

## Input on Items 10.3 & 10.4 of the 6/22 City Council Agenda

Rosa Hernandez-Garcia [REDACTED]

Mon 6/21/2021 9:40 AM

To: es [REDACTED] <[REDACTED]>; ralph [REDACTED] <[REDACTED]>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Gomez, Charla <Charla.Gomez@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tran, David <david.tran@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Brown, Stacey <Stacey.Brown@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>

[External Email]

Dear City Council,

I urge you to ensure the redevelopment of the Berryessa Flea Market, a key part of the San Jose community, is as inclusive and vibrant as possible.

As you deliberate on this issue, I'd ask you to consider the points below. In fact, please incorporate them into your motions as conditions of approval before you vote.

1. Enable negotiations with the vendors to build to an agreement: Defer this vote until a true agreement can be reached between the vendors association, property owners & City officials. Right now, they're in the middle of negotiations. Give them time to complete them. Ensure the vendors are always included at the negotiation table. While I want to see this development with new homes, commercial space, and parks move forward, the process must involve the vendors.

2. On the market itself:

a) Affordable stalls: I'm glad the development last month added a 5-acre urban market. Yet will it be affordable to the existing 450 vendors? To prevent displacement, the new stalls must be affordable to existing vendors. Right now, there are no guarantees they would be.

b) Enough stalls: To ensure all existing vendors can sell at the new market, I'd like to see a multi-level market on the BART Plaza site and a plan to close residential streets for additional vendors on weekends studied. If all 430+ vendors can't fit on-site, a replacement site in San Jose needs to be secured.

c) No disruption to businesses: While the current offer from the landowners of \$4,400 per vendor is a step towards helping vendors, this is nowhere near enough for businesses that may be displaced or interrupted for months or years. Accommodations should be made during construction to ensure the vendors can maintain places to sell.

3. On the number of homes & building heights:

a) The Berryessa Urban Village is one of the best areas in San Jose for creating a vibrant neighborhood of offices, shops, homes & green space next to a major transit hub. This rare opportunity means we

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Ava Tajally [REDACTED] >

Mon 6/21/2021 10:22 AM

To: es [REDACTED] <[REDACTED]>; ralph [REDACTED] <[REDACTED]>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Gomez, Charla <Charla.Gomez@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tran, David <david.tran@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Brown, Stacey <Stacey.Brown@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>

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b) That's why I'd like the building heights raised throughout the Urban Village. In areas west of the BART Station (where no one currently lives), buildings heights up to FAA regulations should be allowed.

Let's make this development a quadruple win - for the vendors, the landowners, the City & our broad community!

As you look to approve this development, please ensure the Flea Market vendors are not displaced, and this critical part of our community is maintained.

Thank you for considering my perspective.

Sincerely,

Ava  
Sent from my iPhone

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## Input on Items 10.3 & 10.4 of the 6/22 City Council Agenda

Mira Karthik <[REDACTED]>

Mon 6/21/2021 10:27 AM

To: es [REDACTED] <[REDACTED]>; ralph [REDACTED] <[REDACTED]>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Gomez, Charla <Charla.Gomez@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tran, David <david.tran@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Brown, Stacey <Stacey.Brown@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>

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perspective.

Sincerely,  
Mira Karthik, District 10 Resident

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## Input on Items 10.3 & 10.4 of the 6/22 City Council Agenda

Yareli Rivera [REDACTED] >

Mon 6/21/2021 6:07 PM

To: es [REDACTED] >; ralph [REDACTED]; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Gomez, Charla <Charla.Gomez@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tran, David <david.tran@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Brown, Stacey <Stacey.Brown@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>

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Sincerely,

Yareli Rivera

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## Input on Items 10.3 & 10.4 of the 6/22 City Council Agenda

emilyyvonne [REDACTED] [REDACTED] >

Tue 6/22/2021 10:29 AM

To: es [REDACTED] <[REDACTED]>; [REDACTED] <[REDACTED]>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Gomez, Charla <Charla.Gomez@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tran, David <david.tran@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Brown, Stacey <Stacey.Brown@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>

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Thank you for considering my perspective.

Emily Pachoud

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## Input on Items 10.3 & 10.4 of the 6/22 City Council Agenda

Zoe Hamblin <[REDACTED]>

Tue 6/22/2021 10:33 AM

To: es [REDACTED] <[REDACTED]>; ralph [REDACTED] <[REDACTED]>; Hughey, Rosalynn <Rosalynn.Hughey@sanjoseca.gov>; Gomez, Charla <Charla.Gomez@sanjoseca.gov>; Liccardo, Sam <sam.liccardo@sanjoseca.gov>; District1 <district1@sanjoseca.gov>; Jones, Chappie <Chappie.Jones@sanjoseca.gov>; District2 <District2@sanjoseca.gov>; Jimenez, Sergio <sergio.jimenez@sanjoseca.gov>; District3 <district3@sanjoseca.gov>; Tran, David <david.tran@sanjoseca.gov>; Peralez, Raul <Raul.Peralez@sanjoseca.gov>; District4 <District4@sanjoseca.gov>; Brown, Stacey <Stacey.Brown@sanjoseca.gov>; Cohen, David <David.Cohen@sanjoseca.gov>; District5 <District5@sanjoseca.gov>; Carrasco, Magdalena <Magdalena.Carrasco@sanjoseca.gov>; District 6 <district6@sanjoseca.gov>; Groen, Mary Anne <maryanne.groen@sanjoseca.gov>; Davis, Dev <dev.davis@sanjoseca.gov>

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Thank you for considering my perspective.

Sincerely,  
Zoe Hamblin

Please these are peoples lives and community and culture

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**From:** Kelly Snider <[REDACTED]>  
**Date:** June 17, 2021 at 6:06:45 PM PDT  
**To:** "Brilliot, Michael" <[REDACTED]>  
**Cc:** "Hart, Jared" <[REDACTED]> "Gomez, Charla" <[REDACTED]> "Burton, Chris" <[REDACTED]> "Hughey, Rosalynn" <[REDACTED]> "Kline, Kelly" <[REDACTED]> Fred Buzo <[REDACTED]> "Chang, Chu" <[REDACTED]> Laxmi Ramasubramanian <[REDACTED]>  
<[REDACTED]>  
**Subject:** Re: Please provide Clarification - Mayor Liccardo said you will be SUED??

Thanks, Michael. For the sake of closing the loop, here's what we discussed:

1) The City Council has complete authority to approve, deny, defer, or otherwise request amendments to PDC17-051, and does not have to fear any reprisals, lawsuits, or failure to honor agreements on any side of the issue. Their land use authority is in full effect. [Generally true, except that the Council may not condition the rezoning with conditions for which there is no nexus to the impacts of the development unless there is a development agreement or the developer amends their project application to include such items, or that are otherwise unlawful.](#)

2) The PDC16-001 (aka "the 2007 rezoning") has been in effect since 2016; but it is **not applicable** to the area south of Berryessa. From the city's

**"If a planned development permit has been issued, the planned development district may nevertheless be disregarded** and property in such territory used as if it were in its base district alone **if such use is confined to part of the subject territory not covered by the permit** and a requirement to make such use of such part is not a condition of such permit. (SJMC §20.60.030 D.) (emphasis added) This is not correct. [The 2016 PD zoning includes both the site north of Berryessa Rd and the site south of Berryessa Rd; the 2016 PD zoning copied the zoning from the 2007 zoning for the south side. The 2016 zoning includes findings of consistency with the 2011 General Plan.](#)

The Ordinance enacting the PDC16-001 PD District clearly stated that the area south of Berryessa Road was not covered by the permit - in fact it was a Condition of Approval that the separate and distinct area south of Berryessa (which was not a part of the permit) **be rezoned** to accommodate more intense uses not even considered in the 2007 zoning (PDC03-108). The intent, language, spirit, and letter of the law is to separate the district north of Berryessa from the district south of Berryessa. You now have the opportunity amend the General Plan further in support of high-density employment, transit, and residential uses by adopting the BBUV - without any record of dissent, protest, or any attempt at issue preservation for purposes of litigation from the very property owner that Mayor Liccardo said publicly has "the right to sue the City." They have the right to file a lawsuit - but they have no chance of prevailing. [This interpretation is incorrect. Again, the 2016 rezoning covered both sides of Berryessa and retained the allowed uses and development capacities of the](#)

**2009 rezoning.** The City Council did approve a condition with the 2016 rezoning that required that, if no significant improvements have been constructed on the south side of Berryessa Road under the existing entitlements by November 1, 2016 consistent with the 2011 San Jose 2040 General Plan, then the property owner was required to rezone the south side of Berryessa for between 1.5 and 2.2 million square feet of residential development. With the submittal of proposed rezoning PDC017-051, as well as in the needed CEQA analysis for Council consideration, the property owner has met this condition. The property owner does not have the authority to approve this rezoning. This legislative act can only be made by the City Council. The Council has the discretion to deny PDC017-051 zoning application, but, if it does so, this would not negate in any manner the rezoning action in 2016 that applies to both the north and south side.

3) At any time until the "Flea Market South District" is rezoned, whether by city-initiated rezoning or by privately initiated rezoning, the property owner may submit an application for a PD Permit on the Flea Market South District property, which is a discretionary approval issued by the Planning Director with appeal to the Planning Commission. **-No response needed.**

4) The property owner has stated their desire to submit a high-quality application for a state-funded Infill Infrastructure Grant no later than July 12, 2021, and wants to present their application as having the highest value of "project readiness". The primary objective of IIG funding is "to promote infill housing development". **No response needed.**

5) The currently in-effect zoning PDC16-001 allows up to 1,818 residential units, and the city attorney and staff previously made findings sufficient to establish that PDC16-001 is in vertical alignment with the General Plan designation Urban Village. **City Attorney does not make these findings. They are recommended by staff, reviewed by City Attorney, and made by Council.**

6) The property owner therefore can submit a PD Permit application for up to 1,818 units **at any time**, regardless of whether or not PDC17-051 is adopted now, before July 12, or never. That unequivocally demonstrates "project readiness" and site control. **If BBUV plan and the proposed 2021 rezoning ordinance are approved, the owner must comply with those policies and zoning ordinance. If the proposed PDC17-051 zoning is not approved, the existing Urban Village land use designation (established in 2011) and 2016 zoning apply. There is no consideration of "project readiness" and site control that is required for these actions because these criteria are not part of the evaluation by staff of the general plan amendment and zoning amendment. Rather, these appear to be requirements of the applicant for a state grant application.**

7) City officials have NO obligation to approve any PD Permits in the Flea Market South District that conform with the Flea Market South of Berryessa district, based on the false argument that a PD permit was issued for the district north of Berryessa that effectuated PD16-001 zoning district. Again the SJMC:

*If a planned development permit has been issued, the planned development district may nevertheless be disregarded and property in such territory used as if it were in its base district alone **if such use is confined to part of the subject territory not covered by the permit** and a requirement to make such use of such part is not a condition of such permit. (§20.60.030 D.) (emphasis added)*

The first sentence above is incorrect. If a PD permit is submitted under the 2016 zonings for the Flea Market south site, the City is required to consider this PD permit in the same manner as any other land use permit application. The City would be required to consider any applications for Planned Development permits for the site and, in its consideration of the application for issuance of the permit must make a consistency determination with the applicable general plan and applicable zoning in addition to all of the other findings required by San Jose Municipal Code (SJMC) section 20.100.940. If the BBUV Plan were adopted and the Flea Market rezoning were not adopted, the Urban Village Land Use designation applied 2011 by the General Plan and the 2016 zoning would apply for the reasons explained below in the response to #8.

If findings of consistency could not be made, then Planning Director would need to deny the PD permit application, unless the applicant modifies their project to make it consistent. However, if the project is deemed to be consistent with the General Plan and the 2016 zoning, and all of the other findings required by SJMC section 20.100.940, the permit would be required to be approved. The issuance of a permit is a quasi-adjudicative action and requires that the findings be considered and that the decision-maker comply with making the required findings based upon the application and evidence in the record of the proceeding, unlike when the Council makes legislative determinations such as whether to adopt or amend the general plan and zoning.

8) If the Berryessa BART Urban Village Specific Plan is adopted, the General Plan will be amended thus, and a new minimum residential unit count and unit density standard will be part of the General Plan, which is no fewer than 2,145 dwelling units (p. 35 BBUV) and a target of 3,000 dwelling units in the Flea Market South district. [The Berryessa Urban Village Plan may be adopted without adoption of the rezoning for the Flea Market site. In order to comply with Government Code section 65680, which requires that the General Plan and zoning must be consistent, the resolution for the adoption of the BBUV plan specifies that it will not take effect on the Facchino and Flea Market Districts, respectively, until consistent rezonings are approved for those districts. Therefore, if the BBUV plan is adopted without approval of PDC017-051 or another consistent rezoning, the BBUV land use designations and policy framework would not apply to the Flea Market site, and development could proceed under the existing Urban Village land use designation and the 2016 rezoning.](#)

9) If the Berryessa BART Urban Village Specific Plan is adopted, a new minimum FAR for commercial in the Flea Market South District will be established, that is 3.5 - 10.0 FAR, and the ONLY allowed uses in much of the Flea Market South District will be restricted to "Transit Employment Center". [See response to #8 above. This is true only if the BBUV plan is approved and takes effect upon adopting of PDC17-051 or another consistent rezoning.](#)

10) If the City Council fails to replace PDC16-001 with the general development standards proposed in PDC17-051, and the BBUV and General Plan amendments ARE adopted, then any argument that "the effectuated zoning" prevails is again proven false. The 2007 zoning at that point will *not be* vertically

aligned with the General Plan and the state's Housing Accountability Act (as recently amended by AB 3194) would allow the General Plan to prevail, including the requirement that *any* PD Permit application accommodate the full 2,145 minimum units; that any PD Permit application conform to the Transit Employment Center land use category (3.0 - 10 FAR); and all the other requirements of the BBUV, such as open space, circulation, transit plaza, riparian corridor protection, etc. [See response to #8 above](#). Again, because of the GP and zoning consistency requirement of Govt C sec 65680, the land use and development policy framework in the BBUV plan do not take effect for the Flea Market south property until such time that a consistent zoning is approved by Council. If Council does not approve PDC017-051 or another consistent rezoning, the land use designation for the Flea Market site would remain Urban Village, as designated with the adoption the Envision San Jose 2040 General Plan ins 2011, and the zoning would remain as the Council approved 2016 PD zoning. Note that AB 3194 only applies where there is an existing zoning inconsistency with the general plan, but it does not authorize the city to create further inconsistencies between its general plan and zoning in violation of Government Code section 65680.

I hope you will share this information with Mayor Liccardo, CM Cohen, Ms. Nanci Klein, and many others who are on the record numerous times saying "The zoning is effectuated, therefore the Bumbs can build according to the 2007 zoning". That is not true. I further hope you will deny or defer PDC17-051 until a relocation plan for the Flea Market can be planned out.

Thank you,

Kelly





PRESERVATION ACTION  
COUNCIL OF SAN JOSE  
History Park  
1650 Senter Road  
San Jose, CA 95112  
Phone: 408-998-8105  
[www.preservation.org](http://www.preservation.org)

June 22, 2021

VIA EMAIL ([city.clerk@sanjoseca.gov](mailto:city.clerk@sanjoseca.gov))

San José City Council  
200 E. Santa Clara Street  
San Jose, CA 95113

**RE: ITEMS 10.3 & 10.4: BERRYESSA BART URBAN VILLAGE PLAN (GP20-008 and C21-001), SAN JOSE FLEA MARKET SOUTHSIDE REZONING (PDC17-51)**

Dear Mayor Liccardo and City Council,

**Established in 1960, the San Jose Flea Market is an unquestionably significant historic resource that uniquely embodies the cultural heritage of the City of San José.** As the San Jose Flea Market Southside Rezoning project EIR rightly concludes, **the Flea Market site qualifies for listing as a Candidate City Landmark and is eligible for listing on the California Register of Historical Resources.** Not only is the Flea Market one of San José's most dynamic public spaces and vibrant destinations, it is also a critical economic engine for the market's 400+ vendors and customers, the majority of which represent underserved and traditionally marginalized communities. The unmitigated destruction of the Flea Market and the displacement of its current vendors and customers would represent a tragic and unnecessary return to the darkest days of urban renewal and its perpetuation of inequitable, discriminatory land use practices. This unfortunate path is neither necessary nor inevitable, as illustrated by the recent progress made by current vendors, City staff, and the project applicant to include a reconstructed market area in the future redevelopment of the Flea Market parcel. **However, we do not believe these new plans have been adequately vetted by City staff, current stakeholders, or the general public—a process which should be comprehensive, transparent, and inclusive.**

**PAC\* SJ BOARD**

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**Ben Leech**

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**André Luthard**

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**Marilyn Messina**

**John Mitchell**

**Gratia Rankin**

**Lynne Stephenson**



PRESERVATION ACTION  
COUNCIL OF SAN JOSE  
History Park  
1650 Senter Road  
San Jose, CA 95112  
Phone: 408-998-8105  
[www.preservation.org](http://www.preservation.org)

**PAC\* SJ strongly opposes a rushed approval of the current development proposal, which has undergone significant changes since the issuance of the project’s EIR First Amendment in March 2021.** While we support the *concept* of a reconstructed “Urban Market” as envisioned in the current development proposal and believe it to be a *potentially* appropriate mitigation strategy to offset the loss of a qualified historic resource under CEQA, **we object to the EIR’s total lack of analysis of this project alternative and have significant concerns about its viability as proposed.** Likewise, while we support the *spirit* of the proposed conditions of approval outlined in the 6/18/21 Liccardo/Cohen/Jimenez memorandum outlining a constructive strategy for the development of a reconstructed market, **we have grave concerns that they alone are adequate to avoid the displacement of the market’s current vendors.**

**For these reasons, PAC\* SJ strongly supports Councilmember Peralez’s 6/22/21 memorandum requesting a deferral of Items 10.3 and 10.4 from today’s (6/22/21) Council Agenda in order to allow for continued analysis of these issues. We also strongly support the additional conditions of approval proposed in Vice Mayor Jones’s 6/21/22 memorandum.**

The City of San José has **an incredible opportunity and an imperative responsibility** to get this project right. PAC\* SJ applauds the efforts of all involved to preserve the legacy of an **irreplaceable cultural, historic, and economic asset.** Much progress towards this goal has been made in the last weeks and months, but the premature approval of an unvetted plan today, without reasonable assurances that the laudable goals of reversing past inequities and preventing displacement of historically marginalized communities will actually be achieved, represents an unnecessary and dangerous step backwards.

Sincerely,

Ben Leech  
Executive Director  
Preservation Action Council of San Jose

**Fw: Items 10.3 & 10.4**

City Clerk <[REDACTED]>

Tue 6/22/2021 4:33 PM

To: Agendadesk <[REDACTED]>

**Office of the City Clerk | City of San José**

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

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---

**From:** Fred Buzo <[REDACTED]>

**Sent:** Tuesday, June 22, 2021 4:32 PM

**To:** City Clerk <[REDACTED]>

**Cc:** Kohl, Cassidy <[REDACTED]> Ramirez, Lucas <[REDACTED]> Tran, David

<[REDACTED]> Brown, Stacey <[REDACTED]> Arreola, Kiara

<[REDACTED]> Groen, Mary Anne <[REDACTED]> Kaspar, Nick

<[REDACTED]> McGarrity, Patrick <[REDACTED]> Hughes, Scott

<[REDACTED]> District 10 <[REDACTED]> Kline, Kelly <[REDACTED]>

**Subject:** Items 10.3 & 10.4

[External Email]

Mayor, Vice-Mayor & City Councilmembers:

Over the past year, we have all witnessed fundamental changes in how the world views equity. San Jose, like many local jurisdictions, has made a commitment to view issues using an "equity framework." Make no mistake, this decision will have a significant economic impact on the livelihoods of the mostly immigrant flea market vendors, and cultural and social impact on vendors and patrons that will be felt at the regional level. If saving the Flea Market is a real option, we offer the following recommendations should the council decide to move forward with the rezoning:

1. Adopt item 5 of Councilmember Carrasco's memorandum, item 4 of Vice-Mayor Jones' memorandum, and items 3c, 3d, 3e, 4 & 5 of Councilmember Peralez's memorandum. The Municipal Code allows for the city council to issue PD Permits "as appropriate." Given the significance of this historic/cultural resource and profound equity implications of this decision, we would argue this is clearly an "appropriate" situation. The point here is that the council should have the final say on the timing and details of the demolition, preservation, or relocation of this historic resource.

2. Allow for the onsite-preservation of the Flea Market within the boundaries of the entire Urban Village and not just the Flea Market South District. Knowing the existing Flea Market is much more than just placemaking, there is no reason to limit its on-site preservation to one area of the Urban Village.
3. Explicitly state that off-site relocation of the Flea Market to public or private land is still an option. Again, there is no reason to limit the location of a proven economic engine to the Urban Village.
4. If saving the Flea Market is truly a goal here, follow the guidance of the Historical Resources Assessment and direct staff (including the Office of Racial Equity) to conduct a thorough analysis to determine the size, location, and form necessary for this Flea Market to be preserved or relocated while still maintaining its economic sustainability and cultural integrity.

The communities that currently serve as vendors, customers, and city residents in general deserve to have every avenue explored before the city finalizes the decision that will ultimately result in the demolition of a one-of-a-kind regional attraction. The property owners have indicated they do not anticipate developing the Flea Market site for several years. In the interim and prior to PD Permits being issued, much needed work can be done to help all stakeholders understand the immense impacts of this decision.

Thank you for your time and hard work on this difficult matter.

Fred Buzo (he/him)  
San Jose Director | [SPUR](#)



 [SPUR Regional Strategy](#) has landed

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# Fw: Input on Items 10.4 & 10.5 of the 6/29 City Council Agenda

City Clerk <[redacted]>

Thu 6/24/2021 2:37 PM

To: Agendadesk <[redacted]>

## Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

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**From:** Jamie Tung <[redacted]>

**Sent:** Thursday, June 24, 2021 2:24 PM

**To:** [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 Hughey, Rosalynn <[redacted]> Gomez, Charla <[redacted]> Llicardo, Sam <[redacted]>  
 District1 <[redacted]> Jones, Chappie <[redacted]>  
 District2 <[redacted]> Jimenez, Sergio <[redacted]>  
 District3 <[redacted]> Tran, David <[redacted]>  
 Perez, Raul <[redacted]> District4 <[redacted]> Brown, Stacey <[redacted]>  
 Cohen, David <[redacted]> District5 <[redacted]>  
 Carrasco, Magdalena <[redacted]> District 6 <[redacted]>  
 Groen, Mary Anne <[redacted]> Davis, Dev <[redacted]>  
 District7 <[redacted]> Esparza, Maya <[redacted]>  
 District8 <[redacted]> Arenas, Sylvia <[redacted]> District9 <[redacted]>  
 Foley, Pam <[redacted]> Lomio, Michael <[redacted]>  
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 Klein, Nanci <[redacted]> Morales-Ferrand, Jacky <[redacted]>  
 Ristow, John <[redacted]> VanderVeen, Rachel <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]> melissa <[redacted]>  
 cerezo <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
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 merchantassociat <[redacted]> <merchantassociat <[redacted]> [redacted] <[redacted]>  
 City Clerk <[redacted]>

**Subject:** Input on Items 10.4 & 10.5 of the 6/29 City Council Agenda

[External Email]

Dear City Council,

I urge you to ensure the redevelopment of the Berryessa Flea Market, a key part of the San Jose community, is as inclusive and vibrant as possible.

As you deliberate on this issue, I'd ask you to consider the points below. In fact, please incorporate them into your motions as conditions of approval before you vote.

1. Enable negotiations with the vendors to build to an agreement: Defer this vote until a true agreement can be reached between the vendors association, property owners & City officials. Right now, they're in the middle of negotiations. Give them time to complete them. Ensure the vendors are always included at the negotiation table. While I want to see this development with new homes, commercial space, and parks move forward, the process must involve the vendors.

2. On the market itself:

a) Affordable stalls: I'm glad the development last month added a 5-acre urban market. Yet will it be affordable to the existing 450 vendors? To prevent displacement, the new stalls must be affordable to existing vendors. Right now, there are no guarantees they would be.

b) Enough stalls: To ensure all existing vendors can sell at the new market, I'd like to see a multi-level market on the BART Plaza site and a plan to close residential streets for additional vendors on weekends studied. If all 430+ vendors can't fit on-site, a replacement site in San Jose needs to be secured.

c) No disruption to businesses: While the current offer from the landowners of \$4,400 per vendor is a step towards helping vendors, this is nowhere near enough for businesses that may be displaced or interrupted for months or years. Accommodations should be made during construction to ensure the vendors can maintain places to sell.

3. On the number of homes & building heights:

a) The Berryessa Urban Village is one of the best areas in San Jose for creating a vibrant neighborhood of offices, shops, homes & green space next to a major transit hub. This rare opportunity means we need to maximize the number of people who live, work, and visit the area. Let's make it as easy as possible to achieve that.

b) That's why I'd like the building heights raised throughout the Urban Village. In areas west of the BART Station (where no one currently lives), buildings heights up to FAA regulations should be allowed.

Let's make this development a quadruple win - for the vendors, the landowners, the City & our broad community!

As you look to approve this development, please ensure the Flea Market vendors are not displaced, and this critical part of our community is maintained.

Thank you for considering my perspective.

Sincerely,

Jamie Tung

Sent from my iPhone

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### Fw: Input on Items 10.4 & 10.5 of the 6/29 City Council Agenda

City Clerk <[redacted]>

Thu 6/24/2021 8:22 AM

To: Agendadesk <[redacted]>

#### Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

**From:** Ron Canario <[redacted]>

**Sent:** Wednesday, June 23, 2021 6:54 PM

**To:** [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 Hughey, Rosalynn <[redacted]> Gomez, Charla <[redacted]> Llicardo, Sam <[redacted]>  
 District1 <[redacted]> Jones, Chappie <[redacted]>  
 District2 <[redacted]> Jimenez, Sergio <[redacted]>  
 District3 <[redacted]> Tran, David <[redacted]>  
 Peralez, Raul <[redacted]> District4 <[redacted]> Brown, Stacey <[redacted]>  
 Cohen, David <[redacted]> District5 <[redacted]>  
 Carrasco, Magdalena <[redacted]> District 6 <[redacted]>  
 Groen, Mary Anne <[redacted]> Davis, Dev <[redacted]>  
 District7 <[redacted]> Esparza, Maya <[redacted]>  
 District8 <[redacted]> Arenas, Sylvia <[redacted]> District9 <[redacted]>  
 Foley, Pam <[redacted]> Lomio, Michael <[redacted]>  
 District 10 <[redacted]> Mahan, Matt <[redacted]>  
 Quevedo, Matthew <[redacted]> Kline, Kelly <[redacted]>  
 Klein, Nanci <[redacted]> Morales-Ferrand, Jacky <[redacted]>  
 Ristow, John <[redacted]> VanderVeen, Rachel <[redacted]>  
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 cerezo <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
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 [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 City Clerk <[redacted]>

**Subject:** Input on Items 10.4 & 10.5 of the 6/29 City Council Agenda

[External Email]



Dear City Council, I urge you to ensure the redevelopment of the Berryessa Flea Market, a key part of the San Jose community, is as inclusive and vibrant as possible. As you deliberate on this issue, I'd ask you to consider the points below. In fact, please incorporate them into your motions as conditions of approval before you vote.

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  - b) Enough stalls: To ensure all existing vendors can sell at the new market, I'd like to see a multi-level market on the BART Plaza site and a plan to close residential streets for additional vendors on weekends studied. If all 430+ vendors can't fit on-site, a replacement site in San Jose needs to be secured.
  - c) No disruption to businesses: While the current offer from the landowners of \$4,400 per vendor is a step towards helping vendors, this is nowhere near enough for businesses that may be displaced or interrupted for months or years. Accommodations should be made during construction to ensure the vendors can maintain places to sell.
3. On the number of homes & building heights:
  - a) The Berryessa Urban Village is one of the best areas in San Jose for creating a vibrant neighborhood of offices, shops, homes & green space next to a major transit hub. This rare opportunity means we need to maximize the number of people who live, work, and visit the area. Let's make it as easy as possible to achieve that.
  - b) That's why I'd like the building heights raised throughout the Urban Village. In areas west of the BART Station (where no one currently lives), buildings heights up to FAA regulations should be allowed. Let's make this development a quadruple win - for the vendors, the landowners, the City & our broad community! As you look to approve this development, please ensure the Flea Market vendors are not displaced, and this critical part of our community is maintained. Thank you for considering my perspective. Sincerely,

Ron Canario

San Jose

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# Fw: Input on Items 10.4 & 10.5 of the 6/29 City Council Agenda

City Clerk <[redacted]>

Thu 6/24/2021 8:23 AM

To: Agendadesk <[redacted]>

## Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

**From:** Lisa Hettler-Smith <[redacted]>

**Sent:** Wednesday, June 23, 2021 5:37 PM

**To:** [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 Hughey, Rosalynn <[redacted]> Gomez, Charla <[redacted]> Liccardo, Sam <[redacted]>  
 District1 <[redacted]> Jones, Chappie <[redacted]>  
 District2 <[redacted]> Jimenez, Sergio <[redacted]>  
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 [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 City Clerk <[redacted]>

**Subject:** Input on Items 10.4 & 10.5 of the 6/29 City Council Agenda

[External Email]

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Lisa Hettler-Smith



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Dear City Council,

I recall being a child coming to San Jose to go to the flea market. It was always a special time where we could find a variety of items for sale offered by people who were local entrepreneurs. Today as an adult, I've admired their continued spirit of community and support of the local businesses that the San Jose Flea Market vendors represent. Allowing this important cultural and economic community to die will be letting a part of San Jose's long history of small ethnic businesses die out without giving them a viable chance to succeed amongst the incoming gentrification of this area.

As you deliberate on this issue, I'd ask you to consider the points below. In fact, please incorporate them into your motions as conditions of approval before you vote.

1. Enable negotiations with the vendors to build to an agreement: Defer this vote until a true agreement can be reached between the vendors association, property owners & City officials. Right now, they're in the middle of negotiations. Give them time to complete them. Ensure the vendors are always included at the negotiation table. While I want to see this development with new homes, commercial space, and parks move forward, the process must involve the vendors.

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Let's make this development a quadruple win - for the vendors, the landowners, the City & our broad community!

As you look to approve this development, please ensure the Flea Market vendors are not displaced, and this critical part of our community is maintained.

Thank you for considering my perspective.

Sincerely,

Peggy Cabrera



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**Fw: Berryessa BART Transit Village Project**

City Clerk <[redacted]>

Thu 6/24/2021 8:27 AM

To: Agendadesk <[redacted]>

**Office of the City Clerk | City of San José**

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

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**From:** ycy <[redacted]>

**Sent:** Wednesday, June 23, 2021 4:08 PM

**To:** City Clerk <[redacted]> The Office of Mayor Sam Liccardo

<TheOff

District1 <

District2

District3 <

District4 <

District5

District 6 <

District7 <

District8

District9 <

District 10 <

**Subject:** Berryessa BART Transit Village Project

[External Email]

Hello,

Please no further delay of item 10.4. Approve the Berryessa BART Transit Village Project NOW, so our neighborhood parks and creek trails will be completed and more options for restaurants and shopping in our neighborhood.

Thank,  
Best Regards

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### Fw: Input on Items 10.4 & 10.5 of the 6/29 City Council Agenda

City Clerk <[redacted]>

Thu 6/24/2021 8:28 AM

To: Agendadesk <[redacted]>

#### Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

**From:** Tactical Evaluation Testing Services <[redacted]>

**Sent:** Wednesday, June 23, 2021 5:53 PM

**To:** [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 Hughey, Rosalynn <[redacted]> Gomez, Charla <[redacted]> Llicardo, Sam <[redacted]>  
 District1 <[redacted]> Jones, Chappie <[redacted]>  
 District2 <[redacted]> Jimenez, Sergio <[redacted]>  
 District3 <[redacted]> Tran, David <[redacted]>  
 Peralez, Raul <[redacted]> District4 <[redacted]> Brown, Stacey <[redacted]>  
 Cohen, David <[redacted]> District5 <[redacted]>  
 Carrasco, Magdalena <[redacted]> District 6 <[redacted]>  
 Groen, Mary Anne <[redacted]> Davis, Dev <[redacted]>  
 District7 <[redacted]> Esparza, Maya <[redacted]>  
 District8 <[redacted]> Arenas, Sylvia <[redacted]> District9 <[redacted]>  
 Foley, Pam <[redacted]> Lomio, Michael <[redacted]>  
 District 10 <[redacted]> Mahan, Matt <[redacted]>  
 Quevedo, Matthew <[redacted]> Kline, Kelly <[redacted]>  
 Klein, Nanci <[redacted]> Morales-Ferrand, Jacky <[redacted]>  
 Ristow, John <[redacted]> VanderVeen, Rachel <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> melissa <[redacted]>  
 cerezo <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> plan.review <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 City Clerk <[redacted]>

**Subject:** Input on Items 10.4 & 10.5 of the 6/29 City Council Agenda

[External Email]



Dear City Council,

I urge you to ensure the redevelopment of the Berryessa Flea Market, a key part of the San Jose community, is as inclusive and vibrant as possible.

As you deliberate on this issue, I'd ask you to consider the points below. In fact, please incorporate them into your motions as conditions of approval before you vote.

1. Enable negotiations with the vendors to build to an agreement: Defer this vote until a true agreement can be reached between the vendors association, property owners & City officials. Right now, they're in the middle of negotiations. Give them time to complete them. Ensure the vendors are always included at the negotiation table. While I want to see this development with new homes, commercial space, and parks move forward, the process must involve the vendors.

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a) Affordable stalls: I'm glad the development last month added a 5-acre urban market. Yet will it be affordable to the existing 450 vendors? To prevent displacement, the new stalls must be affordable to existing vendors. Right now, there are no guarantees they would be.

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3. On the number of homes & building heights:

a) The Berryessa Urban Village is one of the best areas in San Jose for creating a vibrant neighborhood of offices, shops, homes & green space next to a major transit hub. This rare opportunity means we need to maximize the number of people who live, work, and visit the area. Let's make it as easy as possible to achieve that.

b) That's why I'd like the building heights raised throughout the Urban Village. In areas west of the BART Station (where no one currently lives), buildings heights up to FAA regulations should be allowed.

Let's make this development a quadruple win - for the vendors, the landowners, the City & our broad community!

As you look to approve this development, please ensure the Flea Market vendors are not displaced, and this critical part of our community is maintained.

Thank you for considering my perspective.

Sincerely,

Warm Regards,

Brad Diaz

This message is from outside the City email system Do not open links or attachments from untrusted sources

## Fw: Approve the Berryessa BART Transit Village Project NOW

City Clerk <[REDACTED]>

Thu 6/24/2021 8:28 AM

To: Agendadesk <[REDACTED]>

### Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

---

**From:** Happy Koala考拉萌弟弟 <[REDACTED]>

**Sent:** Wednesday, June 23, 2021 4:02 PM

**Subject:** Approve the Berryessa BART Transit Village Project NOW

[External Email]

Hello,

I am a resident in the Berryessa neighborhood.

Please no further delay of item 10.4. Approve the Berryessa BART Transit Village Project NOW, so our neighborhood parks and creek trails will be completed and more options for restaurants and shopping in our neighborhood.

Thank,  
Best Regards

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Blair Beekman. Thursday, June 24, 2021. \_\_ SJ Flea Market concerns.

b. beekman <[REDACTED]>

Thu 6/24/2021 10:26 AM

To: IPA <[REDACTED]> Greene, Shasta <[REDACTED]> Harkness, Kip <[REDACTED]>  
 Ristow, John <[REDACTED]> Cano, Matt <[REDACTED]> San Jose Airport Customer Services  
 <[REDACTED]> SJFD - Feedback <[REDACTED]> Mata, Anthony  
 <[REDACTED]> S.J. Arena Authority <[REDACTED]> Randol, Heather  
 <[REDACTED]> Traffic.Signals <[REDACTED]> Tran, David <[REDACTED]>  
 Parra-Garcia, Sabrina <[REDACTED]> Torres, Omar <[REDACTED]> Lopez, Robert (HSG)  
 <[REDACTED]> Doyle, Richard <[REDACTED]> Nurre, Shivaun  
 <[REDACTED]> Walesh, Kim <[REDACTED]> Wells, Laura <[REDACTED]>  
 Kihmm, Michael <[REDACTED]>

[External Email]

Dear San Jose city govt,

To try to offer, some better words, after RaOG Open Forum yesterday. For over 3 months now, I have been asking, how we can better address, and more honestly work towards - the important, creative ideas & needs, of ELI, VLI, and mixed income, for the future of affordable housing in San José, and across the San Francisco Bay Area.

Is it fearful, to consider the future, of the San Jose Flea market. that can be, at least 40% affordable housing. With 20% ELI, VLI, and mixed income affordable housing.

To consider, more genuine affordable housing ideas, for the San Jose Flea market, at this time - can begin, to better prepare ourselves, in want to expect, for the 2nd half of this decade, in San Jose, and the SF Bay area.

As these are the good ideas and practices, of an equity & reimagine future, that can simply, better address homelessness, as well.

From the tone, of sj Housing Dir. Jacky Ferrand Morales, at the morning, 6.23.21, sj council meeting - in comparison to - councilperson Cohen, wanting to possibly hustle, to make July 12th deadlines, for state of Ca. funding possibilities.

It simply feels, San Jose city govt, has not yet, enough negotiated, with the Vendor's Union, with this issue. And made clear, among other things, of a non-rushed process, for this grant; decent, fair

mindful, affordable housing ideas; and a better, overall idealism, for the future of the flea market.

They're simply needs to be, a good, open, clear, non-pressured, negotiation process, between the Vendor's Union, the developer, city govt, and everyday community.

Interestingly, whatever is approved, next week, at city council, it may not be, until at least September - there can be, overall better understandings & agreements, for all sides, in working towards, the same direction, & good goals.

Asking for, an additional 90 day, city council mandated continuance, does not seem, that far fetched.

To summarize - More land, for vendors to sell things; a vendors co-op; vendors, having more of a role, in the future design & layout; and 40% affordable housing, with 20% ELI, VLI, and mixed income.

This should be considered, as simple, organized, reasonable asks, in many flea market negotiation points, at this time. And in ways to respect, the overall spirit, and cultural icon, the flea market was, to San Jose, for the past, 60+ years.

It also seems, that parts, of San Jose city govt., and the developer, will simply not be ready to describe, to the Vendors Union, and everyday community - a clear, non-pressured path, with issues around, the July 12th, state of Ca., grant fund deadline.

To also remind, that in negotiating - parts of San Jose city govt., has a lot to balance. And may have, their own asks & needs, for office space & housing, more than the developer & SJ flea market.

I am hoping, office space and job numbers, of 1100 persons, can be negotiated, to 800 persons. Along with, overall, smaller, more organic, office building designs.

And of course, councilperson Carrasco, brought up, the very interesting idea, to designate the SJ flea market buildings, as legally protected areas, of the city, so the flea market, can remain the same.

Good luck, in how we can all work, to make things clear and non-pressured, for all sides, in shared promises, hopes, reminders, and understandings, at this time.

Sincerely,  
Blair Beekman

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

### Fw: San Jose Berryessa Flea market

City Clerk <[redacted]>

Thu 6/24/2021 11:00 AM

To: Agendadesk <[redacted]>

#### Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

**From:** elva ortiz <[redacted]>

**Sent:** Thursday, June 24, 2021 10:56 AM

**To:** [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 Hughey, Rosalynn <[redacted]> Gomez, Charla <[redacted]> Liccardo, Sam <[redacted]>  
 District1 <[redacted]> Jones, Chappie <[redacted]>  
 District2 <[redacted]> Jimenez, Sergio <[redacted]>  
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 Peralez, Raul <[redacted]> District4 <[redacted]> Brown, Stacey <[redacted]>  
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 Klein, Nanci <[redacted]> Morales-Ferrand, Jacky <[redacted]>  
 Ristow, John <[redacted]> VanderVeen, Rachel <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> melissa <[redacted]>  
 cerezo <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> plan.review <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 City Clerk <[redacted]>

**Subject:** San Jose Berryessa Flea market

[External Email]

Hello,

As much as we all want to progress we should not do it at the expense of the flea market vendors. the Berryessa Flea Market is one of the recent past attractions that put the city of San Jose on the world map. Let's work together and find a way to keep the flea market open if not at the same location at a different one. If not so big maybe a little bit smaller but always keep in mind this is livelihoods you are dealing with. Families depend on those jobs and during this difficult time the last thing we need is more people displaced.

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1. Enable negotiations with the vendors to build to an agreement: Defer this vote until a true agreement can be reached between the vendors association, property owners & City officials. Right now, they're in the middle of negotiations. Give them time to complete them. Ensure the vendors are always included at the negotiation table. While I want to see this development with new homes, commercial space, and parks move forward, the process must involve the vendors.

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b) That's why I'd like the building heights raised throughout the Urban Village. In areas west of the BART Station (where no one currently lives), buildings heights up to FAA regulations should be allowed.

Let's make this development a quadruple win - for the vendors, the landowners, the City & our broad community!

As you look to approve this development, please ensure the Flea Market vendors are not displaced, and this critical part of our community is maintained.

Thank you for considering my perspective.

Sincerely,  
Yu Yang

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# Fw: SAVE LA PULGA - Input on Items 10.3 & 10.4 City Council Agenda

City Clerk <[redacted]>

Mon 6/28/2021 11:57 AM

To: Agendadesk <[redacted]>

**From:** Yareli Rivera <[redacted]>

**Sent:** Monday, June 28, 2021 11:54 AM

**To:** [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 Hughey, Rosalynn <[redacted]> Gomez, Charla <[redacted]> Liccardo, Sam <[redacted]>  
 District1 <[redacted]> Jones, Chappie <[redacted]>  
 District2 <[redacted]> Jimenez, Sergio <[redacted]>  
 District3 <[redacted]> Tran, David <[redacted]>  
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 Cohen, David <[redacted]> District5 <[redacted]>  
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 Foley, Pam <[redacted]> Lomio, Michael <[redacted]>  
 District 10 <[redacted]> Mahan, Matt <[redacted]>  
 <Matt <[redacted]> Quevedo, Matthew <Matt <[redacted]>  
 devalcourtconsult <[redacted]> <devalcourtconsult <[redacted]> Kline, Kelly <[redacted]>  
 Klein, Nanci <[redacted]> Morales-Ferrand, Jacky <[redacted]>  
 Ristow, John <[redacted]> VanderVeen, Rachel <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> melissa <[redacted]>  
 cerezo <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> plan.review <[redacted]>  
 ott <[redacted]> <ott <[redacted]> [redacted] <[redacted]>  
 merchantassociat <[redacted]> <merchantassociat <[redacted]> [redacted] <[redacted]>  
 City Clerk <[redacted]>

**Subject:** SAVE LA PULGA - Input on Items 10.3 & 10.4 City Council Agenda

[External Email]

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Thank you for considering my perspective.

Sincerely,

Yareli Rivera

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Blair Beekman. Sj council. Tuesday June 29,t 2021. Items 10.4 &10.5\_\_San Jose Flea market development issues.

b. beekman [REDACTED]

Mon 6/28/2021 5:51 PM

To: CouncilMeeting <[REDACTED]> Agendadesk <[REDACTED]> Taber, Toni  
<[REDACTED]> The Office of Mayor Sam Liccardo <[REDACTED]> Sykes, Dave  
<[REDACTED]> Hughey, Rosalynn <[REDACTED]> Cohen, David  
<[REDACTED]>

[External Email]

Dear community,, and san jose city govt,

To expand, my final public comments, at sj CED committee, yesterday, I hope you can pass along, to city council persons and the mayor. And then place this letter, in both, items 10.4 & 10.5, in tomorrow's, city council agenda.

I hope, we are all working to develop,, open, clear, non-pressured dialogue, and understandings, about the future, of the SJ flea market.

I think, we are all considering, what can be, an interesting, open, creative process, for all sides, in the 60+ year history,, of the flea market, in San Jose.

I feel, ideas of future development, should include,

- More open space for vendors.
- : Ideas of a co-op, for vendors.
- : Vendors, to have more input, in the design & layout, of the future development. This can include, less office space. And a more, organic, softer design of future buildings & grounds.
- And overall guarantees, vendors can be safe, and not be taken advantage of, in the next few years.

This goes into issues, of the importance, of eli, vli, and mixed income ideas , affordable housing ideas, that will be incredibly important, by the second half, of this decade, in San Jose, and the bay area.

For whatever, is the status, of the July 12th, California state funding deadlines, it will have to be, a process, for items to be made, fully clear, to all sides, in what to expect, of this July 12, funding.

I very much worry, that signing on, to this July 12th state funding, would bring in new developers and investors, who would make demands, that would supplant, the current negotiating process.

Can there be guarantees, at this time, that any additional, new developers and investors, will not harm, the current negotiation process, that will have to take place this n summer, between all sides. With ideas, to be more settled, by September 2021.

Of course, to leave the flea market, the way it is, I hope, can still be an option.

Sincerely,  
Blair Beekman

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

# Fw: Input on Items 10.3 & 10.4 of the 6/22 City Council Agenda

City Clerk <[redacted]>

Tue 6/29/2021 10:47 AM

To: Agendadesk <[redacted]>

## Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

**From:** Dana Friesen <[redacted]>

**Sent:** Tuesday, June 29, 2021 9:41 AM

**To:** [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 Hughey, Rosalynn <[redacted]> Gomez, Charla <[redacted]> Llicardo, Sam <[redacted]>  
 District1 <[redacted]> Jones, Chappie <[redacted]>  
 District2 <[redacted]> Jimenez, Sergio <[redacted]>  
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 Ristow, John <[redacted]> VanderVeen, Rachel <[redacted]>  
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 merchantassociat <[redacted]> <merchantassociat <[redacted]> [redacted] <[redacted]>  
 City Clerk <[redacted]>

**Subject:** Input on Items 10.3 & 10.4 of the 6/22 City Council Agenda

[External Email]

Dear City Council,

I urge you to ensure the redevelopment of the Berryessa Flea Market, a key part of the San Jose community, is as inclusive and vibrant as possible.

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b) That's why I'd like the building heights raised throughout the Urban Village. In areas west of the BART Station (where no one currently lives), buildings heights up to FAA regulations should be allowed.

Let's make this development a quadruple win - for the vendors, the landowners, the City & our broad community!

As you look to approve this development, please ensure the Flea Market vendors are not displaced, and this critical part of our community is maintained.

Thank you for considering my perspective.

Sincerely,

Dana Friesen

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Dear City Council,

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Thank you for considering my perspective.

Sincerely,

Miguel Pascual  
Lake Worth, FL

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# Fw: Thank You, Suggestion from City Council Meeting June 29 (VTA, Berryessa Flea Market)

City Clerk <[REDACTED]>

Tue 6/29/2021 4:34 PM

To: Agendadesk <[REDACTED]>

## Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

---

**From:** Clara Luu <[REDACTED]>

**Sent:** Tuesday, June 29, 2021 4:11 PM

**To:** District3 <[REDACTED]> District1 <[REDACTED]> District2 <[REDACTED]>

District4 <[REDACTED]> District5 <[REDACTED]> District 6 <[REDACTED]>

District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]>

District 10 <[REDACTED]> The Office of Mayor Sam Liccardo

<TheOff[REDACTED]> City Clerk <[REDACTED]> Customer Service

<[REDACTED]>

**Subject:** Re: Thank You, Suggestion from City Council Meeting June 29 (VTA, Berryessa Flea Market)

[External Email]

At 4:09 pm, I very much appreciate Councilperson Sylvia Arenas' comments about access to these important meetings through community centers, etc and in Councilperson's words, the opportunity to "take the show on the road" and engage the community. Thank you, Sylvia.

On Tue, Jun 29, 2021 at 4:03 PM Clara Luu <[REDACTED]> wrote:

Dear City Staff,

This is not my first time joining into a virtual City Council meeting this year, but I happened to notice this today, and wanted to share my suggestion for webinar-style city council meetings in the pandemic era and beyond, from my perspective as a webinar attendee interested in the issues at hand.

From this perspective of an attendee, it is very helpful:

- when a Councilperson (or other relevant party) is speaking, their video is visible to accompany whenever possible, if they do happen to be connecting to the Zoom Webinar by app (not just



# Fw: Input on Items 10.3 & 10.4 of the 6/22 City Council Agenda

City Clerk <[redacted]>

Wed 6/30/2021 8:21 AM

To: Agendadesk <[redacted]>

## Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

**From:** Anna Silberstein <[redacted]>

**Sent:** Wednesday, June 30, 2021 5:52 AM

**To:** [redacted] <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 Hughey, Rosalynn <[redacted]> Gomez, Charla <[redacted]> Llicardo, Sam <[redacted]>  
 District1 <[redacted]> Jones, Chappie <[redacted]>  
 District2 <[redacted]> Jimenez, Sergio <[redacted]>  
 District3 <[redacted]> Tran, David <[redacted]>  
 Peralez, Raul <[redacted]> District4 <[redacted]> Brown, Stacey <[redacted]>  
 Cohen, David <[redacted]> District5 <[redacted]>  
 Carrasco, Magdalena <[redacted]> District 6 <[redacted]>  
 Groen, Mary Anne <[redacted]> Davis, Dev <[redacted]>  
 District7 <[redacted]> Esparza, Maya <[redacted]>  
 District8 <[redacted]> Arenas, Sylvia <[redacted]> District9 <[redacted]>  
 Foley, Pam <[redacted]> Lomio, Michael <[redacted]>  
 District 10 <[redacted]> Mahan, Matt <[redacted]>  
 <Matt <[redacted]> Quevedo, Matthew <Matt <[redacted]>  
 devalcourtconsult <[redacted]> <devalcourtconsult <[redacted]> Kline, Kelly <[redacted]>  
 Klein, Nanci <[redacted]> Morales-Ferrand, Jacky <[redacted]>  
 Ristow, John <[redacted]> VanderVeen, Rachel <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> melissa <[redacted]>  
 cerezo <[redacted]> [redacted] <[redacted]> [redacted] <[redacted]>  
 [redacted] <[redacted]> [redacted] <[redacted]> plan.review <[redacted]>  
 ott <[redacted]> <ott <[redacted]> [redacted] <[redacted]>  
 merchantassociat <[redacted]> <merchantassociat <[redacted]> [redacted] <[redacted]>  
 City Clerk <[redacted]>

**Subject:** Input on Items 10.3 & 10.4 of the 6/22 City Council Agenda

[External Email]

Dear City Council,

I urge you to ensure the redevelopment of the Berryessa Flea Market, a key part of the San Jose community, is as inclusive and vibrant as possible.

As you deliberate on this issue, I'd ask you to consider the points below. In fact, please incorporate them into your motions as conditions of approval before you vote.

1. Enable negotiations with the vendors to build to an agreement: Defer this vote until a true agreement can be reached between the vendors association, property owners & City officials. Right now, they're in the middle of negotiations. Give them time to complete them. Ensure the vendors are always included at the negotiation table. While I want to see this development with new homes, commercial space, and parks move forward, the process must involve the vendors.

2. On the market itself:

a) Affordable stalls: I'm glad the development last month added a 5-acre urban market. Yet will it be affordable to the existing 450 vendors? To prevent displacement, the new stalls must be affordable to existing vendors. Right now, there are no guarantees they would be.

b) Enough stalls: To ensure all existing vendors can sell at the new market, I'd like to see a multi-level market on the BART Plaza site and a plan to close residential streets for additional vendors on weekends studied. If all 430+ vendors can't fit on-site, a replacement site in San Jose needs to be secured.

c) No disruption to businesses: While the current offer from the landowners of \$4,400 per vendor is a step towards helping vendors, this is nowhere near enough for businesses that may be displaced or interrupted for months or years. Accommodations should be made during construction to ensure the vendors can maintain places to sell.

3. On the number of homes & building heights:

a) The Berryessa Urban Village is one of the best areas in San Jose for creating a vibrant neighborhood of offices, shops, homes & green space next to a major transit hub. This rare opportunity means we need to maximize the number of people who live, work, and visit the area. Let's make it as easy as possible to achieve that.

b) That's why I'd like the building heights raised throughout the Urban Village. In areas west of the BART Station (where no one currently lives), buildings heights up to FAA regulations should be allowed.

Let's make this development a quadruple win - for the vendors, the landowners, the City & our broad community!

As you look to approve this development, please ensure the Flea Market vendors are not displaced, and this critical part of our community is maintained.

Thank you for considering my perspective.

Sincerely,  
Anna

Sent from my iPhone

This message is from outside the City email system. Do not open links or attachments from untrusted sources.



**Fw: Please no further delay of item 10.4**

City Clerk <[redacted]>

Wed 6/30/2021 8:43 AM

To: Agendadesk <[redacted]>

**Office of the City Clerk | City of San José**

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

---

**From:** Edwin Hu <[redacted]>

**Sent:** Monday, June 21, 2021 1:04 PM

**To:** City Clerk <[redacted]> District1

<[redacted]> District2 <[redacted]>

<[redacted]> District4 <[redacted]> District5 <[redacted]> District 6

<[redacted]> District7 <[redacted]> District8 <[redacted]> District9

<[redacted]> District 10 <[redacted]>

**Subject:** Please no further delay of item 10.4

[External Email]

Dear city council,

Please no further delay of item 10.4

Approve the Berryessa BART transit village project now, so our neighborhood parks and creek trails will be completed and more options for restaurants and shopping in our neighborhood.

Thanks

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

**Fw: Need Berryessa BART Transit Village Project to be APPROVED**

City Clerk <[REDACTED]>

Wed 6/30/2021 8:44 AM

To: Agendadesk <[REDACTED]>

**Office of the City Clerk | City of San José**

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

**From:** 孟旭 <[REDACTED]>

**Sent:** Monday, June 21, 2021 10:58 AM

**To:** City Clerk <[REDACTED]> District5 <[REDACTED]> The Office of Mayor Sam Liccardo <TheOff[REDACTED]> District1 <[REDACTED]> District2 <[REDACTED]> District3 <[REDACTED]> District4 <[REDACTED]> District 6 <[REDACTED]> District7 <[REDACTED]> District8 <[REDACTED]> District9 <[REDACTED]> District 10 <[REDACTED]>

**Subject:** Need Berryessa BART Transit Village Project to be APPROVED

[External Email]

To whom it may concern,

Our Berryessa crossing neighborhood does not have any parks for children to play, which was promised to be built 6+ years ago! I'm seeing kids play on driveway, which is dangerous for them, because there's NOT A good playground for them to use in this large neighborhood.

Thus, please don't push item 10.4 anymore, we need you guys approve the Berryessa BART Transit Village Project ASAP! A better living environment with restaurants & shopping is much needed. Most important, all kids deserve a good & safe playground, to develop their better health, strength, immune system.

Thanks,  
Eleven Meng

This message is from outside the City email system. Do not open links or attachments from untrusted sources.



Dear City Council, I urge you to ensure the redevelopment of the Berryessa Flea Market, a key part of the San Jose community, is as inclusive and vibrant as possible.

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b) That's why I'd like the building heights raised throughout the Urban Village. In areas west of the BART Station (where no one currently lives), buildings heights up to FAA regulations should be allowed. Let's make this development a quadruple win - for the vendors, the landowners, the City & our broad community!

As you look to approve this development, please ensure the Flea Market vendors are not displaced, and this critical part of our community is maintained.

Thank you for considering my perspective.

Sincerely,

Dana Friesen

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### Fw: We need the Berryessa BART transit collage project

City Clerk <[REDACTED]>

Wed 6/30/2021 8:48 AM

To: Agendadesk <[REDACTED]>

#### Office of the City Clerk | City of San José

200 E. Santa Clara St., Tower 14<sup>th</sup> Floor

San Jose, CA 95113

Main: 408-535-1260

Fax: 408-292-6207

How is our service? [Please take our short survey.](#)

**From:** 南睿 <[REDACTED]>

**Sent:** Friday, June 18, 2021 7:23 PM

**To:** City Clerk <[REDACTED]> <[REDACTED]> <[REDACTED]>

**Subject:** We need the Berryessa BART transit collage project

[External Email]

Hi,

Please approve the Berryessa BART Transit village project now, so neighborhood parks and creek trails will be completed and more options for restaurants and shopping in our neighborhood.

Thanks,

Rui

Rui

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