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>> Councilmember Nguyen: Good afternoon. At this time I would like to call the Rules and Open Government committee to order. We will start with the city council agenda for April 19th, 2011. Any changes on page 1? 2 or 3?

>> Councilmember Constant: Just a note on item 1.3 it should be me and Councilmember Liccardo.

>> Councilmember Nguyen: All right. Pages 4 or 5. 6 or 7.8 and 8. We're not going to have an evening session?

>> That's right, it's cancelled.

>> Councilmember Oliverio: We may well --

>> Yeah, you may well.

>> And Vice Mayor just a note for item 1.2, friends helping friends that's being pushed back to May 17th in the evening.

>> Councilmember Nguyen: Okay and we have a couple of additions. One actions related to the mayor's travel to Sacramento, today. And then the sixth annual West valley senior walk. As well as the interview and appointing a public member of the board of administration of the Police and Fire retirement plan. And then also, we're adding actions related to medical marijuana which is an item we heard yesterday. And it was to go to next week.

>> And continued. And we have the note on there to be heard last.

>> Madam vice mayor, if we could ask for a time certain or a not to be heard before for item -- the interview of the public member of the Police and Fire retirement board.

>> Councilmember Nguyen: Do you have any recommendation?

>> 2:30.

>> I was going to suggest 2:00 or 2:30, do it first or right after consent, something like that.

>> Councilmember Constant: Everything else is going to go really quick.

>> Councilmember Nguyen: So not before 2:00, right?

>> Not before 2:00.

>> Councilmember Nguyen: Okay.

>> And these would all include a sunshine waiver as well.

>> Councilmember Nguyen: Very good.

>> Councilmember Constant: Mowing motion to approve with the required adds and sunshine waiver.

>> Councilmember Oliverio: Second.

>> Councilmember Nguyen: We have a motion to approve the agenda for April 19th. All those in favor? Opposed, hearing none motion carries. We'll move to city council agenda for April 26th, 2011. Anything on page 1? 2 or 3. 4 or 5. And page 6?

>> Move to approve.

>> Councilmember Nguyen: We have no additions so we have a motion to approve.

>> Councilmember Oliverio: Second.

>> Councilmember Nguyen: All those in favor? Opposed hearing none motion carries. Redevelopment Agency.

>> Madam vice chair Gary Miskimon from the Redevelopment Agency, just to let you know we have no items for April 19th. We would request permission from the committee to cancel that date, with the exception of any closed sessions that morning or if there happened to be a joint item added in the afternoon we would be there for that.

>> Councilmember Constant: Motion to cancel.

>> Councilmember Oliverio: Second.

>> Councilmember Nguyen: Motion to cancel. All those in favor? Opposed. Hearing none, motion carries. Nothing on the study session, and we'll move down to legislative update. Updates from Sacramento.

>> We'll have something under meeting schedules.

>> Councilmember Nguyen: Welcome, Betsy.

>> Betsy Shotwell: Thank you, Vice Mayor, members of the committee, Betsy Shotwell, director of intergovernmental relations. I really don't have a whole lot of news to share. Our lobbyist, Roxann Miller, in Sacramento, is working diligently ,continues to, others, as well, to prevent the elimination of the redevelopment agencies and enterprise zone programs as well. We're looking at probably the next milestone that we know of is about May 13th or 14th, when the governor will have his May revise, in that either then or sooner we will learn further how he and others are continuing to work at eliminating the remaining deficit of 15 plus billion dollars. So that said, that's where things are unless something obviously happens you know day-to-day which we're monitoring very closely.

>> Councilmember Nguyen: Thank you, Betsy. Question, comments? Nothing, okay. Thank you. We'll move down to item E, meeting schedules. Approve the city council special meeting agenda for the Diridon station area plan for April 28th, 2011 from 9:00 to 12:00 noon in council chambers.

>> Councilmember Constant: Motion to approve.

>> Councilmember Oliverio: Second.

>> Councilmember Nguyen: Hans, do you want to add anything?

>> Hans Larsen: I am here to answer any questions you have. I can provide just a quick summary of what we want to accomplish, but if you would like to move on, that's fine too.

>> Councilmember Nguyen: We'll probably just hear it at the meeting. We have a motion to approve. All in favor? Opposed, hearing none, motion carries. The public record? Anybody from the committee want to pull anything from the public record? We have Mr. Wall who wants to speak.

>> David Wall: Good afternoon. There are several letters in here from various residents at a mobile home park. This pass-through issue of the sewer service and use charge and storm drain fees, going through the property owner, passing it through with reference to rent control, it's interesting. It appears that these people may have an adhesionary type contract with these mobile home park owners. And I think this is a clandestine way of passing on business costs to these mobile home people, that shouldn't be. These people need to be protected in this because these rate increases are going to be significant. And the property owner is really getting a double-Mulligan here by passing these costs directly to the residents of these mobile home parks. When he gets -- he -- or he as a corporation or whatever gets the entire benefit. So I really think that these letters should be looked at with the scrutiny that they should have, but also some protection from the government to help out these people. Thank you.

>> Councilmember Nguyen: Thank you.

>> Councilmember Constant: Motion to note and file.

>> Councilmember Oliverio: Second.

>> Councilmember Nguyen: I have a motion to note and file, all those in favor, opposed, motion carries. We have nothing under boards, commissions and committees. Item H, Rules committee reviews, recommendations, and approvals. Item 2, accept the report on posting of public calendars by city officials on the City's Website. Councilmember Constant.

>> Councilmember Constant: I'll make a motion to accept and then a comment.

>> Councilmember Oliverio: Second.

>> Councilmember Constant: I noticed that district 9 doesn't have any chief of staff, and my understanding was that there has to be someone designated in the office to post a calendar.

>> There is at this point, going forward.

>> Councilmember Constant: Great. And then just kind of continuing my comments that I made the last time we heard this is, we still have a -- quite a bit of noncompliance in certain areas. And I know that we have no enforcement mechanism. I just think it's important that it be brought up each time and maybe people will become compliant.

>> Councilmember Nguyen: Okay. We have a -- we have a motion to accept the report. All those in favor? Opposed? Hearing none motion carries. Nothing under review of additions to council committee agendas or work plan. Nothing under open government. Open forum. David Wall.

>> David Wall: There has been a writing produced today by myself on the public record with reference to the treatment plant advisory committee. And this committee I've been going to off and on now for about 19 years. This is a public committee meeting that should be run by the office of the City Clerk. This plant master plan has gotten out of fiscal control. We've spent millions of dollars on this thing for the economic development of it, and it's a failure. People need to have the information about this and that's why the City Clerk should run these meetings, so they're digitally recorded, so people can see what's actually going on. With reference to this plan, the South San Francisco Bay emergency port access project study is one of the biggest boondoggles I've ever seen, trying to link it onto plant operating funds or any of the restricted use funds from ESD. I called the U.S. chamber of commerce, economic development agency today in Washington. And also, in Seattle, the regional office, and they hadn't even heard of that project yet. Now, that's kind of interesting in itself considering they want to get grant funding to dredge the Alviso slough which is an enormous cost to do so. Economic development of the waterfront in Alviso has always been a great idea. 19 years ago it was floated by a laboratory technician for a deep water outfall instead of the recycled water project. We'd have had a deep water port if you'd have done it then but now the funding this project with the Santa Clara Valley Water District wants a freebie. They want their flood control touch paid for by somebody else. If study by the Silicon Valley chamber of commerce has been and continues to be an embarrassment and the bay shouldn't be linked with this project --

>> Councilmember Nguyen: Thank you, Mr. Wall, your time is up. With that we're adjourned.