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[AUDIO DIFFICULTIES] ... they're going to be more productive more healthy and that's ultimately going to help the county and the services that it provides. I'm very excited about today's meeting in particular with the focus on issues that we don't normally talk about in these joint meetings and those are sort of health related when it comes to tobacco and to obesity and diabetes issues. I'm looking forward to the discussion today and I know it will be very fruitful and it will enable us through the rest of this year and next year to continue working on those issues that we all need to solve together. Mayor Reed.

>> Mayor Reed: Thank you, Ken, I think I'm speak without the microphone. I don't think it will reach this far. (inaudible) (inaudible). (inaudible) [Laughter]

>> Mayor Reed: All decide on -- (inaudible) [Laughter] (inaudible) (inaudible)

>> Mayor Reed: Thank you (inaudible).

>> Mayor Reed: We have sound. At least portable sound. Meetings that we've had but really there's three reasons to do this meeting. The first of (inaudible) cutting in and out the progress that we made on the many issues that we have in common I don't know what the total count is on the issues that we've dealt with we still have a lot left that are ongoing so we'll take note on that and get some reports on that so that's one reason. The second reason is to make sure that our staffs, our combined staffs understand that it's important to us to work on these issues, continue to work on them notwithstanding the differences that we may have that we want to make progress and we have to focus on those and I think (inaudible) working on it. The third reason is just to remind all of us that despite different priorities, different funding sources, different objectives, all differences, our people are the same. Your people are our people, remember Weaver serving the same people and to thank, I particularly want to thank the county for all the services that the county provides to the City of San José. 60% of your spending or more in some cases go to the people San José and we appreciate that, acknowledge that and really want to encourage to you keep doing that so we're here to work together and to solve problems together and to make progress together. So we're back and we'll be doing this again next year, in City Hall, I think. With that I think we're ready to start.

>> Supervisor Yeager: Excellent. We will now introduce county and city staff and to introduce the county staff we'll turn it over to our county executive, Dr. Jeff Smith.

>> Thank you Mr. President. Pleasure to be here. I would like to introduce the staff that are scattered around the room here. First joining me on the dais is count counsel Miguel Marquez. And then going around the room from left to right we have Dan Delgado one of our physicians at the hospital who is now the a news appointee to the first five because of the health issues. Leslie Crowell, our budget director, our sheriff, Laurie Smith, Director of DOS Kirsten Hoffman, related similarly to this guy Dan over here. Our Public Health director, Marty Fenstersheib. My -- one of my assistants or executives, deputy executive, Emily Harrison. Let's see here, how are we going here, we'll try -- Robin Roach who will give you a presentation later, recently directing all of our ambulatory care working on special projects for health and hospitals. Kathy Maniacci, principal advisor to the county executive. Let's see, Mike murder, very far in the back in charge of roads and parent Venode Sharma our acting director of finance, Nancy Pena who is the director of mental health. Greg Price, director of valley health plan. Jeff Draper in the back in charge of fleets and facilities. Sitting over in the corner hiding another deputy executive in charge of ESA, Luke Leong, our director of economic development, Bruce Knopf? And somebody that we recently stole from you guys, Ruth Shikada, who has now recently joined the county executive's office in economic development. Thank you very much. Oh, I left out Kevin O'Dea. Where's Kevin? I skipped right over Kevin, sorry very much, Kevin.

>> Mayor Reed: And we are joined today by our City Manager Deb Figone, our director of Redevelopment Agency, Harry Mavrogenes. Turn it over to Deb to introduce the city staff and Harry the redevelopment staff.

>> City Manager Figone: Thank you, many, many, members of the council, president Yeager members of the board pleasure to be here. Actually I'm going to introduce a few key staff and then would I like the rest of my team to just wave their hands. I don't think I could pick them all out as Jeff was able to do. First of all, Ed Shikada, assistant manufacturing? Nadine Nager, our assistant City Clerk, Dennis Hawkins and he's joined by Susan Davis with the City Clerk's office. Will the rest of the team please raise their hands? You'll meet them as presenters but

these are the ones that do the heavy lifting on all that is before you today and they really deserve the credit for keeping the relationship strong through the work that they do and I want to thank them for that.

>> Supervisor Yeager: All right, thank you.

>> Mayor Reed: Harry. Introduce.

>> Supervisor Yeager: Sorry, yes.

>> Harry Mavrogenes: (inaudible).

>> Mayor Reed: And Rick, I think you're here all by yourself. Rick can handle it. One guy, that's all it takes, one attorney.

>> Supervisor Yeager: Excellent, excellent. So we'll now move on to our agenda and the first item is an item that the city and the county have been working very closely on and making great progress, and we look forward to the day that it is open and it serves many of our residents particularly who go to the downtown, and that's the downtown San José clinic. And for that I will turn it over to Mr. Smith.

>> Thank you Mr. President. Want to give you a high level overview and wanted to turn it over to Robin roach to give some of the program issues. As we know there has been a commitment from -- made from the board and from the city to find a way to open a downtown clinic after the closure of the San José medical center. And this is one of the highest priorities for the county. The closure occurred in 2004, and there has been a sense of urgency since then, because a large portion of the community in downtown is currently unserved or I should say served mostly by leaving downtown. So where the funding comes from for this program, as everyone knows, is from measure A which was passed in 2008. And we have at our disposal approximately \$50 million to build a facility in the downtown to substitute for the closure. So what we have done so far is we have purchased the San José medical center site and we are currently in the process of demolishing all the buildings on the site save

two. Basically, the medi plex building which is the office building that faces directly on Santa Clara is being maintained to be an initial clinic site. And then the historic building that is towards the back of the property is also not being demolished. And the attached building around that historic building is not being demolished during this particular project. It will be removed once we can isolate the historic structure, and prevent any damage to the historic structure. We anticipate that the medi plex building will operate as a downtown clinic for approximately four to five years. And during that time period, the board has authorized us to move ahead with a plan to build a much larger, new clinic, immediately adjacent to the medi plex building right on the where the Heli pad used to be. We anticipate we will be able to built this building under budget. It will be approximately 50,000 feet of clinical space. And start to finish we think a minimum of four years, possibly five years. So with that I will turn it over to Robin and he will tell us some of the programming and a little bit about the current Milpitas clinic, how we will modify that floor plan and what we see in the future clinically.

>> Thank you, Jeff. It's been a pleasure working with Dr. Smith the past year on this project. Basically what you're looking at right there is a photoof the Milpitas clinic that just recently opened. And basically what we're going to is take that facility, use those plans and move it downtown. So picture sort of a ray gun. We're going to sort of copy and paste. Now it's not going to be that easy but it's going to be the plan. And the sooner we can -- the less we do to the facility, the quicker we'll have that facility up in the downtown area. It has, as Dr. Smith pointed out, 50,000 square feet. It's 60 exam rooms, three floors and will provide plenty of services to up to 25,000 people, over a 100,000 visits a year. So it has a lot of capacity. Go to the next slide. In addition to the site, downtown where we're Planning on placing these on the corner of 17th and Santa Clara. And you can see the rendering right there where it says new three story clinic. Behind that what you see is the property for future development possibly new parking garage. And isolating any kind of development for future health purposes over to that side of the site allowing the rest of the site to be developed however the county chooses to move forward. So next steps, and I think these are important, is to get Gardner in there because one of the things we want to do is start providing services as soon as possible. They are working on this as we speak and they hope to be open and ready to go by July. And of course, the site adaptation which is another next step which is to get this Milpitas facility ready as I mentioned earlier to paste onsite. Of course where all of this is important is in the context of health care reform. And as we are going to be facing many challenges to bring more and more people in this community

under some sort of an insurance program, there is a lot of issues around access and capacity and this will go a long ways to helping us solve some of those issues. Any questions? Questions?

>> Mayor Reed: Councilmember Pyle.

>> Councilmember Pyle: (inaudible).

>> Overnight would not be. But we are planning on putting urgent care services in the facility which would mean we would be open extended hours, evenings and weekends, we've done that -- we're not sure exactly yet but of course that could change over time based on demand but the notion is to provide after hours care and urgent care type services but it would not be an emergency type facility.

>> Mayor Reed: We have a few more down here. Councilmember Nguyen.

>> Supervisor Yeager: Don't take it personally.

>> Mayor Reed: I'm going to bring down this microphone in hopes it continues working.

>> Councilmember Nguyen: Thank you. In regards to the Gardner family health care, how much demand would that facility for looking at (inaudible) medical center opens, but what about the Gardner family health care facility?

>> Well I'm counting Gardner, first of all the medi plex site, there is only a small portion that is usable as a medical facility. They're starting out with a couple of physicians, during the period of time, they will operate with two or three provider staff in order to provide care. The intent is that Gardner would occupy along with county space in this facility, and we would be able to provide combined up to about 25,000 services for that. Now, when I talk about people, I'm not talking about visits. I'm talking about a community of 25,000 which is a large number.

>> Councilmember Nguyen: Thank you.

>> Councilmember Chu: Thank you. Is this the first time the county tried to profit like Gardner to operate a medical facility? What is your model in Milpitas?

>> Well, actually we've had a long standing partnership with Gardner family health and we're looking forward to doing that again. They're a partner of the county and the city in terms of providing services not only medical service but mental health as well so they have a long history in this community. And we are lucky to have them and want to work closely with them. This gives us more of a unique opportunity than we've experienced in the past which is actually on the same location providing medical services which means we're going to have to get together with them and talk about the care they provide, the care we provide, and make sure there's not a duplication of care and there's a lot of coordination. We're both of us looking quite forward to that.

>> Councilmember Chu: Using in the Milpitas site?

>> The Milpitas site has pediatric services, obstetrical services, and internal medicine services. In these days we're looking at internal medicine services, and looking at those like a medical home, so a medical home with kids and moms and with ancillary support to support all of that.

>> Councilmember Chu: Do you partner with any nonprofit?

>> At the Milpitas site no we're not partnering with a nonprofit at that location.

>> Councilmember Chu: This is the first site, was this county clinic that you partner with --

>> This would be the first time that we would have shared medical services on the same side with a local community partner.

>> Councilmember Chu: Very good, thanks.

>> Mayor Reed: (inaudible) (inaudible) what's going to happen mid 2011?

>> That is when Gardner is currently recruiting for and planning on providing services to the mediplex building which is an already existing building often that site, around they're going to provide services hopefully in July of 2011. And so they're recruiting staff.

>> And we should also point out I think in previous discussions it had been thought that possibly Gardner would move its operations from St. James to a new site. That's not going to happen. That, after many discussions with Gardner there are impediments related to federal regulations that would make that virtually impossible so they will be staying at St. James. And operating a satellite at the medi plex building starting hopefully July 2011 and during the time period that we're preparing and building the new clinic, they will continue to operate there. And then as Robin says once the new building is done we would plan to merge Gardner into the new building along with our own county services.

>> Supervisor Yeager: Thank you. Jeff if you maybe could talk a little bit about what the overall plan as far as development of the property I know things are moving along very well with the clinic but I assume that the residents around the side would be interested to know what the development plans will be for the whole area.

>> At this point, Councilmember Liccardo and Supervisor Shirakawa have initiated another stakeholder group meeting with many people in the community, looking into the possible interim uses, as we transition from basically empty space, to actually a final plan. The final plan has not been made yet and I would imagine that it will be made, the decision about what would go there would be made jointly with the county and the city involved. I know there's been discussion with the community and stakeholders through a long process about mixed use in the area. Right now everyone is quite well aware that the financial picture precludes moving ahead with that kind of building project just because there's no willing partner in the private sector to actually do it. But we will come up with an acceptable interim use as we move forward on ongoing planning.

>> Supervisor Yeager: Thank you. Any other questions? Thank you Robin. Moving to our next item, communities putting prevention to work, tobacco grant effort and I don't know if Mr. Pitycord is here but Jeanne Burkhart is here and Laurel Prevetti you are going to be leading the discussion here.

>> Yes we are. Thank you --

>> Supervisor Yeager: I know that's working.

>> Good morning, hello, that better? There we go. There we go, good morning everyone, thank you for your time this morning. My name is Janie Burkhart, I am the program manager for the public health department tobacco prevention and control program. I want to tell you a little bit about tobacco prevention activities going on in Santa Clara right now. I'm going to tell you a little bit about exciting grant opportunity the Public Health department has recently received. I can tell you the that one in ten adults in Santa Clara County currently smoke. We know that's a problem but I'd like to try and quantify for you a little bit about how much a problem and how dangerous smoking really is. If you look here you see a few causes of death listed. HIV, illegal drugs, suicide homicide, all those deaths combined do not equal the number of deaths caused by smoking and tobacco. I think that's staggering. We've had some success in the past decade. We've seen some declines in smoking among adults here in Santa Clara County but we see persistently higher rates among the poor individuals in the County. Specifically, I can tell you that among low-income adults in Santa Clara County smoking rates are two times higher than those who are above the median income. This a slides shows you a little bit of the distribution of smoke around the City of San José. The heaviest impact and areas of smoking. If we were to overlay this showing you the poverty zones in San José you would see there is correlation. Again, the poorest individuals in the county are bearing the highest burden of smoking. Among the adolescents we know that smoke being initiation starts as young as eight years of age but most commonly seen somewhere between 13 and 14. I think that's a disturbing fact but made more disturbing because of the fact that a quarter of middle schoolers and two-thirds of high schoolers tell us they find it easy to get access to tobacco. Second hands smoke, we told you a little bit about what happens to individuals who smoke. I'd like to you think about secondhand smoke and how lethal that can be. The surgeon general says there is no risk free exposure to second hands smoke. The world health

organization say there is premature deaths caused by secondhand smoke. There are as many as 3,000 additional lung cancers, just lung cancers only, for people who do not smoke caused by their exposure to secondhand smoke. That is a lot of bad news. Little bit of good news is that the State of California has done a lot of good work in the past two decades and more. The good news is that 87% of Californians are northern smokers, that's good news. The last 20 years ago in 1986 when prevention and control efforts first started around tobacco in this state we've seen 65% decrease in tobacco use. Estimated that the tobacco control program in the state has saved the state as much as \$86 billion. It is the kind much policy change that the federal government is looking for more of to make systems to make real social norms change. When I say social norms, I'm an ex smoker, 25 years ago I smoked on planes and didn't think a thing of it. No one would dream of doing that today. That is a social norm change and that came about because of policy change. Not because the surgeon general said it was a good idea, not because the health officer said so, but because we had policy changes leading social norms. Communities putting prevention to work can is the name of the grant that the health department has received, the bold new initiative that's seeking to reduce chronic disease in our local communities. This initiative is getting a lot of attention from the national level including from the White House. Our work here is actually being watched. CPPW, communities putting prevention to work seeks to make policy systems and environmental changes to reduce the burden of chronic disease. The goal of CPPW is to create environmental conditions conducive to health and can help create sustainable change. Through this grant the Public Health department has received \$6.9 million. The grant started in March of this year and runs, two year grant runs through March of 2012. These are ARRA grant funds, American Recovery and Reinvestment Act. As a condition of putting this grant forward, the public health department was asked to assemble a high-level leadership team of individuals who would actually be able to help facilitate and implement change in our local communities. You can see some familiar names here, our own board president Ken Yeager, councilmember, San José city councilmember Sam Liccardo, Carl Guardino, president and CEO of Silicon Valley Leadership Group, Cindy Chavez from the labor council, you'll also see the names of many of our Public Health leadership individuals as well as leaders throughout the community. Want to tell you in really the briefest of terms a little bit about the actual work that's planned through this grant, the initiative. We plan a broad based hard hitting media campaign that will support the overall goals of the grant. We are looking in three different areas to reduce secondhand smoke exposure. We're looking through the retail market to limit youth exposure to tobacco. We're going to educate and empower youth to help mobilize them around make these policy

changes and health care plans increasing tobacco prevention as well as increasing cessation services. Finally I'd like to finish up by telling you great work going on at the county level now. The county has a few ordinances pending around tobacco prevention now that I'd like you to know about. Specifically we're looking at ordinances that would create smoke free environment where people live work and play. What that means particularly is smoke free multiunit housing, smoke free outdoor areas, that would include parks trails dining areas things of the that nature service lines. Also smoke free work sites. We think of California as having smoke free workplaces but there are loopholes in California state law that allows smoking in place you might not think of including tobacco shops hotels and motels and finally we're looking at the retail environment. We want to create policies that protect youth from tobacco specifically requiring retail permits that would require retailers to be permitted on an annual basis and would require penalties whenever -- if they were ever found to sell illegally to youth, also restrict zoning through the retail environment, to restrict new tobacco permitting within areas that are densely populated by tobacco retailers. And finally this is very important we want to limit youth exposure to flavored tobacco. There is currently a ban on products are really targeted at children. Start with the sweet clove cigarettes and move through to strawberry, even chocolate flavored tobacco, we know these are aimed at kids. Limiting pharmacies, places that should be selling health. So with that I'd like to turn the presentation over to my colleague, Laurel Prevetti.

>> Laurel Prevetti: Thank you very much. My name is Laurel Prevetti, I'm the assistant director of San José's Planning, Building, and Code Enforcement. San José has been a leader in antismoking efforts. We were one of the first cities to essentially ban smoke within enclosed areas that includes the workplace and in 2008 we essentially banned smoking in our parks and trails. We have been a leader we also have very innovative programs that are nationwide recognized in terms of the work that our police department does around the enforcement. Some of our current efforts that are happening right now is that in the summer we started partnering with Janie and other staff with the fire department with the announcement of the ARRA grants. It was very exciting, there was nearly \$7 million coming to our county so we are trying to understand what amount of that money might be available for the City of San José to essentially continue with our proactive efforts. One of those efforts is looking at a tobacco permitting program which came up in our last budget hearing in June. We are working right now with our city attorney's office and we hope to have an ordinance for the council's consideration

this fall. We are going to be applying for the first element of grants that Janie mentioned. Of the \$6.9 million the county has released \$450,000, and has identified that for the City of San José we are eligible for a maximum of about \$128,000. So we will be applying. The deadline is next week and we see that as seed money for tobacco permitting program so we will be participating. In addition, we did go to our Rules Committee in September of this year to talk about additional ordinances around antismoking and the basis of that conversation resulted in asking us to really come back during the budget process because of the other priorities that the city staff are working on in terms of other ordinance changes. But we are looking forward to bringing back a proposal and to the extent additional funding becomes available through the county's grant we will certainly participate in that. Janie will close by summarizing some of the resources available.

>> Thank you. In addition to the \$450,000 that Laurel mentioned we also have resources available to cities including a contract we have with Public Health law and policy that are experts in all sort of tobacco legal related matters. We have staff time available for anything in the nature of outreach or other -- anything we can do to help save your staff time, city staff time. Our staff is prepared to do. You can't really see the details on this slide but this basically tells you how rates from a tobacco retail license, how rates of illegal sales to minors drop precipitously once a tobacco retail license program is in place. Once law enforcement goes out site for illegal sales, they stop, we see as much as I think 56% drop in sales. Sorry you can't see a little bit -- okay. And finally Laurel already mentioned a little bit about the funding we have available and here are some of the services. So over \$128,000 directly to the City of San José is what's available through this grant. Additionally we have legal expertise, model policies, that you can just kind of cut and paste, lots of data, outreach to impacted agencies and organizations and community coalition support as well as support for community design. I think that's everything any questions for us?

>> Mayor Reed: I'm sure we'll have some questions. Let me start with asking about our existing ordinances, county and city, and do they apply to smoking or are they to apply to tobacco? Because on November 2nd, we have proposition 19 on the ballot. If that passes we are going to have marijuana smoking. And I'm not a scientist but I can't believe that smoking marijuana is any better for you than smoking tobacco. We don't want people exposed to secondhand marijuana smoke any more than we want them exposed to tobacco smoke. Another 10%

category of doing something that's bad for them so maybe we wait until November 3rd to figure this out but it's going to come upon us very quickly if it passes. And I don't know if we need to amend our owners to give us broader powers than just tobacco and that's really a question.

>> I can speak to the county ordinances and I know that those are broad based smoking it doesn't really matter what a person's smoking. Everything that's in the county ordinances that are currently proposed apply to smoke overall.

>> Laurel Prevetti: This is an issue we are looking at in preparation of our study session on medical marijuana which is scheduled for November 16th with our city council others are more general around smoking so that is one of the issues that we need to parse out as we consider how we want to regulate marijuana in our community.

>> Mayor Reed: Okay, and then the initiatives that you've outlined, a dozen or ten things you think we could do, have you prioritized that in terms what is the most effective, what's the most important and then how does that match up to how you're allocating the money?

>> Spot overall is how -- what the whole grant, the purpose of the grant is. How we prioritize is basically two broad areas. One is access to the retail environment and the other is second hands smoke and pollution control. So that's really where did ordinances or how the ordinances are organized. And both areas are really equally prioritized.

>> Mayor Reed: Well, my concern is that if the ordinance and the regulatory piece is the most important piece, that we don't spend, you don't spend since you got the grant, you don't spend 90% of the money on advertising and 10% of the money on ordinances because it cost money to implement the owners and if they're the Meece important piece then we need to spend whatever it takes to get them implemented. Because I know people love marketing but if the ordinance is the most important part of it then we should focus on getting that done.

>> Laurel Prevetti: I would just add that we also see the role of education as being absolutely critical. We've seen that while we could certainly put into place more ordinances we want to make sure that if we do so we've got the right tools to go along with it. And so we want to make sure that we don't create an environment where there's an expectation of enforcement, for additional smoking ordinances that we may not be able to deliver on. So education is also a key part of effectiveness in all of these programs.

>> Mayor Reed: Other questions from the city side? Okay. Pass it down.

>> Councilmember Kalra: Thank you. And speaking of in regards to the secondhand smoke ordinances, I know that if I spoke with the Rules Committee, the budget process for this next spring and I guess the question I have in regards to access some of the federal funds, if we're putting any -- if we're putting access of some of those funds in jeopardy by waiting that long. Particularly since we do have a number of community Patterson partners that are willing to step up and help in terms of outreach and education and working with some of the small businesses and what have you. For those who don't know the three main components were ban smoking in outdoor dining and service lines and common areas of multifamily housing that were outdoor areas simply citing that word to the ordinance. I don't know if you have some thoughts whether your -- since ARRA funds go through 2012 March are we putting in jeopardy the opportunity to offset some of our staff costs by waiting until then ?

>> Laurel Prevetti: Let me just say that the city is eagerly partnering with the county and as soon as additional funds become available we will be right there submitting our grant application. So if there was more money availability for this increment, we would certainly go for the maximum amount. So we're going to keep in close coordination and as the additional grants become available we certainly would be signing up.

>> Councilmember Kalra: That's good to hear, both parts are important, in terms of as mentioned reducing access particularly to minors. all grant applications in I mean if not and we first allocated the \$15,000 base to every city. If not all cities take us up on the offer, there is more money in the pot and more to come out again .

>> Councilmember Kalra: All right, thank you very much.

>> Councilmember Chu: Thank you very much for the presentation. During my years serving as a mental health commissioner I understand there's a high percentage of smokers around the mental health consumers. If we devise a policy for the city or the county have we taken into consideration of that community?

>> Actually through this grants, one I mentioned at the bottom of one of those slides that we're going to be working with health care and health care plans in a systems level way. We are working with mental health as that has been a persistent area of continued high rates of smoking so we are indeed collaborating with mental health on this.

>> Councilmember Chu: One vote that I have taken in the council is to ban smoking in the city park and after I took the vote I felt I am depriving the privilege for a lot of mental health consumers to use our city facilities. So as we move forward I would love to see that we do more outreach to the mental health consumers. Thank you.

>> Councilmember Campos: Thank you. And first of all thank you for the presentation. I think this is very encouraging information. To be able to create policies around, and it really validates some of the policies that we, as a city, have brought forward, to -- for discussion, and policies that are currently in committees or in the city attorney's office for approval. So Laurel, I want to ask one question. I actually put the budget document that you're (inaudible) in on May 21st, 2010. And I know that you mentioned that it will be coming in fall (inaudible).

>> Laurel Prevetti: That's correct. We've actually created a draft ordinance modeled after our offsale of alcohol permitting program so we have experience in terms of how to work with retailers and to do an enforcement program that is cost-recovery, so we are now in the process of working through the details of the ordinance with the city attorney's office. They do have some other priorities. So I don't know what the exact schedule is but we are hopeful that we'll have something before the end of the calendar year for council's consideration.

>> Councilmember Campos: So Rick, I'm going to put you on the spot. This is actually something very important to me. You've talked about the alcohol. One thing that I think that the city has been very good about and I think at

the state where you have overconcentration areas and we're able to control that through a council office and we have the ability to actually send letters saying that we don't support this and then it goes in as part of discussion and before it's moved for approval. So Rick one of the questions I just wanted to follow up is on the time line on when you believe that you'll be able to bring this tobacco retail permit program in to the council for a discussion, and hopefully, the council will be able to approve this. So that we can have this policy in the City of San José.

>> City Attorney Doyle: Councilmember, our goal is (inaudible) (inaudible) by the fact that the county board has taken this up on Tuesday. And I want -- I don't want to reinvent the wheel here so we may be able to take it back on what the county is looking at and maybe not at this round but ultimately when we come back in the spring with additional recommendations we can use that as a model. So there's still work to be done but the short answer is by the end of the year.

>> Councilmember Campos: Okay, thank you. And president Yeager I have to commends you for moving as quickly as you have at the county. We're a little slow in the city since we did put this in, in May and here we are. So I'm hoping that as a policy maker to another policy maker that we can be able to partner on this, on a greater scale. Because this is definitely an item and a policy that is important, for not only the city but I think the State of California. So I look forward to that. And the other question, regarding restricting sales near schools, youth area, will that be modeled after the alcohol ordinance at the state level or how -- do you have any idea of what you will model that after?

>> Laurel Prevetti: At this point we're looking at a permitting process for existing retail establishments. We're not proposing changes to our zoning codes that would further restrict the sale. That might be further work that we could do in the future, again, pending other that our city council would have.

>> Councilmember Campos: Would you have a discussion on that as council?

>> Laurel Prevetti: We would certainly be interested in any new ideas on next steps but again how can we do enforcement on those retailers that are currently selling tobacco products to ensure they are following applicable laws.

>> Councilmember Campos: The either things I'm concerned about is the health department talked about a lot of the areas that are affected are the low income or communities that are poor in resources. And I represent a community that is poor in resources. And we've made progress in being able to control the alcohol outlets in one particular zone. And I think that looking at the tobacco is another area that we need to be a little aggressive as a county to be able to remove that as a greater choice for people. And bring in other is choices.

>> I would say that the county ordinance we have, our attorneys, county attorneys have found a way to actually incorporate the zoning issue into our tobacco retail license. That includes limiting the density of tobacco outlets.

>> Councilmember Campos: That's encouraging, I would encourage to you look at why reinvent the wheel. Reduce the retail outlets and the tobacco outlets in communities of high density which predominantly tend to be low income communities. Thank you, I look forward to being able to follow this policy on the local level and hopefully the state will get smart and create this policy as well. Thank you.

>> Councilmember Pyle: I would like to hold up this chart. I think it's a wonderful, wonderful chart. The data goes from '02 to '09, however, and it does not have Santa Clara County listed. So I just wanted to know why that is. We have 13 counties, but we don't have Santa Clara.

>> Because Santa Clara does not yet have a tobacco retail license and that's what's listed on that, only counties that have already implement they had cities and counties.

>> Councilmember Pyle: Okay, I have seniors that would love to follow up on some of these calls. It would seem to me that it would be a good idea for a volunteer to make these calls so we could get more pertinent, more up to date data. Because I think that would be number one of great interest to newspapers throughout the state. And it

would also give some sense of where we are. Why, for example, is Coachella, they went down 58% and so did banning, they went down 56 and there are some still in the team. So I think there's a lot to be learned from this and I appreciate the fact that you did put this together. I'd just like to see it go farther. And if I could help I'd be delighted. Thank you.

>> Mayor Reed: Any other council questions? Is this thing working now?

>> Councilmember Herrera: I had one.

>> Mayor Reed: Okay. City Manager has a comment we'll come back to her in a minute.

>> Councilmember Herrera: This gets back to the mayor's question of smoking pertaining to all substances and you may not have the answer right now but one of the things that concerned me because I know we have prohibition, the county is contemplating prohibition in multifamily dwellings, I don't know if the city has that already but I can imagine with a medical marijuana patient coming up against patient rights versus landlord rates to restrict smoking and that concerns me because smoke doesn't know the boundaries in terms of staying inside someone's walls and moving into another area. So I hope that that's something that we'll be able to work with because that's one issue that I think might come up. And I heartily support my colleague, Councilmember Campos, in her comments about impacted areas. I'm very troubled in my district, is also southeast San José Evergreen, I'm troubled by that nuisance quality that that presents in my community. I'm interested in zoning aspects as well.

>> Mayor Reed: Any other comments? City Manager.

>> City Manager Figone: Thank you, mayor. Laurel, in councilmembers comments also which is enforcement. So would you envision the city applying for enough funds to also cover enforcement on whatever it is that we put forward? Because I know code enforcement staff has been cut back, and really, this is only going to be effective if we can enforce. I'm just wondering what your thoughts are in that regard.

>> Laurel Prevetti: Certainly. Earlier this month we did release an information memo that summarized for the council and the broader community the level of service that we're currently able to provide in our community code enforcement programs. Some of our general code enforcement services have declined because of reduced resources. So what we're looking at first is establishing a tobacco permitting process that would be cost recovery, so that would cover the cost of our code inspectors to go out to these retail establishments and ensure that they are abiding by all of the rules associated with tobacco retail sales. At this point there are no enforcement moneys that have been identified either through the ARRA grant or any ongoing moneys that would pay for our ability to enforce no smoke bans. So there might be some other tools in the tool kit in terms of council resolutions, or education, and that sort of thing. But in terms of our ability to have an officer go to, say, a night club and say -- and essentially enforce in a social environment, no smoking, I think will be very challenging. And I just don't see where those moneys might -- might come from.

>> Mayor Reed: One more question for the staff. City Attorney, you talked about resources allocations and other projects. How many zoning ordinance -- how many ordinance changes are on your plate? From previous council referrals, not including this.

>> City Attorney Doyle: We're (inaudible).

>> Laurel Prevetti: Yeah, we've got quite a number of land use items and sign code items and they are in the number of about 30. But in addition of course the city attorney's office handles other changes to our municipal code. We're just really impacted. That's why we want to have the ongoing conversation with the council what are our priorities for moving those ordinances forward from -- based on prior priorities, we understand economic development is the A-number 1 item because we want to get businesses moving in San José and know that they're welcome to continue to expand and locate to our city.

>> City Attorney Doyle: Yes, I'm told this is working now.

>> Mayor Reed: There is a button to push.

>> City Attorney Doyle: Well, one way or the other. But I think that's the conversation (inaudible) sooner rather than later.

>> Mayor Reed: It is working. I could hear you now. Anything else from the city council? Mr. President.

>> Supervisor Yeager: All right, turn it back. We do have one speaker and before we get, comments we want to make with but sparky Harlan.

>> This may be off topic a bit. Because I wasn't quite sure what all has been discussed under this topic. But when I saw the tobacco prevention I thought of youth services and the old Healthy Neighborhood Venture Fund, that funded youth services. something coordination around our youth services and community outreach to youth. Recently the Healthy Neighborhood Venture Funds have been cut drastically. An example is our safe place program was no longer funded by the city. But thanks to the support of Councilmember Nguyen and others, who have supported us, we were able to keep that. But as we look forwards to San José B.E.S.T. money which is under the redevelopment fund we may see further cuts happening to youth services. At the same time, the Board of Supervisors, under the leadership of supervisor Cortese, is looking at what we can do with bringing back school length services and youth services embedded into the schools. If you look at those poverty zones, that's where we have the highest level of involvement and gang activity and crime. There's a number of things that are layered on those zones. So what I would ask is some effort on a policy level, not just staff, to look at how we can coordinate our youth services and outreach to our youth better as the resources are dwindling. I'm looking at our services in this particular area, been cut 25%. Other services, in other communities, have been cut even more. So I think it's important for us at the policy level, as we create this committee, that you, I hope, will lead, lead Supervisor Cortese, to get some councilmember representation so that we can look at how we're going to serve our youth in tobacco prevention, marijuana prevention because I can tell you our street level -- our street kids, I know the two minute isn't working, is it. [Laughter]

>> You didn't turn it on. This is a high level of issues that our youth are facing so I hope you will consider working together. Thank you.

>> Supervisor Yeager: Thank you, Sparky. Any questions from the boards members? I just -- you know just a couple of comments and Councilmember Campos, we look forward to when you're elected to the state legislature and you can work -- certainly we need policies on the statewide level rather than city by city which does take so much additional resources that cities and counties don't have. One of your first acts could be passage of comprehensive antismoking ordinances at the state level, I think that would be great. Thank you. And certainly we do understand, it is a question of resources for the city, with so many issues going on. I do certainly want to thank our county counsel's office. Miguel, I don't know, a month I think you've been spending on these ordinances really as comprehensive in the state on these differently levels. We have put a lot of staff time on not only issues dealing with the tobacco retail license but issues dealing with second hands smoke. So certainly I hope Mr. Orr will be able to use those and cut down on some of his time just because staff time is so valuable. I just really want to echo that my strong passion for this, if you think of you know here we are in public life, trying to improve the lives of people. And whatever we could do, so someone doesn't start smoking. And then have all of those issues of health, the medical costs, and Bree premature deaths which hurts ever in the family, I really think we should do it. And even though some of these issues might seem a little bit more bold than the political climate might take, when you think of the days, as Janie was saying, you never thought you could tell a person they couldn't smoke in an airplane, or a multiunit or an apartment, that's taking away the rights of the smoker but what we need to focus in on is the effect of the secondhand smoke for people who are passing by particularly in employees in a lot of our businesses. And I think as we have learned, more and more information about the dangers of secondhand smoke, we really have to treat it really as a very toxic substance. dealing with secondhand smoke particularly in the workplace and in multiunit complexes. And I've been very heartened particularly by the tricounty apartment association who is very strong in support of banning smoking in multiunit complexes, for a number of very compelling reasons. It costs a lot of money to clean those apartments to get all the second and third hand smoke out of those issues. They are finding more and more renters want to live in smoke-free complexes and it also greatly reduces the insurance that apartment owners have to pay because of the issue about smoking and fires and any of those kind of issues. So I think we're headed in that direction. And I know that that's going to be one of

the issues before us on Tuesday for the council to see if -- I mean for board to see if we're going to be able to adopt it but also all the issues again with second hands smoke particularly in restaurants, all places of employment, service lines, wherever we sort of are. Even though, there is sort of something about a single person walking by but there's a whole 'nother issue about employees that continuously have to smell that secondhand smoke particularly as it relates to hotel and motel workers and banning smoke in hotels and motels so it really is very comprehensive. I'm hoping that my colleagues on the board will support it but that is something that we will see come Tuesday. Necessarily would I like to commend the council for considering the following initiatives, the extension of outdoor smoke ban to outdoor dining areas. My understanding is it would only take place up in the 9:00 p.m. but you might want to consider stepping it beyond that. You're looking at extension of outdoor smoking ban to public service lines and to prohibit spoking in outdoor common areas of family multiresidential areas, but you may look at all the complex and the units themselves very excited about your creation of a tobacco retail permit which is really the only way we're going to get kids to stop smoking, you know. It's still too easy. I could get very angry at some members of our community who are paid lobbyists by the tobacco industry who are sort of saying no delay this, this is unfair to businesses. These companies, these stores make more money off the sale of tobacco than anything else and the fact that they're making money off selling these death sticks to kids and for some reason now are against the permits is really -- makes me very angry. But also, there are several other initiatives that maybe the city might look at, some of them smoke free workshop, youth populated areas and areas where there's already a high density of tobacco outlet zones. The expansion of federal bland of flavored cigarettes to other flavored tobacco products and sale of tobacco products in pharmacies. I can't tell you, I would love it if San José and the county, had the lowest smoking rates of any area in the country. I mean I think that needs to be our goal and it's going to take some tough action to do it. But we really would be improving the lives of all of our residents if we were able to do it. I'm really excited to do it and look forward to reporting back to all the cities in the county of a positive vote come Tuesday.

>> Mayor Reed: Councilmember Campos. Let me bring you the microphone.

>> Councilmember Campos: President Yeager, I really appreciate your passion and your efforts to make sure that we hold electeds accountable to the people that we represent. Because everything that was presented, and I

think the rest of the morning where we're going to talk about obesity and diabetes, is something that we as electeds really start making a priority as we think about what we want our county to look like and what we want our cities to look like. And I appreciate you being very bold and willing to step out even though you have sometimes special interests that are saying this is not going to be good for our business. And I don't think that we're saying that we want to hamper small businesses or business but we want to work with them so that we can bring policies and measures that are going to protect our children. And I can relate to you as a mother of a two-year-old. Every time I get up in the morning and I go to work, I think about not just my child, but other children who may not have a parent in a position to be able to advocate for them. So I appreciate your passion, and your tenacity, to make sure that we as electeds are held accountable to create an environment that our children can live and grow and continue to be healthy. Thank you for that.

>> Supervisor Yeager: Thank you.

>> Mayor Reed: Anybody else? I think we're --

>> Supervisor Yeager: All right.

>> Mayor Reed: City side.

>> Supervisor Yeager: I think we're fine here on the county side. So we next move to health profile for the City of San José focusing on obesity. And we have Dr. Marty Fenstercheib cps who is our lead the way along with some of the folks that I believe he will introduce and I know that on the city side, I believe we have Albert Balagso. Although I don't see him at the moment. Dr. Fensterscheib.

>> Good morning everyone, thank you for this opportunity. Want to acknowledge a couple of our staff, Bonnie Broderick who runs the county's chronic disease unit, who works very hard on both tobacco and obesity and Dr. Delgado as was mentioned earlier from valley medical center and working very hard also on the topic of obesity and my colleague from San José Julie Edmonds M beatta from the thank you. We ever are moving from the

discussion of tobacco which kills or is responsible for the deaths of nearly 1 in 5 individuals in the United States, due to cardiac disease in lungs. We are moving now to the number one epidemic in this country which is obesity, poor nutrition lack of exercise. So I'm going to run through these slides very quickly. I apologize for that. First of all I just want to remind you as we all know that Santa Clara County is a large county but San José is our largest city making up 55% of our population. When you look at the ethnic breakdown, a third a third a third, you are more representated 50 Hispanic population than we are in the entire community the overweight and obesity trends this is the same for San José is the same for the county and those trends are moving in the absolutely wrong direction. And over the last ten years, the obesity numbers and rates have increased from 52% to 56% in the city. That means if you break it down into numbers, approximately, and these are adults, 400,000 San José city residents are either overweight or obese. When you start look at the representation by ethickity, you can see there's a disproportionate number who are affected by this African American and Hispanic, nearly two-thirds in the Hispanic or African American population are either overweight or obese. I want to give you a sense that we overlaid the rates by your council districts. And again it's a problem throughout the city. But in those red zone areas, you can see that the numbers are higher than the actual county averages. 60 to 70% of residents in those council districts are overweight or obese. And as we've talked about with tobacco those numbers, if you overlay the poverty, and the economic disenfranchised individuals, those numbers are even more significant. When you stars looking at the youth, the problem is the same, one, in general one in four youth in this county and in San José is either overweight or obese. But again if you look at the ethnic breakdown, it is disproportionately affecting African Americans an the Hispanic youth in our community. We looked@school districts oosms and again you can see the numbers up here middle school and high school students being overweight and obese and the school district we actually name under both of those headings have higher averages for obesity than in the general county and those if you look at where they lie they also lie in those red zones that I pointed out earlier. If you start looking at diabetes, again, the cause, some of the causes of being obese or overweight affects on overall health, heart disease stroke and especially diabetes, tremendously growing epidemic in our country and again the numbers are moving in the wrong direction. In the last ten years the numbers in San José have increased from 37,000 to 60,000 adults, so that's in excess of another 20,000 people being diagnosed with diabetes. And adult on set diabetes is occurring even at a younger age than it had been earlier on. Very significant issue here, as far as the lifetime risks of developing diabetes, as children. And this information came out not too long ago. You may

have heard it but the CDC has estimated that diabetes may effect, if we do nothing, and this is the key thing. If we do nothing one in three children born in 2000 will end up with adult onset diabetes and even more significant is nearly half Latino children again if we do nothing are likely to develop diabetes and have a shorter life span than the parents that raised them. Again I think it's been very significant given the tough economic times to realize also the cost of obesity and overweight has a tremendous economic impact. Again studies have shown that the excess medical costs are tremendous and we looked at those numbers just in the top 15 businesses in San José and the excess costs over and above which you rue teenlt pay for medical care, is about 26.5 million and that's about \$400,000 per thousand employees. It comes out to nearly \$3 million for the City of San José. The cost burdens in San José also studies have shown that they may be as high as \$500 million in things that are not medically, directly medically related. So these are costs of lost wages, productivity, missed work and things that are not directly related to actually receiving medical care. Than number will continue again. If we do nothing that number will continue to go up and continue to go up over the next several years. Again, we are wondering why this is happening. What are the factors? It's certainly more than individual responsibility or choice. More so than a parent just telling the child not to eat this, or the parent deciding not to eat various foods. The built environment is critical. We can either use our built environment to promote healthy lifestyles or put up barriers to inhibit it. Transportation, safe streets and neighborhoods, how and where we build our homes and access to recreational areas is critical to doing something about obesity and inactivity. 40 years ago, as many of us remember, we walked to school and now, only 13% of children actually walk to school. The food environment again, another critical issue. As we all know when you go down any major area in our comuntsd, and the city, and throughout the county, we can certainly see an increased number of fast food establishments. And those numbers are increasing weekly and monthly. We have much less access to full service grocery stores, selling affordable and healthy foods and again, this is affecting some of those areas where there is less economic advantage, in the city and within the county. Children, unhalted food and beverage advertising is aimed at children. Children on average see about 7,000 ads per year for food and nearly half them are for unhealthy foods and sugary beverages and don't you think they're influenced by that. We just wanted to show you kind of the density of fast foods in San José. You could put this up for Santa Clara County or most other large cities in the country and it's going to look the same . But there are four and a half times more fast food restaurants and convenience stores than supermarkets and produce centers in San José and that number is about the same for California in general. When you start looking

at access for -- to fresh fruits and vegetables produce stands, the numbers again much less and the density is much less. So again we're certainly outnumbered by those fast food establishments. Nationally and internationally, the world health organization has begun talk become healthy in all policies, a lot of these issues are perhaps for the county or for some other policy makers to deal with but I say it's all of us together that have to make the difference. And that health issues really should be thought through in all policies, and certainly, all policies have some health implications. For medical care alone does not determine our health status. In fact only about 10% of our health status is affected by our medical care. And we have shown that our -- that choices we make regarding tobacco, alcohol, food and exercise and the communities we call home, with their transportation systems workplaces schools and environments impact health and again the policies that you make again have the potential for impacting that. The national policy direction in this country has been one on emphasis on prevention and that's what we're seeing hopefully as health reform moves forward with our ARRA grant, as we've already talked about receiving funding for tobacco. We are also receiving funding a little bit less funding but again under the new health and prevention funds for obesity, also as far as policy goes there's a few things that people are looking at nationally as we go around the couple we are looking at issues around the potential for pricing, decreasing the cost of fruits and vegetables and increasing the cost of unhealthy foods. And one of the key focuses, in this last year and hopefully through the future, is going to be some type of fee excise tax or fee on sugar sweetened beverages. As we're calling them now sugar loaded beverages. Some of the cities around the country have already tried this. It is a penny an ounce tax on sugar loaded beverages. The city of Philadelphia stride it last year as did Washington, D.C. Each fell one vote short of passing that. And we looked at the numbers for San José. If such a fee were in place in San José, you could, in one year, generate up to \$45 million, \$45 million, with just 1 cent per ounce on sugar loaded beverages. And that money would go a long way to dealing with a lot of issues, including obesity and also, we have seen that that type of fee would hopefully decrease consumption of those sugar-sweetened beverages. Okay, I'm going to turn this over now to Julie and San José, you've done a great job, in a lot of -- in many, many areas and we're going to talk about those but we still have a lot of work to do.

>> Thank you, Julie Edmonds Mattas, assistant director of Parks, Recreation, and Neighborhood Services for City of San José. Brief policies the City of San José has adopted that really are focused on prevention and energising

health and wellness and therefore, avoiding obesity if possible. First our overarching policy envision 2040 general plan which is really a draft document that guides the development of our built environment and how that will look into the future. That document itself actually includes specific policies around access to fresh and healthy foods, promote active living and physical fitness and education and awareness. Outdoor recreation is also a long standing priority for the mayor and council. We have a number of policy documents that support that. Including the bike plan 2020, which defines a bike way goal of 500 miles within the next -- by the year 2020. That includes transportation and physical fitness at the same time. Mayor and council -- excuse me, the mayor and council's Green Vision, had 54 miles, another excellent opportunity for healthy walk biking and social interaction. Park land has expanded in recent years as well through the decade of investment and the voter approved \$228 million bond program which has expanded our infrastructure to our park systems, over 3500 acres including over 2,000 developed acres for neighborhood regional and community serving parks. The City of San José has adopted legislative priorities that promote health and wellness, access to local organic food and nutrition for both seniors and you. We have expensive partnerships. I think it's important to call out health trust who has worked very collaboratively with us particularly on developing the general plan but also has a partnership with one of our libraries to provide information and access to health and wellness programs for our community members to access their own research. Health and wellness is actively promoted in our community centers through physical fitness programs and our libraries through gearings programs and access to community gardens has increased not only in the gardens of the plots but our new program, partnership with Vegolution at Prusch. in 2009 in that group environment nearly 4,000 pounds of footed food were developed by 550 participants and really had the -- not only the educational component but the community engagement component of the physical fitness and activity and education for healthy foods alternatives so turn it back to Marty.

>> We've done a lot of these things that are called action roves around some time of incentives to establish new businesses especially in low 96 areas, city events and sponsored meetings and facilities and concessions in your procurement contracts. Expanding programs again as you're doing bring local fruits and vegetables to schools businesses and communities and again zoning laws to reduce density of unhealthy food an beverages. On the built environment side don't expand integration of health into the planning process as you're already doing which is commendable and you're biking and public transportation, such as the safe routes to schools, creating

additional joint use agreements to expand the opportunities to become more physically active with schools and city parks and restricting advertising and promoting unhealthy food and beverages especially those targeting children. Our ordinance that the county did pass we think have actually caused some of the large chains to change the way they do things and this recently came out from McDonald's there's actually a change in their actual happy meal which is now offering instead of French fries, apple sticks and low fat milk. There's a couple of other fried things in there but I think we've made -- we've made some great great progress and I'd like to think that maybe we had something to do with changing the behavior of the double golden arches. Obese people in all communities should be able to make healthy choices. Cities like San José have the power in their jurisdiction as you have to impact the health of our community. And as elected officials you can adopt policies as you have been that benefit the health of all the residents of our 10th largest city, the city I call home myself. Thank you.

>> Supervisor Yeager: Thank you, Marty. I don't know if Bonnie or Dan, you have some comments but maybe Dr. Delgado if you might because you do oversee the child obesity clinics, that we have, if you talk a little bit about what you're seeing and the increased number of kids that are coming into the clinic and some of the health issues that they're facing.

>> So the biggest issue isn't so much the obesity but the co-morbidity that we are seeing with it. Children can fatty liver, obstructive sleep April knees a, diabetes and prediabetes, kids three years of age that are actually developing insulin resistance. Risk to Latino kids that's just if you are Latino and you're born in the United States. That's not talking about what your sill comingox status is all of those increase your risk further. And so what we're seeing is that these kids are actually not at risk of developing diabetes but they have already started the process and that's an entirely different animal. And again we are seeing this in kids as young as three years of age. I would also like to echo the sentiment of Mayor Reed. When you talk about the policy, the amount of money spent ond on policy versus education. If you do 90% education if the real issue is the policy, we see from tobacco that before policies were actually in place there were a lot of education campaigns against tobacco. Nothing happened. Nothing happened. It wasn't until policy was enacted, where the environment was changed, where we actually began to see the rates of smoking decrease. The red center out at Yale, their modeling for a 1 cent an ounce on sugar loaded beverages, predicts a 20% decrease in usage. Again the sugar loaded beverages are the

number one source of excess sugar and calories. And these kids who we know who are already in the process of developing diabetes.

>> Supervisor Yeager: Just to echo that thought, we could talk all day about having McDonald and a lot of the fast food chains having healthy meals for kids but they really aren't going to listen. I guess that's one of the reasons we took healthy meals, not the unhealthy meals. As Dr. Fensterscheib said, I think they are listening, they are finally taking this issue of obesity seriously, I'm excited about what might happen in San Francisco to pass a similar type ordinance if that does happen that will certainly sweep across the nation. I always like it when San José does something before the City of San Francisco but I think San Francisco is about ready to do it and once that happens, going back to what you say Dr. Delgado it is only those kinds of policies that are really going to be able to change the industry. Because again talking about it or educating people doesn't seem to be as effective as it needs to be.

>> Mr. Mayor.

>> Mayor Reed: I think we have some questions from the city council side. I had a couple to start with. The outline about ten or a dozen things that could be done. What is the most important, what are the priorities and how much science do we have guiding us as to what will work, what will be effective? It's a lot easier to sell the policy if we have some evidence that it would be effective at solving the problem.

>> Hi, I'm Bobbie broad William Public Health department. I think we've learned a lot about what will be most important, and Dr. Fensterscheib yowntded a lot of it in his presentation. When you ask access halted and affordable food you can impact people's well-being in form of nutrition the policy that help us have all of our community members access affordable food and beverages will help make better, on the other side of the coin, you need to decrease access to unhealthy and junk food, it is very cheap to buy fast foods, high calorie foods that are very low in nutritional value. To make changes in our practices where the healthy choice is the easy and affordable choice will make a difference. Policies around zoning in terms of zoning where again it's much easier on a community to access, fast foods and healthy foods, is an area that you can work on. Really promoting the

walk and bike to school concept, safe routes to schools, and a compendium of policies around that, is excellent policy. Again if kids can get back to feeling comfortable walking and riding their bike to school, if the community can support that it will get kids more active and a key policy area that we can work on. There's a number of policies that we can work on.

>> Mayor Reed: There are a number of policies to work on. There is a does of them. What I'm trying to figure out is what is the most important, what is the most effective, and controlled stud that says, if you do this you'll get a result. There are a dozen things to do, we can't do them all, what will work?

>> Sew so we are on the on this, the modeling that's been done in academia on this has shown that if you provide a disincentive for the particular behavior, and let's take the example of sugar loaded beverage, if you make that disincentive big enough, just like we did with tobacco, that that will change the behavior. If we're talking about a sugar laden beverage, excise fee or tax it's important that that would have to come up front. So it wouldn't be a sales tax. It's not something that you get surprised by at the register but you see it before you actually pull it off the shelf. The modeling that they've done shows that that would -- potentially decrease consumption by 23%. If you break it down and try to figure out really who this would be affecting mostly the modeling that they've done shows that it would affect those that are most obese. So if you talk about getting most bang for your buck that particular type of policy change, changing the environment, creating a dysincentive for an unhealthy behavior seems to be one way, one way to go. But to answer your questions if you talk about the control groups we actually don't have all those answers and this is what we're struggling with as a country and we need these labs, if you will, to see what we can do about this.

>> Mayor Reed: Okay well I'd being interested in seeing the data if there is any science about this. Clearly we know from our experience with tobacco that the huge increase in the cost of tobacco has had a big dramatic impact on smoking. So there are things that will work. And whether or not we can do that I think is the question. I did have a question about the access. Looking at your map with the red dots and the map with the green dots, shouldn't be any surprise that there's a lot of red dots. My estimate, fast food industry driving a lot of business to

their places, so I'm not surprised there's a lot more. But I think we're undercounting the access to fresh produce. I'm just looking at places that I'm familiar with.

>> Yes, right.

>> Mayor Reed: That's not all the places you could buy fresh produce.

>> That's correct, those are mainly the farmers markets and produce stands. What's missing in there you can still go to Safeway and get fresh produce. Those are not listed. We have those. The density number I gave you 4 to 1 or 4.5 to 1. California is 4.1 and San José is 4.5. It's about the same, it's sort of --

>> Mayor Reed: I don't think we could match the fast food industry. That's a goal we could never reach. How much impact would we need for given neighborhood or number of city, do we need to double the amount of fresh food outlets? Do we have any idea what we need on that count? We have added farmers markets over the last decade has become very popular. I go to Safeway every weekend and I'm buying fresh produce there. How much access do you need? Does it need to be in walk distance of your house or can we just get Target selling groceries, which they're already doing. How do we impact that? We can give incentives to farmers markets but if people don't go there and buy at the farmers markets won't survive.

>> The magic threshold for how much access you need to have you need to go to your guide, a number that is side out of the red center for food policy and obesity our Robert Wood Johnson is generally considered the premier agency that is working on obesity, dedicated \$500 million over five years, so \$100 million a year. Kelly Brownell January 5th, education and marketing you're absolutely correct. There's no way we could spend that money and actually keep one industry.

>> Mayor Reed: We could spend it, we just can't get it to spend.

>> There you go. That is why this is important to actually legislate change. We cannot educate this away. There are too many factors that are built in. And we understand, really, how ubiquitous is unhealthy food.

>> Mayor Reed: We have some more questions, Councilmember Liccardo and work our way down, let's see if the microphones are working. Push the mic button and maybe that will work.

>> Councilmember Liccardo: Hello.

>> Mayor Reed: We'll pass you one.

>> Councilmember Liccardo: Thank you. I just wanted to thank supervisor Yeager and really the whole board for your leadership. I think it's wonderful that our county is taking such national lead on really this critical issue here. I wanted to say tomorrow I'll vote for you know a tax on sugary substances and let's include prepackaged foods that are high in saturated fats too, and I'd loves to find a way to funnel that revenue to support our clinics and our sports programs and you know parks and all the other really critical infrastructure we need to have here to support a healthy lifestyle. What I keep getting told is we've got all kinds of issues at the state level with preemption and I'm looking to Rick now. I don't know if we've sorted out whether or not we have any discretion here or not. Because I think you'd have a pretty receptive audience or at least one that would be willing to very -- I think engage in the conversation at the very least.

>> City Attorney Doyle: (inaudible) number of issues (inaudible) the real issue is truly tax an excise tax is it requires voter approval as you know. Under California law. And so that's usually the obstacle. But looking at whether there's preemption, whether or not what potential challenges, it's the beverage industry or whoever, whatever types of taxes you're talking about. That's something we'd have to look at. The alternative is, if it's a fee, an impact fee, you're aware that prop 26 is on the ballot, this November 2nd and that might have an impact as well. Clearly there's an industry out there or industries that are trying to limit the ability to take that type of action. So you know if the council wants us to come back with some kind of analysis, it's something we can do.

>> Councilmember Liccardo: Well you know I'd be very enthusiastic to see how we could explore, obviously prop 26 options are much more limited but I think we can think of ways in which the impacts of these foods can be directly tied to government expenditures across spectrum of areas to promote activity and I would certainly be interested in seeing how we could do that. We're facing the closure of 22 community centers on July 1st. Before we even balance our \$40 million deficit. We've got incredible needs and opportunities in those centers, to be promoting healthy lifestyles through programs. I would love to see how we create funding streams to do that. And so anyway I wanted to thank you, Dr. Fensterscheib, for prodding in this way. It's something that needs to be brought forward.

>> We can actually get -- there is some good experiences out there, across the country and as I said Philadelphia and Washington, D.C, really did an extensive study of this and again, they didn't go to the voters. It was fee and as I said they fell one vote short. But we can certainly get you that information and see what that might be for your council.

>> Councilmember Liccardo: Great, thank you.

>> Councilmember Campos: My mic was actually work. First of all thank you for this presentation. I have been waiting for over two years to be able to have this conversation when I put out my memo at the city council asking that we put a moratorium on fast food restaurants around schools. So in 2008 myself along with my colleague Kansen Chu, he just whispered and he said wow we're pretty forward-thinking. I think when you represent a certain community and you're out there and you live in that community sometimes you don't need statistics to know what policies you need but we need statistics to tell us how to validate policies. So my question to you is, your call to action, you're asking to use zoning laws to reduce the density of unhealthy food and beverage outlets particularly near schools. So I know you talked about sugar but I want to know whether there is data around that call to action that you put in our presentation because we put a memo out and I know it went to the Rules and to Mayor Reed and the Rules Committee sent it to the school collaboratives about two years ago and I'm not sure where it's at. Maybe Rick knows where it's at and the process. But is there any data around the -- because it does

change the environment when we're talking about policies it definitely would change the environment in a low income community where every half mile there is a fast food restaurant.

>> We haven't done that in this county yet but other communities around the state have been very aggressive and moving forward and we'd be glad to share that information how they about pes impacting the school environment, we can certainly get that to you.

>> Councilmember Campos: Can you find out if they have data in how effective it's been in changing the environment around schools?

>> It does change the environment yes as far as the data is out there so we'd have to get that out for you.

>> Councilmember Campos: Obviously can you tell I'm excited about this it's time that we actually start thinking about our environment.

>> Just one more comment. We also when you start talking about the success of these sort of programs we also have to be careful the parameters we use for success. We all know once you gain weight it is very difficult to lose weight. So you could be promoting much healthier behaviors in that community you might not see a big drop in the rate of obesity in that commune. If you give it five years and look at the youth growing up in that community then you might see a trend but it is really looking at the disease cost, the disease burden, the personal cost to each of these patients. We have to be careful at how we look at evaluate these things.

>> Councilmember Campos: Thank you.

>> It's taken us maybe three decades or so to get where we are, the numbers keep going up so it's going to take us a while. again prevention efforts aren't always realed that convict. but if we're telling them they can't get unhealthy foods at school the high school kids walk out the door and there's five fast food restaurants and

convenience stores. We know if we can limit that density where the kids can't go it's going to be beneficial in the long run. We just don't have all the data right now.

>> Councilmember Campos: And I appreciate that because sometimes we want quick results and you mentioned that we didn't get here overnight. So changing the behavior that our society has about choices is going to take time. But I am committed to work on this journey with all of you. I have mentioned I have a two-year-old and these statistics really scare me and especially when you started talking about the Latino community. And I'm hoping that as we, as policy makers continue to move forward that we can lead by example. So thank you very much. My question to you Rick is do we know where this particular memo is at, in the process at the city?

>> City Attorney Doyle: The -- as you mentioned it went to the Rules Committee and was referred to the schools collaborative. I don't know where it is but we can follow up though.

>> Mayor Reed: I do. Since I sit on the schools collaborative with the Vice Mayor we discuss it with the superintendents and they didn't think that further action that they were interested in further action on that. The superintendents have as many things on their plates as we have on ours, and they have many of them have obesity related programs, it's around exercise and healthy choices, and so since they weren't interested in moving on it any further, that was the end of it.

>> Councilmember Campos: And I guess I would just ask the experts, I understand that all of us have a lot of priorities. So from your opinion, I hear that the superintendents, you know, that their main concern is about make sure that our kids are getting the tools necessary to do well academically, and sometimes thinking about their health cannot be a priority for them. So what would be some of the suggestions as policy makers that we could move something like this forward in a bigger discussion? I know that president Yeager is bold, and I hope to be able to be as bold as he is. But I think we need to start bringing this to the forefront. I think there are a lot of things, we talked about you know people used to smoke on airplanes and I'm sure that it wasn't a priority and there were policy makers that said we've got to change the environment because statistics show that people are dying from this, 20, 30, 40 years out.

>> Just to say the county office of ed has been very variety of ways, for several years they've had a program for learning that looked at just that healthy living and active living increased test scores when kids are physically active and eat well county health office is very motivated with this. They have continued on with their coordinated school health as a broader approach to it. Working in Public Health we see their engagement and involvements in the readiness high on make changes. They do that primarily within their four walls, within the consume district and it's harder for them to be involved in the broader community input but that's what the coordinate id school said engage the community with the schools to make change happen it may be school district to school district that some of those changes will continue to go. We have some very motivated school districts.

>> Councilmember Campos: Thank you. Just for the City Manager I don't sit on the collaborative board, but it's a little concerning that we didn't receive this information on the decision that they made, at a policy level. So I think there's a disconnect on how councilmembers is getting information as things move from Rules to another committee so it would be helpful to just close that a little, that -- make it a little tighter so that we're not wondering where particular policies are at when they move to another committee.

>> Yes, I'll look into it.

>> Councilmember Campos: Thank you. Thank you very much.

>> Mayor Reed: Let me just dude that, that passion is not enough. Good intentions are not enough. And when I have to go try to convince 19 school superintendents to do something, passion and good intentions is not enough. And you guys are a little bit fuzzy on your data and there's probably a good reason for that. But if we have data, we can show cause and effect. We've got studies. It's just so much easier to make the case for somebody else to put it on the top of their priority list. They maybe hadn't thop thought of that until we bring it up but if we don't have the data it's just much more difficult to make the case. So you said one of the problems is high school kids leave school and go get fast food. The problem's starting much earlier. Kindergarteners don't leave school and get fast food. Maybe middle school kids do but elementary schools don't. Is there any difference

between the places where kids can't leave campus and where they can't? And if you're going to engage school superintendents around things, this is a problem they have myriad of problems and much more concern to them like safety and education and it's really hard to convince people to take this off of the bottom of the list and put it to the top of the list. And if you want us to do that you're going to have to help us with the science and the dates.

>> One thing I would suggest is I would be happy as a health officer for the county and your health officer or the the city to go with you and to work closely because we have talked to the superintendents. I've gone to them we have talked to them about a lot of the issues and they are usually on the right side, on most of these, granted people have priorities and funding is short but I would be happy to go with you and work at partners city and county you know to make our point and bring as much time -- I was just in Washington, the institute of medicine panel on just this issue. And the science isn't all there quite yet, not like tobacco where we've had a lot more years to deal with it but we are making the evidence and we're making the science but we can't like tobacco where we were wondering whether we should act before all the data was in and so we can't do that, to obesity.

>> Mayor Reed: I know we lack data but if you want us to use our zoning code to do something, what impact will it have on the problem. I know we can zone people and make them do things but will it help us solve the problem? In cities maybe we're first to think about it but we need the data, it is so much easier to make the decision when you have good arguments. We think it might work. Take on the fight that goes with it because unbelievable as it may seem there are people that don't agree that this is important. They don't agree that sugar is bad. They don't believe that fat is bad. I'm an advocate of nonfat milk, I understand, if they want to fight us, put a tax on, ballot measure millions of dollars get spent, we've got to be right and have the data to back it up.

>> We want to work as partners, again in the general plan to your point something called a health impacts assessment, environmental health impact assessment can be made part of the general plan. Every time we want to look at the policy we develop a health impact assessment just for those so we can provide that data and that information for people to be able to make the right is decision. RF Councilmember Liccardo.

>> Councilmember Liccardo: Thank you, I want to follow up with a question. Before I do that I do recognize this data is a problem because with the issue of tobaccos and -- oh I'm sorry. I believe-d.

>> Mayor Reed: Yes, you had more than one turn.

>> Councilmember Liccardo: Yeah, go ahead.

>> Mayor Reed: Pause for a minute, we'll come back to you. I don't have a list, I know other people want to speak. Pierluigi Oliverio, and rose and Nancy. Pierluigi is going to pass, rose and then back to Sam.

>> Councilmember Herrera: Is this working? I really appreciate the report and want to thank Dr. Fensterscheib and the county folks and also commend president Yeager for his courageous stand on this one too and it's good to see that McDonald's is actually creating a happy meal, the other was a sad meal I thought not offering those choice. So I want to say something from a personal level as well as from a policy level. So I am one of these folks that struggles with obesity. And had we had some of these prevention measures where they could have been in place when I was a child perhaps I wouldn't be struggling with that. We have to do everything we can to prevent children from having to face this problem. Because once you have it it is a lifelong struggle. And I think that we need to have compassion for adults who deal with obesity. Because it is not simply putting down the fork. And I think there are a lot of negative attitudes towards those who are struggle with it. I think we have to recognize once you have obesity it is a very different thing. Just like smoking, it is a disease process and something that's much more difficult to deal with than trying to prevent it. And we have to do everything we can to prevent this in children. It's shocking to me to see the rising obesity rates in children. I don't need any other statistic to look at that and be very fearful for what's going to happen to them as adults. When we are seeing diabetes increase and all of the other terrible things that go along with that. I struggle with boarder line hypertension now. Even those it's still difficult to do the kinds of things that you need to do to get it under control. So I would absolutely support, as Councilmember Liccardo has just talked about earlier, a cap on shg air drimtion. We know that high consumption of those sugar drinks is part of this problem. We may not be able to detail it in exactly scientifically controlled studies yet. We only have to ask Kaiser and other major health agencies what kind of wellness programs they are

promoting. This directly impacts the cost of their hair. Diabetes and sugar and the other things that contribute to the onset of diabetes I absolutely will support that. I also want to say some of the narcotics that I'm observe being artists, television that are children do, where they were absolutely inundated with these advertisements promoting unhealthy food. Video games, the amount of time they're spending online and not dealing with the outside world, it is absolutely contributing to that. The fear that parents have about letting their kids walk to school. There's absolutely a paranoia now, I think more so than justified for having a child walk a couple of blocks to school and again we need to have compassion for those parents and develop programs that make them feel more comfortable about having their kids walk to school. Because it is not enough to say you should walk to school. When you talk to these parents and find out why some of them don't, it's because they're afraid of their kids getting kidnapped. There's for some of them. We need programs that have to work this is an issue where kids come home and watch television because main this is the only thing that will work. We have to start somewhere and if we can get 40 million or more to start addressing these issues to prevent obesity, we need to do it. Wides need to be leaders and do something about it, thank you .

>> Councilmember Pyle: This is working. I wanted to go to the deafen of our mayor for a minute. I used the word every day with a superintendent. They are deluged with tons and tons of things. I think more this should be something with the 40,000 foot level with whomever will be the state superintendent of public instruction. Whether its is Mr. Sevets a resident of this area or Senator Torlakson. I would like to say, Sharon experienced I was in the target store over the weekend and I saw this little kid must have been three years old, and it was in the late airchl of afternoon, that was before dinnertime, and that was what had he twinkie and I did control myself and denied that urge but I was really struggling. And as I went around I thought how many other kids are hanging onto that kind of thing and there were quite a few. So I have to cox to somewhat hurry hi used as a pacifier. It keeps the kid quiet because they can't scream and eat at the same time. When we talk about parenting, this is part of the educational skills that they needed for parents. Probably never took nutrition classes. In fact I'm not sure nutrition classes are offered anymore. I don't know if there's the cause and effect that's shown in that case. So I agree with rose that the business of walking to school is just something that just seems outright American, that there is a paranoia and human are catching on, fortunately, the more we can get kids walking with one another, the more that can be erased. The more kids are walk, the more we do away with the predators. and I want to ask you a

very important question. Is fast food addictive? I heard -- I've heard or read a report somewhere that indicated that it was.

>> If you believe David Kessler, one of our greatest minds in health, in our country --

>> Councilmember Pyle: Maybe that's the one I read.

>> Yes. He believes it is. And there's a lot of nascent research that is going into this, where we have to be very careful in that there is a lot of nuances in regards to the biochemical nature of addiction. Is it as addictive as heroin, no. But does it have feedback loops that lead to neurotransmitter response that makes you want to repeat the behavior, yes. And this is one of the things why we really -- I've opposed marketing to children. Because as you get looked at two years of age you're a customer for life.

>> Councilmember Pyle: Yeah, exactly. So that's the kind of information that absolutely needs to get out there. And then when we think about the fact that it is somewhat addictive, we need to come up with substitution. In other words, that mother could just as easily have handed the kid a celery stalk or something. They wouldn't have been as thrilled but they wouldn't be looking for more of the same.

>> I think you bring up an incredibly important point. Obesity is not tobacco. Tobacco is a single behavior. We have multiple interventions that measure tobacco consumption, tobacco use. That's just one variable that we measured. We know that there's a lot of different things that go into obesity, how much you sleep, the calories you take in energy expenditure, genetics, what was your mom's womb life when she was pregnant, all of these different things. When we look at data of what was effective, the question should not be is zoning decrease obesity, no. The question should be do zoning laws increase walking? Because that's just one of the ten different factors that we as a community have to work on. Is that going to take care of it all? No. But if it can just do more -- if it can create -- help the communities do more walking that community will be healthier. Yes, there needs to be other legislation targeting, sugar laden beverages, there needs to be school level and what have you but really if we are going to take care of this issue it is more of an issue of moving the needle into the right direction.

>> Councilmember Pyle: We need to declare this a crisis. I can see all of you very learned people out at forums and what have you I would work with another council district in order to make your life a little easier. But we really need to take all this information ton road.

>> I'll be happy to invite any member that's here today to come shadow me, follow me in clinic. I would be happy to share with you our approach that doesn't stigmatize the child but gives the family the tools to deal with. It is incredibly difficult. The one thing they tell me they have the most difficulty with is the environment they live in.

>> Councilmember Pyle: Thank you very much.

>> Mayor Reed: I think we're coming back this basis point Councilmember Liccardo.

>> Councilmember Liccardo: Thank you very much. I'm very interested in this whole data collection, I know it's incredibly complex. Former FDA commissioner Kessler what he's saying, my recollection it's more about sugar it's about the interrelationship between sugar and fat and salt and that makes it very complex, particularly targeting one and I know it's challenge to try to find the simple causal relationships out there. Because we're at the front end of this epidemic and it's clearly getting much worse. When we look at tobacco the happy story is, as bad as tobacco is we're at the back ends and an awful lot of progress has been made although obviously we have more work to do. The one question I have is, access. There is a recommendation action here regarding incentives for healthy food and specifically I think it was targeting grocery stores if I can recall. I can tell you most of the communities I represent are below median income neighborhoods and I've repeatedly compressed to brokers, to grocery store retailers that I will clear my desk for the stunt to bring a grocery store into any of those neighborhoods. And we have talked about an infinite number of ways to bring a grocery store in. All too often it's particularly tough times like this they draw the radius around the geographical point and they ask the question, is there enough buying powter in that area to support our store? The answer is no. They just don't want to continue the conversation. So the question for us really as policy makers is what incentives in a world of very scarce resources are meaningful in that context?

>> You raise a really big question and it's an excellent one and I'm going to pitch an easier policy idea in terms of health in our community it is hard to bring a big retailer into our community. Some communities have had success one you can do easily is helping us with EBT the food stamp cards being accessible at all farmers markets. San José has a wide range of farmers markets and yet our low income communities can't access the fruits and vegetables that are there if those farmers markets don't take the EBT or allow food stamps. That is an easy staff policy farmers markets that are there in the community already embedded have the customer base, would allow our lower income community to again receive the higher health problems to actually access the fruits and vegetables that are there in the community.

>> Councilmember Liccardo: That's fine Bonnie, let me know how I can help. I know health trusts have been involved in community gardens. We're happy to see what we can do but they're tough to conquer. .

>> Mayor Reed: Just one positive note I've seen in district 4 on Berryessa road, Councilmember Chu's district, a produce stand in what used to be a camera shop and there's a chain of those and I don't know how successful they are, I'm wishing them weapon.

>> Supervisor Yeager: If you will turn over to board members for any comments or questions.

>> This is on, it is working. Just a custom comments, real quick on the issue and one of them by way of anecdote just yesterday evening kind of as a last minute thing I got a call from a constituent who wanted to meet for ten minutes, typical kind of a call regarding her father who doesn't have health insurance and she wanted what possibilities there might be so we'll be working on that. But before she concluded or we concluded the conversation, I asked, how everything else is going with her. And she burst into tears. A single mother, young single mother. Of a child who just entered preschool. Who was just diagnosed with diabetes. And she wanted to know what she did wrong. And she wanted to know how to treat the depression that she was incurring as a result of this problem as a result of what she felt some sort of guilt for and I did my best to comfort her, let her know that she did nothing. But I suppose as part of what this conversation is all about is doing nothing, enough anymore?

and is education even quick anymore? In any long term we'll educate ourselves out of this problem but in the meanwhile when you have one of every three Latino children, and that's just part of the statistics. It's bad, one out of two now, Latino kids. One out of three in general, and we were briefed on this not so long ago so I'm trying to draw on statistics from then. Those are hard statistics, those are hard numbers, that's hard data. When that's happening irrespective of income, irrespective of time of income we've got a major epidemic that's impacting lives and focus a lot today on children. Appropriately so. But when you're here at the county you start to see what happens when the ripple effects of that affliction keep working their way through the system. And we have that data. And we have done some things to continue aggregating that data. Prioritize sayings teams with our child welfare population, to figure out how many places they show up and how many places their parents show up in the system once a stressor or trigger like this enters into their lives. I want to commend county executive Dr. Jeff Smith for probably what's the untold story for his recommendation of the board of segregating the county health department budget. It was done in large part because of these kinds of issues so he could then augment that budget which was done of course with the ratification of the Board of Supervisors so that assessments, health assessments could be done among other things and I just met with him a couple of days ago and he told me an epidemiologist will be brought on board most likely by the first of the year that's right around the corner and these hard data assessments that back up those emotional arguments will be available but this needs to be done now. This isn't something I think for any of us to look back, especially those of us that are elected officials that are subject to alternative limits to look back after a term or two in office and say well we tried but we can't get it done. There are so many lives in the balance. We appreciate all that you are doing irrespective of jurisdiction. I just wanted to be sure that everybody knew that the county is backing up this effort with resources in a very aggressive way.

>> Well, thank you.

>> Supervisor Yeager: Thank you, and I appreciate those comments Supervisor Cortese. For whatever reasons we don't take action because we don't have 100% of the data and we don't know what the issues are. It's to get that blafns having the research but not to be hampered by if we don't have it, clearly we have to take some action and we have such convincing arguments for why we have to do something and I know we're working on some of

that data Mr. Mayor to get you when you talk to the school districts and others but again I'd hate to have us not do anything as we wait for that information. Supervisor Gage.

>> Supervisor Gage: We're talk about a plan that is guess my concern is what are we doing on things like hot lines for people to call? Do we at our clinics at the county, offer programs for diabetes? If you go into your private doctor they'll have something scheduled at a hospital that says if you come for two hours, we can talk about diabetes, we can talk about nutrition, and I don't really know if we're doing that at all. And I think that when we start to tackle a large problem We need to start looking at the small parts of that that we can do that are not as costly and expensive to give people the access, like Supervisor Cortese was talking about when somebody calls and somebody has a question we are kind of of dumbfounded, where are we going to direct him, are we going to call Marty are we going to call the doctor what are we going to do, they have suicide prevention and we need to work on these smaller things everybody that is low income is going to go into our clinics and that's the place you want to start them off saying do you have diabetes, they are going to be triaged or whatever is going do happen to them. We say look we have a class coming up, do you think your daughter our yr son should attends. Whatever to start with is not going to be as expensive as some of the things you have been talking about earlier to at least you know bring the problem to light. Because we talk about it all the time. You talk about obesity all the time. You talk about all these things but I don't see all the little things starting to happen that support that.

>> I think all of us have a little bit of an answer for that. I would say by the time a kid shows up in my clinic two ways, extraordinarily expensive. And that's why prevention and changing the environment. So even before that kid is born the parents have already adopted healthier habits. We know the data, it is very, very hard data, that the mother's health at the time when she conceived, actually place a huge role. So we are doing that in my clinic on a daily basis helping families giving them those resources, we have done a great job I think connecting with the different community pushes because we as a medical system can't do it. It's much more than that. I'm inviting you, supervisor to come in and I'd love to show you the work that our clinic does.

>> You raise a really good point. There is a lot of good services and resources but how do the families access them, you bring uch good point, how do we coordinate that a little better? We know that our valley community

health center has a variety of programs. We know that from where we sit but the community doesn't have all that information so we need to work better of coming one a single point of what you say an information line for the people, Dr. Fenstercheid to put some really good policies and strategies in place to fill the gap that aren't taken care of.

>> If I could just briefly add that the City of San José also in our library system and in our community centers have a variety of health topics, healthy eating, healthy cooking and also in terms of diabetes management as well.

>> Supervisor Yeager: Dr. Smith.

>> I just wanted to harken back to Councilmember Liccardo's question which I think is really a critical question for local governments who have general purposes blotion for the county, it is really in the unincorporated areas, obviously the city has municipal obligations within the city boundaries. But I think you know, we do have a capacity to intervene here in a very important way. And that has to do with our general plan process. And we know that historically, general plans in municipalities have had relatively small Public Health components, that really deal with just making sort of general safety an important priority. However, you know, we certainly -- we certainly know that obesity and substance, tobacco use, access to healthy foods, access to healthy environments, in many ways are critical Public Health emergencies in our society. And so implementing policies within our general plan process that address those issues is critically important. And we know, from just experience, that we have been able, in many municipalities, to create economic development structures, either by tax incentives, or planning incentives, you know, building, permitting incentives, that bring certain types of businesses into the community, because we essentially use our general plan process in order to change the economic realities for businesses. And we know we could do that in order to promote businesses that have, you know, healthy, moor healthy endeavors than less healthy endeavors going on. So I think it can be done. It is being done in a number of areas. Transportation was one of the areas that caught on very early in terms of trying to minimize use of cars, and polluting vehicles, in order to plan an environment, plan a community that was more healthy in that respect. I think what the Public Health is saying is, we have to plan an environment that's more healthy in respect of dealing with obesity, dealing with substance abuse, dealing with tobacco. And I have to really compliment very strongly

the council and the Redevelopment Agency and the city with they're very innovative idea of you know healthy neighborhoods or safe neighborhood initiative, which is certainly also a vehicle that could be utilized to promote this kinds of environment. I think you've done a really pretty admirable job of setting the stage statewide and region-wide for addressing these kinds of safety and Public Health issues in that kinds of environment.

>> Laurel.

>> Laurel Prevetti: If I may Mr. President, San José's new envision 2040 general plan has very specific goals policies and action items around access to fresh foods, healthy food. We also have policies regarding wellness. So this is new, and the leadership of our council that's been guiding this community in this plan, should also be commended. We should look at how we plan for people and not just cars. This is funnel, a shift for a city that was built around the automobile. transportation and innovative policy I think you will see that San José is committed to really leading in this Public Health issue. Thank you.

>> Councilmember Constant: .

>> Supervisor Yeager: All right, thank you all very much. We will move on to our next two uses, civic center use update and then the major league baseball staple stadium. For the civic center reuse we have Peter Jensen from the city and Bruce Knopf from the county.

>> Peter Jensen: Good morning, mayor and members of the city council, president and members of the Board of Supervisors, the civic center update covers several items, closure and reuse of the George L. Richie U.S. army reuse center, reuse of San José's former City Hall and the status of the city's E lot at mission and San Pedro. With me today is Kristin Hoax county's plojtd to reuse the army center. The site exroizs, in December of loose year the board approved the redevelopment plan and homeless comings plan that was submitted to HUD and the army on December throughput. HUD is currently reviewing those documents, and upon HUD's determination, the county will finalize its request for a no -- cost public benefit conveyance request by way of application to FEMA and the

Department of Justice. The redevelopment plan calls for public quasi-public use, consistent with the City's general plan and at this point I'll turn it over to Kirsten Hoffman who will talk about the reuse plan itself.

>> Thank you. Mayor, members of the city council, president, and members of the Board of Supervisors, the county's approved plan for the reuse of the George L. Richie army emergency training and readiness center. The center will house emergency vehicle operations training for first responders and it will act as a storage and mobilization center for the Santa Clara County office of emergency services during emergencies and natural disasters. It will also function as a backup communications gasp center. The county off of emergency services currently lacks the required facility space that would allow for immediate access to critical supplies, pharmaceuticals, and mass response equipment. An alternative emergency operations center as UOC will be used as a place where OES and as well as if office phs sheriff as an alternative to our current location at 55 during emergency or natural disaster. This facility will be used to mobilize and demobilize emergency response assets to or from the county of Santa Clara. And it occupies the mineta international airport cpt interstate 880, state route 87, Interstate 80 and U.S. 101. Emergency spodges vehicle parking to include special team vehicles. The enclosed storage building is a secure area that will be used to house the sheriffs emergency response team cert vehicles in full vehicles. the drive through warehouse space will be used to and equipment for a number of efforts including our (inaudible) (inaudible) office of emergency services and for the county of Public Health. In addition, there is potential to partner with other entities and stakeholders, local and regional to provide storage space for mutually beneficial resources and assets. This will reduce the lease liability currently imposed on the county to storage this equipment. And finally, this center will search as a dispatcher center in the event of a natural disaster that may descript our main communications facility on top of Communications Hill. Thanks.

>> The base realignment and closure process requires that sponsors of services and housing for the homeless be provided the opportunity to develop a proposal for meeting the needs of the homeless as part of the redevelopment plan. On January 26th, 2007, the county, local redevelopment authority circulated requests for notices of interest to which the Santa Clara County collaborative on affordable housing and homeless needs responded. The collaborative selected one of its members, charities housing development corporation to assemble the project to be proposed for incorporation into the George L. Richie redevelopment plan. Recently

planned by you the city council on September 21st. On the county owned site located at 2500 Senter road, the former Korean Baptist church. will include up to 100 units of affordable housing including ten units that will be made affordable to homeless families and individuals with support of wrap around services being provided onsite under contract by Catholic charities. Charities housing has an option on the property and the county and charities and use and sale agreement. The next section the HUD's review of the legally binding documents that support at this point I would like to turn it over to your Peter Jensen director of general services who will cover City Hall and E lot.

>> Peter Jensen: Thank you Bruce. On former City Hall there are discussions ongoing between city and county staff, still trying to move toward an agreement there. The report provides you some information on next steps. Should there be an agreement, and those steps depend on what the county's eventually plans for the site might be on the E lot and you can see on the slide it's located at Taylor and 87. The federal government has expressed an interest in this site, for a new Courthouse. Thayer doing due diligence now on this site along with some other sites in downtown and surrounding areas. And in our report, we mention potential park impacts for the city from any agreement but again, that depends on how discussions continue. With that we're happy to take questions.

>> Mayor Reed: I think I have a few questions. Sorry, I have a question about the E block training slash incident staging area that's shown on one of the slides behind the county park garage. The question is whether or not that would be sufficient for the training that the City of San José now has to do order at Moffitt field for police officers. I'm 92nd sure what E block.

>> Emergency vehicle operation and it's required by the state agency that allow enforcement officers have so many hours of training every two years. And yes right anonymous the close eggs E block training facility that is an actual facility set up for it is in Alameda County. This would be one that would be dedicated to that purpose so we would have an additional provider for E block training and you wouldn't have the travel issues that we have now.

>> Mayor Reed: I know we go to move fitted field and we've even left oochtion it's become more difficult to get, because they're using the area that we formerly use for the E block course for a different purpose. So it's very difficult to find the place to do E block training for the huge number of law enforcement officers that we have in this county. So it will be a tremendous boon for training.

>> Mayor Reed: Other questions on the city council side?

>> Supervisor Yeager: I see no questions or comments. Dr. Smith.

>> I had one question for Mr. Jensen about the E lot issue, with the feds. So I just want to make sure I'm understanding this correctly, and I was just talking to Mr. Shikada about it. What's being looked at is they want to have a federal Courthouse with some parking and I presume they're doing this because they want to minimize the transport costs and the like. Can you give me a little more insight into what it is that the feds are thinking about in terms of their desires operational desires?

>> Peter Jensen: I think the main thing is, the current site is not sufficient for their needs, looking at places that they can build more, things with more capacity. I do think they are looking at transport issues and those kinds of things. From what my understanding of discussions, if key is simply the operational needs of the court.

>> Uh-huh. And one presumes, I know this is going beyond your course of information. But one presumes they wouldn't be interested in joint uses.

>> Peter Jensen: Actually, there has been a little bit of discussion about potential for joint uses. So I wouldn't necessarily make that presumption.

>> Okay. Well, if it does come up, we need more court space, too.

>> Mayor Reed: Let me just add to that because I have met with the GSA people several times as well as the courts and the judges, basically they're out of space. they weren't out of space then they never got to the top of the list. Now that they stay in the top ten list they have better chance of funding. They have about \$10 million that has been previously appropriated and they need to acquire a site that's big enough and that they can afford. That has narrowed down the search significantly although we have looked at every conceivable site in downtown because they want to stay in downtown. This seems to meet their criteria but they are doing due diligence. They needs double wide trailer. So. Anybody else on this council side?

>> Supervisor Yeager: Anybody else on the board? All right straight from the headlines from the Mercury News, we've got major league baseball stadium. And Harry I know we're going to turn that over to you.

>> Harry Mavrogenes: Thank you.

>> Supervisor Yeager: And Mr. Knopf from our side.

>> Harry Mavrogenes: And also Kip harkness is going to help me on my side. Kip has been working with the good neighbor committee. As you may be aware since the middle of this decade we have been working with the major league baseball on establishing a facility in San José. And we have a territorial issue for the San Francisco giants that has to be resolved. And of course, we are in a position now where we have assembled land for the potential ballpark. We have a developer, and owner of a team that wants to build, at his cost, a ballpark on the site. And the major holdup really is major league baseball's decision on this territorial issue. Once that is settled and we hope that that will settle before the end of this year, the city council will schedule a public vote, on using any public funds including the land of course. If the public vote were approved then we would negotiate a disposition development agreement for the ballpark site. Day want to walk you through some of the guiding principles that we have developed in order to make these a reality. These are in your packet as negotiating principles. And I apologize for the -- I think they're a little bit difficult to read there. But basically, in the major negotiating principles we have no new taxes would be imposed to fund the ballpark expenditures. The city must determine if the ballpark would generate significant economic benefits for the city and have a positive impact on

the General Fund. And no public funds would be spent to finance or reimburse any costs for the construction of the ballpark. Now, on the economic impacts side, we have done an economic analysis which indicates that post-construction, permanent jobs, and income impacts, the ballpark would generate \$130 million annually in new economic output. 980 jobs would be created in San José both full and part time jobs. \$62 million in new wages. Then in terms of revenues to the city, we believe from a study that with ewould get \$1.6 million in new revenues directly to the city General Fund and another 1.6 million potential reference to the Redevelopment Agency which also funds affordable housing. Other local governments including the county we believe would receive \$950,000 annually in revenues from the facility. So it has some very positive overall impacts. Next chart. Again, continuing on the second one. Oops, thank you. No public funds, for operational or maintenance costs of the ballpark. We will be working with the developer to provide those as we do now with the arena. And no public funds will be used to finance or reimbursement traffic emergency security within the ballpark site or the streets surrounding the ballpark, again similar to what we do now with the arena. And if the property is leased for a ball pork the team must be willing at the end of the terminal lease to either purchase at fair market value or do one of the following at no cost to the agency, or Redevelopment Agency or demolition of the improvements including a site to make way for another kind of development. Then the entity that builds and operates the ballpark musting willing if the city deems it appropriate to make it available during the off season for a number of days during the year, at no rental charge to the city. And of course very importantly the name of the team must include San José in it. We've included in your packets some renderings. The first one indicates the proximity of the site to the downtown core. And we project that it will be a benefit to a lot of the downtown businesses, because of the proximity and walking distance to the downtown. We anticipate people will also park downtown, eat at restaurants downtown, and then go to a game or vice versa after the games. This facility would have probably 84 home games a year. This is a rendering closer up that's been done by the developer's architect of the facility. This of course will be subject to modification, as they work with major league baseball. To the right of the rendering is autumn street which will become a two way frontage street and along the Los Gatos creek and northerly to Coleman avenue and bird avenue the next rendering shows the field itself how it could look for the skyline and the background. Much as Denver's new facility is similarly set up then on our next steps. Next rendering. Thank you. We need the decision by major league baseball to change the rights issue to resolve it. We would then be hopefully looking for a public vote on March of 2011. Then we would negotiate the development

agreement for the ballpark site. Potential construction start date can be as early at 2012 with a completion by 2015. And that concludes my presentation, mayor if you want to adds.

>> Mayor Reed: Thank you Harry. I have a couple of things to adds. Harry kinds of went through it quickly. I want to explain what's in it for you, that question always comes up, what's in it for me what's in it for us. The potential \$900 million for the county, property tax revenues. We did economic analysis looking at the city's impact. There's another \$500,000 sales tax ballpark related net revenues for the city's 1% share. If you get a 1% share, that would be the same for the county, I don't know how you divide it up. It's about \$1.5 million approximately of benefits to the county side and the agency side and some other revenues for other districts as well. I just wanted to point that out because it's really important, we're all interested in revenues and combined total revenues out of this for local government would be in the \$5 million range. Questions from the county side, Mr. President?

>> Supervisor Yeager: Do we have any questions? No? I think we're good.

>> Mayor Reed: Thank you. Just adds a couple things. There is not really an update from the commissioner's office. We are waiting for the commissioner's office to wait until the commissioner to died we hope it's on a March election, if we are to spend even a single dollar of city funds or redevelopment funds on it when I last spoke, it wasn't the last time but when I spoke to the president of major league baseball on the election we were putting on November they did offer to help pay for the cost of the special election because if we do it in November it's got a big price, if we do it in a special election it's got an even bigger price. Calendar spring or baseball spring or not but we're still hoping for spring.

>> Supervisor Yeager: Spring training nevertheless. All right. We now move into our last item which is public comment. This portion of the meeting is for anyone to come and address us on any issue that is not on our agenda. We are not able to answer any specific requests that are maids during this time, because these items are not agendized. But any of the public speakers will have a minute, and Patricia why don't you come on up and I don't know if we have any other cards that are there.

>> Thank you very much I'm really pleased to see this meeting. I really want to talk about more city-county planning. As all you know me I play actually in both of your ball parks. And I'm just here to say that we're, next week, doing a joint training, city-county for nonprofits on their Web management and bid sync. Senior nutrition task force city and county, I'm burking with Leslye Krutko on a fundser challenge that will look at the financial review of nonprofits but I'm also here to ask for more. To just as we learned in the homeless task force that if we release people from corruptions and have them prequalified from insurance it saved dollars from the valley medical center. There are interior, looking at the probation budget and the mayor's gang freefnction task force. Payday lebdzing and it's cost to the CalWorks clients. After school healthy Neighborhood Venture Fund maximizing resources, to the county mental health social services or valley health plans and housing and CDBG and affordable housing streams and community reuse looking at service delivery in a different way. We'd like to see not only, as you look at cutting budgets how you change budgeting. To look at how you plan together to maximize our funding and not just to cut our funding. I sit on committees for both of you. I rarely see both of you at the committees. So I'm going to ask you that when you're developing your committees for whatever they are, is there the county person there? Is there the right city person there? Because I see and I go to many of them, and many of you don't know each other. And I think that when your staffs begin to plan together, for service delivery and budgeting we'll see moor crossing and maybe more maximization of services. But we keep talking and how you're doing and how the county's doing it, is there someone at the county doing that and rs we connecting with them? Is there somebody at the city doing that and are we connecting with that particularly as to budgets.

>> Supervisor Yeager: R.J. Castro, I know you filled out comments for 3A and C but if you want to make brief comments on both of those.

>> Thank you, good morning. I just wanted to add a comment reel yiblg about the health pro time for obesity. I'd like to request that funding opportunities for the city and county level foster the police activities league and the soccer program topes East pals soccer program oops and I bring the voice of not just the soccer program but all the programs within the police activities lesion an the pursuit of staying sty and the county. To place attention basically on our fields, field stadium, which is the hub of East valley San José and we're asking for some answers

on our budgetary constraints that are placed upon us. The external and internal asset building through support and comment boundaries and exception and constructive use of committed to learn positive values and reel quickly in regards to the arthritis foundation October 12th this past Tuesday was world thriets day and in 2006 I came to council and Dave Cortese actually provided an comings for the air thrietsz foundation my daughter was the arthritis foundation's has fallen back into arthritis so she does have arthritis once again and so just trying to bring awareness to our bill that is currently on the senate which passed our House of Representatives on September 30th, 2010. Just looking for support from our coij and our county to our senator and our House of Representatives to join the arthritis caucus at the fat level and can I provide more information if you wish.

>> Supervisor Yeager: As often the case I've gotten heads of ourselves, we do need to go back to item 4 which is to accept the city county report Miguel is that just a vote or what action are you asking of us?

>> I believe they have some comments to make and vote to accept it.

>> Supervisor Yeager: All right, Mr. Shikada.

>> Ed Shikada: Thawfng, Mr. Mayor, members of the board, I'll just draw your attention to the compends yum of city county projects. The city and county staff continue to work on a number of issues that have been referred to staff. I suspect that one of the next areas for us based upon prior discussion will be for us to recommend some priorities, a method for prioritizing those new ideas. And the City Manager and county executive I'm sure will look forward to preparing some recommendations in that regard. So with that we have the compendium which last been updated based on recent work, which I think fair to say reflects a good deal of progress on many fronts. We're able to answer any questions you may have.

>> I move to accept the report.

>> Second.

>> Supervisor Yeager: We have a motion and second all in favor, passed without didn't, our last is to adjourn the meeting. May I have a motion and second to adjourn the meeting? All in favor, we're adjourned the clerk will now read the formal announcement to adjourn the meeting.

>> The meeting is yonder until techt floor crns rooment 70 north Heading street for the purpose of identifying designated representatives to discuss salaries or related to labor negotiation or to discuss real property negotiations, subsequently adjourning into closed session to discuss items properly noticed. And subsequently adjourning to an open and public session at 9:00 a.m. on Tuesday, October 19th, 2010. Chambers at 70 West Hedding Street. The meeting is adjourned.