

RULES/AGENCY RULES COMMITTEE

Meeting Report
August 17, 2005

- PRESENT:** Chair Chavez, Members Campos, Chirco and Williams
- ABSENT:** None.
- STAFF:** City Attorney Rick Doyle, City Clerk Lee Price, Council Agenda Manager for the Mayor's Office Jennifer Carlino, Assistant to the City Manager Deanna Santana, Sr. Executive Analyst Nadine Nader and Redevelopment Agency Liaison Gary Miskimon

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

A. Redevelopment Agency

- 1. Review of the August 30, 2005 Draft Agenda**
The August 30, 2005 Redevelopment Agency Meeting has been cancelled.
- 2. Add New Items to August 23, 2005 Agenda**
The Committee recommended approval of the August 23, 2005 Redevelopment Agency agenda.
 - **Redevelopment Board Requests**
There were none.
 - **Executive Director Requests**
There were none.
 - **RDA Counsel Requests**
There were none.
- 3. Staff Reports Outstanding**
Documents Filed: Report from Redevelopment Agency Liaison Gary Miskimon, dated August 17, 2005, stating there is one (1) outstanding report.

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

B. City Council

1. Review of the August 30, 2005 Draft Agenda

The Committee recommended approval of the August 30, 2005 City Council Agenda with the following additions and changes:

- a. Approval of City Council response to the 2004-2005 Santa Clara County Civil Grand Jury Report regarding the Norcal Recycle Plus Agreement. (City Manager/City Attorney) DEFERRED TO THE 9/13/05 CITY COUNCIL AGENDA.
- b. Independent Investigator's Status Report on the review of issues associated with Norcal garbage contract and contract amendment. (City Auditor) DEFERRED TO THE 9/13/05 CITY COUNCIL AGENDA.
- c. Approval of actions related to the off-sale of alcoholic beverages (PBCE). DEFERRED TO THE 9/27/05 CITY COUNCIL AGENDA.
- d. Presentation of a commendation to Kaiser Permanente for its contributions to the City of San José in the field of health in relation to their innovative Farmers' Market Program that was awarded the 2005 Ellis J. Bonner Community Leadership Award by America's Health Insurance plans. (Williams)
- e. Presentation of a proclamation celebrating August 28, 2005 as San José Fire Department's 10 year Anniversary for providing Advanced Life Support Services to the residents of San José. (Mayor)
- f. Presentation of an award by representatives from the Department of Defense/Employer Support of the Guard and Reserve (ESGR) and signing of the Five Star Statement of Support by the Mayor of the City's nomination to receive the Freedom Award. (Mayor)
- g. Presentation of a commendation to John Boncher, Chief Operating Officer and President of Cupertino Electric for their contributions to the local economy. (Mayor/Vice Mayor)
- h. Presentation of a commendation to Presentation High School in recognition of their outstanding commitment to women's athletics and

education through the construction and dedication of new sports fields and aquatic facilities on their campus. (Yeager)

- i. Acceptance of the finding reports from Kafoury, Armstrong & Company, LLP for the quarters ending December 31, 2004 and March 31, 2005, relating to the Bay 101 Unconditional Approval of Stock Transfer. (City Auditor)

2. Add New Items to the August 23, 2005 Agenda

The Committee recommended the following additions to the August 23, 2005 City Council Agenda:

Mayor and Councilmember Requests

- a. Presentation of a commendation to the San José Youth Symphony for representing the City of San José as musical ambassadors to the international community. (Williams)
- b. Presentation of a commendation to the Neil A. Christie Living Center in recognition of its invaluable outreach and service to people living with HIV/AIDS in the community. (Yeager)

City Manager Requests

There were none.

City Attorney Requests

- a. Approval of recommended changes to the Bail Schedule and to the list of infractions. (City Attorney)

City Clerk Requests

There were none.

3 Staff Reports Outstanding

Documents Filed: Report from the City Manager's Office dated August 16, 2005, listing three (3) staff report outstanding for the August 23, 2005 City Council Meeting.

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

C. Legislative Update

- 1. State**
There were none.
- 2. Federal**
There were none.

D. Meeting Schedules

There were none.

E. Public Record

Documents Filed: Memorandum from the City Clerk dated August 11, 2005, transmitting items filed for the Public Records for the period August 3-9, 2005.

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. Revision of Definition of Surviving Child

Documents Filed: Memoranda from Edward F. Overton, Board of Administration Police and Fire Retirement Plan, dated August 11, 2005, regarding the Revision of the Definition of Surviving Child; and Alex Gurza, Director of the Office of Employee Relations, dated August 15, 2005, regarding the Revision of the Definition of Surviving Child.

Discussion/Action: The Committee recommended that the Revisions to the Definition of Surviving Child be brought back to the Rules Committee in one (1) month for a review of the outcome of the negotiations with the bargaining groups. At that time, the Committee will forward the item to the City Council for action.

2. Megan's Law Registry Changes (Assembly Bill 438)

Documents Filed: Memorandum from Council Member Reed, dated August 8, 2005, regarding the Megan's Law Registry Changes.

Discussion/Action: The Committee recommended that the Police Department, Housing Department and City Attorney's Office prepare an analysis on Assembly Bill 438 and Assembly Bill 1323 and report back to the Rules Committee in two (2) weeks.

3. Approval of Travel by Council Member LeZotte to Denver, Colorado, October 13-14, 2005, to attend the San Jose Silicon Valley Chamber of Commerce CityTrip

Documents Filed: Memorandum from Council Member LeZotte, dated August 5, 2005, requesting authorization to travel to Denver, Colorado on October 13-14, 2005, to attend the San Jose Silicon Valley Chamber of Commerce CityTrip 2005. Source of Funds: Mayor & Council Travel Fund.

Discussion/Action: The Committee recommended approval to travel and use of the Mayor & Council Travel Fund.

4. Approval of Travel by Mayor Ron Gonzales to Denver, Colorado, October 12-14, 2005, to attend the San Jose Silicon Valley Chamber of Commerce CityTrip

Documents Filed: Memorandum from Mayor Ron Gonzales, dated August 17, 2005, requesting authorization to travel to Denver, Colorado on October 12-14, 2005, to attend the San Jose Silicon Valley Chamber of Commerce CityTrip 2005. Source of Funds: Mayor & Council Travel Fund.

Discussion/Action: The Committee recommended approval to travel and use of the Mayor & Council Travel Fund.

H. Oral Communications

There were none.

I. Adjournment

The meeting adjourned at 2:35 p.m.

Cindy Chavez, Chair
Rules/Agency Rules Committee