

COUNCIL COMMITTEE MINUTES

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CITY OF SACRAMENTO

COMMITTEE NAME: LAW AND LEGISLATION
MEETING DATE: June 3, 1997
MEETING TIME: 12:30 P.M.
LOCATION: 915 I Street, 2nd Floor, Council Chambers

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The meeting was called to order at 12:40 P.M. by Heather Fargo, Chairperson.

ROLL CALL

Present: Committee Members Fargo (Chair), Kerth, Steinberg, Cohn (arrived at 1pm)

Absent: None

1.0 CONSENT CALENDAR

None

2.0 STAFF REPORTS

2.1 **Ordinance amending Titles 57, 58, and 59 of the Sacramento City Code relating to City Manager Contracting Authority**

Recommendation of Staff: Approve Staff Recommendation and Forward to City Council

Committee Action: Approved Staff Recommendation w/conditions

Bob Holbrook, Procurement Services Manager, gave a presentation on the proposed amendment to Tiles 57, 58, and 59. He is asking the committee to consider recommendation that the council increase City Manager authority for awarding contracts to increase from current level of \$50,000 to \$100,000 for contracts covered by Titles 57, 58, and 59 and to also authorize the City Manager to set the level for discretionary purchases which is currently \$2,000. This would let the City Manager set that level administratively from \$2,000 to \$3,000.

Chairperson Fargo, asked where in staff report it refers to the discretionary purchases. Mr. Holbrook said that it is part of the resolution, exhibit A.

Councilmember Kerth, raising amount to \$100,000 might need some periodic review.

Councilmember Steinberg, had a question on Exhibit A. Under #1 the City Manager would have the ability without coming to Council to use a competitive bidding process and make decision himself for any contract under \$100,000. But then Under #2 it seems to say that and also that any contract under \$100,000 the City Manager could waive any competitive bidding and just decide himself. Mr. Holbrook said that was not the intent and could be cleaned up.

A motion was made by Committee Member Kerth, seconded by Committee Member Steinberg to approve staff recommendation with the condition that the policy would be reviewed on a 2-year basis and if not reviewed it would convert back to the old system and to include new language regarding standard for waiving competitive bidding. The motion carried with a 4-0 vote.

2.2. An ordinance amending Title 61 of the Sacramento City Code relating to Nuisance Abatement

Recommendation of Staff: Approve Staff Recommendation and Forward to City Council

Committee Action: Approve Staff Recommendation

John Vanella, Assistant Code Enforcement Manager, gave a presentation on the proposed amendments to Title 61. One of the objectives of the amendments is to alter the present system, which is a somewhat cumbersome hearing system that we use to abate nuisances and to change it to the system that the housing portion of code enforcement uses - a Notice and Order process. It would alter how fees are collected and it would make it a more efficient system.

Councilmember Kerth, said that this would be a nice change. We need to look at taking on nuisance abatement and code enforcement as an infraction where we could actually issue a ticket. Would like to hear back on this item.

A motion was made by Committee Member Steinberg, seconded by Committee Member Kerth to approve staff recommendation. All in favor.

2.3 Approve and Adopt a City Ordinance regarding the Summary Abatement of Dangerous Vehicles and the Removal of Hazardous Vehicles from Private Property

Recommendation of Staff: Approve Staff Recommendation and Forward to City Council

Committee Action: Approve Staff Recommendation

Jim Hendrickson, Police Department, gave an overview of the proposed ordinance changes. The main motivation for this is a continuing effort by the police department and

the city to reach out to the community and be more responsive in regards to complaints on junk cars/vehicles in people's property.

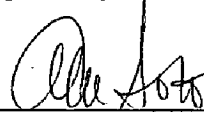
Councilmember Cohn, asked why it took so long to change this process. Officer Nygren said that it is included in the current ordinance but the process can take up to 30 to 45 days. These amendments would speed up the process with guidelines.

Chairperson Fargo, asked about people getting cited now for perhaps building or working on a vehicle. Where do we draw the line on who gets cited. Officer Hendrickson said that it would have to be public access area only and as far as working on a vehicle, that would be preempted. The ordinance is not designed to be a catch-all - it's designed to take care of emergency situations.

A motion was made by Committee Member Steinberg, seconded by Committee Member Kerth to approve staff recommendation. All in favor.

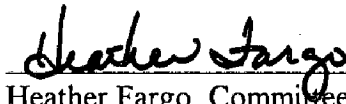
ADJOURNED - There being no further business to come before the Law & Legislation Committee, the meeting was adjourned at the hour of 1:20p.m.

Respectfully submitted,



Aline Soto, Committee Secretary

APPROVED:



Heather Fargo, Committee Chair

Nuisance Code (Title 61) Amendments

Fact Sheet

- Presently City Code Enforcement Officers use the hearing process established in the Nuisance Code (Title 61) to abate various neighborhood problems such as junk/debris, or abandoned /dismantled vehicles.
- This process requires that the property owner be served with notice and attend a hearing at which a hearing examiner, after receiving testimony, may declare the situation a public nuisance. Whereupon the examiner issues an order to the property owner to abate the nuisance.
- Once the owner is subsequently served with this order in writing he is obligated by law to abate the nuisance. If he fails, or refuses, to do so the City may then take action to abate the nuisance.
- Until this hearing process is completed the situation is not considered a public nuisance and action to abate may not be taken.
- This process is cumbersome and time consuming. It can typically take from 1 to 3 months to complete this process dependent upon effective service upon the owner of the initial hearing notice and the examiner's order, and scheduling of hearing dates.

Effect of proposed amendments

- Proposed amendments would streamline this process by establishing a Notice and Order method similar to the one presently used by Housing Inspectors in the abatement of substandard buildings.
- Would authorize the appropriate Department Head to issue a Notice and Order declaring the situation a public nuisance based upon evidence presented by Code Enforcement. It would also order the property owner to abate the nuisance within a specified time line and advise the owner that upon failure to do so the City would take action to abate the nuisance.
- The Notice and Order provides for an appeal process before a Hearing Examiner.
- Would reduce timelines for enforcement from several months to several weeks.
- This process would also provide a more efficient method of cost recovery in that it establishes a single fee to recover City costs incurred in enforcement and issuance of the Notice and Order. It also seeks to recover all other cost incurred subsequent to the issuance of the Notice and Order with a single fee.