REPORT TO COUNCIL
City of Sacramento

915 I Street, Sacramento, CA 95814-2604
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Consent
August 19, 2008

Honorable Mayor and
Members of the City Council

Title: Review and Approval of the Municipal Legislation Log

Location/Council District: Citywide

Recommendation: This report transmits the Municipal Legislation Log approved by the Law & Legislation Committee on August 7, 2008 to the Mayor and the City Council for review and approval.

Contact: Michelle Heppner, Special Projects Manager, 808-1226

Presenters: N/A

Department: City Manager's Office

Division: Governmental Affairs

Organization No: 0310

Description/Analysis

Issue: This report transmits the current Municipal Legislation Log, approved by the Law & Legislation Committee at its August 7, 2008 meeting, to the Mayor and the City Council for review and approval.

Policy Considerations: The Municipal Legislation Log is tool used to track and schedule all requests for ordinance amendments and new ordinances made by Councilmembers and city staff. The log is approved by the Law & Legislation Committee at each of its meetings. This report transmits the log approved on August 7, 2008 to the Mayor and City Council for review and approval.

Environmental Considerations: None.

California Environmental Quality Act (CEQA):

Under the California Environmental Quality Act (CEQA) guidelines, continuing administrative activities do not constitute a project and are therefore exempt from review.

Sustainability Considerations: Not Applicable.

Commission/Committee Action: The Municipal Legislation Log is approved by the Law & Legislation Committee at each of its meetings. This report transmits the log approved on August 7, 2008 to the Mayor and City Council for review and approval.

Rationale for Recommendation: Staff is seeking Mayor and City Council review and approval of the Municipal Legislation Log.

Financial Considerations: None.

Emerging Small Business Development (ESBD): No goods or services are being purchased.

Respectfully Submitted by: _____
Michelle Heppner, Special Projects Manager

Recommendation Approved:

for Patti Bishard
Ray Kerridge
City Manager

Table of Contents:

Report pg. 1
Attachments
1 Municipal Legislation Log pg. 3

Attachment 1

	Tracking #	Subject Matter	Ordinance Sponsor/ Staff	Estimated Law & Legislation Hearing Date 1	Notes	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion 2	City Departments Possibly Affected
					NEW OR UPDATED ITEMS			
1	5.08.2	Establishment of Administrative Fee for New Utilities Accounts	Utilities / Karen Lane	**Pending**	Creates a structure for a new fee for opening accounts, provides for a public forum via commission hearing and pfp, and amends current ordinance and budget information accordingly.	TBD	TBD	Utilities
					LAW AND LEG COMMITTEE ORDINANCE & REPORTS - DATE SCHEDULED			
2	5.08.5	Digital Infrastructure and Video Competitions Act Implementation	City Manager's Office / Patti Bisharat	**19-Aug-08**	Ordinance amendments implement the Act by delegating administration and enforcement to the Cable Commission, confirming the franchise fees and PEG channel requirements for state franchise holders and adopting penalties for breach.	TBD	TBD	TBD
3	4.08.8	Pedicab Ordinance Amendment and Update Report	Code Enforcement/ David Paul	**19-Aug-08**	Ordinance Amending Chapter 5.94.808 Insurance Requirements of the Sacramento Municipal Code Relating the Regulations of Pedicabs and an update on how pedicabs are doing since the ordinance was adopted last year.	TBD	TBD	TBD

4	5.08.7	Mentally Ill Offender Treatment and Crime Reduction Act	Police / Laura Peck	**19-Aug-08**	Amends Title I of the Omnibus Crime Control and Safe Streets Act of 1968 to provide grants for the improved mental health treatment and services provided to offenders with mental illnesses.	TBD	TBD	TBD
5	6.08.3	AB 2062 - Records Pertaining to Firearm Transactions	Police / Laura Peck	**19-Aug-08**	Requires Department of Justice to maintain additional formation relating to ammunition transfers, handgun ammunition permits, and licensed handgun ammunition vendors. Establishes a program administered by Department for licensing handgun ammunition vendors. Requires certain vendors to be registered and to obtain employee background checks. Requires vendors to obtain specified information from purchasers. Requires ammunition to be sold with assistance by the vendor or employee only. Relates to gangs.	TBD	TBD	TBD
6	7.08.1	AB 2045 - Updates and revisions to the Urban Forestry Act of 1978	Trans Dept/ Jeanne Corcoran	**19-Aug-08**	Relates to a program in urban forestry to encourage planting of trees in urban areas. Expands the scope of such program to include increasingly integrated, multibenefit projects by assisting urban areas with innovative solutions to problems including greenhouse gas emissions, public health impacts of poor and water quality and urban heat island effect, water shortages, lack of green space, and lack of urban parks. Eliminates specified pest and disease requirements. Relates to projects for assistance grants.	TBD	TBD	TBD

7	7.08.2	City of Sacramento Development Fee Deferral Program	Development Services / Janis Franklin	**2-Sep-08**	Fees imposed on development can pose a substantial financial burden on many projects, especially if developers must pay the fees up front, when building permits are issued. To help stimulate commercial and residential development, the City of Sacramento offers fee-financing and fee-deferral programs for development projects that meet certain criteria. Slated for adoption in fall 2008, the fee-deferral program will allow a developer to defer payment fees of City controlled fees, until the City issues a certificate of occupancy for the project or at close of escrow, depending on the option selected by the developer and approved by the City Manager or designee. The residential and commercial fee-deferral programs will be available until June 30, 2009.	TBD	TBD	TBD
					LAW AND LEG COMMITTEE ORDINANCE & REPORTS - DATE PENDING			
8	1.04.2	Update on Sign Ordinance and Sign Program	CM Waters/DSD/ Joy Patterson / CAO / Rich Archibald	**Early 2009**	**Staff is doing a citywide study and will come back to the committee when it is completed. Staff has been holding several council workshops to get feedback and direction before returning with a comprehensive proposed ordinance for committee consideration in early 2009.** Committee provided feedback and directed staff to report back. CM Cohn asked that staff review the City of Portland's program for A-Frame signs and report as to whether this program can be implemented in the City as a pilot program.	Yes	Significant	Dev Svcs/ NSD

9	4.04.1	Solid Waste Facility Inspection Fee	Code Enforcement/ Ron O'Connor	**2-Sep-08**	Ordinance to establish inspection program for solid waste facilities. The Law & Leg Committee heard a staff report on this issue on November 4, 2004 and directed staff to get input from an advisory committee and report back to the L&L Committee with recommendations on fees.	TBD	To be Determined	Solid Waste/ Code/ DSD
10	11.04.2	Establish Drug & Gun Free Zones and Creation of Civil Exclusion	Police/Sherri Scruggs	Pending	Subject heard by Committee on 12/7/04. Staff met with Portland DA and federal agencies to share information. CAO reviewing information provided. Staff has determined that the Portland model will not work due to constitutional challenges it has faced. The City Attorney's office is reviewing potential alternatives such as the Lancaster ordinance.	Possibly	Significant	Police/CAO
11	1.05.2	Amend Tree Ordinance	Parks & Rec/Joe Benassini	**Jun-09**	**Minor changes were approved by L&L April 2008 and by City Council June 2008. Revised draft ordinance and outreach efforts underway. Item will be brought back to L&L by June 2009.** Amend the City's Tree Ordinance to add section to: allow assessment of fees; prohibit topping of trees; and amend the tree permit appeals process.	TBD	TBD	Parks & Rec
12	5.05.2	Housing Trust Fund Nexus Study	Planning Dept/ Carol Shearly	**6-Nov-08**	**Staff is preparing an off-agenda memo for Nexus study and will be bringing the Housing Trust Fund portion forward on November 6, 2008 for minor technical revisions.** Item heard by Council on April 18 as part of the Affordable Housing Workshop. Based on the recommendations by Council, staff will bring this item to L&L.	Possibly	To Be Determined	Dev Svcs

13	8.05.1	Amend Ordinance Relating to Reward Program	CM Waters / Utilities	Pending	Amend ordinance relating to reward program to allow payment of reward at arrest and prosecution.	Unlikely	Limited	Utilities
14	4.06.1	Ordinance to Regulate Valet Parking Operations	DOT/Howard Chan	**Fall 2008**	**Draft Ordinance passed by the CAO Internal Review Committee. DOT doing outreach to stakeholders (Valet Vendors and businesses). Item to be heard by Fall 2008.** Any valet parking operator who performs valet parking services at a restaurant or other place of public assembly will be required to have a valet parking permit.	TBD	TBD	DOT
15	5.06.4	An Ordinance Relating to Bi-Directional Amplification Devices in Newly Constructed Buildings	Police & Fire/ Capt. McCarthy	**Item will be removed from next version of the Leg Log**	**Completed. Included in Fire Code Amendments to City Code Sections 15.36.060 which was adopted February 26, 2008 (Item 24) by the City Council.** The proposed ordinance would require that all new buildings over 5,000 square feet be required to install bi-directional amplification (BDA) devices, as needed, in newly constructed buildings. Ninety days after the certificate of occupancy is issued the building owner will have to provide certification that a test was done to determine if the BDA is necessary. If it is necessary, then a BDA must be installed. The State has implemented legislation that will begin January 1, 2008.	No	TBD	TBD

16	6.06.1	Docks Area Plan Ordinance	Econ Development/ Beth Tincher	**Item will be removed from next version of the Leg Log**	**The Sacramento Docks Area Specific Plan is being processed through the adoption of a General Plan Amendment, Rezone and the adoption of Planned Unit Development Guidelines. Staff has determined that an ordinance for a Special District will not be required for the Docks Area. An off agenda memo was sent to CC on July 24, 2008.** Adopt, by ordinance, the Docks Area Specific Plan and Special Planning District.	TBD	TBD	TBD
17	7.06.1	Ordinance Banning Cart Vendors	CM Pannell/ Finance/ Brad Wasson	Pending	**As of July 30, 2008 Revenue Division and Code Enforcement staff will be providing a joint report back in the near future on both Items 7.06.1 and 4.07.1.** On 7/18/06, CM Pannell requested that staff bring forward to the L&L Committee the ordinance banning cart vendors. This request is related to portable push-cart type food vendors and includes CM Sheedy's request on 5/2/08 (CC Log # 009-08) relating to candy vendors hanging around school sites after school is out.	TBD	TBD	TBD
18	9.06.1	Ordinance Repealing, Amending and Reenacting Sections of City Code Related to Encroachment and Excavation Permits and Street and Sidewalk Use Regulation	Trans Dept/ Jon Blank	Pending	**As of 7/8/08 DOT staff working to reach consensus on regulatory concerns raised by SMUD.** Approve and forward to the City Council Ordinance amendments to Title 12 of the City Code.	No	TBD	Transportation Dept

19	2.07.2	Amend City Code to Address Vacant Lots	CM Hammond/ Code/ Max Fernandez	**Item will be removed from next version of the Leg Log**	**Staff is preparing an off-agenda memo to L&L committee confirming verbal update provided to CM Hammond.** At the Feb 6, 2007 L&L meeting, CM Hammond requested that staff research bringing forward an amendment to code requiring that vacant lots are fenced.	TBD	TBD	Code Enforcement
20	3.07.4	Campaign Finance Ordinance Review	L&L Committee and Council/ Attorney's Office/ Eileen Tiechert	Pending	**Report back to Council following November 2008 election.** At the March 20, 2007 L&L meeting the Committee directed staff to redraft the current campaign finance code to simplify the language, making the code easier to read and understand.	No	TBD	TBD
21	4.07.1	Discussion Paper on Amendment Options to the Home Occupation Permit	L&L Committee/ Finance Dept./ Brad Wasson	Pending	**As of July 30, 2008 Revenue Division and Code Enforcement staff will be providing a joint report back in the near future on both Items 7.06.1 and 4.07.1.** At the 4/17/07 L&L meeting the Committee directed staff to come back with options to amend the home occupation permit.	TBD	TBD	Finance
22	4.07.3	Discussion Paper on Portable Gas Leaf Blowers	L&L Committee/ Code Enforcement & CMO	**Item will be removed from next version of the Leg Log**	**Off Agenda memo sent to City Council on July 15, 2008 recommending no further action.** At the 4/17/07 L&L Meeting the Committee directed staff to come back with a discussion paper on issues relating to portable leaf blowers including; the legal decibel limit, the noise caused by multiple blowers, the air quality issues, blowing debris onto the streets, and whether we are superseded by the state to regulate leaf blowers.	Yes	TBD	Code Enforcement

23	5.07.4	Regulation of Check Cashing and Pay Day Loan Stores	CM Sheedy/ DSD Joy Patterson	Pending	**Staff is meeting in the 2nd week of August to determine possible course of action.** At the May 15, 2007 Council Meeting, Councilmember's Sheedy, Hammond, McCarty, and Pannell requested that the CAO explore the issue of regulating Check Cashing and Payday Loan Stores. On Oct 2, 2007, staff brought forward an emergency moratorium ordinance for the committee's consideration. Since the moratorium was approved, staff will bring back an ordinance regulating these stores for the committee's consideration.	Yes	TBD	TBD
25	9.07.1	Ordinance Amendment: Community Racial Profiling Commission	Police/ Helga Sprung	Pending	Proposed amendment would modify the Community Racial Profiling Ordinance to reflect a change in the frequency of the Commission's meetings. The modification would allow CRPC to meet no less than quarterly.	No	Limited	Police
26	9.07.3	Discussion Paper: Land Use and Liability Insurance Regulations for Gun Dealers	CM McCarty/ Police & CAO	Pending	**Per email received from SPD (June 12, 2008), this item has been withdrawn by the sponsor.** At the request of Councilmember McCarty, staff will bring forward a discussion paper relating to land use regulations of firearms' dealers' locations and requiring dealers to obtain liability insurance.	TBD	TBD	TBD
27	10.07.1	2007 California Building Code Amendments	DSD/Bob Chase	**2-Sep-08**	**Revised Ordinance passed Internal City Attorney Review committee, ready to be heard by L&L. DSD engaged in final outreach efforts with business community.** The state will be revising its building code this year. Staff will bring forward any necessary changes to reflect the changes at the state level.	TBD	TBD	Development Services

28	1.08.1	Smoke-Free Housing City Subsidy	SHRA/ Council Member McCarty	**Item will be removed from next version of the Leg Log**	**SHRA will address this in the revised multifamily guidelines which will be forthcoming to the Council in Fall 2008. Pending Council outcome, should follow up be required, this item will be placed back on the L&L log for further follow up.** Inclusion criteria for smoke-free units in City-subsidized housing	TBD	TBD	SHRA
29	2.08.7	Banning plastic bags and styrofoam cups in the City	Council Members Tretheway, Sheedy and Pannell/Solid Waste	**2-Oct-08**	Consideration and discussion on the banning of plastic bags and styrofoam cups in the City.	TBD	TBD	TBD
30	2.08.8	Light Rail and Bus Passenger Safety	Council Member Pannell/Police	**Item will be removed from next version of the Leg Log**	**SPD brought forward AB 1561 on June 5, 2008 for a support position to address the Light Rail and Bus Safety issues. Staff continues to track this bill.** Review light rail and bus passenger safety.	TBD	TBD	TBD
31	3.08.3	AB 2169 - Ice Cream Truck Licensing	Finance / Dafna Gauthier	**Item will be removed from next version of the Leg Log**	**Bill died 5/22/08 in house of origin.** This bill would prohibit a city or county from issuing a license to operate an ice cream truck, as defined, to any person who is required to register as a sex offender.	TBD	TBD	TBD

32	4.08.9	SB 840 - Single-Payer Health Care Coverage	CMO / Michelle Heppner	Pending	Establishes the State Healthcare System. Makes all state residents eligible for specified health care benefits under the system, which would, on a single-payer basis, negotiate for or set fees for health care services provided through the system and pay claims for those services. Provides an income eligibility factor. Creates the Healthcare Policy Board to establish policy on medical issues and various other matters relating to the system. Provides certain insurance fraud laws to providers under the system.	TBD	TBD	All
33	4.08.10	State Initiative for November 4, 2008: Treatment of Farm Animals	CMO / Michelle Heppner	**16-Sep-08**	**Will be included in the comprehensive Nov 4 Ballot Measure Ballot Measure report on Sept 16, 2008 L&L Agenda.** Prevention of cruelty measure regulating confinement practices.	TBD	TBD	TBD
34	5.08.4	Ordinance to Curb the Theft of Metals	City Manager's Office / CM Sheedy	Pending	**Law & Leg took a support position on AB 844 (Berryhill and Maze). Pending terms and final bill adoption by the State, staff will return with appropriate ordinance.** Suggested by the Sacramento Builders' Exchange to add an extra layer of deterrence at the local level, where the stealing of these metals has become a serious problem for both the public and private sectors.	TBD	TBD	TBD

35	5.08.6	Review of Allowable Uses in Special Planning Districts That Overlay Commercial Corridors	Planning Dept/ Carol Shearly	**Late 2008**	**Zoning code fixes are listed as a priority 2030 General Plan implementation program. Staff will bring forward more details about the scope of that effort to Council at some point prior to General Plan adoption which is anticipated to occur by the end of 2008.** Report will help facilitate staff proposals for encouraging retail and other revenue-generating development along the City's commercial corridors.	TBD	TBD	TBD
36	6.08.1	Tobacco Retailers	Code Enforcement / David Paul	**19-Aug-08**	An Ordinance amending Chapter 5.138 of the Sacramento City Code relating to the expiration of tobacco retailer licenses.	TBD	TBD	TBD