

**City of Culver City, California
Agenda Item Report**

Meeting Date: <u>10/22/12</u>		Item Number: <u>A-2</u>
CITY COUNCIL AGENDA ITEM: Consideration of a Resolution in Support of Reducing Greenhouse Gas Pollution Under the Clean Air Act.		
Contact Person/Dept.: Helen Kerstein/PW		Phone Number: (310) 253-5618
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒
Public Hearing: ☐	Action Item: ☐	Attachments: ☒
Commission Action Required: Yes ☐ No ☒		Date: _____
Public Notification: (E-Mail) Agenda and Meetings – City Council (10/18/12)		
Department Approval: Charles D. Herbertson (09/10/12)		City Attorney Approval: Carol Schwab (by H. Baker) (10/15/12)
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (10/17/12)		City Manager Approval: John Nachbar (10/17/12)
<u>RECOMMENDATION:</u> Staff recommends that the City Council consider sending a Resolution in Support of Reducing Greenhouse Gas Pollution Under the Clean Air Act (CAA) to Environmental Protection Agency (EPA) Administrator Lisa P. Jackson and President Barack Obama. <u>BACKGROUND:</u> The CAA is a federal law that charges the EPA with regulating air pollution. Under the CAA, the EPA sets limits on the emission of a broad range of pollutants from both mobile and stationary sources in order to promote public health and environmental protection. Over the last decade, there has been debate regarding the appropriateness of regulating greenhouse gases under the CAA. In 2003, the EPA took the position that it did not have authority under the CAA to regulate carbon dioxide and other greenhouse gases for climate change purposes. In 2007, the Supreme Court disagreed, ruling in <i>Massachusetts vs. EPA</i> that greenhouse gases are air pollutants and fall under the EPA's regulatory authority. Following this ruling, the EPA worked to issue rules limiting greenhouse gas emissions, but has faced additional lawsuits. Within this context, the Center for Biological Diversity's Climate Law Institute launched a campaign called "Clean Air Cities" to encourage cities to call on the administration and the EPA to use the CAA to reduce greenhouse gas emissions. At least three dozen cities have responded so far by passing resolutions, including the nearby cities of Los Angeles and Santa Monica. The Resolution under consideration would add the City of Culver City to the list of cities that have taken this step.		

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DISCUSSION:

On September 19, 2012, the Sustainability Subcommittee (Vice Mayor Cooper and Councilmember Sahli-Wells) expressed support for this Resolution and directed staff to bring it forward for consideration by the full City Council.

This Resolution is broadly consistent with the City of Culver City's history of environmental stewardship. The City has taken a number of steps to reduce its own greenhouse gas impact. For example, the City has been a leader in transitioning its fleet to alternative fuels and has pursued a range of improvements to increase energy efficiency in its facilities. The City has also signed onto the U.S. Conference of Mayors Climate Protection Agreement, urging action at the federal, state and local levels to address climate change, and actively participates in programs such as the Green Communities Challenge and Southern California Edison's Energy Leader Partnership Program to help it set and achieve environmental goals.

FISCAL ANALYSIS:

There is no direct fiscal impact to the City associated with adoption of this Resolution.

ATTACHMENTS:

1. Resolution

MOTION:

1. Consider a Resolution in Support of Reducing Greenhouse Gas Pollution Under the Clean Air Act; and, if approved,
2. Direct the City Manager to send a copy of this Resolution to Environmental Protection Agency Administrator Lisa P. Jackson and President Barack Obama.