

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

Thursday **May 24, 2012 @ 4:00**
Santa Barbara Police Department
Murphy Room
215 E. Figueroa St.

REGULAR MEETING

1. CALL TO ORDER/ROLL CALL:

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

Staff Present: Police Chief Cam Sanchez, Fire Chief Andy DiMizio, Police Technician Holly Perea and Secretary Barbara Sansone

2. APPROVAL OF MINUTES:

MOTION: Rodriguez to approve minutes of **April 26, 2012**. Torres-Santos seconded.

VOTE: 4-1 Voice Vote (Christensen abstained): 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

Commissioners Christensen and Torell reported that they reviewed the Tow Rules & Regulations for the Sheriff's Department and Police Department. Have been doing a paragraph by paragraph comparison. Most of the differences are not substantial but the Sheriff's Department has some additional rules. Torell stated that they did not have a complete copy of the rules and regulations. Holly Perea stated that there should be two separate documents in the one document and that a complete document would be emailed to them. Christensen spoke to the Sheriff's Dept. and is hoping to get the CHP Rules & Regulations. This will be revisited in two or three months.

Christensen and Torell spoke on the Tow Rotation Rules and Regulations subcommittee meeting and their reviewing recommendations and the CHP Agreement. The committee is anticipating having recommendations for the Commission at the July meeting and then will move forward to vote on the policies and procedures at the August meeting. There is a soft target of the rules and regulations being effective in October.

5. OLD BUSINESS:

Christensen stated a discussion about a Council liaison. Rodriguez stated that in June there is an election of new Chair and Vice-Chair. This is when the two person subcommittees for Fire and Police are chosen; they act as the liaisons to Council.

6. NEW BUSINESS:

Follow up on security companies and their uniforms. Holly Perea said that the Commissioners need to contact either Chief Sanchez or Captain Whitham on this issue because the police department does not do very much with private patrols. All the companies need to do is register with the Finance Department. Commissioner Lennon asked to add "Security company uniforms" to the next Agenda.

7. Nieves Towing Permit Application

MOTION: John Torell to approve permit for Nieves Towing; Rodriguez second

VOTE: Unanimous voice vote: Motion Passed

8. Tow Rotation List Expansion

Present: Aaron Boucher, owner of 805 Roadside Towing

Commissioner Rodriguez stated that at the April meeting, 805 Roadside was approved as an alternate.

Torell stated that he doesn't know why there is a limit on how many companies should be on the tow rotation list. He stated that the Commission is going to come up with a set of rules and the tow rotation list will be open to everyone who qualifies. He recommended putting 805 Roadside on the list if they have met their qualifications.

Aaron stated that he readied himself to be added as the 7th company at the previous meeting. He purchased a truck for heavy tows in order to qualify; he also got a Class A license; found yard space in the City of Santa Barbara; put deposits on the yards so that he can have access if he is approved; his yard space is downtown; he had his equipment CHP inspected. Aaron went through all of the steps to be eligible to be placed on the rotation list and has met all of the requirements.

Greg Voigt of Smitty's Towing said he believes the list should be open to everyone who qualifies. He feels that no one else should be placed on the list until the new rules and regulations have been put into place.

Holly Perea stated that 805 Roadside has met all of the qualifications of the department's application process.

Christensen stated she wanted to stay focused on the 8th tow company versus approving 805 Roadside.

Chuck Love stated that he liked the idea of the department going with the CHP rules and regulations.

Torell again stated that he thought the public is best served by not limiting the amount of companies on the list but having a good set of rules assuring that the people on the list qualify.

Christensen stated that she has reservations about there not being a cap on the number of participants after her discussions with the Sheriff's Department and the CHP. She also stated that she is persuaded by some of the information that the tow-companies have provided in terms of the additional regulation overlay and getting into compliance with State law and that this would provide a natural limitation. Christensen strongly discourages the Commission moving forward with no limitations and is not comfortable with adding another spot until the regulations are in place. Christensen stated they will consider a no cap/no limit on the number of spots but not until there are significant regulations in place. Christensen thinks it would be a disservice to move ahead with an 8th spot.

Rodriguez asked if the subcommittee has met with all of the tow-companies. Christensen stated that they have met with Smitty's, Holzer's and Thomas Towing and received their input. The committee would like to receive input from all of the companies.

Christensen stated that the recommendations, when made, will be available for public access.

Rodriguez asked if the subcommittee was getting feedback from the police department. Christensen said they are still in the "drafting" stage but of course they would want the input of the police department. This is not designed to create extra work for the department but to create a safe program.

Chief Sanchez made a suggestion that when the subcommittees' gets together with the tow-companies; there should be a staff member from the police department present. Chief Sanchez said the CHP regulations are great but they are "not the City of Santa Barbara" and that "this Commission is not the Commission for the California Highway Patrol." Chief Sanchez once again stated that the Commission needs a staff member at the subcommittee meetings.

Chief Sanchez also stated that when the department makes a recommendation, speaking about 805 Roadside being recommended to be placed on the tow rotation list at the April meeting, the staff does extensive research, speaks to the traffic people, Holly does the background. The Chief believes that the Commission really needs to take the application and the process as a solid recommendation. The Chief said if the department felt that 805 Roadside did not deserve the recommendation to move forward, we would certainly tell the Commission because safety for the citizens is at the top of the list. Chief Sanchez said that the Commission needs to take our reports very seriously and if the department has a recommendation, this means the company meets all of the "City's" qualifications. Chief Sanchez stated that if the Commission wants to use the CHP requirements as a resource that's fine. However, at the end of the day, whether it's a law suit or a discussion, or a newspaper article, they are never going to ask the Commission what the CHP has to say about anything, only what we do as a police department for the City of Santa Barbara. Chief Sanchez wants the Commission to think about that. The Chief said he appreciates all of Holly's hard work and the reports that she does.

Chief DiMizio stated that his department utilizes "junk vehicles" for their training program and that many of the tow operators have been very helpful in the past providing the department with cars they can use to practice their extrication techniques on.

MOTION: Christensen made a motion to not approve an 8th tow spot at this time and continue the discussion of expanding the tow rotation list to a date in the future when the new policies and procedures are adopted.

VOTE: Original vote 2 ayes, (Lennon & Christensen) and 2 nays (Torres-Santos and Rodriguez) and one abstention (Torell). Since this ended in a tie vote Commissioner Torell changed his vote to an “aye” approving Christensen’s motion and denying the approval of an 8th company to the City’s tow rotation list.

Aaron Boucher stated that he is going to lose his lease and that he has made deposits on the property.

Chief Sanchez then asked if when the department makes a recommendation, which we did last month regarding 805 Roadside, how and why does it get voted down the following month? The Chief stated that he didn’t understand how that happens and doesn’t understand how the vote went today.

Commissioner Christensen then stated that in reading last month’s minutes, the Commission did not vote to approve the police department’s recommendation but instead voted to approve Nieves, based on their experience.

9. 805 Roadside Towing – Commission to consider the addition/selection of 805 Roadside Towing to the City’s Tow Rotation List –

Please see Item 8.

10. Continuation of appeal Decision for Fernando Serrano Denial of Taxi Driver Permit from 2/23/12.

Present: Attorney, Larry Laborde and Fernando Serrano

Holly Perea gave a brief summation of the Commission’s decision at the February 23rd F&P meeting to continue their decision on this appeal awaiting Mr. Serrano’s attorney having his record expunged.

Mr. Laborde stated that all of the items on Mr. Serrano’s record were expunged by Judge Ochoa. Mr. Laborde stated that he is not only Mr. Serrano’s attorney but also his sponsor in AA, where he (Mr. Laborde) is celebrating his 24th year of sobriety. Mr. Laborde confirmed that Mr. Serrano is active in AA and is serious about his sobriety. Mr. Serrano does have his County license at this time. Mr. Laborde stated that we need “good, sober” taxi drivers in the City and asked the Commissioners to approve Mr. Serrano’s license.

MOTION: Christensen to approve Fernando Serrano’s taxi permit, Rodriguez seconded

VOTE: Unanimous voice vote. Motion passed

11. FIRE CHIEF’S REPORT

Fire Chief DiMizio:

- Busy month regarding personnel; 2 promotional tests resulting in promotion of 2 Fire Captains; one Captain assigned to training and one to Station 8 at the Airport; 2 people passed the Engineer’s test today and there are 4 openings; another Engineer’s test in October; 2 more retirements by the end of the year and will hire 6 recruit firefighters
- Wildland Fire Services Specialist, Amber Anderson, received recognition from the Montecito Rotary Club; Captain Porter received the “Drive” award for producing a live fire burn
- Tower facility to be certified by the State

- Completed enhanced in-water rescue training with Harbor Patrol; did not participate in the horse rescue in Carpinteria but this is the kind of rescue that can be used to assist Harbor Patrol
- Fire season officially starts on May 25th; augment response, add additional engines and bulldozers; weather is in line for an active fire season; refresher training just completed; Type 3 fire engine will be ready by the end of the year and will be stationed at Station 4; currently proofing mutual aid plan with Chiefs
- Benefit Assessment renewal comes before Council soon and there should not be any problem with it. It is very popular
- Chief DiMizio passed out stats; slow month; responded to 642 calls; no significant fires; average response time at 2 minutes 52 seconds

12. POLICE CHIEF'S REPORT

Police Chief Cam Sanchez:

- Doing backgrounds currently; goal is to hire 9 officers before October; currently 1 at the academy and he will graduate in 3 months; there are anticipated vacancies in terms of retirees; have not sent 9 to the academy in several years
- Jim Armstrong and Council have directed the Chief to over-hire to make sure there are enough people ready
- Three promotions made: Andy Feller to Sergeant, Bill Marazita to Lieutenant and Dave Whitham to Captain, effective May 18th
- Currently planning for Solstice, Fourth of July and Fiesta
- Down to the last 2 companies in regards to video cameras in vehicles; money is available and has been gotten through asset forfeiture and other funds; these cameras will all be purchased at one time; cost will be approximately \$255,000; hopefully the company will be decided on and the cameras will be ordered in July and installed ASAP
- Working some good leads on cold homicides, which are at least 15 years old; 3 suspects are in Mexico and we are currently working with the Mexican government to bring them to justice; hopefully one case will be solved in the next 3 months; Mexico does not have the death penalty so the most we can get here is 40 years for murder

Commissioner Christensen asked about crime stats. She stated that looking at CompStat in looks like violent crimes are up; rape, robbery and property crimes are also up.

Chief Sanchez stated that April was a bad month for us. Chief Sanchez stated they are going to get rid of the "percentages" because if there is only 1 crime more than the previous month it shows crime up 100%. The department will be using the number of crimes instead of percentages. This should take place in June or July. Chief Sanchez stated that with the realignment of the state, criminals are being let out of jail early and then recommitting. In the first month that this happened crime stats immediately went up. We are doing our best but with the same amount officers.

Commissioner Christensen asked about Community Policing and the money for this coming out of RDA funds. Chief Sanchez stated that funds may no longer be available for this and he feels that we need this program. Eight people are working in this program currently. The police building will not happen because we have lost all of our funds. The Dispatch center will also not happen because of losing these funds. Chief Sanchez stated that we are thinking of moving Dispatch somewhere else in the building which will be safer for them. If we had a major earthquake this building will go down.

Chief DiMizio stated that their department would most likely be dispatched out of Montecito in case of an emergency need.

Commissioner Rodriguez asked about moving Dispatch to Fire and Chief Sanchez said it would take at least a “half million dollars” to move it. Chief Sanchez said we do not have a backup location so the department is looking at moving Dispatch somewhere safer in the building. Chief Sanchez said that when there was a leak in Dispatch they were temporarily moved to the Briefing Room for 6 months until this was cleaned up. Chief Sanchez said that the department had plans in place for a new building but this will not happen in his lifetime. When Commissioner Rodriguez asked what happened the Chief said that the governor balanced the budget with all of the RDA money and all of these millions of dollars for projects were no longer available.

Chief DiMizio said there is another level of RDA going on in which any parking structures that were developed with RDA funds must be sold and the revenue then goes back to the State. There is potential that all of the parking structures could be sold to a private vendor and the funds would go to the State.

Commissioner Rodriguez said that a community BBQ will be happening on the Westside and that he will give a call ahead of time to the Fire Department and the Police Department. He said it will be the entire community and he would like for the Beat Coordinators to be there. The Chief agreed to make this happen.

11. ADJORN: 5:10 PM