

CITY COUNCIL AGENDA

SEPTEMBER 21, 2010

SYNOPSIS

PETE CONSTANT
ASH KALRA
SAM LICCARDO
KANSEN CHU
NORA CAMPOS

DISTRICT 1
DISTRICT 2
DISTRICT 3
DISTRICT 4
DISTRICT 5

CHUCK REED MAYOR

PIERLUIGI OLIVERIO
MADISON P. NGUYEN
ROSE HERRERA
JUDY CHIRCO, VICE MAYOR
NANCY PYLE

DISTRICT 6
DISTRICT 7
DISTRICT 8
DISTRICT 9
DISTRICT 10

The City of San José is committed to open and honest government and strives to consistently meet the community's expectations by providing excellent service, in a positive and timely manner, and in the full view of the public.

Welcome to the San José City Council meeting!

This Agenda contains both a Consent Calendar section for routine business items that require Council approval, and general business items arranged to correspond with San José's City Service Areas (CSAs). City Service Areas represent the policy-making level for strategic planning, policy setting, and investment decisions in the critical functions the City provides to the community. They are:

- **Strategic Support Services** — The internal functions that enable the CSAs to provide direct services to the community in an effective and efficient manner.
- **Community & Economic Development** — Manage the growth and change of the community in order to create and preserve healthy neighborhoods and ensure a diverse range of employment and housing opportunities.
- **Neighborhood Services** — Serve, foster, and strengthen community by providing access to lifelong learning and opportunities to enjoy life.
- **Transportation & Aviation Services** — A safe and efficient transportation system that contributes to the livability and economic health of the City; and provide for the air transportation needs of the community and the region at levels that is acceptable to the community.
- **Environment and Utility Services** — Manage environmental services and utility systems to ensure a sustainable environment for the community.
- **Public Safety Services** — Commitment to excellence in public safety by investing in neighborhood partnerships as well as prevention, enforcement, and emergency preparedness services.

Items listed in Section 9 require approval of both the City Council and the San José Redevelopment Agency Board.

You may speak to the City Council about any item that is on the agenda, and you may also speak during Open Forum on items that are not on the agenda and are within the subject matter jurisdiction of the City Council or Redevelopment Agency Board. If you wish to speak to the City Council, please refer to the following guidelines:

- **Fill out a Yellow Speaker's Card and submit it to the City Clerk seated at the front table. Do this before the meeting or before the item is heard.** This will ensure that your name is called for the item(s) that you wish to address, and it will help ensure the meeting runs smoothly for all participants.
- When the Council reaches your item on the agenda, Mayor Reed will open the public hearing and call your name. Please address the Council from the podium, which is located to the left of the City Clerk's table.
- Each speaker generally has two minutes to speak per item. The amount of time allotted to speakers may vary at the Mayor's discretion, depending on the number of speakers or the length of the agenda.
- To assist you in tracking your speaking time, there is a display on the podium. The green light turns on when you begin speaking; the yellow light turns on when you have 30 seconds left; and the red light turns on when your speaking time is up.

Please be advised that, by law, the City Council is unable to discuss or take action on issues presented during Open Forum. According to State Law (the Brown Act) items must first be noticed on the agenda before any discussion or action.

The San José City Council meets every Tuesday at 1: 30 p.m. and every first and third Tuesday at 7 p.m., unless otherwise noted. If you have any questions, please direct them to the City Clerk's staff seated at the tables just below the dais. Thank you for taking the time to attend today's meeting. We look forward to seeing you at future meetings.

Agendas, Staff Reports and some associated documents for City Council items may be viewed on the Internet at www.sanjoseca.gov/clerk/agenda.asp. Council Meetings are televised live and rebroadcast on Channel 26.

All public records relating to an open session item on this agenda, which are not exempt from disclosure pursuant to the California Public Records Act, that are distributed to a majority of the legislative body will be available for public inspection at the Office of the City Clerk at San José City Hall, 200 E. Santa Clara Street, Council Wing, 2nd Floor, San José, CA 95113 at the same time that the public records are distributed or made available to the legislative body. Any draft contracts, ordinances and resolutions posted on the Internet site or distributed in advance of the Council meeting may not be the final documents approved by the City Council. Contact the Office of the City Clerk at (408) 535-1260 or CityClerk@sanjoseca.gov for the final document.

To request an accommodation or alternative format under the Americans with Disabilities Act for City-sponsored meetings, events or printed materials, please call (408) 535-1260 or (408) 294-9337 as soon as possible, but at least three business days before the meeting.

On occasion the City Council may consider agenda items out of order.

- **Call to Order and Roll Call**
9:30 a.m. - Closed Session, Call to Order in Council Chambers
Absent Council Member: None.

1:31 p.m. - Regular Session, Council Chambers, City Hall
Absent Council Member: None.

7:02 p.m. - Public Hearings, Council Chambers, City Hall
Absent Council Member: Campos. (Excused)
- **Invocation (District 8)**
Band Director Michael Gomez and the thirty six members of the William C. Overfelt High School Royal Band presented “The Overfelt High School Fight Song” and “Oye Como Va”.
- **Pledge of Allegiance**
Mayor Reed led the Pledge of Allegiance.
- **Orders of the Day**
The Orders of the Day and the Amended Agenda were approved, with Item 1.7 deferred to 09/28/10.
- **Closed Session Report**
No Report.

1. CEREMONIAL ITEMS

- 1.1 Presentation of a commendation recognizing Moreland Little League for their Accessibility Project. (Constant)
Heard in the Evening.
Mayor Reed and Council Member Constant recognized and commended Moreland Little League.
- 1.2 Presentation of proclamation declaring September 20-26, 2010 as “Pollution Prevention Week”. (Environmental Services)
Mayor Reed and Director of Environmental Services John Stufflebean recognized September 20 through September 26, 2010 as “Pollution Prevention Week”.
- 1.3 Presentation of a commendation to Sacred Heart Community Service for their 2010 Pack-a-Back School Supplies Drive. (Nguyen/Liccardo)
Mayor Reed and Council Members Nguyen and Liccardo recognized and commended Sacred Heart Community Service.
- 1.4 Presentation of a commendation to the District 7 Youth Advisory Commission for winning the 2010 Mayor’s Gang Prevention Task Force Crime and Gang Prevention Summit PSA Development Contest with the theme: “Ignorance Isn’t Bliss”. (Nguyen)
Heard in the Evening.
Mayor Reed and Council Member Nguyen recognized and commended the District 7 Youth Advisory Commission for their achievement.
- 1.5 Presentation of a commendation to the Friends of the San José Rose Garden and park staff for their commitment to making the historic San José Municipal Rose Garden the “Best Rose Garden in America.” (Oliverio/Parks, Recreation and Neighborhood Services)
Heard in the Evening.
Mayor Reed, Council Member Oliverio and Assistant Director of Parks, Recreation and Neighborhood Services Julie Edmonds-Mares recognized and commended the Friends of the San José Rose Garden and City of San José Park Staff.
- 1.6 Presentation of a commendation to the Camelot Summer Institute at William C. Overfelt High School for their dedication to prepare students for academic success and instilling the importance to pursue a higher education. (Herrera)
(Rules Committee referral 9/8/10)
Heard in the Evening.
Mayor Reed and Council Member Herrera recognized and commended the Camelot Summer Institute at William C. Overfelt High School.
- 1.7 Presentation of a commendation to AchieveKids for their commitment to nurturing and educating children with severe mental and physical disabilities for the past 50 years. (Chu)
(Rules Committee referral 9/15/10)
Deferred to 09/28/10 per Orders of the Day.

1. CEREMONIAL ITEMS

- 1.8 Presentation of a commendation to the Adobe Foundation for its continued support of the arts in San José through a generous donation to the world-renowned Airport Art + Technology Program public art program. (Mayor)
(Rules Committee referral 9/15/10)
Mayor Reed recognized and commended the Adobe Foundation for its continued support of the arts in the City of San José.

2. CONSENT CALENDAR

- 2.1 **Approval of Minutes.**
There were none.

- 2.2 **Final adoption of ordinances.**
There were none.

- 2.3 **Approval of Council Committee Reports.**

Recommendation: Approval of Council Committee Reports.

- (a) Rules and Open Government Committee Report of September 1, 2010. (Mayor)
(b) Neighborhood Services and Education Committee Report of September 9, 2010.
(Campos)

Deferred to 09/28/10 per City Clerk.

- (c) Rules and Open Government Committee Report of August 25, 2010. (Mayor)
[Deferred from 9/14/10 – Item 2.3(c)]
Approved.

- 2.4 **Mayor and Council Excused Absence Requests.**
There were none.

- 2.5 **City Council Travel Reports.**
There were none.

- 2.6 **Contract for the Construction of Guadalupe Regional Park and Gardens Community Garden Expansion Project.**

Recommendation: Report on bids and award of a contract for the construction of Guadalupe Regional Park and Gardens Community Garden Expansion Project to the lowest bidder, Blossom Valley Construction, Inc., to include the base bid and both add alternates in the amount of \$329,832, and approval of a budget contingency of 10% of the contract amount. CEQA: Resolution No. 64667, File No. PP10-019. (Environmental Services)

Approved.

2. CONSENT CALENDAR

2.7 Contract for the SJ-25 Recycled Water San Jose School Extensions – Phase B Project.

Recommendation: Report on bids and award of contract for the SJ-25 Recycled Water San Jose School Extensions – Phase B project to the low bidder, Northern Underground Construction, Inc., in the amount of \$301,322 and approval of a budget contingency of 15% of the contract amount. CEQA: Resolution No. 64667, File No. PP10-018. (Environmental Services)

Approved.

2.8 Appointments to the Joint Recycled Water Policy Advisory Committee.

Recommendation: Appoint San Jose City Council Members Kansen Chu and Pierluigi Oliverio and City of Santa Clara Mayor Patricia Mahan to serve on the joint Recycled Water Policy Advisory Committee established in the recent Recycled Water Facilities and Program Integration Agreement between the City of San Jose and the Santa Clara Valley Water District. CEQA: Not a Project, File No. PP10-068, General Procedure & Policy Making Public Project. (Environmental Services)

Approved.

2.9 Open Purchase Order for Emergency Repair Services for Fire Apparatus and Fleet Equipment.

Recommendation: Approve an open purchase order with Hi Tech Emergency Vehicle Service, Inc. (Oakdale, CA) for the period September 22, 2010 through August 31, 2011, for emergency repair services for fire apparatus and fleet equipment. CEQA: Not a Project PP10-066(a), Purchase Order. (Finance)

Approved.

2.10 Youth Job Fair.

Recommendation: As recommended by the Rules and Open Government Committee on September 15, 2010:

- (a) Approve the Youth Job Fair as a City Sponsored Special Event; and
- (b) Approve and accept in-kind donations from businesses to support the event.

(City Clerk)

[Rules Committee referral 9/15/10 – Item H(3)]

Approved.

3. STRATEGIC SUPPORT SERVICES

3.1 Report of the City Manager, Debra Figone (Verbal Report)

City Manager Debra Figone reported an email was distributed reminding all City employees about campaign activities and restrictions placed on the political activities of public employees.

City Manager Figone added that an information memorandum will be circulated shortly containing information the City has acquired about the PG&E high pressure pipelines located throughout the City of San José.

3.2 Agreements with Kaiser, Blue Shield and United Healthcare to Provide Medical Insurance Plans and Support Services to the City.

Recommendation:

- (a) Adopt a resolution authorizing the City Manager to:
 - (1) Negotiate and execute an Agreement or Agreements with Kaiser Permanente to provide medical insurance plans and support services to the City for the period from January 1, 2011 through December 31, 2011, and to exercise up to three (3) one-year options to renew the Agreements through December 31, 2014, for premium costs not to exceed \$64,055,957 for calendar year 2011 and with annual cost adjustments for each subsequent year based on annual premiums as determined by Kaiser Permanente, coverage elected by participants, the number of enrollees in the group insurance plans and pursuant to collective bargaining agreements, for a total amount not to exceed \$306,144,431 for a potential four (4) year term, subject to the appropriation of funds by the City Council:
 - (a) Medical insurance plans for employees, retirees and dependents and beneficiaries residing within the Northern California, Southern California, Pacific Northwest and Hawaii service areas.
 - (b) Medicare coordinating medical insurance plans: Kaiser Permanente Senior Advantage Plan, Medicare Cost Plan and Medicare Out-of-Area Plan for Medicare eligible retirees, dependents and beneficiaries.
 - (2) Negotiate and approve premium renewal rates, and negotiate and execute any group health plan or policy contract and any ancillary documents, such as Evidence of Coverage (EOC) documents and Business Associate Agreements, with Kaiser Permanente that are necessary to facilitate the medical insurance services Agreements for the period of January 1, 2011 through December 31, 2014.
 - (3) In the event that Kaiser Permanente's proposed renewal rates are not acceptable by the City Manager, subject to the terms of City's collective bargaining agreements, authorize the City Manager to terminate the agreement(s) or group plan contract(s).

Resolution No. 75560 adopted.

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.2 Agreements with Kaiser, Blue Shield and United Healthcare to Provide Medical Insurance Plans and Support Services to the City (Cont'd.)

- (b) Adopt a resolution authorizing the City Manager to:
- (1) Negotiate and execute an Agreement or Agreements with Blue Shield of California to provide medical insurance plans and support services to the City for employees, retirees dependents and beneficiaries for the period from January 1, 2011 through December 31, 2011, and to exercise up to three (3) one-year options to renew the Agreements through December 31, 2014, for premium costs not to exceed \$50,702,625 for calendar year 2011 and with annual cost adjustments for each subsequent year based on the annual premiums as determined by Blue Shield of California, number of enrollees in the group insurance plans, coverage elected by participants, and pursuant to collective bargaining agreements, for a total amount not to exceed \$242,324,475 for a potential four (4) year term, subject to the appropriation of funds by the City Council;
 - (2) Negotiate and approve premium renewal rates, and negotiate and execute any group health plan or policy contracts and any ancillary documents, such as Evidence of Coverage (EOC) documents, Business Associate Agreements, with Blue Shield of California that are necessary to facilitate the medical insurance services Agreements for the period of January 1, 2011 through December 31, 2014; and
 - (3) In the event that Blue Shield's proposed renewal rates are not acceptable by the City Manager, subject to the terms of City's collective bargaining agreements, authorize the City Manager to terminate the agreement(s) or group plan contract(s).

Resolution No.75561 adopted.

- (c) Adopt a resolution authorizing the City Manager to
- (1) Negotiate and execute an Agreement or Agreements with United Healthcare (PacifiCare and Secure Horizons) to provide medical insurance plans to coordinate with Medicare benefits and support services to the City for City's Medicare-eligible retirees and beneficiaries, for the period from January 1, 2011 through December 31, 2011, and to exercise up to three (3) one-year options to renew the Agreements through December 31, 2014, for premium costs not to exceed \$719,201 for calendar year 2011 and with annual cost adjustments for each subsequent year based on annual premiums as determined by United Healthcare, coverage elected by participants, and the number of enrollees in the group insurance plans, for a total amount not to exceed \$3,437,298 for a potential four (4) year term, subject to the appropriation of funds by the City Council.

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3. STRATEGIC SUPPORT SERVICES

3.2 Agreements with Kaiser, Blue Shield and United Healthcare to Provide Medical Insurance Plans and Support Services to the City (Cont'd.)

- (2) Negotiate and approve premium renewal rates, and negotiate and execute plan designs for group medical plan contracts coordinating with Medicare to align with the City's active and early retiree plan designs, including any ancillary documents, such as Evidence of Coverage (EOC) documents and Business Associate Agreements, with United Healthcare (PacifiCare and Secure Horizons) that are necessary to facilitate the medical insurance services Agreements for the period of January 1, 2011 - December 31, 2014.
- (3) In the event that United Healthcare's proposed renewal rates are not acceptable by the City Manager, subject to the terms of City's collective bargaining agreements, authorize the City Manager to terminate the agreement(s) or group plan contract(s).

CEQA: Not a Project, File No. PP10-068 (b), Municipal Code, Title 3. (HR)
Resolution No. 75562 adopted.

3.3 Agreement with Delta Dental of California to Provide the Dental Insurance Group Plans.

Recommendation:

- (a) Adopt a resolution authorizing the City Manager to:
 - (1) Negotiate and execute one or two Agreements with Delta Dental of California to provide the dental insurance group plans listed below for employees, retirees, dependents and beneficiaries and support services for City's dental benefits program, for the period of January 1, 2011 to December 31, 2011, and to exercise up to four (4) one-year options to renew the Agreement or Agreements through December 31, 2015, for total costs for both dental insurance group plans not to exceed \$13,111,950 for the period of January 1 to December 31, 2011 and with annual cost adjustments for each subsequent year based on the number of enrollees in the plans, plan utilization and pursuant to collective bargaining agreements, for a total amount for both dental insurance group plans not to exceed \$68,521,282 for a potential five (5) year term, subject to the appropriation of funds by the City Council:
 - (a) Group Dental Service Contract for DeltaCare USA, a Dental Health Maintenance Organization (DHMO) Program for insurance and service costs not to exceed \$316,250 for the period of January 1 to December 31, 2011 and with annual cost adjustments for each subsequent year based on the number of enrollees in the plan and pursuant to collective bargaining agreements, for a total plan amount not to exceed \$1,652,679 for a potential five (5) year term.

(Item continued on the next page)

3. STRATEGIC SUPPORT SERVICES

3.3 Agreement with Delta Dental of California to Provide the Dental Insurance Group Plans (Cont'd.)

- (a) (1) (b) Group Administrative Services Only Contract issued by Delta Dental of California for the Delta Dental Preferred Provider Organization (PPO) Program for insurance and service costs not to exceed \$12,795,700 for the period of January 1 to December 31, 2011 and with annual cost adjustments for each subsequent year based on the number of enrollees in the plan, plan utilization and pursuant to collective bargaining agreements, for a total plan amount not to exceed \$66,868,602 for a potential five (5) year term.

Resolution No. 75563 adopted.

- (b) Negotiate and execute any group plan or policy contracts, EOC documents, Business Associate Agreements, or other ancillary documents necessary to facilitate the above Agreement or Agreements for the period of January 1, 2011 to December 31, 2015.
- (c) In the event that Delta Dental of California's proposed annual renewal rates are not acceptable by the City Manager, subject to the terms of City's collective bargaining agreements, authorize the City Manager to terminate the agreement(s) or group plan contract(s).

CEQA: Not a Project, File No. PP10-068 (b), Municipal Code, Title 3. (HR)
Approved.

4. COMMUNITY & ECONOMIC DEVELOPMENT

4.1 Public Hearing on the Consolidated Annual Performance Evaluation Report, the Analysis of Impediments to Fair Housing Choice and the Citizen Participation Plan.

Recommendation: Conduct a Public Hearing on the Consolidated Annual Performance Evaluation Report FY 2009-2010, the Analysis of Impediments to Fair Housing Choice and the Citizen Participation Plan and Approval of the Documents. CEQA: Not a Project. File No. PP10-069, Staff Reports, Assessments, Annual Reports, Informational Memos. (Housing)

The public hearing was opened and continued to 09/28/10 for action.

4.2 Agreement with the San José Convention & Visitors Bureau.

Recommendation: Adopt a resolution authorizing the City Manager to execute an Amendment to the existing Second Amended and Restated Agreement between the City of San José and the San José Convention & Visitors Bureau until December 31, 2010, with a compensation for the extension period not to exceed \$1,100,000. CEQA: Not a Project, File No. PP10-066(e), agreements/contracts. (Economic Development) (Rules Committee referral 9/15/10)

Resolution No. 75564 adopted.

4. STRATEGIC SUPPORT SERVICES

4.3 Agreements for the Former FMC Property Located at 1125 Coleman Avenue.

Recommendation: Adopt a resolution allowing the City Manager to negotiate and execute amendments to the two Amended and Restated Option Agreements with Coleman Airport Partners LLC for the former FMC property located at 1125 Coleman Avenue to allow a 90-day extension of the option period. CEQA: EIR Resolution No 71716, File No. PP08-093. (Economic Development)
(Rules Committee referral 9/15/10)

Resolution No. 75565 adopted.

5. NEIGHBORHOOD SERVICES

6. TRANSPORTATION & AVIATION SERVICES

7. ENVIRONMENTAL & UTILITY SERVICES

8. PUBLIC SAFETY SERVICES

9. JOINT COUNCIL/REDEVELOPMENT AGENCY

The Redevelopment Agency Board was convened at 7:24 p.m. to Consider Item 9.1 in a Joint Session.

9.1 Actions Related to Major League Baseball.

Recommendation: It is recommended that the City Council and Redevelopment Agency adopt resolutions:

- (a) Reaffirming the negotiating principles previously established and amended by the City Council.
- (b) Supporting the efforts of the Oakland Athletics ownership to move the team to San José and the assistance of the Silicon Valley Leadership Group and other local groups in their efforts to bring Major League Baseball to San José.

(General Counsel/City Attorney)

(Rules Committee referral 9/8/10)

Heard first in the evening.

Resolution No. 75567 adopted.

Redevelopment Agency Board Resolution No. 5985 adopted.

- **Open Forum**
None were presented.
- **Adjournment**
The Council of the City of San José adjourned the afternoon session at 3:08 p.m.

10. GENERAL PLAN PUBLIC HEARINGS

No General Plan Public Hearing at this time.

11. PUBLIC HEARINGS ON CONSENT CALENDAR

11.1 Public Hearings on Consent Calendar.

Recommendation:

- (a) Consideration of an ordinance rezoning the real property located on the south side of Wabash Avenue, approximately 550 feet west of Archer Street from CN Commercial Neighborhood District to R-2 Two-Family Residence District on a 0.21 gross acre site (Bennie & Linda Schulman, Owner). CEQA: Use of the Mitigated Negative Declaration (MND), File No. PDC06-018.
C09-034 – District 4

Ordinance No. 28814 passed for publication.

- (b) Consideration of a ordinance pre zoning the real property generally bounded by Central Park Way, Union Avenue, and Camden Avenue from County of Santa Clara to R-1-5 Single Family Residence Zoning District as to approximately 94.75 acres and CN Commercial Neighborhood Zoning District as to approximately 8.24 acres for an approximately 103 gross acre unincorporated County of Santa Clara pocket consisting of approximately 330 parcels (Owners: Multiple). CEQA: San José 2020 General Plan EIR, Resolution No. 65459. (The proposed zoning would not go into effect until the annexation of the existing unincorporated County island (Cambrian No. 36) which will be considered at a separate City Council hearing for which a separate hearing notice will be provided).
C10-010 – District 9

Continued to 10/5/10 per Administration.

END OF PUBLIC HEARINGS ON CONSENT CALENDAR

11. PUBLIC HEARINGS

11.2 Rezoning real property located at/on the west side of N. Third Street.

Recommendation: Consideration of an ordinance rezoning the real property located at/on the west side of N. Third Street, 340 feet south of Hensley Street (405 N Third Street) in the Hensley Historic District from the R-M Multiple Residence Zoning District to the A(PD) Planned Development Zoning District to allow up to six residential units within the existing structure(s) on a 0.17 gross acre site (Layne Sharon J, Owner; Bill Priest, Developer). SNI: 13th Street. CEQA: Exempt. Director of Planning, Building and Code Enforcement recommends denial and Planning Commission recommends approval of 4 units only (5-2-0, Do and Jensen opposed).

PDC08-033 – District 3

Continued to 10/26/10.

11.3 Rezoning real property located on the east side of Senter Road.

Recommendation: Consideration of an ordinance rezoning the real property located on the east side of Senter Road, approximately 610 feet southerly of Tully Road (2500 Senter Road) to allow for the development of a 102-unit affordable multi-family apartment community on a 3.46 gross acre site (County of Santa Clara, Owner/ Charities Housing, Applicant). CEQA: Mitigated Negative Declaration.

PDC09-033 – District 7

Ordinance No. 28815 passed for publication.

Noes: Oliverio.

11.4 Administrative Hearing and Consideration of an Appeal of the Planning Commission's decision to approve a Conditional Use Permit.

Recommendation: Conduct an Administrative Hearing and consider an Appeal of the Planning Commission's decision to approve a Conditional Use Permit to allow approximately 3,080 square feet of private educational uses within existing Sunday School classrooms at an existing church on a 2.89 gross acre site in the R-1-8 Residence Zoning District located on the southwest corner of Foxworthy Avenue and Quinto Way (1774 Foxworthy Avenue) (Foxworthy So. Baptist Church of L G, Owner/Cambrian Academy, Developer). CEQA: Exempt.

CP10-026 – District 9

Resolution No. 75566 adopted upholding the appeal. The Conditional Use Permit was approved, as amended, by the memorandum from Vice Mayor Chirco dated September 17, 2010 adding the following conditions:

- (1) Daily recreational or sports activities, such as recess or physical education classes, shall be prohibited from occurring outdoors on the site in the side and rear parking lots within 100 feet of an adjacent residential property line.**

(Action continued on the next page)

11. PUBLIC HEARINGS

11.5 Administrative Hearing and Consideration of an Appeal of the Planning Commission's decision to approve a Conditional Use Permit (Cont'd.)

(Action Cont'd.)

- (2) A neighborhood liaison shall be identified by the users of the subject site. The neighborhood liaison shall be responsible for ensuring compliance with the hours of operation, drop-off procedures and other nuisance conditions in this permit. The neighborhood liaison shall maintain a schedule of daily activities on the site, including but not limited to, hours of operation, numbers of attendants and complaints on site activities. The name and phone number of the neighborhood liaison and City File Number CP10-026 shall be displayed on a weatherproof sign posted on the project site and legible from the public right-of-way.**
- (3) The applicant shall be allowed to reverse the direction of the onsite pick-up and drop-off traffic path shown on plan sheet A-1.**
- (4) The applicant shall have 120 days after occupancy to complete Conditional Use Permit condition numbers 19, 24 and 25.**

- **Open Forum**
None were presented.

- **Adjournment**
The Council of the City of San José was adjourned at 7:50 p.m.