

Update on the Willow Glen Trestle
L. Ames, Feb 7, 2020

Despite all the work done last summer in anticipation of demolition (see July 30, 2019 [photo](#)¹), the Willow Glen Trestle is still standing strong ([photo](#)² from Jan. 30, 2020). The debris from the flood of 2017 is cleared, and the creek flows freely in its channel.

The trestle is officially listed on the California Register of Historical Resources. The question as to whether the City of San José is allowed to demolish it (as they formally voted in 2014 for demolition, before the trestle was officially listed) is still pending before the Sixth District Appellate Court.

Last fall, the Appellate Court offered the two parties – us and the City – a “Mediation”, and we both agreed. On November 7, 2019, we and the City met with the court-appointed mediator, Dolores Dalton, for several hours. While the mediator was unable to have us reach an accord, one point of interest arose: we suggested that if the city just doesn’t want the trestle, that they give it to the County and/or Open Space Authority for repair and maintenance, since they gave much of the funding that bought it in the first place; and Matt Cano from the city responded that if we tried to have the County or some other agency take over the WG Trestle, the city wouldn’t oppose our efforts.

We also became aware of a [Conservation Easement](#)³, held by both the County and also the Open Space Authority, on the trestle and associated lands, which severely limit the City’s ability to replace the trestle. We have [formally reminded](#)⁴ the City, the County, and the Open Space Authority of this Conservation Easement.

Based on all of that, I have had several months of delicate negotiations with Don Rocha, Chief of Staff to County Supervisor David Cortese. I also briefed⁵ Derrick Seaver, Supervisor Susan Ellenberg’s Chief of Staff, and Mayra Flores, her communications director. This culminated in Agenda Item 10 on the County Board of Supervisors’ January 28, 2020 agenda:

“Approve referral to Administration to report to the Board within 30 days with options for consideration relating to continuing to assert a leadership position in the restoration of the Willow Glen Trestle in order to facilitate the completion of the Three Creeks Trail. (Cortese)”

The motion was supposed to be a mere formality, as the issue was to have been worked out with the city, quietly and behind-the-scenes. I had coordinated with Don Rocha on the Board meeting, and followed his suggestion that we just inform a few supporters: enough to indicate support, but not so many as to appear that we were trying to embarrass or antagonize the city.

¹ http://wgtrestle.org/WGT_7-30-19.jpg

² http://wgtrestle.org/WGT_1-30-20.jpg

³ <http://www.wgtrestle.org/ConservationEasement.pdf>

⁴ http://wgtrestle.org/WGT_ConservationEasement.pdf

⁵ briefing charts: <http://www.wgtrestle.org/SE-WGT.pdf>;
talking points: <http://www.wgtrestle.org/SE-WGT--notes.pdf> (plus subsequent updates)

The meeting did not go well. (The video is [online](#)⁶, as is an [informal transcript](#)⁷.)

The City was blind-sided, and it reacted accordingly.

Matt Cano, now Director of Public Works, complained about the high cost of maintaining the trestle, apparently unaware that our intent was for the County to explore alternatives to take over such costs.

Councilmember Dev Davis' Chief-of-Staff was the 2nd speaker: she read a blistering letter to the Supervisors, complaining about not hearing about this until the evening before.

I was the third speaker, and I quickly changed my comments from a simple "thank you" into an explanation and a defense.

And I was followed by Bruce Tichinin, one of the lead trestle antagonists, who rambled on about saving the steelhead and the fate of mankind.

After the public comment, Supervisor Cortese, who had introduced the motion, said that he had coordinated with Supervisor Ellenberg. [Because the Brown Act restricts private communications to less than a quorum of a board and given that the Board of Supervisors is comprised of five members, once he'd talked to Susan, he could not broach the subject with anyone else.] But Supervisor Ellenberg replied that, while she had initially expressed interest in co-sponsoring the motion, she had later backed away, reconsidered, and was now opposed the measure: Dave Cortese was blind-sided as well.

The motion was withdrawn; no vote was taken; and the Supervisors discussed how they were each allowed to proceed independently as they wished.

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We had a follow-up telephone conversation with Supervisor Ellenberg on Jan. 31, 2020: see [notes](#).⁸

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We are now considering our options and possible paths forward.

~Larry Ames, Feb. 7, 2020.

⁶ <http://sccgov.iqm2.com/Citizens/SplitView.aspx?Mode=Video&MeetingID=12187&Format=Agenda>, starting at time mark 2:02:40)

⁷ http://wgtrestle.org/transcript_BoS_Jan-28-2020.pdf

⁸ http://www.wgtrestle.org/LLA-SE_PhoneCon_1-31-20.pdf