

COUNCIL COMMITTEE MINUTES

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COMMITTEE NAME: LAW AND LEGISLATION
MEETING DATE: April 15, 1997
MEETING TIME: 12:30 P.M.
LOCATION: 915 I Street, 2nd Floor, Council Chambers

The meeting was called to order at 12:35 P.M. by Heather Fargo, Interim Chairperson.

ROLL CALL

Present: Committee Members Fargo (Chair), Steinberg, Waters
Absent: None

1.0 CONSENT CALENDAR

1.1 City Code amendment relating to the review by the Planning Commission Review of the 5 Year Capital Improvement Program (CIP) and periodic updates modifications to the CIP (M96-040)

Recommendation of Staff: Approve Staff Recommendation and forward to City Council

Committee Action: Approve Staff Recommendation

A motion was made by Committee Member Steinberg, seconded by Committee Member Waters to approve staff recommendation. All in favor.

2.0 STAFF REPORTS

2.1 A. Ordinance adopting mailed ballot procedures pursuant to Article XIID of the California Constitution for Assessments and for Property Related Fees and Charges.

B. Ordinance adopting procedures for Administrative Appeal of Fees and Charges

Recommendation of Staff: Approve Staff Recommendation and Forward to City Council

Committee Action: Approve Staff Recommendation

Betty Masuoka, Deputy City Manager, Items 2.1 A and B are procedural items. Trying to create some clarity on how to approach some requirements. Would like to move forward since there are some assessment districts that are going through very soon. Nothing controversial in this Item and Item B. These items are basically to clean up language and get a clear process.

Committee Member Fargo, asked if there is any immediate impact, specifically the assessment districts currently underway. City Attorney Balter, said that this would not affect them. Committee Member Fargo, said that it is important that people get some sort of cover letter/summary of what is happening when an assessment is done. Ms. Masuoka, said that she thinks this is something that Public Works can incorporate into their process instead of adding to the ordinance.

A motion was made by Committee Member Waters, seconded by Committee Member Steinberg to approve staff recommendation. All in favor.

2.2. Amending Sections 25.01.002, 51.02.202 and 51.02.202 and 51.02.205 of the City Code , relating to the Issuance of Parking Citations, and to the operation of Regional Transit Vehicles on the K Street Mall

Recommendation of Staff: Approve Staff Recommendation and Forward to City Council

Committee Action: Approve Staff Recommendation

Sgt. Mark Sakauye, Police, gave an overview of the proposed ordinance amendments. The amendments would enable designated RT employees to issue parking citations and to update city ordinances to match the current RT shuttle bus operation in the K Street Mall.

Committee Member Steinberg, asked how it would affect route scheduling. The route scheduling would not be affected, supervisory staff will be the ones issuing the citations.

Committee Member Fargo, asked how the revenue from the tickets will be distributed. They will be City of Sacramento parking citations.

A motion was made by Committee Member Steinberg, seconded by Committee Member Waters to approve staff recommendation. All in favor.

2.3 A. Telecommunications Facilities - Policy, Guidelines, and Zoning Ordinance Changes (M96-043)

Recommendation of Staff: Approve Staff Recommendation and Forward to City Council

Committee Action: Approve Staff Recommendation w/condition

Sandra Yope, Planning, gave a presentation on the first section of Telecommunication Facilities policy. This first section deals specifically with the proposal of ordinance and policy for the land use issues of telecommunications facilities locations. Change in ordinance to reflect both the change of the industry as well as Neighborhoods concerns and desires. Main focus is to get to invisible wireless sites.

Committee Member Fargo, asked about the review process - will neighborhood associations be informed when this item comes to City Council. Ms. Yope, said yes, they will be notified.

Committee Member Waters, had two request from neighborhood associations that were not notified of this item coming to the Law and Legislation on this date. Joy Patterson said a list was compiled for those interested in zoning ordinances. For this specific project SCAN was elected by other neighborhood associations to be the ones to do the notification. Committee Member Waters, asked that staff include all neighborhood associations on their noticing of when this item comes to City Council.

B. Ordinance amending Title 12 Chapter 12.04 relating to revocable permits granted to Cellular/Wireless Communications providers for facilities located on City-owned property

Recommendation of Staff: Approve Staff Recommendation and Forward to City Council

Committee Action: Approve Staff Recommendation w/condition

Bruce Alei, Public Works, this ordinance amendment is to add a section to cover granting of revocable permits to cellular wireless communication providers for facilities located on city property. The City does not presently have an ordinance covering this.

Committee Member Steinberg, how does staff envision fees and rental payments. Mr. Alei, said that there is a market being established in the industry and they are currently collecting market data. Will use a combination of items which will be addressed in more detail when they return to City Council.

Committee Member Waters, asked if the Council will still have to approve the moving of a building. Mr. Alei, said "yes".

C. Utilization of Revenues from Granting Revocable Permits for Telecommunications Facilities

Recommendation of Staff: Approve Staff Recommendation and Forward to City Council

Committee Action: Approve Staff Recommendation w/condition

Gary Little, NSD, gave a presentation on the last section of this item, which deals with the utilization of revenues from revocable permits for telecommunication facilities. They are proposing a policy that as they go through revocable permits discussions, staff can bring forward to council the specific uses that council members have identified for the money to be used toward. If no specific uses are identified then the money can go back to the operating budget for that certain area.

Committee Member Fargo, asked for clarification on the status of amounts negotiated in the past for specific parks. Mr. Little, said that they are caught up on the specific uses that had been identified before.

Committee Member Waters, asked if this was just up-front citing fee that council can specify use or is it rental fee too. Mr. Little said that he was referring to both.

A motion was made by Committee Member Waters, seconded by Committee Member Steinberg to approve staff recommendation with understanding that if Neighborhood groups have concerns, they will reconsider. All in favor.

2.4 Zoning Ordinance Amendment related to Support Commercial Uses in Offices (Outside PUDS) and Office Park Planned Unit Developments (M96-054)

Recommendation of Staff: Approve Staff Recommendation

Committee Action: Approve Staff Recommendation

Scott Mende, Planning, gave a presentation on the proposed zoning ordinance amendment. This amendment will streamline process to support commercial uses wishing to locate in office zones. This would require that the planning and development guidelines be amended to allow that flexibility and that it would be subject to a special permit but not actually require the rezone and plan amendment.

A motion was made by Committee Member Waters, seconded by Committee Member Steinberg to approve staff recommendation. All in favor.

2.5 Amendment of Chapter 25.17 of the Sacramento City code entitled Administrative Adjudication procedure for Parking and Standing Violation Citations

Recommendation of Staff: Approve Staff Recommendation and Forward to City Council

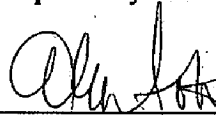
Committee Action: Approve Staff Recommendation

Margaret Freeman, Revenue Manager, stated that this is basically a housekeeping item. The City needs to make city code changes so that the City Code will be in absolute compliance with California Vehicle Code. Conform to state law.

A motion was made by Committee Member Steinberg, seconded by Committee Member Waters to approve staff recommendation. All in favor.

ADJOURNED - There being no further business to come before the Law & Legislation Committee, the meeting was adjourned at the hour of 1:20p.m.

Respectfully submitted,



Aline Soto, Committee Secretary

APPROVED:



Heather Fargo, Interim Committee Chair
