

CITY OF SANTA ROSA
CITY COUNCIL

TO: MAYOR AND CITY COUNCIL
SUBJECT: PROPOSED AMENDMENTS TO LEAGUE OF CALIFORNIA
CITIES BYLAWS
STAFF PRESENTER: KATHLEEN MILLISON, CITY MANAGER
AGENDA ACTION: MOTION

ISSUE

Should the Council, by motion, approve two amendments to the League of California Cities Bylaws as recommended by the League's Board of Directors and authorize the City Manager to sign and return the Ballot on Bylaws Amendments?

BACKGROUND

1. On March 7, 2013, the City received a letter from the Executive Director of the League of California Cities requesting cities consider two amendments to the League's Bylaws as recommended by the League's Board of Directors.
2. The first proposed amendment would require the concurrence of at least five cities or city officials from at least five cities to submit a proposed resolution to the League for consideration by the General Assembly.
3. The second proposed amendment would require a two-thirds vote, rather than a simple majority, of the League's Board of Directors (Board) before the League can take a position on a statewide ballot measure. The Board comprises the following:
 - a. President, first vice president, second vice president, and immediate past president
 - b. One director elected by each of the sixteen regional divisions;
 - c. One director elected by each of the eleven functional departments;
 - d. Ten directors at large;
 - e. One director designated by each of the ten largest cities in California; and
 - f. Any California city officials serving on the National League of Cities board of directors.
4. On April 9, 2013, the Council considered the Bylaws Amendments and requested additional information regarding the basis for the proposed

amendment that would require a two-thirds vote of the League Board before the League can take a position on a statewide ballot measure.

ANALYSIS

1. The Board's stated purpose for the first proposed amendment is to encourage members to seek concurrence of other cities and city officials that the subject of a proposed resolution is a substantial one and of broad interest and importance to cities.
2. The Board's stated purpose for the second proposed amendment is to ensure that the Board represents a broad consensus of the Directors when it considers a position on statewide ballot measures, which are often controversial in nature.
3. Following the April 9th City Council meeting, staff contacted Patrick Whitnell, the League's General Counsel, for additional information regarding the basis for the second proposed Bylaws Amendment. Mr. Whitnell indicated the amendment did not arise from any particular statewide ballot measure but is intended to address a general concern regarding the potential for a sharp division in the League's membership on more controversial statewide ballot measures given the League's diverse membership. The Board's intent in establishing a 2/3 vote requirement when taking a position on a statewide ballot measure is to ensure the position represents a strong, as opposed to majority, consensus of the League Board. Currently, if all Directors were to cast votes on a statewide ballot measure, 27 Directors would need to vote favorably for the League Board to take a position. Under the proposed Bylaws amendment, 36 Directors would need to vote favorably for the League Board to take a position on a statewide ballot measure.
4. The attached Ballot on Bylaws Amendment must be returned to the League of California Cities by April 19, 2013. Following a canvass of the ballots, the Board will adopt a resolution effecting the Bylaws amendments if the amendments have been approved by a 2/3 vote of the member cities voting.

RECOMMENDATION

It is recommended by the City Manager that the Council, by motion, approve two amendments to the League of California Cities Bylaws as recommended by the League's Board of Directors and authorize the City Manager to sign and return the Ballot on Bylaws Amendments

Author: Terri Griffin, City Clerk

Attachments:

- Letter from Chris McKenzie, Executive Director, League of California Cities
- Proposed League Resolution Relating to League Bylaws Amendments
- League of California Cities 2013 Board of Directors

RECEIVED

MAR 07 2013



CITY OF SANTA ROSA
CITY MANAGERS OFFICE

WWW.CACITIES.ORG

March 5, 2013

To: League Membership
From: Chris McKenzie, Executive Director
Re: Proposed Amendments to League Bylaws

At its February meeting, the League's Board of Directors approved submitting two amendments to the League's Bylaws to the membership. The proposed amendments would amend the Bylaws to provide that:

1. Resolutions submitted to the League for presentation to the General Assembly must be concurred in by at least five or more cities or by city officials from at least five or more cities.
2. The League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present. Currently, the Board may take positions with a simple majority vote.

The Board's purpose in submitting the first proposed amendment is to encourage members to seek concurrence of other cities and city officials that the subject of a proposed resolution is a substantial one and of broad interest and importance to cities. The Board's purpose in submitting the second proposed amendment is to ensure that when the Board considers a position on possibly controversial statewide ballot measures, the Board's ultimate decision represents a broad consensus of the Directors.

The language of the proposed amendments is provided in the attached Resolution. To be approved, the Bylaws require each amendment must receive a 2/3rd vote of those members voting. To consult the League's Bylaws: go to www.cacities.org. The link is at the bottom of the page.

As provided in the League's Bylaws, the Board of Directors is submitting these amendments to the membership for approval by mail ballot. Please return the enclosed ballot, signed by an authorized city official, **by April 19, 2013**.

Ballots may be submitted by email to: ballots@cacities.org.

By mail to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

Or by fax to: (916) 658-8240

Thank you for your attention to this important matter concerning the League's governance. If you have questions, please direct them to Patrick Whitnell, General Counsel at pwhitnell@cacities.org.

PROPOSED RESOLUTION RELATING TO LEAGUE BYLAWS AMENDMENTS

WHEREAS, the League of California Cities is a nonprofit mutual benefit corporation under California law and, as such, is governed by corporate bylaws; and

WHEREAS, the League's Board of Directors periodically reviews the League's bylaws for issues of clarity, practicality, compliance with current laws, and responsiveness to membership interests; and

WHEREAS, the League Board of Directors at its February 7-8, 2013 meeting approved submitting the following amendments to the League's bylaws to the League's membership by mailed ballot:

1. Article VI, section 2 of the League's bylaws is amended to read as follows:

"Resolutions may originate from city officials, city councils, regional divisions, functional departments, policy committees, or the League Board or by being included in a petition signed by designated voting delegates of ten percent of the number of Member Cities. Except for petitioned resolutions, all other resolutions must be submitted to the League with documentation that at least five or more cities, or city officials from at least five or more cities, have concurred in the resolution."

2. A new Article VII, section 16 is added to the League's bylaws to read as follows:

"Section 16: Positions on Statewide Ballot Measures.

Notwithstanding any other provision of these bylaws, the League Board may take a position on a statewide ballot measure by a 2/3rd vote of those Directors present."

Now, therefore, be it

RESOLVED, that the League Board of Directors at its April 24-25, 2013 meeting in Sacramento, California, after a canvass of mailed ballots, has determined that the above amendments to the League bylaws have been approved by a 2/3rd vote of those Member Cities voting. These amendments shall take effect 60 days after the approval of this resolution.

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Ballot on Bylaws Amendments

City of _____

Does your city vote to approve the amendment of article VI, section 2 of the League's bylaws relating to submission of resolutions to the League's General Assembly as set forth in the Proposed Resolution and incorporated by reference in this ballot?

- Yes
- No

Does your city vote to approve the addition of article VII, section 16 to the League's bylaws relating to the League Board vote threshold for taking positions on statewide ballot measures as set forth in the Proposed Resolution and incorporated by reference in this ballot?

- Yes
- No

Ballot returned by:

_____ City Official Name

_____ City Official Title

Please return this ballot by **April 19, 2013** to:

League of California Cities
Attn: Ballots
1400 K Street, 4th Floor
Sacramento, CA 95814

or by email to: ballots@cacities.org

or by fax to: (916) 658-8240

Thanks in advance for your participation in this important decision.

League of California Cities 2013 Board of Directors

Officers

Bill Bogaard	Mayor, Pasadena	President
Jose Cisneros	Treasurer, San Francisco	1st Vice President
Tony Ferrara	Mayor, Arroyo Grande	2nd Vice President
Mike Kasperzak	Council Member, Mountain View	Immediate Past President
Chris McKenzie	Executive Director	

Directors

Pete Aguilar	Mayor, Redlands	Inland Empire Division (O)
Stephany Aguilar	Council Member, Scotts Valley	Monterey Bay Division (E)
Neal Andrews	Council Member, Ventura	At-large (13)
Jan Arbuckle	Council Member, Grass Valley	At-large (13)
Harry Armstrong	Mayor, Clovis	So. San Joaquin Valley Division (O)
Karen Avilla	Treasurer, Carson	NLC (14)
Bruce Channing	City Manager, Laguna Hills	City Managers Dept. (O)
Kansen Chu	Council Member, San Jose	Large City
Bob Combs	Planning Commissioner, Danville	Planning & Community Dev Dept (E)
Mark Farrell	Supervisor, San Francisco	Large City
Robert Foster	Mayor, Long Beach	Large City
Douglas Fry	Fire Chief, Belmont	Fire Chiefs Dept. (E)
Richard Garbarino	Council Member, South San Francisco	At-Large (13)
Wendy Greuel	Controller, Los Angeles	Large City
Terry Henderson	Council Member, La Quinta	Riverside County Division (O)
Darren Hernandez	Deputy City Manager, Santa Clarita	Fiscal Officers Dept. (E)
Chip Holloway	Vice Mayor, Ridgecrest	Desert-Mountain Division (E)
Curtis Hunt	Council Member, Vacaville	North Bay Division (E)
Randi Johl	City Clerk, Lodi	City Clerks Dept. (E)
Kevin Johnson	Mayor, Sacramento	Large City
Art Kiesel	Mayor, Foster City	Peninsula Division (O)
Ken Lane	Vice Mayor, Ceres	Central Valley Division (E)
Randon Lane	Council Member, Murrieta	NLC (13)
Robert Lehner	Police Chief, Elk Grove	Police Chiefs Dept. (O)
Art Madrid	Mayor, La Mesa	San Diego County Division (E)
William "Bill" Marble	Council Member, Woodland	Sacramento Valley Division (14)
L. Dennis Michael	Mayor, Rancho Cucamonga	At-Large (14)
Katherine Miller	Council Member, Stockton	At-Large (13)
Carl Morehouse	Council Member, Ventura	Channel Counties (O)
JoAnne Mounce	Council Member, Lodi	At-Large (14)
Scott Nelson	Council Member, Placentia	Orange County Division (E)
Owen Newcomer	Mayor, Whittier	Los Angeles County Division (O)
Joseph Palla	Mayor, Cloverdale	At-large (14)
Daniel Parra	Mayor Pro Tem, Fowler	At-large (14)
Martin Pastucha	Public Works Director, Santa Monica	Public Works Dept. (E)
Gregory Pettis	Council Member, Cathedral City	NLC (14)
Joe Pirzynski	Council Member, Los Gatos	At-large (14)
Jean Quan	Mayor, Oakland	Large City
Sedalia Sanders	Council Member, El Centro	Imperial County Division (E)
Bob Shannon	City Attorney, Long Beach	City Attorneys Dept. (O)
Ashley Swearengin	Mayor, Fresno	Large City
Jerry Thorne	Mayor, Pleasanton	East Bay Division (O)
Miguel Ucovich	Council Member, Loomis	At-large (13)
Alan Wapner	Council Member, Ontario	Mayors & Council Members Dept. (E)
Ken Weir	Vice Mayor, Bakersfield	Large City
Mark Wheatley	Vice Mayor, Arcata	Redwood Empire Division (E)
Gilbert Wong	Vice Mayor, Cupertino	At-large (14)
Serena Wright	Human Resources Director, Culver City	Personnel & Emp. Rel. Dept. (O)
Ella Zanowic	Council Member, Calimesa	At-large (13)
Vacant		Community Services Department (O)
Vacant	San Diego	Large City

*E - elected in even numbered years; O - elected in odd numbered years.
**Number denotes end of term.