

October 20, 2006

To: Honorable Mayor Irma L. Anderson
Members of the City Council

From: Meeting of the Public Safety and Public Services Standing Committee

SUBJECT: SUMMARY
Meeting of the Public Safety and Public Services Standing Committee
Thursday, October 19, 2006 @ 10:44 a.m.

Present: Members Bates, Marquez, McLaughlin and Rogers (arrived@10:53 a.m.)

Absent: None.

Status Report regarding implementation of the construction and maintenance permit and inspection program at Chevron Refinery and provide direction to staff or make a recommendation to the City Council

- Richard Mitchell, Director of Planning & Building presented the update. When Chevron presents a request for a job order, their request is screened to determine the category of the request and an environmental checklist is completed. There are two full-time City employees currently stationed at Chevron. Planning staff determine whether the request necessitates environmental review or not.
- Fred Clement, City Building Official, stated that fees charged to Chevron are calculated based on the scope of work according to the City's fee schedule in order to recover 100% of costs incurred.

OUTCOME:

Councilmember McLaughlin requested that a report be provided to her on how environmental thresholds for the permits are determined.

The Public Safety Committee will give a report to the City Council on this matter and periodic update be provided to the Public Safety Committee.

Discuss concerns from the Belding Woods Neighborhood Council regarding 1741 Burbeck Avenue and provide direction to staff

- AJ Jelani, Acting President Belding Woods Neighborhood Council, stated that this has been a blighted property for over 20 years and nothing has been done about it.

- Chief Magnus reported that in May 2006, a new owner acquired this property. Several meetings took place between the Attorney's Office, Code Enforcement, and the City Manager's Office to deal with issues with the property. It was determined at that time that the property did not have any active code violations and was in compliance. The new owner showed good faith to rehabilitate the property and has one year to complete the repair work. Per the Belding Woods Neighborhood Council, they are withdrawing their request to have the property demolished and satisfied with the progress the owner was making.
- Fred Clement, Building Official, stated that a building permit was issued May 2006 and one inspection has been made. The new owner has six months to start construction. Mr. Clement will personally go to the site and report back on the progress of the rehabilitation.

OUTCOME:

Chair Marquez suggested that this matter return for an update in 60 days.

Councilmember Bates suggested that Mr. Clement communicate with AJ Jelani regarding the progress of the repair work, and that this matter return to the Public Safety Committee only if there are any problems.

Consider recommending adoption of an ordinance amending Sections 9.22.100 and 9.22.120 of the Richmond Municipal Code pertaining to Code Enforcement and abatement of public nuisances

- Tom Min, City Attorney's Office, stated that these two sections of the municipal code deal with administrative abatement and summary abatement. The ordinances were drafted to correct deficiencies and were modeled after the City of Davis' Municipal Code. Mr. Min stated that the City now relies on the County Recorder's Office property information which has more current data.
- Councilmember Rogers suggested that notices of letters of violation be sent via certified mail rather than first class mail or personal service. The property would have a notice posted as well. Mr. Min stated that according to the Code of Civil Procedures dropping a letter in the mail with a stamp is presumption that something was delivered.

OUTCOME:

Councilmember Bates suggested that the Police Investigative and Appeals Officer (PIAO) be used as the hearing officer as well due to the impartiality of this position. The wording in the ordinance will not change regarding the appeals officer in order for greater flexibility. The City Manager will be notified to make the PIAO first choice.

Councilmember Bates seconded by Councilmember McLaughlin to recommend adoption of the ordinance as presented by staff. Letters will continue to be mailed via first class.

Consider adoption of an ordinance of the Council of the City of Richmond Amending Sections 9.40 and 10.24.010(b) of the Municipal Code pertaining to health and public property

(Section 10.24.010(b) was removed from the agenda to a later date)

- Tom Min, City Attorney's Office, stated that there have numerous complaints of public urination and defecation in the City.
- Councilmember Rogers stated that he thinks the City should provide public bathrooms in the parks in order to alleviate some of these issues. Chief Magnus replied that the public bathrooms become vandalized and are havens for criminal activity.

OUTCOME:

On motion of Councilmember McLaughlin seconded by Councilmember Rogers to study a plan to find a solution for the lack of public bathrooms in the parks and maintenance of the bathrooms. The Police Department and Parks & Recreation Division will work together on this matter.

Discuss a policy regarding non-profits operating in the City of Richmond without a business license and legal opinion regarding requesting payment for unauthorized service

- Chair Marquez stated that there have been numerous complaints reported regarding non-profit organizations painting house numbers on curbs throughout the City.
- Tom Min, City Attorney's Office suggested that Municipal Code Section 7.04.020 dealing with business licenses should be amended to reflect the definition of "peddler or solicitor" to include services.
- Chief Magnus stated that there is an open criminal case which will turn into a civil case pertaining to these individuals. Simply obtaining a business license does not solve the many issues associated with the curb painters.
- Councilmember Rogers thinks that these curb painters are operating illegally and the police should be called to have the individuals arrested.
- Rich Davidson, City Engineer, stated that the sidewalk and the curb are considered to be in the street right-of-way. In the past, there has been a requirement for obtaining an encroachment permit from the City Manager's Office in order to place telephone booths, newspaper stands, etc. on City sidewalks.

OUTCOME:

On motion of Councilmember Bates, seconded by Councilmember McLaughlin to refer this matter to the City Attorney's Office in order for them to prepare a draft ordinance for the next Public Safety Committee meeting and to determine the legality of the curb painters. Councilmember Rogers voted 'no'.

Discussion & Review of Chapter 2.54 of the City of Richmond Municipal Code regulating Lobbyists

- Janet Schneider, Chief of Staff, suggested that the Councilmember's provide staff with a list of lobbyists to contact regarding the registration requirements and then determine that all registered lobbyists have business licenses.

OUTCOME:

This matter will return to the Public Safety Committee agenda at the next meeting on 11/2/06.

Reconsider using check-points to address the violence of crime

- Councilmember Bates stated that these checkpoints would have to be conducted legally and throughout the City to curtail a lot of the violence by identifying persons with no license, carrying illegal weapons, etc.
- Chief Magnus stated that this matter has been discussed with the City Attorney's Office in the past and was determined that it is not legal under the Supreme Court to conduct checkpoints for the purposes of catching criminals and confiscating weapons. The Police Department is currently in the process of planning sobriety checkpoints and proof of license and registration checkpoints, which in many cases lead to the discovery of other violations such as illegal weapons and parole violations.

OUTCOME:

On motion of Councilmember Bates, seconded by Councilmember Rogers encouraged Chief Magnus and the police department to implement legal checkpoints for highway safety purposes in the City of Richmond and referred the matter to the full City Council.

Update on Hilltop Green Homeowners Association regarding traffic light on Hilltop Drive and paving of City streets in the area

- Rich Davidson, City Engineer, stated that the completion of this traffic light is in the 2008-2009 CIP Budget. The City will be looking to the County to help pay for the light.

- Park Central Street is in the 2007 paving project program.

OUTCOME:

Councilmember Bates indicated that he will give Mr. Davidson the contact information to call the President and Vice-President of the neighborhood council to communicate regarding the plans for the street light and paving in the area.

The meeting adjourned at 11:11 a.m.