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>> Councilmember Pyle: Thank you for being here. We have been called to order. We'd like to announce that in the review of the work plan, both report on grants management, neighborhoods commission bimonthly status report will not be part of the agenda. They're just not ready for prime time and the consent calendar should be crossed off as we don't have any items for consent. I need a motion to approve.

>> Motion to approve.

>> Second.

>> Councilmember Pyle: Thank you, all those in favor, aye. We're ready to move on to reports to the committee and we'll begin with what I consider to be a very good piece of news. With us here today is Jay Castellano, deputy director, and Tracy Takanaga, program manager director of the parks and rec department.

>> Thank you, Madam Chair. Good afternoon, members of the neighborhood services and education committee. Jay Castellano, deputy director of Parks, Recreation and Neighborhood Services. I'm here with Tracy Takanaga, program manager for PRNS. We are very excited to be here today and asking your acceptance of the report on RECS, the recreation e-commerce system. RECS is the online automation system behind virtually all of PRNS's revenue programs. Tracy has been in front of NS&E on a semiannual basis for the past two and a half years I believe it is to report on the pilot project. We -- this is a special presentation in that this does mark the end of the two year pilot project. I think you'll find that Tracy will have some great stories to tell about the successes and the benefits that we've been able to provide residents and customers as a result of recs. Before I have her tell those to you I wanted to note that between the council authority for the two-year pilot project and council policy 1-21 which the council approved in 2009, it's the pricing and revenue policy, those two together have truly been integral in PRNS's ability to increase our cost recovery rate to 31.5% of our budget, as we've noted in the PRNS's 2009 annual report, and as the City Auditor also noted in the last service efforts and accomplishments report. Tracy today will talk to you about again about the great success stories and then she will also note for you some of the next steps that we'll be taking in making recs a permanent element of the pricing revenue infrastructure.

>> Thank you, Jay.

>> Good afternoon. Thank you for this opportunity to share the status of our recreation and e-commerce system. Just to give you a little project background, we did go to city council in December of 2007, and received approval for our two year pilot project. The council, when we presented, it was presented on an ROI study that identified the value of the project and what we focused on was basically better customer service, accessibility to programs and increased marketing opportunities. We have selected or we went with a Web based system and our provider is active network. They have a large market share in the bigger cities of recreation management systems. And so in -- starting up the implementation we -- it was truly a collaborative effort. We started up with a steering committee comprized of the CMO's Office. Norberto was part of that. I.T., finance and PRNS. As we work together, I just want to take you back a couple of years before we started the pilot project. So our community centers, basically we had 20 plus at that time, worked as a stand alone business. Which meant when you went into a community center and you wanted to register for some of our classes, arts and crafts or tiny tot classes, you went to one community center such as Almaden, registered, and if you wanted to take another class at Berryessa, you actually had to physically drive or make arrangements with that center. There was no way we could do cross-registration at that time. Also at that time our mechanism for registration was a mass mail-in and fax-in of registration forms, and we would do a lottery system, and you as a customer would receive notification six to eight weeks after you mailed in your registration to see if you got in the class, or worse yet, if you got on a waiting list and you didn't get into the class. Also, our staff were using a lot of manual systems, a lot of database, their own computer systems and just based on their technical skills. So our consistency of how we actually processed and did things were not standard across the board. So moving on when we did implement the system, what happened was, it is a centralized database so all of our centers now worked on of one database, with all of our activities entered and the same customer base. So it allowed us to automate a lot of our manual systems. We were able to offer online systems, which is something that we didn't have before. So it allowed the customer access to our programs 24/7. We went live with the system back in December 2008, for our winter session, and we did that back-office. So our staff did all the processing and that gave them an opportunity to learn the system, get the bugs out before we went online. We went on line on March 7th, 2009, and that was for our spring session. And

that's our biggest session. We actually had all of our leisure classes, we had our summer camps available at that time, and we also had all of our aquatics. And in March 2009 that's when we had all of our pools operating, so we had quite a bit of activities to offer the customers. So what we did was in implementing the system, we actually have for modules. We have the activity registration, which is our -- the one that we launched first. It processes all of our registration for classes. And league, sports leagues. We have the point of sale module which is our cash register module. If you want to drop in use our fitness center, drop into a special event we can process that through our point of sale. We have the facility module and that is to do our rentals, and to also book rooms for meetings, internal and external and our community based organizations. We also have our membership module that we just launched late last year, and that's to process our senior memberships, our fitness room memberships, and we have a special at Seven Trees. We started a pilot program called the passport membership, so we're growing that program. And the membership program was exciting for the seniors because they would have previously a little paper card and when they come in now, all of our members get a plastic card with their picture on it. And a bar code and a design on it, so they were very excited about that. During the pilot project, we have brought in 11.7 million dollars in revenue. We processed that through our system. So the majorities of our programs at community centers are online and in the system at this point. And right now, we've seen about 45% of our online transactions coming from the online component for our leisure classes. So that just allows people, you know, to go out in the middle of the night, they're in their pajamas and go on and register their kids for soccer classes, tiny tot classes. We are hoping to grow that number as we move on with more marketing efforts, but we also will still have our back office efforts for people who don't have access to computers. So we'll continue our mail-in. If they walk into our centers we do process the registration there, and we have the fax-in option as well. So right now we have about 15,000 customers who have online accounts and we have 82,000 customers citywide in our customer database at this point. So as far as the customers are concerned, as I mentioned they had to wait six to eight weeks prior to knowing about their confirmation. Right now when they register online they get an immediate confirmation via e-mail. When they go back office, or if our staff registers them, if we have an e-mail on file they are immediately notified, as well. If they don't have one, then we can mail them a receipt for them. Right now, customers have an option to choose from any one of -- we offer up to 2000 activities per season. So it's quite a bit of activities. We, as a customer when you come into our centers, we have 300-plus users of our staff trained in the system. So anywhere from part time person who is manning the front desk all the

way up to our managers as well as our PRNS fiscal unit have access to the system so it has provided efficiency and it actually has allowed us to standardize some of our procedures and our operating processes. And then the other thing the system has allowed us to do is to add some functionality we didn't have before. So one of the big things was payment options. We have some programs that are quite pricey, such as our after-school program or rock programs which is \$1200. We have our summer camp programs which in the past you had to register and pay all up front. So if you wanted to register your child for the whole summer, the whole eight weeks or ten weeks of summer you could put down anywhere from 400 up to \$1,000 or \$1500 to secure your spot. At this time we have implemented or have the opportunity for customers to put a payment down where they secure their spot with a deposit and then a few weeks before the session starts you can pay your final payment. So it spreads out the payments, it doesn't hit the customers as hard at one time. So we think it's more customer-friendly. Also, we've also been able to increase marketing. We've been able to do e-mail blasts to all of our customers or if we needed to do specialized he e-mail blasts to our fitness members that's been the flexibility of the system that we've been able to take advantage of and the other part is to be part of the Green Vision and decrease our volume of paper. In the past when we had a registration form from a customer we had to make three copies of that registration form. We had to do one and mail it to the customer. We had -- one copy goes to our fiscal unit and then one copy stays at our centers. So there was quite a bit of copying going on now. Right now for our fiscal units our efficient is just one report that we streamline and we send it to them and then as I mentioned they have also access to the system to pull up additional information. So as a last step of the pilot program, and actually going back into this, so we did invest \$131,000 in the initial investment. And that was to pay for active, to help us with the business process review. And to -- their training services as well as we have equipped all of the centers with a cash drawer, membership printing card and then scanners to scan cards in for our fitness centers. So as last step of the pilot project we have released a request for proposal. We did that back in November. We worked with purchasing and we're in the final stages of finalizing that and preparing a recommendation to go to council. Our scheduled goal is to come to council late March for approval of the outcome of the RFP and to secure a permanent purchase order for our system. So we found that the system itself has helped our staff increase productivity, efficiency, it allows them to get some data, to make some data driven decisions now when they're programming planning and then also to focus their efforts into more of the program planning decisions and

marketing and other aspects of the -- of getting our programs out there and successful. So with that, I thank you for your time and I will -- if you have any questions?

>> Councilmember Pyle: That was one of the most uplifting reports I think I've ever had and thank you for bringing us into the 21st century. You did it beautifully. Are there questions? You just use your regular --

>> Councilmember Constant: Well, thank you. I just wanted to let you know that we've heard from our residents on how much better this system is and I think we've definitely -- are moving in the right direction. So I'm fully supportive, looking forward to it coming forward. My only question is, and I'm sure I know the answer, but all the equipment that we've bought, the cash drawers and the bar code scanners and all that I assume they are not proprietary and they'll work for any future provider of the software or would we have to be getting new equipment potentially as well to the RFP?

>> It depends on the specs of the provider. They are generic pieces of equipment but it depends on how they build their systems and whether they are compatible with our current equipment.

>> Councilmember Constant: So they weren't proprietary to our test product, but a future product could require proprietary equipment. Thank you, looking forward to seeing that come forward.

>> Councilmember Rocha: Thank you. I have a few questions and some of them come from being a user. I play in the adult men's basketball league, so I was the one who signed us up, and I remember working with Joe when he introduced this and said we're going to be going online. So I have a couple of questions based upon that, because in the past someone who was running the programs got a good sense how much interest there was for individual programs or nights. But now with online system it just fills up. Is there any way for staff to track if there's enough interest in that one program that they could open up at another center? Can you explain a little bit about that, or does it not allow for that and it stops and there's no one on the staff level that can know that maybe there is a bigger need?

>> So that actually has been one of the advantages of the system. When an activity fills up it begins a wait-list. And so we are able to look at the wait-list so what we do is two things. If the center can allow and add classes due to the demand of the wait list, we will do that pending space. If that is not a possibility, the wait list is also used across sites. So if you're, say, two centers are close to each other like Camden and Almaden, if the Camden center has the waiting list, a huge waiting list, but the Almaden has the class, Almaden has the ability now to contact those customers and say, you're on the Camden waiting list. We have a class here, would you be interested in joining us so we can get you a service. Some people do that, it is successful. Some people like to stay in their communities and don't like to travel, even if it's a mile or two, so it has given us more flexibility in that respect.

>> Councilmember Rocha: That applies to all the programs and activities, not just classes that have -- leagues, et cetera?

>> Yes, some are easier. Leagues -- we don't have as many leagues as we do art classes and things like that. So it might be a little harder to start a league with just two teams kind of thing, but that is our intent.

>> Councilmember Rocha: I noticed in the slide it mentioned an increase in revenue or increase in registration. Can you talk a little bit about the percentage? I just saw a number or maybe I missed it, and it was in the report.

>> Both. So we did have an increase in revenue and we have an increase in enrollment. So as Jay mentioned, this went hand in hand with our pricing and revenue strategy that PRNS has implemented. Last year for our revenue goals set by the budget office it was over \$1 million higher than the previous year. PRNS met that goal and actually exceeded the goal. And we feel with the pricing revenue structure and this tool, this system, it allowed us to achieve that goal.

>> Councilmember Rocha: Is any of that attributed to in the past some folks would say I'm going to sign up or submit it and they would get the money later, so to speak. Any outstanding bills in this sense? Or now, with this new system, there is no way to pledge to pay later?

>> We never had a system where you could pay later. We always have -- if you wanted a spot in our classes, we needed the --

>> Councilmember Rocha: Checks that bounce or any sort of -- so that kind of excluded all that or you can still do it manually I guess as you mentioned? You can still accept applications on the site and they can pay in cash or check still?

>> Definitely, we will always be able to accept cash, checks onsite.

>> Councilmember Rocha: But did this reduce any of those issues with checks that bounce or nonpayment? Not significant amount to track?

>> We have a very low bounced check rate overall in our department. We're very fortunate about that. I would have to look to see if it reduced the number of bounced checks.

>> Councilmember Rocha: Not necessary, just curious. I think that was it. I have one more question about the cost recovery that you talked about and the new registration amount. Have you got a sense of what you're looking at, that it's summer programs, or you've already priced those out, I guess the catalog has come out already.

>> The catalog has come out with our summer camps.

>> Councilmember Rocha: Is coming out or has come out?

>> It's being delivered this week I believe.

>> Councilmember Rocha: Okay, so we've got all those levels established already. I think that was it, thank you, as far as the RFP can you answer questions about that as well?

>> Linda did, we are still in the process.

>> Councilmember Rocha: Okay so it's been public and you're accepting RFPs right now or responses?

>> The deadline for submitting responses has closed, we went through initial screening and we're now-d we've asked for some additional information from finalist candidates and they're providing that to us and that part I think will be done in the next week or two.

>> Councilmember Rocha: So you're expecting to go to the council in March, that soon, then?

>> That's correct, yes.

>> Councilmember Rocha: New system would be up and running on July 1st with the starting date that?

>> If it was with the incumbent there wouldn't be any interruption of service. If there was -- if the competitor were to win out in that process, then depending on who that is, there are some -- there would be transition issues and we would need to -- that would be part of our transition process. So I'm not quite sure of the time line in that respect.

>> Councilmember Rocha: So this will go directly to council and not back to committee this time?

>> That's correct. Go directly to council.

>> Councilmember Rocha: Thank you very much.

>> Councilmember Pyle: In fact we are asking for a motion at this time. If you want to do so you're welcome to do.

>> Councilmember Rocha: I recommends accepting this update.

>> Councilmember Pyle: All together? Yes both?

>> Councilmember Rocha: Yes, aye.

>> Councilmember Pyle: All right. I wanted to point out what I think is four really distinct advantages, one being that we reduce the carbon footprint of what's happening in this city. We also decrease the tension in reference to the users that are run being, were running from place to place. It brings more revenue to the department and there's more cooperation between centers. You hit it out of the ballpark so thank you inform that. And we're now ready to move on to D-2 which is library materials and services policy update. And for that we have with us Jane Light.

>> Jane Light: Good afternoon, and this item has its derivation in a request from the mayor a couple of years ago that all council policies be reviewed and revised and updated and we're recommending that you forward for full consideration by the city council with your recommendation to approve this recommendation to revise the policy. This is a policy pertains specifically to the content of library collections and of programming within the library. And it dates back originally to 1971. I think it's probably at this point one of the very oldest city council policies since its number is zero-3. And the recommendation, it's a standard best practice for governing boards of libraries to adopt a similar policy, that states at that time library will have a broad range of materials recommending many points of view to reflect the diversity in the community, and that those items are -- that it is important to have such items. The revised policy includes, as a minor revision, really, but it puts the policy into the current format, with the background guiding principles, and reference to the procedures that would be followed to implement this policy, none of which the old policy had back in 1971. We didn't write them that way. And in

addition, the first policy in 1971 referenced and adopted the American library association's library bill of rights in the 1967 version. That has actually been updated slightly over the years and so we're recommending using the current version of that as part of this policy. I would note that we have a -- I made an error that we would need to change in that somehow we've put a daylight under revised date and of course the revised date would be filled in after council actually took action to update and revise the policy. With that, and I would also note that I distributed to each of you a copy of a document, we have a number of administrative policies in the library, as do all departments and all libraries, that range a gamut from customer conduct policy that I gave you each a copy of, we have policies on unattended children in the library, use of library community rooms, all of those in my opinion don't really rise to the level of a council policy, administrative policy works well, and also, allows us the flexibility to change those policies as, for example, demand for use of community rooms changes, then we can change those policies. This policy however is a fundamental policy, it is a best practice if you look at other city library Websites throughout the country you will find very similar policies. I was going to give you one example of how I've used the policy and it's guided me and helped people understand what a public library is. Particularly in our country, or our area, where many people grew up in countries without public libraries. So a couple of years ago, representatives of the Falun Gong came to me and they were -- expressed concern about some items we had on our shelves in Chinese that they felt were biased against Falun Gong and we felt we should remove those items from our shelves entirely because they were they felt incorrect and misleading. And so I followed my usual procedure which was to pull the items, since I do not read Chinese, I do fortunately have a senior librarian who is a native Chinese speaker and I asked her to review those items for me and give me back a report on that and I then met again with the representatives of Falun Gong a couple weeks later. And I explained to them that I really didn't want to remove the items, because many people are very interested not in Falun Gong, and also in the controversy around Falun Gong and the practice, the spiritual practice and religious practice in China. And that I thought it would be a mistake to remove those items even though they might be inaccurate. Certainly "Mein Kampf" was inaccurate, but that doesn't mean a library wouldn't have it. And but I asked them if they could give me a list of items we should add to our collection to make sure that other points -- all points of view on this matter were there. And they actually presented me, instead of a list they actually gave us a bunch of ideas to add to the collection which again I have my librarian review and she added to the collection. So that's an example of where

this policy comes in very handy for staff and also for members of the community who are trying to understand the role of a library in the community. Did you -- okay. I ask hear it. And I can't hear you.

>> Councilmember Constant: Can you just call me butter fingers. So thank you for the report and also thank you for the time you spent with me explaining everything in my office, especially since I'm new to this committee. I did have one question and it's something that I already spoke with Jane about. One of the issues is, we have a council policy that talks about a library billing of rights and then we have a customer conduct policy that allude to a bill of rights where it says customers users have a right to, and lists bullet points but there's not a congruence between the two. And I think that can lead to some confusion in the future. And the one in particular is the first one that the customers have a right to a library environment free of disruptive activity, yet we don't include that in our council policy. And I think that we really should, as we're going forward, reconcile the two of them, because they're both being listed as rights. Now, I know one's referring to the library association bill of rights and perhaps I've thought a lot about it since you and I talked trying to figure out how we might be able to reconcile those. And looking for input here. But perhaps it would be the -- it's if you look on our council policy which is on page 2, on the second to the bottom where it says it's the policy of the city council that the library, the City of San José, follow the library bill of rights. Maybe it could be worded and I'm not a great wordsmith but maybe it could be worded that our rights are based on the library -- the American library association's bill of rights dated blah blah and are, and then we can incorporate what we have in our other rights and those rights together. I just think that for clarity, for the council, the library staff, and the library users, to have congruence between what we deem as rights.

>> Councilmember Pyle: I'd just like to say that we need to keep in mind what our task is at this point and that is to refer this to the city council. I'm not disagreeing with what you say but I think to have a robust discussion for the whole council would be definitely something that would be worthwhile. Did you wish --

>> Councilmember Rocha: I would, I was looking more towards professional staff's response to Councilmember Constant's suggestion. Maybe you folks did have time to talk about this ahead of time but maybe it would be good for me to get a sense of what your thoughts are.

>> Jane Light: Thank you. We touched on it but I know that was a couple of days ago. I guess I feel like the rights that we lay out in the customer conduct policy do not cite the ALA rights, they are just essentially you know rights we believe a policy are the library are things that are things our customers should expect when they walk in and all of them should expect it. In some cases, for example, confidential access to library materials is actually in the state code under the public records act, there's an exclusion. So that's a legal right within at least the limits of that. So I think that the rights we list here were meant under the customers and users have a right to, were meant to reassure customers on what they ought to expect in terms of the environment, not, you know, not necessarily the content of the collection whereas and as you can see if you look at the customer conduct policy we've actually amended it about four times since 19 -- since 2003, when we first put it in this format as we moved into the King library. So it's something that we update fairly frequently. Not the policy itself so much but those many examples of what I referred to as the thou shalt nots, as people come up with ever new ways of needing to be reminded they can't do something. But so I'm not sure that the need to have all of these things listed under rights, would be needed. If -- Councilmember Constant told me his particular concern really was that kind of the first one, the library environment, I think, free of disruptive activity, I believe that was the one that you were most feeling should be included in this policy. Is that correct?

>> Councilmember Constant: I think from my perspective it is just a congruence between the two. We have five bullet points for rights that consumers expect when they walk in the door and then we have a different set of rights that's in a council policy. And my point is, if it -- if they're in fact each rights, why are they not congruent? It would make sense to me. The multiple bullet points the examples of I would expect those to change as circumstances changes over the years, and new technologies or this or that come out, different types of community -- we didn't used to have community rooms, now we do. All those different things that might change, but the basic rights would seem to be congruent.

>> Jane Light: I think -- okay, I think that helps me, and Barbara may want to help me here. I think the ALA bill of rights is meant to apply to pretty much every kind of library in the country, whether it's a school library, an academic library, a public library. Our list here is specific to our library and a public library, in terms of the you know confidential access that state law varies from place to place, surroundings free from tobacco smoke and

garbage you know. Other libraries may not care about tobacco smoke and garbage. So kind of the distinction is, one is a set of principles that are best practices in the library field, the other is a set of our local, with our local lens of what San José is like.

>> Councilmember Rocha: My question maybe you were going to speak to this is language like that, and that's very general in what that might expose us to legally, in terms of what one might consider disruptive behavior another person may not. Is that something you've looked at as you reviewed this policy?

>> I'm not actually the attorney for the library, this isn't really my area of expertise. In looking through this I think in both circumstances my guess is the use of rights is not meant to be a legal right or fundamental right or anything ever that nature, it's a rather broad term. My suggestion is our office go back and work with the library to narrow the term or consider narrowing the use of the term in the administrative policy if that's creating confusion and maybe perhaps discuss I think their bill of rights of the American library association, I haven't read them but I think that's maybe a term that can come across as perhaps a bit more than it really is intended to be. But like I said this isn't my area of expertise and perhaps if our office have the chance to work with the library and clarify the term that's being used or at least explain it that would be useful.

>> Jane Light: We did work with our attorney a few months ago on this and then we had a change of attorneys. We could certainly do that. Another thing would I say around disruptive activity wrapped around this policy is another policy known as the suspension policy for the library and we did work with the attorney's office where we have an ability to suspend people for violations of the conduct policy for certain periods of time they have a right to due process hearing. We can only suspend people for up to six months. After that they either come back and use the library appropriately or we would have to seek a restraining order. So we do have a suspension policy worked out with the attorney's office which in fact PRNS modified for their use.

>> Councilmember Rocha: Thank you. I had a question just on one of my issues, and briefly alluded to it earlier and that was, looking at the council policy, and the topic, was materials and services, and I notice that a lot of the text was -- seemed to be more focused on the materials and not the services as much. And if you could maybe

speak to why that policy might look that way in terms of being weighted and your viewpoint of that just to share with the vast audience we have?

>> Jane Light: Surely. The policy was I believe it was always called libraries materials and services. Largely, the general concerns people can give to us are about specific materials lists such as the Falun Gong example I gave you or another you know example where someone feels a book I was telling Pete someone felt a book a humor book was sophomoric book and we shouldn't have it. My son would love that book. In that case we responded to the person with how many times that book had checked out, what other libraries had it, where it had been reviewed and so forth. So most often it's a concern someone has about a book. And that's traditional. I mean, that's what libraries have been in the past, books. However, there are times when someone might object to the content of a library program. Many years ago, before my time, there was a controversy about a Wicca program, where people feeling that that was irreligious and we shouldn't have that kind of program. We haven't had those kinds of cases, but I can certainly imagine, given controversial issues around all kinds of topics that people might object, and so by writing it for services it covers those kinds of programs. The other thing that's happening that is of such interest in our profession these days is e-books and things where we no longer own the item, we can't quite call it a material because we license the item and yet once again some of those concerns about the content of these might come forward and we would like a policy that covered the context of e-materials that we license and do not own as well as those that we own.

>> Councilmember Constant: Just a final comment. I look forward to having further discussion after you've had an opportunity to talk about it. I just think that it's really important that there's congruence, so that people on -- one person is not pointing to a council policy, another person is pointing to an administrative policy and a consumer is pointing to the consumer policy, they should all have at least some basic tenets that are the same and that's my point. With that, I'd make a motion to push this forward.

>> Councilmember Pyle: We have a second. I'd like to say though that I'm hoping that Barbara if you could help me with this, by the time it does come to council can we coincide that with an opinion from the legal group?

>> Norberto Duenas: May I suggest Madam Chair, members of the committee, Norberto Duenas, Deputy City Manager. We'll keep it on as a cross-reference for March 1st. But if it looks like the attorney's office and staff need a little bit more time we'll bring that change to the Rules committee if we need to push it off a little bit. We want to make sure we address your questions.

>> Jane Light: I think the concern about the policy itself Barbara and I can work out pretty readily by putting quotes around library bill of rights in terms of that's the title of something, as supposed to a right. And then in the other areas we can say, instead of have a right to, we can say, can expect that, we can just change our policy and then get -- so we don't have the same word showing up twice, that might work well.

>> Councilmember Pyle: That makes a lot of sense but before we have the vote we do have a speaker, that would be David Wall.

>> David Wall: Good afternoon. I want to -- it's interesting that this new policy, 40 years in the making, is coming to fruition. But with reference to the mayor's discussion on attachment A, the date was actually 2006. So the wheels of government are moving albeit at an interesting pace. I want to discuss one quote. No library materials that meet library selection criteria shall be excluded because of the origin, background or views of those contributing to its creation, period close quote. This has encouragement cost implications which is just on its face, cost implications is what I'm talking about. The selection criteria mechanism also needs consistent review. Because of outliers, complaints from people and what have you. I applaud the libraries for going forward with all this. But I also would like for your consideration that even though the City Manager has contract authority for \$250,000 that all expenditures of the library, let's say for discretionary purposes today over \$5,000 be referenced to you monthly, for information purposes only. That's fair, for your discretionary purposes as decision makers. And I make this because I hear talk and it is just talk, of an expenditure of \$200,000 for music downloads during this critical time period. I would also like to see discretionary periods about the consolidation of library's activity, with reference to fiscal years 2011-2012, 2012-2013 be also augmented into the work plan, either on a monthly basis or as needed. There also needs to be another topic involving finance and the auditors is real time

accounting for these expenditures and residuals to this various funding that goes on in the library. So the auditors in finance can provide you with analytical detail in real time. Thank you.

>> Councilmember Pyle: Thank you, David. And with that, let's -- I want to make sure Eve got this right. You made the motion and I asked for an addition, or a second or a codicil to it. You are willing to do that, her in other words, we would be able to get the attorney input et cetera and the changes that Jane referenced. With that we have a first and a second. All those in favor? Aye and this will go on to council. We're ready for D 3 at this point which is another report on the citizens oversight committee for the library tax. And here's the best tax person in the city, shaking her head no. So we're ready to hear your report.

>> Jane Light: Well, Sharon and I are here today on behalf of the library commission although there is a commissioner here too, to represent the commission, who will probably wish to address you. We have Tina Morrill here. So when the library parcel tax passed in 2004 the -- it required both that there be a citizens oversight committee and that there be an annual audit. The citizens oversight committee was appointed by the council to be the library commission wearing another hat. It also serves as the oversight committee for the library bond. So those two responsibilities fell well to the library commission. Each year the commission prepares a report. It comes to this committee, and then goes to the full council as part of your minutes unless you wish to cross-reference for particular attention to the council. This annual status report is essentially midway through the ten year period of the parcel tax and it indicates that the cumulative spending for that five year period as well as the annual, last year's last fiscal year spending. On December 8th, 2010, the oversight committee conducted a public hearing regarding the library parcel tax. There was no public comment regarding that. They received some information from staff and prepared this report and approved this report to be re-presented to you. In some years, when we first began this, there was not a separate audit of the parcel tax, but when Sharon came on board she felt that the wording of the measure really required a separate audit of the parcel tax. So a year ago, we did a retroactive report, audit of the four years prior. And then now, starting this year, an annual audit report which is attached, and Sharon will address that. The oversight committee particularly wanted to bring to your attention that when the council decided to place this measure before the public they also adopted a resolving that would maintain the library's General Fund percentage at 3.79% in relation to the overall General Fund budget. And it

was -- that same number had been established back in '94, '95 when the council adopted a benefit assessment district, later morphing into a parcel tax. It was a way the council felt they could reassure the community that these dollars would go on top of the City's investment in its libraries and would augment and supplement the funding. In this year we're reporting on here, last fiscal year, the city did meet that 3.79% requirement for now the 15th year in a row but the commission did ask me to bring forward to you that in this current year we're in now, we may well not, when all the calculations are done and when you get this report next year, it may indicate we did not meet the 3.79%. That resolution is a nonbinding resolution of intent so there's no terrible consequence, no financial loss to the parcel tax or anything. But it is something that I know some members of the community watch, because they do feel concern that special funds will be used to supplement a general for the library. Last year, the fund received a revenue of \$7.2 million. Of that amount, we have \$1.3 million budgeted in reserves for contingencies, encumbrances and ultimate replacement of our library computer system in the out years. We are carrying a fund balance in the out years. We recognize that the portion of the parcel tax that is used to pay for personnel, which is well over half of the total amount, will probably grow faster than the maximum 3% CIP that can be added. And so we have planned our examination so that we have a fund balance that can cover that difference in later years so that we would not have to reduce staff further. So that is why we are carrying a fund balance. And with that, I'll let Sharon present the audit piece if that's all right, and then you can ask questions about both.

>> Sharon Erickson: Just very briefly, Sharon Erickson, City Auditor. As Jane said, this is the second year that we've contracted for an external audit of the financial statements. They are attached to your report. The auditors issued a clean opinion on those statements which means that they are accurately presented. Any deficiency would have been noted on page 9 and 10 of the report so it's a good thing it is clean. And then as I pointed out to the oversight committee, page 11 of your report, so it's back page of this packet, is the statement of compliance with voter intent as approved by the voters. I just feel that's very important. One of the final sentences of that says in our opinion the city complied in all material respects with the aforementioned requirements for the year ended June 30th, 2010. And to me it was critically important as Jane said that we get this kind of statement from external auditors to provide assurance to the voters that their intent was met. With that, we are open for questions.

>> Councilmember Pyle: Would you believe, there's no questions? That's hard to believe. I had one. Could you explain the overlap between the remaining years on the first bond and this one? In other words, is it -- what is it -- is it going to increase by 25% per household, or house will that work?

>> Jane Light: The original parcel tax or was really assessment district but was executed as a parcel tax was back in the days before prop 218. So that meant the council could really adopt that and had an advisory vote of the public but it was just an advisory vote. That was in fact adopted just before prop 218. After prop 218 passed any special tax must go before the voters and receive a two-thirds vote. When the first ten years expired, back and got a renewal with the only change being that now we added an inflation of Bay Area CPI capped at 3%. Then this new authorization through fiscal year 14-15, and if the -- the parcel tax is not renewed at that point, it will expire and there will be no additional funds available. Does that answer your question?

>> Councilmember Pyle: Yes, and I think it's important for the audience out there to hear that because people get a little nervous when they think that's going to be increase Ed, thank you.

>> Councilmember Pyle: We have one speaker.

>> Councilmember Constant: Oh I was just going to make a motion to accept the audit report.

>> Councilmember Pyle: We have a motion and second and we have David Wall who wishes to express his opinions on this.

>> David Wall: There are not enough glowing words to give to our honorable auditor for everything that they do upstairs and so I'm very thankful for that. The only main issue I want to bring to your attention is that the parcel tax needs to be restructured. Restructured to reference the types of parcels that are out there and to bring them into uniformity. There is a lot more money to be raised for the library at less cost to the taxpayers as a whole by standardizing this parcel tax to include apartments, town homes, high density living projects. In other words, every living unit should have a fraction of this parcel tax as formulated by the attorneys and agreed to by the decision

makers. This would raise an incredible amount of revenue if done this way and it would help alleviate a lot of problem with the libraries. Thank you.

>> Councilmember Pyle: Thank you, Mr. Wall and with that, we're ready, you want to restate your motion?

>> Accept the audit report.

>> Councilmember Pyle: Second? All those in favor? Aye. Thank you so much. We're ready to move on now to the strong neighborhoods initiative. [Repeat] sorry about that. And I'm not sorry about the fact that we're moving on to that but that I wasn't speaking properly here. So we are ready, Norberto, it's all yours.

>> Norberto Duenas: Madam Chair, members of the committee, Kip Harkness will be doing the presentation.

>> Madam Chair, members of the committee, it is my pleasure to give you an update on some of the works we're currently doing with the strong neighborhoods program. By way of background, you have asked us to come to you every two months with a brief update following the direction that you gave us in August 2010 where you approved the business plan update. I'll be coming back in two months again with a bit more detail, but today I'll be quite brief and I wanted to give you just three examples of the work that we're currently undertaking in response to the direction that you provided us in August. The first of which is in response to a community concern and a barrier that they've had in terms of working in their own neighborhoods with access to tools. Parks, Recreation, and Neighborhood Services does have two carts that they can make available on volunteer days but that certainly doesn't serve the needs of a city of a million people. So after a little bit of discussion, little bit of research we have located a startup, and they're based down in L.A. and they are working with us to revise the platform that they have and the platform that they have is a very interesting one. It is a tool sharing platform called neighbor goods. The idea is fairly simple, you sign up for this and then you let your neighbors know what tools you'd be willing to share, whether you have a power washer or a drill or cooking supplies that you would be willing to share and then people can share that back and forth. The difficulty with this platform from neighbor goods perspective is that they need to have a critical mass of people in an area in order for it to work. If you have got one person in

Cupertino and one person in San José that want to share tools it really doesn't work. What we've done with them is worked with them to modify their platform and they've done this completely free and almost in real time and we have volunteered to pilot this in a more discrete area, see if we can get a critical mass and we'll modify the platform as we go again for free and then we'll see whether it works and if it works we'll launch it citywide. Our pilot program we're going to be pitching the idea February 21st to some neighbors in district 1, we'll see if they're interested in being part of that pilot and we'll identify that to two or three associations and over a six month process we'll work with Facebook and the staff and make sure we revise that platform so that's neighbor goods and one of the examples. Second one is also involves materials. The anti-graffiti program consistently gets high marks on the annual survey from customers and citizens. One of the areas where it gets low marks is on the availability of anti-graffiti materials. You have to go to a single location to pick them up and be trained on them. So we've collaborated with parks and rec and anti-graffiti and in strong neighborhoods eight field offices our staff are now trained to give out the anti-graffiti materials and will be stockpiling them there with the anti-graffiti team replacing them as they diminishing. This has the advantage of not only decreasing by eight the number of spaces available but also as we've refocused our field staff on the areas which by and large have large amounts of graffiti also puts them in exactly some of the neighborhoods that are highest need. We're also speaking with -- working with the library to see if we can do this in two or three libraries on a pilot basis so it wouldn't be restricted to just where strong neighborhoods had staff because if this works there's no reason good we couldn't make this available on a citywide basis. And then the third example is a variation of the neighbor walk program which I mentioned to this committee a couple of meetings back. And we realize that one of the flavors if you will of the neighbor walk program is that children and their parents and families are often concerned about safe walk being routes to schools. Our Department of Transportation has a very good project that they're doing to ensure that some of the physical aspects of safe walking routes are taken into account. We're working to look at some of the - some of the more people oriented aspects and we have a couple of variations on this that we're trying out. One is in the Washington elementary school area where we've worked with parents and children and equipped parents with visible safety vests, flashlights, whistles identification badges so they feel safer and more comfortable walking to and from school with their children in an area that has seen a recent spike in gang violence and gang activity. What we have found is this not only increases the safety of the parents and the children but it really opens the door to more organizing and more connection around the questions of crime and safety and does so in

a way where people are literally empowered rather than having the power taken away from them. We are trying a second approach in Santee, the model that we're using in Santee is a bit more discreet in that what we have done along the walking routes to fair middle school which pass through a number of different neighborhoods is we've identified about 20 or 30 individuals who are either regularly there because of their business or who live along the area who are interested in children's safety and we've worked to them to connect them to each other on cell phone and train them how to call 911 and how to group text each other if they see something suspicious. One recent example of this is that there was a car full of gang members, driving toward fair middle school. They drove onto campus and were getting out on the middle school campus. The principal was there saw them arrive and was dialing 911. The 911 dispatcher when they picked up said we've already had seven calls on that. By the time she was on the phone with the 911 dispatcher, when the police arrived. So people along the way had seen that car going to the school and had called and reported it as a result of their training and their confidence. These are two examples of what we are calling safe passages which we think complement the physical work that the Department of Transportation is doing and also the organizing work of neighborhood watch and other tools that we have. And again what we'll be doing is we'll be documenting these pilot programs learning from them and if we feel they have broader applicability one of our initiatives over the course of the next six to nine months is to create a series of both physical and online kits as well as video on Youtube that people could watch download or access for free to learn how to do each of these tools. Our hope is to do these in English, Spanish and Vietnamese, so that any community regardless of language comfort could have access to those tools that we find most effective. And with that I will close my presentation and open to certainly any questions comments or feedback that you might have.

>> Councilmember Pyle: Thank you, Kip. This sounds like a phenomenal program. And I'm sure I have questions.

>> Councilmember Constant: I got my own, thanks. Great having my own mic all the time. I want to thank you for this. I have comments on each of the parts. First of all on the neighbor goods program I think it's an excellent idea and I want to thank you for picking district 1. It's going to bring automation to something that my neighborhood associations have been doing for a number of years now, but it's been a very manual process, and I think it's

going to be very worthwhile. In regards to the other programs I think it's really important as we move forward and I know we've discussed this in the past but with the diminishing resources taking all these programs we have, we have antilitter we have anti-graffiti we have blight busters we have vehicle spotters we have all these different engagement tools for residents or programs, and needing to figure out how we can bring them together. Cross training the community so to speak or leveraging the resources, and I'm just going to put a plug in for the iPhone app. I think we've seen to not only in district one but throughout the city people are using the smart phone apps are really making things easy for followup. And I'd just like to encourage us as an organization, as we continue to have declining resources to look at those type of technology solutions and push forward with them. Because we're not only finding out things quicker but we're finding it more efficient to service the issues as we go along. So thanks, keep up the good work and I know you didn't talk about neighborhood watch, but the sign was on neighborhood watch and kind of the tangential part there. I think with the declining resources at the police department, to be able to get out there and do the presentations, we need to be looking for ways whether it's engaging the reserve police officers to do it or the P.A.L. explorers through the P.A.L. program or quite frankly maybe even embarking the train the trainer program where we find some of our strongest neighborhood leaders we all know those individuals in our district that have the capacity to do these type of things and to give them the tools and the training that they can go out and train their neighbors. Thank you.

>> Councilmember Rocha: Thank you. I was going to compliment you on the continued innovation that you show as the resources change, so does your effort. So thank you very much. I was actually going to speak about the neighborhood watch program as well. That's something that's recently come up in my district but again, I know in terms of the Redevelopment Agency, and in terms of working within your borders that that's a challenge for you but you can still I guess establish these models and these programs that we can copy, so to speak and doesn't mean you have to be involved, we can just use it and plagiarize a bit. Unless you have some thoughts on another creative way that we can actually take advantage of that.

>> Well, part of what the business plan did is it made very clear that while there are many communities in need within the redevelopment area, that the question of being involved in action with your community was a citywide question that didn't stop or start at the redevelopment boundaries. So what we have done in response to that is

we have actually increased the amount of staff that we have working on a citywide basis if you will focusing on again figuring out what those lessons learned are and putting those and packaging those in a form that are easy to use and trainable and applicable across the city. So I'm happy to work with you and whoever on your staff, as we refine those, to try those tools out and I see neighborhood watch as one of those and we're -- we're very open to how do we do that without feeling that we need to restrict ourselves to the redevelopment area in those conversations.

>> Councilmember Pyle: And I notice quite a few of you in the audience are very active in your communities too so this may be good news for all of you and with that we're ready for the vote. Who made the motion?

>> Councilmember Constant: We didn't yet but motion to accept.

>> Councilmember Pyle: Second? All those in favor, now, Norberto, we're ready for you. I apologize for bringing you into this a little prematurely but you have good news as well.

>> Norberto Duen,,s: Madam Chair, members of the committee, Norberto Duen,,s, Deputy City Manager. You have before you the school cities collaborative update report that I present to this committee every two months. The relationship with our schools and the 19 school districts in the City of San José, I know is very important to the mayor and the city council. And it's certainly important to the administration, also. We know that we are much more effective in delivering our services when we have good relationships with our schools and with our school districts. I've highlighted for you some of the important areas where we continue to work together. We did have our schools-cities collaborative meeting yesterday. Our new co-chair, Councilmember Rocha, attended his first meeting and once again, we had a very good turnout, and very good dialogue on the part of the superintendents, and you'll be receiving a report on that meeting from me, in the near future. I do want to take the opportunity, though, as we give these reports to give an opportunity to the good staff that does some very good work with the schools directly throughout the years to be able to share with you what they've been doing directly with the schools. And today I'd like to introduce Rena Brilo from our Department of General services and she'll go

over what is called the San José go green schools program and will be available to answer any questions you may have after that. Thank you.

>> Thank you. And good afternoon. As Norberto mentioned, my name is Rena Brilo and I lead our go green schools program which is a program of our environmental services department. Go green schools is really a one stop shop where we provide resources and technical assistance to help our schools with their greening efforts as well as really foster an environment that will create future stewards for our environment. We see ourselves as implementing our City's Green Vision within our schools and today what I'd like to highlight for you are some of our key initiatives. And I just left my -- I think -- clicker -- thank you. One of our flagship programs is entitled the youth education and improvement grants and what these are, are really what we call mini grants, grants that are between 500 to \$5,000 that are awarded to K-12 schools to support education training, to help schools fund programs that will take them out into the fields, do field trips, we also have really exciting and innovative, creative school action projects that are also funded through this program and this year we awarded about \$8580,000 to 25 different schools and you can see a list of the grant recipients this year in alphabetical order. So you can check out what schools in your neighborhood may have received a grant for this purpose. And I'll be tying in this grant program a little bit through the various other things we do because it's a common thread that really helps us engage and continue to be connected to our participants. The go green schools program also provides no-cost recycling containers. You can see two of our containers in action in that photo. Really what those containers do is make sure that recycling happens in schools, but what an interesting consequence or I should say tool about these containers is that they actually help schools empower themselves to build funding for some of their programs. After school groups such as green clubs, sports clubs, art clubs, they actually do the recycling in their school afterwards, after the end of the day they collect the materials and they take the bottles and cans in for redemption. That money actually adds up over time and helps support those programs. This year we provided -- I should say in 2010 we provided approximately 1900 containers to 47 different schools. The go green schools program is in a real great area we can just leverage a lot of resources from other agencies that are doing really great work with environmental education and also promoting school greening. And we've taken a lot of leadership within the state and also talks to these different agencies and collaborated with them. And I'll talk a little bit about our collaboration in a second but in terms of our state leadership we sit on the California resource recovery

association's technical council for K-12 schools and a part of that we develop case studies and models so that other schools and municipalities can really learn from best practices and we can be sharing our stories with each other. In terms of some regional collaboration that we've been working on, Alameda County stop waste, San Mateo recycle works and the green schools initiative in Berkeley have all been working with us, to really look at this issue of recognizing schools for a lot of the efforts that they're doing related to green work. And that recognition often talks about the facility but it doesn't talk about the actions that are happening in schools. The environmental education that's going on in the classrooms and it's one thing to have a green facility but it's a totally different meaning of a green school if you have the whole picture put together. Those agencies and go green schools have been collaborating for the past two years and have developed a pretty robust certification program called the Bay green stars schools system. The certification program has six different pathways that are on the stars above and as we've been leveraging our resources and developing this certification program we have been looking to finding funding avenues to really implement this on a much bigger scale. I'm happy to announce that the Metropolitan Transportation Commission awarded this program quite a bit of money and go green schools will be receiving \$150,000 in order to launch specifically the transportation checklist in our schools beginning in the fall. So with that assistance we'll be able to provide alternative modes of transportation and encourage those modes of transportation to our schools so that students and parents and teachers are spending less time driving to their schools. This fall we've actually piloted the green star schools program with nine of our schools and you can see those mascots. These schools have really taken a lot of initiative and I want to give them credit because they either have a very active parent, active faculty or active administration or all three to come together and really support their school greening efforts. This is a completely voluntary program but it's likely that one of these schools will become the first green star certified school in the Bay Area. Go green schools also provides zero waste technical assistance. We had a pilot program with union school district that really demonstrates what that hands-on assistance means. Typically what happens with school lunches is they go to the landfill. All of it goes to a plastic bag and gets shipped off to the landfill. What the union school district was willing to do in a partnership with us is actually collect their food waste separately. We trained the campus including the students on how to separate their waste, so the compostable separately, the food waste went in a particular location, and then everything that could get recycled went separately. And the very few items that had to go to the land fill went into the garbage. Through that collection process a lot of those materials, a vast majority of

those materials are going to be sent to a composting facility for higher and better use. A lot less material is getting sent to the lands fill. Through this pilot program the city also partnered with the school to give them resources and also know-how so that they could pick the right kind of service ware that could get composted and would not have to be material that would have to be sent to the landfill. And I'm happy to announce that after the pilot program the union school district continues this process and we are putting together a tool kit of all the information that we help the union school district through, so that other schools can replicate this. Go green schools also has a variety of environmental education and curriculum that we make available to teachers, and that's either been developed in house or developed through some of our youth education and improvement grants money. Those curriculum titles include sewer science, it's wet it's wild it's water and trees in our watershed. Trees in our watershed was actually funded through a youth education improvement grant awarded to our city forest, and these materials are made available free to teachers by going onto our Website and requesting them. Assemblies and field trips. So not only do we have some funding that we use through our youth education improvement grants to help students go to these you know educational field trips we actually coordinate or bring certain presentations to the classroom and some of them include the earth balloon. You may have heard of it, our keep San José beautiful friends had contacted us at the end of last year when they were no longer able to continue that program and so the go green schools program actually face it out to schools and it is a great learning piece. As you can see from the photo it is a humongous inflatable balloon. People can go around the edges of it or inside. What we have geography we talk about what are the global impacts of climate change, what are the impacts of plastics when they go out into our oceans? So there's a lot of learning that takes place that's really hands-on and fun. We also work in close conjunction with Glen Stewart who is a researcher at U.C. Santa Cruz and work with the U.C. Santa Cruz's predatory bird research group and what they do is actually bring birds into the classroom these predatory birds and they tell the environmental story because many of these birds were in decline in you know possibilities of extinction but because we changed our practices based on what types of you know chemicals are being used for agriculture, because those practices change these birds are I literally coming back to life and are in resurgence. So that's a great activity that we helped facilitate in our schools. The Don Edwards wildlife refuge is another program that we helped fund educators at, so when school trip schools go to the schools they have someone who can talk to them, integrate the message to their curriculum and really learn about our bay and the uniqueness of the area out in Alviso. We also have field trips that are at the Santa Clara San José water

treatment control plant, and in addition to learning about you know what happens after you flush the toilet, where it goes, what happens to it, students are learning about careers in possibly civil engineers engineering so it's a really great connection there. Probably the most visible thing we do each year is we host our Bay Area schools environmental conference. This year it's going to be our fifth conference. It has grown in size and scope. It's at conference centers that have ranged throughout the city and it is a regional conference now. Last year I just wanted to highlight for you some of the fun stuff that was done at the conference. We had some students who put together solar villages who presented and displayed on the lawn of the Hayes mansion where the conference is at. We also have really great speakers that come and last year we had high school students actually present and those were I heard from many people among the best presentations. Our keynote speaker last year was Alec Loors who is the youngest trained presenter giving a lot of message about youth and empowerment as well as climate changes. He is the youth founder of youth versus global warming, and if you haven't heard about him yet, Devon Tanieras, he is going to be a household name. He is really very visionary and very inspiring. And we had 250 teachers, school administrators, and different providers throughout the Bay Area come and get together on this day and so many different people from different municipalities talked to me about how this conference is really provided a niche where people can get together and share a lot of stories, and that really hasn't been happening, other than our conference, I should say. So this year I want to let you know about saving the date for our conference, it's going to be on Saturday, April 30th at the Mexican heritage plaza. Our theme this year is fill your plate with green. So we're going to have a host of speakers on a variety of topics but we're really going to do a lot of messages about connections to food sustainably grown food, food that is raised in a humane way and the importance of serving those food choices to our students. So we just are going to also be announcing our keynote speaker, his name is Jamie Smith, he's a chef and he also does tremendous work in Santa Cruz, has led U.C. Santa Cruz's dining hall systems and now is doing all the lunches for the U.C. Santa Cruz school district and he is really committed to a lot of the messages we want to convey this year. The way we stay connected to our participants, those mostly being teachers and active parents, are through three main avenues: Our website where people can go online to request some recycling containers or request presentations, we also have our resource letter that we send out each month to several hundred people and that is filled with information about upcoming grant opportunities, and it's very useful, and we recently launched a Facebook page so please become our fan and tell other people about us. We are hoping to use this tool so we can do a lot more sharing and

networking because a lot of great stuff is going on and we just want to spread the word about it. With that I just want to close and open it up for any questions you have but I just want to let the message known, if you think about schools if you think about the environment you think about any schools in your neighborhoods that really want to take the next step forward we're really here to help them with that we have a lot of energy and a lot of technical assistance that can make that happen. So thank you.

>> Councilmember Rocha: You had talked about grants for the schools, and what are the parameters for those grants in terms of who submits it, who fills it out? Does it require that the school does it or can someone fill it out on their behalf? I'm not suggesting that I would do that but --

>> Right. Actually as you know a lot of teachers are overwhelmed and so we often have very active parents who fill out and are the project managers if you will for the grant. The money though is sent directly to the school and made payable to the school but a lot of times it is the community members, active parents who are the ones who are managing the grant.

>> Councilmember Rocha: In terms of also the school that you talked about getting them involved in the zero-waste efforts you know oftentimes school districts, superintendents or principals are overwhelmed as they are now with other issues they may consider very important or more important. How do you kind of not force the issue but encourage or try to get engaged in that school and nudge them a bit without insulting them I guess so to speak or make them feel like we're forcing the issue because there are a number of school districts coming as a former school board member in the Cambrian district that would mimic in evident nah you did and they are right next door to each other I think would be great but I don't want to approach them as the father figure, that would say we know what's best to you? Could you maybe elaborate some practices or approaches that you might have for that?

>> We're really fortunate to have a lot of allies in our schools whether they be teachers or active parents who have done a lot of work. We also provide a lot of background research and the tool kit that we're talking about that we did a pilot with union school district, we carefully chose union school district because it seemed to be the right

environment and it was kind of a small district so we could manage it and so we've taken a lot of tools, important things like signage for where materials go, there's also a lot of hands-on assistance that needs to happen earlier on but our programs are really meant to be self-sustaining. So I think our approach is mostly to partner with allies in the school, and to approach our principals first and then take it up to our school district. We also talk as frequently as possible. We have you know 23 school districts in San José and it's hard to talk to all of them all the time but we do like to touch base with our superintendents or some of their operations staff once a year so that we can ask and kind of promote recycling and see how their garbage collection is going and see how we can help them from an operations standpoint. But yes that is tricky you don't want to seem as if you're forcing the issue but ultimately, there is a lot of enthusiasm around these kinds of ideas and, as long as you can free up time, and the key word is also resources, you can make a business case, then it's a lot easier to get participation.

>> Norberto Duenas: Councilmember Rocha, I just wanted to add, Rena does presentation before the school-cities collaborative so what we like to do is show some of the partnerships we've already established with the hopes that some of the other superintendents may want to join in.

>> Councilmember Rocha: So what about some sort of like a needs assessment where they don't have to do any work, that you -- the offer is, we'll come to your campus and just do a quick walk through and talk to you about what we could do or help you with, is that the approach as well or maybe that's what you do already?

>> We definitely offer that service. Not that many people take us up on it as in doing an audit but we are happy to --

>> Councilmember Rocha: I don't use the word audit.

>> That might be the wrong word to use and there is a lot of discussion about which exact word we should use but that's a walk-through to see what opportunities we could help them with and that's something that we're definitely happy and able to do. But --

>> Councilmember Rocha: So what's the incentive to them beyond being environmentally conscious which is important, is there any other incentive for them for from that point of view?

>> When I was talking about the recycling containers, it is sometimes the high school students who contact me about them, actually. Because they want to collect bottles and cans for their after-school programs and maybe it's because we're in the Bay Area but there's just a lot of energy around environmental stewardship in our schools and so parents just want their kids to be learning about the environment. They're very committed, students are very committed and are often very quick to spread the message to their families. And so yeah, there is still a lot of doing the right thing. But there is also funding through our grants to do activities that normally would you know a teacher would be stuck in a classroom, so this way they can take their kids outside or they can have funding to work on building a school garden, for instance which is dynamic in so many ways regardless of the fact that it has environmental benefits.

>> Councilmember Rocha: Okay, thank you I could go on and on but for the benefit of everyone else I think it would be great if maybe I could follow up with you and my staff to just talk about the district and how it plays out and whether we might see opportunities. So I'll make one last point and it's not really a question, it's looking at the language of driving less to school. One of our goals is part of this but then on the flip side we talked about the budget and eliminating crossing guards would directly contradict this and we would be going backwards in this effort but that's not for anybody to editorialize, that's just for me to say, but thank you.

>> Councilmember Constant: You almost took the words right out of my mouth. I think it was four years ago that Nancy and I put out a memo on volunteer crossing guards, might have been, yeah, at least four years ago. It's been a while and I know we've made slow progress on there. And there was a lot of initial reluctance on the part of a lot of folks for us getting into that. But we also know that we're, with our review that we've done, D.O.T. and looking at the intersections that have been served, instead of seeing an increased need we're actually seeing that a bunch of intersections are going to get axed because they no longer fit our formula of need even though the perception of need by the parents, the students, the school administrators and, quite frankly, the councilmembers is still there. And I know I've gotten a lot of frantic e-mails and phone calls from people when they hear that their

crossing guard's getting eliminated. With not a whole lot of months before we are constricting our services more, and then almost immediately following students on their way back to school, how close are we to even looking at a real implemented volunteer program? I know it's kind of vague but we haven't had an update in a long time.

>> Norberto Duenas: Councilmember Constant, the school-cities collaborative on their agenda yesterday actually had this item as a point of discussion. And we had representatives from the police department, and from the Department of Transportation there. What we've committed, and the superintendents have also committed, is to continue to work with the smaller group of superintendents that we call the issues working group, to continue to look at those alternative ways of delivering this service. So the issue of volunteers, obviously, continues to be on the table. The issue of the number of crossing guards at a particular intersection is going to be reviewed. One of the feedback that we did receive from some superintendents yesterday was, they may have a difference of opinion on how the -- how the numbers came up on the benchmark as to whether there should be a crossing guard or not. And so what we've committed, both sides, is to increase that level of communication and make it a high priority because, you are correct, we are right in the middle of the budget process in the hopes that we can come up with some alternatives. So all I can say is that is, it's high on the list. We do have some direction from you, and some opportunities. I do think, though, that if I could just say that compared to the other years, given the magnitude of our deficit this year, I do see a heightened sense of willingness to really look at that study and really do a good analysis of those intersections to make sure that, you know, we are allocating the funds as efficiently as possible.

>> Councilmember Constant: Well, just to be blunt, because I know I never am, I really think that we need to really just get to it. I know we've had issues about the liability and risk management, and I'll contend if you can deal with volunteer firefighters then you can deal with reserve police officers who are volunteers and you can mitigate and manage that risk, we can surely manage the risk of a job that in the past we used to let fifth graders do in school safety patrols. And I think we have to make it a priority. We have to get it done. And it's really not that complicated. And I know I oversimplify things but I'll contend that we as an organization overcomplicate things, as well. And that the chock is ticking. The new school year starts less than nine months from now, eight and a half months from now and those kids will be walking to school in many cases without crossing guards and some are

big streets. I have kids in my district that cross Winchester boulevard with no crossing guard at Williams which for 15 years was the highest crash intersection west of highway 87 but they never had a crossing guard. And we have others, throughout all of our districts, that are similar and I think we just have to figure out a way to get it done. So anyway, enough for that, motion to approve the record.

>> Councilmember Pyle: All those in favor? Aye. We are ready -- did you wish to speak on this subject, David? Okay. I just now got your card, so --

>> David Wall: I don't really know how this works. But here, Norberto, (inaudible) now I wasn't going to speak on this. Because Norberto does an outstanding job in everything he does and this is no reflection on our great -- wait stop right there on that one -- alone. Right here this bucket could be a reservoir of contagion. In other words, this is an overall safety of children issue that's not being addressed. This splashing, this water bucket could be harmless, and yet it could be a potential reservoir of typhus, depending on who didn't clean themselves after going to the restroom. No, go to the one with the shovels. Also, the hand cleaning, there should be some form of hand cleaning things with this as well. The overall safety programs in these schools with these environmental programs I think are -- right here stop at this one. Note: No gloves or eye protection. We don't know what is in these boxes as they put out. And things can fly up into little kids' eyes and whatnot and who knows what's going on with these buckets. So gloves, and eye protection, should be integrated into this function. Along with handling any of these recyclables that are in the background or what we saw in the previous picture. But the one that really bothered me, we could go to those shovels. Right here. First of all, these are adult-sized tools. They are very heavy, and very bulky for these youngsters to be playing with. In addition, notice the quarter-size containers. Nobody including an adult would use those type of tools to plant those type of plants. In addition, for an environmental services department to be so on the environment, the plants that they have there are not native. In other words, they're not integrating fully their environmental program with the type of plants at a they use. But more so, there's no gloves, no eye protection, and these tools are not commensurate with the age group. Now other tools can be bought and sized down but without a comprehensive safety program for these kids and they need to be doing these activities, I'm not saying that. But the obvious absence through these pictures of any safety program should be of high concern and I'll leave.

>> Councilmember Pyle: Don't go away because you wanted to speak at open forum.

>> David Wall: Okay on open forum we'll build on this issue here. There needs to be an integrated approach through what our great deputy City Manager over here has been doing for years, with the collaborative, is integrated schools, food production. And I mean emphasis on food production and consumption at schools. There's only one citizen I know of that talks about routinely the increase in food cost that's ongoing. Parents have enough troubles as a it is in this economy but if kids can grow food and have it as part of their snack or lunch programs, however you structure it, that's going to make them a lot healthier, a lot better for the environment and what have you. Since I don't have my notes I'm just going to say with reference to everything on this agenda including this, there needs to be a financial instrument created from all these different funds, specifically from the rantings I've heard from the library today, to fund permanent positions in the attorney's office to review on -- I mean permanently funded because we need expertise in these matters, because of this alone, is very disturbing but from other things that I've heard today it's also very disturbing and our attorneys as you know always come to the rescue. But we need them before the problem starts. Thank you very much.

>> Councilmember Pyle: Thank you, David and with that we are adjourned. Thank you for a good meeting.