

**THE COMMITTEE ON PUBLIC SAFETY AND LIVABLE NEIGHBORHOODS
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**Councilmember Marti Emerald, Chair
Councilmember Myrtle Cole, Vice Chair
Councilmember Lorie Zapf
Councilmember Mark Kersey**

**ACTIONS FOR
WEDNESDAY, FEBRUARY 26, 2014, AT 2:00 P.M.**

**COUNCIL COMMITTEE ROOM (12TH FLOOR),
CITY ADMINISTRATION BUILDING
202 C STREET, SAN DIEGO, CALIFORNIA**

**For information, contact Marisa Berumen, Council Committee Consultant
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619-236-7754**

All Committee members present.

NON-AGENDA PUBLIC COMMENT

Lauren Riebau made comments regarding smoking lounges, school district for profit stadium and the college area.

Kellen Russoniello made comments regarding the ACLU and police accountability.

COMMITTEE COMMENT

CITY ATTORNEY, IBA, AND MAYORAL STAFF COMMENT

ADOPTION AGENDA

Approvals of the Record of Action Items for January 29, 2014 were approved by unanimous consent.

INFORMATION ITEMS

Item-1: Report from the San Diego Police Department regarding 2013 CRIME BRIEFING

ACTION: No action taken. Information only.

Item-2: Report from the San Diego Police Department regarding RECRUITMENT AND

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RETENTION UPDATE

ACTION: No action taken. Information only.

Item-3: Report from the Office of Neighborhood Services regarding REPORT ON ACTIVITIES

ACTION: No action taken. Information only.

Item-4: Verbal Update from the San Diego Fire-Rescue Department and Public Works/General Services Department regarding FLEET SERVICES RESERVE FIRE ENGINES MAINTENANCE REPORT

ACTION: No action taken. Information only.

Item-5: Report from the Independent Budget Analyst regarding SAVINGS RELATED TO FLEET SERVICES MANAGED COMPETITION

ACTION: No action taken. Information only.

DISCUSSION/ACTION ITEMS

Item-6: Report from the San Diego Police Department regarding an INDEPENDENT AUDIT OF THE SAN DIEGO POLICE DEPARTMENT

ACTION: No action taken. Item was removed from the agenda.

Item-7: Report from the San Diego Fire-Rescue Department regarding LIFEGUARD DIVISION FIVE YEAR NEEDS ASSESSMENT

ACTION: Motion by Councilmember Zapf, second by Councilmember Kersey to approve and forward to the full council.

VOTE: 3-0-1; Zapf-yea, Cole-yea, Kersey-yea; Emerald-absent

Item-8: Report from the San Diego Fire-Rescue Department regarding SINKING OF DECOMMISSIONED CANADIAN DESTROYER OFF THE COAST OF MISSION BEACH

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ACTION: Motion by Councilmember Kersey, second by Councilmember Cole to approve and forward to the full council.

VOTE: 4-0; Emerald-yea, Zapf-yea, Cole-yea, Kersey-yea

Item-9: Report from Council District Five regarding UPDATE TO SAN DIEGO MUNICIPAL CODE TO REGULATE E-CIGARETTES

ACTION: Motion by Councilmember Kersey, second by Councilmember Cole to approve the following motion:

Request that staff from Council District Five, the Public Safety and Livable Neighborhoods' Committee Consultant, the City Attorney's office, the Police Department and City Staff develop a draft ordinance regulating the use and sale of electronic-cigarettes and return to this Committee within 90 days; and to evaluate the following when drafting the ordinance:

Evaluate the similarities and differences between e-cigarettes and other tobacco products and should they be regulated the same way as conventional cigarettes.

Work with the County of San Diego to regulate the liquid, also known as "e-juice" and "e-liquids" used and inserted in electronic-cigarettes.

Confirm if a permit be required to sell e-cigarettes and does that require expanding our existing tobacco permit.

Research the feasibility of permitting vaping in private businesses where the patrons are over the age of 18.

VOTE: 3-0-1; Zapf-yea, Cole-yea, Kersey-yea; Emerald-absent

Item-10: Request to hear an appeal relative to the Hearing Officer's decision re: REVOCATION OF THE TOBACCO PERMIT NO. 2011008326 OF ANIS MOHAMMED ABDULKERIM, DBA. CROWN COFFEE AND HOOKAH LOUNGE

ACTION: Motion by Councilmember Cole, second by Councilmember Kersey to deny the appeal on the following grounds:

The Hearing Officer's decision was not arbitrary; the evidence that was

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presented to the hearing officer supports the decision of the hearing officer.

Evidence presented to the hearing officer by the SDPD demonstrated that the appellant denied access to the police for compliance inspections;

There were numerous arrests and citations associated with the premises; appellant provided entertainment without a required entertainment permit; and appellant failed to provide adequate security.

The appeal does not present a City-wide issue on which guidance of the Committee on Public Safety and Livable Neighborhoods is required and the matter is not of City-wide significant.

The issue is limited to this particular applicant;

The hearing officer properly considered all of the facts presented to him in reaching his decision.

VOTE: 4-0; Emerald-yea, Zapf-yea, Cole-yea, Kersey-yea



Marti Emerald
Chair