



TOWN OF APPLE VALLEY

TOWN COUNCIL STAFF REPORT

To: Honorable Mayor and Town Council **Date:** April 9, 2013
From: La Vonda M-Pearson, Town Clerk **Item No:** 18
Town Clerk's Office
Subject: RESOLUTION SUBMITTED TO THE LEAGUE OF CALIFORNIA CITIES
FOR PRESENTATION TO THE GENERAL ASSEMBLY REGARDING
PROPOSED AMENDMENTS TO LEAGUE BYLAWS

T.M. Approval: _____ **Budgeted Item:** Yes No N/A

RECOMMENDED ACTION:

That the Town Council review the proposed amendments and vote to either approve or deny the amendment of Article VI, Section 2 and the addition of Article VII, Section 16 of the Leagues Bylaws.

SUMMARY:

This item was presented to the Town Council at its regular meeting on March 26, 2013. At that time, concerns were expressed by the Town Council and staff was asked to obtain additional information regarding the subject matter. Contact was made with Mr. Patrick Whitnell, General Counsel for the League of California Cities who provided additional information regarding this request.

The League of California Cities Bylaws provides that bylaws may be submitted to the membership either by taking them to the General Assembly or by a mail ballot. At the League Board Meeting in February, the Board approved submitting the proposed amendments to the membership by mail ballot. The bylaws do not require that the amendments be submitted to the General Assembly prior to submitting them to the membership by mail ballot.

If approved, the amended bylaws would read as follows:

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 of 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.”

Mr. Whitnell explained that a board member suggested this measure to ensure that a resolution has wider support before it reaches the General Assembly. The goal is for cities to discuss ideas with each other and ensure that their ideas are widely supported before bringing it forward to the League. The League is not particularly concerned with how a city gets concurrences, just so long as it can evidence some joint support for the proposed measure.

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 2/3 vote of those Directors present.”

This section was added to ensure that the League only takes positions on ballot measures where it is confident that its membership supports the position and will benefit from a YES/NO vote. Although this has not been proposed in response to one ballot measure in particular, there seems to be some concern that a controversial measure may prove too divisive internally for the League.

If the Town Council chooses not to submit a vote, it would be counted as a non-vote or an abstention and would not be included in the final tally. The bylaws provide that to be approved the bylaws amendments must receive a two-thirds vote of those cities voting.

Staff recommends the Town Council reconsider the proposed amendments and vote to either approve or deny the amendment of Article VI, Section 2 and the addition of Article VII, Section 16 of the Leagues Bylaws.