



City of Woodland

REPORT TO MAYOR AND CITY COUNCIL

AGENDA ITEM

TO: THE HONORABLE MAYOR
AND CITY COUNCIL

DATE: October 20, 2009

SUBJECT: League of California Cities 2009 Annual Conference Resolutions Final Report

Report in Brief

The League of California Cities Policy Committee presented Resolutions affecting Cities and requested approval of four of the Resolutions at the General Assembly of the 111th League of California Cities at the Annual Conference on September 16 through 18, 2009.

Staff recommends that the City Council receive the adopted 2009 Resolutions as presented.

Background

The League of California Cities has been holding their conference as part of the annual business meeting and adoption of resolutions. Specific criteria are set to submit these resolutions for consideration, such as only issues having a direct bearing to municipal affairs, the issue is not just for local or regional concern, policy should not restate existing policy of the League, and should achieve one of the following objectives: public or media attention on an issue of major importance, establish new direction, consider important issues or amend League Bylaws. Council Members are elected as Delegates by their fellow Council Members to attend the annual conference and vote on these Resolutions.

The Council appointed Council Member Marble as the primary delegate and Council Member Dote as the alternate delegate to the annual Conference.

Public Contact

Posting of the City Council agenda.

SUBJECT: 2008 Final Resolutions Report

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ITEM:

Recommendation for Action

Staff recommends that the City Council receive the adopted 2009 Resolutions as presented.

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City Manager

Enclosure: Resolutions Report

2009 ANNUAL CONFERENCE RESOLUTIONS

1. RESOLUTION RELATING TO SOCIAL HOST LIABILITY

Source: City of Elk Grove
Referred to: Public Safety Policy Committee

WHEREAS, underage persons often obtain alcoholic beverages at gatherings held at private residences or at rented residential and commercial premises that are under the control of a person who knows or should know of the underage service and/or consumption of alcohol; and

WHEREAS, loud or unruly parties on private property where alcoholic beverages are served to, or consumed by an underage person, are harmful to the underage person themselves and are a threat to public health, safety, quiet enjoyment of residential property and general welfare, and constitute a public nuisance; and

WHEREAS, persons responsible for the occurrence of loud or unruly parties on private property over which they have possession or control have a duty to ensure that alcoholic beverages are not served to, or consumed by underage persons; and

WHEREAS, adults who provide alcohol to adolescents explicitly indicate an approval of underage alcohol use; and

WHEREAS, law enforcement, fire, or other emergency responders repeatedly respond to underage drinking parties, resulting in a disproportionate expenditure of public safety resources on these parties, delaying police responses to other emergency calls throughout the community; and

WHEREAS, law enforcement has inadequate enforcement authority and resources to respond to underage drinking on private property; and

WHEREAS, cities and counties require a variety of enforcement strategies to abate underage drinking parties; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities, assembled in Annual Conference in San Jose, September 18, 2009, that the League support local policies that hold social hosts responsible for underage drinking that occurs on property under their possession, control, or authority; and, be it further

RESOLVED, that the League also oppose policies that make it easy for those who are underage to access alcohol through adults, and on private property.

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QUALIFIED PETITIONED RESOLUTION

3. **RESOLUTION CONCERNING ADDITIONAL CONSTITUTIONAL PROTECTION OF LOCAL GOVERNMENT REVENUES**

Source: League Board of Directors

General Resolutions Committee Recommendation: APPROVE

WHEREAS, since the early 1990s the state government of California has seized \$10 billion of city property tax revenues statewide to fund the state budget even after deducting public safety program payments to cities by the state; and

WHEREAS, over the last two budget cycles the state legislature and governor have borrowed or seized billions of local property tax and redevelopment funds; and

WHEREAS, cities are struggling to deliver vital public services and improvements due to revenue losses caused by the recession, and these irresponsible actions by state politicians have seriously reduced the capacity of cities to deliver vital public safety services and other services, robbed cities of valuable local jobs and lowered the quality of life in our communities; and

WHEREAS, the chronic inability of the state legislature and the governor in recent years to prudently manage the state's fiscal resources and plan in a disciplined manner for inevitable shortfalls has led to an increasing tendency for the state to divert or borrow funds needed for vital local services; and

WHEREAS, during the just completed session the legislative leadership and governor strongly advocated stealing the local share of the Highway Users Tax, or gas tax, to pay for the state's highway bonds, violating the 86-year old tradition of the state, cities and counties sharing the gas tax; and

WHEREAS, the May 19, 2009 special election results and statewide surveys in recent months have confirmed that the level of public confidence in the state legislature and governor has declined to historic lows and that voters are demanding major reforms of state government; and

WHEREAS, a July summit of over 500 city, county and school officials gathered from across the state to explore reform of the state's governance system, and the top reform priority identified was to further protect local revenues from state intervention, diversion and borrowing; and

WHEREAS, in 2004 the voters by an overwhelming 84% margin adopted substantial constitutional protections of local sales tax, VLF, and property tax revenues, but the legislature can still "borrow" local property taxes and local shares of vital transportation funds to fund the state budget, resulting in crippling the funding of local governments and creating a deeper structural deficit for the state; and

WHEREAS, it is time for state officials to live within their means and stop stealing and borrowing funds that the voters intend to pay for vital local government services, including public safety, transportation, mass transit, redevelopment, and many other critical services; now, therefore, be it

RESOLVED, by the General Assembly of the League of California Cities, assembled at the Annual Conference in San Jose, September 18, 2009, as follows:

- (1) That the League of California Cities strongly support further constitutional protections against future efforts by the California legislature and the governor to divert, reallocate, borrow, redistribute, or steal revenues that have historically funded local government services including, but not limited to, property tax funds, the local share of gas tax (HUTA) funds, the local government and mass transit shares of gasoline sales tax funds, redevelopment property tax increment, utility users tax, business license tax, and transient occupancy tax;
- (2) That the League's board of directors is hereby authorized to take any and all necessary steps to evaluate and, if feasible, seek voter approval of a ballot measure to provide such protections;
- (3) That the League's board of directors is urged to work with our sister associations that represent counties, special districts, redevelopment agencies, transit agencies, schools and other groups with an interest in protecting the revenues of all local governments in order to pursue this goal;
- (4) That the assembled elected and appointed city officials of California, on behalf of the city residents they represent, hereby pledge that if the League board of directors votes to file an initiative to broadly protect local revenues, that they will devote their personal time to gather signatures, raise private funds, and help organize a statewide grassroots coalition to secure greater protection of local revenues for critical local government services; and
- (5) If and when the voters approve such a ballot measure, the League board of directors is authorized to vigorously defend the additional constitutional protections in the courts, if necessary.

QUALIFIED PETITIONED RESOLUTION

4. RESOLUTION IN OPPOSITION TO RULE MODIFICATIONS TO ACCOMMODATE SOUTHERN CALIFORNIA EDISON COMPANY'S INITIATIVE TO INSTALL ABOVE-GROUND EQUIPMENT

Source: City of West Hollywood

General Resolutions Committee Recommendation: APPROVE

WHEREAS, in March of 2009, the Southern California Edison Company (SCE) launched an initiative to discontinue its existing practice of installing below-ground equipment for underground distribution systems; and

WHEREAS, above-ground installations are suspected of causing fires and considered a public safety hazard; and

WHEREAS, above-ground installations could limit project development by limiting development space and intruding into the city's right-of-way; and

WHEREAS, the Southern California Edison Company's initiative for above-ground installations infringes on cities' authority and right over its affairs; and

WHEREAS, under the current rule Southern California Edison and cities must work together to identify safe and responsive solutions to equipment placement whether under-or above-ground and this relationship should be preserved; now, therefore be it

RESOLVED, by the General Assembly of the League of California Cities, assembled at the Annual Conference in San Jose, September 18, 2009, that the League oppose the rule modifications proposed by the SCE Initiative, to install above-ground equipment in SCE's underground distribution system and to urge the CPUC to reject SCE's proposal – Advice 2334-E (U 338-E) – to delete the customer option of placing distribution system equipment underground when receiving new service under Tariff Rules 2, 15 and 16, that is to be considered by the California Public Utilities Commission at its October 15, 2009 meeting, I.D. #8841, Energy Division Resolution E-4241, Southern California Edison.

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