

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, October 26, 2004

EXECUTIVE SESSION – 5:00 p.m. – SHIMADA ROOM

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

One Case: O'Donnell 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 Association; and
Richmond Fire Management Association

OPEN SESSION - 7:05 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 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

G-1. Proclamation honoring Eddie and Jan Menosse for their outstanding leadership and contributions to the West Contra Costa Salesians Boys' and Girls' Club – City Council (Mayor Anderson and Councilmember Bates 620-6581).

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 Motorola to service the Police and Fire Departments’ mobile data computers and to provide technical services. Total amount of agreement will not exceed \$45,405.72 – Police and Fire Departments (Chief Bennett 620-6655/Chief Banks 307-8161).
- I-2. RESOLUTION** – authorizing a contract with Greater Richmond Interfaith Programs, Inc. to fund a multi-service resource center and transitional housing facility. Total amount of agreement will not exceed \$22,297 – Community and Economic Development (Lisa Hamburger/ Theresa Wilkerson 307-8140).
- I-3. RESOLUTION** – authorizing the filing of an application for Federal Surface Transportation Program funding to resurface Carlson Boulevard, committing the necessary non-federal match for the project, and stating the assurance that the City will complete the project – Public Services (Rich Davidson 307-8091).
- I-4. RESOLUTION** – accepting certain streets and public improvements within Parcel 3, of the Park Ridge Residential Development (Country Club Vista), Subdivision 8236 – Public Services (Rich Davidson 307-8105).
- I-5. RESOLUTION** – approving the final map of Subdivision 8766 (nine unit condominium subdivision) – Public Services (Rich Davidson 307-8015).
- I-6. RESOLUTIONS** – authorizing applications for grant funds for the Richmond Plunge as follows:
- a. authorizing the City of Richmond to apply for a grant from the 2002 Resources Bond Act (Proposition 40) administered by the California Library to complete the restoration and rehabilitation of the Plunge and open it for full operations (“California Cultural and Historical Endowment- CCHE, due October 1st)
 - b. authorizing the City of Richmond to apply for a grant from the 2002 Resource Bond Act (Proposition 40) administered by the State of California of Parks and Recreation for the rehabilitation of the Plunge (“State Urban Parks and Healthy Communities Program – [UHPC], due November 5th) – Recreation and Parks (Diane Harrison 620-6798).

- I-7. **ORDINANCE** – amending Chapter 8.16 of the Richmond Municipal Code. This amendment sets forth additional regulations for the installation and responsible use of Fire Alarm Systems and for assessment of service fees for excessive false fire alarm responses – **First Reading** - Fire (Don Perez 307-8042).
- I-8. **ORDINANCE** – amending Section 2.56.110 of the Municipal Code extending the duration of Chapter 2.56, Local Employment Program, from October 31, 2004, to April 30, 2005 – **Second Reading** – City Attorney (Everett Jenkins 620-6509).
- I-9. **ORDINANCE** – amending Section 2.50.150 of the Municipal Code extending the duration of Chapter 2.50, Richmond Business Opportunity, from October 31, 2004, to April 30, 2005 – **Second Reading** – City Attorney (Everett Jenkins 620-6509).
- I-10. **DENY** – claims against the City of Richmond by: (1) Louise Cooks, (2) Jeannie Meiers, (3) Roy Phelps and Sharlene Zachary, and (4) Brian Timmons – 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

M. RESOLUTIONS

The following resolutions are to be adopted to confirm the City of Richmond’s agreement the various bargaining units:

- M-1. **ADOPT** – resolutions regarding the Terms and Conditions of Employment for the six Bargaining Units, the Unrepresented Employees, and Elected Officials, as follows:
 - a. **Terms and Conditions of Employment for Richmond Police Officers Association (RPOA):**

Conditionally approving Three-Year Tentative Agreement; or, in the alternative,

Authorizing the City Manager to Unilaterally Impose the Wages, Terms, and Conditions of Employment and other aspects of the City's One-Year Last Best Offer in the event that the Bargaining Unit does not ratify the Tentative Agreement.

b. Terms and Conditions of Employment for Richmond Police Management Association (RPMA):

Conditionally approving Three-Year Tentative Agreement; or, in the alternative,

Authorizing the City Manager to unilaterally impose the Wages, Terms, and Conditions of Employment and other aspects of the City's One-Year Last Best Offer in the event that the Bargaining Unit does not ratify the Tentative Agreement.

c. Terms and Conditions of Employment for Service Employees International Union (SEIU) Local 790:

Conditionally approving Three-Year Tentative Agreement; or, in the alternative,

Authorizing the City Manager to unilaterally impose the Wages, Terms and Conditions of Employment and other aspects of the City's One-Year Last Best Offer in the event that the Bargaining Unit does not ratify the Tentative Agreement.

d. Terms and Conditions of Employment for Richmond Management Employees Association (RMEA), IFPTE, Local 21:

Conditionally approving Three-Year Tentative Agreement; or in the alternative,

Authorizing the City Manager to unilaterally impose the Wages, Terms, and Conditions of Employment and other aspects of the City-s One-Year Last Best Offer in the event that the Bargaining Unit does not ratify the Tentative Agreement.

e. City Council response to Disputed Impasse with International Association of Firefighters (IAFF) Local 188 over Terms and Conditions of Employment

Conditionally approving Three-Year Tentative Agreement if such Tentative Agreement is reached, or, in the alternative,

Authorizing the City Manager to unilaterally impose the Wages, Terms, and Conditions of Employment and other aspects of the City's One-Year Last Best Offer in the event that the Bargaining Unit does not ratify the Tentative Agreement.

f. City Council response to Disputed Impasse with Richmond Fire Management Association (RFMA) over Terms and Conditions of Employment:

Conditionally approving Three-Year Tentative Agreement if such Tentative Agreement is reached, or, in the alternative,

Authorizing the city Manager to unilaterally impose the Wages, Terms, and Conditions of Employment and other aspects of the City's One-Year Last Best Offer in the event that the Bargaining Unit does not ratify the Tentative Agreement.

g. Terms and Conditions of Employment for Unrepresented Employees:

Shifting to employees the responsibility to pay their share of the Employee Retirement Contribution.

Capping City's Health Premium Contributions to the Kaiser North Rate.

h. Health Insurance Contributions for Elected Officials:

Capping City's Health Premium Contributions to the Kaiser North Rate.

- City Attorney (Everett Jenkins/Bruce Soublet 620-6509).

N. ORDINANCES

O. COUNCIL AS WHOLE

- O-1.** Consider recommendations for reappointments and appointments to the following: **Arts and Culture Commission**: Dr. Chand Patel, term expiring January 31, 2008; **Economic Development Commission**: Glenn Daggs, completing an unexpired term that will expire on March 30, 2007; **Housing Advisory Commission**: Emily S. White, Incumbent, term expiring November 1, 2006; **Police Commission**: Naomi Williams, Incumbent, term expiring: November 1, 2008 ; **Recreation and Parks**: Debbi Landshoff, Incumbent, term expiring October 26, 2007 – Mayor Anderson (620-6503).
- O-2.** Consider authorizing port staff to draft a letter in support of construction of an access pier and berth for the SS Red Oak Victory on Port property for the purpose of pursuing grant funding from the Coastal Conservatory – Councilmembers Bates and Butt.
- O-3.** Consider directing staff to provide for a primary and an alternate Emergency Operations Center (EOC), within 45 days, that will temporarily meet the needs of the City until permanent facilities can be constructed and endorsing designating 1401 Marina Way South as the primary EOC site and endorsing designating 330-25th Street, Community Services Center, and 325 Civic Center Plaza, Main Library Whittlesey Room, as an alternate EOC site – City Manager (Phil Batchelor 620-6512).

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