From: lawrence.ames@lmco.com  
To: SJ-D6NL@yahoogroups.com  
Sent: 10/24/2012 7:57:05 P.M. Pacific Daylight Time  
Subj: [SJ-D6NL] notes from the 10/23/12 Council meeting

FYI,

Recollections and observations from Council evening meeting 10/23/12

by L. Ames

(mainly from memory, without notes: corrections and additions most welcome!)

Agenda: <http://www.sanjoseca.gov/clerk/Agenda/20121023/20121023a.pdf>

included three items of interest:

3.3 Structural Improvements; Potential Consolidation or Elimination of Boards and Commissions.

3.4 Neighborhoods Commission Pilot Program.

3.5 Resolution Amending the Council’s Rules of Conduct of Meetings Regarding Scheduling of Public Hearings.

It was a long and contentious meeting, starting at 6 PM and running well past 10.

**First item: 3.3: Commission Consolidation**

City Clerk, Dennis Hawkins, presents his proposal, little modified from past year, calling for squashing of commissions into a couple Frankenstein-like monsters. Hawkins also provided a supplemental memo, quoting a price for all the cmsns: ~$600,000/year (“but it’s probably much more, since it doesn’t include the 2nd and 3rd staff members that I’ve often seen attending the meetings.”)

Mayor calls for public comment, limiting each person to one minute.

• Mayor ignores all comments, staring at stopwatch and stopping each speaker at exactly 60 sec, mid-sentence, even mid-word.

• I rewrite my talk, and say that I had prepared a nice, respectful and thoughtful 2-min talk, but that 1-min is indicative of council’s lack of appreciation for public comment, participation and involvement, the same message being sent by proposal to squash commissions into meaningless mashes. (I took less than 1 min, so Mayor didn’t get to stop me: he gave no response whatsoever.) (I’m not accustomed to scolding elected officials!)

• Dozens spoke, discussing Arts Cmsn, Youth, Seniors, Housing, Disability, etc.: Mayor ignores all.

Motion by Don Rocha, based on memo:

<http://www.sanjoseca.gov/clerk/Agenda/20121023/20121023_0303att.pdf>

Basically a rewrite of Hawkins memo, undoing most of the damage while appearing to accept the staff recommendation. Keeps most cmsns w/ single-topic focus and with reasonable number of members.

Couple friendly amendments (e.g., naming of some cmsns) accepted.

Discussion on how Council gets recommendations from Cmsns: basically it doesn’t. PLO makes point of having never accepted any recommendations from any Cmsn. Others say that they have sought out comments from Planning Cmsn before voting, and acknowledged Ngh.Cmsn input was useful on budget debates.

Amendment offered by Pete Constant, basically gutting Rocha’s motion. Discussion on need for geographic diversity vs. need for involved and informed volunteers wherever they may live. Size of commissions?—don’t want to become unwieldy. Oliverio supports Constant’s amendment, but it is eventually defeated by 8-3 vote.

Oliverio offers amendment: let each councilmember contribute salary of their admin to pay for cmsns. PLO claims he doesn’t need staff (“I can read and write my own emails”): giving up $60k from each of 10 districts = $600k. Rest of Council say they don’t want to delve into budget discussions now: amendment defeated 9-2.

Back to original motion by Rocha, supported by co-authors Liccardo, Pyle, Kalra, and by others.

Councilmembers all took turns thanking Hawkins for hard work, and audience/commissioners for volunteering time to speak and to serve on cmsns.

Vote: passed. (I think it was 9-2, w/ PLO and Constant against.)

Cmsns directed to come up w/ better way of communicating w/ Council: don’t go thru staff and annual reports, but instead have Cmsn chair (or delegate) submit notes and recommendations directly.

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**3.4: Neighborhoods Commission**

Motion by Rose Herrera to extend the pilot program thru end of Fiscal year 2012-13 (i.e., up thru next June).

• Discussion w/ City Lawyer on whether something that had already been sunsetted could be restarted, and what would be the purpose?

• Council not quite sure what Ngh.Cmsn. charter should be; don’t want to tackle now w/ all the chaos caused in what they’d just done to all the other Cmsns.

Public comment. A number of Ngh.Cmsnrs speak (1 min!): I say how Ngh.Cmsn. would be great forum for discussions on how Envision 2040’s Main Streets interface w/ the adjacent existing communities. Also, place to talk about Urban Villages, Riparian Corridors, Trees, Signs & Billboard ordinances, etc. And a great venue for City Staff to beta-test their proposals and presentations.

Council votes to extend Ngh.Cmsn. pilot program thru June 2013. Added to our work-plan: we are to discuss and recommend changes to our charter, how to streamline our self-selection process, and other ways to improve. It seems staff was unprepared for Council to make a recommendation to extend pilot program and gave no real direction to Council on how to move forward.

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**3.8-a (revisited): Minimum wage Ballot-measure D**

Council revisited a vote from that morning: Pyle had voted in support of proposal to endorse opposition to minimum wage measure D, but said that she had meant to abstain. Would change outcome: had passed 6-5, now would fail 5-5-1.

• Each Councilmember repeated conversation from the afternoon.

• PLO said that he had respected Pyle’s position, but now he accused her of caving to political pressure after getting a phone call.

• Pyle said she hadn’t been contacted and was insulted by PLO’s comments.

• Rocha tells PLO to shove it (not in those words).

• Others say voters won’t be influenced by city’s endorsement one way or the other, but it is symbolic and representative of opinions of the councilmembers

• PLO states opposition to raising min.wage: his district is next to Campbell and Santa Clara, and businesses would flee to those less-costly locations. He kept saying costs would go up 38% if wages go from $8 to $10: others questioned that number, and he claimed that was due to high taxes and benefits.

Electronic voting not working: vote by hand:

5 supporting taking action to oppose Measure D, 5 opposed to acting, 1 abstained (after mistakenly again raising her hand, but this time pulling it down before it was counted.)

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**3.5: Scheduling of Public Hearings**

Recommendation of Staff was to eliminate evening mtgs for land-use issues.

Motion by Pyle, Liccardo and Rocha: undo Rule Committee recommendation and continue as in the past year, confirmed by Director Horwedel.

Public comment:

• I say that if evening mtgs are eliminated, that limits public comment: few could take time off from work, and you’d only get retired folks attending. “If you’re doing this so you’ll see me less often, it might backfire: I might just retire and then I’d be attending every meeting!” (I think I saw some Councilmembers grimace or shudder!)

• Helen reads letter from Committee For Green Foothills position paper.

Discussion:

• Does motion require 7PM mtgs, even if nothing of interest?

• Do all land issues have to go to 7PM?

• PLO concerned: what if there’s a rush job: if have to wait weeks for evening mtg, might be too late. He was concerned about economic development projects, making sure they had priority. Staff answers that they have flexibility to call a 2nd 7PM mtg.

• Who decides which issues are “interesting” and warrant an evening mtg? (Joe Horwedel answers question to Council’s satisfaction.)

Vote: to accept motion that basically keeps things the way they were.

Council then went on to discuss some land-use matters, but it was 10 PM and I was hungry and tired.

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This draft is of my recollections: additions and corrections are most welcome!

~Larry, 10/24/12