

**Meeting Date:** 9/13/2016

**Report Type:** Consent

**Report ID:** 2016-00857

**Title:** Approval of Law and Legislation Committee Meeting Minutes

**Location:** Citywide

**Recommendation:** Pass a Motion approving the Law and Legislation Committee Meeting Minutes dated July 12 and August 9, 2016.

**Contact:** Shirley Concolino, MMC, City Clerk, (916) 808-5442, Office of the City Clerk

**Presenter:** None

**Department:** City Clerk

**Division:** City Clerk

**Dept ID:** 04001011

**Attachments:**

1-Description/Analysis

2-July 12, 2016 DRAFT LL Minutes

3-August 9, 2016 DRAFT LL Minutes Special

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**Approvals/Acknowledgements**

Department Director or Designee: Shirley Concolino – 8/11/2016 3:37:48 PM

## **Description/Analysis**

**Issue Detail:** It is best practice for the Law and Legislation Committee to approve the minutes for each meeting.

**Policy Considerations:** The City Clerk keeps a permanent record of the Law and Legislation Committee proceedings showing all action considered and taken, motions and records, the text of ordinances and resolutions introduced or adopted and all amendments proposed or adopted, and the vote of each member regarding any matter before the Law and Legislation Committee.

**Economic Impacts:** None.

**Environmental Considerations:** None.

**Sustainability:** None.

**Commission/Committee Action:** None.

**Rationale for Recommendation:** After each Law and Legislation Committee meeting, the City Clerk composes the DRAFT Minutes noting the action taken by the Committee. The DRAFT Minutes are presented to the Committee for its approval as a permanent record of the meeting actions.

**Financial Considerations:** None.

**Local Business Enterprise (LBE):** None.

## LAW AND LEGISLATION COMMITTEE

Jay Schenirer, Chair, District 5  
Jeff Harris, District 3  
Eric Guerra, Vice-Chair, District 6  
Rick Jennings, II, District 7

## COMMITTEE STAFF

Joe Robinson, Deputy City Attorney  
Wendy Klock-Johnson, Assistant City Clerk  
Randi Knott, Director of Government Affairs



# DRAFT Minutes

## Law and Legislation Committee

Historic City Hall-Hearing Room  
915 I Street, 2<sup>nd</sup> Floor  
Published by the Office of the City Clerk  
(916) 808-5163

**Tuesday, July 12, 2016**  
**3:00 p.m.**

### NOTICE TO THE PUBLIC

You are welcomed and encouraged to participate in this meeting. Public comment is taken on items listed on the agenda when they are called. Public Comment on items not listed on the agenda will be heard 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 legislative bodies you must identify yourself as a lobbyist and announce the client/business/organization you are representing (*City Code 2.15.160*).

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The Agenda provides a general description and staff Recommendation; however, the legislative bodies 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 and all written material received is available at the meeting for public review.

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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.

### **General Conduct for the Public Attending Committee Meetings**

- Members of the public attending Law and Legislation Committee meetings shall observe the same rules and decorum applicable to the Members and staff as noted in Chapters 3 and 4 of Council Rules of Procedure.
- Stamping of feet, whistles, yells or shouting, physically threatening conduct, and/or similar demonstrations are unacceptable public behavior and will be prohibited by the Sergeant-at-Arms.
- Lobbyists must identify themselves and the client(s), business or organization they represent before speaking to the Committee.
- Members of the public wishing to provide documents to the Committee shall comply with Rule 7 D of the Council Rules of Procedure.

### **Members of the Public Addressing the Law and Legislation Committee**

Purpose of Public Comment. The City provides opportunities for the public to address the Committee as a whole in order to listen to the public's opinions regarding non-agendized matters within the subject matter jurisdiction of the City during Regular meetings and regarding items on the Agenda at all other meetings.

- Public comments should not be addressed to individual Members nor to City officials, but rather to the Law and Legislation Committee as a whole regarding City business.
- While the public may speak their opinions on City business, personal attacks on Members and City officials, use of swear words, and signs or displays of disrespect for individuals are discouraged as they impede good communication with the Committee.
- Consistent with the Brown Act, the public comment periods on the Agenda are not intended to be "Question and Answer" periods or conversations with the Committee and City officials. The limited circumstances under which Members may respond to public comments are set out in Rule 8 D 2 of the Council Rules of Procedure.
- Members of the public with questions concerning Consent Calendar items may contact the staff person or the Committee Member whose district is identified on the report prior to the meeting to reduce the need for discussion of Consent Calendar items and to better respond to the public's questions.

**Speaker Time Limits.** In the interest of facilitating the Committee's conduct of the business of the City, the following time limits apply to members of the public (speakers) who wish to address the Committee during the meeting.

- **Matters not on the Agenda.** Two (2) minutes per speaker.
- **Consent Calendar Items.** The Consent Calendar is considered a single item, and speakers are therefore subject to the two (2) minute time limit for the entire Consent Calendar. Consent Calendar items can be pulled at a Committee member's request. Such pulled Consent Calendar items will be considered individually and up to two (2) minutes of public comment per speaker on those items will be permitted.
- **Discussion Calendar Items.** Two (2) minutes per speaker.

**Time Limits per Meeting** In addition to the above time limits per item, the total amount of time any one individual may address the Committee at any meeting is eight (8) minutes.

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- In the further interest of time, speakers may be asked to limit their comments to new materials and not repeat what a prior speaker said. Organized groups may choose a single spokesperson who may speak for the group but with no increase in time.
- Speakers shall not concede any part of their allotted time to another speaker.
- The Presiding Officer may further limit the time allotted for public comments per speaker or in total for the orderly conduct of the meeting and such limits shall be fairly applied.

# DRAFT Minutes

Tuesday, July 12, 2016

3:00 p.m.

## ***Historic City Hall – 915 I Street- Second Floor Hearing Room***

All items listed are heard and acted upon by the Sacramento Law and Legislation Committee unless otherwise noted.

### **Open Session**

Regular session called to order by Chair Schenirer at 3:02 p.m. on Tuesday, May 10, 2016 in the Sacramento City Council Chamber.

**Members Present:** Eric Guerra, Jeff Harris, Rick Jennings, and Jay Schenirer.

Point of Order made by Member Jeff Harris regarding the change of staff assigned to the Law & Legislation Committee.

### **Consent Calendar Estimated Time: 5 minutes**

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.

**Action:** Motion/Second Member Jeff Harris / Rick Jennings

**Yes:** Members Jeff Harris, Eric Guerra, Rick Jennings, and Jay Schenirer

#### **1. Approval of Law and Legislation Committee Meeting Minutes**

Report # 2016-00710

**Location:** Citywide

**Contact:** Shirley Concolino, City Clerk, (916) 808-5442, Office of the City Clerk

**Action:** Passed a Motion approving the Law and Legislation Committee Meeting Minutes.

#### **2. Ordinances Related to Dangerous Building and Substandard Housing Codes and the Chief Building Official's Authority**

Report # 2016-00665

**Location:** Citywide

**Action:** Reviewed an Ordinance amending Sacramento City Code sections 8.96.050, 8.100.070, 8.100.080 and 15.04.100 to clarify the Chief Building Official's responsibilities, amendment of the Chief Building Official's assistants and the Code and Housing Enforcement Chief's role related to enforcement of the Substandard Housing and Dangerous Building codes; and passed a Motion forwarding to City Council for approval.

**Contact:** Bridgette Williams, Senior Development Project Manager, (916) 808-8053; Winfred Deleon, Chief Building Official, (916) 808-5475, Community Development Department

### **Discussion Calendar**

Discussion calendar items include an oral presentation including those recommending “receive and file”.

#### **3. Transparent Government and Public Engagement (Sunshine Ordinance)**

Report # 2016-00711

**Location:** Citywide

**Action:** Motion/Second: Member Eric Guerra / Rick Jennings

**Yes:** Members Jeff Harris, Eric Guerra, Rick Jennings, and Jay Schenirer

Public comment by: Nicholas Heidorn, Theresa Riviera, Efren Gutierrez, Craig Powell, Eric Smitt, and Paula Lee. Action: Reviewed an Ordinance Naming Title 4 and adding Chapter 4.04 to the City of Sacramento Code Related to Transparent Government and Public Engagement; and passed a Motion to return to the next meeting of the Law & Legislation Committee

**Contact:** Shirley Concolino, MMC, City Clerk (916) 808-5442, Office of the City Clerk

#### **4. Ordinance Adding Sections 15.148.015 and 15.148.191 to the Sacramento City Code, Relating to Signs for Government Speech and Detached Signs for a Plaza District Area within the Central Business District (C-3) Zone (M16-009)**

Report # 2016-00663

**Location:** The east side of 3rd Street extending to the west side of 7th Street and from the south side of J Street to the approximate location of Liestal Alley (between L Street and Capitol Mall) between the west side of 7th Street to the east side of 4th Street. After 4th Street the southern boundary of the defined sign area will be the north side of L Street from the west side of 4th Street to the east side of 3rd Street, District 4 and Citywide

**Action:** Member Eric Guerra / Jeff Harris

**Yes:** Members Jeff Harris, Eric Guerra, Rick Jennings, and Jay Schenirer

**Action:** Passed a motion reviewing an Ordinance adding sections 15.148.015 and 15.148.191 to the Sacramento City Code Relating to Signs for Government Speech and Detached Signs for a Plaza District Area within the Central Business District Zone; and passed a Motion forwarding to City Council for approval.

**Contact:** Sandra Yope, Senior Planner, (916) 808-7158; Joy Patterson, Principal Planner (916) 808-5607, Community Development Department

**5. Ordinance: Nonmedical Marijuana Business Operations Tax Measure**

Report # 2016-00697

**Location:** Citywide

**Action:** Member Jay Schenirer / Eric Guerra

**Yes:** Members Eric Guerra, Rick Jennings, and Jay Schenirer

**No:** Member Jeff Harris

Public comment by: Tracey Schaal and Michael Hawkins. Substitute motion failed due to lack of a second. Reviewed an Ordinance setting the Business Operations Tax rate for nonmedical marijuana retail businesses effective upon voter approval; and reviewed a Resolution approving ballot measure text for placement on the November 8, 2016, ballot.

**Contact:** Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

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

None

**Committee Comments-Ideas, Questions and Meeting/Conference Reports**

None

**Adjournment** – 4:03 PM

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Rick Jennings, II, District 7

## COMMITTEE STAFF

Joe Robinson, Deputy City Attorney

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Randi Knott, Director of Government Affairs



# Special Meeting

# DRAFT Minutes

## Law and Legislation Committee

Historic City Hall-Hearing Room

915 I Street, 2<sup>nd</sup> Floor

Published by the Office of the City Clerk

(916) 808-5163

**Tuesday, August 9, 2016**

**2:00 p.m.**

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# SPECIAL MEETING MINUTES

Tuesday, August 9, 2016

2:00 p.m.

## *City Hall – 915 I Street- First Floor Council Chamber*

All items listed are heard and acted upon by the Sacramento Law and Legislation Committee unless otherwise noted.

### **Open Session - 2:00 p.m.**

Special meeting called to order by Chair Schenirer on Tuesday August 9, 2016 in the Sacramento City Council Chambers.

**Members Present:** Jeff Harris, Erica Guerra, Rick Jennings, and Jay Schenirer.

### **Consent Calendar**

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.

Action: Moved/Second: Rick Jennings / Jeff Harris  
Yes: Members Jeff Harris, Eric Guerra, Rick Jennings, and Jay Schenirer

#### **1. Ordinance Amending Sections 5.88.010 and 12.44.020 of the Sacramento City Code Relating to Street Vending and Pedestrian Malls**

Report # 2016-00846

**Location:** Citywide

**Action:** Reviewed an Ordinance amending Sacramento City Codes section 5.88.010 and 12.44.020 relating to Street Vending and Pedestrian Malls; and 2) passed a Motion forwarding the amended Ordinance to the City Council for approval.

**Contact:** Kathy Lester, Police Captain, Office of the Chief, (916) 808-0800, Police Department

#### **2. Ordinance Amending Section 3.04.010 of the Sacramento City Code Relating to City Manager Signature Authority**

Report # 2016-00379

**Location:** Citywide

**Action:** Reviewed an Ordinance amending City Code Section 3.04.010 relating to City Manager signature authority; and 2) passed a Motion approving and forwarding the Ordinance to City Council for approval.

**Contact:** Ken Hancock, Real Property Agent III, (916) 808-5752, Bill Sinclair; Facilities and Real Property Superintendent, (916) 808-1905, Department of Public Works

**3. Amendment of Sacramento City Code 10.40.060 Relating to Parking Meter Rates; Setting of Parking Meter Rates**

Report # 2016-00833

**Location:** Parking Meter Zones (Central and Fort Sutter Traffic Districts); Districts 3 and 4

**Action:** Reviewed an ordinance amending City Code section 10.40.060 to provide that the setting of parking rates be by ordinance and also update to reflect the varying forms of payment now accepted; 2) reviewed an ordinance establishing special event meter pricing; and 3) passed a Motion forwarding the ordinances to City Council for approval.

**Contact:** Erika Galang, Program Specialist (916) 808-8572; Matt Eierman, Parking Services Manager (916) 808-5849, Department of Public Works

**Discussion Calendar**

Discussion calendar items include an oral presentation including those recommending “receive and file”.

**4. Medical Marijuana Cultivation Title 5 Permitting Recommendations**

Report # 2016-00748

**Location:** Citywide

**Action:** Moved/Seconded: Jay Schenirer/Eric Guerra

**Yes:** Jeff Harris, Eric Guerra, Rick Jennings and Jay Schenirer

**Public Comment:** Ross Hendrickx, Jody Sizer, Lola Acosta, Katherine Anuszczyk, Rob Fong, Nick Avdis, Kimberly Cargile, Katherine VanOsten,

Reviewed recommendations related to the implementation of the Medical Marijuana Regulation and Safety Act applying to marijuana cultivation regarding zoning and permitting under Titles 5 and 17; and 2) passed a Motion forwarding those recommendations to the City Council for approval.

**Contact:** Randi L. Knott, Director of Government Affairs, (916) 808-5771, Office of the City Manager; Brad Wasson, Revenue Manager, (916) 808-5844, Department of Finance

**5. Ordinance Amending Various Sections of Title 17 of the Sacramento City Code Relating to Marijuana Cultivation (M15-017)**

Report # 2016-00780

**Location:** Citywide

**Action:** Moved/Seconded: Jay Schenirer/Eric Guerra

**Yes:** Jeff Harris, Eric Guerra, Rick Jennings, and Jay Schenirer

**Public comment:** Jody Sizer, Ross Hendrickx, Tracey Schaal, Greg Jefferson, Katherine Anuszczyk, Lola Acosta, Deanna Garcia, Anthony Vasquez, and Corey Travis.

Reviewed an Ordinance amending various section of the Planning and Development Code (Title 17) for marijuana cultivation; directed staff to develop language for co-location; add

the requirement of an annual report with an initial six month report and 2) passed a Motion forwarding the ordinance to City Council for approval.

**Contact:** Joy Patterson, Principal Planner (916) 808-5607, Community Development Department

**6. An Ordinance Extending the Interim Ordinance Imposing a Moratorium on Cannabis Cultivation**

Report # 2016-00796

**Location:** Citywide

**Action:** Moved/Seconded: Eric Guerra/Rick Jennigns

**Yes:** Jeff Harris, Eric Guerra, Rick Jennings, and Jay Schenirer

**Public Comment:** Lola Acosta, Jody Sizer, Katherine Anuszczyk, Ross Hendrickx, Kimberly Cargile, and Jane Ricketts.

Reviewed an ordinance extending the moratorium on cannabis cultivation to September 18, 2017; and 2) passed a Motion forwarding the ordinance to City Council for approval.

**Contact:** Brad Wasson, Revenue Manager, (916) 808-1259, Department of Finance; Joy Patterson, Principal Planner, (916) 808-5607, Community Development Department

**7. Ordinance Amending Sections 3.76.040, 5.88.040, 5.88.050, 5.88.060, 5.88.070, 9.04.055 of the Sacramento City Code Relating to Vending on Sidewalks and Boardwalks in Old Sacramento**

Report # 2016-00832

**Location:** District 4

**Action:** Moved/Seconded: Eric Guerra / Jeff Harris

**Yes:** Jeff Harris, Eric Guerra, Rick Jennings, and Jay Schenirer

Reviewed an ordinance amending sections 3.76.040, 5.88.040, 5.88.050, 5.88.060, 5.88.070, and 9.04.055 of the Sacramento city code relating to vending on sidewalks and boardwalks in Old Sacramento; and 2) passed a Motion forwarding the ordinance to City Council for approval.

**Contact:** Bruce Monighan, Urban Design Manager, (916) 808-1241; Joy Patterson, Principal Planner (916) 808-5607, Community Development Department

**Committee Comments-Ideas, Questions and Meeting/Conference Reports**

**None**

**Adjournment – 3:32 P.M.**