



CITY OF MILPITAS

OFFICE OF THE CITY ATTORNEY

455 EAST CALAVERAS BOULEVARD, MILPITAS, CALIFORNIA 95035-5479
PHONE: 408-586-3040, FAX: 408-586-3056, www.milpitas.gov

April 30, 2024

Via U.S. Mail and Electronic Mail to rob@milpitasprt.com

Robert Means
1421 Yellowstone Ave.
Milpitas, CA 95035

Re: Lobbyist Registration & Reporting

Dear Mr. Means:

As you are aware, Milpitas Municipal Code ("MMC") Title I, Chapter 310, Section 3.5 regulates lobbying activities within the City of Milpitas, including the lobbying activities of business and organizational lobbyists. MMC § I-310-3.5.30(o). Lobbyist must register with the City Clerk within 15 days of commencing lobbyist activities, which you did on or about March 21, 2023. MMC § I-310-3.5.40. However, you failed to undertake the annual renewal or termination of your registration as required by the code. §§ I-310-3.5.50 to I-310-3.5.60. Moreover, you failed to file quarterly reports with the City Clerk for the third and fourth quarters of 2023. MMC § I-310-3.5.100. Most recently, you have failed to identify yourself as a lobbyist in a recent meeting with Mayor Montano. MMC § I-310-3.5.120. Your failure to adhere to the City's lobbying requirements may subject you to penalties as set forth in MMC sections I-1-4.09-1 to I-1-4.09-11. MMC § I-310-3.5.150. If you continue to ignore the City's lobbying requirements, the City may seek injunctive relief before a judge of the superior court. MMC § I-310-3.5.160.

The enclosed correspondence that you sent to Mayor Montano on or about April 8, 2024 indicates that you continue to undertake lobbying activities, both in person and through electronic mail. As such, you must renew your annual lobbyist registration and file quarterly reports for 2023-Q3, 2023-Q4, and 2024-Q1. Should you fail to renew your registration or to file the relevant reports, the City will seek to pursue all remedies available to it under the law, including, but not limited to administrative fines and injunctive relief. I have enclosed a blank copy of the City's Lobbyist Registration & Reporting Form for your convenience. Please ensure that the form and the above mentioned reports are filed with the City Clerk by May 1, 2024. Please let me know if you have any questions or concerns.

Very truly yours,

A handwritten signature in blue ink, appearing to read "Michael Mutalipassi".

Michael Mutalipassi, City Attorney, City of Milpitas

cc: City Clerk

enc: April 8, 2024 email; Lobbyist Registration & Reporting Form

From: [Carmen Montano](#)
To: [Ned Thomas](#); [Matt Cano](#)
Cc: [Michael Mutalipassi](#)
Subject: Fwd: LoopWorks is well situated to capitalize on our great economy
Date: Friday, April 12, 2024 1:37:51 PM

Sharing
Sent from my iPad

Begin forwarded message:

From: Rob Means <Rob@milpitasprt.com>
Date: April 8, 2024 at 8:00:24 PM PDT
To: Carmen Montano <cmontano@ci.milpitas.ca.gov>
Cc: Carmen Montano <carmen_montano@att.net>
Subject: LoopWorks is well situated to capitalize on our great economy

CAUTION: EXTERNAL SENDER

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

Mayor Montano,

Thank you for our 15-minute meeting today. One of your concerns about the Personal Rapid Transit (PRT) project is that LoopWorks will not be able to get \$6M for pre-development, and \$60M for construction, in a time of poor economy and high inflation. Because most media is designed to capture attention rather than inform, such an untrue assessment of the economy is understandable. Here's an article that says people are "clearly getting ahead and beating inflation."

Another Big Jobs Report! - The March [jobs report](#) was another big one, coming in way above expectations at 303,000 net new jobs, and 22k more in upward revisions from previous months. Average hourly earnings are up 4.1% over the past year. So with inflation at 3.2% over the past year workers in America are not only seeing the best job market since the 1960s - almost 60 years! - but are also now clearly getting ahead and beating inflation. It's a further reminder that Joe Biden has been a strong and capable leader for our great nation, and America is far better off today due to his leadership.
<https://www.hopiumchronicles.com/p/another-great-jobs-report-the-economy>

In the article, I especially liked this graphic of job growth for 3 years under Biden vs. 16 years of other presidents:



Additionally, if the Democrats win big this November, it's likely they will go for the full \$6T Build Back Better legislation, of which they only got \$2T in 2022. That will unleash huge amounts of money for infrastructure projects like PRT. I want Milpitas well-positioned to receive a bunch of that money. As I mentioned, success in the Metro Area could lead to lots more PRT serving Milpitas residents.

--

Rob Means, LoopWorks Secretary
Rob@MilpitasPRT.com
408-262-0420 home, 408-262-8975 v-mail
1421 Yellowstone Ave, Milpitas, CA 95035
<https://MilpitasPRT.com> Transit for all of us!





CITY OF MILPITAS

Lobbyist Registration & Reporting Form

FOR OFFICIAL USE ONLY

Type of report: *Check all that apply*

- ☐ Initial Registration
- ☐ Annual Renewal (due January 15)
- ☐ Amendment to _____ filed on _____
- ☐ Termination – Effective Date: _____ (Complete Section V)
- ☐ Quarterly Filing Period for Year: _____
 - ☐ January 1 – March 30
 - ☐ April 1 – June 30
 - ☐ July 1 – September 30
 - ☐ October 1 – December 31

Section I: LOBBYIST INFORMATION

Type of Lobbyist (Check all that apply):

- ☐ Contract Lobbyist ☐ Business or Organization Lobbyist ☐ Expenditure Lobbyist

Name of Lobbyist/Lobbying Firm

Business Address

Phone Number

Mailing Address (if different from above)

Fax Number

Contact Name

Email Address

Milpitas Business License Number: _____

DBA: _____

Federal Employer Identification Number: _____

Specify how the Contract Lobbyist, Business or Operation Lobbyist, or the Expenditure Lobbyist is organized:

- ☐ Sole Proprietorship ☐ Partnership ☐ Non-Profit Corporation ☐ For-Profit Corporation ☐ Other _____

☐ If the Lobbyist is sole proprietor or partnership of fewer than five (5) persons, state the name(s) of the sole proprietor or persons with an ownership interest in the business:

☐ If the Lobbyist is a corporation (for-profit or non-profit), state the name(s) of Officers and Agent for Service of Process and their respective contact information (if different from above):

CITY OF MILPITAS LOBBYIST REPORT		Page ____ of ____
SECTION II		
REPORT FOR EACH CATEGORY OF LOBBYIST		
☐ Contract Lobbyist		
Name of each person working for the Contract Lobbyist that is engaged in lobbying activity in Milpitas.		
CLIENT INFORMATION		
Client Name, Address, and Telephone Number	Effective Date of Representation	
Specify the nature and purpose of the Client's business.		
CLIENT INFORMATION (CONTRACT LOBBYIST ONLY)		
<i>Current at the time of filing. Lobbyist must complete and submit an amended form when adding new clients.</i>		
Client Name, address, and Telephone Number:	Effective Date:	
Describe the legislative or administrative action(s) the Contract Lobbyist was retained to influence, and the outcome sought.		
Client Name, address, and Telephone Number:	Effective Date:	
Describe the legislative or administrative action(s) the Contract Lobbyist was retained to influence, and the outcome sought.		
Client Name, address, and Telephone Number:	Effective Date:	
Describe the legislative or administrative action(s) the Contract Lobbyist was retained to influence, and the outcome sought.		
Client Name, address, and Telephone Number:	Effective Date:	
Describe the legislative or administrative action(s) the Contract Lobbyist was retained to influence, and the outcome sought.		
☐ This page may be duplicated. If more space is needed, check this box and attach added pages.		

CITY OF MILPITAS LOBBYIST REPORT	Page ____ of ____
SECTION II (CONT'D.)	
REPORT FOR EACH CATEGORY OF LOBBYIST	
☐ Business or Organization Lobbyist <i>Current at the time of filing. Lobbyist must complete and submit an amended form when revised</i>	
Name of Business or Organization Lobbyist: _____ Name of each, owner compensated officer, or compensated employee engaged in lobbying activity on behalf of the Business or Organization Lobbyist: _____ _____ _____	
NATURE OF BUSINESS, ORGANIZATION OR ASSOCIATION	
Describe the nature and purpose of the business, organization or association: _____ _____	
NATURE OF BUSINESS, ORGANIZATION OR ASSOCIATION	
Describe the legislative or administrative action (s) the Business or Organization Lobbyist was retained to influence, and the outcome sought: _____ _____ _____ _____	

☐ Expenditure Lobbyist <i>Current at the time of filing. Lobbyist must complete and submit an amended form when revised.</i>
Name of Expenditure Lobbyist: _____ Name of each person working for the Expenditure Lobbyist that is engaged in lobbying activity (if applicable): _____ _____ _____
THE LEGISLATIVE OR ADMINISTRATIVE ACTION(S) THE EXPENDITURE LOBBYIST SEEKS TO INFLUENCE:
Describe the legislative or administrative action (s) the Expenditure Lobbyist was retained to influence, and the outcome sought: _____ _____ _____ _____ Amount of Payment or Expenditure: \$ _____ _____
☐ This page may be duplicated. If more space is needed, check this box and attach added pages.

CITY OF MILPITAS LOBBYIST REPORT		Page ____ of ____
SECTION III		
AMOUNTS PAID AND EXPENDITURES <i>Required of all Lobbyist Categories</i>		
<u>Code [see (D) – (K) below]</u>	<u>Payment / Expenditure Amount</u>	<u>Description of Payment / Expenditure</u>
(D) Payment received by the reporting lobbyist for services as a consultant or in any other capacity for services rendered to a City agency, any City official or any City official-elect or their controlled committees, or ballot measure committee within the previous calendar year. The dates of payment and name of each payer shall be included. (E) Campaign and officeholder contributions that a lobbyist made, delivered or acted as an intermediary for, to an elected City official or candidate for City office made during the preceding calendar year. A person is an intermediary for a contribution if the recipient of the contribution would consider that person to be the contributor without the disclosure of the identity of the true source of the contribution. Also, a lobbyist acts as an intermediary if the lobbyist makes a contribution on behalf of another person, and that other person is acknowledged as the contributor, and the lobbyist is reimbursed for the contribution. (F) Campaign and officeholder contributions made at the behest of an elected City official or candidate to any other elected public official or candidate for public office during the preceding calendar year. (G) All independent expenditures made for or on behalf of a City official or candidate for City office made during the preceding calendar year. (H) Fundraising activity for any City official, candidate for elective City office or any controlled committee of the elected City official or candidate for City office or for any political action committee, political party or candidate for elective office of a governmental organization made at the behest of a City official during the preceding calendar year. Required information and disclosures must include the name of the City official, candidate, committee or party on whose behalf the lobbyist engaged in fundraising activities or delivered or acted as intermediary for one or more contributions. The information and disclosures must also include the name of the City official requesting the fundraising activity, the date of the fundraising activity, the name of the contributors and the amount of contributions raised, delivered and/or made in connection with which the lobbyist acted as an intermediary. (I) Donations to for profit or nonprofit organizations made at the behest of a City official or candidate for elective City office of any contribution or payment of more than \$1,000.00 in the aggregate made during the preceding calendar year. (K) Activity expenses such as payments that directly benefit any City official, City official-elect or member of his or her immediate family or domestic partner made during the preceding calendar year. Activity expenses include gifts, honoraria, consulting fees, salaries and other forms of compensation, but do not include campaign contributions.		
☐ This page may be duplicated. If more space is needed, check this box and attach added pages.		

CITY OF MILPITAS LOBBYIST REPORT			Page ____ of ____
SECTION IV			
CONTACTS WITH CITY OFFICIALS OR CITY OFFICIAL-ELECTS			
As defined in Milpitas Municipal Code I-310-3.5, describe contacts made with City officials or City officials-elect during the preceding calendar year for the purpose of influencing or attempting to influence legislative action or administrative action. Contact information must include a brief description of the item(s) of legislative action or administrative action the lobbyist is seeking to influence, the date(s) of contact, the method(s) of contact, and the number of contacts in the following ranges: (one), (two to five), (six to ten) or (11 or more).			
<u>Date(s) of Contact</u>	<u>Method of Contact</u>	<u>Brief Description of Item(s) Seeking to Influence</u>	<u>No. of Contacts</u>
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
			☐ One ☐ Two to Five ☐ Six to Ten ☐ Eleven or More
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SECTION V		
TERMINATION		
I certify that I have been authorized by the Lobbyist identified above to make this verification. I have reviewed the requirements of the provisions of the Milpitas Municipal Code (Title 1, Chapter 310, Section 3.5). I certify under penalty of perjury under the laws of the State of California that I have reviewed the Notice of Termination and to the best of my knowledge the information contained herein is true and complete.		
Termination Effective: _____		Title: _____
Print Name: _____		
Signature: _____		Executed on: _____
ATTACHMENTS		
☐ I have reviewed the lobbyist guidelines and I have nothing to report .		
FEES DUE		
No fees will be assessed until the City of Milpitas Fee Schedule is updated in 2023		
VERIFICATION		
I certify that I have been authorized by the Lobbyist identified above to make this verification. I have reviewed the requirements of the provisions of the Milpitas Municipal Code (Title 1, Chapter 310, Section 3.5). I certify under penalty of perjury under the laws of the State of California that I have reviewed this Lobbyist Report and to the best of my knowledge the information contained herein is true and complete.		
Print Name: _____		Title: _____
Signature: _____		Executed on: _____