

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

Meeting Date: 11/16/09		Item Number: <u>A-3</u>	
CITY COUNCIL AGENDA ITEM: Provide Direction to the City's Representative to the Westside Cities Council of Governments Board of Directors Related to the Implementation of Senate Bill 375 (California Sustainable Communities Strategy and Climate Protection Act)			
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 (11/11/09).			
Department Approval: Martin R. Cole (11/11/09)		City Attorney Approval: Carol Schwab (by H. Baker) (11/11/09)	
Chief Financial Officer Approval: Jeff Muir (by M. Noller) (11/11/09)		City Manager Approval: Mark Scott (11/11/09)	
<u>RECOMMENDATION:</u> Staff recommends the City Council direct the Westside Cities Council of Governments (WSCCOG) Voting Member to vote in favor of WSCCOG participating in the Collaborative Process with SCAG as the Lead Agency <u>BACKGROUND:</u> SB 375 (Steinberg), also known as California's Sustainable Communities Strategy and Climate Protection Act, is a state law, which has been in effect since January 1, 2009. SB 375 calls for the integration of transportation, land use, and housing planning, and also establishes the reduction of greenhouse gas (GHG) emissions as one of the overarching goals for regional planning. SCAG, working with the County Transportation Commissions (CTCs) and the subregional organizations within the SCAG Region (such as the Westside Cities Council of Governments-WSCCOG) is responsible for implementing SB 375 in the SCAG region. SB 375 requires SCAG as a Metropolitan Planning Organization (MPO) to prepare a Sustainable Communities Strategy (SCS) as a part of the 2012 Regional Transportation Plan. The SCS will meet a State-determined regional GHG emission target if it is feasible to do so. SCAG also needs to assure that the Regional			

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Housing Needs Assessment (RHNA) is consistent with the SCS at the jurisdictional level. SCAG also is required to develop a substantial public participation process involving all stakeholders and allow for subregional SCS development.

In accordance with the language in SB375, SCAG cannot impose solutions on individual cities or require General Plan changes. Rather, SCAG must work collaboratively with its subregional partners and County Transportation Commissions (CTCs) to reduce the region's impact on climate change. Ultimately, the ability to reduce GHGs to the legally required target levels relies on local jurisdiction policies and activities, as well as larger regional plans for transportation, goods movement and other multi-jurisdictional issues.

DISCUSSION:

Culver City staff has been meeting regularly with counterparts in the Westside Cities to discuss options to either have the WSCCOG prepare its own SCS or participate in the collaborate process, with SCAG as the lead agency. This item will be discussed at the November 19, 2009 WSCCOG Governing Board Meeting. Both options are described below for the City Council's consideration and to provide direction to the WSCCOG voting member at this month's meeting.

Option I: The WSCCOG Participates in the Collaborative Process with SCAG as the Lead Agency

SCAG envisions the collaborative process as a series of iterative discussions between SCAG, its subregions, counties and cities, and CTCs, with the collective goal of identifying GHG reduction strategies. This will include identifying transit projects, policies that promote alternative transportation, and jurisdictional land use and transportation policies and Best Management Practices that will lead to reduced GHG emissions. The collaborative process is flexible and allows the subregions to participate within their existing resources as they deem necessary and appropriate. In the Collaborative Process there would not be a requirement that member jurisdictions pay SCAG a fee to produce a SCS. Also, in the Collaborative Process each city and each subregion would be reviewing SCAG's data for accuracy with the goal that SCAG will complete a region wide SCS that can be measured against a region wide emission reduction target (unlike Option II below).

Option II: WSCCOG Prepares its Own SCS

If the WSCCOG subregion wishes to prepare its own SCS, SCAG will assist with data development and use of its models, but the responsibility for producing the document would fall to the subregion staff. The WSCCOG does not maintain professional staff to undertake such projects. As a small sub-region, the WSCCOG could not gather, process and analyze the data and prepare the SCS without outside consultant help, even with SCAG's assistance in running its growth models (which is

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integral to developing an SCS). Therefore, the subregion would need to hire a consultant to work with the WSCCOG staff committees. If the COG decided to accept delegation, the WSCCOG would need to identify funding for this purpose. SCAG has not calculated the budget for subregional preparation of an SCS.

Staff Recommendation

Staff has coordinated with the other Westside cities over the past several months and has reached a common recommendation. Staff recommends the WSCCOG's participation in the Collaborative Process with SCAG rather than accepting WSCCOG delegation for a number of reasons. Overall, staff's conclusion is that the process provides the Westside cities with sufficient opportunity for participation and input on the issues that will matter most to the subregion and to the individual jurisdictions. Collaboration would provide SCAG with accurate data for the subregion assuring that the SCS is representative of planning processes currently underway while not overburdening the member cities. The benefits of accepting delegation do not appear to outweigh the impacts to the subregion caused by the lack of funding, internal expertise, and staff time as well as the potential impacts caused by a court challenge and subsequent legal fees. If the WSCCOG prepares its own SCS, WSCCOG would have to accept all liability. The collaborative process appears to be a reasonable way for the Westside Cities to have a significant voice.

In choosing to participate in SCAG's regional SCS process, the WSCCOG would work together to establish a unified approach for bringing concerns forward early and consistently. Westside cities staff will maintain a high level of involvement in the process to ensure that the SCS includes transportation components and BMPs that are relevant to the Westside Cities and appropriately reflect the individuality and character of each jurisdiction.

FISCAL ANALYSIS:

Culver City represents one vote on the WSCCOG Governing Board. Any decision of the Governing Board would require consensus of its voting members. If the WSCCOG Governing Board votes to have SCAG take the lead on the SCS process, a few key City employees would provide staff time for the effort in addition to their current workload. If the Governing Board chooses to pursue the WSCCOG's development of its own SCS, the additional costs would be considerable, but have not yet been determined. Staff would need to return to the City Council to seek authorization for additional funding for the WSCCOG to pay for a consultant, among other potential costs.

ATTACHMENTS:

None.

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MOTION:

That the City Council:

1. Direct the Westside Cities Council of Governments Voting Member to vote in favor of WSCCOG participating in the Collaborative Process with SCAG as the Lead Agency;

OR

- 2A. Direct the Westside Cities Council of Governments Voting Member to vote in favor of preparing its own Sustainable Community Strategy (accepting delegation); and
- 2B. Direct staff to bring back a City Council Agenda item with further analysis about fiscal impacts associated with the City participating with the WSCCOG in developing its own Sustainable Community Strategy.