



## Legislation Text

---

**File #:** 17-478, **Version:** 1

---

Staff Report for City Council Determination of City Position on Resolutions of the League of California Cities to be voted on at the 2017 Annual Conference

### **SUMMARY AND RECOMMENDATIONS**

Staff recommends that the City Council take a position on the two draft resolutions to be considered by the League of California Cities ("League") at the upcoming 2017 Annual Conference:

1. Motion Supporting the League's Resolution Calling upon the Governor and Legislature to enter into discussion with the League and other Public Safety Stakeholders to Identify and Implement Strategies that will Reduce the Unintended Negative Impacts of Existing Criminal Law.
2. Motion Supporting the League's Resolution in Support of Legislation Amending the Government Code to Clarify the Definition of Local Control to Provide Broad Statutory Authority for Local Officials to determine Emergency Service Levels and Direct Medical Response Within their Jurisdiction.

### **BACKGROUND/ ANALYSIS**

The League 2017 Annual Conference is scheduled for September 13 - September 15 in Sacramento. An important part of the Annual Conference is the General Assembly Meeting, and each City is encouraged to send a voting delegate. At the July 3 meeting, by Resolution No. 2017-094 the City Council designated Vice Mayor Lee Thomas as voting delegate and Council Member Corina Lopez as alternate voting delegate.

At the September Conference, the League will consider two resolutions that City delegates will be asked to vote on. A summary of both resolutions, and staff's recommended actions, are provided below. The full text of each of the resolutions and related analysis is also provided as an attachment to this report.

1. *Resolution Calling upon the Governor and Legislature to enter into discussion with the League and other Public Safety Stakeholders to Identify and Implement Strategies that will Reduce the Unintended Negative Impacts of Existing Criminal Law*

Background: During the past several years, State legislative changes have made fundamental alterations to the fabric of California's criminal justice system. Some changes have been needed, as not all crimes should be punished with jail sentences. These changes included AB 109 as well as Propositions 47 and 57.

Analysis: 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.

Summary: Adoption of this resolution would support the amendment of sections of AB 109 to revise the definition of violent crime and to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates to include their total criminal and mental health history instead of only their last criminal conviction.

Staff Recommendation: Support

*2. Resolution in Support of Legislation Amending the Government Code to Clarify the Definition of Local Control to Provide Broad Statutory Authority for Local Officials to determine Emergency Service Levels and Direct Medical Response Within their Jurisdiction*

Background: In 1980, the State Legislature enacted the Emergency Medical Services (EMS) Act in response to the development of paramedic services and a concern that there was a lack of medical oversight and coordination of emergency medical services. THE EMS Act contains 100 different provisions in nine separate chapters of the California Health and Safety Code. The EMS Act created a two-tiered system that established a State EMS Agency to coordinate state-wide EMS activities and to develop state-wide minimum EMS policies and a local tier (Local EMS Agency) to plan, implement and evaluate and EMS system.

Analysis: 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 jurisdiction.

Summary: Support for the Resolution would support amendments to Government Code Section 38611 to provide broad statutory authority for local officials to determine emergency service levels and direct emergency medical response within their jurisdiction.

Staff Recommendation: Support

## **ATTACHMENT**

- Annual Conference Resolutions Packet

**PREPARED BY:** Tamika Greenwood, City Clerk