

# 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 16, 1993

**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 1:06 p.m. by Committee Chair Heather Fargo.

**PRESENT:** Committeemembers Heather Fargo, Josh Pane, Sam Pannell, and Deborah Ortiz.

**GUEST:** Councilmember Terry Kastanis.

**1. Legislative update from Ken Emanuels, the City's Legislative Advocate.**

Recommendation of Staff: File

**MINUTES:**

Ken Emanuels, the City's Legislative Advocate, provided a written status report of pending legislation of interest to the City, but was not present at the meeting.

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**2. Senate Bill 566 (Roberti), relating to library services assessments.**

Recommendation of Staff: Support.

Committee Action: Supported.

Voting Record: Moved: Pannell  
Seconded: Pane  
Ayes: Pannell, Pane, Ortiz, Fargo

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### 2. ITEM CONTINUED FROM PREVIOUS PAGE.

#### MINUTES:

Susan Hildreth, Deputy Library Director, presented this bill to the Committee. She said that this bill would give the City an opportunity to consider library benefit assessments for funding, and that it was co-sponsored by Los Angeles County and the California Library Association. She then explained the procedure for establishing an assessment district. Councilmember Kastanis asked about the bill's chances of passing, and Library Director Richard Killian said it needs a 2/3 vote and that it looks good. Pannell moved to support SB 466 (Roberti), relating to library services assessments, Pane seconded the motion, and it was unanimously supported.

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### 3. AB 821 (Cortese) and SB 158 (McCorquodale) relating to the California Heritage Lands Bond Act of 1994 to finance acquisition, development and rehabilitation of park, recreational, historical, forest, wildlife and coastal resources.

Recommendation of Staff:	Support.
Committee Action:	Supported.
Voting Record:	Moved: Pannell Seconded: Pane Ayes: Pannell, Pane, Ortiz, Fargo

#### MINUTES:

Walt Ueda, Deputy Director of Parks and Community Services, explained that these two bills relating to the same issue are slated for the June, 1994 election. He briefly discussed the staff report relating to these bills. Pannell moved to support AB 821 and SB 158, Pane seconded the motion, and they were unanimously supported.

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### 4. SB 95 (Kopp) relating to records of city attorneys and other public attorneys.

Recommendation of Staff:	Oppose.
Committee Action:	No action taken.

#### MINUTES:

Deputy City Attorney Diane Balter discussed this bill with the Committee. She said the City Attorney's office will want to give Council advice, but the attorneys would not want to have

**ITEM CONTINUED ON FOLLOWING PAGE.**

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### 4. ITEM CONTINUED FROM PREVIOUS PAGE.

to reveal that advice to the opposing parties. She explained that the reason for this bill is that Senator Kopp feels that newspapers in particular should be given more information. Committeemember Pane said he would like to hear from the Senator on this issue before he votes either way, and suggested staff request that Senator Kopp write a letter or send a representative to talk to staff and/or Council. Attorney Balter said she would get something from Senator Kopp. She went on to say that city attorneys and other public attorneys should have as broad a privilege as a private attorney, and that confidential memos should not be public records. She noted that right now these confidential communications are protected by the attorney-client privilege. Committeemember Ortiz said she would probably vote to oppose this bill, but that she would like to get more information before making a recommendation. The Committee agreed to have this matter brought back for a vote after more information is available to them.

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### 5. An ordinance adding subsection (z) to Section 27.04.050 of the Sacramento City Code prohibiting the docking of vessels at City-owned and City-managed recreation docks for more than thirty-six hours or for the purpose of living aboard.

Recommendation of Staff:	Support and forward to Council.
Committee Action:	Supported and forwarded to Council.
Voting Record:	Moved: Ortiz Seconded: Pannell Ayes: Ortiz, Pannell, Pane, Fargo

### MINUTES:

Ken Harris, Parks and Recreation Manager, presented this item to the Committee. A copy of the staff report, which was not available at the time the agenda was distributed, is attached hereto. Mr. Harris explained that some boaters have been using the public docks as second homes or, sometimes, as their only home. Chair Fargo asked the reason for the 36-hour limit. Attorney Balter said that this time limit would allow for a one-night stay, but would eliminate the use of the public docks for long-term parking by persons living aboard their boats. Mr. Harris said that the docks referred to in this ordinance aren't very long; the one in Old Sacramento has only 150' of dock space and accommodates only about four boats at a time. There was some discussion regarding the fact that at one time the City charged for docking, but that it became too costly to enforce. Ortiz moved to support the ordinance relating to docking of vessels at City-owned and City-managed recreational docks, Pannell seconded the motion, and it was unanimously supported. This ordinance will now go to full Council with the Committee's recommendation of support.

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6. An ordinance amending Article I of Chapter 45 of the Sacramento City Code, relating to trees.

Recommendation of Staff: Support original staff proposal and forward to Council.

Committee Action: No action taken.

## MINUTES:

There was considerable discussion regarding this proposed ordinance, which has been before the Committee on two previous occasions. Pane suggested that the City allow staff to trim all the trees the City used to trim before the moratorium a few years ago, and just elongate the period of time it takes to do this trimming. He said he doesn't like concentrating tree-trimming efforts in some areas and not others. Pannell expressed his concern about the liability issues of not trimming some trees, and feels no trees should be left unmaintained. Chair Fargo said she feels this proposed ordinance is still premature, absent approval of the Tree Management Plan. She then suggested postponing any decision regarding this ordinance until there is a final Tree Management Plan. Mr. Harris said staff has obviously underestimated the amount of controversy regarding this issue, and that he will bring a final report back to this Committee in a month or two. No further action was taken at this time.

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The meeting was adjourned at 1:40 p.m.

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HEATHER FARGO, Chair

ATTEST:

  
JUDY SANDERS, Secretary