

**CITY OF SANTA BARBARA  
FIRE & POLICE COMMISSION MINUTES**

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Thursday, **August 23 @ 4:00**  
David Gebhard Meeting Room  
630 Garden St.

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**REGULAR MEETING**

**1. CALL TO ORDER/ROLL CALL:**

Present: Commissioners: Lennon, Christensen, Rodriguez, Torell, and Torres-Santos.

Staff Present: Police Chief Cam Sanchez, Fire Chief Andrew DiMizio, Police Sergeant Marylinda Arroyo, and Acting Secretary Carol Lupo

**2. APPROVAL OF MINUTES:**

**MOTION:** Rodriguez to approve minutes of **June 28, 2012**. Lennon seconded.

**VOTE:** Unanimous voice vote: Motion passed.

**3. PUBLIC COMMENT:**

Any member of the public may address the Fire & Police Commission for up to one minute on any subject within the jurisdiction of the Commission that is not scheduled for a public hearing before the Commission. The total time for this item is 10 minutes. If you wish to address the Commission under this item, please complete and deliver to the Commission Secretary before the meeting is convened, a "Request to Speak" form, including a description of the subject you wish to address.

None

**4. SUBCOMMITTEE REPORTS**

None

**5. OLD BUSINESS:**

Lennon inquired about the follow up on the recent security companies with uniforms similar to Police. Captain Whitham stated that staff is currently following up on this issue.

**6. NEW BUSINESS:**

Security Uniform compliance follow up.

**ITEM 10 MOVED UP ON THE AGENDA**

**10. Proposed Changes to Tow Rotation List Rules & Regulations**

Christensen provided an overview of the process. The sub-committee has met several times, and also met with the tow operators on 5/23/12 and went over the proposed changes and accepted additional suggestions, to create a final list of suggestions.

The reasons why it was decided that the regulations should be reviewed was that they hadn't been reviewed since 2003, and there was interest in updating for safety, legal adherence, and public satisfaction/quality of service.

It was decided to hold a brief discussion now, then have one more sub-committee meeting with tow operators to go over changes, and then Commission will tentatively vote on changes in October.

Christensen reviewed the proposed changes:

- Minimum of 5 trucks to operate
- Amount of storage space required (20,000 sq. ft.) be all contiguous space. A counter proposal is that the requirement is reduced to 15,000 sq. ft.
- Donation of vehicles for training purposes (formalize an informal agreement)
- Providing items for file – addition of lease or ownership documentation to the property; additional support or evidence of sufficient storage space; additional photos of equipment; specificity of workers comp and liability insurance
- Annual meeting to review operations and issues, modified to become a requalification
- Specifying current training requirements and available training, and specific certifications
- Uniforms/ID of employees; professional appearance
- Specific information to be provided to the department
- Employer pull notice program specific language
- Tow truck classifications, current legal requirements
- Operational requirements – notice to the public and postings
- Suggestion to articulate expectations for response times
- Safety and personnel allowed on scene
- Scene cleanup – environmental issues
- Release of property and PD authorization
- Vehicle inspection
- Demeanor and conduct language
- Tow complaint procedures
- Fair and impartial activities of tow operators
- Disciplinary action
- Operator approval of rules
- Available training courses listed

Torell stated 805 Roadside Towing is a recent addition to the tow list and responded to the changes with a letter. He also stated that he would like the tow operators to meet among themselves to review and approve the changes. If an agreement on a change cannot be finalized among the group, that he or Christensen would negotiate at a sub-committee meeting.

Christensen stated that they would want to know any change that would make an operator ineligible so they can address that in advance. She also asked that the letter from 805 Roadside be posted with the agenda from today's meeting on the City website. It was agreed that the final sub-committee would be scheduled for the second week of October. (Captain Whitham and Officer Jaycee Hunter will be attending this meeting)

Rodriguez mentioned that there was a problem with all the tow operators receiving notification about the initial meeting. Christensen stated that the meeting today and the final sub-committee meeting should allow everyone to participate.

Robert Nieves, Nieves Towing has an issue with the 5 truck and contiguous location requirements. They operate for law enforcement only, and do not need more vehicles. Also his office and storage locations being separate have never interfered with operations. Torell suggested that these issues be discussed in the tow group meeting.

Christensen stated the Commission will want to know those items that would make a company fall out of compliance. However, Commissioner Christensen stated that no grandfathering of rules will occur to eliminate having 2 sets of rules to enforce.

Aaron Boucher from 805 Roadside Towing volunteered to coordinate the tow operator meeting. Chuck Love from Love's Towing requested that a commissioner attend this meeting as well. Torell stated he was willing to attend.

## **7. OCHIN Security Patrol Registration**

**Recommendation:** The Santa Barbara Police Department recommends that the Fire and Police Commission approve the registration of "OCHIN Security Patrol" as private patrol operators.

Sergeant Arroyo provided copies of the pictures of the uniform for the Commission to review. Dark colored slacks and light blue shirt.

**MOTION:** Lennon to approve Police Department's recommendation to approve registration of "OCHIN Security Patrol" as a private patrol operators. Torres-Santos seconded.

**VOTE:** Unanimous voice vote. Motion passed

Torell commented that he felt the written staff report does not need to be read in full since a copy of it is in the agenda. Christensen asked that the recommendation be included in the meeting minutes. In addition, copies of the agenda packet are provided at each meeting which includes the staff reports.

## **8. Indochine – 434 State St. – Dance permit Renewal**

**Recommendation:** It is recommended, that a dance permit be issued to Mark Lawrence, managing member of 300 Club LLC, for the business at 434 State Street, dba "Indochine," with the same conditions listed on the previous dance permit.

**MOTION:** Rodriguez to approve Police Department's recommendation to issue a dance permit for Indochine. Lennon seconded.

**VOTE:** Unanimous voice vote. Motion passed.

## **9. Gustavo Perez Valdes – Issuance of Taxi Drive Permit on Appeal**

Present: Rick Nyznyk, Counsel for Mr. Valdes

**Recommendation:** SBPD staff recommends that the Fire and Police Commission agree to allow Gustavo Perez Valdes to resubmit a renewal application to the Police Department, and upon a satisfactory background check, allow the issuance of a taxicab permit valid for one year.

Torell questioned why staff was now recommending that Mr. Valdes be allowed to resubmit his application, when the commission had already denied his application.

Sergeant Arroyo stated that after further review that Mr. Valdes' application was not complete since his drug testing and fingerprints had not been turned in yet.

Christensen stated that it seemed we were treating these applications differently than in the past. She suggested that additional language be included on the application to specify what constitutes a complete application. It was noted by Sgt. Arroyo that staff is looking to clarify what constitutes a "complete" application to avoid similar circumstances in the future.

**MOTION:** Rodriguez to approve Police Department's recommendation to allow Gustavo Perez Valdes to resubmit a renewal application. Lennon seconded.

**VOTE:** Unanimous voice vote. Motion passed.

## **11. FIRE CHIEF'S REPORT**

From Fire Chief DiMizio:

- Average response time 2:59
- 797 calls for month. Vehicle/Pedestrian/Bicycle accidents up; could be contributed to Fiesta.
- No real significant fire calls. Smoke in building call, 600 block State St. due to overheated air compressor.
- Currently 6 employees out at fire assignments, mostly in Lassen and Modoc National Forests, northern California. 2 additional overhead employees can be sent before staffing is drawn down to a minimum available.
- Red Flag Warning (RFW) – Based on National Weather Service forecast, and low moisture in vegetation fuels, RFW was enacted on 8/21/12 along with SB County, Montecito and Carpinteria/Summerland Fire Departments. Warning was cancelled on 8/22/12 after weather system did not materialize in this area.
- Prayer Breakfast – Chief DiMizio (along with Chief Sanchez) will be attending the 54<sup>th</sup> annual Prayer Breakfast on Sept. 6.
- Charity Regatta – Chief DiMizio was invited to participate in a charity sailing regatta on Sept. 9 to raise funds for the Visiting Nurses Association.

## **12. POLICE CHIEF'S REPORT**

From Police Chief Cam Sanchez:

- Fiesta was quiet, mostly alcohol related arrests. Violent crime is down.
- Chief has been visiting patrol teams and noted his visit last Tuesday, where the patrol team worked multiple serious calls within a few hours.
- Hiring – Chief hired 1 additional officer today, bringing the total hired to 4. There are 6 more officers still to be hired (10 total) to attend the October academy.
- Homeland Security Grant – A grant applied for 2 years ago has been awarded. PD will be receiving \$215,000 for security gates and cameras to be installed around the station property.

- Dispatch Center move – Due to the inadequate safety of the Dispatch center in the basement, and the loss of funding to renovate and improve the current station, dispatch will be moved to the Granada Garage offices.
- CompStat numbers for July:
  - Response time - 5:08
  - Calls for service – 3571
  - Violent crime - 11 calls
  - Property crime – 218 calls
  - Burglaries – 30 calls. Chief noted that staff is working with rental car companies to stop the placement of rental car ID stickers, which makes vehicles a target.

Rodriguez asked why the Commission meetings have been moved to the David Gebhard meeting room. Chief Sanchez stated that parking at the PD is inadequate, as well as public access to the meeting room, due to station security. Also stated that it is a more professional setting and easier for the public to access.

Torell reiterated that Commission should be an advisory commission to City Council, if there are any issues Fire or Police would like the Commission to present to them.

Rodriguez suggested re-establishing the monthly informal sub-committee meetings to discuss department related issues that could be brought forth.

Christensen advised that the department sub-committees make appointments and meet with the Chiefs at least before the October commission meeting. Two subjects suggested by the Chiefs to discuss were budget planning, and vehicle replacement program.

**13. ADJORN: 5:16 PM**