



Memorandum

TO: HONORABLE CITY
COUNCIL

FROM: Mayor Sam Liccardo

SUBJECT: SEE BELOW

DATE: June 29, 2021

APPROVED:

Date: 06/28/21

SUBJECT: Berryessa BART Urban Village Plan and Planned Development Rezoning for Real Property Located at 1590 Berryessa Road.

Recommendation:

Adopt a friendly amendment to the pending motion for Council vote that incorporates the \$5 million in voluntary funding and other recommendations in Councilmember Cohen's June 28, 2021 memorandum, and further directs the City Manager to:

1. Communicate to the Valley Transportation Authority (VTA) the intention of the City of San Jose, and of each of the participating board members, to formally request that VTA (and if necessary, BART) evaluate and negotiate to offer a lease or easement of VTA-owned areas in and around the BART station to dramatically expand the footprint of the Flea Market on Saturdays and Sundays. After VTA staff has analyzed the options, the matter should be brought to the full VTA Board for discussion.
2. Return in the Fall for Council action after exploration of sources for additional funding from the City, and the County, to assist Berryessa Flea Market Vendors in any transition that they might need to make in 2024 or thereafter. Potential sources could include, but are not limited to:
 - American Rescue Plan (ARP) dollars, if eligible based on pending federal regulations, so long as any ARP contribution would be decided no later than December 31, 2021;
 - Taxes and fees emanating from the development on the Berryessa site, which might be advanced from City accounts upon the issuance of a building permit;
 - Economic Development grants, such as those recently received by the City, that assist small businesses in recovery, and support filling vacant storefronts.

HONORABLE MAYOR AND CITY COUNCIL

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Analysis:

According to the property owner, only 20% of the Flea Market stalls operate on weekdays. The weekend, however, brings big crowds and many more vendors. Fortunately, the market and the BART station are complementary uses since the use of the BART station and its adjacent parking area plummets on weekends. The City should start now in identifying the sites that can expand the 5-acre urban market on weekends, which will be needed by 2024. Additionally, the City and VTA should analyze areas beneath the elevated tracks for more permanent market stalls — a common sight in places like London, Berlin, Tokyo, New York and Chicago—where safe and permissible.