



City of Del Mar Staff Report



TO: Honorable Mayor and City Council Members

FROM: Mark Delin, Assistant City Manager
Via Scott W. Huth, City Manager

DATE: April 18, 2016

SUBJECT: Presentation and Discussion of Law Enforcement Options and Police Department Budget

REQUESTED ACTION/RECOMMENDATION:

Receive presentation from Ralph Andersen & Associates, discuss, and provide direction.

DISCUSSION/ANALYSIS:

In its July 20, 2015 meeting, the City Council authorized an amendment to the existing contract with Ralph Andersen & Associates to (1) study a hybrid patrol program in which the City could augment the law enforcement services provided by the Sheriff with City patrol officers, and (2) update the stand-alone Del Mar Police Department budget prepared by Ralph Andersen in a 2013 study. Ralph Andersen consultants will present the two studies at the April 18, 2016 City Council meeting.

Attached are the two reports prepared by Ralph Andersen & Associates. The Law Enforcement Options report (Attachment A) includes various options for supplementing Sheriff Department staff with City CSOs, both full-time and part-time; adding hourly support; adding private security services such as the Rancho Santa Fe Private Patrol; and adding a CSO from the Sheriff.

The Del Mar Police Department Budget Update (Attachment B) revisits and updates the 2013 cost analysis prepared by Ralph Andersen. While the budget allocates \$100,000 in indirect costs to support additional human resources and administrative costs of the department, it does not include the full costs of integrating a large new department into the City structure. The budget similarly does not include the cost savings from the synergies that could result from folding the current parking enforcement staff into a new department, nor the eventual transition of parking enforcement responsibilities from single-purpose parking enforcement staff to police officers in the new department.

City Council Action:

Action Taken: Council received the presentation from Ralph Andersen & Associates on Law Enforcement Option Study and Update of Costs for a Stand-alone Police Department. Council provided direction to staff and the Finance Committee to review information and return with a recommendation for additional community outreach in order to obtain feedback on the best option to address Priority 3 and 4 Sheriff Department response calls.

The City's Finance Committee plans to recommend to Council that the City develop its own police department at a Council meeting in May. Council may wish to provide direction at this time, or defer any direction until receipt of the Finance Committee's report.

FISCAL IMPACT:

There is no fiscal impact from this report.

ENVIRONMENTAL IMPACT:

None. This is not a project as defined by CEQA.

ATTACHMENTS:

Attachment A – Final Report – Evaluation of Law Enforcement Options
Attachment B – Update of Del Mar Police Department Budget

*Final Report
Evaluation of
Law Enforcement Options
City of Del Mar*

October 30, 2015

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Table of Contents

Chapter 1 Introduction	1
Chapter 2 Methodology	2
Chapter 3 Background	3
Chapter 4 Baseline Situation	5
Current Law Enforcement and Municipal Code Enforcement Services Provided within the City of Del Mar.....	5
Chapter 5 Limits on Ability of City Employees to Respond to Calls for Service to the Sheriff’s Department	7
Chapter 6 Analysis of Options.....	8
Option 1 – Hybrid Program – Continuation of Sheriff’s Contract Augmented by Del Mar Enforcement Officers	8
Option 1A – One (1) Full-Time Community Services Officer.....	8
Option 1B – Two (2) Part-time Community Services Officers	10
Option 1C – Supplement Existing Operations with Hourly Support	12
Option 2 – Continuation of Sheriff’s Contract Augmented by Private Security Services.....	12
Rancho Santa Fe Private Patrol	13
City of Santa Cruz.....	13
Business Improvement Districts	14
City Contract for Private Security Services.....	14
Option 3 – San Diego Sheriff’s Department Community Services Officer	16
Chapter 7 Recommendations	18
If the Highest Priority Goal is to Reduce the Response Time to Priority 3 and 4 calls	18
If the Highest Priority Goal is to Increase Patrol Visibility and the Sense of Safety in the Community...	18
Exhibit	
Exhibit 1 – City Attorney’s Opinion Regarding Law Enforcement Options in Del Mar	

Chapter I

Introduction

The City of Del Mar has asked Ralph Andersen & Associates to evaluate a variety of law enforcement organizational options to enhance public safety within the City. These options include augmenting the current contract for policing services with San Diego County by employing Del Mar Enforcement Officers who would be authorized to enforce a number of municipal code violations and provide general patrol services; contracting with a private security company to provide patrol services and possibly respond to specified non-emergency police calls for service; and lastly to evaluate the recent proposal by the County Sheriff's Department to provide additional services to the City through the employment of a Community Services Officer by the Sheriff's Department.

This request to evaluate various law enforcement options is a result of numerous concerns expressed in the community concerning law enforcement services currently provided by the County's Sheriff's Department. Among the concerns that have been expressed are the following:

- Cost of Sheriff's services is too high
- Response times to lower priority calls by the Sheriff's Department are too slow
- Lack of patrol "presence" in the City by the Sheriff's Department resulting in concerns about the community's overall safety
- Frequent turnover of Sheriff's deputies, resulting in a lack of familiarity of the community and its small town character

Del Mar is a small coastal city of 4,278 in San Diego County, embracing 2.1 square miles. The City attracts nearly 2,000,000 visitors to its beautiful beaches, and 3,000,000 visitors to the Del Mar Fairgrounds and Racetrack, which is operated by the State's 22nd District Agricultural Association. The City has a median household income of \$127,304 with the average price of a single family home exceeding \$1,600,000.

Since its incorporation in 1959, the City has contracted with the San Diego County Sheriff's Department for law enforcement services. Del Mar is the smallest of nine cities which contract with the County and the Sheriff for law enforcement services. The other eight cities include: Solana Beach, Encinitas, Imperial Beach, Lemon Grove, Poway, San Marcos, Santee, and Vista. The cost of the services to the City of Del Mar in Fiscal Year 2016 is budgeted at \$2,139,720.

Chapter 2

Methodology

The methodology of this study included the review of documents and data supplied by the City of Del Mar City Manager's Office and from the San Diego County Sheriff's Department. This material included financial and operational data including the program's budget, City staff reports, various correspondence, and opinions from the City Attorney's Office. In the course of this study, interviews were conducted with Scott Huth, City Manager; Mark Delin, Assistant City Manager; Pat Vergne, Community Services Director/Life Guard Chief; Adam Chase, Park Ranger; Kathy Garcia, Planning and Community Development Director; Patty Malik, Code Enforcement Officer; and Jacob Gould, Assistant City Attorney. Also interviewed by the Project Team were Captain Theresa Adams-Hydar, Commander of the San Diego County Sheriff's Department Encinitas Station; Lieutenant Amy Brown-Lisk, Patrol Division Commander at the Encinitas Station; Matt Wellhouser, Chief of Patrol for the Rancho Santa Fe Patrol; Steve Clark, City of Santa Cruz Deputy Police Chief; Andy Coleman, Vice President for Development at Universal Protection Services; and Christy Gramann, Business Development Manager, Universal Protection Service.

The Consultant Team also met with two members of the City's Law Enforcement Subcommittee of the Finance Committee, Jim Benedict and Barry Entous.

All of the interview participants were cooperative and helpful, and the Consultant Team appreciates their willingness to be candid and honest in expressing their opinions to our team.

Chapter 3

Background

Concerns about law enforcement services within the City of Del Mar have been expressed by members of the public and the City Council for several years. The primary concerns expressed have related to the following issues:

1. **Cost of Services** – The annual contract with the County Sheriff's Department totals \$2,139,720. The cost has risen steadily over the years as a result of several factors, including overall inflation, higher wage and pension costs, and moves by the County to ensure that contract cities pay the fully burdened cost of contract law enforcement services. The tension over contract law enforcement costs is prevalent in counties throughout California, as costs rise.

It is expected that law enforcement costs, for both county and municipal departments, will continue to rise at a rate higher than normal inflation over the next several years as law enforcement agencies grapple with high pension costs and demands by public safety unions to increase salaries and benefits that have grown little since the 2008-09 recession.

2. **Response Times** – A strong theme that was heard by the Consultant Team was the frustration expressed by members of the public concerning lengthy response times to lower priority calls for service, commonly referred to as priority 3 and priority 4 calls. These are calls in which there is no immediate danger to life or property, and, as a result, do not require an immediate Code 3 (lights and siren) response. The most common types of these calls include responding to a residential or auto burglary after the incident has occurred, petty thefts, vandalism; and responding to reports of loud parties. The biggest concern expressed to the Consultant Team was slow response to excessive noise complaints.

The Consultant Team reviewed the most recent response time data from the County Sheriff to determine how these response times compared to industry standards. According to the County's data, for the first nine months of 2014, the median response times to Priority 3 calls was 14 minutes, with an average of 15.4 minutes. For Priority 4 calls, the median response time was 29.4 minutes, with an average of 45 minutes.

According to the Sheriff's data for other contract cities nearby, these are typical response times. And based upon the experience of the Consultant Team, these are typical response times for urbanized law enforcement settings. However, when compared to smaller affluent communities with their own police departments, the response times for priority 3 and 4 calls is high. These agencies typically have a greater number of personnel assigned exclusively to their community and available to respond to these types of calls.

3. **Lack of Patrol Presence** – Another concern expressed to the Consultant Team is the lack of patrol presence in the community. Del Mar is a small compact city of two square miles, and residents and businesses have expressed a concern that they rarely see Sheriff's vehicles just patrolling local neighborhoods and business areas. The general feeling that was expressed is that if there could be more "police presence," it would be a deterrent to crime.

Sheriff's Department officials readily acknowledged that it is difficult to maintain a police presence in Del Mar due to the nature of how the Department is staffed, the frequent need for officers to cover each other in adjacent jurisdictions, and the time required to take reports, transport prisoners, process evidence, participate in long term investigations, and travel to/from the Sheriff's station in Encinitas. This is even more difficult during peak traffic times and in the busy summer season when there is frequent congestion on main arterial and collector streets.

4. **Frequent Turnover of Sheriff's Officers in Del Mar** – The Consultant Team also heard concerns expressed about the frequent turnover of individual officers in Del Mar. It is believed that this turnover results in a lack of familiarity by Sheriff's Officers of the community, and most importantly,

does not result in effective community policing in which there is a personal relationship between officers and local residents and businesses.

Again, the Sheriff's Department officials recognize that there is frequent turnover in Del Mar due to a variety of factors. The Sheriff's Department is a large organization in which deputies often travel long distances to commute to work. Individual officers have the right to "bid" on assignments based upon a number of factors, and often prefer to be closer to their residences which are often in more affordable areas of the County.

Throughout California, police agencies are grappling to fill vacant positions caused by retiring "baby boomers," high employment standards, and a lack of qualified applicants. It is not uncommon for law enforcement agencies in California to have vacancy rates for sworn officers approaching 10%. As a result, Sheriff's Officers can also be reassigned to fill critical vacancies throughout the County.

Chapter 4

Baseline Situation

Current Law Enforcement and Municipal Code Enforcement Services Provided within the City of Del Mar

In order to effectively evaluate the various law enforcement options, it is important to briefly define the baseline situation existing within the City of Del Mar. The City currently has a number of functions within the City providing different law enforcement services as follows:

1. **Contract with the Sheriff's Department** – The City contracts with the Sheriff's Department for a total of 5.32 Deputy Sheriff's for round the clock 24 hour coverage. Under the existing contract, the Sheriff also provides 1.26 Deputy Sheriff's (42.5 hours) for traffic enforcement and one full time detective. The full-time detective splits his time between investigating crimes that occur within the City and issuing citations and managing the RedFlex red light enforcement program.

Because the Sheriff's Department covers other adjacent cities and is part of a large regional system, the City also receives automatic backup to officers in the field on a daily basis, and the use of many other regional Sheriff's Department resources such as specialized investigative assistance, crime analysis, access to sophisticated forensic specialties, aerial support, etc.

2. **Parking Enforcement** – Under the direction of the Community Services Department, the City employs three full-time parking control officers and three seasonal part-time Parking Enforcement Officers. These officers enforce City wide.

The full-time Parking Enforcement Officers are "PC-832 certified." This means they have completed at a minimum a 40 hour course approved by the Commission on Police Officer Standards and Training (POST). They are also authorized by the City Council to enforce municipal code violations and animal regulations as "Enforcement Officers," as designated by the City Council. This designation allows them to issue administrative citations, but not criminal citations.

In many ways, the Parking Enforcement Officers operate as Community Services Officers. They utilize a small Ford Ranger SUV as well as four electric assisted bicycles and operate City-wide. According to Parking Enforcement Lieutenant Eric Sandy, not only do they enforce parking regulations, but are used on a variety of other assignments as follows:

- Back-up lifeguards at dispatch and on first aid responses
- Support cliff rescues
- Respond to fire scenes
- Help evacuate residents during floods
- Fill sandbags during storms
- Clear drains
- Help find lost persons
- Assist Sheriff's Deputies in identifying suspected criminals
- Report low flying aircraft
- Help railroad police with track trespassers
- Contact Coast Guard regarding vessels in distress and suspicious boats
- Participate in beached dead whale removal and stranded sea lions

- Capture stray dogs, birds, and snakes
- Observe, report, and follow-up on building code violations
- Direct traffic during emergencies
- Patrol special events including Concerts in the Park, Art Stroll, Holiday in the Village, etc.
- Coordinate passenger loading for local school's Surf P.T.

The Parking Enforcement Program is managed by a Parking Enforcement Lieutenant, who supervises the other full-time employees and the part-time seasonal staff.

3. **Code Enforcement Officer** – Under the direction of the Planning and Community Development Department, the City employs one full-time Code Enforcement Officer to enforce a variety of municipal code sections relating to business licenses, the zoning code, building without a permit, excessive noise, taxi cab regulation, storm water violations, etc.

Both the Planning and Community Development Director and Code Enforcement Officer indicated that the existing program is able to keep up with code enforcement complaints, and does not have a significant backlog of work. If additional resources are added to the program, it would be utilized in more proactive code enforcement work such as sign enforcement or vacation rental regulation enforcement.

The Code Enforcement Officer is supervised directly by the Planning and Community Development Director.

4. **Park Ranger Program** – Under the direction of the Community Services Department, the City employs one full-time Park Ranger. The Park Ranger is a sworn peace officer with police powers within all designated park and beach areas in the City. The Park Ranger also has the ability to cite violators and make arrests outside park and beach areas when there is an immediate danger to people or property. As a peace officer, the Park Ranger has access to the California Law Enforcement Telecommunications System (CLETS), allowing access to criminal records and vehicle information.

The Park Ranger indicated to the Consultant Team that he currently has no administrative support. As a result, he spends a majority of his time in training, inputting data, maintaining current policy and procedures, and handling other duties to his administrative infrastructure.

The Park Ranger is also designated by the City Council as and "Enforcement Officer" and has the ability to issue administrative citations for violations of the municipal code throughout the City. However, there are some limits to this authority when the Park Ranger is acting in his peace officer status.

The Park Ranger is directly supervised by the Community Services Director/Chief Lifeguard.

5. **Lifeguard Program** – Under the direction of the Community Service Department, the City also employs 4 full-time and 55 part-time lifeguards. A number of the lifeguards are PC-832 certified. This allows them to issue citations for infractions that may occur on the beach. Those include underage drinking, animal violations, and parking violations.

The Lifeguard Program is supervised by the Lifeguard Lieutenant, who reports directly to the Community Services Director/Chief Lifeguard.

For a city the size of Del Mar, the community is fortunate to have the number of current law enforcement functions already in place that can assist in enforcing State and local laws and regulations.

Chapter 5

Limits on Ability of City Employees to Respond to Calls for Service to the Sheriff's Department

In preparing our report, the Consultant Team relied heavily on a recent analysis by the City Attorney's Office, which spells out the limits on various organizational configurations being analyzed in this study. This analysis is enclosed as Exhibit 1. The analysis is important, because it places important limits on the ability of existing and future staff to respond and handle certain types of calls. Some of the key points in the analysis are the following:

1. Existing and new City staff, such as lifeguards, parking control officers, and code enforcement officers, even with PC-832 Certifications and City Council authorization as "Enforcement Officers," can only enforce municipal code violations. They cannot respond to most Priority 3 and 4 calls, even if a method for dispatch existed, since they are not sworn peace officers. Crime related calls need to be handled by the Sheriff's Department.
2. The existing Park Ranger, under his peace officer status, can only handle crime related matters within his primary duty area, beach and park areas. His authority to respond to calls outside his primary duty area, is restricted to "emergency" type situations.
3. The Park Ranger, under his authority as an "Enforcement Officer," pursuant to the municipal code, can issue Administrative citations for violations of the Municipal Code, where administrative citations apply, throughout the entire City. However, there are significant limits on his ability to perform these enforcement activities, if it appears that he is acting in his capacity as an armed peace officer.
4. Private patrol services, neighborhood watch volunteers, and other volunteer programs such as the Retired Senior Volunteer Program (RSVP) have no authority to enforce criminal statutes or municipal code violations. All such calls need to be referred to either the Sheriff's Department or the appropriate City department.

The Sheriff's Department has indicated on a number of occasions that they will not dispatch City personnel or private patrol services to respond to Priority 3 or 4 calls that are phoned into the Sheriff's dispatch center. This position was affirmed in correspondence from Captain Theresa Adams-Hydar, Commander of the San Diego County Sheriff's Department Encinitas Station, in a letter dated June 1, 2015 as follows:

"If the City does opt to hire a security contingency or a modified Code Officer, the Sheriff's Department will not include that entity into the current dispatching system. Similarly, there will not be a division of duties or the assignment of non-priority calls to this unit. The Sheriff's Department will remain the primary responder in all calls for service regardless of call type and priority level. However, the Sheriff's Department would recognize the unit for the local service they provide to the community and establish a good working relationship for intelligence gathering and information sharing; similar to the relationship with the current Park Ranger."

As a result, any of the organizational options discussed in this report will have a limited ability to reduce response times for these types of incidents.

Chapter 6

Analysis of Options

Option 1 – Hybrid Program – Continuation of Sheriff’s Contract Augmented by Del Mar Enforcement Officers

The first option the City has asked the Consultant Team to examine is the possible employment of one or more “enforcement officers,” who could be utilized to do generalized patrol and enforce provisions of the municipal code. It is also envisioned that these employees could serve as an additional “eyes and ears” for the Sheriff’s Department, by reporting suspicious activities, trends, etc.

There are a number of ways to create this type of structure. The Consultant Team has focused on three potential options as follows:

- a. 1 Full-time Community Services Officer
- b. 2 Half-time Community Services Officers
- c. Supplement existing operations with part-time staff as needed on a seasonal basis

Each of these options is discussed below in greater detail.

Option 1A – One (1) Full-Time Community Services Officer

The first option the Consultant Team focused upon is the employment of a full-time Community Services Officer. Key elements of the position would be as follows:

- The position would be designated by the City Council under the Del Mar Municipal Code as an “Enforcement Officer,” with authority to issue municipal code administrative citations throughout the City.
- The position would be PC-832 Certified in order to be able to issue specified municipal code citations.
- The position would work alongside the Parking Enforcement Officers, who already perform a variety of assignments in addition to parking enforcement duties.
- The position would wear a distinctive casual uniform, such as a golf shirt or short sleeve shirt, with a name badge identifying him/her as a Community Services Officer.
- The position would utilize a vehicle that identifies him/her as a Community Services Officer. The Consultant Team recommends a medium sized pick-up truck or sedan that is clearly different from a police vehicle. The vehicle should be equipped with yellow caution lights, but not be equipped with a police type light bar.
- Additionally, the position should also utilize an electric assisted bicycle, as is done by the Parking Enforcement staff.
- The job description for the position should be structured so that the schedule for the position is flexible, in order to meet the City’s needs on weekends and at night.

The Consultant Team struggled on our recommendation about which department would be most appropriate to supervise this position. The most feasible options include assigning the position to the Community Services Department under the supervision of the Parking Enforcement Lieutenant or Park Ranger, or assigning the position to the Planning and Community Department, under the existing Code Enforcement Officer.

After consideration, we came the conclusion that the position should be assigned to work under supervision of the Parking Enforcement Lieutenant. The parking enforcement function is city-wide in scope, in contrast to the Park Ranger Program, which is focused primarily on beaches and parks. Additionally, Parking Enforcement Officers already perform a number of functions traditionally performed by Community Services Officers in other communities.

We are not recommending the position be assigned to Planning and Community Development, since the Code Enforcement Officer focuses primarily on traditional enforcement issues such as zoning violations, business license enforcement, noise complaints in the commercial area, violations of the City's taxi cab regulations, sign complaints, and vacation rental complaints. However, we do believe that the new Community Services Officer could be of assistance to the Code Enforcement Officer to assist on nights and on weekends for noise complaints and taxicab enforcement.

Should the City adopt this option, it should also consider whether to designate all of the Parking Enforcement Officers as Community Services Officers and officially broaden their scope of duties. Since they periodically already perform many of the functions of community services officers type positions, there is a real opportunity to create a greater presence in the community by broadening the role of all the Parking Enforcement Officers. Changing the job descriptions and duties of the Parking Enforcement Officers will require working with the impacted employees and employee organization as a part of the "meet and confer" process required under California State law.

Estimated cost per year of this position is approximately \$83,777 per year. The proposed budget is shown below as Table 1. We have utilized the same salary and benefit ranges as a full-time top step Parking Enforcement Officer II.

TABLE 1 --Estimated Budget -- One Full Time CSO			
	Units	Cost per unit	Total
Salaries -- Permanent	1	54,095	54,095
Employee Benefits	1	1,287	19,062
Worker's Compensation	1	3,246	3,370
Salaries -- Seasonal			
Overtime			
Subtotal -- Employee Services			76,527
Equipment/Radio Maintenance Repair	1	250	250
Vehicle Maintenance			1,000
Operating Supplies			1,500
Computer Software			300
Uniforms	1	600	600
Small Tools and Equipment		100	100
Gas and Oil			1,800
Telephone	1	1,200	1,200
Membership/Subscriptions			0
Training & Education			500
Subtotal -- Maintenance and Operations			7,250
Contractural Services			0
Total			\$ 83,777

Advantages and disadvantages of this approach are as follows:

Advantages:

1. Full-time position allows for long-term continuity, training, and ability to know individual businesses and community members.
2. The position can be used throughout the City for a variety of municipal code violations, based upon changing priorities and as issues arise.
3. If the City chooses to also designate all of the Parking Enforcement Officers as Community Services Officers, it would create a much greater presence in the community.
4. The new position can be assigned to work evenings and weekends.
5. Distinctive vehicle, electric bicycle, and uniform will create more of a presence in the community.
6. Flexible hours will allow greater emphasis at night and on weekends, especially for enforcement of noise and taxi regulations.
7. Over the long term, the position would be able to develop relations with the other parts of the City organization and the Sheriff's Department.

Disadvantages:

1. The position will not be able to respond to Priority 3 and 4 calls, since they cannot be dispatched by the Sheriff's Department.
2. Highest hourly cost option, due to the cost of health benefits and retirement costs.
3. The full-time nature of the employee will result in less flexibility to modify program based upon results, financial constraints, or community needs.
4. Would have limited ability to deal with certain high priority issues such as loud parties in residential areas, traffic violations, and drug issues, since they will not have full peace officer powers. These types of issues will need to be dealt with by the Sheriff's Department.

Option 1B – Two (2) Part-time Community Services Officers

The second option the Consultant Team focused upon is the employment of two part-time (960 hours per year) Community Services Officers. Key elements of this approach are as follows:

- As with Option 1A, the positions would be designated by the City Council under the Del Mar Municipal Code as an "Enforcement Officers," with authority to issue municipal code administrative citations throughout the City.
- The positions would also be PC-832 Certified, to allow the issuance of specified municipal code citations.
- As with Option 1A, the Consultant Team recommends that the two part-time positions also be supervised by the Parking Enforcement Lieutenant.
- An optional organizational arrangement would be to have one of the part-time CSOs assigned to work with the Park Ranger to focus exclusively in park and beach patrols, and more importantly, to assist in his significant administrative workload, especially during the busy summer months. The position would also have access to the CLETS system if assigned to the Park Ranger Program.
- The job description, uniform, and vehicle recommendations for the full-time CSO would be the same for the part-time positions. If one of the CSOs is assigned to work with the Park Ranger, he would be able to use one of the two vehicles assigned to the Park Ranger Program.
- The City could also consider designating all of the Parking Enforcement Officers as Community Services Officers, in order to officially broaden their duties to involve patrolling the City and creating a greater presence. As noted previously, this may require meeting and conferring with the affected employees and employee organization.

- The Community Services Officers will be available to work with the Code Enforcement Officer on night and weekend enforcement activities, such as noise complaints in the commercial areas and taxicab regulation enforcement
- The estimated cost for this program would be approximately \$64,124 per year, assuming both positions are limited to working 960 hours per year, which will exempt these employees from participation in the CalPERS retirement program. The proposed budget for the program is shown below as Table 2. We have utilized the same top step hourly rate as a full-time Parking Enforcement Officer II. It is the Project Team's recommendation that the higher hourly rate be utilized in order to maintain greater program continuity and lower turnover of employees.

TABLE 2 -- Estimated Budget			
Two Part Time Community Services Officers			
	Units	Cost per unit	Total
Salaries -- Permanent	2	\$ 24,970	\$ 49,939
Employee Benefits	2	\$ 687	\$ 1,374
Worker's Compensation	2	\$ 1,556	\$ 3,111
Salaries -- Seasonal			\$ -
Overtime			\$ -
Subtotal -- Employee Services			\$ 54,424
Equipment/Radio Maintenance Repair	2	\$ 250	\$ 500
Vehicle Maintenance			\$ 1,000
Operating Supplies			\$ 1,500
Computer Software			\$ 300
Uniforms	2	\$ 600	\$ 1,200
Small Tools and Equipment		\$ 100	\$ 500
Gas and Oil			\$ 1,800
Telephone	2	\$ 1,200	\$ 2,400
Membership/Subscriptions			\$ -
Training & Education			\$ 500
Subtotal -- Maintenance and Operations			\$ 9,700
Contractual Services			\$ -
Total			\$ 64,124

Advantages and disadvantages of this approach are as follows:

Advantages:

1. Part-time program is lower cost option than the full time CSO program.
2. Utilizing part-time employees will allow for more flexibility to modify program elements over time as results are measured, or in times of financial stress.
3. The positions can be used strategically, based upon changing community priorities and needs.
4. If the City chooses to designate all of the Parking Enforcement Officers as Community Services Officers, it would create a greater presence in the community.
5. Both positions can be scheduled heavily in the busy summer months when work load is highest, providing a much greater presence than generated by one full-time position throughout the year.

6. Distinctive vehicle, bicycle, and uniform will create more of a presence in the community.
7. Flexible hours will allow greater emphasis at night and on weekends and can assist the Code Enforcement Officer in the enforcement of noise and taxi regulations.
8. If one position is assigned to work with the Park Ranger, it will allow the Ranger to increase time spent in the field.

Disadvantages:

1. Utilizing part-time positions will result in greater employee turnover, which would translate into more time devoted to training new employees, less program continuity, and less familiarity with local businesses and community members.
2. Like Option 1A, the part-time CSOs will not be able to respond to Priority 3 and 4 calls, since they cannot be dispatched by the Sheriff's Department.
3. Like Option 1A, the part-time CSOs would have limited ability to deal with certain high priority issues such as loud parties in residential areas, traffic violations, and drug issues, since they will not have full peace officer powers. These types of issues will need to be dealt with by the Sheriff's Department.

Option 1C – Supplement Existing Operations with Hourly Support

In reviewing the City organization and itemizing existing resources, the Consultant Team observed that the City of Del Mar already has a robust program of law enforcement and municipal code enforcement resources already in place. With the existing Sheriff's contract, Park Ranger Program, Parking Enforcement program, Code Enforcement Officer, and Lifeguard Program, there are a number of resources already available. Therefore, one of the simplest options available to the City of Del Mar is to merely enhance existing operations in the City with part-time staff hours utilizing existing titles and classifications. This approach is already used by the City as a part of the annual budget process.

For example, if parking enforcement is a high priority, the City can use the existing organizational structure to add additional seasonal Parking Enforcement Officers. In a similar fashion, in prior years, the City has supplemented the Park Ranger's Program through the employment of part-time Beach and Community Services Officers, who patrolled portions of the City's beaches and parks, and assisted in the administrative functions of the Park Ranger office. This type of approach also allows the City to increase staffing during the busy summer months, when existing staff is stretched thin.

The Consultant Team did not develop any budgets for this option, since the various combinations are infinite. But we did want to point out that it may not be necessary to create a new organizational structure or new position classifications to meet community needs.

Option 2 – Continuation of Sheriff's Contract Augmented by Private Security Services

A second option the Consultant Team was asked to analyze is the use of private security services to enhance the City's law enforcement services. Staff and citizens have frequently pointed to the successful program in Rancho Santa Fe as a possible model that Del Mar could build upon. Key questions in looking at the use of private security services are as follows:

1. Can the City, as a municipal government, legally contract with a private security service to provide specified law enforcement services within the City?
2. Can private security services be a first responder to specified calls in the City, especially burglar alarm calls and priority 3 and 4 calls?
3. Can the private security services be dispatched directly by existing dispatch resources to priority 3 and 4 calls?
4. Can private security services be contracted with to enforce specific sections of the municipal code such as noise complaints, parking regulations, or zoning/building code violations?

Rancho Santa Fe Private Patrol

As a part of the Consultant Team's research, we looked extensively at the Rancho Santa Fe private patrol program and interviewed Patrol Chief Matt Wellhouser to determine how their program operates. Some of the key elements of their program are as follows:

- The program began in 1976 after an existing cooperative program with the Sheriff's Office was restructured.
- Rancho Santa Fe Patrol Officers patrol both public and private streets within this open community.
- All of their employees are directly employed by the Rancho Santa Fe Association. They are not employees of a separate private security firm.
- Dispatch services are provided to the Patrol from the North County Dispatch Joint Powers Authority, commonly referred to as North Comm. This arrangement was grandfathered in when North Comm was created in the 1980s.
- There is a longstanding close relationship with both North Comm and the Rancho Santa Fe Fire Protection District. The Patrol's offices are leased from the Fire District.
- The Rancho Santa Fe Patrol Officers are authorized to carry County radios, providing direct communications with the County Sheriff's Office.
- Most Rancho Santa Fe residents' who have burglar alarms have registered them with the Patrol service, so that the Patrol will be the first responder. Based upon pre-planned response protocols, North Comm will dispatch both the Rancho Santa Fe Patrol and Sheriff's Officers simultaneously, if necessary.
- Patrol Officers have no peace officer status to effectuate arrests, other than to make citizens' arrests. However, Chief Wellhouser could not recall when they have needed to make a citizen's arrest. The Sheriff's Office will be called if necessary.
- The Rancho Santa Fe Patrol Program has a unique and close relationship with the County Sheriff's Department that probably cannot be duplicated in Del Mar.

If the City wants to create a patrol presence similar to the model utilized by Rancho Santa Fe, it would need to employ the patrol officers directly. Just as with the Community Services Officer models discussed as Options 1A and 1B, the officers could be designated as Enforcement Officers by the City Council and granted authority to write citations for violations of the municipal code, including parking violations. However, if the City does employ the patrol officers directly, they would not be able to be dispatched through the County Sheriff's Department or able to respond to Priority 3 or Priority 4 calls.

City of Santa Cruz

The use of private security firms by cities in California is rare, making it difficult to create comparisons or evaluate how effective they can be. For the most part, their use has been limited to patrolling specific facilities such as courthouses, airports, office buildings, and library facilities or remote facilities such as water reservoir sites.

One city that has found the use of private security firms helpful for patrol type activities is the City of Santa Cruz. According to Deputy Police Chief Steve Clark, Santa Cruz utilizes the firm of First Alarm, located in Northern California, to supplement existing police services in their downtown area, on their wharf and beach areas, and in the Harvey West Industrial area. The private security officers are unarmed and equipped with police provided radios. They utilize bicycles in their downtown area and use small Ford Ranger pickup trucks when on vehicle patrol. They serve as "extra eyes and ears" for their police department, but do not have the ability to issue any types of citations. While most of their work is self-initiated, they monitor the police radio frequencies and frequently offer to assist in evaluating problems in the areas they patrol. Much of their work revolves around monitoring and dealing with homeless issues, which is a major community concern in Santa Cruz.

Santa Cruz's contract for their downtown patrol is \$158,796 per year, for 18 hours of patrol time per day, 365 days per year (5,760 hours per year), which equates to \$24.17 per hour. There is an additional surcharge when vehicles are used of \$200 per month, plus fuel and oil expenses.

In addition to the private security services they utilize, Santa Cruz also employs Community Services Officers. These employees are PC-832 certified, and are authorized to write parking citations and other tickets for municipal code violations.

Business Improvement Districts

While not many cities utilize private security services for general patrol services, in California there has been a proliferation in the use of private security services over the past few years by local business improvement districts (BIDs). These districts are formed voluntarily by businesses, in which they agree to assess themselves an annual fee, in order to pay for various services such as marketing and security. The formation of BIDs is pursuant to the California Street and Highways Code, Sections 36600-36604. In most cases, the monies for BID programs are collected by the local municipality as an additional assessment to business license taxes.

Two good examples of the use of private security services are the DowntownLA.com District Security Officer program in Los Angeles, and the Downtown San Diego Business Improvement District's Clean and Safe program. Both of these BIDs contract with Universal Protection Services. Security guards wear distinctive uniforms (in Los Angeles they are purple), travel on bikes and in patrol vehicles, and create a sense of security and safety in these downtown areas. They also have established strong relationships with local police officials and have created specific protocols regarding to handle various incidents and situations.

City Contract for Private Security Services

The Project Team discussed a possible contract with Andy Coleman, Vice President for Development at Universal Protection Services. He indicated that Universal Protection Services is one of the largest providers of private security services in the United State, and has a number of contracts for providing services for Business Improvement Districts in California. In fact, he indicated that they provide services to 90% of BIDs in Los Angeles County.

He confirmed that they could provide private security services for the City of Del Mar in a fashion similar to the Santa Cruz model and the services they provide to Business Improvement Districts throughout the State. He indicated that the labor cost of the services would be approximately \$20 per hour for unarmed security guards, with extra charges based upon the City's desires regarding communications equipment, bikes, and vehicles. Costs for these services are typically as follows:

- Vehicles – \$750 per month (Fuel Extra)
- Bikes – \$70 per month
- Cell phones – \$85 per month
- Portable Radios – Typically provided by the agency

An estimated budget for a program utilizing 3,000 hours per year, or the equivalent of 1 ½ full time positions would be approximately \$90,140. The estimated budget is shown below in Table 3.

Item	Units	Annual Cost
Labor @ \$20 per hour	3000	\$ 60,000
Vehicles @ \$750 per month	2	\$ 18,000
Fuel @ 500 miles per vehicle	2	\$ 2,400
Bike @ 75 per month	2	\$ 2,040
Cell phones @ \$85 per month	3	\$ 2,700
Miscellaneous/Contingency		\$ 5,000
Estimated Total		\$ 90,140

Mr. Coleman indicated that their officers are required to have, at a minimum, California Guard Cards, which are issued by the California Bureau of Security and Investigative Services after completion of a background check and 40 hours of training. At the request of the contracting agency, they can also require that officers are PC-832 Certified, which would allow them to issue parking tickets and tickets for other infractions, if authorized by the City Council. He indicated that their officers do not have arrest power, except to make citizen arrests. He indicated they do use that power occasionally, when they directly observe illegal behavior. Examples might include disturbing the peace or urinating in public violations.

The Project Team confirmed with the City Attorney's Office that there is no prohibition under State law that would restrict the City from contracting directly with private security firms to provide services in the community. However, since they are not peace officers, they would not be authorized to respond to calls for service such as priority 3 or 4 calls. Private security services could be dispatched directly by the City to conduct premise checks, with property owner approval; observe suspicious activities; or for other non-emergency work.

In terms of municipal code violations, the City Attorney's Office was not aware of any prohibition in State law that would restrict a private contractor from issuing tickets or notices of violation. However, they indicated that this question would require additional research before a definitive response could be provided. They also expressed concern about potential liability to the City if private contractors are used to enforce sections of the municipal code.

Should the City of Del Mar choose to enter into a contract for private security services, the Project Team has identified the following advantages and disadvantages for this approach:

Advantages:

1. Relatively low cost option, at approximately \$30 per hour.
2. Contracting with a large security firm allows the City to take advantage of their experience in a variety of communities to tailor a program to meet the City's needs.
3. Utilizing a large security firm ensures all shifts will be filled, even when employees are on leave or vacancies occur.
4. Flexibility in use of equipment, uniforms, and communications systems.
5. City can direct patrols to areas that are not receiving frequent patrols from the Sheriff's Office or the Park Ranger, providing a higher sense of safety in those areas.
6. Additional eyes and ears for the Sheriff's Department and the community.
7. Ability to discontinue or modify relatively simply.

Disadvantages:

1. No guarantee of long-term service by contract employees, which may impact their ability to get to know the community and specific residents and businesses.

2. Like option 1A and 1B, a private security firm will not be able to respond to Priority 3 and 4 calls, since the Sheriff's Department will not dispatch employees who are not part of their Department to calls for service.
3. Like option 1A and 1B, private security patrol officers would have limited ability to deal with certain high priority issues such as loud parties in residential areas, traffic violations, and drug issues, since they will not have full peace officer powers.

Option 3 – San Diego Sheriff's Department Community Services Officer

A third option seen as viable by the Consultant Team is to enhance law enforcement operations by the addition of a Community Services Officer through the existing contract with the San Diego Sheriff's Department. The option exists to add one or more Community Services Officers without renegotiating the terms of the contract.

A Community Services Officer is a non-sworn employee of the San Diego Sheriff's Department. As such, the Community Services Officer has the ability to complete a number of policing tasks that, by statute or policy, do not require the authority of a sworn peace officer. Community Services Officers are not armed, wear a distinctively different uniform than the Sheriff's Deputies and, likewise, drive vehicles that are marked distinctively different from marked patrol vehicles. The intent is to communicate their official capacity as Sheriff's Department employees without conveying they have law enforcement powers.

Community Services Officers are able to provide many services that are currently being provided by both the Sheriff's Department Deputies and the Park Ranger. Many lower priority calls for service can be handled by a Community Services Officer, as can non-injury traffic crashes, traffic direction, enforcing parking, and municipal code violations (if authorized by Del Mar), and simply having a visible presence in the community along with being a resource for citizens. Community Services Officers are not be able to respond to low priority calls where a suspect or violator may be present. These type of calls are rare.

If the City of Del Mar provides suitable office space, the San Diego Sheriff's Department Community Services Officer could be stationed in Del Mar and operate from that office on a full-time basis. The Community Services Officer could respond to any calls that he/she is able to handle from that office, providing a timely response. Since the Community Services Officer is not a sworn officer, he/she would not be called out of Del Mar to provide backup to deputies in other service areas.

The cost of adding a Community Services Officer from the San Diego Sheriff's Department is approximately \$121,000 annually. This includes the direct costs of labor, plus costs associated with equipping the COS with a radio and vehicle.

Like all options, this presents a number of key advantages but has some disadvantages as follows.

Advantages:

1. The position can be directly dispatched by the Sheriff's Department to respond to certain Priority 3 and 4 calls when a suspect is not present. Communication with the rest of the San Diego Sheriff's Department organization would be seamless, as would coordination of labor and resources.
2. As an employee of the San Diego Sheriff's Department, this employee would fall under an established organizational structure with supervision, proper policy, resources, and support.
3. The CSO can be based in an office in Del Mar, resulting in a local presence in the community. The CSO would still need to attend regular shift briefings in Encinitas.
4. The CSO's hours can be varied, based upon need.
5. The CSO can be assigned to handle RedFlex citations. This will allow citizens disputing Redflex citations to review Redflex photos locally, rather than having to travel to the Encinitas Sheriff's Station. It will also free up the current Detective position handling Redflex work, to spend more time on investigative work and proactive crime prevention.

6. The Community Services Officers are hired for an assignment and rarely are transferred. This would allow the City of Del Mar to have consistency and provide the opportunity to develop strong community relationships. The Community Services Officer would have the benefit of developing a knowledge of the community, its interests, and its concerns which should translate to higher quality service delivery.
7. If authorized by the City Council, the position can be authorized to enforce sections of the municipal code.

Disadvantages:

1. The Community Services Officer remains an employee of the San Diego Sheriff's Department. The City of Del Mar has limited control over the Community Services Officer's job performance, operations, and service delivery. Likewise, the City of Del Mar does not have the opportunity to hire the Community Services Officer to ensure he/she is the best fit for the City. That responsibility lies with the Sheriff and there is the opportunity that an underperforming employee could be hired.
2. While communication with the Sheriff's Department is heightened, communications with the staff at Del Mar is diminished. There would likely exist a trade-off with communication and coordination versus having a City of Del Mar employee serving a similar role.
3. The Project Team encountered a much higher level of satisfaction from Del Mar staff with the San Diego Sheriff's Department under the current command of the Captain assigned to the North Coastal Station (formerly the Encinitas Station) than with periods when other Captains have been assigned to that station. At some point, another Captain will be assigned to command the North Coastal Station and it is unknown how that will affect service delivery, including the Community Services Officer under this option.
4. A CSO based in Del Mar 40 hours a week, will only be on duty to respond to Priority 3 and 4 calls approximately 20% of the time. Subtracting early morning hours with low call volume, this percentage increases to approximately 30% of the time.
5. This is a high cost option, especially when considering the actual cost per hour of services provided.

Chapter 7

Recommendations

In order for the City to determine if it wishes to implement any of the possible alternatives identified, it is important for City management and the City Council to identify what are the community's highest priority goals. Based upon the goals identified, the City of Del Mar can then select which alternative best provides the means to meet the goal.

From our analysis, we identified two different goals, with different recommendations based upon the specific direction the City wishes to pursue. And, of course, if the City wishes to address both goals, and resources are available, these two recommendations can be implemented simultaneously.

If the Highest Priority Goal is to Reduce the Response Time to Priority 3 and 4 calls

If the City's highest priority goal is to reduce the response time to priority 3 and 4 calls when there is no suspect, the only feasible alternative is to implement the option of adding a new Community Services Officer to the contract with the County Sheriff's Department. This is the only alternative we evaluated that will meet this objective, since all of the other alternatives involve personnel that the Sheriff's Department has confirmed that they will not dispatch to these types of calls.

If the Highest Priority Goal is to Increase Patrol Visibility and the Sense of Safety in the Community

If the City's highest priority goal is to increase patrol visibility and a sense of safety in the community, the Consultant Team recommends that the City implement Option 1B, hiring two or more part-time Community Services Officers. We are recommending this approach because it is cost effective, can be used flexibly, and provides greater control by the City to monitor performance and customer service skills. Since these employees may be utilized to do more proactive municipal code enforcement, ensuring that the employees are trained to not be too "heavy handed" in their approach will be critical.

If the City implements this recommendation, we believe that the City should consider designating all Parking Enforcement Officers as Community Services Officers and officially expand their role. By adding resources to this program through the addition of one or more part-time positions, and broadening the responsibilities of the Parking Enforcement Officers, all of the positions could spend additional time patrolling the entire community, creating a greater presence and sense of safety.

As noted in the description of this alternative, the City may want to assign one of the CSOs to work with the existing Park Ranger Program. This position could assist the Park Ranger to address a multitude of administrative duties, freeing up the Park Ranger for more patrol time at parks and beaches. If assigned to the Park Ranger Program, it is essential that the duties and jurisdiction of the position be clearly spelled out, to avoid any misunderstandings or legal conflicts.

Exhibit 1

LAW ENFORCEMENT OPTIONS AND COVERAGE ANALYSIS

1. Del Mar Police Department

Article XI, §7, of the California Constitution grants cities authority to make and enforce all local, police, sanitary, and other ordinances and regulations not in conflict with general laws. A Police Department is simply a function of a local agency authorized by State law, similar to a Planning Department or a Public Works Department. "The police department of a city is under the control of the chief of police." (Government Code §38630.) Depending on the structure of the city government, the city council may appoint the chief of police (Government Code §36505), or this power may be vested in the city manager (Government Code §34856). The required duties of a Police Chief are found in Government Code §§41601-41612.

Following the establishment of the police department under the authority of a police chief, the legislative body of a city may delegate to either the chief of police of the city or the city manager the authority to: (a) Appoint one or more police officers, and/or (b) Appoint additional police officers when he or she deems it necessary for the preservation of the public order. (Government Code § 38631)

In addition to a police chief, the legislative body must also establish all of the required policies and procedures under which the department will operate, negotiations with any officer representation group regarding, pay, hours, pensions, etc.; and acquisition of all required equipment, vehicles, building space, etc.

A Police Department may enforce all laws of the state and local agency under Article XI, §7, of the California Constitution and the laws of the State.

Coverage: *All police/law enforcement matters/tasks*

2. Sheriff under Contract

The authority to contract for law enforcement services is provided within the Government Code. Specifically, Sections 51300-51308, 51350 and sections 54980 et seq. of the Government Code authorize transfer of city functions under contract. This is the authority used for the Sheriff's contract with the City of Del Mar. The statutes are not compulsory and allow the two agencies to negotiate and that the agencies must "agree" to the terms thereof (see GC 51304).

A local agency may transfer all or a portion of its law enforcement authority to a County Sheriff Department pursuant to the Government Code.

Coverage: *All police/law enforcement matters/tasks*

3. Del Mar Patrol (City Staff)

The City of Del Mar may regulate and enforce the regulations and ordinances of the City through "Enforcement Officers" as provided by the Del Mar Municipal Code (DMMC) Section 1.10.010. Code enforcement officers, parking enforcement officers, etc. are not "peace officer's" as provided by state law; however, these positions are generally "Public Officers" as defined by the Penal Code and defined as "Enforcement Officers" by DMMC 1.10.010 under the same authority. Such Enforcement Officers have the authority to issue citations, tickets and otherwise have the authority to "enforce the Del Mar Municipal Code". Enforcement Officers do not have "peace officer" authority, nor are they private security.

Enforcement Officers may not generally carry firearms as provided in Penal Code 830 et seq. as they are not authorized "peace officers" as defined therein.

Enforcement Officer positions under the existing DMMC or under a new ordinance may enforce any regulation or ordinance of the City of Del Mar with a notice of violation or an administrative citation. This would encompass any code enforcement violation, parking violation (not traffic violations), noise violation or any other provision of the DMMC. This authority would not extend to any alarm or other request for service which is within the jurisdiction or duty of law enforcement however.

While there is some overlap (parking violations, noise, etc.) between local law enforcement and DMMC Enforcement Officer, any request for service calls not arising out of a municipal code violation would not be within the authority of a Del Mar Enforcement Officer. Therefore, any Del Mar Patrol officer under the authority of DMMC 1.10.010 or any updated ordinance would not be able to respond to any matter not arising out of a Del Mar ordinance violation, nor would the enforcement officer be able to respond to any home or building alarm call.

Coverage: *General Patrol of City Streets, House Checks if authorized by property owner, Parties, Noise, Non-Crime calls (municipal code calls), and Del Mar Code Violations.*

4. Del Mar Patrol (Private Security)

The general authority for private patrols (private security) is from State law and requires certain licensing and certifications (see Business and Professions Code Section 7582 et seq. – Private Security Services) The licensing is regulated by the California Department of Consumer Affairs Bureau of Security and Investigative Services (Department). As provided by the Department, private patrol companies employ security guards and dispatch them to protect persons or property or to prevent theft. The company must be licensed by the Department of Consumer Affairs, and the security guards must be registered with the Department. Licensing and registration involve criminal history background checks through the Department of Justice and FBI.

Private security may also respond to private security or home alarm systems under contract is properly licensed by the Department on private property and under direct contract with the property owner.

Coverage: *General Patrol of City Streets, House Checks if authorized by property owner – Call to law enforcement for all other issues*

5. Neighborhood Watch

A Neighborhood Watch is essentially a loose partnership between community members and local law enforcement in keeping an eye on local streets and parks. There is no legal requirements for a neighborhood watch. It may be established on a block by block basis or on a larger scale such as Police Department backed Senior patrols.

Coverage: *General Patrol of City Streets – Call to law enforcement for all issues*

6. Park Ranger

The Park Ranger has general peace officer authority within the beaches and parks of the City (the “Primary Duty Area”) and is a peace officer whose authority extends anywhere in the state in an immediate and emergency situation involving danger to person or property, or of the escape of the perpetrator of that offense, which also poses an immediate threat to the public health or safety. (Penal Code §§ 830.6 and 830.31.) Penal Code § 830.31 requires that in order for a Park Ranger to qualify as a peace officer, the primary duty of the officer must be limited to the “protection of park and other property of the agency and the preservation of the peace therein.”

Extra jurisdictional authority (outside the Primary Duty Area) has been limited by the court in *People v. Landis*, 156 Cal. App. 4th Supp. 12 (2007). The Court in *Landis* holds that extra-jurisdictional authority of a peace officer is limited to “emergency” type situations where there is an “immediate danger to person or property, or of the escape of the perpetrator of the offense.” Case law does note that traffic offenses do generally fall into this category, *however*, there needs to be some other factor beyond a mere infraction of the vehicle code to trigger the extra-jurisdictional authority.

In many cases, the “other factor” is a continuation of the infractions (crossing double yellow lines, repeated red light violations, etc.) which indicates driving under the influence or reckless driving which gives rise to an immediate danger to the public an property. Running a red light where there is no threat to public safety or property is insufficient to trigger the AG opinion extra-jurisdictional authority. (See *People v. Landis*, 156 Cal. App. 4th Supp. 12.) Tis limitation applies to ALL Peace Officers within the state not just Park Rangers.

Therefore the Park Ranger does not have the ability to “patrol” the streets of Del Mar when traveling from one park to another. When the Del Mar Park Ranger is outside the “primary duty area” he or she may only enforce the laws of the state when warranted by the *Landis* holding (which is not often used).

The Park Ranger as a peace officer may not perform non-peace officer duties due to the limitations of Penal Code § 538d and holding an incompatible office. Penal Code § 538d provides in part that “Any person who willfully wears or uses any badge that falsely purports to be authorized for the use of one who by law is given the authority of a peace officer, or which so resembles the authorized badge of a peace officer as would deceive any ordinary reasonable person into believing that it is authorized [as a peace officer]... is guilty of a misdemeanor ...” This section essentially creates a compatibility of office issue with a limited Peace Officer performing non-peace officer duties while in uniform.

Unlike “split time” positions where a building department employee may work as a code enforcement officer on certain days/times, there is no distinction between the Ranger’s “peace officer” time,

uniform, or title that would distinguish to the general public that the Ranger is not acting in his Peace Officer capacity when giving a parking ticket as a parking enforcement officer, or citing a home owner as a code enforcement officer. This creates the possibility for confusion to the public and the scope of his authority as a peace officer when outside the Ranger's "primary duty area". This would give rise to significant and material liability issues for both the Ranger and the City of Del Mar.

Coverage: *All police/law enforcement matters/tasks within the Beaches and Parks (Primary Duty Area) – Call to law enforcement for all other issues.*

*Final Report
Update of Costs for
Stand Alone
Police Department
City of Del Mar*

October 30, 2015

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Table of Contents

Chapter 1 Introduction	1
Chapter 2 Analysis.....	2
Organizational Structure.....	2
Ongoing Annual Costs to Operate a Stand Alone Del Mar Police Department	4
Personnel Costs.....	4
Services and Supplies	6
Capital Recurring Costs	7
Merging of the Park Ranger Function Within the New Del Mar Police Department	8
Administrative Costs and Overhead Allocation	8
Total Annual Costs for a Stand-Alone Del Mar Police Department	8
Transition and Start-up Costs to Establish a Stand Alone Del Mar Police Department.....	9
Start-up Capital Expenses.....	11
Potential Options for Savings	13
Financing or Amortizing Transition and Capital Costs	14
New Police Facility	14
Chapter 3 Summary	17

Chapter I

Introduction

In November, 2013 Ralph Andersen & Associates completed a report entitled “Evaluation of Law Enforcement Options for the City of Del Mar.” An extensive part of the report was devoted to estimating the cost to the City of Del Mar to establish its own municipal police department in lieu of continuing to contract for services with the San Diego Sheriff’s Department (SDSD).

In June 2015, Ralph Andersen & Associates was asked to update the two year old cost estimate included in the report considering various factors such as inflation, new information and data available, and comments received from the City’s Finance Committee and SDSD officials.

As a part of this process, the Consultant Team reviewed all of the assumptions made in the initial analysis, reviewed current salary and benefit data for the City of Del Mar and comparison agencies, updated costs from California Public Employees Retirement System (CalPERS), consulted with the City’s insurance carriers, and reviewed an analysis of the 2013 report completed by the administrative staff of the SDSD. We also reviewed current construction cost data available from California police agencies who have built new police facilities in the past several years.

Chapter 2

Analysis

Organizational Structure

The organizational structure for the stand alone Del Mar Police Department that was included in the 2013 Study included the following full-time staff by position:

- Police Chief (1)
- Police Commander (1)
- Patrol Sergeants (4)
- Patrol Officers (5)
- Traffic Officer (1)
- Administrative Assistant (1)

In order to develop a cost effective staffing model that would still provide adequate coverage, back-up and supervision necessary for a stand-alone police department, several part-time sworn positions were included in the organizational structure:

- Part-time Detective (2)
- Police Reserve Officers (5)

There are several different approaches that can be used to determine the amount of officers needed for an agency. Among the more popular are per Capita, minimum staffing, and work-load based. The consultants considered several criteria before coming to the conclusion that the “minimum staffing” approach would be the best suited methodology for determining the size of the Del Mar police force.

How many police officers should Del Mar have? Sizing a police department must begin with the notion that the agency will operate on the foundation of sound police management practices that deliver stellar public safety services to all sectors of the community. In the case of Del Mar this means the residents and their homes, the businesses and their customers, those who frequent the beach and parks, and finally the visitors who come to enjoy and recreate in the community. That being said, there is an understandable need to balance what the community can afford versus what the community wants in terms of police services.

In the view of the consultants, the recommended staffing standard for the Del Mar police department is appropriate for meeting the stated goals of the City and ensuring basic service delivery. As a result, we have based our cost analysis on this configuration. Some of the issues that we considered are as follows:

1. **Two Uniformed Personnel Per Shift:** There must be at all times a minimum of two uniformed officers on duty 24/7/365. This is essential for several reasons. Public and officer safety is priority number one. The unpredictability of policing, especially in these current times of nationwide tensions with law enforcement, requires two officers be on duty and ready to back each other up for calls such as alarms, domestic violence, prowlers, in progress fights, crimes where the suspect is still on scene or in the area, and even traffic stops when made during hours of darkness. Del Mar enjoys low crime rates and a high quality of life but there is no immunity to the threat of an officer being assaulted or even worse killed in the line of duty.
2. **Response Times:** Knowing the current criticisms of the SDSA slower response times for Priority 3/4 calls, and in recognition of the expectations of small community rapid police responses regardless of call priority, the proposed staffing model will address this issue by ensuring sufficient officers are on duty every hour of every week. Implementing this staffing standard will result in a dramatic improvement of reducing response times even for lower priority calls.

3. **FTE Calculations:** Assuming 5.3 FTE Deputies are needed to staff one deputy per shift 24/7/365, the amount of officers needed for two officers per shift 24/7/365 would be 10.6 FTE. This calculation correlates with the consultant's staffing recommendation which allocates 10 front-line uniformed sworn personnel to patrol/traffic services. This number includes six officers (one being dedicated to traffic) and four Sergeants.

The four Sergeants would be scheduled one per shift, which allows them to perform a dual purpose role. First, the Sergeant ensures supervisory oversight of line officer performance. Second, the Sergeant acts as an additional first responder for calls that require two officers, or in other cases where the one officer is tied up on a call or report, the Sergeant can quickly respond to a second call as necessary. See more on Supervision in Section 6 below.

4. **Sheriff Will Not Supplant Back-up Services:** The Sheriff is not required nor obligated to provide routine back-up to DMPD, unless there are extenuating circumstances. The DMPD officers will not be able to call or rely on SDSA for back-up to calls that require a two officer response. Barring a major in-progress violent crime or other event that qualifies as mutual aid, DMPD must be self-sustaining in regards to handling calls for service. This protocol is typical of any city in any county, unless prearranged by contract in special circumstances.
5. **Reserve Officer Support:** if an arrest requires someone be transported to County Jail, a Reserve Officer can perform this service, thus ensuring two officers remain in the city at all times. Reserves can, if properly certified, also help with special events on the beach, and backfill patrol staffing shortages due to resignations, sick, vacation, or other leaves.
6. **Supervision Must Be Constant:** Police officers are entrusted with broad discretion concerning who should or should not be arrested, incarcerated, or, in some instances, chased or restrained by use of force. It is crucial that officers are continuously monitored and held accountable for their performance. Failure to have qualified supervisors on at all times can result in catastrophic judgments of liability against Del Mar and/or result in a tragic death or injury resulting from failed or negligent supervision. There must be four Sergeants on the schedule to ensure Supervisors are on duty 24/7/365. Doing so ensures officers have the necessary guidance, oversight, counseling, corrective training, and motivation to do their jobs within the boundaries of the constitution and department policy.
7. **Commander or Equivalent Management Oversight:** For similar reasons stated above, the Commander's job is to assist the Chief to ensure police operations and administration conform to policy, law, community expectations, and respond to change as needed. The Commander is a "generalist" accountable to the Chief for a vast array of assignments ranging from being the Shift Supervisor at times to "Acting" Chief of Police when the Chief is absent. It is vital that the Commander ensures supervisors are motivated, trusted, and well-respected by the line personnel. The Commander will be essential to helping the Chief delegate and stay on top of the many administrative functions that keeps a police department operating. Some examples of these duties would be: policy management, patrol administration, internal affairs, records management, property/evidence control, budgeting and cost control, fleet management, procurement/repair of equipment, training management, investigative case management, crime prevention, monthly reports, and grant applications. The position is proposed at the rank of "Commander" but the position could be reclassified to a lower rank of "Lieutenant," with the same executive level duties as described above.
8. **Per Capita Officer Rate:** The 2013 FBI statistics on law enforcement staffing levels indicate the average officers per capita rate for cities with fewer than 10,000 residents is 3.5 officers per 1,000 inhabitants. The proposed DMPD per capita rate is 3.27 per 1,000 residents. Due to differences between communities, the FBI cautions strongly against using per capita rates to make comparisons between individual agencies. With little effort, one can find agencies staffed much higher or lower than the mean. Rather, this statistic is provided simply to demonstrate that the proposed staffing level in this report is in line with national averages.

Should the City wish to reduce costs, there are two potential areas for cost reductions. First, the traffic officer could be eliminated with the understanding that patrol officers would perform traffic enforcement duty as time permits. Second, the Commander could be reclassified to a Lieutenant rank with a reduced level of salary. Although the Consultant Team does not recommend these reductions, we have included in our analysis the potential savings that could be achieved if these changes were implemented.

The Consultant Team is concerned about the use of part-time sworn positions to meet departmental needs, in lieu of additional full-time positions that would be more expensive. In other California police agencies the use of part-time reserve officers has declined significantly over the past several years. However, in San Diego County, with two large agencies nearby with retirement systems separate from CalPERS – San Diego City Police Department and SDSD – we believe there should be an ample pool of recent seasoned retirees who will wish to work part-time to fill the City's needs. The use of part-time reserve officers will need to be carefully monitored to ensure that this is a feasible approach to meet department staffing requirements.

Ongoing Annual Costs to Operate a Stand Alone Del Mar Police Department

Personnel Costs

Table 1 below summarizes our revised budget for personnel costs for a stand-alone Del Mar Police Department. The estimated costs for personnel increased from \$1,941,519 to \$2,081,457, an increase of nearly \$140,000 or 7%. The primary changes are as follows:

- Salaries for all key sworn positions are based upon comparable positions with SDSD. The 2015 budget has been increased to reflect recent raises given to SDSD personnel. Benefit costs have also been adjusted based upon Del Mar's current benefit package for safety personnel.
- CalPERS costs have been updated to reflect the most recent rates provided to the City of Del Mar for Safety members under the California Public Employees' Pension Reform Act (PEPRA). The rate is 11.153% of salary. This reflects a slight decrease from the 2013 estimate.
- The salary for the two part-time detectives was slightly increased and an annual clothing allowance added. These added benefits are intended to help attract talented, seasoned law enforcement applicants who already have extensive experience investigating crimes.
- The salaries for the part-time Reserve Officers was increased for recruitment and retention purposes.
- The salary and benefits for the Administrative Assistant in the 2013 report should have been \$67,909, instead of \$69,614. As a result, the 2013 costs have declined slightly from the 2013 report. The salary for 2015 remains the same as the correct 2013 number, but has been updated for Del Mar's current benefit structure.
- Based upon further analysis and comments from SDSD, Field Training Officer (FTO) compensation has been added for two positions. This resulted in an increase of \$10,000.
- Worker's compensation rates were revised to reflect current rates for other safety and field employees at approximately 6% of salary. This resulted in an increase of \$13,855.
- Overtime was increased by \$10,000 to reflect higher salary rates and increased training hours
- Liability insurance costs decreased from \$51,000 to \$20,000 based upon a cost estimate received from the CSAC insurance consultant. The City began transitioning to the CSAC Joint Powers Authority for liability insurance coverage on July 1, 2015. The estimate assumes that the SDSD will be responsible for all claims incurred while providing law enforcement services for the City.
- Claim costs have increased by \$10,000 per year. The 2013 report assumed a self-insured retention level, or deductible, of \$10,000. The City's current policy through CSAC has a self-insured retention level of \$100,000.

Table 1 -- Revised Budget for Personnel Costs			
Stand Alone Del Mar Police Department			
		2013/14	2015/16
PERSONNEL			
	Number of	Salary and Benefits	Salary and Benefits
	Positions		
Sworn			
Chief	1	\$ 158,384	\$ 172,783
Commander	1	\$ 138,201	\$ 153,169
Sergeants Patrol	4	\$ 490,300	\$ 543,624
Patrol Officers	5	\$ 542,755	\$ 551,970
Traffic Officer	1	\$ 112,918	\$ 115,144
Subtotal Sworn FT	12	\$ 1,442,558	\$ 1,536,690
Sworn -- PT			
Detective	2	\$ 80,312	\$ 83,460
Reserve Officers	5	\$ 124,740	\$ 149,085
Subtotal Sworn PT	7	\$ 205,052	\$ 232,545
Non Sworn			
Administrative Assistant	1	\$ 67,909	\$ 68,367
Subtotal -- Non Sworn	1	\$ 67,909	\$ 68,367
Total -- All Positions	20	\$ 1,715,519	\$ 1,837,602
Personnel Other			
FTO Performance Pay		\$ -	\$ 10,000
Worker's Comp Ins		\$ 70,000	\$ 83,855
Overtime		\$ 75,000	\$ 85,000
Training		\$ 10,000	\$ 15,000
Liability Insurance		\$ 51,000	\$ 20,000
Claims		\$ 20,000	\$ 30,000
Subtotal -- Personnel Other		\$ 226,000	\$ 243,855
Total Personnel Costs		\$ 1,941,519	\$ 2,081,457

Services and Supplies

Table 2 below summarizes our revised budget for services and supplies for a stand-alone Del Mar Police Department. These costs increased significantly, from \$277,410 to \$428,888, an increase of approximately \$151,478 or 54%.

Table 2 -- Revised Budget for Services and Supplies			
Stand-Alone Del Mar Police Department			
SERVICES & SUPPLIES		2013/14	2015/16
Clothing		\$ 10,000	\$ 10,200
Dues/Memberships		\$ 1,000	\$ 1,580
Documents/Publications		\$ 1,400	\$ 1,685
Utilities		\$ 5,000	\$ 7,752
Telephone		\$ 12,000	\$ 13,559
Radio		\$ 1,100	\$ 7,142
Postage		\$ 500	\$ 500
Office Supplies		\$ 1,500	\$ 3,500
Printing		\$ 4,000	\$ 4,000
Equip Maintenance		\$ 3,000	\$ 5,000
Outside Labor		\$ 5,000	\$ 5,000
Contractual Services		\$ 143,000	\$ 182,970
Equipment Supplies		\$ 12,000	\$ 12,000
Community Activities		\$ 3,000	\$ 3,000
Photographic Supplies		\$ 1,000	\$ 1,000
Vehicle Maintenance & Gas		\$ 15,000	\$ 65,000
Vehicle Gas & Oil		\$ 35,000	\$ -
Police Station Lease		\$ 23,910	\$ 105,000
Total Services & Supplies		\$ 277,410	\$ 428,888

Major changes are as follows:

- Several minor categories have been increased a small percentage of 2% to reflect increases in the Consumer Price Index (CPI) since 2013.
- **Dues and memberships** have increased by \$580 to reflect an increase in CPI and an expanded list of professional organization membership. Participation in these organizations will help all ranks of the Police Department stay abreast of best practices and network with experts in various disciplines of professional law enforcement.
- **Documents and publications** include adjustment for CPI, plus an upgrade to an electronic version of the popular California Sourcebook allowing field personnel prompt, mobile access to excellent case law updates.
- **Utilities** reflect a larger sized police building based upon additional review. Discussed further below.
- **Telephone** reflects addition of one T-1 line that was not included in the 2013 estimate.
- **Radio costs** reflect comments received from SDSA that the 2013 report should have used San Diego Regional Communication System Network Operating Cost (NOC) fees, since it is likely that Del Mar will be part of this regional system. These fees total \$318 per radio per year. The revised budget corrects that error.

- **Office supplies** increased by \$2,000. This assumes the new Department will use vehicle and body cameras resulting in greater expense for evidence storage and costs to respond to public records requests and court subpoenas.
- **Equipment Maintenance** reflects increased allocation to cover possible equipment failures and buy extended warranties. Funds in this category were added to cover for repairs or replacement of equipment such as radios, cameras, Tasers, and other mobile equipment.
- **Contractual Services** has increased by \$39,970. Major areas of change include the following:
 - ♦ The 2013 budget proposed \$110,000 for dispatch services, which was based on an informal estimate provided by SDSD. Subsequently, SDSD declined to provide dispatch services.
In 2014, the City received a quote from San Diego State University (SDSU) to provide dispatch services for \$253,000 annually. In October 2015, a new estimate was received from SDSU to provide both dispatch and records management services. The new estimate is a very reasonable \$106,000 per year.
 - ♦ Ongoing expenses for the Automated Regional Justice Information System (ARJIS) services were not included in the 2013 Report, only a one-time capital expense in the transitional budget. The estimated cost to be part of this system is \$20,000 per year.
 - ♦ Janitorial Services were increased by \$5,000 per year to reflect the larger building size estimate.
 - ♦ Copier extended maintenance agreement estimate was low in the initial report. Have added \$2,500 per year to fully cover this expense.
 - ♦ Have included \$3,000 for the first year warranty for the Live Scan Fingerprint system. This is more economical than paying for typical repairs during this time period.
 - ♦ No money was included in the 2013 report for County booking fees. Some bookings will not incur fees, but to be conservative we have included \$5,000.
- **Vehicle costs** have been categorized into one category, instead of in two, as in the 2013 report. The combined category increased by \$15,000 based upon comments from SDSD and more realistic estimates.
- **Police station lease** – The 2013 study included costs to rent a temporary modular building of 1,800 square feet. However, the Consultant Team has concluded that the permanent police facility should be at least 4,300 square feet. A more detailed discussion is below.
A new facility will take at least three years to design and construct. We are including monies for 3,500 square feet of temporary office space @ \$2.50 per square foot, assuming the City will need to lease office space until a new building is completed. The cost per year of the rental office space is \$105,000.

Capital Recurring Costs

Table 3 below summarizes recurring costs for safety equipment and vehicle replacement needs. The only change to this category from the 2013 analysis is an increase of \$5,000 per year to reflect higher vehicle purchase costs. This new estimate is based upon recent purchases made by other police agencies for new vehicles. The cost has risen significantly due to the recent phase out of the Crown Victoria Police vehicle by Ford. New options available are much more expensive.

CAPITAL RECURRING		2013/14	2015/16
Vehicle Replacement Fund		\$ 20,000	\$ 25,000
Safety Equipment Fund		\$ 5,000	\$ 5,000
Total Capital Recurring		\$ 25,000	\$ 30,000

Merging of the Park Ranger Function Within the New Del Mar Police Department

The 2013 analysis assumed that the existing Park Ranger function would be merged into the new Police Department and the existing Park Ranger would become one of the sworn officers of the new department. As a result, the 2013 study assumed the City would realize \$120,000 in annual savings if the Park Ranger Program were dissolved and merged into a new Del Mar Police Department. The Consultant Team reviewed the current Fiscal Year 2015-16 Park Ranger budget and estimates the savings would now total approximately \$155,000 per year.

Administrative Costs and Overhead Allocation

The addition of a new Police Department will substantially increase the workload for the administrative functions of the City, especially for Human Resources, Finance, the City Attorney's Office, and risk management. In the initial study completed in 2013, it was estimated that the initiation of a new Police Department would require the addition of two new half-time positions in Finance and Human Resources. This is due to increased work load for accounting, recruiting, orientation, processing grievances and Workers Compensation claims, and employee negotiations. In other areas of the City, such as the City Manager's Office, it is not anticipated that any new positions would be required, but supervising a police department will certainly result in the reprioritization of other City needs. It also can be expected that the contract for City Attorney services will be impacted by the addition of a Police Department.

As with most cities, the City of Del Mar does not charge General Fund departments an overhead allocation within their respective budgets. In the 2013 study, an estimate of 11% of the total department budget was used. However, the Consultant Team believes a more appropriate analysis should only include the actual additional costs the City will incur should it decide to establish a new stand-alone department. Our analysis includes an estimate of \$100,000 to cover the estimated two half-time positions that would be required in Finance and Human Resources, additional human resources operating costs for recruitments, and additional costs to cover ongoing legal expenses.

Total Annual Costs for a Stand-Alone Del Mar Police Department

The following Table 4, entitled "Del Mar Police Department Budget" summarizes the revised first year budget for the Police Department. This budget presents the totals from the previous tables for salary and benefit expense, other personnel expense, services and supplies, and capital recurring. It also included the estimated savings from merger of the Park Ranger Program into the new Police Department, and an estimate for administrative overhead costs. Finally, it assumes that Del Mar will continue to receive a COPS grant from the State to support its department.

Based upon this new analysis, the estimated increase in annual operating expense for the Del Mar Police Department, in 2015 dollars, is \$2,385,348. This is an increase from the 2013 estimate of \$138,784, or approximately 6.2 percent.

	2013/14	2015/16
Personnel Costs	\$ 1,941,519	\$ 2,081,457
Sevices and Supplies	\$ 277,410	\$ 428,888
Capital Recuring	\$ 25,000	\$ 30,000
Total Annual Budget	\$ 2,243,929	\$ 2,540,345
Less COPS Grant	\$ (100,000)	\$ (100,000)
Less Park Ranger Costs	\$ (120,000)	\$ (155,000)
Total Net Operating Budget	\$ 2,023,929	\$ 2,285,345
Add -- Administrative Overhead	\$ 222,632	\$ 100,000
Total Net Budget	\$ 2,246,561	\$ 2,385,345

Transition and Start-up Costs to Establish a Stand Alone Del Mar Police Department

As noted in the 2013 report, in order to establish a new Del Mar Police Department, there are a number of costs which will be incurred prior to the Department actually beginning operations. For example, in the 2013 report, it was envisioned that in order for the new Department to begin operations at the beginning of a new fiscal year, the new Chief of Police would take office seven months before the Department began operations. This would be followed by the new Commander taking office two months later.

The 2013 report included an extensive discussion concerning the timing of hiring the initial positions for the department. The Consultant Team has reviewed this analysis and believe it is a workable, yet aggressive approach to establishing the new department.

Law enforcement practitioners, analysts, and articles written by criminal justice professionals are in agreement that starting a new police agency is a complex and expensive undertaking. Standing-up a new police department from scratch will involve some 100 or so tasks associated with strategic planning, policies and procedures, staffing, contracting for services, training, facilities planning, and procurement of safety equipment, office furniture, and vehicles. These are just a few of the myriad of critical action steps that are straight forward but time intensive. Many of the tasks must be orchestrated in sequence while others require simultaneous maintenance of effort. The end result and goal is to ensure the City of Del Mar can fulfill its commitment to deliver a full-service police operation on the day and time promised to the community.

Depending on the complexity and size of the community, many start-up police departments can take one year to plan, develop, and launch. The transition period can be viewed in two important segments. First and foremost, a search for a new Police Chief must be initiated, monitored, and managed by city management. Community involvement will be key to making a successful selection of a "best fit" Chief for the Del Mar community.

The second transition period are the months following the immediate hiring of the Chief to the first day the police department opens for business. The details that must be attended to are immense and impossible to complete without significant help.

The following is a partial list of the many tasks that must be undertaken at full speed:

The Chief should have approximately 3 months to complete the following:

- **Strategic Assessment** – The Chief needs to get on board early! Doing so allows the Chief to gauge and plan the process of setting-up a police department that will be fully engaged, respected, and supported by the community at large. The Chief will function in the context of a Project Leader, and will need to prepare an extensive checklist of all the tasks that must be completed to ensure the police department will function on queue when officially opened for business. Special attention must be directed to how Del Mar PD will operate day-to-day and what is needed to ensure that the

department can sustain itself. The Chief will need to meet with all key stakeholders in the community to get acclimated to the specific public safety needs, concerns, and priorities of residents, businesses, non-profit organizations, and other key criminal justice partners such as the San Diego Sheriff, District Attorney, Courts, FBI, and Department of Justice to name a few. The input received from these valuable meetings will help the Chief develop the correct Mission and Vision Statements, and set up the framework for the Police Department Strategic Plan. This plan will include measurable goals and objectives that will aid in evaluating the progress, successes, and shortcomings of the new police department services.

- **Preparing a Budget** – The Chief must work closely with City staff and others to ensure the overall budget has been properly drafted and funded. Administrative work with grant authorities must be completed to ensure existing grants such as the COPS funds are redirected to Del Mar PD. The new Chief will need to analyze every budget line item to determine if the funds are sufficient and/or if other options exist to reduce costs. The budget will need to be analyzed for start-up costs and then again for second and subsequent year costs. The first year budget will undoubtedly need frequent refining due to unanticipated costs or unforeseen events. Before the police department moves forward, the Chief must seek to have City Council adopt a sound multi-year budget plan that considers the department's priorities and goals.
- **Negotiate Agreements with Other Agencies** – The new Chief will need to identify, review many different contracts, and implement a multitude of agreements, including mutual aid, Department of Justice connectivity, San Diego Sheriff for use of the jail, dispatching, various social services, and make application for POST certification and agency accreditation.
- **Promulgate Critical Policies and Procedures** – Ultimately, the Chief is accountable for all that happens within the police department. Extensive time will need to be devoted to developing a policy and procedure manual that is custom tailored to the Del Mar Police Department. Operating plans for daily patrol and investigations deployment and methods of work must also be developed, including scheduling, setting up a payroll, an entire infrastructure on how personnel will be hired, equipped, trained, evaluated, and deployed. The style of policing desired for Del Mar will help the Chief prepare to make best decisions on which candidates get hired. Related to this, and before recruitment and hiring can begin, the Chief must create a job description for each position in the department, along with an organization chart, performance expectations, and rules of conduct.

An additional 3 to 4 months are needed to:

- **Facilities, Equipment, and Fleet Management** – The Chief, with help from others, will need to establish and implement all procurement for office equipment, computers, and connectivity to inter and intra- network servers, telephones, records management and filing, setting up radio communications and Dispatch systems, procuring and setting up all police vehicles, acquiring all the uniforms and safety equipment including armory supplies and furniture.
- **Recruitment, Hiring, Training** – The Chief will need assistance in beginning the recruitment, testing, background checks, and final hiring of all ranking officers and front line officers, the Detectives, and the Administrative Assistant. Of special importance are the Detectives, who will be required to conduct thorough background assessments on all of the new personnel hired.

All personnel must be hired in advance of the “launch” date, to ensure they are certified, trained, prepared, and confident in beginning their duties as a full-service police department. They should be spending time in the community to familiarize themselves with those they will serve and protect.

The above is not an all-inclusive list of critical tasks – the amount of effort that must go on “behind the scenes” will be substantial and at times exhaustive. The efficiency and speed of completing the above tasks hinges on good leadership, planning, adequate time, and steadfast perseverance to getting the job done right.

Table 5 summarizes the estimated recruiting and transition costs to establish a Stand Alone Del Mar Police Department. In terms of recruitment costs, the costs have not increased from the 2013 study. However, salaries and benefits have increased by \$49,214. This increase is a result of the higher salary and benefits which the Consultant Team has determined are appropriate, as noted previously in our discussion of annual

costs. The Consultant Team has maintained the same time periods that the positions should be in place before the Department begins operations. However, this is an aggressive schedule.

		2013	2015
Personnel Recruitment/Hiring Costs	Time Line	Cost	Cost
Recruit/Test/Background Check/Hire a Police Chief	6 months (June-Nov)	\$ 20,000	\$ 20,000
Recruit/Test/Background Check Commander	4 months (Nov -Feb)	\$ 3,500	\$ 3,500
Recruit/Test/BI/Hire 2 PT Detectives	2 months(Feb - Mar)	\$ 7,000	\$ 7,000
Testing/Hiring process underway for all positions	4 months (Mar-May)	\$ 35,000	\$ 35,000
Subtotal Costs for Recruitment/Testing/BI/Hiring		\$ 65,500	\$ 65,500
Misc Costs to HR dept to process employees		\$ 5,000	\$ 5,000
Total Personnel Transition Period costs		\$ 70,500	\$ 70,500
Transition Period - Salaries/Benefits	Prorated pay		
Chief	7 months	\$ 92,386	\$ 100,790
Commander	5 months	\$ 57,584	\$ 63,820
PT Detectives X 2	21 Weeks	\$ 70,273	\$ 83,460
Sergeants X 4	2 months	\$ 81,717	\$ 90,604
Police Officers X 5	6 weeks	56,535	\$ 68,996
Traffic Officer X 1	0 weeks		\$ -
Admin Assistant	1 month	\$ 5,659	\$ 5,697
Personnel startup Total		\$ 364,154	\$ 413,368
Total for Recruitment plus Transition salaries		\$ 434,654	\$ 483,868

Start-up Capital Expenses

In addition to the recruitment and transition costs necessary to establish a new Del Mar Police Department, the 2013 study estimated that there would be approximately \$540,507 in capital start-up costs. The Consultant Team has evaluated the estimated start-up capital expenses and made several significant revisions, resulting in a revised start up expense of \$715,300. These costs are identified in Table 6 below.

Start-Up Capital Expenses	2013	2015
Vehicles Initial Purchase	\$ 251,407	\$ 258,400
One time Vehicle Capital Replacement Deposit		\$ 30,000
Police Uniforms/Safety Equip	\$ 92,000	\$ 118,000
Initial Costs to set up Dispatch and Automated Records System	\$ 125,000	\$ 140,000
Fingerprint LiveScan	\$ -	\$ -
Bicycles Fully Equipped X 2	\$ -	\$ 1,400
Radios and High Speed Copier	\$ 47,100	\$ 82,500
Office Rental and Utilities during transition	\$ 25,000	\$ 25,000
Office Furniture and Desktop Computers	\$ -	\$ 60,000
Total Start-up Capital Costs	\$ 540,507	\$ 715,300

Major changes and highlights include the following:

- **Vehicle Purchases** were adjusted to delete one vehicle and to reflect the higher cost of police vehicles, based upon recent purchases made by California police agencies through competitive bidding. This assumes that the current fully equipped vehicle used by the Park Ranger will be transitioned to the new department with only minor costs. The overall increase is \$6,993.

The total amount includes funding for 2 marked 4-wheel drive units for beach access (\$125,166), 1 marked low profile police sedan for traffic enforcement with light bar, radio, MDC, radar and in-car video (\$55,154), 2 unmarked sedans for the Chief and the Commander (\$63,080), and 1 unmarked used sedan for detectives (\$15,000).

The cost of fully equipped police vehicles is quite high compared to vehicles used by civilians. This is due to the high cost of equipment and installation of radios, Mobile Data Terminals (MDCs), radar, light bars, upgraded electrical system, etc. For example, based upon recently received competitive bids in California, the cost to purchase and fully equip a Ford Explorer police vehicle is \$62,583. These costs are detailed below in Table 7:

Table 7	
Cost to Equip Ford Explorer Police Vehicle	
Ford Utility Base Price	\$ 31,089
Mobile Radio	\$ 3,000
Decals	\$ 100
MDC	\$ 3,684
Radar	\$ 2,595
In Car video	\$ 5,240
Subtotal	\$ 45,708
Installation (Labor & parts)	\$ 16,875
Total	\$ 62,583

- **Vehicle Replacement Fund** – The initial 2013 report did not include an initial allocation for the vehicle replacement fund. Based upon the estimated life of the vehicles, we are recommending an initial allocation for vehicle replacement of \$30,000. This initial deposit will provide initial funding to the replacement fund in case of a vehicle accident in the first year, and insure sufficient funding is available when vehicles need to be replaced.
- **Police uniforms and safety equipment** has been increased by \$49,000. The initial 2013 study assumed \$4,232 per uniformed personnel for all uniforms and accessories, badges, duty belts, handcuffs, weapons, batons, body armor, Tasers, gas masks, helmets, and shoes. Based upon current prices, this should be increased to \$6,500 per uniformed personnel. It is possible that the Federal BVP grant program may offset costs of ballistic vests. The 2013 report did not include monies for ammunition. The updated analysis includes \$900 per uniformed officer. The 2013 analysis did not include monies for detective start-up equipment (\$10,000), 3 M4 patrol rifles (\$3,600) or five shotguns (\$2,500). We have added these costs.
- **Initial Costs to Set-up Dispatch and Automated Records Systems** – The initial 2013 study included a rough estimate of \$125,000 to purchase and set-up a new automated records system. There were no funds included for setting up the dispatch system. The City recently received a proposal from San Diego State University to provide both dispatch and records management services at a very low annual cost of \$106,000 per year. In order to implement these contractual services, there will be a one-time cost of \$140,000.

- **Bicycles** – The initial analysis did not include an allocation for bicycles. This should be included as part of a quality community policing approach.
- **Radios and High Speed Copier** – The large increase in this category is due to the current cost of mobile radios, which has increased by \$33,700. The 2013 analysis assumed approximately \$2,350 per radio. Current estimates, per Park Ranger Adam Chase, are \$4,500 per radio. With a need for 17 mobile radios, the total cost for radios will be \$76,500. The estimate also includes \$6,000 for the purchase of one high speed copier. The copier cost is on the low end of high speed copier bids received by public agencies in California.
- **Office Facilities** – The 2013 study included \$25,000 for the initial cost of renting and equipping a modular building totaling 1,800 square feet that would become the permanent home of a new police department. We have retained the \$25,000 for temporary office and storage space during the transition period. However, the Project Consultants do not recommend that the City utilize modular buildings on a permanent basis as discussed further below.
- **Office Furniture and Desktop Computers** – The 2013 study did not include monies for office furniture, partitions, and office computers. Based upon a review of online office furniture sources, a very rough estimate for a 4,300 square foot building, assuming modest office furniture and equipment, is approximately \$10 to \$15 per square foot. Police operations are notoriously rough on office furniture, since they operate 24 hours a day, 365 days a week. As a result, it is important that durable, yet simple furniture, file cabinets, partitions, etc. be utilized. As a result, the Consultant Team utilized an estimate of approximately \$14 per square foot. Our analysis assumes most of the office furniture purchased initially will be moved into a new police facility once it is complete.

The department will need to have a number of computers available in the police station for management, supervisors, detectives, and officers to write reports, access dispatch and case records maintained online, access State and National crime data bases, and conduct normal business affairs.

In order to minimize the initial costs of start-up, the City could choose to enter into a lease purchase arrangement to purchase the new police vehicles, including certain equipment and installation costs. Additionally, the City may be able to utilize lease purchase financing to secure the mobile police radios through either a County-wide purchase contract or directly through the manufacturer. For example, if the City is able to finance all of the vehicles, including all equipment and installation (\$258,400) and all of the mobile radios (\$76,500), the initial start-up costs could be reduced by \$334,900. However, the annual lease purchase payments would result in increased annual operating costs for the new police department. Assuming the City can finance the costs in a five year tax-exempt lease purchase at a 2% interest rate, the annual payments would be approximately \$70,000 per year.

As shown in Table 8, recruiting and transition costs, combined with one time start-up capital costs, have increased significantly in our analysis.

Table 8 -- Total Transition and Capital Costs			
Stand Alone Del Mar Police Department			
		2013	2015
Recruitment plus Transition Salaries		\$ 434,654	\$ 483,868
Start-up Capital Expenses		\$ 540,507	\$ 715,300
Total Transition and Capital Costs		\$ 975,161	\$ 1,199,168

Potential Options for Savings

There have been concerns expressed that the proposed staffing for a new stand-alone department is above what is needed to provide quality services to the community and preserve officer safety. Although the Consultant Team believes that the proposed staffing and compensation model is appropriate, there are two potential areas that might generate some savings, but could potentially reduce service levels below what the community currently enjoys.

The first of these proposed changes would be to reduce the position classification of the new Commander position to Lieutenant. The Consultant Team feels strongly that the new department will need at least two senior management positions, but it may be possible to fill the second management position with a Lieutenant instead of a Commander. This could pose some problems in filling the position, since the proposed department salaries are modest compared with comparable agencies and it may be difficult to attract a mid-level police manager into the new department at the lower salary range. However, for purposes of discussion, we estimate downgrading the position would save approximately \$20,000 annually. This decision should probably be deferred until a new Chief of Police is brought on board and can test the market for qualified police managers at the lower compensation level.

The second possible change that could be considered would be to eliminate the dedicated Traffic Enforcement Officer. This would require that the new patrol officers be directed to spend a considerable amount of time on traffic enforcement duties. This could impact response times to lower priority calls and also reduce the level of traffic enforcement. Over time, most police professionals have come to the conclusion that dedicated traffic enforcement officers are a more cost effective way to address community traffic safety concerns because they can focus on specific issues without getting continually assigned to respond to calls or provide backup to fellow officers. The estimated savings from this change would be approximately \$130,000 annually, which includes reducing or eliminating the operation and replacement costs of one vehicle. Eliminating the dedicated Traffic Enforcement Officer, would also reduce one-time costs by \$55,154, since it would not be necessary to purchase one fully equipped traffic enforcement vehicle.

Financing or Amortizing Transition and Capital Costs

When the 2013 report was completed, concern was expressed about the high one-time transition costs, totaling nearly a million dollars. As these costs have increased, this concern has obviously risen. As noted previously, the City could reduce some of these initial costs through purchasing vehicles and mobile radios through tax exempt lease purchase agreements, reducing initial one-time costs by \$334,900. However, financing these capital expenses will result in increasing the annual cost to operate the department for the first five years by \$70,000.

Whatever the one-time costs are, the City will need to finance these costs internally either through an allocation from General Fund reserves, or by internal borrowing from Enterprise Funds, if it is legal to do so.

From a policy perspective it make sense to view these transition and capital costs in a longer term perspective when making the decision whether to create a stand-alone department. For example, amortizing all of the transition and capital costs (\$1,199,668) over a five year period, results in increasing the annual cost for the first five years by approximately \$240,000. A ten year amortization schedule results in an annual increase in cost of approximately \$120,000 per year.

Del Mar, like most cities, does not finance or amortize these types of expenses over extended periods and instead uses available cash reserves to cover these types of expenses. As a result, the Consultant Team has not modified the analysis to include some type of amortization period. This is a policy decision for City Management and the City Council. However, we did want to include the information to better inform the overall discussion.

New Police Facility

The Consultant Team did a more refined analysis of space needs for a new police facility to determine the adequate space needs for a stand-alone Del Mar Police Department. This analysis assumes that the City will construct either a stand-alone facility, or incorporate the new police facility into the new civic center project currently being considered. Table 8 details the estimated space needs of the new Police Department, with square footage estimates for each function. This analysis is based upon existing square footage at the Carmel California Police Department. Carmel is an affluent beachside community of approximately 4,000 residents in Northern California, with 21 total sworn personnel. The work space allocation for Carmel PD is a good comparison to Del Mar based on the similarities of the two cities and their respective police service needs.

Table 9			
Del Mar Police Facility Space Needs			
FUNCTION	Subtotals	SQ FEET	Dimensions
Public Lobby	234		
Sitting area		144	12'X12'
Public ADA Restroom		90	10' X 9'
Administration	542		
Chief Office		240	16'X15'
Commander Office		121	11'X11'
Admin Assistant		121	11'X11'
Storage Room/Closet		60	6'X10'
Booking/Detention	288		
Intake booking/counter		144	12' X 12'
Temporary Holding room		144	12'X12'
Property & Evidence	373		
Evidence Room w/lockers		132	12'X11'
Work area: packaging/CSI		121	11'X11'
Armory		120	12'X10'
Investigations	416		
Detective office/2 desks		256	16'X16'
Interview Room X 2		160	8' X 10'
Patrol	887		
Briefing & Training Room		420	21'X20'
Report Writing room & forms area		144	12' x 12'
Locker Room Men		216	12'X18'
Mens' Bathroom		255	17'X15'
Women's Bathroom/Lockers		272	17' X 16'
Traffic	100		
Office & supplies		100	10' X 10'
Break Room	195		
Employee Lounge		195	13'X15"
Storage	400		
Misc Office Storage		100	11'X11'
Misc large item storage		100	10'X10'
Janitorial Storage		100	10'X10'
Utility Room		100	10X10"
Subtotal	3435		
Circulation @ 25%	859		
Grand total all	4294		

In addition to the new building, it will be necessary to include a secure, fenced parking area with electronic gated access for eight police vehicles and eight employee spaces. The estimated space requirement for this additional parking is estimated at between 6,500 and 9,000 square feet, depending on whether the spaces are diagonal or parallel. Parking areas should also include a camera surveillance system.

There is a wide range in construction costs for police buildings in California. Some newer building have been built for as low as \$200 per square foot, while the Consultant Team has seen estimates as high as \$1,000 per square foot, when the project has included structured parking. There are two important elements to consider when estimating the cost of a new police building as follows:

- **Security** – Police buildings require much higher levels of security than conventional office buildings. Public areas need to be carefully separated from secure office areas. Interview rooms, evidence storage, and weapons storage areas also need to be secure. Additionally, modern camera surveillance systems need to be incorporated into the entire building, both for safety purposes and to protect the City should claims be filed for incidents or injuries that may occur in the facility.
- **Building Safety** – The California Legislature in 1986 adopted the Essential Services Building Act, which requires that police facilities built in California meet a stringent building standard. The Act has resulted in a strict building code that will ensure essential buildings can continue to operate after major earthquakes. This has added significant building costs to new facilities in earthquake prone areas.

Del Mar is a beautiful, architecturally rich community. It is assumed that the City will want to construct a police building that is consistent with the high standards in the City. As a result, the Consultant Team recommends that the City assume a construction cost of at least \$500 to \$750 per square foot as an initial estimate. This would result in an estimated cost of \$2.2 to \$3.2 million.

Chapter 3 Summary

In summary, the estimated annual costs of maintaining a stand-alone Del Mar Police Department in 2015 dollars is approximately \$2.385 million per year, including an expense of approximately \$100,000 per year in actual overhead expenses. This is an increase of 6.2% over the 2013 estimate.

In addition to the estimated annual operating costs, the Consultant Team estimates that the City will incur approximately \$1.2 million in one-time recruitment, transition, and capital costs prior to the new police department commencing operations. This estimate is 23% higher than the 2013 estimate.

Should the one-time transition costs be amortized over a five year period, the annual operating costs of the department would increase to \$2.625 million per year. If the costs are amortized over a ten year period, the annual cost of operating the department would be \$2.5 million per year.

And finally, the Consultant Team has estimated that the rough costs of a designing and constructing a new 4,300 sq. ft. police facility will cost between \$2.2 million and \$3.2 million. Land costs are not included.