



# AGENDA

## City of Sacramento

### Law and Legislation Committee

#### MEMBERS:

**LAUREN HAMMOND, Chair (D-5)**

**STEVE COHN (D-3)**

*Member*

**SANDY SHEEDY (D-2)**

*Member*

**ROBBIE WATERS (D-7)**

*Member*

#### CITY STAFF:

*Jennifer Carlino*  
*Sr. Deputy City Clerk*

*Patti Bisharat*  
*Government Affairs*

*Michelle Heppner*  
*Special Projects Manager*

*Joe Robinson*  
*Deputy City Attorney*

*New City Hall*  
*915 I Street, 1st Floor – Council Chambers*

*April 6, 2010 – 3:00 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 (2 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 (10 cents per page). Live video streams and indexed archives of meetings are available via the internet. Visit <http://www.cityofsacramento.org/clerk/council-agendas/>.

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.

# AGENDA

**Tuesday, April 6, 2010**

*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 – 3:00 p.m.**

## **Roll Call**

**Consent Calendar (Items 1-6) Estimated Time: 1 minute**

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.

**1. Approval of Minutes for March 16, 2010.**

**Location:** (Citywide)

**Recommendation:** Approve Committee minutes for March 16, 2010.

**Contact:** Jennifer Carlino, Senior Deputy City Clerk, City Clerk's Office, (916) 808-7200.

**2. Law and Legislation Log**

**Location:** (Citywide)

**Recommendation:** Approve legislative log.

**Contact:** Lori Gay, Administrative Assistant, City Manager's Office, (916) 808-5393.

**3. Legislative Position: Oppose SB 1174, Relating to Changes to Local Government Land Use Practices**

**Location:** (Citywide)

**Recommendation:** Adopt an oppose position on Senate Bill 1174 (Wolk), relating to local government land use practices.

**Contact:** Greg Sandlund, Associate Planner, Community Development Department, (916) 808-8931.

**4. Legislative Position: Oppose Unless Amended HR 1521 (Lofgren) – Cell Tax Fairness Act**

**Location:** (Citywide)

**Recommendation:** Adopt an oppose position on HR 1521 (Lofgren) unless it is amended to except from the proposed five year moratorium, local taxes that are voter approved pursuant to state law.

**Contact:** Mark Prestwich, Special Projects Manager, Office of the City Manager, (916) 808-5380.

5. **Legislative Position: Support SB 1276 (Cox) Related to Public Utility Liens**

**Location:** (Citywide)

**Recommendation:** Adopt a support SB 1276 (Cox) related to Public Utility Liens.

**Contact:** Michelle Heppner, Special Projects Manager, Office of the City Manager, (916) 808-1226.

6. **Ordinance Amendment: Ordinance Repealing and Reenacting Chapter 12.32 of the Sacramento City Code relating to Sidewalk Repair, Maintenance and Liability and Amending Section 18.04.020 of the Sacramento City Code Relating to Street Dedications and Improvements**

**Location:** (Citywide)

**Recommendation:** 1) Review an **Ordinance** repealing and reenacting Chapter 12.32 of the Sacramento City Code relating to Sidewalk Repair, Maintenance and Liability and amending Section 18.04.020 of the Sacramento City Code relating to Street Dedications and Improvements, and 2) forward to the City Council for adoption.

**Contact:** Juan Montanez, Street Services Division Manager, (916) 808-2254; Theresa Arnold, Special Projects Engineer, Department of Transportation, (916) 808-5514.

7. **Ordinance Amendment: An Ordinance Amending Various Sections of the Sacramento City Code for General Code Maintenance**

**Location:** (Citywide)

**Recommendation:** 1) Approve the attached **Ordinance** amending various sections of the Sacramento City Code, and 2) forward to City Council for adoption.

**Contact:** Michael Benner, Deputy City Attorney, (916) 808-5346.

**Discussion Calendar**

Discussion or action reports include oral presentations including those recommending receive and file. Each speaker is limited to a maximum of 2 minutes.

8. **Estimated Time: 10 minutes Ordinance Amendment: Digital Billboard Sign Code Amendment (M09-035)**

**Location:** (Citywide)

**Recommendation:** 1) Review an **Ordinance** amending Section 15.148 of the City Code relating to digital billboards on city property, and 2) forward a recommendation of approval to the City Council.

**Contact:** Sandra Yope, Senior Planner, Community development Department, (916) 808-7158.

9. **Estimated Time: 1 hour Ordinance: Medical Marijuana Dispensaries**  
**Location:** (Citywide)

**Recommendation:** 1) Approve the key components of the proposed Permanent Ordinance regulating Medical Marijuana Dispensaries and direct staff to finalize an ordinance to bring forward to the full City Council, 2) provide staff direction on a companion ordinance that sets forth the Inaugural Application Requirements and Process that will sunset after the initial 12 permits are issued or 365 days after the effective date of the ordinance, whichever is earliest, and 3) direct staff to bring the companion ordinance forward to the full City Council with the Permanent ordinance.

**Contact:** Michelle Heppner, Special Projects Manager, Office of the City Manager, (916) 808-1226.

**Public Comments - Matters Not on the Agenda**

10. To be announced.

**Member Comments, Ideas and Questions**

11. To be announced.

**Adjournment**

**LAW AND LEGISLATION COMMITTEE**  
**Preliminary Calendar**  
**As of April 6, 2010**

**DISCLAIMER:** The following information is tentative as to dates and subjects.

**April 22, 2010**

- L&L # 10.09.2 – False Fire Alarms – **Fire Department**
- L&L # 2.10.6 – Transportation Development Impact Fee Program – **Transportation Department**
- Leg Position – Determine Positions on June and November Ballot Measures / Initiatives – **CMO**
- Leg Position – Support AB 1675 (Hagman) - Trespassing, Animal Enclosures at Zoos (consent) – **CC&L/Zoo**

**May 4, 2010**

- L&L # 2.10.2 – Regulatory Improvement Bundle 2010-A – **Community Development**
- L&L # 3.09.5 – Ordinance Amendment: Police Alarms – **Police Department**
- L&L # 10.09.4 – Storage Boxes / PODS – **Code Enforcement**
- L&L # 1.10.6 – Emergency Response Fee Recovery – **CMO & Fire Department**

**May 18, 2010**

- L&L # 4.04.1 – Solid Waste Facility Inspection Fee – **Utilities Department**
- L&L # 10.09.1 – Sharps Ordinance Report – **Utilities Department**
- L&L # 2.10.7 – Fireworks Ordinance – **Fire Department**
- L&L # 3.10.1 – Swanston Design Review District Initiation and North Sacramento Design Review District Amendments – **Transportation**

**July 20, 2010**

- L&L # 11.09.1 – Interim Ordinance for Beverage Bottling Plants – **Utilities Department**

**PENDING ORDINANCES/REPORTS:**

- L&L # 1.04.2 – Report Back on City-wide Sign Ordinance & A-Frame Signs – **CDD**
- L&L # 1.05.2 – Amend Tree Ordinance – **DOT**
- L&L # 5.05.2 – Housing Trust Fund Nexus Study – **Community Development**
- L&L # 8.05.1 – Amend Ordinance Regarding Reward Program – **Utilities Department**
- L&L # 4.07.1 – Discussion Paper on Amendment Options for the Home Occupation Permit – **DOF**
- L&L # 4.07.3 – Discussion Paper on Portable Gas Leaf Blowers – **Code Enforcement & CMO**
- L&L # 6.08.1 – Ordinance Amendment: Tobacco Retailer Licenses – **Code Enforcement**
- L&L # 3.09.6 – Diaper Changing Area Discussion Paper – **City Attorney's Office**
- L&L # 4.09.3 – Exemption to Green Waste Collection Ordinance – **Utilities**
- L&L # 5.09.1 – Feasibility of a Citywide Newsrack Program – **Economic Development**
- L&L # 8.09.1 – Regulating Mortgage Consultants – **City Attorney's Office**
- L&L # 8.09.5 – Treatment of Circus Animals – **City Manager's Office**
- L&L # 8.09.6 – Egg-Laying Chickens in Back Yards – **City Manager's Office**
- L&L # 12.09.3 – Rezone Ordinance for Solid Waste Overlay Zone – **Community Development**
- L&L # 1.10.1 – Tobacco Sales Close to Neighborhood Schools – **Code Enforcement**
- L&L # 1.10.2 – Social Host Ordinance – **Police Department**
- L&L # 1.10.4 – Whistle Blower Ordinance – **City Manager's Office**
- L&L # 2.10.5 – City of Sacramento Climate Action Plan – **Community Development Department**
- Leg Position – AB 700 (Krekorian): Creative Industries/Community Econ. Revitalization – **CCL / SMAC**