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>> Mayor Reed: The meeting to order. This is Rules and Open Government Committee meeting for August 3rd, 2011. Any changes to our agendas order to discuss? No, all right, first item is the August 9th council meeting agenda. Anything on page 1?

>> City Attorney Doyle: Mayor, I assume until further notice we're going to continue to start at 9:00 a.m.

>> Mayor Reed: Yeah, unless staff thinks there's no reason to start at 9:00 a.m. this week, because mostly we're going to start at 9:00 a.m. We are still assuming a 9:00 a.m. start but we'll consider it every week.

>> All right.

>> Mayor Reed: I know you'd rather go until 12:30 instead of starting at 9:00 but I think council majority prefers 9:00 to 12, rather than 12:00 to 12:30. Anything on page 2 or 3? 4 or 5? We're going to add the military supplemental pay audit which was deferred from yesterday until today's agenda, is that correct?

>> Dennis Hawkins: That's correct Mr. Mayor.

>> Mayor Reed: And the medical marijuana collectives item 4.1 I understand there was a recommendation originally to August 23rd, but we're going to have a different date.

>> Councilmember Oliverio: September 13th?

>> That's correct.

>> Mayor Reed: September 13th.

>> Dennis Hawkins: We published the September 13th date on yesterday's agenda and that will be September 13th for future agendas.

>> Mayor Reed: Okay. Anything else on 4 or 5? Page 6 or 7? I don't have any written requests for additions. Anything else to add or change that anybody has?

>> Ed Shikada: For corrections, Mr. Mayor we did have a correction to item 8.1, the recommended language or recommendation language to eliminate the word subject to appropriation.

>> We'll pick up those changes (inaudible).

>> Mayor Reed: That's the memo on the Bay Area initiative grant allocation.

>> Ed Shikada: Yes, we have appropriations for that. So it's no longer --

>> Mayor Reed: We have appropriations, that's great. Anything else on the August 9th agenda? No?

>> Motion.

>> Councilmember Herrera: Second.

>> Mayor Reed: Motion to approve as modified. All in favor, opposed, none opposed, that's approved. August 16th council agenda. Anything on page 1? Page 2 or 3? Page 4 or 5?

>> Dennis Hawkins: Mr. Mayor, I just wanted to note that on an item 3, which was the sewer storm and sanitary sewer fees, that was reported that would be continued to the 16th, it actually will be continued 'til the 23rd due to noticing requirements. We had mentioned that will come back on the 16th but it will actually be on the 23rd.

>> Mayor Reed: Okay. Anything else on 4 or 5? Page 6 or 7? I have no written request for additions. Anything else on this agenda?

>> Councilmember Herrera: Motion to approve August 16th agenda.

>> Second.

>> Mayor Reed: Motion is to approve the August 16th agenda. All in favor, opposed, none opposed, that's approved. Redevelopment agendas for August 9th or 16th? We have nothing to consider. Nothing on study session agendas. So we'll go to legislative update. State update. Betsy Shotwell.

>> Betsy Shotwell: Mr. Mayor, Betsy Shotwell, Director of Intergovernmental Relations. I have no new to report today. .

>> Mayor Reed: Somehow being in recess seems like good news in and of itself.

>> Betsy Shotwell: It's a rarity.

>> Mayor Reed: Considering what's hatched to us, we're happy to have them in recess. Anything in federal?

>> Betsy Shotwell: A lot is in play. We're working with our lobbyist, everything could be on the table in the next five months as the committee is formed and meets to tackle finding \$1.2 trillion in cuts. Patton Boggs will be providing information as they can but nobody really knows what the discretionary dollars will look like. I think the mercury did a good job this morning, laying out obviously the potential and the possibilities. But we'll keep the council informed as we learn what's there, and of course, it will be a very busy, busy next few months for all of us as we weigh in on this.

>> Mayor Reed: Any questions on state or federal? That takes care of the legislative update then. Next item is the public record. Couple of requests to speak on public record, we'll take that now, David Wall and Hayward Furtado and Martha O'Connell.

>> David Wall: Good afternoon. Public record item F entitled let San José police do their jobs and make ice permanent in San José. Now, the immigration customs enforcement Mr. Mayor has seemed to have an impact on the lack of murders in this town. In other words, murders just have seen not to have been happening ever since ice has showed up and put the gang bangers and their assorted relatives who are in the country illegally that they might not be in the country anymore. Item number G should have special attention to you Mr. Mayor, about the incoming audit of the environmental services department. I'll give you a brief synopsis. You're going to find out they are overstaffed with highly paid managers, program managers that really don't know how to do their jobs. Item H is to eliminate the funding of the office of the IPA because Mr. Mayor you're running out of money for next year. And lawyers as you know have to work pro bono as part of their licensure. You going to keep that entity, it works for free. I would like to say thank you for having a quorum for today's activities. Last week was unfortunate that we did not have a quorum. And I would like to see that you have an acceptable list of alternates for Rules so we don't have that problem again. Also for a ballot measure I would like you to entertain the thought of having council run year round instead of these two breaks that you have in July and December. This would, of course, probably anticipate a lack of multiple items on consent calendars. And specifically the last one was like 42 items before you went for your summer break. And this is not acceptable, Mr. Mayor. You have to move at the speed of business, not in an archaic political style of business, so the city's business runs 24 hours a day, every day of the year, and you should make adjustments to this schedule. Thank you.

>> Mayor Reed: Harold Furtado.

>> Actually I need to apologize. I should have on my request made it for Item J. That the appeal from the Records Act, that may be what I should be speaking.

>> Mayor Reed: I know there is a document in the public record so we'll take that up --

>> Now?

>> Mayor Reed: No, we're going to come back to it to discuss it.

>> Okay.

>> Mayor Reed: You can certainly speak now but we're going to take it up in a few minutes.

>> City Attorney Doyle: We'll take it up Ed.

>> Mayor Reed: I had some questions about it. Martha O'Connell.

>> I'm also grateful for a quorum because I rewrote my letter with a new opening paragraph. If you are going to have boards and commissions folks I hope you give them the respect when they put in a request to do something other than note and file. In November of '09 the senior citizens commission put in a recommendation that the definition of a quorum exclude vacant seats, so I'm asking that somebody pull this and direct somebody to look into it for possibly changing that municipal code. You guys are very busy and you know a lot more on a lot of topics than I do. I concentrate on a limited number of topics. What I know, I know. And the project diversity, I don't know if you're aware of this, but race and sexual orientation is no longer allowed on the forums. This came down from the City Manager, the city attorney's office so we can't put our race on there or sexual orientation. Given that I would like to again suggest that the so-called diversity committee be abolished because there's really no need for it. You guys are grown-ups and you can make your appointments to the boards and commissions without going through this committee, which holds up appointments for some -- sometimes as long as eight months. All right, thank you.

>> Mayor Reed: That concludes the public testimony on the public record. I had one item I would like to comment on from the Silicon Valley leadership group to the manager and myself thanking the council for our commitment to recruit and retain companies in San José so it's good to get compliments and I'd just like to note that they say our commitment to work at the speed of business to retain and recruit companies is working. Time and time again we hear glowing comments about the City of San José's efforts to expedite and ease the process

of expanding or building in San José. That's a good message. We're working hard that people get that message and we're pleased to see the results of that with real companies and real buildings and people with construction hats and other things working. That's good. Any other questions or comments from the public record? Item A we will discuss when we get to agenda item J which is the public records act request from are Garden City. Anything else? Note and file?

>> Councilmember Herrera: Note and file.

>> Second.

>> Mayor Reed: Motion is to note and file. All in favor, opposed, none opposed, that's approved. Boards commissions and committees. We have an appointment recommendation to appoint Sean Kaldor to the deferred compensation advisory committee nominated by San José firefighters for the remainder of a four year term. City Clerk.

>> Dennis Hawkins: Yes, Mr. Mayor. One thing we would like to ask the committee for a one week turn around on this item so it can go on next week's council agenda. And for the record I wanted to indicate that Mr. Kaldor is also a member of the Police and Fire retirement board, as a result of an election which nominated him as a Police and Fire employee. He would be serving on two city commissions. There is no prohibition on that particularly in the case of employees who are nominated through bargaining units.

>> Mayor Reed: All right so this just needs to get to action and get onto the council agenda.

>> Councilmember Herrera: Motion to approve for recommendation.

>> Mayor Reed: Motion to put it on for one week.

>> Dennis Hawkins: Please.

>> Mayor Reed: Six days actually.

>> Councilmember Herrera: I had a comment to make on that. I served with Sean Kaldor on the Police and Fire boards and he is well qualified so I'm happy to make that motion.

>> Mayor Reed: All in favor, opposed, none opposed, that's approved. We had a couple of items that we held over from last week, so we had a full committee to discuss them if necessary. First, was a recommendation from our civil service commission to amend the municipal code regarding stipends paid to members of a civil service commission basically provide for a larger payment to the chair of that commission who does a lot of extra work. According to the commissioners. Any comments on that from staff? Does this just require a simple ordinance change that you have to do?

>> City Attorney Doyle: Yes and that's something that if the council so directs, we'll bring that forward.

>> Mayor Reed: So they're asking us to reallocate existing funding not for additional funding.

>> Dennis Hawkins: Correct, Mr. Mayor. The total expenditure for stipends remains the same. It's just a redistribution of who gets how much.

>> Mayor Reed: Well, the commission members would be taking less and the chair would be getting more.

>> Dennis Hawkins: That is correct.

>> Mayor Reed: But this is a recommendation from the commission so I certainly support that because I know those chairs do take on a lot of extra work as chairs.

>> Councilmember Nguyen: Motion to approve.

>> Councilmember Herrera: Second.

>> Mayor Reed: Motion is to approve. All in favor, opposed, none opposed, that's approved. Item 3, H-3 is the request from Councilmember Pyle to approve to bring back to city council proposed update to the electronic digital sign code with additional direction expanding the pilot area eliminating electronic signs to include Blossom Hill road corridor. There's a memorandum from Councilmember Pyle, I'm sorry, I forgot to take Mr. Wall's comments on the stipends but I do have it on digital signs but we'll back up and you can speak on both of those at this time, Mr. Wall.

>> David Wall: In stipends just a brief comment. I believe that the city should just outlaw no more stipends for anything and that includes stipends for any committee, period. People want to have service to the community, it's service, not some form of quasi-compensation. On this digital sign business Councilmember Pyle is on point like I testified last week. I think the entire city should be able to go for these digital signage. These things make money around the clock. And the tax revenue around the clock is something that you need. This would also put pressure on other billboard agencies, to either upgrade their billboards for a complete systematic upgrade throughout the city or to get rid of them for whatever have you. But this digital sign business, these jumbotrons these are the a thing. Thank you.

>> Mayor Reed: We're going to go back to the stipend question. The original recommendation from the civil service commission is to have it on August 9th, I don't know if staff was ready for August 9th and what would the staff do and what would the staff put before the council and when could you have that ready?

>> City Attorney Doyle: We have a draft ordinance and that would go forward based on the recommendation of the rules committee.

>> Dennis Hawkins: We're ready to go on the 9th if that would be part of the motion. And add it to the agenda.

>> City Attorney Doyle: It's up to you. It's the sunshine issue but I don't think there's a hurry.

>> Dennis Hawkins: No.

>> Mayor Reed: Okay. What would the committee like to do the 9th or the 16th for that one.

>> Councilmember Oliverio: 9th.

>> Councilmember Herrera: 9th is one.

>> Mayor Reed: Okay let's do it on the 9th. Now to the electronic sign. The budget that council approved included some additional funding specifically to work on the sign ordinance. How does this fit into the work that's already underway? I think it's completely within the scope of the work.

>> Ed Shikada: Yes, Mr. Mayor, members of the committee, I did have a chance to talk with Joe Horwedel and he believes this is within the scope of the work plan that is already in planning and building.

>> Mayor Reed: Within that we authorize the funds although sometimes it takes a while to spend them.

>> Ed Shikada: He actually does anticipate being able to report back to council this fall.

>> Mayor Reed: Anything else?

>> Councilmember Herrera: Motion to approve expansion.

>> Mayor Reed: Motion is to approve the direction of the staff. Discussion on that, Councilmember Oliverio.

>> Councilmember Oliverio: So would this come in October, November? Doesn't need to come to council next week or the week after. Got to give staff time to actually do it.

>> Ed Shikada: I was not able to pin him down on a particular month in the fall but nonetheless --

>> Mayor Reed: We know what the calendar says, fall starts September 20th and ends December 20th.

>> Councilmember Oliverio: But for the purposes of the rules committee, do we have to assign kind of pinpoint a date in late October and just put it there for now and worry about it later?

>> City Attorney Doyle: Well, I think the memo recommends fall of 2011. I think that's broad enough. If you want to be more specific can give a specific date. Fall is whether it's October, November, is you know wait and see.

>> Councilmember Herrera: Flexible, flexibility.

>> Councilmember Oliverio: I mean for convenience, if you are putting it on a date, looking for a date November 1st and then by the time we get a rules meeting we're going to figure out if they're ready or not and have them come back.

>> Mayor Reed: I think we'll ask this question more specifically at the session we'll have on the August 29th or 30th meeting whatever that meeting is when we talk about the prioritization of ordinance work. Because I think this is about 95% done I hope so we can pick that date then I think preferably.

>> Councilmember Oliverio: Perfect.

>> Mayor Reed: On the motion?

>> Councilmember Herrera: I had a question or a comment on it.

>> Mayor Reed: Councilmember Herrera.

>> Councilmember Herrera: Yeah, it was my recollection that Joe was going to bring back we were also going to talk about the workload on the sign ordinance, maybe on the 29th as well when we talk about the prioritization of the work.

>> Mayor Reed: Yes,.

>> Councilmember Herrera: There were some things left for future and one of them I recollect was one Nancy is bringing to bare but also I had brought up some things about Eastridge and we have auto dealerships there also so hopefully some of those other items are going to be brought back that we can discuss at that time.

>> Mayor Reed: Okay. On the motion? All in favor? Opposed none opposed, that's approved. Next item is the report of posting of public calendars by city officials on the city Website. We've got the memo, staff is tracking it. We're doing this quarterly. Now to the rules committee, I can't remember what the schedule is for rules committee. Quarterly, according to Tom. Any comments or questions on the report?

>> Councilmember Herrera: Motion to accept the report.

>> Councilmember Nguyen: Second.

>> Mayor Reed: Motion is to accept the report. All in favor, opposed, none opposed, that's approved. And I would just like to note on that, that the performance compliance is pretty good. Probably better than anybody in the state. I hope so. Next item is a request from City Manager to authorize introduction of state legislation amending tied house state law to allow the city or the city's optioned operator of the San José McEnery convention center and San José civic to receive payments for alcohol advertising and sponsorship within these facilities. Somebody is good to tell me why they call tied house law. I'm sure. But it is not tide house restaurant.

>> Betsy Shotwell: Not to be confused. Joining me is Bill Sherry from Team San José and legal.

>> Again, just to look up the specific term tied house. Before prohibition a number of breweries in the Northwest would purchase saloons and they would have exclusive rights to sell only that brewer's alcohol. So it was specifically tied to a brewery which is where the term tied house came. After prohibition, a number of states including California specifically, through the alcoholic beverage control act, enacted tied house legislation which really regulates the three tiers of that system, the manufacturers, distributors and retailers. In recent years, the state, a number of venues, convention centers, entertainment centers have received exemptions for this, as concert series and entertainment have turned to revenue sharing profit ideas for us to be able to attract talent to the civic auditorium. We want the option of these additional revenue streams so just as we have done with the arena, HP pavilion, our partnership with the sharks, we would like a similar exemption from the city for the convention center and civic auditorium. So your approval today would allow us to seek such legislation.

>> Mayor Reed: I have one request to speak, take that now, David Wall.

>> David Wall: Vice is paying in San José. I mean this is where you're making your money is vice. The old adage, candy is dandy but liquor is quicker. I wouldn't laugh too hard. We could integrate marijuana clubs in there too, hookers, gambling where are you going to stop? I'm not the one making these decisions, Mr. Mayor. I didn't increase gambling or go for marijuana or more liquor. But there is an opportunity to start funding the attorneys office and the San José police department from this, from dedicated percentage of revenue streams to be locked into their budgets to have to monitor the agreements and two to have to enforce the ramifications of a bunch of liquored-up people down there at your convention center. Now, I think this is a very prudent way to do it because if you can find any way to start dedicating revenue streams for the police and the attorney's office, that frees up their operations a little bit better than to have to always be a the mercy of flipitant and congenitally poor decisions concerning funding for these entities. Because the attorney's office that business goes on whether you like it or not and it has to be properly funded and in my opinion it is not. And that is also in keeping with the police department and the fire department. So go ahead and give them their liquor license but also look at it for the

funding that could be begun to do the good work that the attorneys and the police do that don't get enough thanks for, I might add, thank you.

>> Mayor Reed: That's it on the public comments. A couple questions from the committee, Vice Mayor Nguyen.

>> Councilmember Nguyen: A couple of questions. In terms of the projections in the amount of revenue that we can receive from this legislation do you have any estimation?

>> Yes, councilmember, Bill Sherry, CEO Team San José. Our initial estimates although they are not budgeted in our budget are between 150 to \$500,000.

>> Councilmember Nguyen: And I assume this goes to the General Fund?

>> Bill Sherry: These would go to help offset our costs associated with running the facilities.

>> Councilmember Nguyen: Okay, thank you.

>> Mayor Reed: But when your cost of running the facilities goes down that's good for the General Fund.

>> Bill Sherry: Yes.

>> Councilmember Oliverio: Motion to approve.

>> Councilmember Nguyen: Second.

>> Mayor Reed: Motion is to approve.

>> Betsy Shotwell: Mayor may I make a request that this be a one week turn around so our lobbyist in Sacramento will have this prior to the legislature convening on the 15th.

>> Councilmember Oliverio: Question for Roxann, is this realistic that this would get approved in this session or is this something you enter and then wait?

>> Betsy Shotwell: It remains to be seen. There's always vehicles with this issue almost every session. Whether or not it's timely to be amended into something existing or not remains to be seen to your point over the next four weeks when they're in session or are we able to hit the ground running in January with city sponsored bill. Each way we will be able to hit the ground running. If there's a vehicle in the next few weeks I can't say for sure. We'll know more when this moves forward.

>> Mayor Reed: Councilmember Herrera.

>> Councilmember Herrera: I think this is a good step forward especially with the new convention center coming, it makes us more competitive, so I'll support this.

>> Mayor Reed: On the motion which includes putting it on the next week's agenda for the council, all in favor, opposed, none opposed, that's approved.

>> Betsy Shotwell: Thank you.

>> Mayor Reed: We have two items to consider as city sponsored events to allow accepting donations of materials and services.

>> Motion to approve.

>> Councilmember Herrera: Second.

>> Mayor Reed: All right. We have a motion to approve the district 1 disability awareness day and the sixth annual Santos family car show, as city sponsored events. Any cards on that? All in favor, opposed, none opposed, those are approved. We have council committees one two three for five committees including this committee.

>> Councilmember Herrera: Motion to approve.

>> Councilmember Nguyen: Second.

>> Mayor Reed: Motion is to approve. I have one request to speak, David Wall.

>> David Wall: I'm not sure if you take these simultaneously or how you want to proceed.

>> Mayor Reed: We have one motion so speak on all of them if you wish.

>> David Wall: Okay, on the CED plan, August 22, is somewhat disturbing. Downtown as quote, Silicon Valley's city center. I mentioned that on item K open the public record but I forgot to talk about it. This is almost like San José is a shame to be in San José. Mr. Mayor, San José is a great city. We do not need Silicon Valley for anything. And Silicon Valley should be stricken from everything associated with San José to make San José even greater. Now on the neighborhood services work plan, family camp. This might provide an opportunity within the trades where you have at risk youth, gang members or whatever, that haven't really killed anybody yet but are really good in the trades to help repair the place on off-season. To get them out of the city so they could go out and enjoy some fresh air and get some education perhaps up there and really rehabilitate that family camp. That's -- I've never been there but it's an outstanding asset to the city. The T&E work plan this business with the storm drains Mr. Mayor, it was in the Mercury News, front page of the local section storm drain with trash in it. You have enormous resources within that watershed protection. They are nothing but abject failures. And Councilmember Liccardo's wanting to use the storm drain fund for street sweeping sites. No that's not the issue. The issue is you

got to have a program to get rid of cars off the streets, that's the issue, get rid of them. These slum neighborhoods where these cars are dripping oil and what have you and sort of other toxicants into the storm drains. And of course that habitat plan is still so laughable that I don't know why you spend any time on it. On the Public Safety, Finance and Strategic Support committee, remember yesterday about those audits. The audits of ESD must include the reclaimed water project, advance water treatment all those costs and above all that brine that's being included in the final effluent, that could cause you lots of problems. On the rules work plans, too many meeting cancellations Mr. Mayor. This leads to an impact once again to the consent calendar. And this is just not good for the city. And especially --

>> Mayor Reed: Sorry your time is up. Councilmember Herrera.

>> Councilmember Herrera: Yes just had a comment on excuse me of these. In terms of the Community and Economic Development committee work plan, I just wanted to thank Ru Weerakoon, Kim Walesh, Richard Keith and Ed Moran for their work on this subcommittee, and for coordinating this work plan, especially in light of the changes in RDA and the city and I'm looking forward very much to the shop San José campaign starting August 22nd, the clean tech demonstration center business plan September 26th, and the report on local small businesses in November. I think all of these items reflect the committee's efforts to make San José a vibrant economic and cultural center and great work, team, on that. And on the transportation committee very quickly I just wanted to also thank Ed Shikada, Hans Larsen and Kerrie Romanow and staff from the ESD and DOT. We are working on community choice aggregation in September. I hope this report situates its issue with the city's larger efforts to meet our green Vision goal of 100% renewable energy and discuss as possible alternatives. Looking at the changes in Washington I'm sure that funding priorities will affect our transportation updates so I will be listening keenly. Thank you.

>> Mayor Reed: Thank you. Alex do you have some comments on one of these work plans?

>> Alex Gurza: Yes, Alex Gurza, City Manager's office. On the Public Safety, Finance and Strategic Support committee, Councilmember Constant, who is chair of the committee, has -- is requesting that two items that are

on the October agenda be put over until November because he will not be able to attend that meeting. There are two items he would like moved, and so on the October 20th agenda it is item number 5, the police department's report on operations and performance. And item number 11, the airport police services alternative service delivery discussion. And then the one other item is that on the August 18th agenda, the administration is requesting to move item 11, which is the last item on that agenda, on the work plan for that month, which is the CDBG funds report.

>> Mayor Reed: Well we're hoping when you get there you have something to report on CDBG funds except, federal government kept the money. We'll have to wait and see. So with those requested changes would those be incorporated in the motion?

>> Councilmember Herrera: Yes I made the motion.

>> Councilmember Nguyen: Second.

>> Mayor Reed: Anything else on any of the committees, any changes?

>> Ed Shikada: Mr. Mayor, one technical note on neighborhood services and education meeting the August meeting will be cancelled and I believe all items carried over to September.

>> Actually I have a note from that office that items 3 and 5 will be dropped from the work plan as well.

>> Mayor Reed: Let me find that one. I'm not sure which one --

>> The neighborhoods commission bimonthly I think will be relisted as quarterly.

>> Mayor Reed: Okay.

>> And the city/schools collaborative I don't have the detail but I was told that would be dropped as well.

>> Mayor Reed: Okay. Are those okay with the maker of the motion?

>> Councilmember Herrera: Amend the motion to include those changes.

>> Mayor Reed: Okay motion includes all those changes. Any others anybody needs to talk about? All in favor? Opposed? None opposed, those are all approved. Last item, business is the open government item, appeals of public records act requests. We had I don't know, a month ago I guess we had this public records act request. The chief has responded. His response was in a memo which was in the public record as item A. This is the first chance for the committee to discuss it. Under our standing agenda item. So is there further staff comments?

>> City Attorney Doyle: I would just note that there hasn't been a noticed appeal from a Brown Act standpoint so it's -- you know I'm happy to -- I think the committee can listen and comment but really if there isn't any action to take or any full substantive discussion so I think it's just wait and see what transpires but I just want to caution that it hasn't been noticed as an appeal.

>> Mayor Reed: But we can talk about it under the public record if nothing else.

>> City Attorney Doyle: Yes.

>> Mayor Reed: And I have a request to speak on it as well. Councilmember -- I guess that was Ed Shikada asking.

>> Ed Shikada: Yes, thank you. Sorry Mr. Mayor, members of the committee I would just also note from the City Manager's office perspective as I am now getting more up to speed on card room issues I look forward to working with Garden City on any follow up as necessary on this particular item as well as others.

>> Mayor Reed: Okay, we have a request to speak on this item, Harold Furtado.

>> Thank you. Well first I want to thank the committee for --

>> Mayor Reed: Little closer to the microphone.

>> There we go.

>> Mayor Reed: Thank you.

>> I'm going to need to lower it because I'm a short guy. How's that?

>> Mayor Reed: Good.

>> Thank the committee for their assistance in allowing me to get the information from the police department. I want to thank the police department, Heidi York and agent Perez that sent the information to me. And the only additional request which is what I had hoped for in addition to getting the actual hours it looks like there's three and a half hours of labor involved in securing the employment permit. What exactly the activities are that are associated with those three and a half hours? So is it an hour on the computer, is it calling references, employers is it doing internal revenues checks? Because frankly a background that's done by live scan that's the mechanism to check electronically your fingerprints through a nationwide database, if there's additional background I'd like to know what it is. Sit actually calling people? I think it's probably some time to take to laminate the card and do some computer work so just was hoping for some breakdown beyond that it takes three and a half hours between two people to engage in this activity resulting in a permit. So if I could get some assistance through the committee to direct staff in that regard that would be helpful.

>> Mayor Reed: City Attorney?

>> City Attorney Doyle: Yeah, that's no problem I think. We can work with the managers office and the police department to get that. I would just remind, we can really work with staff and avoid having to come to the committee because we can get that information readily available to you.

>> Great, thank you.

>> Mayor Reed: I take it from Mr. Furtado's comments that three and a half hours seems like a lot of time to laminate the card. So there must be something else going on there. And since this is a cost recovery fee I believe we of course need to justify the fee. I think that's part of the issue. But certainly the documents behind that are public records I believe there shouldn't be any issue about that. Okay. So I assume in the way we handle these things we just treat that as a public records act request and we deal with it --

>> City Attorney Doyle: I think you refer to staff to respond accordingly and we'll respond to the committee as well.

>> Mayor Reed: Okay so referred. Anything else on this particular item? Next item is the open forum. Mr. Wall. Martha O'Connell.

>> David Wall: This has to do with a friend of mine, Mr. Mayor. He's one of the last --

>> Mayor Reed: Get a little closer, I know your voice is rather good but it's not picking up.

>> David Wall: He's one of the last independent billboard barons. He's been a friend of mine for 21 years. I'm not on a payroll, I'm not a lobbyist or anything. He has a judgment pending, on an affirmative housing group house. That was built by the Redevelopment Agency or in part with the Redevelopment Agency. Over there by that golf course in District 5, el rancho. He has a little half-acre property that's basically quasi-land locked. And he just talked to me today to ask you, he would like to talk to you. I told him to come down here, you're a nice guy,

which you are, a decent man but there's some pretty nasty stuff about how that affirmative housing got to be able to build where they did in the first place to obscure one of his billboard signs. And he's amiable to talk to. Once again I'm -- he's just a friend of mine and I'm down here and I told him that I would mention it. No compensation from me in any way, not party or parcel to anything, outside he's a friend. But this business of wanting to develop homes, where that golf course is, is of course some -- I don't ever agree with. Of course I don't want any more residential housing here period. But nonetheless he has this half acre that's there on 101 that he's losing money on and he's wondering, I told him about a term called inverse condemnation or reverse condemnation. Because the way the City's treated him is so poorly that somebody has got to get their attention about homework right before they interfere with property rights of another. It could happen to anybody that has property in this town, and I just wanted to bring it to your attention. I'm certain because of the association with the Redevelopment Agency, somebody in the city knows about this almost \$1 million judgment he has on this affirmative housing.

>> Mayor Reed: Sorry your time is up. Martha O'Connell.

>> I'm very disturbed by a comment that the City Clerk made, and I will be following up with a letter because I don't like discrimination. I was personally told by the office of the City Clerk two years ago that no one could serve on two boards or commissions period, ends of subject. And I know of someone in the last six months who resigned from one commission, to go onto another one because he was told that you could not be on two boards or commissions. So you just voted to put this Sean whatever his name is on two commissions and I'd like to know in writing what the rules are, so we can be assured that they're all being followed for everybody in this city equally. So Dennis I'll be writing you a letter and I'd also like to tell you, you're going to be as this report is coming down from the City Clerk, I sent him two e-mails, I'm still waiting for a response on your continuity clause in your municipal code. I'm told the City Attorney will not put anything in writing. I'd like to know what that continuity clause means. If you are going to eliminate commissions. And I'd like it in writing.

>> Mayor Reed: That concludes the comments under the open forum. That concludes our meeting, we're adjourned.