

COUNCIL COMMITTEE MINUTES

Concurrent Special Committee Meetings of the Sacramento City Council, Redevelopment Agency of the City of Sacramento, Housing Authority of the City of Sacramento and the Parking Authority of the City of Sacramento.

VOTING RECORD LEGEND

MOV: MOVED	ABST: ABSTAIN
SEC: SECOND	ABS: ABSENT
M - MAYOR RUDIN	D5 - SERNA
D1 - SHORE	D6 - MUELLER
D2 - FERRIS	D7 - KASTANIS
D3 - POPE	D8 - ROBIE
D4 - CHINN	

COMMITTEE NAME: LAW AND LEGISLATION

MEETING DATE: August 24, 1989

MEETING TIME: 3:30 p.m.

LOCATION: 915 I STREET, 2ND FLOOR, COUNCIL CHAMBER

HEREBY CALL Special Meetings of the Sacramento City Council, Redevelopment Agency of the City of Sacramento, Housing Authority of the City of Sacramento, and Parking Authority of the City of Sacramento to be conducted concurrently with the Council committee meetings listed below, which are incorporated herein by reference. The Special Meetings are called to permit Members who are not on the listed committees to attend the meetings and participate in the discussions. In the event five (5) or more members of the City Council are present at a Committee meeting, only those items listed on the agenda can be acted on or discussed.

The meeting was called to order at 3:45 p.m. by Chairman Terry Kastanis.

PRESENT: Committeemembers Kastanis, Robie, Shore,* and Pope**

*Committeemember Shore arrived at 4:05 p.m.

**Committeemember Pope arrived at 4:15 p.m.

1. AB 332, relating to theft of vehicles and vessels.

RECOMMENDATION OF STAFF: RECOMMEND SUPPORT.

COMMITTEE ACTION: SUPPORTED.

VOTING RECORD: MOVED: Robie; SECONDED: Kastanis
ABSENT: Pope, Shore

MINUTES:

Captain Somers from the Sacramento Police Department was present to answer any questions regarding this bill. Kastanis mentioned that this bill seemed steep in terms of fines, but that it is definitely needed. Robie moved to support AB 332 relating to theft of vehicles and vessels. Kastanis seconded the motion and the bill was supported.

COMMITTEE ACTION SHEET

2. SB 1475, relating to junk dealers/recyclers; recyclable metals.

RECOMMENDATION OF STAFF: RECOMMEND SUPPORT.

COMMITTEE ACTION: SUPPORTED.

VOTING RECORD: MOVED: Robie; SECONDED: Kastanis
ABSENT: Pope, Shore

MINUTES:

Captain Sam Somers from the Sacramento Police Department was present to discuss this item. Kastanis asked whether the City was taking any action to raise the standards for junk dealers. Captain Somers replied that there are no requirements now as to where dealers can obtain their "junk," or from whom. This bill would allow the police to put a hold on questionable items for up to 90 days, and would allow police to check the records of dealers to ascertain what the dealers buy, as well as the names of their sources. Robie moved to support SB 1475 relating to junk dealers/recyclers. Kastanis seconded the motion and the bill was supported.

3. Ordinance adding Article XV, Sections 25.400 through 25.404 to Chapter 25 of the Sacramento City Code relating to automotive repair and accumulation of vehicle parts in residential zones.

RECOMMENDATION OF STAFF: RECOMMEND APPROVAL AND FORWARD TO COUNCIL.

COMMITTEE ACTION: APPROVED AND FORWARDED TO COUNCIL.

VOTING RECORD: MOVED: Robie; SECONDED: Kastanis
ABSENT: Pope, Shore

MINUTES:

Tom Long, Assistant Neighborhood Services Manager, informed the Committee that there were 138 complaints relating to automotive repair in residential zones in 1988, and that so far this year there have been 160 complaints. He explained that this ordinance would allow a resident to work on only two vehicles at a time, and these vehicles must be registered to the occupants. Robie moved to approve the ordinance relating to automotive repair and accumulation of vehicles parts in residential zones. Kastanis seconded the motion and it will be presented to the full Council with the Committee's recommendation.

COMMITTEE ACTION SHEET

4. Ordinance adding Section 61.611 of the Sacramento City Code relating to cost recovery for abatement of abandoned vehicles.

STAFF RECOMMENDATION: RECOMMEND APPROVAL AND FORWARD TO COUNCIL.

COMMITTEE ACTION: APPROVED AND FORWARDED TO COUNCIL.

VOTING RECORD: MOVED: Robie; SECONDED: Kastanis
ABSENT: Pope, Shore

MINUTES:

Tom Long, Assistant Neighborhood Services Manager, was present to discuss this ordinance. Kastanis mentioned that he found it difficult to understand how this is going to work. Diane Balter, Deputy City Attorney, explained that this is not going to be a lien process, but that the City is going to attempt to collect through Revenue Department billings or through small claims court. She noted that the bill would go to either the last-known registered owner of the vehicle, or to the property owner where the vehicle was abandoned, or both. There was quite a bit of discussion regarding how a property owner could avoid being fined for a vehicle abandoned on his property that did not belong to him. Tom Long explained that there is a public hearing process whereby the owner of the property can appear, in person or by letter, to get an exemption. Kastanis felt that it was unfair for a property owner to have to go to all this trouble for something that isn't the property owner's fault. Mr. Long explained that if the vehicle turned out to be a stolen vehicle, the police would remove the vehicle and the owner would be relieved of responsibility. There was more discussion regarding how the DMV locates registered owners, and how previous owners of vehicles have a responsibility to notify the DMV when they transfer a vehicle to someone else.

Mr. Edward Egan, a citizen of Sacramento, asked Mr. Long and the Committee to explain to him what he can do, as a property owner, if he finds an abandoned vehicle on his property. Robie told Mr. Egan that he could call the Nuisance Abatement Department of the City of Sacramento, and they would be able to assist him with that problem.

Robie moved to approve the ordinance relating to cost recovery for abatement of abandoned vehicles. Kastanis seconded the motion and it will be forwarded to the full Council with the Committee's recommendation.

COMMITTEE ACTION SHEET

5. Ordinance adding Section 26.77 of the Sacramento City Code relating to prohibition against remaining on exterior business premises when business closed.

RECOMMENDATION OF STAFF: RECOMMEND APPROVAL AND FORWARD TO COUNCIL.

COMMITTEE ACTION: APPROVED AND FORWARDED TO COUNCIL.

VOTING RECORD: MOVED: Robie; SECONDED: Kastanis

ABSENT: D1 + D3

MINUTES:

Diane Balter, Deputy City Attorney, explained that this is a local trespassing regulation which requires posting of notices regarding trespassing on closed businesses. Tom Stark, Deputy Chief of Police, explained that under current state law it is against the law to trespass on certain property. He went on to say that there are certain places in Sacramento where there is a lot of trespassing, and that the purpose of this ordinance is to eliminate the verbal notices, which often end up in physical altercations against the police officers. Kastanis questioned how many more signs would be required to be posted, as there are already signs posted for the state law requirement. Attorney Balter stated that the posted sign would most likely be a combination of the state and local requirements, rather than two separate signs. Robie moved to approve the ordinance relating to prohibition against remaining on exterior business premises when business closed. Kastanis seconded the motion, and it will be forwarded to the full Council with the Committee's recommendation.

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6. Report regarding reciting of the Pledge of Allegiance at City Council meetings.

RECOMMENDATION OF STAFF: RECOMMEND APPROVAL AND FORWARD TO COUNCIL.

COMMITTEE ACTION: APPROVED AND FORWARDED TO COUNCIL.

VOTING RECORD: MOVED: Robie; SECONDED: Shore

AYES: Robie, Shore, Kastanis

ABSENT: Pope

ITEM CONTINUED ON FOLLOWING PAGE.

COMMITTEE ACTION SHEET

6. ITEM CONTINUED FROM PREVIOUS PAGE.

MINUTES:

Anne Mason, Assistant City Clerk, was present to discuss this item. She explained that the recommendation is that the Council recite the Pledge of Allegiance at the first Council meeting of each month, and that it would be listed as a regular agenda item.

*Committeemember Dave Shore arrived at 4:05 p.m.

Michelle Egan, a citizen who originally brought this matter before the City Council, spoke at this time. She first thanked Anne Mason for taking the time to research this matter, and then went on to say that she objected to having the Pledge of Allegiance recited only once a month instead of weekly. She said she feels that doing this weekly places more importance on it. She said she is aware that the City Council meetings are lengthy, but that it takes only from 8.5 seconds to 15 seconds to say the Pledge, and she doubts that this would crimp into the volume of legislation each week. She continued by saying that reciting the Pledge of Allegiance provides reinforcement for citizens who attend these meetings, and that not all citizens attend each meeting; most citizens may attend only one meeting in their lifetime, if at all. Ms. Egan then read from an American Legion pamphlet which emphasized the importance of the American flag and reciting of the Pledge of Allegiance. Ms. Egan said she would also like the Council to support any legislation which prevents the burning of the flag. She then said she would like to see a resolution or an ordinance on reciting of the Pledge of Allegiance, rather than just having the Council pass a motion, as she feels it would carry more impact and would be more likely to last for future City Councils.

At the request of Terry Kastanis, Anne Mason explained that other jurisdictions have handled this by motion, and that any motion by the Council is as binding as a resolution. She also stated that the larger jurisdictions say the Pledge once a month, and the smaller jurisdictions say it every week.

Robie moved to go with the staff recommendation of reciting the Pledge of Allegiance once a month and see what the full Council wants to do. Shore seconded the motion and Kastanis concurred. This will be brought before the full Council with the Committee's recommendation.

COMMITTEE ACTION SHEET

7. Ordinance adding Chapter 1 of the Sacramento City Code relating to boundaries; repealing and reenacting Chapter 2, relating to administrative matters; adding Chapter 53, relating to conflicts of interest; adding Chapter 60, relating to appointment procedures and City boards and commissions; and repealing Section 15.102, relating to hours of work for City Firefighters.

RECOMMENDATION OF STAFF: RECOMMEND APPROVAL AND FORWARD TO COUNCIL.

COMMITTEE ACTION: APPROVED AND FORWARDED TO COUNCIL.

VOTING RECORD: MOVED: Shore; SECONDED: Robie
AYES: Shore, Robie, Kastanis
ABSENT: Pope

MINUTES:

Anne Mason, Assistant City Clerk, presented this item to the Committee. Kastanis said he assumed this was a "housekeeping" item. Anne Mason explained that Chapter 2 was the City's administration chapter, but it got so big that the City Attorney's office suggested that it be divided into sections. She went on to say that this cleans up Chapter 2 and maintains a more concise heading for each item. Shore moved to approve this ordinance, Robie seconded the motion and Kastanis concurred. This will be brought before the full Council with the Committee's recommendation.

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8. Resolution seeking League of California Cities support for local regulation relating to on-street parking of recreational vehicles.

RECOMMENDATION OF STAFF: RECOMMEND APPROVAL AND FORWARD TO COUNCIL.

COMMITTEE ACTION: APPROVED AND FORWARDED TO COUNCIL.

VOTING RECORD: MOVED: Robie; SECONDED: Shore
AYES: Robie, Shore, Kastanis, Pope

MINUTES:

Diane Balter, Deputy City Attorney, was present to discuss this item. She said that this was placed on the agenda at the request of Council-member Doug Pope, who had asked that the City limit on-street parking

ITEM CONTINUED ON FOLLOWING PAGE.

COMMITTEE ACTION SHEET

8. ITEM CONTINUED FROM PREVIOUS PAGE.

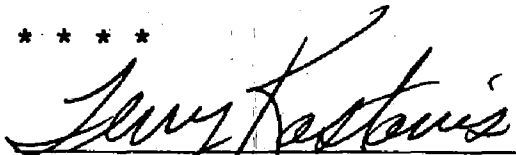
of recreational vehicles. She explained that this resolution would give the City authority to request the League of California Cities to work with the state to enact enabling legislation relating to this issue.

*Councilmember Doug Pope arrived at 4:15 p.m.


Robie moved to approve a resolution seeking League of California Cities support for local regulation relating to on-street parking of recreational vehicles. Shore seconded the motion and it was unanimously approved. This will be presented to the full Council with the Committee's recommendation.

The meeting was adjourned at 4:18 p.m.

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TERRY KASTANIS, Chairman

ATTEST:


JUDY VARVEL, Secretary