

City of
SACRAMENTO
Office of the City Attorney



Annual Report

Fiscal Year 2015 - 2016

Office Overview

City Attorney - James Sanchez



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Message from the City Attorney

I am pleased and privileged to present our 2015-2016 Sacramento City Attorney's Office Annual Report.

It is difficult to adequately describe the breadth and complexity of one year's worth of trials, bond issuances, land use matters, personnel cases, water rights, environmental lawsuits, contracts, police and fire challenges, code enforcement cases, code amendments, and legal opinions. My best description is that we continue to ably serve the full range of legal demands presented by our growing City.

Our report presents a summary of each of our four legal service sections. The sections include Advisory, Human Resources and Special Projects, Litigation, and Public Safety and Land Use. Each one provides important legal services such as Public Safety and Land Use which addresses police, land use, and code enforcement services. This section houses our vibrant Justice for Neighbors program, which seeks to ensure a higher quality of life for all Sacramento residents.

The landscape of our client's needs continues to change with technology, increasing federal and state regulations, and development of creative modes of City service to the residents of Sacramento.

We stand ready to continue to meet our evolving client's needs with strong research, creativity, and advocacy for Sacramento.



Legislation Highlights

Many of the City Council’s goals and policies are implemented by the enactment of new ordinances or the amendment of existing ordinances. The City Council adopted 31 ordinances during 2015-2016 and our Ordinance Review Committee (ORC) held 65 meetings to review various legislative proposals. The Advisory Section and Public Safety and Land Use Section assisted City staff in drafting legislation and, where needed, in working through the entire process of developing effective legislation and working with stakeholders and other interested parties. Below are the issues addressed by ordinances enacted during the past fiscal year.

Cardrooms
Cultivation of Marijuana Moratorium Extension
Discharge of Firearms
Electronic Signatures
Floodplain Findings
Library Parcel Tax Renewal
*Marijuana Cultivation Zoning
*Marijuana Dispensary Relocation
Marijuana Tax
Minimum Wage
Mixed Income Housing
Pedicabs
Plaza District Signs
Plastic Bags
Prevailing Wage
Short-Term Residential Rentals
Signs
Signs at Large Entertainment Venues
Small Residential Rooftop Solar Energy Systems
Urban Agriculture Amendments
Water Efficient Landscape Requirements

65th Street Development Impact Fees
Artificial Turf
Ban the Box
Citywide Development Impact Fee
Fee Deferral
Floodplain Management Regulation Revisions
Housing Trust Fund
Incorporate Title 16 Subdivision Code into Title 17 Planning and Development Code
Jacinto Creek Development Impact Fees
Junk Dealers
Local Hire
Marijuana Tax– Recreational Use
Parks Development Impact Fees
Riding Bicycle on Sidewalks
River District Development Impact Fees
Sacramento Community Police Commission
Stockton-Broadway Special Planning District
Transportation Development Impact Fees
*Trees
Utility Development Impact Fees

Note: Ordinances with asterisk are mentioned in Section Notable Achievements. Highlighted ordinances will have completed the ORC process but were not adopted by Council before the end of FY 15-16

Administration



The administration and general support functions of the office are performed under the direction of the City Attorney. The structure of the administration team is City Attorney, James Sanchez; Assistant City Attorneys Sandra G. Talbott and Matthew D. Ruyak; Supervising Deputy City Attorneys

Gustavo L. Martinez, Brett M. Witter, and Jerry Hicks; Law Office Administrator Angela Kolak; and Special Assistant to the City Attorney, Kathy Montgomery.

The Administration Team develops and implements office policies and procedures; prepares and administers the office budget; assembles and analyzes office productivity data, including production of an annual report; provides career enhancement and training; and engages in long-term planning. Our office provides opportunity to obtain needed credits for Mandatory Continuing Legal Education (MCLE), as well as attendance at other professional-association seminars.

Budget

- ◆ Operating Budget (amended) for FY 15-16: \$7,478,521, which reflects a 9% increase from the previous year, primarily related to labor cost increases and the addition of one position.

Sources:

General Fund: 68%

Interdepartmental Funds: 27%

Non-General Fund: 3%

Revenue : 2%

Savings:

The net result for FY15-16 was \$14,794. This is dramatically lower than in prior years due primarily to no position vacancies for the first time in many years.

Expenses:

Expenses related to training, temporary staffing for additional California Public Records Act (PRA) workload and increases in vendor charges for services and supplies also contributed to the lack of typical year-end savings.

Advisory

The Advisory Section provides legal advice and support to the City Council and staff in implementing City policy. Advisory attorneys provide full legal support for City operations: drafting ordinances and resolutions; negotiating, drafting and reviewing contracts; drafting and reviewing various City documents and memoranda; researching federal, state, and local law; and advising staff, boards, and commissions. The Advisory Section 10% increase in total assignments in FY 15-16.



Summary - FY 15-16

- ◆ Total Assignments: 6109
 - Advice: 3015 assignments
 - Contracts: 2034 reviewed and approved
 - Ordinances: 26 drafted
 - Public Records Act: 174 requests reviewed and responded
 - Staff Reports: 852 approved as to form
 - Subpoenas: 8 reviewed and responded

Notable Achievements - FY 15-16

Railyards Appeal: Sacramento Citizens Concerned About the Railyards challenged the validity of the Railyards EIR in superior court. The City prevailed in the superior court action, and the Third District Court of Appeal upheld the City Council's 2007 approval of the EIR prepared in connection with the Railyards Specific Plan.

Notable Achievements - FY 15-16(Con't)

Golden I Center

Gonzalez, Isaac, et al. v. City of Sacramento, et al.: Plaintiffs filed a petition for writ of prohibition commanding that the City take no further action and expend no further public funds in pursuing to the Term Sheet approved for the Golden I Center. Following a two week trial, on July 24, 2015, Judge Frawley entered an overwhelmingly favorable preliminary decision finding that the plaintiffs had not proved any of the allegations in their complaint. With the preliminary decision made public, the plaintiffs retreated and ultimately settled for a waiver of costs. This allowed the City to proceed with financing for the Golden I Center.

Financing. Our office provided close legal support to the City Treasurer's Office and the City Manager's Office on the City's efforts to finance the construction of the Golden I Center. After settlement of the lawsuit, in August 2015, the City funded its \$212.5-million share of the cost to construct the Golden I Center by issuing and selling lease-revenue bonds. Initially, the bonds had a floating interest rate, but in October 2015 the City successfully "remarketed" the bonds, converting them to a very favorable fixed interest rate. The City Attorney's Office is working with the Kings, the City Treasurer's Office, and the City Manager's Office to refinance the existing debt on Sleep Train Arena.

Signage ordinances. Working closely with the Community Development Department, the City Attorney's Office drafted two ordinances that authorize and regulate signage essential to the successful operation of the Golden I Center. One ordinance creates a special "plaza district" that covers the area around Golden I Center now known as the Downtown Commons, or DOCO. The signs authorized by the ordinance are needed to direct pedestrians and vehicles to the Golden I Center, to other businesses and attractions in the plaza district, and to nearby parking. The second ordinance authorizes and regulates special signage—i.e., large attached digital signs and aerial-view signs—for the Golden I Center as well as for other large entertainment or sports venues within the City. The City Attorney's Office is now working on a potential ordinance that will authorize additional types of special signs within the plaza district, such as supergraphics, projected images, roof signs, murals, and large digital signs that display animated images.

Sacramento Commons Project: City Council approved this significant residential mixed-use project near the Golden I Center. The office worked through significant land use and CEQA issues, including development agreements and historic resource analysis.

Notable Achievements - FY 15-16(Con't)

Food Trucks: After five years of negotiation, the City Council finally passed an ordinance allowing food trucks to vend on the streets and on private property for more than 30 minutes. The ordinance seeks to strike a balance between the opportunities for small businesses and public safety.

Library Authority: Our office has acted as counsel for the Sacramento Public Library Authority for many years. In 2015, the Authority issued an RFP for attorney services. Despite stiff competition from many respected law firms engaged in public entity practice, the Authority selected the City Attorney's Office as its counsel.

I-5 Subregional Corridor Mitigation Fee Program: In April 2016 the City Council adopted the voluntary I-5 Subregional Corridor Mitigation Fee Program to provide an option for addressing a development project's impacts on freeway congestion. The Department of Public Works, working with the Cities of West Sacramento and Elk Grove along with SACOG and Caltrans, developed the mitigation fee program. The collected fees will fund local street and transit improvements to provide alternative routes so that the project's vehicle trips along the freeway will be reduced. The new alternative program took many years to develop and required a nexus study and EIR to support the fee adoption. It was used as the basis for the arena project applicant to pay a fee to meet its freeway mitigation requirement. Caltrans views this program as a model to be used statewide.

Parking: The Parking Division of the Department of Public Works is constantly seeking new and innovative ways to make parking more efficient and available within the City. This goal has taken on increased importance as a result of increased development in the City, including the Golden 1 Center. To serve this goal, the Parking Division has undertaken a number of parking initiatives with the advice and aid of our office. SacPark Meters (formerly SPOTzone) allows parkers to obtain time extensions remotely using a Park Mobile application or paying at the meter. A tiered rate parking scheme provides for different hourly rates for different zones within the City. The City is in the process of obtaining a new parking access and revenue control system ("PARCS") throughout City garages. The new system will also be integrated with a county garage. The City is also in the process of working with a vendor in the development of a parking application to allow parkers to locate and obtain parking through the use of a smart phone application.

Development Impact Fees: During the past year, our office drafted a master ordinance providing general requirements for developer impact fees. In addition to this master ordinance, our office drafted six additional articles related to specific impact fees (either citywide impact fees or area specific impact fees) that would be subject to the general requirements of the new master ordinance. Some of the additional articles relate to new impact fees and some represent the move of existing fees from other chapters. These articles are expected to go to City Council soon. As part of this process, resolutions have been prepared that will establish new fee amounts related to five of the six impact fees connected with the additional articles.

Notable Achievements - FY 15-16(Con't)

Proposed Major League Soccer Stadium: On December 1, 2015, the City Council voted unanimously to approve a Preliminary Term Sheet among the City, Sac Soccer and Entertainment Holdings (SSEH), the parent of the Sacramento Republic FC soccer team, which seeks a Major League Soccer (MLS) franchise. The term sheet is a non-binding agreement that demonstrates cooperation between the City and SSEH as the MLS applicant. It serves as a good faith agreement for further preparation of definitive agreements, and future actions by and between the City and SSEH for the development of a new multi-purpose stadium in the Downtown Railyards if MLS awards Sacramento a franchise. The proposed stadium would help catalyze development in the Railyards.

Marijuana Cultivation: Our office worked with staff to address state law changes with City code amendments establishing zones for marijuana cultivation. Council passed the amendments and simultaneously imposed a moratorium on cultivation until additional business regulations could be adopted. Our office continues to work with staff on developing those regulations.

Marijuana taxation: Our office worked with the Council and staff to draft a tax on marijuana cultivation and manufacturing that would have benefited a children's fund to be administered by the City. The taxation measure was narrowly defeated by the voters, with 65% of the vote in June 2016. Our office also worked with staff to bring a general tax measure on nonmedical marijuana to the City Council in anticipation of the November election. However, Council elected to defer approval of a tax until the state of marijuana regulation becomes more clear.

California WaterFix: The "Delta tunnels project" -- part of the project formerly known as the Bay-Delta Conservation Plan -- proposes the construction of three new water intakes supplying two Delta tunnels to deliver water from Northern California to State and Federal Water Project contractors. The City, along with numerous other agencies and water supply interests throughout the State, has filed a protest in the WaterFix proceeding being conducted by the State Water Resources Control Board. The City is participating in this process out of concern for the project's potential adverse impact on regional water supplies, and to safeguard the City's long-standing water rights to the American and Sacramento Rivers.

Mangan Rifle and Pistol Range Remediation: In April 2016, the County Environmental Management Department, working with the State Department of Toxic Substances Control, issued a corrective order to the City to conduct tests of the soil and hardscape surfaces around the Mangan Rifle and Pistol Range located at James Mangan Park. This indoor gun range was used for recreational and competition shooting for over 50 years. A report regarding interior lead dust problems resulted in the range being closed in December 2014. Two lawsuits were filed in 2016 by prior range users claiming personal injuries due to lead exposure. The county and state regulatory agencies were concerned that the lead dust from spent bullets was released into the environment through the range's exhaust system. The testing results indicated high levels of lead in the soil around the building, but the nearby playground, picnic area, soccer field, and pool all tested below the state standard. The contaminated lead soil was removed from the area around the building. Testing in the neighborhood in event the wind blew lead dust into that area found 11 out of 29 yards with elevated lead levels. Further investigation is required to determine if the gun range was the source of the lead.

Notable Achievements - FY 15-16(Con't)

Election Services: Our office provided various election-related services in FY 15-16. These included, among other things, preparation of impartial analyses for four ballot measures – Measure X (library parcel tax extension), Measure Y (marijuana tax for youth services), Measure Z (charter amendment regarding date of taking office), and the Streetcar Community Facilities District; preparation of ballot titles and summaries for two initiative that were proposed but never qualified for the ballot; issuance of a public memorandum about the transfer of campaign funds; and review of elective-office candidates' proposed ballot designations.

Castro, Robert, Jr., et al., v. City of Sacramento, et al.: The Third District Court of Appeal upheld another EIR in connection with the redevelopment of the Railyards. In this case, several individuals challenged the Redevelopment Agency's 2008 approval of the EIR that was prepared in connection with the Railyards Redevelopment Plan. The Redevelopment Agency prevailed at the trial court, and the appellate court issued a decision that affirms the trial court's decision. With this decision, the CEQA litigation involving the Railyards effectively ended. This was a significant milestone on the path toward redevelopment of the Railyards.

Public Record Act Requests: In recent years, responding to requests for records under the Public Record Act has become a substantial part of the Advisory Section's workload. In FY 15-16, the Advisory Section responded to 174 Public Record Act Requests. Requests resulted in the hundreds of thousands of potentially responsive documents, all of which had to be reviewed to determine appropriate disclosure.

Human Resources and Special Projects

The Human Resources and Special Projects Section provides advisory and litigation support to the varied divisions in the City's Human Resources Department, including the Office of Civil Rights, Benefits, Labor Relations, Worker's Compensation, and Risk Management. In addition, section attorneys handle, or oversee outside counsel defending writs challenging City decisions. These actions include CEQA challenges.



FY 15-16 was the first year of service by this newly formed section. The focused services provided by the section have eased a very challenging human resources year for the City

Summary - FY 15-16

◆ Total Litigation Matters Opened:	33
Discipline:	14
EEO:	5
Grievance:	4
Unfair Labor Practice:	2
Retirement:	2
Writs:	3
Administrative:	3
◆ Total Advisory Assignments Opened:	294
General Advice:	220 assignments
Contracts:	33 reviewed and approved
Public Records Act:	20 requests reviewed and responded
Staff Reports:	21 approved as to form

Notable Achievements - FY 15-16

Discrimination/Harassment Trial: The City received a favorable defense verdict in a discrimination and harassment trial against the City and employees of the Solid Waste Division. The trial lasted two weeks and the jury deliberated for almost two days. The result of the deliberations was a defense verdict on all six causes of action alleging discrimination and harassment.

Discrimination/Harassment Case: After the City received a favorable defense verdict in a companion case alleging discrimination and harassment, the plaintiff in this action agreed to dismiss his action entirely just two months before the trial was set to begin.

Interim Department Heads: The Public Employees' Pension Reform Act (PEPRA) places limits on the City's ability to hire retirees that are collecting PERS benefits, and there are different rules for appointment based upon the type of service the retiree is going to provide. The section oversaw the appointment of the interim Human Resources and Parks directors while the City was recruiting to fill the positions, which required City Council approval. Both interim directors were then retained on a temporary basis to assist in the transition to the new directors, which required a second appointment compliant with the Public Employees Retirement Law.

Equal Employment Opportunity Policy: The section assisted City staff in developing a citywide policy outlining the obligations of the City and its employees to ensure a workplace that is free of harassment and discrimination. We ensured that the policy allowed for effective opportunities to report inappropriate behavior and that the policies were consistent with current law.

Citywide Nepotism Policy: Our office assisted City staff in developing a citywide policy preventing nepotism from becoming a determinative factor in employment and promotional opportunities. Our office ensured that the policy was consistent with law and that it was fully vetted by City staff and the labor unions representing City employees.

Citizens for Positive Growth v. City: Section attorneys have been assisting outside counsel with the management of a local group's CEQA challenge to the City's adopted 2035 General Plan.

Settlement of Life Insurance Disputes: The City became aware of issues involving one of its life insurance providers when the estates of two employees had their claims for benefits denied. Section attorneys worked with staff members to ensure that the claims were paid, and that the issues causing the claim denial were resolved in a manner that will prevent the denials from occurring in the future.

Notable Achievements - FY 15-16

Senior Pay Claims: Section attorneys assisted in negotiating a favorable resolution when the California Public Employees Retirement System provided an amended opinion that invalidated the City's calculation of PERS benefits for its employees based upon the receipt of senior pay. The settlement process was dynamic and complicated, and required balancing the interests of the City, its employees, and PERS.

Real Estate Litigation: A dispute arose between the UOP-McGeorge School of Law and the City over title to the old Oak Park Library. Following discovery, section attorneys assisted in negotiating a settlement that resulted in the transfer of the library building to UOP-McGeorge, with the school creating two need-based scholarship programs for local students, one to an undergraduate student at the Stockton campus and one to the McGeorge School of Law.

Litigation



Litigation Section attorneys represent the City, City Council, and staff in litigation, including civil rights, personal and property damage cases, construction defect, environmental claims, and breach of contract. Public safety and construction litigation have demanded section resources this past year.

Summary - FY 15-16

- ◆ Successful efforts to keep 90% of new cases in-house over an annual period results in service savings approximate \$1,125,000 (average attorney annual work hours of 1500 with 6 in-house litigation attorneys equates to 9,000 hours, at \$125/hour savings).
- ◆ Total Cases: 88 opened

Civil Rights:	11 cases	Property/Physical Nuisance:	1 cases
Collection:	9 cases	Contract:	3 cases
TRO/Injunction:	3 cases	Litigation Advice/Review:	9 cases
Tort/Appeal/Writ:	46 cases	Public Records Act	6 cases
- 13 cases resolved via dispositive motion or defense verdict
- ◆ Total Payouts: \$3,092,637.22
- ◆ Resolved 50% of lawsuits without the payment of money

Notable Achievements - FY 15-16

TORT: This case arose out of a dispute between a landlord and a tenant concerning unpaid rent for an apartment unit. The landlord changed the locks to the apartment while the tenant was away, in violation of the California Penal Code, and refused to allow the tenant to re-enter the unit. The landlord was arrested and subsequently filed an action against the City for false arrest/false imprisonment. The case was dismissed with prejudice upon the City's motion.

CIVIL RIGHTS: Plaintiff claimed that four Sacramento Police Department officers prevented her from recording a probation search of her residence in violation of the First Amendment and that her laptop computer was snatched from her hand to prevent recording of the incident. After the court heard the testimony of all parties and conducted a thorough review of the evidence, the court ruled in favor of the City based upon the credibility of our officers.

CIVIL RIGHTS: Plaintiff alleged that the City had an unconstitutional custom, practice, or policy of using excessive force during gang raids. The case stemmed from gang raids on family members and acquaintances of the Roseville police officer shooting suspect, Sammy Duran. After extensive investigation, the City prevailed on a motion to dismiss all state law claims and subsequently obtained a dismissal of the remaining civil rights claims.

CIVIL RIGHTS: This civil rights case alleged that plaintiff was subject to false arrest and unreasonable seizure when he was bitten by a SPD service canine while running from the rear of a residential property. The Sacramento Police officers were executing a felony arrest warrant on another subject fitting the plaintiff's general description. The jury deliberated under an hour and decided 12-0 in favor of the City.

WRIT: Plaintiff claimed that her civil rights were violated when she was wrongfully terminated from her position as Deputy Superintendent of the Twin Rivers Unified School District. Allegations of retaliation, fraud, and defamation surrounded events that occurred during the investigation of the District's police department. This case went to mediation and the City obtained a dismissal in exchange for a waiver of costs.

TORT: Plaintiff claimed she fell into a vault that housed a utility check valve in an alley on G Street. She alleged a dangerous condition was created by the City for failure to provide a permanent cover or warnings. The City was dismissed from the lawsuit in exchange for a waiver of costs.

Notable Achievements - FY 15-16

TORT: This case arose out of a trip and fall on the sidewalk near Fruitridge Road and Stockton Boulevard. Plaintiff alleged that the wheel of the shopping cart she was pushing caught an uneven ledge in the sidewalk, which caused the shopping cart to suddenly stop. Plaintiff claimed she fell forward and suffered severe injuries. The court granted our motion for summary judgment on the grounds that the City did not have notice of the condition prior to the incident.

TORT: An SPD officer in a marked patrol vehicle collided with plaintiff's vehicle. Plaintiff filed a claim three days after the claims statute expired and sought relief from the claims filing statute arguing that her failure to file was due to excusable neglect. The City opposed plaintiff's petition for relief but the court granted the relief sought allowing plaintiff to file suit against the City and the individual officer. The City filed a petition for writ of mandate asking the Third District Court of Appeal to vacate the trial court's ruling. The appellate court issued a notice advising the superior court that it agreed with the City's analysis and would accept the writ unless the superior court vacated its ruling. In response, the superior court vacated its ruling and entered a denial of plaintiff's petition for relief and dismissed the case.

CIVIL RIGHTS: Plaintiff claimed that on October 12, 2008, while plaintiff was incarcerated. The City engaged in acts violating his civil rights under the First, Fourth, Fifth, Eighth, and Fourteenth Amendments. Plaintiff alleged that the City unlawfully discriminated against him based on his race/color; arrested him without any basis; directly communicated with him notwithstanding his attorney's representation; forced him to lie; forced him to testify; treated him differently from others similarly situated; and deprived him of due process. The City's motion for summary judgment was granted and the U.S. District Court-Eastern District issued an order dismissing the case.

Public Safety and Land Use



This section provides comprehensive legal services to two of the largest departments in the City. It consists of a Public Safety Division that provides advisory and enforcement advice to the Police Department and Community Development Department and a Land Use Division that advises on all land use matters.

The section partners with Code Enforcement and Police crime suppression units to prosecute and abate public nuisances. The Public Safety Division also includes a separate Criminal Prosecution section that prosecutes all criminal violations of the City Code.

The mission statement of the PSLU is to provide holistic legal services to the Police and Community Development Departments from cradle to grave.

As the economy improved, the section experienced greater activity on the code enforcement front. The section was able to resolve many quality challenges through creative settlements in FY 15-16.

Summary - FY 15-16

- ◆ Total PSLU Assignments: 3177
 - Advice: 1198 assignments
 - Criminal Prosecution: 1289 misdemeanors and infractions
 - Physical Nuisance: 25 cases
 - Social Nuisance: 17 cases
 - Subpoenas: 82 reviewed and responded
 - Contracts: 170 reviewed and approved
 - Staff Reports: 332 approved as to form
 - Pitchess Motions: 44 cases
 - Weapons Cases: 20 cases

Notable Achievements - FY 15-16 (Con't)

Wholefoods Project (District 3): Council approved a significant mixed-use development project. The Land Use Division provided legal support for this pivotal project that continues the downtown revitalization, one that will add approximately 41,000 square-foot: ground level retail use, 141 residential units, and a parking structure with approximately 12,000 square feet of ground floor commercial use.

Public Nudity (Citywide): The Public Safety Division provided legal support to amend the City Code pertaining to nudity in public places and private property visible from public view.

Code Consolidation (Citywide): The Land Use Division provided legal support to consolidate three City Code chapters concerning regulation of trees into one chapter. The consolidation will serve to make the code more user friendly for the public.

CARD Program (Citywide): After the Criminal Prosecution Section discovered a 70% vacancy rate at the Volunteers of America detox facility, it worked with the social service providers and the superior court to create a City Alcohol Related Diversion Program (CARD). Defendants with five or more alcohol-related City Code offenses are offered diversion at the VOA facility rather than time in jail. The offenders are provided job training and basic life-skills coursework.

Sacramento Commons Project (District 4): Council approved a significant residential mixed-use project near the new arena. The Land Use Division worked through significant land use and CEQA challenges, including assembling complex development agreements together with the Advisory Section, and historic resource analysis.

Training: Training is an essential component of the JFN model as new laws are adopted and community prosecution methods evolve. In this reporting period JFN training was provided to all Fire Department captains; the Police Department's Entertainment Team; building inspectors; and JFN team officers. Members of the JFN team also attended the Problem Oriented Policing (POP) conference in Portland, Oregon. This conference was dedicated to community policing and developing best practices for community prosecution. Through training and conferences, the JFN team is developing new standards and evolving into statewide leaders in community prosecution.

Notable Achievements - FY 15-16 (Con't)

JFN PROGRAM

The JFN Program is community prosecution collaboration between attorneys and enforcement officers that seeks to address the City's worst nuisance and security threats through a multi-disciplinary team. Council reinvigorated the JFN Program following the passage of Measure U. We anticipate greater demands in this area to address evolving quality of life needs, including marijuana regulation. Below are some of the notable achievements.

Receivership Petition: (District 4): The JFN team worked with the superior court to create a streamlined receivership process. The first property to go through the new process was 5540 Ashland Way. The former owners refinanced the property and later owed more than the property was worth. They abandoned the property and it quickly became occupied by transients and drug users. The JFN team successfully petitioned the court for a receivership order. The property was completely rehabilitated by the receiver, sold to a new owner, and returned to productive housing stock.

Before



After



Motel 6 (Districts 3, 4 and 6) The three Motel 6s in the City were consistently generating the highest calls for police service. An investigation revealed that the Motel 6s in the County were also generating excessive calls for service. The JFN team partnered with the District Attorney and City of Rancho Cordova to prosecute a united civil lawsuit against the Motel 6 corporation for engaging in unlawful business practices that created an environment for criminal activities on its properties.

The united front with regional enforcement partners promptly brought Motel 6 to the negotiating table. In exchange for not filing a lawsuit, Motel 6 agreed to be a productive corporate neighbor rather than a nuisance by agreeing to sign an innovative agreement. Motel 6 agreed to implement new business and operational changes and donate up to \$750,000 to a community investment fund. The proceeds will benefit the victims of human trafficking, domestic violence, and provide funds for youth intervention programs.

Notable Achievements - FY 15-16 (Con't)

5611 Wilkinson Street (District 6): At this large scale marijuana grow house officers found a substantial amount of cash. The JFN team informed the landlord of the grow house and threatened a drug eviction action. The owner promptly resolved the nuisance and the home was renovated for future tenants.

24 Morning Dove (District 3): At this rental property officers found cocaine, baggies, and a digital scale. The tenants were validated gang members dealing drugs. After the JFN team intervened, the landlord promptly resolved the nuisance by removing the tenants.

6050 South Land Park Drive (District 5): This apartment complex started to generate high calls for police service. The JFN team intervened and worked with the owner to implement new business practices and make environmental changes. The calls for service have decreased.

1635 Vallarta Circle (District 3): The property owner built a 10-foot "wall" on the front yard of the property consisting of junk and debris. Despite informal efforts to convince the owner to remove the blight the owner refused and accused the City of selective enforcement. The JFN team filed a nuisance action and forced the owner to remove the wall.

1320 Los Robles Boulevard (District 2): This unlicensed group home generated over 40 calls for police service within an 18 month span. The property was also in violation of substandard housing codes and experienced a fire. The JFN team intervened and forced the group home to comply with all codes and make operational changes to decrease the calls for service.

2311, 2313, 2315 Laramie Lane (District 2): In 18 months, this four-unit complex generated over 70 calls for police service, including a deadly gang-related shooting. After the JFN team intervened, the property owner implemented numerous security measures that eliminated the criminal activity and calls for service.

19 Beechman Court (District 3): The property owner of this single-family residence allowed her son, a validated gang member, and other gang members to use the property as a center for drug sales and gang activity. After the JFN team intervened, a court order was obtained and the property owner subsequently sold the property to a responsible buyer to the great satisfaction of the neighborhood.



Forthcoming Challenges For the City Attorney's Office FY 16-17

CEQA litigation demands

Justice for Neighbors (JFN): ensure sufficient investigative and legal resources to maintain a higher quality of life in all Sacramento neighborhoods

Marijuana regulation and enforcement

Public Records Act (PRA): additional resources commitments

California Water Fix: ongoing water rights advocacy

Homelessness

911 Ambulance Services

Dellar Landfill Monitoring

Infill development and infrastructure updates after completion of the Golden I Center

Sleep Train Arena reuse and bonds refinancing

Curtis Park Village

Railyards Development

Upcoming labor negotiations

Police operations support

Assist in elected and appointed official transitions

Office Programs

United Way Campaign

Angela Kolak, our Law Office Administrator, continued to ably coordinate the City of Sacramento Employee Charitable Contributions Campaign, marking our office's fifth year leading the effort. Campaign totals for 2015 confirmed the generosity of city employees, who contributed over \$154,000 to the United Way and other participating charities.

Adopt-a-Family

This year our office again reached out to the community through Next Move and gave back by participating in their Adopt-a-Family Program. Next Move's mission has been to provide assistance to homeless families with children and individuals as they move toward self-reliance. Our office adopted two families and we were able to fulfill their holiday wishes with gifts and monetary contributions.

Law Day 2016: "Miranda – More Than Words"

Every year, the American Bar Association sets the theme of Law Day. For its seventh annual event, the City Attorney's Law Day program explored "Miranda – More Than Words." The program included a panel-style discussion about criminal due process from the perspective of members of the Sacramento County Public Defender's Office and the District Attorney's Office. Our office explored the due process issues that affect the City and its citizens and the role of the City Attorney in ensuring their integrity. This was an interesting forum and was open to employees, members of the bar, and the public.

Law Clerk Program

The law clerk program continues to thrive, thanks to all of the attorneys who are willing to work with, and provide guidance to the students. Since the summer 2007, the office has hosted 53 law clerks. The majority of the applicants are students from local law schools, University of the Pacific and UC Davis, but we have also had applicants from Berkeley, Pepperdine, University of Virginia, and William and Mary. The City Attorney's Office hosts students year-round, part-time during the school semesters and full-time during the summer. The law clerks are not paid but receive a wealth of experience as they work on issues from all four of the office's units. They also accompany attorneys to meetings, arbitrations, mediations, depositions, hearings, and trials, all of which help them integrate what they learn in class with a professional setting.

Summer at City Hall

Our office mentored high school students for the sixth year through the program "Summer at City Hall." This year we hosted two high school students. The students were given tasks that helped them learn skills needed to work in an office environment. Some of those tasks consisted of taking inventory of our office furniture, making account payable files, and learning to select proper work attire.

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