

COMMITTEE ACTION SHEET

16-17. CONTINUED FROM FOLLOWING PAGE.

MINUTES:

Mel Johnson was present to discuss these two bills and explain how they were related. He said that although staff recommends opposition to mandatory water meters, staff is in favor of supporting alternative water conservation measures other than water meters. He noted that AB 2661, which relates to water management planning, has been amended favorably, and that Committee support is recommended. Chinn moved to oppose AB 3222 relating to mandatory water meters and to support AB 2661 relating to water management planning. Serna seconded the motion, and it was unanimously voted to oppose AB 3222 and to support AB 2661.

1. LEGISLATIVE UPDATE FROM KEN EMANUELS, THE CITY'S LEGISLATIVE ADVOCATE.

Recommendation of Staff: File

MINUTES:

Chair Robie requested at this time to wait to discuss Item 1 until such time as Ken Emanuels, the City's Legislative Advocate, arrives.

2. ORDINANCE AMENDING ARTICLE VIII OF CHAPTER 5 OF THE SACRAMENTO CITY CODE RELATING TO PICTURE ARCADES.

Recommendation of Staff: Recommend approval and forward to Council.

Committee Action: Approved and forwarded to Council.

Voting Record: Moved: Serna; Seconded: Chinn
Ayes: Serna, Chinn, Robie
Absent: Pane

MINUTES:

Diane Balter, Deputy City Attorney, was present for this item. She stated that the County of Sacramento is considering an identical ordinance. There was considerable discussion. Captain Somers of the Police Department informed the Committee that he and Sgt. Cordova went to the City of Modesto to look at their viewing booths, which are wide open. He passed around some pictures of these viewing booths, and stated that even though the booths are open, the Modesto business owners do not feel that this has caused them any loss of income. He also said that the things they learned in Modesto relating to picture arcades would not change anything contained in this proposed ordinance. Attorney Balter pointed out that this ordinance applies to any and all types of movie booths, not just to adult businesses. Robie noted that the people who were involved in these businesses had been notified of this proposed ordinance and of this

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2. ITEM CONTINUED FROM PREVIOUS PAGE.

Law and Legislation Committee meeting, but that no one was here to object. Captain Somers said that he had received a call from an owner who had received such notice, who told Captain Somers that he would not be at the meeting and would not fight the ordinance at this meeting.

Serna moved to support the ordinance amending Article VIII of Chapter 5 of the Sacramento City Code relating to picture arcades, and Chinn seconded the motion. The motion was unanimously supported, and the ordinance will be forwarded to full Council with the Committee's recommendation.

3. ORDINANCE REORGANIZING SECTIONS 24.1 THROUGH 24.20 OF THE SACRAMENTO CITY CODE INTO ARTICLES I AND II OF CHAPTER 24, AND ADDING ARTICLE III, RELATING TO DISPLAY OF HARMFUL MATTER TO MINORS.

Recommendation of Staff: Recommend approval and forward to Council.

Committee Action: Approved and forwarded to Council.

Voting Record: Moved: Serna; Seconded: Chinn
Ayes: Serna, Chinn, Robie
Absent: Pane

MINUTES:

Lt. Chuck Hamilton of the Police Department was present to discuss this item. He explained that this ordinance would require "blindings" on newsracks selling adult newspapers and magazines where minors are present. Attorney Balter explained that this ordinance covers matter that is harmful to minors, and that it is identical to the one in effect in the County. Serna moved to support this ordinance, Chinn seconded the motion, and it was unanimously supported. This will now go to full Council with their recommendation.

4. ORDINANCE REVISING CHAPTER 13, ARTICLE III, RELATING TO CONCERT PERMITS.

Recommendation of Staff: Recommend approval and forward to Council.

Committee Action: Approved and forwarded to Council.

Voting Record: Moved: Chinn; Seconded: Serna
Ayes: Chinn, Serna, Robie
Absent: Pane

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4. ITEM CONTINUED FROM PREVIOUS PAGE.

MINUTES:

Attorney Balter explained that Chapter 13 of the City Code currently regulates all types of dances and concerts in the same way, and that this proposed ordinance would create distinct regulations for concerts. The proposed revisions would increase the categories of concerts for which City permits must be obtained. She noted that Chapter 13 currently allows for exemptions to permitholders from some of the other City ordinances, but that the proposed ordinance leaves the issue of exemptions up to the City Manager's office on a case-by-case basis. Gary Little, the City's Citizen's Assistance Officer, noted, as an example, that concerts at Cal Expo which in the past obtained a City concert permit were exempt from the requirements of the City's noise ordinance, but with the proposed ordinance, they can receive a permit and also be required to abide by the other regulations and ordinances (such as the noise ordinance) of the City Code. Chinn moved and Serna seconded the motion to support this ordinance. Robie concurred, and it will now go before the full Council with the Committee's recommendation.

5. FEDERAL H.R. 3849 (BATES), RELATING TO THE "GOVERNMENT PRINTING OFFICE IMPROVEMENT ACT OF 1990."

Recommendation of Staff:

Recommend opposition.

Committee Action:

Opposed.

Voting Record:

Moved: Chinn; Seconded: Serna
Ayes: Chinn, Serna, Robie
Absent: Pane

MINUTES:

Rick Hiseley, the Library's Budget Officer, explained that if any information is published by a governmental entity, it should be available to the public. This bill, he said, would mandate that if any government information is published electronically, the cost would fall on the public users or on public libraries. Library staff feels that this bill violates the public's right to gain access to government information. There was considerable discussion as to the federal government's goal in authoring this bill, and it was felt this is an attempt to pass on its costs to the local entities. Chinn stated that since the Committee is not aware of the author's intent in writing this bill, he feels staff should offer an amendment which would exempt public libraries from these proposed fees while affirming that commercial users of the information pay for their use. Serna suggested that this bill should come before the Committee again next month with a proposed amendment. It was agreed that the Library would work with the City Attorney's office on this, that an amendment would be suggested to the author exempting federal depository libraries, and that it would not be necessary to bring this matter back to this Committee. Chinn moved to oppose Federal H.R. 3849 relating to the "Government Printing Office Improvement Act of 1990," Serna seconded the motion, and it was unanimously opposed.

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6. **SB 665 (DAVIS), AS AMENDED 1/18/90, RELATING TO GANG VIOLENCE PREVENTION IN SCHOOLS.**

Recommendation of Staff: Recommend support
Committee Action: Supported
Voting Record: Moved: Serna; Seconded: Chinn
Ayes: Serna, Chinn, Robie
Absent: Pane

MINUTES:

Lt. Chuck Hamilton of the Police Department stated that Chief Kearns feels very strongly about this bill, which provides to schools resource materials relating to gang violence prevention. Serna moved to support this bill, Chinn seconded the motion, and it was unanimously supported.

7. **AB 574 (HARVEY), AS AMENDED 2/18/90, RELATING TO RELEASE ON BAIL OF PERSONS ACCUSED OF CRIMES INVOLVING CONTROLLED SUBSTANCES.**

Recommendation of Staff: Recommend support
Committee Action: Supported
Voting Record: Moved: Serna; Seconded: Chinn
Ayes: Serna, Chinn, Robie
Absent: Pane

MINUTES:

Lt. Chuck Hamilton of the Police Department stated that this is a controversial bill. He explained that drug dealers often use profits from their drug sales to post bail and to hire expensive attorneys. With this bill, a parolee must have a hearing to prove where the money is coming from. Serna asked about the Constitutional issues involved here, and which groups were pushing this bill. Lt. Hamilton stated that there would probably be some problems with the constitutionality of this controversial bill, and also that he could find out which groups were behind the bill. There was some discussion. Serna moved to support this bill, Chinn seconded the motion, and it was unanimously supported.

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8. SB 1749 (ROBBINS), AS AMENDED 1/8/90, RELATING TO LATE CLAIM LIABILITY FOR BONDS.

Recommendation of Staff:

Recommend Opposition.

Committee Action:

Opposed.

Voting Record:

Moved: Chinn; Seconded: Serna

Ayes: Chinn, Serna, Robie

Absent: Pane

MINUTES:

Betty Renz, Senior Accounting Technician, was present to discuss this bill. She noted that Tom Friery, the City's Treasurer, is strongly opposed to this bill. Serna mentioned again that he feels it is important to know who supports and opposes bills. Chinn moved to oppose SB 1749, Serna seconded the motion, and it was unanimously opposed.

It was suggested that Items 9 and 11 be heard together, as these bills are related.

9. SB 2819 (MONTROYA), AS AMENDED 1/22/90, RELATING TO PUBLIC LIABILITY FOR CLAIMS INVESTIGATIONS.

11. SB 1980 (ROBBINS), AS AMENDED 2/13/90, RELATING TO IMMUNITY FROM LIABILITY FOR EMERGENCY DISPATCHER SERVICES.

Recommendation of Staff:

9. Recommend support

11. Recommend support

Committee Action:

9. Supported

11. Supported

Voting Record:

Moved: Chinn; Seconded: Serna

Ayes: Chinn, Serna, Robie

Absent: Pane

MINUTES:

Diane Balter, Deputy City Attorney, pointed out to the Committee that in Item No. 9, the wording should read "crimes investigation" rather than "claims investigation." After some discussion on these two items, Chinn moved to support both bills, Serna seconded the motion, and they were unanimously supported.

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10. SB 1837 (HART), AS AMENDED 1/24/90, RELATING TO DISTRIBUTION OF TOBACCO PRODUCTS FROM VENDING MACHINES.

Recommendation of Staff: Recommend support
Committee Action: Supported, and amendment requested
Voting Record: Moved: Serna; Seconded: Robie
Ayes: Serna, Robie, Chinn
Absent: Pane

MINUTES:

Serna moved to support SB 1837, Robie seconded the motion, and it was unanimously supported.

12. AB 242 (NOLAN), AS AMENDED 1/17/90, RELATING TO NOTIFICATION TO MAYOR OR CITY CLERK OF INTENTION TO CONSTRUCT, EXPAND, OR LEASE A BUILDING TO BE USED AS A PAROLE FACILITY.

Recommendation of Staff: Recommend support
Committee Action: Supported
Voting Record: Moved: Serna; Seconded: Robie
Ayes: Serna, Robie, Chinn
Absent: Pane

MINUTES:

Lt. Chuck Hamilton of the Police Department discussed this bill. Chinn suggested adding notification also to the Chief of Police. Serna moved to support AB 242 and request inclusion of notice to the Chief of Police, Robie seconded the motion, and it was unanimously supported.

13. UPDATE REGARDING CAMPAIGN FINANCE ORDINANCE.

Recommendation of Staff: File

MINUTES:

Richard Archibald, Deputy City Attorney, presented this update to the Committee. He said this draft ordinance is now before the Ad Hoc Committee. Serna asked for more information regarding the Ad Hoc Committee. There was some discussion, and Serna stated his opinion that

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there should be notice of the Ad Hoc Committee meetings, and requested that he receive notification of future Ad Hoc Committee meetings regarding the campaign finance ordinance. Chinn requested copies of the draft ordinance and supporting materials. Attorney Archibald informed the Committee that he expects to bring a draft ordinance before the Committee in April or May.

14. AB 2641 (WRIGHT) RELATING TO HOUSEHOLD HAZARDOUS WASTE COLLECTION PROGRAMS.

Recommendation of Staff:

Recommend Opposition

Committee Action:

Opposed

Voting Record:

Moved: Chinn; Seconded: Serna
Ayes: Chinn, Serna, Robie
Absent: Pane

MINUTES:

Roberta Larson, Administrative Services Officer for the Department of Public Works, stated that this was a joint report from the Fire Department and the Department of Public Works. She said that the City already handles as many people as it can in its own program for recycling of hazardous wastes. She said this bill would require the City to handle recycling of hazardous waste from City businesses, and that it would be difficult to accommodate all of them. She also noted that the City generally knows what it is likely to get from households but that it may not know what businesses would be bringing in for disposal. There was discussion regarding this problem, and it was pointed out that businesses have access to people who can be hired to come pick up their toxic waste. Ms. Larson concluded by saying that this is an important issue and the City does need to deal with businesses, but that the City should not be required to include businesses in an already overburdened program.

Chinn moved to oppose AB 2641 relating to household hazardous waste collection programs, Serna seconded the motion, and it was unanimously opposed.

15. SB 1998 (BERGESON) RELATING TO SOLID WASTE LOCAL GOVERNMENT TECHNICAL ADVISORY COMMITTEE.

Recommendation of Staff:

Recommend support

Committee Action:

Supported

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Voting Record:

Moved: Serna; Seconded: Chinn

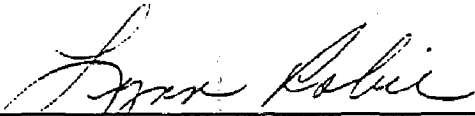
Ayes: Serna, Chinn, Robie

Absent: Pane

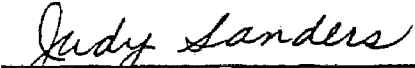
MINUTES:

Roberta Larson, Administrative Services Officer for the Department of Public Works, presented this bill to the Committee. She stated that the advisory committee created by this bill will give local government some voice in the State's review of solid waste issues. Serna moved to support SB 1998, Chinn seconded the motion, and it was unanimously supported.

The meeting was adjourned at 3:51 p.m.


LYNN ROBIE, Chair

ATTEST:


JUDY SANDERS, Secretary