

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

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

A G E N D A
Tuesday, November 16, 2004

EXECUTIVE SESSION – 9:00 a.m. – SHIMADA ROOM

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

Two Cases: (1) Financial Recovery Plan
(2) Kennedy Swim Center

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

**One Case: Community for a Better Environment (CBE) vs. City of Richmond/
ChevronTexaco**

PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)

Employee: City Attorney

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

A. ROLL CALL

B. COUNCILMEMBER’S 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. Regular meeting held November 9, 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

G-1. Presentation of Certificates of Appreciation to De Anza High, Kennedy High, and Portola Junior High for the student’s participation in the City of Richmond Police Department, Crime Prevention Program’s First Annual Safety Day, held Saturday, October 16, 2004 – Mayor Anderson (620-6503).

H. REPORTS OF STANDING COMMITTEES AND MAYOR

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 the Council.

- I-1. **APPROVE** – a request to increase the general pensioners cost of living by five percent, effective January 1, 2005 – Finance (Pat Samsell 620-6740).
- I-2. **APPROVE** – purchase of Bendix King (BK) radios to replace outdated analog and technically non-compliant APCO 25 radios. Total amount of contract will not exceed \$17,104.44 – Fire Department (Jim Fajardo 307-8041).
- I-3. **APPROVE** – an amendment to an existing contract with Robert Half Legal to continue the services of a Legal Assistant in the Attorney’s Office. The contract amount will increase from \$9,950 to \$19,950. Contract period is extended to December 31, 2004 – City Attorney (Everett Jenkins 620-6509).
- I-4. **RESOLUTION** – establishing the new classification specifications for Paratransit Driver Leadworker – Paratransit Program, Equipment Services Division, Public Services – Human Resources (Andy Russo 620-6607).
- I-5. **ORDINANCE** – establishing wages, salaries, and compensation for the classification of Paratransit Driver Leadworker, and amending full-time General Employees Ordinance 33-01 N.S. – **First Reading** - Human Resources (Marinett J. Briellard 621-1218).
- I-6. **DENY** – claim against the City of Richmond by Edward L. Turner – Risk Management (Elizabeth Miller 620-6710).

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. SPEAKERS MUST SPEAK ON ITEMS THAT ARE NOT ON THE AGENDA.**

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

M-1. ADOPT - confirming approval of Land Disposition Agreement (Point Molate) with Upstream Point Molate LLC, together with a Service Agreement, and ratifying amendments to same discussed at the November 9, 2004, City Council Meeting – City Manager’s Office (Rich McCoy 620-6538).

N. ORDINANCES

O. COUNCIL AS WHOLE

O-1. Consider recommendations for allocation of revenue from Measure Q, Transition Tax – City Manager (Phil Batchelor 620-6512).

O-2. Consider a recommendation to return to a One-Year Line-Item Budget – Finance Committee.

P. CALL FOR BIDS AND PROPOSALS

Q. COMMUNICATIONS

R. REPORTS OF OFFICERS

COUNCIL AND STAFF ONLY unless waived by six votes of the Council.

S. ADJOURNMENT

ITEMS FOR AGENDA MUST BE IN THE CITY CLERK’S OFFICE BY 5P.M. WEDNESDAY FOR THE FOLLOWING TUESDAY’S MEETING.

This agenda may be previewed on KCRT- Channel 28, Richmond Television, and is also posted at the Civic Center Library and in the Lobby of City Hall South