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>>CALL THIS MEETING TO ORDER. THIS IS RULES MEETING FOR MAY 12, 2010. ANY CHANGES TO THE ORDER OF THE AGENDA THAT WE GOT? NONE. OKAY. WE WILL TAKE UP THE MAY 18TH COUNCIL MEETING AGENDA. ANYTHING ON PAGE ONE? PAGE TWO OR THREE?

>> JUST A QUICK COMMENT. ON THE CEREMONIALS. I KNOW WHY WE ARE LIMITING THEM ESPECIALLY IN THE EVENINGS, BUT SINCE WE WENT DOWN TO ONE EVENING A MONTH IT'S DIFFICULT, AND WE HAVE BEEN RUNNING INTO ISSUES AND WITH SCHOOLS AND IF WE DON'T GET THEM ON THE CALENDAR THEY DON'T HAPPEN DURING THE SCHOOL YEAR, SO I JUST WANTED - I KNOW WE'RE RUNNING OUT OF TIME FOR THIS YEAR AND PERHAPS A MODIFICATION IF WE'RE ONLY GOING TO HAVE ONE MEETING A MONTH.

>> SO THIS IS PROBABLY THE LAST EVENING MEETING BEFORE THE SCHOOL YEAR IS OVER, MAY 18TH.

>> RIGHT.

>> WE HAVE THREE?

>> WE ACTUALLY HAVE FOUR.

>> OH, THAT TOOK THE SPOT. I WAS DENIED. THAT'S WHAT MAKES IT UNFAIR. WE WERE TRYING FOR WEEKS TO GET SOMETHING ON THIS AGENDA WORKING WITH NICK TO GET THINGS DONE, SO JUST -- IT JUST MAKES IT VERY TOUGH. SO WE HAVE FOUR IN THE EVENING AND FOUR IN THE AFTERNOON? THAT THE WAY THE COUNT IS WORKING HERE?

>> YEAH. I'M NOT WHINING FOR THIS MEETING. I AM BUT I'M NOT. WE'RE GOING TO FIGURE OUT ANOTHER WAY TO DEAL WITH OURS, BUT WE NEED TO FIGURE OUT A WAY WE HAVE ONE DENIED AND SOMEONE 2 ELSE GETS THE SPOT THAT WAS DENIED AND, AND WE HAVE WAYS OF WORKING WITH THIS.

>> WHERE ARE WE PUTTING 1.1 ANYWAY?

>> I BELIEVE YOU HAVE A CALENDAR TO MEET WITH THESE PEOPLE.

>> (INAUDIBLE). WE DON'T COUNT THE OATH OF OFFICE AND THE CITY CLERK ADMINISTERS AND USUALLY ONLY TAKE A MINUTE AND OTHER ITEMS.

>> ARE WE HAVING SOME TYPE OF RECEPTION FOR THE AWARDS BEFOREHAND?

>> YES.

>> CAN WE GIVE OUT THE ACCOMMODATION THEN? I THOUGHT WE DID LAST WEEK.

>> I CAN CHECK. I DON'T SEE WHY WE WOULDN'T BE ABLE TO AND THEY WERE INFORMED THEY WOULD GET IT IN THE COUNCIL MEETING, AND IF THAT IS THE PREFERENCE OF THE COMMITTEE I CAN TAKE THAT MESSAGE BACK.

>> I THINK THERE SHOULD BE SOME FLEXIBILITY ESPECIALLY WHEN DEALING WITH SCHOOL GROUPS, AND THEY ARE NINE MONTHS OF THE YEAR TO HAVE GUIDELINES, BUT THEN TO APPLY THE RULE OF COMMON SENSE. THE ORIGINAL RULE CAME FROM IS THE COMMON SENSE RULE, BUT SO PETE COULD YOU GET YOURS ON NEXT MONTH WHICH WOULD BE JUNE? IS IT ON THAT ONE?

>> THAT'S WHAT WE HAVE BEEN TRYING TO FIGURE OUT THE LAST COUPLE OF DAYS, BUT I DON'T THINK WE WILL HAVE TIME BY THIS TUESDAY ANYWAY AND WORKING WITH HIM FOR A COUPLE OF WEEKS AND PROPOSED A PROBLEM, AND MAYBE WE WANT TO SAY SOMETHING ABOUT IT.

>> WELL, IF IT GET ON DURING JUNE AND STILL DURING THE SCHOOL YEAR. WHEN IS THE JUNE MEETING?

>> THE FIRST MEETING IS THE EIGHTH IN JUNE. NO EVENING 3 MEETING.
THAT'S THE 15TH.

>> 15TH.

>> I THINK BOTH ARE EVENING MEETINGS BECAUSE WE HAVE A SPECIAL BUDGET SCHEDULED AND THE 15TH AND THE 22ND ARE PROBABLY EVENING MEETINGS.

>> AND PETE, DO YOU KNOW WHEN THE LAST DAY OF SCHOOL IS?

>> (INAUDIBLE).

>> I WILL DO SOMETHING AT THE SCHOOL. I JUST WANTED TO POINT OUT THE PROBABLY PROBLEM WE'RE PROCEDURAL PROBLEM WE'RE HAVING AND SOMETIMES DECISIONS ARE MADE HERE AND SOMETIMES WITH STAFF AND THINGS DON'T GET IT, AND IT'S NOT WORKING LIKE I WANT IT TO AND WHEN WE MADE THE RULES WE HAD TWO EVENING MEETINGS, AND WE CUT EVERYTHING DOWN TO HALF BY DOING THIS.

>> AND THIS IS A PERSONAL NOTE AND IF I DO SOMETHING WITH THE SCHOOL COMMUNITY IT'S FUN TO DO IT ON THEIR SITE AND PARENTS AND KIDS CAN PARTICIPATE INSTEAD OF JUST THOSE THAT CAN GET DOWN TO CITY HALL. THAT IS MY EXPERIENCE. WE DON'T NEED TO MAKE ANY CHANGES HERE ON THIS LIST AND NOT HAVE IT HAPPEN BY TUESDAY ANYWAY. I JUST WANT TO MAKE SURE -- DID WE GET THE CHECK LIST FILLED OUT FOR EACH OF THESE ITEMS?

>> WE HAVE THE CHECK LIST OF THE ITEMS PROPOSED AND THE PACKET AND THE OFFICE AND STANDING FORMS THEY HAVE DONE THE EXACT THING MODEL BEFOREHAND AND THEY WILL FOLLOW THE SAME MODEL AS IN THE PAST.

>> OKAY. JUST LOOKING AT THIS FORM AND NAME A PERSON THAT IS GOING TO ACCEPT THE AWARD. I WANT TO MAKE SURE THERE IS ONLY ONE PERSON SPEAKING FROM THE GROUP WHATEVER IT IS AND NOT 4 START INTRODUCING EACH OTHER AND THEY NEED TO BE MADE AWARE OF THAT. ONLY ONE OF THEM IS GOING TO SPEAK. OKAY. ANYTHING ELSE ON CEREMONIALS? ANYTHING ELSE ON PAGE TWO OR THREE? PAGE FOUR OR FIVE?

>> EXCUSE ME MAYOR. 4.1, THE PARKING REQUIREMENTS FOR BUSINESS DESTINATION AREAS AND ALSO APPEARS ON THE 25TH AGENDA AND STAFF IS RECOMMENDING DROPPING THIS ITEM. IT'S BEEN PULLED FROM THE PLANNING COMMISSION AGENDA AND THERE IS A DESIRE FOR THIS LINKED TO THE NAMING PROCESS.

>> OKAY.

>> AT THIS TIME WE'RE REQUESTING A DROP.

>> ANYTHING ELSE ON FOUR, FIVE? SIX OR SEVEN? PAGE EIGHT OR NINE?

>> CAN WE GO BACK FOR A SECOND.

>> SURE.

>> ON FIVE I THINK IT'S A TYPO AND IT'S REFERRED TO AS 525. I ASSUME THAT IS -- IS THAT CORRECT? ONLY GOING ONE WEEK?

>> I BELIEVE IT WAS DEFERRED TO THE 25TH.

>> OKAY.

>> AND IT APPEARS ALREADY ON THE 25TH.

>> OKAY. MAYBE THAT IS WHAT CONFUSED ME.

>> AND THE EXECUTIVE HOME LOAN PROGRAM. ANYTHING ELSE ON SIX, SEVEN, EIGHT, OR NINE? AND I THINK WE HAVE IT SET UP THAT THE 3.3 PUBLIC HEARING ON THE PROPOSED CAPITAL BUDGETS AND FEES WILL BE HEARD LAST IN THE EVENING. THAT'S THE WAY IT'S SET UP. ANYTHING ELSE? LET ME SEE IF I HAVE REQUESTS
5 FOR ADDITIONS. I DO. EXCUSED
ABSENT REQUESTS ON MAY 13TH, AND --

>> MAKING SURE -- EXCUSE ME MR. MAYOR. I WANT TO MAKE SURE EVERYONE HAS THE LATEST VERSION AND IT INCLUDES MOVING 1.1 TO THE EVENING AND THERE IS ANOTHER ACCOMMODATION APPROXIMATION DECLARING MAY 12TH AS LIBRARY LAB DAY. DO YOU HAVE A COPY OF THAT?

>> I JUST HAVE A NOTE NATIONAL LAB DAY. IT'S LIBRARY DAY AND NOT NATIONAL LABRADOR RETRIEVER DAY AND VOLUNTEERS, STUDENTS AND EDUCATORS. WHY IS THAT HAVE TO BE IN THE EVENING? OR IS IT IN THE EVENING?

>> NO. IT'S FOR THE AFTERNOON.

>> OH OKAY. 4:00 O'CLOCK IN THE AFTERNOON?

>> I THINK IT'S 5:00 O'CLOCK IN THE AFTERNOON AND 4:00 O'CLOCK IN THE EVENING -- WELL, COUNTING THE --

>> I DIDN'T ASK ABOUT THE INVOCATION. DRUM ROLL.

>> (INAUDIBLE).

>> OKAY. AND ALL OF THE CEREMONIALS WE DON'T HAVE TIME TO SPARE. ANYTHING ELSE ON THIS AGENDA BESIDES THE ONES WE JUST DISCUSSED? NO. I GUESS WE TAKE A MOTION.

>> MOVE TO APPROVAL.

>> SECOND.

>> MOTION IS TO APPROVE THE AGENDA. ALL IN FAVOR?

>> AYE.

>> OPPOSED? NONE OPPOSED. MAY 25TH COUNSEL AGENDA. PAGE ONE? PAGE TWO OR THREE? ONLY ONE CEREMONIAL ITEM. GIVE US A CHECK FOR REBATE ENERGY EFFICIENCY.
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>> (INAUDIBLE).

>> YEAH. CAN WE SCHEDULE SOME MORE OF THOSE? ANYTHING ELSE ON PAGE TWO OR THREE? PAGE FOUR OR FIVE? PARKING REQUIREMENTS AND BUSINESS DESTINATION AND RECOMMENDED DROP AS WE DISCUSSED.

>> WE WILL NOTE THAT ON THE AMENDED AGENDA.

>> AND THE CITY AQUATICS REPORT.

>> YES WE NEED TO REQUEST A SUNSHINE WAIVER FOR THAT. THAT WILL BE IN THE PACKET FOR FRIDAY. IT DIDN'T MAKE IT YESTERDAY.

>> THAT IS A STATUS REPORT FOR PREVIOUS ACTIONS. ANYTHING ELSE ON PAGE FOUR OR FIVE? PAGE SIX OR SEVEN?

>> ON 8.1 MAYOR THE AMBULANCE RFP RESPONSE. WE ARE REQUESTING A SUNSHINE WAIVER ON THAT ITEM AS WELL. IT SHOULD BE OUT ON FRIDAY IN THE PACKET.

>> THAT'S TEN DAYS?

>> YEAH.

>> OKAY. ANYTHING ELSE ON SIX OR SEVEN? PAGE EIGHT OR NINE? ACTUALLY PAGE EIGHT I HAVE ONE REQUEST FOR AN ADDITION APPOINTMENT TO FILL UNANTICIPATED VACANCIES ON THE POLICE AND FIRE BOARDS COMING FROM THE CITY CLERK. ANYTHING ELSE?

>> MOTION TO APPROVE THIS AS AMENDED?

>> SECOND.

>> ALL IN FAVOR?

>> AYE.

>> OPPOSED? THAT'S APPROVED.

>> MR. MAYOR IF I COULD INTERRUPT TWICE. FIRST THERE IS A FINANCING AUTHORITY AGENDA ON THE 25TH AND I THINK YOU MISSED 7 IT.

>> PAGE EIGHT.

>> THE VERY LAST PAGE, YES. AND WE DID MISS A FORMAL AD FOR THE MAY AGENDA AND THE JOINT MEMORANDUM ON THE ARIZONA BOYCOTT.

>> I FIGURED WE WOULD GET TO THAT IN DUE COURSE ON THE AGENDA.

>> IT'S PLACED ON THE AGENDA AS THE MAY --

>> IT'S NOT LISTED ON MINE.

>> RIGHT ON THE FRONT PAGE OF THE RULES.

>> OKAY. I'M WITH IT NOW.

>> OKAY.

>> WE WILL COME BACK TO THAT AS SOON AS WE FINISH THE 25TH AGENDA AND TALK ABOUT THESE MEETINGS. ANYTHING ELSE ON THE 25TH AGENDA? IS THERE A MOTION TO APPROVE INCLUDING THE SUNSHINE WAIVERS?

>> YES.

>> OKAY. CLERK YOU WANT TO ADD ANYTHING ELSE? OKAY AM ALL IN FAVOR?

>> AYE.

>> OPPOSED? NONE OPPOSED. LET'S COME BACK TO THE ARIZONA ISSUE AND TALK ABOUT IT. I THINK WE OUGHT TO SET THIS ON THE JUNE 8TH MEETING AGENDA, AND I THINK THERE'S SOME WORK THAT I THINK THE STAFF OUGHT TO BE ASKED TO DO BEFORE IT GETS ON THE COUNCIL AGENDA IN THREE AREAS. I DON'T THINK IT'S A GREAT AMOUNT OF WORK. FIRST OF COURSE WOULD BE LAWYERS NEED TO LOOK AT INTERSTATE COMMERCE CLAUSE AND DETERMINE THE SCOPE OF THE ABILITY AS A CITY TO REFUSE TO DO BUSINESS WITH ANOTHER COMPANY AND ANY REASON SUCH AS BEING IN THE STATE OF ARIZONA, AND I KNOW 5% PREFERENCE TO LOCAL BUSINESSES 8 BECAUSE OF THE INTERSTATE COMMERCE CLAUSE AND THEIR RESTRICTIONS, AND THAT IS ONE OF THE QUESTIONS CALLED OUT IN THE MEMO, AND I THINK WE OUGHT TO AT LEAST GIVE THE LAWYERS TO FIGURE OUT THE SCOPE OF OUR AUTHORITY TO DO ANYTHING UNDER INTERSTATE COMMERCE CLAUSE, STATE CONTRACTING REQUIREMENTS, AND OUR OWN CHARTER REQUIREMENTS TO AWARD TO RESPONSIBLE BIDDERS AND THOSE KINDS OF THINGS, SO THAT IS ONE AREA OF QUESTION. THE OTHER ONE IS A QUESTION OF FACT ABOUT REALLY -- I HAVE HEARD SAID "ARIZONA'S LAW IS JUST A RESTATEMENT OF FEDERAL LAW." I WOULD LIKE TO KNOW IF THAT IS TRUE OR NOT, AND THE THIRD AREA IS I KNOW THE CITY COUNSELS OF FLAGSTAFF AND TUCSON HAVE DECIDED TO SUE THE CITY OF PHOENIX AND ARIZONA AND HE SAID HE HAS ANOTHER WAY TO DO IT AS A COLLECTION OF STAYS THAT DON'T CITIES AND WHETHER THERE IS SOMETHING WE WANT TO DO AND CARVE OUT TUCSON OR FLAGSTAFF OR PHOENIX AND IT'S AN INTERESTING QUESTION AND SOMETIMES WE GET BLAMED FOR THE THINGS WE DON'T LIKE AND HAVE TO SUE AS WELL. AND THOSE ARE THE QUESTIONS I HAVE AND GIVE STAFF TIME --

>> ARE YOU ASKING US TO LOOK AT THOSE CITIES AND WHETHER THEY HAVE TAKEN ANY ACTION REGARDING THEIR OWN STATE LAW?

>> YEAH AND WITH THE CITY ATTORNEYS AND FLAGSTAFF AND PHOENIX AND TUCSON AND SEE IF THEY HAVE DONE ANYTHING. ANYBODY ELSE ON THIS?

>> HOW DOES THIS FIT WITH OUR COUNCIL POLICY AND STICKING WITH THE THINGS IN SAN JOSE'S POLICIES AND I DON'T THINK IT FITS THE POLICY AND REGARDLESS OF WHERE YOU ARE ON THE MERITS 9 ON THE ITEMS IN THE MEMO, AND ALONG WITH THE QUESTIONS THAT THE MAYOR ASKED BEFORE WE TAKE ACTION I THINK WE SHOULD ALSO CHECK SOME OF THE FACTS IN THIS MEMO BECAUSE SOME OF THE THINGS IN HERE I DON'T BELIEVE ARE TRUE FROM THE RESEARCH I HAVE DONE IN THE SHORT TIME SINCE THE MEMO CAME OUT. SPECIFICALLY ON WHETHER OR NOT SOMEONE CAN ASK FOR PAPERS WITHOUT CAUSE. WHETHER THEY CAN ONLY ASK IF THEY ARE STOPPED FOR A LEGAL REASON. I THINK THIS IS IMPORTANT IF IT GETS TO COUNCIL WE GET ASKED AND ANSWERED, AND AFTER WE DISCUSS THIS I JUST HAVE A PROCEDURAL QUESTION WHY SOMETIMES LIKE THIS COME IN THE A SECTION AND ADD THEM ON AND OTHERS COME IN THE LATER SECTIONS AND DEBATE FOR A FUTURE TIME, AND THERE SEEMS TO BE -- AT LEAST FROM MY PERSPECTIVE NO RHYME OR REASON FOR IT AND I THINK AS THE RULES COMMITTEE WE SHOULD GET THE QUESTIONS ANSWERS AND COMING BACK TO RULES BEFORE WE AGENDIZED LIKE WE HAVE DONE ON COUNTLESS OTHER ITEMS FOR THE THREE AND A HALF YEARS I HAVE BEEN ON THE COMMITTEE AND GET ON A'S AND THEN GO TO COUNCIL AND SIR CUM VENTING THE DISCUSSION HERE.

>> THIS IS SIGNED BY FOUR COUNCIL PEOPLE AND REQUEST FOR RESOLUTION. IT'S NOT LIKE SOME ISSUE THAT IS COMING DIRECTED TO A COMMITTEE FOR FURTHER STUDY AND I THINK THE QUESTIONS THAT THE MAYOR CALLED OUT ARE IMPORTANT AND THE QUESTIONS YOU JUST BROUGHT UP PETE WOULD ALSO BE GOOD, BUT I DON'T THINK THEY WOULD TAKE A LOT OF RESEARCH AND COME BACK TO RULES IN A FAIRLY SHORT TIME, SO I WOULD SUPPORT THE MARROW'S QUESTIONS MAYOR'S 10 QUESTIONS AND PUT IT ON THE JUNE 8TH COUNCIL. THIS ISN'T UNDER THE ECONOMIC DEVELOPMENT, PUBLIC ASSIST, NEIGHBORHOOD SAFETY AND EDUCATION AND WE HAVE THE SAME ISSUES AND I THINK IT'S A

STATEMENT OF IMPORTANCE TO THE COMMUNITY AND THE CITIZENS THAT WE HAVE AND QUITE HONESTLY TO THE NON CITIZENS WE HAVE. THEY'RE PART OF YOUR ECONOMY. THEY'RE PART OF OUR COMMUNITY. I AGREE THERE NEEDS TO BE SECURITY AT THE BORDERS BUT IN THE NEIGHBORHOODS I GET CONCERNED AND BASED JUST ON THE CRITERIA OF WHAT YOU LOOK LIKE.

>> OUR OFFICE CAN FORMALLY RESPOND TO THE QUESTIONS BEING ASKED AND WITH REGARD TO THE POLICY AND 0-11 AND DOES HAVE A STATEMENT THAT SAYS -- THE POLICY OF THE COUNCIL OF SAN JOSE AND NOT ACT OR TAKE A POSITION -- HAS A LIST OF ITEMS AND ONE IS ACTIONS OR BY THE STATE OF THE UNION OTHER THAN THE STATE OF CALIFORNIA AND NO IMPACT AND FELT ON THE GOVERNMENT OF THE CITY OF SAN JOSE SO THAT'S THE CONDITION. IF THERE IS NO IMPACT YOU SHOULDN'T BE TAKING A POSITION. IF YOU BELIEVE THERE IS AN IMPACT YOU CAN TAKE A POSITION. IT ALSO HAS A CATCH ALL PHRASE AND NOT LIMIT THE PREROGATIVE OF ANY CITY COUNCIL AND BEFORE THE COUNCIL A QUESTION WHICH THEY DEEM APPROPRIATE AND LIMIT DEBATE ON THE ISSUES THAT MEETS THE CRITERIA.

>> I THINK YOU COVERED IT IN THE SECOND PART OF THAT STATEMENT. I WOULD MAKE A MOTION THAT THE QUESTIONS THAT HAVE BEEN CALLED OUT HERE THAT THEY BE ANSWERED, AND THAT THIS COME TO COUNCIL ON JUNE 8 BECAUSE I DON'T THINK IT RESTRICTS A COUNCIL PERSON FROM 11 BRINGING TO COUNCIL -- I DON'T HAVE A COPY OF THAT POLICY, BUT AS YOU JUST READ.

>> WE WILL BE HAPPY TO GIVE YOU A COPY OF IT.

>> THAT WEEK GREAT.

>> AND IT WILL BE AGENDIZED AND WOULD LIKE ANSWERS TO THE QUESTIONS BEFORE THE MEETING.

>> CORRECT.

>> PRIOR TO THE SUNSHINE REQUIREMENTS FOR THE FOR THE EIGHTH.

>> AND 11 DAYS BEFORE THAT.

>> OKAY.

>> WE WOULD CALENDAR THIS ON THE AGENDA FOR JUNE 8TH AND MAKE SURE THE STAFF MEETS THE REQUIREMENTS ACCORDING TO OPEN GOVERNMENT.

>> (INAUDIBLE).

>> SO THAT WOULD GIVE A COUPLE OF WEEKS. TEN DAYS ANYWAY.

>> THAT'S MY MOTION.

>> SECOND.

>> OKAY, YEAH THERE WAS A SECOND. NANCY DID YOU WANT TO SPEAK?

>> SUCH AN INCREDIBLY DEEP SUBJECT IN REFERENCE TO THE CONSTITUTIONALITY ISSUE. HAVE ANY OTHER STATES THAT HAVE --

>> THERE ARE OTHER CITIES THAT HAVE ADOPTED RESOLUTIONS AND CITY ASK COUNTY OF SAN FRANCISCO AND COUNTY OF SAN FRANCISCO HAS DONE IT AND WE CAN PROVIDE THAT AND THE ISSUES THAT WERE RAISED.

>> THAT WOULD BE GOOD AND SOME WAYS TO AVOID DOING THE SAME THING ALL OVER AGAIN.
THANK YOU.

>> AND DON'T FORGET ALLOT OF THE CITIES DON'T WAY ATTENTION TO THE U.S. CONSTITUTION AND
IT'S IMPORTANT TO ME.

>> WE WILL GIVE YOU A LIST OF THE CITIES THAT HAVE, AND YOU CAN DECIDE WHETHER YOU
TAKE SOLACE FROM THE CITIES THAT 12 ADOPT THE RESOLUTION.

>> OKAY. I HAVE REQUESTS FROM THE PUBLIC TO SPEAK ON THIS ITEM. (CALLING SPEAKERS). SAL.

>> THANK YOU MAYOR AND MEMBERS OF THE CITY COUNCIL. AN HONOR ALWAYS TO BE BEFORE
YOU. I AM HERE REPRESENTING LA RAZA ROUNDTABLE AND MADISON NGUYEN COME AND I GOT A
CALL FROM COUNCILMAN AND WANTED TO MOVE FORWARD ON THIS AND INASMUCH THE CITY OF
SAN FRANCISCO AND LOS ANGELES HAVE SPOKEN OUT ON THIS ISSUE. AS A MEMBER OF
THE CLERGY ALL THIS WEEK THE BISHOP MCGRAW AND I CAME FROM BEING WITH THE BISHOP AND
OF COURSE HE'S GOING TO ISSUE A VERY STRONG STATEMENT SIMILAR TO THE CARDINAL WHO
MADE A VERY VERY STRONG STATEMENT AGAINST THE INITIATIVE TAKEN BY THE
ARIZONA LEGISLATURE AND THE GOVERNOR, SO WE ALSO ARE AWARE THAT YESTERDAY THE
BOARD OF SUPERVISORS BY FOUR TO ONE VOTE TOOK ACTION TO JOIN A LAWSUIT AND I THINK THE
MEMO INDICATES HERE THAT IS ONE OF THE THINGS TO LOOK AT IN TERMS OF AMICUS PART OF
SUPPORTING THE LAWSUIT. WE ALREADY FACE THIS IN CALIFORNIA WITH PROP 187 AND IT WAS
DECLARED UNCONSTITUTIONAL, SO WE AGREE WITH THE MAYOR'S COMMENTS AND ALL OF THOSE
WHO ARE WATCHING TO SEE THIS PARTICULAR MEASURE GO DOWN, SO WITH THAT WE
APPRECIATE IT YOUR EFFORTS IN MOVING THE MEASURE TO THE CITY COUNCIL ON JUNE 8TH.

>> DAVID WALL AND MR. TORRES.

>> EVEN THOUGH THIS MEMO IS SIGNED BY COUNCIL MEMBERS IT'S NOTHING MORE THAN A
PANDERING TO ETHIC VOTERS AND DON'T SUPPORT LEGAL IMMIGRATION AND
ILLEGAL IMMIGRATION AND SAME PARODY AND 13 LEGAL IMMIGRATION.
PEOPLE IN ARIZONA ARE FED UP WITH ILLEGAL IMMIGRATION TO THE STATE, AND NOW WHAT I
BELIEVE IS POLITICAL PANDERING BY STATES AND OTHER ELECTED REPRESENTATIVES AND CURRY
FAVOR WITH VOTING PEOPLE AND COME IN AND SAY "NO, ILLEGAL IMMIGRATION IS OKAY" . NO,
IT'S NOT OKAY. ILLEGAL IMMIGRATION IS OF NO VALUE TO THIS COUNTRY PERIOD. A LITTLE TRIVIA
FOR SAN JOSE AND THEY HAD A POLICY WHERE THE POLICE DEPARTMENT WAS FORBIDDEN TO
REPORT ANY ILLEGAL IMMIGRANT THEY HAD FOR CRIME AND THAT CHANGED FOR ONE
PERSON. THAT PERSON WAS ME AND I DID MULTIPLE DRUG BUSTS ON DEALERS AND
PREDOMINANTLY MEXICANS AND WENT TO THE LAW LIBRARY AND ARRESTED SOMEONE AND
CONFRONTED THE CITY LEADERS ABOUT THEIR LACK OF AMERICAN ACTIVITIES. THAT CHANGED IT
TO WHERE THE SAN JOSE POLICE DEPARTMENT CAN REPORT FELONIES ON ILLEGAL ALIENS. NOW,
THIS ORDINANCE IN ARIZONA DOESN'T MEAN JUST BECAUSE YOU LOOK LIKE SOMEBODY. IT'S WHEN
THE POLICE STOP YOU FOR A LEGITIMATE CAUSE OR DETAINED AND HAVE EVERY RIGHT TO FIGURE
OUT WHO YOU ARE. THIS HAS TO CHANGE HERE. IF WE'RE GOING TO BE A NATION OF
EQUAL TREATMENT UNDER THE LAW AND CAN'T GO ILLEGAL IMMIGRATION WE'RE GOING TO GIVE
YOU PREFERENTIAL TREATMENT ANYWHERE --

>> ALL RIGHT YOUR TIME IS UP. MR. TORES.

>> I NEED TO BE A LITTLE BIT TALLER. HELLO I AM OMAR TORES. I AM NOT REPRESENTING
ANYBODY. I AM JUST REPRESENTING THE YOUNG PEOPLE AND PEOPLE OF COLOR OF SAN JOSE,
AND I HOPE THAT YOU GUYS VOTE TO TAKE THIS UP TO 14 CITY COUNCIL. IT'S
EXTREMELY IMPORTANT. I MEAN AS A YOUNG PERSON I AM SICK AND TIRED OF SEEING
DISCRIMINATION EVERYWHERE I GO, AND WE WANT TO BE A POSITIVE SOCIETY WHERE THERE IS NO
HATE, THERE IS NO IGNORANCE, BUT UNFORTUNATELY WE HAVE IT, AND YOU SEE IT MORE THAN
EVER WITH THE LAW THAT WAS PASSED IN ARIZONA. YOU KNOW, YOU'RE PRACTICALLY

GOVERNMENT SPONSORED RACIAL PROFILING AND THAT IS ABSURD, AND I WAS BORN IN THE UNITED STATES. I HAVE BEEN STOPPED NUMEROUS TIMES BECAUSE OF THE WAY THAT I LOOK, AND THOUGH MOST OF THE TIMES I HAVE BEEN COMING HOME FROM THE GYM AND I DON'T TAKE MY ID OR RUNNING AROUND THE NEIGHBORHOOD AND I THINK THAT IS COMPLETELY ABSURD AND THAT A LAW IS PASSED LIKE THIS IN ARIZONA, AND PLEASE FOLLOW THE STEPS OF SAN FRANCISCO, L.A., AND NOW OUR COUNTY BOARD OF SUPERVISORS BY TAKING THIS UP TO CITY COUNCIL AND BOYCOTTING A RACIST STATE LIKE ARIZONA SO THANK YOU VERY MUCH.

>> THAT CONCLUDES THE PUBLIC TESTIMONY ON THIS ITEM. WE HAVE A MOTION AND STAFF TO DO SOME WORK AND ON THE AGENDA FOR THE EIGHTH.

>> AYE.

>> OPPOSED?

>> ONE OPPOSED.

>> MR. MAYOR?

>> YES.

>> MAY I ADDRESS THE QUESTION THAT WAS ASKED AND HOW ITEMS ARE PROBABLY URL PROCEDURAL PUT ON THE AGENDA. THIS ITEM THE AUTHOR ADDED IT BE ADD TO THE MAY 18TH AND THAT'S WHY IT WAS FOR THAT AGENDA. IF AN ITEM COMES FORWARD AND THERE ISN'T A SPECIFIC DATE REQUESTED OR 15 PERHAPS THERE IS SOME KNOWN STAFF WORK THAT NEEDS TO BE COMPLETED BEFORE THE ITEM CAN MOVE FORWARD TO THE CITY COUNCIL WE WILL GENERALLY PUT IT UNDER THE DISCUSSION SIDE OF THE AGENDA, BUT AGAIN IF THERE IS A REQUEST AND MOVE TO THE NEXT MEETING OR THE ONE MEETING FOLLOWING THAT AND REVIEWING HERE AT THE RULES COMMITTEE AND THAT'S WHY IT'S ON THE AGENDA THAT WAY OR FURTHER BACK IT'S UNDER DISCUSSION.

>> I THINK JUST PROCEDURALLY I THINK I HAVE ASKED FOR SPECIFIC DATES AND STILL PUT IN THE LATER SECTION VERSUS BEING PUT IN THE A SECTION, SO I THINK PERHAPS IF WE'RE GOING TO DO THAT THEY SHOULD ALL BE -- WE SHOULD HAVE THEM ALL DISCUSSED AT THE SAME TIME AND IF THERE IS REQUEST FOR A CERTAIN MEETING AND THAT IS IN THE OTHER PART OF THE AGENDA BECAUSE THEY'RE JUST NOT ALL BEING TREATED THE SAME AND THEY'RE DIFFERENT. I WOULD LIKE TO SEE SOME MORE UNIFORMITY SO THERE IS PREDICTABILITY.

>> OKAY.

>> I AGREE. I DON'T THE DISTINCTION AND EVEN THOUGH IT'S EXPLAINED QUITE A FEW TIMES AND WE STILL HAVE THE SAME DISCUSSION AND LET'S PUT THEM IN THE SAME PLACE.

>> OKAY. FROM HERE ON OUT THEY WILL GO UNDER THE DISCUSSION ITEMS AND IF YOU DECIDE TO MOVE IT FORWARD WE WILL A AMEND IT.

>> AND THAT SEEMS LIKE THE SIMPLEST WAY.

>> OKAY. WE CAN DO THAT.

>> ANYTHING ELSE BEFORE WE MOVE TO THE NEXT ITEM? AND REDEVELOPMENT AGENCY.

>> IF I MAY MAYOR THE AGENCY HAS NO ITEMS FOR THE 18TH AND IF THERE ARE JOINT ITEMS AND 16 NOTHING NOW AND IF THERE IS SOMETHING WE WILL BE.

>> MOTION TO CANCEL THE SESSION?

>> OKAY.

>> ALL IN FAVOR?

>> AYE.

>> OPPOSED? NONE OPPOSED. REDEVELOPMENT AGENCY MAY 25TH. ANYBODY ON PAGE ONE -- ANYTHING ON PAGE ONE? TWO, OR THREE, OR FOUR?

>> MOVE APPROVAL.

>> NOTION IS TO APPROVE. ALL IN FAVOR?

>> AYE.

>> OPPOSED? NONE OPPOSED. IT IS APPROVED. NEXT ITEM WOULD BE LEGISLATIVE UPDATE STARTING WITH THE STATE.

>> GOOD AFTERNOON. BETSY SHOTWELL HERE AND YOU HAVE TWO MEASURES. THE FIRST SENATE BILL 918 AND REQUIRE THE STATE DEPARTMENT OF PUBLIC HEALTH AND RECYCLE FOR POTABLE WATER AND THE STAFF IS AVAILABLE FOR ANY QUESTIONS YOU MAY HAVE REGARDING THIS LEGISLATION.

>> COUNCILMAN CHU DID YOU WANT TO SPEAK ON ONE OF THESE ITEMS?

>> NO. WE'RE ON LEGISLATION AT THE MOMENT.

>> (INAUDIBLE).

>> OKAY. WE WILL GET BACK TO THAT IN A MINUTE. SOY ON THIS PART OF THE LEGISLATION ANYTHING?

>> I THINK -- I WOULD LIKE TO MOVE APPROVAL TO THIS AND GIVE IT THE ONE WEEK TURN AROUND. SEEMS LIKE A NO BRAINER.

>> MOTION IS TO APPROVE AND PUT ON THE AGENDA FOR NEXT WEEK. ALL IN FAVOR?

>> AYE.

>> OPPOSED? THAT IS APPROVED. OTHER ITEMS?

>> YES. AND BY CHESBRO AND FOOD PACKAGING IS COMBUSTIBLE AND 17 RECYCLABLE AND CERTAIN CRITERIA DEFINED IN THE ATTACHMENT AND AGAIN STAFF IS HERE TO ANSWER ANY QUESTIONS YOU MAY HAVE.

>> NOW, HOW DOES THIS RELATE TO THE WORK THAT THE INDUSTRY HAS BEEN DOING ON THE MATERIAL TO MAKE IT POSSIBLE TO RECYCLE AND I HEARD THE STAFF WAS WORKING WITH THEM AND TALKING ABOUT DIFFERENT EQUIPMENT AND COMPRESSED AND POTENTIALLY RECYCLABLE.

>> I AM THE DEPUTY DIRECTOR FROM THE ENVIRONMENTAL SERVICES. WE PRESENTED THIS ISSUE TO THE COMMITTEE ON MAY 3RD AND THERE ARE TWO KINDS OF TRACKS WITH POLYSTYRENE AND THE PACKAGING THAT WE GET WITH LARGER GOODS AND THAT PACKAGING CAN BE RECYCLED HAD IF IT'S SEGREGATED AND TAKEN TO A DROP OFF PLACE AND WE CAN USE THE EQUIPMENT THAT WAS FOR EXAMPLE CALLED TO OUR ATTENTION. THE MORE PROBLEMATIC ISSUE IS THE FAST FOOD AND HARD TO RECYCLE THROUGH THAT PROCESS OR THROUGH OUR REGULAR PROCESS AND

SORTING IT ON THE LINE AND THAT IS WHERE THE BIG CHALLENGE COMES BOTH WITH RECYCLING AND THE LITTER ISSUE.

>> SO IF YOU SEE THE PACKAGING AND GET INTO THE CREEKS AND OCEAN THEY WILL EVENTUALLY -- WHAT HAPPENS TO THEM?

>> SO IF IT'S PAPER PRODUCTS THEY WILL DEGRADE. IF IT'S SOME OF THE HIGHER END COMPOSTABLE PRODUCTS NEED TO BE PROCESSED IN A COMMERCIAL FACILITY BUT WE ARE MOVING WITH THE WASTE STREAMS TO DO THAT AND DO IT WITH ALL APARTMENT WASTE NOW AND WE WOULD BE ABLE TO PROCESS THE HIGHER END COMPOSTABLE MATERIAL THROUGH OUR RECYCLE SYSTEM, BOTH RESIDENTIAL AND COMMERCIAL IN 18 THE NEXT TWO OR THREE YEARS. THAT'S THE TIME LINE THAT IS IN THE BILL.

>> I JUST WANT TO SAY RIGHT NOW WITH THE ECONOMIC ENVIRONMENT I DON'T THINK WE SHOULD BE SUPPORTING ANYTHING THAT INCREASES THE COST OF DOING BUSINESS IN THE CITY, AND THIS IS GOING TO HAVE SIGNIFICANT COST TO BUSINESSES, AND I KNOW THAT THE WORD "FAST FOOD" HAS BEEN MENTIONED A COUPLE OF TIMES BUT IN PREPARATION I WAS TRYING TO THINK WHICH FAST FOOD ACTUALLY USES POLYSTYRENE AND I COULDN'T FIND ANY THAT DO. IT SEEMS TO BE REGULAR RESTAURANTS THAT USE THE POLYSTYRENE, SO CAN YOU GIVE US INVITE THERE.

>> YEAH. MOST OF THE POLYSTYRENE THAT WE SEE ARE THE CLAM SHELL CONTAINERS USED BY STUDENTS. SOME RESTAURANTS AND MCDONALDS AND OTHERS HAVE MOVED AWAY BUT THERE ARE SOME CHAIN RESTAURANTS THAT USE THE POLYSTYRENE, AND THE PRICE IS GOING DOWN AND THE BIGGEST DRIVER OF THAT IS VOLUME, SO IF THE STATE WERE TO TAKE ACTION THAT WOULD REALLY DRIVE THE MARKET DOWN AND SEEN A DECREASE IN THE YEARS THAT THE BAY CITIES ARE INVOLVED IN THAT AND FOR THE VENDORS AND THEY WERE USING IT AND NOW USING RECYCLABLE MATERIAL AND THE COST IS DOWN TO ABOUT 11 CENTS DIFFERENTIAL WITH THE CONTAINERS SO A STATE WIDE MARKET FOR THAT MATERIAL WOULD HAVE A DRAMATIC IMPACT ON THE COST.

>> WHAT I THINK THAT POINTS OUT IT WILL PUT A FINANCIAL BURDEN ON THE SMALLEST BUSINESSES AND ALL THE BIG CHAINS AND JOE VERIFIED THAT AREN'T USING THESE, SO IT'S THE MOM AND POP RESTAURANTS, THE SMALL CHAINS 19 THAT ARE ALREADY STRUGGLING IN OUR CITY RIGHT NOW. WE HAD A LOT OF RESTAURANTS IN THE AREA GO OUT OF BUSINESS, AND IT IS GOING TO ADD -- WHILE IT'S OFTEN. ONLY 11% RIGHT NOW THERE IS MORE COST AND I DON'T THINK WE SHOULD GO FORWARD AT THIS TIME.

>> I LIKE THAT IT'S A STATE PIECE OF LEGISLATION AND IT CALLS OUT -- I BELIEVE 40 CITIES -- I READ IT SOME WHERE AND MAKES IT DIFFICULT FOR THE SMALL BUSINESS SAYS ASS AND AS WAS POINTED OUT AND PUSH THE PRICE LOWER. I KNOW THIS IS PART OF THE GREEN VISION AND ADDS TO THE COST OF DOING BUSINESS AND THE SEWER FEES AND WHAT WAS IT? THE STORM SEWER, THE PERMIT THAT WE HAD TO GET AND THERE ARE SOME REAL DRACONIAN MEASURES THAT IF WE DON'T REDUCE THE KIND OF DEBRIS GOING INTO OUR WATER SYSTEM, SO I REALLY RESPECT WHAT COUNCIL MEMBER CONSTANT HAD TO SAY, YOU ABOUT I A LITTLE DIFFERENT TAKE AND OUR COMMUNITY PAYS FOR IT ONE WAY OR THE OTHER, AND I THINK THE GREATER GOOD IS TO CREATE MARKETS AND DRIVE THE PRICE LOWER, GET IT OUT OF THE WASTE STREAM. WE CLEAN UP THE WATER WAYS AND GET THE STORM PERMITS AT A LOWER COST AND THE ADDITIONAL BURDEN WE WOULD HAVE TO PAY AS A COMMUNITY, SO I WOULD LIKE TO MOVE APPROVAL WITH THIS WITH THE ONE WEEK TURN AROUND AND DO SOMETHING AT A STATE LEVEL THAT WILL DRAMATICALLY IMPACT THE PRICE OF THESE AND THE SMALL BUSINESSES WILL BENEFIT AS WELL AS THE LARGE BUSINESSES.

>> I WOULD LIKE TO SECOND THAT AND WE DO WORRY ABOUT THE SMALL BUSINESS OWNERS BUT IN THE LONG RUN IT MAYBE LESS EXPENSIVE THAN 20 WHAT IS CURRENTLY USED AND INTO THE LANDFILLS AND WE CAN'T AFFORD TO USE THE LAND IN THAT MANNER.

>> I HAVE A QUESTION ABOUT THE CREEKS AND THE OCEANS. WE COULD JUST BE REPLACING ONE KIND OF LITTER WITH ANOTHER BECAUSE EVEN THOUGH IT'S COMPOSTABLE AND YOU HAVE TO GET IT INTO THE FACILITY AND THE TRICK YOU GETTING IT THERE AND YOU COULD GET IT INTO THE LANDFILLS AND THAT IS ONE OF THE COMPLAINTS AND HAVE THE POLLUTION CAUSED BY THAT, SO I THINK IT DEPENDS ON THE KINDS OF MATERIALS AND ONE THAT REQUIRES INDUSTRIAL SCALE PROCESSING IS NOT GOING TO SOLVE THE PROBLEM WITH THE LITTERS IN THE CREEKS AND THE OCEAN.

>> YOU ARE CORRECT MAYOR. THERE ARE SOME PROCESSES CURRENTLY THAT ARE NEEDED TO -- COMMERCIAL SCALE TO COMPOST SOME OF THE MATERIAL, BUT THERE ALSO IS A GREAT DEAL OF RESEARCH INCLUDING RIGHT HERE AT STANFORD AND PLASTICS THAT WILL COMPOST IN THE NATURAL ENVIRONMENT AND SEVER RESEARCH INSTITUTIONS IN EUROPE ARE UNDER TAKING THAT INITIATIVE ALSO AND GET SOMETHING THAT HAS THE CHARACTERISTICS OF PLASTIC THAT WE ALL ENJOY BUT WILL BREAK DOWN IN THE NATURAL ENVIRONMENT AND INCLUDING OCEAN AND BURIED SO THAT IS A VERY BIG PART OF PACKAGING RESEARCH THAT IS GOING ON RIGHT NOW INCLUDING HERE IN THE BAY AREA, SO I THINK THAT ISSUE WILL BE ADDRESSED IN THE NEXT TWO YEARS.

>> BUT THIS BILL DOESN'T DO THAT, DOES IT?

>> WELL, IT ENCOURAGES COMPOSTABLE MATERIAL AND SOME OF WHICH THERE ARE SOME ALTERNATIVES AND INCLUDING NEW 21 PRODUCTS THAT WOULD COMPOST IN THE NATURAL ENVIRONMENTS AND NOT ALL THAT ARE AVAILABILITY REQUIRE COMMERCIAL FACILITIES AND WE COULD WORK WITH THE AUTHOR AND MORE SUPPORT OR EMPHASIS ON MATERIAL THAT IS COMPOSTABLE OUTSIDE OF THE COMMERCIAL PROCESS, BUT THERE ARE ALTERNATIVES NOW THAT CAN BE COMPOSTED OUTSIDE OF PROCESS.

>> I THINK THAT IS AN IMPORTANT POINT OF THE EXERCISE AND TRY TO DO SOMETHING THAT HAS AN IMPACT ON THE CREEKS AND THE OCEANS IN TERMS OF THE PLASTICS COMPOSTING, BUT IF IT'S IN THE OCEAN COMPOSTABLE AND GET IT INTO INDUSTRIAL FACILITY AND JUST THE SAME AS PLASTIC BAG AND HAVEN'T ACCOMPLISHED ANYTHING BUT MADE IT MORE EXPENSIVE BUT THAT DOESN'T DECREASE THE PROBABILITY OF SOMEONE RECYCLING IT AND I WOULD ENCOURAGE THE STAFF WORKING AND DEALING WITH THAT ISSUE.

>> I WOULD INCLUDE THAT IN THE MOTION.

>> OKAY.

>> SECOND.

>> MOTION TO APPROVE AND ON THE AGENDA NEXT WEEK. ALL IN FAVOR?

>> AYE.

>> OPPOSED? ONE OPPOSED. COUNCIL CONSTANT. THAT CONCLUDES THE STATE REPORT.

>> AND THE FEDERAL.

>> STATE AND AS LONG AS YOU'RE HERE AND MAY 14TH AND IS THAT THE DATE FOR THE GOVERNOR'S REVISED BUDGET.

>> THAT'S WHAT WE'RE HEARING. WE WILL PUSH TO GET THAT INFORMATION OUT AND AS SOON AS WE ANALYZE IT IN THE BUDGET OFFICE AND SEE WHAT PROPOSALS ARE OUT THERE THAT DEAL WITH THE DEFICIT AND WE THOUGHT THE NUMBERS WERE GOOD AND WE WERE 22 TOLD THAT AND NOW WE'RE BACK TO THE FIGURE WE HEARD IN JANUARY FOR THE DEFICIT AND

PLUS THE 1 BILLION THE GOVERNOR WANTS TO HAVE IN THE RESERVE SO THOSE ARE THE NUMBERS.

>> 20 BILLION IS GOOD NEWS BECAUSE IT'S CLOSE TO THE ORIGINAL ESTIMATE AND OPPOSED TO PREVIOUS YEARS IT KEPT GETTING WORSE AND WORSE.

>> RIGHT. WE WILL HAVE MORE DETAIL AND INFORMATION AS SOON AS THE NUMBERS ARE RELEASED AS LONG AS WE GET THAT INFORMATION.

>> THE GOOD NEWS IS THE PROJECTIONS ARE BAD AND THEY'RE STILL BAD. THEY'RE NOT WORSE. HAVE TO BE OPTIMISTIC ABOUT THINGS GOING ON IN SACRAMENTO, AND ALSO EVERYBODY KNOWS WE HAD TO WRITE A CHECK TO THE STATE OF CALIFORNIA ON MONDAY, 62 MILLION.

>> CORRECT.

>> PART OF THE TAKE FROM US. WHAT IS THE FROM US NOW? \$500 MILLION.

>> YEAH.

>> AND ENOUGH TO COVER ALL OF THE INFRASTRUCTURE BACKLOG.

>> I AM ON A SLOW BOIL HERE. I HAVEN'T SEEN ONE PROPOSAL TO INCREASE REVENUE. TO COME UP WITH ANYTHING THAT IS ABOVE AND BEYOND AND HOPING THAT THE SALES TAX GETS BETTER, OR HOPING THAT ANYTHING GETS BETTER. THERE WAS SOME TALK ABOUT A GASOLINE TAX. THERE WAS SOME TALK ABOUT PUTTING WELLS ALL ALONG THE SHORE AND THAT BLEW UP AND I HAVEN'T SEEN ONE CREATIVE IDEA OUT OF SACK AWARD AND I AM SACRAMENTO AND I AM DISAPPOINTED.

>> AND I AM SURE AND ANYTHING THAT RAISES REVENUE REQUIRES A 2/3 VOTE AND THAT IS THE DILEMMA IN BOTH HOUSES AND WILL RAISE 23 REVENUES.

>> BEFORE WE MOVE ON. I THINK I WANT TO TAKE TESTIMONY FROM MR. WALL. COME IN AND CLUE US IN. SEWER AND USE CHARGE.

>> I TRIED TO GIVE YOU A GOOD UPDATE. THIS THING FIRST OF ALL ON THE FIRST SECTION YOU MISSED BY TESTIMONY WAS ON THE TOILET AND TAP ISSUE BASICALLY ABOUT THE RECLAIM WATER AND THE REQUIREMENTS BY THE DEPARTMENT OF HEALTH. THAT'S A VERY GOOD IDEA, BUT WHAT IS NOT A VERY GOOD IDEA IS WHAT IS GOING ON SINCE DAY ONE WITH THIS RECYCLED WATER PROGRAM IS THE USE OF THE SEWER USE PROGRAM NOW TO FUND FOR A WATER UTILITY WHICH IS EXCEEDING THE SCOPE OF THE SEWER AND USE CHARGE IN A MATERIAL FASHION THAT VIOLATES PROP 218 AND IN REGARDS TO THIS POLYSTYRENE BUSINESS 15 YEARS AGO THERE WAS PROPOSALS PUT FORTH TO THE CITY TO DEAL WITH THIS CONTAMINATED FOOD WASTE THAT THE COLUMN SHELL BUSINESS CLAM SHELL BUSINESS. I CAME UP WITH THE IDEA AND SHRED IT AND COULD USE FOR ROAD APPLICATIONS AND OTHER THINGS AND IT'S INERT AND MIX WITH ASPHALT AND HAVE A FLEXIBILITY AND 15 YEARS AGO AND SHOWS THE LACK OF MAGNITUDE AND THE ENVIRONMENTAL SERVICES PEOPLE AND THEY HAVE ALL THE RESOURCES AT THEIR COMMANDS. IT KEEPS THEM FROM GOING TO THE LANDFILL AND REVENUE STREAM FOR THE PRODUCT THAT WAS ONCE CONTAMINATED AND USED FOR A WHOLE BUNCH OF OTHER THINGS. I CALLED IT OFFICIALLY "LOOSE POT HOLE PATCH" AND DIRECTOR AT THE TIME AND AS FAR AS THE TOILET TO TAP BUSINESS THERE ARE TOO MANY FUNDING PROGRAMS AND GET THE LANGUAGE CHANGED OR DON'T TOUCH IT. THAT'S THE ISSUE HERE. 24 CHANGE THE LANGUAGE WHERE YOU CAN MAKE DRINKING WATER FROM SEWER WATER AND IT'S OKAY, BUT AS IT'S WRITTEN --

>> SORRY YOUR TIME IS UP. ANYTHING ELSE ON THE LEGISLATIVE UPDATE, STATE OR FEDERAL? NONE. PUBLIC RECORD. ANYTHING FROM THE PUBLIC RECORD.

>> NOTE AND FILE.

>> SECOND.

>> NOTE AND FILE THE PUBLIC RECORD. ALL IN FAVOR?

>> AYE.

>> OPPOSED? NONE OPPOSED. LET'S APPROVE APPOINTMENTS TO BOARDS AND COMMISSIONS AND COMMITTEES. WE HAVE A RECOMMENDATION FROM COUNCIL MEMBER PYLE AND REAPPOINT THESE PEOPLE AND THESE TO THE AIRPORT COMMISSION AND COUNCIL CHIRCO AND RECOMMENDATION FOR THE COMMISSION AND DANA PEAK AND STEPHEN COHONTO THE LANDMARK'S COMMISSION.

>> MOTION TO APPROVE.

>> MOTION TO APPROVE ALL OF THEM. GET THEM ON THE AGENDA AND MADE EFFECTIVE QUICKLY AND ON THE CONSENT CALENDAR. RIGHT? ALL IN FAVOR?

>> AYE.

>> OPPOSED? NONE OPPOSED. MOTION APPROVED. ITEM H1 APPROVE RECOMMENDATIONS FOR THE CALIFORNIA FAIR ACT. COUNCILMAN CHU.

>> WELL, THANK YOU MAYOR AND THE COLLEAGUES AND GIVING ME THE OPPORTUNITY TO SPEAK. I AM HERE TO ASK FOR YOUR SUPPORT ON PROPOSITION 15, THE CALIFORNIA FAIR ELECTION ACT. I AM RECOMMENDING THAT THE CITY OF SAN JOSE ADOPT A RESOLUTION IN SUPPORT OF THE PROPOSITION FOR THE JUNE BALLOT. PROP 15 IS 25 BASED ON SUCCESSFUL MODELS IN OTHER STATES. AS WE ALL KNOW THE CURRENT CAMPAIGN FINANCE SYSTEM FAVORS THOSE CANDIDATES WHO RAISE THE MOST MONEY. THIS IS A MODEL FOR THE LOCAL JURISDICTIONS AND SHOULD IT REVISE IT OWN EXPENDITURE LIMIT REGULATION. IF IT'S ENACTED AND PROPOSE FEE ON THE LOBBYISTS IN CALIFORNIA AND USE OF ADDITIONAL REVENUE AND PROVIDE POLITICAL FUNDING IN THE STATE. PARTICIPATING CANDIDATES ARE BANNED FROM RAISING OR SPENDING MONEY BEYOND THE SET LIMIT OF THE PROPOSAL LAUNCHES A PILOT PROGRAM THAT ONLY APPLIES TO THE POLITICAL CAMPAIGNING FOR THE OFFICE OF SECRETARY OF THE STATE AND DURING THE YEAR OF 2014 AND 2018 GIVEN THAT THE SECRETARY OF THE STATE OVERSEES THE ELECTIONS THIS IS A GOOD PLACE TO START. PROP 15 GIVES -- OF THE MONEY AND IF THE LOBBYISTS IS NOT GENERATING ENOUGH MONEY THERE IS NO AUTOMATIC RESOURCES TO GENERATE TAXPAYERS MONEY WITHOUT ADDITIONAL AUTHORIZATION OF THE BY REMOVE MOVING EXISTING BAN ON PUBLIC FINANCING OF CAMPAIGN PROP 15 ALSO FREES LOCAL GOVERNMENT TO ESTABLISH THEIR OWN CAMPAIGN FINANCE PROGRAMS THAT REPLACE SPECIAL INTEREST DOLLARS WITH PUBLIC FINANCING. IF THE PROGRAM IS SUCCESSFUL THE PILOT COULD BE EXPANDED TO ANY OFFICE IN CALIFORNIA, AND WILL ALLOW CITIES AND COUNTIES TO CHOOSE PUBLIC FINANCING. WHILE THIS IS A STATE MEASURE CITIES ALSO HAVE A STAKE IN PROP 15. FIRST ENSURING FAIR ELECTION IS A CRITICAL FIRST STEP IN THE DIRECTION OF FULL PUBLIC FUNDING OF ELECTION. SECONDLY, CITIZENS LOOK TO THEIR ELECTED OFFICIALS AND LEADERS FOR GUIDANCE AND 26 ADVICE ON PUBLIC POLICY MATTERS. THIRDLY, EVERY CITIZEN OF SAN JOSE IS A CITIZEN OF CALIFORNIA, AND INTEGRITY OF OUR E ELECTORAL PROCESS AFFECT US ALL. PROP 15 WILL REDUCE THE INFLUENCE OF LOBBYISTS. LEGISLATURES WILL NOW LISTEN TO THE NEEDS OF THE VOTERS RATHER THAN THE INTERESTS THAT GIVE THE MONEY. IN THE SPIRIT OF HAVING HONEST AND OPEN GOVERNMENT. LOBBYISTS AND SPECIAL INTEREST GROUP WOULD HAVE LESS INFLUENCE WHEN IT COMES TO ELECTING OUR LOCAL REPRESENTATIVES SO THEREFORE I RESPECTIVELY REQUEST THE RULES COMMITTEE TO SUPPORT THIS RECOMMENDATION. THANK YOU.

>> COUNCILMAN.

>> I HAVE SEVERAL ISSUES WITH THIS. THE FIRST OF ALL IS AT A TIME WHEN ALL GOVERNMENTS ARE HAVING ISSUES WITH FUNDING AND OPENING THE FIELD FOR ALL ELECTED OFFICES TO GO TO PUBLIC FUNDING AND I DON'T THINK IS NECESSARILY A FISCAL RESPONSIBLE THING TO DO. I ALSO THINK THAT WHILE IT'S EASILY SAID THIS MAKES ELECTIONS FAIR I WANT TO POINT EVERYONE TO WHAT I BELIEVE IS -- PAGE 22 BUT PAGE FOUR IN OURS AND IT'S THE ONE THAT HAS FIGURE TWO, THE BOX IN IT, AND LOOK AT THE INEQUITY FOR CANDIDATES FROM MINOR PARTIES. A PERSON FROM A MINOR PARTY IN A PRIMARY ELECTION WOULD HAVE TO COLLECT DOUBLE THE NUMBER OF 5-DOLLAR CONTRIBUTIONS THAT SOMEONE FROM A MAJOR PARTY AND BROADER SUPPORTS BECAUSE OF THE FACT THEY'RE WITH A BIGGER PARTY AND HAVE AN EASIER TIME RAISING MONEY AND EVEN IF THEY DO THAT THEY GET 15 GO AHEAD OF THE ONE FIFTH OF THE MONEY AND DON'T SEE IT UNTIL THE GENERAL ELECTION AND I THINK THAT IS A PROBLEM 27 AND IT REALLY HAS SOME VAGUENESS IN HOW YOU DEFINE A CANDIDATE FROM A MINOR PARTY AND SOMEONE DEMONSTRATING BROADER SUPPORT AND I THINK THAT IS A KEY FLAW IN THE LEGISLATION AND EVEN IF YOU WANT PUBLIC FUNDED ELECTIONS AND ALSO BEAR IN MIND ON THE NEXT PAGE UNDER PROPOSITION 14. IF PROPOSITION 14 PASSES WE WILL PRETTY MUCH HAVE TO GO TO A ANOTHER BALLOT MEASURE AND SPEND THE MONEY TO RECONCILE PROPOSITION 15, AND THE ODDS OF THIS BEING RECONCILED AT THE STATE LEGISLATURE IS SIMILAR ERROR SLIM AND FOR THOSE TWO THERE AND I THINK THE INEQUITY IS PROVIDED TO MINOR PARTY CANDIDATES IS NOT FAIR EVEN THOUGH THE TITLE SAYS FAIR ELECTIONS ACT, AND MINOR HOUSEKEEPING IF YOU DO DECIDE TO PUSH IT FORWARD AND I THINK THERE IS A TYPO ON IT AND THE JUNE 8TH BALLOT.

>> ANY REQUEST FROM THE PUBLIC TO SPEAK? WE WILL TAKE THAT NOW. GREG YOU DIDN'T WEAR YOUR HAT. I DON'T KNOW WHICH SIDE OF THE ISSUE YOU'RE ON WITHOUT YOUR HAT.

>> I APOLOGIZE AND I HAVE A LEFT OVER COLD. YEAH, I REALLY APPRECIATE THE OPPORTUNITY TO SPEAK TO THE RULES COMMITTEE TODAY AND I APPRECIATE MY COUNCILMAN CHU BRINGING THIS UP. IN ADDITION TO PROP 15 PROVIDING A MODEL FOR LOCAL JURISDICTIONS TO CONSIDER FOR THEIR OWN LOCAL ELECTIONS LATER, AND THE FACT THAT WE'RE ALL CITIZENS OF CALIFORNIA, AND THE FACT THAT CITIZENS DO LOOK TO THEIR ELECTED OFFICIALS I THINK FOR GUIDELINE ON THESE PUBLIC POLICY MATTERS. IT'S PARTICULARLY TIMELY BECAUSE THE ABSENTEE BALLOTS WENT OUT THIS WEEK AND 28 FOR THE COUNCIL TO TAKE THIS UP RELATIVELY SOON WOULD BE INFORMATIVE TO THE COMMUNITY. I THINK THERE IS ALSO A PRECEDENT AND IF THE COUNCIL DID ENDORSE PROP 89 AND ANOTHER MEASURE FOR PUBLIC MANSLAUGHTERS OF FINANCING OF CAMPAIGNS. MINOR PARTIES LIKE THE GREEN PARTY HAVE ENDORSED PROP 15 BECAUSE THEY DO SO MUCH BETTER THAN THE CURRENT SYSTEM. THEY ARE GIVEN LESS FUNDING AND THEY HAVEN'T DEMONSTRATED THEY HAVE BROAD GRASS-ROOTS SUPPORT BUT THEY HAVE A MECHANISM TO QUALIFY FOR PARTIAL FUNDING AND MEET THE MINIMUM REQUIREMENT OF 10% SO IN THE NEXT ELECTION CYCLE THEY DO QUALIFY LIKE THE BIG PARTY AND MINOR PARTIES HAVE ENDORSED IT AND FISCALLY THIS ISSUE REQUIRES NO TAX DOLLARS AND IS FUNNED BY LOBBYIST REGISTRATION FEES.

>> OKAY. ANY COMMENTS FROM THE COMMITTEE?

>> I THOUGHT I SAW SOMEWHERE THERE IS A SPECIAL ELECTION ON JUNE 28. BETSY IS THAT --

>> THAT IS FOR THE MOLANODO.

>> YEAH AND ON THE JUNE 8TH BALLOT.

>> I APOLOGIZE FOR THE TITLE.

>> AND IS THIS IN KEEPING -- I LIKE THE IDEA OF PUBLICLY FUNDED CAMPAIGN. IS THIS SOMETHING THAT THE CITY HAS LOOKED AT PREVIOUSLY ON HOW TO DO WE FUND THIS?

>> AND BY INVOLVEMENT IS IN 2006 AND THE MAYOR AT THAT TIME SUPPORTED THE LEGISLATION WITH CAMPAIGN FINANCING. THE MEASURE NEVER GOT OUT OF COMMITTEE AND A COMPANION MEASURE WENT ON THE BALLOT AND THAT IS MY HISTORY WITH IT AS FAR AS COUNCIL PARTICIPATION WITH THE MAYOR AND I THINK YOU SIGNED IT TO VICE MAYOR AND AS YOU SAID I AM 29 FORMERLY A LEGISLATURE AND DIRECTING THE LOBBYISTS AND THIS SUBJECT MATTER. NOW THERE MAYBE ADDITIONAL HISTORY THEY WASN'T INVOLVED WITH THE CITY ATTORNEY'S OFFICE.

>> AND I DO HAVE MY INFORMATION THE VOTERS PAMPHLET. I PLEAD GUILTY TO NOT CRACKING IT OPEN YET. ARE YOU FAMILIAR WITH PROP 14?

>> THE OPEN PRIMARIES MEASURE? SOMEWHAT.

>> YOU'RE AHEAD OF ME.

>> IT'S SIMPLE AND MEANS THE REST OF THE STATE WILL HAVE TO RUN IN ELECTIONS JUST LIKE WE DO.

>> OH.

>> AND YOU COULD HAVE TWO IN THE SAME PARTY BE IN THE GENERAL OR DIFFERENT PARTIES.

>> BUT YOU HEARD COUNCIL MEMBER CONSTANT SAYS IF PROPOSITION 14 PASSES AND PROP 15 IF IT PASSES ALSO THEY HAVE CONFLICTING PROVISIONS.

>> CORRECT. THERE ARE DISTINCTIONS MADE IN THE MEASURES AND THE WORLD WILL STAY THE SAME STATUS QUO AND MY UNDERSTANDING IS THAT THE LANGUAGE IN 14 IF THAT IS PASSED THEN THAT CHANGES THE RELATIONSHIP OF PROP 15, AND I DON'T KNOW THAT THE DETAILS SPECIFICALLY.

>> I LIKE THIS CONCEPT A LOT AND I LIKE TO HAVE A SYSTEM THAT ALLOWS PEOPLE OF LOW, MEDIUM INCOME LEVELS TO RUN FOR OFFICE AS WELL AS THOSE THAT CAN AFFORD TO BUY ALL OF THE ADVERTISING THEY NEED. I WOULD BE WILLING TO TAKE A RISK AND SUPPORT THIS MEASURE BECAUSE I THINK IT IS ABOUT CREATING GOOD GOVERNMENT WHERE WE CAMPAIGNS FUNDED PUBLICLY, AND WHILE SAN JOSE HAS VERY OPEN DISCLOSURE I DON'T 30 KNOW IF THAT WAS ALWAYS TRUE, SO I WOULD MOVE TO SUPPORT THIS TO TAKE IT TO CITY COUNCIL.

>> I AM REALLY SORRY BUT I DON'T AGREE WITH THAT BECAUSE IT IS ON THE BALLOT NOW. I ALREADY VOTED. SHOULD I ABSTAIN FROM THE VOTE? I MEAN I JUST THINK IF THIS WERE PRIOR TO ANYONE RECEIVING THEIR BALLOTS THAT MIGHT MAKE A DIFFERENCE, BUT I THINK IT'S SO CLOSE TO THE PRIMARY THAT I JUST CAN'T REALLY -- SORRY.

>> I WILL SECOND THE MOTION. I HAD A QUESTION ABOUT HOW THEY'RE GOING TO PAY FOR THIS. THEY'RE GOING TO INCREASE CHARGES TO LOBBYISTS AND \$350 A YEAR AND SOMEHOW THEY'RE GOING TO RAISE \$5 MILLION PER CANDIDATE. THEY DON'T HAVE THAT MANY LOBBYISTS IN SACRAMENTO. I KNOW THEY HAVE A LOT, BUT THAT'S A LOT OF --

>> (INAUDIBLE).

>> I MEAN THERE MUST BE FUNDING COMING FROM SOMEWHERE. YOU'RE NOT GOING TO GET THAT MUCH MONEY FROM JUST A LOBBYISTS REGISTRATION UNLESS YOU RAISE THE RATES A LOT MORE. RAISES MORE THAN \$6 MILLION EVERY FOUR YEARS.

>> (INAUDIBLE).

>> YEAH. SO YOU GET ONE CANDIDATE. MAXIMUM LEVEL OF MATCHING FUNDS -- I DON'T KNOW. IT'S MYSTERIOUS TO ME BUT IF THAT IS THE ONLY SOURCE OF FUNDING. I AM DEFINITELY NOT IN FAVOR OF GOING TO THE GENERAL FUND IN SACRAMENTO OR IN SAN JOSE TO DO THIS KIND OF A THING. SEE A NOTE HERE. 4,000 INDIVIDUALS AND GROUPS REGISTER AS LOBBYISTS. THAT'S A LOT.

>> JUST ONE LAST THING. WHEREVER WE WHENEVER WE ARE ASKED TO TAKE A POSITION WE GET 31 IT THROUGH ROXANNE OR BETSY AND HAVE THE OTHER ANALYSIS AND THE SUPPORTERS AND THE ARGUMENTS AND FOR AND AGAINST. WE DON'T REALLY GET THAT WITH THIS WHICH IS ALSO ANOTHER -- NOT ENOUGH INFORMATION, BUT I AM WORRIED ABOUT THE MATH AND WHERE THE MONEY COMES FROM, AND ONCE IT HAPPENS THE MONEY HAS TO GET SPENT AND NO FUNDING SOURCE IT COMES OUT OF THE GENERAL FUND AND YOU KNOW HOW THEY REACH FROM THEIR POCKET TO OURS CONTINUALLY.

>> IN ALL FAIRNESS MY PULLED UP THE CALIFORNIA FAIR ELECTIONS CAMPAIGN, AND THIS IS A BELIEF OF MINE THERE IS QUITE A IMPRESSIVE LIST OF ORGANIZATIONS THAT ARE SUPPORTING THIS, SO I WILL STAND BY THE MOTION, BUT I WILL BE GUIDED BY THE WILL OF THE COMMITTEE.

>> CITY CLERK.

>> YES THANK YOU MR. MAYOR. I WANTED TO ADD ONE MORE PIECE WHEN TALKING ABOUT PROP 89 A FEW YEARS AGO, AND THE FORMER MAYOR GONZALEZ TO LOOK AT TO LOCK AT THAT AND REFERRED TO THE COMMISSION IN 2006 AND THE COMMISSION SPENT THE REST OF THE YEAR ANALYZING THIS AS A CONCEPT AND HOLDING COMMUNITY PUBLIC HEARINGS ON THE CONCEPT. THEY HIRED ALEX STUART AND HAD SUCCESSFUL AND UNSUCCESSFUL CANDIDATES AND FEBRUARY OF 2007, AND I APOLOGIZE I PULLED THIS UP RIGHT BEFORE THE MEETING AND OTHERWISE I WILL HAVE PROVIDED COPIES, BUT WITH THAT BEING SAID THE RULES COMMITTEE THEN CONSIDERED THE REPORT AND RECOMMENDATIONS OF THE COMMISSIONS ON FEBRUARY 9 AND FORWARDED IT ON TO THE COUNCIL IN MARCH, AND THE RECOMMENDATION AT THE TIME BY THE COMMISSION 32 WAS TO DEFER CONSIDERATION OF PUBLIC FINANCING FOR A COUPLE OF REASONS AND IF YOU BEAR WITH ME I WOULD LIKE TO READ THEM FOR YOU. THE COMMISSION HAD IDENTIFIED THAT PUBLIC FINANCING WOULD HAVE LITTLE IMPACT ON WEALTHY SPECIAL INTERESTS AND EXPENDITURES AND THEY WERE VERY CONCERNED ABOUT THE TRENDS IN THE INDEPENDENT EXPENDITURES THAT WERE THEY WERE SEEING IN SAN JOSE AND HEARING ABOUT FROM THE CITY COUNCIL CANDIDATES. THEY ALSO MADE A FINDING THAT SAN JOSE HAS PROGRESSIVE SPENDING AND RULES IN PLACE WITH OUR VOLUNTARY SPENDING LIMITS AND THAT WITH CAMPAIGNS WOULD NOT NECESSARILY IMPROVE THE DIVERSITY OF THE CANDIDATE POOL OR RESOLVE ANY MAJOR ISSUES, BUT BASED ON FACT THAT THE COMMISSION WAS ALSO CONSIDERING THE LOBBYISTS REFORMS AND REFORMS RELATIVE TO INDEPENDENT EXPENDITURES THE COMMISSION ASKED THAT THE COUNCIL DEFER THIS AT LEAST ONE ELECTION CYCLE UNTIL THE NEW REGULATIONS WERE IN PLACE, AND WE HAD AN OPPORTUNITY TO SEE HOW IF ANY OF THE NEW REGULATIONS RELATIVE TO THE LOBBYISTS REFORMS AND THE INDEPENDENT EXPENDITURES WOULD HAVE IMPACT ON CITY COUNCIL ELECTIONS, AND WE ARE JUST NOW IN THAT FIRST CYCLE, SO I WANTED TO GIVE THAT TO YOU AS A ANOTHER PIECE OF INFORMATION.

>> NANCY.

>> IN CONCEPT I THINK THE IDEA IS TERRIFIC AND GIVE EVERYONE AN OPPORTUNITY BUT UNLESS EVERYONE THAT IS RUNNING IN ANY GIVEN RACE WORK SAYS WITH THE SAME AMOUNT OF MONEY IT'S NOT HELPFUL AND YOU WILL HAVE PEOPLE AND "NO I DON'T WANT TO GO THROUGH THAT PROVISION" AND THEY WILL HAVE 33 MORE MONEY AND NOW WE'RE AT THE POINT AND OH WE HAVE TO BACK ALL OF THE ELECTIONS THAT TAKE PLACE. I SEE THIS AS A MONETARY NIGHT MERE AND UNLESS EVERYONE HAD THE SAME ADVANTAGE I DON'T SEE HOW IT ELEVATES THOSE THAT ARE UNABLE TO RAISE MONEY SO IT'S A BASIC PROBLEM WITH LOGIC THAT I HAVE.

>> OKAY. WE HAVE A MOTION ON THE TABLE, FLOOR, WHEREVER IT IS ALL THIS FURNITURE AND DISCUSSION ON THE MOTION. ALL IN FAVOR?

>> AYE.

>> THE MOTION WAS TO APPROVE THE RECOMMENDATION AND ON THE AGENDA FOR NEXT WEEK. THAT WAS THE MOTION I SECOND IT.

>> ALL IN FAVOR?

>> AYE.

>> OPPOSED?

>> AYE. TWO OPPOSED. TWO AND TWO SO IT GOES TO THE COUNCIL WITH NO RECOMMENDATION FROM THIS COMMITTEE. IS THAT RIGHT?

>> CITY ATTORNEY AND I WERE ACTUALLY TRYING TO FIGURE THAT OUT.

>> UNLESS YOU HAVE A MAJORITY IT DOESN'T GET PLACED ON THE AGENDA. OTHER COMMITTEES WOULD SEND A RECOMMENDATION TO THE COMMITTEE.

>> OKAY.

>> AND HAVE TO DO THAT TO PLACE IT ON THE AGENDA.

>> THE MOTION IS NOT APPROVED AND NOT ON THE AGENDA ALTHOUGH I HAVE PERSONALLY ENDORSED PROP 15 SO THAT IS KNOWN FOR THE RECORD. OKAY. THAT TAKES US TO CITY AUDITOR'S MONTHLY REPORT OF ACTIVITIES.

>> GOOD AFTERNOON. WE DID THREE AUDIT REPORT AND THE FIRST IS LICENSING AND PERMITTING OF CARD ROOM EMPLOYEES AND HEARD BY THE PUBLIC ASSIST COMMITTEE SAFETY 34 AND RAISED BY THE COMMIT IN DISCUSSION. I WILL BE RUNNING TO THE COMMITTEE NEXT WEEK TO ASK FOR ACCEPTANCE OF THE REPORT AND STAFF WILL BE RESPONDING TO THOSE QUESTIONS. THE SECOND WAS AUDIT OF THE AIRPORT MANAGEMENT AGREEMENT. THAT REPORT WAS -- THAT INCLUDED 17 RECOMMENDATIONS AND HAS BEEN HEARD BY THE COMMITTEE AND THE CITY COUNCIL. THE ANNUAL REPORT YOU HEARD LAST WEEK AND WE WILL BE RETURNING TO YOU WITH SUGGESTIONS ON THAT ONE AND THE GROUP AWARDED THE AUDITOR'S OFFICE ACHIEVEMENT AND FOR THE ACCOMPLISHMENTS AND I LEAD A TEAM TO EVALUATE RESPONSES FOR PROPOSALS OF AUDIT SERVICES AND I AM PLEASED TO TELL YOU THE OTHER DAY THE POLICE AND FIRE BOARD DECIDED TO APPROVE THE AGREEMENT AT LEAST FOR ONE YEAR SO I WON'T NEED TO COME BACK TO YOU TO WAIVE MY WAVE MY SWORD. WE ARE PLEASED WITH THAT. WE HAVE SIX ASSIGNMENTS IN PROCESS AND ONE I WANTED TO POINT OUT AND NUMBER NINE AND EXPENDITURES AND COMPLETE WITH AUDIT FIELD WORK AND DONE THE REPORT AND BASIC SIMPLE REPORT SO WE WENT AHEAD AND DID THAT AT THE REQUEST OF THE ASSOCIATION. I DID WANT TO POINT OUT THAT WE ARE BEGINNING OR WILL BE BEGINNING ONE MORE ASSIGNMENT OFF OF OUR LIST THIS YEAR. THAT IS THE POLICE SECONDARY EMPLOYMENT SO THAT IS AT THE TOP OF THE PRIORITY LIST. THE REMAINING PROJECTS ON THE BACK OF THE PAGE AND REPRIORITIZING FOR THE UPCOMING YEAR AND THAT IS MY REPORT.

>> JUST A COUPLE OF COMMENTS. I LIKE THE SPC REPORT AND THAT IS GOOD ON A USEFUL BASIS AND I WOULD LIKE TO EDITORIALIZE ON ONE AND THE TAKE HOME VEHICLES 35 AND I AM CONFIDENT YOU WILL DO A GREAT JOB BUT I THINK IT'S AN UNNECESSARY AUDIT AND WE KNOW THE SAVINGS AND WE HAVE HAD AUDITS IN THE PAST AND A DECISION BY THE OFFICE TO JUST STOP THE PRACTICE. IT IS A VERY EASY IMPLEMENTATION AND ONE MEMO AND DONE AND IT'S

OVER AND SAVING MONEY THE NEXT DAY. WE'RE GOING TO STUDY THIS THING TO DEATH AND I THINK THIS IS THE THIRD OR FOURTH TIME WE WILL HAVE AN OFFICIAL LOOK AT THIS, AND I AM RESTATING MY DISSATISFACTION WITH THE FACT THAT WE KEEP DOING WORK AND NOT TAKING ACTION ON THIS ONE PARTICULAR ISSUE.

>> THERE IS A PROPOSAL BY THE MANAGER IN THIS YEAR'S BUDGET AND REDUCE THE TAKE HOME VEHICLES AND I DON'T KNOW HOW MUCH OF THE RECOMMENDATION IS IMPLEMENTED. DO YOU KNOW?

>> I THINK THE PROPOSAL IS TO REDUCE TO 45.

>> I BELIEVE THAT IS CORRECT AND WE CAN GO OVER IT WITH THE REPORT TOMORROW MORNING.

>> TOMORROW MORNING WE WILL GET THE ANSWER.

>> WELL, WHAT I WOULD LIKE TO DO IS MOVE APPROVAL OF THE AUDITORS MONTHLY REPORT OF ACTIVITIES WITH THE CONDITION THAT SHE TAKE AND HER STAFF LIKE A VOW FOR THE GOLD CERTIFICATE OF ACHIEVEMENT. THAT WOULD BE MY MOTION.

>> I WILL SECOND THAT.

>> AND WE EXPECT YOU TO SEE YOU WEARING THE MEDAL NEXT REPORT. THE MOTION IS TO APPROVE. ALL IN FAVOR?

>> AYE.

>> OPPOSED? NONE OPPOSED. I THINK THAT COMPLETES THE WORK. OPEN FORUM. WE HAVE A COUPLE OF REQUESTS TO SPEAK.

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>> I JUST WANT TO GIVE YOU ALL A PUBLIC THANK YOU FOR WHAT YOU HAVE TO DEAL WITH THE BUDGET IN RELATION AND REFERENCE TO PEOPLE'S LIVELIHOODS. I DON'T ALWAYS AGREE WITH ALMOST EVERYTHING THAT YOU DO BUT THAT IS IRRELEVANT, BUT ONE THING IS AND STANDARD YOU'RE ALL GOOD AND DECENT PEOPLE. HIGHEST CALIBER OF CITIZENS AND COMMITMENT TO SERVICE AND I KNOW THE LOSS OF THE JOB IS GOING TO CAUSE YOU PAIN AND GRIEF AND I WANT PEOPLE TO UNDERSTAND THAT, AND IT'S NOT EASY FOR YOU TO HEAR THE ORGANIZATION CRUMBLING BUT THERE IS AN OLD NAVAL TERM I WANT YOU TO BE AWARE OF NO CAPTAIN OR OFFICER OF ANY SHIP WANTS TO GIVE THE COMMAND DODGE THE HATCH AND IT MEANS YOU WELD THE BULK HEAD SHUT TO SAVE THE SHIP FROM SINKING AND THAT COMMAND STICKS WITH THAT CAPTAIN THE REST OF THEIR LIVES SUCH AS THE DECISION YOU WILL BE MAKING WITH THE PEOPLE'S LIVES THAT ARE BEFORE YOU, BUT I WOULD LIKE TO THANK YOU AND YOU'RE VERY GOOD PEOPLE.

>> BILL CHU.

>> GOOD AFTERNOON. MY NAME IS BILL CHU. I AM A CANDIDATE FOR THE MAYOR OF SAN JOSE AND MY WEBSITE IS AT THE INTERNET AND I WOULD LIKE TO THANK MY FRIENDS AND NEIGHBORS WHO NOMINATED ME FOR MAYOR. I WILL DO MY BEST AND I BELIEVE THE VOTERS DESERVE AN ALTERNATIVE. IF YOU SATISFIED WITH THE WAYS THING ARE AT CITY HALL YOU CAN VOTE FOR THE STATUS QUO. IF YOU ARE LOOKING FOR SOMETHING DIFFERENT AND I AM YOUR CANDIDATE AND PLEASE CHECK OUT MY WEBSITE AND THANK YOU VERY MUCH.

>> THAT CONCLUDES THE OPEN FORUM AND THE MEETING. WE ARE ADJOURNED.

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