

**MINUTES OF THE ADJOURNED REGULAR MEETING
OF THE CITY OF SAN CLEMENTE
PUBLIC SAFETY TASK FORCE**

September 27, 2017 @ 4:00 p.m.

**Fireside Room
100 N. Calle Seville
San Clemente, California 92672**

1. CALL TO ORDER

Councilmember, Steve Swartz called the Regular Meeting of the Public Safety Task Force of the City of San Clemente to order at 4:00 p.m.

2. PLEDGE OF ALLEGIANCE

Councilmember William Hart led the Pledge of Allegiance.

3. ROLL CALL

Committee Members Present: Councilmember Steve Swartz, Don Brown, Kay Childs, William Hart, Mike Peters, Jim Nielsen

Committee Members Absent: Lou Leto, Chris Hamm, Steve Streger, Anthony Harrelson

Staff Present: Erik Sund, Assistant City Manager
Courtney Farrell, Sr. Administrative Assistant

4. PUBLIC ORAL COMMUNICATION

None

5. REVIEW CRIME DATA

Lieutenant Peters went over July 2017 Crime Data, and responded to members of the task force inquiries. Crime Rate presentation is attached. Attachment 1

7. CODE ENFORCEMENT UPDATE

Presentation by City of San Clemente Code Enforcement Manager Adam Atamian, and Code Enforcement Officer Beverly Thompson. A copy of their presentation is attached. Attachment 2

8. PUBLIC SAFETY STRATEGIC PLAN

Erik Sund passed out Attachment 3 to the task force members to review and provide input for the next meeting discussion.

9. ORAL COMMUNICATION CONTINUED

None.

10. ADJOURNMENT

Adjourn to the Adjourned Regular Public Safety Task Force Meeting to be held at 4:00 p.m. on October 19, 2017 in Fireside Room located at 100 N. Calle Seville, San Clemente, CA which was changed to 4:00 p.m. on November 6, 2017 in the Community Center Auditorium located at 100 N. Calle Seville, San Clemente, CA.



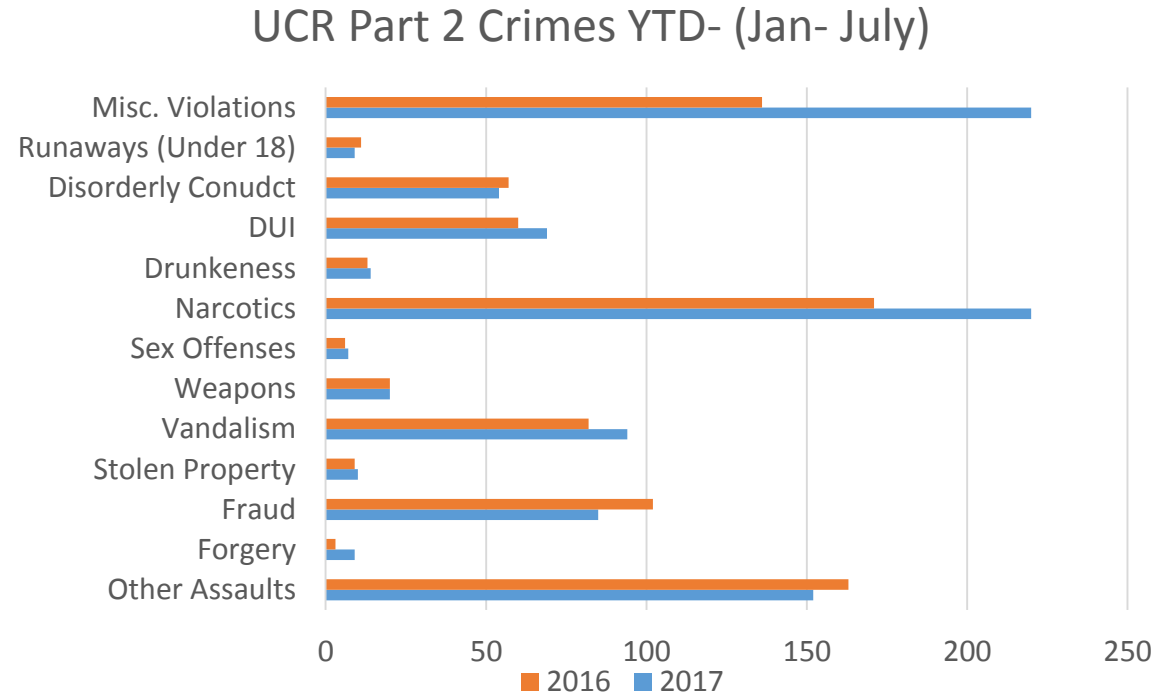
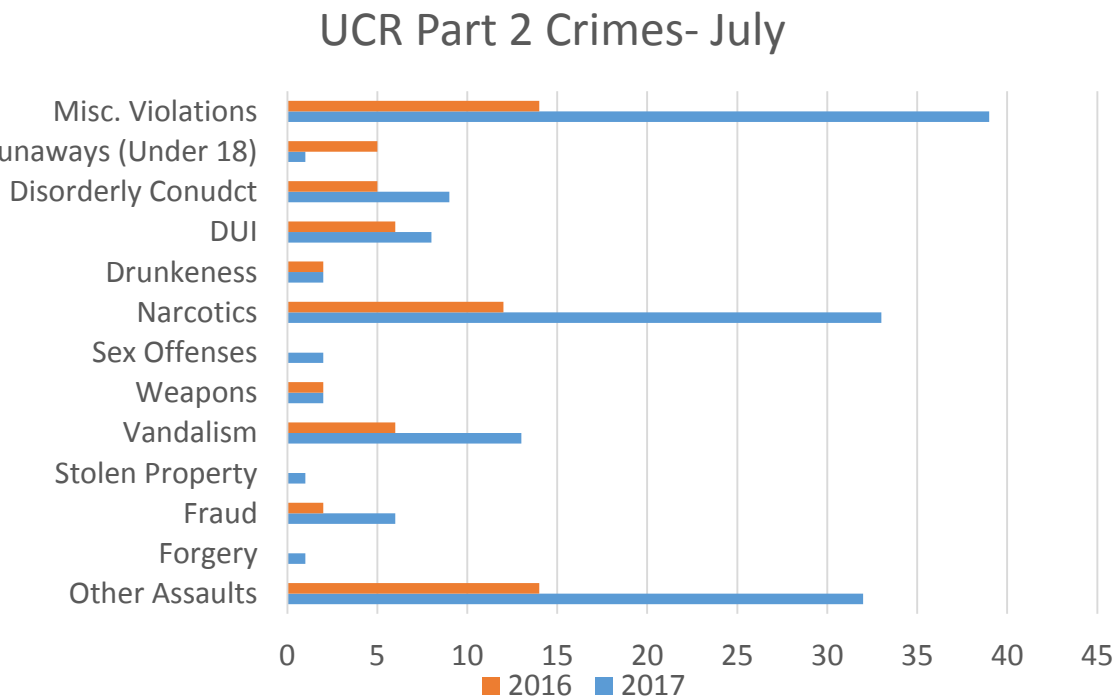
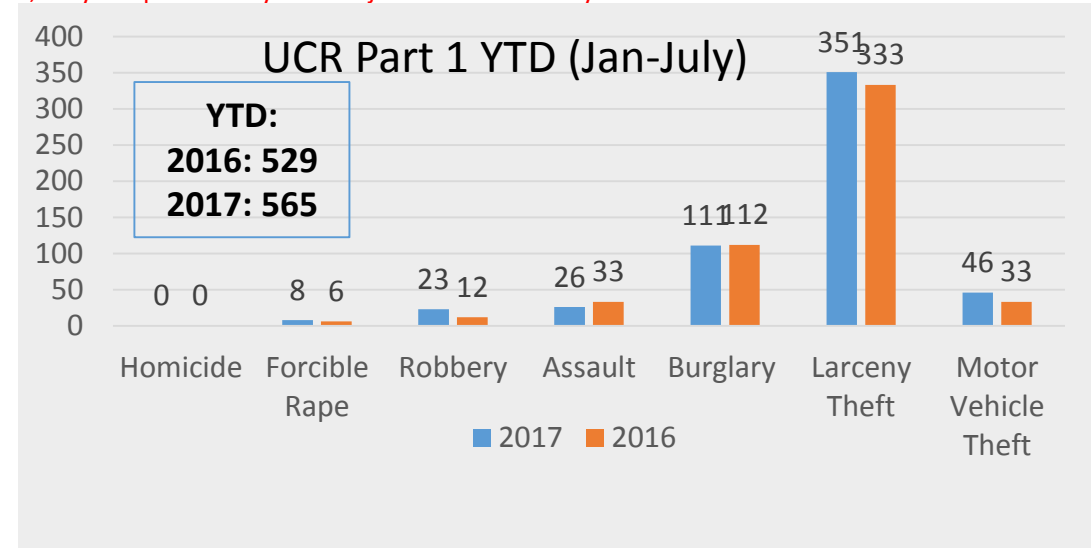
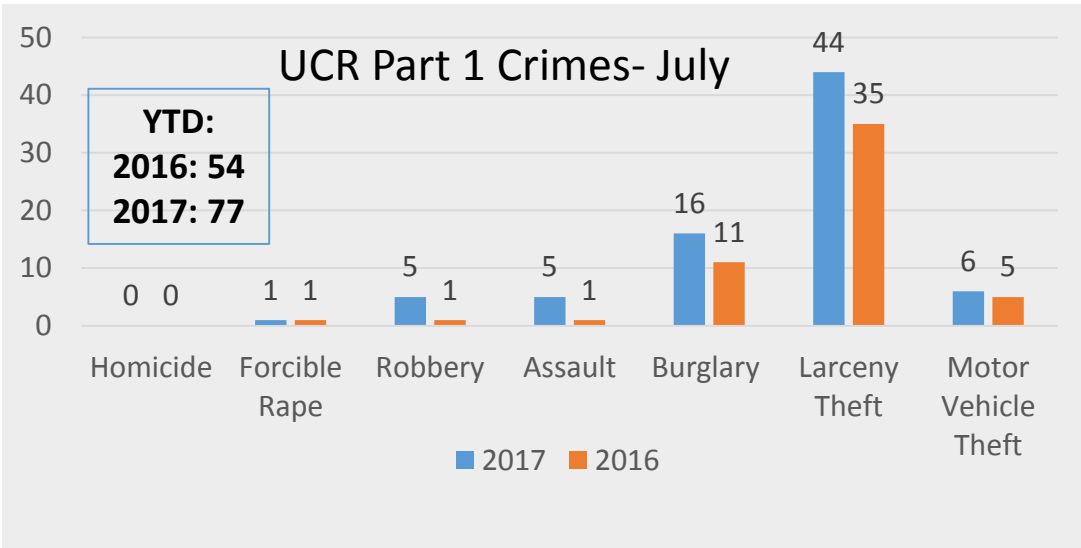
Councilmember, Steve Swartz

July 2017 Crime Stats

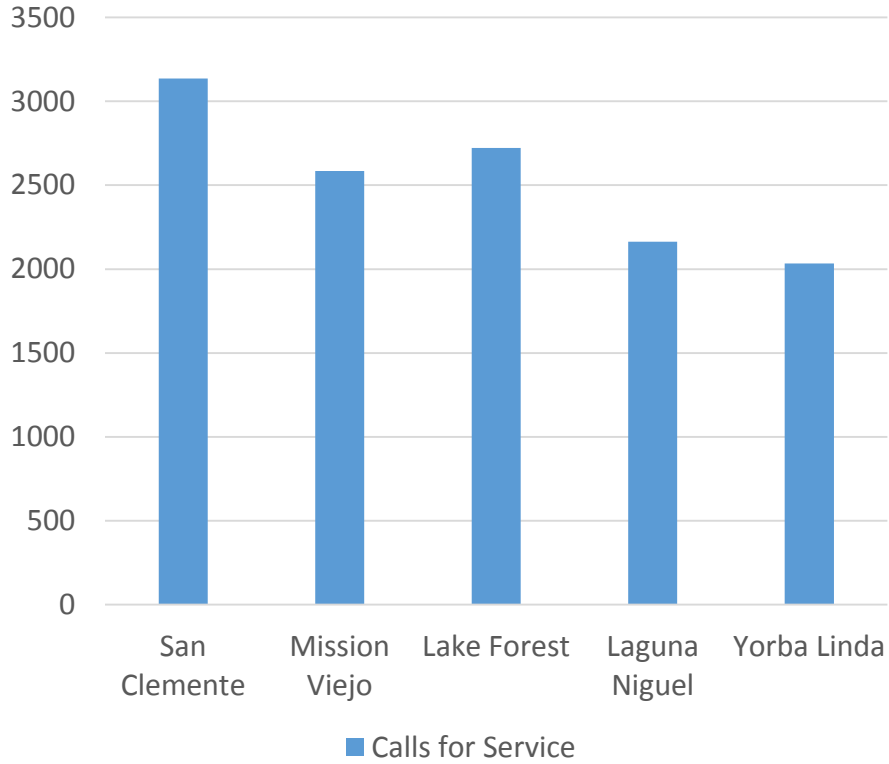
ATTACHMENT 1



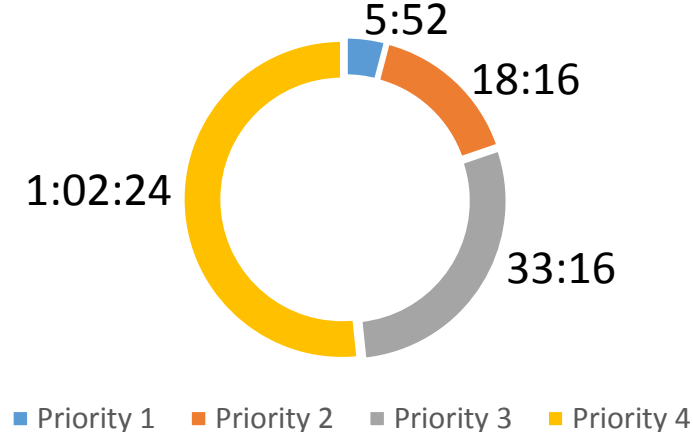
Statistics are based on the date the crime or arrest occurred; they are preliminary and subject to further analysis and revision



Calls for Service



Response Times



San Clemente Police Services									
ARREST/CITATION REGISTER-ADULT									
	Arrests			Warrants			Citations		
	Felony	Misd.	Total	Felony	Misd.	Total	Current	Prior	Total
Jan-17	19	18	37	2	12	14	44	8	52
Feb-17	17	19	36	10	12	22	41	16	57
Mar-17	17	34	51	7	14	21	40	17	57
Apr-17	17	20	37	3	5	8	48	15	63
May-17	18	24	42	2	14	16	28	5	33
Jun-17	20	37	57	1	13	14	28	20	48
Jul-17	23	29	52	1	14	15	38	19	57
Aug-17			0			0			0
Sep-17			0			0			0
Oct-17			0			0			0
Nov-17			0			0			0
Dec-17			0			0			0
	131	181	312	26	84	110	267	100	367

Traffic Stats

- Enforcement Index- 13.67
- Hit & Run Collisions- 5
- DUI Arrests- 8

ADDRESSING COMMUNITY SAFETY NEEDS

The OCSD Chief should initiate a community law enforcement strategic planning process to identify problems and prioritize potential solutions to these problems.

The OCSD Chief should be tasked with developing a process and the supporting mechanisms that regularly inform the City and community regarding existing public safety issues, efforts undertaken to resolve issues, positive public safety outcomes, and other crime and quality of life interests with which OCSD is involved. This can include town halls, regular progress reports, and other approaches discussed in this report.

The Chief of Police should be tasked with establishing a process to regularly engage the community as a partner of the Department. The initial community process can involve the development of San Clemente's public safety strategic goals, objectives and performance metrics consistent with OCSD's vision, mission and core values.

The Chief and supervisory staff should meet in planning sessions as it relates to directly developing Department goals and objectives. After the initial meeting, recurring meetings should be held annually to tie accountability to performance.

The Chief and supervisory staff must develop a system of data collection so that the response to meeting goals and objectives can be measured.

The Chief should devise internal processes by which performance-based information is shared equally among line, supervisory and management staff to ensure uniformity in work direction.

The Chief should develop a semi-annual report to the community which reports back on the progress toward meeting established objectives and obtain their feedback on meeting performance.

Adopt a formal problem-oriented policing approach for effective use of patrol proactive time, engaging the community regularly and developing plans and reporting as outlined by the Department of Justice's Office of Justice Programs abstract and described in this report.

The Chief should ensure effective community messaging is undertaken with regard to problem-oriented policing results. A summary of POP processes and metrics have been provided as an illustration of possible opportunities to pursue.

OCSD and San Clemente should devise efforts, to include various web-based postings, to keep San Clemente citizens better informed of OCSD public safety and patrol service activities. This should extend to the City Council which should have formal performance briefings by OCSD at least annually and preferably every six months.

PATROL OPERATIONS

Maintain existing authorized patrol staffing deputies of 26 personnel. Develop alternative contract language with OCSD to ensure San Clemente patrol staffing does not fall below 25 patrol deputies or a maximum of one (1) vacant position.

Maintain existing authorized patrol staffing of four (4) sergeants

Establish a patrol minimum staffing level requirement in the OCSD agreement. This is currently not formalized in OCSD policy. The minimum staffing level for San Clemente should be four (4) patrol deputies on Day Shift and Night Shift.

Maintain the existing balance of civilian and sworn personnel deployed to Patrol
Temporarily transfer the two (2) Motor Deputies in the summer to patrol cruisers acting as a primary call for service responder. Traffic enforcement can be re-emphasized and occur among all patrol deputies during proactive time in the summer.

Temporarily transfer the one (1) School Resource Officer in the summer to a patrol cruiser to act as a primary call for service responder.

Re-organize the TRIP program in the summer, temporarily suspending one (1) patrol deputy rotation from Patrol and temporarily assigning the Directed Enforcement Deputy to TRIP during summer months. This will retain three (3) deputies and one (1) detective personnel in TRIP throughout the year.

Better formalize the Beach Patrol Program including dedicated assignment, hours/days of operation, overtime budget, monthly reporting requirements and other programmatic efforts described in this report.

Maintain existing staffing levels of three (3) Community Service Officers until parking and nuisance abatement circumstances warrant change.

Continue the best-in-class RSVP volunteer program and advertise the program and expand participation, as practical.

INVESTIGATIONS AND SUPPORT SERVICES

Consistent with the problem-oriented policing philosophy, the City/community should help establish some framework for the level of traffic enforcement and accident reduction they wish in the community. This will help dictate patrol focus and dedicated Motor Deputy staffing levels.

The OCSD should establish quarterly performance objectives for citation and warning production for the patrol contingent and Motor Deputies. Performance expectations would be dictated by the level of enforcement directed by the City.

Until additional performance-based direction is developed regarding City traffic enforcement, maintain existing staffing levels of two (2) Motor Deputies in San Clemente.

Maintain existing staffing level of one (1) position for the School Resource Officer (SRO). Continue the progressive TRIP program composed of three (3) deputies and one (1) detective parttime/overtime.

Fully integrate the problem-oriented policing philosophy represented by TRIP into the entire San Clemente police services operation, coordinating all resources including patrol, investigations, traffic and other supporting services.

The problem-oriented policing philosophy dictates that efforts such as parking and nuisance abatement efforts should be partially driven by the City/community that help establish some framework and expectations for these enforcement efforts. This will help dictate the desired focus and ultimately staffing levels for the Community Service Officer position.

Given excessive but largely unscreened detective workloads, consult with the City in regard to investigative expectations to include retaining or eliminating non-criminal incident follow-up, vandalism follow-up, low-value theft follow-up and other "minor event" case assignments to detectives. This will help lay the foundation for a progressive detective case management approach.

Formalize the case screening process using a documented solvability factor methodology that includes a 12-point criteria checklist on all assigned detective cases.

Formalize a detective caseload prioritization system as part of the case screening process using a 7-priority system as a framework.

Ensure a formal supplemental report is written every 45-days for each case investigated for increased case management accountability.

Upon revision to the case management and case assignment approaches, revisit detective staffing level needs based on the tools provided in this report. In the interim, retain the four (4) detectives currently assigned to San Clemente.

Assign the Administrative Sergeant to directly oversee the detective unit. To accomplish this, off-load some administrative workloads to non-sworn administrative support newly assigned to San Clemente.

To enhance overall internal administrative police service operations and related programmatic efforts, authorize one (1) additional Administrative Community Service Officer position in the contractual agreement.

POLICE SERVICE CONTRACT REVIEW

During the negotiation process the City of San Clemente should require OCSD staff to reevaluate the methodology, the costs (staff positions included as overhead), as well as the allocation bases (all staff – regional / shared + direct personnel) utilized for divisional overhead to ensure that it is fair and equitable.

The City should re-evaluate the regional / shared staff personnel costs for not only the personnel costs being assessed, but also for the level of support that is being provided by the regional / shared staff. For example, if there is no additional support provided by the Regional Traffic unit, the City of San Clemente should not be assessed a cost for unrealized support.

The majority of services included in the Additional Costs / Revenue section of the Contract are fairly typical and direct-charged based. These costs should not be re-evaluated. Other costs such as the Patrol Training Cost Allocation (FTB) and Enhanced Helicopter Services should be re-evaluated based upon further discussion.

The Sheriff's office should quality control the timesheets to ensure that there is appropriate overtime tracking being conducted. This will not only help the Sheriff's office to ensure that all overtime costs are being captured, but also help the City of San Clemente in determining where and how overtime is being used.

The City of San Clemente should re-evaluate the services and supplies surcharge and apply it as a direct charge rather than as overhead to positions, the only exception should be regional / shared staff.

The Orange County Sheriff's Department should not assess helicopter services based on the number of Deputy Sheriff IIs, but rather actual hours of helicopter services utilized or proportion of incidents that required helicopter services. Additionally, these costs should be removed from the City of San Clemente's contract as the City does not receive helicopter services from the County.

The Field Training Bureau cost should be reallocated as part of the training overhead costs, rather than having two different training charges being assessed on the contract.

Further detail should be provided regarding the specific training costs being allocated to sworn and Deputy Sheriff II employees including the allocation basis for these charges. This information should be provided prior to renegotiation of contracts to ensure that San Clemente is paying their fair share of services.

The Orange County Sheriff's Department should update the resolution of services that are provided free of charge or "pro-bono" to contract agencies. This list should be reflective of all current services and remove / add any services that are being charged or not charged for, respectively.

The City of San Clemente should review the resolution to ensure that they are not being charged either through overhead or a direct line item for services that should be provided pro-bono such as helicopter services.

Public Safety Task Force Code Compliance Division Overview



Presented by:

Adam Atamian, MPA, AICP

Code Compliance Manager
AtamianA@San-Clemente.org

Beverly Thompson, CCEO

Senior Code Compliance Officer
ThompsonB@San-Clemente.org

City of San Clemente
Community Development Department
Code Compliance Division

Overview Topic 1:

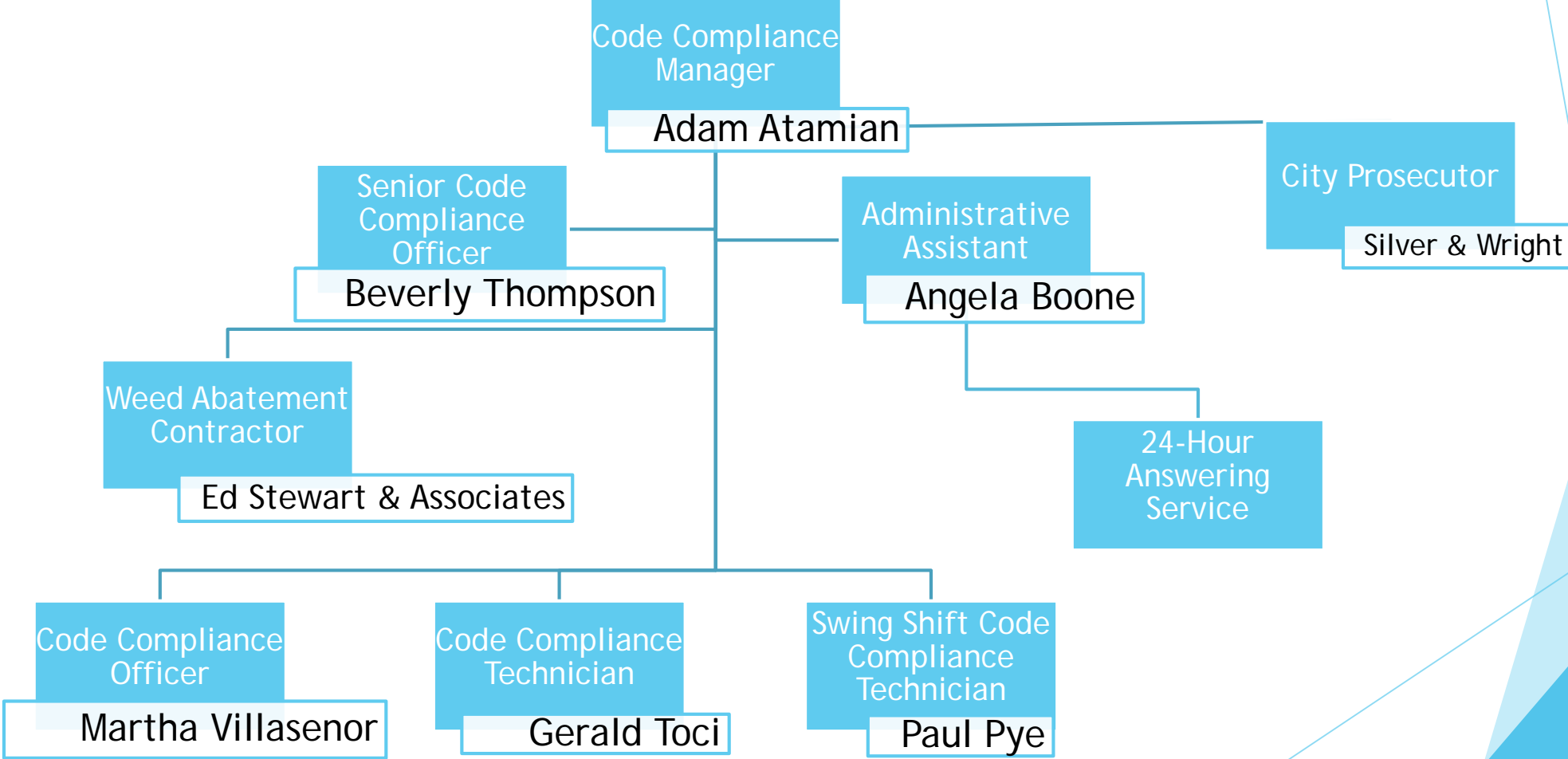
Division Background

- Enforcement
- Responsibilities
- Resources
- Capabilities



Background: Resources

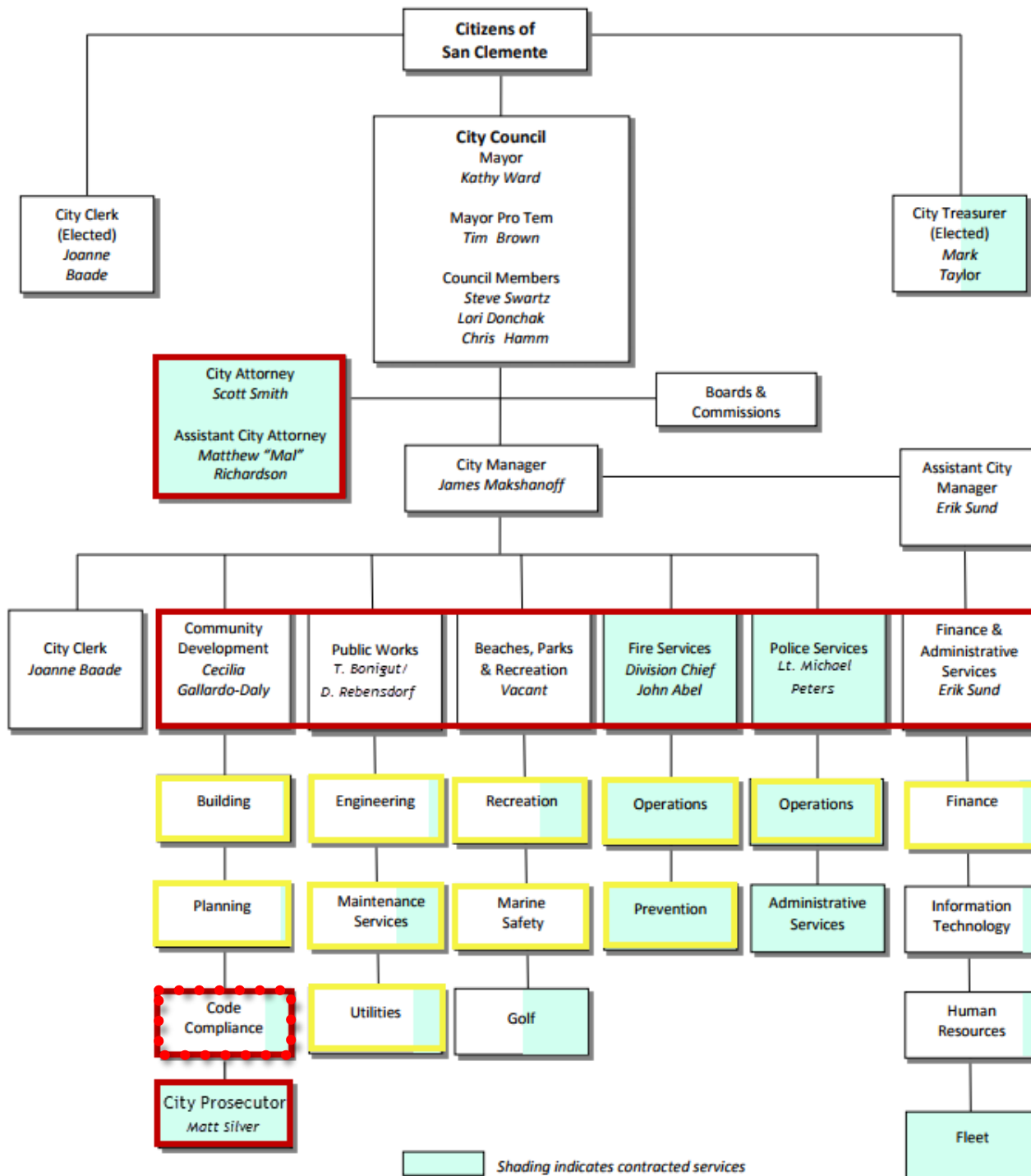
CODE COMPLIANCE STAFF



CODE COMPLIANCE SERVICES

- ▶ Municipal Code Enforcement
 - ▶ Zoning Code
 - ▶ Building Code
 - ▶ Business License Requirements
 - ▶ Engineering Standards
 - ▶ Environmental Programs
 - ▶ Graffiti Program
 - ▶ Weed Abatement
 - ▶ Animal Services
 - ▶ Everything Else





Shading indicates contracted services

Background: Enforcement

Common Violations Reported To Code Compliance:

- Unlicensed businesses
- Illegal use of residential property
- Parking of oversized vehicles - RV's, boats, trailers
- Commercial and residential lighting
- Commercial signage and banners
- Fence height issues
- Unpermitted home businesses
- Inoperable vehicles
- Loud neighborhood disturbances
- Unpermitted camping
- Disabled parking space maintenance
- Illegal dumping of debris
- Accumulation of debris
- Weeds on private property
- Sub-standard housing
- Unpermitted residential units
- Graffiti

Background: Enforcement

Examples of Code Violations



Background: Enforcement

Examples of Code Violations



Contacting Us

City Website

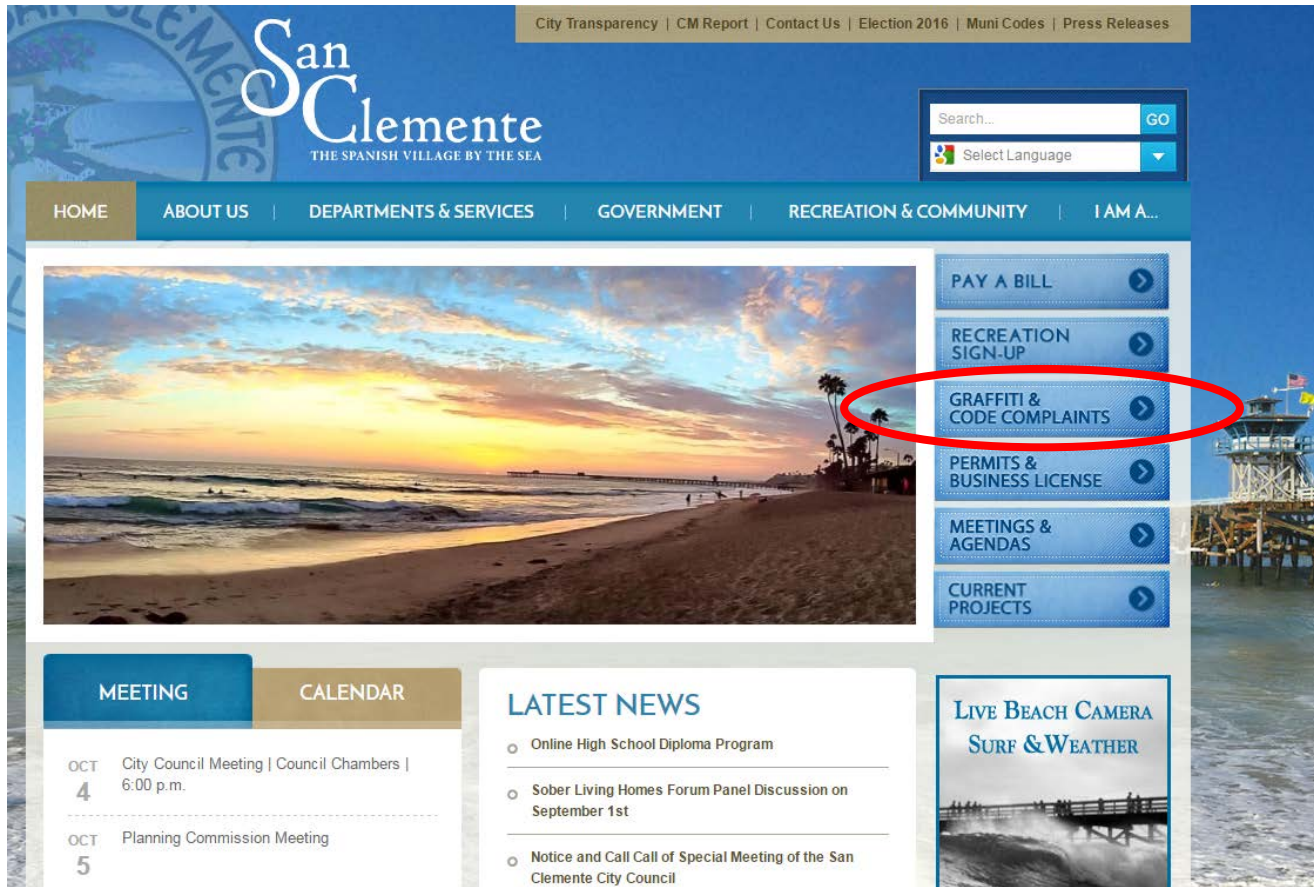
Phone: (949) 366-4705

Graffiti Hotline: (949) 361-8385

Email: codeenforcement@san-clemente.org

Background: Resources

Filing Complaints



Code Compliance

Anonymous reports are accepted. However, we will be unable to notify you of issue resolution.

For more information, please call the Code Compliance Department directly at (949) 366-4705.

* WATER/SEWER EMERGENCY, CALL (949)366-1553

Issue Details

Issue Type: GRAFFITI WEED ABATEMENT

*Description:

*Enter all or part of the address and press search

SEARCH

Your Information

I wish to remain anonymous

*Name

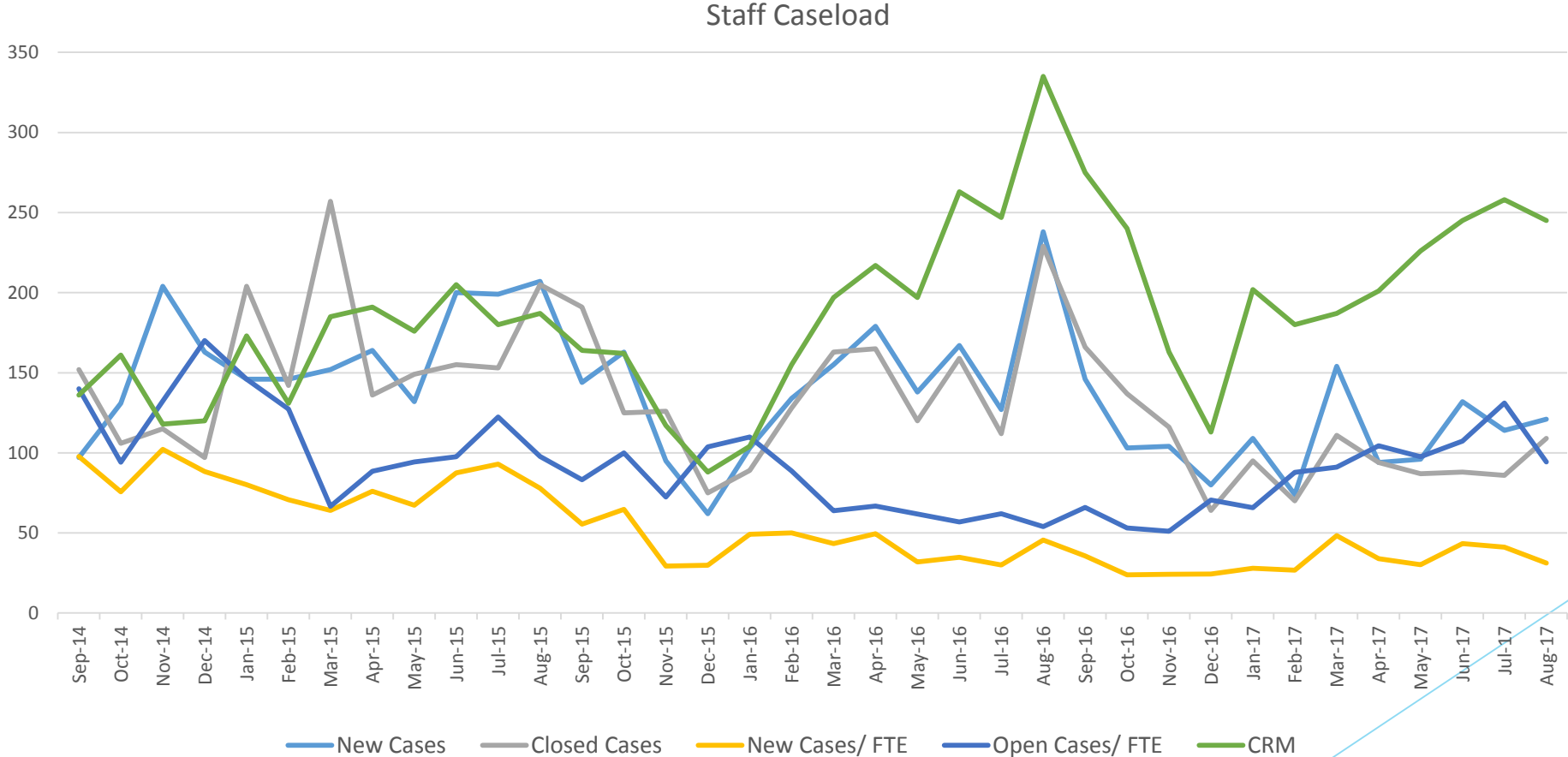
Phone

Email

Background: Capabilities

CODE COMPLIANCE WORKLOAD

Code Compliance staff responded to 1,959 complaints in 2015, 2,506 complaints in 2016, and 1,877 complaints in 2017 to date.



CODE COMPLIANCE PROCESS

- ▶ Notification of a violation
- ▶ Investigation
- ▶ Establish time frames of compliance
- ▶ Citation in cases of non-compliance
- ▶ Administrative hearing and order
- ▶ Nuisance Abatement, Criminal Action, or Civil Action
- ▶ Verification of compliance

Current Focus

- ▶ Neighborhood Improvement
- ▶ City-wide Impacts
 - ▶ Illegal Camping and Encampment-related Nuisances
 - ▶ Unpermitted Residential Land Uses
 - ▶ Unlicensed Businesses (Residential and Commercial)
- ▶ Division Improvements
 - ▶ Matrix 1.0

Questions:

Division Background

- Enforcement
- Responsibilities
- Capabilities
- Resources



Overview Topic 2:

Homelessness, Encampments and Nuisance Abatement



Stakeholders

- Social services agencies
- Religious and charitable organizations
- The homeless
- Residents living close to homeless encampments
- Businesses
- Community as a whole
- Media
- City officials
- County officials
- Law Enforcement
- State and Federal representatives

LEGAL FRAMEWORK

The Philosophical Debate on Chronic Homelessness

There are many strong and organized arguments for and against the chronically homeless. Some believe chronic homelessness is a lifestyle choice. Others claim it is a consequence of socio-economic factors, such as high unemployment and the lack of affordable housing, or that the chronically homeless are victims of abusive childhoods, addiction, or mental illness. In any event, they oppose criminalizing what they perceive to be a status beyond a homeless person's control. Still others object to the "criminalization of homelessness" because it violates fundamental constitutional rights, in particular those codified in the **First, Fourth, Eighth, and Fourteenth Amendments**.

Codified Public Policy

California mandates that cities provide opportunities to accommodate local needs (i.e. by-right emergency shelter zones, Cal. SB 2).

Issues of Homelessness

Violations

1. Trespassing
2. Unpermitted Camping
3. Personal Storage
4. Trash and Debris
5. Hazardous Material Storage

Impacts of Homelessness

- 1. Can Result in Impacts on the Community**
 - a. Unpermitted use of public and private land
 - b. Cost of public resources
 - c. Criminal activity by the chronically homeless
 - d. Threats to business viability

- 2. Can Result in Impacts on the Environment**
 - a. Wilderness/Open Space fire danger
 - b. Water course contamination

- 3. Can Result in Impacts on the Homeless Population**
 - a. Unhealthy encampment conditions
 - b. Victimization of the chronically homeless

Public Property Procedure

Initial Inspection

- **If unoccupied** - Document location, date and time of encampment.
- **If occupied** - Do not approach camp, contact OCSD (949-770-6011) and wait for assistance.
- Notify complainant (if available) of contact with encampment, and process to occur.

Action

- Post location with abatement notice and contact the City Contractor for clean-up.
- If camp was occupied; while assisted by OCSD, issue a Correction Notice to the occupant.

Follow-up & Final Inspection

- Notify FAM of possible "chronic homeless" individual(s) encountered.
- Document abatement of illegal campsite and update complainant.

Private Property Procedure

When new encampments identified, whether occupied or otherwise:

1. Provide Notice of Correction to property owner, and include trespassing ordinance info and forms if they haven't already provided authorization.
2. Inform OCSD of encampment
3. Coordinate contact between property owner and OCSD, when necessary
4. Follow-up inspection
5. If violations remain, continue Code Compliance enforcement procedures

Considerations to Improving Enforcement

1. Educating the public
2. Defining City-wide policy goals
3. Protecting civil rights
4. Identifying effective resources already in place
5. Connecting individuals with resources
6. Systematic coordination with property managers
7. Focusing stakeholder attention to most effective operations
8. Developing a City-led program to deal with continuing issues

Potential Solutions

Example: Changing the physical environment

1. Clear-cutting overgrown brush
2. Impeding access to desirable camping locations
3. Reducing hidden areas of Open Space/ vacant land
4. Encouraging private property owners to secure vacant lots and buildings
5. Removing or altering street furniture

Potential Solutions Require Coordination

1. Community Development Department
 - a. Planning
 - b. Building
 - c. Code Compliance
2. Utilities
 - a. Environmental Programs
 - i. Water Quality
 - ii. CR&R
 - b. Sewer
 - c. Water
3. Beaches, Parks, and Recreation
4. Public Works
 - a. Engineering Development Services
 - b. Streets
 - c. Emergency Planning
5. Maintenance
 - a. Facilities
 - b. Beaches and Parks
6. Orange County Sheriff Department
7. Orange County Fire Authority
8. City Weed Abatement Contractor (Ed Stewart & Associates)
9. City Landscape Architect
10. Marine Safety
11. Cal-Trans (I-5 right-of-way)
12. California Highway Patrol (enforces I-5 right-of-way)
13. California Department of State Parks (Calafia State Beach)
14. California Department of Fish and Game (if CEQA is required)
15. Camp Pendleton/ Army Corp of Engineers



Questions:

Homelessness, Encampments and
Nuisance Abatement

Overview Topic 3:

Residential Land Uses and Housing



Residential Land Uses and Housing - Violations

- ▶ Code Compliance violations concerning:
 - ▶ Commercial businesses operating in a residential zone;
 - ▶ Substandard Housing;
 - ▶ Property Maintenance;
 - ▶ Vacation Rentals;
 - ▶ Boarding Houses; and
 - ▶ Nuisances.

Codes and laws pertaining to Residential Land Uses and Housing

- ▶ San Clemente Municipal Code;
- ▶ Adopted State Codes - Building Code - Mechanical Code, Residential Code, Plumbing Code and Electrical Code;
- ▶ Other Adopted State Codes - Health and Safety Code, Uniform Code for the Abatement of Dangerous Buildings;
- ▶ International Property Maintenance Code;
- ▶ Federal Fair Housing Act, Americans with Disabilities Act, Equal Employment Opportunity Act, CA State Unruh Civil Rights Act.

Residential Land Use Enforcement Coordination

- ▶ City of San Clemente
 - ▶ Community Development Department
 - ▶ Planning and Zoning Division
 - ▶ Building Division
 - ▶ Finance Department
 - ▶ Business Services Division
 - ▶ City Clerks Office
 - ▶ Records Management (PRAs)
 - ▶ Administrative Hearings
 - ▶ Public Works
 - ▶ Land Development Engineering Division
 - ▶ Water Quality
 - ▶ Environmental programs
 - ▶ Utilities
 - ▶ Water Division
 - ▶ Sewer Division

Residential Land Use Enforcement Coordination

- ▶ Orange County Sheriff Department;
- ▶ Orange County Health Care Agency;
- ▶ Orange County Fire Department;
- ▶ Department of Social Services;
- ▶ Department of Health Care Services;
- ▶ Vector Control;
- ▶ Animal Control.
- ▶ Local Non-profit organizations
 - ▶ Family Assistance Ministries
 - ▶ Housing Improvement Grant Programs

Residential Land Use Enforcement Process – Example

- ▶ Commercial Business Operating in a Residential Area;
- ▶ Communicate with the Reporting Party;
- ▶ Research Address History;
- ▶ Make a Site Inspection/Investigate;
- ▶ Develop a Working Context - What Codes - What Departments - What Agencies;
- ▶ Post a Cease and Desist/Correction Notice
- ▶ Inspection Warrant;
- ▶ Issue Administrative Citations;
- ▶ Abate/ City Prosecutor Action;
- ▶ Resolution of Submitted Complaint.

Division Goals/Outcomes in addressing Residential Land Uses & Housing Violations

- ▶ Elimination of dangerous and/or unsafe housing conditions;
- ▶ Elimination of nuisance activity;
- ▶ Ensure properties are brought into compliance with ALL applicable codes;
- ▶ Respect every person and treat them with dignity and respect;
- ▶ Educate the public - knowledge is power;
- ▶ Improve neighborhood safety;
- ▶ Encourage public input and participation in enforcement.



Questions:

Residential Land Uses and Housing

Contact Us

City Website

Phone: (949) 366-4705

Graffiti Hotline: (949) 361-8385

Email: codeenforcement@san-clemente.org

