

5.9 PUBLIC SERVICES – POLICE PROTECTION

5.9.1 INTRODUCTION

This section discusses police protection within the project area. Sources of information used in the preparation of this section include the City of Porterville 2030 General Plan, and communication with the City of Porterville Police Department.¹

5.9.2 SUMMARY OF 2030 GENERAL PLAN EIR FINDINGS

At full general plan buildout, approximately 13,000 acres of developed land (37 percent) will be within the service area of the Porterville Police Department. Even though the current police facility is nearing its capacity to support staffing levels, the Police Department will continue to maintain a central station. Due to the resources involved in providing police services to the community, a centralized station is more effective, efficient, and fiscally responsible. As the community grows and levels of service increase, satellite community-based policing offices will be located with other public facilities such as fire stations in shopping centers, community centers, or high-crime areas in order to provide the required services. These additional community-based policing offices will not substantially increase the area of developed land but will help the department to maintain effective police service.

According to the Porterville Police Department,² a ratio of 1.2 police officers to 1,000 residents would support adequate law enforcement efforts at buildout of the General Plan 2030. This would require a total of 129 sworn officers by 2030. Future projects would contribute financially to the City of Porterville General Fund through payment of taxes. With payment of these taxes and fees, sufficient funding would be available to the Porterville Police Department to increase staffing levels to the projected requirement of 129 officers by 2030. Therefore, while buildout of the 2030 General Plan, would create additional demands on police services, these demands would be met by increasing staffing levels.

5.9.3 EXISTING CONDITIONS

Staffing, Facilities and Equipment

The City of Porterville Police Department provides law enforcement within the jurisdictional boundaries of the City of Porterville, including the project site. The department operates from the headquarters facility located at 350 North “D” Street (See **Figure 5.9-1**), and is comprised of 62 sworn police officers

¹ Silver Rodriguez, Captain Services Division, Porterville Police Department, personal communication with Impact Sciences, Inc., January 16, 2009.

² Ibid.

and 25 non-sworn employees, considered as support staff.³ The patrol division is the largest staffed division in the Police Department and provides policing services 24 hours a day for 365 days a year. Every officer is fully equipped with all necessary safety equipment essential to performing their assigned duties, including uniforms, safety vests, firearms, and other protective gear. The Patrol Division is assisted in their duties by special teams or units in the Police Department that have special skills and expertise to combat crime and address specific problems in the community. The Police Department provides patrols and responses to all requests for police services in marked and unmarked police vehicles and police motorcycles. Additionally, officers have specialized vehicles available to them to more effectively police the community. Vehicles available to perform police functions include an armored SWAT (Special Weapons and Tactics) truck, a mobile command trailer, a radar display trailer, a Polaris all-terrain vehicle, bicycles, and others.

The City of Porterville encompasses more than 16 square miles and has a population of approximately 51,500 people. Currently, the Police Department is operating a ratio of 1.2 officers per 1,000 residents. The Porterville General Plan indicates that the service level of 1.2 officers to 1,000 residents is an adequate service level.

Service Calls

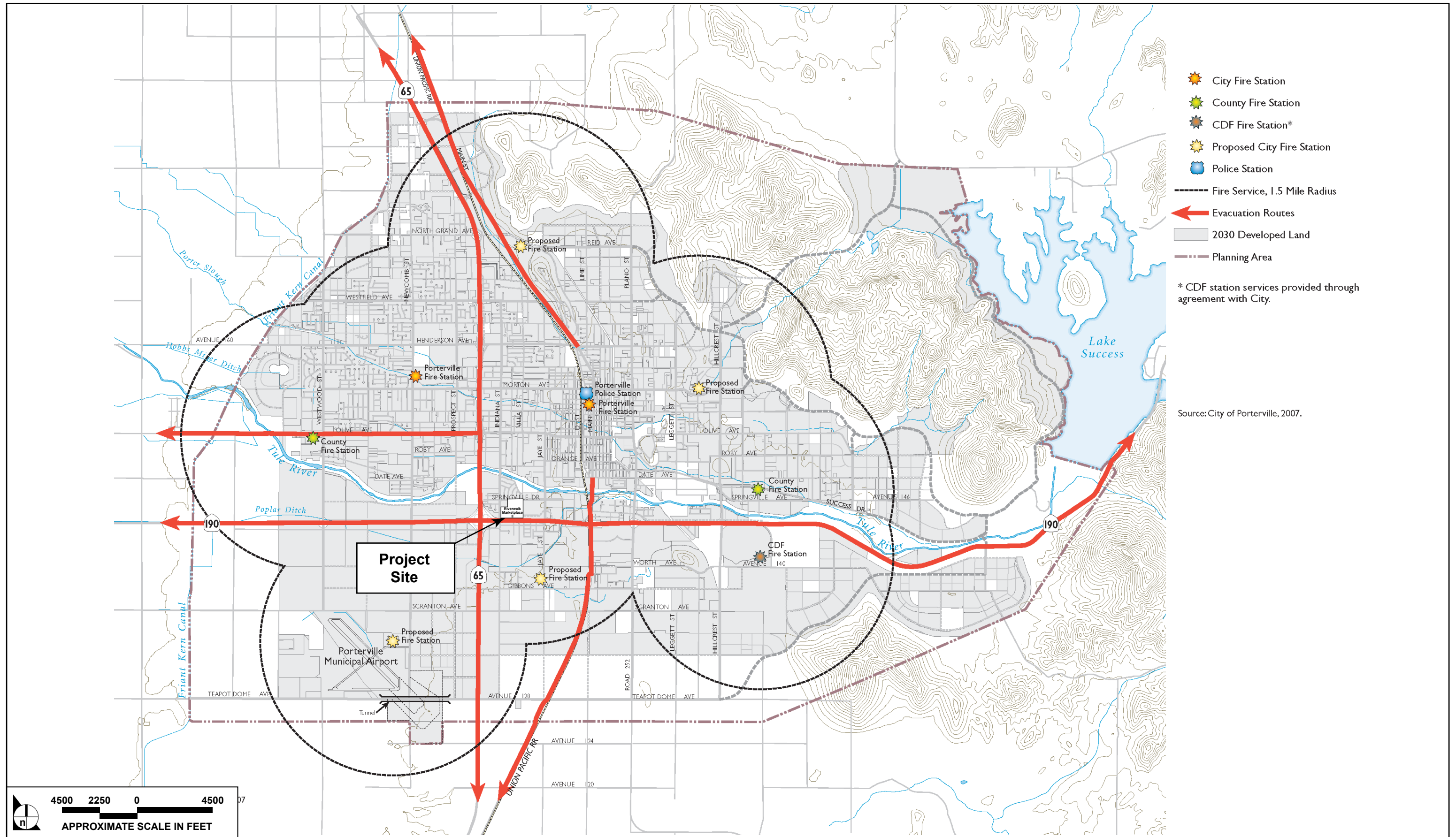
The Police Department has not established a standard response time for service calls. However, on a consistent basis, the department is able to provide a timely response to most calls anywhere in the City.⁴ The Police Department, in 2008, had an average response time for Priority 1 calls (injury accidents, crimes in progress, threats to public safety, etc.) of 3 minutes and 59 seconds; an average response time for Priority 2 calls (including disputes, crimes where suspects have left the scene, semi-urgent matters) of 7 minutes and 21 seconds; and an average response time for Priority 3 calls (including routine complaints, cold reports of crime, and non-urgent matters) of 9 minutes and 33 seconds.⁵

Table 5.9-1, Porterville Police Department Statistics, shows response times, the type of police action and crime statistic for the City of Porterville for the years 2007 and 2008. The Tulare County Sheriff's Department and the California Highway Patrol have substations in the City of Porterville; these agencies work in cooperation with the Porterville Police Department in policing the greater Porterville area, regardless of jurisdictional boundaries.

³ Silver Rodriguez, Captain Services Division, Porterville Police Department, personal communication with Impact Sciences, Inc., January 16, 2009.

⁴ Ibid.

⁵ Ibid.



SOURCE: Porterville 2030 General Plan - 2008

FIGURE 5.9-1

Police Station Location

**Table 5.9-1
Porterville Police Department Statistics**

Police Actions	2007	2008
Officer Initiated Activity	36,012	37,135
Calls for Service	30,702	27,883
Police Reports	11,385	10,052
Response Times	2007	2008
Priority 1 (Injury accidents, crimes in progress, threats to public safety, etc.)	4:45 min	3:59 min
Priority 2 (Disputes, crimes where suspect has left the scene, semi-urgent matters)	9:06 min	7:21 min
Priority 3 (Routine complaints, cold reports of crime, non-urgent matters)	11:44 min	9:33 min
Crime	2007	2008
Homicide	7	1
Robbery	72	63
Rape	14	7
Assault	632	552
Burglary	540	389
Larceny	1,491	1,165
Auto Theft	320	325

Source: Written Communication with Captain Silver Rodriguez, Services Division, Porterville Police Department, January 16, 2009.

In 2005, the local electorate passed Measure H,⁶ a public safety sales tax measure. This tax measure increased the local sales tax by 0.5 percent, with the provision that all additional revenues raised by the increase would be used to improve and add public safety staffing, equipment, and facilities. Prior to the passage of Measure H, the ratio of officers to residents was significantly low. After the passage of this tax measure, the Police Department was able to add public safety personnel to bolster policing efforts. According to the Porterville Police Department, the department is able to provide an adequate response to the growing community of Porterville now and for the foreseeable future.⁷

⁶ City of Porterville, Municipal Code, Chapter 22, "Taxation," Article IIA, Section 22-8.1 through Section 22-8.12, 2005.

⁷ Silver Rodriguez, Captain Services Division, Porterville Police Department, personal communication with Impact Sciences, Inc., January 16, 2009.

5.9.4 REGULATORY PLANS AND POLICIES

State

All law enforcement agencies within the State of California are organized and operate in accordance with the applicable provisions of the California Penal Code.⁸ This code sets forth the authority, rules of conduct and training for peace officers. Under state law, all sworn municipal and county officers are state peace officers.

Local

City of Porterville 2030 General Plan

The Public Health and Safety Element of the Porterville 2030 General Plan⁹ contains the following guiding policies and implementation policies that are relevant to law enforcement. Guiding policies are the City's statements of its goals and philosophy.¹⁰ Implementation policies represent commitments to specific actions and refer to existing programs or call for the establishment of new programs.¹¹

PHS-G-5	Provide a comprehensive program of safety services including police, fire, and medical response in all parts of Porterville.
PHS-I-24	Provide cost effective fire, police, and emergency medical service within the City to minimize potential injury, loss and/or destruction to persons or property.
PHS-I-26	Promote a community-oriented approach to law enforcement.
PHS-I-27	Continually assess the adequacy of current funding programs for police, fire and paramedic services and investigate new funding sources.
PHS-I-28	Ensure that new development incorporates safety concerns into the site, circulation, building design and landscaping plans.

Tulare County Sheriff

The County of Tulare is required by state law to organize a formal mutual aid agreement between all police departments within its jurisdiction, including the City of Porterville. Policy HS-7.2, Mutual Aid

⁸ Penal Code of California.

⁹ City of Porterville, *2030 General Plan*, Chapter 7, "Public Health and Safety Element," 153.

¹⁰ City of Porterville, *2030 General Plan*, Chapter 1, "Introduction," 15.

¹¹ City of Porterville, *2030 General Plan*, Chapter 1, "Introduction," 15.

Agreement, of the Tulare County General Plan¹² requires the County to maintain current and effective mutual aid for fire, police, medical response, mass care, and heavy rescue functions as appropriate. The mutual aid agreement¹³ provides a structure of response should an emergency arise that requires immediate response by more law enforcement personnel than would be available within an individual jurisdiction using all available resources.

5.9.5 SIGNIFICANCE THRESHOLD CRITERIA

According to Appendix G of the *California Environmental Quality Act (CEQA) Guidelines*, Section XIII,¹⁴ Public Services, a project would have a significant impact on law enforcement services if the project would result in (a) substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; or (b) the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for law enforcement services. This is the significance criteria to be applied to the proposed project.

5.9.6 PROJECT IMPACTS

Impact 5.9-1 Construction of the proposed project would not result in a substantial increase in the number of calls for service requiring physical expansion of a governmental facility. *Impacts would be less than significant.*

A construction site can be a source of attractive nuisances, presenting hazards, and inviting theft and vandalism. When not properly secured, a construction site can become a distraction for local enforcement from more pressing matters that require their attention. Construction contractors typically take precautions to prevent trespassing through construction sites. Most commonly, temporary fencing is installed around the construction site to keep out the curious, prevent theft, and avoid vandalism. When such common-sense precautions are taken, there is little need for local enforcement at the construction site. As shown in **Figure 3.0-15, Construction Staging Plan**, the proposed project would locate construction trailers and materials and equipment storage at the southwestern portion of the project site, away from adjacent residential uses to the west and north of the site. An additional temporary construction staging area and equipment storage area would be located on the adjacent commercial property to the east of the site. Temporary fencing would be installed around these areas to prevent theft and vandalism.

¹² Tulare County, *General Plan Environmental Impact Report*, December 2007, 4-92.

¹³ Tulare County, *General Plan Environmental Impact Report*, December 2007, 4-92.

¹⁴ California Environmental Quality Act, *State CEQA Guidelines*, Appendix G, 2009, 277-291.

Although minor traffic delays may occur during construction, particularly during trenching for installation of utilities, no street closures would be required. Partial lane closures would not greatly affect emergency vehicles, the drivers of which normally have a variety of options of avoiding traffic, such as using their sirens to clear a path of travel or driving in the lanes of opposing traffic. Additionally, if there are partial closures to streets surrounding the project site, flagmen would be used to facilitate traffic flow until construction is complete. Therefore, impacts on police services during project construction would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact 5.9-2 **Occupancy of the proposed commercial uses would increase the number of calls for law enforcement service, but would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities; or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for law enforcement services.**
Impacts are considered to be less than significant.

The proposed project would not induce substantial population growth into the area since no residential units are proposed. Consequently, the officer-to-resident ratio of 1.2 officers per 1,000 residents would not be affected by the proposed project and therefore, not require the construction of new police facilities. However, the proposed project would increase human presence and activity on the project site. While there is not a directly proportional relationship between increases in land use activity and increases in demand for police protection services, it is reasonably foreseeable that the number of calls for police services would increase with on-site human activity and traffic on adjacent streets and arterials. Such calls would likely include theft, vandalism, assault, and similar incidents that are typical of commercial developments in the area and do not represent unique law enforcement problem that requires special equipment or training. As indicated by the Porterville Police Department, the Riverwalk Marketplace Phase II Project would not place burdens or demands on the department that will exceed their ability to

meet them.¹⁵ Therefore, the proposed project would not be expected to increase crime in the Porterville area to the extent that a new or expanded police station or other facilities would be required.

The project would provide security features that ensure a secure environment for project customers and employees. The following security measures are proposed:

- Conduct a risk analysis (crime survey) of the area to evaluate the security needs for the store and implement a security plan based upon this analysis.
- As appropriate, based upon the crime survey, establish a parking lot patrol that assists customers, ensures safety and takes action to identify and prevent any suspicious activity (such as loitering and vandalism) both during the day and nighttime hours; and employ a plainclothes patrol inside the store to ensure safety and security.
- Install closed-circuit camera systems (surveillance cameras) inside and outside the store.
- Establish a Risk Control Team, which is a team of associates responsible and trained to identify and correct safety and security issues at the site.
- Provide lighting in the parking areas that will ensure public safety.
- Prohibit consumption of alcohol in the parking lots by having associates regularly "patrol" the parking areas while collecting shopping carts, and report any inappropriate activity to the store managers. (Also, per state law, alcohol sales will be limited to the hours of 6:00 AM to 2:00 AM of the following day).

A fiscal impact analysis¹⁶ was prepared for the proposed project, and is included in **Appendix 5.6** of this draft EIR. The purpose of the analysis is to provide a detailed analysis of the annual general fund revenues and expenditures generated to the City of Porterville on a recurring basis by the proposed development. The analysis utilizes the Average Cost Approach, which examines the project's recurring costs to the City based on existing citywide relationships. Impacted departments/functions are expected to be legislative, administrative, finance, City Attorney, Police, Fire, Community Development, and Public Works.

The City of Porterville 2008 preliminary budget allocates \$7.5 million to the Police Department. Using the current acreage distribution within the City of Porterville, approximately \$2,300 is attributed to each commercial acre within the City. The estimated Police Department costs associated with Riverwalk Marketplace Phase II total approximately \$49,700.¹⁷

¹⁵ Written correspondence with Captain Silver Rodriguez, Porterville Police Department, January 16, 2009.

¹⁶ Robert Charles Lesser and Co., City of Porterville, *Fiscal Impact Analysis – Riverwalk Marketplace Phase II*, October 15, 2008.

¹⁷ Ibid.

The proposed project is expected to generate recurring annual revenues in the form of property taxes, real property transfer taxes, sales taxes, utility users taxes, and business license taxes. Total General Fund revenues generated by the proposed project are projected at \$960,000 annually, while total annual recurring expenditures generated by the proposed project is estimated at \$112,000 including the estimated \$49,700 of Police Department costs (constant 2008 dollars). Therefore, at full development the proposed project is expected to have a net positive fiscal impact of \$850,000 annually to the City of Porterville. Therefore, the incremental increase in the demand for police protection services (including staffing and new facilities) associated with construction and occupancy of the Riverwalk Marketplace II project would be covered by increased funding availability.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

5.9.7 CUMULATIVE IMPACTS

Impact 5.9-3 **Buildout of the 2030 General Plan would increase the resident population of the City by an additional 62,080 persons and the amount of nonresidential floor space by 23 million square feet. Increased human presence and activity would necessitate additional staffing and equipment. *This impact is considered to be less than significant.***

Response times and the ability of the Police Department to provide acceptable levels of service are contingent on increasing staffing levels (sworn and civilian) at a rate consistent with growth in the resident population and the presence of visitors, merchants, schools, and shoppers. According to the Porterville Police Department, a ratio of 1.2 police officers to 1,000 residents would support adequate law enforcement efforts today and for the foreseeable future.¹⁸ This would require a total of 129 sworn officers by 2030. The proposed project along with other future projects would contribute financially to the City of Porterville General Fund through payment of fees and taxes. With the payment of taxes, sufficient funding would be available to the Porterville Police Department to increase staffing levels to the projected requirement of 129 officers by 2030.¹ Therefore, while buildout of the 2030 General Plan,

¹⁸ Silver Rodriguez, Captain Services Division, Porterville Police Department, personal communication with Evan Sharp, January 16, 2009.

including the proposed project, would create additional demands on police services, these demands would be met by increasing staffing levels to meet demand and impacts would be less than significant.

Cumulative Mitigation Measures

No mitigation is required.

5.9.8 LEVEL OF SIGNIFICANCE AFTER MITIGATION

Impacts are considered to be less than significant.