

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 30, 2004

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

CONFERENCE WITH REAL PROPERTY NEGOTIATOR

(Government Code Section 54956.8)

Property: 465 19th Street

Negotiation parties: Richmond Redevelopment Agency and Colliers

International under negotiation: Price and Terms of Payment

CONFERENCE WITH LEGAL COUNSEL: EXISTING LITIGATION

(Government Code Section 54956.9)

Three Cases: Williamson vs. City of Richmond
Georgetown vs. City of Richmond
Pirak vs. City of Richmond

CONFERENCE WITH LEGAL COUNSEL : LABOR NEGOTIATIONS

(Government Code Section 54957.6)

City Negotiators: Phil Batchelor, Rich McCoy, Robert Larson, Pat Samsell, and Everett Jenkins

Counsel: Jeffrey Sloan, Renne, Sloan, Holtzman, and Sakai, LLP

Employee Organizations: SEIU – Local 790; IAFF Local 188 (Firefighters);

Richmond Police Officers' Association (RPOA); Richmond Management Employee Association; Richmond Police Management Employee Association; Richmond

Police Management Association; and Richmond Fire Management Association

**PUBLIC EMPLOYEE PERFORMANCE EVALUATION
(Government Code Section 54957)**

**Employees: City Attorney
City Clerk**

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 October 26, 2004 and November 16, 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 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** – an agreement with Karen Kramer d.b.a. Kramer-Wiese to investigate a personnel complaint in the Fire Department. Total amount of agreement not to exceed \$20,000. Agreement expires December 31, 2004. Risk Management (Shari Deutsch 620-6605).
- I-2. **APPROVE** – an agreement with Aether Systems, Inc. to provide program updates for the records management system. Total amount of agreement not to exceed \$13,233. – Fire Department (Chief Banks 307-8041).
- I-3. **APPROVE** – an agreement with Fire Information Support Services Inc. to provide fire records management support and training to Fire Personnel. Total amount of agreement not to exceed \$15,000. Fire Department (Chief Banks 307-8041).
- I-4. **RESOLUTION** – accepting a grant awarded by the United States Department of Health and Human Services (Administration for Children and Families) for \$200,000 to continue operation of their transitional housing for homeless youth – Employment and Training (Tamara Walker 412-2044).
- I-5. **RESOLUTION** – approving the final map of Subdivision 8665, Via Verde Condominiums, and directing the filing thereof – Engineering (Rich Davidson 307-8105).
- I-6. **RESOLUTION** – levying special assessment for unpaid waste collection services charges on certain lands situated in the City of Richmond – Finance Department (Lester Dunn 620-6734).
- I-7. **RESOLUTION** – approving a joint agreement between the Cities of Albany, Emeryville, El Cerrito, and City of Richmond to implement Section 3 of the Joint Exercise of Powers Agreement to develop, operate, and maintain the Gilman Street Sports Facility – Parks and Landscaping (Sharon West 231-3004).
- I-8. **RESOLUTION** – amending Resolution No. 76-01 authorizing the City Manager or Authorized Designee to request reimbursement in the amount of \$481,893 from grant funds for the Per Capita Grant Program under the Safe Neighborhood Parks, Clean Water, Clean Air, and Coastal Protection Act, and Coastal Protection Bond Act of 2000 – Parks and Landscaping (Sharon West 307-8076).

- I-9. **RESOLUTION** – establishing the new classification specifications of Paratransit Driver Leadworker in the Equipment Services Division/Paratransit Program – Human Resources (Marinett Briellard 621-1218).
- I-10. **ORDINANCE** – establishing wages, salaries, and compensation for the classification of Paratransit Driver Leadworker, and amending full-time General Employees Ordinance 33-01 N.S. – **Second Reading** - Human Resources (Marinett J. Briellard 621-1218).
- I-11. **RESOLUTION** – establishing the new classification specifications of Payroll Specialist and Youth Services Program Assistant in the Police Department – Human Resources (Juan Phelps 620-6607).
- I-12. **ORDINANCE** – establishing the wages, salaries, and compensation for the new classification of Payroll Specialist and Youth Services Program Assistant and amending full-time General Employees Ordinance No. 33-01 – Human Resources – **First Reading** – (Juan Phelps 620-6607).
- I-13. **DENY** – claims against the City of Richmond by: (1) Gary Weisman, et al, (2) Brickyard Cove Homeowners’ Association, (3) Akujuobi Patterson, (4) Rigo’s Auto Sales, (5) Diane Rasar, and (6) George Donkor – Risk Management (Steve Kochly 237-8811).

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

K. PUBLIC HEARINGS

L. AGREEMENTS

- L-1. **APPROVE** – a contract amendment agreement with Renne, Sloan, Holtzman & Sakai which will increase the contract payment limit by \$60,000 and extend the contract term until June 30, 2005, to provide additional legal services pertaining to personnel and labor matters – City Attorney’s Office (Everett Jenkins 602-6510).

- L-2.** **APPROVE** – a contract amendment agreement with the Stevens Law Firm, which will increase the contract payment limit by \$10,000 and establish a contract termination date of June 30, 2005, to provide legal services pertaining to two litigation matters and a personnel complaint – City Attorney’s Office (Everett Jenkins 602-6510).

M. **RESOLUTIONS**

- M-1.** **a) ADOPT** – implementing IRS Section 414 (h)(2) of the Internal Revenue Code relative to the payment of Employees’ Contributions (“Employer Pick-Up”) to the California Public Employees Retirement System – Human Resources (Rob Larson 620-6817).
- b) ADOPT** – for miscellaneous employees represented by RMEA, SEIU, Local 790, and non-sworn unrepresented management employees, implement employee pick-up of one-half of the employee share of PERS effective January 1, 2005 and the remaining one-half effective July 1, 2005.
- c) ADOPT** – for Safety Employees (except employees represented by IAFF Local 188), implement employee pick-up of one-half of the employee share of PERS effective January 1, 2005 and the remaining one-half effective July 1, 2005.
- d) ADOPT** – for employees represented by IAFF Local 188, impose payment of the full employee share of PERS effective with the December 9 to December 23, 2004 pay period (January 1, 2005 pay day).

N. **ORDINANCES**

- N-1.** **ORDINANCE** – imposing a Transactions and Use Tax to be administered by the State Board of Equalization – City Attorney’s Office – **First Reading** – (Pat Samsell/John Knox 620-6740).

O. **COUNCIL AS WHOLE**

- O-1** **a)** Report and Recommendations regarding the Finance Department Reorganization, Accountability and Work Improvement Plan - City Manager’s Office (Phil Batchelor 620-6512/Finance Department Pat Samsell 620-6740).
- b) ADOPT**: a Resolution establishing the new classification specifications of Auditor, Audit Assistant I/II, Senior Budget Analyst and Budget Analyst I/II in the Budget and Financial Services Agency – Human Resources (Andy Russo 620-6608).

c) **ADOPT**: an Ordinance establishing the wages, salaries, and compensation for the new classification of Auditor, Audit Assistant I/II, Senior Budget Analyst and Budget Analyst I/II and amending full-time General Employees Ordinance No. 33-01 N.S. and Management (RMEA) Employees Ordinance No. 40-01 N.S. – Human Resources – **First Reading** – (Andy Russo 620-6608).

O-2. Report and recommendations on Employment and Training finances and strategic realignment within the Community and Economic Development Department – Community and Economic Development (Steve Duran/Sal Vaca 231-3066).

O-3. Report regarding zoning ordinance amendment pertaining to Alcoholic Beverage Sales and Commercial Activities – Planning (Barry Cromartie 620-6706).

O-4. Discussion of Vernon-Castro Site – Community and Economic Development (Steve Duran 231-3066).

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 3P.M. MONDAY 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

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