



RULES/AGENCY RULES COMMITTEE

Meeting Report
August 2, 2006

PRESENT: Chair Chavez, Members Chirco, Williams and Alternate Yeager

ABSENT: Member Campos

STAFF: Senior Deputy City Attorney Norm Sato, City Clerk Lee Price, Deputy City Manager Deanna Santana, Agenda Services Manager Nadine Nader and Redevelopment Agency Liaison Gary Miskimon, and Mayor's Office Community Relations Manager Emily Moody

A. Redevelopment Agency

1. Review of the August 15, 2006, Draft Agenda

Action: The Committee approved the Redevelopment Agency Agenda for August 15, 2006.

2. Add New Items to August 8, 2006 Agenda

a. Redevelopment Board Requests

- There were none.

b. Executive Director Requests

- There were none.

c. RDA Counsel Requests

- There were none.

3. List of Reports Outstanding

There were no outstanding reports.

B. City Council

1. Review of the August 15, 2006 Draft Agenda

Action: The Committee approved the August 15, 2006 City Council agenda with the following additions:

a. Mayor and Councilmember Requests

- Presentation to the Arthritis Foundation and Office of San José Arthritis Walk for their commitment to public health and dedication to community awareness in fighting arthritis. (Cortese)
(Rules Committee referral 8/2/06)
TO BE HEARD IN THE EVENING

b. Council Appointee Requests

- Recommend the acceptance of the Office of the City Auditor's Sales Tax Audit Results for the Quarter Ended March 31, 2006. (City Auditor)

2. Add New Items to the August 8, 2006 Agenda

Action: The Committee approved the following additions to the August 8, 2006 City Council agenda:

a. Mayor and Councilmember Requests

- Presentation of a proclamation declaring the week of August 6 – 12, 2006 as “National Farmer’s Market Week” in San José. (Campos)
- Recommend to restore \$15,000 to the non-personal funding of the Mayor’s Office budget in order to continue the regular support for the Seventh Annual Mayor’s Volunteer Celebration that recognizes and thanks the thousands of San José residents who contribute their time and talent as City Volunteers.

b. Council Appointee Requests

There were none.

3. List of Reports Outstanding

There were none.

C. Legislative Update

1. State

a. SB 423 (Simitian)

Documents Filed: Memorandum from Leslye Krutko Director of Housing dated July 26, 2006 recommending that the Rules Committee recommend to the Mayor and City Council the following action on State Legislation allowing an electric service provider to donate free electric commodity source to a nonprofit charitable organization:

1. Support SB 423 (Simitian) – Allowing energy providers to gift energy to nonprofits

Public Comment:

- Sam Liccardo urged the committee to bring this item to Council for their support.
- Barry Del Buono spoke in favor of this bill.

Action: The Committee approved the recommendation and moved to forward it on to the Council on August 8, 2006.

2. Federal

No report.

D. Meeting Schedules

- 1. Approve to reschedule the previously set study session on the Recycle Plus Program Procurement from August 4, 2006 to August 11, 2006 from 9:00 a.m. – 12:00 p.m. in the Council Chambers.**

Action: The Committee approved the schedule as recommended.

- 2. Approve the General Plan Hearing Schedule and cancellation of the November 7, 2006 Council Meeting.**

Documents Filed: Memorandum from Nadine Nader dated July 26, 2006 recommending a schedule for the General Plan Hearings and requesting approval of cancellation of the November 7, 2006 Council Meeting.

Action: The Committee approved the schedule as recommended and approved the cancellation of the November 7, 2006 Council Meeting.

E. The Public Record

Documents Filed: Memorandum from the City Clerk dated July 25, 2006 transmitting the Public Record from June 14-July 25, 2006.

Public Comment: Sanjeer Bery, San José Director of the American Civil Liberties Union (ACLU), requested that the San José Police Department's (SJPD) practices regarding traffic stop data collection and public release of information be placed on a City Council agenda.

Action: The Committee noted and filed the Public Record and referred the ACLU's request to the August 9, 2006 Rules Committee agenda for discussion. In addition, the Committee requested a response from the Police Chief.

F. Appointments to Boards, Commissions and Committees

Documents Filed: 1) Memorandum from Councilmember Linda J. LeZotte dated June 28, 2006 recommending appointments for the Disability Advisory Commission; and 2) Memorandum from City Clerk dated July 25, 2006.

Action: The Committee took the following actions:

1. Disability Advisory Commission (LeZotte)

The Committee recommended the appointments of Veronica Souza and Otila Salazar to two unexpired terms ending 06/30/07 and 06/30/08.

2. Youth Commission (City Clerk)

The Committee accepted the applications for Council Districts 1, 2, 4, 5, 6, and 7 be extended from July 28, 2006 to September 1, 2006.

G. Rules Committee Reviews, Recommendations and Approvals

1. Approve Travel for Councilmember Ken Yeager to attend the League of California Cities 2006 Annual Conference and Exposition in San Diego, California on September 6-9, 2006. (Councilmember Yeager)

Documents Filed: Memorandum from the Councilmember Yeager dated July 17, 2006 recommending approval to travel to San Diego, California to attend the League of California Cities 2006 Annual Conference and Exposition on September 6-9, 2006.

Action: The Committee approved the travel request.

2. Approve Travel for Councilmember Ken Yeager to attend the International Gay and Lesbian Leadership Conference in Houston, TX on November 16-19, 2006. (Councilmember Yeager)

Documents Filed: Memorandum from Councilmember Yeager dated July 24, 2006 recommending approval to travel to Houston, TX to attend the International Gay and Lesbian Leadership Conference on November 16-19, 2006.

Action: The Committee approved the travel request.

- 3. Recommend to agendize the San José Entrepreneur Center Program Evaluation Report for review by the Driving a Strong Economy Committee at their next meeting scheduled on September 25, 2006. (Redevelopment Agency)**

Documents Filed: 1) Memorandum from Harry S. Mavrogenes Executive Director of the Redevelopment Agency of San José dated June 30, 2006 recommending that the recommendations contained in the San José Entrepreneur Center Program Evaluation Report be agendized for review at the September 25, 2006 Driving a Strong Economy; and 2) Final Report of the Independent Evaluation of the San José Entrepreneur Center dated May 2006.

Action: The Committee approved the recommendation.

- 4. Request “Audit of Consolidated Water Utility Operating Fund” to be added to the City Auditor’s Work Plan (Councilmember Cortese)**

Documents Filed: Memorandum from Councilmember Dave Cortese dated June 20, 2006 requesting the “Audit of Consolidated Water Utility Operating Fund” be added to the City Auditor’s Work Plan.

Action: The Committee approved the addition.

- 5. Approve Council Committee Work Plans (Mayor/Committee Chairs)**

a. All Children Achieve Committee

(Deferred From June 21, 2006)

RECOMMENDED DEFERRAL TO AUGUST 9, 2006 RULES COMMITTEE

b. Builing Strong Neighborhoods Committee

(Deferred From June 21, 2006)

RECOMMENDED DEFERRAL TO AUGUST 9, 2006 RULES COMMITTEE

Action: The Committee deferred the Work Plans to August 9, 2006.

- 6. 2006 League of California Cities voting and alternate voting delegates at the annual business meeting. (City Manager)**

Documents Filed: Memorandum from Besty Shotwell Director of Intergovernmental Relations dated July 27, 2006 proposing designation of Councilmember Nora Campos, as the voting delegate and Councilmember Judy Chirco as the alternate voting delegate at the September 9, 2006 Annual Business Meeting for the League of California Cities (LOCC).

Action: The Committee approved the designation of the voting delegates.

H. Open Forum
None

I. Adjournment
The meeting was adjourned at 3:40 p.m.

Cindy Chavez, Chair
Rules/Agency Rules Committee