



**CITY COUNCIL
TRANSPORTATION &
LAND USE
SUBCOMMITTEE
Approved Meeting Minutes**

Date/Time: Monday, May 17, 2010, 3:00 pm

Where: Milpitas City Hall, Committee Conference Room

Attendants: Mayor Bob Livengood, Council Member &
Chair Debbie Giordano

Quorum was established

1. Call to order

The meeting was called to order at 3:00 pm.

2. Public Forum *Please limit comments to 3 minutes*

There were no comments during Public Forum

3. Approval of agenda and minutes

The May 17, 2010 and April 5, 2010 minutes were approved

4. Progress report on ongoing negotiations for the BART extension master agreement

Staff Greg Armendariz shared a brief update on the BART master agreement. As a recap, there are 3 outstanding issues: 1) Local Building/Fire permits- 2) lost developer impact fees due to the station footprint- the garage displacing 200 residential units 3) cost-recovery for city resources

Local Building/Fire Permits. The City will be in an advisory role in regards to fire and building permits. The VTA is reviewing a request from the City to hold the City harmless due to litigation regarding design and construction because the City will not be issuing permits. An example of this would be an earthquake or fire. Staff is working on language to address the City's concern.

Lost Development Impact Fee. The parking garage location at the BART station would displace over 200 residential units. VTA has agreed to provide in-kind improvements in lieu of paying the lost fee amount of \$23,800 per unit. VTA and staff mutually agree to the language in the agreement and the VTA would provide additional improvements to the value of \$4.7 million which is equal to the loss the city would endure if the City does not recover from VTA these revenues. The VTA is tentatively in agreement. City Manager Tom Williams stated the fees would pay for road-water-sewer.

Cost recovery for city staff and consultant expenses. This allows the City to remain whole as far expenses incurred. The initial deposit is \$700,000 for the next 8 to 12 months for plan checks, meetings, document reviews, and permit processing. The

VTA agrees with concept but wants more clarification on resources tasks. The deposit amount may vary as the VTA and City staff is still in negotiations.

Mr. Armendariz states the recommendation is for the Subcommittee to receive this report and this item be reviewed by the City Council at the June 1st meeting. The VTA Board of Directors will then review and approve this item at their June 3rd meeting.

The Transportation and Land Use Subcommittee approved the recommendations.

5. Review possible parking solutions for Curtis Avenue and Hammond Way

Staff James Lindsay reviewed the attached email from a Milpitas resident with some suggestions on parking along Curtis Avenue. The main request is to allow for more Curtis Avenue and Hammond Way. The second is to discuss a joint use parking program with the Great Mall of the Bay Area. Mr. Lindsay noted that the second suggestion would be a private agreement between the Parc Metropolitan Homeowners Association and the Great Mall.

Mr. Lindsay introduced Steve Chan, Traffic Engineer, regarding the staff recommendations. Mr. Chan shared an aerial graphic of the Curtis Avenue and Hammond Way area. The email requesting removal of standard on-street 20 foot to 22 feet marking. City staff concluded this would not allow for additional parking. The shortening the existing the 20' parking space is not optional.

In-lieu of the suggestions made from the resident, the City suggests adding angled-parking east bound on Curtis Avenue, removing one travel lane to Comet Drive. The area is not heavily traveled and the gain of parking spaces would be 14: 5 at the top of Hammond, 5 between Hammond Way and Comet Drive, 4 east of East Lane. Mayor Livengood suggested the HOA talk to the owners north of the Parc Metropolitan development (owned by Union Pacific Rail Road). Council Member Giordano agrees but found the staff recommendation is suitable for now. Mayor Livengood also approved staff's recommendation.

Mr. Lindsay will forward the Union Pacific contact information to the resident.

6. Other Business

There was no other business

7. Adjourn

The meeting was adjourned at 3:17 pm