

COUNCIL COMMITTEE MINUTES

COMMITTEE NAME: LAW AND LEGISLATION
MEETING DATE: January 6, 2005
MEETING TIME: 1:00 P.M.

Committee Chair Cohn called the meeting to order at 1:10 p.m.

ROLL CALL

Present: Committee Members Cohn (Chair), Pannell, Sheedy, and Waters

1.0 CONSENT CALENDAR

1.1 Pending Legislation Log

RECOMMENDATION OF STAFF: Approve Log
COMMITTEE ACTION: Approved Log
VOTING RECORD: MOV: Pannell SEC: Waters
AYES: Cohn, Pannell, Sheedy, Waters
NOES: None

2.0 STAFF REPORTS

2.1 Interim Ordinance Establishing a Special Permit Requirement for Superstores

RECOMMENDATION OF STAFF: Approve and forward to Council
COMMITTEE ACTION: Approved Attachment C (staff ordinance alternative) with amendments.
VOTING RECORD: MOV: Sheedy SEC: Pannell
AYES: Cohn, Pannell, and Sheedy
NOES: None
ABSTAIN: Waters

The staff report included two alternative interim ordinances for Committee consideration. Attachment B requires a more rigorous economic impact analysis process and is the preferred alternative of Council Member Sheedy. Attachment C includes an economic impact and data analysis and is submitted by staff.

Committee Member Pannell stated that she supported Attachment C (Staff Ordinance Alternative) but that she was concerned about the section related to the requirement of demolition of superstores vacant for 12 months. She advised staff that the ordinance would need to be changed for her to support Attachment C.

Speaking in support of the ordinance was John Handley, California Independent Grocers Association and Bill Camp, Sacramento Central Labor Council. Speaking in opposition of the ordinance was Ed Quinn with McDonough Holland and Allen representing Westfield, David Butler with the Sacramento Metropolitan Chamber of

Commerce, Miriam Montesino with Steefel, Levitt and Weiss representing Wal Mart and Paul Andersen with Jeffer Mangels Butler and Marmaro LLP representing Target.

Mr. Camp distributed recommended revisions to Attachment C to Section 2 Paragraph 1 and Paragraph 4 (recommended revisions attached).

Committee Member Cohn recommended moving the item forward to the full City Council and push back the Council hearing date to allow more time for review. Committee Member Cohn recommended forwarding Attachment C (Staff Alternative Ordinance) with the changes proposed by Bill Camp.

Committee Member Pannell recommended removing the demolition section of the proposed ordinance. Committee Member Waters stated that he would be abstaining from the vote due to personal reasons. Committee Member Sheedy recommended adding clarifying language to Section 2.B.1 regarding the survey of existing retail stores in the City "likely to be impacted by or".

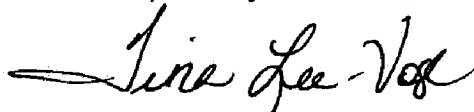
Committee Member Sheedy moved that the Committee forward Attachment C (Staff Alternative Ordinance) with the changes as proposed by Mr. Camp, the deletion of the Section C related to demolition and the clarifying language in Section 2.B.1 to the full Council and push the hearing date out to allow time for additional public review.

3.0 CITIZENS ADDRESSING COMMITTEE (MATTERS NOT ON AGENDA)

4.0 COMMITTEE IDEAS AND QUESTIONS

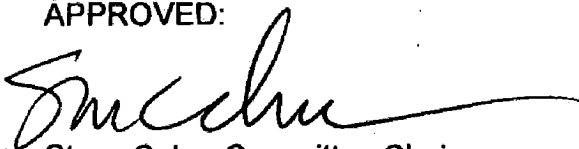
ADJOURNED: There being no further business to come before the Law and Legislation Committee, the meeting was adjourned at the hour of 1:58 p.m.

Respectfully submitted,



Tina Lee-Vogt, Legislative Affairs Analyst

APPROVED:



Steve Cohn, Committee Chair

Bill Camp

In Attachment C

1. A survey of existing retail stores in the City and a survey of the number of persons employed by the existing retail stores in the City, an estimate of the number of persons who will likely be employed by the proposed superstore, and an analysis of whether the proposed supercenter will result in a net increase or decrease of jobs in the City.

likely to be impacted

[This language leaves the current wording in Attachment "C" and adds the current language in Attachment "A" which will give everyone a better understanding of the retail trade businesses in the city.]

4. [Change the words "estimate" to "analysis" in three places in number 4 of Attachment C.]

An (replace estimate with analysis) of the sales tax revenues that are likely to be generated by the proposed superstore, and an (replace estimate with analysis) of the effect of the proposed superstore on sales tax revenues generated by existing retail stores in the City, including an (replace estimate with analysis) of the sales tax revenues that are likely to be lost by existing retail stores in the City, either from loss of business or from closure.

5. Eliminate the language in Attachment C number 5. It is too vague.