



City of Sunnyvale

Agenda Item-No Attachments (PDF)

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REPORT TO COUNCIL

SUBJECT

Approve City Position on Proposed League of California Cities' 2017 Annual Conference Resolutions

BACKGROUND

The League of California Cities (League) *2017 Annual Conference Resolutions Packet* (Attachment 1) has two resolutions presented for consideration by the League policy committees and membership. This report provides guidance on how to vote on these issues as they pertain to City business for Councilmembers who serve on policy committees, on the resolutions committee, or as the City's voting delegate/alternates.

EXISTING POLICY

Council Policy 7.3.1 *Legislative Management - Goals and Policies, Goal 7.3C:* 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 7.4.14 *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

The action being considered does not constitute a "project" within the meaning of the California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15378(b)(5) in that it is a governmental, organizational or administrative activity that will not result in direct or indirect changes in the environment.

DISCUSSION

This report transmits the League's *2017 Annual Conference Resolutions Packet* (Attachment 1) which contains the proposed resolutions to be considered at the League's Annual Conference in Sacramento from September 13 to 15. Below is a description of the resolution, followed by staff analysis and recommendation. 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 7.4.14, *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.

Any resolution submitted to the General Assembly must be concurred by five cities or by city officials from at least five or more cities; the concurring cities and/or officials are noted for each resolution.

Resolution #1 - Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws

This Resolution seeks to address increases in crime in the wake of AB 109 (2011), Proposition 47 (2014), which reclassified a host of felony offenses as misdemeanors, and Proposition 57 (2016), which revised the rules of parole for what are designated “non-violent” offenders under the California Penal Code, but in fact comprise a number of criminal acts that are violent in nature, or may be committed to facilitate a violent outcome (e.g., discharging a firearm from a motor vehicle).

This Resolution would direct League staff to seek legislation expanding the term “violent felony” as defined in the California Penal Code; to tighten the criteria for the release of non-violent, non-serious, non-sex offender inmates; to mandate consideration of an inmate’s entire criminal history as part of the deliberations involving whether to grant individual parole; and to consider creation of a task force that would be charged with issuing a report recommending further changes in law, and supported by documentation collected by local agencies and other key stakeholders.

Concurrence: La Mirada; Lakewood; Monrovia; Pico Rivera; Rolling Hills; Santa Fe Springs; and South Gate

Related City Policy:

- General Plan Goal SN 3: Provide a safe and secure environment for people and property in the community.
- General Plan Goal SN 4: Increase and maintain public confidence in the ability of the Public Safety Department to provide quality police services.

Analysis: While the goal of this resolution is to increase the ability of law enforcement agencies to identify criminals who commit violent acts, the direct impact on the City of Sunnyvale is not measurable or predictable. Whereas we do not oppose this resolution, at this time there is not enough information available to provide an opinion as to the effect of the proposed changes to existing law on Sunnyvale residents; therefore, the recommendation from staff is “Take No Position”.

Recommended Position: TAKE NO POSITION

Resolution #2 - Local Control for Emergency Medical Response

This Resolution calls for the Governor and the Legislature to work with the League and other stakeholders to amend Government Code Section 38611 clarifying the definition of local control, providing broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdictions.

Concurrence: Lathrop, Lodi, Manteca, Stockton, and Cosumnes Fire Department (Serving Cities of Elk Grove and Galt)

Related City Policy:

- General Plan Goal SN 6.1: Provide immediate life support to those who are threatened by situations requiring emergency medical services or rescue.

Analysis: This statewide issue of local control governing the delivery of emergency medical services has long been unsettled. The State of California Emergency Medical Services Authority also has attempted to resolve the ongoing issues, but the language of current construct established through a California Supreme Court decision continues to cause issues in interpretation as well as implementation. A resolution is needed for those jurisdictions that wish to provide emergency medical services in the manner which the local jurisdiction desires to, but cannot under the current framework. If the City were to choose to move forward with Paramedic transport services, under current law the ability to do so would be dependent upon the approval of the County Emergency Medical Services Agency. This legislation could provide a level of autonomy that would allow the City to determine the level and type of services it would provide.

Recommended Position: SUPPORT

FISCAL IMPACT

The resolutions will not have a direct fiscal impact on the City.

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.

STAFF RECOMMENDATION

Approve a support position for the proposed Resolution #2, Local Control for Emergency Medical Response, while taking no position for the proposed Resolution #1, Implement Strategies to Reduce Negative Impacts of Recent Changes to Criminal Laws, and authorize the City's voting delegate/alternates to cast votes consistent with the City Council's adopted positions.

As stated, the staff recommended position is consistent with City Policy and provides Councilmembers who serve on policy committees, on 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.

Prepared by: John LoFranco, Staff Office Assistant
Reviewed by: Catlin Ivanetich, Senior Management Analyst
Reviewed by: Walter C. Rossmann, Assistant City Manager
Approved by: Deanna J. Santana, City Manager

ATTACHMENT

1. League of California Cities 2017 Annual Conference Resolutions Packet