



CITY COUNCIL STUDY SESSION AGENDA REPORT

MEETING DATE: February 8, 2011

ITEM NUMBER:

2

SUBJECT: DISSOLUTION OF AIRBORNE LAW ENFORCEMENT SERVICES

DATE: FEBRUARY 3, 2011

FROM: CITY MANAGER'S DEPARTMENT/ADMINISTRATIVE DIVISION

**PRESENTATION BY: THOMAS R. HATCH, ASSISTANT CITY MANAGER
TIM STARN, ABLE COMMANDER**

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RECOMMENDATION:

The City Council Budget Working Group is recommending that the City Council consider the dissolution of the Airborne Law Enforcement (ABLE) Program and is requesting that the City Council direct staff to prepare a report for formal consideration at an upcoming meeting of the City Council.

BACKGROUND:

The City of Costa Mesa has had helicopters since 1970. In 1996, Costa Mesa and Newport Beach merged their individual helicopter programs into one and formed ABLE. The first year of operation, each City saved \$500,000. ABLE's success is derived from cost sharing and vigilantly evaluating the operation for additional savings. ABLE serves the City of Santa Ana by way of contract and each Member Agency receives \$180,000 in revenue to offset their expenditures. The ABLE commander is a shared position that is funded from the M & O Budget.

Annually, ABLE flies 1500 hours and handles 3000 calls for service. They are instrumental in reducing the workload for ground officers on perimeters, area searches, natural disasters, as well as reducing liability during pursuits and other dynamic events. ABLE works with the Fire Departments through the use of infrared technology, downlink of incidents and firefighting of vegetation fires. ABLE is a force multiplier that has enhanced our law enforcement operations for many years.

ANALYSIS:

The City has a budget shortfall of approximately \$1,400,000 for FY 2010-2011. On several occasions, members of the City Council have communicated that the continued use of fund balance is not fiscally appropriate and that reductions are necessary to balance the budget. The City Council Budget Working Group and City staff has been discussing and debating options to close the gap. Over the past several years when budgets have been tight, both Newport Beach and Costa Mesa City Councils have supported reductions in service levels to the ABLE Program. For FY 2010-2011, the

service hours were decreased from 3,000 to 1,500 flight hours per year. With the continuing budget shortfalls, Newport Beach City Manager Dave Kiff and Costa Mesa City Manager Allan Roeder have informally discussed the option of the dissolution of the Program and felt that it is an appropriate time for the City Councils of both communities to formally consider this matter.

The Budget Working Group of Mayor Monahan and Mayor Pro Tem Jim Righeimer has reviewed this option and are recommending to the full City Council the dissolution of the ABLE Program. This report is being provided to the City Council for initial review at this Study Session and if there is interest in formal consideration of this option, then staff will formally notice the other partners in the Program and include a detailed staff report on an upcoming City Council agenda.

Attachment A of this report is a memo from the Police Department that details the ABLE Program and the process and issues that would be involved in its potential dissolution. The memo includes information about issues related to the current contracts, impacts to all partners including the Orange County Sheriff's Department, the hanger lease with Signature Flight Support at the John Wayne Airport, cost considerations, personnel issues and timelines.

Impact on City Personnel

The potential impact on Costa Mesa personnel would be based on the four (4) Costa Mesa positions assigned to ABLE. This staffing is comprised of one (1) Police Helicopter Sergeant and three (3) Police Helicopter Pilots.

In the event that Layoff Procedures are implemented due to the dissolution of ABLE, all employees will be eligible to exercise their bumping rights. This will ultimately result in other less senior/tenured sworn Police Officers being laid off. The Layoff Procedures (CMPA MOU, Article 18, A.R. 2.26, and PR&R 14.5) state that employees with the least City seniority will be laid off first.

Should the City Council give direction to bring this item forward at a future Council meeting, the specific impacts of the bumping rights will be detailed as to the impacts to full and part-time employees. In addition, the City will need to meet and confer with the Costa Mesa Police Association.

FISCAL REVIEW:

The financial impact of eliminating or reducing ABLE services will depend on specific direction provided by City Council in conjunction with the ABLE Board. However, as stated in the attached memo from the Police Department, ABLE does have a total fund balance of \$3,113,300 in the Equipment Replacement Fund and \$998,965 in the General Fund. Should ABLE be dissolved, a portion of these assets, as well as the proceeds from the sale of equipment, will be returned to the City.

The current projected impact of the ABLE program to the City's General Fund for FY 11-12 is:

Salaries and Benefits	\$754,380 (1 Sergeant, 3 Pilots)
Maintenance and Operations	\$490,255 (same as FY 10-11)
Revenue from contract cities and reimbursement of Sergeant salary	(\$392,545)
	Net cost - \$852,090

LEGAL REVIEW:

Preliminary legal review has been completed by the Attorney for the ABLE Board and no significant legal issues were identified. If the City Council is supportive of a review by the full City Council, then additional legal research and review would be necessary by the City Attorney's Office.

CONCLUSION:

The City Council Budget Working Group is recommending that the City Council consider the dissolution of the ABLE Program and is requesting that the City Council direct staff to prepare a report for an upcoming meeting of the City Council.



THOMAS R. HATCH
Assistant City Manager

ATTACHMENTS: A Memo From Police Department