

Written materials relating to an item on this agenda that are distributed to the legislative bodies within 72 hours before the item is to be considered at its regularly scheduled meeting will be made available for public inspection at the City Clerk's Office, 300 West Third Street 4th Floor during customary business hours. Agenda reports are also on the City of Oxnard web site at www.oxnard.org.



AGENDA
OXNARD CITY COUNCIL
PUBLIC SAFETY COMMITTEE
Council Chambers, 305 West Third Street
December 8, 2020
Regular Meeting - 2:00 to 3:15 PM

This meeting is held pursuant to the State Emergency Services Act, the Governor's Emergency Declaration, and Governor's Executive Order N-29-20 to allow members of the City Council or staff to participate via teleconference.

Pursuant to the Ventura County Public Health Official's order and Governor's Executive Order N-33-20, all city buildings are temporarily closed to the public. The public is encouraged to view the meeting from home on the City's website at Oxnard.org/city-meetings, Spectrum channel 10, Frontier channel 35, or YouTube at Youtube.com/oxnardnews. Video recordings are typically available online immediately following the meeting.

The public may provide comments to the City Council via email at cityclerk@oxnard.org no later than 12:00 p.m. on the day of the meeting. Please identify the committee name, meeting date, and agenda item in the email Subject line.

A telephone option for public comments is also available at this time due to the State of California "Stay At Home" order. Requests to speak must be submitted no later than 12:00 p.m. on the day of the meeting. Use the form on the city's website to submit your request: Oxnard.org/city-meetings, or call the City Clerk's Office at (805) 385-7803, or email your request to cityclerk@oxnard.org.

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

At this time, the legislative body will consider public comments for a maximum of fifteen minutes. A person may address the legislative body only on matters not appearing on the agenda and within the subject matter jurisdiction of the legislative body. Speaker requests shall be submitted as set forth on the first page of this agenda. Based on the number of speaker requests submitted, the presiding officer may impose time limits per speaker. Typically, speakers are limited to two minutes, but shorter time may be established as deemed necessary. The legislative body cannot enter into a detailed discussion or take action on any items presented during public comments at this time. Such items may only be referred to the City Manager for administrative action or scheduled on a subsequent agenda for discussion.

C. CONSENT AGENDA

1. City Clerk Department

SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Public Safety Committee approve the minutes of the November 24, 2020 regular meeting as presented.

Contact: Michelle Ascencion, (805) 385-7805

In compliance with the Americans with Disabilities Act, if you require special assistance to participate in a meeting, please contact the City Clerk's Office at 385-7803. Notice at least 72 hours prior to the meeting will enable the City to reasonably arrange for your accessibility to the meeting.

Agenda Item time estimates: (Staff Presentation / Committee Discussion / Public Comment)

D. REPORTS

1. Police Department

SUBJECT: Informational Report on Gun Violence Restraining Orders (GVRO). (10/5/5)

RECOMMENDATION: That the Public Safety Committee receive a report on Gun Violence Emergency Protective Orders (GVRO).

Contact: Eric Sonstegard, (805) 385-8290

2. Fire Department

SUBJECT: Fire Academy FY20/21. (10/10/5)

RECOMMENDATION: That the Public Safety Committee receive a report from the Interim Fire Chief discussing the current level of vacancies, the need to re-establish our recruit training academy, and adding additional recruit firefighters to the academy cadre.

Contact: Alexander Hamilton, (805) 385-7708

E. ITEMS FOR FUTURE AGENDAS

F. ADJOURNMENT

MINUTES
OXNARD CITY COUNCIL
PUBLIC SAFETY COMMITTEE
Regular Meeting
November 24, 2020

A. ROLL CALL, POSTING OF AGENDA, FLAG SALUTE

At 2:05 p.m., Chair MacDonald called to order the regular meeting of the Oxnard City Council Public Safety Committee in the City Hall Council Chambers at 305 W. Third Street, Oxnard, California. The City Clerk called the roll and announced the posting of the agenda. Members Vianey Lopez, Carmen Ramirez, and Chair Bryan A. MacDonald were present via videoconference.

Staff members present were Alexander Nguyen, City Manager; Stephen M. Fischer, City Attorney; Jason Zaragoza, Deputy City Attorney; Jason Benites, Assistant Police Chief; Andrew Gonzalez, Deputy City Attorney; and Michelle Ascencion, City Clerk.

B. PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

Public comments were received from Jabbar Wofford (recent street paving projects and bicycle safety).

C. CONSENT AGENDA

City Clerk Department

1. SUBJECT: Approval of Minutes.

RECOMMENDATION: That the Public Safety Committee approve the minutes of the November 10, 2020 regular meeting as presented.

It was moved by Member Ramirez, seconded by Member Lopez, to approve the minutes as presented. VOTE: Lopez, MacDonald, and Ramirez voted in favor; the motion carried 3-0.

D. REPORTS

Police Department

1. SUBJECT: Supplemental Law Enforcement Services Fund (SLESF).

RECOMMENDATION: That the Public Safety Committee recommend that the City Council:

1. Recognize \$313,465 in grant revenue from the State Supplemental Law Enforcement Services Fund (SLESF) for Citizens Option for Public Safety (COPS) Program;
2. Approve a budget appropriation in the amount of \$313,465 to support the Police Department's body worn camera deployment; and
3. Authorize the Chief Financial Officer or designee to approve additional budget appropriations if awarded.

The Assistant Police Chief gave a report. Discussion ensued among the Committee and staff.

It was moved by Member Lopez, seconded by Member Ramirez, to approve the recommended action as presented. VOTE: Lopez, MacDonald, and Ramirez voted in favor; the motion carried 3-0.

- 2. SUBJECT: Federal and State Asset Forfeiture Funds.
RECOMMENDATION: That the Public Safety Committee recommend that City Council approve a special budget appropriation in the amount of \$115,000 for the use of Federal (\$91,000) and State (\$24,000) asset forfeiture funds allocated to the City of Oxnard’s Police Department.

The Assistant Police Chief gave a report. Discussion ensued among the Committee and staff.

It was moved by Member Lopez, seconded by Member Ramirez, to approve the recommended action as presented. VOTE: Lopez, MacDonald, and Ramirez voted in favor; the motion carried 3-0.

City Attorney Department

- 3. SUBJECT: Ordinance Prohibiting Bridge Jumping.
RECOMMENDATION: That the Public Safety Committee recommend that the City Council introduce and adopt an ordinance adding Article XXIII to Chapter 7 of the Oxnard City Code prohibiting bridge jumping.

Deputy City Attorney Gonzalez gave a report. Discussion ensued among the Committee and staff.

It was moved by Member Lopez, seconded by Chair MacDonald, to approve the recommended action as presented. VOTE: Lopez, MacDonald, and Ramirez voted in favor; the motion carried 3-0.

E. ITEMS FOR FUTURE AGENDAS

Member Ramirez requested that the Police Department give a report on its enforcement of COVID curfews and mask requirements, which the City Manager announced will happen at the next City Council meeting.

F. ADJOURNMENT

There being no further business on the agenda, and without objection, Chair MacDonald adjourned the meeting at 2:28 p.m.

MICHELLE ASCENCION, CMC
City Clerk

BRYAN A. MACDONALD
Chair



PUBLIC SAFETY COMMITTEE AGENDA REPORT

REPORTS AGENDA ITEM NO. D.1

DATE: December 8, 2020

TO: Public Safety Committee

FROM: Eric Sonstegard, Assistant Police Chief, (805) 385-8290, eric.sonstegard@oxnardpd.org

SUBJECT: Informational Report on Gun Violence Restraining Orders (GVRO). (10/5/5)

RECOMMENDATION

That the Public Safety Committee receive a report on Gun Violence Emergency Protective Orders (GVRO).

BACKGROUND

Before many high-profile shootings, family members of the shooters saw their loved ones engage in dangerous behaviors, and grew concerned about the risk of harm to themselves or others even before any firearms violence had occurred. Historically, there was no recourse for family members or even law enforcement officers to intercede before a violent act took place. Because of this, laws regulating Gun Violence Emergency Protective Orders (GVRO) were enacted in the state of California.

The GVRO provides a method for the temporary seizure and prohibition of firearms, magazines, and ammunition from an individual who poses an *immediate and present danger* of causing personal injury to themselves or to another by having access to or possession of firearms. Once granted and entered, it also prevents the legal acquisition of firearms and ammunition.

A GVRO is a temporary order and may be requested by a law enforcement officer. The GVRO is similar to an Emergency Protective Order and is obtained with the same procedures. The GVRO is a tool to be used by law enforcement in an emergency situation when there is a perceived need to remove firearms from someone acting erratically and aggressively and to prohibit him or her from possessing a firearm. The GVRO allows for the seizure of firearms from an otherwise legal gun owner when other established methods do not apply. The GVRO remains in effect for twenty-one (21) days. During that time, a hearing will take place for the court to determine if the GVRO should be extended to a period of up to one (1) year.

Officers may encounter subjects who they believe should be restrained from controlling, owning, purchasing, or possessing firearms. This belief may be based on statements made by friends, family members, neighbors, or other persons who have interacted with the subject outside of the officer's presence. This belief may also be a result of the officer's personal observations of the subject, or discovery of writings, videos, or other evidence that would lead the officer to believe the person should be restrained from firearms.

In general, these situations are resolved and the firearms are taken by consent, during a 5150 W&I Application for Detention (mental health hold), at the scene of a domestic violence incident, or pursuant to a restraining

order or an Emergency Protective Order. In the rare circumstance that one of the above options does not fit the situation and the officer has a reasonable belief (based on factors similar to those mentioned previously) that the person should be restrained from possessing firearms, the GVRO may be an appropriate option.

A GVRO can be requested by an officer (even if a crime has not yet occurred) as long as reasonable grounds for the issuance of the order exist and the order (1) is necessary because the disturbing party poses an immediate and present danger of causing personal injury to him/herself or to another by having custody or control, owning, purchasing, possessing, or receiving a firearm; and (2) less restrictive alternatives were ineffective or have been determined to be inadequate or inappropriate under the circumstances.

The Oxnard Police Department works closely with the Oxnard City Attorney's Office (CAO) once a GRVO is requested. CAO staff handles the court paperwork and once granted, the restrained person must relinquish all firearms, magazines and ammunition upon request or to a local law enforcement agency or sell them to a licensed gun dealer within twenty-four (24) hours of being served with the order.

The Oxnard Police Department and the CAO have applied for ten (10) GVROs since 2019. All of them have been granted and are currently being enforced or going through the court process.

STRATEGIC PRIORITIES

This agenda item supports the Quality of Life strategy. The purpose of the Quality of Life strategy is to build relationships and create opportunities within the community for safe and vibrant neighborhoods, which will showcase the promising future of Oxnard. This item supports the following goals and objectives:

Goal 1. Improve community safety and quality of life through a combination of prevention, intervention, and suppression efforts that address crime and underlying issues.

FINANCIAL IMPACT

There is no financial impact.

Prepared by: Eric Sonstegard, Assistant Police Chief

ATTACHMENTS

1. 20201209 GVRO Process Public Safety Committee

GUN VIOLENCE EMERGENCY PROTECTIVE ORDERS (GVRO)

*Commander Christopher Williams
Oxnard Police Department*

Presentation Objectives

- Provide Background
- List Criteria for issuance
- Explain the Process
- Cases Filed by the City Attorney's Office
- Cases of Note
- Answer any Questions

Background

- Family members have seen their loved ones engage in dangerous behaviors and grew concerned about the risk of harm to themselves or others long before any firearm violence has occurred
- Police had strict guidelines and laws that they had to follow that didn't allow for them to seize the person's firearms or get them the medical help they needed
- As a result, in 2014, the GVRO law was created to allow law enforcement and family members to obtain a temporary court order requiring a person to surrender firearms, magazines, and ammunition before they could use them to harm others or themselves

Criteria

- Can be requested by any officer (even if a crime has not yet occurred)
- Necessary because the party poses an immediate and present danger of causing personal injury to him/herself or to another
- Have custody or control, owning, purchasing, possessing, or receiving a firearm
- And, less restrictive alternatives were ineffective or inadequate or inappropriate under the circumstances

Process

- Officer serves the person with the temporary order (lasts up to 21 days)
- Oxnard Police Investigators work closely with the City Attorney's Office (CAO) to schedule a hearing within 21 days
- The judge hears evidence presented by the CAO and determines if a final GVRO should be issued
- If granted, the order lasts between one (1) to five (5) years and can be renewed
 - Orders the person to surrender all firearms, magazines, and ammunition to law enforcement
 - Prevents the purchase of firearms and ammunition
- Any violation of the order is a misdemeanor punishable by a \$1,000 fine or imprisonment for six (6) months or both

Cases Filed Since 2019:

Oxnard PD

- Ten (10)

Simi Valley PD

- Seven (7)

Ventura PD

- Four (4)

Santa Paula PD

- One (1)

GVRO Cases of Note

- In August of 2019, for unknown reasons, a male subject began banging on the front door of a residence. A female locked herself in an upstairs closet. The subject kicked in the front door and from video surveillance could be seen pacing around the first floor of the residence while holding his waistband area. He eventually fled in his vehicle at a high rate of speed and drove to the Paz Mar apartments. He was heard banging on several apartment doors and fired several shots. A security guard was able to detain the subject until officers arrived and arrested him. Officers located a loaded semi-automatic handgun in the middle of the hallway next to several spent casings. There were also bullet holes in the door to the laundry room on the third floor.

GVRO Cases of Note (continued)

- In April of 2020, a male subject driving a truck pulled his vehicle directly in front of a group of teenage Hispanic males, who were riding their bikes. The subject abruptly stopped his vehicle in front of the juveniles and exited his vehicle. The subject chased the juveniles and yelled out “White Power.” The juveniles went onto the sand and retreated towards the water. The subject caught up to them and produced a silver revolver from his pocket and continued to harass the juveniles. Officers arrived and the subject threw the revolver into the ocean. The revolver was never located.



QUESTIONS?

Command Christopher Williams

christopher.williams@oxnardpd.org



PUBLIC SAFETY COMMITTEE AGENDA REPORT

REPORTS AGENDA ITEM NO. D.2

DATE: December 8, 2020

TO: Public Safety Committee

FROM: Alexander Hamilton, Interim Fire Chief, (805) 385-7708, alexander.hamilton@oxnard.org

SUBJECT: Fire Academy FY20/21. (10/10/5)

RECOMMENDATION

That the Public Safety Committee receive a report from the Interim Fire Chief discussing the current level of vacancies, the need to re-establish our recruit training academy, and adding additional recruit firefighters to the academy cadre.

BACKGROUND

The Fire Department received an allocation of \$711,998 in Measure O funds to provide a basic recruit academy in the 19-20 fiscal year. The department started a recruit academy on March 9, 2020 for 14 recruits. Unfortunately, the COVID-19 pandemic created a range of significant issues for both the city and the fire department. In March, the world didn't know much about the novel virus and how to ensure a safe training environment for the recruits. Additionally, the projections from Finance regarding incoming tax revenues made it clear that we needed to furlough the recruit academy.

Ultimately, the academy was furloughed with 10 recruits, after 2 pay periods. The department had invested \$212,852 in these recruits and an additional \$92,769 in personnel costs for the training academy as well as payroll costs for the recruits.

DISCUSSION

The department now has 15 vacancies which represents 14% of the staff assigned to fire stations. The negative impact to quality of life and increasing stress on personnel is unsustainable, firefighter safety is now at risk. The unfilled positions require coverage resulting in triple the number of mandated overtime shifts compared to one year ago. Firefighters have worked up to 25 days in a single month to ensure that all fire stations have the staff required to operate. To make matters worse Covid-19 safety protocols prohibit families from visiting the fire stations.

The cost for station coverage of the 15 vacant positions is \$2,322,334* annually. The cost to fill these positions with full time employees is \$1,403,174**, providing a cost avoidance of \$919,160 in one year. This significant investment is needed to ensure the department is adequately staffed to continue providing excellent service to our residents. These vacancies are primarily due to retirements; however, we also continue to lose employees to attrition to other agencies, including five in the last three years.

The department is always looking for ways to cut costs as we are acutely aware of the limited revenues the city receives. The department continues to work closely with our Operational Area partners on ways to coordinate. However there is simply no way to combine academies due to logistical issues, differences in operations and, most fundamentally, cost. The projected cost for this upcoming academy is \$70,465 per recruit. The last academy costs from Ventura County Fire Protection, held in 2017 was \$116,721 per recruit.

The Fire Department is not requesting an increase in full time employees (FTE), this is to simply fill vacant positions. It is important to note that the department will need an additional basic recruit training academy in the first quarter of 2022 based on anticipated retirements and an increase in our FTE count provided by the Sakioka development.

*Calculation based on FY21 CFAA reimbursable rate

** Calculation based on employee splits for 13 first year Firefighters, 1 Engineer, 1 Captain as shown on FY20/21 employee splits

STRATEGIC PRIORITIES

This agenda item is a routine operational item or does not relate to the four strategic plans adopted by City Council on May 17, 2016.

FINANCIAL IMPACT

The cost to restart the FY19-20 academy and increase the number of Firefighter Trainees to fifteen (15) is \$755,461. Funding will be provided from Fund 104 Measure O (Half-cent Sales Tax), which has sufficient fund balance as a result of recent unappropriations presented to City Council at its meeting of October 20, 2020.

Prepared by: Amy Van Atta, Management Analyst II

ATTACHMENTS

1. Academy PPT Public Safety Committee.revised

FIRE DEPARTMENT FY20/21 ACADEMY

Alexander Hamilton, Interim Fire Chief

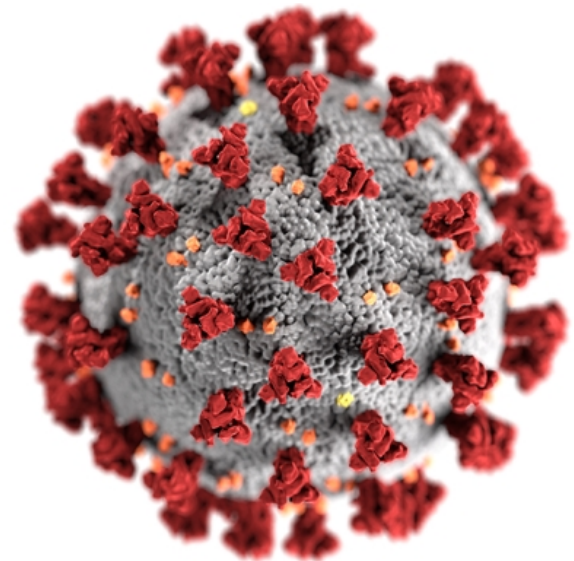
RECOMMENDATION

That the Public Safety Committee receive a report from the Fire Chief discussing the current level of vacancies, the need to re-establish our recruit training academy, and adding additional recruit firefighters to the academy cadre.



FY19/20 ACADEMY CANCELED DUE TO COVID-19

- Allocated \$711,998 in Measure O funds
- 14 recruits
- Started March 9, 2020
- Furloughed 10 recruits due to novel coronavirus after 4 weeks



FY19/20 FURLOUGHED ACADEMY COST \$305,620

- \$73,105 – Hiring Costs
- \$97,873 – PPE
- \$30,100 – Uniforms
- \$11,733 – Supplies
- \$92,769 – Payroll



THE TOLL OF 15 VACANCIES

- Represents 14% of station personnel
- Quality of life issues
- Increased stress at work and in personal life
- Firefighter safety is at risk
- Overtime mandates have tripled in one year
- Firefighters are working up to 25 days per month
- Covid-19 safety precautions prohibit families in the fire stations



THE FINANCIAL COST OF 15 VACANCIES

- \$2,322,334 Cost of station coverage for one year
- \$1,403,174 Cost to fill vacancies with full time employees



REGIONAL ACADEMY IS MORE EXPENSIVE

- \$116,721 - Ventura County Fire Protection cost per recruit in 2017
- \$70,465- Oxnard Fire Department cost per recruit for FY19/20 furloughed academy and FY20/21 continuation



CONTINUED NEED FOR RECRUITMENT

- 15 recruits fills current vacancies
- Vacancies will continue due to attrition and retirements
- Future development will require additional staff to protect the City



MEASURE O REQUEST

Budget appropriation of \$755,461 from Fund 104 Measure O
(Half-cent Sales Tax)





QUESTIONS?