

SANTA ANA CITY COUNCIL COMMITTEE
PUBLIC SAFETY
Minutes of Meeting
July 26, 2011

CALL TO ORDER

The meeting was convened at 6:00 P.M. at Santa Ana Police Department, 60 Civic Center Plaza, Police Community Room, Santa Ana, California.

ATTENDANCE

Council members present: Claudia Alvarez, David Benavides, and Sal Tinajero.

Staff present: Police Chief Paul Walters, Fire Marshal Lori Smith, Assistant City Attorney Teresa Judd, Deputy Chief Carlos Rojas, Commander Ken Gominsky, Interim City Attorney Joe Straka, Ex. Dir. Jay Trevino, PCSS Mike McCoy, Sergio Klotz and Loretta Tafoya, Recording Secretary.

Public sign-ins: Albert Castillo, Sam Romero, Irma Macias, Rene Guzman, Aura Vasquez, Maria Rosa Lopez, Paty Madueno, Miguel Hernandez, Jose Andrade, Carl Benninger, Luis Mier, Brent Meyerson, Sean Cook, Dan Meyer, Vincent Rabia, Lauri Partell, Carter Dewberry, Dennis Lluy, Lisann Martinez, Connie Hamilton, Theresa Dang, Melody Gonzalez, Cuavhtli Crouth, Gina Sianas, Ann Camacho, Juan Godoy, Maria Munoz.

SUMMARY OF DISCUSSIONS

1. APPROVAL OF MINUTES
Minutes approved of the May 24, 2011 meeting.
2. BAILBOND SOLICITATION UPDATE
Assistant City Attorney Teresa Judd contacted the District Attorney's Office and Department of Insurance to obtain input as to their interpretation of the state laws regarding bail bond solicitation and what evidence is necessary to prosecute potential violations. She is waiting for a response from these agencies. The City revised the language of its business license to indicate the license does not endorse or authorize unlawful activity and that the licensee must ensure any activity complies with the law. The City is still looking at enforcement options. Mr. Muir brought a DVD for the committee to show solicitation. Mr. Muir stated he feels that the Council is not responding to his complaints. Department of Insurance is also receiving a DVD. He would like a response from somebody. He needs help to keep his business going. Committee Member Alvarez said that the City Attorney's office has been working hard on this issue. Assistant City Attorney Teresa Judd stated she has spoken to Mr. Muir on this issue several times. Committee members suggested submitting letters to elected officials regarding this issue. Assistant City Attorney Teresa Judd stated we need to work with the District Attorney's office for any prosecution of potential criminal activity.
3. C.U.P. for "THE VELVET LOUNGE"
Committee Member Claudia Alvarez stated that the Committee will start with public comments:
 - Darren Shippen supports the Velvet Lounge. Good for community.
 - Archer Altstaetter struggles with the "no approval" and rushed through council.
 - Mike Lore supports the Velvet Lounge because he sees great things happening.
 - James Kendrick stated they are going by all the rules. The Velvet Lounge will help with much needed jobs. The City is suffering and the lounge is running a good clean business.
 - Dave Hoen stated he felt City encourages businesses except the Velvet Lounge. There is no reason for denial. Other businesses are in support of them. Only the Council is against it.
 - Betty Banuelos support the Velvet Lounge and said that 45 people will have jobs when it opens. Stated it will be good for the City.
 - Drew Adams stated he is a resident from Santa Ana and supports the Velvet Lounge.
 - Stephen Manning asked why is the Velvet Lounge is on the agenda when is has already been approved. City is violating the code.
 - Desi Reyes is confused. C.U.P. has already been approved. He thought the City welcomed the gay community. He urges approval.
 - Pierre Desjardins is the owner of the Bistro. He states they are barely making it and are in favor of the Velvet Lounge so he won't be the operating business open on that street.

- Vic Carmona needs the job.
- Christian Chavez supports the Velvet Lounge.
- Jonathan Tuman supports the Velvet Lounge.
- Sean Yamaguchi supports the Velvet Lounge.
- Jordon B. Saiz supports the Velvet Lounge and is confused on the denial.
- Tish Leon is the President of the Downtown Association, and is also part of the Latino Health Access and feels this issue is anti-gay. She would like to see this issue not be against the gays. She wants answers.
- Marisa Raripa supports several organizations in the City. She doesn't feel like this is a public safety issue.
- Eddie Miller supports the Velvet Lounge and hopes the issues are taken care of soon.
- Steve Gonzales from Orange hopes for approval.
- Steve Zamarripa supports C.U.P. approval.

Executive Director Jay Trevino reviewed past history of different violations that had occurred at the Velvet Lounge and stated the City has handled the C.U.P. application the same as any other similar businesses. Committee member Benavides asked what was the applicant's request? Ex. Dir. Trevino stated the Velvet Lounge is asking for entertainment seven days a week, entertainment until 2:00 AM and wants to use basement space. Ex. Dir. Trevino then reviewed different charts comparing other businesses with CUPs.

Committee member Alvarez explained that the City's review was in no way related to it being a gay bar. The major issues are safety concerns such as the problems the Police Department had with drinking and fighting outside of the business. Committee member Alvarez asked Fire Marshal Lori Smith if the building was safe. She said that based on the estimated 700 square feet they can seat 45 or have up to 100 standing assuming that the exiting layout will accommodate it. Fire Marshal Lori Smith also commented that she would visit the site the following day and confirm the numbers. Committee member Alvarez noted there are no windows and only one exit. Ex. Dir. Trevino said plans must comply with all building and fire codes.

It was noted that the Police Department reviews all applications. Ex. Dir. Trevino and PCSS Mike McCoy had initially been concerned that the business, which began operating illegally, might be classified as adult entertainment. Such a business would not be allowed. Committee member Alvarez asked about notices sent to residents in the area. Ex. Dir. Trevino responded. Committee member Benavides thanked everyone for attending and let them know the City is not treating the Velvet Lounge any differently than any other business. City needs to look out for the best interest of the community, he noted.

Committee Member Alvarez expressed concern about potential noise impacts from the outdoor patio, which may remain open until 1:00 am. Committee member Benavides also expressed concern about the patio, and especially whether entertainment would be allowed outside. Ex. Dir. Trevino noted that all entertainment is required to remain inside the building. Committee Member Alvarez requested that prior to the City Council Meeting that staff makes best efforts for more outreach to all residential complexes in the vicinity, including the senior housing tower to the south.

4. GRIP REPORT

Commander Lorenzo Carrillo reviewed the GRIP program. He stated it is a county-wide program that involves a collaboration of several agencies with the goal of preventing children from joining a criminal street gang. The Police Department has donated Det. Eric Rivas to the schools to work with the children. Committee Member Alvarez thanked Cmdr. Carrillo. Committee Member Benavides inquired about the number of children who can participate. Cmdr. Carrillo said they look at the grades and identify the at-risk kids. Det. Rivas stated there are approximately 25 kids at each school. Committee Member Benavides asked if there was a grant. Cmdr. Lorenzo stated there was no grant. Every agency donated someone from their Department. Committee Member Alvarez stated the District Attorney's Office is volunteering and created teams to work with the schools.

5. IMPOUND POLICY UPDATE

Committee member Alvarez stated that the committee will begin with public comments regarding towing issues.

- Jodi Cambell from the SA Police Towing Association stated his business is not taking sides, however, wants to educate the Committee of his services. They contract towing companies. Tow companies are heavily regulated. The cost is very extensive. City has difficult policy issues to address.

- Patty Madueno presented a tow policy from the community leaders from OC May Day Coalition and the OC Congregation Community.
- Isabel Salie requested approval of tow policy presented to the committee.
- Scott Sink questioned the changes to the tow policy. Wants the wording more defined so it's not left to officer's discretion.
- Theresa Dang stated public transportation is not always available and she doesn't support the revised policy.
- Oce presented video.
- Silvia Hernandez feels towing and impounding vehicles is a violation.
- Chris Koslosky stated he is a minority in the room. He stated driving is a privilege. Everyone should have a driver's license, insurance and registration.
- Mandy promotes new policy. Driving without a driver's license affects her family.
- Sandra stated that this issue affects her family also. Agrees with the 25-minute policy so a vehicle can be driven by licensed drivers.
- Mr. Garcia stated the "License to Kill" is not from AAA insurance, it is a non-profit organization. It has nothing to do with undocumented citizens. He left information that explained more on the organization. He does not agree with the current tow policy.
- Hemma expressed concerns regarding the policy. She stated the Police Department needs a policy that benefits everyone and does not criminalize undocumented drivers.
- Juan Alvarez thanked the Committee for considering the needs of the Latin Community. He made a recommendation to take a list of licensed drivers/volunteers that could pick up vehicles that are going to be towed.
- Ed Munidos has had a business in Santa Ana for 30 years. He feels like the Police are not serving the Community but instead they are destroying the Community

Committee Member Claudia stated that the committee will call a working committee meeting to help come to a resolution regarding the towing policy. . Committee Member Alvarez nominated Paty Madueno to represent the Community. Commander Gominsky suggested submitting documents provided by the Fire Department for the July 4th item. Committee Member Claudia Alvarez requested approval of documents. Committee approved.

6. ITEMS FOR NEXT MEETING

A. Impound Policy Update

7. NEXT MEETING DATE – Wednesday, August 10, 2011, 5:30 P.M. Santa Ana Police Facility, 60 Civic Center Plaza, Police Community Room, Santa Ana, California

ADJOURNMENT – 9:35 P.M.

PAUL M. WALTERS
Chief of Police