

**STAFF REPORT****City Council****Meeting Date:****4/18/2017****Staff Report Number:****17-087-CC****Informational Item:****Funding agreement for creating a 4th police unit****Recommendation**

This is an informational item and no council action is required.

**Policy Issues**

The proposed program would support the City Council's previous action approving the recent General Plan Update.

**Background**

On February 28, 2017, during a City Council Study Session, the Police Department proposed a program to implement a new Bayfront policing unit consisting of 5 officers and 1 sergeant. This unit would be assigned to the geographic area impacted by the General Plan Update, also known as the M-2 Area, which encompasses the vast majority of these planned projects. The unit would provide all law enforcement services within this area and be the first step in the Police Department's plan to address the area's phased growth over time. Presented during the Study Session was the offer by Facebook to fully fund the program for the initial five years (see Attachment A - Study Session Staff Report).

Several concerns were brought up during the Study Session. Council questioned the cost associated with the proposal and if the funding agreement would capture all of the cost. Subsequent discussions with Facebook, which centered on the donation funding mechanism for this project, occurred after the February 2017 Study Session. It was determined that the approximate five year cost of this program would be \$11.2 million. However, Facebook has tentatively agreed to fund, through donations, all on-going and actual costs associated with this program so any adjustments would be covered (salary, benefits, training, overtime, equipment, unfunded pension liability, and any other costs that arise and are associated with the funded positions). Furthermore, to alleviate concerns about sufficient future revenues being available to fund the program after the initial five year period, Facebook has tentatively offered a two-year extension to the program in the event the City is not generating the anticipated revenues associated with the project area. Therefore, the cost of the proposal should no longer be a factor. The City Attorney's office will draft an agreement with Facebook for this program to ensure all tentative funding agreements are solidified within the final document. Once completed, staff will return to the City Council for review and approval.

At the conclusion of the Study Session, additional information was requested to be brought back to the council. There were three primary areas the council wanted more information on:

- 1) Does the service population dictate the needs for additional officers?
- 2) At what point should the revenue generated from the project area be sufficient to fund the positions?
- 3) If it was determined to reduce or eliminate the funded positions, how would that be accomplished?

This informational update outlines that future population increases will justify the additional positions, future revenues from the project area could fund the positions, and that future retirement projections will provide an easy mechanism to mitigate staffing needs if necessary.

## Analysis

### Service Population Projections

- 1) Does the service population dictate the need for additional officers?

As noted in the ConnectMenlo Fiscal Impact Analysis (FIA), the accepted practice to define the service population for a city is to add 100 percent of residents residing within a jurisdiction plus one third of the employees who work within the jurisdiction. Calculating service population in this manner is intended to reflect that while local employment contributes to a jurisdiction's daytime population, thereby increasing demands for governmental services, the residential population typically generates a larger share of demand for services and is located within the jurisdiction for a longer portion of each day.

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#### Existing Menlo Park Population, 2015

Menlo Park Resident Population	33,273
Menlo Park Employee Population	31,552
Menlo Park Service Population	43,790 (Resident population + 1/3 Employee Population)
Menlo Park Police Department	48 Sworn Officers (Service Population x .0011)

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On December 6, 2016, the City Council approved the zoning ordinance amendments associated with the ConnectMenlo General Plan land use, Circulation Elements, and M-2 Area zoning update. The potential changes made possible by this plan include the potential development of up to 4.1 million square feet of non-residential uses, up to 4,500 residential units, 400 hotel rooms and add 9,900 private sector employees and 14,150 new residents to our local population, mostly east of U.S. Highway 101. Using the service population calculation, the total increase equates to 17,450. To maintain the minimum public service ratio at full build-out, the General Plan environmental impact report calls for 17 new sworn officers by 2040.

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#### Projected Future Menlo Park Population, 2040

Menlo Park Resident Population	47,423
Menlo Park Employee Population	41,452
Menlo Park Service Population	61,102 (Resident population + 1/3 Employee Population)
Menlo Park Police Department	67 Sworn Officers (Service Population x .0011)

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Taking into account projects that currently approved and being developed, it is probable that the service population in the M-2 will exceed 6,500 by 2022. These figures only account for the new land use changes in the M-2 Area associated with ConnectMenlo and the separate Facebook Campus Expansion EIR's. To sufficiently address this population increase, while maintaining our existing "officer to service population" ratio of 1.1 officers per 1000 service population, at least six officers would be needed by 2022.

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Existing Menlo Park Service Population + Projected Population, 2022

Menlo Park Service Population	43,790 (Resident population + 1/3 Employee Population)
Projected Service Population M-2	6,500
Combined Service Population	50,290
Menlo Park Police Department	55 Sworn Officers (Service Population x .0011)

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Most law enforcement agencies prefer to maintain at least 1 officer per 1,000 service population. The International Chiefs of Police published a “Perspectives” article on local police department officer-to-population ratios which reports the average ratio of full time officers per 1,000 residents (see Attachment B). Departments are categorized by size of population served, ranging from 250,000 or more, to communities of 1,000 to 2,499 residents. According to the article the ratio of full-time officers per 1,000 residents ranges from 2.6 per 1,000 to 1.8 per 1,000, with an average ratio of 2.5 full-time officers per 1,000 residents. Many communities rely on this model to make staffing decisions. There are a variety of factors contributing to staffing ratios so it is extremely difficult to say why one city would have more officers than another.

As presented in the Study Session, the proposed unit would work Monday through Friday based on the fact that a vast majority of the population increase will occur during the work week.

Projected future revenues

- 2) At what point should the revenue generated from the project area be sufficient to fund the positions?

Based upon forecasts from the FIA for the ConnectMenlo and Facebook Campus Expansion projects, and confirmed by the City’s Finance staff, the projected net fiscal impact in 2022 should exceed \$8.7 million. This amount does not include any other future, proposed, or planned developments in the M-2 area.

FTE control at the conclusion of the agreement term

- 3) The City Council requested further information on how to mitigate the additional FTE’s at the conclusion of the agreement should there no longer be a need for them.

According to the General Plan FIA, based on anticipated growth in the M-2 area, increased revenues to the General Fund would be sufficient to absorb the costs associated with six additional FTE’s. In the event that revenues do not meet forecasts, or the City chooses to opt out of the agreement, the Police Department would be able to operationally absorb the six FTE’s by attrition. In 2022, it is projected that ten of the department’s 48 sworn FTE’s will be age eligible for retirement. The number of potential retirements increases to 15 sworn FTE’s two years later in 2024 (see Attachment C).

The normal process for funding such a proposal are usually accomplished through use of a City’s General Fund (i.e. taxes). The City of Menlo Park is in a unique position to be proactive in our hiring through the generosity of our largest employer – Facebook. As outlined, Facebook has agreed to donate actual costs associated with the proposed staffing increases, therefore, your decision when the final agreement comes before you will be one of Public Policy.

To have a company fund a public entity, specifically law enforcement, can draw skepticism with concerns of



preferential treatment. Many would agree that such agreements may not appear to be appropriate. However, when considering this type of partnership, one must determine if the relationship is designed with the end result being a better, safer community for everyone and not just the involved parties.

Facebook is a company founded on improving social interaction and that is exactly what they want from this agreement. Facebook established its headquarters in Menlo Park in 2011 and has continually contributed to the betterment of this city. Their generosity ranges from rehabilitating homes in our community to hosting a weekly farmers market on their campus. They want to help the Menlo Park Police Department stay in front of the growth so our presence in the community remains strong, proactive and engaged, rather than falling behind and becoming reactive - too busy to interact with those we serve.

By moving forward with this partnership, the Menlo Park Police Department can immediately begin implementing the necessary staffing adjustment to better serve every resident, employee, and visitor within our city.

### **Impact on City Resources**

The approximate total cost associated with the five to seven year program, as proposed, would be 100% covered by the donation agreement with Facebook.

### **Attachments**

Attachment A – February 28, 2017 Study Session Staff Report

Attachment B – The International Chiefs of Police “Perspectives” article on police officer-to-population ratios

Attachment C – Employee Retirement Eligibility List

Report prepared by:  
William A. Dixon  
Commander

**STAFF REPORT****City Council****Meeting Date:****2/28/2017****Staff Report Number:****17-043-CC****Study Session:****Creating a 4<sup>th</sup> Police Unit - ConnectMenlo****Recommendation**

Staff requests that the City Council provide feedback on the potential implementation of a fully funded five-year program for a new Bayfront policing unit.

**Policy Issues**

The proposed program would support the City Council's previous action approving the recent General Plan and M-2 area zoning update.

**Background**

On December 6, 2016, the City Council approved the zoning ordinance amendments associated with the ConnectMenlo General Plan land use, Circulation Elements and M-2 Area zoning update. This multi-year comprehensive process makes possible a vision for a live/work/play environment in the Bayfront M-2 area. It is a long-range guide to land use and infrastructure development in the city. The potential changes made possible by this plan include the potential development of up to 4.1 million square feet of non-residential uses, up to 4,500 residential units, 400 hotel rooms and add 9,900 private sector employees and 14,150 new residents to our local population, mostly east of U.S. Highway 101.

Numerous large projects are already proposed, underway, nearly complete or currently being occupied. These projects include:

- Anton Menlo (3639 Haven Ave.) – 394 apartments
- Greenheart Hamilton (777 Hamilton Ave.) – 195 apartments
- Facebook campus expansion (301–309 Constitution Drive) – 962,400 square feet office space and new 200-room hotel (combined 121,300 net new square feet)
- Greystar (3645 Haven Ave.) – 146 apartments
- Menlo Gateway (100–190 Independence Drive and 101–155 Constitution Drive) - 694,669 square feet in 3 multi-level office/R&D buildings, 230-room hotel, café/restaurant, health club, 10,420 square feet of neighborhood serving retail and 3 parking structures
- Sequoia Belle Haven (1221 Willow Road) – 90 apartments

In addition, the Facebook campus expansion project presents unique service needs above those required by regular office space. These needs include support for a growing campus population of not only employees, but also larger than usual numbers of employee interviewees, daily and special event visitors, VIP visitors/ dignitaries and potentially large demonstrations or unplanned incidents.

## **Analysis**

These and future development projects in the M-2 area will challenge the City's ability to adequately staff police operations and maintain expected service levels. Currently, the standard for law enforcement is 1 officer per 1,000 service population. To maintain this ratio at full build-out, the General Plan environmental impact report calls for 17 new sworn officers plus the purchase of commensurate equipment for those officers. For example, the Facebook campus expansion project's fiscal impact analysis identified a need for three additional sworn officers in response to the service population changes spurred by that project alone.

The Police Department currently employs 70 full-time equivalent staff, including 48 sworn and 22 professional staff. The Patrol Division operates three beats, or patrol areas (Attachment A) and is proposing to supplement that with this program through additional daytime staffing to address the expected growth in the daytime service population.

### Program proposal

The Police Department proposes implementation of a new Bayfront policing unit consisting of five officers and one sergeant. This unit would be assigned to the geographic area impacted by the General Plan update and which encompasses the vast majority of these planned projects. The unit would provide all law enforcement services (Attachment B) within this area and be the first step in the Police Department's plan to address the area's phased growth over time.

The unit would work a fixed schedule (Monday-Friday), but remain flexible to adjust their schedule based on area needs such as VIP visits, demonstrations and special events. The Police Department would create a new fourth beat that would be in effect during regular business hours and cover the eastern side of existing Beat 3. It would run along Bayshore Expressway to include all Facebook campuses, Menlo Gateway properties and the entire M-2 area. Law enforcement coverage would revert to the normal Beat 3 coverage levels when the new unit is not on duty.

Personnel assigned to the new unit would be tenured officers, who are off probation and who would receive special training conducive to the assignment. The assignment would be a 2-year rotation, similar to other existing special assignments in the Police Department. Supervision would be by the unit's sergeant and fall under the department's Special Operations Division commander. The unit's sergeant would maintain open lines of communication and hold ongoing meetings with designated representatives of the area businesses. Uniforms would consist of standard patrol uniforms, "soft" uniforms (police polo shirts) and bicycle patrol uniforms, depending on assignment.

If approved, implementation of the new unit could involve the immediate assignment of two existing officers. The Police Department would then immediately begin the hiring process for six new officers to backfill staff eventually assigned to the new unit.

### Program funding

The total cost of the five-year program is approximately \$9.1 million. While the City's General Fund is the standard source of funding for Police Department personnel, Facebook, Inc. has tentatively offered to underwrite the cost of the program for the full-five year term. If accepted, a funding agreement would be drafted to address the term and extension, payment, hold harmless waiver and other items as needed. The agreement would be vetted by attorneys representing both parties (the City and Facebook, Inc.) and be presented to the City Council for final approval.

This is not the first time Facebook has ventured into financially assisting the City with enhancing law enforcement services. In 2013, Facebook and the City entered into an agreement to offset costs for

establishment of the Neighborhood Service Center (police substation) on Hamilton Avenue. Additionally, in 2014, Facebook funded creation of a community safety police officer position dedicated to neighborhood issues such as truancy, school and business safety.

Similar to the agreement that funded the community safety police officer program, this agreement would fully-fund all costs for the unit’s officers, vehicles and equipment. When fully staffed, the unit would need four police vehicles and miscellaneous equipment. The costs outlined below do not include future CalPERS cost increases or salary increases that may be negotiated between the City and its employee groups (Police Officers Association and Police Sergeants Association). The funding agreement would be structured to include allowances for these items with adjustments made annually on July 1 and to cover all associated costs. Any further costs outside of the approved funding agreement would be subject to negotiations between the City and Facebook, Inc.

ESTIMATED ANNUAL AND 5-YEAR PROGRAM COSTS		
Description	Annual cost	5-year term
Personnel	\$1,730,364	\$8,651,820
Non-personnel	\$80,600	\$403,000
<b>Total</b>	<b>\$1,810,964</b>	<b>\$9,054,820</b>

Before the end of the five-year term, the City would re-evaluate the staffing needs associated with the level of development and population growth to determine next steps. There would be several options available to the City Council at that time, such as:

- Modifying the unit’s scope and staffing (FTEs)
- Use General Funds from new development-related revenues to continue funding the unit
- Renegotiating the funding agreement terms with Facebook, Inc.

If the City Council decided to continue the unit at the end of the five-year program, then consideration could be given to additional staffing. Additional officers could be added through the City’s budget process, if needed based on ongoing development, to maintain service levels and staffing ratios as projected and in accordance with the General Plan environmental impact report and Facebook campus expansion project fiscal impact report.

**Impact on City Resources**

The approximate \$9.1 million total cost associated with the five-year program, as proposed, would be covered by the funding agreement with Facebook, Inc., with any additional costs negotiated before their implementation.

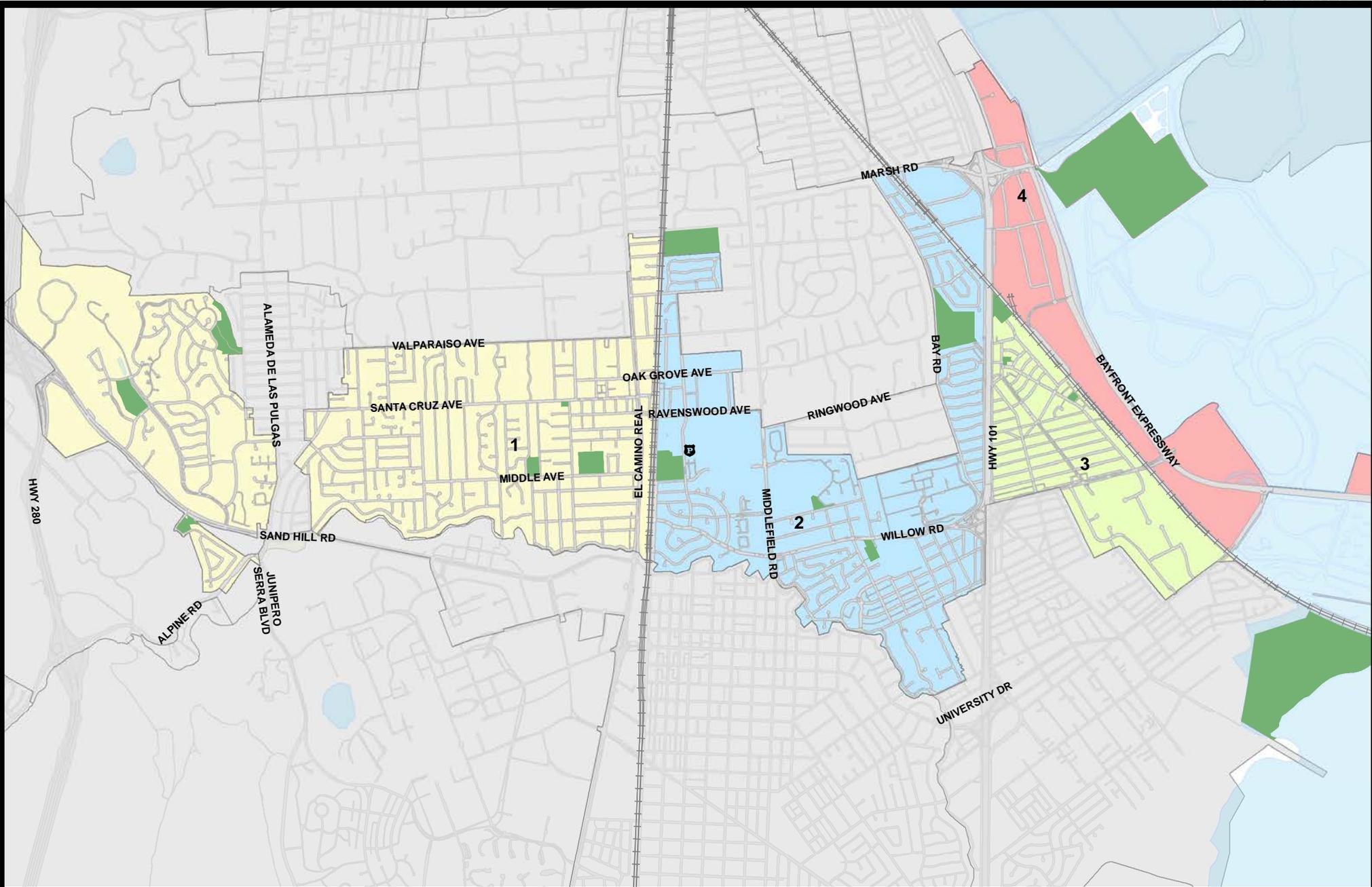
**Public Notice**

Public Notification was achieved by posting the agenda, with the agenda items being listed, at least 72 hours before the meeting.

**Attachments**

- A. Police beats map
- B. Proposed Bayfront policing unit duties

Report prepared by:  
William Dixon, Police Commander

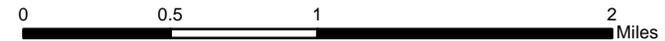


 Railroad **Police Beats**

-  Parks
  -  Lakes
- Beat #**
-  1
  -  2
  -  3
  -  4



# City of Menlo Park Proposed Police Beats



The proposed bayfront policing unit's duties would include all law enforcement activities in the assigned area, which include but are not limited to the following:

- Enforce City and State laws, ordinances and traffic regulations
- Conduct preliminary investigations of crimes, disturbances, vehicle accidents, public safety hazards and direct traffic in the designated area
- Issue citations and make arrests as required when crimes occur in the designated area and if necessary, assist in care and transportation of prisoners
- Prepare reports; appear in court to present evidence and testimony for cases arising from incidents
- Give information and assistance to the public
- Maintain effective working relationships with local businesses
- Provide deterrence for criminal activity near or directed at area businesses
- Work collaboratively with individual businesses' security personnel, both internal and external
- Assist planning and participating in emergency drills and safety training events for area businesses
- Work with the City's traffic unit to address pedestrian, bicycle and vehicle safety in the area
- Provide safety briefings for area businesses and their employees as necessary
- Monitor any large scale special events or demonstrations in the area
- Maintain regular crime deterrent presence in the new Beat 4 area through assigned shifts; leaving only to assist in emergent situations
- Be a liaison and point of contact for communications between Police Department personnel and local businesses and their employees
- Attend trainings specific to assignment
- Perform related duties as assigned



# Research Center Directorate *Perspectives*

## Police Officer to Population Ratios Bureau of Justice Statistics Data

### Introduction

The IACP *Perspectives* series is intended to help local agency decision-making by providing useful information gleaned from our network of information sources. The *Perspectives* series does not present IACP positions on the topic being addressed, nor does it replace long-term research. *Perspectives* publications raise thoughtful issues regarding complex policy topics- in this case, police officer to population ratios- to inform the debate at the local level.

### Ratio Data and Agency Staffing

Before presenting BJS data, it is first important to clarify IACP’s position on police to population ratios and why they should *not* be used as a basis for agency staffing decisions. The following is a quote from IACP’s *Patrol Staffing and Deployment Study* brochure: *Ratios, such as officers-per-thousand population, are totally inappropriate as a basis for staffing decisions. Accordingly, they have no place in the IACP methodology. Defining patrol staffing allocation and deployment requirements is a complex endeavor which requires consideration of an extensive series of factors and a sizable body of reliable, current data.*

BJS ratio data presented here can be useful to local agencies in other ways, including historic perspective on staffing trends across all US law enforcement, and in conducting long term staffing trend analysis, locally, regionally and nationally.

### BJS Ratio Data

The Bureau of Justice Statistics (BJS), within the Office of Justice Programs (OJP), within the United States Department of Justice (DOJ) publishes *Local Police Departments* report every three to four years. This report contains excellent and highly reliable data on state and local police personnel throughout the U.S. One aspect of this report is the average ratio of full time officers per 1,000 residents. The most recent BJS data on this topic (2003), by size of population served follows:

Population Served	*FT Officers Per 1,000 Residents	Population Served	*FT Officers Per 1,000 Residents
250,000 or more	2.5	10,000 to 24,999	2.0
100,000 to 249,999	1.9	2,500 to 9,999	2.2
50,000 to 99,999	1.8	1,000 to 2,499	2.6
25,000 to 49,999	1.8	All Sizes	2.5

\*Average Ratio

In addition to the *Local Police Departments* publication, BJS also publishes a more comprehensive report intermittently entitled *Law Enforcement Management and Administrative Statistics (year): Data for Individual State and Local Agencies with 100 or More Officers*. Both reports can be valuable to local law enforcement agencies. To learn more about the Bureau of Justice Statistics (BJS) and their statistical reports on law enforcement, visit their website: [www.ojp.usdoj.gov/bjs](http://www.ojp.usdoj.gov/bjs).

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The below list reflects all the sworn positions eligible to retire because they have reached the age of 50. This does not mean they will retire, but that they are “age eligible” to retire.

Employee Retirement Eligibility List		
Position	Age in 5 years	Age in 7 years
Chief	59	61
Commander	54	56
Sergeant	56	58
Sergeant	53	55
Sergeant	52	54
Sergeant	50	52
Sergeant	50	52
Corporal	59	61
Corporal	53	55
Officer	58	60
Officer	52	54
Officer	50	52

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