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>> Mayor Reed: Good afternoon, I'd like to call the meeting to order. This is Rules and Open Government Committee meeting for May 11, 2011. Any changes in the agenda order we need to consider. Then let's talk about Mayfair 17th council agenda. Any changes on page 1? Page 2 or 3, I see we have one two three four ceremonials for the afternoon, one is going to be deferred for the evening, three, as long as they are brief. Anything on page 2 or 3? We have an item 2.8, airport pay phones deferred from May 3rd will be on this agenda. Anything on page 4 or 5? Page 6 or 7? Item 6.2, the bids on a construction contract on asphalt concrete, there's going to be a supplemental memo?

>> Yes.

>> Mayor Reed: But the primary memo's already out, is that right? 7.1, the new market tax credit financing for the construction of the environmental innovation center, I think the supplemental is out. That one, I think, is going to require some explanation when we get to the council meeting. It's a complicated transaction, so we just need to make sure that we have the time and the inclination to do that.

>> City Attorney Doyle: I think the salary-setting commission and recommendations, and that, probably take up the bulk of the meeting. And so depends on (inaudible).

>> Mayor Reed: Well, it's not otherwise a long meeting I don't think, because the actions related to medical marijuana zoning need to get bumped to June 14th.

>> Right.

>> Mayor Reed: So we should have time to do that but I don't think it's something that we can spend a couple of minutes on. I haven't read the supplemental memo so perhaps it answers all the questions.

>> Ed Shikada: It is actually an executive summary of the base memo so it gives you a crystallized version.

>> City Attorney Doyle: But it isn't an easy topic so it's going to take you some time.

>> Mayor Reed: And then the hearing on the operating and capital budgets will be heard in the evening. So we'll have plenty of things to talk about in the evening. But otherwise the afternoon agenda should be relatively easy to get through. Anything else on page 6, 7 or 8? And page 9 starts the public hearings on land use matters. Anything on page 9 or 10 on those matters? We'll will take up the budget first in the evening.

>> Councilmember Herrera: Motion to approve May 17th agenda.

>> Mayor Reed: Oh, I forgot, I have a couple of requests to add before we take up the motion, another commendation for the afternoon, that takes us to four in the afternoon.

>> Mayor, I forgot to mention when you were on that page. 1.1 has been dropped, so 1.7 has also been pushed back to June 14th, so there should only be three in the afternoon and three in the evening.

>> Mayor Reed: Okay. Three is a good number. So one of the commendations is for rebuilding together Silicon Valley and then we have another item, requesting to add the continued suspension of supplemental retirement benefit reserve payments for the afternoon. That won't take any time at all. Any other additions, modifications?

>> We will need a sunshine waiver on that add for the supplemental retiree benefit reserve.

>> Mayor Reed: This is an extension of the moratorium or whatever we called it, extension of the suspension? Continuation of the suspension.

>> City Attorney Doyle: For the next fiscal year. But it's important to get in place effective before June 30.

>> Mayor Reed: Right. But the substantive issues we've already done with, as part of it, so that information has been out of there for a while. Motion to approve includes the sunshine waiver?

>> Councilmember Herrera: that includes the sunshine waiver.

>> Mayor Reed: Motion to approve, all in favor, opposed, none opposed, that's approved. May 24th council agenda. Anything on page 1? Anything on page 2 or 3? Page 4 or 5? Page 6 or 7?

>> Excuse me, mayor. On page 7, the environmental innovation center project we need to request a 14 day sunshine waiver on this item. We plan on getting this item out in the ten-day distribution packet.

>> Mayor Reed: Okay. Now is that 7.3, are those actions all tied in with the tax item that we've just talked about?

>> Ed Shikada: It is related to the new markets tax credit.

>> Mayor Reed: Okay. Anything else on 6 or 7? Page 8? We do have a request to add to this meeting, might as well move to that now and take it up. I have a memo out asking to agendize action and discussion regarding the City Manager's fiscal reform plan for May 24th, so we need to add that. As well any other changes or additions to the 24th agenda. I don't have any other written requests. Okay? Is there a motion?

>> Councilmember Herrera: Motion to approve, sunshine waiver and adding additional items to add.

>> Councilmember Nguyen: Second.

>> Mayor Reed: Motion is to approve with the addition, waiver. All in favor? Opposed none opposed, that is approved. Redevelopment Agency agenda would be next.

>> Mr. Mayor, members of the committee, Gary Miskimon with the agency. If I may, the agency has no items for the May 17th date and would recommend canceling that agenda with the obvious exceptions of anything in the closed session or in conjunction with the city during their joint session.

>> Mayor Reed: Okay.

>> And in addition, the next item, May 24th agenda, we also have no items at this time. We would come back to the committee next week if that also needed to be cancelled.

>> Mayor Reed: All right. Is there a motion on the May 17th agenda cancel?

>> Motion.

>> Second.

>> Mayor Reed: Motion is to cancel. All in favor, opposed, none opposed, that's approved. Legislative update would be our next item. Sacramento update, Betsy Shotwell and Leslye Corsiglia are here.

>> Betsy Shotwell: Thank you, mayor, Betsy Shotwell, Director of Intergovernmental Relations. Just a brief update. Governor is expected to release his May revise on May 16th which will include new revenue cost estimates perhaps different program priorities. That remains to be seen. A dynamic in this which is different in the past is that thanks to proposition 25 his budget is not passed by the legislature and then the governor by July 1 the legislature will not be paid. Which again, that's because of prop 25 last year. So that's another dynamic in this which is going to be interesting to see how it plays out. But again, that's what's remaining, is the May revise for Monday. And that's the next milestone to come.

>> Mayor Reed: Leslye.

>> Leslye Corsiglia: Yes, and if I could add to that. I think we're all anxiously awaiting the May revise, to see what it means for redevelopment, and our expectation is that the elimination will still be in the revise, but that is still -- that is a question. There has been additional revenues if you've read because tax receipts have come in higher than expected. The question will be how will the governor deal with that? We do expect that whole issue to start up again after the May revise, it's really been on hiatus because of that. As far as what we've been working on though, we've been working a lot more on reform, which is always much more fun than elimination, which I think I've said before. So we have been working with SB 450, which is a bill to revise the low and mod fund. That bill has made it through its policy committee, has been held in fiscal committee at this point because it does have a fiscal impact, and we are working on amendments with the bill sponsor and author, and it looks like we will be reaching agreement. We're meeting next week, next Friday to go over those changes but at this point they have been very favorable to the concerns that were expressed by the Redevelopment Agency. Secondly, there's the bill Senate Bill 286 which is the 80% reform bill, that bill has -- did not make it through its first committee. And where it is on hold at this point for reconsideration it could be taken back up at any time. We're not completely sure what is happening there. Again there may be more amendments that are made to that bill. We're going to come back to you next week with guiding principles on redevelopment legislation. There are lots of other bills that are out there as well but we think it would serve us best to have some guiding principles to be able to respond quickly to any of these bills, rather than bring each one individually. But that's something we'll be wanting to talk to you about.

>> Mayor Reed: Okay. Questions? Guess not. That's it on the state with the exception of the bill Leno's carrying, SB 184. You want to take that up now?

>> Leslye Corsiglia: Sure, SB 184 is a one page bill. Went to print the bill out and thought my printer had run out of paper but it's only one page. What it will do is it clarifies the conflict between local inclusionary ordinances and the Costa Hawkins act. You may remember when the Palmer decision came down a year ago, that the courts had found that inclusionary requirements for rental housing violated the Costa Hawkins act which is actually a rent control measure. So this clarifies that, so that it makes it so there's no longer that conflict. We are requesting support of this. The city council did approve a citywide inclusionary housing ordinance. Just two years ago. And

this would -- we also have some legal issues that are outstanding. This will help us with those legal issues. I don't know if Rick wants to respond.

>> City Attorney Doyle: Yes, as the committee is wear we are in litigation on our inclusionary housing ordinance. That's set for hearing in June. There is some concern about this bill, that while it clearly expresses the legislature's intent if it passes, does need to supersede the Palmer decision. Nothing is done to take out the magic language in Costa Hawkins, saying notwithstanding any other provision of law and having the restriction on rents. While ultimately I think it might end up in court it's a bill that I think goes in the right direction, that is why staff is recommending it.

>> Mayor Reed: Anything else on that, so you're asking us to do what today on that bill?

>> Betsy Shotwell: To recommend support and just for updating it did pass out of the senate transportation and housing committee. It's currently on the senate floor.

>> Mayor Reed: What was the vote in the committee?

>> Betsy Shotwell: For vote.

>> Mayor Reed: No, what was the vote passing out?

>> Betsy Shotwell: 5-3.

>> Mayor Reed: Party line, straight party line?

>> Betsy Shotwell: Party line.

>> Mayor Reed: Motion to approve. And do you want this on an agenda coming soon?

>> Betsy Shotwell: Next week if possible.

>> Mayor Reed: We can do that. Okay. Motion is to approve it and put it on next council agenda. I have a motion to speak, take that now, David Wall.

>> David Wall: Couple of issues. First of all, good afternoon, Your Honors and associated guests within the gallery. First, the main question I have, and this doesn't offend anybody here or is intended to. When does a departmental director act and serve as a lobbyist for legislation for their own personal enrichment? Okay. Now, Mr. Mayor, on this 184, SB 184, I'm no fan of inclusionary housing. This is not a surprise to you. But let's look at the duty to warn. We know the property owner has a duty to warn people suspecting of having to either rent the place, not knowing that they may have a convicted felon or other social deviant that is qualified by inclusionary housing to live where they could not afford to live normally. So does the city have a duty to warn? Like, say, neighborhoods, people that own property saying, hey, we're allowing this type of ordinance because we can it's our ministerial duty and we can and your property value may tank, because we're bringing in all these people that normally could not afford to live in your neighborhood by this ordinance, and then of course the people who either buy into these high density living places or what have you, the property owner has to warn them, they have a disclosure to warn them of this ordinance and the fact of who they may be living to. Because of your learned honor's decision to go down this path. But I want to close with this lobbying business. That you have active city employees lobbying to keep a Redevelopment Agency alive, a housing department alive as part of their job. Now, I have an inherent problem with that. To me it looks like conflict of interest all over the place. So I'll leave it at that for today. Thank you.

>> Mayor Reed: That concludes the public testimony on this item. We have a motion to approve the recommendation to put it on the next council agenda. All in favor, opposed, none opposed, that's approved.

>> Betsy Shotwell: Thank you.

>> Mayor Reed: Next item is meeting schedules. I have a motion to request scheduling council meeting at May 31st, 1:30 p.m. in the council chambers, that would be our regular meeting schedule. We don't currently have a meeting scheduled because of the Memorial Day holiday in there. But we need to be able to take up some of our labor contracts. 31st looks like the day we need to do that.

>> City Attorney Doyle: Mr. Mayor, could I ask that we hold that off, the possibility of a closed session just in case that morning? I know it's after a three-day weekend but we don't have anything scheduled and likely not but I think it may be good just to make sure we have that option.

>> Mayor Reed: Well, certainly I think we want to be able to work with that in case we need to have one. The alternative is to have it at 1:30. But sometime during there we may need to have a closed session. I think do we want to schedule it for the morning? Or leave the morning open? I guess is really the question.

>> Well and we also wanted to just limit this meeting to any labor items. Because we've already passed internal deadlines for regular items.

>> Mayor Reed: Well, that's the intent is to be able to handle those labor agreements. As they come forward.

>> Just to clarify, at the time, if we're holding time for closed session in the morning did you want to have item 3.2 the labor negotiations update in the morning or just how did you want to arrange that scheduling?

>> I think we're just going to do the session in the afternoon.

>> Dennis Hawkins: 1:30, okay.

>> City Attorney Doyle: I am just asking if you wanted to keep the option open we could report back to rules on the 25th and you would know the week before if there's likelihood of morning or afternoon.

>> Mayor Reed: Well we should certainly keep the possibility of a closed session meeting on there, the question for the committee is whether we want to say that might be a morning, or not. Because it is coming after the holiday weekend. We could also say well it might be in the morning but we're not going to start at 9:00. Start later.

>> So moved.

>> Mayor Reed: I don't really care. I'm going to be here but I know that other people may have different plans.

>> Councilmember Herrera: Why don't we just have flexibility.

>> Mayor Reed: To schedule it in the morning or the afternoon and we can talk about it next week. But we should, if we get staff to send out an e-mail to councilmembers, I think we've already talked about having this meeting but their staff may not know about it. And who knows what they're doing with their schedules. We just need to alert them that we're going to schedule one at least in the afternoon and potentially one in the morning as well.

>> City Attorney Doyle: One in the morning, not 1:00.

>> Mayor Reed: Yes. Anything else on that? Motion is to approve the schedule change. All in favor? Opposed? None opposed, that's approved. Next would be to take a look at the council meeting schedule and study session schedule for August-December.

>> And this is just for the council and study sessions and these are just hold-dates. There's one October 28th is the city-county joint meeting and that's tentatively scheduled for that date. So that's the only one where we have a filled topic.

>> Mayor Reed: So the dates blocked out are days after holidays, September 6th, October 11th, November 22nd is probably Tuesday before Thanksgiving, correct?

>> Yes, and we'd historically cancelled that one and then the winter furlough.

>> Mayor Reed: Okay. So this is pretty much the same schedule we've had in the past. Mr. Wall you want to speak on this item?

>> David Wall: Just briefly. I've spoken before on this, not today, though, obviously. This is item E-2, correct?

>> Mayor Reed: It is, council meeting schedule.

>> David Wall: And I want to quote something from it. Quote: Over the years, both council and staff have expressed how difficult it is to prepare for council meetings when there is a holiday either before or after a council meeting. Period. Close quote. I've been unsympathetic with this philosophy for years. Because you have enormous resources at your command. Now the taxpayers are already looking at -- I'm just saying you Mr. Mayor, but not you, blaming you. How the city employees have been demonized, systematically demonized for being overpaid or not working or too many benefits or what have you. But council has two paid vacations, I mean two months of paid vacations, July and December. And then, we keep poor-mouthing or not me, but the council keeps poor mouthing or staff keeps poor mouthing. Well, we can't be prepared after a holiday. Now, this leads to the conclusion, one, you weren't prepared before the holiday, or maybe you had a really good time on your holiday and just weren't up to having a meeting the next day, which is understandable and foreseeable because of frailties associated with the human condition. But let us not pooh pooh this just because somebody wants to take another paid day off and not do the work. So that was my concern then, and concern today. On this particular issue. Thank you.

>> Mayor Reed: Concludes the public comment. We need a motion still.

>> Councilmember Herrera: Motion to approve.

>> Second.

>> Mayor Reed: Motion is to approve the tentative schedule, August-December. All in favor, opposed, none opposed, that's approved. Public record, anything on the public record. Mr. Wall you want to speak on the public record?

>> David Wall: Briefly. This is somewhat of an innovative approach. If you are going to start annexing properties, which cities do, specifically the City of San José loves to do and if they did decide to do it any time soon there should be some form of revenue mechanism to start to fund for city operations that you're going to be cutting. Like for example, you look at it, however you configure it, either by direct or by city, to where it averages out by district. There's a lot of properties here, as you know. And so there's overhead cost for the City Manager to do stuff. There's overhead cost for the attorneys to look into all this property transfers and responsibility business. So how you create either an assessment district or however you want to call it, but additional moneys, put on these properties so when you annex them, it's not a developer's give away to build whatever, expecting full services from the City of San José, and this innovative approach has to look at funding certain aspects of government you normally don't fund or take for granted like the attorney's office, the auditor's office. The council usually takes then for granted, just say okay, hand it to the attorney's office and that's it, and yet it's an unfunded mandate, as well as the auditor, because the auditor has to keep track of what the City Managers do or do not do. So when you're looking at these properties think of a new economic model to fund city operations. Because you're going to have to look at everything since you're getting rid of those. Thank you.

>> Mayor Reed: Any questions or comments from the committee on these? I'd like to know how this list from Lafco of unincorporated lands in the city affects our obligations with our agreement with the county to absorb islands. Is this more? Or is this part of what we've been working on?

>> City Attorney Doyle: I think it's part of it but I think it's best for us to come back to the committee with a written response. We have an agreement as you know with the county to annex the unincorporated areas. We have a schedule, we've been working on it and there have been some lags on it given the current resources. I'd like to get -- I haven't really, really studied the specifics.

>> Mayor Reed: Well, why don't we have you do that October 28th, sometime around our joint city-county meeting, and just be prepared for that conversation. Probably the usual update on the city-county relationship anyway.

>> City Attorney Doyle: We'll put that on the list.

>> Mayor Reed: If things are getting worse then we should know about it, that's all.

>> Councilmember Oliverio: Question, Joe or Rick so these pockets seem to be some of the large ones. These are not part of the core settlement the ones I'm looking at in the packet right now.

>> City Attorney Doyle: The initialing ones were the ones that we could do without having to go through votes or any kind of formalities. This is a -- I shouldn't say formalities, but the ones that under the current law, the streamlining act. The larger pockets, I think always the agreement, the original agreement contemplates at some point we'd annex, but it was -- I don't know if these were on the schedule of the amended agreement.

>> Joe Horwedel: Right. There are a number of smaller ones that are in our pocket program that we've been working on, that we stopped for a number of reasons. And then there are some big ones in here that are -- my memory was, was subject of the agreement, the settlement agreement between the city and the county. But the state streamline process does not accommodate them. So I think we had an agreement with the county that we would ask the state to revise that process to allow us to annex those and that there's some time line with that. But I have not looked at them. So I would suggest we come back with either a report at rules or an info memo to the council as a response to, but the county is asking for a June 10th response.

>> Councilmember Oliverio: Well, I think that question should go to the council if we want you to lobby the state to change the law. Or the rules.

>> Joe Horwedel: What we would do is just restate what's in the current agreement that the city reached with the county. Not that we would do anything different than that.

>> Councilmember Oliverio: And Rick, did that court settlement come with like attachment A, here are the properties under six acres?

>> City Attorney Doyle: No, it didn't. What the original agreement goes back as far as 1992, was amended in 2001, and it was always contemplated the city would annex unincorporated areas. It was a policy, essentially. The ultimate settlement where we started moving a little bit faster was given a time line because we weren't moving on them, and as long as we had streamlined legislation we picked off the low hanging fruit so to speak and did the easy pockets or the easier pockets than some --

>> Joe Horwedel: We will have done all of the pockets possible under the streamline regulation.

>> City Attorney Doyle: Right. Now, that doesn't relieve us from the obligation to move forward on others, but it may not be possible or we will want to seek additional legislation. So I think it's better we come back, maybe the 28th is a good time. We can respond to Lafco, but I think this is something that you're right, it is a broader policy question, because it's going to require more research.

>> Joe Horwedel: There's budget required to do this.

>> Councilmember Oliverio: Yes, I just think of all the leads from this councilmember of all the legislative priorities I would list, I would not list this as number one or two or -- thank you.

>> Mayor Reed: I do know that I've been keeping records all the annexations we've done. I think it's close to 100% opposition to the people who live in the areas that we've annexed. I think we just saw that this week. Just in our own redistricting. People do not like to move. Even if they're not moving. They don't like it. So we certainly don't want to get out there doing more than we're required to under the agreement with the county without giving it some serious thought. But we get until October 28th to put it together or whenever we do the update with the compendium with the county list, an ongoing iterative list I guess. Anything else on the motion on the record? Do what we're saying we're going to do, only one item in the record.

>> Councilmember Herrera: So moved.

>> Mayor Reed: Motion to refer this to staff. All in favor, opposed, none opposed, that's approved. Next category is a request for a work plan assessment for proposal towards citywide electric plug in vehicle policy on new construction and to collaborate with PG&E. Councilmember Chu wants to speak about that, Councilmember Chu.

>> Councilmember Chu: Thank you, mayor and colleagues on the Rules committee to allow me an opportunity to speak to the plug-in electrical vehicles, the code requirement. I attended the LCC transportation and Public Works committee meeting, and I learned that electrical vehicle PEB will come soon equivalent about one-third of the regular households of electricity. I also learned that it would be very, very difficult -- and there are, there is a lot of controversial requirement for the owner of the PEB to get another meter. Because the current meter boxes are only equipped to provide electricity to households with what is needed. So if you have a sudden increase of the PEB and that PG&E or the Southern California Edison will have to go out and maybe replace with a larger transformer and in many cases add additional meters. That causes difficulty for people living in the high rise, concrete structure where their meter closet usually in a very, very tight space for the power company to go in and upgrade their transformer or add any additional meter to accommodate the PEB. I felt this was an issue that kind of urgent in the sense that knowing that there would be 8,000 units or close to 8,000 units being built in North San José and some of them are high rise concrete structure. And therefore, I felt this is a time that we put in some kind of policy in place. I know that Joe is already working on this, so this is really kind of a working in progress. But I wanted to make sure that we have taken this opportunity to advance mayor's Green Vision goal of

emission reduction and energy efficiency while supporting smart growth in our community. So I guess what I'm asking is actually for the staff to start looking at this issue to the one particular product, product type, mainly, the high residential, high density, high rise building, to have a policy that all if developer can just abide to. I have talked to a couple of developer, Fairfield for one, that they are very -- actually very welcome to the idea. Because if you put out a policy that you know apply to all the developers, they will be the first one to sign on. They felt that it's a good marketing tool, because their housing type that they're building in North San José is renter by choice, you know, they're really granite top, marble floor, to the young, professionals. And they feel that the young professionals are more likely to spend the money on the PEB. So they felt if we have a policy to kind of uniformly apply to all developer, they would be the first one to sign up and they felt that would be a good marketing tool to market to the young professionals to buy the PEB. I respectfully ask the Rules Committee to support this policy and ask the staff to come back with a work plan and the proposal towards citywide plug-in policy on new construction. But I know that the workload is -- that Joe have in his department, probably would just anything -- I'd like to address the high density, high rise unit as the first product type off the gate and then hopefully, in the years to come, we will have a very comprehensive policy on the PEB, so thank you very much.

>> Mayor Reed: Thank you. I have a couple of things to add. I've been participating in the Bay Area climate collaborative, which has an effort under way on a regional basis. I guess I'm a founding member, and my staff is co-chair of the steering committee. And as part of that we've formed an electric vehicle strategic council with -- includes the mayors of San José, Oakland, San Francisco as well as others engaged in the area. And one of the specific efforts is to develop policies and permitting regulations that we could be uniform around the Bay Area because we know that electric vehicles need to plug in in lots of places around the Bay Area. So I wouldn't want to get our staff work ahead of the regional work because having everybody on the same page is really important to success. So while at some point we're going to have to consider doing something around an ordinance or requirements or policies were planned or incentive I don't really know how this is going to work, but I just don't want to get us ahead of our partners in this because we're trying to bring everybody along. If we're just the only ones who are doing something, that won't work very well, either. So Joe, I don't know what other initiatives you might be working on and I know that other staff has got quite a few.

>> Joe Horwedel: Thank you, Mr. Mayor, Councilmember Chu. Our building staff has already done work on plug-in electrics. We already have for single family residential criteria built that modeled what we did with solar electric, that streamlines that process. We worked with the industry to make sure we weren't doing something different. That's been in place since October. I think the real challenge is with this one where we're looking at a very different type of construction and not really knowing where everybody is going to go, I think the regional coordination is going to be important. We have done some research on Seattle of how they're doing this. But they have just set as Councilmember Chu said, some requirements for anticipating circuit breaker boxes and meter boxes, but not even giving real design criteria. And told the councilmember, my concern for my plan check engineers that are electrical design is, it doesn't tell them what to do so there is no standard there, I think it just creates confusion. So my goal would be that we refine what is the -- where is the region trying to go, let's go through and put a clear requirement with that and then implement that. In the meantime we do have the design standards that why can use in parking garages, the City's already been doing that in our city garages, that replicates what we've done with the single family residential. The real difference is where it plugs in. So we can work on the design phase as these new projects are coming through in north San Jose. We have one project that is a concrete construction that we just approved the planning permit for, so they are just starting their design with the building phase so I can catch them early enough in that to encourage them to anticipate this in their design. And the question we come back with is how much time. How big of an effort do we want to make this, how much time do you want to spend and prioritize it? But in the meantime I think we would deal with it through green building standards like we do today, LEED silver, where you would get points for this, so we would help facilitate it without mandating it.

>> Mayor Reed: I think Hans is here, Hans Larsen, as well, I know that D.O.T. staff has been participating in the electric vehicle work as well.

>> Hans Larsen: Yes, Mr. Mayor, if I could add a couple of comments on this. I have been prompted by Councilmember Chu's memo. We did have conversations with staff from the Bay Area climate collaborative, and this is a very timely issue. And it is something that they are looking to try to develop a model owners for all the kit in the bait. Within six to nine months. And certainly San José being the largest city in the Bay Area and with our

bold Green Vision, they've invited us to actively participate in part of the development of that. So I think the probably rule opportunity here and I don't think we could do it any faster ourselves is really work together with the Bay Area communities that have the vision of the Bay Area being the electric vehicle capital of the country, that we could move forward on this idea of working together with the collaborative. So we're very encouraged by the approach and priority that the Bay Area climate collaborative has placed on this particular topic.

>> Joe Horwedel: The one caution I would put on is that I do want to make sure that my electrical engineering staff are involved in how that model ordinance is getting put together. What we saw with the solar criteria being put together is there were a lot of interested parties that were not involved in actually using the electrical codes. And we want to make sure it really works. Once we went through and got our electrical engineering staff working with the installers, the manufacturers, we created a good set of checklists and criteria that allows us to issue those permits without doing plan review, that we're able to walk onto a job site and there is enough specificity about how we built that criteria that we're about to go through and deal with those in most cases approve them on the spot. And that's our goal with this, and that's why we created the plug-in criteria for single family. We did that same sort of work. We talked with the people at Nissan leaf as a part of their plug-in criteria. They have a national contractor that's doing that work, to work through the mechanics of it. And I just want to make sure that kind of we are really thinking it through on the major buildings. The issues are much more different, more rigorous, and so yes, I want to be sure I've got an electrical engineer who's looking at this and that is out of all my inspection groups that's the one that I have hired it back everybody I laid off. So we are trying to hire some new people in. So I have a little bit of bandwidth with that specialist but I think the work that's been going on at the regional level is really good, and support that's been happening will help us move it forward faster with less kind of brain damage.

>> Mayor Reed: Councilmember Chu.

>> Councilmember Chu: Yeah, thank you mayor, I definitely agree with the mayor that I know there's some other effort, regional effort that definitely kind of wanted to share the workload. But I guess the one more specific goal of this memo is to require the high-rise, high-density developer to reserve additional space. We talk about 5% or talk

about 10%. Just have that you know climate for them to reserve additional 10% space for the possible future expansion for the meters and the transformers. We're not asking the staff tomorrow, two years, and maybe the time I'm on the council to come in with a very comprehensive plug in item PEB policy. But I just wanted to make sure that the new developers on the high rise high density housing has reserved space for the new meters and new transformers. I don't even want to address that they have the county to be ready for the plug in utility. It was a very smaller scope. I wanted to be on the rubric so everybody will follow the same rules.

>> Mayor Reed: Okay, well, I don't think we're ready to know what those rules ought to be. It looks like it's going to take about six months to work through regional process so we can know what the rules ought to be. So we should refer this to staff and include this in the work that they're doing and bring it back in six months because today we can't say should it be 5%, 10%, 1% or anything. We'd just be guessing.

>> Joe Horwedel: Right. That is the concern that I do have, Mr. Mayor, is I don't know how much to design for. And reality the challenge from my end is where this fits with the other projects we're off working on. So I do -- I think coming back with what it would take to do this level of work, and then have the discussion about where it prioritizes with the other things we're off working on, recognizing there is some stuff happening regionally that we should not let get in front of us, but that said, that doesn't -- because that is happening does not magically create bandwidth to do the work.

>> Mayor Reed: The other thing I think we'll find out as we go through the process is, some of the private developers are going to figure this out themselves because there's a market advantage for new projects to allow for electric vehicle plug in, we know that, and some of those developers are going to do the work to figure it out and they're going to come to us and say this is what we would like to do, and we will engage in that, as well, and that would be sort of the prototype for some things.

>> Joe Horwedel: And it's how we end up doing the plug-in handout for the single family residential. We worked with some of our first customers who wanted to do that, really understood the issue, and then we promulgated some rules around that. So we benefited from the work we did with those first customers and really I

think in this case it's going to make a lot of sense is that Fairfield is moving through the design phase. It's one that very happy to spend time with them about how to go through and accommodate this in their plans without putting a mandate that it's 5% of spaces or 2% or 20% but how to actually accommodate this. But when I have to do require something and I don't have specificity about what to require that's the challenging piece.

>> Mayor Reed: Okay, I have a request to speak on this, Mr. Wall.

>> David Wall: This is an example of forward-thinking by Councilmember Chu which he has also done other forward-thinkings like volunteerism for the city. But it goes to the face of Mr. Mayor what this high density business is all about. It's a loser type of investment for the city. Out of one corner of council's mouth we have mass transit, we have bicycle lanes and everything. But in the all reality, it's the individual car that Americans want and will continue to buy, no matter what they are. Now, what we have here with these high density living projects outside of they are a bane and a nuisance to anyone who has to live around them because they do not have enough car parks designed into their structures to begin with. So now you're adding the external burden of plug-ins and how do you uniformly and equitably make sure there's a plug in for everybody, as well as the detailed analysis that his honor Councilmember Chu has just disclosed. But even more so, is the power source. Now solar power, I know Mr. Mayor, you like it. Fine. It's been around for a while. Let's hope the technology improves. Now you could even talk about fuel cells but you'd need an extra power source because PG&E doesn't have the power plants to deal with the influx of having this euphoria this almost drug addiction to electric cars and what have you. Which is fine. I think it's a good idea as long as you plan for the infrastructure. But what you're doing is not planning for the infrastructure completely. Because you want to first of all have a way for electric vehicles to produce drinking water because you don't have a reasonable supply of drinking water, so why do you want to incorporate more people into an area that environmentally can't sustain it? Even they're driving around in their electric vehicles looking for something to drink.

>> Mayor Reed: Sorry your time is up. Anything else on this? Is there a motion to refer it to staff.

>> Councilmember Herrera: Motion to refer it to staff with also the comments that Joe made about making sure we had engineering input from his department as workings with the regional group of that's moving forward over the next six months.

>> Mayor Reed: So anticipate bring this back then with the work on the regional stuff that's under way so that we can begin to do that.

>> Councilmember Herrera: I had a comment. I just want to thank Councilmember Chu for bringing this forward, because I think it's really important, it's already provoked some good discussion, and I think as we move forward we are going to see more electric vehicles. I think we're in the front end of that now but I was at league of cities prior to the one you which are at Councilmember Chu and they talked a lot about what kind of infrastructure was going to be needed for these cars and how it can overtax our existing infrastructure. So I think it's a timely suggestion we look at this.

>> Mayor Reed: We're not talking about a separate work plan for this all by itself that's part of the effort that's underway?

>> Councilmember Herrera: No.

>> Hans Larsen: Mr. Mayor, members of the committee as part of the transportation and environmentalist committee we have been providing reports to them in terms of the City's efforts to deem with electric vehicle infrastructure. So we talked about the grants we're getting for charging stations and new vehicles, and I think we can certainly fold this topic into the regular reports and discussions that we have through the transportation and environment committee.

>> Mayor Reed: Okay. Just reminds me of one thing. I just saw a story about Coulomb technologies putting in their 5,000th charge point station. Number 1 is across the street. But they're up to 5,000 now and that's good and they're a local company. On the motion, all in favor, opposed, none opposed, that's approved. Taking us to

request to approve a district senior health fair and walk as a city sponsored special event so we can accept donations and materials and et cetera.

>> Motion.

>> Second.

>> Mayor Reed: Motion is to approve. All in favor, opposed, none opposed, that's approved. I think that's it. One other thing under Public Safety, Finance and Strategic Support to approve the addition of a monthly interoperability report for the meeting on May 19th. All in favor, opposed, none opposed, that's approved. Speaking of interoperability. I hope councilmembers saw the e-mail that circulated yesterday about the report of the inspector general of Department of Commerce on the broadband project that we've been talking about. Open forum. Mr. Wall.

>> David Wall: Mr. Mayor, I'd like to first of all add to item I that was just passed for T&E, that all TPAC agendas be incorporated into that committee. This is ongoing because of that April 7th TPAC advisory meeting. Mr. Mayor I also would like you to make personal, personal underscore exclamation point. Inquiries into the staffing at the environmental services department with reference to a situation where let's say a high level manager retires and then two people take the spot. Two additional people. Now, I don't want -- I'm not entertained by the fact that it could be nested under the plant expansion, or any of that nebulous folderol that's been going on under the guise of this plant master plan, one of the most egregious waste of taxpayer money that I have seen since the reclaimed water project. Now, also, in that inquiry about the hiring of friends, you've seen the senior engineer from the City give independence unsolicited testimony on that issue and yet that is unresolved. The mere fact you're hiring new employees from the outside, potentially, instead of recirculating fire department people, police department people and these environmental inspector positions, is extremely disturbing. And should be stopped immediately. Mr. Mayor, this TPAC business, I want once again for it to be held in the wing under the auspices of the City Clerk for recording purposes. There's too much money at stake and the vast majority of the council do not understand at all what goes on at that water pollution control plant. Thank you very much.

>> Mayor Reed: That includes the open forum. That concludes our meeting. We're adjourned.