



## 28<sup>th</sup> Street/Little Portugal Community Working Group Meeting

**Date of Meeting:** May 6, 2025 (4:00 p.m. to 5:30 p.m.)

**Location:** Mexican Heritage Plaza, Zoom

### Attendees:

Members in Attendance: Davide Vieira, Chris Patterson-Simmons, Helen Masamori, Danny Garza, Bill Rankin, Melissa Canela, Elsa Oliveira, Damone Jordan

Members not in Attendance: Terry Christensen, Dee Barragan, Elma Arredondo, Ed Berger, Justin Trfano, Luis Munoz, Elma Arrendondo, Craig Chivatero, Jesus Flores, Isamar Gomez

Speaker Attendees: Ngan Nguyen (VTA), Christina Philip (VTA), Jessie O'Malley Solis (VTA), Erica Roecks (VTA), Brent Pearse (VTA),

Other Project Team in Attendance: Angela Chan (VTA), Tiffany Nguyen (VTA), Brandi Childress (VTA)

### Meeting Agenda:

- Welcome & Recap
- CWG Member Report-Out
- Transit-Oriented Development & Communities
- Phase II Update
- Construction Update
- TBP Update
- Upcoming Meeting

### Follow-Up Items:

- BSVII team to report back to the CWG at the next meeting if construction team found water when digging in the West Portal.

CWG Comments, Issues, and Questions	Response
<b>Introductions &amp; Announcements</b>	
-The stakeholder toolkits work better now in Word format, thank you.	Comment noted by team.
<b>CWG Member Report Out</b>	

CWG Comments, Issues, and Questions	Response
I appreciated the effort made by VTA to conduct the CWG Meet-and-Greets. I wouldn't change anything. It made me feel important and informed.	Thank you for spending your time with us!
<p>A representative from the City of San Jose Department of Transportation (DOT) got back to us with this last week with the following message: The OLIVE (Oversized and Lived-In Vehicle Enforcement) team has completed its second city-wide inventory of oversized and live-in vehicles. Based on the current conditions along north 28<sup>th</sup> Street, this area will be included in the OLIVE program in Fiscal Year (FY) 2025/26. DOT is currently working with their team to accelerate implementation and begin in mid-late June as OLIVE activities get more clarity on capacity. DOT will be in touch in the future with a more specific timeline.</p> <p>So, it sounds like they're going to prioritize moving people over to the Mabury site and finish posting 'no stopping anytime' signs and enforce no encampment zones.</p>	<p>Thank you for the update. Have the new road improvements that DOT made in Fall/Winter 2025 made improvements to the school zones?</p>
Response to staff follow-up question: There have not been major improvements. They added a striped sidewalk, but there was no re-striping or re-orienting of the passenger loading zones on 28 <sup>th</sup> Street.	Comment noted by team.
What is the level of your collaboration with City of San Jose regarding the area around the site?	We meet with the City of San Jose regularly. We've talked about agendizing it at our bi-weekly meeting with the city and it's been on the agenda at our past meetings.
I've been involved with BART for about 19 years. All the way back when they had Lisa Ives directing the Project. In the beginning, the community was ignored. Even though time has passed and the project has evolved, the community is still here. Thankfully, VTA has been able to adjust their practices and keep the public engaged in the process.	We talk internally about the community being there from the beginning to the end. We come in, we do engineering, we do environmental work, and we get out. The community is central.
However, looking back on VTA's position towards putting a 17-acre parking lot on top of the BART station ultimately precipitated our action as a community, in conjunction with San Jose State	Comment noted by team.

CWG Comments, Issues, and Questions	Response
University, which led to the involvement of CommUniverCity. That cross-agency coordination led to the BART station concept plan as it stands today. So out of a bad experience, good things happened.	
Recently, I had to defend VTA. I was at a community meeting where someone was saying that the community is not involved in the decision-making process. And I had to let everyone know that we do have a voice. I showed them the list of people involved in this CWG, who have a voice and are actively involved in the process. I encouraged people to attend this meeting and to not sit idly by getting secondhand information.	Comment noted by team.
This CWG is a great experience. Often, what we hear in the community is not accurate, so at these meetings, we can see exactly what is going on.	Comment noted by team.
<b>Transit-Oriented Development &amp; Communities</b>	No comments.
<b>Phase II Update</b>	
Have you found [underground] water yet?	<p>I do not have the answer to that question currently, but we can connect with the tunneling experts and circle back.</p> <p><b>Follow up:</b> Groundwater has been found at the West Portal site. To manage this, our construction team is following a dewatering regime. This means they have specific plans and equipment in place to remove water from the ground, so the site stays safe and dry during construction.</p>
What is the offramp decision?	In the Progressive Design Build contract, there is a point where you can decide whether to move forward with the selected contractor Kiewit Shea Traylor (KST).
Do you anticipate there being a Level 4 project that does not reach its funding goals in Level 3?	If we are unable to reach sufficient savings in Level 3,

CWG Comments, Issues, and Questions	Response
	we will need to move to Level 4. The complexity of what we're looking at in Level 3 takes more time to evaluate. That's why over the next several months we will work through the details of Level 3 to know what we're moving forward with.
Would Level 4 cost savings cause a date change? I'd like to see this project before I get too old.	It depends on the path forward. That's what we're looking at too. As of now, in Level 3, we're not looking at a date change.
If we went to Level 4, what would be the impact on the timeline?	If we moved forward to Level 4, we would completely be pushing down the guardrails and we would have to re-do an environmental document - a supplemental environmental document - so the entire timeline would change. We're currently trying to realize enough savings in Level 3, but we will bring everyone along should we move to Level 4.
<b>Construction Update</b>	
I think it would be helpful for us to see a preliminary construction layout of 28 <sup>th</sup> Street/Little Portugal Station like you have for Newhall Yard/Santa Clara Station.	We'll note that.  [Disclosure] the map for 28 <sup>th</sup> Street/Little Portugal Station will look different than this map from the West Portal because of the construction that is specific to West Portal, which includes building the shaft.
On a leased property (the triangle parcel) on N. 28th Street north of E. St. James Street, they're hauling in and out dirt and not doing it according to best practices. Gravel was dumped today on N. 28th Street and Julian. It's on the St. James side of the triangle	What kind of operation is it?

CWG Comments, Issues, and Questions	Response
parcel that is having issues with dirt at the site opening. Damone, I would recommend having this on your radar for students at Cristo Rey with asthmatic or respiratory conditions.	
I believe it's a construction staging area for a nearby project. You should take a ride out there and see what they're doing.	We could do that. We have a street sweeper running multiple times a day at Coleman and Newhall and Brokaw, so our contractor is running a very different operation.
Do you have some way to measure air quality on site?	We have noise, air, and vibration monitors on site that are checked weekly by our environmental team.
Is that going to be made public?	They can upon request. The data that is provided by the monitors is very technical, so we typically like to qualify the data first. We would probably have a meeting with you all just so you understand what you're looking at.
It would be helpful to know what kind of noise and vibration pollution are coming out of [West Portal] so we know what to anticipate when it arrives [at 28th Street/Little Portugal]	We'd like to also brief your community.
Would you be open to bringing data from Newhall Yard to these meetings? I think it would still be helpful to see the data.	There are federal thresholds that we are required to stay within. The data from the activity on [West Portal] is not going to be the same as the activities on 28th Street/Little Portugal station area.  We can bring someone from our environmental team to present this and explain the data at a future CWG meeting.
I remember you all presenting at this meeting about the data you're collecting at each site, and it was	

<b>CWG Comments, Issues, and Questions</b>	<b>Response</b>
fascinating. It would be great to get to see that information again.	
What numbers in the soil over there [in West Portal] are you digging up? [I bring that up] because Costco on Coleman used to be a rigging yard; an old storage yard. They couldn't un-pollute the dirt, so they just covered it.	That's why we do soils testing on the site so that we can identify the status of the soil. That's why it's important that we have access to the site.
<b>Thriving Business Program Update</b>	
I think 20 years ago, there was supposed to be BART on the corner of 10 <sup>th</sup> Street and E. Santa Clara St. Right on the corner it says "10th Street." Will that [signage] remain there?	No intention of having any station or facilities at 10 <sup>th</sup> Street, so we should not be affecting anything on the sidewalk.
Many years ago, that was an option for a station.	
Looking at the light blue on the Implementation Zone, it's going down Santa Clara Street to the West but not to the East. Is there a way that we could get that area to include more restaurants and businesses there?	The implementation zone map is designed for the areas that are going to have known impacts. We are calling out the areas on the truck hauling routes who may be receiving some marketing support. Along McKee and King Rd., those businesses might be eligible for [grants that offer] marketing assistance, but not direct financial assistance.
Have you considered doing those baseline studies? I'm referring to DOT traffic counts before construction impacts start, during construction impacts, and post-construction to see how traffic patterns have changed around the construction sites which would impact businesses.	The Construction Transportation Management Plan (CTMP) includes a traffic analysis, which documents traffic counts in the area before construction starts.
Along with traffic counts, it is important to study traffic patterns and diversions due to construction. That will greatly impact businesses.	I appreciate understanding your request. I don't think we have that information right now, but that's something we can investigate.
<b>Upcoming Meetings</b>	No comments.

Silicon Valley Granite and VTA Discussion	Response
<p><b>SVG &amp; BSVII/VTA Discussion:</b></p> <p><i>Silicon Valley Granite (SVG) is tenant at the 28th Street/Little Portugal Station Area. They are in negotiation with VTA to relocate and vacate from the site in order for BSVII to proceed with pre-construction work. SVG attended the CWG meeting to provide comments and concerns on the negotiations.</i></p>	
<p><b>Summary of Report-Out from Jessie O'Malley Solis (VTA):</b></p> <ul style="list-style-type: none"> <li>• Thank you to the Silicon Valley Granite (SVG) owner/family for coming here today. We look forward to collaborating toward solutions that work for everybody.</li> <li>• Property owners and tenants impacted by capital projects like BSVII are entitled to receive just compensation for your property, relocation benefits, and loss of business good-will, if applicable.</li> <li>• VTA is committed to providing impact prop owners and occupants with monetary assistance for their relocation.</li> <li>• VTA's Real Estate and relocation experts, Associated Right of Way Services (ARWS), has been working with SVG on relocation efforts since 2021.</li> <li>• Relocation efforts have been successful in helping many property owners and tenants in the neighborhood, including two of the neighboring businesses such as Monarch Trucking and Security Contractor Services, which have relocated successfully through the relocation experts.</li> <li>• VTA settled the acquisition or purchase of the site that SVG is located on in 2023 (with the prior owner). We took ownership of the site in March 2024.</li> <li>• VTA and ARWS have worked with SVG by providing alternative sites for consideration in the County of Santa Clara, including multiple sites within the City of San Jose.</li> <li>• Roughly half of the sites that we've shared were in the City of San Jose</li> </ul>	

Commented [ER1]: Will you please pull the SVG info out of our typical table and put in its own table please? [@Ngan Nguyen](#)

Commented [NN2R1]: this has been added

Commented [ER3R1]: Thanks, will you please move the SVG table to the end vs. the beginning?

<ul style="list-style-type: none"> <li>• Previously SVG agreed to leave by March 31, 2024. That agreement was documented by the courts in July of 2023.</li> <li>• VTA learned last night that the council representing SVG and VTA had a discussion and learned that there's a potential site for relocation within the City of San Jose.</li> <li>• At this time, while SVG is making a demonstrated marked effort to relocate, VTA will continue to support the relocation effort.</li> <li>• While this discussion is largely confidential between councils for SVG and VTA, VTA is willing to offer funds up front to support relocation services/fees.</li> </ul>	
<p><b>Summary of Report-Out Family-owned business Silicon Valley Granite:</b></p> <ul style="list-style-type: none"> <li>• SVG did not receive the multiple relocation sites VTA is sharing. We did not receive that support.</li> <li>• Or these sites were included as part of a settlement package that had terms we couldn't agree to (5-month timeline to vacate, \$1.5 M); <ul style="list-style-type: none"> <li>○ The challenge with this is that there was no suitable location that would fit all of the inventory.</li> <li>○ The agreements shown to us did not have that much of an extended timeline.</li> </ul> </li> <li>• SVG has been working 16 hours a day and we've barely moved 5% of the inventory (moving supplies to sites in San Martin and Colma); We have been making efforts to move our inventory for a while now.</li> <li>• SVG was never offered the timeline that the VTA contractor quoted. [And what was offered came] with the stipulation that anything left behind on-site after the given timeline would have to be abandoned.</li> <li>• SVG is happy to move but we can't accept impossible terms.</li> <li>• SVG will move material around to make in-field or on-site work possible and are happy to move eventually but we need to make reasonable agreements;</li> <li>• SVG didn't hear from VTA's attorney for two months until the eviction order.</li> </ul>	<p>Additional comments addressed in private with Silicon Valley Granite (SVG) by Jessie O'Malley Solis (VTA) and Greg Richardson (VTA).</p>



<ul style="list-style-type: none"> <li>Last night was one of the first times we heard that VTA would compensate the relocation upfront, but, as of today, we still don't have that in writing. We just need it in writing.</li> </ul>	
<b>Comments and Questions</b>	
People in my community will ask me if the tenant (SVG) needs to vacate right now or if they could wait to vacate since active construction on the site won't be taking place for a while.	Before we do demolition on the site, we need to conduct soils testing and other pre-construction activities that require active work in both the field and in the office. At this point, we need to move forward and have all tenants vacate.
Where is [tenant's] property located?	This property is located at the 28th Street/Little Portugal Station block.
To play devil's advocate in this scenario, the community could come back and say that everything should've already been demolished, according to the original timeline. We're in 2025 now and we're probably not going to see demolition on the 28th Street site until next year. While I understand the delays and I'm not defending this business owner, VTA keeps moving the goal posts and has a history of not completing work in a timely manner nor in the original time frame.	Comment noted by team.
Is VTA turning this property over to the contractor to secure it, as they've done with other properties?	Yes, that's the plan. The contractor will be providing security on the site once it's vacated.
What's the timeline for the tenant to vacate?	Our hope is that the tenant will be vacated in 30-90 days.

**Next CWG Meeting:** September 10, 2025, 4:00 PM, Zoom & In-Person

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