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>> Mayor Reed: I'd like to call the meeting to order. Rules and Open Government Committee meeting for November 30th, 2011. Any changes to the agenda order? All right, plow through. December 6th council meeting agenda. Anything on page 1? Are we going to add an adjournment in memory of somebody there? Okay. Anything on page 2 or 3? Page 4 or 5?

>> Mr. Mayor, we will be dropping item 3.5, registrar of voters is still working on that item. We'll plan on bringing it back sometime in January most likely.

>> Mayor Reed: That's the signature gathering effort on the repeal of the medical marijuana ordinance. Drop that.

>> Councilmember Constant: Mr. Mayor, on item 3.6, when we changed the council policy and the structure of the boards we had made a statement that the appointments of employee elections would be just taken as a routine matter of the council. Given that, I'd like to move that to the consent calendar since there should be no extenuating circumstances to have discussions or interviews or any of those things.

>> Mayor Reed: Any reason why we can't do that?

>> Dennis Hawkins: I'll check. I don't believe so. But there are two candidates for the Federated board and the practice or the current policy is, that council has the discretion to appoint whoever -- there has to be some serious reason as for cause why the council would not appoint the highest vote-getter. Which in this case was the incumbent.

>> Councilmember Constant: Right. So my thought given that plus the fact that we had made the policy statement that it would be a routine matter of business and that's pretty much the definition of the consent calendar. Someone could always pull it if they feel there is a circumstance --

>> City Attorney Doyle: That's your call. You have an incumbent. You have the highest vote getter and you can work ton record.

>> Mayor Reed: Certainly the rules committee can make a recommendation to the council that we don't do interviews and we appoint the highest vote getters and put it on the consent calendar. It at least goes as a recommendation to the Rules Committee to do that.

>> Councilmember Constant: I think that would be best given the commitment we made when we changed the board structure and we also did that with the retiree appointment if you recall. We didn't do interviews, we basically moved it with no interview and appointed. So the that as a motion or part of the overall?

>> City Attorney Doyle: Part of the motion.

>> Councilmember Constant: Okay when we're done.

>> Mayor Reed: Anything else on page four or 5, page 6 or 7. I have some requests for additions, commendation South Bay yacht club, commendation San José Silicon Valley chamber of commerce, commendation to toys for tots. How many commendations would we have?

>> I have a total of four ceremonials.

>> Mayor Reed: Four ceremonials and Councilmember Campos travel to L.A. for league of California cities matter. Any other requests for additions or changes? That's the only written ones I have.

>> Councilmember Constant: So Mr. Mayor I'll make a motion that we approve the agenda as amended, with the -- specifically with the move of 3.6 to the consent calendar and a recommending for rules for appointment of the top vote getter.

>> Councilmember Nguyen: Second.

>> Mayor Reed: Okay on the motion all in favor, opposed, none opposed, that's approved. December 13th council agenda. Page 1, first question is the time of start of the meeting. I just have gotten through the agenda a couple of times and right now I don't see a reason to start it any earlier than usual unless there is something on here that's going to take a surprising amount of time in terms of its length.

>> City Attorney Doyle: Does that include closed session?

>> Mayor Reed: I think 9:00 start on closed session would be in order at least at this point. We have traditionally started at 8:00 and 10:30 for the regular meeting. But I think as a time management strategy, we ought to move some of the stuff that right now look like they're going to be on the evening agenda into the afternoon so we don't have a long gap between meetings. But we can come to those when we get to them. So for now, we just leave the start time at 9:00 a.m. and 1:30 p.m, I think. Anything else on page 1? Page 2 or 3? Page 4 or 5? Page 6 or 7? Page 8 or 9? That is the end of the consent calendar. A lot of items on there but not extraordinarily long for the last meeting in December. Particularly, it's longer than this. Page 10 or 11. We have items 4.1, 4.2 that are to be heard in the evening, I don't know why, and those are candidates I think to be heard in the afternoon, part of the afternoon agenda. Neither of those look like they're very big public matters. I think title 20 zoning stuff at the Planning Commission didn't have any public controversy at all. So Laurel, do you want to speak to these two items, the sign code and the zoning ordinance?

>> Laurel Prevetti: Thank you, Mr. Mayor, Laurel Prevetti, assistant director of Planning, Building, and Code Enforcement. The only challenge is that they have been noticed and published for the evening session, so that is something to consider.

>> City Attorney Doyle: So the notice says 7:00?

>> Laurel Prevetti: Yes, it does.

>> Mayor Reed: Is it too late to re-notice and re-publish?

>> Laurel Prevetti: We can look into it. I think for the sign code we have fewer restrictions for the title 20 publish, republish, I'll (inaudible) for the afternoon we'll try and republish.

>> City Attorney Doyle: We can report back next Wednesday.

>> Mayor Reed: Okay, but I think looking at the agenda looks like we're going to be done early in the afternoon and then have to come back in the evening and be good to do some of that work in the afternoon. Anything else on page 10 or 11? Page 12, the settlement with Union Pacific railroad company, 4.4 do we need a sunshine waiver?

>> City Attorney Doyle: We need a sunshine waiver, the memo should be out by Friday.

>> Mayor Reed: Anything else on page 12 or 13? We have joint session, with city and Redevelopment Agency on 13, and we now have if I follow this right both the comprehensive annual financial report city and agency on this one agenda. Do we need to have them heard at the same time, or approximately the same time?

>> We could put them together, mayor.

>> Mayor Reed: Yeah, I think if we could resort those so we take them together at one place or another on the agenda would be good. Anything else on 12 or 13? Page 14 some land use items for the evening, not very many which is good. I have some requests for additions. We need to add some action related to the Public Safety broadband system. That's the only request I have in writing. Anything else in the way of additions or changes?

>> Councilmember Constant: Mr. Mayor, make a motion to approve as amended including the sunshine waiver.

>> Councilmember Nguyen: Second.

>> Mayor Reed: And possibly changing the evening to afternoon on those two items if we can?

>> Councilmember Constant: Yes, tentative change. I think we can always change it back to evening next week if we have to because of noticing.

>> Mayor Reed: Right. Okay, on the motion, all in favor? Opposed, none opposed, that's approved. Redevelopment Agency agenda for December 6th. One item. The time for the closed session start needs to be the same as the other one, probably, 9:00 a.m., page 1 and then on page 2 we have the monthly financial statements capital and cash flow projections.

>> Councilmember Constant: Mr. Mayor, on that item, the Public Safety, Finance and Strategic Support committee made a recommendation that's listed under item B to change from monthly to quarterly reports. And further discussion with Mr. Keet, I think we would probably like to drop that at this time and revisit it at a later date. Richard, do you have anything you want to add?

>> No, just the advice of the attorney, until the Supreme Court makes a ruling, and with the credit agencies watching us as well as the loan documents, it would be better to just drop this, and we'll report monthly until the ruling's done. Thank you.

>> Mayor Reed: So make that part of your motion?

>> Councilmember Constant: Yeah, I'll make a motion to approve the agenda with item 2.1B being dropped.

>> Councilmember Nguyen: I would second.

>> Mayor Reed: That's a consent calendar item for the agency. December 13th, agency, nothing on agenda.

>> No, it's all in the joint item, mayor.

>> Mayor Reed: Okay, nothing to consider then on the 13th. We have no upcoming study session agendas although we are still holding the date of December 12th as a possible date. I think we should just hang onto that because there's a lot of stuff here at the end of the year, and if we need to deal with it, 12th is better than the 13th, or something. We can drop that date next week if need be. Legislative update we have nothing to report today from our staff. Meeting schedules. Got a request from the City Manager's office to approve the 12-13 budget calendar and budget study session schedule.

>> Councilmember Constant: Motion to approve.

>> Mayor Reed: Motion is to approve the proposed schedules and calendar, all in favor. Opposed, none opposed, that's approved. Public record. Anything from the record the committee would like to pull for discussion? I have one request to speak, we'll take that now. Mr. Wall.

>> David Wall: Good afternoon, Your Honors, as stated previously, item B, C and D are three separate letters thanking veterans of our armed forces. B thanks you specifically, Mr. Mayor and again, I thank you publicly. For all your efforts to defend our country. C is specifically for all the city employees who are veterans, and I'm thanking them likewise. Item D is a specific letter thanking Councilmember Herrera for her service to the nation. And item E is a letter to the commissioner of baseball. Now, I think it's imperative that if December 6th when you declare a fiscal emergency that you balance the discussion with what appears to be a very bad financial decision concerning buying land under Redevelopment Agency actions for \$25.1 million, and then reducing the cost in an option agreement for \$6.9 million. That goes directly to issue about those that say about a fiscal emergency, and those that create one. Thank you.

>> Councilmember Constant: Motion to note and file.

>> Councilmember Nguyen: Second.

>> Mayor Reed: Motion is to file the public record items. All in favor, opposed, none opposed, that's approved. Next category, boards, commissions and committees, there's a recommendation from me to approve Mitch Schoch president and CEO of Bentek to the Silicon Valley Workforce Investment Board.

>> Councilmember Constant: Motion to approve.

>> Councilmember Nguyen: Second.

>> Mayor Reed: Motion is to approve the recommendation. All in favor, opposed, none opposed. I can't remember, does this need to go to the council for approval? And if so, do you want it on the -- is there a hurry to get this on an agenda?

>> Dennis Hawkins: Mr. Mayor, I honestly can't remember. If it is, we'll add it to the calendar.

>> City Attorney Doyle: I don't think it is. I think you're the appointing authority.

>> Mayor Reed: Yeah, I think I'm the chief local elected official or whatever.

>> City Attorney Doyle: There's some federal title.

>> Mayor Reed: Okay. So -- so that's approved. Then annual reports and work plans. We have two annual reports and two work plans, one for senior citizens commission, one for the youth commission, and I have some requests to speak on those now. We'll take that testimony now. Martha O'Connell.

>> Martha O'Connell chairperson of the senior commission. I'd like to speak in support of approving the work plan but I'd also like to say that I spent a very depressing weekend reading 151 pages of the budget report that is

online and I would like to remind the Rules Committee that approximately three months ago, the senior commission submitted a lengthy and well reasoned argument for cutting costs. And one of the things we put in there was a unanimous recommendation to cut our staffing to 1.5 positions. And at our last subcommittee meeting we had a new person appear, and I've been advised that she's going to be attending all our meetings from now on. And I really think that in light of the budget, and if you are absolutely serious about looking at boards and commissions for possible elimination or consolidation that you also need to look at redundant staffing. And I can assure you that this vote was unanimous and the senior commission feels that we do not need all of these folks at our meetings. Thank you.

>> Mayor Reed: David Wall.

>> David Wall: This is in particular to the youth commission, excuse me, youth commission annual report and work plan. I believe there should be an incorporation of some form to hire youth. Let's give an example, Mr. Mayor, using the storm drain funds, the restricted use fund. On your way home, learned council, just check out the status of our storm drains and how they're full of debris, trash and whatnot, and then reflect upon the serious business with the municipal regional storm drain permit and its requirements. Now, the administration of the environmental services department is an embarrassment to the city from the acting director position on down. The storm drains are not protected and this is a viable way to hire youth to stimulate the economy, keep these storm drains clear. And I don't see anything in this annual report for the youth to provide them some gainful employment. The storm drain fund is stable. You have a problem with the municipal regional storm drain permit. You have absolutely no leadership at the environmental services department. And I think a comprehensive evaluation of my request here is reasonable, should be carried out. Thank you.

>> Mayor Reed: Thank you. That concludes the public testimony. A couple of comments from the committee. I had one to start with, is don't understand the need to have subcommittees on these commissions. If the commission's not interested as a body in taking something up I don't know why we would need to have a subcommittee do it. Doesn't that just add to the work of the staff doing the commission and the subcommittees. I

know Dennis you've been working on that issue but is there anything in here that we ought to consider doing differently with these two work plans?

>> Dennis Hawkins: Well, Mr. Mayor, a number of the commissions do have subcommittees established in their bylaws and that is one of the issues we'll look at in the structural improvements, is the structure of commissions and the structure of subcommittees. And whether or not they should be there. I mention that anecdotally, we've seen the creation of additional subcommittees and ad hoc committees in several commissions, not speaking of youth or senior at this point. But as a way to get around MBA 16 and trying to reduce the number of meetings. And I'll be addressing that in my report to the committee next week. But I think that's something that we would -- that I'm contemplating raising in my report next week.

>> Mayor Reed: Okay, one of the questions I had about the seniors commission is how many meetings are there? Because we've got subcommittees that are going to meet, can't tell if they're meeting monthly or quarterly. And multiple subcommittees. So how many commission meetings of all categories might there be under this work plan?

>> Dennis Hawkins: Under MBA 16 what we've advised commissions is that if they had existing subcommittees, if the commission was meeting quarterly, that subcommittees should not meet any more than one a quarter. So in a case where you had a commission that had two subcommittees, you'd have four commission meetings a year, and then if the two subcommittees would each meet four times a year, total of 12 meetings between the commission and the subcommittees.

>> Mayor Reed: Do you have some comments?

>> Yes, Angel Rios, acting assistant director of Parks, Recreation and Neighborhood Services. We have made some significant reductions in the number of meetings, for example the senior commission previously was meeting up to 48 times per year. That number has been reduced to 16. There are two subcommittees. We are

currently working with the City Clerk's office, also with report, the impending report to look at additional ways of streamlining.

>> Mayor Reed: Okay, Vice Mayor Nguyen.

>> Councilmember Nguyen: Thank you. I have the same concern as the mayor. I -- just looking at the youth commission work plan, I guess for the winter quarter, and moving on to 2012, there's a lot of ad hoc working teams and subcommittees. I was just wondering is staff required to attend some of these subcommittees? My concern is it's just taking up a lot of staff time. Obviously we don't have a lot of resources, and staff time is valuable, I was just wondering you know the benefits of adding these ad hoc committees and subcommittees to the already -- meetings that these commissioners need.

>> Yes, that's a good point Vice Mayor and also in line with my previous comments. We've also been looking at streamlining the numbers ever times the youth commission meets, for example. They have gone from 32 meetings to roughly 16 meetings and we're looking at additional consolidation including elimination of these ad hocs and doing additional meetings at these quarterly meetings. You will see more consolidation next year.

>> Mayor Reed: Councilmember Oliverio.

>> Councilmember Oliverio: I just want to throw on, that if we are not looking to consolidate, then these committees should be meeting less often and using less resources. At the end of the day we have run out of people to lay off. We just have to minimize workload. The clerk's main objective is to keep, well, you have various other responsibilities other than the commissions and I think it's imperative in open government that you have the resources to do that. And you know you can always do something later but looking forward to what the City Clerk's going to put out on the commission reform coming soon.

>> Mayor Reed: Councilmember Constant.

>> Councilmember Constant: Nothing to add other than I'm looking forward to psychologists. So I guess at this point, without knowing where the -- where we're going to end up with consolidations --

>> Mayor Reed: Why don't we approve these for a quarter so they can keep going but acknowledge that we may revisit after we have a chance to look at all the boards and commissions and the structures and consolidations and stuff.

>> Councilmember Constant: I was going to say until the end of the fiscal year. Because our changes would most likely take effect I would imagine with the budget cycle wouldn't they?

>> Mayor Reed: I would imagine since this was all driven by budget.

>> Councilmember Constant: Okay if everyone is comfortable I'll make a motion that we approve them for the rest of the fiscal year and depending what we do here there will obviously be some changes to maybe these commissions but the other commissions we'll have to look at the work plans.

>> Councilmember Oliverio: Mayor, City Clerk, not to get too much into the report but you're going to introduce the report to us next week?

>> Dennis Hawkins: That's correct.

>> Councilmember Oliverio: What do you see it as a time line for coming to the full council?

>> Dennis Hawkins: The time line I'm working on is coming to the committee next week, get further guidelines and then we'd have a public comment period where I'd take that out to the commissions, I've already scheduled two workshop meetings where I would solicit input from the community and the commissions, that would be in January then come back to the Rules Committee in February so we would be in cycle for the budget process.

>> Councilmember Oliverio: Based on that time line it makes sense so Councilmember Constant's motion I'd like to second that.

>> Mayor Reed: We have a motion to approve the work plan through the end of the fiscal year. Anything else on that? All in favor, opposed, none opposed, that's approved. That's it on work plans. We have a request from Councilmember Liccardo and myself or the some changes in the ordinance regarding ground floor uses in the downtown core, to suspend a section of the municipal code. We have a couple of people here that want to speak on that. Let them do that now. Henry cord and David Wall.

>> Thank you mayor, Henry cord, downtown association advocacy committee. On behalf of the advocacy committee we want to applaud this recommendation coming forward from Mayor Reed and Sam. We expected it will increase occupancy and expand economic development. And we think a workable council policy should be in place to get there as soon as possible. But before we go there, our committee, and a number of stakeholders, would like some clarification, so that when the council would consider a policy, it addresses a number of certainties within the policy, such as the allowed uses, what the conditions would be up front to tenants and owners, grandfather conditions, future expansion plans, where we could take a small business and grow it into a larger business. So what we would like to do is work with the manager's staff on the policy recommendation through a simple engagement of a stakeholders meeting as soon as possible and then help to get this up to the full council based on your recommendations. Thank you.

>> Mayor Reed: David Wall.

>> David Wall: I want to thank my councilmember, Sam Liccardo and you, Mr. Mayor, for taking this bold step. This particular issue is long overdue with reference to the ongoing budget deficits. I have two concerns, though. One is, a period of 12 months. This may be burdensome and oppressive to businesses coming in here that may want to stay longer. So this probably should be stricken. And also, item B, this 9:00 a.m. to 5:00 p.m. for operating time periods may also be burdensome and oppressive to businesses. I'm in no way stating that a business should come in and disrupt residences that butt up to these properties but if the downtown stays open

until 2:00 in the morning perhaps this is another restriction that might impede the intent and good work that this memo contains. Once again I want to thank you Mr. Mayor and I want to thank my councilmember, Sam Liccardo for this effort, very good job, thank you.

>> Mayor Reed: Councilmember Liccardo is here, I assume you want to speak to this item Sam.

>> Councilmember Liccardo: My apologies for the late arrival. Thank you for considering the item. I have been in conversation with the downtown association and I understand there are some concerns and I think we all share a lot of concerns about how we would want to roll something like this out to ensure that we are not simply left with ground floor office in every place in the downtown where clearly we'd want to have retail and some street level vibrancy. I do want to clarify that by having a 12-month restriction we're not restricting the duration of the lease. Certainly there will be five year leases coming in, we simply want to dip our toe in the waters to determine whether or not there will be interest in this and to be able to pull back when we need to. I think a simple outreach meeting that the downtown association has expressed a willingness to organize really to carry the workload of getting people into a room and single meeting with our planning staff I think could go a long way in terms of seeing how we can tweak this effectively and then be able to move on without too much disruption.

>> Mayor Reed: Thank you Councilmember Liccardo. A couple of things. One is, this needs to be simple. Suspending the ordinance is pretty simple. If we make it complicated then you know, we've got a lot of things on the list of work for staff to do and we have a priority setting process that we do 30 to allocate that. I don't want to make it complicated. I think we could just suspend the code for a year and see what happens. If we filled up all of that space with office uses, that wouldn't be the worst thing to happen to us. I rather doubt we are going to fill them all up. Because I remember the reason we did this was a different economic time. So I don't think we're taking a big risk by suspending it, but if we are going to make it complicated and it's going to be a lot more staff work, then it needs to go into the other process. But this as proposed is simple, is that right, Laurel? Expert on the municipals and we'll see what the attorney says if this isn't a simple category.

>> Laurel Prevetti: Thank you, Mr. Mayor and committee members. Certainly a certain suspension for a set period of time is the easiest way to go about this. We were thinking of bundling this that were not part of the September 13th ordinance you will be considering, but we would be certainly happy to work with the downtown association and we could provide or identify policy alternatives. So to the extent the community does identify other restrictions or conditions we could certainly bring those forwards. But the admonish complex and the more drafting time and the more ripple effects et cetera, and you know we are working on the other council priorities such as payday lending and others that council have already given to you so you know certainly happy to do an outreach meeting but simpler would definitely be easier for us.

>> Mayor Reed: City Attorney.

>> City Attorney Doyle: Asking a lawyer something simple is a dangerous question. You're right, a simple suspension, in echoing what Laurel just said, is fairly simple. The concern in the memo, it talks about reasonable conditions, and you're starting to add conditions and then that's where you start getting into the more complicated, without making it complicated. So I think if I understand the direction is to make it simple as much as possible, do some outreach, and come back as soon as possible with some suspension of the ordinance, but nothing complicated that's going to take sort of suspend the intent of the suspension or the proposed suspension.

>> Mayor Reed: Can we have an outreach meeting before we decide whether this is going to be easy or hard?

>> Laurel Prevetti: Certainly. We could even do an outreach meeting in December depending upon how quickly the downtown association would like to pull together stakeholders. I know in our conversations with the City Manager's Office and Economic Development, we're well aware of the demand for downtown office space. So you know we're happy to meet sooner rather than later. But because of it -- this is a change to our zoning code we do by code need to go to our Planning Commission and the first opportunity for that will be in January. So the soonest this ordinance could be suspended would be in late January for council consideration.

>> Mayor Reed: Okay any other comments or questions from the committee? Councilmember Liccardo.

>> Councilmember Liccardo: I would just offer that, I think we all agree that the presumes of simplicity would be the best approach, I think we should, obviously we can pull back.

>> Mayor Reed: Councilmember Constant.

>> Councilmember Constant: I was just going to make a motion to approve.

>> Councilmember Oliverio: Second.

>> Mayor Reed: Okay, motion is to approve.

>> Councilmember Oliverio: Question.

>> Mayor Reed: Yes, Councilmember Oliverio.

>> Councilmember Oliverio: I think it has been said, simplicity would just be suspension, so that wouldn't require the type of work load that a new ordinance that comes up on any given day when a councilmember finds money from some third party group and then other question, something like nothing in corner lots, does that add, because I see the reasoning, because corner lots tend to be your ideal spot for retail or restaurant, something like that. Is that just miniscule in level of complexity?

>> Laurel Prevetti: It will require a little bit of thinking. We have done special use permits to allow office uses such as nextspace and they're very successful at a location. There would be something that we would want to talk to the downtown association and with our attorney's office, so we'll take these ideas into advisement if that is the will of the committee and to the extent we start finding ourselves getting into contortions, then it may become a policy alternative for your consideration as opposed to the base recommendation from the staff.

>> Councilmember Oliverio: And then this is a restriction currently in the downtown core.

>> Laurel Prevetti: That's correct.

>> Councilmember Oliverio: So the rest of the city doesn't have this type of restriction?

>> Laurel Prevetti: That's correct.

>> Councilmember Oliverio: Thank you.

>> Mayor Reed: One more question. What do we achieve with a special use permit that we now require, if you want to put your office on the ground floor?

>> Laurel Prevetti: It allows us to look at the businesses on a case-by-case basis. So for example, with Nextspace, they were recommending and putting in very vibrant windows, you can look in and you can see the activity that's happening. So that is essentially consistent with the intent of the ordinance. So it goes allow us to have a little bit of discretion but we may find that over time we no longer need this, that our offices are also wanting to interact with our street and with our pedestrians et cetera and certainly net space is a great example of that happening. So this was -- special use permit gives us that chance to do the case by case and does allow us to look at consideration such as what's put forth in this memo but certainly by allowing it by right we would get all number of circumstances and that would certainly be a great pilot for us to decide do we even need the restriction anymore or take other policy action.

>> Mayor Reed: Okay anything else? We have a motion to approve. With a little bit of direction. All in favor. Opposed, none opposed, that's approved.

>> Councilmember Liccardo: Thank you.

>> Mayor Reed: I think the only thing we would have would be the open forum. Martha O'Connell, David wall.

>> That O'Connell chair of senior commission. Approximately six weeks ago commissioner hater and I talked to you about the issue of the boutiques. Mr. Rios ran up to the microphone and said don't worry everything is solved. It is not solved. The leader of the boutique at Southside has resigned, because of the stress and unhappiness caused, and they still have no signed agreement. I have put in a public records request for the so-called agreement between the willows senior boutique and the City of San José. Hopefully Dennis or Mr. Wax can get us that. My second issue I'm speaking about the human being and not a chair, this is not a problem this is serious, I'm visually impaired. There are many times at meetings that I cannot read things of -- things you put on the wall and then you make those little things that are so -- I can't see. I put in a public records request two months ago. Two months ago fob a councilperson's travel expenses. I finally get them, they are in a PDF file I cannot read it. Even with this I can't read it. So I would respectfully request the city when they are responding to folks, put it into a format that can I change it into a Microsoft word to make the print bigger. I can't read it. I've asked the City Clerk to please send me another document. It's not funny, there are lots of other folks who have visual impairments. Thank you.

>> Mayor Reed: David Wall.

>> David Wall: This item was previously covered but it has a TPAC implication.

>> Mayor Reed: Get a little closer to the microphone.

>> David Wall: Any case, Mr. Mayor, on the December 13th agenda, item 2.14 is a purchase order for additional temporary environmental inspectors. The request on the agenda is not clear as to what these inspectors will be doing, we don't know, the public doesn't know whether they're environmental inspectors for the storm drain or environmental inspectors for the source patrol program. But in any case, for temporary employees with source control inspectors that we have I think this should be looked at very closely. The ecopass program is coming to an end. And I thought maybe if we looked at it from a variety ever different funding sources you could keep them

alive. The storm drain fund, for example, could be used in part because of the grindings that cars produce, their brake linings, the dust that they bring and that could be used at part to fund this program. I would also like to see our attorney be directed to file civil lawsuits against these occupiers for cost recovery. Especially Mr. Mayor a certain research was done for strict liability and tort into your neighborhood, I want this time of conduct to be brought to a halt and I believe the way to do it is by city lauds acknowledge ten city officials in their own neighborhoods causing all kinds of problems. The City Clerk in my opinion should be dealing with the water pollution control plant issues, all TPAC agendas and all airport related matters. I think that we need to start looking at making sure that our city clerk is well funded and these are two areas that need to be looked at. Thank you.

>> Mayor Reed: Thank you. That concludes the open forum, includes our agenda, we're adjourned.