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MINUTES OF THE ALBANY CITY COUNCIL
IN REGULAR SESSION, 1000 SAN PABLO AVENUE
MONDAY, OCTOBER 15, 2007

8:00 p.m.

Mayor Lieber who led the Pledge of Allegiance to the Flag called the regular 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; Judy Lieberman, Assistant City Administrator; Ann Chaney, Community Development Director; Aaron Walker, Personnel Manager; Mark McGinn, Fire Chief; Chelle Putzer, Recreation Supervisor; Robert Zweben, City Attorney; Amanda Bennett, Planning Clerk

3. CONSENT CALENDAR

3-1. Council Minutes, October 1, 2007.

Staff recommendation: Approve.

3-2. a. Ratification of City of Albany net payroll in the amount of \$186,638.53; taxes, benefits & withholdings in the amount of \$218,344.38. Total payroll in the amount of \$404,982.91. Payroll period: 09/28/07.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$50,043.22; taxes, benefits & withholdings in the amount of \$54,091.03. Total payroll in the amount of \$104,134.25. Payroll period: 09/28/07.

Staff recommendation: Ratify.

- 3-3.** a. Ratification of bills, claims & demands against the City of Albany in the amount of \$593,907.40. Period: 9/24/07.
- b. Ratification of bills, claims & demands against the Albany Joint Powers Authority in the amount of \$390.00. Period: 9/24/07.
- c. Ratification of bills, claims & demands against the City of Albany in the amount of \$27,490.24. Period: 10/1/07.
- d. Ratification of bills, claims & demands against the City of Albany in the amount of \$447,984.83. Period: 10/5/07.

Staff recommendation: Ratify.

- 3-4.** Resolution #07-62 – A Resolution of the Albany City Council Authorizing the Albany Library to Send Letters to Government Officials Supporting Library Legislation.

Staff recommendation: Adopt Resolution #07-62.

- 3-5.** Measure C Bond Activity and Status.

Staff recommendation: Information only.

- 3-6.** Resolution No. 07-63 – A Resolution of the Albany City Council Supporting the I-80 Integrated Corridor Mobility (ICM) Project, Project Concept and Funding Plan.

Staff recommendation: Adopt Resolution #07-63.

- 3-7.** Resolution No. 07-65 – A Resolution of the Albany City Council In Honor of George Krebs in Recognition of His Selection as Reserve Officer of the Year for 2007.

Staff recommendation: Adopt Resolution No. 07-65.

- 3-8.** Resolution No. 07-66 – A Resolution of the Albany City Council In Honor of John Costenbader Upon Completion of 10 Years of Service as a Police Officer with the City of Albany.

Staff recommendation: Adopt Resolution No. 07-66.

- 3-9.** Approve Resolution #07-64, establishing the classification of Civilian Clerk Typist II Classification.

Staff Recommendation: Adopt Resolution #07-64.

3-10. Consideration of Claim AL#559, Phelan v. City of Albany.

Staff Recommendation: Reject claim #AL559 – Leave to Present a Late Claim and authorize the City Clerk to send a rejection letter.

3-11. Resolution #07-67 – A Resolution of the Albany City Council Modifying At Large Appointment Procedures for Applicants to Commission, Board, Committee, Taskforce of Similar Body.

Staff recommendation: Approve Resolution #07-67.

Mayor Lieber asked whether any Council Members or anyone else wished to pull any items from the consent calendar. Council Member Atkinson pulled item **3-9**. Council Member Okawachi pulled item **3-5**. She also asked whether the Council would be honoring Mr. Krebs. Mayor Lieber noted the Police Department annual dinner would include recognition of Mr. Krebs. Mayor Lieber pulled items **3-11** and **3-4**. Robert Cheasty, 1604 Solano, pulled item **3-7**.

3.9. Approve Resolution #07-64, establishing the classification of Civilian Clerk Typist II Classification.

Council Member Atkinson asked what the difference was between the Clerk Typist I and II positions. Personnel Manager Aaron Walker reported the Clerk Typist II position would entail managing a database, compiling reports, and performing system back-ups in addition to the Clerk Typist I position duties. Council Member Okawachi asked how the pay scales related. Personnel Manager Aaron Walker noted the top of the Clerk Typist I pay scale was the same as the middle of the Clerk Typist II pay scale.

3-5. Measure C Bond Activity and Status.

Council Member Okawachi wanted to know whether the City had received its FEMA grant. City Administrator Pollard reported that the City was in receipt of a letter indicating that the process was moving forward.

3-4. Resolution #07-62 – A Resolution of the Albany City Council Authorizing the Albany Library to Send Letters to Government Officials Supporting Library Legislation.

Mayor Lieber wanted to be sure there would be oversight of the letters being sent out by the library. City Administrator Pollard reported the purpose of the resolution would be to allow letters to go out on legislation supporting funding for libraries as long as it would not be a detriment to other City programs, without having to wait for a City Council Meeting, which was particularly important when State funding measures were

time sensitive. Council Member Wile noted the funding component was included on lines nine and ten. Council Member Javandel noted the resolution required the Mayor's signature on the letters.

Joan Larson, Chair of the Albany Library Board, spoke in favor of the resolution. She also distributed to the Council Members handouts regarding the library's new Web blog and a recent state government budget slash.

Council Member Okawachi stated she is a member of the Library Board, and Charles Adams, Finance Director had attended a recent meeting and was very informative on how funding for the library and the City are related. Mayor Lieber stated he supported the resolution and wanted to add language to the effect that time constraints might prevent matters from being heard by the full City Council.

3-11. Resolution #07-67 – A Resolution of the Albany City Council Modifying At Large Appointment Procedures for Applicants to Commission, Board, Committee, Taskforce of Similar Body.

Mayor Lieber confirmed with staff that he understood the process. He reported he was willing to try it, but was not sure it would be a better system than that already in place. City Administrator Pollard noted that line 21 should include that each Council Member's votes would be announced, in addition to the tallies.

3-7. Resolution No. 07-65 – A Resolution of the Albany City Council In Honor of George Krebs in Recognition of His Selection as Reserve Officer of the Year for 2007.

Mr. Cheasty reported that Reserve Officers do not receive compensation, and that Mr. Krebs had provided service for decades. Council Member Okawachi complemented Mr. Krebs on his work and on the bicycle rodeo.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Okawachi to approve the Consent Calendar (as amended).

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

NOES: None

ABSENT: None

Motion carried and so ordered.

4. GOOD OF THE CITY/PUBLIC FORUM

Mayor Lieber opened the Good of the City/Public Forum and asked if anyone would like to speak.

Misha Ruskin, Sierra Club, spoke in favor of protection for the waterfront.

Brian Parker, Waterfront Committee Chair, was concerned that the City's consultant's report was moving away from a focus on public input.

Mara Duncan, 848 Solano, was also concerned.

Bob Outis, Albany resident, recalled a court case in the City's history, Thompson v Call, where the City Council had misguidedly rejected the City Attorney's advice; he commented that this was a lesson for the City Council in that for the good of the city, it

was important that the City Attorney be able to give advice that the City Council may not wish to hear.

Carol O'Keefe, Albany resident, cautioned the City to spend its money wisely, based upon her surprise when she heard there were 10 homeless encampments on the bulb.

City Administrator Pollard announced there would be committee and commission training held October 29, 6:30 – 9:00 p.m., City Hall, and on November 8, 7:30 p.m., there would be a meeting at the Community Center on the future of the Veterans Building.

Mayor Lieber asserted that there were ten homeless individuals found on the bulb, and none were displaced. The City was working on a humane resolution.

There being no one else wishing to speak Mayor Good closed the Good of the City/Public Forum.

5. UNFINISHED BUSINESS

5-1. Update on Website Redesign.

Staff recommendation: Receive update on web-site project and provide direction to staff on what Council would like to see on the “City Council” pages of the City’s website.

Assistant City Administrator Lieberman reported that work continued on the Web site upgrade. The focus this evening would be on options for Mayor and City Council pages. Chelle Putzer, Recreation Supervisor, showed examples of other cities’ Web sites and Mayor and City Council pages. There was general consensus that photos and individual pages, provided they were not too lengthy, personal, etc., would be appropriate, and that there be a standard format.

Mara Duncan, 848 Solano, suggested the Mayor and Council Members include “where their hearts are” and what they were working on for the City currently. She also hoped the Web site would have a summary of Council issues, and possibly chat rooms.

An unidentified woman, who stated she is a journalism student at UC Berkeley, demonstrated her blog, albanytoday.wordpress.com, and noted it could be linked to the City’s Web site. Henry Eisner, 924 Tulare, suggested a bulletin board for local merchants. He was also interested in a crime-watch map.

Bob Outis suggested posting agenda information in a format that would assist people to not show up to meetings when items they were interested in had been postponed. Council Member Atkinson would like the Web site to boost the Albany merchants in some way.

Economic Development Program Assistance.

Staff recommendation: Provide direction to staff to issue letter requesting qualifications and proposals for economic development program assistance.

Assistant City Administrator Lieberman reported that work continued on the Sustainability, Environment and Economic Development program. The focus this evening would be on the Economic Development Specialist position. While it would be possible to create and fund a permanent staff position, staff felt that the long-term commitment of the funds might not be the best plan. In addition, if a temporary consultant were contracted with, it would be more likely that the level of skill and expertise required for the position would be more easily obtained.

Council Member Wile opined this was well thought out, and recommended having applicants submit an example of their work, with “before” and “after” information. Council Member Javandel agreed it was a good idea to get a sense of direction before making a permanent hire. Council Member Atkinson noted this was a relatively new field, and part of the consultant’s job would be surveying what is available to cities. Mayor Lieber asked which option would save staff time. The consultant option should provide a more independent (less dependent on staff) option.

Mayor Lieber wanted to hear from the sustainability committee regarding this. Mara Duncan, 848 Solano, wanted to be sure the process would be open and transparent.

6. NEW BUSINESS

6-1. Appointment of Dan Lieberman to the Sustainability Committee, as the Council At-Large member.

Staff recommendation: Appoint Dan Lieberman to the Sustainability Committee.

Mayor Lieber noted the new process had been approved that evening, but there was only one candidate.

MOTION:

Moved by Council Member Javandel and seconded by Council Member Wile to approve Dan Lieberman to be the Council At-Large member of the Sustainability Committee.

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

NOES: None

ABSENT: None

Motion carried and so ordered.

6-2. Charter Amendments

Staff recommendation: Adopt Resolution No. 07-54 – A resolution of the Albany City Council Calling and Giving Notice of holding a special election to be held February 5, 2008, and

Request the Board of Supervisors of Alameda County to Consolidate said election with the special statewide Primary Election; and

Authorize the City Clerk or her duly authorized officers to carry out all the necessary procedures for said election submitting to the voters An Amendment to Albany

Charter Section 3.23, and an amendment to the Albany Charter Section 4.03 to the Qualified Voters of the City and Setting the Ballot Language.

Mayor Lieber opined that with only these two items it would not be worth it to hold a special election. City Administrator Pollard reported that the two items had to do with the transition between committee and commission members after elections are certified and before new appointments have been made, and about raising the threshold for requiring a competitive bidding process.

Carol O'Keefe, Albany resident, supported not spending the funds to have the special election for these two items alone. Michael Wallace, chair of the Charter Review Committee, agreed, and indicated he expected a third item to be ready before June. Mayor Lieber thanked the Charter Committee for the work they had been doing. There was consensus not to hold the February election. City Administrator Pollard stated that staff would look at what the cost impacts for the contract threshold amendment might be if the items were held until the November election.

7. OTHER BUSINESS, REPORTS ON MEETINGS ATTENDED, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS.

- 7-1.** Potential change of regularly scheduled Council meeting on November 5, 2007 to November 6, 2007, related to City's appeal to El Cerrito City Council.

Council Members Atkinson and Okawachi and Mayor Lieber had attended the pancake breakfast at the fire station. Council Member Okawachi reported on the bicycle rodeo and the reopening of Terrace Park.

Council Member Wile asked how the Council's statements could be coordinated without violation of the Brown Act. City Administrator Pollard indicated staff could provide talking points for each member of the Council.

MOTION:

It was moved by Council Member Javandel and seconded by Council Member Wile to reschedule the November 5 meeting to November 6.

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

NOES: None

ABSENT: None

Motion carried and so ordered.

8. ADJOURNMENT

9:47 p.m. – There being no further business before the City Council it was moved and seconded to adjourn the meeting.

8. ADJOURNMENT

Minutes submitted by Amanda Bennett, Planning Clerk.

ROBERT S. LIEBER
MAYOR

ATTEST:

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK