



STAFF REPORT

SUBJECT: Consideration of Resolution 2024-10 which designates the City Manager or his/her designee to act on its behalf to engage with California Native American tribes as part of government-to-government tribal consultation under applicable law

MEETING DATE:

Mar. 7, 2024

SUBMITTED BY: Ryan Jones, City Attorney

PURPOSE OF REPORT: Information only Discussion Action Item

WHAT IS BEING ASKED OF THE CITY COUNCIL/BOARD:

The City Council is being asked to consider approving a resolution which designates the City Manager or his/her designee to act on its behalf to engage with California Native American tribes as part of government-to-government tribal consultation under applicable law.

BACKGROUND/DISCUSSION:

The City has been engaging with agencies relative to tribal consultation on projects occurring within the City limits. The City is currently working with a consultant to create and eventually adopt tribal consultation guidelines to formalize this process. One section of these guidelines will address the delegation of authority by the City Council to engage in tribal consultation with various agencies on behalf of the City. Until such delegation is formalized in the guidelines, staff believes it is appropriate for the Council to adopt a resolution which clarifies who may consult on behalf of the City Council.

The proposed resolution would make the City Manager, or his/her designee, the person with authority to consult on behalf of the City Council. Such action will provide clarity for state and federal entities to the extent there is ambiguity as to this authority to consult. Please note this delegation is as to consultation relative to engagement with California Native American tribes as part of government-to-government tribal consultation under applicable law, and not as to decision-making such as approval of projects and/or environmental documents, which will remain with the Planning Commission and/or City Council pursuant to the municipal code and applicable law.

OPTIONS:

1. Move to adopt the attached Resolution
2. Consider modifications to the Resolution and approve a modified resolution
3. Other direction

FISCAL IMPACT:

None \$ Budgeted Item? Yes No

Approval of this resolution will have no fiscal impact.

Budget Adjustment Needed? Yes No If yes, amount of appropriation increase: \$

Affected fund(s): General Fund Measure P Fund Measure V Fund Other:

Comments:

STRATEGIC PLAN IMPACT:

- Goal #1: Make Clearlake a Visibly Cleaner City
- Goal #2: Make Clearlake a Statistically Safer City
- Goal #3: Improve the Quality of Life in Clearlake with Improved Public Facilities
- Goal #4: Improve the Image of Clearlake
- Goal #5: Ensure Fiscal Sustainability of City
- Goal #6: Update Policies and Procedures to Current Government Standards
- Goal #7: Support Economic Development

SUGGESTED MOTIONS:

- Attachment:** 1) Resolution No. 2024-10