



CITY OF LONG BEACH

DEPARTMENT OF PLANNING AND BUILDING

NB-23

333 West Ocean Blvd., 5th Floor • Long Beach, CA 90802 • (562) 570-6357 FAX (562) 570-6068

ADVANCE PLANNING

May 8, 2007

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

RECOMMENDATION:

Declare Ordinance establishing a commission to advise the City Council on environmental affairs and long-term sustainability to be known as the Sustainable City Commission read the first time and laid over to the next regular meeting of the City Council for final reading. (Citywide)

DISCUSSION

This report is intended to give a brief background on the concept of the "Environmental" Commission and offer staff recommendations as to how it may be most effectively implemented.

Background

The long-contemplated establishment of a citizen commission to help address Long Beach's environmental issues was formalized with the adoption of the 2010 Strategic Plan in June 2000. The Strategic Plan's Environmental Task Force made specific recommendations that included the creation of a "Sustainable City Program" to be guided by a "Sustainable Development Board" and recommended adequate staffing to support both. Additionally, the 2010 Strategic Plan includes an entire section, complete with action steps, on creating a Sustainable City Program to address Long Beach's sustainability and environmental issues.

Since 2003, various efforts have been initiated to build the foundation for a Sustainable City Program. The City began taking successful strides toward incorporating sustainability through the creation of a Green Purchasing Policy and a Municipal Green Building Policy, both of which were followed by the creation of an interdepartmental Green Building Team (Green Team) to implement these policies. The 24 member Green Team has served to educate staff, has helped prepare at least 12 staff to become LEED (Leadership in Energy and Environmental Design) accredited professionals and has seen the beginning of at least seven municipal building projects designed to the LEED standard.

Due to fiscal and staffing constraints over the past three years, full realization of the recommendations from the 2010 Strategic Plan had been deferred. On May 16, 2006, however, the City Council voted unanimously to request the City Attorney to draft an ordinance that would create an "Environmental" Commission for the City of Long Beach to reinvigorate the City's efforts in this direction.

Staff Recommendations

The unanimous action by the City Council toward a more sustainable future is an opportunity to positively impact the local environment and create real, sustainable change for the City of Long Beach. To reflect this core mission, staff recommends changing the title of the Commission to use the terms "Sustainable City" Commission rather than "Environmental" Commission.

This new Sustainable City Commission maintains the original vision and intent of the Commission as referenced in the 2010 Strategic Plan. Sustainability is about successfully achieving a balance between environmental quality, economic prosperity and social equity, each of which is a challenge this city now faces and will continue to face in the years to come. Having "Sustainable City" in the Commission's name also clearly demonstrates the goal of the Commission and is useful for educating the community about issues of sustainability.

Staff also recommends creating a Sustainable City Program (Program) in the Department of Planning and Building under the authority of the City Manager, a Program is critical to the success of the Sustainable City Commission because having a dedicated program and staff to focus on the Commission's tasks and policies will result in the effective integration of sustainability citywide.

Program staff would be responsible for furthering the goals of, and making recommendations to, the Sustainable City Commission, staffing the City Council's Environmental Committee, preparing policy documents relating to sustainability, conducting public outreach and education about sustainability, and completing other projects or duties as assigned.

Summary of Proposed Ordinance

The proposed ordinance spells out the specific purpose of the Commission as well as rules for members, terms of office, and authority over City Officers and employees.

The proposed purpose of the Commission is to make advisory policy recommendations for the City Council's consideration on issues relating to the environment, a sustainable city plan, efforts or programs to address environmental issues such as air quality, water quality, resource conservation relating to the protection and integrity of the natural environment, programs to increase education and awareness of the environment, to serve as a forum for community discussion of these environmental issues, and to encourage input and participation from all sectors of the community on issues of sustainability and the environment. Please note, the Commission will not review or comment on California Environmental Quality Act (CEQA) documents which include Environmental Impact Reports, Negative Declarations or Categorical Exemptions. The review and analysis of CEQA documents is within the purview of the Planning Commission.

The Commission as proposed will comprise eleven members, with one member representing each of the nine councilmanic districts and two members appointed at large for four-year terms, appointed by the Mayor, subject to City Council approval. It is also recommended that members of the Commission have demonstrated concern for sustainability and desire to improve the living and natural environment of the city and may have professional or scholarly expertise in the fields of sustainability and the environment, geology, hydrology, land use, planning, ecology or special expertise and demonstrated capabilities in fields relating to the social, economic or environmental aspects of life in the city.

This report was reviewed by Assistant City Attorney Michael Mais and Budget and Performance Management Bureau Manager David Wodynski on April 26, 2007.

TIMING CONSIDERATIONS

The requested action is not time sensitive.

FISCAL IMPACT

The Department of Planning & Building will provide staff support for the Commission, which is the foundation for creating a Sustainable City Program within the Department.

In order to effectively support the Commission and Sustainable City Program, the Department will require a Planner III, which will be budgeted at a fully loaded cost of \$93,698 in the Development Services Fund (SR 137) and the Department of Planning & Building (PB). Funding for this position, and support of the Program and Commission, was contingent on the establishment of the Construction and Demolition (C&D) debris recycling program (pending approval at tonight's meeting), which includes an administrative fee to cover the personnel and associated cost for administering the program. This administrative fee will be used to fund the Planner position, which will be responsible for administering the Construction and Demolition debris recycling program as well as supporting the Sustainable City Program and Commission.

Without passage of the C&D debris recycling administrative fee to fund an additional staff position, the Department of Planning and Building will not be able to absorb the workload associated with staffing the Commission.

SUGGESTED ACTION:

Approve recommendation.

Respectfully submitted,



SUZANNE FRICK
DIRECTOR OF
PLANNING & BUILDING

SF:AR:LR:MR
Sustainable city commission CC Ltr.doc

APPROVED:


for Christine J. Shupp
GERALD R. MILLER
CITY MANAGER

ORDINANCE NO.

AN ORDINANCE OF THE CITY COUNCIL OF THE
CITY OF LONG BEACH AMENDING THE LONG BEACH
MUNICIPAL CODE BY ADDING CHAPTER 2.38
ESTABLISHING A SUSTAINABLE CITY COMMISSION

The City Council of the City of Long Beach ordains as follows:

Section 1. The Long Beach Municipal Code is amended by adding
Chapter 2.38 establishing a Sustainable City Commission as follows:

Chapter 2.38

SUSTAINABLE CITY COMMISSION

Sections:

- 2.38.010 Created.
- 2.38.020 Purpose.
- 2.38.030 Authority over city officers and employees.
- 2.38.040 Members.
- 2.38.050 Term of office.
- 2.38.060 Applicability of Chapter 2.18 of the Long Beach Municipal Code.

2.38.010 Created.

There is created a commission to be known as the Sustainable City
Commission.

2.38.020 Purpose.

The purpose of the commission shall be to make advisory policy

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1 recommendations to the City Council on issues relating to the
2 environment, a sustainable City plan, efforts or programs to address
3 environmental issues such as air quality, water quality, resource
4 conservation relating to the protection and integrity of the natural
5 environment, programs to increase education and awareness of the
6 environment, to serve as a forum for community discussion of these
7 environmental issues, and to encourage input and participation from all
8 sectors of the community on issues of sustainability and the environment.

9 All recommendations of the commission shall be submitted to the
10 City Council in writing and shall include a summary of any citizen
11 testimony before the commission on each particular recommendation
12 presented for consideration.

13 The commission shall not sit as an adjudicatory body on any
14 matter, including, but not limited to, the adequacy or certification of any
15 environmental documents which are otherwise within the jurisdiction of the
16 City Council or Planning Commission and shall have no authority to
17 compel the attendance of persons before it. Each year the Commission
18 shall prepare a work program outlining the focus for the Commission for
19 review and approval by the City Council.

20
21 2.38.030 Authority over City officers and employees.

22 The commission shall neither interfere with nor impose itself on the
23 powers and duties of the officers of the City as set forth in the City
24 Charter, nor shall the commission interfere with the management or
25 operations of the City. Likewise, the commission shall have no authority
26 over employees of the city, and the provisions of Section 208 of the City
27 Charter shall be applicable.
28

1 2.38.040 Members.

2 A. The commission shall be comprised of eleven (11) members.
3 There shall be one commission member representing each of the nine
4 councilmanic districts and two members appointed at-large.

5 B. All members shall be appointed by the mayor subject to
6 confirmation by the city council. The members representing each
7 councilmanic district shall be appointed from a pool of at least three
8 nominees to be submitted by each member of the City Council to
9 represent their respective councilmanic district.

10 C. Members of the commission shall have a demonstrated
11 concern for, and the desire to improve, the status of natural resources and
12 living environment of the City, and may have professional or scholarly
13 expertise in the environmental field, geology, hydrology, land use
14 planning, ecology, or special expertise and demonstrated capabilities in
15 fields relating to the social, economic or environmental aspects of life in
16 the City.

17 D. Whenever a member desires to resign from the commission, he
18 or she shall inform the chairperson in writing. Any member of the
19 commission may be removed by the mayor with the consent and approval
20 of the city council. If a member is absent without the consent of the
21 commission from three consecutive meetings, whether regular or special,
22 such absence shall cause the member's retirement from the commission.
23 In the event a vacancy is created, it shall immediately be filled by the
24 same method by which the member was appointed.

25
26 2.38.050 Term of office.

27 A. The term of office for members of the commission shall be four
28 years. No member shall serve for more than two consecutive terms.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

B. Notwithstanding the provisions of subdivision A of this section, five (5) members first appointed to the commission, including the two at large members and three other members as determined by lottery, shall serve for an initial two year term. Members serving an initial two year term shall be eligible for re-appointment to one additional four year term.

2.38.060 Applicability of Chapter 2.18 of the Long Beach Municipal Code.

Except as provided in this chapter, the commission shall operate and conduct its business in accordance with the provisions of Chapter 2.18 of this Code entitled "Advisory Boards, Commissions and Committees."

Sec. 2. The City Clerk shall certify to the passage of this ordinance by the City Council and cause it to be posted in three conspicuous places in the City of Long Beach, and it shall take effect on the thirty-first day after it is approved by the Mayor.

I hereby certify that the foregoing ordinance was adopted by the City Council of the City of Long Beach at its meeting of _____, 2007, by the

//
//

Robert E. Shannon
City Attorney of Long Beach
333 West Ocean Boulevard
Long Beach, California 90802-4664
Telephone (562) 570-2200

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

following vote:

Ayes: Councilmembers: _____

Noes: Councilmembers: _____

Absent: Councilmembers: _____

City Clerk

Approved: _____

Mayor