



## Staff Report

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File #: REPORT 17-0023, Version: 1

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### Honorable Mayor and Members of the Hermosa Beach City Council Regular Meeting of July 25, 2017

#### **BARD STREET GATE AND FENCING FOR PUBLIC SAFETY (FD & PD)** (Fire Chief Pete Bonano and Police Chief Sharon Papa)

#### **Recommended Action:**

In an effort to resolve many safety, crime, and legal concerns, staff makes the following recommendations to close and secure Bard Street:

1. That the Council authorize the City Manager purchase authority, not to exceed \$115,000, for:
  - a. Installation of fences and gates around Bard Street
  - b. Installation of panic and electronic access system
  - c. Installation of security system (video/audio);
2. Purchase and installation of a structure on the North side of the Hermosa Self-Storage for the relocation of Friends of the Library (FOL), Council should authorize;
3. Approve resolution closing Bard Street (Attachment 1)

#### **Background:**

During the May 4, 2016, study session, City Council discussed safety concerns due to vehicular traffic on Bard Street. The heightened consideration was a result of the Hermosa Beach Fire Department's move from the fire station into temporary quarters on Bard Street. Following staff's suggestion, Council closed the 1100 block of Bard Street to all non-public safety vehicular traffic.

Staff is now recommending that Council close Bard Street to pedestrian traffic as well and secure the area with fences and gates preventing public access to public safety vehicles and facilities. The primary reasons for the requested closure are: 1) The Federal Drug Enforcement Agency and State law mandates that narcotics and other medication used by paramedics be secured to prevent theft; as a result the Fire Department needs to fence in their vehicles 2) The backing and other movement of fire and police vehicles during emergencies on a street open to the public creates safety and

liability issues 3) The Police Department's concern over safety of officers in light of nationwide animus towards law enforcement which has resulted in officers being ambushed and shot at, including while inside and outside of police stations 4) There have been numerous documented and undocumented incidents related to vandalism and damage to Hermosa Public Safety facilities, vehicles, and employee's personal vehicles. Additional incidents demonstrating the need for enhanced security can be found below under the heading: Need for secured facilities.

### **Surrounding Agencies**

Staff contacted several local agencies to determine the level of protection and security they have adopted with regard to their public safety facilities and parking areas.

#### **Manhattan Beach:** 1 Public Safety facility (shared by FD & PD):

Fire and Police facilities are secured with no public access to city vehicles. The facility also provides secured parking for employee vehicles. Entry into the facility requires either a remote opener, an electronic key fob, or a key code which is unique to each specific user.

#### **El Segundo:** 2 Fire stations, 1 Police station:

Fire and Police facilities are secured with no public access to city vehicles. One facility (Fire station #2-newer facility) has secured parking for employee vehicles.

#### **Redondo Beach:** 3 Fire stations, 1 Police station, 1 Police off-site support building:

Fire stations are secured with no public access to city vehicles. Security fencing is currently being installed at the Police station. A Police off-site facility has secured parking for city and employee vehicles. In September 2015 the Redondo Beach City Council approved \$400,000 toward the perimeter security fence and other enhancements. When complete, RBPD's security gate will have additional protocols such as security cameras and code entry.

#### **Torrance:** 6 Fire stations, 1 Police station:

Fire stations and Police station are secured with no public access to city vehicles. All Fire Stations and Police station provide secured parking for employee vehicles.

Additional: For many years the Torrance Police Department has had a security wall around the perimeter of their police station which consists of a 5-foot block wall and a rolling gate on the northeast and southeast corners. Entry into the facility requires a key which is issued to each officer.

In 2013, the Torrance Police Department proposed a facilities improvement project to enhance the security of their department. Below is the justification for their proposal:

*As a police facility it is imperative that for the safety of our employees and for the integrity of the sensitive materials we house, that a modern security system be installed. The antiquated key security system that currently provides access to the Police Facility has become outdated and unreliable in its security features. The current magnetic core key system has been in place since*

*1982 and over time has become more and more costly to maintain. A complete upgrade in the security system is necessary and combined with identification cards would greatly enhance the security of the building and facility.*

There have been some delays, but Torrance PD is in the process of implementing an improved security system. Part of the current proposal is to raise the block wall from 5-feet to 8-feet or more and to add video surveillance throughout the facility.

### **Need for secured facilities:**

Aside from the safety and liability issues related to emergency vehicles deploying from Bard Street, below are incidents related to Fire and Police Departments that have occurred in the United States.

### **Examples of Narcotic thefts from Fire Departments (US):**

#### **April 2015**

Columbus police are investigating the possible theft of narcotics from two Columbus fire stations after several bottles of painkillers disappeared within a 24-hour period

#### **February 2010**

Suspects broke into Westminster fire stations and stole narcotics from ambulances, also took uniforms that investigators worry will allow them to pose as firefighters and steal more drugs.

#### **December 2006**

The Sacramento Fire Department said Thursday that its probe into missing morphine concluded that 43 sealed vials of the powerful narcotic kept on board its fire engines were tampered with and their contents were stolen.

### **Examples of Police Station Incidents (US):**

- **November 2016: San Antonio, TX**

A Police Officer was issuing a ticket outside the station and was inside his patrol car when the shooter pulled up behind him. The shooter got out of his vehicle and fired once, striking the officer in the head, killing him.

- **July 2016: San Antonio, TX**

Multiple gunshots were fired at the San Antonio Police Headquarters.

- **June 2016: Marlboro, Ohio**

Man arrested for allegedly plotting an attack on an Ohio police station using armed mannequins

and explosives.

- June 2016: Bartlett, Tennessee

Dozens of shots fired at Tennessee Highway Patrol Office. 14 AK47 shell casings were located and at least 4 rounds went through the front glass doors of the building.

- November 2015: Downey, CA

Police Officer fatally shot in his personal vehicle while parked in the parking lot next to police headquarters.

- June 2015: Dallas, Texas

Suspect shot at the police department from an armored van with a semi-automatic weapon. The suspect then fled in the van. Later, four bags were found outside of police headquarters containing pipe bombs.

- May 2015: Tewksbury, New Jersey

Alleged arsonist attempted to burn down the police station.

- April 2014: Los Angeles, CA

Man opens fire in the lobby of a police station.

- October 2014: Snohomish County, Washington

Shooting spree, shots were fired at 2 police stations and several squad cars. A sergeant and the suspect were injured in an exchange of gunfire.

- September 2013: Culver City, CA

A man confronted officers with a handgun, the suspect was shot and killed. The suspect followed behind the officer's police car as they passed through a security gate into the police department's parking lot.

- March 2013: Prince George, MD

Three Brothers ambushed and opened fire on an ambulance, other vehicles, and the doors of the police station. During the exchange of gunfire and an off-duty officer was shot and killed.

- June 2013: Los Angeles, CA

Gunmen ambushed two detectives as they arrived at the police station.

Below you will find Police and Fire Station related incidents specific to Hermosa Beach:

### **Hermosa Beach Incident History**

Approximately 10 years ago, a suspect parked in the public parking on Bard Street behind the police station, armed with a shotgun and was waiting to shoot a police officer walking to his police vehicle. The suspect later told police that he planned on shooting a police officer whose "guard would be down" while they walked to their police car. The suspect was not a Hermosa Beach resident and indicated that he purposely sought out a "soft" target. Fortunately, an observant officer saw him before he could complete his plan. This suspect sat in a legal parking space directly across from the

rear of the police entrance and watched personnel movements. He laid in wait to kill an HBPD police officer.

#### May 2017

Two male suspicious subjects were observed filming the PD lobby and rear entrance to the station. Subjects were filming officer's personal vehicles, patrol vehicles, and the rear PD gates. Subjects also appeared to take a tactical position to "view" officers leaving the station. The subjects were uncooperative and used their cameras to block the view of their faces. Subjects refused to identify themselves, provide ID, or state the reason for the filming; subjects became very antagonistic and demanded badge numbers and personal ID. A report was taken and the incident was reported to the Joint Regional Intelligence Center (JRIC) for further review to ensure this was not terrorist or crime related.

#### September 2015

Officer's car vandalized.

#### July 2015

City Manager's vehicle vandalized.

#### July 2015

While Fire personnel were sleeping a suspect entered the HB Fire Department, searched through paperwork and was found dressed in fire department clothing and gear.

#### May 2015

Officer's car vandalized.

### **POA Letter:**

On July 8th, 2016 as a result of several Dallas Police Department Officers who were killed, and the many previous incidents mentioned, the Hermosa Beach Police Officers Association (POA) sent an email to the City Manager (Bakaly) and to the Hermosa Beach City Council requesting that Bard Street be secured (Attachment 2).

### **CALEA:**

The Hermosa Beach Police Department is accredited by the Commission on Accreditation for Law Enforcement Agencies (CALEA). The purpose of 'CALEAs Accreditation Programs <<http://www.calea.org/content/programs>> is to improve the delivery of public safety services, primarily by: maintaining a body of standards, developed by public safety practitioners, covering a wide range of up-to-date public safety initiatives; establishing and administering an accreditation process; and recognizing professional excellence. In their 2010 audit of HBPD, CALEA representatives remarked: "The agency's vehicles are stored on adjacent streets and parking lots, which are open to the public. This situation makes the vehicles a potential target for vandalism or terrorism. The assessment team recommends that law enforcement vehicles and support equipment be stored in a secure compound

monitored with video surveillance.” The same concerns were again raised in CALEA’s 2016 audit.

### **Impact(s) of closing Bard Street:**

Consideration was given to the following non-city related facilities:

- Stars Antique Market <<https://www.yelp.com/biz/stars-antique-market-hermosa-beach?osq=antique+stores>> (SAM)
- Friends of the Library (FOL)
- Public Parking Spaces

### **Stars Antique Market <<https://www.yelp.com/biz/stars-antique-market-hermosa-beach?osq=antique+stores>>:**

Stars Antique Market (SAM) has two delivery doors on Bard Street. These two doors are the only access for customers and suppliers to deliver/receive large items. SAM must be allowed access to Bard when items are received or sold.

Because SAM’s use of Bard is sporadic and infrequent, staff met with SAM owners to facilitate the occasional use of Bard for deliveries and pick-ups and came to an agreement that SAM would be provided two parking spaces next to their loading doors on Bard and when needed, customers and employees would be allowed access to Bard for loading/unloading. Entry onto Bard will be accommodated through the use of a proposed intercom system connected to the Police Records Unit (staffed 24/7) as part of the new security fencing.

### **Friends of the Library:**

The City, historically, has allowed Friends of the Library (FOL) to use city-owned space on Bard Street, previously designated for use by the Police Department. Bard Street is the only access to the facility currently used by FOL.

Patrons and volunteers frequent FOL sufficient enough that closing Bard would make it impractical for FOL to continue to use this space. Even the current limited closure of Bard has created frustrations for FOL volunteers and patrons. Staff recommends that FOL relocate. Several possible relocation sites were considered (Attachment 3). Staff worked with FOL and took their concerns and suggestions into consideration. Below is the location staff identified as being most feasible. Because FOL transports books to and from the main library each week, it is important that they are located in close proximity to the library.

- **Hermosa Self-Storage Property:** Installation of a storage structure on the North side of the Hermosa Self-Storage.\*

\*Staff met with representatives of FOL regarding the selected location and they have indicated that while they prefer to remain on Bard Street, they believe this solution to be the best alternative. It should be noted that FOL has indicated that they would help finance Air Conditioning and Skylight installation in the new structure.

### **Parking Concerns:**

The closure of Bard Street to the public has resulted in the loss of nine (9) public parking spaces. Of those nine, two are allocated for use by SAM. To address the general coastal access issue, staff has identified five (5) new parking spots at South Park and two (2) in Lot "A." If additional parking is required, staff has determined that the City Hall parking lot adjacent to Valley Drive could be restriped and reconfigured resulting in the addition of four (4) new parking spots. The estimated cost is \$20,000. It is also anticipated that additional public parking spots will be added in the near future at the City Yard.

Staff will continue to evaluate potential parking improvements and make recommendations as needed.

### **Costs:**

#### **Cost to enclose Bard Street:**

Staff from Fire, Police, and Public Works met with a vendor to discuss fence placement and approximate costs. A complete system consisting of ornamental iron fencing, motorized gates, and intercoms, panic hardware and electronic access system for the project is approximately \$70,000.

A gate would be located at the intersection of 11<sup>th</sup> Place/Bard Street and at the intersection of Pier/Bard Street (Attachment 4). The fencing would be an ornamental iron (Attachment 5).

#### **Cost of new Storage facility:**

A vendor was contacted and the cost of a structure with similar space as currently used by FOL at the Bard Street facility would be approximately \$45,000. This 15'x60' structure would be built on-top of a slab, have skylights to reduce energy use, it would be dry-walled and include air conditioning.

### **Legal Review:**

City Attorney Jenkins researched the issues of closing Bard Street and determined that Vehicle Code section 21101(a)(1) authorizes the City Council, by resolution, to close any highway under its jurisdiction that is not needed for vehicular traffic. "Highway" is defined broadly in the Vehicle Code to encompass Bard Street. (Vehicle Code § 360). There is no bright-line threshold for when a highway is not needed for vehicular traffic (i.e., no specific number of trips). This determination is left to the discretion of the legislative body (City Council) having jurisdiction over the highway. Because Bard Street carries low levels of traffic, the intersection is not signalized, and there are alternate routes to accommodate vehicles wishing to travel west on Pier Ave or south on Valley Drive, the City Council would be within its discretion to determine that Bard Street is no longer needed for vehicular traffic.

The City Council must make findings that Bard Street is no longer needed for vehicular traffic in either a resolution or ordinance prior to officially closing Bard Street. Vehicle Code section 21103 requires signs giving notice that Bard Street is closed.

The closure of Bard Street and installation of a fencing and gate system would be exempt from the

California Environmental Quality Act ("CEQA") pursuant to CEQA Guidelines section 15301 (c).

**Fiscal Implications:**

Full funding for the installation is available through Council approved CIP# 17-683 (Bard Street Closure). The project estimated costs of \$115,000 were approved in the 2017-18 fiscal year budget.

**Attachments:**

1. Bard Street Closure Resolution
2. POA Request to close and fence Bard Street
3. Staff FOL relocation sites
4. Map of proposed gates/FOL structure
5. Picture of proposed fence
6. Picture of sample storage structure

**Respectfully Submitted by:** Milton McKinnon, Captain

**Concur:** Sharon Papa, Chief of Police

Pete Bonano, Fire Chief

**Noted for Fiscal Impact:** Viki Copeland, Finance Director

**Legal Review:** Mike Jenkins, City Attorney

**Approved:** Sergio Gonzalez, City Manager