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**RULES/AGENCY RULES COMMITTEE**

Meeting Report  
November 3, 2004

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

ABSENT: None

STAFF: City Attorney Richard Doyle, City Clerk Lee Price, Assistant City Manager Mark Linder, Sr. Executive Analyst Nadine Nader, Council Agenda Manager for the Mayor's Office Jennifer Carlino, and Redevelopment Agency Liaison Gary Miskimon

Chair Dando called the meeting to order at 2:07 p.m.

**A. Redevelopment Agency**

**1. Review of the November 16, 2004 Draft Agenda**

The Committee recommended approval of the November 16, 2004 Redevelopment Agency agenda.

**2. Add New Items to November 9, 2004 Agenda**

The Committee recommended approval of the November 9, 2004 Redevelopment Agency agenda.

- **Redevelopment Board Requests**

None.

- **Executive Director Requests**

None.

- **RDA Counsel Requests**

None.

**3. Staff Reports Outstanding**

Documents Filed: Report from Redevelopment Agency Liaison Gary Miskimon, dated November 3, 2004, stating there are two (2) outstanding reports.

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

**B. City Council**

**1. Review of the November 16 Draft Agenda**

The Committee recommended approval of the November 16, 2004 City Council agenda.

- a. Council Members Cortese and LeZotte's request to add a Censure Hearing was denied.

**2. Add New Items to November 9, 2004 Agenda**

The Committee recommended the following additions to the November 9, 2004 City Council agenda:

**Mayor and Councilmember Requests**

- a. Presentation of plaques to William Pope, for 3 years 7 months service on the Deferred Compensation Advisory Committee; to Jason Loia, for 1 year 5 months service on the Small Business Development Commission; to Arturo Rivera, for 1 year 10 months service on the Small Business Development Commission; to Sean Deleev, for 1 year 9 months service on the Youth Commission; and to Erica Garcia, for 5 years two months service on the Youth Commission. (Mayor)
- b. Presentation of a commendation to De Mattei Construction recognizing its important contribution to the economy. (Mayor/Yeager)
- c. Presentation of an award from American Legion Post 419 and presentation of a commendation recognizing Fire Engineer Stacey Hansen for her efforts on behalf of Vietnam Veterans. (Mayor/Williams)
- d. Presentation of a United States flag from our reservists that was flown in Guantanamo Bay, Cuba. The flag is accompanied by a certificate from the Base Commander stating it was flown in honor of the City of San José. (Mayor/LeZotte)  
**TO BE HEARD IN THE EVENING**
- e. Presentation of a commendation to Valley Christian High School for its contribution to the City of San José as a model school, supporting our community's youth, education and overall growth. (Williams)
- f. Approval of three appointments to the San José Housing Trust Fund Oversight Committee. (Mayor)

- g. Consideration of authorizing an appropriation of funds for the Mayor to hire an Independent Investigator regarding allegations of wrongful termination and improper or illegal conduct by Council Member Gregory. (Mayor)
- h. Approve initiation of a conforming rezoning of the parcels along San Juan Avenue from R-2 to R-1-8, consistent with the City's General Plan. (Chavez)

**City Manager Requests**

- a. Approval of the filing of an extension request for the Bailey Avenue Overhead Grade Separation Project. (Public Works)
- b. Public Hearing and actions related to commercial paper. (Finance) [Joint City of San José City Council/Financing Authority Agenda]
- c. Approval of actions related to the Customer Services and Performance Management System (Finance/City Manager's Office) [Joint City of San José City Council/Financing Authority Agenda]

**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 November 2, 2004, listing four (4) staff reports outstanding for the November 9, 2004 Council Agenda.

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

**C. Legislative Update**

**1. State**

There was no report.

**2. Federal**

There was no report.

**D. Meeting Schedules**

There were none.

**E. Public Record**

Documents Filed: Memorandum from the City Clerk dated October 28, 2004, transmitting items filed for the Public Record for the period October 20-26, 2004.

Discussion/Action: The Committee noted and filed the Public Records with the request that the Administration return to Committee with a summary of communications with Glen Wetzel in response to his request to address Council.

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

There were none.

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

**1. 2004 National League of Cities Voting Delegate and Alternate at the Annual Business Meeting.**

This item was reported on at the November 9, 2004 City Council meeting. [See 11-9-04 Item #3.2]

**H. Oral Communications**

Scarlett Li Lam asked the Committee what the process is for citizen input and/or comments regarding the independent investigation relating to the claim against Council Member Terry Gregory for wrongful termination.

**I. Adjournment**

The meeting adjourned at 2:55 p.m.

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Pat Dando, Chair  
Rules/Agency Rules Committee