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**RULES/AGENCY RULES COMMITTEE**

Meeting Report  
December 8, 2004

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

ABSENT: None

STAFF: Chief Deputy City Attorney Norm Sato, Assistant City Clerk Nancy Alford, Assistant City Manager Mark Linder, Assistant to the City Manager Deanna Santana, Council Agenda Manager for the Mayor's Office Jennifer Carlino and Redevelopment Agency Liaison Gary Miskimon

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

**A. Redevelopment Agency**

**1. Review of the December 21, 2004 Draft Agenda**  
DROP – HOLIDAY CLOSURE

**2. Add New Items to December 14, 2004 Agenda**

The Committee recommended the following additions to the December 14, 2004 Redevelopment Agency agenda:

- **Redevelopment Board Requests**

None

- **Executive Director Requests**

- a. Approve first amendment to the Owner Participation Agreement with Isis Properties, LLC, revising the Escrow terms for the rehabilitation of the building located at 35-49 East Santa Clara Street, also known as the Dr. Eu Building

- b. Approve Amended and Restated Façade Improvement Program Grant Agreements for five properties in the Union and Camden area of the Neighborhood Project Area

- c. Approve the second amendment to the property-use and parking agreement with Montgomery Hotel Group, LLC
- d. Approve an agreement regarding real property with Integrated Device Technology, Inc., to acquire parking covenants and land for public use
- e. Approve the second amendment to the Disposition and Development Agreement with Sobrato Development Company #940, providing for a loan pay-off by the Developer, in the amount of \$3.6 million for Villa Torino and adopt a resolution approving the addition of \$3.6 million to the FY 2004-05 Adopted Other/Miscellaneous revenue
- f. Approve the third amendment to the Acquisition, Disposition and Development Agreement with Adobe Systems, Inc., reducing Agency assistance for on-site parking by \$750,000 for a revised total of \$1.5 million, eliminating Adobe's requirement to provide an on-site child care facility for Adobe employees; and authorizing the Executive Director to update and amend the insurance requirement provisions in the Adobe ground leases; and adopting a resolution approving the reallocation of \$750,000 to the Downtown Business Improvements Pool project line in the Merged Redevelopment Area
- g. Adopt a resolution by the City Council and the Redevelopment Agency making certain determinations related to the Agency's funding of a public improvement, the McEnery Convention Center Interim Expansion Project

- **RDA Counsel Requests**

None.

**3. Staff Reports Outstanding**

Documents Filed: Report from Redevelopment Agency Liaison Gary Miskimon dated December 7, 2004 listing one report outstanding for the December 14, 2004 Redevelopment Agency agenda.

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

**B. City Council**

- 1. **Review of the December 21 Draft Agenda**  
DROP – HOLIDAY CLOSURE

**2. Add New Items to December 14, 2004 Agenda**

The Committee recommended the following additions to the December 14, 2004 City Council agenda:

- **Mayor and Councilmember Requests**

- a. Present the Governor's Environmental and Economic Leadership Award, to the City of San Jose for the West Valley Branch Library (LeZotte)
- b. During the evening session, present a commendation to the Almaden Youth Association (Dando)
- c. Present a commendation to the Silicon Valley/Central Coast Region of the American Cancer Society for its work in eradicating colon cancer from our communities (Dando)
- d. Approve Council Appointee salary recommendations (Mayor)
- e. Adopt an agreement approving the Independent Police Auditor appointee (Mayor)

- **City Manager Requests**

- a. Approve fiscal actions for Redevelopment Agency Capital Projects (City Manager)
- b. Accept the Annual Progress Report on the Implementation of the Housing Element (City Manager)
- c. Approve actions for the Almaden Branch Library and Community Center (City Manager)

- **City Attorney Requests**

There were none.

- **City Clerk Requests**

- a. Add December 8, 2004 Rules Committee Report

**3. Staff Reports Outstanding**

Documents Filed: Report from the City Manager's Office dated December 8, 2004 listing eleven staff reports outstanding for the December 14, 2004 Council agenda.

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

**C. Legislative Update**

**1. State**

Documents Filed: Memorandum from Roxanne Miller, Legislative Representative in Sacramento, entitled, "2004 State Legislative Summary" dated December 3, 2004; 2004 Legislative Matrix; Legislative Status Report, 2003-2004 Legislative Session; a listing of the San Jose Legislative Delegation for the 2005-2006 Legislative Session; and a tentative 2005 Legislative Calendar.

Discussion/Action: Roxanne Miller, the City's Legislative Representative in Sacramento, gave a brief overview of the 2004 Legislative session. She praised the City of San Jose for playing a key role in guiding policy and strategy for passage of Proposition 1A. Ms. Miller reviewed the new San Jose Legislative Delegation, noting leadership positions held by various local legislators. She also noted the State budgets for 2005-06 and 2006-07 will be out of balance by billions of dollars. She suggested the City of San Jose needs to tell the story of its Redevelopment Agency's success in providing affordable housing. Chair Dando informed the Committee that the League of California Cities' Board of Directors voted to support legislative priorities next year on the following issues: protection of Redevelopment Agencies, expand affordable housing and close loopholes in Proposition 42. The Committee thanked Ms. Miller for her outstanding efforts on behalf of the City of San Jose. The Committee accepted the 2004 Legislative Summary.

**2. Federal**

There was no report.

**D. Meeting Schedules**

Documents Filed: Memoranda from Deanna J. Santana, Assistant to the City Manager, dated December 6, 2004 recommending approval of three meetings/study sessions; and from Mayor Ron Gonzales dated December 7, 2004 recommending the December 14<sup>th</sup> Council meeting begin at 10 a.m.

Discussion/Action: The Committee recommended approval for the following meetings/study sessions: Ethics Training Study Session on January 27, 2005; Budget Study Session on January 31, 2005; and a Joint City Council/Santa Clara Valley Water District Annual Meeting on February 15, 2005. The Committee also recommended the following schedule for the December 14, 2004 Council meeting:

8:00 am	Council Assistants Agenda Review
9:00 am	Executive Session
10 am-12 noon	Council meeting begins
10 noon-1:30 pm	Break

1:30 pm Council meeting resumes  
 7:00 pm Evening session

**E. Public Record**

There was no Public Record filed.

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

**1. Recommendation to re-open and extend Mobile Home Advisory Commission recruitment**

Documents Filed: Memorandum from Council Member Terry Gregory dated December 1, 2004 recommending re-advertising the neutral position on the Mobile Home Advisory Commission.

Discussion/Action: The Committee recommended approval to re-advertise for the neutral representative on the Mobile Home Advisory Commission.

**2. Appointment to the Community Development Block Grant Committee**

Documents Filed: Memorandum from Council Member Ken Yeager dated December 3, 2004 recommending appointment of Al Munoz to the CDBG Steering Committee.

Discussion/Action: The Committee recommended appointment of Albert Munoz as the District 5 representative on the CDBG Steering Committee for an unexpired term ending June 30, 2007.

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

**1. Travel Funding Approval**

Documents Filed: Memorandum from Mayor Gonzales dated November 23, 2004 recommending travel funding approval.

Discussion/Action: The Committee recommended approval to fund the Mayor's travel to San Antonio, Texas on October 13-14, 2004 from the Council Travel Fund.

**2. Fraud Hotline Status Report**

Documents Filed: Memorandum from Alex Gurza and Gerald A. Silva dated November 10, 2004 updating the Committee on the proposal for a fraud hotline.

Discussion/Action: The Committee accepted the status report and noted additional information will be provided in January 2005.

**H. Oral Communications**

William Chew thanked Chair Pat Dando for her years of service to the City of San Jose.

**I. Adjournment**

The meeting adjourned at 2:40 p.m.

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Pat Dando, Chair  
Rules/Agency Rules Committee