

Public Safety Update

Objective

To provide the City Council with an update on the City's core Public Safety Services, and to provide direction for future investment.

Executive Summary

The City of San Clemente utilizes a breadth of services to address Public Safety issues. The table below shows the major components of the City's Public Safety efforts and the budget for each for FY 2019-20 and projected costs for FY2020-21:

<u>ONGOING SERVICES</u>	<u>BUDGET</u> <u>FY 2019-20</u>
Police Services	\$17,329,520
Fire and Ambulance Services	\$11,201,440
Marine Safety	\$2,356,080
Code Compliance	\$1,175,450
RSVP Program	\$14,000
TOTAL	<u>\$32,076,490</u>

<u>ONGOING SERVICES</u>	<u>PROJECTED-</u> <u>BUDGET</u> <u>FY 2020-21</u>
Police Services	\$18,990,000
Fire and Ambulance Services	\$11,920,000
Marine Safety	\$1,920,000
Code Compliance	\$1,210,000
RSVP Program	\$14,000
TOTAL	<u>\$34,054,000</u>

The City's total General Fund Operating Budget (representing ongoing costs and excluding one-time items) totaled \$66,900,000 for FY 2019-20. The ongoing Public Safety efforts noted above represent 48% of that total for FY 2019-20, and 26% for Police Services and 17% for Fire and Ambulance, respectively.

Background and Discussion

The City of San Clemente, like most California cities, has been dealing with issues related to public safety. A number of considerations include, but are not limited to; 1) Legislation at the State and even Federal-level has affected the City and amplified public safety issues, 2) rising County pension and benefit costs have led to exponential growth in the cost of providing police and fire services to the City, and 3) economic decisions by local healthcare providers leading to the closure

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of a local emergency room. These impacts have the potential to affect the City of San Clemente's quality of life and are considered in the City's approach to public safety. The City is committed to being proactive and responsive to all considerations through careful allocation of police, fire, ambulance services and other department funding.

In order to address the public safety challenges facing the City of San Clemente, the City has taken a "Public Safety Continuum" approach, whereby Police and Fire services are augmented with the work of several other City Departments and services all contributing to making San Clemente a better, and safer, city. The Public Safety Continuum is a holistic approach that involves Beaches, Parks and Recreation, Code Compliance, Marine Safety, and programs like our Retired Senior Volunteer Program. The City also reaches out and works extensively with our community partners, including neighborhood organizations, non-profit agencies, and other government agencies.

On the following pages, you will find more detail on some of the components of the current Public Safety efforts deployed by the City of San Clemente, including current resources.

Public Safety Summary:

POLICE SERVICES DIVISION

TOTAL FY 2019-20 ADOPTED BUDGET = **\$17,329,520**

The City of San Clemente contracts with the Orange County Sheriff's Department (OCSD) for Police Services. The Sheriff's Department is responsible for the protection of citizens, enforcement of laws, and crime prevention. The OCSD provides law enforcement services that include patrol, investigations, traffic enforcement, community support, drug education, parking control, and crime prevention.

The mission of the Sheriff's Department is to provide responsive, professional law enforcement services to all people in the City. Deputies are committed to promptly responding to calls for service, to protect lives and safeguard property, to initiate and maintain crime prevention programs, and to apprehend criminal offenders. The Sheriff's Department primary goal is to provide a safe environment for its community members to enjoy San Clemente's many amenities.

The City maintains the following police staffing:

Staffing = 53 full-time

- 1** Police Services Chief (Lieutenant)
- 5** Sergeants
- 28** Patrol Deputies
- 2** Traffic Deputies
- 1** School Resource Deputy (SRO)
- 3** Community Service Officers
- 2** Homeless Liaison Deputies
- 3** TRIP Team Deputies
- 1** DET Deputy
- 4** General Investigators
- 2** Office Specialist
- 1** Crime Prevention Specialist

Patrol deployments generally result in about five (5) deputies in the field on most shifts, in addition to deputies field for special enforcement functions (traffic, TRIP, Directed Enforcement, Homelessness, etc.).

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One of the largest challenges facing the City's Police Services Department is vacancies. The following are tables highlighting the City's Polices Services vacancies and overtime usage for FY2016-17 through FY2018-19, and the year-end projection for FY2019-20:

		OVERTIME			
		Budget	Usage	Remaining	% Used
1.	SC - FY 2016-17	1,064,663	(1,087,448)	(22,785)	102%
2.	SC - FY 2017-18	1,097,087	(1,338,038)	(240,951)	122%
3.	SC - FY 2018-19	868,615	(1,499,027)	(630,412)	173%
4.	SC - FY 2019-20 (as of 10/31/19)	771,549	(1,638,824)	(867,275)	212%

		VACANCY CREDITS			
		Budget	Usage	Remaining	% Used
1.	SC - FY 2016-17	(167,576)	735,230	567,654	439%
2.	SC - FY 2017-18	(200,000)	585,835	385,835	293%
3.	SC - FY 2018-19	(200,000)	1,108,883	908,883	554%
4.	SC - FY 2019-20 (as of 10/31/19)	(200,000)	985,813	785,813	493%

		NET (All Categories)			
		Budget	Usage	Remaining	% Used
1.	SC - FY 2016-17	957,087	(362,436)	594,651	38%
2.	SC - FY 2017-18	922,087	(770,177)	151,910	84%
3.	SC - FY 2018-19	693,615	(390,144)	303,471	56%
4.	SC - FY 2019-20 (as of 10/31/19)	571,549	(653,140)	(81,591)	114%

Source: LEC Contract Analyst Monthly Status Reports to City

It is important to note that the numbers include not just hours that positions are vacant, but also officers who are out on family/medical, administrative, military leave, or Workers' Compensation, as well as officers who might be on loan for a special assignment. Regardless of the reason, the City is facing a challenge when it comes to vacant positions in our contract.

Hiring officers in today's climate is both challenging and extremely competitive. Police and sheriff's departments across the state and beyond have seen their ranks shrink because of retirements, promotions and attrition. The hiring process for new officers is rigorous and selective, resulting in a small and highly sought-after pool of qualified candidates. Compounding the issue for OCSD is their requirement that newly sworn officers work 4-5 years in the County jail prior to taking a patrol position with any of their contract cities. In the FY2019-20 budget, the City added two deputies, but only one position has been filled as of January 2020. In the meantime, OCSD utilizes overtime to fill vacant positions and ensure San Clemente is still receiving adequate service. However, overtime should only be used to help in the short-term and is not a viable long-term solution if the City is going to continue to provide the level of service that the residents expect and deserve.

In the past, the City has analyzed the cost to add deputies and resources to the Police Services contract. If the City is looking to explore the cost of adding additional deputies for the FY2020-21 fiscal year, the fully loaded cost is \$290,788 – it should be noted that this cost is based off the 1st estimate received by OCSD. In addition to the fully loaded cost, other increases in overhead and equipment would be added to the contract depending on the additional services desired.

Another issue of importance related to the OCSD contract is the recently approved MOUs for all of the OCSD labor unions. Here are the projected increases for FY2020-21:

- Association of County Law Enforcement Managers (ACLEM)
 - 3.5% Cost of Living Adjustment (COLA) effective 07/02/2020
- Association of Orange County Deputy Sheriffs (AOCDS)
 - 3.5% Cost of Living Adjustment (COLA) effective 07/03/2020
- Orange County Managers Association (OCMA)
 - 2.5% Cost of Living Adjustment (COLA) effective 07/03/2020
- Orange County Employees Association (OCEA)
 - 2.5% Cost of Living Adjustment (COLA) effective 07/03/2020

Recently, the City received the first estimates for the FY2020-21 Law Enforcement contract. The first estimate is \$17,780,857, which reflects a projected increase of \$841,268 or 4.97% over the FY2019-20 LEC contract final adjusted total of \$16,939,589. In addition to the labor union contracts, first estimates reflect the additional costs related to the deployment out of the Southwest (Aliso Viejo) sub-station for FY2020-21. A pro-rated credit will be issued in the event San Clemente Police Services moves out of the Southwest sub-station and into the new City Hall

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location during the FY2020-21 fiscal year.

Aside from the OCSD contract, there are additional costs budgeted in the Police Services Division include maintenance of City owned vehicles, maintenance of city owned radio equipment, additional funding for special City events, school crossing guards, access to the State's fingerprint database, citation processing, parking administration fees, maintenance and supplies for the City's local Police Station, service awards, other miscellaneous operating supplies and City overhead.

The City's total General Fund Operating Budget (representing ongoing costs and excluding one-time items) totaled \$66,900,000 for FY 2019-20. The ongoing Police Services efforts noted above represent 26% of that total for FY 2019-20.

For more information about Police Services, please visit the City's website at <http://www.san-clemente.org/departments-services/safety-services/police-services> .

FIRE SERVICES DIVISIONTOTAL FY 2019-20 ADOPTED BUDGET = **\$11,201,440****Fire**

The Orange County Fire Authority (OCFA) formed in 1995 to provide regional fire protection and related services to the County of Orange and 23 member cities, including the City of San Clemente. The City of San Clemente currently has a 20-year membership contract with the OCFA to provide fire and emergency related services, which commenced on July 1, 2010 and will end on June 30, 2030. The 20 year membership contract shall renew automatically at July 1, 2030, under the same terms and conditions, unless the City notifies the OCFA “*prior to July 1 of the second to last year of every ten year interval*”, or July 1, 2028 in this instance.

The contract with the OCFA includes a Base Service Charge, an annual increase capped at 4.5%, as well as annual contribution payments for fire station maintenance and fleet replacement reserves. The OCFA contract budget for FY 2019-20 is as follows:

FY 2018-19 Adjusted Base Service Charge	\$8,570,835
2010 Shortfall Installment Payment	64,200
4 th Post Position Phase-In Costs	161,562
FY 2019-20 Final 4.5% Increase	388,576
Facilities Maintenance Charges	36,361
Vehicle Replacement Charges	<u>133,369</u>
Total OCFA FY 2019-20 Contract	\$9,354,903

The Base Service Charge increases annually, but the implemented increase is capped at 4.5% per year, per the contract. If the actual computed increase is more than the 4.5% cap, the excess amounts owed to the OCFA will be banked and charged to the City in a subsequent year(s), until the shortage is paid in its entirety. Contributions for station maintenance and fleet replacement charges are billed based on actual and projected costs.

The addition of a fourth firefighter on full rotation for the City of San Clemente (requiring the addition of three additional firefighter positions due to 24 hour staffing) was implemented by OCFA at the beginning of FY 2017-18, with an eight-year, shared cost, phase-in plan. The addition is being filled through overtime initially, with the first two years of costs fully paid by OCFA. The City begins to pick up a share of these costs in the third year, FY 2019-20, with full cost pick-up by the City by the eighth year.

The chart below (provided by OCFA in May 2017), shows projected costs for the eight year period, based on an assumption of 2% increases after August 2020:

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Year	Fiscal Year	OCFA Cost Share		San Clemente Cost Share	
1+	March 2017-June 2018	Three OT Positions	\$610,385	None	
2	2018/19	Three OT Positions	\$477,209	None	
3	2019/20	Two OT Positions	\$323,123	One OT Position	\$161,562
4	2020/21	One OT Position	\$164,593	Two OT Positions	\$329,186
5	2021/22	None		Three OT Positions	\$503,655
6	2022/23	None		Two OT, one regular position	\$592,394
7	2023/24	None		One OT, two regular positions	\$683,567
8	2024/25	None		Three regular positions	\$778,980

**Costs are based on current salary/benefits per MOU terms that run through August 2020; costs beyond 2020 are estimated using a 2% salary/benefit inflator.*

The City has 3 fire stations at the following locations:

Fire Station 50: 670 Camino De Los Mares, just past the hospital

Fire Station 59: 59 Avenida La Pata in Talega

Fire Station 60: 121 Ave Victoria

Ambulance (Ground Emergency Medical Transport)

In January 2017, City Council directed staff to pursue an RFP for ambulance services. Subsequently the RFP process, the City entered into a five-year contract with Care Ambulance Services, through FY 2021-22, for the services of two full-time ambulances. The City's five-year contract with Care Ambulance Services provides for a fixed annual cost for ambulance transport services. The contract runs through June 2022 for the two full-time ambulances.

Annual costs for the five years of the contract are as follows:

<u>Contract Year</u>	<u>Fiscal Year</u>	<u>Amount</u>
Year 1	FY 2017-18	\$1,138,548
Year 2	FY 2018-19	\$1,210,124
Year 3	FY 2019-20	\$1,281,379
Year 4	FY 2020-21	\$1,317,006
Year 5	FY 2021-22	\$1,352,633

There is also a revenue component to the City's Ambulance Services program. In FY 2019-20, the adopted budget projected total net income of \$1,450,000 from ambulance fees as well as \$25,000 income from the City's ambulance subscription program.

The City also participates in the Ground Emergency Medical Transport (GEMT) grant reimbursement program, administered by the California Department of Health Care Services, which provides eligible providers with supplemental reimbursements for certain Medi-Cal emergency transports. The timing and receipt of these reimbursements is uncertain at this time.

Other than the OCFA contract and the CARE ambulance contract, additional Fire related costs budgeted in the Fire Services Division include miscellaneous supplies and City Overhead.

The City's total General Fund Operating Budget (representing ongoing costs and excluding one-time items) totaled \$66,900,000 for FY 2019-20. The ongoing Fire Services efforts noted above represent 17% of that total for FY 2019-20.

For more information about Fire Services please visit the City's website at <http://www.san-clemente.org/department-services/safety-services/fire-services> .

CODE COMPLIANCE DIVISION

TOTAL FY 2019-20 ADOPTED BUDGET = **\$1,175,450**

The City's Code Compliance Division is part of the Community Development Department. The Division addresses violations of the San Clemente Municipal Code (SCMC) related to commercial and residential land use, environmental requirements, construction standards, property maintenance, and other public nuisances affecting the City's quality of life..

The mission of Code Compliance in the City of San Clemente is to maintain a safe, healthy environment for our residents and visitors to live, work and play through assuring compliance with the City's land use, environmental and construction codes. In achieving this mission, the Code Compliance Division contributes to the long-term stability of the City by protecting its economic vitality and diversity resulting in a vibrant, balanced community capable of addressing today's needs and planning for tomorrow's challenges. The Division will assure compliance by encouraging voluntary compliance and sanctioning code violators who do not comply willingly.

The code enforcement process is typically initiated after a member of the public submits a complaint. If the complaint describes a violation of the SCMC, a case is created, and a Code Compliance Officer is assigned to investigate the alleged violation. Based on a number of factors, such as seriousness of the violation, type of violation, etc., the Code Compliance Division may issue a Notice of Correction. If corrective action is not completed at the expiration of the Correction Notice, the City may issue an Administrative Citation or use other abatement procedures specified in the SCMC.

Common Violations Investigated by Code Compliance	
Unlicensed businesses (Res. And Comm.)	Short-term lodging complaints
Illegal use of residential property	RV parking on private property
Commercial signage and banners	Hoarding nuisances
Boardinghouses	Illegal dumping of debris
Unpermitted camping	Weeds on private property
Substandard housing	Short-term lodging complaints
Unpermitted residential units	Fence height issues
Inoperable vehicles	Commercial and residential lighting

The Code Compliance Division is comprised of:

Staffing = 6 full-time

- 1** Code Compliance Manager
- 1** Sr. Code Compliance Officer
- 1** Code Compliance Officer
- 2** Code Compliance Technicians
- 1** Office Specialist II

The City has utilized alternatives to enhance enforcement through Code Compliance. These actions, in conjunction with the adding of deputies were done to improve and deal with the quality-of-life issues being experienced by the City. Code Compliance is now directed by a Manager-level position. This Manager has a Planning background to better deal with the issue of sober-living facilities, short-term lodging units, and other code enforcement issues that develop from the City’s transient population.

On July 1, 2019, oversight of the City’s Park Ranger program was transferred to the Code Compliance Division. This transfer from the Beaches, Parks, and Recreation Department was for a one-year pilot program aimed to increase the skills, knowledge, and capabilities of the Park Rangers to enforce local laws on public property. It also serves to create consistency with other portions of the City’s enforcement operations, such as the Code Compliance Division’s enforcement of local laws on public and private property.

Ensuring appropriate and legal municipal code enforcement actions are undertaken by City staff, especially as they occur on public property in the case of the Park Rangers, requires a substantial amount of training, certification, on the job experience, and other particular aptitudes. The Park Ranger program is unique in that the program is currently staffed by individuals who previously served in the capacity of Park Monitors, which had no enforcement role (aside from calling the Sheriff’s Department, or attempting to educate the public, when illegal activities were observed). In this context, increasing the existing Park Rangers skills, knowledge, and capabilities, to a level necessary to appropriately and legally enforce the municipal code unsupervised is a large undertaking.

Common Violations Addressed by Park Rangers	
Illegal Consumption of Alcohol	Abandoned property
Vandalism/ graffiti	Gang-related incidents/ fighting
Unpermitted camping	Dogs off leash
Inoperable or abandoned vehicles	Signs placed illegally
Unlicensed businesses (sports instr.)	Drug use in restrooms
Illicit activities in vehicles	Drones over parks

The Park Ranger Program is currently budgeted to provide:

Staffing = 7 part-time (3.5 FTE)

1 Lead Park Ranger (benefitted, 32 hours/week)

6 Park Rangers (unbenefitted, 18.5 hours/week, 1 position currently vacant)

Following the Council’s September 18, 2019 approval to authorize the Park Rangers to enforce the municipal code on certain public property, the Code Compliance Manager initiated the work to develop and staff the Park Ranger program to accomplish this enforcement

goal. Concurrently, enforcement improvements are being made to increase the capabilities of the Code Compliance Division to better coordinate the City's SCMC enforcement with the work of the City Prosecutor's Office.

Additionally, in response to the urgent need to address nuisances stemming from homelessness, both the Code Compliance Division and the Park Ranger Program have devoted a substantial amount of staff time to this effort. Between May 1, 2019 and January 31, 2020, approximately 1.25 FTE of Code Compliance staff and .75 FTE of Park Ranger staff, have directly undertaken over 1,190 specific enforcement actions to address these issues. The vast majority of these actions are a departure from the traditional duties of both Code Compliance and Park Ranger staff. Often working alongside OCSD deputies, these actions include the following (all items are estimated conservatively):

Homelessness-related actions by Code Compliance and Park Ranger Staff

- 1) Enforced camp rules at the City's temporary, designated campsite 83 times;
- 2) Assisted in the clean-up efforts of 40 campsite spaces;
- 3) Facilitated 68 property retrievals;
- 4) Enforced SCMC regulations in the North Beach area 221 times;
- 5) Enforced SCMC regulations as Pico Park 43 times;
- 6) Addressed 185 incidents of abandoned property;
- 7) Placed 129 postings;
- 8) Issued 31 notices of correction;
- 9) Issued 27 administrative citations;
- 10) Addressed trespassing issues on private property 124 times;
- 11) Addressed 97 unpermitted encampments;
- 12) Enforced the City's business regulations 39 times;
- 13) Enforced SCMC violations occurring at City parking facilities/easements (not otherwise included) 34 times; and
- 14) Provided informational handouts 73 times.

Additional staff and resources will be required to mitigate long-term negative impacts that will arise as a result of the on-going nature of these homelessness-related activities, and to accommodate the Council's recent request to devote additional Code Compliance staffing to address these types of SCMC violations.

The Code Compliance Division has reallocated a portion of Code Compliance staff in the short-term, with an anticipated utilization of the Park Rangers in the long-term, as their training and certifications allow, in order to assuage negative impacts to the Code Compliance Division. The Park Rangers are the appropriate part of the City's enforcement team to address homelessness-related issues at park and beach property, especially as the City transitions to a more active involvement in dealing with homeless-related SCMC violations. The Park Rangers currently bolster particular aspects of the City's enforcement in this area, and will ultimately have a prominent role in this type of enforcement. Furthermore, the Rangers staffed hours cover times when Code Compliance is not generally available to respond to issues, and the two divisions can complement one another in this fashion. The two groups will both play a part in a citywide

program to address these issues, and the sooner these roles are implemented the more thorough and consistent the program will be over the long-term. Depending on how this issue becomes part of the normal operations of City enforcement personnel, it may be likely that devoting .75 FTE of Code staff and 1.75 FTE of Park Ranger staff will be necessary to continually address Council's concerns.

However, at this time the City's Park Ranger program is not staffed appropriately to provide the services described above, while maintaining the tasks currently undertaken. City staff is currently evaluating the Park Ranger program, and the Code Compliance Division as related, to determine the optimal level of staffing necessary to achieve the Council's enforcement objectives as efficiently as possible. If directed by Council, staff anticipates presenting the findings of this evaluation as recommended position enhancements in the Fiscal Year 2020-2012 Budget.

The major functions of the proposed Park Ranger Program would accomplish the following activities at the City's Parks and Beaches and related parking facilities, seven days a week and operate between 4:30 am and 1 am seven days a week.

Proposed Major Division Functions:

1. Enforcing the SCMC for various nuisances such as unpermitted camping, alcohol and smoking violations, illicit and other unsafe activities; Issuing Misdemeanor and Administrative Citations, as necessary.
2. Parking enforcement: Issuing parking tickets as necessary.
3. Opening and Closing park facilities (such as restrooms and fields)
4. Reservation/ park rental check-in/check-out, monitoring permit compliance
5. Special Event staffing, beach escort assistance and security presence
6. Park and beach patrol, and facilities supervision

The basis for this proposed staffing concept is the result of an analysis by the Code Compliance Manager, who has experience building a Division program as demonstrated by the work accomplished over the past three years in the Code Compliance Division, along with comparisons with other Park Ranger programs of similar size and scope. This analysis includes four general findings, as follows. First, current Park Rangers staff will require extensive training to gain the skills, knowledge, and most importantly, the aptitude to enforce the SCMC effectively on certain public property while providing the level of customer service expected from City employees.

Second, there is an issue with a training program, which staggers the pace of the certification and instruction of staff, the initiation of increased enforcement duties, and the improvement of compensation expected when the first two occur. Unavoidably, training staff separately over the course of months results in uncertain attrition or underpaying of staff. This is due to the tremendous increase in training being provided without the immediate reflection in their compensation. Attracting more qualified candidates, even if some training is necessary, avoids this issue because the gap between the employee and their anticipated qualifications will not be as great when openly recruiting for a new position as it is attempting to transform existing staff.

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Third, the most efficient use of the Park Rangers is to provide a level of enforcement that OCSD deputies are not capable of providing, that is those violations of SCMC, which are not addressed by OCSD. By addressing other types of violations, OCSD will receive fewer calls to address these matters themselves, and overall crime in the parks is likely to reduce given the optics of enforcement personnel actively engaged in the parks.

Fourth and finally, for those issues requiring OCSD involvement, a more professional Park Ranger program, properly educated and experienced in a complimentary working capacity to law enforcement, will better assist OCSD deputies instead of operating as a competing extension of them. It is anticipated these modifications to the Code Compliance Division and Park Ranger Program will result in a reduction of OCSD time and resources.

For more information about Code Compliance, please visit the City's website at <http://www.san-clemente.org/department-services/code-services>

Conclusion

Public safety is greater than the service provided by the City's fire fighters and police officers. Due to budget constraints, the City can only afford a certain level of service. The Public Safety Continuum describes the approach the City Council has taken in recent years. The public safety continuum is where Police and Fire services are augmented with the work of several other City Departments and services all contributing to making San Clemente a better, and safer, city. The Public Safety Continuum is a multi-faceted approach that involves Beaches, Parks and Recreation, Code Compliance, Marine Safety, and programs like our Retired Senior Volunteer Program. The City also reaches out and works extensively with our community partners, including neighborhood organizations, non-profit agencies, and other government agencies. In order to sustainably address quality of life issues that are of primary importance to the City, the City Council should consider committing additional resources to Departments and Divisions other than Police and Fire services.

Recommendations

1. Direct staff to include proposed Park Ranger Program and Code Compliance staffing enhancements and modifications in the Fiscal Year 2020-2021 Budget which reflect the findings of staff's evaluation to provide the level of service necessary to achieve the Council's enforcement objectives as efficiently as possible.

Fiscal Impact of Recommendations

The recommended modifications to develop the Park Ranger Program, and adjustments to the staffing of the Code Compliance Division, would be highlighted in the proposed Fiscal Year 2020-2021 Budget, including job descriptions and fiscal impact.