

TRANSCRIPT T-4

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SANTA CLARA VIA / BAY AREA RAPID TRANSIT
DRAFT SUPPLEMENTAL EIR
PUBLIC HEARING
SAN JOSE HIGH ACADEMY
275 NORTH 24th STREET
SAN JOSE, CALIFORNIA
WEDNESDAY, FEBRUARY 28TH, 2007
7:00 O'CLOCK P.M.

REPORTED BY: DEBORAH FUQUA, CSR#12948

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A P P E A R A N C E S

TOM FITZWATER

Principal Transportation Planner, VTA

KAY WILSON

Moderator

P U B L I C S P E A K E R S

Danny Garza Helen Garza

Paula Velsey

Robert VanCleeef (As read by the Moderator)

---oOo---

1 Wednesday, February 28, 2007 7:00 o'clock p.m.

2 ---o0o---

3 P R O C E E D I N G S

4 KAY WILSON: It's time for the blue cards. Make
5 sure and raise your hand if you want to turn one in,
6 and staff will pick them up. And raise your hand if
7 you want to get one, and we'll bring you one.

8 A couple of people came in a little bit after
9 I'd gone over how we're going to work the public
10 comment period.

11 You submit a blue speaker card. There will be
12 a two-minute time limit. Jane is up here, and she'll
13 hold up a yellow card when you have 30 seconds left and
14 red when your time is up.

15 We'll call on the speakers in the order that
16 we receive them. And for those who came in late, we do
17 have a court reporter recording public comments.

18 As I mentioned before, we are not going to
19 answer questions during this piece. We are going to
20 take all of your comments. But we are going to record
21 your questions. And Marian is going to record the
22 questions -- Marian or Molly, I'm not sure who -- on
23 the flip chart. And then we'll adjourn the public
24 hearing. And then staff will be available to answer
25 any questions that we put on the flip chart or any

3

1 other questions that you come up with after that time
2 period.

3 So I think we're good to go. We'll get
4 started on some of the blue cards I have. And the
5 first speaker I have is Danny Garza.

6 Hello.

7 DANNY GARZA: Hi. Are we on? Okay.

8 The first comment I had is, I would like to
9 see children bused or VTA pay for police to daily cross
10 our children at locations from 34th to -- 33rd to 24th
11 Street from road rage drivers on Julian and Alum Rock.

T4-1

12 The second thing, all buildings that are built
13 should have Spanish-style look, features, and flavor to
14 complement the community, including metal buildings
15 built on the property.

T4-2

16 Third, 24-hour physical security will be
17 needed at this location so dead bodies don't
18 mysteriously turn up on or near the BART property.
19 Cameras just won't do the job.

T4-3

20 Fourth, I spoke about this with some of the
21 people here already. I would like to see VTA take out
22 insurance to insure the integrity of Five Wounds
23 Church. It's made it through many earthquakes, it's
24 true. But if you were to do irreparable damage and
25 harm to this structure, you could not afford to fix or

T4-4

1 repair this damage without insurance. This type of
2 insurance does exist.

T4-4 cont.

3 Fifth, are you moving south under Naglee, the
4 Naglee neighborhood, rather than under Santa Clara
5 Street?

T4-5

6 And then I'd just like to close: This is our
7 community. If you're going to join us, you need to
8 protect us, our children, and our culture, including
9 the church.

10 Thank you.

11 KAY WILSON: Thank you very much, Danny.

12 Okay. Paula Velsey?

13 PAULA VELSEY: Can I read off my card?

14 KAY WILSON: Yes, ma'am.

15 PAULA VELSEY: Thanks. I wanted to comment on two
16 things. One is, the suggested realignment near the
17 17th Street Bridge toward the northbound side of Santa
18 Clara Street might cause problems for a possible future
19 hospital site, San Jose Medical Center, because they
20 have more stringent seismic standards.

T4-6

21 And the other thing, our big thing, we're
22 working on a design for that whole area. But our
23 community is also concerned that any parking structure
24 at the Alum Rock station would overwhelm traffic on
25 on- and off-ramps to 101, especially considering it

T4-7

1 would be the first stop from the south, and growth is
2 planned for Coyote Valley in addition to all the infill
3 policies. T4-7 cont.

4 This would also severely impact Five Wounds
5 Church and School, and increase dangers to the users of
6 these institutions.

7 And the parking -- BART is never able to
8 provide enough parking. The more popular you are, the
9 worse it gets, unless the buses improve. So the
10 overflow parking would severely affect surrounding
11 neighborhoods, forcing the imposition of permit
12 parking, which is a nuisance and not cheap. T4-8

13 KAY WILSON: Thank you very much.

14 Okay. I have several cards from R.E.
15 VanCleaf. And they've checked the box, "I'd like to
16 have my comments read by the moderator." So here are
17 those:

18 "I would like to see more regional
19 considerations taken into effect [sic]. Example:
20 build a regional transportation center north of 101 and
21 Capital tied to CalTrain, light rail, and BART via
22 light rail to keep cars south of Capital." T4-9

23 Comment No. 2, "VTA should look at bus
24 congestion on Santa Clara and revisit adding a light
25 rail tunnel to the BART project." T4-10

1 Okay. And Comment No. 3, "You need to assess
2 the impacts of vibration from construction project on
3 the Five Wounds Church." That's been echoed by the
4 former speaker.

T4-11

5 Thank you very much.

6 Okay. I'd love to have some more blue cards.

7 KAY WILSON: Hello.

8 Helen Garza.

9 HELEN GARZA: I'm going to read this very fast
10 because I timed it.

11 KAY WILSON: Go for it.

12 HELEN GARZA: I am opposed to the station on Santa
13 Clara Street. I believe the station should stop at
14 Berryessa with feeder buses to other transportation and
15 stations. I believe there should also be feeder
16 stations or park-and-ride along 101, starting at San
17 Martin, that would provide buses to make use of light
18 rail at Santa Teresa. This will eliminate traffic
19 along 101 to Santa Clara and Alum Rock Avenues, and the
20 necessity for a parking garage built behind Five Wounds
21 Church.

T4-12

22 A parking garage is not acceptable in this
23 district, as it will lower the value of homes in this
24 area. It was said at other meetings that homes will be
25 removed. This is a very close-knit community. And by

T4-13

1 moving people out, you will be breaking up families and
2 disturbing people's lives that have been built and
3 sustain this community.

4 Bringing construction to Alum Rock Avenue will
5 cause a disruption of the businesses, and many will be
6 affected and may close completely, which would be
7 detrimental to the Portuguese and Spanish community who
8 depend on these businesses for everyday functioning and
9 some for survival.

T4-14

10 Notice from light rail will lower values --
11 noise from light rail will lower values projected to
12 high-rise buildings. VTA said they can only soundproof
13 buildings of one story. Okay. There is no way VTA can
14 soundproof two- and three-story homes and apartments as
15 sound travels up.

T4-15

16 Parking behind Five Wounds Church is
17 unacceptable as it would be dangerous for both our
18 children and adults attending schools and activities in
19 the area both day and night. Attacks, carjacking,
20 purse snatching, kidnapping, rape, robberies of persons
21 using the church and the VTA would be subject to
22 danger. Our children, our elderly, our people, and our
23 handicapped citizens' quality of life and well-being
24 would be in jeopardy.

T4-16

25 Traffic congestions in the mornings and

T4-17

1 evenings would be undescribable [sic] as traffic is
2 backed up every day from Story and 13th Street.

T4-17 cont.

3 KAY WILSON: Thank you very much.

4 Okay. Anymore blue cards? Please raise your
5 hand, and we'll collect them. Does anybody want a blue
6 card to fill out? Couple more minutes, anyone want to
7 come on up and give us some formal comments? Blue
8 cards over here, anybody? Okay.

9 Anybody over here?

10 (No response)

11 KAY WILSON: Okay.

12 Well, it looks like we've gotten all the
13 formal comments, but hopefully you'll stick around for
14 our question and answer. I'd like to thank all of you
15 for coming tonight and taking the time to express your
16 comments and show you're very interested in this.

17 As Tom mentioned, this concludes the public
18 meetings that we're having in this round. But there
19 will be other opportunities for public meetings as the
20 project moves forward.

21 All comments are due by March 16th at 5:00
22 p.m., and on the papers that you received at the door
23 and as noted here, this is where you can mail the
24 comments to Tom Fitzwater.

25 So at this point, we're going to adjourn the

1 formal public hearing. And then we're going to go to
2 the informal question-and-answer period or answer any
3 questions on the chart or any other questions that
4 you've thought about. And all the people with name
5 tags are happy to help you from the VTA staff.

6 Thank you very much.

7 (Whereupon, the proceedings closed at 7:49 p.m.)

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1 STATE OF CALIFORNIA)
) ss.
2 COUNTY OF MARIN)

3 I, DEBORAH FUQUA, a Certified Shorthand
4 Reporter of the State of California, do hereby certify
5 that the foregoing proceedings were reported by me, a
6 disinterested person, and thereafter transcribed under
7 my direction into typewriting and is a true and correct
8 transcription of said proceedings.

9 I further certify that I am not of counsel or
10 attorney for either or any of the parties in the
11 foregoing proceeding and caption named, nor in any way
12 interested in the outcome of the cause named in said
13 caption.

14 Dated the 6th day of March, 2007.

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DEBORAH FUQUA
CSR NO. 12948

RESPONSE TO TRANSCRIPT 4 – FEBRUARY 28, 2007

Danny Garza

T4.1 *Refer to Response to Comment P-6.1.*

T4.2 *Refer to Response to Comment P-6.2.*

T4.3 *Refer to Response to Comment P-6.3.*

T4.4 *Refer to Response to Comment P-6.4.*

T4.5 *The BART Project was at one time looking into an alternative alignment south of Santa Clara. That alternative alignment has been dropped from further consideration. The approved alignment in the 2004 FEIR was under Santa Clara Street and the only change in the SEIR is the depth of the tunnel.*

Paula Velsey

T4.6 *Refer to Response to Comment P-42.1.*

T4.7 *Refer to Response to Comment P-42.2.*

T4.8 *Refer to Response to Comment P-42.3.*

R. E. Van Cleef as read by Kay Wilson

T4.9 *Refer to Response P-43.1.*

T4.10 *The VTA Downtown East Valley Policy Advisory Board is continuing to review alternatives for the Santa Clara/Alum Rock Corridor. Bus rapid transit (BRT) and light rail alternatives are still being studied. A light rail tunnel was dropped from further consideration because of substantial costs that were not justified by the ridership projections.*

T4.11 *Measures will be taken to avoid impacting the church during construction. These included construction strategies for tunneling, station construction and parking structure construction. A monitoring program will be implemented so that any unanticipated issues that may arise during construction will be identified and addressed promptly. VTA will be responsible for any structural damage related to the construction and/or operation of the BART Project. VTA will also ensure that funds are available to repair any damage caused by the Project.*

Helen Garza

T4.12 *Refer to Response to Comment P-39.1.*

T4.13 *Refer to Response to Comment P-39.2.*

T4.14 *Refer to Response to Comment P-39.3.*

T4.15 *Refer to Response to Comment P-39.4.*

T4.16 *Refer to Response to Comment P-39.5.*

T4.17 *Refer to Response to Comment P-39.6.*