

July 18, 2008

To: Honorable Mayor Gayle McLaughlin
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, July 17, 2008, at 10:12 a.m.

Present: Chair Bates, Vice Mayor Marquez, Members Sandhu and
Thurmond (arrived @ 10:15 a.m.)

Absent: None

Update report regarding recommendations for future Tent City Peace Movement activities

- Bill Lindsay, City Manager, stated that discussions with the Tent City stakeholders have not been completed. Representatives from the Police Department, Public Works Department, City Manager's Office, and the Mayor's Office participated. The discussion involved duration, locations, what activities would be conducted and permitting and notification process for the surrounding neighborhoods.
- Marilyn Langlois read a letter from the Mayor expressing her support for the Tent City Peace Movement and acknowledging their accomplishments.
- Jackie Thompson, President of the Tent City movement, stated that the site on 41st and Cutting Boulevard should remain as a Tent City site. Councilmember Bates suggested that a schedule notification of planned future tent cities be provided to the community well in advance of the event.
- Freddie Jackson, Wilma Miller, and Corky Booze spoke in support of Tent City and encouraged the continuation of the event.
- Naomi Williams and Myrtle Braxton expressed concern over the location and duration of the event. There is a school and a church located nearby where children are present.

OUTCOME:

- After the meetings are concluded with those involved with Tent City, a proposal for how future tent city events will be conducted will be drafted for review by the Public Safety Committee. Councilmember Thurmond encouraged the Tent City organizers to communicate with neighbors and neighborhood councils in the area where Tent City events take place.

Discuss protocol for placement of memorials for a deceased person in the City and how long they should remain in place

- Alec Griffin stated that currently Public Works staff and police officers jointly remove memorials 10 days following the burial of the deceased. Notice is given at the memorial site so people have an opportunity to remove items they wish to keep.
- Myrtle Braxton and Naomi Williams spoke in support of the policy and asked that the policy be enforced citywide.

OUTCOME:

A motion was made by Vice Mayor Marquez, seconded by Member Sandhu, accepted the report and supported the police department recommendations.

Oral report on the recent Supreme Court ruling on the Second Amendment regarding the right to keep and bear arms and how it affects policy in the City of Richmond

- Scott Dickey, City Attorney, stated that the Supreme Court decided District of Columbia vs. Heller that addressed the constitutionality of the District of Columbia's general prohibition of the possession of handguns, which did not allow persons to have a registered handgun in their possession and made it illegal to register a handgun. The Supreme Court concluded that the 2nd Amendment guarantees a person the right to possess and carry weapons in case of confrontation. The effect of this decision in the City of Richmond is limited. Richmond does not ban the possession of handguns. They are regulated through restrictions with dealers and registration requirements. Chapter 11.24 of the Richmond Municipal Code prohibits the discharge of firearms outside of gun ranges or certain other designated areas, which may be the only section that would conflict with the Supreme Court's ruling because it does not allow for the discharge of firearms in the home in the case of self defense.
- Councilmember Thurmond requested that a report be brought to the Public safety Committee regarding the type of guns used in homicides in the City.

Discussion and direction to staff regarding complaints of excessive noise and dust generated from SimsMetal

- Mr. William Jones stated that he resides on the north side of the I-80 freeway

approximately one mile from the scrap metal facility and has made and has documented numerous complaints of noise and dust to SimsMetal, the Planning Commission and the Police Department. Mr. Jones has also recorded noise emanating from the facility.

- Mr. Jerrold Hatchett, SimsMetal, stated that facility's operations were first reviewed in 1990 and a community noise study was prepared, which concluded that the facility operations were audible in the residential community north of the I-580 freeway, but did not significantly affect the overall noise exposure level or the environmental noise levels of that community. In 1991, the Planning commission held a hearing to consider revoking or modifying the conditional use permit for the facility. Following the hearing, the Planning Commission added that the normal hours of the facilities stockpiling operations are limited to 6am to 10pm, with the exception of operations involving ship loading, which then allows for operations until 2am; a landscape professional shall develop comprehensive screening for the operation; and the facility operator shall continue to operate its dust control program.
- Jackie Thompson, Corky Booze, Jim Bates, and Arnie Kasendorf spoke in support of SimsMetal's operations.
- Mary Renfro, City Attorney's Office, stated that she has reviewed the file and has found no substantiated noise findings exceeding the noise level.

OUTCOME:

This matter will continue to be monitored by staff. No action will be taken at this time.

OPEN FORUM/PUBLIC COMMENT

Jackie Thompson gave comments regarding overgrown trees throughout the City. There are many that are obstructing power lines.

Corky Booze expressed appreciation to the City Manager and members of the Police Department for their traffic enforcement efforts in the Pullman Neighborhood on Carlson Boulevard. Mr. Booze also asked that the Police Department look into how to control the use of the use of shopping carts.

Naomi Williams asked that the City and the utility companies coordinate with each other on when repairs are made and when the City paves the streets.

FUTURE ITEMS:

Vice-Mayor Marquez requested that an item regarding how the City and utility companies interact with each other, if work permits are required, and if the City is informed when work is being done in a particular area, be placed on a future Public Safety Committee agenda.

The meeting was adjourned at 11:54 a.m. The next Public Safety Meeting is scheduled for Thursday, September 18, 2008, at 10:00 a.m.