



**CITY COUNCIL
TRANSPORTATION & LAND USE SUBCOMMITTEE MEETING AGENDA**

Tuesday June 14, 2011

5:30 PM

Barbara Lee Senior Center

40 North Milpitas Boulevard, Rooms 140/141

*Transportation & Land Use
Subcommittee Members
Councilmember Gomez, Chair
Councilmember Polanski, Member*

1. Call to order
2. Public Forum *Please limit comments to 3 minutes*
3. Approval of agenda & minutes*
4. Announcements
5. Unincorporated Island Annexation of 661 Piedmont Road
Recommendation: No longer pursue the annexation
6. Other Business
7. Adjourn

* denotes attachments

Attachments for items on this agenda are available online at the City's website:
www.ci.milpitas/citygov/citycouncil/subcommittee/default.htm

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review.

FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION, contact the City Attorney's office at Milpitas, city Hall, 455 E. Calaveras Blvd., Milpitas, CA 95035

Email: mogaz@ci.milpitas.ca.gov/ Fax: 408-586-3056/ Phone: 408-586-3040

Materials related to an item on this agenda submitted to the City Council Subcommittee after initial distribution of the agenda packet are available for public inspection at the City Clerk's Office/Information Desk at Milpitas City Hall, 455 E. Calaveras Blvd., Milpitas.

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CITY COUNCIL TRANSPORTATION & LAND USE SUBCOMMITTEE Unapproved Meeting Minutes

Date/Time: Tuesday, April 26, 2011

Where: Barbara Lee Senior Center, Rooms 140/141

Attendants: Council Member Gomez, Chair
Council Member Polanski

Quorum was established

1. Call to order

The meeting was called to order at 6:00 pm.

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

There were no comments during Public Forum

3. Approval of Agenda

The Subcommittee approved the agenda.

4. Announcements

There were no announcements.

5. BART Project Update

Staff Greg Armendariz gave an update presentation on the extension with 2 stations one in Milpitas and one in the Berryessa area of San Jose. VTA has a letter of funding approval from FTA; they asked VTA to resolve the CPU issue of the grading at Dixon Landing. Dixon will remain at grade. RFP's were issued, VTA is preparing various addenda to the RFP, they are sticking to their 2018 schedule and their documents are not yet completed so they are relying on addenda to complete the bidding package including the insertion of our City comments and requirements.

There is a massive amount of work ahead for VTA and they do not have all of the BART comments incorporated and BART has strict criteria that if not incorporated BART will not approve plans, the same with Milpitas in regards to construction noise, dust control and traffic. The original design bid and construct schedule shows that VTA should have been 30-40% done with final design in fact just issued the RFP for design build so the design will not start until after the award of the contract end of 2011 and will be forced to compress the design schedule and the design builder will have to bid according pressuring Cities and other agencies to approve or give partial or conditional approvals which will be a big challenge for the City.

The next phase C720 will be awarded about 1 ½ yrs from now. At Council direction staff met with the Crossings and one of their concerns is the construction impact as they experienced during the light rail project and heard promises that were not kept by VTA. VTA and the City committed to staying on top of it this time. *Councilmember Gomez* asked who they complained to, the answer is VTA first then the City. *Staff James Lindsay* added that in

our master agreement with VTA they are required to comply and that may not have been the case in the past. *Mr. Armendariz* noted that the City will be very careful in issuing permits and they will be revocable if VTA is not in compliance and shut downs if necessary. *City Manager Tom Williams* noted that because VTA is behind schedule there will be a lot of pressure on agencies and so the City will do all it can but will not compromise any City requirements.

There is a higher probability of disputes with the permitting agency (City of Milpitas) as a result of the fast tracking. All other packages were not coordinated so in order for them to complete the design they would have to step back and start over such as the alignment which was not approved by Bart so they are already at risk so the decision was to put on the contractor to start anew with a design and carry it through the approval process.

Councilmember Polanski asked about safety issues as far as construction materials, integrity of structures, *Mr. Armendariz* answered those are all components that VTA will be responsible for, they are exempt from permits through legislature and can self certify their structures. *Councilmember Polanski* asked about inspections, *Mr. Armendariz* said they will be inspected but not by our building department. We are looking at a closure of Kato which will cause detours for about 1 ½ yrs; there will be extensive outreach to citizens. Piper Drive there will be relocation of gas lines and critical utilities before spring of 2012. We have a current master agreement that holds VTA responsible to meet all the requirements for an encroachment permit, we are looking at amending that agreement in May because we are looking at the next phase of work which will entail some construction and we are involving additional City Staff and the reimbursement will need to be adjusted *Councilmember Polanski* asked if we will we use changeable electronic message boards for traffic? *Mr. Armendariz* replied yes.

6. Altamont Corridor Rail Project Comment Letter

Staff James Lindsay reported on this item. The voters approved a proposition to approve high speed rail. The main route from San Francisco to Anaheim (phase 1) will not go through Milpitas, but there is a secondary segment (via Altamont) which will be a separate electric rail system that follows a similar route to ACE being proposed in the City of Milpitas Staff discovered this when there were environmental meetings in late 2009 being held and staff responded to in writing that we do not support this aerial high speed train. That was ignored even though staff attended meetings and reinforced this message. Last month they produced a document showing three alignments and all continue to be arial alignments. The Union Pacific at Tasman and Great Mall and 880 corridors showing arial alignment, although the priority has been on Phase 1 staff thought it was important to keep Milpitas's comments on record and a letter has been drafted to remove any arial options from consideration, staff requests to aggendize to the Council May 17.

Councilmember Gomez asked if there a similar issue with residents in San Jose. *Staff Lindsay* replied yes for the phase 1 alignment. The schedule on the VTA website is looking at releasing supplemental alternative analysis in 11/12 they do need to prepare an EIR and depending on funding in 2012 and hope to get a decision in 2013.

7. Report on Scheduled Paving Maintenance

Staff Armendariz presented the PCI paving condition index showing a chart of street conditions. The engineering department meets with maintenance staff, compare notes and identify critical areas and prioritize. Split the work with public works who mostly do pothole

repair. We need to increase our annual funding to \$4.5 M just to maintain the PCI and shifting budget 40% toward preventative maintenance and not only attend streets falling apart which was past practice. *City Manager Tom Williams* mentioned this is slurry seal work that extends the street life 3-7 yrs. *Staff Armendariz* stated we are able to stretch the dollars. *Mr. Williams* noted that \$4.5 M is about \$1.3 M per mile for reconstruction and as oil prices increase so does the cost of asphalt, you don't get as much as you used to. *Mr. Armendariz* stated staff responds to pothole hazards immediately; preventative maintenance is soft area's that could become pot holes. We pave 3 days a week, we don't have enough staff to safely restore major streets due to traffic control so we contract that out and Public Works will focus on residential which increase their production rate. Crack seal is an inexpensive way to make repairs to prevent water damage, slurry seal is another treatment, major treatment is 2" overlay with curb and gutter restoration is more costly, reconstruction. *Mr. Armendariz* stated that when it is a 40 PCI or lower, other factors are major arterials that are used by trucks those are priority.

Upcoming pavement maintenance is Abel St to Calaveras and a parking lot under 237 for slurry seal. For 2012 the City is looking at overlays for Milpitas Blvd, Washington, Arizona and Main St. The focus is preventative maintenance.

Councilmember Polanski, asked if there is any strategies to keep up the 68 PCI? *Mr. Armendariz* reported we will continue to work on any sources out there RDA will not be there forever, possibly the General Fund.

Councilmember Polanski asked 680 to 280 there are stretches where the rain doesn't stick, what about those? *Mr. Armendariz* there is permeable asphalt that allows the water to move over to the edge of the road.

Councilmember Gomez asked for a review of the list of streets for 2011; with concerns about the Crater Lake and Everglades. *Mr. Armendariz* replied that staff is looking at that whole neighborhood. *Councilmember Gomez* asked if the funding based on the 2011 CIP. *Mr. Armendariz* replied, yes.

8. McCarthy Ranch/Clear Channel Freeway Sign Locations

Staff Diana Barnhart presented the Freeway Sign Program from 2009, the staff graphic shows signs north bound 880 west side on McCarthy property, the second proposal showed them on the East side to avoid obstruction by utilities. When the EIR came through it showed four signs locations on the East Side it looked like a lot, I told them it looked clustered, so they came up with an alternative on the East side which is not their preference but staff is OK with this the signs are 1000 ft apart as required but are checking with Council to see if this is acceptable. *Councilmember Polanski* stated she is comfortable with 3 signs on the East side. *Councilmember Gomez* was in agreement.

Staff Barnhart stated that the residence may comment but the technology is getting better so the ambient light is decreased. *Councilmember Polanski* stated to the City wants to define Milpitas and Mc McCarthy Ranch area. *Councilmember Gomez* asked how many digital faces? *Staff Barnhart* replied originally it was 2 static signs and one digital, they are open and there is approval is for 3 double sided electronic signs. *Councilmember Polanski* requested staff to move forward hopefully by December.

9. Use of City Hall 4th Floor for Classrooms and Offices

Staff Barnhart stated there are more and more requests for lease use of the City Hall 4th floor. She talked to Building and Engineering and they stated in its current state it is not feasible, as it is open to the third floor. One group staff met with along with the Mayor, were willing to pick up the construction cost's , at 2000 square feet and relocating HVAC, remove half wall, secure the system, the work would have to be done at night, it would cost at minimum \$150 a square foot costing about \$300,000 just to enclose the area for private use. A survey was done of office space in Milpitas, even if charged \$2.50 a square foot for rent it would take 5yrs to break even.

Councilmember Polanski asked if there other Class A vacancies in Milpitas. *Staff Barnhart* stated, not really, the cache of City Hall is very appealing, which she understands but it is not a good investment or use of public space. She did not recommend this.

Councilmember Gomez asked is this space for growth if we ever have it? *Councilmember Polanski* stated *City Council* can be placed there. *Mr. Williams* stated that is an option if the Council desires, there are 4 private offices up there. We looked at the lease option but the security and other issues; fire code requires the stairwell to be open to the 3rd floor.

Mr. Williams stated the interested party is a non-profit so there is not tax revenue and if they relocated who would have the burden of responsibility to return the area back to its original state. *Councilmember Polanski* stated that the City would have to make this open to anyone to lease, which doesn't make sense, also legislatures could be interested. *Mr. Williams* mentioned they have spoken with Senator Corbett about that and it never went anywhere.

10. North Main Street Property Update

The PRCRC has had about 6 months of dialog on this *Staff Lindsay* attended the last meeting and at the next meeting they will have concepts for the Council to review in May or June showing the PRCRC idea's as well as other community groups. We hope to have a design concept before the end of the year.

11. Report on the Association of Bay Area Government's Initial Vision Scenario

Regional agencies have been charged with coming up with a long term road plan that brings the regional transportation plan and housing elements projections all into one document to show that the region can reduce green house gases by 15% over the next 25 years, the target to make that happen is that they are hoping that the new regional growth projection for the Bay Area will lead to the reduction in vehicle miles. They are keeping the job base for the region more or less the same 8% growth, but a significant increase in housing. The assumption is people will no longer in commute from the central valley and that household sizes will shrink due to the ageing community and high density housing. Most of the growth of housing they are showing in Santa Clara County and Contra Costa County, the job growth is focused on SC County. In comparing the actual green house reduction targets, the current regional plans such as ours are showing a 10% reduction already. Milpitas, Mt. View, and Santa Clara are the top 3 cities for housing growth; they are viewing Milpitas as transient. The County admitted this is an unconstrained report to get numbers out, we will be providing them *more information*.

12. Other Business

Staff Diana Barnhart stated the property bought on S Main St, are talking with the food pantry about leasing that space and would like to move that forward to the Council for consideration. *Councilmember's Gomez and Polanski* support bringing this to the full Council. The property was shown on a map.

13. Adjourn

The Subcommittee was adjourned at 6:55 pm.

MEMORANDUM

Department of Planning and Neighborhood Services



To: Transportation and Land Use Subcommittee

Through: James Lindsay, Planning & Neighborhood Services Director

From: Sheldon S. Ah Sing, Senior Planner

Subject: **Potential Annexation of 661 Piedmont Road**

Date: June 09, 2011

Background

Annexation of unincorporated islands is a high priority for LAFCO and the County. They requested the City to consider annexing the remaining unincorporated island located at 661 Piedmont Road (see attached map) and the City Council directed staff to make an outreach to the property owner, analyze the changes resulting from the annexation, and initiate the process.

Staff has completed an initial analysis assessing the differences in services to the parcel in the table below.

Comparison of Services

ISSUE	COUNTY (EXISTING)	CITY (PROPOSED)	CHANGE
Sewer & water service	Private well & septic	Private well & septic	None
Emergency services	City is first responder through mutual aid	City	None
Zoning	A-1 General	R1-6 (Single family)	More restrictive, but no change for existing use.
Density (allowed)	Two units	Up to six units (if subdivided)	More dense

We also met with the property owners and explained the annexation process and that there would be no out-of-pocket expenses for them. However, the owners expressed no interest in being annexed because they would then be subject to the City's regulations.

Conclusion

Staff recommends the annexation no longer be pursued given the lack of support from the owners and that there are no appreciable benefits to the City.

Attachment: Map of property



1 Acres
MP01

Milpitas

SANTA CLARA COUNTY
Urban Islands 2011

Maps depicting unincorporated lands located within the cities' Urban Service Areas (USAs)



Urban Service Area



Urban Island ≤ 150 Acres



Incorporated Areas



Urban Island > 150 Acres



Feet



This map created by the Santa Clara County Planning Office. The GIS data was compiled from various sources. While deemed reliable, the Planning Office assumes no liability.
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