

CITY OF PALM DESERT STAFF REPORT

MEETING DATE: September 12, 2024

PREPARED BY: Anthony J. Mejia, City Clerk

SUBJECT: DIRECTION ON A RESOLUTION BEING CONSIDERED AT THE LEAGUE OF CALIFORNIA CITIES' GENERAL ASSEMBLY MEETING

RECOMMENDATION:

Provide direction on whether to support or oppose the resolution proposed for the upcoming League of California Cities' General Assembly Meeting.

BACKGROUND/ANALYSIS:

Each year, the League of California Cities ("Cal Cities") accepts resolutions from member cities and elected officials on issues of importance to municipalities. The resolutions are reviewed by the appropriate policy committees, and their recommendations are presented at the General Assembly meeting, scheduled for Friday, October 18, 2024. The voting delegates in attendance at the General Assembly meeting will make the final determination on the resolutions. This year, one resolution has been introduced for consideration by the Cal Cities' General Assembly.

It is important that the City be represented at the Cal Cities' General Assembly meeting to vote on the proposed resolution(s) in accordance with City Council direction. Cal Cities encourages each City Council to consider the resolution(s) so that the voting delegate can accurately represent the City's position. On December 14, 2023, the City Council designated Councilmember Trubee and Mayor Quintanilla to serve as the City's voting delegate and alternate voting delegate, respectively.

Supporting Cal Cities' resolution(s) does not commit cities to adopt or implement any Cal Cities positions in their local communities.

Proposed Resolution

The Cal Cities' resolution packet, which includes the full text of each resolution, is attached for City Council consideration. Below is a summary of the resolution.

A RESOLUTION OF THE GENERAL ASSEMBLY OF THE LEAGUE OF CALIFORNIA CITIES CALLING FOR THE CALIFORNIA LEGISLATURE TO ENACT LAWS THAT ENSURE THAT "WHAT APPLIES TO ONE, APPLIES TO ALL" IN THE FAIR AND EQUAL TREATMENT OF ALL GOVERNMENTAL OFFICIALS AT ALL LEVELS IN THE STATE OF CALIFORNIA

This Resolution, brought forth to Cal Cities in response to concerns about the perceived unequal treatment of local and state governmental officials under current California law, seeks to address the discrepancy where certain laws and regulations apply solely to local officials but not to state legislators. This issue has been raised by city officials who believe that the current legal

framework places an unfair burden on local government officials compared to their state counterparts.

The end goal of this Resolution is to ensure fairness and equal treatment across all levels of government. Specifically, it proposes that Cal Cities call upon the California Legislature to enact laws that guarantee the principle of “what applies to one, applies to all.” This means that any law or regulation imposed on elected officials of California cities and counties should equally apply to members of the California State Assembly and Senate. The Resolution further clarifies that exceptions should only be made when they pertain to the inherent powers of the legislative branch under the California Constitution.

It is important to note that while this Resolution represents a formal request by Cal Cities, it is not binding. The Resolution itself does not have the force of law but rather serves as a strong advocacy position that Cal Cities will use to lobby the California Legislature. The effectiveness of this Resolution depends on the Legislature’s willingness to enact the proposed changes into law.

The League of California Cities staff analysis of the proposed resolution is included in Attachment 1.

Legal Review:

This report has been reviewed by the City Attorney’s office.

FINANCIAL IMPACT:

There is no fiscal impact associated with this action. Expenses to attend the meeting have been budgeted in the Fiscal Year 2024-25 Budget.

ATTACHMENT:

1. 2024 Cal Cities Resolution Packet