

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: March 15, 1994

MEETING TIME: 1:00 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 12:08 p.m. by Committee Chair Heather Fargo.

PRESENT: Committeemembers Heather Fargo and Deborah Ortiz.

ABSENT: Committeemembers Josh Pane and Sam Pannell.

Chair Fargo announced that item 2.1, the Campaign Reform Ordinance, has been withdrawn. Councilmember Terry Kastanis, not a Committee member, requested that Item 2.2 relating to prohibition of placement of signs on utility poles and other structures on public property be postponed to another meeting. There was some discussion, and it was agreed that testimony would be heard today, then forwarded to the full Council with the Committee's recommendation.

1.0 CONSENT CALENDAR (Items 1.1 and 1.3 only; 1.2 withdrawn)

All items listed on the Consent Calendar are considered and acted upon by one motion. A member of the Committee or staff may request an item to be removed for separate consideration.

VOTING RECORD:

Moved: Ortiz
Seconded: Fargo
Ayes: Ortiz, Fargo
Absent: Pane, Pannell

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2.0 STAFF REPORTS (Item 2.2 only; 2.1 withdrawn)

- 2.2 An ordinance amending Section 3.08.152 of the Sacramento City Code, prohibiting placement of signs on utility poles and other structures on public property, authorizing the removal of illegal signs, and designating the persons responsible for the costs of removal.

RECOMMENDATION OF STAFF: Provide direction to staff.

COMMITTEE ACTION: Forwarded to full Council for further discussion and/or action.

MINUTES:

Gary Little, the City's Citizen's Assistance Officer, discussed this ordinance. He said this ordinance would hopefully help prevent the placement of signs on poles and other structures on public property, and would also make the person or persons placing those illegal signs responsible for the costs of removal. He said he has met with utility representatives who have been working with Sacramento County on this same issue, and that SMUD, PG&E and Pacific Bell, the City and the County will be meeting soon to get together a volunteer crew to help abate this problem.

There was considerable discussion relating to the number and location of signs illegally posted, how that impacts neighborhoods, and methods of sign removal. Chair Fargo said she has a problem with charging the person who puts up the sign. It was suggested that specified areas, such as kiosks, could be set up where signs can be legally posted for the benefit of the neighborhoods and for those signs regarding community meetings or local entertainment opportunities. Discussion was also held regarding SMUD and PG&E poles, and how they relate to enforcement. Ortiz questioned the \$70,000.00 cost for the implementation of this ordinance, as well as the fact that it would pull people from the Graffiti Busters program, which would cut into graffiti abatement. Gary Little noted that the budget process requires that all costs be enumerated, even though items such as vehicles will already be in existence. He also stated that he is still not sure how many days a week would be devoted to graffiti abatement, which is a high priority with the Council right now. Deputy City Attorney Diane Balter explained about First Amendment protections, noting that the Supreme Court has made it clear that even political signs can be prohibited from utility poles in the public right-of-way. Ms. Balter also told the Committee that there is now one state court case which involves billboards, but that there are no cases involving signs on posts. Chair Fargo questioned why Graffiti Busters couldn't just make poster removal part of its voluntary work, which wouldn't cost as much. She also said that in her district, people want to know what's going on in the Central City, and that they like seeing the posters, but that garage sale signs and the like can

ITEM CONTINUED ON FOLLOWING PAGE.

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2.2 ITEM CONTINUED FROM PREVIOUS PAGE.

be a problem. Gary Little explained that where signs for lost dogs or lost cats are illegally placed on poles, the City could notify the owners that there is an ordinance in place and request that they remove the signs themselves, rather than just remove the signs and bill the owner.

Deborah Rittenhouse of the Valley Hi area spoke at this time. She said she is active in several community groups, and that these groups support the proposed ordinance. She explained that these posters are very similar to graffiti.

The next speaker was Vicky Ostil. She said that she helped remove some posters from poles as a volunteer, and that there were 3" to 4" of crud and staples on poles and trees. She is in support of the proposed ordinance.

Ted Hussey, a telephone cable splicer, expressed his concern about safety for utility workers with all of the staples and nails in the poles and trees, and is in favor of the proposed ordinance.

Chair Fargo again expressed her concerns about charging persons for posting signs, rather than notifying them that the sign is illegal and requesting that the person to remove it, then fine that person if the sign is not removed. Ortiz again expressed her concerns relating to the First Amendment issues and whether enforcement of the proposed ordinance would be the best utilization of the City's limited resources. Chair Fargo asked whether language could be added to levy fines only on "repeat offenders."

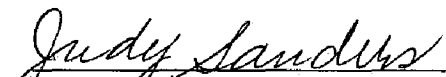
It was decided among the Committeemembers that this item go to full Council for further discussion without a recommendation, since Councilmembers Yee and Kastanis have strong opinions on this issue.

The meeting was adjourned at 1:50 p.m.

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HEATHER FARGO, Chair

ATTEST:


JUDY SANDERS, Secretary

Law and Legislation Committee
March 15, 1994