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MINUTES OF THE ALBANY CITY COUNCIL
IN SPECIAL SESSION, 1000 SAN PABLO AVENUE
MONDAY, APRIL 28,2008

8:00 p.m.

Mayor Lieber, who led the Pledge of Allegiance to the Flag, called the special meeting of the Albany City Council to order on the above date.

ROLL CALL

Present: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber
Absent: None

STAFF PRESENT

Beth Pollard, City Administrator; Jacqueline Bucholz, City Clerk; Judy Lieberman, Assistant City Administrator; Aaron Walker, Personnel Manager; Ann Chaney, Community Development Director; Jeff Bond, Planning Manager; Rich Cunningham, Public Works Manager; Charles Adams, Finance Director; Kim Denton, City Treasurer; Penelope Leach, Recreation & Community Services Director; Marc McGinn, Fire Chief; Mike McQuiston, Police Chief.

3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY

Mayor Lieber reported that the City Administrator was given direction regarding negotiations.

4. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS

Mayor Lieber reported that he participated in the dedication ceremonies for Berkeley City College.

The following people spoke: Allan Maris, Albany resident; Joan Larson, Albany resident.

A summary of the comments is as follows: Thanked the Mayor for proclaiming May as Mental Health Month in the City and submitted an annual report from the Berkeley Mental Health Board. Invited the Council and public to the annual Arts and Music Festival, Sunday, May 4, 2008, from 11-4 p.m. Suggested that everyone donate a

4. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS

portion of the Federal rebate to the City's programs to give back to local government. Thanked the Council for the hiring of the City Arborist and noted that last weekend there was a block party and the planting of 16 trees. Announced that the Albany High School Sports banquet was filmed by the local cable channel and asked that the civic videos be archived. Complained about the condition of the City sidewalk on Thousand Oaks Boulevard

5. UNFINISHED BUSINESS

5-1. Natural Resource Damage Assessment Restoration Projects (File #520-30)

The Community Development Director reported that as a result of the Cosco Busan oil spill in the San Francisco Bay, State and Federal Trustee Agencies are working in cooperation with local cities, counties and other organizations to assess the ecological injuries and human use losses caused by the spill.

The process, termed a natural resource damage assessment (NRDA) will quantify the injuries to wildlife, habitat and lost use of those resources. The Trustees will ultimately make a claim for funds from the responsible party and develop a restoration plan to implement projects designed to both restore and compensate for the injured resources and human activities.

The Community Development Director stated that staff and the Waterfront Committee reviewed potential restoration projects for the Waterfront area. It is recommended that the City Council approve the following projects to be submitted to the Trustees: The proposed projects include:

Albany Neck/Bulb Emergency Access: based on City Council approval, this project is currently underway, and consists of restoring the emergency access roads along the Neck/Bulb to ensure adequate accessibility should emergency response be required.

Albany Neck/Bulb Recreational Enhancements: several recreational enhancements for the Neck/Bulb have been identified within the Eastshore State Park General Plan and the City's Proposal for the Albany Portion of the Eastshore State Park, (submitted to the East Bay Regional Park District in June 1995). Recreational enhancements identified within these plans have been included within the restoration project proposal.

Albany Plateau Recreational Enhancements: similar to the Neck/Bulb recreational enhancements, several recreational enhancements for the Plateau have been identified within the Eastshore State Park General Plan and the City's Proposal for the Albany Portion of the Eastshore State Park. Recreational enhancements identified within these plans have been included within the restoration project proposal.

Bulb Safety Hazard Removal: several potential hazards exist on the bulb, most of which consisting of rebar and other construction materials. Removing these safety hazards would help facilitate an increased opportunity for recreation at the bulb.

Interim Bay Trail: the East Bay Regional Park District has been working on developing an interim bay trail along the Golden Gate Fields property for several years.

5-1. Natural Resource Damage Assessment Restoration Projects

The interim bay trail would connect the existing bay trail in Berkeley throughout the Albany waterfront area, and increase accessibility to the waterfront.

Lagoon Restoration: this project would involve breaching the dikes at several locations, thereby making the lagoons contiguous with San Francisco Bay and facilitating tidal water level fluctuations and tidal flow. By breaching these lagoons, the majority of the existing dikes will be isolated from the remainder of the landfill, and provide enhanced roosting habitat for birds.

Salt Marsh Restoration: this project would expand and enhance the existing salt marsh north of the Golden Gate Fields racetrack. This project would help reestablish filled tidal lands and serve as a direct benefit to wildlife.

The Community Development Director stated that currently the Trustees have not expressed a submittal deadline for the NRDA projects; however, staff would like to provide project concepts to NRDA early in the process to ensure the Albany Waterfront area receives due consideration within this process.

The following people spoke on this issue: Clay Larson, Albany resident; Norman LaForce, Sierra Club Citizens for an Eastshore State Park; Caryl O'Keefe, Albany resident; Francesco Papalia, Albany resident; Robert Outis, Albany resident; Allan Maris, Albany resident.

A summary of the comments is as follows: Noted that three of the proposals are already in the 10-15 year Albany Vision Plan and doesn't believe that the Burrowing Owl will bring a lot of people to the area and would like to see the recreation area enhanced. Believe that the Lagoon and Salt Marsh Restoration should be at the top of the priority list and noted that the Plateau belongs to the State Parks. The projects should relate to habitat and wildlife restoration and connection of the Bay Trail and noted that Golden Gate Fields did not follow through on their word to take care of the Bay Trail connection. Noted a correction to the report that the Neck does not belong to the City and would like to see safety hazard removal at the bulb as a priority. Noted that the projects should be prioritized and would like to see safety hazard removal at the bulb, accessibility, recreational and educational facilities. Expressed concern that there is no nexus between the claims and believe that the Marsh and Lagoon area should be the focus and prioritized. Disagreed with the statement made about Golden Gate Fields and has not seen anything to substantiate that comment.

Council discussed the various projects and decided to come to a consensus on the projects, as follows: 1) Lagoon. 2) Salt Marsh. 3) Bay Trail. 4) Safety Hazard Removal. 5) Emergency Access.

After further discussion it was decided that the Council only prioritize the top three projects.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Wile that Council authorize staff to submit to the Trustees of the Cosco Busan Oil Spill for possible restoration and compensation for injured resources and human activities at the Albany Waterfront, the following projects: Lagoon Restoration, Salt Marsh Restoration and the Bay Trail Connection.

5-1. Natural Resource Damage Assessment Restoration Projects

ON THE QUESTION:

Council Member Atkinson stated that her top priority is safety hazard removal and that the City should ask for as much as possible. Council Member Okawachi agreed.

The Maker and Second agreed to add to the list the Safety Hazard Removal project.

VOTE ON THE MOTION:

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None

ABSENT: None

Motion carried and so ordered.

6. WORK SESSION

6-1. 2008-10 Budget Priorities

(File #300-40)

The City Administrator gave a power point presentation on City trends, challenges, issues and opportunities, expenditure proposals and revenue ideas related to the development of the 2008-10 City budget.

The Finance Director gave a brief presentation on the financial state of the City noting that the bad news is that the economic trends are down, which does affect City revenue; however, the good news is that Albany is not as bad off as many other cities.

The Finance Director spoke about property taxes, transfer tax and sales being down but noted that Albany is not taking a huge hit on foreclosures. The Finance Director stated that he believes that Albany's revenue will increase in the future but at a much slower rate and that costs will also increase.

The City Administrator had Department Heads and Managers make a brief presentation on various parts of the budget. The Planning Manager spoke about Code Enforcement and the General Plan. The Police Chief spoke about trends in the Police Department and stated that his budget does include a request for an additional police dispatcher. The Assistant City Administrator spoke about Commissions/Committees and the staff time that it takes to staff a Commission/Committee and the Civic Center Relocation costs. The City Clerk spoke to the Council regarding the issue of changing City policy and allowing Action minutes versus Summary minutes to alleviate staff time. The Community Development Director spoke on environmental issues, such as Tree Planting and the Integrated Pest Management plan and the Waterfront long-range planning and traffic issues. The Fire Chief spoke about fire prevention and emergency response and stated that he is recommending a 4% cost-of-living increase to the current Measure N – Paramedic Tax; and is also requesting a part/time employee to work with Block Captain recruitments. The Personnel Manager spoke about personnel issues and the increase in labor costs. The Recreation & Community Services Director spoke about recreation programs for children and teens and the Meals on Wheels program, which is in jeopardy due to rising costs. The Planning Manager spoke about City Infrastructure and maintenance of City facilities.

6-1. 2008-10 Budget Priorities

Council Member Javandel spoke about the installation of a red light camera and Council Member Atkinson noted that at Masonic/Key Route a lot of cars run through red lights.

Council thanked staff for a great presentation.

The City Administrator announced that on May 12, 2008, 7:30 p.m. at the Community Center there would be another work session for members of the public, Commission and Committees to indicate their priorities.

The following people spoke: Clay Larson, Albany resident; Robert Outis, Albany resident; Caryl O'Keefe, Albany resident.

A summary of the comments is as follows: Spoke to the request for a ¾ staff person to work on cable issues noting that this would reduce staff time. A question was asked about investments and securities. Spoke about the Pension Override Tax and the possibility that it could be used for funding other projects. Stated that the Albany Hill Park should be on the City's priority list and improvements on the Bulb, as well as the Fire Department ladder truck. It was noted that it is important to have everything on the table when determining priorities.

Council Member Okawachi asked if the City had the funds to work on the Albany Hill Park and the City Administrator responded that there is approximately \$1 million in the Measure R funds.

7. ANNOUNCEMENTS

7-1. Council Schedule:

May 12, 2008, Special Meeting, 7:30 p.m., Community Center
May 19, 2008, Regular Meeting, 8:00 p.m., Community Center

7-2. City Offices Relocation:

May 1, 2008, 12:30 p.m. - May 5, 2008, City Offices will be closed.
May 6, 2008, City Offices open: Administration & Finance – 405 Kains Avenue.
Community Development – 979 San Pablo Avenue.

Council Member Javandel announced the following: 1) Attended the Association of Bay Area Government (ABAG), which discussed sustainability issues. 2) Attended the Congestion Management Authority (CMA) meeting and stated that he used his laptop instead of a paper packet; and noted that he was trying the laptop tonight at this meeting. 3) Reminded everyone that May 15th is Bike to Work Day and urged people to use their bikes if possible.

8. ADJOURNMENT

10:30 p.m. – There being no further business before the City Council it was moved and seconded to adjourn the meeting.

Minutes submitted by Jacqueline L. Bucholz, CMC, City Clerk.

ROBERT S. LIEBER
MAYOR

ATTEST:

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK