

DATE ISSUED: July 23, 2003

REPORT NO. 03-153

ATTENTION: Honorable Mayor and City Council
Docket of July 28, 2003

SUBJECT: Regional Public Safety Training Institute (RPSTI) Lease and Consultant Agreement

SUMMARY

Issues:

1. Should the City Council approve an Option Agreement and Development Lease (Attachment A) with the RPSTI Joint Powers Authority (JPA) for 24.7 acres of the former Camp Nimitz portion of the San Diego Naval Training Center?
2. Should the City Council authorize the City Auditor and Comptroller to transfer \$80,000 from CIP 33-112.0 (Fire-Rescue Department: Police and Fire Training Facility-Regional Public Safety Training Institute) into CIP 36-064.0 (Police Department: Police and Fire Training Facility-Regional Public Safety Training Institute) to consolidate the two projects and facilitate the tracking process?
3. Should the City Council authorize the City Manager to deposit \$160,000 from the County of San Diego and \$160,000 from the San Diego Community College District to fund their respective shares of the cost associated with the agreement for consulting services with Rick Engineering into Fund 63022, Private and Other Contributions-CIP?
4. Should the City Council authorize the City Auditor and Comptroller to appropriate \$320,000 into CIP 36-064.0 (Police Department: Police and Fire Training Facility-Regional Public Safety Training Institute), from Fund 63022?

5. Should the City Council approve an agreement (Attachment B) for consulting services with Rick Engineering and authorize the expenditure of funds not to exceed \$480,000 from CIP 36-064.0 (Police Department: Police and Fire Training Facility-Regional Public Safety Training Institute) to fund the agreement, contingent upon all other actions being approved?

Manager's Recommendations:

1. Approve an Option Agreement and Development Lease with the RPSTI Joint Powers Authority (JPA) for 24.7 acres of the former Camp Nimitz portion of the San Diego Naval Training Center (NTC).
2. Authorize the City Auditor and Comptroller to transfer \$80,000 from CIP 33-112.0 (Fire-Rescue Department: Police and Fire Training Facility-Regional Public Safety Training Institute) into CIP 36-064.0 (Police Department: Police and Fire Training Facility-Regional Public Safety Training Institute) to consolidate the two projects and facilitate the tracking process.
3. Authorize the City Manager to deposit \$160,000 from the County of San Diego and \$160,000 from the San Diego Community College District to fund their respective shares of the cost associated with the agreement for consulting services with Rick Engineering into Fund 63022, Private and Other Contributions-CIP.
4. Authorize the Auditor and Comptroller to appropriate \$320,000 into CIP 36-064.0 (Police Department: Police and Fire Training Facility-Regional Public Safety Training Institute), from Fund 63022.
5. Approve an agreement for consulting services with Rick Engineering and authorize the expenditure of funds not to exceed \$480,000 from CIP 36-064.0 (Police Department: Police and Fire Training Facility-Regional Public Safety Training Institute) to fund the agreement, contingent upon all other actions being approved.

Fiscal Impact:

The total contract amount for Rick Engineering is \$432,000, with a 9% contingency for a total of \$480,000. The City, County, and San Diego Community College District have each agreed to equally share the cost of the contract. The City's share of this expense (\$160,000) was included in the FY 2003 CIP Budget.

Funding for construction, renovation, and required infrastructure improvements for the RPSTI has not been identified. The City, County and Community College District have

each agreed, as outlined in the RPSTI JPA, to fund one-third of the total cost of the project.

The proposed lease between the RPSTI JPA and the City allows for a two-year option period, during which it is anticipated that the planning and permitting process will be completed and financing options developed. An additional two-year option period allows the parties to develop a final financing package to bring forward to the City Council for approval and to develop a plan to construct the facility in phases over a number of fiscal years.

BACKGROUND

Since the 1960's the City of San Diego and the Community College District have worked cooperatively to provide training for law enforcement, fire, lifeguard, emergency medical, and other emergency response personnel for both public agencies and the private sector. Training has been provided on a regional basis to personnel from every public safety agency in San Diego County as well as a number of agencies from Imperial, Los Angeles, and Orange Counties, the State and Federal governments, and Mexico. What is now Miramar College was originally created in 1969 as a law enforcement and fire training facility. The College was constructed on what was a World War II military airfield. The former runway area has been used for outside physical training, emergency vehicle operations, and tactical training.

From the inception, the Community College District has provided office space to house training staff from the San Diego County Sheriff's Department, San Diego Police Department, and San Diego Fire-Rescue Department assigned to Miramar College. In the early 1970's, Miramar College began offering a complete Community College curriculum to better serve the needs of the District. In 1991, the District funded and constructed a 30,000 square foot training facility at Miramar College dedicated solely to the fire and law enforcement instructional programs. Several Memorandums of Understanding outline the relationship between the College District and the City, including a joint instructor program wherein the College District partially funds the cost for up to eight Police sergeant positions. In return, these Department members provide instructional and coordination duties for public safety classes at the facility. The College District also employs a number of instructors, most of them subject matter experts from public safety agencies. In return, the City, as well as the Sheriff's Department and other outside agencies, pay standard Community College tuition fees for their employee-students attending classes.

The Miramar College program came to be known as the Public Safety Training Center. An informal director's position rotated between the Police and Sheriff's Department. An advisory group, comprised of Chiefs or training managers from all agencies County-wide was formed and meets quarterly to discuss training needs. A formal organization soon followed.

When Miramar College was created, population densities and demographics were vastly different than today. Only parts of Mira Mesa and Rancho Penasquitos were built out. In the past fifteen years, an explosion of growth has occurred in the North City area, including Carmel Valley, Mira Mesa, Tierrasanta, Scripps Ranch, Sabre Springs, and Poway. This growth has had a dramatic effect on Miramar College and their student population. The student population of Miramar College is now over 15,000 and has grown by more than 25% in the past three years. Additional rapid growth is expected in the next five years. This growth in population has forced

the District to construct a number of new facilities with others in the planning stages. Each new facility has reduced the area available for outside and vehicle operations training. Within the next five years, there will be no space remaining for these functions. Since the inception of the program, the encroachment of other programs at the facility has forced the closure of an on-site firing range, as well as forcing Fire-Rescue training to relocate due to a lack of available training space. Based on demographic studies and projections, the Police Department, Fire-Rescue Department, Sheriff's Department, and College District began looking for an alternate site. In 1993, the City was notified that the Naval Training Center would be closed and the property available for conveyance. A proposal was submitted to utilize a 102-acre parcel of Camp Nimitz for the Public Safety Training Center, described as having a "centralized, inter-disciplinary, regional focus which proactively addressed San Diego's current and future public safety training needs, with resources and expansion capability to grow with the community." The proposal was supported by every law enforcement and fire agency in the County. One aspect of the re-conveyance process gave preferential status to the Port District for airport expansion, as well as other Federal agencies. The proposal had the complete support of the City Council, however because of the re-conveyance rules and procedures, the proposal for 102 acres was reduced to 24.7 acres, with the Port and United States Border Patrol assuming much of the available property.

After the 1993 closure of the Naval Training Center, which includes Camp Nimitz, the Naval Training Reuse Committee recommended that Camp Nimitz be used to develop a Public Safety Training Institute. Since then, the City (Police and Fire-Rescue Departments), County, and San Diego Community College District have cooperated in planning for the development of the property. In May 2000, the area planned for the future public safety training site was designated in the Economic Development Conveyance from the United States Navy to the City of San Diego. This planned use was included as a part of the NTC Precise Plan and Local Coastal Program subsequently approved by City Council.

In 1995, the Fire-Rescue Department moved training operations from Miramar College to Camp Nimitz and became the caretaker of the site until the remainder of the program relocated. The City has been working with the Navy, Port District, private developers, and the State Lands Commission to realign the Tidelands Trust restrictions that had been placed on the property. In preparation for RPSTI use of the site, the City sponsored special State legislation that was approved in 2001, allowing the restrictions for use of the property to be transferred. These restrictions have now been lifted from the site and transferred to other park and airport properties.

In 2001, the City Council, County Board of Supervisors, and Community College Board of Trustees approved entering into a Joint Powers Authority. The JPA formally created the San Diego Regional Public Safety Training Institute, with a Board of Directors comprised of the City Manager, County Chief Administrative Officer, and Community College District Chancellor. A seven-member Executive Board, for establishing and approving training policies and curriculum, is comprised of the Assistant Chancellor, Miramar College President, Sheriff, Police Chief, Fire-Rescue Chief, and the Presidents of the Police Chiefs and Sheriff and County Fire Chiefs' Associations. The City of San Diego was selected to act as the treasurer of the JPA.

DISCUSSION

In September 2001, the City Council agreed to exclusive negotiations with the JPA regarding the RPSTI use of Camp Nimitz. The proposed lease, with a term of 66 years has been negotiated. Since the City is a participant in the JPA, and there is a great public benefit to be derived from this planned facility, a waiver of the customary administrative fee has been granted.

The RPSTI proposes to establish a world-class training facility on the Camp Nimitz site, designed to meet virtually all entry level through advanced training needs of the San Diego region's law enforcement, corrections, fire, paramedic, communications, maritime, lifeguard, and other public safety personnel. The site does not include an Emergency Vehicle Operation Course.

Currently, some RPSTI training programs, including Fire-Rescue Department training, Community College classes, and law enforcement and SWAT advanced operations training are being conducted on the site, utilizing the existing facilities. The RPSTI plans to make capital improvements on the site to accommodate additional training programs. Development will occur in phases as financing for the overall project becomes available. Specific phasing will be finalized during the planning process. In order to perform the necessary due diligence activities and to finalize funding options, with regard to the lease, the RPSTI JPA is requesting a two-year option period, with an additional 24 months on a month-to-month basis.

The three agencies of the JPA have agreed to jointly fund the development of the RPSTI within the property boundaries set forth in the NTC Reuse Plan. In 2001, the JPA Board of Directors agreed to allow the Metropolitan Wastewater Department (MWWD) to locate an underground wastewater facility on the RPSTI site. In doing so, MWWD agreed to fund all costs associated with their project, as well as to provide additional funding for infrastructure improvements associated with their facility to offset some of the costs related to the development of the overall site.

The JPA Board of Directors voted to award Rick Engineering Company a sole-source consulting contract to provide planning services necessary to develop the program and total cost estimate, and to obtain the necessary permits. A sole-source contract was approved by the JPA Board of Directors based upon Rick Engineering's extensive knowledge and experience in matters related to NTC and City requirements for reuse documents. Rick Engineering has worked extensively for the City and the McMillan Companies, and contracting with another firm would require substantially more time and additional costs to equal Rick Engineering's understanding of the area. Each partner agency agreed to provide a total of \$160,000 to fund the Rick Engineering contract and contingencies. To fund the City's portion, the FY 2003 CIP budget included funding for the City's share of these expenses. The County of San Diego and Community College District have each submitted funds to the City for their shares of the consultant contract.

The FY 2003 CIP Budget included \$160,000 (\$80,000 in CIP 33-112.0 [Fire-Rescue Department: Police and Fire Training Facility-Regional Public Safety Training Institute] and \$80,000 in CIP 36-064.0 [Police Department: Police and Fire Training Facility- Regional Public Safety Training Institute]). Only one CIP is required to administer this development. In order to facilitate the tracking process, these two CIP projects would be combined.

The issues outlined in this report are the culmination of five years of planning between the City, County and Community College District staff. Miramar College will be unable to support our programs in the near future. These agreements retain the close partnership that has been established and begins the process of relocating programs to another facility. Failure to move forward at this time may result in the dissolution of the JPA and negatively impact the relationship between the agencies. In addition, the Police Department and Fire-Rescue Department may be required to seek and obtain additional training facilities and office space for training staff. Substantially higher costs will result due to each Department funding all of its instructional costs, independent of the City's JPA partners.

The RPSTI was included within the NTC Precise Plan and Local Coastal Program, Environmental Impact Reports, and the conveyance documents negotiated with the United States Navy. Failure to move forward with the plan for development may result in substantial additional costs to the City for renegotiation, litigation, additional environmental reviews, and reopening of the entire NTC Reuse process for public review and comment.

Project Funding

Funding for construction, renovation, and required infrastructure improvements for the RPSTI has not been identified. The County and Community College District have each agreed, as outlined in the JPA, to fund one-third of the total cost of the project. The proposed lease between the RPSTI JPA and the City allows for a two-year option period, during which it is anticipated that the planning and permitting process will be completed and financing options developed. An additional two-year option period allows the parties to develop a final financing package to bring forward to the City Council for approval and to develop a plan to construct the facility in phases over a number of fiscal years.

There are no City or County funds currently dedicated to construction efforts at Camp Nimitz for the RPSTI. Last November, the Community College District was successful in obtaining voter approval of a bond measure for construction and maintenance of existing and new Community College District facilities. This bond measure includes the Community College District's share of the total cost of the new RPSTI facility.

CONCLUSION

As highlighted in this report, staff from the City, County and Community College District have worked collaboratively over the past several years in an effort to move this project forward, with the ultimate goal of developing a world-class public safety training facility. Such a facility will meet the expanding needs of our region's public safety professionals for many years to come. The City Council's continuing support is essential to the successful completion of this important project.

ALTERNATIVES

1. Do not authorize an Option Agreement and Development Lease with the RPSTI for 24.7 acres of the former Camp Nimitz portion of the San Diego Naval Training Center.
2. Do not authorize the expenditure of funds for an agreement for consulting services with Rick Engineering Company for planning and permitting of the RPSTI.

Respectfully submitted,

John Welter
Interim Chief of Police
Police Department

Approved: P. Lamont Ewell
Assistant City Manager

WELTER/MCW/JT