PUBLIC SAFETY POLICY COMMITTEE
Thursday, January 17, 2019
11:00 a.m. – 3:00 p.m.
Sacramento Convention Center, Room 202, 1400 J Street, Sacramento

Individuals who wish to review the full text of bills included in this packet are encouraged to do so by visiting the League’s website at www.cacities.org and clicking on “Bill Search” found at the left column. Be sure to review the most recent version of the bill.

SPECIAL ORDER: State Budget and Issues Briefing for all policy committee members
10:00 – 10:45 a.m., Room 204, Sacramento Convention Center
Upon adjournment, individual policy committee meetings will begin

AGENDA

I. Welcome and Introductions

II. Public Comment

III. Overview of Parliamentary Procedure and Roberts Rules (Attachment A) Informational

IV. Committee Orientation (Attachment B) Informational

V. Review of Existing Policy & Guiding Principles (Attachment C) Informational

VI. League Strategic Goals for 2019 (Attachment D) Informational

VII. Policy Agenda Informational
Speakers: Magnus Lofstrom, Policy Director & Senior Fellow, Public Policy Institute of California -- New Insights into California Arrests: Trends, Disparities and County Differences (Attachment E)
Derek Dolfie, Legislative Policy Analyst, League of California Cities – Update on Drones and work performed by the League Drone Task Force
- League Drone Policy (Attachment F)
- Western City Magazine Article on Drones (Attachment G)

VIII. Adoption of 2019 Work Program (Attachment H) Action

IX. Legislative Update Informational
Speaker: Charles Harvey, Legislative Representative, League of California Cities

Next Meeting: Thursday, March 28, Hilton Orange County/Costa Mesa, 3050 Bristol Street, Costa Mesa, California

NOTE: Policy committee members should be aware that lunch is usually served at these meetings. The state’s Fair Political Practices Commission takes the position that the value of the lunch should be reported on city officials’ statement of economic interests form. Because of the service you provide at these meetings, the League takes the position that the value of the lunch should be reported as income (in return for your service to the committee) as opposed to a gift (note that this is not income for state or federal income tax purposes—just Political Reform Act reporting purposes). If you would prefer not to have to report the value of the lunches as income, we will let you know the amount so you may reimburse the League.

Brown Act Reminder: The League of California Cities’ Board of Directors has a policy of complying with the spirit of open meeting laws. Generally, off-agenda items may be taken up only if:
1. Two-thirds of the policy committee members find a need for immediate action exists and the need to take action came to the attention of the policy committee after the agenda was prepared (Note: If fewer than two-thirds of policy committee members are present, taking up an off-agenda item requires a unanimous vote); or
2. A majority of the policy committee finds an emergency (for example: work stoppage or disaster) exists.
A majority of the city council may not, consistent with the Brown Act, discuss specific substantive issues among themselves at League meetings. Any such discussion is subject to the Brown Act and must occur in a meeting that complies with its requirements.

Informational Items: Any agenda item listed for information purposes may be acted upon by the Policy Committee if the Chair determines such action is warranted and conforms with current League policy. If the committee wishes to revise League policy or adopt new policy for an item listed as informational, committees are encouraged to delay action until the next meeting to allow for preparation of a full analysis of the item.
Parliamentary Procedure Basics Relating to League Policy Committees
(adapted from Robert’s Rules of Order Newly Revised)

Note: This document is designed to provide practical examples of common procedural matters encountered by League policy committees. It strives to provide guidance to foster productive and efficient meetings; it is not meant to be an exhaustive or comprehensive discussion of Robert's Rules. As always, it is the role and discretion of the chair to provide helpful guidance to individuals that may digress from the appropriate form and substance related to the conduct of meetings and the presentation of motions and other procedural matters set forth below.

I. COMMON MOTIONS

1. Main Motions
   Purpose: To introduce items to the committee for their consideration.
   Example: "I move the staff recommendation to support AB 123."

2. Motion to Amend
   Purpose: Retains the main motion under discussion, but changes it in some way.
   Example: "I move to amend the (presented main) motion to support AB 123 if amended."

"Friendly" Amendments
   Purpose: To offer an amendment to the main motion that is still supportive of the main motion.
   Example: If there is currently a motion to support AB 123 on the floor and a committee member makes a "friendly" amendment to support AB 123 and also request that staff report back after contacting the sponsor for clarification on specific language.

Note: This is commonly mishandled procedurally. Often the individual that seeks to offer the "friendly" amendment will inquire if the maker of the original motion will "accept" the amendment, and if so the chair will treat the motion as amended. This is not the proper way to handle such an amendment. It is not the discretion of the mover of the original motion (or the chair) to accept or decline the amendment, rather it must be adopted by the committee.

However, if it appears to the chair that an amendment (or any other motion) is uncontroversial, it is proper for the chair to ask if there is "any objection" to adopting the amendment. If no objection is made, the chair may declare the amendment adopted. If even one member objects, however, the amendment is subject to debate and vote like...
any other, regardless of whether its proposer calls it "friendly" and regardless of whether the maker of the original motion endorses its adoption.

3. **Substitute Motion**  
*Purpose:* Removes the motion under discussion and replaces it with a new motion.

*Example:* When there is a main motion on the floor to support a bill, a substitute motion would be, “I move a substitute motion that the committee oppose AB 123.”

**Addressing Multiple Motions**  
The following examples provide guidance relating to how multiple motions are handled, and the impact failed substitute motions have on original (main motions) and any proposed amendments. The last motion presented should be considered first.

*Note:* Substitute motions commonly occur during policy committee meetings, yet Robert's Rules does not make a distinction between motions to amend and substitute motions. However, motions to amend must be considered prior to a main motion. Because the use of "substitute" motions is fairly widespread, the label as it is reflected in practice is used in the examples below. Rosenberg's Rules of Order do reference substitute motions and their impact is also reflected below.

**Example 1**  
Committee Member 1: "I move that we support AB 123."  
Committee Member 2: "I move that we support AB 123, if amended."  
Committee Member 3: "I move a substitute motion that we oppose AB 123."

**Characterizing the Motions:**  
In the above example:  
Committee Member 1 has made a (main) motion.  
Committee Member 2 has made an amendment to Committee Member 1's motion.  
Committee Member 3 has made a substitute motion to Committee Member 1's motion.

**Order for Consideration and the Possible Outcomes**  
Committee Member 3’s motion is considered first. If Committee Member 3's motion fails, Committee Member 2's motion will be considered next. If Committee Member 2's motion fails, Committee Member 1's motion will be considered. If Committee Member 2's motion passes, there is no need to consider Committee Member 1's motion.

If Committee Member 3’s motion passes, there is no need to consider Committee Member 1’s motions because Committee Member 3’s motion replaces Committee Member 1’s original motion. There is also no need to consider Committee Member 2's motion since it is an amendment to Committee Member 1's motion that has been replaced by Committee Member 3's substitute motion.

---

2 Additional information relating to Rosenberg's Rules of Order is available at:  
Example 2
Committee Member 1: "I move that we support AB 123."
Committee Member 2: "I move a substitute motion that we oppose AB 123."
Committee Member 3: "I move that we oppose AB 123 unless amended."

Characterizing the Motions
In the above example:
Committee Member 1 has made a (main) motion.
Committee Member 2 has made a substitute motion to Committee Member 1’s motion
Committee Member 3 has made an amendment to Committee Member 2's substitute motion (sometimes referred to as a substitute to a substitute motion).

Reviewing the Possible Outcomes
Committee Member 3’s motion should be considered first. If the motion fails, Committee Member 2’s motion is considered.
If Committee Member 2’s motion passes, it is not necessary to consider Committee Member 1’s motion because Committee Member 2's motion substitutes for it.

If Committee Member 3’s motion fails, Committee Member 2's motion is considered. If Committee Member 2's motion fails, the substitute motion for Committee Member 1’s motion fails, and Committee Member 1's motion is considered.

If Committee Member 3’s motion passes, it is not necessary to consider Committee Member 1’s motion because Committee Member 3's motion substitutes for it.

Example 3
Committee Member 1: "I move that we support AB 123."
Committee Member 2: "I move a substitute motion that we oppose AB 123."
Committee Member 3: "I move a substitute to the substitute motion that we take no position on AB 123."

Characterizing the Motions
In the above example:
Committee Member 1 has made a (main) motion.
Committee Member 2 has made a substitute motion to Committee Member 1’s motion
Committee Member 3 has attempted to make a substitute to Committee Member 2's substitute motion (sometimes referred to as a substitute to a substitute motion).

Reviewing the Possible Outcomes
While procedurally permissible, in an effort to avoid confusion Committee Member 3’s motion should not be entertained by the chair until Committee Member 1 and Committee Member 2's motions have been discussed and voted upon.

Committee Member 2's motion should be considered first. If the motion fails Committee Member 1’s motion is considered. If Committee Member 1's motion fails, then Committee Member 3’s may make the motion to "take no position on AB 123."

If Committee Member 2's motion passes, it is not necessary to consider Committee Member 1’s motion because Committee Member 2's motion substitutes for it.
4. **Motion to Withdraw**  
*Purpose:* To withdraw an item from discussion.

*Making the Motion to Reconsider:* Only the individual that made the initial motion can make a motion to withdraw an item from discussion. The individual may interrupt a speaker (after being recognized by the chair) to withdraw the motion under discussion at any time.

*Note:* This type of motion typically occurs following some debate by the committee that may provide additional information that influences the mover to reconsider continued debate on the original motion presented. Another member may subsequently make the same motion after it has been properly withdrawn.

*Example:* “Madame Chair, I move to withdraw my motion to support AB 123.”

5. **Motion to Reconsider**  
*Purpose:* To revisit discussion of an issue.

*Making the Motion to Reconsider:* A motion to reconsider must be made by an individual that previously voted in the majority of the original motion. A motion to reconsider made by an individual that previously voted in the minority must be characterized as out of order.

*Timing:* A motion to reconsider must be made at the same meeting where the original motion was discussed, or the next meeting of the body. Motions for reconsideration following the next meeting are out of order.

*Example:* “I move to reconsider the committee’s position to support AB 123.”

6. **Motion to Table**  
*Purpose:* This motion is often used in the attempt to "kill" a motion by setting it aside. The option is always present, however, to "take from the table," for reconsideration by the committee.

*Note:* This type of motion should be reserved to temporarily set an item aside if agreed upon by a majority of the committee to take up an item of immediate urgency. However, in practice it is sometimes used as an option to end debate and prevent a vote, and not typically to take up an item of immediate urgency. This is technically improper procedure (or out of order) under Robert's Rules.

*Example:* “I move that the committee table the motion to support AB 123.”

7. **Call for the Question**  
*Purpose:* To refocus the committee on the agenda in the event there is sentiment that the discussion has drifted. The individual seeking to end debate must first be recognized by the Chair, make the motion and the motion must receive a second. The motion must be adopted by a 2/3 vote or unanimous consent.

*Example:* “I move the previous question.”
Note: The above procedure is consistent with Roberts Rules, however, in practice when an individual calls for the question a vote is not usually taken. The motion simply serves as an indicator to the chair that the debate may have drifted from the agenda, and the chair should remind the committee to return to the agenda. If there is a sense that the current discussion is productive the chair may elect to ask for a vote relating to the motion to call for the question, or the chair may propose continued discussion for some short period to allow individuals that wish to speak the opportunity.

8. **Motion to Appeal**  
   *Purpose:* To appeal a ruling made by the chair. A committee member may move to appeal a ruling by the Chair, but it must be seconded and receive a majority vote to be reversed.

   *Example:* "I move to appeal the Chair’s ruling that the committee approved support of AB 123."

9. **Adding an Item to the Agenda for Consideration**  
   *Purpose:* To have the committee discuss an item that is not on the prepared agenda before them. Because the League is committed to complying with the legal requirements and spirit of the Brown Act additional agenda items may be considered only if they fall within any of the below exceptions:

   - An item may be added to the agenda by circulation to the committee members and posting on the League website at least 72 hours prior to the meeting.
   - An item may be placed on the agenda at the meeting if the majority decides that it is an “emergency situation.” An emergency situation includes work stoppage, crippling disaster, or any other activity that impairs public health safety or both.
   - Two-thirds of the committee members present (or all of the members if less than two-thirds are present) must determine that there is a need for immediate action, and the need to take action arose subsequent to the circulation of the agenda.

   If an item does not fall within one of these exceptions it may not be discussed and acted upon, but may be added to a subsequent agenda.

   *Note:* This procedure is typically used when there is a supplemental agenda that is distributed at the meeting that was not mailed to the committee prior to the meeting.

**II. OTHER ITEMS**

1. **Point of Privilege**  
   *Purpose:* To draw attention to an item that interferes with the comfort of the meeting.

   *Example:*
   
   Committee Member: “Point of privilege.”
   Chair: “State your point.”
   Committee Member: “Madame Chair, may we inform the hotel staff that the room is uncomfortably hot and request that the air conditioning be adjusted.”
2. **Point of Order**  
*Purpose:* To draw attention to inappropriate conduct at the meeting.

*Example:*  
Committee Member:  “Point of order.”  
Chair: “State your point.”  
Committee Member: “Madame Chair, the motion was approved without opportunity for debate.”

3. **Public Comment**  
In the spirit of the Brown Act an opportunity for public comment is included on all agendas. The chair should exercise discretion in determining the appropriateness and extent of public comment during committee meetings setting reasonable limits as needed.

### III. HOW TO PRESENT A MOTION

1. Obtain the floor by raising your hand and wait to be recognized by the chair.
2. Make your motion.  
   a. Speak clearly and concisely.
   b. Always state a motion affirmatively. For example, "I move the staff recommendation that we support AB 123..." rather than, "I move that we do not take a position ...".
   c. Avoid comments unrelated to the subject of the motion.
   d. Avoid making any arguments supporting your motion at this time, simply state the motion.
3. Wait for someone to second your motion.
4. Another member will second your motion or the chair will call for a second.
5. If there is no second to your motion it is lost and no vote will be taken by the committee.
6. If there is a second to your motion the chair should re-state the motion, or ask League staff to re-state the motion.  
   a. The chair will say, "it has been moved and seconded that we ..." This places the motion before the committee for consideration and action.
   b. The committee then either debates the motion or may move directly to a vote.
   c. Once a motion is presented to the committee by the chair it becomes "committee property," and cannot be changed by the maker of the motion without the consent of the committee.
7. At this point the individual making the initial motion (the mover) may elect to expand on the motion. For example, this would be the appropriate time for the mover to present an argument in support of the motion.
8. The chair should always recognize the mover first.  
   a. All comments and debate must be directed to the chair.
   b. Keep to the time limit (if any) for speaking that has been established.
   c. The mover may speak again only after other speakers are finished, unless called upon by the chair.
9. Putting the Question to the Committee  
   a. The chair asks, "Are you ready to vote on the question?"
   b. If there is no more discussion, a vote is taken on the motion.
   c. If the motion passes, the committee moves on to the next item on the agenda.
d. If the motion fails, and no other motion is on the floor, then a new motion is in order.

Note: If a motion to support AB 123 fails, this does not mean that there is opposition to AB 123 by default. A separate motion to oppose AB 123 or some other formal motion must be made and voted on by the committee.

IV. VOTING ON A MOTION

1. Voting is Conducted by Voice
The chair asks those in favor to say, "aye," those opposed to say "no." If the outcome is unclear by voice, a hand vote may be taken. Any member may move for an exact count. Following the vote, the chair should announce the outcome.

Example:
Chair: There is a motion and a second to support AB 123. All those in favor say, "aye." All those opposed say, "no." If the outcome by voice is clearly in support the chair would announce that, "The motion to support AB 123 passes." If the outcome results in opposition to the motion, the chair would announce that, "The motion to support AB 123 fails." If the outcome is unclear the chair, or another member may ask for a hand count.

V. QUORUM

1. Presumption of a Quorum
The presence of a quorum is presumed unless the issue is raised.

Note: It is not necessary, and is disfavored for the chair to routinely begin a meeting inquiring about the presence of a quorum.

2. Calculating the Presence of a Quorum
If the issue of whether a quorum is present is raised, a quorum consists of a majority of all appointed, voting members of a policy committee. A majority simply means more than half, not fifty percent plus one.

3. Votes Taken Prior to the Question of Whether a Quorum is Present Are Valid
If a vote(s) is taken prior to the question of whether a quorum was present is asked, and it is later determined that a quorum was not present when the vote(s) was taken, the action taken is still valid.

4. Votes Taken in the Absence of a Quorum are Advisory
A vote may be taken on matters even if a quorum is not present, but all votes taken by that body will be advisory to the League Board or the General Resolutions Committee, and the Board or the General Resolutions Committee must be advised that a quorum of the body was not present. The vote count should also be noted and communicated.
COMMITTEE ORIENTATION

Policy Committee Subject Matter
The League has seven (7) policy committees, each with its own subject matter jurisdiction. You may refer to the “Summary of Existing Policy and Guiding Principles” booklet (Summary) to find the subject matter for each committee. This document is updated every two years. Policy in the Summary is used to determine League legislative and regulatory positions. The Summary, in its entirety, is located on the League’s Web site at www.cacities.org/summaryofexistingpolicies Individual sections are located on each policy committee’s Web page, which are available at www.cacities.org/polcomm.

Policy Committee Legislative Agenda Items
League policy committees review bills or regulatory proposals on issues for which the League does not have existing policy, or for which staff members feel a policy discussion needs to occur for greater clarity or background on an issue. Staff will lobby legislation, funding proposals, or regulatory changes where existing policy provides clear direction.

Role and Responsibility of Committee Members
The strength of the League’s policy process and ability to effectively engage in the legislative process is based on the active involvement of and the expertise of city officials. We rely on your technical and policy knowledge, thoughtfulness, strategic thinking, and political savvy. Your role is to engage in thoughtful discussions at the meeting. Members should review the agenda and background material prior to the meetings, attend each meeting, and stay for the entire duration of the meeting.

Committee Recommendations on Positions on Bills
The committee’s actions or positions are a recommendation to the League Board of Directors for a formal League position. Possible committee recommendations can be:

- Support
- Oppose
- Support-if-amended (as appropriate, specific amendments may be requested)
- Oppose-unless-amended (as appropriate, specific amendments may be requested)
- No position
- Neutral

There are nuanced differences between some of these positions. For example, “support-if-amended” sends a very different message than “oppose-unless-amended.” Both positions might seek the same change but the support-if-amended position means that the League would be listed with the “supporters”
of the bill in most legislative analysis. In addition, “no position” and “neutral” have different meanings and require different actions from staff. Selection of one or the other depends in part upon what type of message or political posture the League needs to take. Staff will advise the committee about the implications of each on a case-by-case basis.

**Approval by League Board Needed for All Committee Recommendations**

All committee actions are recommendations to the League Board, which has the final say on all positions. Under no circumstances are individual committee members nor the committee itself authorized to speak on behalf of the League. When a committee action is supported by a large majority (e.g., 32 to 3), the recommendation is placed on the Board’s consent calendar. When the committee vote is split (e.g., 15-13), the item will be presented as an action item for the Board’s discussion. Staff will also provide information about the reasons behind the committee’s recommendation to the Board.

Most of the time, the Board adopts the recommendation of the policy committee. When the Board adopts a different position, staff will notify the committee members of the reason for the different position. This likely will be done in the next regular communication with the committee.

Some issues cut across more than one committee. When this occurs, staff will coordinate and bring a bill to more than one committee for review and recommendation. The recommendations are then forwarded to the League Board and if there is a different recommendation, the League Board resolves the difference.

**Role of the Committee Chair**

The chair’s role is to balance the often competing needs of the membership to have a full and thoughtful discussion on the issues within the very real time constraint. The chair will often limit debate – either in the number of speakers or the amount of time each speaker has – in order to ensure that we can move ahead on our agenda and cover the items included. We ask that when you make comments on issues before the committee that you be brief and concise and that you not repeat what has already been stated. Also, if you have already spoken on an issue, the chair may ask you to hold your comments until after new speakers are able to share their comments.

**Committee Schedule and Process**

Committees generally meet three times a year (January and June in Sacramento, April in Southern California), plus an abbreviated meeting at the Annual Conference (September or October) to review resolutions if any are assigned to it. Meetings begin at 10:00 a.m. and conclude by 3:00 p.m., although some subcommittees may meet at 9:00 a.m. Please plan to be present for the full duration of the committee meetings.

**Agendas/Disseminating Information**

Agenda packets will only be sent via email and posted online. If you prefer a hard copy of the agendas and highlights, please contact Meg Desmond by email: mdesmond@cacities.org or phone: 916-658-8224) Highlights that summarize committee actions are prepared by staff and provided to committee members about two to three weeks after the meetings. All materials are also available on the League’s Website: www.cacities.org/polcomm.

We encourage you to visit the League’s Web site: www.cacities.org. In addition to containing committee materials, the Website contains information on the League’s priorities and a link to track individual bills and the League’s position on them. You should also subscribe to the League’s electronic newsletter CA Cities Advocate.
For meetings that are heavy in legislative review (generally in April and June), staff will try to find a balance between getting the agenda packet out early and the need to delay finalizing the agenda packet in order to include as many legislative items as possible and in their most current version. At some meetings, staff may use a supplemental agenda for last minute legislative issues. We will use e-mail as appropriate to send out late-breaking information or to gather committee input throughout the year. It is important that we have your preferred e-mail.

**How to Get an Item on the Agenda**

Because staff prepares background material in advance of the meeting, and prepares the agenda in consultation with the Chair and Vice Chair, it is difficult to add items at the last minute. In addition, the League tries to comply with the spirit of the Brown Act in its meetings. If you wish to have the committee discuss an item, you should contact staff well in advance of the meeting in order to determine the feasibility of including it on the agenda, and if so, allow staff time to prepare the appropriate background material. Because of time constraints and a full work program before the committee, it may not always be possible to respond to such requests.

**Issues Should Have Statewide Impact**

Although some of you may represent your division, your department, your affiliate organization, or simply yourself, we should all keep in mind that the League must address issues of statewide impact and interest. Thus, while an issue or bill may be of interest to your city or region, if it does not have broader, statewide implications, the League likely will not engage in that policy discussion or take a position. You should keep this in mind if you wish to suggest an item for discussion.

**Brown Act and Roberts Rules of Order**

The League tries to comply with the spirit of the Brown Act. Thus, when the committee discusses items not already on the agenda (e.g., supplemental legislative agenda), the Chair will ask for a vote of approval to add that item to the agenda. The League also follows Roberts Rules of Order and provides a brief overview of key procedural steps in Roberts Rules as they apply to committees.

**Staffing for Committee**

Each committee has a staff lobbyist assigned to it. This individual is your main point of contact for logistics or questions about the agenda. Generally, each lobbyist has a “main” committee and will remain with the committee throughout the meeting. Occasionally he/she may leave the meeting to make guest appearances in other committees to discuss issues or bills. Additional staff may also be present to support the committee’s work.

**League Partners and Other Guests**

The League Partners have a non-voting representative assigned to each policy committee and are seated at the table with other committee members. In addition, city officials, other members of the League Partners Program, and interested members of the public are welcome to attend the meetings. We provide an opportunity for our League Partners and other members of the public to offer comment on items before the committee during the designated public comment period on the agenda.
Public Safety

Scope of Responsibility

The Committee on Public Safety reviews federal and state legislation and issues related to law enforcement, fire and life safety policies, emergency communications, emergency services, disaster preparedness, Indian gaming, and nuisance abatement.

Summary of Existing Policy and Guiding Principles

Fire Services

The League supports the fire service mission of saving lives and protecting property through fire prevention, disaster preparedness, hazardous-materials mitigation, specialized rescue, etc., as well as cities’ authority and discretion to provide all emergency services to their communities.

The League supports and strives to ensure local control of emergency medical services by authorizing cities and fire districts to prescribe and monitor the manner and scope of pre-hospital emergency medical services, including transport through ambulance services, all provided within local boundaries for the purpose of improving the level of pre-hospital emergency medical service.

The League supports legislation to provide a framework for a solution to long-standing conflict between cities, counties, the fire service and LEMSA’s, particularly by local advisory committees to review and approve the EMS plan and to serve as an appeals body. Conflicts over EMS governance may be resolved if stakeholders are able to participate in EMS system design and evaluation and if complainants are given a fair and open hearing.

The League supports stored pressure dry chemical fire extinguishers to be serviced and recharged every six years or after each use, whichever occurs first. Additionally, the League supports requiring a licensed technician to perform the annual external maintenance examination of stored pressure dry chemical fire extinguishers.

The League opposes legislation, regulations and standards that impose minimum staffing and response time standards for city fire and EMS services since such determinations should reflect the conditions and priorities of individual cities.

The League supports Emergency 911 systems to ensure cities and counties are represented on decisions affecting emergency response.

The League supports additional funding for local agencies to recoup the costs associated with fire safety in the community and timely mutual aid reimbursement for disaster response services in other jurisdictions.

Emergency Services and Preparedness

The League supports the 2-1-1 California telephone service as a non-emergency, human and community services and disaster information resource.
The League supports “Good Samaritan” protections that include both medical and non-medical care when applicable to volunteer emergency, law enforcement, and disaster recovery personnel. The League also supports providing “Good Samaritan” protections to businesses that voluntarily place automated external defibrillators (AEDs) on their premises to reduce barriers to AED accessibility.

Emergency Communications Interoperability: The League supports activities to develop and implement statewide integrated public safety communication systems that facilitate interoperability and other shared uses of public safety spectrum with local, state and federal law enforcement, fire, emergency medical and other public safety agencies.

The League supports a single, efficient, performance-based state department (the California Emergency Management Agency) to be responsible for overseeing and coordinating emergency preparedness, response, recovery, and homeland security activities.

The League supports efforts to secure additional funding for local agencies to provide training opportunities for appropriate first responder personnel to improve their ability to respond to oil spills, fires, and other hazardous materials accidents.

The League supports legislation and additional state and federal regulation crafted to ensure that first responders can perform their duties during emergency response operations without interference from unmanned aerial systems, or drones.

**Law Enforcement**

The League supports the promotion of public safety through:
- Stiffer penalties for violent offenders, and
- Protecting state Citizens’ Option for Public Safety (COPS) and federal Community Oriented Police Services (COPS) funding and advocating for additional funding for local agencies to recoup the costs of crime and increase community safety.

The League opposes booking fees and continues to seek their repeal, while encouraging localities to pursue resolution of the issues with their respective counties.

The League supports a local government’s ability to double the fine for traffic violations in school zones in an attempt to reduce the speed of drivers and protect our youth.

The League supports reimbursement by the federal government to local agencies, specifically cities, for the costs associated with incarcerating deportable criminals, including the direct costs associated with processing and booking at the time of arrest.

The League supports policies that promote a victim’s right to seek restitution, create restrictions on the early release of state inmates from incarceration for the purpose of alleviating overcrowding, and limit parole hearing opportunities for state inmates serving a life sentence or paroled inmates with a violation.

The League supports parolee search and seizure terms, which aids local law enforcement’s ability to manage paroled offenders.

The League supports increased penalties for metal theft, and recognizes that statewide regulation is needed to discourage “jurisdiction shopping”. The League also supports increased record-keeping and reporting requirements for junk dealers, including the collection of thumbprints from sellers.
The League supports accountability on the part of law enforcement agencies in regard to police surveillance technology and policies, as well as related oversight by local governing bodies, but also strongly supports limits on disclosure of the full capabilities of such technology to the general public where such disclosure would compromise the effectiveness of the technology’s law enforcement applications.

**Wildland Urban Interface**

The League supports activities to cooperate, coordinate, and communicate in the development of better land use policies and wildland fuel management programs to decrease impacts to public health and safety resulting from wildland urban interface fires.

**Nuisance Abatement**

The League supports enhanced local control over public nuisances including, but not limited to:

- Adult entertainment facilities;
- Problem alcohol establishments; and
- Properties where illegal drugs are sold.

**Violence**

The League supports the reduction of violence through strategies that address gang violence, domestic violence, youth access to tools of violence, including but not limited to firearms, knives, etc., and those outlined in the California Police Chiefs Policy Paper endorsed by the League Board of Directors.

The League supports the use of local, state, and federal collaborative prevention and intervention methods to reduce youth and gang violence.

**Indian Gaming**

The League supports the following principles that are intended to balance tribal self-reliance with the local government mandate to protect the public health and safety.

- Require an Indian Tribe that plans to construct or expand a casino or other related businesses to seek review and approval of the local jurisdiction for such improvements consistent with state law and local ordinances including the California Environmental Quality Act, with the Tribal government acting as the lead agency and with judicial review in the California courts.
- Require mitigation of off-reservation impacts consistent with environmental protection laws that are at least as stringent as those of the surrounding local community and CEQA.
- Require written agreements between tribes and affected local agencies to ensure tribes are subject to local authority related to the infrastructure needs and services outlined above.
- Require adequate compensation from the tribes to the local agency providing the government services that are required by the tribal casino or related businesses.
- Ensure compensation to local agencies from the Special Distribution Fund for off-reservation mitigation coupled with other sources to ensure adequate compensation.
- Require a judicially enforceable agreement between tribes and local jurisdictions on all of these issues before a new compact or an extended compact may become effective.
- Establish appropriate criteria and guidelines to address future compact negotiations.
The Governor should establish and follow appropriate criteria to guide discretion of the Governor and the Legislature when considering whether to consent to tribal gaming on lands acquired in trust after October 17, 1988 and governed by the Indian Gaming Regulatory Act (25 U.S.C. § 2719).

Gaming

The League supports measures expanding local control over local gaming operations, including but not limited to management of the hours of operation and number of tables in an establishment, as an effective tool to enhance related local revenue streams. The League opposes as a restriction on those same revenue streams measures that would further restrict such local control, including but not limited to the extension of existing statewide gaming moratoriums.

Alcohol

The League supports policies that limit the ability of minors to engage in alcohol consumption, and limit youth access to alcoholic beverages, so long as related state-mandated programs or services provide for full reimbursement to all local agencies.

The League supports local policies that hold social hosts responsible for underage drinking that occurs on property under their possession, control, or authority.

The League supports additional penalties for repeat driving under the influence (DUI) offenders that include, but are not limited to, permanent revocation of an individual’s driver’s license.

The League supports legislation and other regulations intended to improve local governments’ enforcement capability against alcohol licensees that are in violation of state law and local ordinances.

Marijuana Regulation

The League regards as a vital interest the maintenance of local control over medical and adult use cannabis businesses, and supports measures that enhance and protect maximum local regulatory, land use, and enforcement authority in relation to such businesses.

Reaffirming that local control is paramount, the League holds that cities must retain the authority to regulate all medical and adult use cannabis businesses if the regulation relates to location, operation, or establishment to best suit the needs of the community.

The League affirms that revenue or other financial benefits from creating a statewide tax structure on medical marijuana should be considered only after the public safety and health ramifications are fully evaluated and addressed.

While the value of marijuana as a physical or mental health treatment option is uncertain, the League recognizes the need for proactive steps to mitigate the proliferation of unlawful medical cannabis businesses and other access points acting outside state or local regulation.

The League supports cannabis regulation only to the degree that any such regulatory structure preserves and upholds local control and the police power of local governments pursuant to Article XI, Section 7 of the California Constitution.
Graffiti

The League endorses the “Tag You Lose” anti-graffiti campaign and encourages other cities to implement this program into their existing anti-graffiti programs.

The League supports increased authority and resources devoted to cities for abatement of graffiti and other acts of public vandalism.

Sex Offender Management

The League supports policies that will assist local law enforcement with the comprehensive and collaborative management of sex offenders, including tools for tracking the location of sex offenders within local jurisdictions, so long as state-mandated programs provide for full reimbursement to all local agencies.

Corrections

The League supports constitutional protections for state funded corrections realignment programs, so long as it includes funding for local police department needs. The League also supports increasing city representation and participation on the Community Corrections Partnerships, who are charged with developing local corrections plans.

Miscellaneous

The League opposes reductions to city authority to regulate needle and syringe accessibility and exchange programs.

The League asks any company manufacturing or marketing or planning to manufacture or market colored-tread tires in California to voluntarily abandon such a product line and thereby prevent the public safety, environmental and social problems these tires can potentially cause.

The League warns those individuals who advocate or perpetrate hate, not to test the cities’ resolve to oppose them as each city is encouraged to vigorously pursue a course of investigation, apprehension, prosecution, conviction, and incarceration of all those who participate in hate crimes.

Note: The League will review new legislation to determine how it relates to existing League policies and guiding principles. In addition, because this document is updated every two years to include policies and guiding principles adopted by the League during the previous two years, there may be new, evolving policies under consideration or adopted by the League that are not reflected in the current version of this document. However, all policies adopted by the League Board of Directors or the League’s General Assembly become League policy and are binding on the League, regardless of when they are adopted and whether they appear in the current version of “Summary of Existing Policies and Guiding Principles.”
League of California Cities 2019 Strategic Goals

1. **Provide Cities Additional Funding and Tools and Preserve Local Authority to Address Housing Production, Affordability and Homelessness Challenges.**
   - Provide additional funding and preserve local mitigation fee authority to ensure cities have sufficient resources to update local plans that reflect community input, improve and expand local infrastructure, address environmental impacts and deliver services to support new housing development.
   - Restore a robust form of tax increment financing to advance transit-oriented development, build affordable and workforce housing, improve jobs/housing balances, and revitalize local neighborhoods and communities.
   - Increase resources to provide emergency shelter, alcohol and drug treatment, housing, mental health and other wrap-around services and facilities to assist people of all ages, including seniors, experiencing homelessness.
   - Provide CEQA streamlining to expedite housing construction.
   - Ensure the availability of adequate water supplies to support new growth.
   - Preserve local authority to ensure housing development is consistent with local housing elements, design requirements and other applicable criteria adopted with community input.
   - Given California’s massive identified deficit in affordable housing, the Legislature and Governor should set aside a substantial amount of the state’s budget surplus to support additional affordable and workforce housing construction and expand skilled workforce training.

2. **Improve Disaster Preparedness, Recovery and Climate Resiliency.**
   - Provide resources to cities and expand partnerships to better prepare for and recover from wildfires, seismic events, erosion, mudslides and other disasters.
   - Improve community preparedness and resiliency to respond to climate-related, natural and man-made disasters.

3. **Promote Sustainability of Public Pension and Retirement Health Benefits.**
   - Continue to work with employee organizations, CalPERS, the Administration and the Legislature to drive public awareness of the fiscal challenges cities face as a direct result of growing unfunded pension liabilities and retirement health benefits.
   - Work collaboratively to achieve meaningful options and flexibility for cities to address these challenges in order to stabilize local budgets and ensure sufficient funding remains available to provide services to communities.

4. **Address Public Safety Concerns of California Cities.**
   - Reform recently enacted criminal justice laws — enacted by both statute and initiative — that have eroded public safety protections of California residents through the passage of the Police Chiefs/Grocer’s-sponsored criminal justice reform measure eligible for the November 2020 state ballot, or by equivalent reforms achieved through legislative action.
   - Protect public safety by reducing access to firearms for the mentally ill.
   - Protect existing city authority to deliver local emergency services.
   - Support additional tools and resources to address critical community challenges such as homelessness, mental health, domestic violence, drug rehabilitation, human trafficking and workforce development for ex-offender reentry.
New Insights into California Arrests: Trends, Disparities, and County Differences

MAGNUS LOFSTROM, BRANDON MARTIN, JUSTIN GOSS, JOSEPH HAYES, STEVEN RAPHAEL | DECEMBER 2018

Summary

Crime, policing, and community relations are the subject of heated debate in California and nationwide. Decisions made by local law enforcement are often at the heart of the controversy. Though California’s criminal laws are determined by the state’s legislature and voters, local agencies and officers have broad discretion over enforcement, especially when it comes to lower-level offenses. To inform the broader conversation about policing and community relations, this report describes trends in arrests—the very first step in the criminal justice process—in California between 1980 and 2016. We find:

- The arrest rate in California has dropped 58 percent since a peak in 1989. The arrest rate reached a low of 3,428 per 100,000 residents in 2016. About three-fourths of this decline is due to sharp drops in misdemeanor arrests, especially for traffic and alcohol-related offenses. Felony arrest rates for property and drug offenses also fell substantially. Arrest rates declined across racial/ethnic, age, and gender groups.

- Arrested individuals tend to be nonwhite, younger, and male. In 2016, 41 percent of all arrests were of Latinos, 36 percent were of whites, and 16 percent were of African Americans. Individuals ages 18–39 accounted for two-thirds of arrests, and men accounted for three-quarters. African Americans were highly overrepresented: African Americans made up 6 percent of the state’s population but 16 percent of arrests in 2016, while Latinos represented 39 percent of the population and 41 percent of arrests.

- Racial disparities have narrowed over time. But the disparity between African Americans and whites remains substantial. In 2016, the arrest rate among African Americans was three times that of whites, compared to 3.6 times as large in the early ’90s. The arrest rate among Latinos was 1.1 times higher than the white arrest rate in 2016, compared to 1.8 times as large in the early ’90s.

- Overall declines in arrests are driven primarily by plummeting arrest rates for juveniles and young adults. From 1980 to 2016, the arrest rate among those 17 or younger dropped by 84 percent, while the arrest rate among those ages 18–24 declined by 63 percent.

- Women now account for nearly a quarter of all arrests. This is up from 14 percent in the early 1980s. Arrest rates for violent offenses have increased among women between 1980 and 2016: felony violent arrest rates declined 37 percent for men but increased 62 percent for women, while misdemeanor assault and battery arrest rates declined 25 percent for men but increased 67 percent for women.

- Counties with the lowest arrest rates tend to be large and urban, while counties with the highest arrest rates tend to be smaller and rural. There is notable county variation in the demographics of those arrested. However, nearly all counties see a large disparity between
African Americans and whites: of the 49 counties examined, the African American arrest rate is at least double the white arrest rate in 45 counties, at least three times greater in 33 counties, at least four times greater in 21 counties, and at least five times greater in 13 counties.

Future PPIC research will explore possible contributing factors to these trends and regional differences—which may be affected by crime rates, demographics, poverty, fiscal conditions, jail capacity, law enforcement staffing and policing, and criminal justice reforms. In addition, we will examine local law enforcement discretion regarding the decision to cite and release individuals following arrest or to book them into jail. As the state continues its efforts to monitor police interactions with the public, this research provides a critical, fact-based foundation to frame constructive and solutions-oriented discussions regarding local law enforcement decisions and their implications for equity and public safety.

FULL REPORT PRESS RELEASE TECHNICAL APPENDIX
League Drone Policy

The League believes that Unmanned Aerial Systems (UAS), or “drones,” are an important technology that can be used in a number of beneficial ways for recreational, commercial and governmental purposes. Given the proliferation of this technology, while respecting the jurisdiction of the Federal Aviation Administration (FAA), it is important for local agencies and the state to craft a regulatory framework that provides for the appropriate uses of this technology, while also addressing important public safety, nuisance and other issues that arise as drones are increasingly used for recreational, business, and governmental purposes.

This policy sets out a regulation framework for the state, cities, and counties. There are suggested minimum rules for the state to enact that would be enforceable by local agencies; and other regulations that local agencies would have discretionary authority to pursue. A statewide drone regulatory framework should not limit any power of the state or local agencies to regulate operations of drones if such the regulations do not conflict with the provisions of this framework.

I. Minimum Statewide Standards:
   A. Statewide framework should clarify that no local agency can outright ban drones.
   B. Required Registration: The state should require drone operators to register under the FAA’s registration system. The state should seek approval from the FAA to allow local agencies to enforce the FAA’s registration requirement. If the FAA eliminates drone registration at the federal level, the State should then develop a statewide drone registration system. If the state fails to develop a uniform drone registration system, then local agencies must be able to develop their own. Local agencies should have the authority to require all drone operators to show proof of federal registration to local law enforcement officials. Failure to show proof of registration should be a correctable violation for first time offenders.
   C. The state should establish a statute that grants governmental immunity for local jurisdictions that designate drone recreational areas, as long as signs are posted notifying the public that drones may be flying overhead and they are entering at their own risk.
   D. Safety: An important state goal must be the protection of citizens through the prohibition against careless and reckless operations that endanger life or property.
      i. No person may operate a drone over a human being unless that human being is:
         1. Directly participating in the operation of the drone; or
         2. Located under a covered structure or inside a stationary vehicle that can provide reasonable protection from a falling drone.
         3. Located in an area that has been designated as a drone-recreational area by a local agency
         4. Clarified exemptions for drone operators who have obtained a Part 107 certificate of waiver from the FAA
      ii. A person shall not weaponize a drone or operate a weaponized drone.
E. Prohibit the operation of a drone by a person under the influence of alcohol or drugs that impair the ability of a person to operate a drone.

F. Require, pursuant to federal law, a person to be 16 years of age or older to operate a drone independently. For those under the age of 16, require a person over the age of 21 and a registered drone operator with the FAA, to be present.

G. Require a visual line of sight by recreational and hobbyist drone operators to operate a drone.

H. A statewide framework should incorporate definitions for hobbyists or recreationalists, government, and commercial use of drones pursuant to federal law definitions. A commercial definition should encompass commercial uses such as insurance companies, realtors, photographers, etc.

I. Insurance Requirements: Require the state to establish requirements for minimum insurance coverage that must be maintained by business and government drone operators.

J. Future uses: A state framework should not prevent or prohibit future drone uses. Cities want to be engaged in the policy discussion on the use of drones for commercial drone deliveries and long distance drone use.

K. Protection of Privacy: Ensure that the privacy protections in Section 1708.8 of the Civil Code apply to all drone operators.

L. State’s framework also needs to establish standards for how video, photo, and sound recordings obtained by government drones are treated under the California Public Records Act, as well as state records retention laws.

M. Clarify that any state law that allows for the use of drones does not authorize drone use in any areas that are prohibited by federal law.

II. **Enforcement:** Local agency law enforcement has the authorization to enforce state and local drone laws.

III. **Role of Local Regulation:**

   A. Time, Place, Manner Restrictions: Local agencies should retain the ability to impose reasonable time, place, and manner limitations on low-altitude, at or under 400 feet, drone operations within their jurisdictions.

   B. Outreach and Education: Local agencies shall ensure that information is readily available so that operators are aware of, and accountable to, local rules.

   C. Local agencies should have the ability to enact and enforce rules of general applicability in a manner that addresses unsafe drone operations, such as trespass, nuisance, or noise, and includes the ability to:

      i. Appropriately plan for recreational, hobbyist, and commercial drone use during parades, public holiday celebrations or other local agency wide civic events. Designate no fly zones around “critical infrastructure” (such as water treatment or electricity generating facilities) or as otherwise defined by state and federal law.

      ii. Establish clear rules for hobbyists or recreationalists through the adoption of reasonable “community based safety guidelines.” For hobbyists, a local agency could also designate their own areas in parks, open spaces or on beaches for drone operation.

---

1 For hobbyists and recreationalists, see Special Rule for Model Aircraft (Public Law 112-95 Section 336). For commercial and government use, see 14 CFR (107).
iii. Require a public or private entity to apply for an event permit to fly over specified areas with specified date, time, location, and purpose.

iv. Local agencies should have the authority to track commercial drone users, by requesting information on drone use from businesses that are required to obtain a business license or pay a business license tax within a jurisdiction. Local agencies should retain the authority to require commercial operators to provide advance notice to the local agency before flying within the local jurisdiction for commercial use. Notice may include, but is not limited to date, time, location of the flight, and operator’s contact information.

D. Local agencies should adopt drone use guidelines in order to inform residents on local agencies' use of drones by including, but not limited to, law enforcement, fire, emergency medical, first responders, and public works officials. These guidelines should be easily accessible to the public.

E. As technology permits, to promote transparency to the public, local agencies are encouraged to pursue the development and use of real-time drone tracking systems to ensure residents can look up the details of drones operating in a given area.
PREPARING FOR THE DRONE AGE IN YOUR CITY:
POTENTIAL BENEFITS AND ISSUES

BY DEREK DOLFIE
The skies over the City of Folsom filled with drones on May 3, 2018, to create a new version of *Time* magazine’s masthead and cover graphics. This marked the first time in the magazine’s 95-year history that both the cover’s subject and its photographer — drones — were identical.

Industry sales of drones, formally known as unmanned aircraft systems (UASs), illustrate the enormous market and demand for these devices in the United States. Sales grew from $443 million in 2015, when the products were first introduced in the U.S. market, to $1.3 billion in 2017, a 193 percent increase in revenue — and drones’ popularity continues to grow at a dizzying pace.

This technology offers opportunities for businesses, local governments and recreational hobbyists. Realtors, wedding photographers and insurance companies are using drones to present properties, capture overhead views and check roof conditions, respectively. Amazon is exploring the use of drones for package delivery. Drones can help fire departments survey burning buildings, police departments search for suspects and public works departments check utility lines. Hobbyists and others use drones to obtain bird’s eye views of city streets, beaches and parks.

But the emergence of this new technology also brings new challenges for cities: managing the conflicts and disputes that will arise over the use of municipal airspace. As drone use increases, so do the challenges associated with reconciling competing uses, protecting individual privacy, reducing noise, responding to public complaints and determining hours of drone operation.

The League recently convened a task force to help develop policy on this emerging issue. This article provides city officials with background on the issue, an overview of recent efforts and federal and state pre-emption, a summary of League policies and suggested steps for city officials to consider as they prepare for the drone age.

**THE AGE OF DRONES BRINGS CHANGES AND OPPORTUNITIES**

Drone technology is somewhat disruptive but has almost limitless potential. Yet with multiple businesses, governments and individual hobbyists seeking to operate within the local, state and federal regulatory structures, conflicts can readily arise. In May 2018, for example, residents in a Sacramento neighborhood reported hearing and seeing a drone flying above their homes at night. Residents discovered that the Sacramento Housing and

*Derek Dolfie is a legislative policy analyst for the League and can be reached at ddolfie@cacities.org.*
Redevelopment Agency (SHRA) owned and operated the drone. SHRA was flying the drone from 6 p.m. to 6 a.m. over the neighborhood to observe and report crime, but many residents were unaware of the program and alarmed by the drone’s presence. According to SHRA, it initiated the drone program to enhance the safety and security of its residents. This example illustrates the constantly evolving situation with problems caused by drone use and underscores the need for increased public transparency associated with drone technology and regulations that address privacy, safety and enforcement concerns.

In 2015, the online retail giant Amazon announced that it was developing the Amazon Prime Air program in Ireland. The program’s goal was to eventually use drones to deliver packages directly to customers’ front doors, but the service is not yet operating. Although this technology has yet to be broadly implemented, Amazon and other companies are likely to push hard for widespread commercial drone delivery in the near future. On Oct. 5, 2018, President Trump signed the Federal Aviation Administration (FAA) Reauthorization Act of 2018. This legislation does a variety of different things regarding aviation and drones, but most notably it authorizes companies designated as “air carriers” to use drones to deliver goods as early as October 2019. One can easily imagine that when drones begin delivering packages in city neighborhoods and business districts in the near future, questions will arise regarding appropriate routes, noise, privacy and other issues. Over the next year, the FAA will use its rulemaking process to craft the regulations that will guide drone deliveries. Cities should both continue to monitor the development of the FAA regulations and begin to anticipate the potential benefits and issues associated with the widespread use of this technology.

These examples underscore the need for additional thought to be given to how drone use will be integrated into urban environments. Since the use of this technology began, the media, residents and a variety of government officials have reported incidents of drones causing public safety, privacy or nuisance issues. Hobbyists who fly drones over parks and beaches can create noise, privacy and other conflicts with residents using the same areas. When equipped with cameras that can peer into windows and backyards, disputes can be expected with drone use in residential neighborhoods. In cases of commercial entities using drones to assess real estate, survey agricultural fields and take professional photos, it’s likely that appropriate time, place and manner parameters need to be established. And when local governments use drones to inspect infrastructure, aid in police operations and improve emergency response times, they must also use this technology in a transparent and responsible manner.

An ongoing struggle exists between the federal government, states and local governments regarding which entity is allowed to regulate drones and to what extent. In a fact sheet issued Dec. 17, 2015, the FAA states that it has “field pre-emption” over local governments when it comes to regulating airspace. Essentially, the FAA argues it has sole congressional
authority to regulate all airspace and local governments that try to regulate airspace will be pre-empted. However, the same FAA fact sheet also states, “Laws traditionally related to state and local police power — including land use, zoning, privacy and law enforcement operations — generally are not subject to federal regulation.” This identifies a window for measured and appropriate local regulation.

The FAA is attempting to address this problem in two ways: first, by establishing the Drone Advisory Committee, which comprises 27 members, two from local governments and the rest from drone manufacturing and technology companies. This advisory committee’s purpose is to help the FAA, drone industry and local governments identify problems and facilitate dialogue among various stakeholders. Although this task force includes local government representatives, their voices are often drowned out by the many industry and other stakeholders seeking to establish a unified federal regulatory structure for drones.

Second, the FAA is addressing local versus federal issues through the UAS Integration Pilot Program (IPP). This program aims to help the U.S. Department of Transportation and FAA create new rules that allow more complex low-altitude operations — by identifying ways to balance local and national interests related to drone integration and by improving communications with local, state and tribal jurisdictions. The UAS IPP involves 10 entities, including the cities of San Diego and Reno. Challenges to local regulation, however, are not exclusive to the federal government.

**RECENT LEGISLATIVE ACTIVITY IN CALIFORNIA**

In recent years, battles have occurred between local governments and the drone industry over proposed legislation and have resulted in a stalemate. The League opposed and helped stop several industry attempts to pre-empt local governments through state legislation.

Some League-supported legislation that would have established a statewide drone regulatory framework has also failed.

In 2016, the League supported SB 868 by Senator Hannah-Beth Jackson (D-Santa Barbara), which sought to establish a state regulatory framework. The bill died in the Assembly due to drone industry opposition. AB 2724, authored by former Assembly Member Mike Gatto (D-Glendale) in 2016 and supported by the League, also attempted to establish such a framework. The bill, which Gov. Jerry Brown ultimately vetoed due to questions about federal pre-emption, would have required drones to have “geo-fencing” (a technology that defines a virtual boundary) capabilities that would stop them from flying into sensitive areas; it also would have required drone operators to have adequate liability insurance for personal injuries or death.

In 2018, however, Assembly Member Jacqui Irwin (D-Thousand Oaks) sought to bring various stakeholders together to explore whether progress could be made. She convened the League, California Police Chiefs Association and DJI, a major drone industry company, to work on AB 3173, a bill containing intent language that expressed the desire to develop a balanced approach to a consistent state regulatory framework for drones. The introduction of this legislation triggered the League to work with city officials to develop additional policies that clarify what local officials would want in such a framework. Although that bill did not advance in 2018, the League appreciates Assembly Member Irwin’s efforts to begin a discussion with stakeholders. Because the use of this technology is expanding, making progress in better defining a framework that works for local governments and industry will benefit all concerned. Discussions among the stakeholders are expected to continue in 2019.

**THE LEAGUE ADDRESSES DRONE POLICY**

In response to the lack of a statewide drone regulatory framework, the League’s Drone Task Force, composed of members of the League’s Transportation, Communication and Public Works and Public Safety policy committees, wrote an organizational policy document that created a statewide drone regulatory framework with the interests of cities in mind. The policy, which the League board of directors formally adopted in June 2018, addresses three main areas: minimum statewide standards, enforcement and the role of local regulation.

The policy outlines the roles of the state, law enforcement and local governments in effectively establishing and enforcing a statewide drone regulatory system. Some aspects of the policy focus on protecting privacy rights, ensuring that local law enforcement has authority to enforce the laws governing drones and designating
different avenues of regulation for various types of drone operators. The policy articulates the critical importance of cities maintaining the time, place, manner and powers to regulate drones — otherwise cities would be subject to one-size-fits-all regulations that ignore the needs of Californians and their unique communities (see “The League’s Drone Policy: A Summary” at right for more detailed information).

HOW CITIES CAN GET AHEAD OF THIS ISSUE

The League encourages cities to begin the process of educating their residents and local business owners about the appropriate use of drone technology. Such efforts give cities opportunities to gauge residents’ and local business owners’ interest in or reservations about drones. This process also provides insights on how to help craft balanced ordinances that address key community issues.

As with any new technology, the potential also exists for abuse and misuse; however, cities should work to avoid measures that limit the beneficial uses of this emerging technology. Cities must also remain vigilant about efforts to pre-empt their local regulatory authority and outside groups launching drone technology without city authorization or approval. Technology constantly changes and evolves, and cities are both innovators and laboratories for innovation.

Take steps to ensure that your city is prepared for the drone age and doesn’t miss an opportunity to harness this new technology. Visit www.cacities.org/drones to learn more, stay engaged on drone issues in the state Capitol and watch for League communications and action alerts regarding drones.

More Information Online

For additional information and links to related resources, read the online version of this article at www.westerncity.com.
League Public Safety Committee – Draft Work Program

2019 Strategic Goals

1. Provide Cities Additional Funding and Tools and Preserve Local Authority to Address Housing Production, Affordability and Homelessness Challenges.
   - Provide additional funding and preserve local mitigation fee authority to ensure cities have sufficient resources to update local plans that reflect community input, improve and expand local infrastructure, address environmental impacts and deliver services to support new housing development.
   - Restore a robust form of tax increment financing to advance transit-oriented development, build affordable and workforce housing, improve jobs/housing balances, and revitalize local neighborhoods and communities.
   - Increase resources to provide emergency shelter, alcohol and drug treatment, housing, mental health and other wrap-around services and facilities to assist people of all ages, including seniors, experiencing homelessness.
   - Provide CEQA streamlining to expedite housing construction.
   - Ensure the availability of adequate water supplies to support new growth.
   - Preserve local authority to ensure housing development is consistent with local housing elements, design requirements and other applicable criteria adopted with community input.
   - Given California’s massive identified deficit in affordable housing, the Legislature and Governor should set aside a substantial amount of the state’s budget surplus to support additional affordable and workforce housing construction and expand skilled workforce training.

2. Improve Disaster Preparedness, Recovery and Climate Resiliency.
   - Provide resources to cities and expand partnerships to better prepare for and recover from wildfires, seismic events, erosion, mudslides and other disasters.
   - Improve community preparedness and resiliency to respond to climate-related, natural and man-made disasters.

3. Promote Sustainability of Public Pension and Retirement Health Benefits.
   - Continue to work with employee organizations, CalPERS, the Administration and the Legislature to drive public awareness of the fiscal challenges cities face as a direct result of growing unfunded pension liabilities and retirement health benefits.
   - Work collaboratively to achieve meaningful options and flexibility for cities to address these challenges in order to stabilize local budgets and ensure sufficient funding remains available to provide services to communities.

4. Address Public Safety Concerns of California Cities.
   - Reform recently enacted criminal justice laws — enacted by both statute and initiative — that have eroded public safety protections of California residents through the passage of the Police Chiefs/Grocer’s-sponsored criminal justice reform measure eligible for the November 2020 state ballot, or by equivalent reforms achieved through legislative action.
• Protect public safety by reducing access to firearms for the mentally ill.
• Protect existing city authority to deliver local emergency services.
• Support additional tools and resources to address critical community challenges such as homelessness, mental health, domestic violence, drug rehabilitation, human trafficking and workforce development for ex-offender reentry.

In addition, the committee will look at the following issues during the 2019 year:

- Drone Regulation
- Use of Force & Police/Community Relations