



***FINAL REPORT
RESOLUTIONS APPROVED***

2013 Annual Conference



***Sacramento
September 20, 2013***

CITY CLERK'S OFFICE

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FINAL REPORT ON RESOLUTIONS
September 2013

The 2013 League of California Cities Annual conference was held September 18-20, 2013, in Sacramento. On Wednesday, September 18, two League policy committees met and considered the resolutions that were assigned to them.

The General Resolutions Committee met on Thursday, September 19, and considered the two resolutions before them. A chart on pages 2 and 3 of this packet includes a summary of the actions taken on the resolutions by the policy committees and the General Resolutions Committee.

The resolutions contained in this packet are only those that were approved by the General Assembly on September 20. Those resolutions are numbered 1 and 2. Also included in this packet, on page 8, is a status report on the implementation of the resolutions approved at last year's 2012 Annual Conference.

We thank those city officials who served as members of policy committees, the General Resolutions committee and those city officials who participated in the General Assembly.

Additional copies of this report are available on the League's website at:
www.cacities.org/resolutions

KEY TO ACTIONS TAKEN ON RESOLUTIONS

Resolutions have been grouped by policy committees to which they have been assigned.

Number	Key Word Index	Reviewing Body Action		
		1	2	3

- 1 - Policy Committee Recommendation to General Resolutions Committee
- 2 - General Resolutions Committee
- 3 - General Assembly

ENVIRONMENTAL QUALITY POLICY COMMITTEE

		1	2	3
1	Water Bond Funds	Aa	A	A

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
2	Public Safety Realignment	Aa	Aa	A

Information pertaining to the Annual Conference Resolutions will also be posted on each committee's page on the League website: www.cacities.org. The entire Resolutions Packet will be posted at: www.cacities.org/resolutions.

KEY TO ACTIONS TAKEN ON RESOLUTIONS (Continued)

Resolutions have been grouped by policy committees to which they have been assigned.

KEY TO REVIEWING BODIES

1. Policy Committee
2. General Resolutions Committee
3. General Assembly

KEY TO ACTIONS TAKEN

- | | |
|---|---|
| A | Approve |
| D | Disapprove |
| N | No Action |
| R | Refer to appropriate policy committee for study |

ACTION FOOTNOTES

- | | | |
|--|-----|---|
| * Subject matter covered in another resolution | Aa | Approve as amended+ |
| ** Existing League policy | Aaa | Approve with additional amendment(s)+ |
| *** Local authority presently exists | Ra | Refer as amended to appropriate policy committee for study+ |
| | Raa | Additional amendments and refer+ |
| | Da | Amend (for clarity or brevity) and Disapprove+ |
| | Na | Amend (for clarity or brevity) and take No Action+ |
| | W | Withdrawn by Sponsor |

+Note: Petitioned Resolutions may not be amended by the General Resolutions Committee.

Resolutions that are approved by the General Resolutions Committee, as well as all qualified petitioned resolutions, are reported to the General Assembly. In addition, League policy provides the following procedure for resolutions approved by League policy committees but *not* approved by the General Resolutions Committee.

Every resolution initially recommended for approval and adoption by all the League policy committees to which the resolution is assigned, but subsequently recommended for disapproval, referral or no action by the General Resolutions Committee, shall then be placed on a consent agenda for consideration by the General Assembly. The consent agenda shall include a brief description of the basis for the recommendations by both the policy committee(s) and General Resolutions Committee, as well as the recommended action by each. Any voting delegate may make a motion to pull a resolution from the consent agenda in order to request the opportunity to fully debate the resolution. If, upon a majority vote of the General Assembly, the request for debate is approved, the General Assembly shall have the opportunity to debate and subsequently vote on the resolution.

APPROVED 2013 ANNUAL CONFERENCE RESOLUTIONS

1. RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO WORK WITH THE LEAGUE OF CALIFORNIA CITIES IN PROVIDING ADEQUATE FUNDING AND TO PRIORITIZE WATER BONDS TO ASSIST LOCAL GOVERNMENT IN WATER CONSERVATION, GROUND WATER RECHARGE AND REUSE OF STORMWATER AND URBAN RUNOFF PROGRAMS.

Source: Los Angeles County Division

Concurrence of five or more cities/city officials: Cities of Alhambra; Cerritos; Claremont; Glendora; Lakewood; La Mirada; La Verne; Norwalk; Signal Hill; Mary Ann Lutz, Mayor, city of Monrovia.

Referred to: Environmental Quality Policy Committee

WHEREAS, local governments play a critical role in providing water conservation, ground water recharge and reuse of stormwater infrastructure, including capture and reuse of stormwater for their citizens, businesses and institutions; and

WHEREAS, local governments support the goals of the Clean Water Act to ensure safe, clean water supply for all and the U.S. Environmental Protection Agency has encouraged local governments to implement programs to capture, infiltrate and treat stormwater and urban runoff with the use of low impact development ordinances, green street policies and programs to increase the local ground water supply through stormwater capture and infiltration programs; and

WHEREAS, local governments also support the State's water quality objectives, specifically Section 13241 of the Porter-Cologne Water Quality Control Act, on the need to maximize the use of reclaimed and water reuse and the Regional Water Quality Control Boards and the State Water Resources Board encourage rainwater capture efforts; and

WHEREAS, the State's actions working through the water boards, supported by substantial Federal, State and local investments, have led to a dramatic decrease in water pollution from wastewater treatment plants and other so-called "point sources" since 1972. However, the current threats to the State's water quality are far more difficult to solve, even as the demand for clean water increases from a growing population and an economically important agricultural industry; and

WHEREAS, the State's Little Hoover Commission found in 2009 that more than 30,000 stormwater discharges are subject to permits regulating large and small cities, counties, construction sites and industry. The Commission found that a diverse group of water users – the military, small and large businesses, home builders and local governments and more – face enormous costs as they try to control and limit stormwater pollution. The Commission concluded that the costs of stormwater clean up are enormous and that the costs of stormwater pollution are greater, as beach closures impact the State's economy and environmental damage threatens to impair wildlife; and

WHEREAS, at the same time that new programs and projects to improve water quality are currently being required by the U.S. EPA and the State under the National Pollution Discharge Elimination System (NPDES) permits and the Total Daily Maximum Load (TMDL) programs, many local governments find that they lack the basic infrastructure to capture, infiltrate and reuse stormwater and cities are facing difficult economic challenges while Federal and State financial assistance has been reduced due to the impacts of the recession and slow economic recovery; and

WHEREAS, cities have seen their costs with the new NPDES permit requirements double and triple in size in the past year, with additional costs anticipated in future years. Additionally, many local businesses have grown increasingly concerned about the costs of retrofitting their properties to meet stormwater and runoff requirements required under the NPDES permits and TMDL programs; and

WHEREAS, the League of California Cities adopted water polices in March of 2012, recognizing that the development and operation of water supply, flood control and storm water management, among other water functions, is frequently beyond the capacity of local areas to finance and the League found that since most facilities have widespread benefits, it has become the tradition for Federal, State and local governments to share their costs (XIV, Financial Considerations); and the League supports legislation providing funding for stormwater and other water programs; and

WHEREAS, the Governor and the Legislature are currently contemplating projects for a water bond and a portion of the bond could be directed to assist local government in funding and implementing the goals of the Clean Water Act and the State's water objectives of conserving and reusing stormwater in order to improve the supply and reliability of water supply; and

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, that the League calls for the Governor and the Legislature to work with the League and other stakeholders to address the League's adopted water policies, to provide adequate funding for water conservation, ground water recharge, capture and reuse of stormwater and runoff and compliance with the Clean Water Act stormwater requirements and watershed restoration in the water bond and to prioritize future water bonds to assist local governments in funding these programs. The League will work with its member cities to educate federal and state officials to the challenges facing local governments in providing for programs to capture, infiltrate and reuse stormwater and urban runoff.

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2. A RESOLUTION OF THE LEAGUE OF CALIFORNIA CITIES CALLING UPON THE GOVERNOR AND LEGISLATURE TO ENTER INTO DISCUSSION WITH LEAGUE AND CALIFORNIA POLICE CHIEFS' ASSOCIATION REPRESENTATIVES TO IDENTIFY AND ENACT STRATEGIES THAT WILL ENSURE THE SUCCESS OF PUBLIC SAFETY REALIGNMENT FROM A LOCAL MUNICIPAL LAW ENFORCEMENT PERSPECTIVE.

Source: Public Safety Policy Committee

Concurrence of five or more cities/city officials: Cities of Arroyo Grande, Covina; Fontana; Glendora; Monrovia; Ontario; Pismo Beach; and Santa Barbara

Referred to: Public Safety Policy Committee

THE LEAGUE OF CALIFORNIA CITIES DOES HEREBY RESOLVE AS FOLLOWS:

WHEREAS, in October 2011 the Governor proposed the realignment of public safety responsibilities from state prisons to local government as a way to address recent court orders in response to litigation related to state prison overcrowding, and to reduce state expenditures; and

WHEREAS, the Governor stated that realignment needed to be fully funded with a constitutionally protected source of funds if it were to succeed; and

WHEREAS, the Legislature enacted the realignment measures, AB 109 and AB 117, and the Governor signed them into law without full constitutionally protected funding and liability protection for stakeholders; and

WHEREAS, California currently has insufficient jail space, probation officers, housing and job placement programs, medical and mental health facilities, lacks a uniform definition of recidivism; and utilizes inappropriate convictions used to determine inmate eligibility for participation in the realignment program; and

WHEREAS, since the implementation of realignment there have been numerous issues identified that have not been properly addressed that significantly impact municipal police departments' efforts to successfully implement realignment; and

WHEREAS, ultimately many of these probationers who have severe mental illness are released into communities where they continue to commit crimes that impact the safety of community members and drain the resources of probation departments and police departments throughout the state; and

WHEREAS, an estimated 30 counties were operating under court-ordered or self-imposed population caps before realignment, and the current lack of bed space in county jails has since led to many convicted probationers being released early after serving a fraction of their time; with inadequate to no subsequent supervision, leaving them free to engage in further criminal offenses in our local cities; and

WHEREAS, there is increasing knowledge among the offender population which offenses will and will not result in a sentence to state prison, and many offenders, if held in custody pending trial, that would be sentenced to county jail are ultimately sentenced to time served due to overcrowding in county facilities; and

WHEREAS, there are inadequate data bases allowing local police departments to share critical offender information among themselves, with county probation departments, and with other county and state law enforcement entities; and

WHEREAS, local police departments have not received adequate funding to properly address this new population of offenders who are victimizing California communities; and

NOW, THEREFORE, BE IT RESOLVED by the General Assembly of the League of California Cities, assembled in Sacramento on September 20, 2013, to request the Governor and State Legislature to immediately enter into discussions with League representatives and the California Police Chiefs' Association to address the following issues:

1. The need to fully fund municipal police departments, including those under contract with a county sheriff's department, with constitutionally protected funding to appropriately address realignment issues facing front line law enforcement. This funding would not diminish current revenue streams flowing to counties for this purpose, and would augment the ability of local law enforcement in general to monitor offenders. Since county realignment funding would not be affected, contract cities who have law enforcement services provided to them by county agencies would not suffer any reduction in service;
2. Amend appropriate sections of AB 109 to change the criteria justifying the release of non-violent, non-serious, non-sex offender inmates (N3) inmates to include their total criminal and mental health history instead of only their last criminal conviction;
3. Establish a uniform definition of recidivism with the input of all criminal justice stakeholders throughout the state;
4. Enact legislation that will provide local law enforcement the option for city police officers assigned to make compliance checks on AB 109 offenders to independently authorize flash incarceration for offenders on post-release community supervision. Flash incarceration shall be for up to 96 hours in Type I municipal jails, as specified by AB 986 (Bradford), or for up to 10 days in Type II county jails.
5. Establish oversight procedures to encourage transparency and accountability over the use of realignment funding;
6. Implement the recommendations identified in the California Little Hoover Commission Report #216 dated May 30, 2013;
7. Provide for greater representation of city officials on the local Community Corrections Partnerships. Currently AB 117 provides for only one city official (a police chief) on the 7-member body, 6 of which are aligned with the county in which the partnership has been established. As a result, the counties dominate the committees and the subsequent distribution of realignment funds.
8. Provide, either administratively or by legislation, an effective statewide data sharing mechanism allowing state and local law enforcement agencies to rapidly and efficiently share offender information to assist in tracking and monitoring the activities of AB 109 and other offenders.

APPROVED 2012 ANNUAL CONFERENCE RESOLUTIONS IMPLEMENTATION REPORT

No.	Title	Required Action	Status
1.	Call upon the Governor and Legislature to Enact Legislation that Would Correct Inefficiencies in the Audit System, Distribution System, and Inequities in the formulas for Distributing Court Ordered Arrest and Citation Fines, Fees and Assessments Generated by Local Government	<p>The League will call upon the State Legislature and Governor to:</p> <ol style="list-style-type: none"> 1. Create an efficient system to provide cities with clear authority to audit the distribution of fines, fees, assessments and administrative costs for criminal and traffic violations; 2. Enact Legislation that changes the "Priority Distribution" mandate so cities receive the total cost of issuing, processing and testifying in court on criminal cases and traffic violations; and 3. Equally distribute from the total fine imposed, not just from the city base fine, any reduction in fines, fees, assessments or costs. 	<p>The League has initiated a dialogue with the Judicial Council on the issue of inconsistent application of fines and fees, and discrepancies in regard to waivers and reductions of fines associated with traffic citations by trial courts.</p> <p>The Judicial Council has asserted that its Administrative Office of the Courts has provided regional training regarding its Uniform Bail and Penalty Schedule earlier this year. Further discussions are pending (October 2013) to pinpoint whether the policy on waiving or reducing fines without waiving penalties has been misunderstood by locals.</p>
2.	Raising Public Awareness and Supporting Tougher Laws Related to Internet Crimes Against Children	<p>The League will:</p> <ol style="list-style-type: none"> 1. Desire to increase public awareness and educate others about the critical issue of internet crimes against children statewide; 2. Advocate for the State Legislature to adopt tougher laws for child pornographers that use the internet or online tools in the commission of their crime; and 3. Advocate for additional and more permanent funding for Internet Crimes Against Children Task forces (ICAC) statewide. 	<p>The League provided research, helped draft language and then supported related legislation [AB 20 (Waldron), Chapter 143, Statutes of 2013] that arose from this League-sponsored resolution. AB 20 creates an additional fine of up to \$2,000 to be levied against offenders convicted of committing specified child pornography offenses involving the use of a government-owned computer or computer network to view prohibited obscene material.</p>
5.	Calling for the Promotion of Disaster Resilient California Cities	<p>The League will encourage cities to:</p> <ol style="list-style-type: none"> 1. Develop and implement employee and resident emergency preparedness plans; and 2. Promote emergency family plans that emphasize self-reliance for food and water supplies. 	<p>The League supported related federal legislation, H.R. 1859 by Representative Schiff, the Disaster Declaration Improvement Act, which sought to alter the dollar-per-capita criteria in assessing disaster-related damages and qualifying for disaster relief. This criteria disadvantages heavily populated states such as California.</p>