

CERTIFICATION OF CITY CLERK

ORDINANCE NO. 66.3

I, Mary Lavelle, City Clerk of the City of Milpitas, do hereby certify that the attached Ordinance is a true and correct copy of Ordinance No. 66.3 of the City of Milpitas, that this Ordinance was duly enacted and adopted by the City Council of the City of Milpitas at a meeting of the City Council held on the 15TH day of June 2010, and that the Ordinance was published and/or posted in the manner required by law.

WITNESS my hand and the Official Seal of the City of Milpitas, California, this 23RD day of June 2010.



Mary Lavelle
City Clerk

REGULAR

NUMBER: 66.3

TITLE: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MILPITAS ADOPTING THE CITY'S REVISED STANDARD DRAWINGS, SPECIFICATIONS AND ENGINEERING GUIDELINES FOR CITY PUBLIC WORKS, WHICH ADOPT BY REFERENCE THE STANDARD SPECIFICATIONS OF THE CALIFORNIA BUSINESS & TRANSPORTATION AGENCY, THE FEDERAL TEST STANDARDS, NATIONAL ELECTRIC CODES (NEC), THE ILLUMINATING ENGINEERING SOCIETY OF NORTH AMERICA (IESNA) ROADWAY LIGHTING PRACTICE RP-8, THE AMERICAN ASSOCIATION OF STATE HIGHWAY AND TRANSPORTATION OFFICIALS MANUALS FOR GEOMETRIC DESIGN OF HIGHWAYS AND STREETS (2004 EDITION) AND GEOMETRIC DESIGN OF VERY LOW VOLUME LOCAL ROADS/ADT \leq 400 (2001 EDITION), THE CALIFORNIA MANUAL OF UNIFORM TRAFFIC CONTROL DEVICES (2003), THE CALIFORNIA DEPARTMENT OF TRANSPORTATION TRAFFIC MANUAL (1996 METRIC VERSION WITH UPDATES AS OF MAY 19, 2004, AND SEPTEMBER 26, 2006), THE CALIFORNIA DEPARTMENT OF TRANSPORTATION HIGHWAY DESIGN MANUAL (JULY 2009), THE CALIFORNIA DEPARTMENT OF TRANSPORTATION STANDARD PLANS AND SPECIFICATIONS, AND THE SPECIFICATIONS OF THE FOLLOWING ENTITIES AND GROUPS: THE AMERICAN WATER WORKS ASSOCIATION (AWWA); THE AMERICAN SOCIETY OF TESTING & MATERIALS (ASTM); THE NATIONAL ELECTRICAL MANUFACTURERS ASSOCIATION (NEMA); THE AMERICAN SOCIETY OF MECHANICAL ENGINEERS (ASME); AND THE AMERICAN NATIONAL STANDARDS INSTITUTE (ANSI)

HISTORY: This Ordinance was introduced (first reading) by the City Council at its meeting of June 1, 2010, upon motion by Vice Mayor McHugh and was adopted (second reading) by the City Council at its meeting of June 15, 2010 upon motion by Councilmember Polanski. The Ordinance was duly passed and ordered published in accordance with law by the following vote:

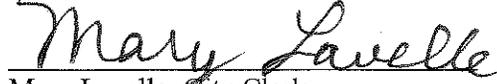
AYES: (5) Mayor Livengood, Vice Mayor McHugh, Councilmembers Giordano, Gomez and Polanski

NOES: (0) None

ABSENT: (0) None

ABSTAIN: (0) None

ATTEST:


Mary Lavelle, City Clerk

APPROVED:


Robert Livengood, Mayor

APPROVED AS TO FORM:


Michael J. Ogaz, City Attorney

RECITALS AND FINDINGS:

WHEREAS, the City wishes to adopt and update its standard drawings, specifications, and engineering guidelines.

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

SECTION 1. RECORD AND BASIS FOR ACTION

The City Council has duly considered the full record before it, which may include, but is not limited to such things as the City staff report, testimony by staff and the public, and other materials and evidence submitted or provided to the City Council. Furthermore, the recitals set forth above are found to be true and correct and are incorporated herein by reference.

SECTION 2. AMENDMENT OF MILPITAS MUNICIPAL CODE CHAPTER 3, TITLE XI

Chapter 3, Title XI of the Milpitas Municipal Code is hereby repealed in its entirety and replaced with the text below to read as follows:

XI-3-1.00 Standard Drawings, Specifications and Engineering Guidelines

Pursuant to the authority contained in Government Code Sections 50022.1 *et seq.* and 66462, the City Council of the City of Milpitas does hereby adopt as the standard specifications for public works within City boundaries the "City of Milpitas Standard Drawings, Specifications and Engineering Guidelines," printed and prepared by the City Engineer of the City of Milpitas. The City of Milpitas Standard Drawings, Specifications and Engineering Guidelines incorporates by reference the Standard Specifications of the California Business & Transportation Agency, the Federal Test Standards, National Electric Codes (NEC), the Illuminating Engineering Society of North America (IESNA) Roadway Lighting Practice RP-8, the American Association of State Highway and Transportation Officials Manuals for Geometric Design of Highways and Streets (2004 Edition) and Geometric Design of Very Low Volume Local Roads/ADT ≤ 400 (2001 Edition), the California Manual of Uniform Traffic Control Devices (2003), the California Department of Transportation Traffic Manual (1996 Metric version with updates as of May 19, 2004, and September 26, 2006), the California Department of Transportation Highway Design Manual (July 2009), the California Department of Transportation Standard Plans and Specifications, and the specifications of the following entities and groups: the American Water Works Association (AWWA); the American Society of Testing & Materials (ASTM); the National Electrical Manufacturers Association (NEMA); the American Society of Mechanical Engineers (ASME); and the American National Standards Institute (ANSI). The City Engineer is authorized to make administrative changes to the City of Milpitas Standard Drawings, Specifications and Engineering Guidelines as needed, except as barred by Government Code Section 50022.7. The Standard Drawings, Specifications, and Engineering Guidelines shall be kept in uncodified form and shall be available upon request from the City Engineer.

XI-3.2.00 Application

The City of Milpitas Standard Drawings, Specifications and Engineering Guidelines shall be applicable to all subdivision improvements, public works projects, and associated encroachment permits, and for projects affecting City facilities. Said standard specifications may be referred to or incorporated by reference in any ordinance, resolution, order or agreement to which the City of Milpitas is a party.

SECTION 3. SEVERABILITY

The provisions of this Ordinance are separable, and the invalidity of any phrase, clause, provision or part shall not affect the validity of the remainder.

SECTION 4 EFFECTIVE DATE AND POSTING

In accordance with Section 36937 of the Government Code of the State of California, this Ordinance shall take effect thirty (30) days from and after the date of its passage. The City Clerk of the City of Milpitas shall cause this Ordinance or a summary thereof to be published in accordance with Section 36933 of the Government Code of the State of California.