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DEPARTMENT OF
ADMINISTRATIVE SERVICES
BUDGET AND POLICY REVIEW

CITY OF SACRAMENTO
CALIFORNIA

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October 31, 2001

Law and Legislation Committee
Sacramento, California

Honorable Members in Session:

SUBJECT: PROCESSING OF MUNICIPAL LEGISLATION – REPORT BACK

LOCATION AND COUNCIL DISTRICT: Citywide

RECOMMENDATION:

Staff recommends that the Law and Legislation Committee review the proposed policy change governing the requests and processing of municipal legislation and forward staff's recommendation to the City Council for consideration.

The proposed policy change is:

- the City Council adopt a policy that all requests for amending and drafting of municipal legislation, that involve major legislative policy, be referred to the Law and Legislation Committee for direction before proceeding.

In addition, staff recommends that the Council adopt a policy that would allow legislation that have major policy issues to be requested, prepared and processed in the following situations:

- where requested by one or more Councilmembers and when affirmed by at least five votes on the City Council authorizing its processing, the item may then be referred to the Law and Legislation Committee for prioritization; or
- where requested by the City Manager's office, the item will be forwarded to the Law and Legislation Committee for consideration and prioritization.

Staff will report back periodically on the progress of municipal legislative process and request the Law and Legislation Committee review and provide guidance on prioritizing future legislative requests.

Councilmembers may request that a municipal legislative item be agendaized for discussion or direction at a future City Council meeting within 30 days of prioritization by the Law and Legislation Committee.

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 by the Law and Legislation Committee, and the amount of work left prior to completing the item and bringing it back to the Committee for consideration.

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

FOR THE COMMITTEE MEETING OF: November 6, 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.

The Law and Legislation Committee recommended unanimously that staff provide a 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 to the Committee for consideration.

If an item was 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 will 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. These scheduled dates were provided by the operating department staff 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 September 25, 2001 Law and Legislation Committee meeting, the Law and Legislation Committee recommended unanimously that staff provide a 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 to the Committee for consideration.

Staff recommends that the Council adopt a policy that would allow legislation that have major policy issues to be requested, prepared and processed in the following situations:

- where requested by one or more Councilmembers and when affirmed by at least five votes on the City Council authorizing its processing, the item may then be referred to the Law and Legislation Committee for prioritization; or
- where requested by the City Manager's office, the item will be forwarded to the Law and Legislation Committee for consideration and prioritization.

Councilmembers may request that a municipal legislative item be agendaized for discussion or direction at a future City Council meeting within 30 days of prioritization by the Law and Legislation Committee.

Staff will report back periodically on the progress of municipal legislative process and request the Law and Legislation Committee review and provide guidance on prioritizing future legislative requests.

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:



Betty Masuoka,
Assistant City Manager.

PENDING LEGISLATION ¹

Subject Matter	Ordinance Sponsor/ Staff member	Law and Legislation Hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion ²	City Departments Possibly Affected
Cemetery Regulations	Convention, Culture and Leisure Dept	October 16, 2001	Scheduled to go to Law & Leg on 10/16/01.	No	Moderate	Convention, Culture & Leisure
Predatory Lending	Councilmember Lauren Hammond City Treasurer	October 30, 2001	First Law & Leg hearing held on 8/9/01. Staff update is scheduled for Law & Leg Committee hearing on 10/30/01.	Yes	Moderate	City Treasurer Admin Svcs
Amendments to North Natomas Community Plan Zoning City Code Re: Employment Center (EC) Zone	Planning	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	November 20, 2001	Reviewed at Law & Leg. Revised draft to be prepared by staff.	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	Law and Legislation Hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion	City Departments Possibly Affected
Dance Permit	Revenue Division	December 2001	Scheduled for L&L in December. Staff has held several stakeholders meeting regarding input and comments.	Yes	Significant	Police Admin Svcs Convention, Culture & Leisure
Expanded South Area Design Review District	Planning	December 2001	Awaiting staff's redraft of ordinance. Staff has rewritten language that reflects comments from the building industry representatives and anticipates report back to Law & Leg in December.	No	Moderate	Planning
Establishment of Sacramento Disabilities Advisory Commission	Full Council	December 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. Anticipated date to Law & Leg Comm is December 2001.	Yes	Moderate - Significant	Admin Svcs Public Works
Amendment to Administrative Penalty Ordinance Re: unauthorized blockage of traffic (Sections 12.20.020 and 12.20.030)	Public Works (Traffic Eng)	January 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

Subject Matter	Ordinance Sponsor/ Staff member	Law and Legislation Hearing Date	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	January 2002	Draft ordinance complete. Was originally scheduled for Law & Leg on 9/4/01. Tentatively scheduled for January 2002.	Yes	Significant	City Clerk
Billboard Relocation Ordinance	Councilmember Steve Cohn/ Joy Patterson	January 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. Staff anticipates bringing this item back to Law and Legislation in January 2002.	Yes	Moderate	Planning/ Economic Development
Quimby Ordinance amendment	Public Works Real Estate	January 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
Multi-Family Residential Development Streamline Review	Planning	February 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
Transit Corridor Overlay Zone/65 th Street Transit Village Plan	Planning	February 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

Subject Matter	Ordinance Sponsor/ Staff member	Law and Legislation Hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion	City Departments Possibly Affected
Interim Transit Village Land Use Regulations	Councilmembers Dave Jones and Steve Cohn	March 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
Fencing of Vacant Lots	Councilmember Sandy Sheedy	No date set	Waiting for further direction from NSD on policy issues. Item is being 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 is being 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

Subject Matter	Ordinance Sponsor/ Staff member	Law and Legislation Hearing Date	Status	Controversial or Significant Policy Issues	Anticipated Attorney Drafting Time for Completion	City Departments Possibly Affected
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
Amendment to City Code Section 3.60.020	Utilities/Public Works	No date set	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
Amendment of Emerging/Small Business Enterprise Program provisions	Public Works/ Admin Svcs	No date set	Draft ordinance submitted to staff for review and comment. No Law & Leg date set.	No	Limited	Admin Svcs
Amendment to Title 10 re taxi cab zones	Public Works (On- Street Parking	No date set	Working with staff to formulate details of ordinance. No Law & Leg date set.	Potentially yes	Moderate	Public Works