

DEPARTMENT OF
ADMINISTRATIVE SERVICES
BUDGET AND POLICY REVIEW

CITY OF SACRAMENTO
CALIFORNIA

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Moved to ITEM 4.5, STAFF REPORT

November 14, 2001

City Council
Sacramento, California

Honorable Members in Session:

SUBJECT: PROCESSING OF MUNICIPAL LEGISLATION

LOCATION AND COUNCIL DISTRICT: Citywide

RECOMMENDATION:

The Law and Legislation Committee recommends that the City Council approve the proposed policy changes governing the requests and processing of municipal legislation.

The proposed policy changes are:

1. All requests for preparing, amending, drafting and/or processing of municipal legislation where requested by one or more Council members or by the City Manager, that involve major legislative policy, be referred directly to the Law and Legislation Committee for consideration and direction before proceeding.
2. The Law and Legislation Committee will also add on to its committee agenda, under staff reports, a standing agenda item for the discussion of any municipal legislative processing requests, if any.
3. Once the Law and Legislation Committee has set an order of priority, the recommended order of priority would be scheduled for the consent agenda of the next available Council meeting. At that time, any interested Council member may pull the item from Consent for discussion.

In addition, staff has prioritized the list of 24 active legislative items as requested by the Committee. The criteria for ranking the priority for each of the 24 items included:

- working with staff to determine the exact amount of time spent on the project,
- the anticipated date of discussion at the Law and Legislation Committee, and
- the amount of work necessary to complete the item and bring the item back to the Committee for consideration.

The Committee approved the recommended prioritization proposed by staff.

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

FOR THE COUNCIL MEETING OF: November 27, 2001

BACKGROUND:

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

On September 25, 2001, staff provided an initial listing and status of 24 legislative items being worked on by the City Attorney's office. Staff proposed a set of criteria for determining the priority for these legislative items for the Committee's consideration.

In addition, staff provided two recommended policy changes that would assist staff and the City Attorney's office with policy direction on prioritizing the processing of municipal legislation.

At the meeting, the Law and Legislation Committee directed staff to provide a follow up report with procedures that required all requests for drafting of legislative items that have major policy issues and required moderate or significant amounts of work be brought before the Committee for consideration.

If an item had minor changes or simply clarifying language, staff may request the language amendment directly from the City Attorney's office. Nevertheless all requests must be reviewed by the Committee at its periodic meeting for prioritization along with all other requests for the drafting or amending of legislation.

Furthermore, the Law and Legislation Committee would act as the "clearinghouse" for the City Council for reviewing all requests for drafting or amending of legislation on a periodic basis to determine processing prioritization.

DISCUSSION:

Staff has met with operating department staff, the City Attorney's Office, and the City Manager's Office regarding the status of each of the 24 legislative items.

Staff has prioritized the 24 items primarily on their scheduled date for hearing before the Law and Legislation Committee and amounts of work left to complete. The operating department staff provided these scheduled dates after consulting with the City Attorney's office.

Fifteen of these items have approximate hearing dates before the Committee. The remaining nine items need additional staff work and currently do not have a scheduled Law and Legislation Committee hearing date. They were prioritized after consulting with staff on the current status and issues that need additional attention.

Staff has ranked these items behind the fifteen items that have anticipated Law and Legislation dates.

The remaining nine items were prioritized based on:

- whether it involved major or minor work on part of staff in terms of background research as well as drafting the ordinance;
- the amount of work left prior to completing the item; and
- whether the request is technical cleanup language or federal/state mandate.

Practically all of the remaining nine items require moderate or significant amounts of staff time to complete before bringing the item back to the Law and Legislation Committee for consideration.

At the October 30, 2001 Law and Legislation Committee meeting, the Committee directed staff to revise the procedures to require all requests for preparing, amending, drafting or processing of municipal legislation where requested by one or more Council members or by the City Manager, that involve major legislative policy, be referred directly to the Law and Legislation Committee for consideration and direction before proceeding.

In addition, after the Committee had set an order of priority, the recommended order of priority would then be scheduled for the consent agenda of the next available Council meeting. At that time, any interested Council member may pull the item from Consent for discussion.

In order to provide timely consideration for processing legislative requests, staff recommends the addition of a standing item for the discussion of any municipal legislation request, if any.

FINANCIAL CONSIDERATIONS:

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

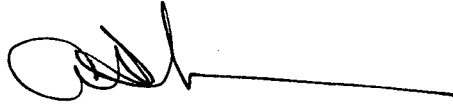
POLICY CONSIDERATIONS:

The proposed recommendation would streamline the processing of municipal legislation.

ESBD CONSIDERATIONS:

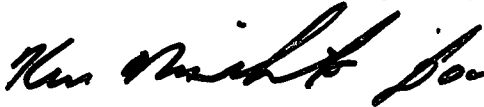
There are no ESBD considerations. No goods or services are being purchased at this time.

Respectfully submitted:

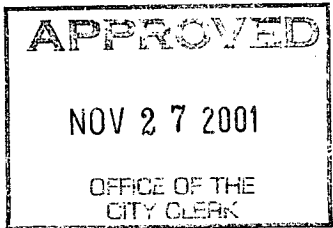


Aaron B. Chong
Senior Management Analyst

RECOMMENDATION APPROVED:



ROBERT P. THOMAS
CITY MANAGER



RESOLUTION NO. 2001-782

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF _____

**A RESOLUTION APPROVING THE PROPOSED POLICY CHANGES
GOVERNING THE REQUESTS AND PROCESSING OF
MUNICIPAL LEGISLATION**

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO THAT:

1. All requests for preparing, amending, drafting and/or processing of municipal legislation where requested by one or more Council members or by the City Manager, that involve major legislative policy, be referred directly to the Law and Legislation Committee for consideration and direction before proceeding.
2. The Law and Legislation Committee will also add on to its committee agenda, under staff reports, a standing agenda item for the discussion of any municipal legislative processing requests, if any.
3. Once the Law and Legislation Committee has set an order of priority, the recommended order of priority would be scheduled for the consent agenda of the next available Council meeting. At that time, any interested Council member may pull the item from Consent for discussion.

MAYOR

ATTEST:

CITY CLERK

FOR CITY CLERK USE ONLY

RESOLUTION NO.: _____

DATE ADOPTED: _____ 5

PENDING LEGISLATION ¹

Subject Matter	Ordinance Sponsor/ Staff member	Anticipated Law and Legislation Hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion	City Departments Possibly Affected
Predatory Lending	Councilmember Lauren Hammond City Treasurer	October 30, 2001	Item was heard and approved by the Committee and forwarded onto the City Council for consideration. Item is scheduled for January 15, 2002.	Yes	Moderate	City Treasurer Admin Svcs
Amendments to North Natomas Community Plan Zoning City Code Re: Employment Center (EC) Zone	Planning/Dave Mohlenbrok	November 2001 (City Council)	The EC amendments have been to Planning Commission and were passed by that body. The current status is that staff is continuing to meet with the various stakeholders to finalize the wording of the proposed amendments. Staff has an October 30 City Council date, but that may need to shift if the L&L chair determines that the report needs to go before the committee.	Potentially yes	Moderate	Planning Economic Dev.
Lobbyist Registration and Regulation	Full Council/Budget	December 18, 2001	Item was rescheduled from November 20, 2001 for December 18.	Yes	Significant	City Clerk

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))

Subject Matter	Ordinance Sponsor/ Staff member	Anticipated Law and Legislation Hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion	City Departments Possibly Affected
Establishment of Sacramento Disabilities Advisory Commission	Full Council/Ken Fleming/Mike Whipple	Scheduled to be heard by City Council on December 4, 2001	Went through Ordinance Committee Review on 9/10/01. Staff is meeting with community representatives and Personnel and Public Employees Committee regarding input on proposed language.	Yes	Moderate - Significant	Admin Svcs Public Works
Billboard Relocation Ordinance	Councilmember Steve Cohn/Joy Patterson	January 15, 2002	Staff has been given direction to draft the ordinance, and is evaluating various options. Staff will be meeting with City Attorney's office on this.	Yes	Moderate	Planning/ Economic Development
Amendment to Administrative Penalty Ordinance Re: unauthorized blockage of traffic (Sections 12.20.020 and 12.20.030)	Public Works (Traffic Eng)/Marty Hanneman	January 15, 2002	Draft ordinance forwarded to Traffic Engineering staff for review and comment on 8/22/01. Traffic Engineering staff anticipates bringing item to Law & Leg in December.	Potentially yes	Moderate	Public Works Utilities

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Subject Matter	Ordinance Sponsor/ Staff member	Anticipated Law and Legislation Hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion	City Departments Possibly Affected
Public Finance and Campaign Spending Limits	Full Council/Budget	January 29, 2002	Draft ordinance complete. Was originally scheduled for Law & Leg on 9/4/01.	Yes	Significant	City Clerk
Quimby Ordinance amendment	Public Works Real Estate/Bill Sinclair	January 29, 2002	Went through Ordinance Review Committee ("ORC") review and submitted to staff for review and comment in 7/00. Draft ordinance is complete. Staff is working on staff report.	No	Moderate – Significant	Public Works
Expanded South Area Design Review District	Planning/Jim McDonald	February 5, 2001	Awaiting staff's redraft of ordinance. Staff has rewritten language that reflects comments from the building industry representatives.	No	Moderate	Planning
Dance Permit	Convention, Culture and Leisure	February 5, 2002	Originally scheduled for L&L in December. Staff has held several stakeholders meeting regarding input and comments.	Yes	Significant	Police Admin Svcs Convention, Culture & Leisure
Multi-Family Residential Development Streamline Review	Planning/Jim McDonalds	February 19, 2002	Draft ordinance submitted to staff on 8/10/01 for review and comment. Staff has prepared a draft outline for implementing proposed ordinance. Staff report will be brought to Law and Legislation Committee in February 2002.	Yes	Moderate	Planning

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Subject Matter	Ordinance Sponsor/ Staff member	Anticipated Law and Legislation Hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion	City Departments Possibly Affected
Transit Corridor Overlay Zone/65 th Street Transit Village Plan	Planning/Steve Peterson	February 19, 2002	Comments on draft ordinance forwarded to staff on 8/15/01. Staff has completed the first administrative draft. A revised draft is expected in late October. Staff plans to bring item to Law and Legislation in February after commission hearings.	Potentially yes	Moderate – Significant	Public Works Planning
Interim Transit Village Land Use Regulations	Councilmembers Dave Jones and Steve Cohn/Steve Peterson	March 5, 2002	Working with staff to formulate interim regulations pending adoption of ordinance creating Transit Corridor overlay zone for areas around Light Rail stations. Staff anticipates report should be completed and brought back to Committee in March 2002.	No	Moderate – Significant	Public Works Planning
Sign Regulations	Full Council/ Joy Patterson	Spring 2002	A major section revision. Staff is currently reviewing on revising language. Staff anticipates going out to community and scheduling a series of public hearings on item in Spring 2002.	Yes	Significant	Planning/ Economic Development
Chain Link Fencing Regulations	Councilmember Dave Jones/Joy Patterson	Spring 2002	Staff is working with other City departments to gather additional information. Staff anticipates report should be completed in April 2002.	Yes	Significant	Planning, Code Enforcement (NSD)

Subject Matter	Ordinance Sponsor/ Staff member	Anticipated Law and Legislation Hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion	City Departments Possibly Affected
Fencing of Vacant Lots	Councilmember Sandy Sheedy	No date set	Waiting for further direction from NSD on policy issues. Item was brought to Code Ad Hoc Committee for discussion on October 30, 2001.	Potentially yes	Significant	NSD
New Code Enforcement Initiatives	Councilmember Pannell	No date set	Waiting for further direction from NSD on policy issues. Item was brought to Code Ad Hoc Committee for discussion on October 30, 2001.	Yes	Significant	NSD Planning
Social Services	Full Council	No date set	Reviewing existing City Code provisions that may require updating.	Yes	Significant	NSD Planning
Pet Spay/Neuter Penalty	Public Works (Animal Care)	No date set	First draft prepared. To be scheduled for review by the Ordinance Review Committee.	No	Limited	Public Works
Living Wage Ordinance	Councilmember Dave Jones	No date set	Several policy issues must be resolved before we can begin drafting.	Yes	Significant	Admin Svcs
Shopping Cart Regulations	Councilmember Dave Jones	No date set	Draft ordinance complete. Sponsor of ordinance has asked for additional changes. Grocers Assn to provide staff additional information for consideration. No Law & Leg date set.	Yes	Moderate	NSD(Code Enforcement)/ Planning Dept

AMENDED

RESOLUTION NO. 2001-782

ADOPTED BY THE SACRAMENTO CITY COUNCIL

ON DATE OF NOV 27 2001

A RESOLUTION APPROVING THE PROPOSED POLICY CHANGES GOVERNING THE REQUESTS AND PROCESSING OF MUNICIPAL LEGISLATION.

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SACRAMENTO
THAT:**

1. Requests for the drafting of municipal legislation that involve major policy issues, including amendments thereto of a substantive nature, shall be referred by either the City Manager or one or more City Council members to the Law and Legislation Committee, who shall preliminarily review the request and recommend to the Council an order of priority for the drafting of each such item of legislation by the City Attorney's Office.. In recommending an order of priority, the Law and Legislation Committee shall consider, among other relevant factors, the estimated attorney drafting time, and the time required for the ordinance to go through the legislative process, including staff direction and input, public outreach and community meeting process, workshops, and formal noticed public hearings required for adoption.
2. The Law and Legislation Committee shall include on its committee agenda, under staff reports, a standing agenda item for action on any new requests to prioritize municipal legislation. .
3. Once the Law and Legislation Committee has recommended an order of priority, the recommended order of priority shall be scheduled for ratification by the City Council on the consent calendar of the next available City Council meeting. At that time, any interested Council member may request that one or more of such items be pulled from the Consent calendar and placed on the Staff Reports portion of the agenda for further discussion and action. .

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RESOLUTION NO.: 2001-782
DATE ADOPTED: NOV 27 2001

