

Mayor Livengood opened the public hearing for comment and none were heard.

(1) Motion: move to close the public hearing

Motion/Second: Agency/Councilmember Giordano / Agency/Councilmember Polanski

Motion carried by a vote of: AYES: 5
NOES: 0

(2) Motion: adopt Joint Resolution No. 7904/RA338 approving the Centria West project including tentative map and Conditional Use Permit; and, directed staff to consider in lieu fees for affordable housing on future developments

Motion/Second: Agency Councilmember Polanski / Vice Chair/Vice Mayor McHugh

Motion carried by a vote of: AYES: 5
NOES: 0

RA 4. Progress Report on the New Senior Center Project

CIP Manager Steve Erickson reviewed the ongoing construction status of the new Senior Center project, its budget including change orders to date, and the project was 22.1% completed. He displayed photos of construction framing and community room layout

Councilmember Giordano inquired as to the solar energy system and its status for the new Senior Center. City Manager commented further, and reported that staff could provide information at the next meeting, explaining the cost/benefit of solar on the roof top of City projects.

Motion: to receive staff update on the new Senior Center Project No. 8176

Motion/Second: Agency/Councilmember Giordano / Agency/Councilmember Polanski

Motion carried by a vote of: AYES: 5
NOES: 0

RA 5. Proposed MOU with Apton Properties LLC

Planning Director James Lindsay provided background and history of the Apton Plaza project over the last five years. He gave staff analysis for recommendation to deny what the property owner/developer was seeking, with new financial participation from the Agency. Mr. Badru Valani, property owner/developer, was present.

Mr. Steven Gall of USA Properties Fund, new developer for Apton, changed the developer's terms of its proposal for the loan payment of \$4.4 million it sought. Repayment proposal included the following: 1) 3.5% simple interest, 2) in operating year four, 75% of cash flow to the city loan, and 3) obligation to refinance the project at operating year 15, to pay down principal and with the balance amortized over an additional 25 years.

Mayor Livengood responded that he would like to get this project built. He'd like to see it get going, but this proposal was an over-accumulation of affordable units in the City, with not enough security for the dollar amount requested. The Mayor wanted to float a new idea: build this project as affordable and have other developers pay to build those, have a per-door value to the City for future developer to defray the \$4.4 million funding output now. Use the in-lieu fee strategy to get the money paid back sooner.

Vice Mayor McHugh wanted the developer's reaction to the Mayor's proposal, and asked staff to comment on the revised terms presented by USA Properties Fund. Mr. Gall stated he would have no problem with the Mayor's proposal on a "banking" idea. For any continuance of this matter to a future meeting was a problem in that USA had an

- *RA 6.** Investment Portfolio Status Report Received the investment report for the quarter ended June 30, 2009.
- *RA 7.** Resolutions Approving the Annual Investment Policy Adopted City of Milpitas Resolution No. 7906 and Redevelopment Agency Resolution No. RA 339 approving the Annual Investment Policy for the City and Agency.
- *RA 8.** Resolutions Authorizing Public Works Director/City Engineer to Execute Documents 1. Adopted Joint Resolution No. 7907/RA340 authorizing the Director of Public Works/City Engineer to execute ARRA funding-related documents for the South Park Victoria Drive Resurfacing Project No. 8194.
2. Adopted City Council Resolution No. 7908 authorizing the Director of Public Works/City Engineer to execute state administered federal funding-related documents for South Abel Street and South Main Street Streetscape Project Phase 1, Project No. 4243.
- *RA 9.** Resolution Granting Final Acceptance Project 8159 Adopted Resolution No. RA 341 granting final acceptance of the Police Evidence Freezer Project No. 8159 and release of the contractor's bond.
- *RA 10.** Resolution and Approve Housing Funds to Housing Trust of Santa Clara Co Adopted Resolution No. RA 342 demonstrating a compelling need to prefer Milpitas residents and workers for affordable housing units using Housing Reserve Funds contributed to the Housing Trust Fund of Santa Clara County.
- *RA 11.** Authorize Amendment No. 2 to Energy Solutions contract Approved the budget appropriation and authorized the Executive Director/City Manager to execute Amendment No. 2 to the agreement with Energy Solutions for an Energy Efficiency and Conservation Strategy, Project No. 8190.
- *RA 12.** Award Construction Contract for Project No. 4202 Awarded a construction contract to Joseph J. Albanese, Inc. for sidewalk widening at Calaveras Boulevard Bridges, Project No. 4202, in the amount of \$125,625.
- *RA 13.** Authorize Consulting Services Agreement with Consolidated Engineering Labs Authorized the Agency Executive Director/City Manager to execute an agreement with Consolidated Engineering Laboratories for various Capital Improvement Projects, in the amount of \$750,000.
- *RA 14.** Authorize Agreement with Biggs Cardosa Inc. for Design Services Authorized the Agency Executive Director/City Manager to execute an agreement with Biggs Cardosa Inc. for design services for the Milpitas Parking Garage Security Screens, Project No. 8161, for an amount not to exceed \$66,000.
- *RA 15.** Authorize Amendment No. 1 to contract with Cal-West Lighting & Signal Maintenance Authorized the Agency Executive Director/City Manager to execute Amendment No. 1 to the contract with Cal-West Lighting & Signal Maintenance for On-Call Traffic Signal and Streetlight Support Services.
- RA 16. ADJOURNMENT** Chair/Mayor Livengood adjourned the Redevelopment Agency meeting at 8:21 PM.

*Meeting minutes submitted by
Mary Lavelle, Agency Secretary*