

SOLANO COUNTY PARK AND RECREATION COMMISSION

**APPROVED MINUTES OF THE MEETING HELD
THURSDAY, JUNE 5, 2008
COUNTY ADMINISTRATION CENTER - FIRST FLOOR HEARING ROOM,
675 TEXAS STREET FAIRFIELD, CALIFORNIA**

Commission Members Present: Riddle, Alvarez, Hermsmeyer, and Leong
Commissioner Members Excused: None.

Staff Present: Sykes, Tanner-Linné

1. Call to Order and Roll Call

Chair Hermsmeyer called the meeting to order at 5:32 p.m. Tanner-Linne called roll. A quorum was confirmed.

2. Approval of Minutes for March 13, 2008 Meeting

Leong asked the minutes to be changed to read he had requested a counter be added to the Park's website. Alvarez moved to approve the minutes and Riddle seconded. The minutes from the January 10, 2008 were approved unanimously.

3. Approval of Agenda

Motion to approve agenda as is was made by Leong; second by Riddle. Agenda approved unanimously.

4. Chair Announcements and Commissioner Comments

Hermsmeyer stated the Rio Vista Community Campout did not occur due to financial reasons and it was a disappointment.

Leong stated he had spoken to Supervisor Spearing about appointing someone to the Park and Recreation Commission from his district.

Staff also stated he had spoken to Supervisor Spearing's staff regarding an appointment.

5. Chair Appointment of Evaluation Committee for Fish and Wildlife Propagation Fund Program for FY 2008/09 (Action Item)

Hermsmeyer stated there was a citizen in the City of Rio Vista, named Walt Sommers, who was a retired Physics and he had asked him to sit on the evaluation committee for the FY2008/09 Fish and Wildlife Propagation Fund Grant Program.

The committee would be Dimitrios George, Steve Hermsmeyer, Walt Sommers and Dan Sykes as Staff

6. Recommendation on Proposed Changes to County Code Regarding Public Safety Duties (Action Item)

Staff Sykes introduced the three Park Rangers staff attending.(Chandler, McDowell, & Kim.) Sykes said he was seeking a recommendation from the commissioners to direct staff to review and modify the county code in keeping the public safety responsibility and modify the code in other areas to promote better understanding.

Bernadette Curry told of the process to change the County Code.

Sykes told of the background in changing the County Code; General Services Staff, Human Resources, County Counsel, Sheriff, and County Administrative Office have been working to clarify the respective law enforcement responsibilities between the Sheriff's Office and the park ranger's staff. A long time there has been a grey area and we are seeking balance between the various duties given to the park rangers. Eliminating their personal and the County's liability for law enforcement but continue a high level of public safety.

The Parks Division has created a MOU with the Sheriff's Office that went into effect January 1, 2008. The rangers have completed nine days of public safety training. Clarifying the role of park ranger in the county code.

The county code changes authorize the park rangers as peace officers will stay the same. The penal code grants the duties what the park rangers will be and if they will carry fire arms. This is what this step needed to go forward.

Hermesmeyer asked if their job description at this point and time stated one of the responsibilities of the position is to carry a fire arm during working hours. Sykes they have law enforcement responsibility and can carry fire arms as part of those responsibilities.

Hermesmeyer asked if it placed the park ranger in a greater risks by having them performing law enforcement duties without a weapon? He also asked with the Sheriff's MOU to provide services to the County's parks would there be routine patrols through the park, be on response when needed or have a deputy stationed at the park like the rangers are at present?

Sykes stated this is a tough issue. What the County feels is safest to lessen the liability for the parks and provides safety for their employees and public safety. There has never been a clear definition of when the Sheriff would respond. The rangers are often along in the campground, in the dark and can get into situations when given too much responsibility for law enforcement functions. The resolution to this issue came from a lot of discussions with all the staff members. The resolution is that it should be a multi unit effort and address how the Sheriff would be more involved. The MOU has a term through June 2009. What this has done is allowed the General Services Department Parks Division and the Sheriff's Office to sit and discuss issues of separate turfs but is the County.

Riddle, stated several years ago the County found a need to arm the rangers. What has made it safer for them to not have firearms? Since I live off about 5 miles from the park down Pleasants Valley Road I was told there is a 22 minute response time to my home. The rangers are another 10 minutes away. What are the rangers going to do for 30 minutes if there is a problem while waiting for the Sheriff to respond? We could have a problem.

Sykes said it the rangers have completed some of their public safety training on how to handle situations without weapons. If the rangers respond to a problem they are trained and are carrying weapons just not firearms. The rangers have received pepper spray and batons and have received the training on how to use them. Do they go into a situation where they will be put in that type of risk or can they be trained when a situation is occurring we need to call for backup? Then the deputy sheriffs will arrive.

Alvarez stated him as a citizen and as a Park & Recreation Commissioner look for the County to provide safe parks. He is disturbed why one County department needs a MOU between another department for County services. Alvarez stated he is in charge of the Benicia Parks, his staff does not carry weapons however when a disturbance or problem occurs a police officer shows up. Alvarez stated he had discussed with one of the earlier General Services Directors that the Park personnel were not post certified. That is when the officer has been through rigorous training or proper training for peace officers. Some park departments like East Bay have their own law enforcement department of the parks. Their rangers do not

need to carry firearms. The County's CAO office, Sheriff Office and General Services there is a problem and is right here on the table. This involves public safety, personnel issues it involves liability etc. If our rangers and officers are going to carry weapons they need to be trained.

Riddle stated the parks are at different ends of the County and the Sheriff's Office is located in the center of the County. It does not matter if it is Lake Solano or Sandy Beach. With both parks locations at different ends of the County will mean there will be a long response time from the Sheriff's Office to keep the citizens protected. I do not see how they can do it. I would pack two guns if I were you along with a shotgun in the truck. I am very concerned. Riddle asked if it was the liability.

Sykes stated he wanted his staff highly trained and at the same time heard horror stories about things they were being asked to do before the MOU with the Sheriff's Office was involved. Sykes stated he wanted them to make the right decision and go home at the end of the day. We are working on some more solid defined policies and procedures.

Sykes told how the five different counties he interviewed regarding their law enforcement policies were run. Some parks have their own law enforcements where others would use the law enforcements of a near by municipal agency. The East Bay Parks have a 40 – 50 officer police department they call public safety department. Marin County Open Space their rangers have no peace officers. Yet are sent out to the open space areas. The Sheriff Deputies provide law enforcement. Santa Clara County Parks are unarmed. They have pepper spray and batons. They do have a larger staff so they have ranger backup. Sonoma County Park rangers do carry various fire arms. Sacramento County has all their rangers go through the extra training.

Ranger McDowell stated the rangers first concern is the public safety, other citizen's their families and friends.

Sykes stated that removing the firearms will not make it safer. The issue is the liability. The rangers have not been trained nor have they had the repeated training to keep them up to date on their training. There are other deterrents that they use in their jobs. There is their command presence at the site, their uniforms, their patrol cars they drive, all provide deterrents. Some of the things we can look at are how can we design our parks so they are safer is there too many camp sites together, the alcohol restrictions too lenient are we creating situations here? The training the rangers went through the last few months with the tactical communications, pepper spray and use of batons, unarmed defensive training, park ranger safety and awareness.

Alvarez discussed the agreement between the Sheriff's Office and General Services.

Curry stated the MOU was needed to clarify who has jurisdiction in the Parks.

Riddle stated he feels the agreement needs to be tightened up also and does not understand why the parks are doing this now. If there has ever been a place where armed employees are needed it is at the parks.

Sykes stated this was brought to his attention the first day he started this position.

Ranger Supervisor Chandler spoke to the commission. We have tried over the years to get the training to allow us to do our jobs. This last summer during negotiations for the new Park Ranger contract I was called in to the negotiations between the union and County to act as an expert for the rangers. The result of the negotiations is what we are seeing now. Instead of giving us the training needed for us to continue to do our jobs and providing us with the other things we were asking for the County chose to retaliate and take things away. We should be given the training that an entry level Sheriff's Office deputy gets. I asked why we as peace officers in the County should get any less training than other law enforcement officers in the County. Dan had given us some recent training and that I appreciate and support his effort. When you are post certified you can continue going to training. The training he has given us in the last few weeks we

have not gotten before and it was good to get it. I disagree about having this MOU. To me the Sheriff has the ultimate responsibility in the law enforcement for the County. The Sheriff has the ultimate law enforcement responsibility and his officers are responsible for County Parks. Our department should not pay anyone to respond out to the parks. I feel it is their responsibility and our department should not be paying them overtime to do their job. This is coming out of our department's money giving them overtime.

The Sheriff's Office has used us as back up when they need help near Sandy Beach and the rangers at Lake Solano when needing backup on around Putah Creek and down Pleasants Valley Road. The Rio Vista Marine will use us for cover also. They will use us as a backup. I have a concern about where we are going. I like the interpret part of the job and the docent training Dan has brought into our department and that he has given us training and we have not been given this opportunity before. Everyone talks about everyone else's safety and the County's liability. What about our safety. It is a large liability to the County throwing us out there without our weapons. The deputies would like to see us up to their level. When they come out we will be equal with them and know the procedures dealing with domestic violence or felonies. What the Sheriff's Officers have starting out is all we are asking for. Instead of the County giving the rangers the training needed. The County took their firearms away.

Hermesmeyer stated that the rangers in this County the past have not received the proper training for the positions that they hold. This agreement was signed in December of last year. He then went through the MOU and problems he could see with it. The Sheriff dispatch would set the priority of the response. The Sheriff will determine when they will respond. The agreement is so one sided. A-G is everything the Sheriff's office will do at their discretion. That is the responsibility of General Services Department and Solano County to provide the rangers the training, back ground or education they need to perform their jobs. Now to say it is too much liability. We are going to take them out of the mix as a key player and let the Sheriff respond to all the issues that occur at the County Parks and to let the Sheriff decided when, how when why and who will respond. We are not talking about the citizens of Solano County. The citizens of Solano County have no clue as to what has happened or happened since December. The deputy sheriff is responsibility for safety at County Parks they are responsible for citizen safety and the ranger's safety. I am concerned. As employees of the County that does not lessen the issue of their safety. They are just as important as the citizens.

Alvarez said as a commissioner it is our responsibility for park safety, patron safety employee safety. This agreement does not provide patron safety, employee safety and adequate police protection.

Hermesmeyer we are not solving the problem. If the problem is the rangers do not have proper training then I think they should get it. If someone does not want them to carry guns any more then say that. Then the Sheriff's out there protecting the citizens of the County and protecting the assets of the County. It is their job.

Leong asked how has this been working for the last six month.

Park Ranger McDowell stated as of May 23rd our firearms were taken away. I have deputies come out to respond to things I would normally take care of and it is embarrassing. I have to apologize to another agency for having to come out and do my job. I had to evict some people and it was a Saturday night. I had to go back to the site due to the six Sheriff Deputies on duty were looking for a parolee in Fairfield. There were no deputies available. It turned out in my favor but if it hadn't I would have been stuck. There would be no one to cover for me. The two calls to dispatch for disturbances that were fiscal had to go unanswered. They could not send a deputy out because no one was available. This is the wrong time for this. We have asked for training. We have received training in intermediate weapons, impact weapons and pepper spray. I can speak for all the rangers when I say none of us look to use our firearms except as an umbrella and hope it doesn't rain. It has been a two way street for the Sheriff's Office. I have been called to back up the deputies and now look to them for my safety. I am 20 – 40 minutes from any backup. I am very isolated and by myself and have no way to protect myself now or the patrons of the park. When I called dispatch for the disturbance I was hung up on. My calls are going in the rotation and are not

considered priority. In the past our calls were considered to be priority. There is money involved in training for the Post Certification, overtime pay for park coverage while other rangers are at their training and back pay up to three years. We brought this up to Human Resources at the negotiations and they took our firearms away. We are in the middle of the parks hoping it doesn't rain because we have no firearms.

Riddle asked how many rangers are there?

Chandler told how many Park Rangers Supervisors and Park Rangers were at each park.

Alvarez stated we have very dedicated rangers and God bless them. We still don't have adequate staffing. We want law enforcement, safe areas for our patrons and employees safe.

Chandler, stated he like the different areas of his position. The rangers have for years they were outdoors men and have been able to give interpret talks and done law enforcement. Rangers have always done this for years. I enjoy talking with the kids and later do law enforcement on the beach.

Hermesmyer stated not too long ago they updated the Chapter 19 code. This commission was not aware of the fact there was an issue six months before when we were doing that work. I feel it my duty here is to stand watch over the citizen's ability to use County parks in Solano County without cause or concern for their safety, and welfare. I can say I do not support this code change from what I have heard tonight.

Curry stated the MOU with the Sheriff's Office gives the Sheriff's Office the ultimate law enforcement for the County. The dispatch will prioritize calls according to the greater emergency of the call. The Sheriff is the ultimate law enforcement policy. We are trying to decide where on the law enforcement pole does the rangers fall?

Riddle said the MOU was signed the day after Christmas. You have taken the guns away from the Rangers and now you come to us to make it ok.

Sykes stated it was what the County Code use to say and that is why we are here tonight.

Alvarez made a motion that the Parks put the weapons back in the rangers' holsters, give them adequate training so the public and they are safe. The County studies this issue and come back.

Riddle seconded the motion.

Sykes read the motion. The commission recommendation is to reject the recommendation as it is now. Stop the process and start all over again. Have the rangers carry firearms and come back after a study.

Alvarez stated to give them adequate training to carry the firearms.

Park Ranger Dae Kim said they were hired with the adequate training to carry firearms. There are different levels of training.

Park Ranger Sean McDowell said they all had the hours and training at least the minimum to carry the firearms.

Alvarez said he is not comfortable with minimum level of training. The rangers should be given the training they need.

Curry told the commissioner can make recommendation but not direct staff. Staff was to report what the commissioners have requested.

Hermesmeyer said a motion was made and seconded. Commissioners voted and the recommendation was passed unanimously.

7. Parks and Recreation Division Staff Reports (Informational Only)

- A. Parks Activities Report
- B. Public Safety Training, and Temporary Day Use Area Closures
- C. New South County Parks Service Yard
- D. Lake Solano Nature Center Construction Update
- E. Park Funding Grants Being Sought

Sykes reported on the parks attendance and events at the parks.

Sandy Beach dock is in disrepair and so was closed.

There has been public safety training and the day use area at Lake Solano Park was closed. Lynch Canyon has been closed due to red flag day.

There is a new South County Park Service Yard near Cordelia.

Lake Solano Nature Center has started construction and some staking up there will start on June 16th and will start going full force. The plans are here if you are interested in looking at them.

Alvarez asked who the contactor was. Sykes stated R.E.M.

Sykes reported on different grants that are being sought. Alvarez said he commended Dan for keeping his share of the grants.

8. Committee Report -- Mare Island Regional Park (Information, Possible Action)

Leong gave a report on obtaining more park land at the Mare Island Regional Park. The committee decided to have a heritage reserve instead of a park. If you read the report you know why we have that.

Hermesmeyer disband the committee.

9. Public Comments

10. Confirm next regular meeting of July 10, 2008 at 5:30 pm, and Adjourn at 7:38