

**THE COMMITTEE ON PUBLIC SAFETY AND NEIGHBORHOOD SERVICES  
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**ACTIONS FOR  
WEDNESDAY, FEBRUARY 6, 2008, AT 2:00 P.M.**

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

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NON-AGENDA PUBLIC COMMENT: Al Strohlein wished the PS&NS Committee well in its work for the year, and commented on safety conditions in Pacific Beach and throughout the City of San Diego.

COMMITTEE COMMENT: None.

CITY ATTORNEY, IBA, AND MAYORAL STAFF COMMENT: None.

ADOPTION AGENDA

Approval of the Record of Action Items for October 10, 2007

**ACTION**: Motion by Councilmember Maienschein, second by Councilmember Falconer, to approve.

**VOTE**: 3-0; Young-yea, Falconer-yea, Maienschein-yea,  
Hueso-not present

INFORMATION ITEMS:

ITEM-1: Informational Report from the Traffic Engineering Department regarding RED LIGHT PHOTO ENFORCEMENT SITE SELECTION

(See Report to City Council No. 08-008; Traffic Engineering Department's Red Light Photo Enforcement Program PowerPoint)

**ACTION**: Information only. No action taken.

ITEM-2: Informational Report from the COMMISSION ON GANG PREVENTION AND

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INTERVENTION

(See The San Diego Gang Prevention and Intervention Strategic Action Plan, October 2007)

ACTION: Information only. No action taken. Chair Young requested that:

1. The Commission on Gang Prevention and Intervention contact the Department of Traffic Engineering to see if there is funding within their Safe Routes to School program which could be utilized to fund a coordinator to facilitate the Safe Passages Program;
2. The City Attorney review the current ordinance regarding Maintenance Assessment Districts to determine if it would support a “Youth Improvement District” and, if not, draft an ordinance that would allow property owners to support such a program, if they wanted;
3. The Commission on Gang Prevention and Intervention contact the departments of Library and Park & Recreation to determine what kind of collaboration can be made with regard to facilitating Goals 1 and 2 as set forth in the Strategic Plan and return to the PS&NS Committee with a recommendation; and
4. The Mayor’s office evaluate how CDBG funds can be utilized to accomplish some of the goals set forth in the Strategic Plan.

ACTION ITEMS:

ITEM-3: REQUEST TO HEAR AN APPEAL Re Café International Arcade Permit Denial (Owner Chinh Kim)

(See Notice of Appeal; PS&NS Notices of Hearing/Continuance Correspondence; Administrative Hearing Officer’s Finding of Fact and Decision; Exhibits 1 through 9 and Exhibits A-1 through A-6)

ACTION: Motion by Councilmember Maienschein, second by Councilmember Faulconer, to deny the appeal on the following grounds:

1. The Appellant was not denied the opportunity to make a full and complete presentation to the hearing officer;
2. There has been no showing that any new evidence is now available that is

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relevant to this issue that was not available at the time of the Hearing Officers's hearing;

3. The Hearing Officer's decision was not arbitrary; the evidence that was presented to the Hearing Officer supports the decision of the Hearing Officer;
4. The appeal does not present a city-wide issue on which guidance of the Committee on Public Safety and Neighborhood Services is required and the matter is not of city-wide significance; and
5. The Hearing Officer's decision is not in conflict with adopted council policy or the Municipal Code.

VOTE: 3-0; Young-yea, Falconer-yea, Maienschein-yea,  
Hueso-not present

ITEM-4: APPEAL HEARING Re Symbolic Markets, Inc. (Bill Winship on behalf of Symbolic Markets, Inc.; John Hemmerling on behalf of SDPD)

(See Chief of Police's Notice of Appeal; PS&NS Notices of Hearing/Continuance Correspondence; Record of Proceedings: Hearing Officer's Finding of Facts and Decision; Exhibits Admitted into Evidence [City's Exhibits C-1 through C-4, Appellant's Exhibits A through H]; Additional documents used by Hearing Officer to Make Findings; Resolution R-294124; California Business and Professions Code section 23958.4)

ACTION: Motion by Councilmember Falconer, second by Councilmember Maienschein, to continue the appeal hearing to the March 5, 2008, PS&NS Committee meeting.

VOTE: 3-0; Young-yea, Falconer-yea, Maienschein-yea,  
Hueso-not present

Anthony Young  
Chair