



***FINAL REPORT
RESOLUTION APPROVED***

2014 Annual Conference



***Los Angeles
September 5, 2014***

FINAL REPORT ON RESOLUTION
September 2014

The 2014 League of California Cities Annual Conference was held September 3 - 5, 2014, in Los Angeles. On Wednesday, September 3, two League policy committees met and considered the resolution assigned to them.

The General Resolutions Committee met on Thursday, September 4, and considered the one resolution before them. A chart on pages 2 and 3 of this packet includes a summary of the actions taken on the resolution by the policy committees and the General Resolutions Committee.

The resolution contained in this packet was approved by the General Assembly on September 5. Also included in this packet, on page 6, is a status report on the implementation of the resolutions approved at last year's 2013 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	Illegal Marijuana Grow Sites	Aa	Aa	A

PUBLIC SAFETY POLICY COMMITTEE

		1	2	3
1	Illegal Marijuana Grow Sites	A	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 |
| a | Amend+ |
| Aa | Approve as amended+ |
| Aaa | Approve with additional amendment(s)+ |
| 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 |

ACTION FOOTNOTES

- * Subject matter covered in another resolution
- ** Existing League policy
- *** Local authority presently exists

+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.

RESOLUTION REFERRED TO ENVIRONMENTAL QUALITY AND PUBLIC SAFETY POLICY COMMITTEES

- 1. A RESOLUTION CALLING UPON THE GOVERNOR AND THE LEGISLATURE TO CONVENE A SUMMIT TO ADDRESS THE DEVASTATING ENVIRONMENTAL IMPACTS OF ILLEGAL MARIJUANA GROWS ON BOTH PRIVATE AND PUBLIC LANDS THROUGHOUT CALIFORNIA AND THE INCREASING PROBLEMS TO PUBLIC SAFETY RELATED TO THESE ACTIVITIES BY WORKING IN PARTNERSHIP WITH THE LEAGUE OF CALIFORNIA CITIES TO DEVELOP RESPONSIVE SOLUTIONS AND TO SECURE ADEQUATE FUNDING FOR COST-EFFECTIVE IMPLEMENTATION STRATEGIES.**

Source: Redwood Empire Division

Concurrence of five or more cities/city officials: Cities of Arcata; Blue Lake; Clearlake; Cloverdale; Crescent City; Eureka; Fort Bragg; Healdsburg; Lakeport; Trinidad; and Ukiah

Referred to: Environmental Quality and Public Safety Policy Committees

WHEREAS, public concerns in response to widespread damage to fish and wildlife resources and degradation to California's environment, and threats to public safety resulting from illegal marijuana cultivation statewide requires urgent action by the Governor and the Legislature, and

WHEREAS, local governments and the public support the State's primary objectives in complying with environmental laws including the Clean Water Act, Porter-Cologne Water Quality Control Act, and Endangered Species Act and are supported by substantial public investments at all levels of government to maintain a healthy and sustainable environment for future citizens of California, and

WHEREAS, illegal marijuana cultivation activities include habitat destruction and fragmentation, poaching wildlife, illegal water diversions, unregulated use of fertilizers, pesticides, insecticides, rodenticides, soil amendments contaminating land and waters without regard for the cumulative impacts to the environment or public health, and

WHEREAS, changing global climate conditions are posing escalated threats in California to health, well-being, nature and property; as evidenced by critical water shortages across the state due to prolonged drought conditions, and

WHEREAS, illegal water diversion for the purpose of cultivating marijuana plantations poses a direct threat to California's endangered and threatened anadromous fish species, including coho salmon, Chinook salmon, steelhead trout and other aquatic species, especially at critical life phases during seasonally low flow conditions; and

WHEREAS, California is a leader in the global effort to fight climate change and is pursuing a broad, integrated strategy to reduce greenhouse gas emissions and conserve energy, yet in a recent Lawrence Livermore Lab study estimated that upwards of 10% of electricity usage statewide can be attributed to indoor marijuana cultivation; these sites are often the causation of fires and home invasion incidents due to criminal activity, and

WHEREAS, the presence of illegal marijuana growing sites on State and federal public lands is creating unsafe conditions for visitors; these lands are taxpayer supported and intended to be managed for recreation, resource conservation and the enjoyment by the public, and

WHEREAS, increasing violence and threats to public safety related to illegal marijuana grows is contributing to a sense of lawlessness and impacting nearby communities where criminal activities are expanding, and

WHEREAS, the issue of illegal marijuana grows has reached a crisis level across the state as evidenced by the murder of former League Board member, Fort Bragg Councilmember and veteran forester Jere Melo who was fatally shot down while investigating a report of a marijuana grow on private timberlands in northern California.

RESOLVED, at the League General Assembly, assembled at the League Annual Conference on September 5, 2014 in Los Angeles, that the League calls for the Governor and the Legislature to work with the League, law enforcement agencies and organizations, and other stakeholders to convene a summit to address the devastating environmental impacts of illegal marijuana grows on both private and public lands and the increasing problems to public safety related to these activities.

FURTHER RESOLVED, that the League will work with its member cities to educate State and federal officials regarding emerging concerns from their communities and citizenry and to the challenges facing local governments. Therefore, we request the Governor and the Legislature to work with the League to provide responsive solutions with adequate funding support and effective State and federal government leadership to address widespread environmental damage and associated threats to public safety impacting every region in the State of California.

APPROVED 2013 ANNUAL CONFERENCE RESOLUTIONS IMPLEMENTATION REPORT

No.	Title	Required Action	Status
1.	<p>Call upon the Governor and 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</p>	<p>The League will:</p> <ol style="list-style-type: none"> 1. Call upon the Governor and the Legislature to work with the League and other stakeholders to address the League’s adopted water policies and 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. 2. 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. 	<ol style="list-style-type: none"> 1. The League met with numerous Legislators and their staff to discuss the Resolution and the League’s water bond funding priorities. The League also met with numerous Legislators and their staff to help secure water bond funding that would benefit all California cities. 2. The League formed a Water Bond Task Force to better engage its membership in identifying water bond funding priorities. The League has and continues to work with its member cities to educate federal and state officials to the many challenges facing local governments with regards to stormwater and urban runoff management.
2.	<p>Call upon the Governor and Legislature to Enter Into Discussion with the League of California Cities 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</p>	<p>The League will:</p> <ol style="list-style-type: none"> 1. Desire to increase public awareness and 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 	<ol style="list-style-type: none"> 1. The League supported and helped secure, via advocacy with the Department of Finance and coordination with the California Police Chiefs Association, an augmentation in the Governor’s 2014-15 Budget of \$12.5 million for front-line public safety funding for municipal police departments, for a total allocation of \$40 million. 2. Discussions with the public safety policy staff within the Legislature made it clear that such a change in law would frustrate the Governor’s efforts to shrink the existing prison inmate population to 137.5% of prison design capacity, because its likely effect would be to reduce the universe of AB 109 offenders who are eligible for post-release community supervision (PRCS). <ul style="list-style-type: none"> • The Administration and Attorney General jointly responded with Smart Justice, a web-based data sharing platform allowing state, county, and local law enforcement entities to effectively transmit and share offender information, including AB 109 offender information, in real time – assisting the efforts of local police to pro-actively monitor these offenders. 3. In the Fall of 2014, League staff contacted the California Department of Corrections and Rehabilitation (CDCR) and the California Police Chiefs Association on this issue, and learned that legislation enacted within days of the League’s 2013 Annual Conference, AB 1050 (Dickinson, 2013), Chapter 270, Statutes of 2013, directed the Board of State and Community Corrections (BSCC) to update the official state definition of recidivism. BSCC coordinated with the California Department of Justice, CDCR, and

		<p>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.</p> <p>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.</p>	<p>other entities. In the Spring of 2014, League staff were contacted by the Attorney General's office for the purpose of soliciting input into the factors that should be considered in crafting a new recidivism definition. In response, League staff provided detailed input.</p> <p>On September 25, 2014, the BSCC released the following revised definition of adult recidivism:</p> <p>"Recidivism is defined as conviction of a new felony or misdemeanor committed within three years of release from custody or committed within three years of placement on supervision for a previous criminal conviction." (In this context, "committed" refers to the date of the offense, not the date of the conviction.)</p> <p>4. The League supported AB 986 (Bradford), which authorized the use of specified city jails for flash incarceration for limited periods. Research into this issue revealed that a legislative proposal to provide local law enforcement with the authorization to independently authorize flash incarceration would not survive the Public Safety Committee in either house of the Legislature. In addition, such a proposal could have triggered a jurisdictional dispute with the California Probation Officers Association, who currently have sole discretion over flash incarceration decisions.</p> <p>5. The League continues to advocate for the desired changes in this area.</p> <p>6. One of the chief hurdles is the cost associated with implementing some of the Hoover Commission recommendations at a time when the Governor is emphasizing the need to contain the state's costs overall, and specifically to limit corrections costs to the degree possible. In addition, a chief recommendation of Little Hoover Commission Report #216 was to explore the possibility of sentencing reform, which the report asserted was critical to the success of the state's public safety realignment policy. The last major piece of legislation that attempted to enact sentencing reform was SB 110 (Romero, 2007), which failed passage on the floor of the State Assembly on a vote of 34 – 38 (September 7, 2007). Today, sentencing reform remains controversial, as evidenced by the growing opposition to Proposition 47, the Safe Neighborhoods and Schools Act which will be on the statewide ballot this November.</p> <p>7. The League continues to advocate for this change in representation.</p>
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