

**COUNCIL COMMITTEE MINUTES**

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**COMMITTEE NAME:** LAW AND LEGISLATION  
**MEETING DATE:** March 19, 1996  
**MEETING TIME:** 12:00 P.M.  
**LOCATION:** 915 I Street, 2nd Floor, Council Chambers

The meeting was called to order at 12:05 p.m. by Deborah Ortiz, Chairperson.

**ROLL CALL**

Present: Committee Members Ortiz, Waters, Steinberg (arrived at 12:07 p.m.)

Absent: Committee Member Fargo

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1.0 CONSENT CALENDAR (Item 1.1)

1.1 **Legislative Update**

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This item was continued to April 2, 1996. Ken Emanuels, Lobbyist for the City of Sacramento, was not able to attend

2.0 STAFF REPORTS

2.1 **Howard Jarvis Taxpayers Association Request Regarding Proposition 62 (1986) (D-All)**

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Recommendation of Staff: Approve Staff Recommendation

Committee Action: Approved Recommendation

Michael Coleman, Senior Management Analyst, provided a brief description and background of Proposition 62. Proposition 62 was passed by the voters of California in 1986 which required general taxes to be approved by a majority of the popular vote. The Howard Jarvis Taxpayers Association sent a letter to the City of Sacramento requesting that the City place any tax increase since 1986 not approved by the voters to a vote of the Sacramento electorate. The City Attorney responded that in his opinion all taxes imposed by the city are in compliance with applicable laws. City staff is recommending that the Committee advise the City Council not to put any taxes on the ballot.

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Jon Coupal, Howard Jarvis Taxpayers Association, said that he didn't have much to add that wasn't already in his letter he sent. He says that they disagree with respect to the legal analysis the City is making on Proposition 62. He also wanted to mention that since this letter was sent the issue has been raised regarding certain franchise fees that are imposed by the City on some of its own enterprise activities. They believe that to the extent that fees are collected in excesses of cost of service that they too would come under the purview of Proposition 62.

A motion was made by Committee Member Waters, seconded by Committee Member Ortiz, to approve staff recommendation and forward it to the City Council for full review. The motion carried with a 2-0 vote, with Committee Member Steinberg arriving late and Committee Member Fargo being absent.

**2.2. Ordinance Chapter 69.02 (Section 69.02.201) Prohibiting Disruption of Motion Picture and Television Production (D-All)**

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

Committee Action: Approved and Forwarded to City Council

Sam Burns, Director, Community and Visitor Services, gave a brief background of the proposed ordinance. The purpose of this ordinance, which is more of a marketing strategy, is to demonstrate to TV and film industry that Sacramento is film friendly. One of the problems the film commission has is disruption from the public. The ordinance would provide that a person may be cited for disrupting the production of a film.

Committee Member Ortiz, said that she agrees with the policy. But thought that they might run into some difficulty in defining the terms listed in Section 1, B2 and if staff could clean up some of the terms.

Diane Balter, City Attorney, said they could look into changing the terms.

A motion was made by Committee Member Waters, seconded by Committee Member Steinberg, to approve staff recommendation and forward it to City Council for full review. The motion carried with a 3-0 vote, with Committee Member Fargo being absent.

**2.3 Ordinance Amending Title 61 of the Sacramento City Code relating to Nuisance Abatement (D-All)**

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

Committee Action: Approved and Forwarded to City Council

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Ed Swasey, Program Coordinator, Neighborhood Nuisance Program, reported that his department have made some changes to Title 61. Those changes are: 1) Under definitions include the homeowners associations into the definition of "owners" to make them responsible under the ordinance just as they do the owners; 2) Under Section 1601 change the actual title from Neighborhood Nuisance Code to Social Nuisance Code because of confusion; 3) Under Section 1610 reduce the title of citation of owner abatement period from 60 days to 30 days; 4) Under 1610 define that all fees and fines should become a personal obligation of the owner and a lien against the property; 5) Under Section 1611 (a) allow for continued monitoring beyond compliance by the owner of the citation of order and impose bench rated penalties if problems reoccur within an 18 month period this means stuff can go from a citation to administrative penalties and not have to start all over.

Committee Member Steinberg, thinks the most significant change is to say that the we can still constitute a nuisance under the code even if the owner has temporarily cleaned up if the nuisance reoccurs within 18 months. In the past we've been limited because the homeowner will clean up property on a temporary basis and then the problem will reoccur again. In the past it was hard to try a case. Now with this ordinance we're saying for 18 months you need to turn around the condition of the property or we can use the ordinance against you. This means more cases to go to administrative penalty and enforcement.

A motion was made by Committee Member Steinberg, seconded by Committee Member Waters, to approve staff recommendation and forward it to City Council for full review. The motion carried with a 3-0 vote, with Committee Member Fargo being absent.

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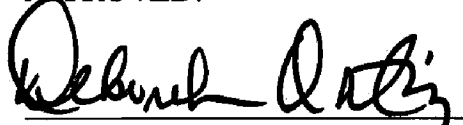
**ADJOURNED** - There being no further business to come before the Law & Legislation Committee, the meeting was adjourned at the hour of 12:21 p.m.

Respectfully submitted,



Aline Soto, Committee Secretary

APPROVED:



Deborah Ortiz, Committee Chair

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