

RESOLUTION NO. 2015 -

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY, CALIFORNIA, IN SUPPORT OF ASSEMBLY BILL 150 (MELENDEZ AND GRAY) THAT WOULD MAKE BUYING OR RECEIVING A STOLEN FIREARM \$950 OR LESS A FELONY

WHEREAS, existing law states that the theft of a firearm is grand theft, punishable as a felony by imprisonment in state prison for 16 months or 2 or 3 years; and

WHEREAS, the Safe Neighborhoods and Schools Act, enacted by Proposition 47, as approved by voters at the November 4, 2014, Statewide General Election, notwithstanding these provisions instead requires that theft of a property that does not exceed \$950 be considered petty theft punishable as a misdemeanor, except in cases when the defendant had previously been convicted of one or more specified serious or violent felonies or an offense requiring registration as a sex offender; and

WHEREAS, AB 150 (Melendez and Gray) is an important clean-up provision that would make the theft of a firearm \$950 or less a grand theft in all cases, punishable by imprisonment in state prison for 16 months or 2 or 3 years; and

WHEREAS, AB 150 (Melendez and Gray) would make buying or receiving a stolen firearm valued at \$950 or less a felony offense; and

WHEREAS, theft of a firearm is a serious matter and should be treated as such, irrespective of Proposition 47; and

WHEREAS, the California Constitution authorizes the Legislature to amend or repeal an initiative statute that becomes effective when approved by the electors; and

WHEREAS, legislation would provide that it would become effective only upon approval of the voters and would provide for the submission of this measure to the voters for approval at the next Statewide General Election.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CATHEDRAL CITY DOES HEREBY RESOLVE AND DECLARE a public safety need for Assembly Bill 150 that would make buying or receiving a stolen firearm a felony.

PASSED, APPROVED, AND ADOPTED this 22nd day of July, 2015.

Stanley E. Henry, Mayor

ATTEST:

Gary F. Howell, City Clerk

APPROVED AS TO FORM:

Charles R. Green, City Attorney

I, GARY F. HOWELL, CITY CLERK of the City of Cathedral City, do hereby certify that the foregoing Resolution was introduced and adopted at a regular meeting of the City Council held on the 22nd day of July, 2015 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Gary F, Howell, CITY Clerk