
SOUTH HAYWARD BART STATION ACCESS AUTHORITY

City of Hayward- City Hall
Remote Participation

May 13, 2022
9:00 AM
MINUTES

- I. Call to Order:** Meeting was called to order at 9:02 am, by Director McPartland
- A. Roll Call:**
1. JPA Board Members Present: Councilmember Sara Lamnin, Councilmember, Zermeno, Director Liz Ames, Director McPartland
 2. JPA Board Members Absent:
 3. JPA Alternate/Substitute Board Members Present:
 4. JPA Alternate/Substitute Board Members Absent:
 5. City of Hayward Staff Present: Deputy City Manager Jennifer Ott, Management Analyst Daniel Mao, Graduate Fellow Bryant Duong
 6. BART Staff Present: Robert Franklin, Nicole Franklin, Danielle Dai, Ryan was with Robert Franklin
 7. JPA Legal Counsel Present: Heather Gould
- B. Pledge of Allegiance:** Pledge of Allegiance was led by John McPartland
- II. Public Comment: No Public Comment**
- III. Approve the June 29, 2021 South Hayward BART Access Authority Meeting Minutes**
- A. No objections
 - B. McPartland moved for approval – vote: yes
 1. Director Ames – vote: yes
 2. Director McPartland – vote: yes
 3. Council Member Lamnin – vote: yes
 4. Council Member Zermeno second yes
 5. Minute are approved
- IV. Agenda Item being presented is work session item presentation for the parking management and governance for South Hayward BART station and future of the South Hayward JPA. The item was introduced by Jennifer Ott and presented by Jennifer Ott and Danielle Dai.**
- A. Adoption of proposals for the future direction of the JPA;**
1. Slide presentation –
 1. Background: JPA was formed in 2012 to address parking and management issues of parking spaces being eliminated for affordable housing projects.
 2. With demand for rider parking spaces down to due to COVID-19 and JPA meeting infrequently, consultant evaluated JPA governance structure
 3. Governance structures consider supporting JPA goals, balancing

resident and rider parking need, and safeguarding financial stability

4. Proposals put forth are Joint Powers Authority (current), Intergovernmental Agreement (IA), and Memorandum of Understanding (MOU)
2. Proposal– (1) changing JPA governance structure to Intergovernmental Agreement to ensure policymaker oversight, cost effectiveness, public engagement, while reducing administrative burden.
 1. Ames had a question: IA & MOU appear to be similar, what’s the difference in oversight?
 2. Jennifer said because there may be a future demand & need for curb spaces, choosing a structure that is legally enforceable would be beneficial.
 3. McPartlin had a question: Why would a working arrangement between BART & Hayward not be considered an MOU, when the IA described is an MOU except in format?
 4. Jennifer said with an IA, the JPA would be dissolved but both parties would contractually agree to cooperate under negotiated terms
 5. Jennifer said an MOU doesn’t provide as much enforceability when both entities will be reliant on one another in the future
 6. Zermeno commented: the JPA facilitated a space for collaborative discussion that neither the IA nor MOU consider
 7. Jennifer said JPA met infrequently due to limited topics but IA could be structured to schedule meetings when needed
3. Proposal– (2) In the near term, curb spaces to be free for residents and BART riders. Because parking demand won’t return for years, this proposal supports resident needs to utilize spaces but with limitations imposed by BART
4. Proposal– (3) In the long term, BART can reinstitute pricing & management of curb spaces upon TOD milestone or excess demand. This would allow BART to continue to have sufficient parking.
5. Proposal– (4) Fund balance remaining after closure expenses will be distributed according to JPA bylaws.

V. **Future Agenda Topics:**

- A. Next action items
- B. Actual Intergovernmental agreement or term sheet
- C. Public engagement/accountability mechanisms
- D. BART Safe Routes Grant funding
- E. Update on the mural
- F. Update on other projects in the pipeline

VI. **Staff and Board Member Announcements/Comments:**

- A. Sara asked: Was there any mailing or direct contact to residents of both properties?
 1. Danielle said yes she dropped off fliers directly to property managers to distribute. Flyers included a community meeting invitation & linked to a survey where they could provide feedback.
 2. Jennifer said Laurel James attended an HOA community meeting at Alta Mira to present and solicit resident feedback on parking use and behavior
- B. Sara asked: Are there still projects that can be funded with the remaining balance?
 1. Jennifer said yes there are outstanding projects that may receive funding either prior to dissolution or as part of IA from the city and BART, depending on Boards direction

C. Sara: Concur that IA is the path forward and comment on Cm Zermeno's comments about the meetings facilitating the exchange of ideas so would like to see that kind of structure and meet at least twice a year. Will need to meet to see how money can be used for projects instead of going back to agencies, review security, and parking demand. If BART wants to developing housing there, riders will still need parking so we will need to negotiate. Would also like to see this expand to both Hayward BART stations if JPA boundary and funding stipulations no longer apply.

1. Jennifer said yes there will be further discussion but today's presentation didn't include explicit details prior to Board being in alignment with the proposals.

D. Zermeno: Would like to copy what the city does with AC Transit's ad hoc committee if we dissolve JPA and go with IA. Will need to discuss possible actions regarding the two properties next to both BART stations. Danielle's mention of a 2029 project can be housing & parking structure that benefits everyone by promoting more ridership, less walking, less parking, and less cars. Look at first parking lot slide, perhaps instead of that structure, we can have a structure with either parking or residents on top. Maybe get state or federal funding.

E. Ames: We should show survey response data to illustrate our long term vision. Proposals are accurate with less need to enforce street parking so would like to collaborate on grant opportunities e.g. Safe Routes to BART grant opportunity cycle. Thought it would take place this fall since Fremont station received a grant to install elevated bike lanes. Does Hayward have an upcoming safe routes to BART grant cycle two?

1. Bob said he will inquire

2. Ames said this collaboration should intend to improve rider mobility and station development. Grant funding would allow for more work and improvements so she supports the Boards sentiments and hope to meet at least once or twice a year to formulate the new relationship.

- 1.

F. McPartlin commented: Have concerns where one was addressed regarding pricing management and uniformity. Other concern is IA's public engagement mechanism, because currently JPA meetings allow for public accountability. IA structure does not provide an accountability mechanism which is needed when decisions to reduce public parking spaces are made. Public must have an opportunity to interact with policymakers, other than through Hayward city council meetings or maybe council meetings will be the venue? We work for the public.

1. Jennifer said: our council members are very supportive of community engagement, so maybe we can stipulate as part of the IA, if there's going to be a parking modification, a certain amount of community engagement needs to be met. If IA does have annual or bi-annual meeting, then we will have to notice in a certain way, even if it isn't a Brown Act meeting.

2. McPartlin said: if we can address those concerns then he is in favor

G. Jennifer said: Now that Board is in alignment, next steps are to flesh out details with Heather on legal mechanisms then Board will likely have to take an action. We will return early summer or late fall with an action item and with an actual IA or term sheet.

H. Ames asked: what is the call timing for BART Safe Routes projects? Don't want Hayward to miss out.

1. Bob said: anticipated by end of this year, varying upon how current route goes. Timeline isn't guaranteed.

2. Ames asked: can BART facilitate to help Hayward submit an application?

3. Bob said: Unsure of the process, but can alert the city when preparing for the

next meeting.

VII. **Adjournment:**

The meeting was adjourned at 9:56am

Next Meeting – TBA. Meeting date will be decided when staff determine next steps and their timelines.