

COUNCIL COMMITTEE MINUTES

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COMMITTEE NAME: LAW AND LEGISLATION Jul 5 9 59 AM '96
MEETING DATE: May 21, 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 Darrell Steinberg, Acting Chairperson.

ROLL CALL

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

Absent: Committee Members Ortiz

1.0 CONSENT CALENDAR

1.1 Legislative Update

Recommendation of Staff: For Committee Information

Michael Coleman, Sr. Management Analyst, provided an update on legislation. One bill in particular is SB 2113 Contracting- this would have preempted our debarment procedures that we've adopted and instituted a new state-wide debarment procedures which is considerably weaker. The bill has been defeated.

2.0 STAFF REPORTS

2.1 **A. Zoning Ordinance Amendment related to Zoning Administrator Authority (M95-084)**

B. Amendment to the Fee and Charge Report modifying Zoning Administrator Entitlement / Review / Processing Fees

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

Committee Action: Approved (except Sidewalk Cafe section) and Forwarded to City Council

Carole Shearly, Planning and Development, gave an overview of the amendments. The Zoning Ordinance amendment is adding entitlements to those that may be granted by the Zoning Administrator, the goal is to streamline the process without jeopardizing appropriate project review. There is also the Fee & Charge report change, the factors

involved in the amendment include revision to the cost of the Zoning Administrator entitlements based on research done since the zoning administrator function was put in place 3 years ago. And secondly, to reflect the changes proposed in the Zoning Ordinance itself. The list of proposed entitlements that may be granted by the Zoning Administrator is included in the staff report, along with the fee changes.

Committee Member Fargo, asked if there was a listing of who reviewed this report - did it go to the Downtown Partnership? The one fee increase that she is concerned with is the revocable permit for sidewalk cafes. "Why do we feel we need to issue a permit for that?"

Joy Patterson, Zoning Administrator, answered that there are some standards that we give but other departments review them to make sure that what the restaurant wants to do meets all the standards.

Committee Member Fargo, said that she would like the Downtown Partnership to review (th sidewalk cafe fee part) and give comments on the report before it comes back to full City Council.

A motion was made by Committee Member Fargo, seconded by Committee Member Waters, with the exception of sidewalk cafe permits, to forward the remainder of the staff recommendation to City Council for full review. The motion was carried by a 3-0 vote.

2.2. Ordinance amending requirements and procedures for Taxicab Vehicular Permits and Taxicab Driver Permits

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

Committee Action: Continued to June 4, 1996

Margaret Freeman, Revenue Division Manager, gave an overview of amendments to the Ordinance. Ordinance is amending the current city code relating to taxicab vehicular permits and taxicab driver permits. The major emphasis for the proposed changes arose from the passage of Senate Bill 46, which mandates any local agencies issuing taxi driver permits to also require drug testing annually. Also included in the amendments are additional enforcement provisions. There are also amendments that have additional punitive penalties for insurance requirements.

Committee Member Fargo, asked exactly what changes were a direct result of SB 46. Ms. Freeman said that the drug-testing requirements and the employer specific permit requirement were a direct result to SB 46.

Fred Pleines, Yellow Cab Co., said he welcomes change in the ordinance. He was concerned about the way permits will be issued. "How will the City inform taxis when permit is going to expire?" He suggested the term "comprehensive" insurance should be replaced with "designated or scheduled auto". City Attorney Balter, suggested that the

City talk to someone in the insurance field and make the change if appropriate.

Ricky Baugham, taxicab driver, would like to add to Section 42.03.020 a provision that allows drivers to have a 10-minute time limit for restroom breaks.

Ina Finnegan, Shamrock Taxi, wanted to comment on Committee Member Waters comments re: high flagging. She said, "many taxicab drivers are not equipped with a switch to throw the flag that turns the light out". She feels that "high flagging" is not a problem anymore.

Don Rothchild, Citizen Association for Responsible Service, referred to a letter he sent to Ms. Freeman with recommended changes to the ordinance. Ms. Freeman said that one of their suggestions was radio dispatch, which has been eliminated. Mr. Rothchild is concerned about the definition of "taxicabs" - it would allow anyone who wanted to use a vehicle less than 50% of the time be a taxicab without any of the provisions of Title 42.

Russell Hungate, thinks a top light (on taxis) is very useful to have and use. He also thinks workers compensation is a very pertinent issue.

A motion was made by Committee Member Steinberg to bring back the report (no public testimony, since that's been heard) to the June 4th Law and Legislation Committee Meeting. All in favor.

2.3 AB 403 (Richter) Underground Storage Tanks

Recommendation of Staff: Oppose Legislation

Committee Action: Approved Recommendation

No presentation.

A motion was made by Committee Member Fargo, seconded by Committee Member Waters to approve staff recommendation. The motion was carried with a 3-0 vote.

2.4 AB 2799 (Thompson) Alcoholic Beverages

Recommendation of Staff: Support Legislation

Committee Action: Approved Recommendation

No presentation.

A motion was made by Committee Member Fargo, seconded by Committee Member Waters to approve staff recommendation. The motion was carried with a 3-0 vote.

ADJOURNED - There being no further business to come before the Law & Legislation Committee, the meeting was adjourned at the hour of 1:00 p.m.

Respectfully submitted,



Aline Soto, Committee Secretary

APPROVED:



Deborah Ortiz, Committee Chair
