



RULES/AGENCY RULES COMMITTEE

Meeting Report
September 15, 2004

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

ABSENT: None

STAFF: City Attorney Richard Doyle, City Clerk Lee Price, Assistant City Manager Mark Linder, Sr. Executive Analyst Nadine Nader, 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 September 28, 2004 Draft Agenda

The Committee recommended approval of the September 28, 2004 Redevelopment Agency agenda.

2. Add New Items to September 21, 2004 Agenda

The Committee recommended the following additions to the September 21, 2004 Redevelopment Agency agenda:

- **Redevelopment Board Requests**

None.

- **Executive Director Requests**

- a. Approval of an agreement with the San Jose Downtown Association in the amount of \$450,000, for a seasonal ice-skating rink to be operated by the Downtown Association and located in the Circle of Palms area in Downtown San Jose annually during the winter holiday season.
- b. Adoption of a resolution approving funding in the amount of \$485,000 in the FY 2004-2005 Adopted Capital Budget – Downtown Ice Rink new project line in the Merged Redevelopment Area and amending the FY 2004-2005 Agency appropriations resolution.

- **RDA Counsel Requests**
None.

3. Staff Reports Outstanding

Documents Filed: Report from Redevelopment Agency Liaison Gary Miskimon, dated September 15, 2004, stating there are two staff reports outstanding for the September 21, 2004 Redevelopment Agency meeting.

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

B. City Council

1. Review of the September 28, 2004 Draft Agenda

The Committee recommended approval of the September 28, 2004 City Council agenda, with the following additions:

- a. Presentation of a proclamation declaring September 30th as E.O.P. Reading Day to encourage and promote literacy in San José. (Yeager/Mayor)
- b. Adoption of a resolution of commitment to the National League of Cities' American Dream Campaign. (Campos)
- c. Approval of Independent Police Auditor Teresa Guerrero-Daley's Travel (Independent Police Auditor)

2. Add New Items to September 21, 2004 Agenda

The Committee recommended the following additions to the September 21, 2004 City Council agenda:

Mayor and Councilmember Requests

- a. Adoption of a resolution nominating a portion of the Market Almaden SNI Area for designation as a Conservation Area. (Chavez)

City Manager Requests

- a. Presentation of APWA Project Management Innovation Award. (Public Works)
- b. Approval of fiscal actions for Redevelopment Agency Capital Projects (City Manager)

- c. Direction to the City Attorney to draft an amendment to the Municipal Code to transfer the authority and responsibilities of the Director of General Services with regard to purchasing to the Director of Finance. (City Manager)

City Attorney Requests

- a. Adoption of a resolution accepting invitations for Opera San Jose. (City Attorney)

City Clerk Requests

- a. Recommendation to re-name Northside Community Center. (Parks and Recreation Commission/City Clerk)

3. Staff Reports Outstanding

Documents Filed: Report from the City Manager's Office dated September 15, 2004, listing five (5) staff reports outstanding for the September 21, 2004 Council Agenda.

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

C. Legislative Update

1. State

a. Propositions 1A and 65 on the November State Ballot

This item was reported on at the September 21, 2004 City Council meeting. [See 09-21-04 Item #3.2 c(1)(a)]

2. Federal

There was no report.

D. Meeting Schedules

1. Approve Rules-in-Lieu Schedule

Documents Filed: Memorandum from City Clerk Lee Price dated September 9, 2004, recommending a Rules-in-Lieu schedule for September 22nd.

Discussion/Action: The Committee recommended a Rules-in-Lieu meeting on September 22, 2004, to be held at 11:00 a.m. in the Office of the City Clerk.

E. Public Record

Documents Filed: Memorandum from the City Clerk dated September 9, 2004, transmitting items filed for the Public Record for the period September 1-7, 2004.

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

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, Secretary of the Police and Fire Retirement Board of Administration, dated September 1, 2004, and Alex Gurza, Director of Employee Relations, dated August 18, 2004.

Discussion/Action: Mark Skeen, Chairman, and Ken Heredia, Vice-Chairman, of the Police and Fire Retirement Board presented the Board's request to revise the Police and Fire Retirement Plan's current definition of "surviving child." Chair Dando stated that this item needs to be addressed in an open and timely manner. The Committee directed the City Attorney to provide a report at the September 29, 2004 Rules Committee Meeting on the possibility of a waiver instead of 'meet and confer' to revise the definition of surviving child in the Police and Fire Retirement Plan. Alex Gurza, Director of Employee Relations, was directed to provide a report at Closed Session next week on the possible implications with the collective bargaining units, if the definition is revised in the Police and Fire Retirement Plan.

H. Oral Communications

None were presented.

I. Adjournment

The meeting adjourned at 2:35 p.m.

Pat Dando, Chair
Rules/Agency Rules Committee