**COUNCIL AGENDA:** 11-14-06
**ITEM:** 3.2

# RULES/AGENCY RULES COMMITTEE

Meeting Report
October 25, 2006

PRESENT: Vice Chair Campos, Members Williams, Chirco

ABSENT: Chair Chavez

STAFF: City Attorney Rick Doyle, City Clerk Lee Price, Community Relations Manager Emily Moody, Deputy City Manager Deanna Santana, Redevelopment Agency Liaison Gary Miskimon, and Council Agenda Manager for the Mayor's Office Lydia Tolles

## A. Redevelopment Agency

### 1. Review of the November 7, 2006, Draft Agenda

None-Meeting Cancelled

### 2. Add New Items to October 31, 2006 Agenda

Action: The Committee approved the October 31, 2006 Redevelopment Agency 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 November 7, 2006 Draft Agenda

None-Meeting Cancelled

a. **Mayor and Councilmember Requests**

- There were none.

b. **Council Appointee Requests**
- There were none.

**2. Add New Items to the October 31, 2006 Agenda**

Action: The Committee approved the following additions to the October 31 2006 Council Agenda:

a. **Mayor and Councilmember Requests**
- Presentation of a commendation to Lina Broydo. (Mayor)
- Presentation of a proclamation recognizing October as Domestic Violence Awareness Month. (Campos/Williams)
- Presentation of a commendation to John Nguyen. (Nguyen)
- Presentation of a commendation to Angie Horne. (Yeager)

b. **Council Appointee Requests**
- Approval of City Auditor Gerald Silva's travel calendar. (City Auditor)
- Presentation of a commendation to City of San José Multi-Departmental Team and to Elite Racing. (Office of Economic Development)

**3. List of Reports Outstanding**

Documents Filed: Report from the City Manager's Office dated October 24, 2006 listing two (2) staff reports outstanding for the October 31, 2006 City Council Meeting.

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

**C. Legislative Update**

**1. State**

**a. State Upate**

No Report

**2. Federal**

**b. Federal**

No Report

**D. Meeting Schedules**

There were none.

**E. The Public Record**

Documents Filed: Memorandum from the City Clerk dated October 19, 2006 transmitting the Public Record for the week of October 11-17, 2006.

Action: The Committee noted and filed the Public Record.

**F. Appointments to Boards, Commissions and Committees**

**G. Rules Committee Reviews, Recommendations and Approvals**

**1. Request the City Manager to assess Code Enforcement-the General Code Complaint Handling Process and the Fee Based Multi-Family Dwelling Program. (Planning, Building and Code Enforcement)**

. (Deferred from October 25, 2006)

Action: The Committee deferred this item to the November 8, 2006 Rules Committee Meeting.

**2. Urgency Ordinance prohibiting the use of automobile/bus/truck horns in residential neighborhoods for any reason other then emergency warning of traffic hazard. (City Attorney)**

(Deferred from October 18, 2006)

Documents Filed: (1) Memorandum from Richard Doyle City Attorney dated October 13, 2006 returning to the Rules Committee with an analysis whether the City can adopt an ordinance limiting the use of vehicle horns in residential neighbhorhoods to emergency situations and whether there are alternatives to addressing the specific concerns of the Woodmansee family who claim that their neighbor's employees engage in excessive horn honking at the exit to the neighbor's property. (2) Memorandum from Councilmember LeZotte dated October 25, 2006 recommending the City Council direct staff to investigate whether the current operations of Royal Coach Tours constitute an Adverse Public Impact and if a determination of Adverse Public Impact is made, then to move forward with the process of revoking their legal non-conforming status.

Public Comments: (1) Tessa Woodmansee objected to the recommendation to refer the matter to staff and reiterated concerns about Royal Coach Tours operations. (2) Sophia Woodmansee expressed her concern for the safety of pedestrians. (3) Margo Sidener CEO of Breathe California expressed her need to know the procedure to voice complaints that have to do with mixed use. (4) Marshall Woodmansee voiced his conern about pedestrian safety and noise pollution. (5) Daniel K. Smith, one of the owners of Royal Coach Tours, stated that safety of the public is their main concern and reported that he is working with the Planning Department to come up with an alternative to reduce the noise level.

Action: The committee deferrred this item to the Planning, Building and Code Enforcement Department for further investigation as recommended. Staff agreed to return to Rules with an update, when appropriate.

**3. Work Load Assessment of Dividing the City's Energy Expenditures by Department. (LeZotte)**
Documents Filed: Memorandum from Councilmember LeZotte dated October 23, 2006 directing City staff to develop a work load assessment for dividing the City's Energy Expenditures by Department within the next 30 days.

Action: The Committee recommended that Councilmember LeZotte's ideas be incorporated into the November 21st Green Building Policy memo and upcoming January 25th Energy Study Session discussion.

**4. Referral to Staff to Institute a Volunteer Disabled Parking Enforcement Program. (LeZotte)**
Documents Filed: Memorandum from Councilmember LeZotte dated October 23, 2006 directing staff to institute disabled parking enforcement program, similar to a program that has been developed in the City of Fremont.

Action: The Committee directed staff to return to Rules Committee on November 15, 2006 with a workload assessment and legal implications to institute a volunteer disabled parking enforcement program.

**H. Review of Significant Public Records Act Requests**
There were none.

**I. Review of Council Policy Updates per Sunshine Reforms (PIR #12)**

**J. Open Forum**

**K. Adjournment**
The meeting was adjourned at 2:33 p.m.

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Nora Campos, Vice Chair
Rules/Agency Rules Committee