



# Memorandum

**TO:** Honorable Mayor &  
City Council Members

**FROM:** Lee Price, MMC  
City Clerk

**SUBJECT:** The Public Record  
October 29 – November 4, 2010

**DATE:** November 5, 2010

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## ITEMS TRANSMITTED TO THE ADMINISTRATION

## ITEMS FILED FOR THE PUBLIC RECORD

- (a) Email from Local Agency Formation Commission of Santa Clara County (LAFCO) Executive Officer Neelima Palacherla dated November 4, 2010 to Mayor Reed and Council transmitting the Notice of Availability and Final Public Hearing for 2010 Revised Draft Countywide Fire Service Review Report.
- (b) Email from Matt Silverman dated October 29, 2010 to Mayor Reed and Council suggesting the PayLock System for parking violations.
- (c) Notification of Pacific Gas and Electric Company's Application to Share the Costs of California Solar Photovoltaic Manufacturing Development Facility Under the U.S. Department of Energy Photovoltaic Manufacturing Initiative dated November 2, 2010.
- (d) Letter from David Wall to The Office of the Commissioner of Baseball dated October 29, 2010 regarding "San Francisco Giants violate the human rights of Texas Rangers in Game 2."
- (e) Letter from David Wall to The Office of the Commissioner of Baseball dated November 1, 2010 regarding "2010 World Series Baseball Report; Keep the Oakland Athletics in Oakland."
- (f) Letter from David Wall to The Office of the Commissioner of Baseball dated November 2, 2010 regarding "The 2010 world Series is now for the ages. God Bless America!"
- (g) Letter from David Wall to Mayor Reed and City Council dated November 4, 2010 regarding "The Ghetto Life: Update on the SCEP" (Photos on file in the Office of the City Clerk).
- (h) Letter from David Wall to Mayor Reed and City Council dated November 4, 2010 regarding "Admit the Office of Cultural Affairs is a failed program. Dump OCA program in its entirety."
- (i) Letter from David Wall to Mayor Reed and City Council dated November 4, 2010 regarding "Electric cars: Good idea if PG&E has the requisite number of power plants to produce electricity."

Honorable Mayor and City Council Members  
November 5, 2010  
Subject: The Public Record: October 29 – November 4, 2010  
Page 2 of 2



Lee Price, MMC  
City Clerk

LP/tld

Distribution: Mayor/Council  
City Manager  
Assistant City Manager  
Assistant to City Manager  
Council Liaison  
Director of Planning  
City Attorney  
City Auditor

Director of Transportation  
Public Information Officer  
San José Mercury News  
Library  
Director of Public Works  
Director of Finance

**From:** Abello, Emmanuel [mailto:Emmanuel.Abello@ceo.sccgov.org]

**Sent:** Thursday, November 04, 2010 10:40 AM

**To:**

**Subject:** Notice of Availability & Final Public Hearing for 2010 Revised Draft Countywide Fire Service Review Report

Attached is the Notice of Availability and Notice of Final Public Hearing for LAFCO's 2010 Revised Draft Countywide Fire Service Review Report. The Revised Draft Report is now available on the LAFCO Website at

[http://www.santaclara.lafco.ca.gov/Projects/2010FireSR/LAFCO Revised Draft No Markups 2010-29.pdf](http://www.santaclara.lafco.ca.gov/Projects/2010FireSR/LAFCO_Revised_Draft_No_Markups_2010-29.pdf). Also, for your convenience a copy of the Revised Draft Report with the tracked changes shown is also provided at

[http://www.santaclara.lafco.ca.gov/Projects/2010FireSR/LAFCO Revised Draft Redlined 2010-29.pdf](http://www.santaclara.lafco.ca.gov/Projects/2010FireSR/LAFCO_Revised_Draft_Redlined_2010-29.pdf).

For your information, this notice was sent to the following individuals and agencies:

- Fire Chiefs, Fire Commissioners, County Fire Marshal, and Volunteer Fire Companies
- City Managers, and County Executive
- City Council Members through the City Clerk, County Board of Supervisors, County Clerk of the Board
- County Administration, County Emergency Medical Services Agency Director, County Communications & Dispatch Director, and County Planning and Development Director
- LAFCO Commissioners, and various Interested Parties

Please feel free to forward this email to others that may be interested in the Revised Draft Report or the upcoming Final Public Hearing.

Thank you.

Neelima Palacherla

Executive Officer  
LAFCO of Santa Clara County  
70 West Hedding Street San Jose CA 95110  
Ph: (408) 299-5127 Fax: (408) 295-1613  
[www.santaclara.lafco.ca.gov](http://www.santaclara.lafco.ca.gov)

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**Follow County News - [www.twitter.com/SCCgov](http://www.twitter.com/SCCgov)**



**Date:** November 3, 2010  
**To:** Fire Chiefs  
City Managers and County Executive  
Interested Parties  
**From:** Neelima Palacherla, LAFCO Executive Officer  
**RE:** **NOTICE OF AVAILABILITY & FINAL PUBLIC HEARING:  
2010 REVISED DRAFT COUNTYWIDE FIRE SERVICE REVIEW REPORT**

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**Revised Draft Countywide Fire Service Review Report Available for Public Review and Comment**

The Revised Draft Countywide Fire Service Review Report is now available for public review and comment on the LAFCO Website ([www.santaclara.lafco.ca.gov](http://www.santaclara.lafco.ca.gov)) under "What's New." For your convenience, a copy of the Revised Draft Report with the tracked changes shown is also provided. The Revised Report presents a comprehensive review of fire protection and emergency medical response services in Santa Clara County. It also includes service review determinations for the agencies and sphere of influence recommendations for the four fire districts.

You may provide written comments on the Revised Report by mail to: LAFCO of Santa Clara County, 70 West Hedding Street, 11<sup>th</sup> Floor, East Wing, San Jose, CA 95110 OR you may email your comments to: [neelima.palacherla@ceo.sccgov.org](mailto:neelima.palacherla@ceo.sccgov.org) OR [dunia.noel@ceo.sccgov.org](mailto:dunia.noel@ceo.sccgov.org).

Written comments received by December 1<sup>st</sup> will be included and addressed in the staff report that will be provided to the LAFCO Commission in advance of the December 15, 2010 Final Public Hearing. Written comments received after December 1<sup>st</sup> will be provided to the LAFCO Commission at the December 15, 2010 Final Public Hearing and addressed at that time.

**LAFCO Final Public Hearing on the Revised Report: December 15, 2010**

LAFCO will hold a Final Public Hearing to consider the 2010 Revised Draft Countywide Fire Service Review Report and to adopt the Report.

**LAFCO Public Hearing:** December 15, 2010  
**Time:** 1:15 P.M. or soon thereafter  
**Location:** Board Meeting Chambers  
70 West Hedding Street, San Jose, CA 95110

Following the Final Public Hearing, LAFCO will finalize the Report and notify affected agencies and interested parties concerning its availability. The Final Report will be available on the LAFCO website for downloading and on file in the LAFCO Office.

Please feel free to contact me at (408) 299-5127 or Dunia Noel, LAFCO Analyst, at (408) 299-5148 if you have any questions or concerns. Thank you.

Cc: City Council Members and Board of Supervisors  
LAFCO Commissioners

RECEIVED  
San Jose City Clerk

2010 OCT 29 P 3: 42

**From:** Matt Silverman (PayLock)  
**Sent:** Friday, October 29, 2010 12:06 PM  
**To:** District1  
**Subject:** Over \$20 Million owed to San Jose... We can help

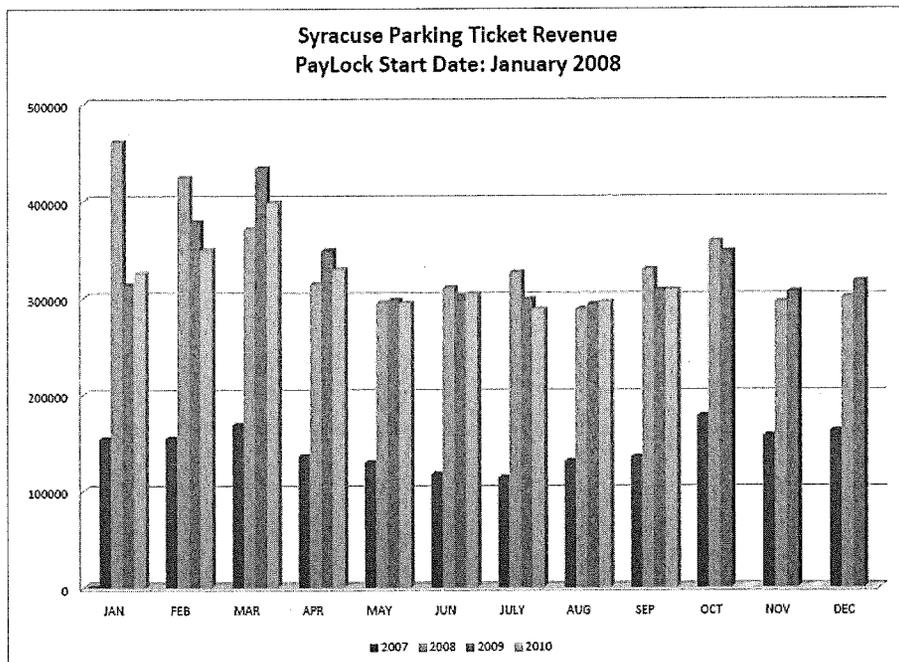
Dear Councilmember Constant:

In cities across this country, 10% to 50% of people who receive parking tickets ignore them. This usually adds up to millions of dollars in uncollected revenue. In larger cities the "millions" owed are in multiples of 10 and 100. In San Jose, that number is more than \$20 million.

Cities are turning to **PayLock** for help collect effectively and compassionately. Using sophisticated scanning technology and proprietary equipment, and using your field staff or ours, we help find and immobilize vehicles owned by those owing parking and other types of vehicle-related debt. What makes this approach so unique is that once we take payment over the phone (we are open 24/7), we let motorists take the boot off by themselves. That's right. Our sturdy, yet lightweight immobilization device has an electronic key pad that can be unlocked with the correct code.

Sounds weird? Maybe, but since we started, our approach has been used to prompt payment 130,000 times. And only a handful of our "SmartBoots" have not been returned. This creative solution has been so successful that Mayor James Baker (Wilmington, DE) and **PayLock** received the U.S. Conference of Mayors Award of Excellence in 2008.

Our methodology confirms that people place a very high value on TIME. Follow-up surveys show that – while customers are not happy that they had to pay their debt – they are thrilled that the entire process takes less than five minutes of their time. FYI - I've attached a more detailed write-up on the creative process that we follow to help motorists pay their parking debts – quickly and painlessly.



We promise and deliver fiscal benefits, program efficiency, and customer satisfaction.

Even during the "Great Recession", our program has been successful. In the three years since we started with the City of Syracuse, NY parking ticket revenues have more than doubled. Not only do we collect millions from scofflaw motorists who's vehicles are immobilized, but where these programs results in many millions

more as a result of collection rate improvements as motorists pay fines and fees at a higher rate, voluntarily. In cities like San Jose that do not currently immobilize vehicles, implementing a Smart Booting program will create a tremendous surge of payments from those who previously notices sent by the City and DMV.

InI've attached a write up describing how our patented process helps get people back on the road – quickly and compassionately.

Since our compensation is tied to program success we provide all equipment, software, data integration – all the tools to succeed - at no upfront cost. In many cases, cities pay nothing at all.

If collecting millions in additional revenue at no upfront cost with no political fallout is of interest to you, please give us a call. We can help!

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*This service offering is currently used successfully by the following municipalities: Baltimore, MD; Oakland, CA; New Orleans, LA; Montgomery County, MD; Wilmington, DE; Hoboken, NJ; Providence, RI; Prince Georges County, MD; Richmond, VA; Syracuse, NY; Fredericksburg, VA; Rochester, NY; and Norwalk, CT.*

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**PROMOTING FAIRNESS, RESPONSIBILITY AND COMPLIANCE**

PayLock IPT LLC – 908-595-6900 – [www.paylock.com](http://www.paylock.com) - 205 West Main St. – Somerville, NJ – 08876

Matt Silverman  
PayLock IPT LLC  
908-595-6900 x104  
[www.paylock.com](http://www.paylock.com)

## **PayLock's Collections Solutions**

### **Helping City's Collect Vehicle Debt – Helping Motorists Get Back on Track**

Besides engineering more efficient city operations, municipalities must find new ways to increase revenues as well, to help close persistent budget gaps. Today, implementing new methods to collect every unpaid fine and/or fee possible is a political necessity. Reducing government debt and collecting more effectively in the future is achievable but might not be sustainable if the responsible agency becomes too aggressive in its efforts. Finding collections strategies designed to be fair and sensitive to an individual's circumstances is also a public responsibility. Implementing debt recovery programs that find the right balance between firmness and fairness is essential to long lasting success and program sustainability.

The unique field-collections solutions provided to cities by PayLock IPT LLC since 2004 meet this challenge every day, by deliver the right blend of effective, yet customer sensitive, collections.

By targeting only those motorists who have ignored multiple parking and moving tickets (sometimes called scofflaws), PayLock's patented approach consists of immobilizing vehicles with its one-of-a-kind, self-releasing, SmartBoot. By using License Plate Recognition technology, finding targeted vehicles is not very difficult as PayLock's clients have immobilized more than 130,000 vehicles owing millions of dollars. Once a SmartBoot is applied, the vehicle is unable to move and motorists have no choice but to pay what is owed. Vehicle immobilization is the most cost-effective way to collect unpaid vehicle-related debt.

In designing its solution, PayLock also took a customer-centered approach including the following key features that are unique to the parking industry:

- **Help is always available** – PayLock staffs a telephone call center that never closes. Open 24/7, when motorists call, there is always someone who can help them.
- **Time is not "wasted"** – Because the SmartBoot can be released by the customer transactions usually take less than five minutes. (compared to hours or days when using towing as a means to collect). This means that an individual's daily routine is not jeopardized and they are not made late for work, a business meeting, or picking up a child.
- **Finding payment solutions** – When a motorist can't pay, PayLock staff conference call friends and family members to help pay on their behalf. This includes international calls if necessary.
- **Charging as a last resort** – Before charging a late fee, PayLock staff will call motorists to remind them to return the device. Late fees are always waived when customers commit to meeting this obligation
- **Helping reduce customer cost** – Additional tow and storage fees can be incurred by motorists who forget when their immobilized vehicle is due to be towed (usually 48 or 72 hours). Following PayLock's "Last Licks" policy, Help Center staff place reminder calls to help motorists avoid towing.

Like all of us, motorists are responsible for their actions when they illegally park and then fail to pay parking fines. Yet, today's safety net is stretched thin. Stressing accountability and compassion are not incompatible goals. PayLock helps cities achieve that vision every day.

November 2, 2010

TO: STATE, COUNTY AND  
CITY OFFICIALS

NOTIFICATION OF PACIFIC GAS AND ELECTRIC COMPANY'S APPLICATION TO SHARE  
THE COSTS OF CALIFORNIA SOLAR PHOTOVOLTAIC MANUFACTURING DEVELOPMENT  
FACILITY UNDER U.S. DEPARTMENT OF ENERGY PHOTOVOLTAIC MANUFACTURING  
INITIATIVE

On November 1, 2010, Pacific Gas and Electric Company (PG&E) filed the above referenced application with the California Public Utilities Commission (CPUC). In this application, PG&E asks for authorization from the CPUC to recover costs from contributing matching funds to support the establishment of a first-of-its kind photovoltaic (PV) manufacturing development facility developed by SVTC Solar (SVTC). SVTC has submitted an application for a U.S. Department of Energy (DOE) grant to develop this facility in San Jose, CA, and matching funds are required by the DOE to support SVTC's application. The facility would support new forms of PV technology, which is a method of generating electrical power using solar panels.

**What is the SVTC PV Manufacturing Development Facility?**

The proposed San Jose, CA facility would help emerging PV companies progress from the research and development stage to the production stage faster and more cost effectively. The facility offers PV companies access to space and to advanced, up-to-date equipment. Firms would pay a service fee to test and improve their PV technology currently in development. The facility would also house manufacturing experts who would be available to advise resident PV companies and provide a hands-on educational experience for students interested in pursuing careers in the solar industry.

PG&E's application asks for CPUC approval to recover PG&E's share of the matching funds, which would support establishment of the manufacturing development facility. If the project is approved by the CPUC and funding is approved by the DOE, PG&E's share of the electric costs incurred on this project would be recorded to the Distribution Revenue Adjustment Mechanism (DRAM) for cost recovery.

**Will rates increase as a result of this application?**

Approval of this application would result in an increase in rates. Assuming the DOE approves the grant request from SVTC and the CPUC approves this application, PG&E would increase its electric revenues to cover these costs, plus taxes, by approximately \$35.6 million over a three-year period beginning January 1, 2010. Using the 2012 (highest single year) revenue requirement of approximately \$18 million, the bundled system average rate would increase 0.14% in 2012, relative to current rates, and would not have a significant impact on individual customers' rates.

PG&E intends to seek to structure its agreement with SVTC so that PG&E's share of the matching funds could be reimbursed at a later time, depending on whether the facility is successful.

**FOR FURTHER INFORMATION**

To request a copy of the application and exhibits or for more details, call PG&E at 1-800-743-5000.

For TDD/TTY (speech-hearing impaired), call 1-800-652-4712

Para más detalles llame al 1-800-660-6789

詳情請致電 1-800-652-4712

You may request a copy of the application and exhibits by writing to:  
Pacific Gas and Electric Company  
SVTC Solar  
P.O. Box 7442, San Francisco, CA 94120.

**THE CPUC PROCESS**

The CPUC's Division of Ratepayer Advocates (DRA) may review this application.

The DRA is an independent arm of the CPUC, created by the Legislature to represent the interests of all utility customers throughout the state and obtain the lowest possible rate for service consistent with reliable and safe service levels. The DRA has a multi-disciplinary staff with expertise in economics, finance, accounting and engineering. The DRA's views do not necessarily reflect those of the CPUC. Other parties of record will also participate.

The CPUC may hold evidentiary hearings where parties of record present their proposals in testimony and are subject to cross-examination before an Administrative Law Judge (ALJ). These hearings are open to the public, but only those who are parties of record may present evidence or cross-examine witnesses during evidentiary hearings. Members of the public may attend, but not participate in, these hearings.

After considering all proposals and evidence presented during the hearing process, the ALJ will issue a draft decision. When the CPUC acts on this application, it may adopt all or part of PG&E's request, amend or modify it, or deny the application. The CPUC's final decision may be different from PG&E's application.

If you would like to learn how you can participate in this proceeding or if you have comments or questions, you may contact the CPUC's Public Advisor as follows:

Public Advisor's Office  
505 Van Ness Avenue  
Room 2103  
San Francisco, CA 94102  
1-415-703-2074 or 1-866-849-8390 (toll free)  
TTY 1-415-703-5282 or TTY 1-866-836-7825 (toll free)

If you are writing a letter to the Public Advisor's Office, please include the name of the application to which you are referring. All comments will be circulated to the Commissioners, the assigned Administrative Law Judge and the Energy Division staff.

A copy of PG&E's SVTC Solar application and exhibits are also available for review at the California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102, Monday-Friday, 8 a.m.-noon.

RECEIVED  
City Clerk

NOV 5 A 9:51

David S. Wall  
P.O. Box 7621  
San José, California 95150

RECEIVED  
San Jose City Clerk

October 29, 2010

2010 OCT 29 P 4: 35

**The Office of the Commissioner of Baseball**

Allan H. (Bud) Selig, Commissioner  
245 Park Avenue, 31st Floor  
New York, NY 10167

**Re: San Francisco Giants violate the human rights of Texas Rangers in Game 2.**

**Texas Rangers were made to “squeal like a pig”. Can MLB “stop a game” to spare debasement?**

**Speaking of, “squealing like a pig”, is the same true for the Oakland A’s revenue sharing remedy?**

**Can a MLB Team Owner intentionally and or negligently run a MLB team into the ground?**

Dateline: Friday (10.29.10), San José, California

Right now the Texas Rangers have a good idea why their backsides hurt. No, they didn’t go to a San Francisco bathhouse, get drunk and a couple of days later wake up and wonder why their rear ends hurt. They came to San Francisco and got their butts beat real bad at the ballpark. MLB should have “stopped the carnage” out of respect for the families of the Texas Rangers. Nobody should be allowed to receive a beating like the Texas Rangers received at the pitching and batting hands of the San Francisco Giants.

A discussion of the Oakland Athletics (the A’s) stated financial plight and their “squealing like a pig” to MLB to justify a move to San José is now in order.

Can a Major League Baseball team’s owners / management team intentionally or negligently drive an MLB team into such financial despair to justify a move to another locale?

Does MLB have any form of performance standards of MLB teams; with reference to conduct of owners / management performance and financial audits to prevent a MLB team from having to “poor mouth” to receive “revenue sharing” from other well managed MLB clubs?

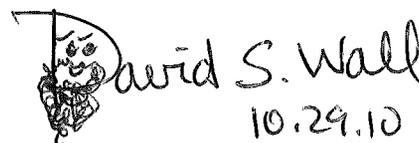
Does MLB monitor the financial status and reinvestment of MLB team owners in their respective teams? Is there a requirement for MLB teams to plan for contributions to invest in the infrastructure needs of the facilities that they operate from, such as their “home stadiums” as a prerequisite for eligibility in “revenue sharing” bailouts? Are a MLB team owners / management held accountable for their administrative decisions?

For example, have the “A’s”; invested in their infrastructure requirements, met performance and financial standards which would have negated the need for “revenue sharing” and the basis for their argument to move to San José?

Or, is the “A’s” move to San José an orchestrated event of “poor mouthing” in order for a MLB team owner to consolidate personal financial investments in a city whose financial situation to support a MLB team is best represented by a group of toothless and penniless crack whores, begging from an unsustainable position using a borrowed tin cup?

*Respectfully submitted and* **FEAR THE BEARD!**

Cc: Mayor Reed and Members City Council  
City Attorney / City Auditor / City Manager

  
David S. Wall  
10.29.10

David S. Wall  
 P.O. Box 7621  
 San José, California 95150

RECEIVED  
 San Jose City Clerk

November 1, 2010

2010 NOV -1 P 3:29

**The Office of the Commissioner of Baseball**

Allan H. (Bud) Selig, Commissioner  
 245 Park Avenue, 31st Floor  
 New York, NY 10167

**Re: 2010 World Series Baseball report; Keep the Oakland Athletics in Oakland.**

**Sizzling fastballs, sliders and the Texas Rangers punish the Giants in Game 3.**

**Near perfect pitching, brutal hits propel the San Francisco Giants nearer to World Champs in Game 4.**

**But, the real stars of the 2010 World Series are...the San José Giants.**

Dateline: Monday (11.01.10), San José, California

As October slid into the ages, it took with it Game 3 and Game 4 of the 2010 World Series. Also, there was probably some collateral damage to the "Trick-or-Treat" community that may have suffered because of baseball and the time period the World Series took place. With the nation glued to the tube some of the youngest generation were rejected and denied from getting more candy than their teeth and their diets should have in the first place. The kids should be watching and or playing baseball anyway.

But no matter, back to the action. Game 3 showed the world the Texas Rangers can still win the World Series and I'm sure the Lone Star state will agree. The Texas Rangers pitching staff was nothing short of ruthless as they retired one San Francisco Giant after another. The methodology was simple, pitch balls to the batters that the batters could not hit. From my vantage point it was the "sliders" that wreaked the most damage on the San Francisco Giants. Also, I can't figure out why the Giants never adapted their strategy that the first pitch was always in the strike zone. Adjustments should have been made.

Game 4 was a "wake up call". The San Francisco Giants played consistently while the Texas Rangers showed that their depth of their pitching staff or the organizational aspects of the talent within their pitching staff could not produce an acceptably consistent work product. This fact was seized upon by the Giants who punished the Texas Rangers in their own house despite the advantage the Texas Rangers enjoy, having two former Presidents of the United States rooting for them every step of the way.

But let us not forget, it was the play of two former **San José Giants**, Madison Bumgarner and Buster Posey who should have reminded everyone that the Minor Leagues produce the Major Leagues. And that is a perfect segue to discuss leaving the Oakland Athletics in Oakland.

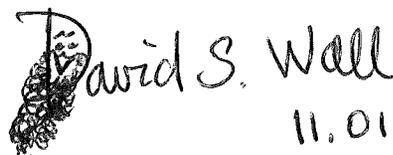
***The scandal involving your friend of many years and his team, the Oakland Athletics should never have gotten as far as it has and continues to this day.*** Moving the "A's" to San José is just plain dumb.

There will be never ending accusations that your friend of many years can cause "influences" in MLB policy and decisions favoring self enrichment for him and or maybe even a tidbit for yourself. You won't be able to shake off the ramifications that "a Committee made you do it" with reference to the Committee that is working to see if moving the A's to San José is just "hunky dory". People in San José still talk about bribery.

Protect the reputation that MLB had been rebuilding after the strike. Keep your friendships were they should be, in the cheap seats and keep "A's" in Oakland.

***Respectfully submitted and FEAR THE BEARD!***

Cc: Mayor Reed and Members City Council  
 City Attorney / City Auditor / City Manager

  
 David S. Wall  
 11.01.10

David S. Wall  
P.O. Box 7621  
San José, California 95150

PUBLIC RECORD f

RECEIVED  
San Jose City Clerk

2010 NOV -2 P 3: 51

November 2, 2010

**The Office of the Commissioner of Baseball**

Allan H. (Bud) Selig, Commissioner  
245 Park Avenue, 31st Floor  
New York, NY 10167

**Re: The 2010 World Series is now for the ages. God Bless America!**

**MLB's organizational leadership did an "outstanding job" presenting the 2010 World Series!**

**Both the Texas Rangers and the San Francisco Giants set the standard for deportment.**

**MLB should give thanks and continue to recognize the sustainable contributions of the Minor Leagues.**

Dateline: Tuesday (11.02.10), San José, California

Game 5 of the 2010 World Series, was played before a packed house in Arlington, Texas and to "packed houses" throughout the United States, was the best game of the series. This game brought out the very best of both teams and despite the score, both teams walked away winners.

Our good friends in the Lone Star state played honestly and with distinction. Fellow Texans in the stands were as gracious as the good state of Texas is strong. If only a fraction of the wholesome family values, love of God and loyalty to our nation that the average Texan demonstrates by example would be incorporated into all of us, our country would be so very much improved.

We are all much blessed with all aspects of the 2010 World Series with special emphasis of the exemplary conduct of the Office of the Commissioner of Baseball to ensure our nation's baseball tradition was well presented and preserved. A congratulatory "Good job, Bud!" is hereby respectfully tendered.

With the end of the 2010 World Series, baseball is refreshed anew and like any growing concern, innovations and improvements to the organization of MLB is underway.

**Thanks to the San José Giants should be forthcoming from Mayor Reed and the San José City Council.**

Despite the obvious lack of "good manners", with reference to the **San José Giants** not receiving any recognition from Mayor Reed and the San José City Council, (even though all of them are very good people and good citizens), the **San José Giants** have a very loyal and sustainable base of support.

**The San José Giants**, from an organizational perspective are very well managed and also good stewards to the community of San José providing; wholesome family entertainment, the best barbeque in town, financial support to San José's tax base with accompanying ancillary support to other business entities, *several World Series star players* and above all, the **San José Giants** instill "the love of the game"!

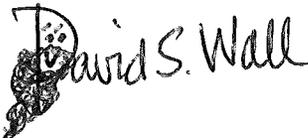
Now, the rubber is going to meet the road with reference to your friend's desire to move his team, the Oakland Athletics to San José. This is a rocky road, fraught with guaranteed perils.

*"Shady land acquisitions" by the City of San José for a ballpark, should concern you.*

Do MLB and yourself a big favor, keep the A's in Oak Town.

**Respectfully submitted and THE BEARD KICKED BOOTÉ!**

Cc: Mayor Reed and Members City Council  
City Attorney / City Auditor / City Manager

 David S. Wall  
11.02.10

David S. Wall  
P.O. Box 7621  
San José, California 95150

PUBLIC RECORD 9  
RECEIVED  
San Jose City Clerk

November 4, 2010

2010 NOV -4 P 3:05

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: THE GHETTO LIFE: UPDATE ON THE SCEP**

On Monday morning (11.01.10), I ventured over to North Tenth Street @ Horning Street to "take the pulse" of the SCEP (Shopping Cart Entitlement Program). I arrived on station at approximately 0909 hours and found five (5) stolen and abandoned shopping carts. *A 76 % decrease as to the number of stolen and abandoned shopping carts from last week is hereby recorded.*

**The "perennial garbage pile"** (PGP) has been reduced. Primarily due to the fire that occurred severely damaging San José Metals and the El Savoy Club just a few yards above Manuel's place. San José Metals, a local recycle shop that is favored amongst the thieves who steal and abandon shopping carts. The number of stolen and abandoned shopping carts at North Tenth Street @ Horning Street is sure to drop off significantly until San José Metals reopens.

Photographs of the destruction were taken from the railroad track side since the San José Police Department had blocked off N. 10<sup>th</sup> Street due to the presence of the San José Fire Department still on scene of the smoldering remains of the two buildings. See attachment of San José Mercury News article on fire.

The "latrine" that is immediately behind the Horning Street railroad crossing control box has been improved. A gracious, but unknown entrepreneur donated a "toilet" to this locale. Photographs were taken of this variation of "public facilities". Of course, one still has to "squat in public", butt that is a small price to pay to comfortably doo number two. Besides, what an opportunity to share one's humanity with the many passersby and it is an opportunity for discussing the economic revitalization of San José.

**The "perennial growing debris field"** (PGDF) along the northbound railroad tracks continues to grow, but not as one would expect. The debris from the devastating fire spilled over into this area. Also, vagrant habitat is still growing and ensures that our society will continue to decay. Soon, we will all be able to bond with our vagrant brothers and sisters who often have body lice and other contagions to share.

The travel trailer, "*The Golden Falcon*" CA # JT 9621 has moved to the N.W. corner of E. Mission Street @ N. 11<sup>th</sup> Street, again. A "fifth wheel" trailer also has left the N.W. side of N. 11<sup>th</sup> Street @ Madera Street. Nomadic living could add a boost San José's vibrant economy.

**Ownership of the stolen and abandoned shopping carts is as follows;**

Mi Pueblo (1), Costco (1), Safeway (1), Office Depot (1) and FoodMaxx (1).

\*"Unmarked stolen and abandoned shopping carts have been "purposefully altered" to shield true identity. \*\*\***special note**\*\*\* the overall cleanliness of shopping carts picked up off the streets and returned to stores should be addressed by some governmental agency. Unsuspecting customers may use excrement coated shopping carts without their knowledge. Shopping carts picked up off the street are "filthy" and are potential reservoirs of microbial agents waiting to spread contagion(s).

The trash pile on N. 11<sup>th</sup> Street @ Horning Street continues to grow.  
(photo attachment on file in the Office of the City Clerk)

*Respectfully submitted,*

Cc: City Attorney / City Auditor / City Manager

*David S. Wall*  
11.04.10

SAN JOSE

LOCAL NEWS

# Fire rips through two businesses

Four-alarm blaze near downtown under investigation

By Mark Gomez

[mgomez@mercurynews.com](mailto:mgomez@mercurynews.com)

A four-alarm fire ripped through two businesses northeast of downtown San Jose on Monday morning, causing about \$2 million in damage, according to fire officials.

The early morning blaze that consumed adjacent buildings on North 10th Street sent flames shooting 20 to 40 feet into the sky, according to San Jose fire Capt. Debbie Ward.

The blaze, which was first reported to the San Jose Fire Department at 2:38 a.m., heavily damaged the El Savoy club at 1030 N. 10th St. and San Jose Metals at 1032 N. 10th St., Ward said.

By 6 a.m., firefighters had mostly extinguished the blaze, Ward said.

The cause of the fire remains under investigation.

No one was injured by the blaze; both buildings were empty when the fire oc-



MARIA J. ÁVILA LÓPEZ / MERCURY NEWS PHOTOGRAPHS

Herminda Mora, left, of San Jose, and niece Laura Gonzalez, of San Jose, salvaged a tip jar, right, from the rubble of an early morning fire at El Savoy on 10th Street.

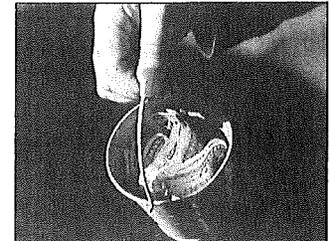
curred, Ward said.

The fire was so fierce that motorists on Highway 101 could see the flames shooting into the night sky and called 911, Ward said.

San Jose Metals has been in business for about 40 years, according to General Manager Ana Ortega, who was awakened about 2:45

a.m. with a phone call about the fire. The metal company advertises that it pays cash for most metals, including aluminum cans. Some of its clients are homeless people who turn in cans for cash, Ortega said.

On Monday morning, Ortega was thankful that the company does not handle



cardboard, which would have provided the fire with additional fuel.

It was not known how long the recycling company will be closed. The company employees 12 people.

"I'm optimistic we'll go back into business soon," Ortega said.

Several employees of El Savoy Club gathered mid-morning to survey the damage and see what might have survived the blaze. One female employee was surprised to find a jar with Sunday night's tips still intact.

Still, several of the employees were saddened to see the place they had worked for several years in ruins.

Contact Mark Gomez at 408-920-5869.

PUBLIC RECORD h

David S. Wall  
P.O. Box 7621  
San José, California 95150

RECEIVED  
San Jose City Clerk

2010 NOV -4 P 3:02

November 4, 2010

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: Admit the Office of Cultural Affairs is a failed program. Dump OCA program in it's' entirety.**

**Office of Cultural Affairs is a poorly managed and failed program with no redemptive value.**

**Latest \$100,000 request for "pilot program" was it a "cry for help" to CED or another "shakedown"?**

Now I don't want to chafe any Councilmember's hides who are assigned to the Community and Economic Development Committee (CED) but retaining the Office of Cultural Affairs is a pretty big and bitter pill to swallow.

The latest "shakedown" of CED by OCA for a \$100,000 with a "no results as usual guarantee", is too much and way, way too late. The parent company of OCA, the Office of Economic Development has to throw this non-performing entity to the dogs where it belongs.

The entire business model for the management of festivals, musical and other cultural enhancing events has to change for the current model is not successful. The current management assigned to OCA should be given the opportunity to be working in low budget carnivals and "creep shows" than producing and managing anything for the City of San José. They are all nice people at OCA, but they are just in the wrong jobs and San José can't afford them anymore.

As 2010 slowly ebbs into the history books, it is time to create a new system of revenue generation with reference to the festivals, music events and related cultural enhancements to the city.

Reducing costs and profitability for taxpayers and then promoters should be the foundational algorithm. The flexible use of city employees in reducing costs was tendered by the Director of OED at the last CED meeting and this is a good idea which should be explored further.

Utilization of all Council Districts in the new business model is imperative. There should always be events occurring in San José throughout the city, not just in the Downtown.

**Furthermore, the Downtown Business Association should be weaned from the public through.**

The funding for the DBA has become a "bloated and unnecessary" entitlement program whose chief beneficiaries are; the management and employees of the DBA, the property owner in which the DBA is housed, friends and cronies of the same, special interests and especially local politicians, in my opinion.

For the economy of San José to improve and be sustainable, OCA is to be eliminated and a new business model must be created, managed and held accountable to the taxpayers.

*Respectfully submitted,*

*David S. Wall*

11.04.10

Cc: City Attorney / City Auditor / City Manager / SJPOA

David S. Wall  
P.O. Box 7621  
San José, California 95150

RECEIVED  
San Jose City Clerk

November 4, 2010

2010 NOV -4 P 3: 01

Mayor Reed and Members San José City Council  
200 East Santa Clara Street  
San José, California 95113-1905

**Re: Electric cars: Good idea if PG&E has the requisite number of power plants to produce electricity.**

**Good idea if there is sustainable income to build and maintain infrastructure requirements.**

**Good idea if the United States controlled the rare earth elements required to build electric cars.**

**Good idea if the United States produced electric cars people want to buy.**

**Good idea if there is a system in place to recycle the hundreds of thousands dead batteries.**

**Otherwise, promoting electric cars is stupid.**

Mayor Reed's "Green Vision" needs some adjustments. It should be scrapped in its entirety. To date nothing of any sustenance to protect and or enhance the environment of San José has been achieved without spending taxpayer dollars foolishly and unsustainably. Electric cars charging stations and battery switch out centers are the next variation of the compact fluorescent light bulbs.

The ongoing mantra of electric cars and how the environment of the planet will be saved by them is ludicrous without planning for and achieving a proven infrastructure to sustain the viability of the economy. Rushing into electric cars as a panacea to environmental and economic problems is unwise.

In California, PG&E has met with opposition to develop enough electrical power generation to meet the needs of this state. Solar panels are not as efficient as they are touted and nobody wants nuclear power plants.

So, what's our Honorable Mayor going to do?

- Quit worrying about what other cities are doing about electric cars, battery switch out centers, charging stations.
- Be very selective on applying and receiving "Federal & State Grant" money. Too many highly paid (and generally worthless) employees at ESD, DOT and Housing are involved in this pursuit. Federal & State Grant money has "conditions" with the money that make the programs they initially support unsustainable in the long run. These Federal & State Grants are "borrowed debt" and serve no real purpose outside of "vote buying" and glitz for the media to feed on.
- Expand the light rail system and forget completely the High Speed Rail crap.
- Expand the use of bicycles and motor scooters.
- Get people walking more comfortably and safe.
- Focus on what you can achieve that is sustainable without reliance of any Federal or State monies.

The economy of San José cannot support the hair brained schemes coming out of the 18<sup>th</sup> Floor. Get the city's finances in shape, downsize government and use what resources you do have. And forget about electric cars and the unsustainable "happy faces".

*Respectfully submitted,*

*David S. Wall*  
11.04.10

Cc: City Attorney / City Auditor / City Manager / SJPOA