

**RULES/AGENCY RULES COMMITTEE**

Meeting Report  
May 5, 2004

PRESENT: Chair Dando; Members Chavez, Cortese, Williams and Yeager

ABSENT: None

STAFF: City Attorney Richard Doyle, Assistant City Manager Mark Linder, City Clerk Lee Price, Council Agenda Manager for the Mayor's Office Jennifer Carlino, Assistant to the City Manager Deanna Santana, and Redevelopment Agency Liaison Gary Miskimon

Chair Dando called the meeting to order at 2:05 p.m.

**A. Redevelopment Agency**

**1. Review May 18, 2004 Draft Agenda**

The Committee recommended approval of the May 18, 2004 Redevelopment Agency agenda.

**2. Add New Items to May 11, 2004 Agenda**

The Committee recommended one change to the May 11, 2004 Redevelopment Agency Agenda:

- **Redevelopment Board Requests**

None.

- **Executive Director Requests**

- a. Change Item 2.4 to read, "Retirement Plan and 457 Public Employee Deferred Compensation Plan. . ."

- (1) Approving an amendment to the Amended and Restated Redevelopment Agency of the City of San Jose Retirement Plan and Trust Agreement, modifying the definition of trustee and appointing three Agency employees as Co-Trustees of the Plan.

- (2) Approving the third amendment to the Redevelopment Agency of the City of San Jose 457 Public Employee Deferred Compensation Plan, modifying the definition of trustee and appointing three Agency employees as Co-Trustees of the Plan.

- **RDA Counsel Requests**

None.

**3. Staff Reports Outstanding**

Documents Filed: Report from Redevelopment Agency Liaison Gary Miskimon, dated May 4, 2004, stating there are no staff reports outstanding for the May 11, 2004 Redevelopment Agency meeting.

Discussion/Action: The Committee noted and filed the Redevelopment Agency Liaison's report.

**B. City Council**

**1. Review May 18, 2004 Draft Agenda**

The Committee recommended approval of the May 18, 2004 City Council agenda.

**a. Additions/Changes**

- a. Present a commendation to Bill Nicolosi, Director, Alum Rock Jazz Program (Campos)
- b. During the evening session, present a plaque to Ric Abeyta for 6-½ years service on the Downtown Parking Board (Mayor)
- c. Accept the Independent Police Auditor's 2003 Comprehensive Ten-Year Overview Report (City Clerk)
- d. Delete Item 4.3, "Approval of a contract to provide advisory services on issues related to the sports industry, theater entertainment facilities, and the San Jose marketplace (City Manager)

**2. Add New Items to May 11, 2004 Agenda**

The Committee recommended the following addition to the May 11, 2004 City Council agenda:

• **Mayor and Councilmember Requests**

There were none.

• **City Manager Requests**

- a. Approve actions related to the Convention Center and Cultural Facilities RFP

• **City Attorney Requests**

There were none.

• **City Clerk Requests**

There were none.

**3. Staff Reports Outstanding**

Documents Filed: Report from the City Manager's Office dated May 4, 2004 listing one staff report outstanding for the May 11, 2004 Council agenda.

Discussion/Action: The Committee noted and filed the City Manager's report.

**C. Legislative Update**

**1. State**

**a. Voting delegate for a special meeting of the League of California Cities General Assembly on May 13**

This item was reported during the May 11, 2004 Council Meeting.

**2. Federal**

There was no report.

**D. Meeting Schedules**

There were none.

**E. The Public Record**

Documents Filed: Memorandum from Acting City Clerk Deanna J. Santana dated April 29, 2004 transmitting items filed for the Public Record for the period April 21-27, 2004.

Discussion/Action: The Committee noted and filed the Public Record.

**F. Appointments to Boards, Commissions and Committees**

There were none.

**G. Rules Committee Reviews, Recommendations and Approvals**

**1. Results of outreach and negotiation for "Evergreen Specific Plan Construction Tax, Building and Structures Tax, and Residential Construction Tax Fee Suspension/Exemption Renewal"**

(Deferred from 4-14-04)

Documents Filed: Memorandum from Deputy City Manager Ed Shikada dated May 5, 2004 providing an update regarding discussions with Evergreen Specific Plan property owners.

Discussion/Action: The Committee accepted the City Manager's report and continued this item to next week's Rules Committee meeting.

**2. Written report regarding the Public Art Process for the San Jose Mineta International Airport**

Documents Filed: Memorandum from Jim McBride, Acting Director of Conventions, Arts and Entertainment, dated April 29, 2004 recommending acceptance of his report regarding the Public Art Process for the San Jose Mineta International Airport.

Discussion/Action: Both Jim McBride, Acting Director of Conventions, Arts and Entertainment, and Deputy City Manager Kay Winer were present to answer Committee questions. Former Airport Commissioner Sharon Sweeney spoke in support of public involvement in the Airport Art process. Following a lengthy discussion, the Committee directed staff to return next week with a verbal update on the timeline for reporting back on the following issues to Rules Committee:

- Examine the square footage of the new Airport terminal
- Obtain an update on the staffing of the Public Art Program
- Facilitate an expanded, meaningful community involvement process that includes Council involvement in the Airport Public Art Master Plan
- Improve the process for an expanded community role in the arts process
- Provide the Council with a refined budget for Public Art at the Airport
- Provide Council with a status of expenditures to date
- Give Council an update on the involvement and strategies for involving local artists
- Expand principles developed for art at the Airport to all City arts programs
- Provide Rules Committee with a presentation on the City's current art policy

**3. Revisions to Building Better Transportation Committee's Workplan**

Documents Filed: Memorandum from Council Member Dave Cortese dated April 29, 2004 recommending a revision to the June 7, 2004 Building Better Transportation Committee meeting agenda.

Discussion/Action: The Committee recommended amending the Building Better Transportation Committee workplan to include High Speed Rail Alignment and Caltrain Electrification for the June 7, 2004 meeting.

**H. Oral Communications**

None were presented.

**I. Adjournment**

The meeting adjourned at 2:50 P.M.

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Pat Dando, Chair  
Rules/Agency Rules Committee