

CITY OF HALF MOON BAY

**PUBLIC SAFETY SUBCOMMITTEE
SPECIAL MEETING**

MEETING DATE & TIME

Thursday, December 10, 2020 – 5:00 PM

Meeting Location:

In accordance with Governor Newsom’s Executive Order No-29-20, this will be a teleconference meeting without a physical location to help stop the spread of COVID-19. This meeting will be conducted entirely by remote participation, in compliance with the Governor’s Executive Order N-29-20 allowing for deviation of teleconference rules required by the Ralph M. Brown Act.

This meeting will be conducted via Zoom Webinar. Members of the public are welcome to login into the webinar as Attendees. During any public comment portions, attendees may use the “raise your hand” feature and will be called upon and unmuted when it is their turn to speak. The meeting will also be streamed on Channel 27, and on [Facebook](#). Please click to join the webinar: <https://zoom.us/j/95019940127> or join by phone at 669-900-9128, using Webinar ID 950-1994-0127.

- A. CALL TO ORDER**
- B. PUBLIC OUTREACH FOCUS GROUP UPDATE**
- C. REVIEW OF PUBLIC SAFETY WHITE PAPER DRAFT (ATTACHED)**
- D. REVIEW OF INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION (ICMA) PANEL ON CONTEMPORARY POLICING PRACTICES**
- E. ADJOURN**

Meeting facilities are accessible to people with disabilities. If you require special assistance to participate in the meeting, or agendas prepared in an appropriate alternative format, please notify the City Clerk’s office at (650) 726-8271 at least 6 hours prior to the meeting.



CITY OF HALF MOON BAY

MEMORANDUM

DATE: December 10, 2020

TO: Public Safety Subcommittee

FROM: Corie Stocker, Management Analyst
Jonathan Roisman, Deputy City Clerk

SUBJECT: Sheriff White Paper Draft Presentation

Staff is meeting with the Public Safety Subcommittee to present their white paper draft. The paper discusses a series of topics identified through facilitated discussions regarding law enforcement in Half Moon Bay. Staff continues to perform research on numerous topics to include in the white paper. This research will be finalized, and the finished paper will be presented in early 2021.

Topics included in the white paper are:

Purpose

By researching and writing this white paper, the City provides background information on the current topic of law enforcement. Given the highlight of this topic in important current events, this paper will allow for informed discussions. The world is currently in a period of transition. Half Moon Bay has an opportunity to gain knowledge and make their positive mark on history. This white paper is the City's chance to make informed decisions.

History of Policing in Half Moon Bay

This section will discuss background on Coastside law enforcement beginning with the Half Moon Bay Police Department before its dissolution, followed by contracting with the San Mateo County Sheriff's Office. There will be analysis of the Sheriff contract, including its amendments over the years and brief discussion on jurisdictional areas of the Sheriff's Office on the County Coastside in contrast to Half Moon Bay city limits.

Budget

Analysis and comparison of the cost of the Half Moon Bay Police Department and the San Mateo County Sheriff's Office will be highlighted. The cost of positions and overtime will be explored as well as the purpose and goals of the COPS Grant.

Comparison to Other SMC Sheriff Contract Cities

Four other municipalities in the County contract with the San Mateo County Sheriff's Office: Millbrae, Portola Valley, San Carlos, and Woodside. Analysis on cost and service discussed.

Services Provided

Services that the City receives for contracting with the Sheriff's Office. School Resource Officers, Psychiatric Emergency Response Team (PERT), Sheriff's Activity League (SAL), Community Alliance to Revitalize Our Neighborhoods (CARON) and other services. Some details on the community involvement with these services is analyzed as well.

Policing Process and Response

Information regarding police training and Peace Officer Standards and Training (POST). Research on police training standards and policies that the Sheriff's Officers abide by. "8 Can't Wait Policies" explored.

Current Events and Proposed Reforms

The recent deaths of unarmed Black Americans by police has led to worldwide protests since May and created a resurgence for the Black Lives Matter movement in recent months. Several proposed reforms have been discussed by activists and political figures, including establishing civilian police oversight committees, adopting reforms to eliminate police violence, and defunding police departments to use the money for social services and in some cases, to create brand new police departments from the bottom up.

Since this paper is still in draft form, some items still require further research. Staff will continue its research on numerous important topics and provide additional detail to sections already included. A few of these topics are, but not limited to, overtime costs, revenue through citations, COPS grant, and training.

There will also be a presentation on 15 strategies of policing practices. These 15 strategies range from officer selection, leadership, public outreach and connection, policy improvement and training.

Attachments:

1. Sheriff White Paper Draft
2. Amendment Twelve to the San Mateo County Sheriff's contract

Public Safety in Half Moon Bay: Its Past and Future

By Corie Stocker and Jonathan Roisman

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Introduction

The purpose of this paper is to answer a number of questions and provide information regarding public safety and law enforcement in Half Moon Bay. Public scrutiny over policing has grown in recent years, particularly following the death of Michael Brown in Ferguson, Missouri in 2014 and more recently with the death of George Floyd in Minneapolis, Minnesota. Locally, the death of Sandra Harmon in Half Moon Bay earlier in 2020 and the death of Yanira Serrano Garcia, just outside of city limits in unincorporated San Mateo County in 2014, raised additional questions on policing practices on the Coastsides. This paper hopes to address the following:

- What level of law enforcement service does the City want and need?
- What is the history and reasoning for outsourcing law enforcement in Half Moon Bay to the San Mateo County Sheriff's Office?
- What does the current contract with the Sheriff's Office provide? Is it adequate for the community? Is it fiscally sound?
- What are the Sheriff's Office use of force policies and are they adequate?
- Are there additional community policing elements the City could implement through its contract with the Sheriff's Office?
- What does the City's contract with the Sheriff's Office currently provide in terms of mental health services, and could they be expanded? Can mental health services be enhanced as they relate to public safety?

We hope this paper answers these questions thoroughly, so the community has a better understanding of public safety and law enforcement in Half Moon Bay, by discussing the history of policing on the Coastsides, the City's public safety budget and the services provided, its

comparison to other cities in the County, policing process and response, and current events that have led to calls for reform.

History

From its incorporation in 1959 until 2011, the Half Moon Bay Police Department (HMBPD) patrolled and maintained jurisdiction within Half Moon Bay city limits. However, in June 2011, the City of Half Moon Bay began contracting with the San Mateo County (SMC) Sheriff's Office due to financial difficulties. There was a City need for cost savings – police services were budgeted at about \$3.5 million for Fiscal Year 2011-12, which was the largest budgeted expenditure for the City that year. Approximately forty cents for every dollar spent by the City were on its police force (Johnson). Typically, cuts are made to a City's budget in times of financial crisis; some cuts being in staff, services, or contracts.

After numerous meetings with the community and collaboration with stakeholders, the City decided to put out a Request for Proposal (RFP) for law enforcement services. Initially interested parties were City of San Mateo, City of Pacifica, and the Sheriff's Office. Ultimately, the City of San Mateo rescinded its interest, and only the City of Pacifica and the Sheriff's Office submitted proposals. The Sheriff's Office was awarded the contract by the City Council in June 2011. The Sheriff's Office contract was then aligned with a separate contract with San Mateo County Public Safety Communications, which has been in place since 2009. At the time of the deal in 2011, the Sheriff's Office offer included a police dog, a school resource officer, and a detective for major crimes – none of which the City currently had (Johnson).

The current law enforcement contract between the City of Half Moon Bay and the San Mateo County Sheriff's Office is only for Half Moon Bay city limits. The Sheriff has jurisdiction

over the unincorporated Coastside areas, and the City cannot negotiate policing in those areas. Coverage areas include Montara, Moss Beach, El Granada, parts of Miramar, San Gregorio, La Honda, Loma Mar, Pescadero and the remaining coastal areas to the southern County line. The Sheriff, having had jurisdiction and law enforcement responsibility in all areas surrounding City limits, allowed for a more seamless transition to providing those services in Half Moon Bay as well.

In the span of a little more than nine years there have been twelve amendments to the current Sheriff's Office contract. Changes have included cost-of-living adjustments and minor adjustments in staffing levels and associated costs. A few important amendments to note are: Amendment One, May 2012, reconfiguring the Community Services Officer (CSO) from two part-time positions to one full-time position; Amendment Seven, April 2016, revision of assigned personnel by removing one Lieutenant and adding a Captain position; Amendment Eight, April 2016, extending the agreement term until June 30, 2019; Amendment Eleven, June 2019, extension of the contract three years and correcting the service gap (the amount paid by the City versus the amount of services received due to mutual aid calls, favoring the City). The Twelfth Amendment was signed in May 2020 and it represents our current contract. The next minor amendment will be in June 2021 and the contract expires on June 30, 2022.

Budget

Each year, the City of Half Moon Bay, similar to other cities, proceeds through a budgeting process to allocate funding toward departments, services, contracts, and various projects. The City allocates funds toward upcoming fiscal year needs, dependent on the current financial climate, and in comparison, to the previous year's budget. One service that historically

has had a high cost is law enforcement services, including workers compensation and retirement benefits.

In Fiscal Year 2010-11 (the last year of the Half Moon Bay Police Department's existence) the City's expenditure on public safety was 39% of the total budget, with expenses totaling approximately \$3,563,709. Of that amount, \$2,800,268 were spent on salaries and benefits, but did not account for all other services and supplies. FY 2010-11 was the HMBPD's lowest cost in four years and also its lightest staffed. From FY 2007-08 to FY 2010-11, police staff decreased approximately two positions per year to lower costs due to the financial hardships the City had been facing during that period.

In the first year contracting with the Sheriff beginning in June 2011, 37% of the City's budget went toward public safety (a 2% decrease over the prior year for public safety costs) and in subsequent years, the proportionate share of the budget allocated to the Sheriff's law enforcement services decreased. By FY 2016-17, law enforcement services fell to 23% of the City's general fund expenditures. As of FY 2020-21, the City budget net cost is \$3,005,642 for all law enforcement services (slightly less than 25% of the City's total general fund budget), including overtime. Before factoring in inflation, the City currently pays approximately \$500,000 less for law enforcement services in FY 2020-21 than it did during the HMBPD's last year of existence in FY 2010-11.

Comparison to Other Local Contract Cities

There are many local examples of municipalities that contract with their local sheriff's office for law enforcement services. The towns and cities vary in size and location, and have numerous different reasons for doing so, whether it be budgetary or historical. The City of Half

Moon Bay is not the only city to contract with the Sheriff's Office in San Mateo County. The City of Millbrae, Town of Portola Valley, Town of Woodside, and City of San Carlos all contract for law enforcement services with the Sheriff.

The City of Millbrae began contracting with the Sheriff's Office in 2012 and did so as a cost saving method. In their latest amendment, they signed for approximately \$6 million for FY 2019-20. The City has a population of 22,557 and is approximately 3.3 square miles. Millbrae's switch to the Sheriff's Office resulted in a yearly budgetary savings of around \$1.1 million.

The Town of Portola Valley has been under Sheriff's Office law enforcement services since prior to their incorporation in 1964, and since incorporation they have contracted with the Sheriff's Office continuously. For the last three contract negotiations, the Town went in together with Town of Woodside. There are minor differences between the services provided for the two towns. They recently signed an agreement totaling \$6,333,486 over five years.

The City of San Carlos began contracting with the Sheriff as a cost saving method in 2010. The City is 5.54 square miles in size and has a population of approximately 30,364. In June 2020, the City signed a new amendment agreeing to \$9,270,076 for FY 20-21. In neighboring counties there are municipalities that contract with their respective sheriff's departments as well. In Santa Clara County, the City of Cupertino, City of Saratoga, and Town of Los Altos Hills contract with their sheriff's departments for law enforcement services. Contracting out law enforcement services is becoming a norm in many smaller cities, especially as a cost saving methodology.

Services Provided

Currently, as of the 12th amendment to the Sheriff's contract passed in June, the City of Half Moon Bay is provided with 10.86 full-time equivalent (FTE) personnel. During negotiations of the current contract, the Sheriff's Office presented historical data, which included calls for service, position responsibilities, and respective outputs for each position. The information provided confirmed many of positions were underfunded by the City based on the current level of services. The Sheriff's Office agreed to keep the following percentages for identified positions as a good faith effort to continue the partnership with the City and the residents of Half Moon Bay.

The current contract includes: eight (8) deputies, one (1) records technician, 0.11 FTE for a detective, 0.46 FTE for a sergeant, 0.5 FTE for a captain, and 0.8 FTE for community services officers. In addition to Half Moon Bay deputy allocations, the City benefits from having the Sheriff's Office units along the Coastside in unincorporated areas. The City is provided coverage from other Sheriff's Office County Coastside areas, similar to mutual aid, if an emergency should arise.

The Sheriff also provides additional services at no cost to the City of Half Moon Bay: School Resource Officers through the SRO Program, the Psychiatric Emergency Response Team (PERT), the Sheriff's Activity League (SAL), the Community Alliance to Revitalize Our Neighborhoods (CARON), Special Weapons and Tactics (SWAT), Gang Task Force and others.

School Resource Officers are in the local schools to protect students, faculty, and school staff, along with building trust. These officers work alongside the school community, parents, and other community organizations to provide additional education on safety, crime, and illegal

drug use prevention. These SROs also investigate crimes and activity associated with criminal behavior, as well as provide security for school functions and in other times, home visits for safety.

PERT is the Psychiatric Emergency Response Team, composed of one Sheriff's detective and one Licensed Mental Health Clinician from the County's Behavioral Health and Recovery Services unit. They respond to psychiatric emergencies, review all Sheriff's cases that possibly involve mental health and conduct follow-up investigations if needed. Their goal is connecting patients and families with resources or services to reduce tragic outcomes, incarcerations, and to manage behavior. They also function as a homeless liaison with the Sheriff's Office. From July 1, 2019 to June 20, 2020, the Half Moon Bay Police Bureau had a total of 49 PERT referrals.

SAL and CARON both function within communities. The SAL program provides San Mateo County youth with after-school programming and engaging activities. The program is designed to develop relationships between deputies and their communities. Many of Half Moon Bay's youth have been involved with the SAL program. The Sheriff's Office spend 544 hours in FY 2019-2020 with youth. Activities and involvement included 40 young women in their Empowering Young Women program, 10 high school men in their Young Men's Group, and 20 elementary school children in their Junior Police Academy. Due to the COVID-19 pandemic, the SAL program conducted tutoring for youth, school meal distributions, and began working with Second Harvest Food Bank to distribute produce to families in Coastside communities.

CARON functions to cultivate relationships between law enforcement and the community by providing families with education and resources for healthy communities.

CARON, during the COVID 19 pandemic, reached out to participants from Half Moon Bay via phone, checking-in to connect them with food assistance, rental assistance, and mental health resources. CARON set up a texting platform to promote census and community engagement in the Half Moon Bay community. In addition to these virtual offerings, CARON has held Donuts with Deputies and Parents Helping Parents workshops.

Policing Process and Response

The San Mateo County Sheriff's Office Policy Manual follows the rules and regulations set forth by the Commission of Peace Officer Standards and Training (POST), California's agency setting minimum selection training standards for state law enforcement. Founded in 1959, POST is a voluntary program with more than 600 participating agencies, including the Sheriff's Office. Although voluntary, all participating agencies are required to abide by POST standards. According to POST, all officers must be "free from any physical, emotional, or mental condition which might adversely affect the exercise of the powers of a peace officer," as well as be free of any felony convictions, and be of "good moral character, as determined by a thorough background investigation" (Commission of Peace Officer Standards and Training).

Cadets receive a minimum of 664 hours of training before becoming sworn deputies, and in some cases receive more than 1,000 hours of training. Basic course curriculum is broken down into 41 categories, and cadets receive training on leadership, professionalism, community policing, patrol techniques, vehicle pullovers, cultural diversity, and dozens of other topics. (Commission of Peace Officer Standards and Training). Deputies also receive annual training designed to "enhance the level of law enforcement service to the public, increase the technical expertise and overall effectiveness of personnel, provide for continued professional

development of Sheriff's Office personnel, and meet the 20-hour per person County training mandate" (Policy Manual).

The Sheriff's Office also follows, or is in the process of implementing, the recommended use of force policies of 8 Can't Wait, a project created by the police reform organization Campaign Zero, which organized in the aftermath of the killing of Michael Brown in Ferguson, Missouri in 2014. The eight policies ban chokeholds and strangleholds; require de-escalation; require warning before shooting; require all alternatives be exhausted before shooting; require officers to intervene when excessive force is being used; ban shooting at moving vehicles; establish a force continuum; and require comprehensive reporting. (8 Can't Wait)

The San Mateo Sheriff's Office presented their "8 Can't Wait Policies" during a public hearing with the Half Moon Bay City Council and the public on June 16, 2020 (San Mateo County Sheriff's Office). According to the Sheriff's Office, they currently meet six of the eight policies, and that its employees are trained to "when feasible, provide a verbal warning and opportunity to comply" prior to use of a firearm, TASER, tear gas, and other weapons. Regarding firing at moving vehicles, the Sheriff's Office states, "a deputy should only discharge a firearm at a moving vehicle or its occupants when the deputy reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy or others (San Mateo County Sheriff's Office).

Current Events and Its Impact on Half Moon Bay

A number of high-profile police shootings across the country this year, including the deaths of Breonna Taylor and George Floyd, has led local police departments and sheriff's offices nationwide to review their practices and procedures. Although these cases do not relate

directly to the City of Half Moon Bay or the work of the San Mateo Sheriff's Office, it is important to understand the impact national events are having at the local level.

Death of George Floyd

On May 25, 2020, George Floyd, an African American, was killed by Minneapolis Police Officer Derek Chauvin, who is white, during an arrest in which police claimed Floyd used a counterfeit bill to purchase cigarettes from a convenience store (BBC). Officer Chauvin knelt on Floyd's neck for nearly eight minutes. Floyd was face down and handcuffed and repeatedly said "I can't breathe." Two other officers also restrained Floyd, while a third officer prevented bystanders from intervening (Bennett, Lee and Cahlan). Video of the incident recorded by a bystander was released to the public the following day. All four officers involved were fired, and Chauvin was charged with third-degree murder and second-degree manslaughter (the charge was later upgraded to include second-degree murder). The three other former officers were charged with aiding and abetting second-degree murder (Madani).

Floyd's death spawned massive nationwide protests and civil unrest beginning May 26, the day after his death. There were a number of protests in the Bay Area, including in Half Moon Bay. Hundreds of residents from the Coastsides protested near Surfer's Beach on June 5 for several hours in response to the George Floyd killing (Howell).

As of August 2020, millions of Americans participated in protests in more than 2,000 American cities of every size. The protests are ongoing and have been mostly peaceful. However, there were more than 10,000 arrests in the first week of protests and various states deployed tens of thousands of National Guard personnel (Norwood). Although largely decentralized, there are a number of recurring themes in most of the protests; issues raised

include police brutality, police misconduct, qualified immunity for police officers, and more broadly systemic racism in the United States (Buchanan, Bui and Patel).

Black Lives Matter Movement

Floyd's death was one of a number of high-profile cases involving unarmed African Americans being killed by police officers and others. The Black Lives Matter movement began in 2013 after the acquittal of George Zimmerman in a case involving the death of teenager Trayvon Martin. The movement gained national recognition the following year after the deaths of Michael Brown in Ferguson, Missouri, and Eric Garner in New York City, both of whom were unarmed, at the hands of police officers. The death of Brown sparked numerous protests in Ferguson, a predominantly African American suburb of St. Louis, and led to protests across the United States in 2014.

The movement has been active and prominently involved in various protests and calls for social justice since its inception in 2013. Black Lives Matter itself is largely decentralized, although there is an organization with the same name with local chapters in various cities across North America. The broader movement has called for police reform and the end to police brutality toward African Americans (Roberts). Following the death of Floyd, the movement began heavily advocating for the defunding of local police departments and other law enforcement agencies.

The Black Lives Matter movement regularly held net negative approval ratings amongst Americans between 2013 and 2017, but it began gaining more national approval following the election of President Donald Trump. Approval for Black Lives Matter has risen steadily since then and has grown immensely since the death of George Floyd earlier this year. In June 2017,

the Black Lives Matter movement saw a net approval rating of negative four points; in June 2020 it jumped to a net positive of 28 points (Cohn and Quealy).

Proposed Reforms

Police reform debates have been happening since the creation of the first police agencies, but they have intensified in recent years, particularly since May when George Floyd was killed. Reforms vary in scope, from changing police behaviors to outright abolishing police departments and redirecting its funding to community organizations.

8 Can't Wait

In the wake of Floyd's death and the national protests that followed, scrutiny of the country's police departments and their procedures increased. As previously noted, Campaign Zero, a police reform campaign formed after the Michael Brown protests in 2014-15, released its 8 Can't Wait program. 8 Can't Wait is a database that tracks eight proposed reforms to eliminate police violence. The eight policies recommended by the program are:

- ban chokeholds and strangleholds
- require de-escalation
- require a warning before shooting
- require that all alternatives be exhausted before shooting
- require officers to intervene when excessive force is being used
- ban shooting at moving vehicles
- establish a Force Continuum
- require comprehensive reporting.

As of June 2020, the San Mateo Sheriff's Office states that it fully meets six of these requirements, and only allows two in special circumstances: firing at a moving vehicle and deviation from the requirement of a verbal warning before shooting (Patch). As stated earlier, its employees are trained to "when feasible, provide a verbal warning and opportunity to comply" prior to use of a firearm, TASER, tear gas, and other weapons. Regarding firing at moving vehicles, the Sheriff's Office states, "a deputy should only discharge a firearm at a moving vehicle or its occupants when the deputy reasonably believes there are no other reasonable means available to avert the threat of the vehicle, or if deadly force other than the vehicle is directed at the deputy or others (San Mateo County Sheriff's Office).

Civilian Police Oversight Committees

Formulated in the late 19th century and expanded in the 20th and 21st centuries, police oversight committees are designed to impartially review police conduct and make recommendations for improved practices. As of 2016, there were 144 civilian police oversight committees in the United States, including more than a dozen in California. Typically, committees are born from crisis. The modern oversight movement began in the 1990s following Los Angeles Police Department officers beating of Rodney King and the creation of independent police auditors (De Angelis, Rosenthal and Buchner 10). Generally, there are three different types of oversight committees:

- Investigation-focused Models: Conducts independent investigations of police misconduct and operates separately from a police department or sheriff's department.

- Review-focused Models: Reviews the quality of an investigation conducted by the internal affairs unit of a police department or sheriff's department.
- Auditor/monitor-focused Agencies: The newest form of police oversight that developed following Rodney King's beating by Los Angeles Police Department officers in 1991. This type of agency typically has the largest variation in mission, but it generally focuses "on promoting large-scale, systemic reform of police organizations while often also monitoring or reviewing individual critical incident or complaint investigations" (De Angelis, Rosenthal and Buchner 7).

Resources for civilian police oversight committees varies by organization, and there are few committees for cities with fewer than 50,000 residents. There is no known oversight committee for a city the size of Half Moon Bay. The smallest one in California is in Davis, which has a population of approximately 70,000, and has its own police force (NACOLE).

Defund the Police

Broadly, the "Defund the Police" movement describes "reallocating or redirecting funding away from the police department to other government agencies funded by the local municipality" (Ray). The movement varies by location – some have called for the abolishment of the police at either the local or national level, while others use the term to mean reforming the police by disbanding and recreating a new police department designed to meet social inequities; an example of this occurred in Camden,

New Jersey in 2012 (Ray). There is currently no documentation of a city of Half Moon Bay's size disbanding and reforming its police department to specifically address social justice concerns. When the Half Moon Bay Police Department was dissolved in 2011, it was for budgetary reasons and policing was placed in hands of the San Mateo County Sheriff's Office (Johnson).

Activists argue that many of the functions carried out about by police would be better delivered by social workers, drug counselors, and other non-police units. Money would shift from police budgets to other municipal budgets, such as social services and education, and school resource officer positions would be eliminated (Ray).

Yanira Serrano Garcia shooting and the Yanira Serrano Presente! Program

This locally proposed reform deals with law enforcement engaging with those suffering from mental illness. In June 2014, 18-year-old Coastside resident Yanira Serrano Garcia was shot and killed by a San Mateo County Sheriff's deputy at the Moonridge Housing Complex, just outside of Half Moon Bay city limits. Officers were responding to a family disturbance call. (Quintana).

Following a lengthy investigation, charges were not filed against the deputy for the shooting. The report concluded Serrano Garcia's knife attack "was a product of her mental illness." Witnesses corroborated the deputy's account that Serrano Garcia ran toward the officer with a knife. Ultimately, the district attorney's office concluded "our investigation revealed that the [deputy's] decision to protect himself and others against great bodily injury or death was preceded by the exercise of restraint on his part, and repeated commands for Yanira Serrano-Garcia to stop her attack" (Lambert).

Serrano-Garcia's death led to peaceful protests and a lawsuit in federal court. On June 16, 2020, the Latino Council, an advisory board to the Half Moon Bay City Council, presented the Yanira Serrano Presente! Program. Designed to reform how law enforcement engages with people suffering from mental illness, the program is attempting to raise funds for "mental health services that are culturally and linguistically relevant for communities on the Coastsides" (Leyden). The program is also requesting an outreach program to provide orientation for all new Sheriff deputies on the Coastsides so that they may meet community leaders and Spanish-speaking residents" (Leyden).

Conclusion

The City of Half Moon Bay began contracting with the San Mateo County Sheriff's Office primarily for financial reasons. Law enforcement costs have decreased since 2011 when the City disbanded its police department and began contracting with the Sheriff's Office. Staffing levels have decreased since the change; however, the City has access to additional resources from the County that it did not have before, such as a detective and school resource officers. The City was putting 39% of its general budget toward its police department in 2011; today that number is around 25%. Sheriff's Office deputies meet or surpass the requirements for POST certification and receive additional training each year. The County has adopted six of the eight policies the 8 Can't Wait program recommends to decrease police violence, and it follows modified guidelines for the other two policies. The recent high-profile police shootings nationwide, while not a reflection on the San Mateo County Sheriff's Office, has brought additional scrutiny on policing practices across the United States. The City of Half Moon Bay will continue to assess the needs of its community and find ways to best achieve them.

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AMENDMENT TWELVE

AGREEMENT FOR LAW ENFORCEMENT SERVICES BETWEEN THE COUNTY OF SAN MATEO AND CITY OF HALF MOON BAY

This **TWELFTH AMENDMENT** to the Agreement for Law Enforcement Services, dated for reference purposes only as of May 5, 2020, is made between the County of San Mateo, hereinafter referred to as “County” and the City of Half Moon Bay, hereinafter referred to as “City.”

* * * * *

WITNESSETH

Whereas, on June 7, 2011, County and City entered into an Agreement (County Resolution No. 071462) for the performance of the agreed upon law enforcement services within the City’s boundaries by the County through the Sheriff; and

Whereas, in May 2012, Amendment One to the Law Enforcement Service Agreement was approved which revised the date in which the County would provide City with proposed rates for the following contract year; reconfigured the Community Service Officer (CSO) position from two part-time positions to one full-time position; and updated Exhibits B and B-1 with the rates for FY 2012-13; and

Whereas, in September 2012, Amendment Two to the Agreement was approved which revised Exhibit B-1 Calculated Rates, incorporating overtime rates for the positions specified in the contract; and

Whereas, in April 2013, Amendment Three (County Resolution No. 072445) to the Agreement was approved which added language related to the City’s responsibility for the Unfunded Actuarial Accrued Liabilities component of retirement costs; and

Whereas, in April 2013, Amendment Four to the Agreement was approved, updating the rates and payments for FY 2013-14; and

Whereas, in March 2014, Amendment Five to the Agreement was approved, updating the rates and payments for FY 2014-15; and

Whereas, in October 2015, Amendment Six to the Agreement was approved, updating the payments and rates for FY 2015-16; and

Whereas, in April 2016, Amendment Seven to the Agreement was approved which revised the assigned personnel by removing one Lieutenant position and adding a Captain position; and

Whereas, in April 2016, Amendment Eight to the Agreement was approved, extending the term to June 30, 2019 and updating the payments and rates for FY 2016-17; and

Whereas, in May 2017 Amendment Nine to the Agreement was approved, updating the rates and payments for FY 2017-18; and

Whereas, in June 2018 Amendment Ten to the Agreement was approved, updating the rates and payments for FY 2018-19; and

Whereas, in previous contracts/amendments the County has provided the City a 9% deputy service credit that the City and County agree based on data analysis should be eliminated over the next three years, beginning with a \$150,000 credit reduction in FY 2019-20; \$186,221 in FY 2020-21; and \$222,442 in FY 2021-22; and

Whereas, in June 2019, Amendment Eleven was approved which added language noting that the City's beach and park areas are enforcement priority areas during the summer months; extended the term three (3) years to June 30, 2022; and incorporated the agreed upon FY 2019-20 rates, which included the aforementioned credit reduction and an increase in patrol vehicles, set forth in Exhibits B and B-1; and

Whereas, both parties now wish to further amend the Law Enforcement Services Agreement to incorporate the FY 2020-21 rates set forth in Exhibits B and B-1.

Now, therefore, it is hereby agreed by the parties hereto as follows:

1. "Exhibit B - Rates / Payments FY 2019-20", to the Agreement is hereby deleted in its entirety and replaced with "Exhibit B - FY 2020-21 Rates / Payments", attached hereto and incorporated herein by reference.
2. "Exhibit B-1 - Calculated Rates FY 2019-20", to the Agreement is hereby deleted in its entirety and replaced with "Exhibit B-1 - FY 2020-21 Calculated Rates", attached hereto and incorporated herein by reference.
3. This Amendment Twelve is hereby incorporated and made a part of the original Agreement and subject to all provisions therein. All other terms of the original Agreement and prior amendments not in conflict with Amendment Twelve remain in effect and are incorporated by reference.

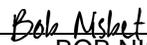
IN WITNESS WHEREOF, the parties hereto, by their duly authorized representatives, have affixed their hands.

**COUNTY OF SAN MATEO
SHERIFF'S OFFICE**

BY: 
SHERIFF CARLOS G. BOLANOS

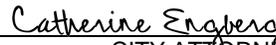
DATE: 7/28/2020

CITY OF HALF MOON BAY

BY: 
BOB NISBET, CITY MANAGER

DATE: 7/21/2020

APPROVED AS TO FORM


CITY ATTORNEY

ATTEST:

BY: 
CITY CLERK

EXHIBIT B

FY 2020-21

RATES / PAYMENTS

Agreement for Law Enforcement Services between the County of San Mateo and City of Half Moon Bay

In consideration of the services described in Exhibit A and Exhibit A-1, City shall pay as follows:

1. **CHARGES FOR SERVICES.**

- 1.1 City shall pay County for Services described in this Agreement as calculated by the formulas set forth in Exhibit B-1.
- 1.2 Exhibit B and Exhibit B-1 will be amended annually as set forth in Section 3 of this Agreement.

2. **INVOICING / BILLING.**

- 2.1 On a quarterly basis in accordance with Section 3 below, Sheriff's Office Fiscal Services Bureau shall submit an invoice to City.
- 2.2 Payments and questions regarding invoicing shall be directed to the Sheriff's Office Fiscal Services Bureau at (650) 599-1531 or be mailed to:

San Mateo County Sheriff's Office
Fiscal Services Bureau
400 County Center, 3rd Floor
Redwood City, CA 94063

3. **PAYMENTS.**

- 3.1 Total charges due for the period of **July 1, 2020 through June 30, 2021 are \$3,660,439.00**. Invoices will be issued according to the following schedule:

Invoice Issued:	Amount
July 1, 2020	\$915,109.75
October 1, 2020	\$915,109.75
January 1, 2021	\$915,109.75
April 1, 2021	\$915,109.75

NOTE: UAAL Credits are not reflected in above amounts.

- 3.2 Future Fiscal Year payments will be in accordance with the revised Exhibit B-1 effective July 1 of each year. City's payment of each quarterly invoice from the County will be due 30 days after City's receipt of the subject quarterly invoice for the remainder of the duration of the Agreement.
- 3.3 The total charges for services performed pursuant to this Agreement will increase no more than 3% each year. However, the parties understand that under no circumstances will the County ever be required by this Agreement to provide services, the total annual cost of which to the County exceeds the total annual amount paid by the City. Accordingly, in the event that the annual charges for services performed pursuant to this Agreement are insufficient to cover the County's annual cost of providing them, the parties agree that the County may reduce the level of service provided to the extent necessary to ensure that the County's costs do not exceed the amount paid by the City. The County will meet and confer with the City to determine the nature of any service reductions required by this

provision. However, the ultimate decision as to how County resources are reallocated will lie with the Sheriff.

- 3.4 If a vacancy occurs in a civilian position listed in Section 1.1 of Exhibit A-1, City shall receive credit for the duration of time the position remains un-filled. **Such credit(s) shall be reflected in the quarterly invoice(s), to City from the County, subsequent to the quarter in which the vacancy occurred.**

4. BOOKING / MESSAGE SWITCH/FORENSIC LABORATORY FEES.

- 4.1 City shall not be responsible for paying Jail Access Fees, Booking Fees, Message Switch Fees or Forensic Laboratory Fees to the County.

5. OTHER PAYMENTS.

- 5.1 City will continue to be responsible for payments to/for the following services to the extent that the City opts to utilize the service:
- Community Overcoming Relationship Abuse (aka CORA)
 - First Chance
 - Peninsula Humane Society
 - Dispatch Services provider

6. JOINT POWERS AGREEMENTS.

- 6.1 City shall continue to be responsible for fees set forth in the Joint Powers Agreements pertaining to the Narcotics Task Force (NTF) and Office of Emergency Services (OES).

EXHIBIT B-1

FY 2020-21

CALCULATED RATES

Agreement for Law Enforcement Services between the County of San Mateo and City of Half Moon Bay

1. CALCULATED RATES FOR FY 2020-21.



San Mateo County Sheriff's Office
Half Moon Bay Law Enforcement Services
FY 2020-21 Budget

	Position Count FY 2020-21	Employee Salaries FY 2020-21	Employee Overtime FY 2020-21	Employee Benefits FY 2020-21	Total Expenses FY 2020-21
BASIC LAW ENFORCEMENT SERVICES:					
PERSONNEL COSTS:					
Deputy Sheriff Day	4.00	\$ 536,436	\$ 157,062	\$ 543,184	\$ 1,236,682
Deputy Sheriff Night	4.00	\$ 564,555	\$ 165,295	\$ 567,261	\$ 1,297,112
Investigative Services Deputy Sheriff-Detective	0.11	\$ 15,918	\$ -	\$ 15,448	\$ 31,366
Sergeant Day	0.23	\$ 37,511	\$ 11,957	\$ 36,609	\$ 86,077
Sergeant Night	0.23	\$ 39,424	\$ 12,567	\$ 38,236	\$ 90,227
Captain	0.50	\$ 124,902	\$ -	\$ 111,968	\$ 236,870
Community Services Officer	0.80	\$ 56,013	\$ 8,079	\$ 40,103	\$ 104,195
Records Technician	1.00	\$ 67,426	\$ -	\$ 48,170	\$ 115,596
PERSONNEL COSTS - TOTAL:	10.86	\$ 1,442,185	\$ 354,959	\$ 1,400,979	\$ 3,198,123
OPERATING COSTS:					
Uniform Allowances					\$ 9,436
Office Supplies & Miscellaneous Expenses					\$ 17,510
Equipment Maintenance					\$ 15,960
Training Expenses					\$ 18,200
Radio and Communications Charges					\$ 24,752
Information Services Charges					\$ 30,119
Vehicle Maintenance & Replacement Costs					\$ 132,093
HR and Risk Management Service Charges					\$ 29,308
Support Services					\$ 184,937
OPERATING COSTS - TOTAL:					\$ 462,315
TOTAL COST OF BASIC LAW ENFORCEMENT SERVICES:					\$ 3,660,439
Patrol Services Credit					\$ (60,000)
CalPERS UAAL Credit (Actual credit subject to limitations outlined in the contract)					\$ (594,797)
TOTAL ADJUSTED COST OF BASIC LAW ENFORCEMENT SERVICES:					\$ 3,005,642

*The credit for Patrol Services is adjusted per mutual agreement between the Sheriff's Office and the City of Half Moon Bay.

EXHIBIT B

Law Enforcement Services Agreement: County of San Mateo | City of Half Moon Bay

2. OVERTIME RATES.

2.1. The estimated overtime hourly rates for supplemental services described in Exhibit A (Section 1.1.4), are as follows:

FY 2020-21 Estimated Supplemental Overtime for Special Events	
Hourly Rate	Position Classification
\$150.97	Deputy Sheriff – Day Shift
\$158.51	Deputy Sheriff – Swing Shift
\$158.88	Deputy Sheriff – Night Shift
\$158.95	Deputy Sheriff – K-9 – Day Shift
\$166.86	Deputy Sheriff – K-9 – Night Shift
\$166.79	Deputy Sheriff – Detective
\$158.88	Motorcycle Deputy Sheriff
\$187.15	Sergeant – Day Shift
\$196.70	Sergeant – Night Shift
\$206.25	Sergeant – Detective – Day Shift
\$215.80	Sergeant – Detective – Night Shift
\$58.21	Community Services Officer – Day Shift
\$61.46	Community Services Officer – Night Shift