

September 26, 2014

**To:** Honorable Mayor Gayle McLaughlin and Members of the City Council

**From:** Public Safety and Public Services Standing Committee

**Subject:** Summary of the Meeting of the Public Safety and Public Services Standing Committee, Thursday, September 25, 2014, at 10:01 a.m.

**Present:** Chair Bates and Councilmembers Boozé and Myrick

1. Consider recommending approval of the 48-hour grace period on storage fees for City of Richmond residents who are the victims of crime and subsequently have their vehicle towed was presented by Captain Anthony Williams who stated that the Richmond Police Department met with representatives from the following tow companies: Civic Center Tow, Olivers Tow, Freemans Tow, S&S Tow, Certified Towing, and Bay Area Tow.

**OUTCOME:** All representatives were in favor of waiving the first two days (two days per their standard operating procedure) of storage fees for Richmond residents who are the victims of crime. Chair Bates stated that a letter should be sent to the tow company owners thanking them for their cooperation.

2. Receive a report from the Code Enforcement Manager regarding the removal of campaign signs on private property was presented by Code Enforcement manager, Tim Higaes, who stated that signs are not removed from private property.

**OUTCOME:** Councilmember Boozé requested a report from the City Attorney clarifying if signs can be removed by the city off of utility poles and wants a listing of the exact addresses where signs have been removed from. Chair Bates requested that the owners of the signs be notified by Code Enforcement when their signs have been removed so they can retrieve them.

3. Accept a report from staff outlining the cost of the oversight of medical marijuana dispensaries and the revenue generated to date was presented by Captain Anthony Williams. The overall cost to run the Regulatory Unit to date has been \$2,559,297.23. The medical marijuana dispensaries began paying fees in 2012. The Regulatory Unit spends approximately 30% of its time in the oversight of the medical marijuana dispensaries and associated activities. The portion of the budget attributed to the oversight of the medical marijuana dispensaries has been \$767,789.17. The cost of the medical marijuana oversight has been offset by the revenue generated from the dispensaries and generated a profit of \$74,814.19; however, the overall budget for the Regulatory Unit has been subsidized to date by \$1,357,278.07. Sara from Americans for Safe Access gave comments.

## **OUTCOME:**

The committee requested a report on how much just the medical marijuana dispensaries budget consists of and how much money is collected as well as how much is spent to regulate the dispensaries.

4. Discuss options for modifying Chapter 7.102 of Ordinance No. 28-10 N.S. to allow establishment of Medical Marijuana Collectives in other zoning districts was presented by Planning Director, Richard Mitchell. Existing City ordinances allow dispensaries to be located in C-3 (Regional Commercial) and C-2 (General Commercial) districts. The proposal is for the City Council to consider conditionally allowing dispensaries in C-B (Central Business) districts and/or C-1 (Neighborhood Commercial) districts where medical offices, clinics and dental offices are allowed and hospitals are conditionally allowed. Any changes to the zoning ordinance would need to be reviewed by the Planning Commission also. John Valdez, Richmond Compassionate Care Collective, and his attorney, James Anthony, who would like the City to move forward with the ordinance modifications to allow establishment of Medical Marijuana Collectives in other zoning districts, gave comments. Sarah, Lisa Hirschorn, and Dr. Desmond Carson gave comments.

## **OUTCOME:**

A motion made by Chair Bates, seconded by Councilmember Boozé, recommended that the fees be waived temporarily for the Richmond Compassionate Care Collective, until the zoning issues are resolved and Mr. Valdez is able to acquire a location for the dispensary and indefinite continuation of his permit be given pending the resolution of some of the zoning issues. The proposed zoning change was referred to Planning staff for zoning change analysis and recommendations to be made at the October 7, 2014, City Council meeting. Councilmember Myrick abstained.

5. Receive a report from the Finance Department, Planning Department and Code Enforcement regarding the criteria that warrants a business license, the fence height and permit requirements for commercial property and the notification process by Code Enforcement when property owners are non-compliant was presented by Tim Higaes, Code Enforcement Manager, Richard Mitchell, Planning Director, and Antonio Banuelos, Revenue Manager. A business license is required if someone stores their businesses vehicles on their property in Richmond even if they don't do business in Richmond. A commercial fence may be 6 to 8 feet in height. A review process is required if a higher fence is requested.

## **OUTCOME:**

A recommendation for the waiving or changing the amount of code enforcement administrative fines placed on residents will return to the Public Safety Committee in the future.

6. Receive a report on the process to extend the two hour parking limit on 23rd Street through the weekend was presented by Deputy Chief Ed Medina who stated that the police department will take the lead on insuring that the signs get placed in the right locations once a resolution is passed, with the changes proposed, by the City Council and with the assistance of both the Engineering and Public Works staff.

**OUTCOME:**

This matter will be presented to the City Council in 30 days.

**OPEN FORUM/PUBLIC COMMENT**

Diane Holmes  
City Clerk

**COMMUNICATION ACCESS INFORMATION:**

This meeting is being held in a wheelchair accessible location.

To request disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact Bruce Soublet, ADA Coordinator, at (510) 620-6509, at least three business days before the meeting date.