

RESOLUTION NO. ____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MILPITAS APPROVING CONVEYANCE OF REAL PROPERTY LOCATED AT 1440 AND 1504-1620 SOUTH MAIN STREET IN MILPITAS, CALIFORNIA, TO THE MILPITAS HOUSING AUTHORITY

WHEREAS, the Redevelopment Agency of the City of Milpitas (the "Agency") was dissolved as of February 1, 2012 pursuant to ABX1 26 (as subsequently amended by AB 1484, the "Dissolution Act"); and

WHEREAS, consistent with its authority and responsibility under the California Community Redevelopment Law, prior to the forced suspension of its redevelopment activities pursuant to the Dissolution Act, the Agency took numerous actions to assemble an approximately 8.65-acre site along South Main Street in the Milpitas Redevelopment Project No. 1 Project Area (the "Site," as depicted in the attached Exhibit A) and to cause development on the Site of a high-quality, mixed-income seniors housing development, including a significant affordable housing component (the "Proposed Housing Development"); and

WHEREAS, these actions include:

- a. Acquisition by the Agency and conveyance to the City of Milpitas (the "City") for purposes of the Proposed Housing Development of an approximately 5.94-acre portion of the Site located at 1504-1620 South Main Street consisting of Assessor's Parcel Numbers 086-22-027, 086-22-028, 086-22-033, 086-22-034, 086-22-041, and 086-22-042 ("Parcel A," as depicted in the attached Exhibit A); and
- b. Acquisition by the Agency and conveyance to the City for purposes of the Proposed Housing Development of an approximately 1.06-acre portion of the Site located at 1440 South Main Street consisting of Assessor's Parcel Number 086-22-031 ("Parcel B," as depicted in the attached Exhibit A); and
- c. Provision by the Agency of the funding to the Milpitas Economic Development Corporation ("MEDC"), and the use by MEDC of such Agency funding, for the acquisition of an approximately 1.65-acre portion of the Site located at 1452-1474 South Main Street consisting of Assessor's Parcel Numbers 086-22-029 and 086-22-030 ("Parcel C," as depicted in the attached Exhibit A); and

WHEREAS, the Milpitas Housing Authority (the "Housing Authority") has been designated pursuant to the Dissolution Act to serve as the housing successor entity for the dissolved Agency, and in that capacity is charged with assuming the rights, powers, assets, duties and obligations associated with the housing activities of the Agency, including the activities related to assembly and development of the Site for the Proposed Housing Development; and

WHEREAS, given its basic statutory function to facilitate the development of decent, safe and sanitary housing, including affordable housing, in the Milpitas community, and given the loss of the dissolved Agency as a facilitator of the production of affordable housing, the Housing Authority has become the appropriate local entity with the necessary powers and authority under State law, including the Dissolution Act, to assume and carry on the former housing functions of the Agency in connection with the Site and the development of the Proposed Housing Development on the Site; and

WHEREAS, as fully set forth in the staff report accompanying this Resolution, the parcels comprising the Site constitute "housing assets" within the meaning of Health and Safety Code Section 34176(e)(1) as added by the Dissolution Act, which are to be transferred to the Housing Authority, as housing successor entity of the dissolved Agency; and

WHEREAS, transfer of Parcels A and B by the City to the Housing Authority will serve the respective municipal and non-profit public benefit purposes of the City and MEDC by facilitating the development of needed housing, including affordable housing, in the community, and by revitalizing a key underutilized area that will stimulate private sector reinvestment and economic development of the surrounding areas; and

WHEREAS, the City Council has duly considered materials and reports on the proposed conveyance from its staff at a meeting held on July 25, 2012, and those materials and reports are incorporated herein by reference and made the findings of this Council; and

WHEREAS, for the foregoing reasons, the City desires to convey Parcels A and B to the Housing Authority, and the Housing Authority desires to accept the conveyance of Parcels A and B to enable the Housing Authority to proceed with the development of the Proposed Housing Development on the Site; and

WHEREAS, the proposed conveyance is covered by the Program Environmental Impact Report (“PEIR”) certified for the Midtown Specific Plan (SCH #2000092027). The conveyance and the proposed contemplated development project are within the scope of the program of activities for which the environmental impacts were adequately addressed by the PEIR. As a result, no new environmental document is required pursuant to the California Environmental Quality Act (“CEQA”), as provided in Section 15168(c)(2) of the State CEQA Guidelines, and this conveyance is also exempt from CEQA pursuant to California Government Code Section 65457.

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 conveyance of Parcels A and B to the Milpitas Housing Authority is approved. The City Manager is hereby authorized to execute grant deeds and other necessary documents and to take all other actions necessary to effect the conveyance of said parcels to the Milpitas Housing Authority.

PASSED AND ADOPTED this _____ day of July, 2012 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

APPROVED:

Mary Lavelle, City Clerk

Jose S. Esteves, Mayor

APPROVED AS TO FORM:

Michael J. Ogaz, City Attorney

Exhibit A

OFFICE OF COUNTY ASSESSOR — SANTA CLARA COUNTY, CALIFORNIA

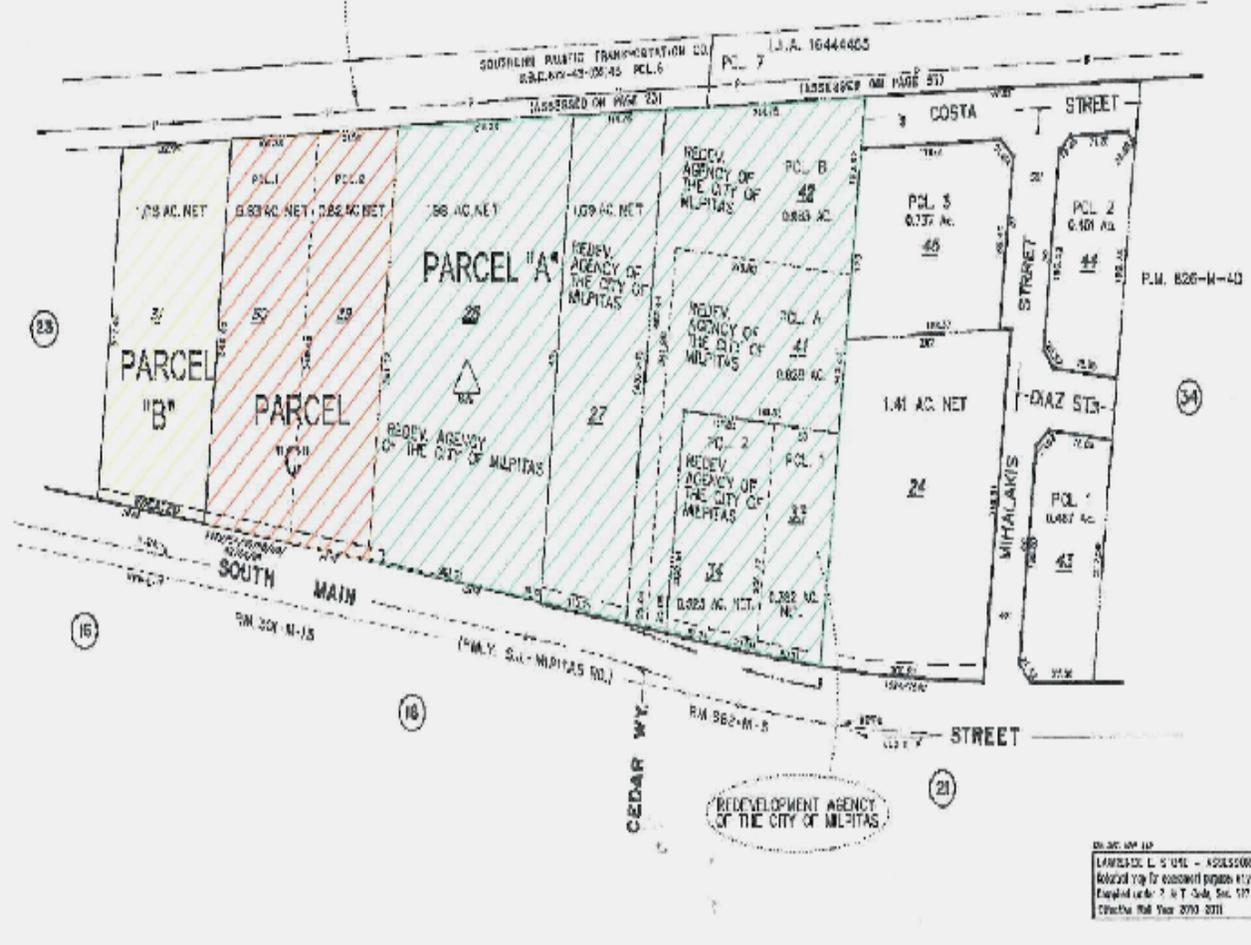
BOOK 86	PAGE 22
------------	------------

Exhibit "A"

ASSEMBLAGE OF LAND ON SOUTH MAIN STREET, MILPITAS, CA.
PROCESSES REQUIRED DUE TO ABx1 26 (the DISOLUTION ACT)

6.19.20

S.F.P.F. PROFILE WA 40-103
ASSESSED IN BK. 237 PG. 2



DATE: 06/19/20
LAWRENCE L. S. UCEL - ASSESSOR
Revised map for assessment purposes 6/19/20
Complied under P. S. T. Code, Sec. 117
Effective Roll Year 2020 2021.