

## LAW AND LEGISLATION COMMITTEE AGENDA

December 5, 1995

1:00 p.m.

City Council Chamber  
915 "I" Street  
Sacramento, California

### 2.0 STAFF REPORTS

#### 2.1 Ordinance Adopting the 1994 Uniform Fire Code as Amended

RECOMMENDATION OF STAFF: Approve Staff Recommendation and Forward to City Council

#### 2.2 Amendment of Fees, Charges and Penalties related to Use of City Parking Facilities.

RECOMMENDATION OF STAFF: Approve Staff Recommendation and Forward to City Council

#### 2.3 Policy options on the issuance of letters of Public Necessity and Convenience for Establishments requesting a State Liquor License within Over-Concentrated census tracts as defined by State Law.

RECOMMENDATION OF STAFF: Approve Staff Recommendation and Forward to City Council

#### 2.4 Addition of Chapter 61.17 to Title 61 of the Sacramento City Code relating to Graffiti.

RECOMMENDATION OF STAFF: Approve Staff Recommendation and Forward to City Council

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COMMITTEE MEMBERS: Ortiz (Chair), Cohn, Fargo, Steinberg

## LAW AND LEGISLATION COMMITTEE AGENDA

December 5, 1995

1:00 p.m.

City Council Chamber  
915 "I" Street  
Sacramento, California

The meeting was called to order at 1:07 p.m.

In attendance were Chairperson Ortiz, Council members Fargo, Steinberg and Cohn

### 2.1 Ordinance Adopting the 1994 Uniform Fire Code as Amended

There was no discussion on this item.

The Committee voted as follows:

MOVED: Steinberg  
SECONDED: Fargo

AYES: Fargo, Steinberg, and Ortiz  
ABSENT: Cohn

### 2.2 Amendment of Fees, Charges and Penalties related to Use of City Parking Facilities.

There was no discussion on this item.

The Committee voted as follows:

MOVED: Cohn  
SECONDED: Steinberg

AYES: Cohn, Steinberg, and Ortiz  
ABSENT: Fargo

2.3 Policy options on the issuance of letters of Public Necessity and Convenience for Establishments requesting a State Liquor License within Over-Concentrated census tracts as defined by State Law.

Dawn Holm, Associate Planner, gave a brief overview of this item. On January 1, 1995, a law went into affect limiting the number of liquor licenses allowed within a census tract based on population. This report presents several policy options for the City Council to consider regarding the issuance of alcoholic beverage licenses in areas of the City that are deemed by State Legislation to be over-concentrated with existing liquor licenses. As a result the State Department of Alcoholic Beverage Control (ABC) is not allowed to issue new off-sale liquor licenses or on-sale liquor licenses for businesses generally operated as a bar in over-concentrated census tracts, unless the local government body or their delegated representative submits a letter to ABC stating public necessity and convenience and requests that the license be issued.

Lynne Ohlson, Administrative Analyst II, reviewed the three (3) policy options staff prepared for the Committee to review and consider. Police is recommending Option 1.

Councilmember Fargo pointed out on the map that the restaurants along Garden Highway is not noted on the map. Ms. Ohlson to rectify.

Councilmember Cohn stated he would select option 2 with some of the verbiage from option 1.

Ms. Ohlson explained ABC has jurisdiction to revoke liquor license and that it is a very difficult and length process.

Public Testimony:

Rick DeGregorio, Stockton Blvd., opposes the recommendation of staff.

Rick Mayerson, opposes staff recommendation.

Traci Robinson-Michel, Stockton Blvd. PAC, opposes the recommendation of staff.

Hewitt Robinson, Stockton Blvd., opposes all options. Mr. Robinson stated this was a form of discrimination against smaller supermarkets. He also stated the Police Chief should not have the final say so on who receives a liquor license.

This item was continue next week, December 12, 1995.

2.4 Addition of Chapter 61.17 to Title 61 of the Sacramento City Code relating to Graffiti.

Jane Christenson, Police Chief's Office, provided a brief overview of the item. The proposed ordinance was initiated by Council members Steinberg and Cohn. It is modeled after a similar ordinance in the City of Modesto.

Councilmember Steinberg state that efforts to stop graffiti only work if we increase our ability to catch graffiti offenders. He asked what the Police Department is doing to work with neighborhoods to identify and apprehend taggers. Jane Christenson responded that neighborhood enforcement teams have been assembled in what is essentially a tactical unit to concentrate on graffiti and catch offenders in the act.

Councilmember Cohn stated that cooperation, prevention and education are preferable to using enforcement, but that the ordinance would strengthen the City's ability to enforce if other methods are not successful. He stated that removal of graffiti is key to stopping the problem - but that enforcement is also important.

Councilmember Ortiz noted that the City has an existing graffiti ordinance and asked staff to clarify what is unique about this proposal. Jane Christenson commented that this proposal enhances the adjudicatory process, enabling the City to avoid dependence upon the District Attorney who places these cases at a low priority and does not follow-through. Noel Eubio, Neighborhood Services Department added that the proposed ordinance is modeled after code enforcement procedures.

Councilmember Ortiz asked about the status of graffiti activity and enforcement. Captain Rick Brazil of the Police Department responded that efforts are having some success but that this ordinance will be very useful. Councilmember Ortiz noted that state law precludes the City from fully prohibiting the sale of materials used by Graffiti vandals.

MOVED: Steinberg

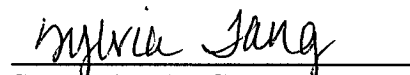
SECONDED: Cohn

AYES: Cohn, Fargo, Steinberg, and Ortiz

The meeting was adjourned at 2:08 P.M.



DEBORAH ORTIZ  
Committee Chairperson



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SYLVIA TANG  
Secretary