



City of Santa Barbara

FIRE & POLICE COMMISSION
SANTA BARBARA CITY HALL,
COUNCIL CHAMBERS
735 ANACAPA STREET

MEETING AGENDA
JULY 27, 2023
4:00 P.M.

www.SantaBarbaraCA.gov

Commissioners

Lizzie Rodriguez (Chair)
Linda Dozer (Vice Chair)
Dan Herlinger
Gary Hill

City of SB Council Liaison – Oscar Gutierrez

Staff

Chris Mailes, Fire Chief
Kelly Gordon, Police Chief
John S. Doimas, Assistant City Attorney
Barbara Andersen, Senior Assistant to
the City Administrator
Talhia Dorado, Administrative Specialist,
City Administrator's Office
Nicole Grisanti, Supervisor,
City Administrator's Office

HOW TO REMOTELY OBSERVE AND/OR SPEAK AT A LIVE MEETING:

Web: <https://santabarbaraca-gov.zoom.us/j/84450460540?pwd=MmxZFXJYOVNrR3JlKytQSUxmTmdSdz09>

(Participation via Zoom)

Telephone: Call 1-669-444-9171 and enter Webinar ID 844 5046 0540

Passcode: 935907 (Press *9 to raise/lower hand; press *6 to mute/unmute)

- **Online Streaming:** Fire and Police Commission meetings are streamed live on the City's YouTube Channel at: <https://santabarbaraca.gov/government/city-hall/city-tv-livestream> and are available for viewing after the meeting at: <https://santabarbaraca.gov/fire-police-commission/fire-police-commission-videos>.
- **TV:** Each Fire and Police Commission meeting is broadcast live in English and Spanish on City TV Channel 18 and rebroadcast in English throughout the week. Check the City Program guide at www.santabarbaraca.gov/citytv for rebroadcasts.

PUBLIC COMMENT: At the beginning of the meeting, any member of the public may address the Fire and Police Commission on any subject matter within the jurisdiction of the Fire and Police Commission that is not on the Commission's agenda. The total amount of time for public comments will be 10 minutes, and no individual speaker may speak for more than 2 minutes. Contact Commission Secretaries at least 24 hours in advance to participate in public comment remotely, should a member of the public require an Americans with Disabilities Act accommodation.

IN-PERSON PUBLIC COMMENT: A member of the public may address the Fire and Police Commission regarding any scheduled agenda item. Any person wishing to make such address should first complete and deliver a "Request to Speak" form prior to the time that the item is taken up by the Commission.

REMOTE PUBLIC COMMENT: Members of the public wishing to make a remote public comment must "raise their hand" in the Zoom Webinar by selecting the virtual hand icon. The keyboard shortcut for this is Alt+Y for Windows and Option+Y for Macs. Staff will activate the speaker's microphone when the speaker's name is called. The speaker will then need to unmute themselves. The keyboard shortcut for this is Alt+M for Windows and Command+Shift+A for Macs.

WRITTEN PUBLIC COMMENT: Public comments sent via email to

FPCComments@santabarbaraca.gov and received no later than one (1) hour before the meeting will be submitted to the Fire and Police Commissioners and will become part of the public record.

REPORTS: Copies of documents relating to agenda items (as well as materials related to agenda items that were submitted to the Fire & Police Commission after distribution of the agenda) are available online at www.santabarbaraca.gov/gov/brdcomm/dm/firepolice/agendas.asp

CONSENT CALENDAR: The Consent Calendar is comprised of items that will not usually require discussion by the Fire and Police Commission. A Consent Calendar item is open for discussion by the Fire and Police Commission upon request of a Commissioner, Fire and Police staff, or a member of the public. Items on the Consent Calendar may be approved by a single motion. Members of the public wishing to speak on an item listed on the Consent Calendar must turn in a "Request to Speak" form or "Raise their Hand" in the Zoom webinar prior to the Consent Calendar items being approved by the Fire and Police Commission.

AMERICAN WITH DISABILITIES ACT: If you need auxiliary aids or services or staff assistance to attend or participate in this meeting, please contact Talhia Dorado, Commission Secretary at (805) 564-5305 or Nicole Grisanti, Administrator's Office Supervisor at (805) 564-5301. If possible, notification at least 48 hours prior to the meeting will usually enable the City to make reasonable arrangements. Specialized services, such as sign language interpretation or documents in Braille, may require additional lead time to arrange.

NOTICES: This Agenda was duly posted in the Office of the City Clerk and on the Public Notice Board on the outside balcony of City Hall, 735 Anacapa Street, as well as on the Internet at least 72 hours prior to the date and time of the meeting.

1. CALL TO ORDER

2. ROLL CALL

3. CHANGES TO THE AGENDA

4. GENERAL PUBLIC COMMENT

Any member of the public may address the Fire and Police Commission for up to two (2) minutes on any subject within the jurisdiction of the Commission that is not scheduled for a public discussion before the Commission.

5. APPROVAL OF MINUTES FROM MAY 25, 2023 AND JUNE 22, 2023

6. APPEAL OF THE DENIAL OF BIJAN YAZDANSEPAS' TAXICAB DRIVER RENEWAL APPLICATION PURSUANT TO SANTA BARBARA MUNICIPAL CODE SECTION 5.29.185

7. OVERVIEW OF THE CRIMINAL JUSTICE SYSTEM

Santa Barbara City College Professor David Saunders will share an overview of the criminal justice system including addressing some of the important realities and challenges in criminal justice. This is a required subject as part of the Orientation and Training program for the Fire and Police Commission.

8. QUARTERLY REPORT OF COMPLAINTS RECEIVED BY THE SANTA BARBARA POLICE DEPARTMENT

Commander Kasi Corbett of the Police Department will speak to the quarterly reporting of complaints received by the Department as required under the new oversight duties of the Fire and Police Commission.

9. COMMISSION AND STAFF COMMUNICATION

10. ADJOURNMENT



**CITY OF SANTA BARBARA
FIRE & POLICE COMMISSION
May 25, 2023
REGULAR MEETING MINUTES
Santa Barbara City Hall, Council Chambers
735 Anacapa Street, Santa Barbara, CA 93101**

CALL TO ORDER

The meeting on Thursday, May 25, 2023, was called to order at 4:07 p.m.

ROLL CALL

Fire & Police Commissioners:

Commissioners Present:

Lizzie Rodriguez, Chair
Linda Dozer, Vice Chair
Daniel Herlinger, Commissioner

Commissioners Absent:

Gary Hill, Commissioner

Staff Present:

Chris Mailes, Fire Chief
Kelly Gordon, Police Chief
Barbara Andersen, Senior Assistant to the City Administrator
John S. Doimas, Assistant City Attorney IV
Marylinda Arroyo, Assistant Police Chief
Kasi Corbett, Commander
Talhia Dorado, Commission Secretary
Nicole Grisanti, Commission Secretary

CHANGES TO THE AGENDA

None

PUBLIC COMMENT

Public Comment received.

APPROVAL OF MEETINGS FROM APRIL 27, 2023

MOTION: A motion was made by Vice Chair Dozer to approve the April 27, 2023 meeting minutes. Motion was seconded by Commissioner Herlinger.

VOTE: Electronic vote results showed three (3) in favor of approving minutes. (Hill Absent)

SANTA BARBARA FIRE DEPARTMENT INCIDENT REPORTING DATA

Fire Chief Chris Mailes presented a brief report on the Calls for Service received by the Santa Barbara Fire Department.

SANTA BARBARA POLICE DEPARTMENT MISSION STRATEGIES REPORT

Police Chief Kelly Gordon presented a brief report on the Calls for Service received by the Santa Barbara Police Department.

Chair Rodriguez proposed that data from the SBPD mission strategies report be added to CNIB.

SANTA BARBARA POLICE DEPARTMENT'S EVALUATION PROCESS

Police Chief Kelly Gordon presented the newly updated evaluation process for sworn officers of the Santa Barbara Police Department.

OVERVIEW OF PUBLIC SAFETY OFFICER'S BILL OF RIGHTS ACT AND FIREFIGHTER PROCEDURAL BILL OF RIGHTS ACT

Assistant City Attorney John Doimas provided an overview of the Public Safety Officer's Bill of Rights Act (POBAR) and Firefighters Procedural Bill of Rights Act (FOBAR) as required by the Fire and Police Commission's Orientation and Training Program.

COMMISSION AND STAFF COMMUNICATIONS

Commissioner Herlinger shared his insights after participating in a ride along with the Santa Barbara Fire Department.

Chair Rodriguez shared her insights after attending the PAL Event with Commissioner Dozer.

ADJOURNMENT

The meeting was adjourned at 5:56 p.m.



**CITY OF SANTA BARBARA
FIRE & POLICE COMMISSION
June 22, 2023
REGULAR MEETING MINUTES
Santa Barbara City Hall, Council Chambers
735 Anacapa Street, Santa Barbara, CA 93101**

CALL TO ORDER

The meeting on Thursday, June 22, 2023 was canceled due to a lack of quorum.



City of Santa Barbara
Police Department

Memorandum

DATE: 6/12/2023

TO: Fire & Police Commission

FROM: Joscelyn Martinez, Police Technician

SUBJECT: Denial of Taxi Driver Permit – Bijan Yazdansepas

Bijan Yazdansepas is seeking to renew his taxi drivers permit for the City of Santa Barbara. Per Santa Barbara Municipal Code §5.29, applicants must submit a taxi driver permit application with the required supporting documentation.

Bijan Yazdansepas started driving as a taxi driver in May 2001. His driver permit has been denied once for having 6 violations within 1 year of renewing in 2001 but reinstated the following year in May 2002. In September 2013, he was approved for his own taxi company named Green Taxi. Green Taxi has been in good standing for the last 10 years.

On 05/25/23, Bijan Yazdansepas delivered his application with a sealed drug test screening from the CADA clinic. The drug test was dated 3/20/23 and tested positive for 3 substances. Per Santa Barbara Municipal Code §5.29.185 H. Proof of Compliance with Federal and State controlled substance and alcohol testing requirements, including proof that the driver has tested negative for controlled substances and for alcohol, applicants must provide negative drug test results. Bijan Yazdansepas' application was denied on 6/8/2023. He was notified by phone on 6/8/23 of the denial.

Bijan Yazdansepas stated to the Police Technician he did not know why he would test positive for substances and believed the clinic may have had false positive results. No further explanation to positive results was provided. On 6/8/23 Bijan Yazdansepas paid the appeal fee and delivered his appeal letter to the City Clerk's Office.

RECOMMENDATION:

The Santa Barbara Police Department recommends denying Bijan Yazdansepas' permit in compliance with Santa Barbara Municipal Code §5.29.185 H., due to the type of controlled substances detected and the inability to confirm what illegal drugs or medication affected the drug test results.

/J.M



City of Santa Barbara

Police Department

www.sbpd.com

June 8, 2023

Bijan Yazdanehpas
6527 Calle Koral
Goleta, CA 93117

Re: Application for Taxicab Driver's Permit- **Denied**

Chief's Office

805 897 2395

General Information

805 897 2300

Administrative Services

805 897 3717

Animal Control

805 963 1513

Business Office

805 897 2400

Dispatch

805.897 2410

Investigative Division

805 897 2335

Parking

805 897 2360

Patrol

805 897 2392

Records

805.897 2355

215 E Figueroa St

Santa Barbara, CA

93101

PO Box 539

Santa Barbara CA

93102

Pursuant to Santa Barbara Municipal Code Section 5.29.190, **your application has been denied under section 5.29.185 H. Proof of Compliance with Federal and State controlled substance and alcohol testing requirements, including proof that the driver has tested negative for controlled substances and for alcohol.**

You have the right to appeal this denial, according to Santa Barbara Municipal Code Section 5.29.250. Appeals must be submitted in writing to the City Clerk, 735 Anacapa St., during regular office hours, no later than 15 days from the date of this letter. **There is a \$100 filing fee for appeals.**

5.29.250 Appeal Procedure

A. Appeals to the Board of Fire and Police Commissioners.

1. Any decision of the Chief of Police denying a permit, or denying an amendment to a permit, or imposing a suspension or revocation of any owner's or driver's permit shall not become final until 15 days after the date of transmittal of the written notice to the person affected by such decision, during which period the party to the action may appeal the decision in the manner provided herein at any time prior to the expiration date of the 15 day period. If no appeal is taken before the expiration of the 15 day period, the decision of the Chief of Police shall be final.

2. The appeal of any decision shall be in writing signed by the party to the action briefly setting forth the reasons why such decision is not proper, stating an address at which the appellant will receive notices, and filed with the Clerk of the City.

3. Upon filing an appeal, the party to the action shall be entitled to a hearing by the Board of Fire and Police Commissioners at the next regular meeting.

4. The appellant or appellant's representative shall have the right to present his or her case in person.

5. The Board of Fire and Police Commissioners shall consider the case record as well as any statements offered by interested parties. The hearing will be conducted according to administrative rules relating to evidence and witnesses as adopted by the Commission.

6. If the Board of Fire and Police Commissioners refuses to issue, amend or restore a license or an owner's permit, the party to the action or such party's agent shall not file a new application within 365 days from the date of final action by the Board of Fire and Police Commissioners.

7. If the Board of Fire and Police Commissioners suspends an owner's permit or a license, the Chief of Police shall determine a period of suspension of not more than 30 days, which is in accordance with the schedule of penalties developed by the Chief of Police.

8. If the Board of Fire and Police Commissioners' action is to grant or restore a certificate or a license, the Commission shall direct the Chief of Police to issue or restore the certificate or license.

Sincerely,

Kelly Gordon
Chief of Police

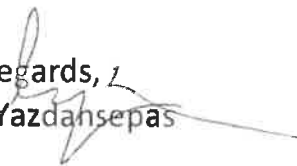
Lori Pedersen
Administrative Manager, Internal Operations

To the Board of Fire and police Commissioners,

I am writing this letter in regards of denial of my taxicab permit due to the positive result of my drug test.

I would like to appeal because I think this was a false positive result and would like to be retested as soon as possible. I've been driving a cab since 2000 and I never had any problems. This would hurt me so bad because this is the only source of income I have and it will impact my family a lot. Please consider for retesting. I, thank you in advance for understanding this situation.

Best regards,
Bijan Yazdanebas

A handwritten signature in black ink, appearing to read 'Bijan Yazdanebas', is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the right.



CITY OF SANTA BARBARA

RENEWAL APPLICATION FOR TAXICAB DRIVER PERMIT (Pursuant to Santa Barbara Municipal Code, Chapter 5.29)

SANTA BARBARA POLICE DEPT
215 E FIGUEROA ST
SANTA BARBARA, CA 93101
PH (805) 897-2300

05/25/2023 000000
#6963 2:56PM MARTINEZ2399

Applicant must submit the following documents, **completed & signed** where applicable

- Renewal Application face sheet
- Refund Policy/Authorization to Release
- Arrest History signed
- Applicant Acknowledgment signed

- ADDITIONAL ITEMS:
- Drug test (NIDA, or 10-panel)*
 - Alcohol test (BAT)*
 - 2 Passport-sized Photos

TAXI *COPY* \$100.00

***TOTAL CHECK1 \$100.00
CHANGE \$100.00
\$0.00

*Test results must be in a SEALED envelope, or faxed/mailed by testing agency.
All items must be submitted to the Police Technician at 215 E. Figueroa St. Taxi business hours: Tuesday/Thursday 9:00 am – 11:00 am and 2:00 pm – 4:00 pm.

Renewal Fee: \$100 if paid before expiration date on permit, or
\$200 for Late Renewal paid after the expiration date of permit.

Please complete the following:

Applicant's Full Name: Bijan Yazdanehpas

Name As Listed On CA Driver's License (if different): same

Current Permit Number: _____ Current Permit Exp: 05-31-23

Residence Address (include street, city, and zip code):
[REDACTED]

Mailing Address, if different (include street, city, and zip code):
San

Email: [REDACTED]

Phone Number: [REDACTED] Date of Birth: [REDACTED]

Current Taxicab Employer or Business Name: Green Taxi Cab #: [REDACTED]

CA Driver's License #: [REDACTED] Exp: [REDACTED] Social Security #: [REDACTED]

Date Stamp - Received
5/25/23



Temp Issd Thru: _____

VDX GUS

Police Dept I.D. # _____

New Exp: N/A

CLU Permit Log

Date sent to Finance: N/A

Applicant Notified of Status:
Date: 6/8/23
 Phone/Voicemail Mail

Date Permit Issued/Mailed: NA

Applicant's signature indicates that he/she understands that if any information herein is misrepresented, incomplete, or omitted it may be grounds for denial.

[Signature] 04/06/23
Applicant's signature Date

Police Technician's recommendations: APPLICANT DOES NOT MEET MUNI CODE REQUIREMENTS DUE TO POSITIVE DRUG TEST RESULTS. I RECOMMEND DENIAL OF APPLICATION SO BIJAN CAN HAVE THE OPTION TO APPEAL THE RESULTS.

Initials: JIM/23913 Date: 6/8/23

POLICE CHIEF or DESIGNEE:

Upon review, this application is: DENIED APPROVED-1 YR APPROVED-2 YRS

Signature: [Signature] Title: Bus. Mgr. Date: 6/8/23

CITY OF SANTA BARBARA

REFUND POLICY & GROUNDS FOR DENIAL TAXICAB DRIVER PERMIT RENEWAL

NOTICE TO APPLICANT: The application fee for this renewal is **NON-REFUNDABLE**.

Once paid, the application fee is not refundable. The following circumstances are no exception:

- **If you are denied a renewed taxicab driver permit;**
- **If you withdraw your application; or**
- **If you fail to complete the permit process.**

Please read the **Grounds for Denial** and sign this acknowledgement before you complete the application. Complete language of Grounds for Denial can be found in Santa Barbara Municipal Code, §5.29.190.

GROUND(S) FOR DENIAL (condensed):

1. Less than 6 months of driving experience in the United States.
2. No valid California driver's license.
3. Under 21 years of age (except with proof of a valid Class B California driver's license).
4. Required registration as a sex offender pursuant to Section 290 of the California Penal Code, or required registration in another state or country as a sex offender comparable to §290 PC.
5. A conviction of, or release from confinement for a conviction of, a crime involving moral turpitude, narcotics or dangerous drugs within the past 3 years.
6. A conviction of reckless driving within 2 years preceding application for permit or renewal.
7. A conviction of operating a vehicle while under the influence of alcohol or drugs 2 or more times within 7 years immediately preceding an application for a permit or renewal.
8. 3 or more public intoxication convictions in the 2 years immediately preceding an application for a permit or renewal.
9. For a new permit: 2 or more moving violation convictions within 1 year preceding an application, or For a renewal: 3 moving violation convictions within 1 year, OR 4 moving violation convictions in 2 years. "Moving violation" is defined by State Vehicle Code §12810.
10. 1 or more citations or warrants outstanding which, in the opinion of Police Department staff, may result in a conviction of an offense that would normally result in denial or permit revocation.
11. Any conviction of a felony or misdemeanor hit and run.
12. A positive result on a state or federally-recognized controlled substances and/or alcohol tests.
13. Failure to complete the application process.
14. False statements, or incomplete or inaccurate information on the application.

Signature below confirms that the applicant has read the above information, understands the Grounds for Denial of a permit, and understands that the application fee is non-refundable.

Applicant Signature: _____

Date: 04/06/25

AUTHORIZATION TO RELEASE INFORMATION TO THE CITY OF SANTA BARBARA, POLICE DEPARTMENT

As an applicant for a City permit within the City of Santa Barbara, I hereby authorize the release of any and all information that you may have concerning my work records, education records, medical records, and information of a confidential or privileged nature to the City of Santa Barbara Police Department and its agents.

I hereby release you, your organization, or others, from any liability or damage, which may result from furnishing the information requested.

Printed (Permit Applicant's Name) _____

Signature (Permit Applicant) _____

Date _____



City of Santa Barbara
POLICE DEPARTMENT

Memorandum

DATE: July 19, 2023
TO: Fire and Police Commission
FROM: Commander Kasi Corbett
SUBJECT: Quarterly Report: April - June 2023

The City Council approved an Ordinance of the Council of the City of Santa Barbara amending the municipal code by adding chapter 2.09 to assign additional civilian police oversight duties to the board of the Fire and Police Commissioners on October 18, 2022.

As stated in section 2.09.010 of the Ordinance: the purpose of the ordinance is to strengthen the relationship between the Santa Barbara Fire Department and Police Department with the community by providing transparent oversight and increased civilian input regarding departmental policies, practices, and procedures.

As stated in section 2.09.040 of the Ordinance: Under Powers and Duties specifically section B4: Receive reports from the Chief of Police or the City Administrator's Office that contain aggregate data regarding internal investigations and subsequent employment actions taken. The reports shall not disclose any information in violation of state and local law regarding the confidentiality of personnel records, including but not limited to, California Penal Code Section 832.7. Aggregate data includes the following:

- **The number of complaints of department sworn employees submitted to the Professional Standards Unit (PSU) on a quarterly basis.**
 - For the period April 1, 2023, through June 30, 2023, the Santa Barbara Police Department received the following number of complaints submitted against sworn employees:
 - Citizen Complaints – 4
 - Administrative Complaints - 1

- **The number of pending PSU investigations, and the related policy section of misconduct that are being investigated on a quarterly basis.**
 - For the period April 1, 2023, through June 30, 2023, the Santa Barbara Police Department has the following pending PSU investigations against sworn employees as of July 19, 2023.
 - Number of pending PSU investigations – 2
 - Relevant policy sections:
 - 311.9.1(c)(1) Domestic Violence, standards for arrest and cite release.
 - 321.3.2(k) Discourteous, disrespectful, or discriminatory treatment of any member of the public or any member of this department.