

**From:** Kirk Vartan [mailto:kirk@kvartan.com]  
**Sent:** Tuesday, August 19, 2008 1:34 PM  
**To:** 'Pimentel, Nora'  
**Cc:** 'Santana, Deanna'; 'Shippey, Christine'; 'Price, Lee'; 'Hawkins, Dennis (Clerk)'; 'Fedor, Denelle'  
**Subject:** Documents for the Rules Committee meeting on Aug. 20th  
**Importance:** High

Hi Nora/Deanna,

I have attached a few documents that will substantiate the claims I am making and the position of the neighborhood. I have created a document called "nofo-position.doc" that outlines the issues and why we would like the City Council to hear this item as an official agenda item. Please review that first. The other documents provide substantial backup for the positions stated in the "nofo-position.doc." I will see you at 2pm tomorrow.

Regards,

Kirk Vartan

The attached documents are as follows:

**"nofo-position.doc"** - This is the overview of the request, the summary of the issue, and the summary of the opposition to the issue.

**"neighborhood-signatures.jpg"** - This is a sample of the petition that we circulated to the neighborhood before we met with Katy Allen in the Department of Public Works (we have about seven pages like this). We only had a couple of days to circulate it, but we secured over 60% of the homes in the neighborhood, with over 98% of the people we were able to connect with signing the petition. If we had more time, we would have gotten close to all home owners and residents in the neighborhood to sign it. If that is something that the City would like to see and will make a larger impact, we will get it done in short order.

**"final-eir-sj-city-issues.pdf"** - The portion of the Final EIR that contains the letter sent by San Jose Department of Public Works showing that does not approve of either design as well as the developer comments to the letter stating: "The DEIR and Recirculated DEIR concluded that this improvement would be under the City of San Jose's control and it is unknown whether this improvement would be implemented."

**"doyle-email-aug-7-2008.doc"** - Email thread with Megan Doyle's comments (Ken Yeager's aide) stating that Ken Yeager's office never agreed or affirmed that any traffic signal changes would be acceptable, further pointing out that the City of San Jose had already stated in the EIR that the designs were not acceptable. In the email, Katy Allen states "staff from CM Yeager's office indicated that they were satisfied with the community's input on the project..." This is not true and this email confirms it.

**"historical-emails-objecting-to-signal-modification.doc"** - These are a few emails that show this issue was brought up a number of times during the EIR review process. This is not a new issue and the residents have been against it for years now.

**"emails-between-allen-vartan.doc"** - This email thread shows that the Department of Public Works (DPW) is not addressing the issues that are being raised. It shows the DPW does not think there is any resistance to the traffic signal removal in the neighborhood or by the council office. Both of these are now shown to be false. Both the council office (district 6) and the neighborhood (North of Forest) do not want the signal to be changed. It shows the letter from DPW wants to see alternatives investigated since the neighborhood and district 6 council office do not agree to the proposed designs.