



REPORT TO LAW & LEGISLATION COMMITTEE City of Sacramento

915 I Street, Sacramento, CA 95814-2671

1

Consent
May 1, 2007

Honorable Members of the
Law and Legislation Committee

Subject: Approval of Minutes -- April 17, 2007

Location/Council District: All

Recommendation: Approve the minutes for the Committee meeting of April 17, 2007.

Contact: Jennifer Carlino, Senior Deputy City Clerk- 808-8091

Presenters: None

Department: City Clerk's Office

Organization No: 0700

Summary: Staff recommends the approval of the minutes for the Committee meeting of April 17, 2007.

Committee/Commission Action: None.

Financial Considerations: None.

Environmental Considerations: None.

Policy Considerations: None.

Emerging Small Business Development (ESBD): None.

Respectfully Submitted by:


Jennifer Carlino, Senior Deputy City Clerk

Recommendation Approved:


SHIRLEY CONCOLINO

City Clerk

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MINUTES City of Sacramento Law and Legislation Committee

COMMITTEE MEMBERS:

SANDY SHEEDY, Chair (D-2)

LAUREN HAMMOND (D-5)
Councilmember

STEVE COHN (D-3)
Councilmember

ROBBIE WATERS (D-7)
Councilmember

CITY STAFF:

Shirley Concolino
City Clerk

Patti Bisharat
Government Affairs

Yvette Rincon
Legislative Analyst

Joe Robinson
Deputy City Attorney

City Hall
915 I Street, 1st Floor – Council Chambers
April 17, 2007 – 12:30 P.M.

The Law and Legislation Committee is a Standing Committee, a permanent committee of the City Council established to consider subjects of a particular class. Its purpose is to review state and federal legislation affecting the City and proposed changes to municipal ordinances in order to make recommendations to the full City Council.

NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken (3 minutes maximum) on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard at the end of the meeting as noted on the agenda. Comments on controversial items may be limited and large groups are encouraged to select 3-5 speakers to represent the opinion of the group.

Notice to Lobbyists: When addressing the Committee you must identify yourself as a lobbyist and announce the client/business/organization you are representing (City Code 2 15 160)

Speaker slips are located in the rack inside the chamber and should be completed and submitted to the City Clerk.

Government Code 54950 (The Brown Act) requires that a brief description of each item to be transacted or discussed be posted at least 72 hours prior to a regular meeting. The City posts Agendas at City Hall as well as offsite meeting locations. The order of Agenda items are listed for reference and may be taken in any order deemed appropriate by the legislative body. The Agenda provides a general description and staff recommendations; however, the legislative body may take action other than what is recommended. Full staff reports are available for public review on the City's website and include all attachments and exhibits. "To Be Delivered" and "Supplemental" reports will be published as they are received. Hard copies are available at the Office of the City Clerk (25 cents per page)

Live video streams and indexed archives of meetings are available via the internet. Visit http://www.cityofsacramento.org/webtech/streaming_video/live_council_meetings.htm

Meeting facilities are accessible to persons with disabilities. If you require special assistance to participate in the meeting, notify the Office of the City Clerk at (916) 808-7200 at least 48 hours prior to the meeting.

Legislation Log

Tracking Number	Subject Matter	Ordinance Sponsor/ Staff	Estimated Law & Legislation hearing Date 1	Notes	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion 2	Departments Possibly Affected
9	An Ordinance on Retailer Documentation of Ammunition	CM McCarty/ Police/ Lt. Jim Maccoun	15-May-07	CM McCarty requested at the 8/8/06 council meeting that staff research the possibility of an ordinance that would require retailers to document the sale of ammunition. On, 10/17/06, the Committee directed staff to draft an ordinance.	Possibly	Limited	Police
				LAW AND LEG COMMITTEE			
				ORDINANCE & REPORTS - DATE PENDING			
10	Docks Area Plan Ordinance	Econ Development/ Beth Tincher	Pending	Adopt, by ordinance, the Docks Area Specific Plan and Special Planning District.	TBD	TBD	TBD
11	Amend Tree Ordinance	Parks & Rec/Joe Benassini	Pending	Amend the City's Tree Ordinance to add section to: allow assessment of fees; prohibit topping of trees; and amend the tree permit appeals process.	To be Determined	To be determined	Parks & Rec
12	Establish Drug & Gun Free Zones and Creation of Civil Exclusion	Police/Sheri Scroggs	Pending	Subject heard by Committee on 12/7/04. Staff met with Portland DA and federal agencies to share information. CAO reviewing information provided. Staff has determined that the Portland model will not work due to constitutional challenges it has faced. The City Attorney's office is reviewing potential alternatives such as the Lancaster ordinance.	Possibly	Significant	Police/CAO
13	Update on Sign Ordinance and Sign Program	CM Waters/DSD/ Joy Patterson / CAO / Rich Archibald	Pending	Development Svcs staff will meet with CM Waters to provide an update. Report presented to Committee in January 2004. Committee provided feedback and directed staff to report back. Staff is reviewing the issue and preparing its report back to the Committee.	Yes	Significant	Dev Svcs/ NSD
14	Illegal Dumping Vehicle Impound Ordinance	CM Hammond Utilities/ Gary Reents	Pending	Provide for seizure and impound for a specified time for vehicles involved in illegal dumping. Code and CAO working on options. Pending court decision.	Potentially Yes	Significant	Utilities/Code
15	Housing Trust Fund Nexus Study	Planning Dept/ Carol Shearty	Pending	Item heard by Council on April 18 as part of the Affordable Housing Workshop. Based on the recommendations by Council, staff will bring this item to L&L.	Possibly	To Be Determined	Dev Svcs
16	Amend Ordinance Relating to Reward Program	Waters/Utilities/ Gary Reents	Pending	Amend ordinance relating to reward program to allow payment of reward at arrest and prosecution.	Unlikely	Limited	Utilities

1 Reflects attorney drafting time only not time required for the leg. process, incl. staff direction, public outreach, comm. meetings, workshops, formal noticed public hearings req. for adoptions.

2 Limited =<10 hrs, Moderate =10-40 hrs, Sig. => 40 hrs

Legislation Log

Tracking Number	Subject Matter	Ordinance Sponsor/ Staff	Estimated Law & Legislation hearing Date 1	Notes	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion 2	City Departments Possibly Affected
17	3.06.5 Discussion Paper on Truancy for Teens	CM McCarty/ Police/ Capt Daniel Hahn	Pending	Research possible ordinance regarding truancy/daytime curfew for teens. PD and City Attorney have briefed both CM McCarty and CM Fong (the requesters of these ordinances) and they have okayed the removal of this item for the following reasons: (1) the City Attorney's Office believes that the truancy ordinance is preempted by state law and (2) the Police Department advocates the use of the Attendance Centers rather than the implementation of a daytime curfew ordinance. Thus, for the time being PD will continue to work on the expansion of the Attendance Centers, which does not require an ordinance.	TBD	TBD	Police
18	12.04.1 Approved Alcohol Use Permits Processing	CM Hammond/ Police/Sheiri Scuggs	Pending	Amend Chapter 17 of the City Code regarding deemed approved alcohol use permits processing. Heard by the Law & Leg Committee on 9/20/05.	Possibly	To be determined	Police/Code
19	04.06.1 Ordinance to Regulate Valet Parking Operations	DOT/Howard Chan	Pending	Any valet parking operator who performs valet parking services at a restaurant or other place of public assembly will be required to have a valet parking permit.	TBD	TBD	DOT
20	5.06.1 Tot Lot Ordinance	CM Sheedy/Parks & Rec/Alan Boyd	Pending	CM Sheedy asked staff to research an ordinance that would give the city the necessary authority to keep tot lots available for use for only children and not adults.	TBD	TBD	Parks & Rec
21	5.06.5 A-Frame Sign Ordinance or Pilot Program	CM Cohn/ Bill Thomas	Pending	CM Cohn asked that staff review the City of Portland's program for A-Frame signs and report as to whether this program can be implemented in the City as a pilot program. This item will be incorporated into the overall review of the City's sign ordinance.	TBD	TBD	TBD
22	4.04.1 Solid Waste Facility Fee	Code Enforcement/Ron O'Connor	Pending	Ordinance to mitigate potential impacts to a geographic area relative to locating a solid waste facility. The Law & Leg Committee heard a staff report on this issue on November 4, 2004 and directed staff to get input from an advisory committee and report back to the L&L Committee with recommendations on fees.	To be Determined	To be Determined	Solid Waste/ Code/ DSD
23	7.04.2 Amendments to R Street SPD	Planning Dept/Tara Goddard	Pending	Amendments to R Street Special Planning District to Facilitate Development	No	Moderate	Planning

MINUTES

Tuesday, April 17, 2007

City Hall

915 I Street - First Floor Council Chamber

All items listed are heard and acted upon by the Law and Legislation Committee unless otherwise noted

Call to Order – 12:36 p.m.

Roll Call- Members -Cohn, Waters, Sheedy present. Councilmember Hammond arrived at 12:37 p.m.

Consent Calendar

All items listed under the Consent Calendar are considered and acted upon by one motion. Anyone may request an item be removed for separate consideration.

ACTION: Moved/Seconded/Carried (Cohn /Waters; Absent: Hammond) to adopt the Consent Calendar in one motion except as indicated.

1. **Approval of Minutes for April 3, 2007.**

Location: (Citywide)

Recommendation: Approve Committee minutes for April 3, 2007.

Contact: Jennifer Carlino, Sr. Deputy City Clerk, (916) 808-8091, City Clerk's Office.

ACTION: Approved recommendation

2. **Law and Legislation Log**

Location: (Citywide)

Recommendation: Approve legislative log

Contact: Yvette Rincon, Legislative Analyst, (916) 808-5827, City Manager's Office

ACTION: Approved recommendation

3. Amend City Code Relating to Contractual Conflict of Interest of City Employees
Location: Citywide

Recommendation: The Law and Legislation Committee approve, and forward to the Mayor and City Council, the attached ordinance amending Article 1 of Chapter 2.16 of Title 2 of the City Code relating to contractual conflicts of interest of City employees.

Contact: Janelle Gray, Public Finance and Banking Manger, Treasure's Office, (916) 808-8296

ACTION: Approved recommendation

Staff Reports

Staff reports include oral presentations including those recommending receive and file. Each speaker is limited to a maximum of 3 minutes.

4. Legislative Position: Support Senate Bill 122. Hate Crimes. Homelessness.
Location: Citywide

Recommendation:

Contact: Yvette Rincon, Legislative Analyst, City Manager's Office, (916) 808-5827

ACTION: Moved/Seconded/Carried (Cohn/Waters) to adopt a support position for Senate Bill 122: Hate Crimes. Homelessness.

5. Compliance with Senate Bill 53 and Senate Bill 1809 in all City Redevelopment Areas

Location: Districts 1, 2, 3, 5, and 6

Recommendation: Approve, and forward to the Mayor and City Council, **Ordinances** which 1) identify the Sacramento Housing and Redevelopment Agency's Acquisition Program and Eminent Domain authority for each redevelopment project area, and 2) direct Redevelopment Agency staff to record a new statement of institution on all property located within the boundaries of each redevelopment project area.

Contact: Lisa Bates, Director, Community Development, Sacramento Housing and Redevelopment Agency, (916) 440-1316, Chris Pahule, Assistant Director, Community Development, (916) 440-1350

ACTION: Moved/Seconded/Carried (Hammond/Sheedy) to approve and forward to the Mayor and City Council **Ordinances** which 1) identify the Sacramento Housing and Redevelopment Agency's Acquisition Program and Eminent Domain authority for each redevelopment project area, and 2) direct Redevelopment Agency staff to record a new statement of institution on all property located within the boundaries of each redevelopment project area.

6. Somatic Practitioners Establishment Permit

Location: Citywide

Recommendation: Approve revising City Code Chapter 5.124 to create a somatic practitioner establishment permit process and forward to the Mayor and Council for adoption.

Contact: Brad Wasson, Revenue Manager, Finance Department, (916) 808-5844.

Public comment was given by Mike Polster

ACTION: Moved/Seconded/Carried (Cohn /Waters) to: 1) approve and forward to the Mayor and Council for adoption revising City Code Chapter 5.124 creating a somatic practitioner establishment permit process; and;2) direct staff. a) to expeditiously address Councilmember's Sheedy's request related to restricting somatic practitioners in Del Paso Special Planning District and poll Councilmembers to find out whether there are similar requests; and b) work with the Police Department to investigate the possibility of allowing a somatic practitioner to work out of their home in relation to the Home Occupation permit and have appropriate public outreach before returning to Law and Legislation Committee with this issue.

Public Comments- Matters Not on the Agenda

Public comment was given by Marc Brandes about portable gasoline-powered blowers. The Committee directed staff to return to the committee on this issue

Adjournment: 1:25 p.m.