

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

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Thursday **January 26, 2012 @ 4:00**  
Santa Barbara Police Department  
Murphy Room  
215 E. Figueroa Street

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**REGULAR MEETING**

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

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

Staff Present: Chief Sanchez, Sergeant Arroyo, Police Technician Holly Perea, Battalion Chief Pat McElroy, Councilmember Bendy White, Secretary Barbara Sansone. (No Representative from the City Attorney's Office was present)

**2. APPROVAL OF MINUTES:**

**MOTION:** Rodriguez to approve minutes of **November 17, 2011**

**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:**

None.

**6. NEW BUSINESS:**

**7. Commission to Consider Increasing the Maximum Number of Tow Companies on the Tow Rotation List**

Present: Representatives from all Companies on the City's Tow Rotation List and Robert Nieves of Nieves Towing.

All representatives spoke against increasing the maximum number of tow companies on the City's Tow Rotation List.

- Commissioner Torell Stated that their revenue would drop by 14%

- Commissioner Christensen stated that in order to provide maximum and timely responses it would benefit the public to add to the City's Rotation List
- Commissioner Rodriguez agreed with Commissioner Christensen
- Chuck Love stated that the CHP and Sheriff's Dept. have more companies but cover at least twice the area of Santa Barbara; stated that revenue would go down
- David Patterson stated that the CHP has 6 companies in Santa Barbara; his company had approximately 426 calls last year, including the 10 months that Smitty's was on suspension
- Chuck Love stated that 50% to 60% of the calls are abandoned vehicles/motorhomes/boats and cost the companies money to store and dispose of and that the high rents in Santa Barbara should be considered
- Robert Nieves stated that he has 20,000 sq. feet available
- Jeff Holzer stated that there used to be only 3 companies covering the City and they did a good job and that we should not focus on the number of companies;
- David Patterson said that now that changing the law regarding the mandatory 30 day tow for unlicensed drivers is no longer being applicable, this cuts into their income
- Chief Sanchez stated that the decision to increase the number of tow companies does not affect the Police Department; no more or less work for the department
- Commissioner Santos Torres asked if the Commission decides to bring in a 7<sup>th</sup> company how long would it stay at 7; asked if it could it be done on a trial basis
- Holly Perea stated that it would be at the discretion of the Commission
- Chuck Love stated that if it was done on a trial basis for one year it would be a financial investment for the company to get everything in order; he thought 3 companies could do the entire job; he stated that adding a 7<sup>th</sup> company just hurts the current companies and has no added benefit to the City
- David Patterson spoke about how in the early days each tow company would rotate on a monthly basis and that tow company would handle all of the calls
- Sgt. Arroyo explained the process of requesting a tow and how the computer automatically does the rotation; the department requires a 30 minute response time
- Robert Nieves stated that he has tried to get on the rotation since 2002; he is losing money in the County because now the Sheriff's Department is using companies from the City of Santa Barbara and previously only used Goleta tow companies
- Commissioner Christensen asked how many of the tow companies were on more than just the City's rotation list and Chuck Love stated that all of them are
- Commissioner Rodriguez asked Robert Nieves if he could handle it financially if he was just placed on the list for one year and Robert Nieves stated it would not be an extra expense
- Aaron from 805 Roadside Towing stated that he doesn't know why there should be a cap on the number of tow companies on the list and that if a company qualifies then the company should be looked at and if it meets the requirements than it should be placed on the list; he stated that the losses for abandoned vehicle costs would also be absorbed by more companies
- Matt Thomas spoke about the losses the larger companies incur if the smaller companies can't handle larger tows of abandoned boats, motorhomes, etc.
- Holly clarified what the standing requirements are for anyone on the list and noted that if a tow truck could only tow a "Honda Accord" it would not qualify to be on the list; that the company needs to have the capability of towing a large scale vehicle

- Commissioner Christensen there were 4 options:
  - Make no change
  - Modify the regulations to impose no maximum limit
  - Increase the limit by 1 (go from 6 to 7)
  - Increase the limit by 3 to increase the number to 9 (9 seems to be the maximum number on any list)
- Commissioner Rodriguez asked CHP Officer Jim Hoskins the requirements to be on the CHP's tow list
- CHP Officer Jim Hoskins said that all operators must be Live Scanned; trucks need to be inspected yearly; have an annual meeting with tow companies; the requirements are stringent; said that it gets to be "trying" with 7 companies; the more companies on the list the more you multiply the problems that will arise; lots of bickering goes on between companies
- Greg from Smitty's Towing stated that he has 4 vehicles that he won't get paid on; his last tow before his suspension was a large boat that no one would take. It cost him \$1300 to get rid of it and when you add a person who isn't capable of doing that it will dilute his profitability; Greg spoke to CHP Officer Hoskins and they think the more companies you add the more you dilute the service that you get; the 7 companies on the CHP are divided into 3 areas; he said he spoke to the Sheriff's department and they said 9 companies is too many and is too diluted a service, you never know what you are going to get. They have no restrictions but they want to make some restrictions
- Commissioner Torell asked Greg Voigt to clarify why he picked up the boat and Greg said it is a contractual agreement and you have to take the good with the bad; considering the financial landscape at this time the rate of collection is very low and their business is down 25% - 30%.

**MOTION:** Commissioner Christensen made a motion to amend the regulations for the department's tow service operators to increase the maximum number of tow companies to 7 and that the 7<sup>th</sup> company be added for a probationary period of one year and that their performance be reviewed at the next annual meeting (January 2013) with all of the tow companies. (Torres-Santos second)

**VOTE:** Unanimous voice vote

Holly Perea asked for clarification of the review process at the next annual meeting and it was stated that all of the companies will be reviewed and the one company will be reviewed as a probationary company to see if they will be added permanently to the list.

## **8. ANNUAL MEETING OF THE TOW COMPANIES TO DISCUSS ISSUES CONCERNING THE TOW ROTATION**

Most of the issues that would have been discussed at this time took place during the previous item.

Commissioner Christensen asked about Santa Barbara Towing being non-compliant. Holly Perea stated that our requirements are different than the Sheriff's requirements and there are no grounds to remove them from the City's list.

Efrain Lopez from Santa Barbara Towing stated that they are correcting all of the issues and now exceed all of the requirements and he is confident that they will be back on the rotation any day.

Commissioner Torell asked if the department has been satisfied with the tow operators this past year.

Sergeant Arroyo said there were no issues at this time. She stated that the Commission should designate a month every year to review and go over any issues with the tow companies.

Holly Perea stated that she had a 32 page document from the CHP of their rules and regulations and that she thought the Commissioners should review this document. (Secretary Barbara Sansone forwarded this document to the Commissioners via email)

- The Chief suggested a subcommittee be put together to look at this document and then report back to the other commissioners and suggest recommendations. (Commissioners Torell and Christensen are the subcommittee)
- Chuck Love stated that all of the tow companies on the City's list are on the CHP rotation and already comply with all of their rules and regulations
- Holly stated that this is the reason we don't ask for fingerprinting. The tow operators are already getting this done and have to pay each time to have it done, so it would be redundant. These companies are highly regulated through the other agencies.
- Matt Thomas of Thomas Towing said that Lompoc PD has just adopted the CHP Rules & Regulations
- Commissioner Rodriguez confirmed with the tow company owners that all of the drivers and their dispatchers are fingerprinted.
- Matt Thomas stated that Lompoc PD does share the results of the live scan

It was confirmed that the annual meeting with the tow companies will be held at the January Fire & Police Commission Meetings.

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

Battalion Chief Pat McElroy:

- Moved into new building at 927 Chapala St
- Earthquake Drill in EOC today with all City Departments; simulating a 6.8 earthquake in Santa Barbara
- Emphasis for this quarter is on training; significant transition in the department and have lost about 20% of the department in retirements
- Captain & Engineer spots open but no one qualified to promote; want to promote 2 Captains and 3 Engineers by May
- Water rescue program started; Grant from the Fire Fighter's Alliance for \$18,000 worth of equipment; Capt. Mike Moses was instrumental in putting this program together and is now fighting cancer
- Housing Authority owned building that was going to be demolished to make way for a new building and was used for training
- Next hiring will be in 2013 for probably 4 positions

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

Chief Cam Sanchez

- Captain Martel announced his retirement for this coming May; Department will be testing for a Lieutenant and Captain and will be promoting another Sergeant; Kenny Kushner was promoted to Sergeant last week
- We have 141 officers and 4 in the Academy
- Anticipating at least 2 retirements by the end of the calendar year
- Beat Coordinators deal with quality of life issues, neighborhood watch meetings and specific problems in communities that patrol officers would not have a chance to do because they are on calls; only 1 BC the last 5 years because of staffing issues and cuts over the last few years; we now have 4 Beat Coordinators to be supervised by Sergeant Riley Harwood
- 7 hourly, non-sworn people hired (one more to be hired) for the Restorative Policing Program to deal with the homeless and mentally ill community; assisting police officers with these issues; in the last 30 days they have handled many meetings in the community and made at least 200 contacts
- 911 system is outdated and we have purchased a brand new system called Viper; this cost \$300,000 and the entire cost was covered by a grant
- Commissioner Christensen stated at the previous meeting that she wanted the Chief to report on what internal controls in the Business Office have been implemented to prevent future embezzlement.
  - Chief stated:
    - New computerized cash register in Parking
    - Two people oversee the daily totals
    - Deposit slips are saved as a PDF and no changes can be made
    - Currently putting together a recruitment for a Business Manager with accounting experience that will oversee Parking and Business Office
- Violent crime is down 15% from 2010 and 25% down from 2009; 0 homicides in 2011; aggravated assaults down 20%; robberies down 8%; property crime increased by 2%; burglary and auto theft seem to be on the rise; overall crime is the slowest it has been in 26 years; this is attributed to luck, good police work, youth programs and the 3 strikes law
- Response times in November for average Priority 1 calls 6.3 minutes; Priority 2 calls in progress in November 13.9 minutes; Priority 3 calls 29.7 in November (The Chief had handouts with response times for the Commissioners)
- Grand Jury demanded cameras in the patrol cars; currently researching vendors; the "Cadillac" model would cost \$226,000; there is no money in the budget currently; the Santa Barbara Police Foundation is considering donating the money from the Golf Tournament and the Brunch with the Cops to try and purchase these cameras; the City Administrator has said if we can come up with half the funds he will help find the other half

## **13. ADJORN: 5:35 PM**