CALL AND NOTICE
OF SPECIAL MEETING ON
April 26, 2016
5:30 PM JOINT CITY COUNCIL/
PLANNING COMMISSION MEETING

TO WHOM IT MAY CONCERN:

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the undersigned calls for a Special Meeting of the City Council of the City of Santa Clara and the Planning Commission to commence and convene on April 26, 2016, at 5:30 pm, in the City Hall Council Chambers for a Special Meeting in the Council Conference Room located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

Lisa M. Gillmor
Mayor

City of Santa Clara
The Center of What's Possible

Joint City Council/Planning Commission Meeting Agenda

santaclaraca.gov I *@SantaClaraCity*

CITY COUNCIL
PLANNING COMMISSION
REVISED AGENDA

April 26, 2016

5:30 PM CLOSED SESSION
6:00 PM SPECIAL MEETING
City Hall Council Chambers

The time limit within which to commence any lawsuit or legal challenge to any quasi-adjudicative decision made by the City is governed by Section 1094.6 of the Code of Civil Procedure, unless a shorter limitation period is specified by any other provision. Under Section 1094.6, any lawsuit or legal challenge to any quasi-adjudicative decision made by the City must be filed no later than the 90th day following the date on which such decision becomes final. Any lawsuit or legal challenge, which is not filed within that 90-day period, will be barred. If a person wishes to challenge the nature of the above section in court, they may be limited to raising only those issues they or someone else raised at the meeting described in this notice, or in written correspondence delivered to the City of Santa Clara, at or prior to the meeting. In addition, judicial challenge may be limited or barred where the interested party has not sought and exhausted all available administrative remedies.

A complete agenda packet is available on the City's website and in the City Clerk's Office beginning the Friday evening before the Tuesday meeting. A hard copy of any agenda report may be requested by contacting the City Clerk's Office at (408) 615-2220, email *clerk@santaclaraca.gov,* or at the public information desk at any City of Santa Clara public library.

1. 5:30 PM CLOSED SESSION CALL TO ORDER:

A. Confirmation of Quorum. **CC**

2. ANNOUNCEMENT OF CLOSED SESSION:

A. Conference with Legal Counsel-Existing Litigation Pursuant to Government Code Section 54956.9(d)(1); *Moneeb et al. v. City of Santa Clara, et al.*, United States District Court, Northern District of California Case No. 15-CV-1987 NC. **CC**

3. PUBLIC COMMENT REGARDING CLOSED SESSION:

4. RECESS TO CLOSED SESSION (Council Conference Room):

5. 6:00 PM SPECIAL MEETING CALL TO ORDER:

6. PLEDGE OF ALLEGIANCE AND STATEMENT OF VALUES:

7. ROLL CALL:

8. CONTINUANCE/EXCEPTIONS:

9. ANNOUNCEMENT OF STUDY SESSION:

[Possible Reconsideration of Actions Taken at Immediately Preceding Meeting. (See Summary of Actions for potential reconsideration, which is in the Agenda Packet Binder in the Council Chambers.)]

A. City Place Project. The Project would involve the construction of a new multi-phased, mixed-use development, including up to 9.16 million gross square feet of office buildings, retail and entertainment facilities, residential units, and hotel rooms, as well as surface and structured parking facilities, new open space and roads, landscaping and tree replacement, and new upgraded and expanded infrastructure and utilities. The Project will involve Certification of the Environmental Impact Report, a General Plan Amendment, Rezoning, Planned Development Master Community Plan and Infrastructure Master Plan, Disposition and Development Agreement, Development Agreement, and Ground Lease. (5155 Stars and Stripes Drive. Approximately 240-acre Project site located north of Tasman Drive, east of Great America Parkway and San Tomas Aquino Creek, west of the Guadalupe River, and south of Great America Way and State Route (SR) 237. APNs: 104-03-036, 104-03-037, 104-03-038, 104-03-039, 104-01-102, 097-01-039, and 097-01-073) (PLN2014-10554, SCH#2014072078, and CEQ2014-01180) (Property Owner: City of Santa Clara; Applicant: Related Santa Clara, LLC)

10. PUBLIC PRESENTATIONS:

[This item is reserved for persons to address the Council/Stadium Authority/Sports and Open Space Authority/Housing Authority on any matter not on the agenda that is within the subject matter jurisdiction of the City or Authorities. The law does not permit action on, or extended discussion of, any item not on the agenda except under special circumstances. The governing body, or staff, may briefly respond to statements made or questions posed, and appropriate

body may request staff to report back at a subsequent meeting. Although not required, please submit to the City Clerk your name and subject matter on forms available by the door in the Council Chambers.]

11. CITY MANAGER/EXECUTIVE DIRECTOR REPORTS:

12. REPORTS OF ACTION TAKEN IN CLOSED SESSION MATTERS:

13. ADJOURNMENT:

A. Please visit *santaclaraca.gov* to view the next scheduled special meeting.

City of Santa Clara
The Center of What's Possible

AGENDA ITEM # 2 A
CALL & NOTICE OF SPECIAL CLOSED SESSION MEETING

NOTICE IS HEREBY GIVEN that, pursuant to the provisions of California Government Code §54956 ("The Brown Act") and Section 708 of the Santa Clara City Charter, the undersigned calls for a Special Meeting of the City Council of the City of Santa Clara to commence and convene on **Tuesday, April 26, 2016**, at **5:30 p.m.**, in the City Hall Council Chambers for a Closed Session in the Council Conference Room located in the East Wing of City Hall at 1500 Warburton Avenue, Santa Clara, California, to consider the following matter(s) and to potentially take action with respect to them.

The following business is to be conducted at said closed session:

A. CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION **CC**
Pursuant to Gov. Code § 54956.9(d)(1)
Moneeb et al. v. City of Santa Clara, et al., United States District Court, Northern District of California Case No. 15-CV-1987 NC

Dated: April 22, 2016

Lisa M. Gillmor
Mayor

LEGEND: City Council (CC); Stadium Authority (SA); Sports and Open Space Authority (SOSA); Housing Authority (HA); Successor Agency to the City of Santa Clara Redevelopment Agency (SARDA)

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The Center of What's Possible

AGENDA ITEM #: 9A

AGENDA REPORT

Date: April 26, 2016

To: Acting City Manager for Council and Planning Commission Information

From: Economic Development Officer/Assistant City Manager

Subject: Joint City Council and Planning Commission Study Sessions
CityPlace Santa Clara

Related Companies has proposed to develop the CityPlace Santa Clara project on approximately 240 acres of City-owned land in the North of Bayshore area. A project of this scale and magnitude on a landfill site is by nature multi-faceted and complex.

Several joint study sessions for the Planning Commission and the City Council have been planned in advance of the public hearings for the project in order to provide a briefing to the Council, Commission and the public on key considerations in the development of the land use plan proposal and the overall transaction.

The first study session was held on March 10, 2016 and included the following topics:

- Overview of activities undertaken over the past three years
- Overview and vision of the project proposal
- Landfill - history; characteristics; development constraints
- Overview of Transportation Infrastructure – opportunities and constraints

The second study session on March 21, 2016 provided information on the project topics:

- Parcels and Phasing/Timing
- Development Scenarios
- Infrastructure Network: Transportation, Parks/Open Space; and Utilities

This third study session will provide information on the Environmental Impact Report. The Final Environmental Impact Report was released to the public on April 19, 2016. The notice provided for a 10-day review period from April 19, 2016 through April 29, 2016. At the request from the Sierra Club, staff is extending this review period by 10 days through May 9, 2016.

A fourth joint City Council/Planning Commission session has been scheduled for May 3, 2016. An overview of the proposed Master Community Plan will be discussed at this meeting.

A future City Council study session will be scheduled to discuss:

- Development Agreement
- Disposition and Development Agreement
- Ground Leases
- Fiscal overview

Ruth Shikada
Economic Development Officer/
Assistant City Manager

APPROVED:

Rajeev Batra
Acting City Manager

4/26/16

9A.

City of Santa Clara

City Place Santa Clara

Environmental Impact Report

Joint City Council/Planning Commission

Study Session

April 26, 2016

City of Santa Clara
The Center of What's Possible

POST MEETING MATERIAL

Presentation Topics

- Purpose of Study Session
- Introduction to EIR Project Team
- Project Overview
- CEQA Process to Date
- Draft Environmental Impact Report
- Final Environmental Impact Report
- Summary of Impacts and Key Mitigation
- Alternatives
- Transportation
- Next Steps

Purpose of Study Session

- Further inform the public about the environmental impacts of the Project
- Answer City Council and Planning Commission questions
- Review next steps in the process

Purpose of CEQA Review

- Identify potential environmental impacts of a discretionary project for decision-makers, other agencies, public, and stakeholders
- Identify mitigation for significant impacts of a project
- Identify feasible alternatives to a project that meet the project objectives and may reduce environmental impacts
- Identify significant and unavoidable impacts for which a Statement of Overriding Considerations is needed
- Mitigation adopted pursuant to the CEQA process is legally required to be implemented
- Does not recommend approval or denial of a project

Introduction to EIR Project Team

- City of Santa Clara – Lead Agency
- ICF International – Lead EIR Consultant
- Fehr & Peers – Transportation Consultant

Project Overview

Project Objectives

- Convert the existing uses at the former Landfill to more productive uses.
- Establish a new and vibrant mixed-use City neighborhood with a well-defined center to serve as a focal point for a pedestrian-friendly "live, work, and play" environment.
- Promote transit-oriented infill development by placing job-creating commercial buildings, residential units, and entertainment, dining, and shopping options in close proximity to each other and to existing transit and other multimodal transportation facilities.
- .... and additional objectives (described in the EIR)

Project Overview

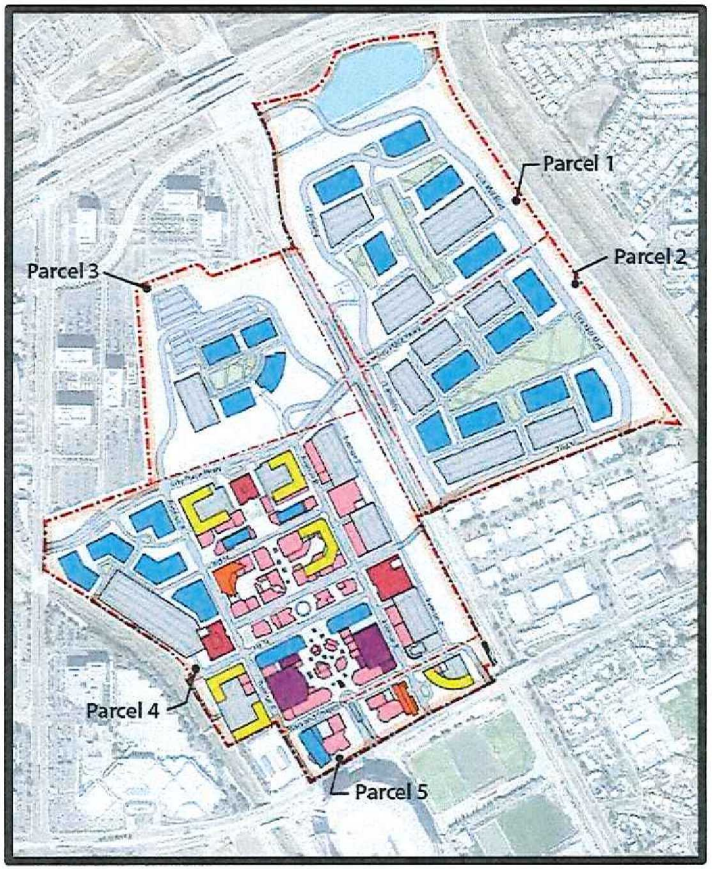
Existing Conditions

- 240 acres in north portion of City
- Former Santa Clara All-Purpose Landfill
- Current uses include golf course, BMX track, fire station, retention pond, banquet facility, surface parking lot
- Owned by the City

Project Overview

Proposed Development

- Demolition of existing structures
- Construction of new multi-phased, mixed-use development
- Up to 9.16 million gsf on 5 parcels
- Office, retail, residential, entertainment and hotel
- Modernize and enhance the landfill protection systems operated by the City



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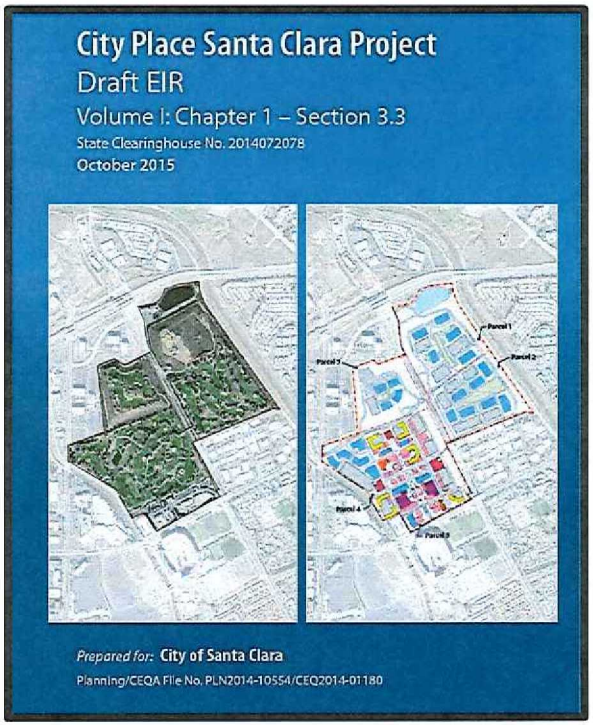
CEQA Process to Date

- Notice of Preparation (NOP) – July 30, 2014
- NOP Scoping Meeting – August 12, 2014
- Release of Draft EIR – October 9, 2015
- Draft EIR Comment Period – Ended December 7, 2015
- Release of Final EIR – April 19, 2016

Draft EIR

- Released October 9, 2015 for 45-day comment period
- Comment period extended an additional two weeks
- Comments from 22 Agencies, 9 Organizations and 8 Individuals



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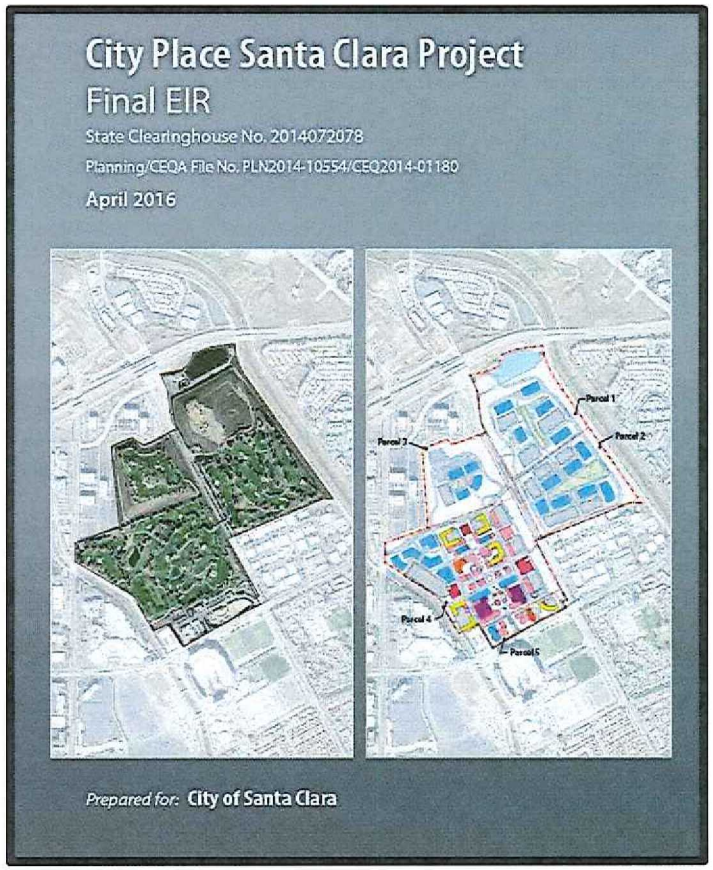
Draft EIR

- Evaluates potential impacts to:

–Land Use
–Aesthetics
–Air Quality
–Greenhouse Gas Emissions
–Noise
–Cultural Resources
–Biological Resources
–Geology
–Water Quality
–Hazards
–Population/Housing
–Public Safety
–Utilities

Final EIR

- Released April 19, 2016
- Master Responses for major issues raised by multiple commenters
- Item-by-item responses to unique comments
- Revisions to the Draft EIR, as needed
- Revisions do not substantially change conclusions of the Draft EIR



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Impacts Found to be Less than Significant After Mitigation

- Aesthetics
- Air Quality: construction emissions
- Biological Resources: other than bird collisions with new buildings (including burrowing owl, other fish/wildlife species, wetlands)
- Cultural Resources

Impacts Found to be Less than Significant After Mitigation

- Geology and Soil Hazards
- Hazardous Materials: Landfill-related impacts
- Noise: construction noise and vibration
- Utilities: wastewater, stormwater and energy
- Water Quality: stormwater, drainage and flood hazards

Impacts Found to be Less than Significant After Mitigation

Burrowing Owl

- California Department of Fish and Wildlife 2012 protocol followed
- City not partner agency in Santa Clara Valley Habitat Conservation Plan
- No burrowing owls observed on Project site within last 3 years & site does not contain foraging habitat
- Project site may have suitable habitat for dispersal
- Mitigation Measures include protection of nesting birds during construction, conducting annual burrowing owl surveys, and replacement of habitat if owls are found on site

Impacts Found to be Less than Significant After Mitigation

Air Quality – Construction-Related Impacts

- Project could generate construction emissions in excess of Bay Area Air Quality Management District thresholds
- Project could expose sensitive receptors to emissions
- Mitigation Measures to reduce these impacts include using clean diesel-powered construction equipment and filtration systems, dust-control measures, and purchase of offsets for construction emission

Impacts Remaining Significant After Mitigation

Jobs/Housing

- Project inconsistent with certain General Plan policies related to jobs/housing balance
- Results in secondary impacts on traffic, air quality, and greenhouse gas emissions
- Recommended Mitigation Measure to seek increased residential density in the City's General Plan

Impacts Remaining Significant After Mitigation

Air Quality

- Inconsistent with applicable air quality plan (regarding socioeconomic projections)
- Regional air pollutant emissions during operations (primarily project traffic)
- Cumulative exposure to particulate emissions
- Mitigation Measures include construction emissions controls; transportation demand management (TDM); multi-modal plan; and mitigation for greenhouse gas emissions

Impacts Remaining Significant After Mitigation

Greenhouse Gas Emissions

- Project is consistent with City's Climate Action Plan and has less than significant GHG emissions through 2020 but would be inconsistent with long-term State GHG reduction targets.
- Mitigation Measures include transportation demand management (TDM); multi-modal plan; energy efficiency; renewable energy; food waste programs; electrical landscaping equipment; electrical vehicle charging stations; shade trees; light colored pavement; loading dock electrical hookups.

Impacts Remaining Significant After Mitigation

Noise

- Exposes certain proximate areas to traffic noise levels in excess of noise standards, and on-site land uses to traffic and airport noise
- Mitigation Measures include off-site noise barriers along east side of Lafayette between Tasman and Hogan; noise control plan to reduce interior noise for on-site sensitive land uses

Impacts Remaining Significant After Mitigation

Biological Resources

- Potential bird collisions with new buildings
- Mitigation Measures include incorporating bird-safe design standards into project buildings and lighting design
- Mitigation may not reduce bird strikes to a less-than-significant level

Alternatives

- No Project Alternative
  - Parcel 5: Either remain as is or Regional Commercial land use designation consistent with General Plan (possibly 825,000 gsf commercial)
  - No changes in Parcels 1 through 4 over existing conditions

Alternatives

- Reduced Intensity Alternative
  - 30 percent reduction in floor area: 3.02 million gsf of office (vs 5.72 million gsf with Proposed Project)
  - Rest of development same as Proposed Project

Alternatives

- Increased Housing Alternative
  - 320,000 gsf of office for Parcel 4 replaced with 320 residential units
  - Rest of development same as Proposed Project

Alternatives

- The Reduced Intensity Alternative would be the Environmentally Superior Alternative, but does not meet Project Objectives to same extent as Proposed Project
- None of the alternatives would avoid all of the significant unavoidable impacts of the project
- Other alternatives considered, but not analyzed in the EIR

Transportation

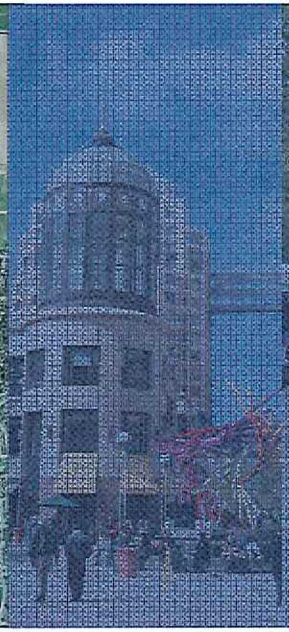
Key Topics

- How much traffic will the Project add?
- How will impacts be mitigated?
- What is the TDM Plan?
- What transit improvements are in the Project?

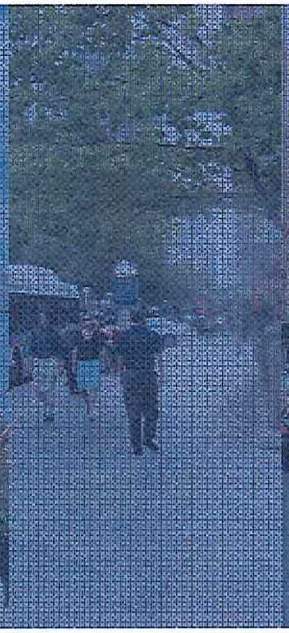
Trip Generation Variables

Development Scale

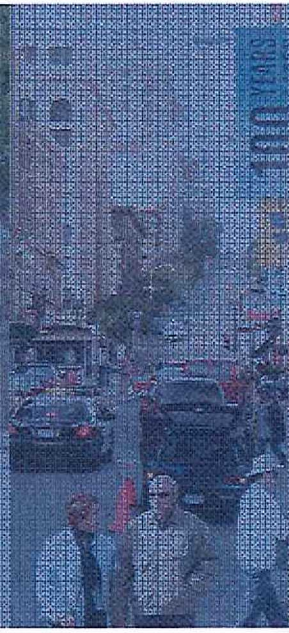
Diversity



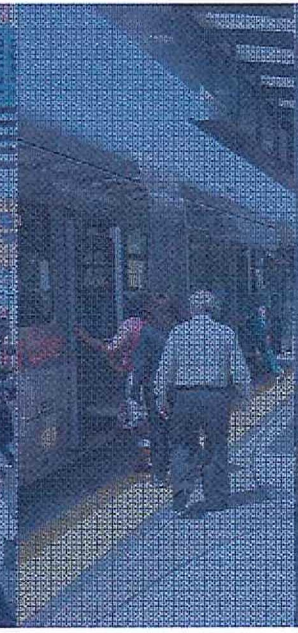
Design



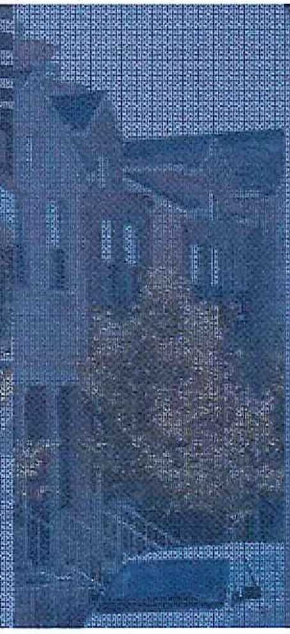
Destinations



Distance to Transit



Development Scale



Demographics

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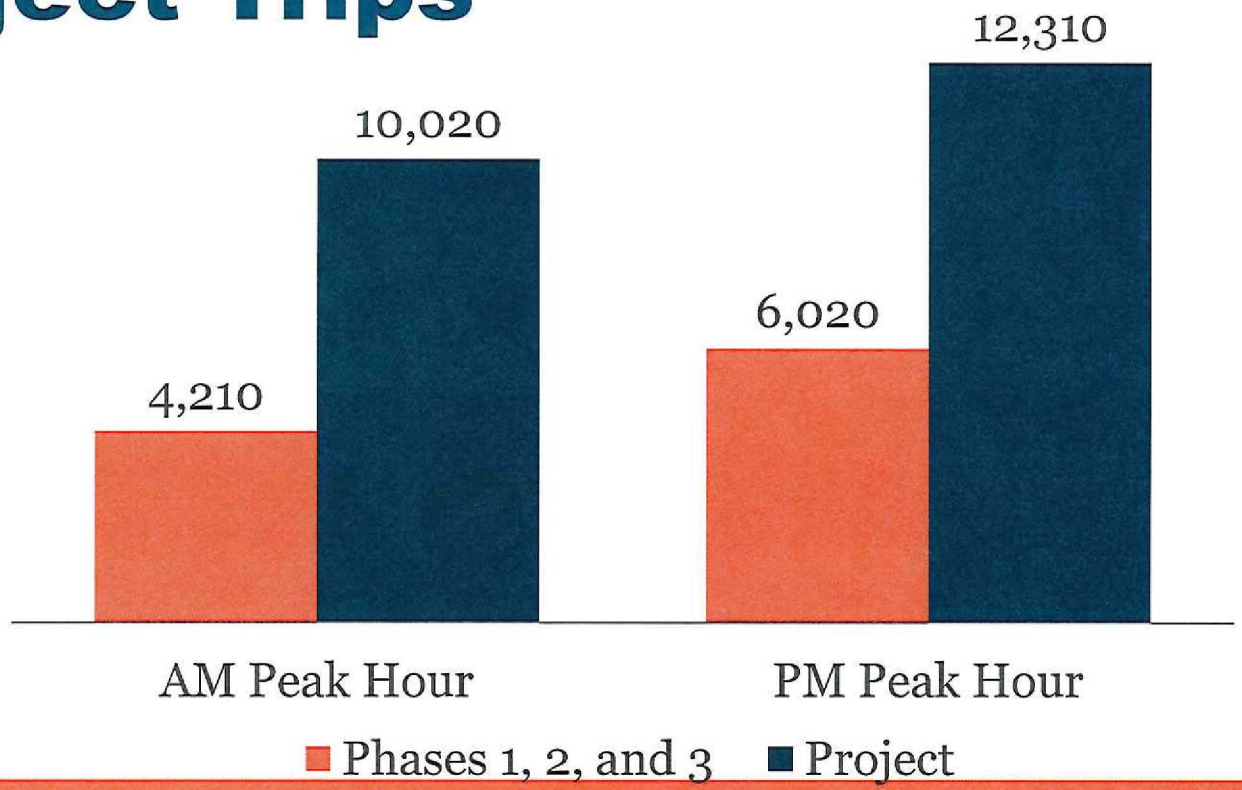
Project Trips



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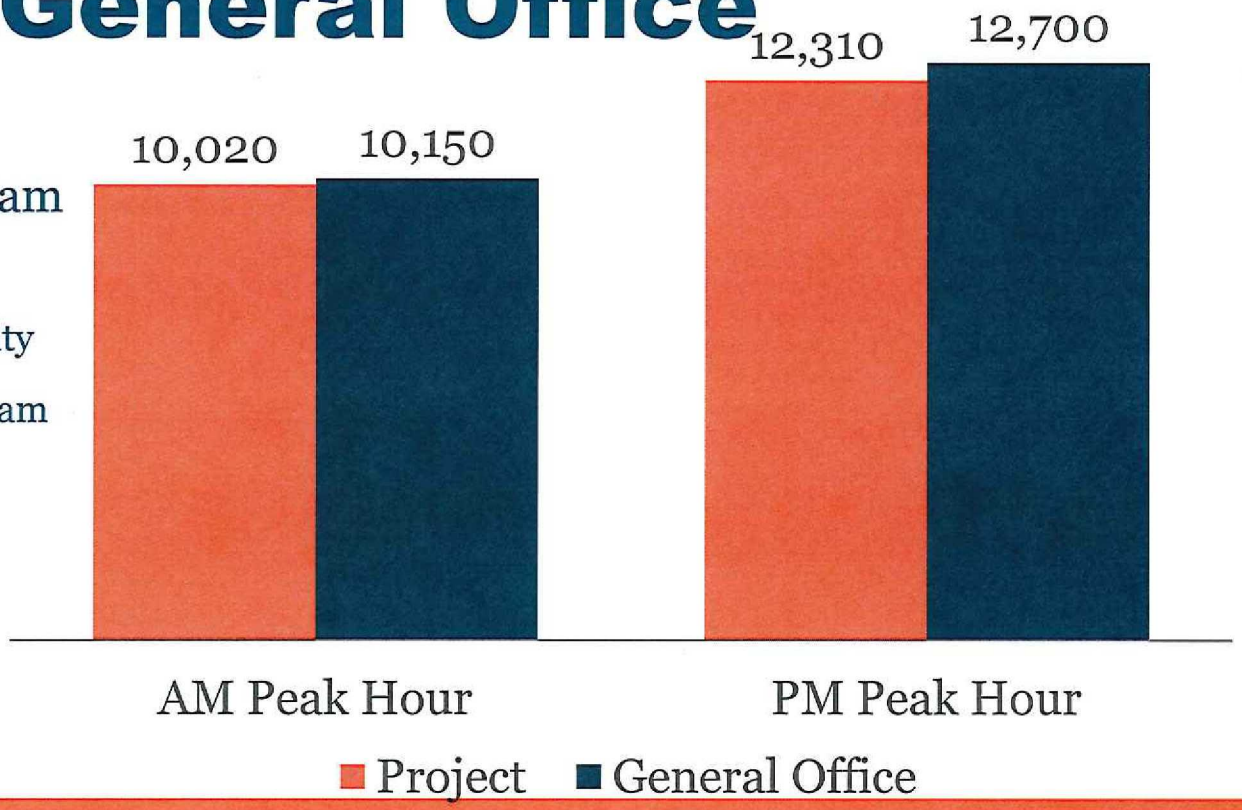
Similar to General Office

- Same land use program
  - General office use
  - lower employee density
  - without a TDM program



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Project Impacts and Mitigation

- Full responsibility
  - 28 intersection improvements in Santa Clara, County of Santa Clara, and San José
- Fair share contribution
  - 45 intersection and interchange improvements on the expressways and adjacent city intersections

Project Impacts and Mitigation

- VTA voluntary contribution to regional freeway and transit
  - Project = 246 and cumulative = 236 freeway segments
  - Freeway and transit improvements
- Multimodal Improvement Plan/Deficiency Plan
  - 3 affected CMP intersections in the City of Santa Clara

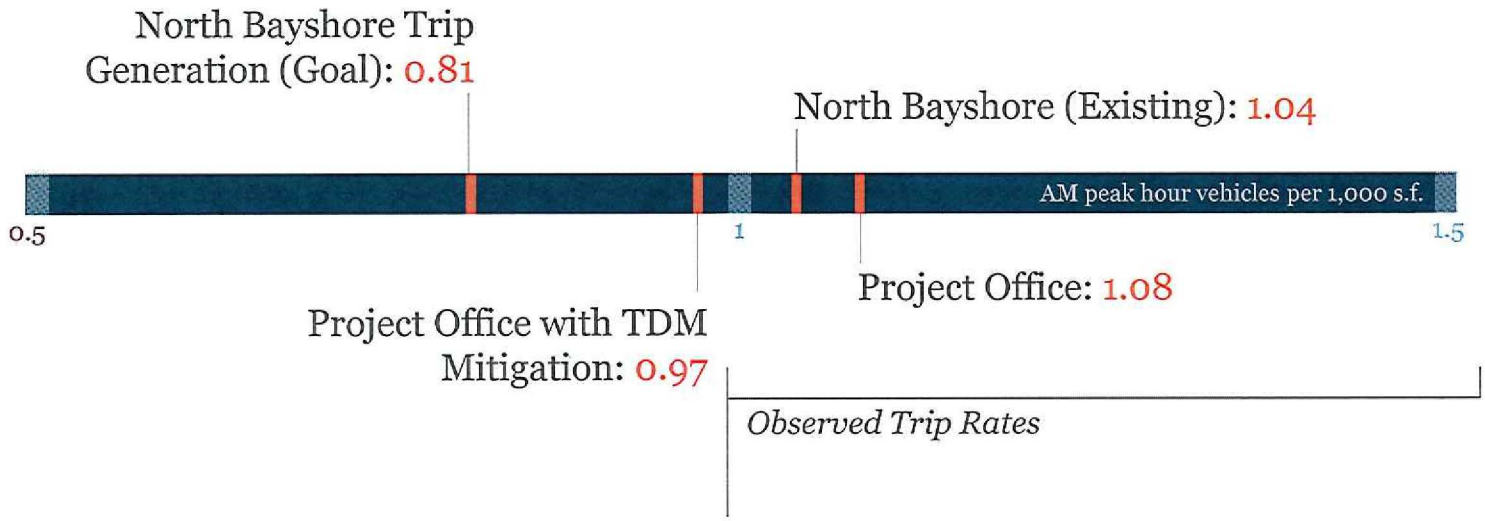
TDM Plan

- Additional office TDM reduction of 4% daily and 10% peak hour
- Additional retail TDM reduction of 2% daily and 4% peak hour reductions
- Menu of potential TDM measures
- Monitoring and reporting methods

Examples of TDM Measures

- On-site support facilities
- In-building support facilities
- Private shuttles
- Ridesharing
- Guaranteed ride home
- Financial incentives
- Flexible work culture
- TDM marketing and education
- Bicycle and/or car share programs

North Bayshore Comparison



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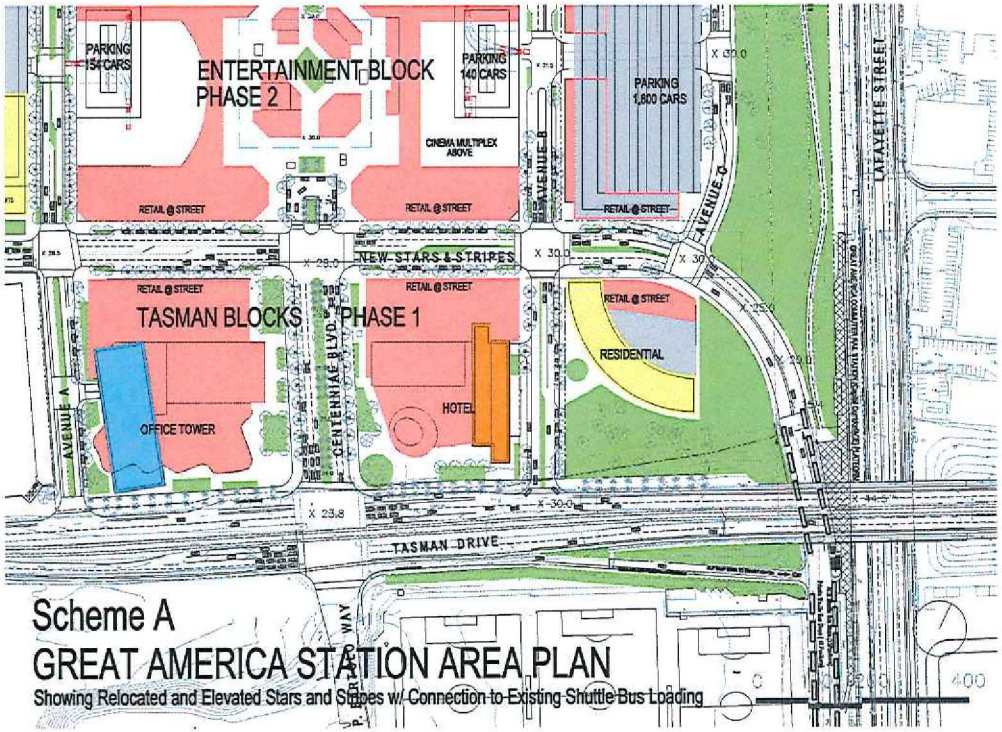
North Bayshore Comparison

- Reviewed North Bayshore Goal
  - Trip generation dominated by a single user (Google)
  - Has not achieved its target trip rate
- Project trip targets
  - Trip generation from a diverse tenant base
  - Similar to existing North Bayshore rates
  - Project trip targets are aggressive and reasonably achievable

Transit Improvements

- Relocated Stars and Stripes
- Eastbound Tasman Drive slip-ramp
- Westbound local street access at Avenue B
- Existing bus loading configuration



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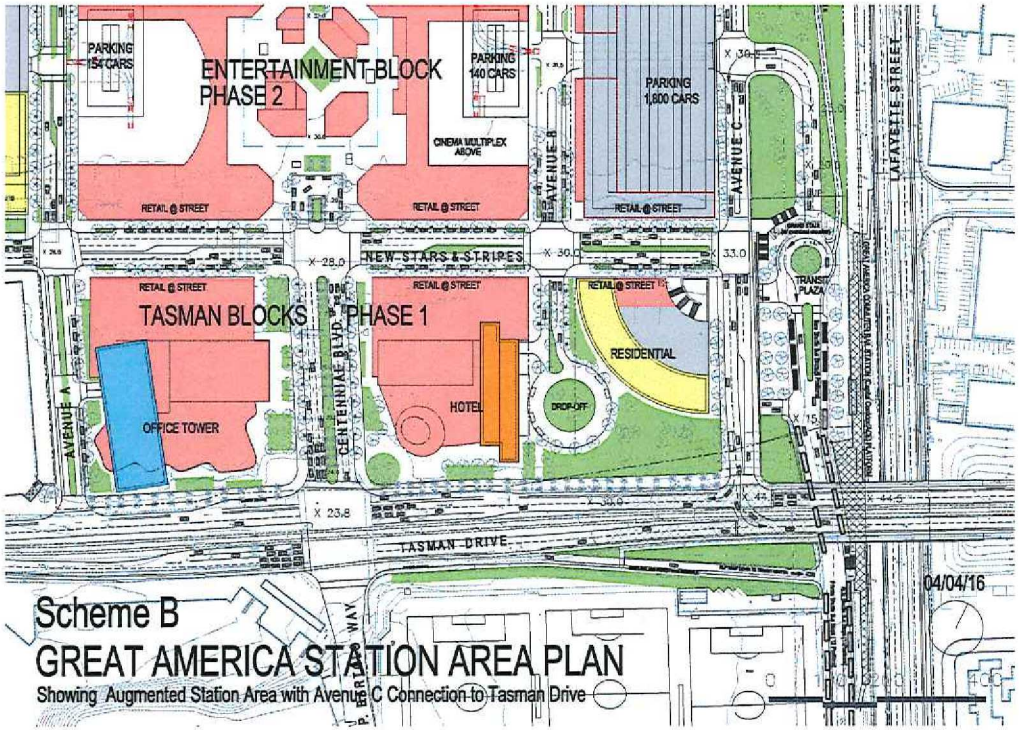
Transit Improvements

- Relocated Stars and Stripes
- Eastbound Tasman Drive slip-ramp
- Westbound local street access at Avenue B
- Avenue C connection to Tasman Drive with left-turn out
- Expanded bus loading area



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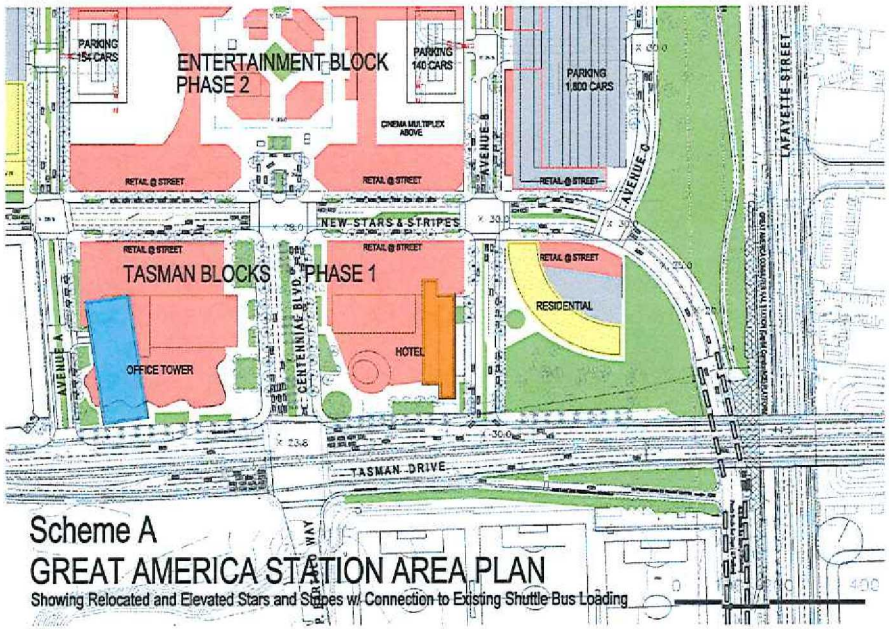
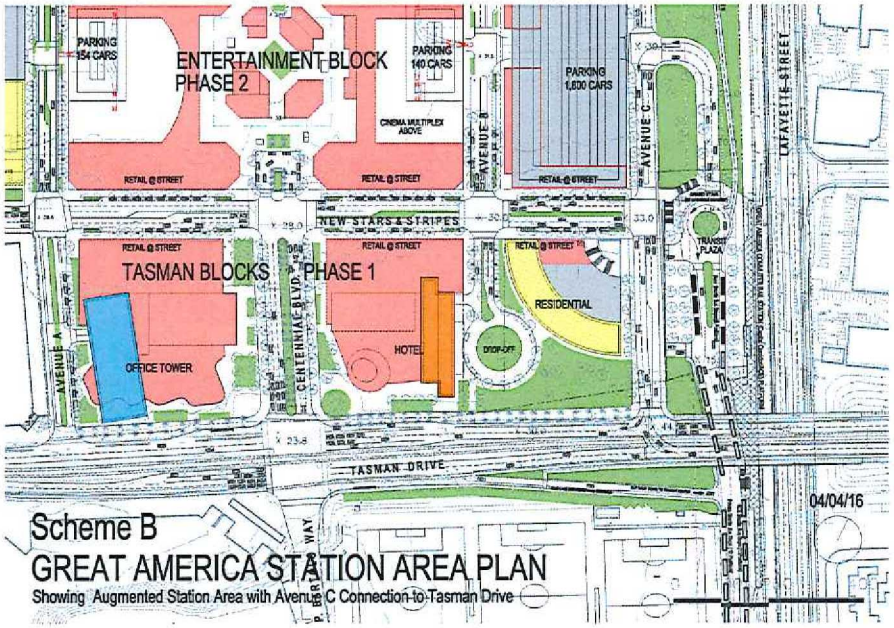
Transit Improvements





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CEQA Next Steps

- Planning Commission makes recommendation on EIR certification and Project approval
- City Council considers and applies the EIR in acting on Project
  - Impose mitigation measures
  - Consider project alternatives
  - Adopt Statement of Overriding Considerations

Future Public Meetings

- May 3
  - Joint City Council/Planning Commission Study Session – Community Master Plan
- TBD – May 2016
  - City Council Study Session – Transaction Documents
- Planning Commission Hearing
- City Council Hearing

City of Santa Clara

City Place Santa Clara

Environmental Impact Report

Joint City Council/Planning Commission Study Session

April 26, 2016

City of Santa Clara
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CITY OF SANTA CLARA CALIFORNIA

1852

THE MISSION CITY

City of Santa Clara

The Center of What's Possible

4/26/16

9A.

Lynn Garcia

From:	Mayor and Council
Subject:	FW: Comments for City Place study session
Attachments:	GA-Comments on Santa Clara City Place 4_26_16.pdf

From: Matt Vander Sluis [mailto:mvandersluis@greenbelt.org]
Sent: Tuesday, April 26, 2016 2:20 PM
To: Mayor and Council
Subject: Comments for City Place study session

Dear Mayor Gillmor and Councilmembers,

Greenbelt Alliance is pleased to submit the attached comments for tonight's study session on Santa Clara City Place.

Matt Vander Sluis
Program Director

Greenbelt Alliance
312 Sutter Street, Suite 510 | San Francisco, CA 94108
1 (415) 543-6771 x322 | cell: (707) 628-3324 | mvandersluis@greenbelt.org
greenbelt.org | Facebook | Twitter

Read five ways local governments can help farms and ranches in HomeGrown.

POST MEETING MATERIAL

GREENBELT ALLIANCE

San Francisco Office
312 Sutter Street, Suite 510
San Francisco, CA 94108
(415) 543-6771

April 25, 2016

Mayor Gillmor and Santa Clara City Council members
City of Santa Clara
1500 Warburton Avenue
Santa Clara, CA 95050

RE: SANTA CLARA CITY PLACE - COMMENTS FOR STUDY SESSIONS

Dear Mayor Gillmor and Council Members:

Greenbelt Alliance is the champion of the places that make the Bay Area special. We help create great cities and neighborhoods—healthy places where people can walk and bike, communities with parks, shops, transportation options, and homes that are affordable—and defend the Bay Area's natural and agricultural landscape from development. Together these amazing places drive the Bay Area's economic vitality and quality of life. With more than 10,000 supporters and a 58-year history of local and regional success, we have helped decisionmakers and residents around the region make the Bay Area the one-of-a-kind place it is today.

We write regarding the proposed Santa Clara City Place proposal. As currently proposed, this project would bring nine million square feet of new office, retail, and residential uses on what is now a 240-acre publicly-owned golf course on top of a former landfill.

We encourage you to make several significant revisions to the current proposal:

Address the jobs-housing imbalance

As currently proposed, the ratio of new homes to other uses in the project—1,700 housing units to 25,000 jobs—will result in a further imbalance of jobs and homes, which is already at a severe crisis level in the city of Santa Clara and elsewhere on the Peninsula. The lack of homes in the Silicon Valley compared to the number of jobs is causing a number of negative impacts to our economy, environment, and quality of life. For example, as more residents are unable to find a home they can afford near their jobs, they are forced to travel long distances to the edge of the region, increasing traffic and congestion, generating air pollution and greenhouse gas emissions, and putting our natural and agricultural lands at increased pressure for sprawl development.

The project should be re-envisioned to provide a much better ratio of jobs to homes and that ample homes are affordable to residents across the income spectrum. Special care should be taken to ensure the proposal complies with state law AB 2135 regarding the provision of affordable homes with the sale or lease of surplus public land.

The city should also examine the recent data from the City of San Jose's General Plan review, which found that new housing pays for itself if it is sufficiently compact. These findings should be taken into account whenever the city is considering the relative merits of new employment uses and new homes.

Protect Guadalupe River with an open space buffer

The project should include ample open space amenities to allow for restoration opportunities along Guadalupe River and public access to open space. Consider changes to the footprint that would provide more compact development on other portions of the site to increase the amount of open space, particularly in those areas with high natural resource values to provide natural resource buffers.

Include robust mechanisms to ensure a walkable, transit-friendly development

Any proposal of this scale needs a carefully tailored suite of policies and programs to provide sustainable transportation choices. The proposal should be amended to include strong enforceable mode-share targets (outlining the percentage of trips made by various modes of transportation), with sufficient measures in place to achieve those targets. Those measures should include smart parking policies, transportation demand management programs, funding for transit service, and state-of-the-art design to encourage walking and biking, among others. Including these well-tested elements will create a development that serves the needs of those who live and work at City Place while avoiding traffic and congestion problems for current residents.

Conclusion

A proposal of this scale deserves careful attention to ensure that it will achieve success. We hope the city takes the time to develop a plan that will use its limited public lands wisely for the benefit of our environment, economy, and quality of life. We look forward to working with you to create a proposal that can be widely embraced to make Santa Clara an even better place to live.

Sincerely,

Matt Vander Sluis
Program Director
mvandersluis@greenbelt.org

4/26/16

9A

SANTA CLARA
Valley Transportation Authority
3331 North First Street • San Jose, California 95134-1906

VTA Talking Points for Public Presentation
City of Santa Clara City Council & Planning Commission
Joint Session on City Place Santa Clara
Study Session III – April 26, 2016

Speaker 1 – Transit Delay and Safety Issues:

- VTA will provide two sets of comments on the EIR this evening. One speaker will focus on transit delay and safety related issues, and the second speaker will focus on other VTA EIR concerns. We will also submit an FEIR response letter by the Friday deadline.

- As the lead agency, the City is required to identify feasible mitigation measures that avoid, minimize, rectify, reduce, or compensate for a significant impact. In the DEIR, the City found that the impact to transit operations was significant **and unavoidable**. However, in its comments, VTA suggested mitigation measures to reduce and/or avoid the impact. In the FEIR, the City dismissed all of VTA's suggested mitigation measures and did not offer any other measures, even though additional feasible measures exist. For example, if the City chooses not to implement full transit signal preemption, as VTA's requested, the City could implement strengthened transit signal *priority* for light rail, with a developer-funded monitoring and maintenance program to ensure the priority stays in place over time. VTA believes the EIR does not adequately address this impact.

- V intersection on Tasman Drive, in part due to the delay caused to li transit delay due to the new intersection concluded the average w delay per train, with a maximum of 15-20 seconds. VTA b y greater. The City failed to adequately describe in the FEIR the m the transit delay analysis, nor has it released this analysis de TA over several months.

  Mr Cenzo

- Li would likely suffer from delay at existing intersections as well, which the City did not attempt to analyze in the Draft or Final EIR. Delays to light rail in this segment of Tasman Drive are an ongoing problem, and we believe the City is minimizing the importance of this issue. Small delays can have a cascading effect on the light rail system, and increase costs and reduce the attractiveness of transit. VTA needs to protect the $90 million taxpayer investment made over the last two years to speed up the light rail system.

- VTA also strongly opposes the proposed new intersection due to safety concerns to pedestrians, light rail vehicles and autos. As noted in the FEIR, any new crossing of the tracks would require approval of VTA and California Public Utilities Commission (CPUC). The new crossing described as Tasman Variants 1 and 2 in the EIR will not be supported by VTA.

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- VTA requested an elevated pedestrian walkway across Tasman Drive at Centennial Boulevard to ensure the safety of the travelling public, which the City dismissed in the FEIR. The project will likely require extensive CPUC/VTA review of existing and proposed crossings, considering safety of all modes, which may conclude that one or more grade-separated crossings are warranted. In any case, we believe existing and future conditions, as well as pedestrian traffic during stadium events, warrants the grade-separated crossings as part of the first phase of the project.

Speaker 2 - Other VTA FEIR Concerns:

- In the Final EIR, the City stated that only with the new intersection on Tasman Drive would there be room to provide the enhanced transit plaza and additional bus/shuttle loading positions discussed between the City, VTA, ACE, and the developer. VTA believes sufficient room exists to provide these near-term transit center improvements in the base scheme without the new intersection. We believe that the developer and the City are leveraging these improvements to push VTA and other public agencies to accept the proposed new intersection on Tasman Drive.
- Regarding Transportation Demand Management (TDM), VTA believes that the City can and should specify that TDM monitoring will be performed by the City or a third party. In the FEIR the City stated that the monitoring party will be approved in the TDM Plan at a later date. This leaves open the possibility that monitoring will be self-reported by the developer. This does not match best practices in Santa Clara County, such as in recent EIRs for development projects in Mountain View, Sunnyvale, Cupertino, and at Stanford University.
- VTA is also concerned that in FEIR Master Response 2, it appears that the City is weakening the commitment to the TDM targets discussed in the DEIR text. The FEIR states that the trip reductions "are stated as goals rather than as requirements." This, combined with the lack of penalties and ambiguity regarding the monitoring party, combine to form a weak TDM framework. VTA requests that the City revise this mitigation measure to require the TDM targets and an enforcement mechanism.
- VTA supports the City's addition of Mitigation Measure TRA-1.3, to prepare and implement a Multimodal Improvement Plan (MIP). We agree with much of the discussion in Master Response 3, but would like to make several points.
    - Based on VTA's Board-adopted guidelines and past precedent in Santa Clara County, the MIP should include County-controlled as well as City-controlled intersections.
    - Also based on the guidelines and precedents, the City of Santa Clara must participate fully in the North San Jose Deficiency Plan for impacted intersections in the City of San Jose.
    - The MIP is intended to identify multimodal actions that can help offset auto congestion impacts on the regional roadway system. Therefore, the City should address the Tasman light rail line, bus and shuttle service and facilities, and pedestrian and bicycle accommodations in the MIP.
    - It is worth noting that per state law, the VTA Board will also need to approve the MIP after approval by the Santa Clara City Council.

4/26/16

9A

Dear Mayor
My name is Russell Kershaw.
Here are some concerns that need your attention in your city.

1. There are several violations of the 1958 Delaney Clause of the federal government. It is designed and meant to protect your citizens from dangerous substances being put in the food, or any product by evil corporations.

Violation 1: The delaney clause prohibits by federal law that chemicals known to cause cancer to be in the food. Sodium nitrate is in the food in nearly every outlet in the city. This ones a kicker, because I can actually recite to how to win some small claims money with this one. If we have you go into an outlet with this in the food, you ask them if the food is safe with a camera on, they will lie to you, and say yes. Thats grounds for a lawsuit.

Violation 2: Food containing processed soy extracts, and vegetable oils are processed with a chemical known as hexane. Hexane on the internet is described as a neuro toxin. No testing has been done to ensure this chemical does not cause cancer which makes it federally illegal, and a federal offense to have it in the food. We figure out which food outlets have this chemical in the food, and ask them on camera if it does. They will lie to you. Thats grounds for a lawsuit.

3. The mental health and mental health advocacy systems along with the social workers Im not so sure the have the communities best interest at hand. If you were to attach a camera to a random mental health patient, and send them into treatment or advocacy. The workers will actually tortfeasor them. They will not one time mention they have rights, let alone help them enforce them. They will tell them theres nothing they can do. May even lie about them to big wigs, and kind of usher them to social services. So they cost taxpayers money often times in government paid for facilities then usher them to a social services check. This is a double expense to the taxpayers. Needs to stop. Goes for any kind of government advocacy group really.

There are currently many violations to this clause mayor. If we find out exactly which chemicals and ask a simple question to the workers, and they lie its grounds for a lawsuit. This will raise awareness about these violations, theyre gross, theyre rampant, and wanton. They need urgent addressing. I will be filing a couple of times a month against corporations to help enforce this clause. I may need your help if the courts refuse to judge in my favor it means theyre creating risk in the community. Misfeasance. These are a lot of misfeasances happening here. You could file to like I said.

2. Civil rights issues: Ive noticed in the county there are people the community may not protect certain people in the courts. This is a safety and civil rights issue in your community. I have many small claims cases in the future, plus many more to come. If the courts bully me, or anyone in that courtroom. Or, if the cops do not protect anyone in your city its a good indicator that the courts will not hear their case. I believe this is grounds for a tort claim under

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misfeasance, recklessness, and many other torts. Also, sometimes the cops will refuse to bust up dangerous illegal activity in the city. I understand there is always going to be a certain amount of corruption, although there only needs to be a certain amount. Im here to help you get things done for the community. The county will have to pay the city. The city lawyer, and you have some pull with them.

Please, keep these issues, and concerns confidential. This is a disposition we need to keep extremely quiet, and between you and I. Or, the lawyer of the city. Thats it. If you need further communication of the issues please email me. We will discuss everything further over email. Please, understand Im not trying to weasel myself into your life, or be your friend. Strictly professional relationship to matters of public safety. My email is Or, call me at Thank you.

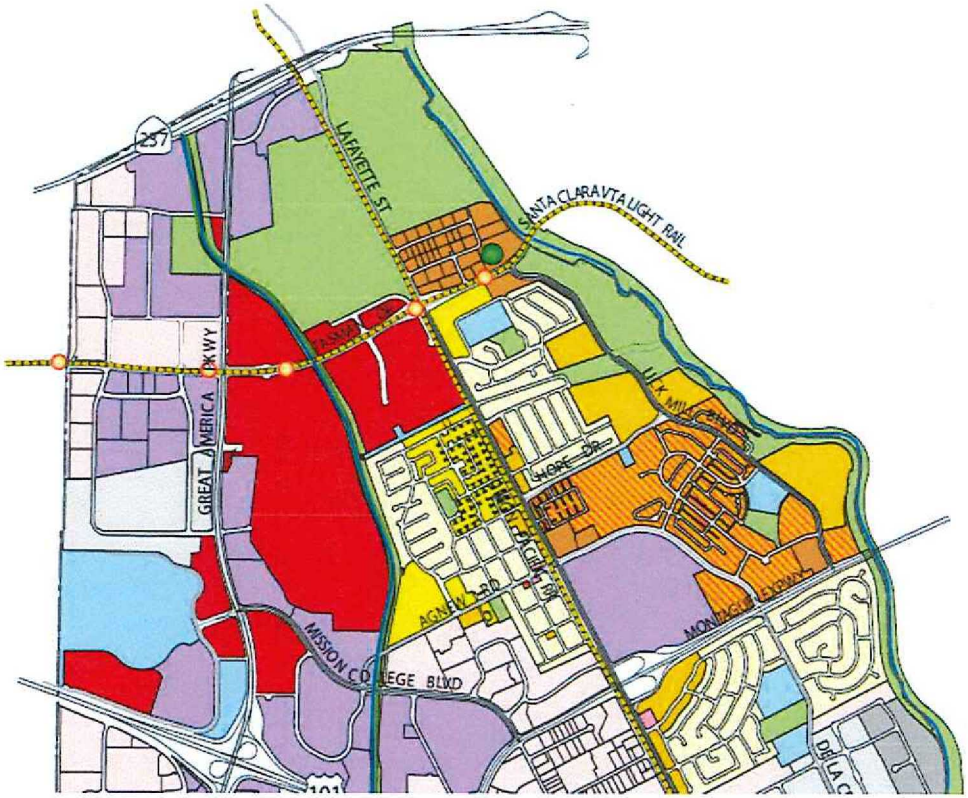
4/26/2016

9A.

Slow Down the Process

Size: Biggest project ever in Santa Clara

Be Deliberate : Slow down to avoid mistakes with hasty decisions



POST MEETING MATERIAL

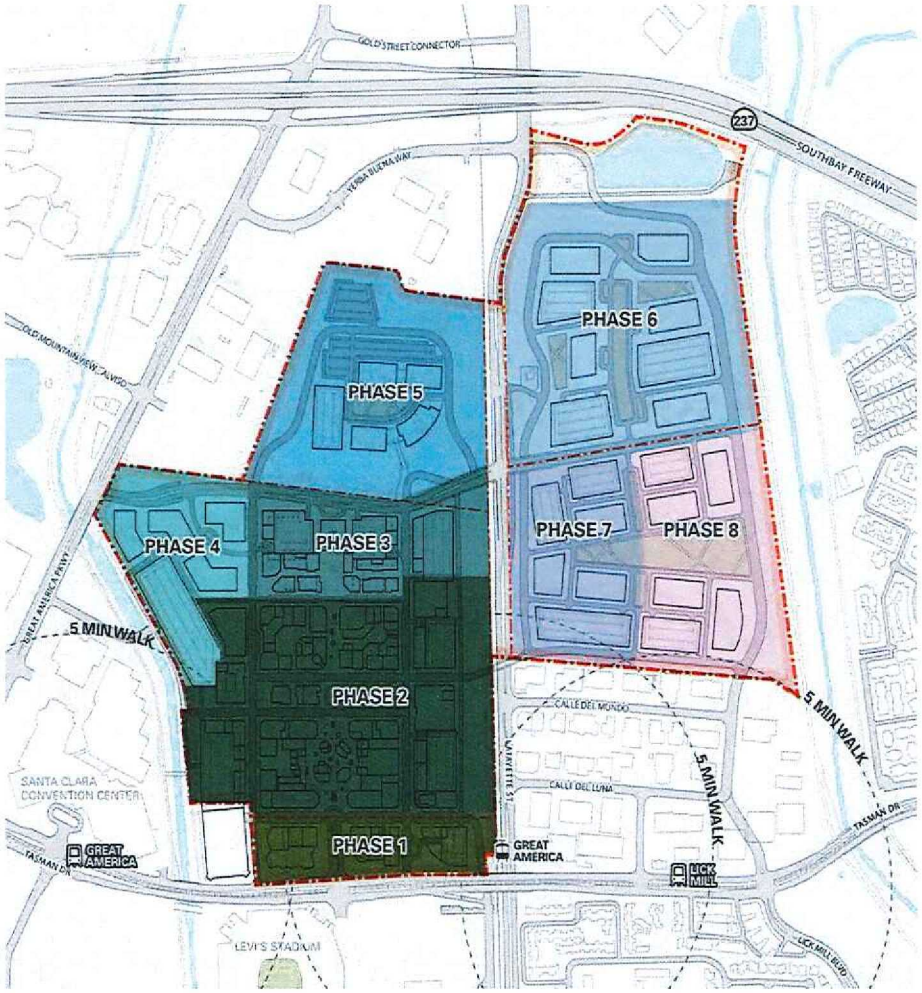
Phase Development Approvals

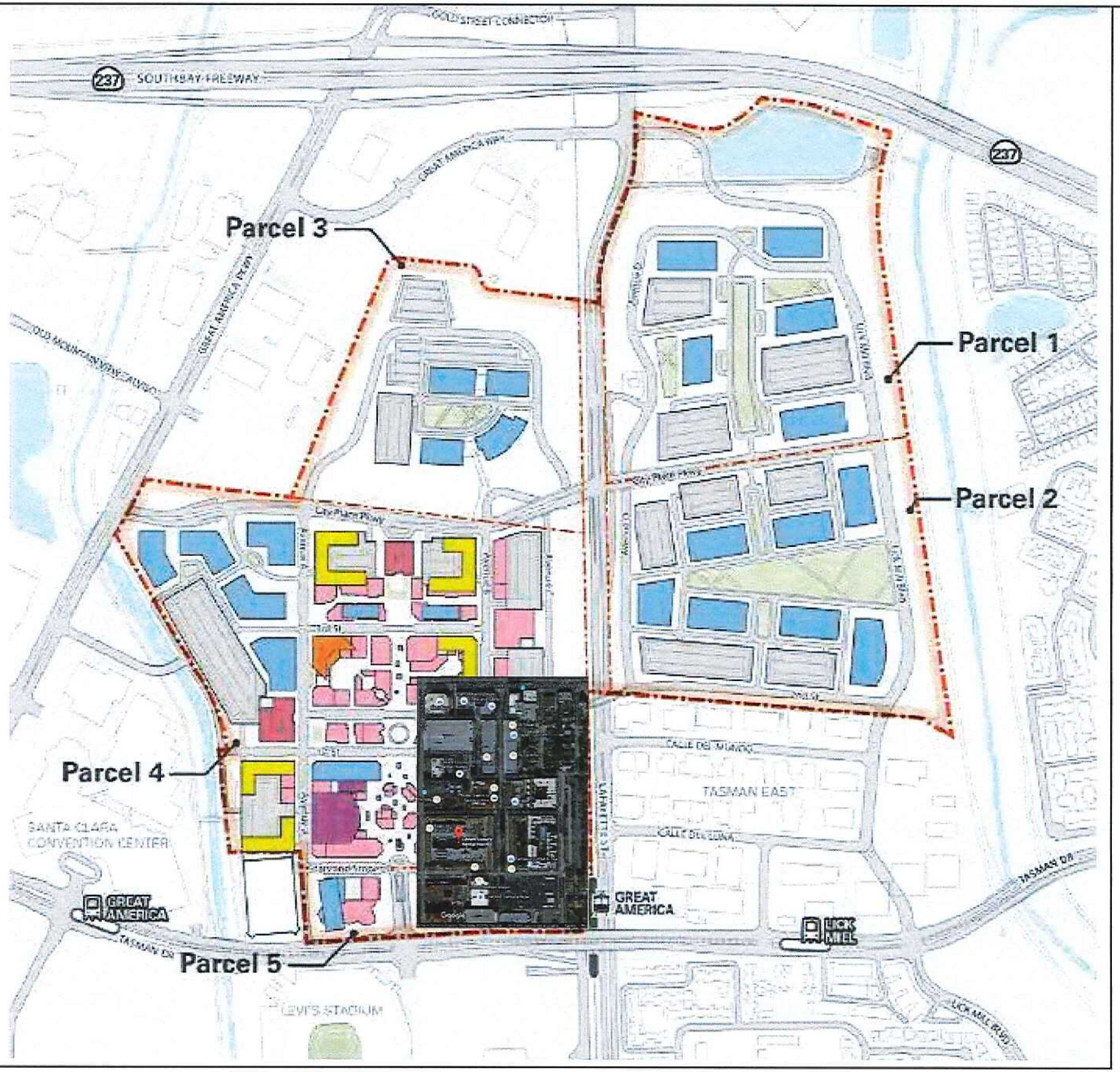
Keep some Control: Make each phase contingent on reaching goals for

•Traffic-Housing-Economic

Stewardship: This is the city's most valuable asset – LAND

This is a 30-50 year plan





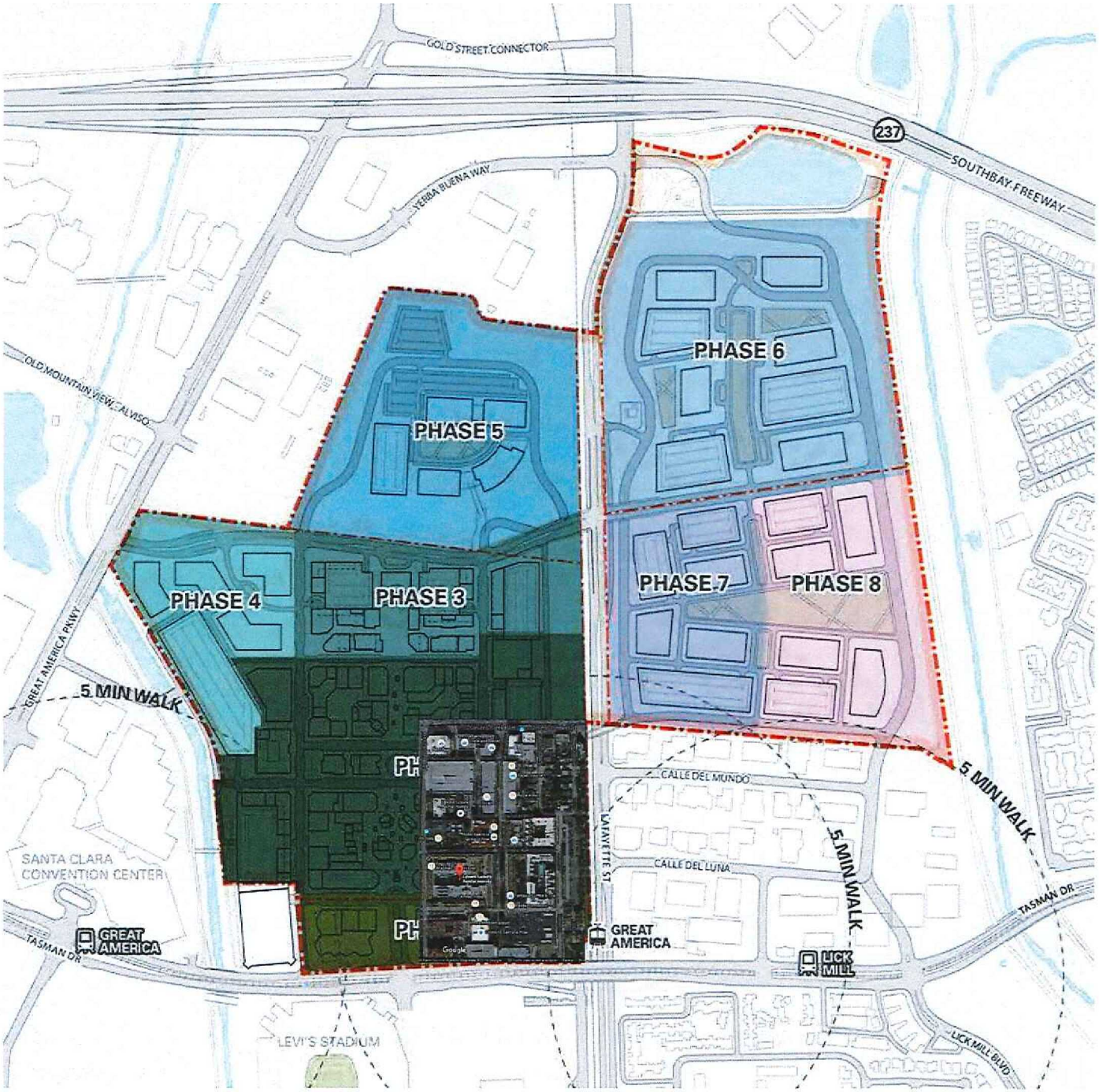
Land Uses
Podium Residential
Retail Anchor
Retail and F & B
Hotel
Entertainment
Office

Boundaries
Site
Parcel

0 800 1,200 1,600
Feet

N

(L, 2015.


GOLD STREET CONNECTOR
237
SOUTHBAY FREEWAY
VERDA BUENA WAY
OLD MOUNTAIN VIEW - ALVISO
PHASE 5
PHASE 6
PHASE 4
PHASE 3
PHASE 7
PHASE 8
GREAT AMERICA PKWY
5 MIN WALK
5 MIN WALK
5 MIN WALK
CALLE DEL MUNDO
LAFAYETTE ST
CALLE DEL LUNA
SANTA CLARA
CONVENTION CENTER
GREAT AMERICA
GREAT AMERICA
LICK MILL
TASMAN DR
TASMAN DR
LEVI'S STADIUM
LICK MILL BLVD

What are the Community Benefits?

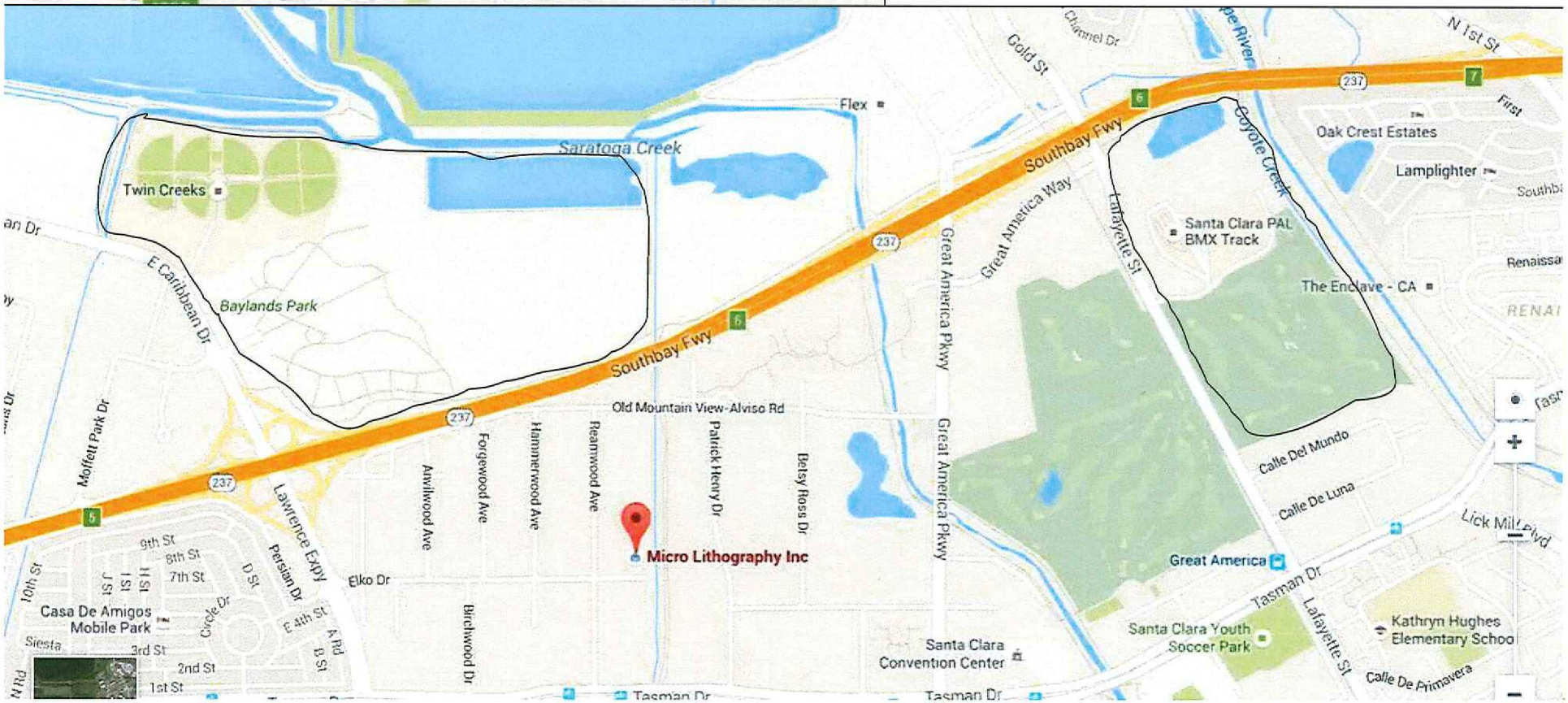
The market is good, the city should get community benefits from this asset

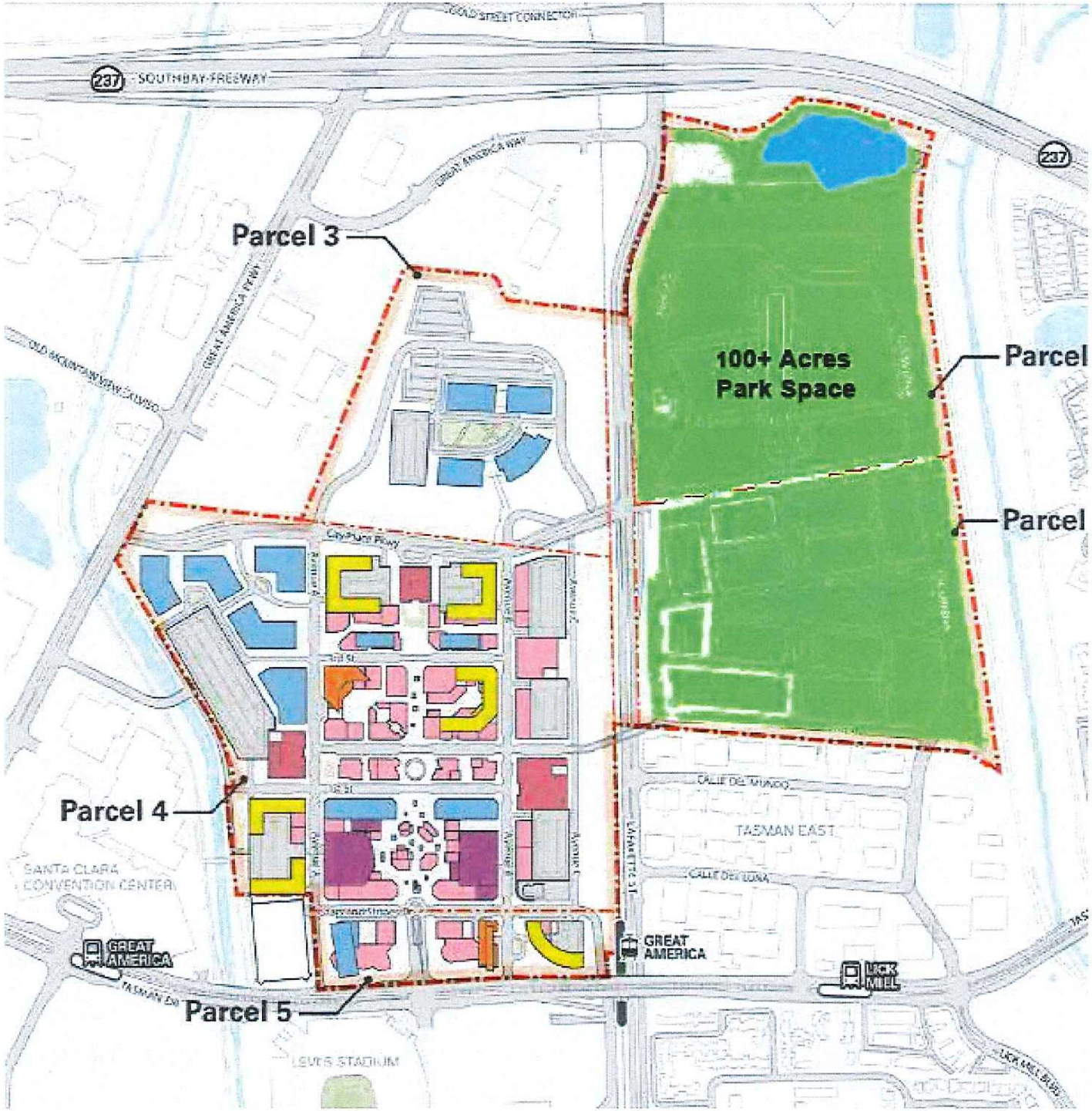
Ask the Community

Council members can't know everything

Parks needed!

Cities are gasping for open space. There is no more land to buy.




SOUTHBAY FREEWAY
237
GREAT AMERICA WAY
GREAT AMERICA PKWY
Parcel 3
100+ Acres
Park Space
Parcel
Parcel
Parcel 4
Parcel 5
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Transparency for Huge Decisions

Transparency: critical when trading the city's most valuable asset – LAND

Reach out to involve the residents