



DATE: September 17, 2019

CATEGORY: Items Initiated by Council

DEPT.: City Council

TITLE: **Gun Safety-Related Issues**

RECOMMENDATION

That the City Council discuss and provide direction on whether or not to agendize a future item related to gun safety measures.

BACKGROUND

As part of the Council two-year Goal-Setting process, an item was considered to “Provide the City Council with an overview of gun safety rules.” This item was not prioritized at the meeting in April, but staff did tell the Council that an update to a July 2014 memo by the City Attorney related to this topic would be provided.

At the September 3, 2019 meeting, Vice Mayor Abe-Koga raised this issue again in light of recent gun-related tragedies, including the Gilroy incident this year. The Council unanimously agreed to bring the issue back for further discussion, including the implications on staff workloads.

DISCUSSION

Recent Local Action

On March 6, 2018 and in light of the incident at Stoneman Douglas High School in Parkland, Florida, Sunnyvale’s City Council directed the City Attorney to research and return to City Council with recommendations for restricting the purchase of semiautomatic center-fire rifles by persons under 21, with exemptions for active duty military and law enforcement personnel. The City Attorney’s Office returned with an ordinance for introduction on July 31, 2018. The City Attorney’s Office concluded the prohibition on selling semiautomatic center-fire rifles to those under the age of 21 (with the aforementioned exemptions) did not meaningfully constrain their Second

Amendment rights. The ordinance was adopted on August 14, 2018 and codified in Chapter 9.43 (Firearms Sales) of the Sunnyvale Municipal Code.

Attachment 1 is a summary of various actions taken by local governments in California, produced by the Giffords Law Center to Prevent Gun Violence.

State and Federal Action

In light of the recent tragedies, there have been numerous calls for additional action related to regulating guns. The U.S. House of Representatives is likely to take up legislation in the next month, but it is uncertain if any will be considered in the Senate.

At the State level, California has some of the strongest regulations in the nation. Proposals have been made for additional regulations, but staff has not analyzed the bills at this point. Attachment 2 is an article about legislation introduced in Sacramento.

ALTERNATIVES

There are a number of options for the Council to discuss and consider:

1. Direct staff to return with an agenda item on this topic. If this is the desire, Council should provide direction on the specific topics Council would like to discuss so staff can properly research them. This will impact the timeline for returning and the implications for delaying other work plan items. Work on this item will primarily involve the City Attorney's Office, but also the City Manager's Office and the Police Department. Council should also indicate the level of community outreach desired as this will also impact timeline and workload implications. Regardless, given the full agendas and staff workloads, a more detailed report on this issue would likely not be brought back to Council before early 2020.
2. Discuss this further after an update memo is provided. Staff could provide an update memo to the Council by the end of the year. At that point, the Council could decide whether or not Council wishes to pursue the issue further in 2020.
3. Do not discuss this further.
4. Provide other direction.

FISCAL IMPACT

There is no direct additional fiscal impact to this report, but additional staff time would be required to return with a more extensive report and to implement any Council direction.

PUBLIC NOTICING – Agenda posting.

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Attachments: 1. California Local Gun Safety Legislation
2. State Gun Safety Legislation