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>> MAYOR REED: I'D LIKE TO CALL THIS COMMITTEE MEETING TO ORDER. THIS IS RULES COMMITTEE FOR JULY 27TH. BEFORE WE GET STARTED SINCE THERE ARE ONLY TWO OF US, THIS BEING A VACATION MONTH, COUNCILMEMBERS ARE MOSTLY OUT OF UP TO. WE HAVE A MEETING COMING UP, THAT'S WHY WE HAVE THIS RULES COMMITTEE MEETING. THERE ARE JUST TWO OF US, WE DON'T TAKE ACTION, WE CAN REFER THINGS ON TO THE COUNCIL FOR THE COUNCIL TO APPROVE. SO SOME OF THE MATTERS ON HERE WE CAN JUST PUT ON SUBJECT TO APPROVAL UNDER ORDERS OF THE DAY BY THE COUNCIL FOR THEM TO BE ON THE AGENDA. AND SOME THINGS WE'LL WANT TO POSTPONE FOR A WEEK, I THINK, UNTIL THE RULES COMMITTEE HAS AT LEAST THREE OF US PRESENT. SO IF WE GET MOVING IN THE WRONG DIRECTION, ED MORAN IS GOING TO MAKE SURE WE GET THE RIGHT MOTION AT THE RIGHT TIME. SO IN TERMS OF CHANGING THE COUNCIL AGENDA, IT'S ALL SUBJECT TO RULES -- ORDERS OF THE DAY. SO LET'S JUST TALK ABOUT, THEN, THE FIRST COUNCIL MEETING WHICH IS AUGUST 2ND. AND SEE IF THERE'S ANYTHING WE NEED TO DISCUSS. ON PAGE 1? I HAVE A NOTE THAT WE'RE GOING TO ADJOURN THE MEETING IN MEMORY OF FRED DEFINIAC.

>> DENNIS HAWKINS: CORRECT.

>> MAYOR REED: CEREMONIAL ITEM, 1.2, DECLARING NATIONAL NIGHT OUT, AUGUST 2ND, ISN'T THAT ALREADY DONE? IT IS NATIONAL NIGHT OUT, WE HAVE DOZENS OF EVENTS GOING ON. DOES ANYBODY KNOW WHY WE HAVE THIS ONE ON? OTHER THAN THAT COUNCILMEMBER CHU ASKED FOR IT?

>> DENNIS HAWKINS: NO, WE DON'T. WE'LL NEED TO CHECK ON THAT.

>> MAYOR REED: OKAY. AND IS THERE A REQUEST TO ADD ANOTHER CEREMONIAL BY COUNCILMEMBER CHU? WHO WILL HAVE THREE ON ONE COUNCIL MEETING AGENDA, SOMETHING REGARDING FARMERS MARKET MONTH? IS THAT RIGHT? I HAVEN'T SEEN ANYTHING ON IT. I JUST GOT A NOTE.

>> CITY MANAGER FIGONE: HERE, MAYOR THE AMENDED ITEM.

>> MAYOR REED: ADD SHEET. OKAY.

>> CITY MANAGER FIGONE: GO AHEAD AND TAKE ONE.

>> COUNCILMEMBER OLIVERIO: MAYOR, I THINK THREE FOR ONE COUNCILMEMBER FOR ONE COUNCIL MEETING SEEMS A LOT, WE SHOULD JUST DO TWO.

>> MAYOR REED: WELL, WE COULD DO THE NATIONAL FARMERS MARKET THING ON THE FOLLOWING MEETING, I DON'T HAVE ANY PROBLEM I THINK.

>> SO YOU CAN JUST DEFER ACTION ON THAT UNTIL THE NEXT RULES COMMITTEE.

>> MAYOR REED: DEFER THAT ONE UNTIL THEN. ANYTHING ON PAGE -- ALSO ON PAGE 1? PAGE 2 OR 3? PAGE 4 OR 5? ITEM 3.5 IS ORIGINALLY SET FOR THIS AGENDA BY PREVIOUS COUNCIL ACTION. WE HAVE A MEMORANDUM FROM THE CITY MANAGER, MODIFYING THE -- THAT WITH RECOMMENDATIONS AND THAT HAS TO DO WITH THE BALLOT MEASURE POLLING STATE BUDGET IMPACTS, BALLOT MEASURE LANGUAGE, RETIREMENT REFORM NEGOTIATIONS, DECLARATION OF EMERGENCY, AND POSSIBLE DRAFT BALLOT LANGUAGE. SO THAT ONE WE HAVE A MEMORANDUM FROM THE CITY MANAGER. HOW DO WE HANDLE THAT WITH JUST THE TWO OF US HERE?

>> ON THIS PARTICULAR ONE I THINK THE ITEM IS FINE. WITH REGARD TO THE LANGUAGE CHANGE SO LONG AS THE SUBSTANCE IS NOT SIGNIFICANT MY UNDERSTANDING IS BASICALLY INSTEAD OF DISCUSSION IT SAYS UPDATE.

>> MAYOR REED: ALL RIGHT.

>> THAT WOULDN'T BE A PROBLEM. WITH REGARD TO A YOU WOULD HAVE TO HAVE COUNCIL ON ORDERS OF THE DAY APPROVE WAIVER OF THE SUNSHINE. THAT'S WHAT NORMALLY THIS COMMITTEE WOULD DO IS APPROVE A WAIVER OF SUNSHINE FOR THE REPORT. THE REPORT-OUT.

>> MAYOR REED: THAT'S THE RESULTS OF THE BLOOD SURVEY.

>> CORRECT. SO THE WAIVER OF THE SUNSHINE FOR WAIVER WOULD BE, ON ORDERS OF THE DAY, TO BE APPROVED PRIOR TO ACTUALLY DISCUSSION.

>> MAYOR REED: OKAY.

>> CITY MANAGER FIGONE: AND MAYOR AGAIN TO JUST THE MINOR CHANGE, UNDER B WE WILL JUST CHANGETO THAT TO UPDATE ON STATE BUDGET IMPACTS AND NOT NECESSARILY -- AT LEAST FROM STAFF'S PERSPECTIVE WE'RE NOT PREPARED FOR A DISCUSSION. WE'LL PRESENT TO YOU SOME UPDATES.

>> MAYOR REED: OKAY.

>> MAYOR, THE OTHER THING IS, I UNDERSTAND THAT 3.3, THERE'S GOING TO BE A REQUEST TO DEFER THAT ITEM.

>> MAYOR REED: THAT IS HEALTH CARE FOR POLICE OFFICER.

>> MY UNDERSTANDING THEY ARE STILL HAVING DISCUSSIONS WITH POLICE AND FIRE AND SO ON ORDERS OF THE DAY THERE WILL BE A REQUEST TO DEFER THAT PARTICULAR ITEM.

>> MAYOR REED: OKAY. ON THE DISCUSSION OF THE BALLOT MEASURES, AND THE FISCAL EMERGENCY, ET CETERA, THAT CATEGORY, WITH THIS AGENDA LANGUAGE WILL IT BE POSSIBLE FOR STAFF TO UPDATE US ON WHAT'S HAPPENING WITH THE GASB RULES REGARDING PENSION FINANCIAL REPORTING?

>> CITY MANAGER FIGONE: I BELIEVE SO. WE WILL HAVE IF WE HAVEN'T ALREADY ISSUED AN INFORMATIONAL MEMORANDUM ON GASB. AND SO INFORMATION IS OUT TO COUNCIL, SHARON AND SCOTT WILL BE AVAILABLE.

>> MAYOR REED: OKAY.

>> CITY MANAGER FIGONE: AND WE'D BE HAPPY TO ANSWER ANY QUESTIONS RESULTING FROM THAT INFO MEMO.

>> THAT INFORMATION DID GO OUT EARLIER THIS AFTERNOON.

>> MAYOR REED: AND ANYTHING ELSE ON PAGE 4 OR 5? PAGE 6 OR 7? PAGE 8 OR 9? I HAVE A NOTE ON 4.6, THE MEDICAL MARIJUANA COLLECTIVES ITEM THAT STAFF IS GOING TO RECOMMEND A DEFERRAL TO THE 23RD OF AUGUST NOT THE 9TH OF AUGUST.

>> CITY MANAGER FIGONE: CORRECT AND THAT'S TO ALLOW THE TITLE 20 LAND USE REGULATIONS AS WELL AS THEN THE REGULATORY SCHEME UNDER TITLE SIX TO COME FORWARD TOGETHER. SO THE COUNCIL CAN HAVE THE ACTIONS BEFORE THEM AS A PACKAGE.

>> MAYOR REED: OKAY. ANYTHING ELSE ON 8 OR 9? ALREADY DISCUSSED THE ONE ADDITION, CEREMONIAL ITEM WHICH WE CAN TAKE UP NEXT WEEK. ANYTHING ELSE ON THIS COUNCIL AGENDA? WE DON'T NEED A MOTION, BECAUSE WE'RE JUST PASSING IT ON TO COUNCIL AND THE COUNCIL WILL APPROVE IT UNDER ORDERS OF THE DAY.

>> CORRECT.

>> MAYOR REED: OKAY.

>> CITY MANAGER FIGONE: AND MAYOR IF I MIGHT, ED IS THERE ANYTHING MORE TO SAY ON THE SUNSHINE WAIVER COMPONENT THAT THE COUNCIL WILL HAVE BEFORE THEM?

>> IT WILL SHOW UP ON ORDERS OF THE DAY AND THEN THERE WILL ALSO BE AN ITEM NEXT TO THAT BEFORE THAT THE A THAT WILL SAY A WAIVER OF SUNSHINE SO THAT THE HOURS OF THE DAY BASICALLY SAYS --

>> CITY MANAGER FIGONE: EXCUSE ME UNDER THE 3.5 THE MENU OF UPDATES AND ITEMS ASSOCIATED WITH THE FISCAL REFORM MEASURES?

>> THERE ARE NO REPORTS THOUGH RIGHT?

>> CITY MANAGER FIGONE: CORRECT. I JUST WANTED TO BE CLEAR THAT THE SUNSHINE WAIVER THAT WE'RE TALKING ABOUT APPLIES TO 3.5 A.

>> 3.5 A CORRECT. THAT ONLY APPLIES TO THAT WE'LL PUT IT RIGHT BEFORE A SINCE IT APPLIES TO THE A PART SIPS THERE WERE NO MORE DOCUMENTS THAT WILL BE --

>> CITY MANAGER FIGONE: OKAY THANK YOU.

>> MAYOR REED: AND ONE OTHER THING ON 3.5 FOR FUTURE REFERENCE MAYBE FOR THIS MEETING IS WE'VE STARTED OUT CALLING THIS A DECLARATION OF FISCAL AND PUBLIC SAFETY EMERGENCY AND I THINK IT HAS EVOLVED TO A DECLARATION OF FISCAL AND SERVICE LEVEL EMERGENCY BECAUSE IT'S NOT PURELY A PUBLIC SAFETY THING AND I THINK WE'RE GOING TO WANT TO START CHANGING THE WAY WE REFER TO THIS AS IT EVOLVES.

>> CITY MANAGER FIGONE: I AGREE. THIS IS CARRYOVER LANGUAGE FROM A FEW MONTHS AGO AND AS OUR WORK HAS EVOLVED IT'S CLEARLY ABOUT THE SERVICE LEVEL CHALLENGES THAT WE HAVE.

>> MAYOR REED: ALL RIGHT, THAT'S IT ON THE AUGUST 2ND AGENDA. ANYTHING ON AUGUST 9TH AGENDA? PAGE 1? ARE WE STICKING WITH THE 9:00 A.M. CLOSED SESSION?

>> CITY MANAGER FIGONE: YES 9:00 A.M. PUBLIC REPORT-OUT, AND RETURN INTO CLOSED SESSION.

>> MAYOR REED: SOME DAY WE'LL GO BACK TO 1:30, WE DON'T KNOW WHEN. ANYTHING ELSE ON PAGE 2 OR 3? PAGE 4 OR 5? PAGE 6 AND THEN WE HAVE REQUESTS FOR ADDITIONS, COMMENDATION TO THE CENTER OF SPIRITUAL ENLIGHTENMENT, COUNCILMEMBER CHU, COMMENDATIONS TO THE WINNERS OF THE FALCON-NAMING CONTEST FROM MY OFFICE, A COUPLE OF REQUESTS FOR EXCUSED ABSENCE FOR COUNCILMEMBER CONSTANT GOING TO CALIFORNIA LOCAL AGENCY FORMATION CONFERENCE. AND A CITY TO CITY TRIP TO PORTLAND. AND WE HAD THE ONE ITEM THAT WE'LL TAKE UP NEXT WEEK, AT RULES, ON THE NATIONAL FARMERS MARKET WEEK. ANYTHING ELSE ON THE 9TH? OKAY, WE'RE NOT TAKING ANY ACTION ON THAT. WE'LL DISCUSS IT NEXT WEEK AT THE RULES COMMITTEE MEETING AS WELL. REDEVELOPMENT AGENCY. NOTHING FOR AUGUST 2ND OR 9TH AT THIS POINT.

>> I THINK ON THE 2ND MAYOR WE HAVE A CLOSED SESSION ITEM TO BRING THE COUNCIL UP TO DATE ON THE LAWSUIT.

>> MAYOR REED: OKAY. ONE OF THE THINGS WE SHOULD TALK ABOUT BEFORE WE LEAVE THE COUNCIL AGENDAS, PARTICULARLY ITEM 3.5 ON THE 2ND IS THE TIMING. AS I KNOW WE HAVE OUR OUTSIDE CONSULTANTS COMING IN TO TALK ABOUT THE RESULTS OF THE POLL.

>> JUST DO IT AT 2:00.

>> MAYOR REED: THERE'S NOT MUCH AHEAD OF IT. WE'VE GOT A CONSENT CALENDAR AND WE HAVE A COUPLE OTHER THINGS. SO WE SAY 2:00?

>> CITY MANAGER FIGONE: YES, IT WAS MY SENSE THAT THINGS WOULD MOVE QUICKLY AND SO I SUGGESTED TO TOM MANHEIM THAT HE HAVE THE OUTSIDE CONSULTANT PRETTY MUCH THERE AT THE BEGINNING OF THE MEETING SO WE'RE NOT HOLDING ANYTHING UP.

>> MAYOR REED: LEGISLATIVE UPDATE. BETSY SHOTWELL IS HERE. TO GIVE US THE DAMAGE THAT WAS DONE WHILE WE WERE ON RECESS.

>> BETSY SHOTWELL: BETSY SHOTWELL, DIRECTOR OF INTERGOVERNMENTAL RELATIONS. THEY ARE IN RECESS AND RETURNING ON AUGUST 15TH. AND IN THE WE HOURS UNFORTUNATELY PRIOR TO THE CONCLUSION OF THE SESSION, LEGISLATION WAS PASSED THAT BARELY IN PRINT IF NOT IN PRINT AT ALL TO SHIFT THE VEHICLE LICENSE FEES MONEY TO THE TUNE OF ABOUT \$130 MILLION. AND THE BUDGET OFFICE HAD ISSUED AN INFO MEMO FOLLOWING THAT IMPACT, AND THIS IS ADDITIONAL INFORMATION WE'LL SHARE NEXT WEEK AS FAR AS THE 2.8 MILLION, THE STRATEGY TO DEAL WITH THAT. EVEN THOUGH IT'S VERY QUIET UP THERE OUR LOBBYIST ROXANN MILLER IS WORKING WITH THE CALIFORNIA POLICE CHIEFS LOBBYIST AS WELL ON THIS VLF SHIFT TO SEE IF THERE COULD BE A LEGISLATIVE QUICK SHIFT. I'M OUT AFTER BEING OUT FOR TWO DAYS. I DON'T KNOW IF THERE HAS BEEN ANY MOVEMENT BUT THE LEAGUE IS WORKING ON THAT AS WELL AND THE LEAGUE BOARD MEETING LAST WEEK WAS TO DISCUSS FURTHER NEXT STEPS AND STRATEGIES WHICH WE WILL BE UPDATING ON. SO THAT'S THE NEWS OUT OF THE BUDGET THAT WAS BESIDE OF COURSE THE ISSUES THAT WE HAVE BEEN DISCUSSING ALL SPRING WITH REDEVELOPMENT.

>> MAYOR REED: SO IT WAS \$2.8 MILLION UNDER THE LICENSE FEE SHIFT.

>> BETSY SHOTWELL: CORRECT.

>> MAYOR REED: WHICH WAS NOT ASSUMED IN OUR BUDGET. SO WE'RE GOING TO HAVE TO MAKE SOME SORT OF BUDGET ADJUSTMENT BECAUSE THAT'S 2.8 BILLION LESS MONEY. WE'LL TAKE THAT UP.

>> CITY MANAGER FIGONE: ACTUALLY THAT WILL BE PART OF OUR UPDATE NEXT TUESDAY AND YES, WE WILL HAVE TO RECTIFY THAT AS WE MOVE FORWARD AND START EARLY STAGES OF YEAR-END CLOSE AND ANNUAL REPORT AND SO FORTH.

>> MAYOR REED: AND I JUST LIKE TO ADD HERE, IN THE CONVERSATION THAT I GOT YET ANOTHER LETTER FROM MEMBER OF THE LEGISLATURE ASKING TO WORK WITH US ON REDEVELOPMENT, AND MAYBE DOING SOMETHING ABOUT SOMETHING PRETTY UNSPECIFIED AND THAT WAS FROM SENATOR CORBETT.

>> CITY MANAGER FIGONE: CORRECT.

>> MAYOR REED: AND I'LL PASS THAT ON, SIMILAR TO THE LETTER THAT WE GOT FROM SOME OTHERS. ANYTHING ELSE ON THE STATE?

>> BETSY SHOTWELL: NO.

>> COUNCILMEMBER OLIVERIO: MAY I ASK.

>> MAYOR REED: COUNCILMEMBER OLIVERIO.

>> COUNCILMEMBER OLIVERIO: HI BETSY. IS THERE ANYTHING NEW ON THE BILL TOFULLY --

>> BETSY SHOTWELL: IT PASSED. IT HASN'T GONE TO THE GOVERNOR'S DESK LET'S PUT IT THAT WAY.

>> COUNCILMEMBER OLIVERIO: HAS IT PASSED THE ASSEMBLY OR THE SENATE?

>> BETSY SHOTWELL: I'LL HAVE TO CHECK.

>> COUNCILMEMBER OLIVERIO: IF YOU COULD LET ME KNOW.

>> BETSY SHOTWELL: WILL DO.

>> MAYOR REED: ANYTHING ELSE ON 341, SOLID WASTE DIVERSION, 723, GOODS FOR ENERGY EFFICIENCY. ORDINARILY WE WILL TAKE ACTION ON THOSE BUT WE WILL PASS THEM ON TO THE COUNCIL AGENDA.

>> UNDER ORDERS OF THE DAY AGAIN FOR COUNCIL'S CONSIDERATION.

>> MAYOR REED: WE WILL TAKE SOME TESTIMONY ON IT. IF SOMEBODY WANTS TO SPEAK, THAT WOULD BE MR. WALL. ALTHOUGH WE'RE NOT TAKING ACTION WE'LL HEAR THE TESTIMONY AT THIS TIME.

>> DAVID WALL: GLAD YOU BOTH MADE IT BACK. SEND OUT MESSAGES FOR MADISON AND PETE. ON AB 341. I THINK THIS ADDS MORE LAYERS TO GOVERNMENT. THIS IS REALLY AN ANTIGREEN BILL TO THINK ABOUT IT. IT TURNS THE CITY OF SAN JOS... INTO THIS BIG PROCESSING AREA. AND I DON'T THINK THAT THAT IS IN CONGRUENCE WITH WHAT THE PEOPLE WOULD LIKE TO SEE, IS MULTITUDES OF GARBAGE TRUCKS, OF COURSE THAT DOES GET INTO THAT ANAEROBIC MACHINE THAT YOU'RE CREATING OUT THERE AT THE PARK BUT THERE'S A LOT OF AIR POLLUTION THAT COMES WITH THAT AND A LOT OF FUEL COSTSSO THERE'S A LOT OF RELIANCE ON ISSUES THAT ARE NOT CONTROLLED BY THE MARKET IN THAT REGARD. PLUS IT DOESN'T HOLD OTHER INDIVIDUAL CITIES REALLY ACCOUNTABLE FOR THEIR OWN WASTE. MORE IMPORTANTLY, MR. MAYOR, YOU AND YOUR GREENNESS, THE CITY OF SAN JOS... SHOULD BE LEADING THIS PACK. IT SHOULDN'T BE 99%. THE SALARIES AND ESD IT SHOULD BE 100% AND WHY THIS ISN'T SO IS FOR THE EXCUSE MAKING MACHINE AT THAT DEPARTMENT. ALSO IT SHOULD BE MADE MANDATORY ALREADY, THAT LARGE BUSINESSES AND APARTMENT COMPLEX OR HIGH DENSITY LIVING PROJECTS AND WHAT HAVE YOU ALREADY DO RECYCLABLES ON A VAST SCALE. BUT THEY DO NOT. AND SO WE HAVE TO ASK ONCE AGAIN, WHY ARE WE PAYING THE SALARIES AND INFRASTRUCTURES FOR THAT DEPARTMENT? ON SENATE BILL 723, THIS CREATES MORE GOVERNMENT TAXES, IT INTERFERES WITH THE PRIVATE SECTOR. SPECIAL INTERESTS ARE THE ONLY ONES THAT BENEFIT FROM THIS, FOR THE MOST PART. AND IT'S JUST ANOTHER BUREAUCRATIC ENVIRONMENTAL BOONDOGGLE THAT REALLY DOESN'T SERVE A LOT OF PURPOSES. THANK YOU.

>> MAYOR REED: THANK YOU. THAT CONCLUDES THE TESTIMONY ON THAT MATTER. WE'RE NOT TAKING ACTION.

>> BETSY SHOTWELL: MAYOR, MAY I MAKE ONE REQUEST?

>> MAYOR REED: SURE.

>> BETSY SHOTWELL: THERE IS A CORRECTION WE NEED TO ENTER FOR THE RECORD. TON MEMO RELATED TO AB 723, ON PAGE 2 WHERE IT LISTS SUPPORTERS AND OPPONENTS, THERE ARE ONLY

TWO OPPONENTS TO THAT BILL, CALIFORNIA TAX FEDERATION, HOWARD JARVIS. IT GOT SKEWED ON THE FORM. THE OTHER BODIES LISTED ARE ON SUPPORT.

>> MAYOR REED: ANYTHING ELSE PIERLUIGI?

>> COUNCILMEMBER OLIVERIO: NO.

>> MAYOR REED: FEDERAL UPDATE.

>> BETSY SHOTWELL: I DID AN UPDATE EARLIER.

>> MAYOR REED: IT IS OUT OF DATE AS OF LAST HOUR.

>> BETSY SHOTWELL: EXACTLY. IT GIVES YOU A FLAVOR THAT IT'S -- IT'S NOT GOOD. BUT YOU KNOW IT'S MINUTE TO MINUTE LIKE YOU SAID, HOUR TO HOUR.

>> MAYOR REED: WELL AND THERE'S A LOT OF THINGS GOING ON BUT THERE ARE A LOT OF PROGRAMS THAT ARE LIKELY TO BE CUT SOME OF WHICH WE GET FUNDING FROM, BUT THAT CHANGES IN EVERY PROPOSAL IT SEEMS.

>> BETSY SHOTWELL: EXACTLY. INDICATED THERE WOULD BE A NEW ONE TODAY.

>> MAYOR REED: ALL RIGHT ENOUGH ON THAT.

>> BETSY SHOTWELL: THANK YOU VERY MUCH.

>> MAYOR REED: PUBLIC RECORD, ANYTHING FROM THE PUBLIC RECORD WE WANT TO TALK ABOUT, THAT LETTER FROM SENATOR CORBETT IS ALREADY IN THE RECORD, GOOD WORK STAFF. ITEM B THERE'S SOME CORRESPONDENCE FROM THE CITY OF CUPERTINO, REGARDING A REQUEST WE'D SENT THEM TO ASK IF A LETTER FROM MAYOR WONG WAS STATEMENT OF THE CITY, CLEARLY IT'S NOT SO I DON'T THINK WE NEED TO RESPOND ANY MORE THAN WE HAVE. EXCEPT THOSE LETTERS, COUNCILMEMBER OLIVERIO?

>> COUNCILMEMBER OLIVERIO: MOTION TO NOTE AND FILE.

>> MAYOR REED: WE'VE GOT SOME --

>> COUNCILMEMBER OLIVERIO: WE CAN'T EVEN DO THAT.

>> THEY'RE FILED ALREADY.

>> MAYOR REED: WE'LL TAKE SOME TESTIMONY ON IT. OKAY, MARTHA O'CONNELL. I THINK AND DAVID WALL I BELIEVE WANT TO SPEAK ON THE PUBLIC RECORD.

>> MY UNDERSTANDING IS YOU CAN'T EVEN VOTE TO NOTE AND FILE, AND YOU DON'T HAVE A QUORUM, AND WHICH IS KIND OF IRONIC BECAUSE I'M ADDRESSING MY LETTER I WHICH IS THAT IN 2009, THE SENIOR CITIZENS COMMISSION RECOMMENDED THAT YOU GUYS LOOK AT THE MUNI CODE TO CHANGE THE DEFINITION OF A QUORUM TO EXCLUDE VACANT SEATS. I SPECIFICALLY TALKED ABOUT THE HUMAN RIGHTS COMMISSION ON JUNE 16TH, BUT I'M TELLING YOU I COME DOWN HERE LOTS OF TIMES TO LOTS OF MEETINGS AND THERE'S NOTICES ON THE DOOR THAT SAY MEETING'S CANCELLED BECAUSE THERE ISN'T ANY QUORUM. AND IT'S REALLY RIDICULOUS IN MY OPINION TO BOG DOWN THE WORK OF THE COMMISSIONS, ESPECIALLY NOW BECAUSE MOST OF US ONLY MEET QUARTERLY WITH THESE WHAT I CONSIDER TO BE BOGUS QUORUM NUMBERS. SO BECAUSE YOU CAN'T VOTE TODAY I'LL BE RESUBMITTING THIS LETTER WITH AN OPENING PARAGRAPH FOR NEXT WEEK AND HOPEFULLY THERE WILL BE THREE OF YOU. BECAUSE SOMEBODY HAS -- HE NEEDS TO THINK OUTSIDE THE BOX AND I UNDERSTAND THAT COUNCILPERSON OLIVERIO THINKS OUTSIDE THE

BOX AND PULL THIS AND DIRECT IT TO STAFF TO COME UP WITH SOME RECOMMENDATIONS. SO I'LL BE BACK NEXT WEEK. THANK YOU.

>> MAYOR REED: DAVID WALL.

>> DAVID WALL: A LETTER FROM SENATOR CORBETT IS SOMEWHAT DISINGENUOUS BECAUSE WHY SHOULD CITIZENS TRUST GOVERNMENTAL AGENCIES THAT CREATED THE REDEVELOPMENT AGENCY DEBT MACHINES IN THE FIRST PLACE TO REFORM THEM? SO LEAVE IT AT THAT FOR THAT. THE OTHER ISSUE THAT ITEM R, DEALS WITH HAVING TO BRING BACK A RETIRED FORMER DIRECTOR TO ASSIST THE ASSISTANT DIRECTOR OF ESD OR THE ACTING DIRECTOR OF THE ENVIRONMENTAL SERVICES DEPARTMENT. ONE MIGHT ASK THE QUESTION, WHY? FROM MY PERSPECTIVE, AN ASSISTANT DIRECTOR SHOULD KNOW HOW TO RUN THE DEPARTMENT WITHOUT HAVING TO HIRE ANY TYPE OF OUTSIDE HELP. ON ITEM F, WHERE SAN JOS... IS THE MURDER CAPITAL OF SILICON VALLEY. I WANT YOU TO MAKE NOTE THAT EVER SINCE THE LEADERSHIP OF OUR POLICE CHIEF CHRIS MEIER MOORE BRINGING IN THE IMMIGRATION ACTIVISM ENFORCEMENT OFFICERS FROM THE FEDERAL GOVERNMENT MURDERS HAVE DROPPED OFF THE RADAR SCREEN. ISN'T THAT A UNIQUE THING? BRING IN ICE, MURDERS STOP. ECOPASS MR. MAYOR, THAT'S ANOTHER THING THAT GOES RIGHT TO YOUR GREEN VISION POLICY. I THINK IT'S TIME THAT YOU TART LOOKING AT YOUR SENIOR STAFF OR YOUR SENIOR POLICY ADVISORS AND JUST ASK ONE OF THEM TO RESIGN AND SHIFT FUNDING OVER TO THE ECOPASS PROGRAM, TO SPARE THE AIR, SAN JOS... CONGESTION AND WHAT HAVE YOU. I THINK THAT'S WELL TALKED ABOUT BUT THERE'S BEEN NOTHING DONE ABOUT IT. THANK YOU VERY MUCH.

>> MAYOR REED: THAT CONCLUDES COMMENTS ON THE PUBLIC RECORD. BOARDS, COMMISSIONS AND COMMITTEES, WE HAVE SOME APPOINTMENTS THAT WE WILL NOT TAKE ACTION ON BUT WE CAN JUST PASS THOSE ON THROUGH ON TO THE COUNCIL AGENDA. UNLESS COUNCILMEMBER OLIVERIO HAS ANY COMMENTS ON THOSE.

>> OR YOU COULD MAKE COMMENTS FOR RECORD.

>> COUNCILMEMBER OLIVERIO: MOVE IT ALONG.

>> MAYOR REED: OKAY. THEN OTHER ITEMS TO LOOK AT, WE HAVE A RECOMMENDATION FROM CIVIL SERVICE COMMISSION TO AMEND THE MUNI CODE, REQUEST FROM COUNCILMEMBER PYLE TO DO SOMETHING WITH THE SIGN CODE. I'D LIKE TO DISCUSS THOSE WHEN WE HAVE A LARGER RULES COMMITTEE. LET'S TAKE THOSE UP NEXT WEEK. MR. WALL, YOU WANT TO SPEAK ON THIS?

>> DAVID WALL: YES, SIR. FIRST OF ALL, COUNCILMEMBER PYLE HAS STEADFASTLY BEEN THE ONLY REAL COUNCILMEMBER THAT'S MADE ANY MONEY FOR SAN JOS... THAT I KNOW ABOUT. I MEAN HER EFFORTS DOWN AT ALMADEN. BUT THESE DIGITAL SIGNS THESE BASICALLY JUMBOTRONS MAKE TAX REVENUE EVERY SECOND OR FRACTIONS THEREOF OF A SECOND. AROUND THE CLOCK. THIS IS TAX REVENUE THAT COULD BE COMING INTO THE CITY ON A SUSTAINABLE BASIS. AND HELP WITH THE OVERALL ECONOMY OF CERTAIN SECTORS WITHIN THE CITY. NOW, THERE ARE THOSE THAT ARE -- DON'T LIKE BILLBOARD SIGNS. I HAVE TWO OF THEM NEXT TO ME AND I LOVE THEM BECAUSE THERE'S NO DEVELOPMENT NEXT TO ME. BUT THERE'S ANOTHER ISSUE. BUT COUNCILMEMBER PYLE HERE SHE'S CORRECT ABOUT THIS. NOW YOU ARE GOING TO HAVE TO MAKE AUGMENTATIONS TO THE PLANNING, BUILDING, AND CODE ENFORCEMENT WORK PLAN AND I SUGGEST YOU SHELF MEDICAL MARIJUANA COMPLETELY. LOS GATOS ABANDONED IT. I THINK CITY OF SAN JOS... SHOULD ABANDON IT BECAUSE YOU DON'T HAVE THE RESOURCES TO CARRY IT OUT AND THEY'RE JUST EXPANDING CRIME ALL OVER THE CITY. BUT THIS RIGHT HERE, MR. MAYOR, COUNCILMEMBER PYLE IS RIGHT AS RAIN ONCE AGAIN AS FAR AS MAKING MONEY FOR THE CITY. AND I DON'T THINK YOU NEED A WHOLE COMMITTEE TO TALK ABOUT IT. IT'S A GOOD IDEA AND SHE'S RIGHT ABOUT THIS, AS FAR AS SOME FORM OF ADMINISTRATIVE FOOT-DRAGGING BY THE ADMINISTRATION IN RESPECT TO THIS ISSUE. THANK YOU.

>> MAYOR REED: THANK YOU. THE NEXT ITEM ON THERE WAS APPROVAL OF NATIONAL NIGHTLY OUT AS A CITY SPONSORED SPECIAL EVENT. I GUESS I WAS SLIGHTLY WRONG ABOUT WHETHER OR NOT THAT IS ALREADY AN OFFICIAL EVENT. IT HAS BEEN AN OFFICIAL EVENT IN THE PAST. THERE'S NO REASON TO HAVE THIS AND A PROCLAMATION ON. I DON'T THINK THERE'S ANY DIFFERENCE THERE BUT WE NEED -- COUNCIL DOES NEED TO TAKE ACTION TO ALLOW THE SOLICITATION OF CONTRIBUTIONS, ET CETERA.

>> CORRECT. THE CEREMONIAL ITEM IS SIMPLY A PROCLAMATION. THIS ALLOWS THE COUNCIL TO EXPEND MONEY AND ACCEPT DONATIONS.

>> MAYOR REED: SO I WOULD JUST ASK THAT YOU CHECK WITH COUNCILMEMBER CHU'S OFFICE. I DON'T SEE ANY REASON TO HAVE A PROCLAMATION AND A COUNCIL ACTION. IF THERE'S SOMETHING HE WANTS TO SAY THIS WOULD BE THE APPROPRIATE TIME.

>> SO THIS WOULD BE ON ORDERS OF THE DAY SINCE IT APPEARS --

>> MAYOR REED: JUST ADD IT AS PART OF ORDERS OF THE DAY SINCE WE TAKE THE ACTION. BUT I DON'T SEE WE NEED A PROCLAMATION IN ADDITION TO, BECAUSE THIS IS HOW WE DO OUR SPECIAL EVENTS. OKAY COMMITTEE WORK PLANS. NEXT ITEM I'D LIKE THE HAVE THOSE SUBJECT TO RULES COMMITTEE DISCUSSION AND APPROVAL. WE'LL DO THAT NEXT WEEK. OKAY. ALL RIGHT. I THINK WE'RE DOWN TO OPEN FORUM.

>> CITY MANAGER FIGONE: EXCUSE ME MAYOR. THERE WAS AN ITEM H-2 UNLESS I'M NOT TRACKING WITH THE AGENDA, THE CIVIL SERVICE COMMISSION STIPEND, DOES THAT HAVE TO BE CARRIED FORWARD?

>> MAYOR REED: I'D LIKE TO TALK ABOUT THAT NEXT WEEK.

>> CITY MANAGER FIGONE: THAT WILL HAVE TO COME BACK TO RULES, THANK YOU.

>> MAYOR REED: UNLESS THERE IS URGENCY CONNECTED WITH IT. I DIDN'T SEE ANYTHING URGENT ABOUT IT I'D LIKE THE OPPORTUNITY FOR THE RULES COMMITTEE TO DISCUSS IT. ALL RIGHT, WE'RE NOT GOING TO DISCUSS THE WORK PLANS TODAY. TAKES US DOWN I BELIEVE TO OPEN FORUM. MR. WALL AND MS. O'CONNELL. AND RICHARD MCCOY.

>> DAVID WALL: THERE IS AN ITEM ON NEXT WEEK'S AGENDA, AND IT'S TROUBLESOME BECAUSE IT REALLY SHOULD HAVE GONE TO THE PUBLIC SAFETY, FINANCE AND STRATEGIC SUPPORT COMMITTEE. THIS IS THE CASTELANNOS FAMILY FOUNDATION. THERE ARE RELIANCE ISSUES HERE INSOFAR AS THE TERMS OF THE AGREEMENT. THE TERMS OF THE AGREEMENT ARE OBJECTIONABLE ON A VARIETY OF BASIS. BASICALLY THERE'S ONE THAT'S VAGUE AND AMBIGUOUS. AS FAR AS THE CONTRIBUTIONS OF THE INDIVIDUAL MEMBERS OF ANOTHER ONE OF HER COMMITTEES. NAME ESCAPES ME. BUT ANY CASE, YOU'RE CREATING THIS AGREEMENT THE CASTELLANOS FAMILY, THE AGREEMENT HASN'T BEEN INDEPENDENT TO BEGIN WITH. ITEM 3, THE CONDITION OF THE MATCHING GRANT IS ALL MEMBERS OF THE INDEPENDENT POLICE AUDITOR ADVISORY COMMISSION, THAT'S THE ADULT VERSION, MUST MAKE A MONETARY CONTRIBUTION TO SUPPORT THE TEAM, THE YOUNGSTER VERSION. THAT KINDS OF CHILLS FREE SPEECH. WHAT IF YOU ARE ON THIS COMMITTEE AND YOU REALIZE THAT THE IPA IS NOTHING BUT A POLICE GROUP, YOU DON'T WANT TO MAKE A CONTRIBUTION BUT YOU'RE THERE TO MAKE A STATEMENT. YOU CAN GIVE A PENNY OR \$5,000. SO IN OTHER WORDS THERE'S THE ISSUE OF POTENTIAL PAYOLA HERE. AND THIS WHOLE THING IS A SMATTERING MR. MAYOR, BECAUSE WE'RE TALKING FROM THE BUDGET STUDY SESSION IN FEBRUARY OF THIS YEAR WHERE COUNCILMEMBER CONSTANT HAD AMPUTATION --

>> MAYOR REED: SORRY YOUR TIME IS UP. MARTHA O'CONNELL.

>> I'LL PASS.

>> MAYOR REED: RICHARD MCCOY.

>> AS MANY OF YOU ALREADY KNOW NEXT TUESDAY AUGUST 2ND IS THE NATIONAL NIGHT OUT. AND THIS PARTICULAR EVENT IS ATTENDED BY HUNDREDS OF THOUSANDS OF RESIDENTS THROUGHOUT THE COUNTRY. AND MANY THOUSANDS OVER HERE IN SAN JOS... WILL BE ATTENDING PUBLIC EVENTS AT PARKS AND OTHER COMMUNITIES FACILITIES. THIS IS A GREAT OPPORTUNITY FOR THE CITIZENS TO ATTEND AND LEARN MUCH ABOUT THE POLICE ACTIVITIES AND THE VARIOUS OTHER EVENTS OFFERED TO THEM BY OTHER GROUPS. IN THE PAST, AND HAS GONE ON, THIS ACTIVITY IS ALWAYS HELD ON A TUESDAY WHICH HAPPENS TO BE THE SAME DAY AS THE COUNCIL MEETINGS. AND I KNOW THAT MANY OF THE COUNCILMEMBERS, THE MAYORS ARE SCHEDULED TO ATTEND SOME OF THESE PUBLIC EVENTS AND IT IS MY WISH THIS YEAR THAT THE COUNCIL MEETING WILL ADJOURN IN ENOUGH TIME FOR THE COUNCILMEMBERS, THE MAYOR TO MAKE THEIR APPEARANCES, AND SAY THEIR GREETINGS TO THE CITIZENS. THANK YOU MAYOR.

>> MAYOR REED: WE'RE HOPEFUL OF THAT FACT OCCURRING AS WELL. ANYTHING ELSE? LOOKING AT THE TIMING OF THE COUNCIL AGENDA, I THINK WE'LL BE DONE IN TIME FOR THE NATIONAL NIGHT OUT. I THINK THAT CONCLUDES OUR MEETING. WE'RE ADJOURNED.