

**Public Safety Council Committee
Minutes**

Tuesday, August 24, 2010

12:00 p.m.

Plaza Room C

Members Present: Councilmember John G. Clamp, *Chair, District 10*
Councilmember Ivy R. Taylor, *District 2*
Councilmember David Medina, Jr., *District 5*
Councilmember Ray Lopez, *District 6*

Members Absent: *None*

Staff Present: Erik Walsh, *Assistant City Manager*; William McManus, *Police Chief*; Bryan Alsip, *Metro Health Assistant Director*; Christopher Looney, *Planning & Development Services Interim Assistant Director*; Dennis Rosenberry, *Police Department*; Jimmy Reyes, *Police Department*; Janette Torres Gloria, *Police Department*; Joe Nino, *Deputy City Attorney*; Robert Reyna, *Assistant City Attorney*; Savita Rai, *Assistant City Attorney*; Brandon Smith, *Office of the City Clerk*

Call to Order

Chairman Clamp called the meeting to order.

1. Citizens to be Heard

There were no Citizens to be Heard.

2. Approval of minutes of the June 9, 2010 Public Safety Council Committee Meeting

Councilmember Lopez moved to approve the minutes of the June 9, 2010 Public Safety Council Committee Meeting. Councilmember Medina seconded the motion. Motion carried unanimously.

3. CCR (D3) – Consideration of a request for staff to bring forward provisions to the City Code that establishes Prostitution Free Corridors where appropriate

Presented by William McManus, Chief of Police

Chief William McManus reported that state law prohibits a prostitution-free zone. He stated that there has to be a combination or a group of prostitutes working together in order to implement an injunction and noted that prostitutes typically work alone. He stated that as an alternative, he had requested that the District Attorney (DA) place a condition of bond/probation on prostitutes who were arrested and released on bond. He noted that since that time, 72 motions had been placed by the DA's Office and two were imposed in court. He added that staff was working with the Probation Office and that the

Vice Unit continued to identify hotels/motels that tolerate prostitution and bring civil litigation on those businesses.

Chairman Clamp asked of Councilmember Ramos' perspective on said item. Chief McManus replied that Councilmember Ramos had requested an injunction on prostitution and he had conveyed to her that the DA indicated that an injunction was not possible.

Councilmember Lopez spoke of the ordinance prohibiting hotels/motels from renting for short periods of time and asked how those entities were monitored. Captain Jimmy Reyes reported that undercover officers were utilized to see if those entities were allowing short term room rentals and that the penalty for the offense was the charge of compelling prostitution. It was also reported that it was a city ordinance violation to rent a room for less than five hours.

Chief McManus reported that 360 prostitutes had been arrested as of July, 2010. He noted that 267 prostitutes had been arrested during the same time period last year. He added that 133 arrests had been made along the South Presa-Roosevelt Corridor.

In response to Councilmember Taylor, Chief McManus replied that he would report back to the Committee if there were any community-based organizations working in conjunction with SAPD on this issue. He stated that prostitution and drugs were commonly intertwined.

4. Update on Towing Service Contract

Presented by William McManus, Chief of Police

Dennis Rosenberry reported that two financial audits had been received from towing contractors and were being reviewed by the Finance's Compliance and Resolution Division. He stated that the audit received from Assured Towing was not certified and was returned for the appropriate certification. He also reported that all towing service contractors had performance ratings of 98% for the month of June with the exception of one that had a rating of 97%. He stated that training with the handheld devices was conducted in August and the devices are scheduled to go online with the CAD System.

In response to Chairman Clamp, Mr. Rosenberry confirmed that the audits were on time with the extensions granted. Janette Torres Gloria stated that 90 day extensions were initially granted for the certified financial audits and that there were several vendors that requested an additional extension.

Chairman Clamp asked of the appeal process. Ms. Gloria reported that the appeals process was a two-step process that included an initial appeal investigation and second appeal submission prior to a final review. Chairman Clamp asked of the number of appeals filed. Ms. Gloria replied that a total of approximately 200 appeals were received per month from the towing contractors. Councilmember Clamp requested that staff examine the root cause of the vast amount of performance rating appeals and provide an update to the Committee.

5. Briefing on Synthetic Marijuana

Presented by William McManus, Chief of Police

Chief McManus reported that synthetic marijuana had entered the national market in 2006 as an alternative to traditional marijuana, mimicking the effects of THC. He stated that the allure of said products provide similar effects of marijuana; were currently not illegal to produce; and would not appear in urine analysis testing. He noted that staff's recommendation was that the Narcotics Unit continue to monitor the sale and use of said products for evidence of more tangible consequences in the community. He added that City Council action may not be necessary at this time given that the State may act on said matter in the next legislative session.

Erik Walsh stated that said presentation can be provided to the Intergovernmental Relations Council Committee and that staff will continue to monitor the State Initiatives filed. He noted that the City's State Legislative Plan can be amended to support any initiatives at that time.

6. Consideration of items for future meetings

Councilmember Lopez requested an update on the Impound Lot/Towing Contract. Mr. Walsh mentioned the following items:

- CCR on Sexually Oriented Businesses – September
- CCR on Peddlers and Solicitors – September
- Update on cell phone sign installation
- EMT Training Contract

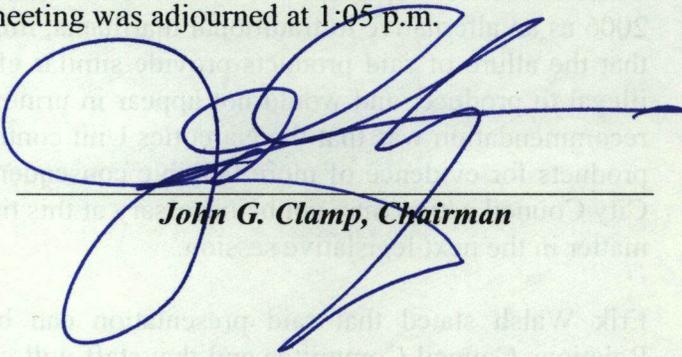
At the time, Chris Looney provided an overview of the history of the Noise Ordinance. He reported that an ordinance (62550) was passed in 1986 that established objective standards with daytime and nighttime limitations based on Federal guidelines. He noted that amendments were made in 1989 (70842) and 1992 (75012), and that the current ordinance was adopted in 2001 (94706). He stated that the current ordinance addressed the following:

- ✓ Simplified tables
- ✓ Redefined daytime and nighttime hours
- ✓ Added exceptions for such items as A/C units, heat pumps, and swimming pool machinery
- ✓ Max dB levels remained the same
- ✓ Auto stereos

In response to Chairman Clamp, Mr. Walsh clarified that new noise abatement devices were forthcoming for the Police Department. He stated that the City no longer had Noise Abatement Officers and that the Police Department began addressing noise abatement issues approximately 3-4 years ago.

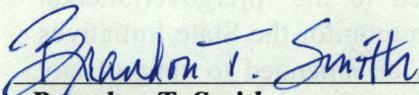
7. Adjournment

There being no further discussion, the meeting was adjourned at 1:05 p.m.



John G. Clamp, Chairman

Respectfully Submitted,



**Brandon T. Smith
Office of the City Clerk**