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>> Mayor Reed: I'd like to call the meeting to order, this is the Rules and Open Government committee meeting for June 23, 2010. Do we have changes in agenda order than what we've got here, okay. June 29th meeting, the meeting was to be cancelled, but we deferred one item from yesterday's agenda to the 29th. I've seen the agendas out on that, nothing really to talk about. July 6th, no meeting. Nothing from the agency on meetings, anticipate that the meeting on Tuesday will be five to ten minutes. Because all we have are ordinances to do the appropriations but we still got to have a meeting. So time-certain? One agenda item it's pretty certain. No ceremonials or anything else, 1:30. Legislative update would be the next item.

>> Betsy Shotwell: Thank you, mayor, members of the committee, Betsy Shotwell, director of Intergovernmental Relations. You do have a measure submitted by the Housing Department related to an issue I know the vice mayor has been very passionate about, having introduced this priority, legislative priority dealing with the issue of poverty levels, and particularly in areas of high expense to our legislative priorities a few years ago. And Leslye Krutko, the director of housing, is here to present or answer any questions. Okay.

>> Mayor Reed: Yes, Judy.

>> Councilmember Chirco: I know our office has been working on a letter in support of something that mayor Bloomberg is doing. So is this -- is this part of that or is this totally separate?

>> Leslye Krutko: Vice Mayor, Leslye Krutko, director of housing. This is separate. This is a state request to set up a task force that would be looking at poverty, and economic stability. And then we are -- we're supporting the efforts at the national level and the letter is ready and so we are working with your office, with that letter. And with that we're responding to some specifics about what the definition of poverty is, and making sure that it works for San José.

>> Councilmember Chirco: Thank you very much. This is really exciting to me. Because, you know, I worked before I got on council, it was such a challenge for the federal poverty level, so many of our families didn't qualify because we're such a high-cost area, and yet they still had the high need. So this is really exciting.

>> Betsy Shotwell: I would like to add, it is not funded through the general fund. I know the committee's always concerned about the cost of the programs. This will be funded by private donations. It passed the senate and is now in the assembly.

>> Councilmember Chirco: I would like to move approval of this.

>> Mayor Reed: Motion to approve. Councilmember Pyle, would you pull your microphone over.

>> Councilmember Pyle: I was just looking at the economic impact of all this. If we get half of the state elevated to the point where they're able to be more participatory in our economic situation, that is a huge win, so with great vigor.

>> Mayor Reed: We have one request to speak on this. Mr. Wall.

>> David Wall: Personally, I'd like everybody to be able to afford to live in Beverly Hills, Los Altos Hills, as a matter of fact, why not just make heaven affordable for everybody. It's not realistic. This is a very high-cost area. If you don't have the skill sets to live here, there's only so many people for so many stratas of economic jobs. There are plenty of other states of the union that are quite affordable to live. This type of program is intractable. I do appreciate that it's funded by private funding but let us not underestimate the tax resources that are going to have to go into this program from an ancillary standpoint over time. This is a bad bill. Meant to pander to a certain group of people who can't afford to live here. They made their own choices to have families. That's fine, that's their choice. But if they can't afford to live here, Mississippi, Alabama, South Dakota, great states. Thank you.

>> Mayor Reed: That includes the public testimony. Vice Mayor.

>> Councilmember Chirco: I think this addresses a problem greater than that. That California is consistently a donor to the federal treasury, and we don't get back to what we donate to the community and our citizens don't

qualify for the programs that the federal government puts out there. It's just for many years this has been a concern of mine and how we are served as a community.

>> Councilmember Pyle: May I add to that?

>> Mayor Reed: Yes.

>> Councilmember Pyle: Last Sunday in the paper we saw on a county level how much money goes into the state from the county and how much we get back. And we are woefully behind where we should be. So we'll add that to your situation as well. Thank you.

>> Mayor Reed: Anything else on this item? We have a motion to approve and this would go on the August 3rd council meeting agenda.

>> Betsy Shotwell: Thank you.

>> Mayor Reed: All in favor, opposed, none opposed, that's approved. One more thing on the legislative update. I did go this morning to the Metropolitan Transportation Commission and spoke in favor of them moving ahead with the governance issues. Basically, San José has no seat, and Santa Clara County has two seats. On a population basis, San José alone is bigger than some places that have votes. Entire counties and Santa Clara County has 25% of the population, and only two out of 17 or so seats. So we're slightly underrepresented in some cases and very underrepresented in others, but the MTC did agree to set up an ad hoc committee dealing with governance being chaired by the chair and the vice chair of MTC to carry this forward. So that was good news, that they're willing to engage with us on governance. And of course I offered to work in a collaborative way to find a solution. But I thought we would find a solution one way or the other, whether it was easy or hard was kind of up to them. So they are going to have this task force which I think is a good move. So that's the report from the morning. I was accompanied by the chair of valley transportation authority our famous Councilmember Liccardo,

and Carl Guardino, representing the Silicon Valley Leadership Group. I appreciate their help, and it was a good meeting.

>> Betsy Shotwell: Thank you, mayor, for your efforts on this issue.

>> Mayor Reed: There's still some more work for us to do. Staff has been working on this for a couple of decades. Well, maybe only one decade. I don't know. Anything else on the federal legislation?

>> Betsy Shotwell: Not today.

>> Mayor Reed: I am contemplating a trip to D.C. July 26th-27th, possibly to make an appearance with the Brookings Institute and the league of cities on some issues that are important to us. And if I do, I'll try to schedule some meetings with the administration on whatever issues are at the top of our list at the time.

>> Betsy Shotwell: I will be discussing that with your staff tomorrow and Patton Boggs staff, coordinating.

>> Mayor Reed: Okay, meeting schedules, nothing to talk about, other than finishing up the last item on the 29th that we mentioned. Public record, anything from the Public Record the committee would like to pull for discussion?

>> Councilmember Chirco: I'd like to pull item A, if that could be pulled for a response.

>> Mayor Reed: Item A is the Atlantic aviation. Anything else? Is there a motion to note and file the rest?

>> Councilmember Chirco: Move to note and file the remainder.

>> Mayor Reed: Okay. Refer Atlantic aviation to the airport staff to respond and note and file the rest. All in favor? Opposed, none opposed, that's approved.

>> Councilmember Chirco: What would you like to do with that?

>> Mayor Reed: I'm sorry, let's go back to the public record.

>> Councilmember Pyle: I would like to -- I think this should be part of our next agenda because I'm receiving hundreds and hundreds of e-mails from this group. And it's become a burden for my office, become problematic.

>> Councilmember Constant: Well, it's interesting that e-mails from people who live in our city and petitions are considered a burden. Because that's what our job is. And I'm not sure what you want to agendize, but if you'd like to call in all the residents from the City of San JosÉ to talk about whether they should be able to petition their government, I'd be more than willing to have a meeting like that. But I don't think it's quite appropriate. The Website that's being referred to, by Councilmember Pyle, is save our services San JosÉ, which I set up. Which is a public advocacy portal for people who live in the City of San JosÉ or do business in the City of San JosÉ or pay taxes in the City of San JosÉ. To be able to easily contact their elected officials. And it's not unique. There is other Websites like that in other parts of the country or for other advocacy groups because the taxpayers should have a right to petition their government. And quite frankly, if you don't like it, you're in the wrong line of work. Because that's our job, we're elected officials and people have every right to petition the government. And due to the fact that I gave them the tool to do it very easily and effectively and it overburdened your e-mail system well I'm sorry. But as you know the mayor of San JosÉ who happens to be sitting at this table, had a similar effort, where he reached out to his southwest which also spans the entire city, my district your district and everybody else's district and asked them to contact the council. This is nothing new. In fact, effective councilmembers should be doing these type of things. We have seen that with the Alum Rock youth who have come together. We've seen that with the Alma community center who's come together, we've seen it before when fire station 2 rebuild was going. It is our job to educate our community and our constituents and it is our job to hear from them whether we like it or not.

>> Councilmember Pyle: It is my job to address letters from my district. It is not my job to address every e-mail from the entire city. Any more than it is your job. You are sending information from your district, and others in the city, to my office. I have -- I do not have a responsibility to get back to every single person in the city that has e-mailed me.

>> Councilmember Constant: No one says you have to. You can feel free to ignore anybody in the city you like. I did not send any of these. I don't think you understand how the technology works. It is a public website available on the Internet that anybody can access to send e-mails to anyone. No different than you having your e-mail address on your Website, or no different than the mayor's e-mails he sends out to to his constituency --

>> Councilmember Pyle: Then I guess we need to find out if our city resources paid for this blog.

>> Councilmember Constant: They did not. You just asked, you just got answered. No, they did not.

>> Mayor Reed: Anything else on the Public Record? Okay, we have a motion to note and file with the one referral. All right, all in favor, opposed, none opposed, that's approved. That's approved. Taking us to the City Auditor's fiscal year work plan. Sharon Erickson is here.

>> Sharon Erickson: Good afternoon, mayor and members of the rules committee. The mission of the City Auditor's office is to independently assess and report on city operations and services. To do this, we do a series of performance audits that identify ways to increase the efficiency and effectiveness of those services and that provide independent, reliable, accurate information to the city council. This report presents a proposed work plan for fiscal years 2010-11. It incorporates suggestions from city councilmembers, from members of the public and city staff. It also includes the results of a spreadsheet model of potentiality audit subjects that we put together on the budget, that's shown in attachment A. The list of proposed assignments for the coming fiscal year includes a mix of projects that address a wide range of concerns that I believe are consistent with the City Auditor's area of responsibility. If I could just briefly walk through those. There are six assignments currently in process that includes the annual external financial audit, a review of pension sustainability, airport food beverage and retail

concessions, take home vehicles, disability requirements, and P card transactions, procurement card transaction, city credit cards. There are five ongoing projects that we do on an ongoing basis. These are semiannual recommendation follow-up reports, compliance reviews for the city's investment portfolio, the annual review of the Team San José performance measures, this year it's a new set of measures. There are annual audits of the voter-approved bond and parcel tax measures, and we do the annual service efforts and accomplishments reports. In addition, we have already initiated, you approved the other day, the police management review that was in the Mayor's Budget Message. That will identify opportunities for efficiencies and consolidations in the police department. We have scheduled a meeting with them for next week to launch that effort. The idea there is to find ways to maximize the number of officers on patrol in keeping with the mayor's message. Then there are a series of projects that we're proposing to add. Some of them are kind of continuing projects, others are brand-new. Again, I'll run through those quickly, and then if you have any questions, I'm happy to answer. The scope of these projects will be more clearly defined as we get into the project. When we get a project that generally the scope is very broad, and as we sit down with the department, learn how the system works, then we focus in our audit projects. So number 13 on this list is recovery act funding. My office has also issued two reports on the recovery act. We were out front of most of the country in issuing those reports on the City's readiness to accept money. That was back when we thought we were going to get like \$800 million. And then on the first quarterly reports, to make sure that we were reporting in accordance with the accountability and transparency provisions, this third report would really focus in on spending and results achieved. So what is actually happened with this money. The number 14 is personnel cost. This is a carryover from the '9-10 work plan. Number 15, information technology, general controls. Then we have housing programs. Again, these would all be, the scope would be more precisely defined as we get into the project. Police secondary employment. Traffic citation revenue. The annual financial scanned of city funded community based organizations. This is a report we presented to you back in April or early May I believe it was. You asked for some feedback on how that's working. The feedback has been very positive. It was positive from the nonprofit community and it's been well received by city staff. It is my recommendation to go ahead and do it one more year. We invested the up-front time to learn how to do it. Try it one more time, we'll do it substantially -- it will be substantially quicker the second time around. I am hearing feedback that it is promoting internal and external accountability. With regard to taxpayer dollars that are given to these organizations. In fact it is my understanding staff was meeting today regarding action plans for some of

these organizations. And certain members of staff have found that graphical presentation to be very useful. So I am recommending we try that one more year and then reassess at the end of the second year. I am recommending number 20, an additional audit of card room oversight, our first report looked at licensing and permitting. I'm register that we look at the efficiency and effectiveness of the other card room regulatory functions. Number 21 is supplemental military pay calculations and processing. I've been approached to look at, to identify ways that we could potentially streamline that process. Number 22, is form 700 filers. We ran into this issue when we did the retirement travel audit and would like to pursue this a little bit to make sure that all people who are required to file are filing. We would not be second-guessing FPPC, you know, questions. It would simply be are the appropriate people filing. Number 23, was fire department performance measures. This follows up on our service efforts and accomplishments report, and also, the report we had issued last September on performance management reporting in San JosÈ. Number 24 is Santa Clara County cities association, this is a very quick annual review that we do of their expenditures once a year. Then number 2005 is redevelopment agency, development agreements. That is per an agreement with the agency, that can call us in to do a review of a DDA, development disposition agreement. And finally the city open purchase order for office supplies. This was an issue that several audit shops have looked into. With Office Depot, that is not the city's current vendor but we would like to check pricing and make sure we are getting the appropriate pricing. That's kind of a summary of the projects that we're hoping to put on the list this year. There are a number of other projects have been requested or were identified that I don't feel that we're going to have time or resources to this year, but I would welcome your input. Again, six of these projects are underway, plus the police staffing item. Scheduling of new projects, because those six are already underway, my staff is fully committed. As we schedule new projects, we'll be sensitive to auditee work loads, so the workload in the departments we are auditing to your priority concerns. And then the availability of my staff. We're of course coping with the same kind of staffing reductions that every department is so I'm trying to keep this list pretty reasonable, understanding that we've drifted down from north of 18 people now to 15. So we're maximizing uses, resources that we have. I will use our monthly report to keep you informed of our progress. And in those monthly reports at any point we can add or delete items from the work plan. I'd be happy to answer any questions.

>> Mayor Reed: Thank you. I had a couple of questions in terms of the timing of the ones on your proposed assignments. First, is item number 2 the pension sustainability which is in process. As we get into negotiating next year's collective bargaining agreements probably in January, pensions will be an issue and if you could have that work done prior to that I think it would be very informative for the discussions we're going to need to have with our bargaining units about the pension system. The same may be true about item 14, personnel cost, that information may be very helpful. So I just recommend you talk to the City Manager's office about how that might fit into developing a baseline data for negotiations for next year's contracts. Anything else? Pete?

>> Councilmember Constant: Just -- the ongoing comment about all the great work you guys do. The only one that, in the considered but not recommended at this time, I think you and I may have had a discussion about, is the overhead rates. I know that's been subject to discussion every year when we get through budget or when we go through the Team San JosÉ or any of the outside groups as we monitor them, public safety, finance committee, seeing how that overhead rate changes. And it seems to be not always really definable. So that's something I'd like to see, but I don't think it's a priority over all the other things, I think it's something we ought to keep in mind for at some point slotting it.

>> Sharon Erickson: Excellent.

>> Councilmember Chirco: My usual comment, it has to do with your great work, Sharon, and oh, my goodness. I mean, I realize you did take some off, just on the restrictions of -- but I continue to be impressed by your workload and the capacity of your team. So thank you.

>> Sharon Erickson: Thank you, I'll pass that on to the team. Thank you so much.

>> Councilmember Chirco: I'll move approval.

>> Councilmember Constant: Second.

>> Mayor Reed: Motion is to approve the work plan, all in favor, opposed, none opposed, good luck getting through that challenging list. Our next item is, open government issues, appeal, public records act request. We have an appeal of the denial of access to public records requested by Evan Keyser, dated May 13, 2010. I did receive, and I think it was passed out to everybody, a letter that came in from Evan Keyser on behalf of spotcrime, as part of that appeal, so we have that. I don't think Mr. Keyser is able to be here, because he is from out of state. His letter is his comment, so we don't need to have him speak first, we'll let the staff respond.

>> Lisa Herrick: Thank you, Mr. Mayor, members of the committee, Lisa Herrick from the City Attorney's Office. Also with me is Carl Mitchell from the attorney's office as well, and then Stephen Denoto, who is the chief administrative officer, project manager in the crime analysis unit at the Police Department who is going to give us briefly some context about just what the -- how we got to crimereports.com, which is important. It is important really because really if we focus on the request from spotcrime, and that's the company seeking this information, the request is for certain specific information, going back to 2008, and then up to the time of the request that was made, about a year ago, and then they wanted that information on a daily basis, as well. On further clarification, the spotcrime informed Tom Norris, our public records manager, that really he wanted everything that we gave to crimereports.com. So it is important to get some context about how we got to our relationship with crimereports.com. So that's why Stephen de Noto will talk about that.

>> Thank you, Lisa, Mr. Mayor, Good afternoon, Rules Committee, Stephen de Noto from the police department. In early 2007 as part of the department's efforts to revamp the public safety website, SJPd.org, Chief Davis and Captain Kirby challenged staff to operationalize an idea that they shared which was to improve the way in which crime data was furnished to members of our community. Specifically they envisioned an intuitive map-based application that would provide end users with an opportunity to interact with data based on geographic areas of interest. And the idea at the time was -- represented a significant advance, as crime data historically, high volume crime data for the web, was only listed in summary, descriptive, tabular formats. It's important to note from the outset that their idea was not in response to any PRA request or any company trying to initiate a technology project. And it predated the good work of the -- conducted by the SRTF in which Captain Kirby served as a technical advisor. The idea in fact was born from the idea of continuous improvement. They were proactively

trying to innovate, and they recognized that as a progressive major city law enforcement agency, they -- it was important to go beyond simple tabular listings of crime data and provide high-quality information on an interactive map in a transparent manner. So staff quickly developed the web-based mapping front end in house based on the newly released, then newly released and fully available Google maps API. The front end worked, but it was essentially just a shell of an application, because the most important part of the application, and the most complex part of the project equation, was the data integration. And beyond that, with no way to extend securely and reliably from behind the department's firewall out to the community, it seemed at the time that we had probably taken the product as far as we could. So though well-intended, the department was constrained by a lack of technology staff and resources, and we were competing with other higher-priority technology projects, and there was no dedicated fund for a project of this scope or complexity. So while the business case initially was to develop and extend this capacity to the community on our own, the problematic conditions that I just mentioned required us to go back to our business case and reevaluate. Fortunately for us at that time, we came across an advertisement from the company called Public Engines which provides the service crime reports at crimereports.com through a advertisement on a dedicate law enforcement-only listserve. And we contacted them, and as we conducted our due diligence we quickly learned that this could be, if we galvanized it, a productive and mutually beneficial partnership. That the union of subject matter experts from both the department and from the company could both jointly resolve the data integration issues and deliver an effective technology solution for the benefit of community members and officers alike. Crime Reports expended a considerable amount of staff time and cost to develop a proprietary software application call the publisher which was designed to access, extract, format, package, encrypt and deliver data on an automatic basis each day from an archived CAD database through a secure connection through the firewall to the company's web servers at a FEJIS-compliant data center, and once the data is received by the web servers, the data is processed and mapped and served back to the public via the Website. And this is critically important. So that any member of the public can access it, no matter where, no matter when, no matter what the purpose. And when I mentioned the term data, I'm referring to seven fields of data from the CAD database, specifically the event date and time, the location, the event number, the final call type, the final call priority, and the final call disposition. And when I refer to the data being processed I'm referring to innumerable rules in scripting that was developed at cost by Crime Reports to properly de-identify exempt data from the nonexempt data and to ensure precise geocoding for address-based data so that they show

up on the map properly. Now, since Crime Reports recognized in the department an agency with the will and the expertise to make that their application successful, they deemed us what they call foundation partners, which meant that we could extend the service to our community for free for as long as we choose to use the service. And we truly fancy the ASP model, the application servers provider model. We know the city does, as well. Because there is no requirement for extra staff, there is no additional burden on existing or limited staff, no capital outlay for hardware or software, no specialized training, but the community can enjoy the guaranteed uptime of the application and the ongoing future development paced with the evolution of the service by the company. This is a true software-as-a-service model. Now, as you may recall, we launched the crime report service on September 17th of '07 to great effect. We were the first law enforcement agency in the nation to launch using CAD-based data. This was a significant decision because the vast majority of law enforcement agencies across the nation tend to use either only incident or arrest data, which is limiting. Essentially CAD-based data reflects -- better reflects the true nature and extent of police-citizen contacts as well as the overall service demands. Access without cost of the service can be gained from the department's Website, and alerts can be e-mailed automatically to end users based on their very preferences. The work conducted by staff in conjunction with Crime Reports in terms of the application requirements and the deployment model served as -- continue to serve as a model for the approximately 800 other agencies that followed San JosÈ's lead across the nation that also use the service. The National Congress for Safe Communities identified our public-private partnership as a nationwide best practice, and now jurisdictions using Crime Reports excuse me serve more than 65 million persons or approximately 22% of the nation's population. This means functionally that as you pan across the map, perhaps considering border effects with the sister city, perhaps where your children go to school at daycare, or where you might move to, all of the data is normalized and co-exists in a consistent manner to facilitate accurate end use and reporting. In the last 30 days, there have been approximately 12,000 page views in San JosÈ, almost 1000 alerts based on San JosÈ addresses are sent out daily, and more than 2600 folks from San JosÈ have downloaded the iPhone app. Finally in terms of feedback, the folks at Crime Reports tell us that based on our work they can provide a turnkey solution to additional law enforcement agencies in the public safety arena in less than one business day. It took us approximately three months' worth of collateral project-based work, and that our model is leading the way towards a new national crime map, potentially supported by the federal government. The sergeant in research and development, Fred Mills, who served as the PRA coordinator for the

department, regards the application as useful and commonly refers PRA requestors to it. In speaking with community members, the application is easy to work with, interesting enough to return back to time and again, isn't -- it is focused, and it doesn't include any adds or popups, and so it's productive for them. From a department and application administrator standpoint, the service allows the PD to strike a balance, a comfortable balance between releasing high volume CAD data while retaining an appropriate level of management capacity to ensure quality control and assurance goals. We feel that we proactively solved a challenging technical problem by initiating an effective public-private partnership with Crime Reports. Working with the staff from the City Attorney's Office from the start we've ensured that the release of data for the service complies with all pertinent legal standards. Most importantly, we've worked out a no-cost solution that improves the overall breadth of data that can automatically, securely and precisely shared with the community to maximize our business imperative, which is to facilitate problem solving goals by helping make our residents more aware and in so doing helping make our neighborhoods safer.

>> Lisa Herrick: I just wanted to frame the issue a little bit more, sort of put some arms around it if you will indulge me. You'll recall that the Public Records Act generally exempts information about investigations that the police department conducts. We've gone through this process before. Some information though -- and so that's referred to as exempt information. Some information is nonexempt, and we do provide that information. Generally we will get the request in the form of a request for a police report for example. And so the department does maintain investigative information in a number of different ways. Police reports which are more tangible, and then this computer aided dispatch data, the CAD data that Stephen was referring to. And so what public engines is doing is really extracting -- it's getting all of the CAD data, extracting the nonexempt, and posting it up on the CrimeReports.com website. And I did give you a visual aid here to sort of see what that looks like. I just pulled it a couple of hours ago. It does use the Google maps interface. You see that I plugged in the address of City Hall to see what has been happening the past couple of weeks. A few things pop up on the left, but then when you print out the full report, you will see that there are -- I didn't count them all, but a few pages of incidents. And it does provide date, reporting agency, the distance from the address that I input and then there is -- you can't see very well here, but it does say for disposition information click here. So it gives you the ability to sort of delve deeper into the Website and get that information. Why is that really important? Because we don't really provide the CAD

data to any other person or entity. But public engines for that vendor to provide nonexempt information to the public. And so because the public has really only entitled to nonexempt information we have no other way of providing that but for our contract with public engines to provide the information to the crimereports.com Website. Now, the information we got, or essentially the written appeal that we got from the representative of spotcrime cited to a couple of section in the public records act, suggesting that we really aren't talking about exempt information, and to correctly him, we are, in many instances and for example, the first site that he puts in the appeal document that he's provided to the committee, talks about information we actually provide to victims. So that comes out of the public records act as to the kind of information that we actually provide to victims only that is not considered a response that we make to the public. As to the other list of information that is cited to, that is the kind of information that we're providing through the Website. We do have an obligation to provide it. We prepare the kinds of -- we prepare summaries of that kind of information whether we're getting requests about police reports but to the extent that we're really talking about that computer aided dispatch data we really can only do so through this Website. We're already providing it and there is no need to provide information that includes exempt information as well, to some other company.

>> Mayor Reed: Okay. I'm sure we have a few questions. Pete.

>> Councilmember Constant: Well, first a comment on the crime reports integration, because I tell you I know a large majority of my constituents use it. Because I get immediate response when there's something that happens in our district. People will send me PDFs or snippets right out of here. I think it's a great tool. I guess more of a technical question but isn't everything that we're being asked to provide, couldn't this person just go to crimereports and ask them to provide? Isn't this information that they're already making milk, why can't we say here is the link get what you want do we have any obligation beyond that?

>> Lisa Herrick: Yes and we have and we have said the information that we're obligated to make public is available on this Website. The request, of course, is for all the information, because I think the speculation is they want to manipulate it in the way that public engines is doing and perhaps be a competitor. We don't know, we

can't really ask that when we're responding to public records act requests, but the point is we are only providing that information because we have a contract with our vendor, not for any other reason.

>> Councilmember Constant: I think you know we have an obligation to provide information and we're providing it. I don't think we need to necessarily provide it in the convenient form that they're asking for. On a minute by minute update like they're asking for. It may be time intensive for them but if the information is that important they can have somebody sit there and monitor the Website and cut and paste. And you know I know it can be done because I get it cut and pasted and sent to me on a regular basis. I think we are providing over and above what a city is required to do and as Steve had mentioned we have been industry leader in this and it looks like a model that has been replicated and federal support coming to make it really widespread. And I think we should be proud of that. And if they really want to do this then they have to take advantage of what we already provide.

>> Mayor Reed: Thank you. I agree with Pete and I think the work that the department did with this is extraordinary. It's really a great piece of work and clearly it's been valuable across the country as others have been able to do it and we are getting a pretty -- well I think it's a pretty good deal is that we get our information published. But we did have to put a lot of work into it in order to do that. So this contract in which we get our data published, I mean this company is a vendor helping us carry out our obligation to make the information public. And that's a really good thing. I don't think we have an obligation to let other people come go through our CAD system. And we certainly wouldn't allow anybody to do that for all the reasons that you outlined. And the information is available. It's really not all that different than posting it on the Web. That's essentially what we're doing it, we're using a vendor to post it on the web, make it available to the public. And I do occasionally take a look at that time crime reports and it's very helpful information. I know my constituents when I was a councilmember used it a lot because they would call me just like they call Pete. So now they don't call me but they call the other councilmembers when something is posted on there that this find of interest so I don't see any reason to grant this appeal. I think the staff is properly handled it and the analysis is correct.

>> Councilmember Constant: I'd make a motion to deny the appeal.

>> Councilmember Chirco: I would second that.

>> Mayor Reed: Motion is to deny the appeal. Any other comment? Okay.

>> Lisa Herrick: Thank you.

>> Mayor Reed: We have received the updated letter from -- that's it.

>> You have to call for a vote.

>> Mayor Reed: On the motion, all in favor, opposed, none opposed, that motion is approved.

>> Councilmember Pyle: Wait a minute, I'm against.

>> Mayor Reed: Councilmember Pyle is opposed. Motion is approved 3-1. And open forum is our next item. David Wall.

>> David Wall: I know you're tired of hearing budgetary issues. So I'll be brief. This cycle did nothing to really address structural changes on how the city is run. This is something you have to take into account. Because that's where a lot of the inefficiencies are. And innovation has to occur. I'd like to give special accolade to Councilmember Pyle, she's responsible for this retirement contribution business. And it should be looked at, at a greater percentage rate. People can save a lot of money this way. You should be thanked for this. The other thing I'd like to see you do, you're very quick at make ordinances these days and I'm very proud of that fact. I'd like to see an ordinance, that supersedes all union contracts for veterans preference. I'd like to see our veterans of our armed forces be the last ones to be laid off irrespective of their time and grade with the city. Thank you very much and you need some time off.

>> Mayor Reed: Thank you. I have a card without a name on it so whoever wants to speak next would be next.

>> That would be me. Hope you recognize me. My name is Bill Chew. Good afternoon, your honor. Congratulations on your landslide reelection. I promise to do everything I can to help you. I would like to thank my friends who voted for me in this election. I ask each of them to do everything they can do to help Mayor Reed as well. Together we can get through these difficult times. Thank you.

>> Mayor Reed: Thank you. That includes our open forum. That includes our meeting. Next Rules Committee meeting would be July 28th. So take a recess.