



RULES/AGENCY RULES COMMITTEE
Meeting Report
March 29, 2006

PRESENT: Chair Chavez, Members Campos, Chirco and Williams.

ABSENT: None

STAFF: City Attorney Richard Doyle, City Clerk Lee Price, Council Agenda Manager for the Mayor's Office Jennifer Carlino, Deputy City Manager Deanna Santana, Agenda Services Manager Nadine Nader and Redevelopment Agency Liaison Gary Miskimon

Chair Chavez called the meeting to order at 2:00 p.m.

A. Redevelopment Agency (Executive Director)

1. Review April 11, 2006, 2006 Draft Agenda
 - a. Adds to the April 11, 2006 Draft Agenda

The Committee recommended approval of the April 11, 2006 RDA Agenda with the following additions:

- a. Adds to the April 11, 2006 Draft Agenda

Approval of an agreement with the Housing Trust of Santa Clara County, providing a contribution of \$250,000 by the Agency for first-time homebuyer loans in San Jose for a total contribution of \$1,250,000 to the Housing Trust of Santa Clara County Endowment Fund.

(Executive Director)

(Rules Committee referral 3/29/06)

2. Add New Items to April 4, 2006 Agenda
 - a. Redevelopment Board Requests
 - b. Executive Director Requests
 - c. RDA Counsel Requests

None. No meeting on April 4, 2006.

3. List of Reports Outstanding

Documents Filed: Report from the Executive Director's Office dated March 29, 2006, listing one (1) staff report outstanding for the April 11, 2006 RDA Meeting.

B. City Council (City Clerk)

1. Review April 11, 2006 Draft Agenda

The Committee recommended approval of the April 11, 2006 City Council Agenda with the following additions:

b. Adds to the April 11, 2006 Draft Agenda

Presentation to the Tower Lane Team, Pride of San José Award Recipients (City Manager/Mayor)
(Rules Committee referral 3/29/06)

2. Add New Items to April 4, 2006 Agenda

a. Mayor and Councilmember Requests

(1) The committee recommended approval of the following additions to the April 4, 2006 City Council Agenda:

- Presentation of a proclamation declaring April 2006 as Child Abuse Awareness Month (Mayor/Campos/Williams)
(Rules Committee referral 3/29/06)
- Presentation to California Line Dance Association of America (Yeager)
(Rules Committee referral 3/29/06)
- Presentation to Brittany Welby for efforts to protect citizens from health risks associated with nail salon services (Pyle)
(Rules Committee referral 3/29/06)
TO BE HEARD IN THE EVENING
- Approval of Nominations to the San José Silicon Valley Workforce Investment Network Youth Council Committee (Mayor)
(Rules Committee referral 3/29/06)

- Approval of Mayor Gonzales' travel to St. Petersburg, Florida and Washington, D.C. (Mayor)
(Rules Committee referral 3/29/06)
- Approval of direction to the City Attorney regarding Parking Vehicles For-Sale on Public Right of Way (Campos/Mayor)
(Rules Committee referral 3/29/06)

(2) Reconsideration of the Mayor's participation on boards or committees on which he serves as the City's representative. (Yeager)

Documents Filed: 1) Memorandum from Councilmember Yeager dated March 23, 2006 recommending actions related to the Mayor serving as the City's representative on boards or committees. 2) Memorandum from Mayor Gonzales dated March 28, 2006 providing background information about Mayor Committee Assignments and making recommendations.

Discussion/Action: The Rules Committee considered jointly the memorandums put forward by Council Member Yeager and the Mayor relative to the Mayor's appointments to boards and committees as the City's representative; and Council Member Cortese's request to place on the agenda a clarification and/or reconsideration of the appointments of the Mayor to Boards and Commissions. Mayor's Chief of Staff Rebecca Dishotsky noted for the record that there may have been a potential and unintentional violation of the Brown Act as a result of Staff contact on this item individually to a quorum of the Rules Committee. City Attorney Rick Doyle advised that a serial meeting may have occurred but that the Brown Act provides that disclosure is the cure. He recommended that the Committee confirm the disclosure, hear the item and make a decision in public.

Mayor's Chief of Staff Rebecca Dishotsky summarized the Mayor's Memorandum dated March 28, 2006 and responded to questions. City Attorney Rick Doyle noted that all positions held by the Mayor listed on Attachment C are ex-officio and clarified that none of them are appointed by the City Council. The Committee accepted the Mayor's recommendation to not place on the agenda for the April 4 Council meeting the removal of the Mayor from the Silicon Valley Rapid Transit Policy Advisory Board (BART-PAB), and further, the Mayor's recommendation that Council Member Nguyen be nominated to the Valley Transportation Authority (VTA) Board to be the City of San Jose representative on the BART-PAB. The Committee further recommended that the nomination of Council Member Nguyen be

forwarded to the City Council on April 4, 2006, along with copies of the Mayor's Memorandum and the VTA Bylaws.

(3) Voter-Owned Campaigns

Documents Filed: Memorandum from Mayor Gonzales dated March 23, 2006 recommending that the San José Elections Commission be directed review and consider recommendations for a fully public-funded Voter-Owned Campaign Ordinance that would take effect in time to apply to municipal primary elections in June 2008.

Discussion/Action: The Committee deferred the item to the meeting of April 5, 2006 and requested that a member of the Mayor's Office be present to answer questions from the Committee members.

b. Council Appointee Requests

Approval of revised approach for early review of General Plan Amendments (City Manager/Planning, Building & Code Enforcement)

Discussion/Action: The Committee deferred this item for two weeks (April 12, 2006) and directed staff to come back to Rules with more details about the proposed approach.

3. List of Reports Outstanding

Documents Filed: Report from the City Manager's Office dated March 29, 2006, listing one (1) staff report outstanding for the April 4, 2006 City Council Meeting.

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

C. Legislative Update

1. State - None

2. Federal - None

D. Meeting Schedules – None

E. The Public Record

Documents Filed: Memorandum from the City Clerk dated March 23, 2006, transmitting items filed for the Public Record for the period March 15-21, 2006.

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

F. Appointments to Boards, Commissions and Committees - None

G. Rules Committee Reviews, Recommendations and Approvals

1. Request to Use Community Resource Funds for the Community Resource Fair Scheduled on June 11, 2006. (Reed)

Documents Filed: Memorandum from Councilmember Reed dated March 14, 2006 requesting the release of funds managed by the City Clerk's Office to organize and facilitate the Community Resource Funds for the Community Resource Fair Scheduled for June 11, 2006.

Discussion/Action: The Committee approved the request.

2. Request to add *An Audit of the City's Investment and Debt Administration* to the City Auditor's 2005-06 Audit Workplan. (City Auditor)

Documents Filed: Memorandum from Gerald Silva, City Auditor, dated March 21, 2006, recommending to add *An Audit of the City's Investment and Debt Administration* to the City Auditor's Workplan.

Discussion/Action: The Committee approved the recommendation.

H. Open Forum - Bill Chew spoke about his candidacy for District 3 and urged the Mayor to host a candidates' forum in the Council Chambers for all candidates for City office.

I. Adjournment – The meeting was adjourned at 3:02 p.m.

Cindy Chavez, Chair
Rules/Agency Rules Committee