



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

City Position on Proposed League of California Cities' 2014 Annual Resolution

BACKGROUND

The City has received the League of California Cities' (League) *Annual Conference Resolutions Packet* (Attachment 1); this year, there is one resolution presented for consideration by the League policy committees and membership. Staff has reviewed the resolution and is recommending a position consistent with City policy. This report provides Councilmembers who serve on policy committees, the resolutions committee, or as the City's voting delegate/alternates, guidance on how to vote on the issue as it pertains to City business.

EXISTING POLICY

Council Policy 7.3.1 *Legislative Management - Goals and Policies*, Goal 7.3.C: Participate in intergovernmental activities, including national, state, and regional groups, as a means to represent the City's interests, influence policy and legislation, and enhance awareness.

Council Policy 7.3.2 *Legislative Advocacy Positions* - *City business* is defined as all matters directly related to service delivery, or otherwise contributing to the City's operational success.

ENVIRONMENTAL REVIEW

N/A

DISCUSSION

This report transmits the League's *Annual Conference Resolutions Packet* (Attachment 1) which contains the proposed resolution to be considered at the League's Annual Conference in Los Angeles in early September. Below are a description, department analysis, and staff recommendation for the resolution.

Staff recommendation options are: Support, Oppose, No Staff Recommendation, or Take No Position. While the meaning of Support and Oppose recommendations are clear, "No Staff Recommendation" and "Take No Position" are clarified as follows:

No Staff Recommendation - Consistent with past practice, staff does not provide analysis or make recommendations on measures that do not impact *City business* as defined in Council Policy 7.3.2, *Legislative Advocacy Positions*.

Take No Position - Despite a measure's ability to impact City business, Staff may recommend that Council abstain from taking a position. This recommendation to remain neutral on an issue may be made for a variety of reasons (e.g., ballot language is not clear; the pros and

cons of the business impact cancel each other out; etc.). When this option is recommended, the reason will be explained in staff's analysis.

Resolution #1 Illegal Marijuana Grow Site

This resolution seeks to call upon the Governor and the Legislature to convene a summit to address the devastating environmental impacts of illegal marijuana grows on both private and public lands throughout California and the increasing problems to public safety related to these activities by working in partnership with the League of California Cities to develop responsive solutions and to secure adequate funding for cost-effective implementation strategies.

Concurrence Requirement:

Any resolutions submitted to the General Assembly must be concurred in by five cities or by city officials from at least five or more cities. Those submitting resolutions were asked to provide written documentation of concurrence. Concurrence for this proposed resolution was received from: Cities of Arcata; Blue Lake; Clearlake; Cloverdale; Crescent City; Eureka; Fort Bragg; Healdsburg; Lakeport; Trinidad; and Ukiah.

Related City Policy:

General Plan, Chapter 7, Environmental Management

POLICY EM-4.2: Maintain an aggressive inspection and preventive maintenance program that ensures that backflow from potentially contaminated water services is prevented.

POLICY EM-8.3: Ensure that stormwater control measures and best management practices (BMPs) are implemented to reduce the discharge of pollutants in stormwater to the maximum extent practicable.

General Plan, Chapter 6, Safety and Noise

GOAL SN-1: Acceptable Levels of Risk for Natural and Human-caused Hazards: Ensure that natural and human-caused hazards are recognized and considered in decisions affecting the community and that land uses reflect acceptable levels of risk based on identified hazards and occupancy.

GOAL SN-3: Safe and Secure City: Ensure a safe and secure environment for people and property in the community by providing effective public safety response and prevention and education services.

Department of Public Safety (DPS) and Environmental Services (ESD) Analysis:

Although the City of Sunnyvale does not have a significant amount of open space, the City has experienced issues with illegal marijuana grow sites - specifically, large quantities of marijuana cultivation in single-family homes, multi-family dwellings, and commercial properties. Individuals taking part in illicit marijuana growing operations, like those participating in any other illicit activity, would be very unlikely to contribute in surveys or inspections that are conducted to ensure best management practices (BMPs) are being implemented for the reduction of surface runoff or for backflow prevention. These illegal grow sites also reveal numerous safety issues which include: dangerous electrical wiring (overloading electrical circuits and bypassing the PG&E meter), unpermitted structural changes, mold, odors, and unsafe living conditions. The City is particularly concerned about fires, robberies, and burglaries that have directly resulted from these grow sites.

Recommended Position: Based on existing City policy as cited above, staff recommends that the City **SUPPORT** this proposed resolution.

FISCAL IMPACT

There is no fiscal impact to the City from taking a position on this proposed resolution.

PUBLIC CONTACT

Public contact was made by posting the Council agenda on the City's official-notice bulletin board outside City Hall, at the Sunnyvale Senior Center, Community Center and Department of Public Safety; and by making the agenda and report available at the Sunnyvale Public Library, the Office of the City Clerk and on the City's website.

ALTERNATIVES

1. Approve a SUPPORT position for proposed Resolution #1, *Illegal Marijuana Grow Site*.
2. Other action as directed by Council.
3. Council takes no action on the proposed resolution position at this time.

STAFF RECOMMENDATION

Alternative 1: Approve a SUPPORT position for proposed Resolution #1, *Illegal Marijuana Grow Site*.

Prepared by: Yvette Blackford, Senior Management Analyst

Reviewed by: Robert A. Walker, Assistant City Manager

Approved by: Deanna J. Santana, City Manager

ATTACHMENTS

1. League of California Cities Annual Conference Resolutions Packet