



Date: November 14, 2023
To: Honorable Mayor and Councilmembers
From: Marti Brown, City Manager
Subject: Future Short- and Long-Term Options for Law Enforcement Services

Recommendation:

Receive staff presentation, discuss a plan of action as it relates to law enforcement services after December 31, 2023, continue the item to the November 28 Council meeting (if necessary), provide direction to staff, and/or take action on any of the items presented.

Rationale for Recommendation:

While it is anticipated that the City will enter into a short-term, temporary law enforcement services agreement with the Sheriff's Office through December 31, 2023, the City of Willows needs to develop a short-, mid- and long-term implementation plan for continued law enforcement services. This agenda item is intended to further Council discussion on this topic.

Background:

In 2017, the City of Willows dissolved its Police Department and entered into a five-year law enforcement agreement ('Agreement') with the Glenn County Sheriff's Office. Included in the Agreement was a roll-over provision that allowed the Agreement to be continued for another five years with a standard 3% Consumer Price Index (CPI) increase in the Agreement costs. If either party wished to end the Agreement, a 270-day notice was required in year four (or earlier) of the Agreement.

In the spring of 2022 (the five-year Agreement was scheduled to expire June 30, 2022), the City Manager contacted the County Administrator and the prior Sheriff to negotiate the terms of the roll-over provision and Agreement. The City and County had nearly brokered a new Agreement that included an increase in costs for Animal Care Services (a provision absent from the prior five-year Agreement), and an overall 3% CPI increase in the Agreement.

Before the roll-over Agreement could be executed and after the June 2022 election, the County Administrator advised the City Manager that the new Sheriff-Elect preferred to "manage the next agreement, once he takes office." Therefore, the County requested to execute a one-year amendment to the Agreement until the new Sheriff-Elect was sworn into office and would start managing the existing Agreement, as well as any future Agreements.

In January 2023, the City Council approved the one-year amendment to the Agreement that expired on June 30, 2023. In April of 2023, the Board of Supervisors also approved the one-year Amendment.

In February and March of 2023, the City Manager contacted the Sheriff's Office to schedule a meeting to discuss a future law enforcement Agreement that would presumably start July 1, 2023. The City was unable to schedule a meeting with the Sheriff's Office. In late May of 2023, the City Attorney contacted County Counsel to discuss the future law enforcement Agreement as there was only five weeks remaining until the one-year amended Agreement would expire. After contact with County Counsel, the City was able to schedule its first meeting with the Sheriff's Office during the first week of June 2023. It was at this meeting that the City learned of the Glenn County Sheriff's Office intent to increase the cost of the Agreement by nearly \$1 million starting July 1, 2023 (in three weeks).

With the City already facing a nearly \$.5 million structural deficit, there were very few changes and/or additions to the City's Fiscal Year 2023-24 budget. By the time the City met for the first time with the Sheriff's Office in early June of 2023, the budget was already complete and ready for Council approval.

On June 30, 2023, the City received the first of two 30-day notices (for July and August) announcing "limited law enforcement services" from the Sheriff's Office and that law enforcement services would end at the end of the 30 days (e.g., July 31, August 31). Verbally, the City was told that the 30-day notices would continue to be issued until there was a new Agreement in place.

On September 25, 2023, the City received a 14-day notice announcing that law enforcement services would cease at 11:59 pm on October 16 unless an agreement for compensation could be achieved before then. The notification further stated that the Sheriff's Office would only respond to "felonies in progress" starting October 17 at midnight. As a result, and after an emergency closed session on October 16, the City Council agreed to execute a temporary law enforcement services agreement with the Sheriff's Office through December 31 and pay the County half of the fiscal year's costs in the proposal received from the Glenn County Sheriff's Office. Consequently, the Board of Supervisors considered and approved the temporary law enforcement agreement on November 7, 2023, and, at the November 14 meeting, the City Council will consider the same temporary agreement that is scheduled to expire on December 31, 2023.

Discussion & Analysis:

Rebuilding the City's Police Department – Next Steps:

As Attachment 1 and 2 illustrate, the next steps to rebuilding the City's Police Department (PD) are many and interconnected. Staff recommends conducting an analysis of all of the costs and phases required to rebuild the City's PD so that an accurate budget can be developed. From there, the City can review its current budget and other financial resources to rebuild the PD and determine whether it is cost effective and financially attainable.

Attachment 1 attempts to illustrate a high-level, '100-foot view' approach to planning and figuring out the financial and logistical feasibility of rebuilding the Willows PD. Essentially, what will it take and what are the sequential next steps for doing so (e.g., analysis, revenue, financing, operations). To further this discussion and highlight the "tip of the iceberg" of this Herculean effort, Attachment 2 emphasizes a few of the operational considerations that will be needed to re-establish the City's PD.

Once a Plan to rebuild the City's Police Department has been developed, the City would hire a permanent or Interim Police Chief to implement the plan and vision for a new Willows Police Department. To that end, Attachment 3 includes a Police Chief Job Classification to be considered and approved by the Council at the November 14 Council meeting or a later meeting. In addition, should the Council wish to approve the job classification, staff recommends a 9-step salary schedule (same as the rest of management) with a top step of \$130K.

Potential Short-/Mid-Term Solutions (until a new PD is established):

- Negotiate a new Agreement with the Glenn County Sheriff's Office for continued law enforcement services based on terms yet to be agreed to for the foreseeable future and by December 31, 2023.
- Consider hiring a non-sworn consultant to manage a team of Community Service Officers (CSOs) to take over non-emergency and administrative duties and potentially negotiate an Agreement with the Sheriff's Office that only requires responding to 9-1-1 calls and other duties that require a sworn officer (to be determined).
- Consider hiring a sworn Police Chief or Interim Police Chief to manage a team of private security officers to respond to non-emergency calls and potentially negotiate an Agreement with the Sheriff's Office that only requires responding to 9-1-1 calls and other duties that require a sworn officer (to be determined).

Should the Council wish to continue this agenda item to the November 28 City Council meeting for further discussion, staff recommends that the Council provide direction for any further analysis and/or additional information to add to an amended staff report (keeping in mind, there is a four day weekend between now and the November 28 Council meeting).

Fiscal Impact:

Regardless of the short-, mid- and/or long-term approach to rebuilding the City's PD, additional financing will be required. As Attachment 1 identifies, financing tools may include a Lease Transaction, a Tax Anticipation Note, reissuance of the City's Pension Obligation Bond, and/or Federal and State grants (or some combination thereof) in addition to those items already underway and listed in the 'Revenue Generation' column of Attachment 1. These financial tools and options should also be considered and discussed by the Council.

Attachment:

- Attachment 1: Critical Path to Develop and Fund Willows PD
- Attachment 2: Rebuilding Willows PD - Sample List of Considerations & Operational Needs
- Attachment 3: Police Chief Job Classification

Critical Path to Develop & Fund Willows PD

Analysis, Assessment, Plan & Recommendations	Revenue Generation	Financing Tools	Operations
<p>Cost of Rebuilding the Police Department – Analysis Needed*:</p> <ul style="list-style-type: none"> ▪ What will it cost? Can the City afford it? ▪ If the City moves forward with rebuilding its PD, what are the steps? What is needed and in what order (e.g., vehicles, weapons, IT, infrastructure)? ▪ What does the framework, next steps and path forward to rebuild the PD look like? How long will it take? ▪ If the City cannot afford to rebuild the PD, what other options are there? 	<p>Revenue Generation Measures Underway or To Be considered:</p> <ul style="list-style-type: none"> ▪ 1% Sales Tax on Ballot Measure ▪ Update Master Fee Schedule ▪ Update/Overhaul Municipal Code ▪ Promoting and increasing opportunities for economic development (e.g., RDBG Grant, new marketing brochure, new ED videos, new ED web page on City website). ▪ Promoting and increasing opportunities for market-rate and affordable housing. ▪ Cannabis Dispensary – Additional tax to GF. ▪ Sale of City owned Assets. 	<p>Potential Short-Term Finance Tools & Addressing Cashflow:</p> <ul style="list-style-type: none"> ▪ Lease Transaction – 10-15 years. Financing Tool – Finance Authority. Lease financing b/c it's a budget appropriation. Borrowing against the value of the property. Cash in now and payback overtime. Lease multiple years (e.g., 10 to 20 years). ▪ Tax Anticipation Note (buys 1-12 months until sales tax starts coming in). ▪ POB – Reissue and restructure to kick payments down the road. Ultimately, city would pay more to CalPERS in the future. ▪ Federal and State Grants for operations, rebuilding the PD, including apparatus and equipment. 	<p>Rebuilding the PD:</p> <ul style="list-style-type: none"> ▪ Hire a consultant or Interim or Permanent Police Chief to start implementing the Plan after it is developed.* ▪ Concurrently, continue to contract w/Sheriff while incrementally implementing the plan; or hire a sworn officer to manage a team of private security to address non-emergency public safety issues. ▪ Option: Explore hybrid model – officers and firefighters are one in the same (e.g., Rohnert Park, Sunnyvale) ▪ Option: Explore hybrid Model - sworn officers supplemented by private security. ▪ Cost of all these options? TBD.

**Should the Analysis and Plan Development to build a new PD be completed by the same person who would implement the Plan (e.g., operations)? Or are these two different people?*

Rebuilding Willows PD
Sample List of Initial Considerations and Operational Needs
(Not Exhaustive)

- **Department of Justice (DOJ) Applications (Sworn Officers):**
 - Police Authority (sworn officer)
 - Ability to access National Crime Information Center (NCIC)
 - Ability to access California Law Enforcement Telecommunications System (CLETS) and California Sex and Arson Registry (CSAR) - major undertaking.
 - Ability to access and register offenders under Penal Code 290 (Megan's Law)
 - Ability to access Jail Information Management System (JIMS)

- **DMV Applications (Sworn Officers)**
 - CalPhoto – Potential Criminal Identification process
 - Identifying Cold Plates

- **Equipment**
 - Firearms, including pistols, shotguns and rifles (e.g., Make/Model/Caliber)
 - FIPS 140-2 compliant computers
 - Vehicles (e.g., County Lease/Ford Program)
 - Taser contract
 - Ballistic vest grant application
 - Body Worn Cameras (BWC)
 - Vehicle Cameras (if desired)
 - Radios (e.g., Mobil, Portable, and Base station)
 - Police tool belt equipment (e.g., Batons, handcuffs, etc.)

- **Agreements**
 - CLETS agreements (e.g., Management Control, Subscriber, Security, Reciprocity, TAF) – There are many more.
 - Law Enforcement Mutual Aid (LEMA)
 - Office of Emergency Services (OES)
 - MOU's (CHP, GCSO, CWS, OPD, Schools, FBI, Marshal, etc.)
 - Camera Storage (e.g., Cloud, Server)
 - Cal-Pers
 - Homeland Security
 - Fuel

- **New PD Location**
 - New Building?
 - Inside City Hall?

- Security issues to limit/track access in and out of City Hall
- Interview Room Location?
- Evidence Room location?
- Vehicle Parking (e.g., take home cars, secured lot, open lot)

- **Programs**
 - Report Management System (RMS)
 - DOJ - Service, Training, Officers, Prosecutors (STOP)
 - DOJ Racial Identity and Profiling Act (RIPA)
 - Encrypted Email
 - NexTest (e.g., testing software)

- **Instructors**
 - Firearms (e.g., Rangemaster)
 - Certified Field Training Officers (FTOs)
 - Preliminary Alcohol Screening (PAS)/Electronic (EPAS) Calibrator
 - NexTest Administrator

CITY OF WILLOWS**POLICE CHIEF**

*Class specifications are only intended to present a descriptive summary of the range of duties and responsibilities associated with specified positions. Therefore, specifications **may not include all** duties performed by individuals within a classification. In addition, specifications are intended to outline the **minimum** qualifications necessary for entry into the class and do not necessarily convey the qualifications of incumbents within the position.*

DEFINITION:

Under the direction of the City Manager, the Chief of Police plans, directs and manages the activities, employees and operations of the Police Department. The Chief of Police coordinates assigned activities with other city departments and outside agencies. He/she provides administrative support to the City Manager and is part of the City's management staff. May act as Acting City Manager in his/her absence and perform other job-related work as required.

This position is designated as un-represented for Labor Relations purposes and is considered exempt under the Fair Labor Standards Act (FLSA).

DISTINGUISHING CHARACTERISTICS:

This is a department head management classification responsible for the direction of discrete departmental organizational component(s) and programs/functions as determined by the City Manager and City Council. The incumbent exercises policy development and promulgation responsibilities for multiple program/functional areas. Serves as a member of the City executive team with responsibilities for establishing and overseeing programs and policies that may affect multiple departments and the City as a whole. Approves and has final responsibility for all written and other types of presentations to the City Council and other commissions, boards and policy adopting bodies. The incumbent is expected to demonstrate professional competence while working as a team member and exercise independent judgment in a number of confidential and sensitive areas. Duties and responsibilities are performed in accordance with municipal codes, ordinances, City policy, federal, and state regulating entities.

SUPERVISION RECEIVED/EXERCISED:

Receives supervision & direction from the City Manager.

ESSENTIAL FUNCTIONS: *(include but are not limited to the following)*

- Directs the activities of the Police Department, which includes planning, coordinating, administering, and evaluating programs, projects, processes, procedures, systems, standards, and/or service offerings; ensures compliance with federal, state, and local laws, regulations, codes, and/or standards.
- Supervises staff, which includes prioritizing and assigning work; conducting performance

evaluations, ensuring staff is trained; ensuring employees follow policies and procedures; maintaining a healthy and safe working environment; and, making hiring, termination, and disciplinary decisions or recommendations.

- Directs and manages the development and implantation of departmental goals, objectives, policies and priorities.
- Establishes appropriate service and staffing levels; monitors and evaluates the efficiency and effectiveness of service delivery methods and procedures; and allocates resources accordingly.
- Assesses and monitors the quality, responsiveness, efficiency and effectiveness of assigned programs, service delivery methods and procedures; and works with employees on the continuous improvement of city services.
- Responds to citizen complaints and follow up on issues to ensure responses are communicated and action is taken.
- Actively participates as a member of the City's management group.
- Prepares and recommends long-range plans for city police service programs; develops specific proposals for action on current and future city needs.
- Directs the administration of the annual budget for the department.

PHYSICAL, MENTAL AND ENVIRONMENTAL WORKING CONDITIONS:

The conditions herein are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodation may be made to enable individuals with disabilities to perform the essential job functions.

Environment: Required to work in a combination of office and field environments. Employee may be required to work extended hours including evenings and weekends. Required to interact with the general public with varying dispositions; may be required to utilize department or Citywide software applications to maintain records or perform various duties. The employee frequently works in outside weather conditions and can be exposed to extremely hazardous and/or dangerous conditions and materials.

Physical: Maintain required physical abilities including: vision adequate to operate vehicles and equipment, read instructions and follow directions, read maps and small print, detect subtle shades of color; hearing adequate to distinguish mechanical noises, converse on radio, telephone and in person at distances of up to 50 feet, and detect unusual sounds; voice volume and speech clarity to command during an emergency; body mobility adequate to operate emergency equipment and perform required duties; stamina to perform administrative functions and to meet physical and mental demands during an emergency; use of hands and fingers adequate for operation of special equipment and weapons, writing, typing and computer related functions; ability to lift heavy equipment, as needed in emergency conditions.

Mental: While performing the duties of this class, employees are regularly required to use written and oral communication skills; read and interpret data, information, and documents; analyze and solve problems; use math and mathematical reasoning; observe and interpret situations; learn and apply new information or skills; and interact with City staff, other organizations and the public.

Vision: See in the normal visual range with or without correction.

Hearing: Hear in the normal audio range with or without correction.

QUALIFICATIONS: *(The following are minimal qualifications necessary for entry into the classification.)*

Education and/or Experience:

Five years of increasingly responsible professional command level management experience with a public law enforcement agency with at least three of those years performing administrative and supervisory oversight at Lieutenant level or higher or any experience that would have provided the opportunity to develop the required skills, knowledge and abilities.

License/Certificate:

- Possession of a valid California Driver's License in the category necessary to perform essential duties of the position may be required as the time of appointment. Maintenance of a valid California Driver's license and proof of automobile liability insurance is a condition of continued employment.
- Possession of California Peace Officer's Standards and Training Advanced and Management Certificates.
- Graduate of the F.B.I. National Academy is desirable.

KNOWLEDGE/ABILITIES/SKILLS:

(The following are a representative sample of the KAS's necessary to perform essential duties of the position.)

Knowledge of:

- Modern principles, practices and techniques of a municipal police department, emergency dispatch services, animal control, community services, cultural arts, leisure time and recreation administration.
- Modern operating principles, practices and techniques of law enforcement and crime prevention including causation of criminal/deviant behavior and Community-Oriented Policing.
- Use and maintenance of law enforcement equipment and apparatus.
- Codes, regulations, criminal laws and ordinances related to police activities, crime prevention, emergency response and disaster preparedness;
- Willows Public Safety Officers M.O.U., City procedures and policies.
- Local geography and available police resources.
- Modern office procedures, and methods including computer equipment, word processing, spread sheet, data base, graphic presentations and other needed specialized software

applications, and internet and electronic communication usage and methods.

- Budgeting development procedures and administration.
- Principles and practices of supervision, staff selection, motivation, training and personnel management.
- Principles of effective time management
- Principles of effective public speaking, conflict resolution and excellent customer service.

Ability to:

- Effectively formulate, organize and administer sound departmental policy in the areas of police administration, law enforcement and crime prevention.
- Interact with citizens and employees in an effective way that produces positive results.
- Supervise the management of major incidents and crime scenes.
- Analyze police and community problems and plan philosophies, goals, objectives, policies and procedures which are tangible, achievable and measurable to meet needs; determine community needs; establish and maintain excellent community relations.
- Interpret and implement City Council direction.
- Work well under pressure; work such hours as are necessary to accomplish the job including remaining on-call 24 hours a day; travel out of the area during or after work hours.
- Understand, interpret and communicate state and federal regulations, laws, codes, policies and solutions in the area of crime management.
- Direct program services that benefit the community; analyze policy issues and develop recommendations and solutions.
- Delegate authority and responsibility as well as schedule and program work.
- Work with and control sensitive and confidential information.
- Plan, initiate, and direct complete complex and multiple simultaneous work assignments; set priorities and organize work to meet deadlines.
- Lead, manage, evaluate and train personnel effectively and maintain discipline.
- Organize, implement and direct departmental goals within City objectives.
- Make highly effective presentations before groups and represent the City in public forums; interpret and communicate codes and regulatory information.
- Use computer and needed programs in a highly effective manner.
- Direct, project and administer a budget.
- Establish and maintain respectful, effective and cooperative working relationships with those contacted in the course of work.
- Communicate effectively, orally, electronically and in writing.
- Perform the duties and requirements of a sworn police officer.

Skill to:

- Operate an office computer and a variety of word processing and software applications.

ACKNOWLEDGMENT:

I acknowledge that I have read the job description and requirements for the Police Chief position and I certify that I have the necessary education, knowledge, experience and physical requirements required to perform the essential functions of this position.

Applicant Signature

Date