

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.

COMMITTEE NAME: LAW AND LEGISLATION

MEETING DATE: FEBRUARY 21, 1991

MEETING TIME: 3:00 p.m.

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

I 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 3:05 p.m. by Chair Lynn Robie.

PRESENT: Committeemembers Robie, Chinn and Pane.*

ABSENT: Committeemember Serna.

*Committeemember Pane arrived at 3:23 p.m.

1. Smoking in public places.

A. SB 93 (Boatwright)

B. AB 16 (Peace)

Recommendation of Staff:

A. Support

B. Support if amended

Committee Action:

No position taken; letters to be sent to authors of these bills expressing City's concerns.

Voting Record:

Moved: Chinn

Seconded: Robie

Ayes: Chinn, Robie

Absent: Serna, Pane

ITEM CONTINUED ON FOLLOWING PAGE.

COMMITTEE ACTION SHEET

1. ITEM CONTINUED FROM PREVIOUS PAGE.

MINUTES:

Diane Balter, Deputy City Attorney, told the Committee that these are only two of several smoking bills in the Legislature this year, and that there will be more bills coming. She explained that the concern of the City Attorney's office is that local regulations are not preempted by State law. Chair Robie suggested the Committee not support anything right now, but that the position should be that we not support anything that preempts local regulations. She suggested the Committee drop letters to the authors with our concern. Chinn agreed. Chair Robie also suggested that Ken Emanuels, the City's Legislative Advocate, be asked to follow the issue and keep us aware of all legislation of this type. Chinn moved to take no position at this time on SB 93 and AB 16 relating to smoking in public places, but to send letters to the authors expressing the City's concern that State law not preempt local regulations. Robie seconded the motion.

2. AB 7 (Floyd) relating to motorcycle helmets.

Recommendation of Staff:	Support
Committee Action:	Supported
Voting Record:	Moved: Chinn
	Seconded: Robie
	Ayes: Chinn, Robie
	Absent: Serna, Pane

MINUTES:

Diane Balter, Deputy City Attorney, told the Committee that this bill requires all riders of motorcycles to wear safety helmets, and that the City took a position of support on this issue two years ago but that the bill was vetoed by the Governor. Chinn moved to support AB 7 and Robie seconded the motion.

COMMITTEE ACTION SHEET

3. **An ordinance adding Section 25.150-1 to the Sacramento City Code prohibiting the parking of commercial vehicles weighing 10,000 pounds or more on residential property except under specified conditions.**

Recommendation of Staff: Review and make recommendation to City Council.

Committee Action: Supported and forwarded to Council.

Voting Record: Moved: Chinn
Seconded: Robie
Ayes: Chinn, Robie
Absent: Serna, Pañe

MINUTES:

Diane Balter, Deputy City Attorney, noted that several months ago the Committee looked at barring all parking of commercial vehicles weighing 10,000 pounds or more on residential property, and Council requested that a variance procedure be developed. She explained that this ordinance is not a variance procedure, but rather a set of standards under which such vehicles may be parked on residential property, and that these standards are acceptable to Councilmember Ferris, who has constituents in her district where exceptions to the originally proposed ordinance would not be a problem to the existing neighborhood. Chair Robie pointed out that the standards were such that very few people would qualify to have such large commercial vehicles parked in residential districts. Chinn moved to support this ordinance; Robie seconded the motion. It will now be presented to full Council.

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4. **Memorandum from Library Director relating to City's legislative program.**

Recommendation of Staff: Review and instruct City's Legislative Advocate.

Committee Action: Instruct Legislative Advocate to watch for activity regarding this matter and advise.

Voting Record: Moved: Chinn
Seconded: Robie
Ayes: Chinn, Robie
Absent: Serna, Pañe

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COMMITTEE ACTION SHEET

4. ITEM CONTINUED FROM PREVIOUS PAGE.

MINUTES:

Rick Hiseley, the Library's Budget Officer, brought to the attention of the Committee the matter of a loss of considerable money to the Sacramento Public Library due to underfunding of State Library Aid by the State. He explained that this is not money which would have been used for personnel, but rather, money for the purchase of library materials. Chinn moved to ask the City's Legislative Advocate, Ken Emanuels, to watch this and call any time this comes before committee so that the City can be there to testify on behalf of restoration of these funds. Robie seconded the motion.

5. An ordinance adding Section 27.55 to the Sacramento City Code relating to the authorization of commercial activities in city parks by the Director of the Department of Parks and Community Services or his/her designee.

Recommendation of Staff: Support and forward to Council.

Committee Action: Supported and forwarded to Council.

Voting Record:

Moved:	Chinn
Seconded:	Robie
Ayes:	Chinn, Robie
Absent:	Pane, Serna

MINUTES:

Bob Thomas, Director of Parks and Community Services, presented this item to the Committee. There was very little discussion. Chinn moved, and Robie seconded the motion, to support the ordinance and forward to Council with this recommendation.

6. Regulation of leaf blowers.

Recommendation of Staff: Refer matter to Environmental Commission; or Give staff direction regarding ordinance.

Committee Action: Referred to Environmental Commission

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COMMITTEE ACTION SHEET

6. ITEM CONTINUED FROM PREVIOUS PAGE.

Voting Record:	Moved:	Chinn
	Seconded:	Pane
	Ayes:	Chinn, Pane, Robie
	Absent:	Serna

MINUTES:

Deputy City Attorney Diane Balter brought this matter to Committee, explaining that the Committee had expressed interest in looking at the issue of leaf blower regulation. She said the recommendation is to (a) refer the matter to the Environmental Commission; (b) give staff direction regarding ordinance; or (c) do nothing. Attorney Balter said that the Environmental Commission was meeting on Monday to discuss noise issues for the entire County. Several people spoke on this issue.

Leslie Crinsk, Senior Counsel for the State Air Resources Board, spoke as a private citizen regarding the air pollution problem of leaf blowers. She explained that she recommends a total ban, due to the most hazardous of all matter being blown around with this equipment, such as asbestos, lead, cadmium, chromium, pesticides, and other carcinogens. She said that leaf blowers could be exchanged for leaf "vacuums".

*Committeemember Pane arrived at 3:23 p.m.

Ken Smith of the County's Environmental Management Department, stated his concern for the environment due to the emissions from this equipment. He said his concern is a *toxic* concern, whereas the Environmental Commission's upcoming review is concerned with the noise. He gave to Chair Robie a memorandum from his office to the Environmental Commission for the upcoming Monday meeting. Committeemember Pane asked Mr. Smith his opinion regarding the noise factor of leaf blowers. Mr. Smith said the appropriate person to talk to regarding that issue would be the Environmental Health Division Chief, Ken Stuart.

There was discussion as to why the Environmental Commission is not looking at the entire problem with leaf blowers, rather than just at the noise problem. Chair Robie said it was probably that the issue of leaf blowers is just a small matter to them but a big matter to the City.

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6. ITEM CONTINUED FROM PREVIOUS PAGE.

Mark Merin of the Ad Hoc Committee to Ban Blowers spoke at this time. He requested staff to draw up an ordinance to establish a total ban of leaf blowers, explaining that other cities have done that. He said it is not just the pollution and noise, but also that when one person uses a leaf blower to clean his property the dirt ends up on another person's property instead. He said his committee would be happy to work with anyone to help draft an ordinance.

Bob Thomas, Director of Parks and Community Services, spoke on behalf of his department. He said that the impact if the Committee takes quick and immediate action would be immense. He said he agrees that leaf blowers are noisy, and he can't say there aren't air quality hazards also. He passed out a chart (attached) showing the staffing of City parks maintenance. He said the chart shows that 30-40 years ago manual labor was the thing to do, and that water was used to wash down parks and walkways. Currently, the park system uses blowers to clean those facilities. He went on to say that park land has increased substantially over the years, but that only five maintenance workers have been added. He noted that according to the rate of increase in parks, the number of new workers should have been 21.8. He said it would be extremely expensive to take away leaf blowing equipment, as one hour of leaf blowing uses the same amount of time as eight workers using physical labor. He did note that the City also uses vacuum blowers. He estimated that blowers are used 550 hours a week, and that it would take 130 additional staff to accomplish the same work force. He said the issue is effective methods of work, and that they can't use water any more. He said leaf blowers are also used for tennis courts, etc., and that the amount of toxic materials blown around from the wind and moving cars is probably equal to that of leaf blowers.

Committeemember Pane suggested that the Parks Department investigate the possibility of using vacuum sweepers such as those used in Capitol Park and on the Mall. Mr. Thomas said he is not opposed to looking into the issues of noise and pollution, but that consideration should also be taken for the cost impacts involved. Mr. Thomas said his staff is in the process of contacting cities with leaf blower bans to see what they have done, and that this is a very complicated issue.

Robie said that each city who has a ban did it in a different way, and that it is clear this is a problem in the community which the City has to do something about.

Committeemember Chinn said that in the end the City may have to ban leaf blowers or, better yet, limit its use, but that today is premature. He then moved that (1) the Committee refer it to the Environmental Commission and request that they look at

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COMMITTEE ACTION SHEET

6. ITEM CONTINUED FROM PREVIOUS PAGE.

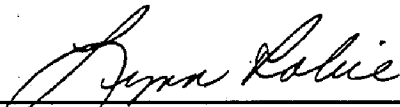
the total problem (noise, environmental and economic); (2) ask the Commission to conduct some meetings in the evenings so that the City can have more testimony; (3) ask the Commission to give the City a time-line and a scope of what they are going to do; (4) send a letter to the Board of Supervisors to get their support. Pane seconded the motion and Robie concurred.

Robie asked staff to come back to Committee with a report back on what happens at the Environmental Commission meeting. It was also requested that Bob Thomas come back with information regarding what is being done in other cities.

Drew Herzig of the Ad Hoc Committee to Ban Blowers spoke at this time. He expressed his feeling that the information his group presented was discredited by Mr. Thomas' remarks. Chair Robie said the Committee *wants* input. Chinn said that Bob Thomas reflects only a piece of the entire problem. Mr. Herzig said he just didn't want the research to be cut off at the source. Chinn assured Mr. Herzig that the Environmental Commission will be very objective.

The meeting was adjourned at 4:25 p.m.

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LYNN ROBIE, Committee Chair

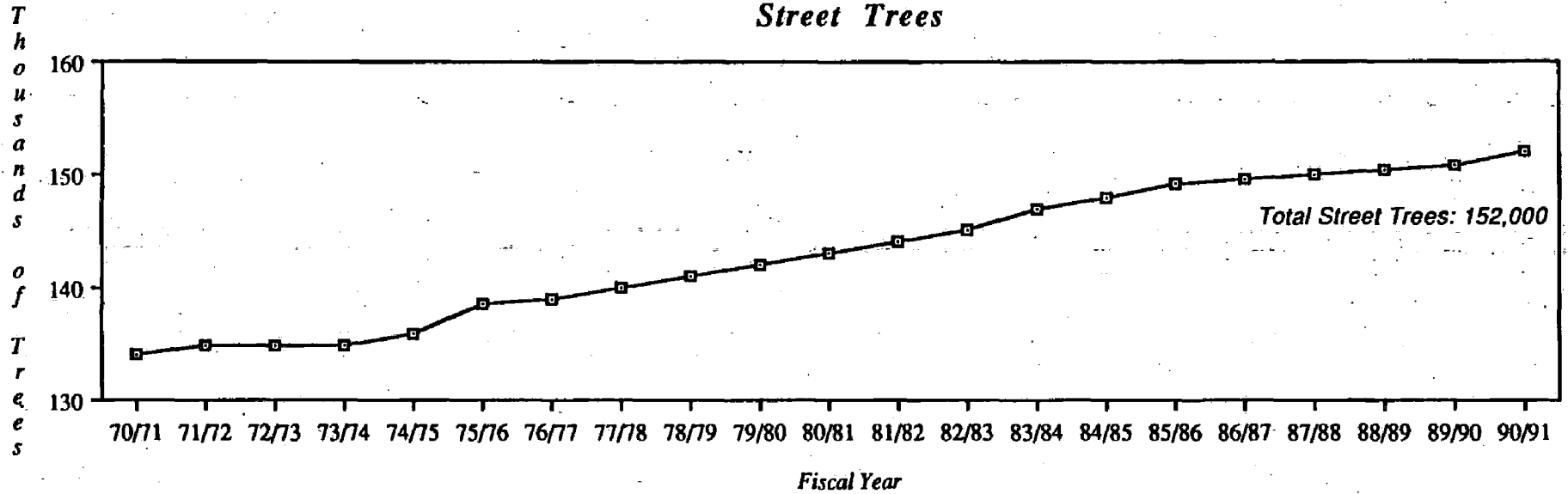
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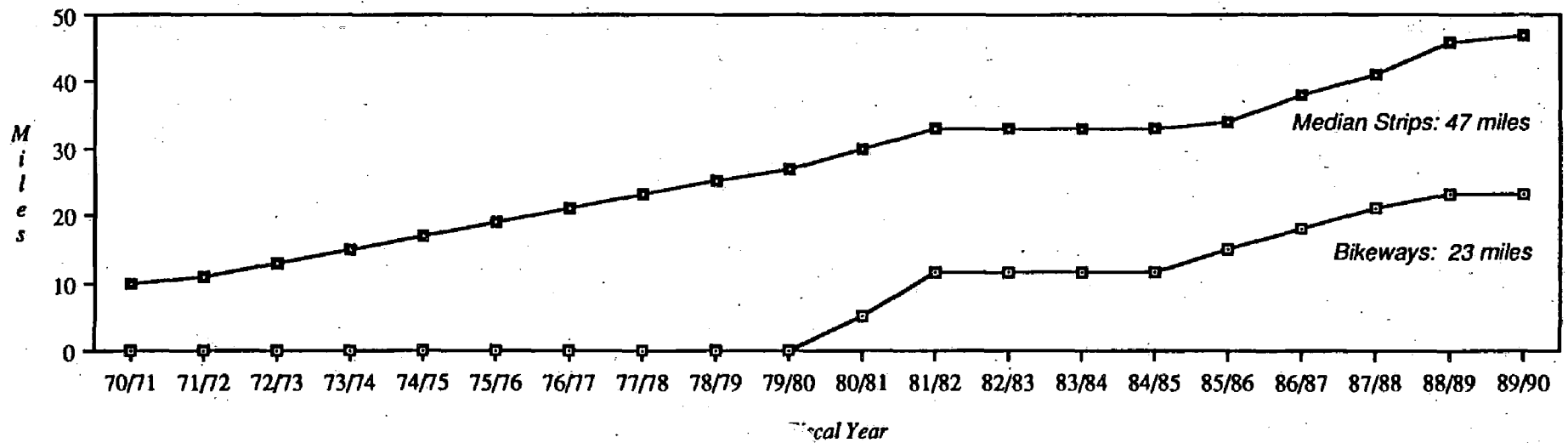
JUDY SANDERS, Secretary

Parks Division

Street Trees

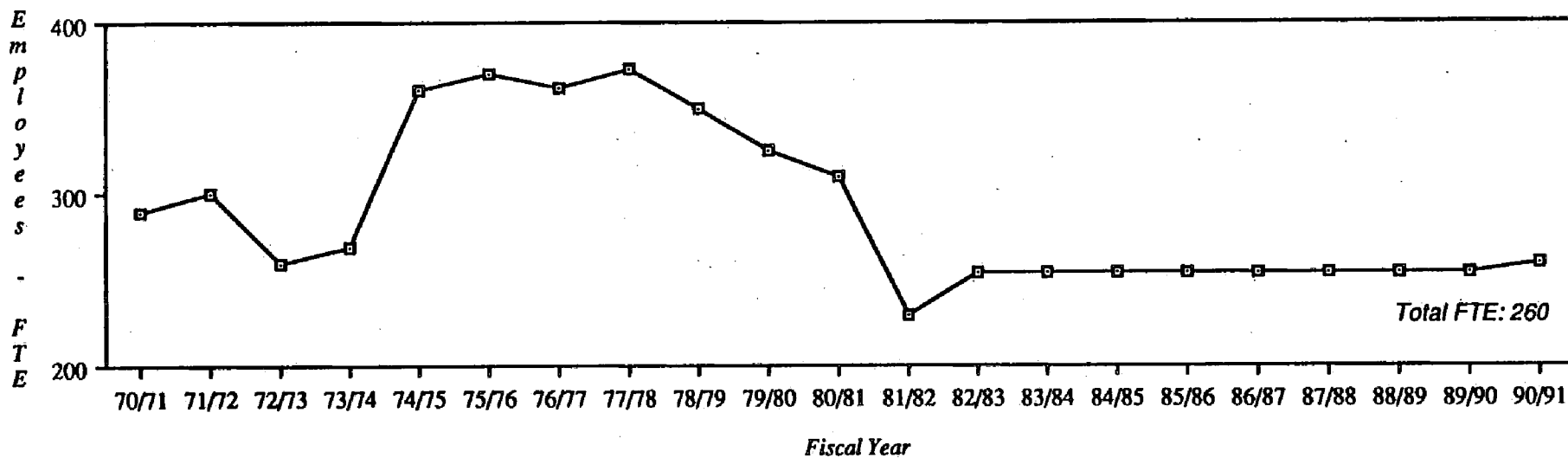


Landscaped Median Strips & Off-Street Bikeways



Parks Division

Staffing Levels



Park Land

