of Milpitas Park and Recreational Facilities**

<b>Facility and Location</b>	<b>Amenities</b>	<b>Acreage</b>
Milpitas Community Center 457 E. Calaveras Boulevard	Community center	—
Milpitas Sports Center 1325 E. Calaveras Boulevard	Locker room and showers; fitness room with weights, stairmasters, and lifecycles; basketball court; pool	—
Teen Center next to the Sports Center 1325 E. Calaveras Boulevard	pool, ping-pong, foosball tables, a big screen TV, video games, computers	—
Senior Center 540 S. Abel Street	auditorium, small kitchen, small classroom and patio area	—
Ben Rodgers Park Grand Teton at Sequoia	barbecue pits, picnic tables, a backstop, play equipment	7.5
Calle Oriente Mini-Park Calle Oriente off N. Park Victoria	two handball courts, two tables, play equipment	2.0
Cardoza Park Kennedy Drive at N. Park Victoria	barbecue pits, picnic tables, restrooms, play equipment, lighted ball diamond, horseshoes pits, volleyball poles, outdoor amphitheater	10.0
Creighton Park Olympic west of S. Park Victoria	barbecue pits, picnic tables, play equipment	5.0

<b>Facility and Location</b>	<b>Amenities</b>	<b>Acreage</b>
Dixon Landing Park Dixon Landing and Milmont	tennis courts, barbecue pits, picnic tables, a basketball hoop, play equipment, restrooms	11.0
Foothill Park Roswell Drive at Roswell Court	barbecue pits, picnic tables, play equipment	4.0
Gill Memorial Park Paseo Refugio and Santa Rita	lighted ball diamond, tennis courts, handball courts, a basketball court, barbecues, picnic tables, play equipment, restrooms	5.1
Hall Memorial Park LaHonda and Coyote	barbecue pits, picnic tables, tennis courts, play equipment, restrooms	9.5
Hidden Lake Park N. Milpitas Boulevard	barbecue pits, picnic tables, lake with ducks	1.5
Higuera Adobe Park Wessex off N. Park Victoria	barbecue pits, picnic tables, play equipment	5.5
Hillcrest Park Fieldcrest off Crescent	barbecue pits, picnic tables, tot lot	5.2
Murphy Park Yellowstone off S. Park Victoria	open space, restrooms, play equipment, barbecue pits, picnic tables	8.7
Pinewood Park Lonetree and Starlite Drive	tennis courts, barbecue pits, picnic tables, basketball court, tot lot	8.0
Sandalwood Park Escuela Parkway and Russell	barbecue pits, picnic tables, play equipment	1.5
Selwyn Park Selwyn Drive off Dempsey Road	playground, picnic tables, barbecue pits	0.25
Sinnott Park Clear Lake and Tahoe	par course, play equipment, barbecue pits, picnic tables	4.7
Starlite Park Rudyard and Abbott Avenue	horseshoes pits, play equipment, barbecue pits, picnic tables	4.0
Strickroth Park Martil and Gemma	play equipment, barbecue pits, picnic tables	5.7
Augustine Memorial Park Cortez and Coelho off Escuela	open space, play equipment, barbecue pits, picnic tables	6.0
Jones Memorial Park Jacklin at Hillview	par course, play equipment, barbecue pits, picnic tables	5.2
Yellowstone Park Yellowstone and S. Park Victoria	lighted courts, open space, par course, restrooms	4.0
<b>Total Park Land Acreage</b>		<b>114.35</b>

The City has adopted a guideline requirement of 0.375-mile service radius for neighborhood or community parks. In addition, the City has adopted park standards requiring 5 acres of parkland per 1,000 residents for areas outside of the Midtown Specific Plan area and a standard of 3.5 acres of parkland per 1,000 residents within the Midtown Specific Plan. It is difficult to determine the number of residents within the Specific Plan area; therefore, it is also difficult to determine whether the City is meeting these standards. However, based on the California Department of Finance 2005 population

for the City (64,998) and the information listed in Table 4.E, the City is currently providing an overall average of 1.76 acres of parkland per 1,000 population, which is lower than the adopted standard.

In addition to the City’s parks, several County park facilities are located within and near the City. These parks supplement the facilities that are provided by the City. These County parks are detailed below in Table 4.F.

**Table 4.F: County Parks within or near Milpitas**

<b>Park and Location</b>	<b>Amenities</b>	<b>Acreage</b>
Ed Levin County Park 3100 Calaveras Road Milpitas	Picnic areas, play areas, 19-mile trail system, Sandy Wool Lake, 18-hole Spring Valley Golf Course, Laguna Cemetery	1,539
Alviso Marina County Park Mill Street, Alviso	Picnic areas and launch ramp; facility is currently closed due to current renovations	17
Penitencia Creek County Park Maybury & Jackson Avenue San Jose	Four miles of trails, nature center, picnic areas	134

**Recreation**

The City provides recreation programs to residents of all ages. The City publishes a recreational brochure several times per year. The brochure provides a comprehensive listing of all programs. The types of programs that the City offers are as follows:

- Youth art and theater
- Youth music and theater
- Youth enrichment programs
- Youth summer camps
- Cheerleading and dance
- Youth and adult fitness
- All ages sports camps
- Adult art
- Family enrichment programs
- Adult dance and music
- Adult sports
- All ages aquatics classes
- Preschool programs
- Teen programs
- Senior programs

In addition to the recreation programs that are listed above, the City provides numerous community activities such as summer concerts, parades, and sporting events.

#### **4.6 STORM WATER DRAINAGE SERVICES**

Storm water drainage in Milpitas is generally westward. Six intermittent streams (Scott, Calera, Tularcitos, Piedmont, and Berryessa Creeks and Arroyo de los Coches) flow out of the foothills and across the flatlands. In the western part of the City, Lower Penetencia and Coyote Creeks carry water from these streams northward into San Francisco Bay.

Santa Clara Valley Water District owns and maintains most of the major drainage facilities in Milpitas and the City provides the smaller local facilities. The City's storm drainage network consists of catch basins, conveyance piping, pump stations, and outfalls to creeks. The City has approximately 123 miles of storm pipe, 3,000 catch basins, and approximately 4 miles of drainage ditches and creeks. These facilities direct runoff to ultimately discharge to San Francisco Bay.

The City prepared a comprehensive Storm Drainage Master Plan in 2001. The Master Plan includes a prioritized CIP and drainage standards for new development. However, much of the existing collection system does not strictly meet these criteria; so when new systems tie into existing systems, it may not be possible to provide a design that meets the desired standard. Therefore, each project must be designed on a case-by-case basis.

The Master Plan identifies existing deficiencies within the City, which generally consist of inadequate capacities of the existing facilities. The Master Plan provides infrastructure upgrade recommendations, based on ultimate build out of the General Plan. The recommendations are provided by priority, pursuant to the Master Plan analysis. The proposed improvements generally utilize parallel relief drains unless site constraints favor the actual replacement of pipe. Generally, installing new parallel drains should be more cost-effective than replacing pipes in most cases, since the required pipe size is smaller and the existing pipe does not need to be removed.

#### **4.7 LAW ENFORCEMENT SERVICES**

The City of Milpitas has a Police Department that provides law enforcement services to the City. The Department has 130 employees, including 95 sworn officers. The Department is organized into three patrol shifts: Watch I = midnights; Watch II = days; and Watch III = swings. Each shift includes a supervisory team consisting of a Lieutenant, and two Sergeants. The City is divided into six geographical beats, and on most shifts and most days, each beat is filled.

The Traffic Safety Division of the Department manages 43 crossing guards and 12 sworn officers who provide traffic enforcement, investigation of traffic accidents, implementation of the vehicle abatement program, and management of tow companies. In addition, one officer is specifically assigned to investigate stolen cars. Eight of the Traffic Safety sworn officers are assigned as motorcycle officers, responsible for enforcing traffic laws and the investigation of traffic accidents. These officers must take and pass advanced accident investigation courses up to and including accident reconstruction. Many of the motorcycle officers have ancillary duties including firearms instruction, defensive tactics instruction, and SWAT.

One officer in charge of Driving Under the Influence (DUI)-related offenses is assigned to patrol the city and enforce drunk-driving laws, primarily by means of enforcement. The Department participates in special educational events designed to prevent drunk driving, including the Sober Graduation and Reality Check programs conducted in alliance with local schools. Traffic Safety also conducts 12 DUI/driver's license checkpoints per year.

The Milpitas Police Department has had a police reserve program for many years. The City Council has authorized 15 reserve police officers. Police reserves are required to complete a minimum of 18 hours per month. The Department provides initial uniforms and safety equipment as well as ongoing training.

The Department has recently implemented a School Resource Officer Program, which involves sworn officers being dedicated to school facilities. Last year the Department had one School Resource Officer; in FY 2005–2006, the Department will have two.

The Department has several joint response/mutual aid agreements with other law enforcement agencies within the County. The Department is a participant in the Child Abuse Protocol Program, which involves a coordinated effort to resolve child abduction incidents. This program is coordinated with the Santa Clara County Sheriff's Office, Alameda County Sheriff's Office, and police departments throughout both Counties. The Department will participate in a program that is currently being developed. The new program will involve the police department sending a specific number of officers to assist in events such as riots or disasters wherever they occur within the County. The County Sheriff's Office will be the coordinator of this program.

Likewise, the Department has several arrangements for sharing service functions. All of the police departments within the County have an arrangement with the District Attorney's Crime Lab to process all evidence. The police departments are charged a fee for these laboratory services. This arrangement is mutually beneficial: (1) the police department saves the cost of equipping and staffing its own laboratory; and (2) the District Attorney's Office has more control over the timing and functions of the lab, which is a benefit because the District Attorney is responsible for prosecuting the crimes. The Department also has an arrangement for the California Highway Patrol (CHP) to provide services to the High Occupancy Vehicle (HOV) lanes within the City. The roadways with HOV lanes that are within the City are County-owned and maintained roads. The CHP patrols and investigates accidents on these roadways. The CHP and the City have a cost-sharing agreement for this service. Depending upon the revenue generated from citations and the expenses of providing services, either the City will receive funds, pay funds, or break even annually. Within the history of this agreement, all three cost-sharing circumstances have occurred. The Department is expecting to break even during this fiscal year. In addition, the City has an Operational Agreement with the District Attorney's Office, Probation Office, and other police departments within the County to deter drug-related crime. The program largely involves information sharing and coordinated investigations. Likewise, the program has an asset forfeiture sharing agreement, which divides any money seized in drug raids among the agencies. The program is administered by the County Sheriff's Office.

The Department has also identified future opportunities for shared staff and equipment in implementing homeland security efforts. Potential opportunities include standardizing and sharing equipment, programs, and training among all of the law enforcement agencies within the County.

In FY 2003–2004, the Department responded to 79,480 calls for service. The Department does not have specific standards for the number of officers per population or the number of officers per call.

Department staffing is determined upon the specific programs that are approved by the City Council such as the DARE and Drunk Driving Programs and by growth and development within the City. For example, the development of the Great Mall resulted in four additional officers due to the number of service calls involving incidents at the stores. Another service level indicator the Department utilizes is the response time to emergency calls. The Department has adopted a standard response time of four minutes or less for all emergency calls. In FY 2003–2004, the Department had an average response time of 3 minutes and 41 seconds to all emergency calls, meeting the adopted standard.

The operations of the Department are routinely evaluated utilizing a “Comp Stat” comparison, which is a standardized method of law enforcement review. The Police Department Chief and high-ranking officers meet every two weeks to evaluate efforts in fighting crime trends. The objective of the meeting is to analyze crime and to deploy resources effectively. In addition, the Department has received COP awards and in 2004 received an honorable mention for the Helen Putnam Award for Excellence in Public Safety from the Institutionalized Community Policing and Partnership Program. The Department has also been featured in an article in Police Chief Magazine in 2003. The article titled “Proactive Policing Strategies that Work” discussed the Department’s shopping center program, in which officers interact with merchants to help reduce crime.

Due to City budget constraints, the City is under a hiring freeze and the Police Department has several staff vacancies, including five sworn officers, one dispatch supervisor, and two records positions. The Department has taken steps to ensure that the personnel constraints do not affect response times and patrolling the City. The constraints have been limited to administrative services. Specific facility and equipment needs for the Department are determined either during the budget and CIP preparation process or during the grant-writing process.

The Department provides comments and insight regarding growth projections, which may result from development within the City. The Department is involved in the development review process and provides the City Council projections of department staffing or equipment needs that may occur with project implementation. For example, the Department was active in the development of the Great Mall and during the development of the Midtown Specific Plan.

## **4.8 LIBRARY SERVICES**

Library services within the City are provided by a joint effort between the City and the Santa Clara County Library. The City provides the library facility and the County Library operates, staffs, and supplies the materials for the library. The County Library owns all the furniture and equipment within the library, including shelves, desks, chairs, computers and peripherals, telephones, security gates, self-check machines, and the collection of books and other materials. Due to funding issues, in 2004 the County Library cut library hours and closed all of its branches every Monday. However, the Milpitas City Council has authorized additional funding to provide for the Library to be open an additional 13 hours per week, which began on August 29, 2005.

The existing library facility within the City is 19,500 square feet and was built in 1982. The facility is currently inadequate to meet the needs of community. The facility was designed to accommodate 100,000 volumes but currently houses over 210,000. It is estimated that the library has 50,000 monthly visitors and circulates over 165,000 items each month. The library has the highest circulation per square foot in Santa Clara County.

In November 2000, City voters approved two ballot measures that provide funding to assist in implementing a new library and arts facilities and services. The City is currently designing a new 60,000-square-foot library, which will be located at the corner of North Main Street and Weller Street. The new facility is expected to open in 2009.

#### **4.9 SERVICE REVIEW DETERMINATIONS FOR THE CITY OF MILPITAS**

The Service Review guidelines prepared by the State Office of Planning and Research recommend that issues relevant to the jurisdiction be addressed through written determinations called for in the CKH Act. Based on the above information, following are the written determinations for the City.

##### **Infrastructure Needs and Deficiencies**

1. The Sewer Master Plan has identified 10 areas where pipelines or manholes are potentially deficient. The plan also includes a CIP and cost information, which detail the recommended system upgrades.
2. Per the CIWMB, the City had a 39 percent solid waste diversion rate in 2003, which are the most recent data posted. Based upon this, the City has not met the State-mandated levels of solid waste diversion.
3. The City is currently providing an overall average of 1.76 acres of parkland per 1,000 population, which is lower than the City-adopted standard. However, Ed Levin County Park is located both within and adjacent to the City and supplements the City's facilities.
4. Some areas of the existing storm water drainage system do not meet the City's drainage standards. In order to avoid further impacting the existing system, all new projects that would affect drainage must be designed on a case-by-case basis and may also be constrained against meeting the standards.
5. The existing library facility is inadequate to meet the needs of community. The City is currently in the process of developing a new facility. The new library is expected to open in 2009.

##### **Growth and Population**

1. A majority of the City is developed. The remaining vacant lands are generally located in very low density hillside areas and industrial park areas. However, the City is also projecting redevelopment related growth to occur as a result of implementation of the Midtown Specific Plan area.
2. ABAG population projections show the City growing at a slightly higher rate than the cities within this service review and the County as a whole. This rate of growth may not occur because a majority of the City is currently developed.

## **Financing Constraints and Opportunities**

1. The operating budget is subject to supplemental appropriations throughout the year in order to provide flexibility to meet changing needs and conditions. This provides the City with flexible financing opportunities.
2. The City is currently facing fiscal challenges as increases in expenditures continue to outpace revenue growth. Due to this, the FY 2005–2006 budget includes specific cost-savings measures that are expected to balance the budget without using any General Fund reserves and have reserve fund balances that are in compliance with the City’s policy.
3. The FY 2005–2006 budget was prioritized to provide needed services and projects that are expected to bring economic benefits to the City.
4. The City has a formal investment policy to provide for future financing needs. The policy is subject to annual review and approval by the City Council.
5. Due to City budget constraints, the City is under a hiring freeze. This hiring freeze constrains the Police Department’s operations; however, the Department has taken steps to ensure that the constraints do not affect response times and patrolling of the City.
6. The Police Department applies for grants to provide funding for additional resources or programs.
7. The City is financing a new library and arts facilities and services through a voter-approved bond measure that was passed in 2000.

## **Cost-Avoidance Opportunities**

1. As a cost-savings measure, the City participates in ABAG Plan Corporation, a nonprofit public benefit corporation that provides liability insurance, claims and risk management, and legal defense to its participating members. This method of insurance provision is less costly than other forms of insurance coverage.
2. The FY 2005–2006 budget includes several specific cost-savings measures, including continuation of the present hiring freeze, reduction the City work force through attrition, and funding 95 percent of the operating budget.
3. The Milpitas Police Department has several arrangements for sharing service functions with other agencies, which produce cost savings.

## **Opportunities for Rate Restructuring**

1. The City reviews utility and service rates and fees annually. The City has recently implemented a two-year rate increase for wastewater services.
2. The City has a policy that directs setting rates and fees at a level that fully supports the total direct and indirect costs of the activity, including depreciation of assets, overhead charges, and reserves for unanticipated expenses and capital projects.

### **Opportunities for Shared Facilities**

1. The Police Department has a cost-sharing agreement with the CHP to provide services to the HOV lanes within the City.
2. The Police Department has identified future opportunities for shared staff and equipment in implementing homeland security efforts. Potential opportunities include standardizing and sharing equipment, programs, and training among all of the law enforcement agencies within the County.
3. Library services within the City are provided by a joint effort between the City and the Santa Clara County Library. The City provides the library facility, and the County Library operates, staffs, and supplies the materials for the library. Because the County Library operates many libraries throughout the County, this structure provides for efficient service delivery.

### **Government Structure Options**

1. In order to implement more appropriate planning boundaries, the City should propose a retraction of the City's USA to be coterminous with the voter-approved UGB.
2. The City should consider pursuing annexation of any remaining unincorporated pockets after retraction of the USA.

### **Evaluation of Management Efficiencies**

1. The operations of the Police Department are evaluated every two weeks to analyze efforts in fighting crime trends. The objective of the meeting is to analyze crime and to efficiently manage resources.
2. The Police Department has received awards and nationwide recognition for its successful programs.

### **Local Accountability and Governance**

1. The City holds meetings pursuant to the Brown Act, has 14 advisory committees, and publishes a newsletter several times per year.

## **4.10 SOI RECOMMENDATION FOR THE CITY OF MILPITAS**

### **Current SOI Boundary**

In October 1984, LAFCO established the Milpitas SOI to be coterminous with the existing Boundary Agreement line and the City's General Plan that existed in 1984. The watershed lands that are owned by the San Francisco Water Department define the eastern side of the Boundary Agreement line and SOI boundary. These lands form a natural boundary for Milpitas growth. The other sides of the City limit and SOI boundary are contiguous with the San Jose city limits and the County Line. Milpitas' 1984 SOI boundary includes lands that are planned for both urban uses, as well as, lands planned for permanent open space uses. Therefore, LAFCO concluded in 1984 that the City's SOI boundary was

not a commitment to staging urban expansion but rather a planning tool for LAFCO to use as a framework in considering expansion actions. The City's SOI also delineated areas in which the City and the County have shared interests in preserving non-urban land uses. Since 1984, San Milpitas' SOI boundary has remained significantly unchanged.

### **SOI Boundary Recommendation**

It is recommended that LAFCO reaffirm the City of Milpitas' existing SOI boundary because the City of Milpitas' SOI boundary serves multiple purposes including serving as:

- A long range planning tool to help LAFCO evaluate USA boundary changes and annexation requests.
- Areas that will not necessarily be annexed by Milpitas or will not necessarily receive services from Milpitas, but are areas in which the County and Milpitas may have shared interests in preserving non-urban levels of land use. Specific examples include the foothills and ridgelines located east of the City. Furthermore, both the City and the County share a mutual interest in protecting viewsheds and natural resources.
- Areas where Milpitas and the County have significant interaction. A specific example of such interaction includes areas where the City receives discretionary planning application referrals from the County.
- Areas that contain social or economic communities of interest to Milpitas, such as areas within the City's jurisdiction.

Although the City of Milpitas adopted a 20-year UGB in 1998 which is intended to represent the 20-year limit for City urban development, the City's existing SOI boundary continues to perform several important functions as discussed above. Therefore, it is recommended that LAFCO re-affirm the City of Milpitas' existing SOI boundary. In making this recommendation, it should be made clear that inclusion of an area within the City's SOI boundary should not necessarily be seen as an indication that the City will either annex or allow urban development and services in the area. The City's USA boundary is the more critical factor considered by LAFCO and serves as the primary means of indicating whether the area will be annexed and provided urban services.

## **4.11 SOI DETERMINATIONS FOR THE CITY OF MILPITAS**

As detailed in Section 1.1.2, Government Code Section 56425 requires written determinations with respect to the following four factors to update an agency's SOI. Based upon the information above, the following determinations are provided to update the City's existing SOI.

### **1. The Present and Planned Land Uses in the Area, Including Agricultural and Open-Space Lands**

Land outside of the City but within the Milpitas SOI boundary is largely undeveloped and designated either park and open space or hillside very low density. Lots with the hillside very-low density designation have an allowable development density of 1 unit per 10 acres. The City does not intend to extend services to the SOI area and planned land uses within the SOI are the same as existing land uses.

The City of Milpitas is largely developed with residential community. Approximately 45 percent of the City is within the hillsides very-low, low, or medium density. The remaining non-hillsides areas are largely low-density residential. However, there are significant industrial/manufacturing areas and smaller commercial areas. A majority of the City is developed and planned land uses are similar to that of the existing City. Likewise, the City has adopted the Midtown Specific Plan, which is focused on redevelopment of old industrial and commercial areas.

Finding: A variety of urban uses are planned within Milpitas' USA and Milpitas' UGB. However, both the County of Santa Clara and the City of Milpitas General Plans call for the continuation of non-urban uses beyond these boundaries.

## **2. Present and Probable Need for Public Facilities and Services in the Area**

Although a majority of the City is developed, the City is expected to experience modest growth through infill development, redevelopment, and very low-density residential development within the hillsides. Similarly, the need for a full range of public facilities and services is expected to grow modestly in the future.

However, there is a low probable need for public facilities and services within most of the City's existing SOI area because (1) the topography of the SOI and location of the County park may create constraints to the extension of infrastructure; (2) the voters have approved a 20-year UGB that is within the existing USA and does not extend into the existing SOI; and (3) extensive hillside areas exist between the USA and the far edge of the existing SOI.

Finding: The type of public services and public facilities required in the proposed Milpitas SOI will not change, although the level of demand will increase modestly.

## **3. Present Capacity of Public Facilities and Adequacy of Public Services That the Agency Provides or Is Authorized to Provide**

The properties within the City receive a full range of public services from the City. For the most part, the present capacity of public facilities and provision of service appears to be adequate. However, the City is not in compliance with solid waste diversion rates, the Sewer Master Plan has identified 10 areas where pipelines or manholes are potentially deficient, and some areas of the existing storm water drainage system do not meet the City's drainage standards

Finding: The present capacity of public facilities and public services is generally adequate. However, some areas of the City's storm water drainage system are below City standards, and some areas of the City have pipelines or manholes that are potentially deficient.

## **4. Existence of Any Social or Economic Communities of Interest**

The City of Milpitas has annexed territory that may never be in the City's USA Boundary or Milpitas' UGB, but which is within the proposed SOI. These areas are to the east of the urban area and include areas such as portions of Ed R. Levin County Park, the Spring Valley Golf Course, and some lands east of Piedmont Road. While these areas will not generally be considered for urban development, they are none the less located within the jurisdiction of the City.

Finding: There exist social and economic conditions that cause interaction and interdependence between the City of Milpitas and the areas proposed as its SOI.