



RULES/AGENCY RULES COMMITTEE
Meeting Report
August 31, 2005

PRESENT: Chair Chavez, Members Campos and Williams

ABSENT: Member Chirco

STAFF: Chief Deputy City Attorney Norman Sato, 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 2:01 p.m.

A. Redevelopment Agency

1. Review of the September 13, 2005 Draft Agenda

The Committee recommended approval of the September 13, 2005 Redevelopment Agency agenda.

2. Add New Items to September 6, 2005 Agenda

NO ITEMS – MEETING CANCELLED.

B. City Council

1. Review of the September 13, 2005 Draft Agenda

The Committee recommended approval of the September 13, 2005 City Council Agenda with the following additions:

- a. Presentation of a commendation to the San José Grand Prix Heroes and the Executive Advisory Board for their generosity and service to the City of San José through making the San José Grand Prix a great success and for establishing a lasting tradition of exceptional racing in San José. (Chavez/LeZotte/Cortese)
- b. Presentation of commendations to Ballet San José Silicon Valley students and company members for their outstanding competitive performances at the 2005 Dance Grand Prix Italia. (Chavez/Cortese)

- c. Presentation of a commendation to Toyota for donating \$10,000 towards the construction of Calabazas BMX Park. (LeZotte)
- d. Approval of the additions to the City Auditor's Travel Calendar from July 1 through December 31, 2005. (City Auditor)
- e. Acceptance of the Office of the City Auditor's *Report of Activities and Findings for the Period June 16 through July 15, 2005*. (City Auditor)

2. Add New Items to the September 6, 2005 Agenda
NO ITEMS – MEETING CANCELLED

C. Legislative Update

1. State

Documents Filed: Memorandum from Leslye Corsiglia, Robert L. Davis and Betsy Shotwell, dated August 30, 2005, regarding State Assembly Bill 438 (Parra) and State Assembly Bill 1323 (Vargas) relating to registered sex offenders.

Discussion/Action: Betsy Shotwell, Director, Intergovernmental Relations, presented the analysis and status of AB 438 and AB 1323. Detective Bowers, San Jose Police Department also was asked to provide a brief description of AB 231 (Runner). AB 231 would require that registered sex offenders wear a global positioning device the rest of their lives for monitoring. There are also enhancements in AB 231 to make possession of child pornography a felony. It is currently a misdemeanor. There are other aspects of this legislation, but the general idea of it is to detract these sex offenders. There are also some prohibitions to the areas where sex offenders can live, distances from schools, parks, and facilities such as child parks or playgrounds and things such as that. It is a very comprehensive bill.

The Committee recommended a watch position on AB 438 (Parra), which would amend State law to allow a lessor of residential real property to refuse to provide housing to, or to evict, registered sex offenders whose residence must be made public on the Megan's Law website; and support for AB 1323 (Vargas), which addresses several outstanding issues since the Department of Justice placed California's Megan Law on the Internet.

2. Federal

Documents Filed: Memorandum from Betsy Shotwell, Director, Intergovernmental Relations, dated August 26, 2005, regarding the Update on San José Federal Relations Activities.

Discussion/Action: Marek Gootman and Kevin O'Neill of Patton Boggs, LLP, presented an overview of the Update on San Jose Federal Relations Activities. The City of San José has been very successful, especially in the transportation area. The reauthorization of highway and transit programs, which includes significant funding increases for the State of California, will help with the general condition of roads and the transportation system. San José had five earmarks for those priorities. \$33.4 million was secured for those five projects. Staff was directed to correspond to the City's Congressional Delegation the Mayor and Council's gratitude for their efforts in securing these federal funds.

The House of Representatives has approved all of the FY 2006 appropriations bills, and the Senate has approved about five of them for conferencing with the House. There is \$5 million that was incorporated into the Senate appropriations bill, for the BART extension project. The City will see a reduction in CDBG funding. It is estimated to be a 7% reduction.

The Committee recommended acceptance of the San José Federal Relations Activities Report.

D. Meeting Schedules

There were none.

E. Public Record

Documents Filed: Memorandum from the City Clerk dated August 25, 2005, transmitting items filed for the Public Records for the period August 17-23, 2005.

Discussion/Action: The Committee directed the Administration to review the letter from the Pacific Autism Center for Education and determine if there some way the City can participate with them. 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. Allocation Request from the Community Gift Trust Fund

Documents Filed: Memorandum from Jim Webb, Interim Chief of Staff, District 7, dated August 26, 2005, regarding an Allocation Request from the Community Gift Trust Fund.

Discussion/Action: The Committee recommended authorization of the allocation of \$507 from district 7's portion of the Community Gift Trust Fund for the following two District 7 community events:

1. \$177 for City fees to close Nisich Court Tully-Senter Sound wall Grand Opening Celebration; and
2. \$330 for fees and permit costs related to the Tully Community Branch Library and the Vietnamese-American Women's Association Mid-Autumn Festival.

2. City Auditor's 2005-2006 Work Plan

Documents Filed: City Auditor's 2005-2006 Work Plan dated August 26, 2005.

Discussion/Action: The Committee recommended approval of the work plan with the addition of the current assignment of the Grand Jury Response to the Recycle Plus Issue.

H. Open Forum

Bill Chew expressed his sympathy and concern for the citizens the Southern United States devastated by Hurricane Katrina.

I. Adjournment

The meeting adjourned at 2:53 p.m.

Cindy Chavez, Chair
Rules/Agency Rules Committee