



## Legislation Text

File #: 19-1002, Version: 1

Approve a \$2,536,930 revenue Memorandum of Agreement with the City of Rio Vista for the Sheriff's Office to provide law enforcement services for the period of February 1, 2020 through January 31, 2021 with the option to renew; Authorize the County Administrator, with County Counsel concurrence, to execute the Memorandum of Agreement and any future amendments including changes to terms and conditions and/or scope of services that remain within 20% of the total contract amount not to exceed \$75,000; Adopt a resolution amending the List of Numbers and Classifications of Positions to add 1.0 FTE Lieutenant-Sheriff, 2.0 FTE Sergeant-Sheriff, and 9.0 FTE Deputy-Sheriff; and Approve an Appropriation Transfer Request of \$1,057,054 to recognize unanticipated revenue from the City of Rio Vista and appropriations for providing law enforcement services in FY2019/20 (4/5 vote required)

Published Notice Required? Yes ☐ No ☒  
Public Hearing Required? Yes ☐ No ☒

### **DEPARTMENTAL RECOMMENDATION:**

The Sheriff recommends that the Board of Supervisors:

1. Approve a \$2,536,930 revenue Memorandum of Agreement with the City of Rio Vista for the Sheriff's Office to provide for law enforcement services for the period of February 1, 2020 through January 31, 2021 with the option to renew;
2. Authorize the County Administrator, with County Counsel concurrence, to execute the Memorandum of Agreement and any future amendments including changes to terms and conditions and/or scope of services that remain within 20% of the total contract amount not to exceed \$75,000;
3. Adopt a resolution amending the List of Numbers and Classifications of Positions to add 1.0 FTE Lieutenant-Sheriff, 2.0 FTE Sergeant-Sheriff, and 9.0 FTE Deputy-Sheriff; and
4. Approve an Appropriation Transfer Request of \$1,057,054 to recognize unanticipated revenue from the City of Rio Vista and appropriations for providing law enforcement services in FY2019/20 (4/5 vote required).

### **SUMMARY:**

In September 2019, the City of Rio Vista (City) initiated discussions with the Sheriff for mutual aid assistance due to the departure of the City's Police Chief. As a result of these discussions, the Sheriff entered into a Memorandum of Understanding with the City effective September 16, 2019, to provide a Captain-Sheriff to act as the City's Interim Police Chief while the City conducted a recruitment for a new Police Chief.

Additionally, the City experienced a high number of vacancies in other sworn law enforcement positions, impacting its ability to provide a minimum level of public safety services. To address this, the County entered into an Emergency Law Enforcement Agreement with the City effective September 30, 2019, to provide temporary supplemental law enforcement services that would ensure coverage for patrol shifts the City's Police Department was unable to fill. Because the Department continues to experience significant staffing

challenges as the remaining staff pursue employment opportunities elsewhere, and as a result, the City now seeks longer-term assistance from the Sheriff's Office to augment operations.

The proposed Memorandum of Agreement (Agreement) will enable the Sheriff to provide law enforcement services to the City for an initial 12-month period beginning February 1, 2020. These services are vital as the City devises a long-term plan to address the vacancies within its police force, which may include longer-term contract services with the Sheriff's Office. Without this Agreement, the City may need to increasingly rely on the Sheriff's Office for unreimbursed mutual aid as it may be unable to provide adequate law enforcement services to keep its community safe. Therefore, the Sheriff requests the Board approve this Agreement and the addition of 12.0 FTE positions to provide the services.

### **FINANCIAL IMPACT:**

Board approval of this one-year Agreement will not impact the County General Fund. The expenses incurred will be offset with compensation received from the City for the law enforcement services provided.

The proposed \$2,536,930 Agreement incorporates the costs of salary and benefits, including a cost of living adjustment, and workers compensation insurance, liability insurance and countywide overhead costs for 12.0 FTE (1.0 Lieutenant-Sheriff, 2.0 FTE Sergeant-Sheriff and 9.0 FTE Deputy-Sheriff) for a 12-month period. The Agreement also includes costs for training, investigative services, uniforms, standard-issue safety clothing and equipment, pre-employment background investigations, fiscal activities and senior and executive management activities. The City will provide the remaining services and supplies necessary for operations.

The Sheriff's FY2019/20 Working Budget has insufficient appropriations to provide these unanticipated law enforcement services for February 1, 2020 through June 30, 2020. Therefore, an Appropriations Transfer Request is necessary to increase appropriations by \$1,057,054 to cover costs to support operation at full capacity for five months.

Appropriations for the remaining seven months, estimated at \$1,479,876 for July 1, 2020 through January 31, 2021, will be included in the Sheriff's FY2020/21 Recommended Budget. Should the City wish to extend the Agreement or enter into a longer-term agreement, the Sheriff's Office will return to the Board for approval.

The costs associated with preparing the agenda item are nominal and absorbed by the department's FY2019/20 Adopted Budget.

### **DISCUSSION:**

The Sheriff's Office use of intergovernmental contract services dates back many years, and currently provides contracted animal control, security, and law enforcement services throughout the county. The Sheriff's Office is also regularly called upon to provide training and assistance to allied agencies. It is because of this experience and expertise that local governmental entities choose to partner with us.

In mid-September, the City's Police Department experienced vacancies in three key leadership positions when Chief of Police, Police Commander and a Police Sergeant separated from the City. Following these departures, the City Manager requested administrative assistance from the Sheriff's Office under mutual aid. In response, the Captain-Sheriff overseeing the Field Operations Division was assigned to the City for an initial period of 60 days with an understanding that additional time may be necessary. The Captain was later appointed as the Interim Chief of Police effective September 23, 2019.

There are 16 full time positions in the City's Police Department. These positions are comprised of two professional staff allocations and 14 sworn positions including Chief of Police, Commander, four sergeants and eight police officers. At the time of this writing, the City had a total of six sworn vacancies and two officers

working their way through the Field Training Program. Additionally, many of their officers are in the hiring process at other agencies. As a result of these staffing shortages, the City Manager recommended that the City explore a contract with the Sheriff's Office for all law enforcement services. On November 5, 2019, the City Council voted 5-0 in favor of further exploring this partnership.

Staff began to work on developing a model with three priorities in mind: 1) To ensure that the City had sworn staffing that was sufficient to protect the City; 2) To create a model that would allow for the City to reconstitute their police department down the road should they see fit; and 3) To create a plan that fit inside their existing budget.

The resulting model includes a contract for sworn staffing only. The Sheriff's Office will supply a total of 12 personnel to the City. These employees will be fully trained and able to immediately provide the contracted services. The contracted employees will wear the City's Police Department patches, drive City vehicles, and utilize most of the equipment already in the Department's possession. The Sheriff's Office will equip the employees with a firearm, taser, and other standard issue equipment. The breakdown of new positions associated with the contract are as follows:

- 1.0 FTE Lieutenant-Sheriff - This position will act as the Interim Police Chief, overseeing all law enforcement operations and assist with providing public information.
- 2.0 FTE Sergeant-Sheriffs - These positions will cover the 12-hour day shifts and provide direct supervision to the Deputy-Sheriffs on duty during their shifts.
- 9.0 FTE Deputy-Sheriffs - These positions will cover both the 12-hour day shifts and the 12-hour graveyard shifts with two deputies per shift. One of these deputies will also be a canine officer as the City has one canine officer. The remaining Deputy-Sheriff will serve as a School Resource/ Problem Oriented Policing Officer working office hours during the week.

The Sheriff's Office currently has a higher than normal amount of Deputy Sheriff vacancies (currently 13 vacant positions) and in order to prevent the City Agreement from exacerbating the situation, a model involving a 60-day transition period has been chosen to start this partnership. The transition period will begin on February 1, 2020 and last through no later than March 31, 2020. The Sheriff's Office will hire eligible City officers in groups of one to four and simultaneously backfill the City with Deputy Sheriffs. The City officers, now hired as Deputy Sheriffs, will be assigned to the Court Security Bureau and work their way through the Sheriff's Office Field Training Program like all new hires. This approach will ensure that the Sheriff's Office's vacancy rate is not impacted while maintaining law enforcement service in the City. At the conclusion of the transition period, the City will be staffed entirely by Deputy Sheriffs and it is believed that the Sheriff's Office will be able to hire a number of City officers to offset the 12 new allocations.

#### **ALTERNATIVES:**

The Board of Supervisors could choose not to approve the Agreement; however, this action is not recommended as the City's Police Department, in its current state, does not have sufficient staffing levels to continue providing law enforcement services in the community.

#### **OTHER AGENCY INVOLVEMENT:**

County Counsel has reviewed and approved the Agreement as to form. The County Risk Manager approved the contract insurance and indemnification provisions. Additionally, the County Administrator's Office was consulted on the proposed staffing plan and Human Resources has prepared the resolution to amend the List of Numbers and Classifications of Positions.

The City Manager and Attorney have reviewed and approved the Agreement. If approved by the Board, it will go before the Rio Vista City Council for consideration.

**CAO RECOMMENDATION:**

APPROVE DEPARTMENTAL RECOMMENDATION