



City of Sacramento City Council

915 I Street, Sacramento, CA, 95814
www.CityofSacramento.org

Meeting Date: 7/26/2011

Report Type: Consent

Title: Report Back: Private Security in Parks

Report ID: 2011-00659

Location: Citywide

Recommendation: Direct staff to report back with an ordinance for consideration.

Contact: Murray Levison, Administrative Officer, (916) 808-6195, Jim Combs, Director, (916) 808-8526, Department of Parks and Recreation

Presenter: None

Department: Parks & Recreation Department

Division: Park Safety Services

Dept ID: 19001526

Attachments:

1-Description/Analysis

City Attorney Review

Approved as to Form
 Sheryl N. Patterson
 7/19/2011 11:17:41 AM

City Treasurer Review

Prior Council Financial Policy Approval or
 Outside City Treasurer Scope
 Russell Fehr
 7/14/2011 9:44:23 AM

Approvals/Acknowledgements

Department Director or Designee: Jim Combs - 7/15/2011 11:58:01 AM

Assistant City Manager: Cassandra Jennings - 7/19/2011 10:20:49 AM



Description/Analysis

Issue: At the April 21, 2011, City Council meeting, Councilmember Ashby asked the Department of Parks and Recreation to investigate a possible ordinance that would allow, under limited circumstances, armed private security guards to enter City parks while acting in accordance with their private security duties.

Some Private Patrol Operators - businesses licensed by the State to protect persons or property through the employment of security guards - offer the services of armed security guards. While working under a contract to provide security to a neighborhood or business, a security guard carrying a weapon may have the need to enter a City park. The security guard would be in violation of the City Code if a weapon was carried into a park. There are a number of other City Code sections that would be in violation depending on the time of day or when or how the park entry was made.

Councilmember Ashby asked about the possibility of allowing an exception to certain City Code regulations by ordinance that would allow Private Patrol Operators to provide private security services under contract to property owners or business improvement districts adjacent to or near City parks where such services could require incidental entry into City parks.

The City Attorney's Office reviewed the applicable laws and determined that it is permissible to amend the City Code by ordinance to allow licensed Private Patrol Operators to make incidental entry into City parks while operating under the terms of a private contract for security services at properties adjoining and near City parks. The proposed ordinance would not allow private security businesses to patrol or conduct enforcement activities in City parks, a standard function of the Police Department and the Parks and Recreation Department's Park Safety Ranger unit.

If Council directs staff to prepare such an ordinance, it would be presented to the Law and Legislation Committee for consideration in September.

Policy Considerations: The City Code currently prohibits entry into City parks when the parks are closed (typically at night), prohibits entry into a children's play area by an adult unaccompanied by a child, prohibits the possession and discharge of a firearm in a park and prohibits the driving of any private vehicle into a park. An ordinance could be drafted to allow these activities to occur in limited circumstances related to Private Patrol Operators providing security services under contract at properties adjoining or near City parks.

Environmental Considerations: California Environmental Quality Act (CEQA): The proposal to draft an ordinance is not a "project" for the purposes of CEQA pursuant to Section 15378(b)(2) of the CEQA Guidelines (Title 14 Cal. Code Reg. § 15000 et seq.). Therefore, no environmental review is necessary.

Sustainability: Not applicable.

Commission/Committee Action: None.

Rationale for Recommendation: Staff was directed to report back to City Council on the process for allowing armed Private Patrol Operators incidental entry into City parks.

An exception to the City Code's park regulations would be required. The exception would be accomplished by ordinance.

Financial Considerations: There is no budgetary impact associated with drafting the proposed ordinance.

Emerging Small Business Development (ESBD): Not applicable.