

# 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: July 21, 1992

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 1:22 p.m. by Chair Lynn Robie.

PRESENT: Committeemembers Robie, Pane and Serna.\*

ABSENT: Committeemember Chinn.

\*Committeemember Serna arrived at 1:22 p.m.

Chair Robie announced that Item 3 on the agenda, an ordinance amending Article I of Chapter 45 of the Sacramento City Code relating to trees, has been continued to the August or September meeting of this Committee. She also stated that the service station franchise fair dealing ordinance would be heard at the August Committee meeting. Deputy City Attorney Diane Balter said that the opponents to this ordinance won't be available on August 18, the date of the regularly scheduled meeting, and requested that the meeting be set for one week later. It was agreed that the August Law and Legislation Committee meeting would be held on August 25.

## 1. Legislative Advocacy Consultant Services Agreement.

Recommendation of Staff: Support and forward to Council.

Committee Action: Supported and forwarded to Council.

**ITEM CONTINUED ON FOLLOWING PAGE.**

## COMMITTEE ACTION SHEET

### 1. ITEM CONTINUED FROM PREVIOUS PAGE.

Voting Record:

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

#### MINUTES:

Jack Crist, Deputy City Manager, stated that this was a renewal of the contract with Ken Emanuels, the City's Legislative Advocate, and that because of the severe budget crunch Mr. Emanuels has agreed to take a 20% reduction from last year's contract, asking only that when times return to normal circumstances his contract would go back up to the higher level. Mr. Crist stated that this reduction does *not* reflect upon the quality of Mr. Emanuels' work. Chair Robie expressed her praise of Mr. Emanuels' excellent performance for the City. Pane moved to approve the Legislative Advocacy Consultant Services Agreement for Ken Emanuels, Robie seconded the motion, and it was unanimously supported. This item will now be forwarded to full Council with this recommendation.

### 2. AB 3734 (Hauser) relating to City representation on Air District boards.

Recommendation of Staff: Support.

Committee Action: Supported.

Voting Record:

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

#### MINUTES:

Gary Ziegenfuss, Associate Planner, was present to discuss this bill. Further information was passed out at this time (copy attached). Mr. Ziegenfuss stated that the Governor is expected to sign this bill.

ITEM CONTINUED ON FOLLOWING PAGE.

COMMITTEE ACTION SHEET

2. ITEM CONTINUED FROM PREVIOUS PAGE.

\*Councilmember Serna arrived at 1:22 p.m.

Chair Robie expressed her feeling that this city, as all cities, needs to be represented, and that the Board of Supervisors feels it is adequate for the Board of Supervisors to act alone. Ken Emanuels noted that CSAC opposes the Hauser measure, but that it will probably pass. Serna moved to support AB 3734 (Hauser) relating to City representation on Air District boards, Pane seconded the motion, and it was unanimously supported.

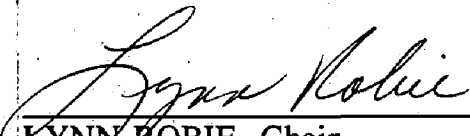
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At this time, Ken Emanuels, the City's Legislative Advocate, explained to the Committee that so far, the State budget is going nowhere. He said he feels this will go at least into August, as the Governor, Assembly and Senate each have their own plans for the State. There was some discussion regarding the condition of the State's budget.

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The meeting was adjourned at 1:30 p.m.

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LYNN ROBIE, Chair

ATTEST:

  
JUDY SANDERS, Secretary

## LEGISLATION TO REQUIRE CITY MEMBERSHIP ON AIR DISTRICT BOARDS

### PENDING LEGISLATION

#### AB3734 (Hauser)

**Coauthors:** Assembly Members Areias, Hughes, Wyman  
Senators Deddeh, Cecil Green, Watson

**Sponsor:** League of California Cities

**Status:** Passed by Assembly, Passed Senate Local Govt. (Policy Comm), The Senate Appropriation Committee has sent it the floor for a vote by the end of the July. A conference committee will then be asked to resolve differences.

#### City

**Position:** Support bill. City Council has not seen new amendments. New amendments require that the Air Quality District to have a 2/3 membership of County Board of Supervisors and a 1/3 membership of City Council people if Cities and County can not agree on Air District membership on or before July 1, 1993.

#### Major Elements of Bill

- On or after July 1, 1993, the Air District Board shall include one or more members who are City Council Members and one or more members who are County Supervisors.
- The number of members and their composition shall be determined jointly by the counties and cities, and shall be approved by the county, and a majority of the cities which contain a majority of the population in the incorporated area of the District. City representatives shall be selected by a city selection committee.
- If the Air District fails to establish this new membership before July 1, 1993, the membership of the District shall be 2/3 county supervisors and 1/3 city council people (the county membership shall be rounded up, city representation shall be rounded down). The composition and membership shall use the same rules as stated above.

#### Advantages

- Enables Cities to have, at a minimum, 1/3 representation on the Air District Board.
- Cities and the County have flexibility to establish an Air District Board which has authority over Congestion Management. That is, a modified STA Board (the representative from the water district can not vote) could become the Air District Board and, in so doing, one body will exist to merge air quality and transportation planning. The merging of these planning activities is consistent with one of the objectives of the new Federal Surface Transportation Act.
- Establishes a dialogue between Cities and the County over air quality regulations which will have a direct impact on local land use and transportation plans, standards, and programs.

- **The Governor will sign this bill.**

#### Issues

- **Agreement must occur between the City of Sacramento and two other cities, as well as with the County.**

#### **The Lloyd Connelly Initiative**

##### **No Bill Pending**

**Sher may amend AB2783, which modifies the Clean Air Act, if there is local support.**

**Sponsor: Sierra Club**

**Status: No other Authors, past deadline to submit new policy legislation.**

#### Major Elements Of Initiative

- **The Air District Board in Sacramento County will consist of the Mayor of Sacramento and four County Supervisors.**

#### Advantages

- **The Air District Board will not include the FIG Cities. This is the view of the Sierra Club and some members of the Board of Supervisors.**

#### Issues

- **This legislation will eliminate the opportunity to merge Air Quality and Congestion Management planning.**
- **The City of Sacramento will only have one vote. Therefore, on controversial issues the City will be at a disadvantage because two County Supervisor votes will be needed to support the interests of the City.**
- **The State will be imposing a Board membership without the consent of the FIG cities. The Hauser bill could allow for Assemblyman Connelly's idea if the County and a majority of the cities agree. Therefore, the FIG cities will ask why the County and City of Sacramento be given the authority to regulate the activities of small cities in Sacramento, while at the same time, the rest of the State must include small cities in the Air Quality planning process? They will heavily lobby their State representatives to reject this idea. Therefore, the Governor may not support this initiative.**
- **Other State representatives will question why the City is changing its position now, when it already has formally supported the membership concept contained in the Hauser bill.**



**CHAIRMAN  
BOARD OF SUPERVISORS  
COUNTY OF SACRAMENTO**

700 H STREET, SUITE 2450 • SACRAMENTO, CA 95814

April 20, 1992

**C. TOBIAS (Toby) JOHNSON**  
SUPERVISOR, FIFTH DISTRICT  
(916) 440-8465  
FAX (916) 440-7593

Victor Pottorff  
Deputy Executive Director  
Karen Keene, Legislative Analyst  
1100 "K" Street, Suite 101  
Sacramento, CA 95814-3941

Members of the Sacramento County Board of Supervisors, during their regularly scheduled meeting of Tuesday, April 14, 1992, voted to oppose AB 3734 (Hauser), which would require all single and multi-county Air District Governing Boards to include both city and county representatives by July 1, 1993.

This bill, as presently worded, does not commit cities to share in additional costs for air district operations in the event the board were to be enlarged to include city representatives. The bill does contain a provision for the Sacramento District which would require the full membership of the Board of Supervisors of Sacramento County to be the governing board, as is currently the case. In the event the bill does become law, the five Supervisors would continue as the Governing Board with the addition of a specified number of City representatives, thus increasing the total number of Board members.

The Sacramento County Board of Supervisors is of the belief that county air quality boards presently are adequate to represent the interests of the population of the air quality district for incorporated and unincorporated areas of the County.

Sincerely,

Toby Johnson, Chairman  
Board of Supervisors

TJ:js  
cc: Baxter Culver  
Norm Covell  
Clerk, B/S

Post-It™ brand fax transmittal memo 7571		# of pages • 1
To: <i>Bill M... City of Sac.</i>	From: <i>Toby Johnson</i>	
By: <i>Norm Covell</i>	Co: <i>Norm Covell</i>	
Dept.:	Phone # <i>831/465-165</i>	

**LAW AND LEGISLATION COMMITTEE AGENDA**

Tuesday, July 21, 1992

1:00 p.m.

City Council Chamber  
915 "I" Street  
Sacramento, California

1. Legislative Advocacy Consultant Services Agreement. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

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2. AB 3734 (Hauser) relating to City representation on Air District boards. (D-All)

RECOMMENDATION OF STAFF: Support.

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3. Ordinance amending Article I of Chapter 45 of the Sacramento City Code, relating to trees. (D-All)

RECOMMENDATION OF STAFF: Support and forward to Council.

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COMMITTEE MEMBERS: Robie (Chair), Chinn, Pane and Serna.