

# Save Our Trails!



Promoting trails in Santa Clara County for the benefit and enjoyment of all

Board Meeting  
Dwell Christian Church  
1292 Minnesota Avenue, San Jose 95125  
July 21, 2014, 7-9pm

## CALL TO ORDER

## INTRODUCTIONS

Welcome to visitors.

## ADMINISTRATIVE

1. Approval of the minutes of 6/16
2. Absences

## CHANGES TO AGENDA

## PRESENTATIONS BY GUESTS

## DIRECTORS' REPORTS

1. President's report
2. Vice-President's report
3. Treasurer's report
4. Secretary's report

## CURRENT ISSUES

Status of Action Items

## COMMITTEE REPORTS

## NEW ISSUES

1. Meet with council members on trail issues. Bill
2. Respond to Jean's letter on Park Funding. See Addendum D. Bill
3. Continuing problem with email. I think this has been fixed. Please tell me if you got email from me. Mary-Ellen
4. Trail clean-up for Oct 18. Bill
5. San Jose Meeting on Bikeways. See Adendum B and C. Martin
6. Review of Willow Glen Trestle Day in Court.
7. Vote on endorsing the OSA funding measure for the November 2014 ballot. Send letter to Dorsey. See Addendum A. Joan.

## DEFERRED ISSUES

1. Review of Priorities as suggested by participants at Annual Meeting, and decision on what we want to focus on for the next year. Martin
2. Grants from California Trails and Greenways Foundation. See <http://www.ctgf.org/grants/>. Grant applications posted May 1, 2014, due Sept 30, 2014. Bill

## **Addendum A**

I am writing to you as a member of the **Friends of the Santa Clara Valley Open Space** (FoSCVOS). You may have heard that the Open Space Authority (OSA) will seek a parcel tax measure on the November 2014 ballot — this is indeed true. It's a necessary step in order for the organization to continue its mission conserving the natural environment, supporting agriculture and connecting people to nature by protecting open spaces, natural areas and working farms and ranches for future generations. On behalf of the FoSCVOS Endorsement Committee, I kindly ask for your endorsement of the parcel tax measure.

The OSA Board of Directors is scheduled to discuss and approve the parcel tax ballot measure at its next board meeting on **Thursday 7/24**, with a press release and outreach to launch the following morning. Having a strong list of credible and influential endorsements is imperative for us to launch our outreach efforts with our best foot forward. The measure will require 2/3 voter approval in November, and your support from day one is critical for us to succeed and build on of the great work that OSA has already done since its inception in 1993. The press release and outreach will hit the public on Friday 7/25; please let me know by **Monday, 7/21** if you are able to endorse so we can make sure your name and affiliation are included when we make our big announcement.

The legal language for the measure is close to being finalized, but the basic premise is:

- \$24 per parcel for 15 years, generating \$120M (OSA's current project expenditure plan consists of 26 projects costing ~\$96M)
- 25% off the top will go to urban parks, open space, trails and restoration projects
- The remaining 75% will go to regional conservation and stewardship of open space, water resources, habitat, farmland and public access.

Currently, OSA operates on a very modest \$4.2M annual budget. OSA sets aside 20% of its capital expenditures annually for urban open space projects such as trails, natural areas, agricultural lands and parks. Despite these modest resources, OSA has protected 16,000 acres, provides public free access to walking, hiking, biking, and equestrian trails.

With a growing population in Santa Clara County, we it is more critical than ever to preserve our open spaces, water supplies, agricultural lands, and habitat for future generations. We want to see the land we've invested in over the years opened up, education centers built, and more land protected. If we don't act now, we'll miss opportunities to protect key properties needed to complete the Valley Greenprint, OSA's new 30-year conservation vision. And we'll let another generation grow up without being able to see up close the beautiful lands we've worked so hard to protect.

Additionally, Friends of Santa Clara Valley Open Space (<https://www.facebook.com/OpenSpaceFriends>) has been formed to educate nearly 300,000 likely voters about the importance of this measure to their daily lives.

## **Addendum B**

City of San Jose  
Department of Transportation

### **NOTICE OF PUBLIC MEETINGS ON FUTURE BICYCLE PROJECTS**

The City of San José Department of Transportation (DOT) will host public meetings to discuss proposed bicycle-related street improvements in two areas generally east and west of downtown San Jose. The meetings will be held at the following times and places:

**Wednesday, August 6, 2014, 6:00 PM**, Mayfair Community Center, 2039 Kammerer Ave

**Wednesday, August 13, 2014, 6:00 PM**, Gardner Community Center, 520 W. Virginia St

The following projects will be discussed:

#### East Side (August 6)

Sunset-Hopkins: add Shared Lane pavement markings between San Antonio Street and Ocala Avenue

Jackson Avenue: add Bicycle Lanes and Shared Lane pavement markings between McKee Road and Alum Rock Avenue

Ocala Avenue: add Enhanced Bicycle Lanes between King Road and Capitol Expressway

Madden Avenue: add Shared Lane pavement markings between Jackson Avenue and Capitol Avenue

#### West Side (August 13)

Stockton Avenue: add Bicycle Lanes between The Alameda and Emory Street

Julian Street: add Bicycle Lanes between The Alameda and Guadalupe River Trail

Park Avenue: add new and improve existing Bicycle Lanes from Market Street to the Santa Clara city limits

Lincoln Avenue: add Bicycle Lanes between Willow Street and San Carlos Street  
add Shared Lane pavement markings and signing between San Carlos Street and Park Avenue

Scott-Auzerais: add Shared Roadway pavement markings between MacArthur Avenue and Los Gatos Creek Trail

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#### Notes:

1. Bicycle lanes are on-street areas for bicycle use designated by painted lane stripes, bicycle pavement markings and signs.
2. Enhanced bicycle lanes may include green color and a buffer space between bikes and cars.
3. Shared lanes are designated by Shared Lane pavement markings (sharrows) in the travel lane, and by signs. Bicyclists and motorists share the same space.
4. Traffic-actuated traffic signals that do not currently detect bicycles along project corridors will be modified to add bicycle detection.

For additional information, contact John Brazil 408-975-3206 [john.brazil@sanjoseca.gov](mailto:john.brazil@sanjoseca.gov)

## **Addendum C**

Trail and Creek Related Events recommended by a member.

### **Sat, July 19th: 10am-noon**

Frank Talks

Coyote Creek Outdoor Classroom

(16th & William/Coyote Creek)

[Ecological Talk followed by docent led walk](#)

### **Sat, Aug. 16th: 9-11am**

[Senator Beall's Creek Cleanup](#)

Campbell Park

### **Sat, Sept 20th: time varies ~8 or 9am to 11am or later?**

SCVWD and other agencies will have Creek Cleanups on various Creeks.

Friends of WG Trestle will have one at Lonus St @ WG Trestle

There will be others on Los Gatos, Coyote and Guadalupe Creeks.

**Addendum D**

**5.2 (Cont'd.)**

Action: On a call for (lie question. the motion carried unanimously. The Final Greenpriin 2009 Update was approved. as amended: (1) The memoraudum from Council Member Liccardo. dated December 4. 2009. was approved, with the following: (a) On Page 108. add to either the Neighborhood Community Parks or the Regional Parks list: the east side of the Guadalupe River Bank from Interstate 28o to Willow Street. for public open space”. with language elsewhere in the Greenprint (crafted in consultation with the City Attorney) indicating that the Ciry will work in collaboration with the Santa Clara Valley water District to effectuate this goal. (b) On Page 109. add to the Trails list: Union Pacific Railroad from Highway 101 to the Guadalupe River Trail. with legally sufficient language (crafted in consultation with the City Attorney) elsewhere in the Greenprint document to indicate that such trail would only be built upon relinquishment of tlat rail line and or upon the City's purchase of it. (2) Supplemental memorandum from Director of Parks. Recreation and Neighborhood Services Albert Balagso. dated November 25. 2009. recommending additional changes to the draft Greenprint 2009 Update based upon feedback received from the Parks and Recreation Commission on October 7. 2009 and the Neighborhood Services and Education Coimnittee meeting oil November 12. 2009. was approved. (3) Direct the Parks. Recreation and Neighborhood Services Staff to work with the City Attorney’s Office on appropriate language to add the development of 12 to 14 acres of land at the Arcadia property for new public park use as a priority one project for the Evergreen Action Plan (District 8): The City Manager was authorized to make any granmiatical changes. minor edits. corrections and other changes which do not impact the major policies and substance of the dociument during the final editing and production process and Resolution No. 75218. entitled: Resolution of lhe Council of the City of San Jose Rescinding Ciry Council Policy 1-6. Parks and Recreation Priority for Expenditure of Finids Collected from ttle Construction Tax and Property Conveyance Tax and City Council Policy 6-8. City Improvement of School Sites for Public Recreation”, was adopted. (10-0-1. Absent: Coustant.)

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Sam Liccardo’s proposal to change the Park Trust Fund for downtown high rises and midrises, asks that staff review and report back by Sept. He took it to Rules Committee, and then it went to the Council at the last meeting of the fiscal year. It did not go through any council committee. Here are the features

- Calls for continuing the 50% reduction in park fees for downtown high rises
- Calls for creating 25% reduction in park fees for mid-rises in downtown

Also calls for providing developers with a choice--they can pay 100% of fees OR then can pay 50% (high rises) and join a downtown maintenance district which will provide money over the long term. The money from the maintenance district will be paid by whoever owns the property at the time of the payments--ie condo owners instead of the developers. The money from the maintenance district could be used to mow lawns, or repair pools, fix fountains.

Under state law, maintenance districts must either touch the property that is being maintained OR a large area of contiguous properties must be in a maintenance district. (This detail is not mentioned in the memo).

What's important--Chuck and Sam argue that downtown is built out and there is no way to get additional parks. They don't acknowledge that downtown high rise money is being used to pay for

community serving projects within three miles. Examples are the eastern alignment of the Three Creeks trail and the trail that runs from Julian Street to Japantown to Northside. There are other possibilities with willing sellers within the 3/4 mile nexus of the downtown---including daylighting Los Gatos Creek Trail at Bird.

This is a pilot program---it suggests that the urban villages would be designed this way too---declare that current parks are enough and use the money to maintain green space such as planters and median strips.

The Quimby Act is the state law that authorizes park trust money. It's possible that this idea of offering a developer a choice of 100% fees vs. 50% fees and Maintenance district might be illegal. But there is no one available to sue the City. It's certainly not what state legislators intended.

Also, note that all developers get credits (up to 50%) for onsite private recreation credits (pools, gyms, roof-top gardens), so this proposal means that the developers would pay nothing and only the residents would pay and pay and pay and pay, as part of the HOA fees.

At the Rules Committee Meeting, CM Oliverio pointed out that Tamien Park was dependent on the downtown park fees to finish its community serving soccer field. With a change like that which is proposed, the park will remain dirt.

SOT may be best served by addressing questions to park staff with copies to council members and City Manager Staff. Park staff would be Julie Edmonds-Mares (director) and Matt Cano (deputy director). Ed Shikada (City Manager) and Norberto Duenas (asst city manager)

Questions could be about how might a plan like this affect the trails---mentioning which ones are within 3/4 miles of downtown and one is within 3 miles...

Ask about whether it is legal to discount the Quimby act...

Ask whether State Law allows cities to offer developers a choice of paying park fees and not offering the same choice to all builders of new homes?

Ask where the high rises will still get their park land credits?

Whether there would be any concern that future condo owners or renters would balk at paying the Maintenance fees as part of their HOA or rent?

Ask whether changing this is allowed under current Greenprint? Would the greenprint have to be revised?

What other funds have they identified to meet the goals of the current greenprint for projects affected by this program to divert Park Trust Fund money to operations and maintenance?

Ask which type of maintenance district do they propose (there are several different kinds) and what is the number of the state law that authorizes? What nexus will be enforced?

Ask who at the State can give a legal opinion about what can be done to change rules under the Quimby Act?