



NEWPORT BEACH

City Council Staff Report

May 23, 2023
Agenda Item No. 11

TO: HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL

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TITLE: Conversion of Boardwalk Ambassador Program to Boardwalk and Quality of Life Enforcement Program

ABSTRACT:

This item serves as notification to the City Council that the Police Department will be converting the Boardwalk Ambassador Program to a new Boardwalk and Quality of Life Enforcement Program using existing funding allocated to the Police Department budget. The Boardwalk Ambassador Program uses contracted services from Contemporary Services Corporation (CSC) and is currently funded at \$200,000 per fiscal year. The new program will use the existing funding to deploy police officers and parking control officers on overtime to work directed enforcement assignments dealing with boardwalk safety issues and quality-of-life issues throughout the City. The existing contract with CSC will be cancelled in accordance with the terms of the agreement.

RECOMMENDATIONS:

- a) Determine this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) and 15060(c)(3) of the CEQA Guidelines because this action will not result in a physical change to the environment, directly or indirectly; and
- b) Receive and file.

DISCUSSION:

The Police Department began the Boardwalk Ambassador Pilot Program in February 2021 using contracted services from CSC. The boardwalk ambassadors worked the area of the boardwalks, piers and adjacent areas, proactively addressing problems with bicycles speeding on the boardwalk, surreys on the boardwalk, skateboarding, and similar issues that are important to residents. The boardwalk ambassadors were tasked with providing guidance to users of those areas on relevant municipal codes and state laws, seeking to gain voluntary compliance while providing a positive presence representing the City of Newport Beach (City).

Upon completion of the pilot program, the City Council approved funding for a permanent program in the amount of \$200,000 per year. A Request for Proposals (RFP) process was then conducted to select a long-term vendor. Upon completion of the RFP process, the pilot program vendor, CSC, was awarded a five-year contract with the City. The term of this agreement was effective January 1, 2022 through December 1, 2026, unless terminated earlier as set forth in the agreement.

In April 2023, discussions took place regarding converting the Boardwalk Ambassador Program to a new “Boardwalk and Quality of Life Enforcement Program” using the existing funding. This program will allow for the deployment of Newport Beach Police Department employees – police officers and parking control officers (PCOs) – to work directed enforcement assignments dealing with boardwalk safety issues and quality-of-life issues throughout the City on overtime.

Unlike the Boardwalk Ambassador Program, Police Department employees assigned to the Boardwalk and Quality of Life Enforcement Program will be able to take enforcement action in conjunction with providing education on relevant statutes and codes. This will be achieved with verbal counseling and guidance, but also with citations written for California Vehicle Code (CVC) and Newport Beach Municipal Code (NBMC) violations, and arrests when appropriate. Furthermore, officers will be working with and at the direction of the Peninsula Enforcement Team sergeant and lieutenant. They will work specific and directed operations, providing enforcement and education along our boardwalks and working with our Homeless Liaison Officer to offer education, outreach and enforcement (when appropriate) with our homeless and unsheltered community.

Objective: Officers will work directed enforcement in various capacities, with time split 60/40 between patrols directed at boardwalk safety and homelessness outreach efforts. These assignments will be needs driven and tasked with both emerging and ongoing issues.

Staffing: Two officers on overtime shifts of approximately six hours in length will work primarily on Friday, Saturday and Sunday throughout the year, starting on Saturday, July 1, 2023 and running through June 30, 2024. There will also be shifts scheduled on holidays, such as Labor Day and Memorial Day. Hours of assignment are flexible and dependent on tasking for that day. Options are as follows:

- 12 p.m. – 6 p.m.
- 2 p.m. – 8 p.m.
- 4 p.m. – 10 p.m.
- 6 p.m. – 12 a.m.

A total of 158, two-officer shifts would be scheduled throughout the fiscal year as described above, with officers working Friday, Saturday, Sunday and holidays as needed, for a total of 316 six-hour shifts as described in the table below.

Costs, discussed in detail below, are also included for reference.

ANNUAL STAFFING	
Days	158
Six-hour shifts	316
Total hours	1,896
Costs (@\$100/hour)	\$189,600

Costs - Future Fiscal Years: Costs for the program are calculated using an average overtime hourly rate of \$100 per hour, a similar estimated figure used for Office of Traffic Safety grant funded activities. The 1,896 hours listed are estimated to cost \$189,600 per year, based on current negotiated rates of pay. The remainder of the \$200,000 annual funding (\$10,400) will be used to increase staffing as needed for special events or to address unforeseen demands.

This is relatively consistent with the current staffing model with the CSC Boardwalk Ambassadors, with the exception of the summer months (July and August) where CSC staff is scheduled to work every day of the week.

Costs - Current Fiscal Year: Current estimated Boardwalk Ambassador Program expenditures for FY 2022-23 show a projected savings of \$27,147. These savings will be utilized in the months of May and June 2023 to begin the new Boardwalk Safety and Quality of Life Enforcement Program by filling overtime shifts as described above.

Focus of Effort / Operational Enforcement and Outreach Plan

Peninsula Enforcement Team (PET) Enforcement Duties:

- 1) Officers will work directly with the PET on any given occasion, and at the direction of the PET sergeant, on boardwalk safety and enforcement. This will include education, citations, and arrests as appropriate.
- 2) Officers will also work on targeted problems in hot-spot areas and they will coordinate with other divisions such as Traffic. They will conduct speed enforcement operations on the boardwalk, enforce CVC violations, and deal with other community issues and concerns regarding quality-of-life issues.
- 3) They will utilize a patrol vehicle, bicycles, beach quad runners, beach truck, and conduct foot-beat patrols. Officers will also serve as a visual deterrent while out on patrol. They will make themselves available to community members and visitors during this assignment.

Homeless Liaison Officer (HLO) Enforcement and Outreach:

- 1) Officers will work directly with, and at the direction of, both the PET sergeant and the HLO. Their duties and assignments will be task- and needs-driven. They will focus on such things as quality-of-life issues and outreach, and will take action when necessary (including, but not limited to: warnings, NBMC and CVC citations, and arrests when appropriate). Officers will also work with City-contracted agencies, such as Be Well OC and City Net.
- 2) Officers will conduct regular checks of parks and restrooms occupied by the unsheltered community.
- 3) PCOs will be utilized to assist with directed enforcement for our public parking lots. They can assist with parking and camping issues, as well as directed enforcement regarding Municipal Code violations, in those affected areas. PCOs can also help find and locate individuals living in their vehicles who have not yet been identified. (There is an aging community that shelters in their vehicles and may be in need of outreach or assistance.)
- 4) We will also work in partnership with Code Enforcement to better address and properly handle calls for service utilizing assets from each department.

This is a general guideline, which outlines the majority of duties and tasks expected of those officers who are assigned to work the Boardwalk and Quality of Life Enforcement Program.

There are numerous benefits in utilizing police officers to focus on the aforementioned issues. Having the ability to take enforcement action when necessary, coupled with the education and outreach component, gives the Police Department the ability to have a greater impact in our overall efforts to address the problems and issues within our community.

Performance Measures: Measuring the performance of the Boardwalk and Quality of Life Enforcement Program will be accomplished by tracking funding, staffing hours, and field activity. Funding will be allocated to an account separate from general Patrol overtime and a new payroll code will be used to track staffing hours utilized. In addition, two new dispatch call-types have been created to enable tracking of operational activity, including time spent on dispatched or officer-initiated calls for service. Output measures such as number of citations, incident reports, and arrests can also be tracked to measure program performance.

FISCAL IMPACT:

The adopted budget includes sufficient funding for this program. \$200,000 in annual funding will be transferred from the Contractual Services account in the Police Department (01035353-811008) to a new overtime account in the Police Department specific to this program (01035353-713001-BRDWK).

ENVIRONMENTAL REVIEW:

Staff recommends the City Council find this action is not subject to the California Environmental Quality Act (CEQA) pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

NOTICING:

The agenda item has been noticed according to the Brown Act (72 hours in advance of the meeting at which the City Council considers the item).