

in speaking via Zoom may do so by following the instructions on page one (1) of the agenda. Comments may be limited to three (3) minutes or less at the Mayor's discretion. As an item not listed on the agenda, no response is required from City staff or the Council and no action can be taken. The City Council may instruct the City Manager to place the item on a future meeting agenda.

ANNOUNCEMENT OF CONFLICT OF INTEREST AND CAMPAIGN CONTRIBUTIONS

City Attorney Merewitz asked the Mayor and City Councilmembers if they had any financial or personal conflicts of interest. By roll call, Councilmember Phan stated he had none, Vice Mayor Montano stated she received a campaign contribution from Lyon Builder in 2013 or 14, Councilmember Chua stated that she met with the project team once via Zoom and attended a meeting with a group of Turing Apartment tenants, Councilmember Dominguez stated that she met with a couple of individuals and spoke with community members at the Turing Apartment, Mayor Tran stated that he had no conflict of interest or campaign contribution to report and further stated that he met with representatives from Lyon Living. City Attorney Merewitz asked the Mayor and City Councilmembers if they had any reportable campaign contributions. By roll call, Councilmember Chua stated that she received \$400 from one of the consultants, Councilmember Dominguez stated she had none, Councilmember Phan stated he had none, Vice Mayor Montano stated that when she ran for State Assembly she received a contribution from Lyon Living and further stated that she met with the consultant and took a tour of the Turing Apartments, Mayor Tran stated he had none.

READING OF THE CITY COUNCIL CODE OF CONDUCT

Mayor Tran read the Code of Conflict.

AGENDA ITEMS

- 1. Receive a Report on the Proposed Project Proposal for Low and Moderate Income Housing at Turing Apartments Through a California Statewide Communities Development Authority Program and Provide Direction to Staff on Next Steps, If Any (Staff Contacts: Ashwini Kantak, Assistant City Manager, 408-586-3053; and Sharon Goei, Building Safety and Housing Director, 408-586-3260)**

Assistant City Manager Kantak introduced the item and presented background information.

Representatives from Lyon Living Peter Zak, Kyle Suryan, and Bob Livengood spoke in favor of the project and a representative from Waterford Property Company Sean Rawson gave a presentation on the proposed project.

The following spoke during Public Comment:

1. Pradnesh Malgunkar
2. Stefania Garces
3. Jessica Valdemar
4. Antonio Richmond
5. Salman Siraj
6. Nick Caccardello
7. Rajasekhar Reddy Vempalce
8. Alfred Williams
9. Tracy Nakamura
10. Steve Bull
11. Fernando Velasco
12. Peter Seidner
13. Kasey (no last name provided)
14. Andy Kieatiwong
15. Lamar Thorpe

16. Elham Sharifpour
17. Hitesh Arora
18. Srujona (no last name provided)
19. Emerson Rana
20. Joey Avizou
21. Parth Parikh
22. Jacob Bikhinsky
23. Liliana Moreno
24. Gabriela Dittvich -Torres
25. Jennifer Aguarin
26. David Yates
27. Anita Malgunkar
28. Ankit Mahale
29. Octavio Bustamante
30. Kaela Evans
31. Lotanna Ozoemena
32. Oluwatoba Aclegbite
33. Member of the Public
34. Peter (no last name provided)
35. Frank Bush
36. Michael Tsai
37. Mitchell Sweet
38. Rekha Pardeshi
39. Walid Siddiqui
40. Daniel Ayala
41. Tim Beaubien
42. Rishabh Jain
43. Mathew Roberto
44. Srihari Madur
45. John Doll
46. Brock Hatch
47. Joseph Weinstein
48. Rohit Gauran
49. Hernan Juan Hernandez

The City Council discussed the proposed project and provided feedback to staff and the project representatives.

Mayor Tran recommended Council authorization of funding for additional staff, the City Attorney, and consultant services provided by KMA; suggested that Lyon Living put all of the units into the very low income category as an option; stated that it is ok if they do not meet RHNA ; capital improvement will remains status quo; the City and Lyon Living will meet to discuss the types of performance metrics listed in the staff report and consequences of not meeting those metrics; staff and the City Attorney will work with the project team to develop an agreement that meets the Council approved goals; and reaffirmed Lyon Livings commitment to backfill the property tax revenue for the City.

Motion: to accept the recommendation that was stated by the Mayor with an amendment to bring this back on November 16 with a Resolution to have the Council consider this item and move for final approval.

Motion/Second: Councilmember Dominguez/ Councilmember Phan

Motion carried by a vote of: AYES: 2

NOES: 3 (Mayor Tran, Vice Mayor Montano, Councilmember Chua)

Motion failed.

After discussion, motion: to approve the Mayor's stated recommendations and direct staff to bring back a resolution for approval in December or January.

Motion/Second: Mayor Tran/ Councilmember Chua

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

ADJOURNMENT

Mayor Tran adjourned the meeting at 9:20 PM.

The foregoing minutes were approved by the Milpitas City Council on November 16, 2021.

Wendy Wood
City Clerk