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CALIFORNIA BUSINESS PROPERTIES ASSOCIATION
1121 L Street, Suite 809 - Sacramento - California - 95814 • 916-443-4676 • Fax 916-443-0938 • www.cbpa.com

FAX

To: Shirley Concolino	From: Rex Hime
Fax: 808-7672	Pages: 2
Phone:	Date: 7/26/05
Re: Afternoon Agenda #7	CC:

Urgent
 For Review
 Please Comment
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● **Comments:**

I would appreciate it if you could distribute the attached letter to the members of the council in advance of this evening's meeting. Thank you.

#7.



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July 26, 2005

The Honorable Heather Fargo, Mayor
 City of Sacramento
 730 I Street, Suite 321
 Sacramento, CA 95814

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 WILLIAM WENGER, Institute of Real Estate Management

RE: Proposed Ordinance - Prohibition of Commercial Shopping Carts in City Parking Facilities and in Pedestrian Malls

Dear Mayor Fargo:

California Business Properties Association (CBPA) respectfully requests that the City of Sacramento not adopt the proposed ordinance to ban shopping carts from city-owned garages or pedestrian malls. As proposed, the ordinances are overly intrusive and are contrary to the City's goal of improving the economic vitality of the region.

The proposed ordinances point out that "shopping carts interfere with the safe movement of pedestrians and cars" and that they would occupy limited parking spaces downtown that would normally be used by customers. CBPA believes that the proposed ordinances do not constitute a legitimate exercise of police powers in these circumstances. Rather than impose regulations which would control the purported risks of shopping carts while allowing businesses and customers the benefits of their use, the ordinances simply ban them. No evidence has been presented to show that the prohibition of shopping carts in public garages or pedestrian malls is sufficiently justified by the public necessity, or why, if shopping carts are truly a health and safety problem, they are also not prohibited in private garages.

As noted in a Sacramento Bee editorial on these proposed ordinances, the Bee comments that if "downtown is to become an attractive place to both live and work, are these thousands of new residents supposed to drive to suburbia for any kind of commerce demanding a shopping cart?" CBPA believes that such a ban on shopping carts will send the wrong message to retailers looking to locate in the City of Sacramento.

CBPA is the designated legislative advocate for the International Council of Shopping Centers, the California Chapters of the National Association of Industrial and Office Parks, the Retail Industry Leaders Association, the Institute of Real Estate Management, and the Building Owners and Managers Association of California, making CBPA the acknowledged voice of the commercial real estate industry in California, representing the largest commercial real estate consortium with almost 10,000 members.

For these reasons, we urge you to not approve the proposed ordinances.

Sincerely,

 Rex S. Hime
 President and CEO

cc: City of Sacramento Council Members

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