



**CITY OF LODI
COUNCIL COMMUNICATION**

AGENDA TITLE: Adopt Resolution of Support for Assembly Bill 438 (Parra) to Protect Families Living in Rental Communities from Serious and High-Risk Sex Offenders

MEETING DATE: August 17, 2005

PREPARED BY: City Manager

RECOMMENDED ACTION: That Council adopt a resolution of support for Assembly Bill 438 (Parra) to protect families living in rental communities from serious and high-risk sex offenders.

BACKGROUND INFORMATION: This item appears on the agenda at the request of the Lodi Police Department. State law currently prohibits rental housing providers from using information contained on the state Megan's Law database to make housing decisions and prohibits rental housing providers from notifying tenants if there is a serious or high-risk sex offender residing in the rental community. The attached resolution will urge the State Legislature to pass Assembly Bill 438, which would allow that providers of residential real property may refuse to provide housing to, or evict, a sex offender whose residence address is made available on the Department of Justice Web site.

FISCAL IMPACT: None.

FUNDING AVAILABLE: N/A

Handwritten signature of Blair King.

Blair King
City Manager

BK/JMP

Attachments

cc: Police Chief Adams

APPROVED:

Handwritten signature of Blair King.

Blair King, City Manager

RESOLUTION NO. 2005-171

A RESOLUTION OF THE LODI CITY COUNCIL IN
SUPPORT OF ASSEMBLY BILL 438 (PARRA) TO
PROTECT FAMILIES LIVING IN RENTAL COMMUNITIES
FROM SERIOUS AND HIGH-RISK SEX OFFENDERS

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WHEREAS, the City of Lodi seeks to ensure safe and affordable housing for its residents; and

WHEREAS, there are a significant number of families and individuals residing in rental communities throughout the City; and

WHEREAS, rental housing providers are in a precarious situation due to the recent availability of sex offender information over the Internet; and

WHEREAS, rental housing providers seek to be able to protect their tenants from the known dangerous propensities of other tenants; and

WHEREAS, state law currently prohibits rental housing providers from using information contained on the state Megan's Law database to make housing decisions; and

WHEREAS, state law currently prohibits rental housing providers from notifying tenants if there is a serious or high-risk sex offender residing in the rental community; and

WHEREAS, rental housing providers need a clear direction from the state and relief from the current situation.

NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby support Assembly Bill 438 (Parra) to protect families living in rental communities from serious and high-risk sex offenders and to allow rental housing providers to notify and protect their tenants from individuals listed as a serious or high-risk sex offender on the state's Megan's Law database.

Dated: August 17, 2005

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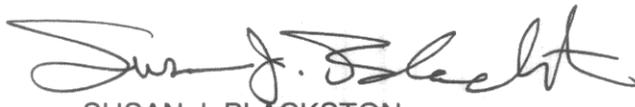
I hereby certify that Resolution No. 2005-171 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 17, 2005, by the following vote:

AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – None

ABSTAIN: COUNCIL MEMBERS – None


SUSAN J. BLACKSTON
City Clerk



DECLARATION OF MAILING

TRANSMITTAL LETTER RE: AB 438 (PARRA) TO PROTECT FAMILIES LIVING IN RENTAL COMMUNITIES FROM SERIOUS AND HIGH-RISK SEX OFFENDERS

On August 19, 2005, in the City of Lodi, San Joaquin County, California, I deposited in the United States mail, envelopes with first-class postage prepaid thereon, containing a transmittal letter regarding AB 438 (Parra) to protect families living in rental communities from serious and high-risk sex offenders, marked Exhibit "A"; said envelopes were addressed as is more particularly shown on Exhibit "B" attached hereto.

There is a regular daily communication by mail between the City of Lodi, California, and the places to which said envelopes were addressed.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 19, 2005, at Lodi, California.

ORDERED BY:

**SUSAN BLACKSTON
CITY CLERK, CITY OF LODI**

ORDERED BY:

JACQUELINE L. TAYLOR
DEPUTY CITY CLERK



JENNIFER M. PERRIN
DEPUTY CITY CLERK

KARI J. CHADWICK
ADMINISTRATIVE CLERK

CITY COUNCIL

JOHN BECKMAN, Mayor
SUSAN HITCHCOCK,
Mayor Pro Tempore
LARRY D. HANSEN
BOB JOHNSON
JOANNE MOUNCE

CITY OF LODI

CITY HALL, 221 WEST PINE STREET
P.O. BOX 3006
LODI, CALIFORNIA 95241-1910
(209) 333-6702
FAX (209) 333-6807
cityclrk@lodi.gov

BLAIR KING, City Manager
SUSAN J. BLACKSTON
City Clerk
D. STEPHEN SCHWABAUER
City Attorney

August 19, 2005

To: Interested Parties

RE: Resolution in Support of Assembly Bill 438 (Parra) to Protect Families Living in Rental Communities from Serious and High-Risk Sex Offenders

The Lodi City Council, at its meeting of August 19, 2005, adopted the enclosed resolution in support of Assembly Bill 438 (Parra) to protect families living in rental communities from serious and high-risk sex offenders.

Should you require further information or have any questions, please feel free to contact my office.

Sincerely,



Susan J. Blackston
City Clerk

SJB/JMP

Enclosure

cc: City Manager
Police Department

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Dated: August 17, 2005

I hereby certify that Resolution No. 2005-171 was passed and adopted by the City Council of the City of Lodi in a regular meeting held August 17, 2005, by the following vote:

- AYES: COUNCIL MEMBERS – Hansen, Hitchcock, Johnson, Mounce, and Mayor Beckman
- NOES: COUNCIL MEMBERS – None
- ABSENT: COUNCIL MEMBERS – None
- ABSTAIN: COUNCIL MEMBERS – None

The foregoing document is certified to be a correct copy of the original on file in the City Clerk's Office.

Jennifer M. Perrin
Deputy City Clerk, City of Lodi


SUSAN J. BLACKSTON
City Clerk

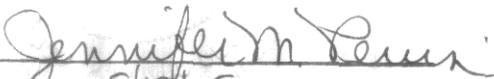
By: 
Dated: 8/19/05

EXHIBIT B

Resolution in Support of Assembly Bill 438 (Parra) to Protect Families Living in Rental Communities from Serious and High-Risk Sex Offenders

MAILING LIST

Assemblymember Nicole M. Parra
601 24th Street, Suite A
Bakersfield, CA 93301

League of California Cities
1400 K Street
Sacramento, CA 95814

Assemblymember Alan Nakanishi
218 West Pine Street
Lodi, CA 95240

Assemblymember Charles Poochigian
4974 E. Clinton, Suite 100
Fresno, CA 93727