

## RESOLUTION NO. 2019-0439

Adopted by the Sacramento City Council

November 19, 2019

### Calling and Giving Notice of the Submittal to the Voters Establishing the Sacramento Children's Fund Act of 2020 to be Included in the Municipal Election on March 3, 2020

#### BACKGROUND

- A. On November 5, 2019, the City Council adopted a resolution calling for, giving notice of, and consolidation of the City's Municipal Election to be held on Tuesday, March 3, 2020 and the Statewide Municipal Election to be held on Tuesday, March 3, 2020.
- B. On November 19, 2019, the City Council adopted a resolution approving for placement on the March 3, 2020 Municipal Election ballot a question pertaining to the Sacramento Children's Fund Act of 2020 charter amendment.
- C. The City Council desires to submit the measure to the voters at the March 3, 2020 Municipal Election.

#### BASED ON THE FACTS SET FORTH IN THE BACKGROUND, THE CITY COUNCIL RESOLVES AS FOLLOWS:

Section 1. The City Council hereby orders that the following question be submitted to the voters in the City of Sacramento, California on March 3, 2020:

Measure G - Charter Amendment - Sacramento Children's Fund Act of 2020

"Shall the measure amending the Sacramento City Charter to (1) require that 2.5% of the city's unrestricted revenues be set aside in a newly-established Sacramento Children's Fund, for 12 consecutive fiscal years beginning in 2021-2022, to be spent only on qualifying youth and child services; (2) require that the 2.5% be in addition to that which was expended on eligible youth and children services in fiscal year 2019-2020; and (3) establish a Fund Planning and Oversight Commission, be adopted?"	YES
	NO

Section 2. That the text of the proposed measures to be submitted to the voters is attached as Exhibit A.

- Section 3. The ballots to be used at the election shall be in the form and content as required by law.
- Section 4. The vote centers for the election shall open at 7:00 a.m. on the day of the election and shall remain open continuously from that time until 8:00 p.m. of the same day when the polls shall be closed, except as provided in sections 4005 and 14401 of the California Elections Code.
- Section 5. In all particulars not recited in this resolution, the election shall be held and conducted as provided by the law for holding municipal elections.
- Section 6. Notice of the time and place of holding the election is hereby given and the City Clerk is hereby authorized, instructed and directed to give further or additional notice of the election, in the time, form, and manner required by law.
- Section 7. The City Clerk shall certify the passage and adoption of this resolution and enter it into the book of original resolutions.

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Exhibit A Text – Sacramento Children’s Fund Act of 2020 Charter Amendment

Adopted by the City of Sacramento City Council on November 19, 2019, by the following vote:

Ayes: Members Ashby, Carr, Guerra, Hansen, Harris, Jennings, Schenirer, Warren and Mayor Steinberg

Noes: None

Abstain: None

Absent: None

Attest: **Mindy Cuppy** Digitally signed by Mindy Cuppy  
Date: 2019.12.06 12:38:32  
-08'00'  
Mindy Cuppy, City Clerk

*The presence of an electronic signature certifies that the foregoing is a true and correct copy as approved by the Sacramento City Council.*

## **Charter Amendment – Sacramento Children’s Fund Act of 2020**

### **Section 1. Name.**

This measure shall be known as the “Sacramento Children’s Fund Act of 2020” (hereinafter, the “Act”).

### **Section 2. Findings and Declarations.**

- A. Cities benefit when youth live safe, peaceful, and healthy lives free from involvement with the juvenile and criminal justice systems.
- B. By helping City of Sacramento children and youth to succeed in school and graduate high school prepared for college, career, and community, the City of Sacramento will benefit.
- C. Fostering the healthy development of young children, ages 0-5 years old, will have a positive impact on the Sacramento community.

### **Section 3. Purpose and Intent**

- A. The chief purpose and intent of this measure is to establish the Sacramento Children’s Fund to protect and expand funding for services that help children and youth less than 25 years old to be safe, healthy and productive.
- B. This measure allocates two-point-five percent (2.5%) of the City of Sacramento’s audited, actual total annual unrestricted revenues to the Sacramento Children’s Fund, along with any interest earned on the Sacramento Children’s Fund and any amounts unspent or uncommitted by the Sacramento Children’s Fund at the end of any fiscal year.
- C. No less than 90% of all monies in the Sacramento Children’s Fund are to be used to provide services to Sacramento children and youth less than twenty-five (25) years old, in accordance with asset-based youth development principles, and placing a strategic priority on serving those children and youth most impacted by poverty, trauma, and violence.
- D. No more than ten percent (10%) of all monies in the Sacramento Children’s Fund are to be used for strategic planning, grant-making, grants management, data collection and evaluation, and communications and community engagement.
- E. All monies in the Sacramento Children’s Fund shall be used to supplement and not supplant the amount of unrestricted revenue expended by the City of Sacramento on eligible children and youth services in Fiscal Year 2019-2020.

**Section 4.** Section 110.5 of the Sacramento City Charter is added to read as follows:

(a) The “Sacramento Children’s Fund” is hereby established within the City’s General Fund.

(b) The goals of the Sacramento Children’s Fund are to:

(1) Support youth to live safe, peaceful, and healthy lives free from involvement with the juvenile and criminal justice systems.

(2) Help children and youth succeed in school and graduate high school prepared for college, career, and community.

(3) Foster the healthy development of young children, ages zero to five (0-5) years old.

(c) Notwithstanding any other provision of law, effective July 1, 2021, the Sacramento Children’s Fund shall receive funds equal to two-point-five percent (2.5%) of the City of Sacramento’s audited total actual annual unrestricted revenues. Revenue received by the Fund shall be appropriated each year as specified in this Act together with any interest earned and any amounts unspent or uncommitted at the end of any fiscal year. The annual amount of the City’s unrestricted revenue for the next fiscal year shall be estimated by the City Manager no later than January 15 of each year, beginning January 15, 2021. Two-point-five percent (2.5%) of the estimated amount of the City’s unrestricted revenue for the next fiscal year shall be deposited in the Fund no later than July 1 of each year. The City Auditor shall publish the audited actual amount of unrestricted revenues for the prior fiscal year not later than January 15 of each year, beginning January 15, 2023. Differences between the amount of estimated unrestricted revenues deposited in the Fund and the audited actual amount of unrestricted revenues for a fiscal year shall be reconciled by an adjustment in the amount deposited in the Fund for the following fiscal year. Audited actual unrestricted revenues shall not include funds granted to the City of Sacramento by private agencies or by other public agencies. All monies in the Sacramento Children’s Fund shall be maintained and accounted for separately and apart from all other City funds.

(d) Pursuant to achieving the goals of the Sacramento Children’s Fund, no less than ninety percent (90%) of all monies in the Sacramento Children’s Fund shall be appropriated by the City Council to pay for services provided to children and youth less than twenty-five (25) years old, including, but not limited to:

(1) Mentoring, counseling and culturally-based healing practices, alcohol and drug use prevention and intervention, job training, transitional employment, and case management.

(2) Summer and after-school learning, artistic, cultural, and media expression, career- based internships, and family support services.

(3) Early childhood education, parent/child play groups, and family support services.

(e) No more than ten percent (10%) of all monies in the Sacramento Children’s Fund shall be appropriated by the City Council for strategic planning, grant-making, grants management, data collection and evaluation, and communications and community engagement.

(f) Monies in the Sacramento Children’s Fund shall not be appropriated or expended for:

- (1) any service which merely benefits children and youth incidentally;
- (2) acquisition, lease, or maintenance of any capital item or real property not for primary and direct use by children and youth;
- (3) any service for which a fixed or minimum level of expenditure is mandated by state or federal law, to the extent of the fixed or minimum level of expenditure.

(g) The City Council shall appropriate funds from the Sacramento Children's Fund pursuant to a Three-Year Strategic Investment Plan and a Three-Year Funding Package prepared and submitted by the Sacramento Children's Fund Planning and Oversight Commission, with the first plan to be implemented during the July 1, 2021 through June 30, 2022 fiscal year. Each Three-Year Strategic Investment Plan shall describe the following:

- (1) the problem and challenge to be addressed in each of the Fund's three goal areas;
- (2) target populations to be served within each of the Fund's three goal areas, using multiple data sources to identify those populations most impacted by poverty, trauma, and violence;
- (3) service performance and youth outcome metrics to evaluate progress toward achieving the Fund's three goals;
- (4) theory-of-change of how youth outcomes will be achieved with the target populations in each of the Fund's three goal areas;
- (5) alignment and coordination of other public and private resources to maximize service reach and impact.

(h) Money used to pay for services pursuant to subdivision (d) shall be appropriated to non-profit organizations and public agencies exclusively through an open and fair competitive bid process, including consideration of applicants' past performance. The City Council, pursuant to subdivision (g), shall approve or disapprove the Three-Year Strategic Investment Plan and the appropriation of funds from the Sacramento Children's Fund for the Three-Year Funding Package as a single item and shall not approve or disapprove individual applicants and projects unless such individual approval or disapproval is expressly authorized in the Plan or Funding Package proposed by the Sacramento Children's Fund Planning and Oversight Commission.

(i) All services to children and youth funded by the Sacramento Children's Fund in each three-year Strategic Investment Plan cycle shall be evaluated to assess progress toward service performance and youth outcome metrics established in each three-year Strategic Investment Plan. In consultation with City staff, the Sacramento Children's Fund Planning and Oversight Commission shall publish an annual Impact Evaluation Report that assesses progress toward service performance and youth outcome metrics identified in each three-year Strategic Investment Plan. These reports shall be made available to the general public.

(j) Not later than 90 days after the election which approves this section, the Mayor shall appoint one (1) City resident and each City Councilmember shall appoint two (2) City residents to serve as members of the Sacramento Children's Fund Planning and Oversight Commission. One of each City Councilmember's appointees shall be a resident not older than 24 years old. The term of a Commissioner shall be two years, and a Commissioner shall not serve more than three consecutive terms. The Commission shall reflect the demographic profile of Sacramento's children and youth, and all appointees shall have (1) life experience as a consumer or past consumer of children and youth development services, or (2) demonstrate knowledge of, or possess expertise in, child and youth development policy, program implementation and evaluation, or fiscal accountability.

(k) The Sacramento Children's Fund Planning and Oversight Commission shall be responsible for:

- (1) preparing and submitting Three-Year Strategic Investment Plans for City Council adoption;
- (2) evaluating three-year funding applications from non-profit organizations and public agencies through an open and fair competitive bid process, and submitting funding recommendations for City Council adoption;
- (3) submitting annual evaluation reports for City Council adoption;
- (4) receiving City Auditor annual reports on the Fund's financial statement and base spending requirement as described in subdivision (l).

(l) All monies in the Sacramento Children's Fund shall be used to supplement and not supplant or reduce the amount of unrestricted revenue the City of Sacramento expended for eligible children and youth services in any fiscal year below the amount so expended in the 2019-2020 fiscal year. Eligible children and youth services shall, at a minimum, include those services described in subdivision (d)(1)-(3). Not later than June 30, 2021, the City Auditor shall calculate and publish the amount of unrestricted General Fund expenditures made on eligible services in the 2019-2020 fiscal year, disaggregating and specifying such expenditures by Department and eligible service. Not later than January 15 of each year beginning in 2022, the City Auditor shall verify that the City of Sacramento did not reduce the amount of unrestricted General Fund expenditures for eligible services in the prior fiscal year. If the City Auditor finds that in any fiscal year the amount of funds expended for eligible services is less than the total amount expended in 2019-2020, the City of Sacramento shall increase expenditures for eligible services in the following fiscal year so that the correct amount of funds is expended.

(m) Notwithstanding subdivision (c), the City shall not be required to transfer funds to the Sacramento Children's Fund for the 2033-34 fiscal year or thereafter. This Act shall expire on June 30, 2034. To the extent that any unencumbered funds remain in the Sacramento Children's Fund on June 30, 2034, they shall revert to the City's general fund.

**Section 5: Severability.**

If any provision of this section or any application thereof to any person or circumstance is held invalid, the remainder of this section and its applications shall not be affected. To this end, the provisions of this measure are severable.

**Section 6:** Conflicting Measures.

The measure is intended to be comprehensive. It is the intent of the People that in the event this measure and another measure relating to establishing the Sacramento Children's Fund to protect and expand funding for services that help children and youth shall appear on the same City ballot, the provisions of the other measure or measures shall be deemed to be in conflict with this measure. In the event that this measure receives a greater number of affirmative votes, the provisions of this measure shall prevail in their entirety, and all provisions of the other measure or measures shall be null and void.

**Section 7:** Conflicting Charter Provisions.

Any section or part of any section in this Charter, insofar as it conflicts with this Act or with any part thereof, shall be superseded by the contents of this Act.