

Persons desiring to address the Council on items appearing on the agenda, please file your name and address with the City Clerk on the form provided by the City Clerk **PRIOR** to approaching the podium and **PRIOR** to the City Council's consideration of the agenda item. Once the discussion of the agenda item has commenced, no person shall be permitted to speak on the item other than those persons who have submitted their names to the City Clerk. Your name will be called when the item is announced for discussion. Speakers are requested to limit their remarks to the issue(s) so that all interested persons may have an equal opportunity to present their comments to the Council. **Speakers shall be permitted only THREE (3) MINUTES to address the City Council on any item on the agenda.**

RICHMOND CITY COUNCIL

MAYOR
Irma L. Anderson

VICE MAYOR
Richard Griffin

COUNCILMEMBERS
Nathaniel Bates Thomas K. Butt
Charles H. Belcher Mindell Lewis Penn
Gary L. Bell Jim Rogers
Maria T. Viramontes

A G E N D A
Tuesday, November 9, 2004

EXECUTIVE SESSION – 9:00 a.m. – Shimada Room

CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)

Property: Point Molate
Negotiating Parties: ChevronTexaco
Upstream Investments, LLC and City of Richmond
Under Negotiation: Price and Terms of Payment

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)

Employee: City Attorney

EXECUTIVE SESSION – 6:00 p.m. – Shimada Room

**CONFERENCE WITH REAL PROPERTY NEGOTIATOR
(Government Code Section 54956.8)**

Property: Point Molate

Negotiating Parties: ChevronTexaco

Upstream Investments, LLC and City of Richmond

Under Negotiation: Price and Terms of Payment

**CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION
(Government Code Section 54956.9)**

One Case: Tanzel vs. City of Richmond

OPEN SESSION - 7:00 p.m. - COUNCIL CHAMBER

A. ROLL CALL

B. COUNCILMEMBERS' CODE OF CONDUCT

“I solemnly pledge to conduct all City matters fairly, responsibly, and impartially; to carry out the business of the City in an orderly and efficient manner; to treat my colleagues, citizens, and City staff with dignity and respect; through debate, discussion, and dialogue instill public confidence and integrity in the process of City government; and to serve the citizens of Richmond to the best of my ability.”

C. APPROVAL OF MINUTES

C-1. Minutes of the Regular Meeting held on October 19, 2004.

D. STATEMENT OF CONFLICT OF INTEREST

E. AGENDA REVIEW

**F. REPORT FROM CITY ATTORNEY OF FINAL DECISIONS MADE AND
NON-CONFIDENTIAL DISCUSSIONS HELD DURING EXECUTIVE
SESSION**

G. PRESENTATIONS, PROCLAMATIONS, AND COMMENDATIONS

H. REPORTS OF STANDING COMMITTEES

H-1. Public Safety and Public Services Standing Committee.

H-2. Finance, Administrative Services, and Economic Development Standing Committee.

H-3. Rules and Procedures Standing Committee.

H-4. Report from the Mayor.

I. CONSENT CALENDAR

Consent Calendar items are considered routine and will be enacted, approved or adopted by one motion unless a request for removal for discussion or explanation is received from the audience or Council.

I-1. APPROVE – an agreement with Bennett Yarger to provide recruitment services for the position of City Manager. Total amount of contract will not exceed \$13,000. Target completion date is January 31, 2005 – Human Resources (Cedric Williams 620-6609).

I-2. APPROVE – a contract amendment with Miller, Starr & Regalia for legal services for litigation defense of the City regarding development of Point Molate – City Attorney (Everett Jenkins 620-6509).

I-3. RESOLUTION – amending the adopted Fiscal Year 2004-2005 and 2005-2006 Bi-Annual Budget for transfer of funds from a Contractual line item to the Salary and Benefits and Operating Expense line items for the City's Park and Landscaping staff to provide maintenance services for the Hilltop Landscape Maintenance Assessment District and the Marina Bay Landscape Maintenance Contract. The City Council gave its approval on October 26, 2004, for City staff to provide maintenance service for the Hilltop and Marina Bay areas – Parks and Landscaping (Sharon West 307-8076).

11/9/04

I-4. ORDINANCE – capping the City of Richmond’s health premium contributions for health insurance for elected officials – **Second Reading** – City Attorney (Everett Jenkins/Bruce Soublet 620-6509)

I-5. DENY – claims against the City of Richmond by the following:
(1) Rosa Gallegos, (2) Judy Coronado/Mercury Insurance,
(3) Eunan Reynolds, (4) Claire Hughes, (5) Kathleen Jones, and
(6) Rhonda Edwards – Risk Management (Steve Kochly 271-8811).

J. OPEN FORUM FOR PUBLIC COMMENT

Anyone wishing to address the City Council must submit a request to the City Clerk prior to commencement of the item. **Each speaker will be limited to a Maximum of Two (2) Minutes. The Maximum Number of Requests will be limited to Fifteen (15), and the total amount of time for Open Forum will be Thirty (30) Minutes.**

K. PUBLIC HEARINGS

L. AGREEMENTS

L-1. APPROVE – a contract with Trisha A. Aljoe for temporary legal services in the City Attorney’s Office. Total amount of contract will not exceed \$50,000, and the contract period is November 1, 2004, through February 28, 2005 – City Attorney (Everett Jenkins 620-6509).

M. RESOLUTIONS

N. ORDINANCES

O. COUNCIL AS WHOLE

O-1. Status Report on the City Manager’s 170 Recommendations and consider endorsing the Work Program for the fiscal and organizational stabilization needs of the City of Richmond – City Manager (Phil Batchelor 620-6512).

O-2. Consider approving one of the following proposals for development of Point Molate:

a. Consider approving the Purchase and Sale Agreement and Community Services Agreement with ChevronTexaco

or

b. Consider approving the Land Disposition Agreement with Upstream Investments – City Manager (Phil Batchelor 620-6512).

O-3. Consider appointments to the following Boards and Commissions:
(1) Commission on Aging: Barbara Scott (completing an unexpired term) and Eli W. Williams, terms expiring May 19, 2006; and
(2) Design Review Board: Robert Avellar, term expiring October 1, 2005 – Mayor Anderson 620-6503.

O-4. Consider proposed staffing of the City’s recreation centers – Councilmember Butt 236-6735.

O-5. Consider adopting a resolution directing the recording of Executive Sessions – Councilmember Butt 236-7435.

O-6. Consider opportunities for revenue enhancement requiring ballot measures and consider placing items on the March 8, 2005, ballot – Councilmember Butt 236-7435.

O-7. Consider directing the City Manager to begin the process of programming and design for a seismic upgrade and rehabilitation of the Civic Center City Hall and to prepare and present, within 90 days, recommendations for alternate methods of financing the construction – Councilmembers Butt, Bell, and Penn 620-6861.

O-8. Consider a recommendation to return to a One-Year Line-Item Budget – Finance Committee.

O-9. Consider possible action to be taken by the City of Richmond in response to the voting results for Measure Q, ½% Sales Tax – Councilmember Rogers 867-5725.

