



SOUTH HAYWARD BART STATION ACCESS AUTHORITY

SPECIAL MEETING

777 B Street, Hayward, CA 94541

Room 2A

June 14, 2013

11:30 AM

A G E N D A

1. **Call to Order**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Agenda**
5. **Public Comment**
This section provides an opportunity to address the Access Authority on items listed on the agenda, as well as other items of interest. The Board welcomes comment and requests that speakers present their remarks within established time limits. (Individual comments are set at a 3-minute time limit; comments on behalf of a group are set at a 5-minute time limit.) As the Board is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.
6. **Approval of Meeting Minutes** (of March 26, 2013)
7. **Report from Co-Executive Directors Fran David and Jeff Ordway**
8. **New Business:** Appoint Chair and Vice Chair of the Authority
9. **New Business:** Review Implementation of Action Plan
10. **Project Status:** Receive report from Developers as to status of residential Project
11. **Authority Reports, Referrals and Future Agenda Items**
12. **Adjournment**

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777 B Street, Hayward, CA 94541

Room 4A

March 26, 2013

11:30 AM

MINUTES

1. **Call to Order** – the meeting was called to order at 11:33 by Vice Chair Thomas Blalock.
2. **Pledge of Allegiance** – the Pledge of Allegiance was led by Vice Chair Thomas Blalock.
3. **Roll Call**

JPA Board members present: Thomas Blalock, John McPartland, Al Mendall, Francisco Zermeño.
JPA Alternate/Substitute Board members present: Barbara Halliday
JPA Board members absent: none
City of Hayward staff present: Fran David, Dave Lundgren, David Rizk, Matt McGrath, Denise Blohm, Maureen Conneely and consultant John DeClercq
BART staff present; Jeff Ordway, Bruno Peguese
JPA legal counsel present: Polly Marshall (Goldfarb & Lipman)
4. **Approval of Agenda** – there were no changes to the Agenda
5. **Public Comment** – no members of the public appeared to comment
6. **Approval of Meeting Minutes** – the minutes of December 5, 2012 were approved as submitted - M/S/C by Zermeño / McPartland / unanimous
7. **Report from Co-Executive Directors Fran David and Jeff Ordway** – the Directors were thanked for their cooperation in the arduous efforts to get this meeting scheduled.
8. **Proposed Implementation of City Council & BART Board Approvals** – The implementation of the Action Plan was approved as submitted - M/S/C by Zermeño / McPartland / unanimous, which includes the following¹:
 - A. Include Tennyson Rd (from Mission Blvd. to Huntwood Ave), Mission Blvd. (from Tennyson Rd. to Vale Vista Ave.) and Dixon St. (from Tennyson Rd. to approx. 200 yds. south of Valle Vista Ave.) as part of the BART commuter-paid parking per the map attached to the staff report;
 - B. Authorize Co-Executive Directors to establish an account to accept receipt of parking revenues and payment of JPA operating costs and capital costs with capital costs being determined by actual costs incurred retired over 20 years at an interest rate of 3%, or sooner if there is excess cash flow (i.e. cash flow net of operating, capital and access improvements);
 - C. Agree to review parking usage every six months.

¹ At the request of Director McPartland, the JPA Agreement, which had been amended by action of the City Council on 2/19/13 and the BART Board on 3/14/13 was clarified at Section 3.5 to read: "... the unanimous vote of all **four** (4) of the Directors shall be required for the Authority to take all other actions." [emphasis added]

- D. Take actions necessary to implement approvals made by the City Council:
 - a. Acknowledge that the City has adopted a Transit Oriented Development Preferential Residential Permit Parking Area (TOD PRPP Area) and parking regulations consistent with establishing same.
 - i. No cost to the residents;
 - ii. Prohibits BART patron parking on certain streets within the JPA boundary; and
 - iii. City will purchase and install enforcement signs in those streets
 - b. And that the City will make its capital investment:
 - i. Stripe and number 272 spaces on City streets (Tennyson Rd., Mission Blvd. & Dixon St.);
 - ii. Purchase and install enforcement and wayfinding signs on the City streets within the JPA area, outside of the BART parking lot;
 - iii. Modify the pedestrian-safety fencing along Tennyson Rd.
 - c. Accept a Supplement to the Parking and Access Report from Nelson\Nygaard by adding additional items to “Appendix C: Prioritized List of Access Strategies” to the Parking and Access Study dated November, 2012.
- E. Take actions necessary to implement approvals made by the BART Board:
 - a. Authorize parking charges on the BART main lot and in the BART patron parking on City streets, i.e. Tennyson Rd (from Mission Blvd. to Huntwood Ave), Mission Blvd. (from Tennyson Rd. to Vale Vista Ave.) and Dixon St. in front of the station and on the west side of the street from the station to approximately 200 yards south of Valle Vista Ave, as shown on the map attached to the staff report and consistent with the City’s adopted Transit Oriented Development BART Commuter Preferential Permit Parking Area program:
 - i. Daily: Start at \$1.00/day, allow up to \$5.00/day in increments of \$0.50/day at 6 month intervals
 - ii. Monthly: Start at \$42.00/month, increase to \$63.00/month when daily fee becomes \$2.00/day, increase to \$84.00/month when daily fee becomes \$3.00/day
 - iii. Daily Reserve: Start at \$3.00/day, increase to \$4.00/day when daily fee becomes \$2.00/day, increase to \$5.00/day when daily fee becomes \$3.00/day
 - iv. Allocation of approximately 7% of spaces to monthly reserve and approximately 3% of spaces to daily reserve (excluding ADA and employee spaces), with increases in allocation up to a maximum percentage that does not exceed that set forth in the then-current BART Board policy.
 - b. Authorize modifications to parking charges:
 - i. Examine occupancy every 6 months
 - ii. If occupancy is greater than 98%, increase daily fee by \$0.50/day
 - iii. If occupancy is between 90% and 98%, no change in fee
 - iv. If occupancy is less than 90%, reduce daily fee by \$0.50/day (but not less than \$1.00/day);
 - c. And that BART will make its capital investment:
 - i. Re-stripe and number spaces in BART lot
 - ii. Purchase and install enforcement and wayfinding signs in BART lot
 - iii. Install Clipper Card Reader and Parking Validation machines in BART paid area
- F. Enforcement – Accept the recommendations of the Executive Directors that BART police will enforce parking on the BART Lot and the City will enforce parking regulations on the City streets.
 - a. The fine for BART patrons (both on the BART lot and on the City streets) will be as set by the BART Board from time to time, which is currently \$35.00
 - b. Acknowledge that the fine for parking in the City-enforced TOD PRPP Area will be \$75.00;
- G. Implementation

- a. These programs are to be implemented on/about April 29, 2013 [changed from the earlier date set of April 15, 2013].
 - b. The City will mail a notice to residents who are entitled to obtain a residential permit
 - c. BART will notify its patrons
 - d. There will be a four (4) week grace period during which warnings will be issued, rather than citations
- H. Plan to revisit this Action Plan every 6 months
 - I. California Environmental Quality Act (CEQA) compliance

The BART Board found its actions approving the Action Plan to not be a project subject to CEQA review under Public Resources Code Section 21080(b)(8) (establishing fees). The City found its actions approving the Action Plan to not be a project subject to CEQA review pursuant to CEQA Guideline Section 15378(b)(5) (organizational or administrative activities of government). The JPA Board is relying on these findings by BART and the City in its consideration of implementation of the Action Plan.

- 9. **Proposed Adoption of Amended and Restated Bylaws for the Access Authority** – the amended and Restated bylaws were adopted as submitted - M/S/C by McPartland / Zermeño / unanimous

10. Authority Reports, Referrals and Future Agenda Items

- A. Andrea Osgood (Eden Housing) and Tony Bosowski (JMJ Development) reported on the status of the residential Project that the demolition of the old Perry & Key building was imminent; the equipment is on site to begin the work.
- B. The following topics were recommended to the next agenda:
 - i. Appointment of officers, as there is currently no chair of this Board.
 - ii. Status report on the implementation of the Action Plan
 - 1. including a recommended reconciliation plan of the JPA parking charges metrics vis-à-vis the metrics for other BART stations in the system set by the BART Board on 2/28/13;
 - iii. Impact of the parking charges on parking conditions at the Downtown Hayward Station
 - 1. including presentation of the parking study at the Downtown Station, and
 - 2. discussion about annexation of the Downtown Station into the JPA.
 - iv. Status of the residential Project

- 11. **Adjournment** – at 12:13. Next meeting is Friday, June 14, 2013 at Hayward City Hall, room 2A.