

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

Meeting Date: <u>09/13/10</u>		Item Number: <u>A-1</u>	
CITY COUNCIL AGENDA ITEM: Consideration of the City's Position on Resolutions for the 2010 League of California Cities Annual Conference – September 15-17 in San Diego - and Naming of a Voting Delegate and Alternate Voting Delegate(s) for the Conference.			
Contact Person/Dept.: Shelly Wolfberg/City Manager's Office		Phone Number: (310) 253-6008	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒	Attachments: ☒
Commission Action Required: Yes ☐ No ☒		Date: _____	
Public Notification: Meetings and Agendas-City Council (09/08/10)			
Department Approval: Martin R. Cole (09/07/10)		City Attorney Approval: Carol Schwab (by H. Baker) (09/07/10)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (09/08/10)		City Manager Approval: John M. Nachbar 09/08/10)	
<u>RECOMMENDATION:</u> Staff recommends the City Council consider the City's position on Resolutions for the 2010 League of California Cities (League) Annual Conference – September 15-17 in San Diego - and name a Voting Delegate and Alternate(s) for the Conference. <u>BACKGROUND/DISCUSSION:</u> On June 4, 2010 the League sent a letter asking city councils to designate their Voting Delegate and Alternate(s) (Attachment 1) at the Annual Business Meeting. The League invites city participation in the annual meeting of the League General Assembly to help develop League policy. League staff has indicated that the signed Voting Delegate/Alternate Form should be submitted to the Conference Delegate table at the Conference. Policy development is a key part of the League's legislative effectiveness. The League's Annual Conference Resolutions process is one way that city officials can directly participate in the development of League policy. As a matter of practice, the League President refers resolutions to the League policy committees for review and recommendation at the Conference. Resolutions are next considered by the General Resolutions Committee (GRC), which consists of representatives from each division, department, policy committee and individuals appointed by the League President. Resolutions that are approved by the GRC and resolutions that are			

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approved by the policy committees, but not approved by the GRC, are next considered by the General Assembly. Resolutions approved by the General Assembly become League policy. Other action on resolutions can be: Amend; Disapprove; No Action; or Refer Back to a Policy Committee.

Resolutions to address late-breaking issues may be introduced by petition at the Annual Conference. To qualify, a petitioned resolution must be signed by 10 percent of the voting delegates (48 voting delegates) and submitted no more than 24 hours before the beginning of the concluding general assembly. All qualified petitioned resolutions are considered by the GRC and subsequently forwarded to the General Assembly for consideration, regardless of the action recommended by the GRC.

At the Annual Conference, League Delegates will consider six resolutions introduced by the July 16, 2010 deadline, which are included in Attachment 2 and summarized below. The League encourages each City Council to consider the resolutions and to determine a city position so that the Voting Delegate and Alternate can represent its city's position on each Resolution.

The Legislative Advocacy Program (Advocacy Program), which was adopted in 2008, primarily addresses the types of positions the City Council may take on various subject areas. In the past, the Advocacy Program has helped guide the City Council in its decision making with regards to the League Resolutions presented at the Annual Conference.

The following is a summary of the Resolutions:

1. Resolution Relating to League Bylaws Amendments – Adoption of this Resolution would resolve that the League modify its Bylaws in the following sections :

Article VII, Section 1: Add a statement about the desire for diversity in the composition of the League Board of Directors.

Article VII, Section 2: Change the number of Directors who compose the Board.

Article VII, Section 5: Appointment of a substitute nominating committee member.

Article XIV, Section 1: Addition of a Conflicts of Interest section.

Article XIV, Section 4: Addition of an Ethical Considerations section.

Supporting these proposed League Bylaws amendments would not conflict with the Advocacy Program.

2. Resolution Relating to the National "Let's Move" Campaign – Adoption of this Resolution would resolve that California cities are encouraged to:

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- a. Adopt preventative measures to fight obesity as set forth in the “Let’s Move” campaign; and
- b. Sign up as a “Let’s Move” City with the US Department of Health and Human Services; and
- c. Help parents make healthy family choices; create healthy schools; and provide access to healthy and affordable foods; and promote physical activity.

The Advocacy Program has a position statement to support grants, and funding for parks and recreation programs and programs to increase the quality of life for Culver City residents. Further, the City has applied for and plans to implement a Safe Routes to Schools project. City Council support of this Resolution is consistent with the Advocacy Program; however, any new programs that would provide a City commitment of resources would be brought to the City Council for discussion.

3. Resolution Opposing the Board of Directors’ Decision to Defer Action on AB 32 and SB 375 and to Adopt the Board-Appointed Task Force Recommendations – Adoption of this Resolution would result in the following:

- a. Request that the Governor exercise his authority to delay individual AB 32 implementation deadlines;
- b. Request that the California Air Resources Board take the following three actions:
 - i. Revisit and update economic and growth assumptions used to estimate 2020 business-as-usual emissions and recalculate AB 32 goal;
 - ii. Consider local government costs in all future studies relating to AB 32 and SB 375; and
 - iii. Request that the SB 375 targets be set in a way to reflect the economy and scarce local resources.
- c. Support (but not sponsor) any legislation that would suspend or delay implementation of SB 375 until there is funding and resources in place to implement individual mandates and requirements associated with the bill.

The Resolution further resolves that the specific recommendations developed by the four policy committees and Task Force be considered by the General Assembly at the Annual Conference, unless the Board of Directors reverses its deferred action stance on AB 32 and SB 375 and adopts the Task Force recommendations. The Policy Committee recommendations, which were reviewed by staff, are found to be consistent with the Legislative Advocacy Program. Implementation of SB 375 and AB 32 would place a mandate on the City without providing the funds necessary to carry out the mandated program.

The Southern California Association of Governments (SCAG) is serving as the Metropolitan Planning Authority for the implementation of SB 375 and is working on this effort with the Westside Cities Council of Governments as a subregional

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delegation. SCAG indicates that if there were to be any changes to the implementation schedule for SB 375, it would adapt its work effort accordingly. Further, the City plans to prepare a Climate Action Plan (CAP) that will include a Greenhouse Gas Emission Analysis. Suspension of AB 32 and/or SB 375 would not preclude the City from moving forward on the CAP, nor would it require that effort to cease.

4. Resolution Relating to Responsible Banking - Adoption of this Resolution would resolve that the League would:

- a. Strongly encourage municipalities to require transparent, responsible banking from the financial institutions receiving city funds; and,
- b. Serve as a clearinghouse of information on the responsible banking initiatives of municipalities across the country, in order to help California cities interested in taking steps to increase transparent, responsible banking in their own communities.

While, adoption of this Resolution does not tie in directly with the City's Legislative Advocacy Program, the Chief Financial Officer does not see any drawbacks from the City Council voting in favor of the Resolution.

5. Resolution Relating to Unfunded State Mandates – Adoption of this Resolution would require the League to:

- a. Work with its member cities and other local government partners to identify situations in which local governments must increase fees or taxes to meet state mandated requirements; and
- b. Petition the Governor of the State of California and Legislature of the State of California to suspend or eliminate certain state mandates until improvement of the national and California economy results in substantially lower statewide unemployment and fiscal solvency of the State of California and local governments; and
- c. Work with Members of Congress and the government of the United States to suspend or eliminate certain federal mandates, passed along to the states for implementation, until the improvement of the national economy results in substantially lower national unemployment and fiscal solvency of the United States, the State of California and local governments; and
- d. Support legislation to suspend, eliminate, or otherwise modify the negative impacts of state mandates on local agencies, particularly in which a new or increased local tax or fee is necessary to implement the mandate.

Supporting this Resolution would be consistent with the City's Advocacy Program which opposes any legislation that would place a mandate on the City without providing the funds necessary to carry out the mandated program.

6. Resolution Relating to Enhancing Public Safety While Driving a Motor Vehicle – Adopting this Resolution would resolve that the League encourages cities to

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promote safe driving across California and educate the general public about the dangers of texting while driving.

The Wireless Communications Device Law (effective January 1, 2009) makes it an infraction to write, send, or read text-based communication on an electronic wireless communications device, such as a cell phone, while driving a motor vehicle. Supporting this Resolution does not present a conflict with the Advocacy Program. And, although no funding has been identified to implement this new program, the City could disseminate public information through the City's website, a cable crawler, Channel 35, and through a Press Release to educate the public.

While the City Council may take a position of support, oppose, or no position at all, the Voting Delegate or any City representative at the General Assembly meeting may also comment on the resolutions. These resolutions are not legislation, however there is a potential that some of these resolutions could become the basis for future legislation. The City Council could take a position on a bill at a later date, once more details are known. However, if the General Assembly takes a position collectively; it will be the League's position.

Designation of a Voting Delegate and up to two Alternate Delegates

Staff recommends the City Council designate one Councilmember as the Voting Delegate and up to two Councilmembers as Alternate Delegates. The Voting Delegate (and either Alternate, if the Voting Delegate is not available) may cast the City's vote during the League's General Assembly held as part of the Annual Conference.

FISCAL ANALYSIS:

There is no fiscal impact to take positions on the Resolutions or to assign a Voting Delegate and Alternate Voting Delegate. However, at some point in the future, implementation of specific programs or projects as recommended in the resolutions may result in a financial impact to the City. As specific programs and/or projects arise, a fiscal analysis of implementing those programs/projects will be provided.

ATTACHMENTS:

1. June 4, 2010 League of California Cities Letter regarding Designation of Voting Delegate and Alternates for the 2010 League of California Cities Annual Conference – September 15-17, San Diego.
2. July 29, 2010 League of California Cities Letter regarding 2010 Annual Conference Resolutions packet.

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MOTION:

That the City Council:

1. Adopt a City Position **supporting** the League Resolution relating to the League proposed Bylaws Amendments; and
2. Adopt a City Position **supporting** the League's Resolution relating to the National Let's Move Campaign; and
3. Adopt a City Position **supporting** the League's Resolution to defer action on AB 32 and SB 375 and to adopt the Board-appointed task force recommendations; and
4. Adopt a City Position **supporting** the League's Resolution pertaining to responsible banking; and
5. Adopt a City Position **supporting** the League's Resolution pertaining to unfunded mandates; and
6. Adopt a City Position **supporting** the League's Resolution pertaining to enhancing public safety while driving a motor vehicle; and
7. Designate _____ as the Voting Delegate for the 2010 League Annual Conference on September 15-17, 2010 in San Diego; and
8. Designate _____ and _____ as Alternate Voting Delegates for the 2010 League Annual Conference on September 15-17, 2010 in San Diego.