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DEPARTMENT OF
ADMINISTRATIVE SERVICES

BUDGET AND POLICY REVIEW

CITY OF SACRAMENTO
CALIFORNIA

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September 20, 2001

Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: PROCESSING OF MUNICIPAL LEGISLATION

LOCATION AND COUNCIL DISTRICT: Citywide

RECOMMENDATION:

Staff recommends that the Law and Legislation Committee discuss and provide direction on the proposed policy change governing the requests and the processing of municipal legislation and forward the recommendation to the City Council for consideration.

The proposed policy changes are:

- Law and Legislation Committee periodically review a list of pending legislation and recommend its prioritization for the City Council ratification.
- Law and Legislation Committee recommend that the City Council adopt a policy that all requests for amending and drafting of municipal legislation, that requires more than 10 hours to complete, would require Council direction before proceeding.

In addition, staff proposes that the criteria for prioritizing the drafting of proposed legislation include:

- Date the proposed legislation is due for discussion by Law and Legislation Committee;
- Type of request: critical, routine, amendment, discretionary, housekeeping (cleanup language);

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- Whether it involves major or minor work on the part of staff in terms of background research as well as drafting the ordinance;
- Whether the proposal is consistent with Council directives;
- Whether the request is simply technical cleanup language or a federal or state mandate; and
- Estimated time for completion, with staff estimates for input, outreach and possibly special public hearings.

If the Committee support these criteria, staff will provide a report back with recommended prioritization of the twenty-four pending legislative items.

CONTACT: Aaron B. Chong, Senior Management Analyst, 264-6747

FOR THE COMMITTEE MEETING OF: September 25, 2001

BACKGROUND:

On August 21, 2001, the Law and Legislation Committee Chair requested staff to prepare a list of City legislative items that are being reviewed or drafted by the City Attorney's office. Chair Cohn also requested that staff provide the Law and Legislation Committee with a status report these legislative items.

DISCUSSION:

This report provides a current listing of legislation being worked on by staff. This report also provides staff recommended criteria for the Law and Legislation Committee's consideration for prioritizing legislation.

There are twenty-four requests for preparing, amending or updating legislation at the City Attorney's office. A listing of these twenty-four legislative items and their status is attached as "**Attachment I**".

Staff proposes:

- Law and Legislation Committee periodically review a list of pending legislation and recommend its prioritization for the City Council ratification.
- Law and Legislation Committee recommend that the City Council adopt a policy that all requests for amending and drafting of municipal legislation that requires more than 10 hours to complete would require Council direction before proceeding.

Ten hours was initially used as a measure to define limited amount of work under time estimates for completing legislation.

These two proposals would provide the City Council with a recent snapshot of workload requests for legislation. In addition, the City Council, per adopted policy, would regularly review and ratify the prioritization of legislative items requested.

Staff shall provide a listing of legislation to the Law and Legislation Committee for review and comment on a periodic basis.

The information provided to the Committee will include but not be limited to the following information:

- Short description of the legislation;
- Whether it involves major or minor work on the part of staff in terms of background research as well as drafting the ordinance;
- date the proposed legislation is due for discussion by Law and Legislation Committee
- degree of urgency: critical, routine, amendment, discretionary, housekeeping (cleanup language)
- Who requested the legislation;
- Whether the proposal is consistent with Council directives;
- Whether the request is simply technical cleanup language or a federal or state mandate;
- Estimated time for completion, with staff estimates for input, outreach and possibly special public hearings.

Since these legislative items impact several operating departments, staff will be canvassing the departments to ascertain the progress with these departments before returning to the committee with the prioritized listing.

FINANCIAL CONSIDERATIONS:

The proposed recommendations would have no financial consideration at this time.

POLICY CONSIDERATIONS:

The proposed recommendation would streamline the processing of municipal legislation.

If approved, staff will provide a report back with a recommended prioritization of the legislation.

ESBD CONSIDERATIONS:

There are no ESBD considerations. No goods or services are being purchased at this time.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Aaron B. Chong', with a long horizontal flourish extending to the right.

Aaron B. Chong
Senior Management Analyst

RECOMMENDATION APPROVED:

A handwritten signature in black ink, appearing to read 'Betty Masuoka', with a long horizontal flourish extending to the right.

Betty Masuoka,
Assistant City Manager.

PENDING LEGISLATION¹

| Subject Matter | Ordinance Sponsor | Status | Controversial or Significant Policy Issues | Anticipated Attorney Drafting Time for Completion ₂ | City Departments Possibly Affected |
|---|---------------------------------------|---|--|--|---|
| Public Finance and Campaign Spending Limits | Full Council | Draft ordinance complete. Was originally scheduled for Law & Leg on 9/4/01, but has been continued to date uncertain. | Yes | Significant | City Clerk |
| Lobbyist Registration and Regulation | Full Council | Reviewed at Law & Leg. Revised draft to be prepared. | Yes | Significant | City Clerk |
| Shopping Cart Regulations | Councilmember Dave Jones | Draft ordinance complete. Sponsor of ordinance has asked for additional changes. No Law & Leg date set. | Yes | Moderate | NSD(Code Enforcement)/ Planning Dept |
| Billboard Relocation Ordinance | Councilmember Steve Cohn | Staff has been given direction to draft the ordinance, and is evaluating various options. | Yes | Moderate | Planning/ Economic Development |
| Sign Regulations | Full Council | Draft ordinance submitted to staff for review and comment. No Law & Leg date set. | Yes | Significant | Planning/ Economic Development |
| Cemetery Regulations | Convention, Culture and Leisure Dept. | Scheduled to go to Law & Leg on 10/16/01. | No | Moderate | Convention, Culture & Leisure |

¹ The time estimates for completion reflect attorney drafting time only, and do not reflect the time required for the ordinance to go through the legislative process, including staff direction, public outreach and community meeting process, workshops, and formal noticed public hearings required for adoption.

₂ (Limited (1-10 hours), Moderate (10-40 hours), Significant (Over 40 hours))

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| Subject Matter | Ordinance Sponsor | Status | Controversial or Significant Policy Issues | Anticipated Attorney Drafting Time for Completion ₂ | City Departments Possibly Affected |
|--|------------------------------|--|--|--|--|
| Quimby Ordinance amendment | Parks | Went through Ordinance Review Committee ("ORC") review and submitted to staff for review and comment in 7/00. Awaiting further direction from Parks. | No | Moderate - Significant | Parks and Rec Planning |
| Predatory Lending | Councilmember Lauren Hammond | First Law & Leg hearing held on 8/9/01. Scheduled for second Law & Leg Committee hearing on 10/02/01. | Yes | Moderate | City Treasurer Admin Svcs |
| Dance Permit | Revenue Division | Scheduled for L&L on 11/6/01. | Yes | Significant | Police Admin Svcs Convention, Culture & Leisure |
| Amendment of Emerging/Small Business Enterprise Program provisions | Public Works/ Admin Svcs | Draft ordinance submitted to staff for review and comment. No Law & Leg date set. | No | Limited - Moderate | Admin Svcs |
| Multi-Family Residential Development Streamline Review | Planning | Draft ordinance submitted to staff on 8/10/01 for review and comment. Awaiting additional direction from staff. No Law & Leg date set. | Yes | Moderate | Planning |
| Amendment to City Code Section 3.60.020 Re: pre-qualification procedures | Public Works | Reviewed by Ordinance Review Committee review on 9/10/01. Awaiting staff input. No Law & Leg date set. | Potentially yes | Moderate | Planning, Public Works, Utilities, Admin Svcs |

| Subject Matter | Ordinance Sponsor | Status | Controversial or Significant Policy Issues | Anticipated Attorney Drafting Time for Completion ₂ | City Departments Possibly Affected |
|---|------------------------------------|--|--|--|------------------------------------|
| Amendment to Administrative Penalty Ordinance Re: unauthorized blockage of traffic (Sections 12.20.020 and 12.20.030) | Public Works (Traffic Engineering) | Draft ordinance forwarded to Traffic Engineering staff for review and comment on 8/22/01. No Law & Leg date set. | Potentially yes | Moderate | Public Works Police |
| Pet Spay/Neuter Penalty | Public Works (Animal Care) | First draft prepared. To be scheduled for review by the Ordinance Review Committee. | No | Limited | Public Works |
| Expanded South Area Design Review District | Planning | Awaiting staff's redraft of ordinance. No Law & Leg date set. | No | Moderate | Planning |
| Amendments to North Natomas Community Plan Zoning City Code Re: Employment Center (EC) Zone | Planning | The Planning Commission heard and recommended approval of part of the proposed changes at its 8-9/01 meeting. The parts that are recommended for approval are going to Council, and the parts that were not recommended for approval are being redrafted by staff and will go back to Commission at some time in the future. | Potentially yes | Moderate | Planning Economic Dev. |
| Fencing of Vacant Lots | Councilmember Sandy Sheedy | Waiting for further direction from NSD on policy issues. | Potentially yes | Significant | NSD |
| Rental Inspection | Councilmember Pannell | Waiting for further direction from NSD on policy issues. | Yes | Significant | NSD Planning |
| Social Services | Full Council | Reviewing existing City Code provisions that may require updating. | Yes | Significant | NSD Planning |

| Subject Matter | Ordinance Sponsor | Status | Controversial or Significant Policy Issues | Anticipated Attorney Drafting Time for Completion ₂ | City Departments Possibly Affected |
|--|--|---|--|--|------------------------------------|
| Establishment of Sacramento Disabilities Advisory Commission | Full Council | Went through Ordinance Committee Review on 9/10/01. No Law & Leg date scheduled yet. | Yes | Moderate - Significant | Admin Svcs Public Works |
| Transit Corridor Overlay Zone/65th Street Transit Village Plan | Planning | Comments on draft ordinance forwarded to staff on 8/15/01. Awaiting staff direction. No Law & Leg date set. | Potentially yes | Moderate - Significant | Public Works Planning |
| Interim Transit Village Land Use Regulations | Councilmembers Dave Jones and Steve Cohn | Working with staff to formulate interim regulations pending adoption of ordinance creating Transit Corridor overlay zone for areas around Light Rail stations. No Law & Leg date set. | No | Moderate - Significant | Public Works Planning |
| Living Wage Ordinance | Councilmember Dave Jones | Several policy issues must be resolved before we can begin drafting. | Yes | Significant | Admin Svcs |
| Amendment to Title 10 re taxi cab zones (John Luebberke) | Public Works (On-Street Parking) | Working with staff to formulate details of ordinance. No Law & Leg date set. | Potentially yes | Moderate | Public Works |