

RESOLUTION NO. _____ (2023 SERIES)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN LUIS OBISPO, CALIFORNIA, AUTHORIZING CONTRACTS TO PROVIDE SUPPLEMENTAL LAW ENFORCEMENT SERVICES

WHEREAS, California Government Code section 53069.8 authorizes City Council to contract on behalf of the Chief of Police to provide supplemental law enforcement services (“Supplemental Law Enforcement Services”) to private individuals or entities to preserve the peace at special events or occurrences that happen on an occasional basis, to private nonprofit corporations that are the recipients of federal, state, county, or local government low-income housing funds or grants to preserve the peace on an ongoing basis, to private entities at critical facilities on an occasional or ongoing basis, and to private schools, private colleges, or private universities on an occasional or ongoing basis; and

WHEREAS, the San Luis Obispo Police Department receives requests from time to time to provide Supplemental Law Enforcement Services to private entities, private nonprofit corporations and private schools for special events or occurrences on an occasional or ongoing basis; and

WHEREAS, if a contract is entered into to provide Supplemental Law Enforcement Services to individuals, private entities, private nonprofit corporations, or private schools, colleges, or universities, Government Code section 53069.8 requires the following:

1. The contract shall provide for full reimbursement to the City of the actual costs of providing Supplemental Law Enforcement Services, as determined by the City;
2. All services provided under the contract shall be rendered by regularly appointed full-time peace officers;
3. Peace officer rates of pay shall be governed by a memorandum of understanding;
4. The contract shall encompass only law enforcement duties; and
5. Contracting for Supplemental Law Enforcement Services shall not reduce the normal and regular ongoing service that the City would otherwise provide; and

WHEREAS, at a duly notice public hearing, held on July 11th, 2023, City Council, discussed the proposed award of contracts for Supplemental Law Enforcement Services, the requirements of Government Code section 53609.8, and received and heard public comment regarding the proposed authorization to allow San Luis Obispo Police Department, through the Chief of Police and City Manager, to award contracts for Supplemental Law Enforcement Services on a case by case base in accordance with the requirements of Government Code section 53069.8 and this resolution.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of San Luis Obispo as follows:

SECTION 1: The above recitals are true and correct and are incorporated herein by this reference.

SECTION 2: In accordance with and pursuant to the provisions of Government Code section 53609.8 and this resolution, the Chief of Police and City Manager are authorized to enter into contracts to provide Supplemental Law Enforcement Services to:

1. Private individuals or private entities to preserve the peace at special events or occurrences that happen on an occasional basis.
2. Private nonprofit corporations that are recipients of federal, state, county, or local government low-income housing funds or grants to preserve the peace on an ongoing basis.
3. Private entities at critical facilities on an occasional or ongoing basis. A “critical facility” means any building, structure, or complex that in the event of a disaster, whether natural or manmade, poses a threat to public safety, including, but not limited to, airports, oil refineries, and nuclear and conventional fuel powerplants.
4. Private schools, private colleges, or private universities on an occasional or ongoing basis.

SECTION 3: Any contract to provide Supplemental Law Enforcement Services shall be substantially in the form of Exhibit 1 attached hereto, shall be approved as to form by the City Attorney, and shall comply with the following:

1. The contract shall provide for full reimbursement to the City of the actual costs of providing Supplemental Law Enforcement Services, as determined by the City;
2. All services provided under the contract shall be rendered only by regularly appointed full-time peace officers;
3. Peace officer rates of pay shall be governed by a memorandum of understanding and the rates billed for Supplemental Law Enforcement Services provided shall be the law enforcement labor rates as determined by the City;
4. The contract shall encompass only law enforcement duties; and

Resolution No. _____ (2023 Series)

5. The normal and regular ongoing service the City otherwise would provide shall not be reduced by providing Supplemental Law Enforcement Services.

Upon motion of Council Member _____, seconded by Council Member _____, and on the following roll call vote:

AYES:
NOES:
ABSENT:

The foregoing resolution was adopted this _____ day of _____, 2023.

Mayor Erica A. Stewart

ATTEST:

Teresa Purrington
City Clerk

APPROVED AS TO FORM:

J. Christine Dietrick
City Attorney

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City of San Luis Obispo, California, on _____.

Teresa Purrington
City Clerk

R _____