

RULES/AGENCY RULES COMMITTEE

Meeting Report
September 14, 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 City Manager Mark Linder, Assistant to the City Manager Deanna Santana and Redevelopment Agency Liaison Gary Miskimon

Chair Chavez called the meeting to order at 2:02 p.m.

A. Redevelopment Agency

1. Review of the September 27, 2005 Draft Agenda

The Committee recommended approval of the September 27, 2005 Redevelopment Agency agenda.

a. Adds to the September 27, 2005 Draft Agenda

- There were no items for the September 27, 2005 Redevelopment Agency agenda.

2. Add New Items to September 20, 2005 Agenda

The Committee recommended approval of the September 20, 2005 Redevelopment Agency agenda with the following additions:

a. Redevelopment Board Requests

- There were none.

b. Executive Director Requests

- Acceptance of the St. James/Julian Area Parking Occupancy Report (Redevelopment Agency)

c. RDA Counsel Requests

- There were none.

3. Staff Reports Outstanding

Documents Filed: Report from the Redevelopment Agency Council Liaison Gary Miskimon dated September 14, 2005, listing no staff reports outstanding for the September 20, 2005 Redevelopment Agency Meeting.

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

B. City Council

1. Review of the September 27, 2005 Draft Agenda

The Committee recommended approval of the September 27, 2005 City Council Agenda.

a. Adds to the September 27, 2005 Draft Agenda.

- Approval of Independent Police Auditor's request for past and future business related travel. (Independent Police Auditor)

2. Add New Items to the September 20, 2005 Agenda

The Committee recommended the following additions to the September 20, 2005 City Council Agenda:

a. Mayor and Councilmember Requests

- Presentation of a proclamation recognizing September 2005 as "National 5 A Day Month", urging all citizens to join in promoting public health messages and policies that support healthy nutrition and increased physical activity. (Mayor/Chavez)
- Presentation of a proclamation recognizing September 21, 2005 as the "International Day of Peace in the City of San José. (Cortese)
- Presentation of a commendation to recognize the outstanding dedication and contributions of Dan Erceg to the North Willow Glen and Greater Gardner Communities. (Chavez/Yeager)

- Presentation of a commendation to St. Martin of Tours School in recognition of its 50th anniversary. (Yeager)
- Approval of Council Member Williams' travel to Dallas, Texas, September 24-29, 2005, to attend the American Public Transportation Agency Conference. Funding: Santa Clara Valley Transportation Agency. (Williams)
- Appointment and swearing in of Council Member Elect Madison Nguyen to the City Council to fill the vacancy for the unexpired term ending December 31, 2006 in Council District 7. (Mayor)
- Adoption of a resolution urging Governor Arnold Schwarzenegger to sign Assembly Bill 849, The Religious Freedom and Civil Marriage Protection Act. (Yeager)

b. City Manager Requests

- Adoption of a resolution authorizing the City Manager to negotiate and execute an amendment to the grant agreement with San José Stage Company for an additional amount not to exceed \$68,279, increasing the total amount from \$74,560 to a total not to exceed amount of \$142,839 for the two year term of the grant agreement. CEQA: Not a Project. Council District 3. (Economic Development)

c. City Attorney Requests

- There were none.

d. City Clerks Requests

- There were none.

3 Staff Reports Outstanding

Documents Filed: Report from the City Manager's Office dated September 14, 2005, listing six (6) staff reports outstanding for the September 20, 2005 City Council Meeting.

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 September 7, 2005, transmitting items filed for the Public Records for the period August 31 – September 6, 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. Status of the Revision to the Definition of Surviving Child.

Documents Filed: No documents filed. Oral presentation.

Discussion/Action: Alex Gurza, Director of Employee Relations, informed the Committee that the Revision to the Definition of Surviving Child negotiations have not been resolved and are on going. The Committee directed Staff to return to the Committee with a memorandum referring revision to the Definition of Surviving Child to the City Council without triggering the 'Me Too' clause.

2. Approval of Travel by Council Member Campos to Washington, D.C., September 26-28, 2005, to attend BART Funding Meetings for the City of San José with the Silicon Valley Leadership Group.

Documents Filed: Memorandum from Council Member Campos, dated September 7, 2005, requesting authorization to attend BART Funding Meetings for the City of San José with the Silicon Valley Leadership Group. Source of Funds: District Five Office Budget.

Discussion/Action: The Committee recommended approval to travel.

3. Payment for Performance Bond Program for Small Business Contractors Workload Assessment.

Documents Filed: Memorandum from Council Member Cortese, dated August 30, 2005, regarding a Referral – Small Business Development Commission.

Discussion/Action: Council Member Cortese explained the Payment for Performance Bond Program for the Small Business Contractors. Matt Kamkar, Chair of the Small Business Development Commission, stated that this program would increase the pool of qualified applicants and allow more small businesses to compete for City contracts. The Committee recommended that the Small Business Commission work with the Office of Economic Development and return in 30 days to provide a workload assessment, which would include overall savings and pre-qualification strategies.

4. Megan’s Law Discussion.

Documents Filed: Memoranda from Vice Mayor Chavez, dated September 2, 2005 and September 13, 2005, regarding a Megan’s Law Task Force.

Discussion/Action: The Committee recommended that staff in Housing and Intergovernmental Relations be included in the recommended Task Force participants list and that staff return to the Rules Committee in one week to provide the Task Force workload assessment.

5. Approval of Travel by Council Member Reed to Denver, Colorado, October 12-14, 2005, to attend the San José Silicon Valley Chamber of Commerce/City of San José City to City Trip. Source of Funds: Mayor and City Council Travel Fund.

Documents Filed: Memorandum from Council Member Reed, dated September 1, 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.

H. Open Forum

There were none presented.

I. Adjournment

The meeting adjourned at 2:30 p.m.

Cindy Chavez, Chair
 Rules/Agency Rules Committee