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>> Mayor Reed: Let's call this meeting to order, Rules and Open Government committee meeting for January 12th, 2011. Any changes to the agenda order? All right, first item is January 18th, meeting, that was easy, that meeting was cancelled due to the holiday and no study session.

>> No.

>> Mayor Reed: January 25th council, draft agenda. Any changes to page 1? Page 2 or 3? Page 4 or 5? Page 6 or 7? Page 8 or 9? Page 10 or 11? 12 or 13? This agenda is a little longer than the one we just had yesterday. Page 14 has land use hearings. I have some requests for some additions. Mayor and council excused absence request for Councilmember Constant, for league of California cities meeting. And travel related to Public Safety policy committee meetings for the league of California cities. Councilmember Rocha's travel to Sacramento for league of California cities travel as well. Any other requests for additions? We have the Diridon station area master plan to be heard in the evening. We have the GP 2040 to be heard first in the evening. Good neighbor committee recommendations to be heard in the evening. We will undertake the good neighbor recommendations before or after the Diridon station area master plan? Probably first, that would be the best sequence. That's the way it's lined up right now.

>> The sequence of the items, the most logical sequence to be heard.

>> Mayor Reed: Okay. Any other changes to discuss?

>> Councilmember Constant: Motion to approve with the adds.

>> Mayor Reed: Motion is to approve with the additions. Can I get a second? I did get a second. All in favor, opposed, none opposed, that's approved. Agency budget for January 18th. Again meeting cancelled. January 25th Redevelopment Agency, agenda. Any changes to page 1? Page 2 or 3? That's it. Any other changes? I have no written requests for changes.

>> Motion to approve.

>> Mayor Reed: Motion is to approve, all in favor, opposed, none opposed, that's approved. We don't have any upcoming study session agendas to talk about today. Do we have a date for the next possible study session? We still holding the 31st as a --

>> We will release that date today, if no one comes forward with a topic. The first study session will be February 14th, the priority-setting session.

>> Mayor Reed: Legislative update, anything to report from Sacramento? City Manager. Betsy is not here. I can report that I'm scheduled to go to Sacramento the 26th with the big ten mayors trip to talk to the governor about redevelopment and enterprise zones and a couple of other things. I'm sure the list is getting longer. Councilmember Pyle.

>> Councilmember Pyle: Thank you, mayor. I'm here to bring your attention to the request made on item H-2 to, again this year, go to Sacramento to meet with our state legislators. This trip would be an opportunity to present our representatives with information about the impacts of the state budget crises on the City of San José. We are limited in the number of people who can go. We have to stick with no more than five people, would that be correct?

>> Mayor Reed: No more than five councilmembers? Brown Act.

>> City Attorney Doyle: That would be the recommendation. It's difficult for -- you're tucking about matters within the City's jurisdiction.

>> Councilmember Pyle: Right. Vice Mayor Nguyen has already expressed a desire to go. I'm sure many of you are not even aware of it yet. It would be on February 9th. One day difference between this year and last year. And I think that last year, the results were quite noticeable, in several legislators after the fact did say that really helped

me to understand San José a little better and what the impact would have been on last year's budget. So this year will hold --

>> Mayor Reed: Okay. Anything else we'll get to a vote on that in just a second. Anything else on Sacramento, how about federal reports? I mean obviously Sacramento the big news is the budget, the staff has circulated quite a few versions of what happened with the budget or what we think is happening with the budget by e-mail. And I did notice on the agenda we just approved for the agency that on the 25th we'll have a further discussion in open session about the governor's proposals.

>> Ed Shikada: Yes, Mr. Mayor, just to ad that both Betsy and Roxann are tracking down various issues, and as a result, and Betsy in particular not able to make it this afternoon. So we'll work with agency staff on making sure the report is as comprehensive as we can.

>> Mayor Reed: Okay, well let's then take up item H-2 which is what we just talked about and that's the recommendation of Councilmember Pyle to send councilmembers to Sacramento to meet with our legislators, as just explained there is a memo on that.

>> Councilmember Constant: I make a motion to approve that.

>> Councilmember Oliverio: Second.

>> Mayor Reed: Motion is to approve. I'd like to say last year's trip is a good success, if we can do the same this year, same drill, basically one vehicle, no partying, overnight, just business, just work.

>> Councilmember Pyle: \$20.

>> Mayor Reed: On the motion, all in favor, opposed, none opposed.

>> Councilmember Pyle: Thank you.

>> Mayor Reed: The public record? Anything in the public record? I'm sorry, before you leave, councilmember, David Wall wanted to speak on that item H-2, I thought it was the public record. So come on up Mr. Wall.

>> David Wall: Good afternoon. First off, I don't think there's been enough praise for Councilmember Pyle's idea for this. From her contemporaries. No, I'm the citizen. It's okay when I say it's okay, okay? This is an idea to where you can really put just your testimony, that the state legislators didn't know, that's not excusable from them. They should pay a price. A consequence. For their not knowing. Or their noncaring. And such discussions and what do you in Sacramento, in my opinion, should be videotaped. And placed on City Hall TV so if citizens can see and also to add, an additional layer of accountability, pressure if you will, so people that are elected to represent San José can't eventual hide behind the excuse, oh, I didn't know. Outstanding idea, Councilmember Pyle and I think it should be expanded upon with video, for City Hall TV. Thank you.

>> Mayor Reed: Thank you. That concludes the work on H-2. Anybody want to add anything? Or take away anything? Okay. We're done with that. Councilmember Pyle thank you. The public record, anything from the public record, committee would like to pull for discussion. I'd like to note the letter from James mayor giving praise to our staff and the work that was done here to make sure that triQuint semiconductors locates within San José, keeping them within San José. That is another example of engaging the CEO putting the team to work and Jim mayor has been around the block for a couple of times and he knows what it is to get good service, nice to get a letter complimentary to the staff. The other item, D, my letter to Emmett Carson The antipayday lending matter, I sent the letter after I had already heard from him he would give us the grant extension. I figured they would which is good. Anything else from the public record to comment on?

>> Councilmember Nguyen: Motion to note and file.

>> Mayor Reed: All right, motion to note and file. Mr. Wall speak on the public records.

>> David Wall: Personally, Mr. Mayor, I applaud your efforts in this regard. But I believe you're going to tie up too much staff time in code enforcement and our attorney's office to deal with this issue that you'll have relatively no effect whatsoever. The bigger issue is, is to outlaw this industry from the state level. Not just regulate it but just outlaw it completely. And this is just usury. And I believe by taking this grant you're going to put the city on the hook to allocate staff time that you don't have. I mean you're looking at laying off three code enforcement inspectors alone next budget. So I don't think you should do it. Plus it gives rise to an interesting legal argument. Thus taking money from a third party, in this case, this foundation to do their bidding, does it facilitate a criminal enterprise? The criminal enterprise deals with creating a banking system for a certain segment of the clientele for this industry, who do not have California drivers licenses and/or California I.D. cards. This facilitation goes because you create a de facto banking system, for this element. And it's just something of concern to me, but the staff allocation of time also weighs very heavy, and I think it is not prudent to take their money.

>> Mayor Reed: The motion on the public record, all in favor? Opposed? None opposed, that's approved. Next item, are additions to council committee work plans. We have recommendations from the chairs of community and economic development, neighborhood services and education, transportation and environment committees, for their work plans, we can take those all at once. Anything to discuss on those? Councilmember Constant.

>> Councilmember Constant: I was just going to make the motion and note that I'm the delinquent one and mine will be on the next rules committee I hope. Motion is to approve, for those who got it in on time.

>> Councilmember Nguyen: Second.

>> Mayor Reed: Motion is to approve the three work plans, all in favor, opposed, none opposed, that's approved. Open forum, Mr. Wall.

>> David Wall: There's one item that should garner your attention. And that's the price of fuel, particularly in Europe. Where it's approximately 1.5 euros per liter. This has dramatic input about what's going to happen here in a matter of time. With reference to the cost of food. It's my opinion that you should look at attacking poverty from

all different variables within your control. Variables that can you not control may or may not be able to be influenced, but the creation of food, in San José, to stem the tide of economic drain from citizens to do other things with their money is very -- is going to be very significant. Another area to discuss is, Mr. Mayor, you've got to attack the city charter, if you're going to be able to make the City of San José operate at the speed of business. You have an archaic operating system. And you have to change it. If you don't, what you're doing is just not going to work. And this is in reference with council's ability which is my opinion, you're smart people! You make great decisions all the time! Where it gets bogged down, and it's inefficient, is within the administration it will Councilmember Oliverio was very correct in make union negotiations transparent. That's a very important step. The other step is to look at the inefficiencies and incompetencies associated with the appointing authority. People appoint their friends upon friends and no councilmember or mayor is going to be able to keep track of this.

>> Mayor Reed: Time's up. That's the end of the open forum, that's the end of our meeting, we're adjourned.