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MINUTES OF THE ALBANY CITY COUNCIL
IN REGULAR SESSION, 1000 SAN PABLO AVENUE
MONDAY, JUNE 19, 2006

6:30 p.m.

Call to order

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

City Council convenes in the Council Chamber and then adjourns to Closed Session to discuss the following:

Executive session

Executive Session to discuss real property negotiations pursuant to Government Code Section 54956.9:

Property:	Proposed Pierce Street Park, located across from 739 Pierce Street
Negotiations Parties:	Property owner: State of California, Department of Transportation. City: City Administrator and Assistant City Administrator.
Under Negotiation:	Price & Terms of Payment

7:00 p.m.

Workshop

To discuss potential acquisition of the Veterans Memorial Building, including scope and cost of building improvements, and joint use parameters with the Veterans' organizations.
(File #670-20)

The Recreation & Community Services Director went over the staff report that was submitted for Council review.

Following is a summary of the discussion that followed: A place was needed in the City for storage and presentation of historical documents that could be used by the

Workshop

Historical Society. A question came up regarding State requirements for seismic retrofit and whether the County should bring the building up to Code. Staff responded that it would be the City’s use that would drive that law and a Council Member stated that the City should know the level of when this law would apply. A comment was made that maybe the City should try to generate more users at the Veterans Building before the City would take over the building.

The following members of the public spoke: Ms. Ruth Ganong, Albany resident; Mr. Sol Strand, Albany resident; Mr. Roger Carlsen, Albany resident; Mr. Jeff Piller, Albany resident; Mr. Alex Esparza, Post #292.

A summary of the comments is as follows: Reiterated the need for a place that the Albany Historical Society could use and store material. A comment was made regarding tax funding and the fact that Albany uses a regressive tax. Urged the City to be careful before committing to the purchase, as there appears to be some red flags. Noted that the Park & Recreation Commission has heard from residents giving their support to the purchase of the building and that the Commission put this high on their list in the Master Plan. A comment was made from a representative of the Veteran’s Organization that the report looks good but that it would have to be approved by the entire group.

7:45 p.m.

Albany Municipal Services JPA (see separate agenda)

7:50 p.m

Albany Community Reinvestment Agency (see separate agenda)

8:00 p.m.

Mayor Maris, 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 Good, Javandel, Lieber, Okawachi & Mayor Maris
Absent: None

STAFF PRESENT

Beth Pollard, City Administrator; Robert Zweben, City Attorney; Jacqueline Bucholz, City Clerk; Ann Chaney, Community Development Director; Charles Adams, Finance & Administrative Services Director; Melinda Chinn, Recreation & Community Services Director; Judy Lieberman, Assistant City Administrator; Greg Bone, Chief of Police; Marc McGinn, Fire Chief; Jeff Bond, Planning

Manager; Barry Whittaker, Project Manager; Rich Cunningham, Public Works Manager; Chelle Putzer, Recreation Supervisor; Randy Leptien, City Engineer.

3. ANNOUNCEMENT OF EXECUTIVE SESSION ACTION

Mayor Maris announced that staff was given direction to proceed with negotiations regarding the Pierce Street Park.

4. CONSENT CALENDAR

(Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted. There will be no separate discussion on these items unless a Council Member or a member of the audience requests removal of the items from the Consent Calendar.)

4-1. City Council minutes, June 5, 2006.

Staff recommendation: Approve.

4-2. a. Ratification of City of Albany net payroll in the amount of \$164,977.93; taxes, benefits & withholdings in the amount of \$152,482.31. Total payroll in the amount of \$317,460.24. Payroll period. 06/04/06.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$42,103.10; taxes, benefits & withholdings in the amount of \$20,269.13. Total payroll in the amount of \$62,422.23. Payroll period: 06/04/06.

Staff recommendation: Ratify.

4-3. Resolution #06-28 – A Resolution of the Albany City Council Approving the Adoption of the Joint Powers Agreement #3, a Joint Agreement between the Cities of Albany, Berkeley, El Cerrito, Emeryville and Richmond or any combination thereof, to implement Section 3 of the Joint Exercise of Powers Agreement, dated November 12, 2003 to Develop, Operate and Maintain the Gilman Street Sports Facility. (File #600-40)

Staff recommendation: Approve Resolution #06-28.

4-4. Resolution #06-29 – A Resolution of the Albany City Council Approving the Salary Schedule for City of Albany Safety Management Employees and Select City of Albany Elected Officials. (File #700-20)

4. CONSENT CALENDAR

Staff recommendation: Approve Resolution #06-29.

- 4-5.** Resolution #06-30 – A Resolution of the Albany City Council Establishing and Amending the City of Albany Master Fee Schedule for Various City Permits, Fines and Services.
(File #100-90)

Staff recommendation: Approve Resolution #06-30.

- 4-6.** Resolution #06-31 – A Resolution of the Albany City Council Approving a Cost-of-Living Increase for the Library Services Act of 1994, as Approved by the Voters and Allowing the Collection of the Library Services Tax on the Alameda County Property Tax Bill.
(File #390-110)

Staff recommendation: Approve Resolution #06-31

- 4-7.** Authorize the call for bids to re-glaze the windows in the stair tower of the Community Center and reallocate \$40,000 in Proposition 40 funding from the Catherine’s Walk project to pay for the repairs.
(File #600-10)

Staff recommendation: 1) Authorize the call for bids and authorize the City Administrator to award a contract not to exceed \$14,000. 2) Approve the recommendation of the Parks & Recreation Commission to reallocate \$40,000 in Proposition 40 funds from the Catherine’s Walk project to pay for these repairs.

- 4-8.** 2006 Sewer Repair and Replacement Project – Authorize the City Administrator to invite bids and award a construction contract and enter into other relevant contracts.
(File #600-10)

Staff recommendation: 1. Adopt the Sewer Compliance Program per attached Exhibit A, which will be included in the 2006/07 – 2010/11 Capital Improvement Plan. 2. Authorize the City Administrator to Invite bids and award a construction contract not to exceed \$1,200,000 to the lowest responsible bidder for replacement of easement sewers between Pomona Avenue and Key Route Boulevard, from Marin to Washington Avenues, replacement of easement sewers between Adams and Madison Ave, south of the Orientation Center for the Blind to just south of Clay Street; and to enter into various related professional services agreements not to exceed \$128,000.

4. CONSENT CALENDAR

- 4-9.** Request for Temporary Street Closure around Memorial Park for the July 23, 2006, “Albany Criterium” Bike Races.
(File #820-70)

Staff recommendation: Approve request by Berkeley Bicycle Club to close off the streets immediately around Memorial Park (and Albany High School) on July 23, 2006 from 6:30 a.m. to 4:30 p.m. for the annual “Albany Criterium” bike races.

- 4-10.** Appropriation of funds for Support of Albany Chamber of Commerce.
(File #330-20)

Staff recommendation: Approve \$21,000 in funds for FY 2006/07 to support the Chamber of Commerce.

- 4-11.** Certification of Citizen’s Waterfront Specific Plan Initiative.
(File 630-30)

Staff recommendation: None. However, pursuant to Elections Code Section 9215 the City Council has 30 days in which to put the Initiative on the ballot or adopt it as presented. This matter will be scheduled for July

24, 2006, unless either Magna or the Initiative Proponents object. If there is an objection, this matter may be scheduled a week earlier.

- 4-12.** Continuation of public hearing on the proposed 2006-07 through 2010-11 Capital Improvement Plan to July 10, 2006.
(File #330-20)

Staff recommendation: Continue the public hearing to July 10, 2006.

- 4-13.** Renewal of Animal Control Contract with City of Berkeley
Contract #C06-13.
(File #600-40)

Staff recommendation: Authorize the City Administrator to enter into a two-year contract with the City of Berkeley for \$26,127 annually, to provide animal control services for the City of Albany for FY 2006/07 and FY2007/08.

- 4-14.** Contribution to City, Non-Profit, Local Public Agencies, Individuals and Other Organizations for Albany projects or programs.
(File #100-30)

4. CONSENT CALENDAR

Staff recommendation: 1. Distribute \$7,000 in funds from the FY 2005-06 budget to the Non-Profit Grant Program, per the allocations proposed in the staff report. 2. Allocate \$10,000 to the Non-Profit Grant Program for FY2206-07.

Mayor Maris asked if anyone would like to remove an item from the Consent Calendar for discussion. The following items were removed: Item 4-1, 4-4, 4-7, 4-10 & 4-14.

4-1. City Council minutes, June 5, 2006

Council Member Lieber made the following correction to page 10 – Albany Waterfront Motion: Moved by Council Member Lieber that the City adopt the same language as the Citizen’s Initiative with the difference being only language in the Initiative that referred to General Plan & Zoning Ordinance Amendments is advisory only.

Council Member Lieber noted that if this motion had been approved an EIR would not be necessary.

4-4. Resolution #06-29 – Safety Management Employees & Elected Officials

Council Member Lieber stated that after checking the City is saving money by having an elected City Attorney; however, if the Council were not happy with the elected City Attorney they could not fire that person but they could change the salary if so desired.

The City Attorney responded that it did not believe the salary of an elected official could be changed midway through the term. Council Member Lieber stated that he does not want to decrease the salary but wanted to clarify that the Council does have options.

4-7. Bids for Community Center Windows

Council Member Lieber asked if the City was getting help from the contractor who did the original work? The City Administrator responded that yes the original contractor had helped in diagnosing the problem and installing one replacement window.

4-10. Funds for the Chamber of Commerce

Council Member Lieber expressed concern about funding an organization that becomes political involved in City matters. Council Member Lieber indicated that he does support the Chamber in their “green building” certification and would rather give funds for specific projects rather than an amount that goes into the General Fund.

Council Members Javandel, Okawachi & Mayor Maris all spoke in favor of the Chamber noting that they believe the Chamber has always acted in a neutral manner.

4. CONSENT CALENDAR

Ms. Elizabeth Bell, Chamber of Commerce, noted it is essential for the Chamber to get some funding help and stated the Chamber does try and stay neutral on issues in the community. Ms. Bell commented that the Director of the Chamber receives a very low salary..

Mr. Ray Anderson spoke in favor of the Chamber receiving funding and reiterated that the Chamber does try to stay neutral on City politics.

Council Member Lieber stated that after hearing the speakers it reaffirmed the neutrality of the Chamber of Commerce, and therefore, would support the funding.

4-11. Certification of Citizen’s Waterfront Specific Plan Initiative

The following people spoke either in favor of the action being taken by the City regarding the Initiative Lawsuit or against the action that was being taken. Mr. Robert Outis, Albany resident; Mr. Robert Cheasty, Albany resident; Mr. Norman LaForce, Sierra Club; Ms. Jean Safir, Albany resident; Ms. Sally Outis, Albany resident; Ms. Marge Atkinson, Albany resident; Mr. Trevor Grayling, Albany resident; Mr. Pete Hobart, Albany resident; Ms. Lubov Mazer, Albany resident.

A question was raised as to when the City would present its impact report to the Council and concern was expressed about going over the 30-day statute for the impact report. The City Attorney responded that it would either be put on July 17 or July 24 and that he has made telephone calls to both sides to see if there was any opposition to doing the later date.

4-14. Contributions to Non-Profits Groups

Mayor Maris noted that he supports the recommendations made by staff but would like to raise the amount from \$10,000 to \$20,000 annually. The City Administrator stated that City policy would have to be amended to designate a larger amount of money.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Lieber to approve the Consent Calendar with the amendments, as noted above.

AYES: Council Members Good, Javandel, Lieber, Okawachi & Mayor Maris

NOES: None

ABSENT: None

ON THE QUESTION:

Council Member Good indicated that his vote reflects abstention on Items 4-5 & 4-9.

Motion carried and so ordered.

5. GOOD OF THE CITY/PUBLIC FORUM

For persons desiring to address the City Council on an item that is not on the agenda please note that City policy limits each speaker to five (5) minutes. The Brown

5. GOOD OF THE CITY/PUBLIC FORUM

Act limits the Council’s ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

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

Mr. Clay Larson, Albany resident, suggested that all City Commissions/Boards/Committees have a training session on conflict of interest rules noting that this subject came up at the last Waterfront Committee meeting.

Mr. Colbert Davis, St. Mary’s College High School, stated that the St. Mary’s has held community meetings regarding their Master Plan and noted the process is working well.

Mr. Mark ?, Albany resident, spoke about the Waterfront area and City taxes and noted that the City needs to increase its tax base and educate the public on this subject.

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

6. PRESENTATION/PUBLIC HEARING

6-1. Resolution #06-22 – Recognizing Dustyn Wiggins and James Boito for their Performance in the Hurricane Katrina Relief Effort.

Council Member Javandel presented Resolution #06-22- A Resolution of the Albany City Council Recognizing Dustyn Wiggins and James Boito for Their Performance in the Hurricane Katrina Relief Effort.

MOTION:

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Javandel and seconded by Council Member Lieber to approve Resolution #06-22.

AYES: Council Members Good, Javandel, Lieber, Okawachi & Mayor Maris

NOES: None ABSENT: None

Motion carried and so ordered.

Mayor Maris presented Resolution #06-22 to Captain Dustyn Wiggins and was told that Firefighter Boito was not present.

The Fire Chief gave a brief synopsis of what occurred and made a presentation to Captain Wiggins and Firefighter Boito of the Organizational Chart that showed all the positions under their supervision.

The Fire Chief noted that he believes in Mutual Aid because at some time the City of Albany may need the help of other cities and states.

Captain Wiggins thanked the City and the Chief for allowing him the opportunity to help the people of Louisiana.

Proclamation – Retirement of Police Chief

Mayor Maris noted that this item is not on the agenda, however, it does not require Council action and would like to read the Proclamation, which thanks Police

Chief Greg Bone for his dedicated service to the City and wishes him well on his retirement.

Mayor Maris presented the Proclamation to Chief Bone who then thanked the Council and the City Administrator for their support during his tenure.

6-2. Future Leaders Institute

A representative of Future Leaders Institute (did not give name) made a presentation to the City Council explaining what the Institute did. The Future Leaders Institute (FLI) program is a challenging, life changing experience noting that high school students are handpicked in order to create dynamically diverse teams that maximize learning opportunities.

The representative described some of the students and the projects they are working on and also noted that the 3rd Thursday of the month a forum is held from 6 p.m. to 7 p.m. and encouraged everyone to attend.

It was noted that this organization is always looking for volunteers and funds and encouraged everyone to get involved.

6-3. Lighting & Landscape Assessment District 1988-1 & 1996-1 (File #360-20 & #360-60)

The Community Development Director stated that in 1988 the Council established District No. 1988-1 to provide landscaping and lighting improvements and maintenance throughout the City. Although the majority of the funds will go toward maintaining Albany's existing lighting and landscaping infrastructure, some of these funds will be used toward improving Albany's street medians and upgrading Ocean View Park, as recommended in the Parks, Recreation and Open Space Master Plan.

The Park & Recreation (P&R) Commission recommends for 2006-07 that \$30,000 for ball field maintenance through an Albany Little League contract, \$12,000 for tennis court timer replacement, \$5,000 for San Pablo Avenue banner brackets and \$5,000 for entryway signage design.

In November, 1996 the voter approved the levy of assessments for the Open Space, Recreational Playfields and Creek Restoration (District 1996-1 also known as Measure R). Under the terms of Measure, Assessment District revenues must be allocated as follows: one-half (50%) to the acquisition and improvement of open space on Albany Hill, one-fourth (25%) for the acquisition, development and maintenance of recreational playfields, one-fourth (25%) for creek restoration improvements.

The Community Development Director noted that sufficient funds for 2006-07 are available in the Landscaping & Lighting Assessment District No. 1988-1 to complete the proposed projects or provide a City match for future grants.

Sufficient funds are available in the 2006-07 Landscaping & Lighting Assessment District No. 1996-1 for progress to continue in the three area outlined under the terms of the District.

The Community Development Director informed the Council that the assessments are not proposed to increase from the fiscal year 2005-06 assessment level.

6-3. Lighting & Landscape Assessment District 1988-1 & 1996-1

Mayor Maris opened the public hearing and the following people spoke: Mr. Sol Strand, Albany resident; Ms. Susan Schwartz, Friends of Five Creeks and Albany resident; Mr. Robert Cheasty, Albany resident.

A summary of the comments is as follows: Concerned about property on Pierce Street that was turned over to the City by Caltrans and noted that the plants are dead. It was believed that this money should be taking care of the plantings in the City. Spoke about the funding for the creeks in the City and thanked the Council for their continued support.

There being no one else wishing to speak Mayor Maris closed the public hearing.

Mayor Maris asked a number of questions relating to the funding in the account and noted that the playfields should have a permanent funding source.

Council Member Javandel presented Resolution #06-33 – A Resolution of the Albany City Council Confirming the Landscaping & Lighting Assessment District Diagram and Assessment and Levying Assessment for Landscaping & Lighting Assessment District No. 1988-1 for FY 2006-07.

Council Member Javandel presented Resolution #06-34 – A Resolution of the Albany City Council Confirming the Landscaping & Lighting Assessment District Diagram and Assessment and Levying Assessment for Landscaping & Lighting Assessment District No. 1996-1 for FY 2006-07.

MOTION:

After reading the titles, and waiving reading of entire Resolutions it was moved by Council Member Javandel and seconded by Council Member Okawachi to approve Resolution #06-33 & #06-34.

VOTE ON THE MOTION:

AYES: Council Members Javandel, Lieber, Okawachi & Mayor Maris

NOES: None

ABSENT: None

ABSTAIN: Council Member Good

Motion carried and so ordered.

7. UNFINISHED BUSINESS

7-1. Citywide Maintenance Activities Report

(File #820-30)

The Public Works Manager reported that in 2004, a report on the City's maintenance requirements was prepared. That report recommended that staff resources be increased by 30%; and since then an annual contract for maintenance of Memorial and Ocean View Park ball fields has been executed that transfers maintenance responsibilities away from the City.

The Public Works Manager reviewed the number of employees and their responsibilities. The conclusion of the report indicates that the Maintenance Division is a stable, well-functioning organization that performs well in response to the daily needs of Albany. However, the lack of resources virtually precludes the execution of long-term maintenance, a situation that should be addressed separately, as soon as possible.

7-1. Citywide Maintenance Activities Report

Council Member Lieber thanked staff for the report and asked how the passage of Measure F would help. The Public Works Manager responded that this funding would relieve the storm drain problems in the City.

Mayor Maris stated that the maintenance in the City, particularly the landscaping, has improved, however, noted that Ohlone Greenway could look better. Mayor Maris expressed his concern that the new fields continue to be maintained and suggested that in the near future staff should review whether contractors or permanent employees should be used in this Department.

Mayor Maris thanks the Public Works Manager for the report stating it was very thorough and would like to see this type of report at least once a year.

Council Member Okawachi commented that it is interesting to see what each employee does and expressed concern about one employee who is out on a long term medical leave and the impact that has on the Department.

No action required.

7-2. Adoption of Operating Budget – FY 2006-07 and 2007-08

(File #330-20)

The Finance & Administrative (F&AS) Director reported that a public hearing was scheduled for June 5, 2006 and following that the Non-Departmental budget was modified to provide \$20,000 for funding of an analysis of the Citizens Waterfront Development Initiative (9212 Report).

Narrative portions of the budget were modified to: Expand upon the role of the civic arts function of the Recreation & Community Services Department; Describe the activities of the Sewer Enterprise Fund and the use of sewer assessments for funding sewer maintenance; Several capital improvement projects were identified as high priority, but not included in the budget, which will be funded from the new tax measure passed by the voters on June 6, 2006.

Council Member stated that he would have to recuse himself from discussions on the budget, as it includes Memorial Park. At this time, the City Attorney asked for a recess so that he and Council Member Good could confer on this issue.

9:55 p.m.	Council recessed
10:00 p.m.	Council reconvened

Council Member Good noted that after discussion with the City Attorney it is recommended that the section dealing with Memorial Park be handled as a separate item so he could recuse himself from that action.

The F&AS Director noted one change in the restoration discretionary funds changed to \$20,000 and some commentary changes.

The following people spoke on the budget: Mr. Robert Outis, Albany resident; Ms. Sally Outis, Albany resident.

A summary of the comments is as follows: Spoke on Golden Gate Fields matters, the Initiative and Measure C; suggested that the City hire a staff person for Economic

7-2. Adoption of Operating Budget – FY 2006-07 and 2007-08

Development matters to help the businesses on Solano and San Pablo Avenue. Another suggestion was made to televise all Commission/Committee meetings.

Council Member Good how asked how much it would cost to televise all City meetings. The City Administrator responded that this matter has been referred to the Social & Economic Justice Commission for their recommendation back to Council.

Mayor Maris agreed with the suggestion that the City needs to promote business development on Solano and San Pablo Avenues. The City Administrator stated that this should go on the Council's goals, which will come to the Council in January, 2007.

Mayor Maris stated that he would like to increase the discretionary fund and \$50,000 and Council Member Lieber expressed his support for this action.

MOTION:

Moved by Mayor Maris, seconded by Council Member Lieber to increase discretionary fund to \$50,000.

AYES: Council Members Good, Javandel, Lieber, Maris & Mayor Maris

NOES: None

ABSENT: None

Motion carried and so ordered.

Council Member Javandel presented Resolution #06-32 – A Resolution of the Albany City Council Adopting the Operating Budget for the City of Albany for fiscal years 2006-07 and 2007-08.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Good to approve Resolution #06-32 excluding any item relating to Memorial Park, which will be acted on separately.

AYES: Council Members Good, Javandel, Lieber, Okawachi & Mayor Maris

NOES: None

ABSENT: None

Motion carried and so ordered.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Okawachi to approve Resolution #06-32 relating to Memorial Park.

AYES: Council Members Javandel, Lieber, Okawachi & Mayor Maris

NOES: None

ABSENT: None

RECUSED: Council Member Good

Motion carried and so ordered.

8. NEW BUSINESS

8-1. Campaign Finance Reform Act of 1996.

(File #630-20)

Council Member Lieber stated that he asked for this item on the agenda and believed it originally was adopted with good intentions, however, it has some problems: 1) It benefits people who have lived in the City a long time. 2) Spending limit does not limit people who have enough money to spend their own funds. 3) It does not take into

8-1. Campaign Finance Reform Act of 1996.

consideration third party activity within an election. 4) The limits on how much money a candidate can raise is not adequate to run a campaign.

Council Member Lieber noted that some candidates follow the guidelines but do not sign up for the limit and suggested that this item be referred to the Social & Economic Justice Commission for their review.

Council Member Okawachi disagreed with the argument of long-term residents having an edge with contributions. Council Member Okawachi stated that being active in the community is what gets name recognition.

Council Member Javandel agreed that being active in the community is the key to getting elected. Council Member Javandel stated that campaigns should be based on ideas rather than how much money is collected and suggested that one way is for the City to put out all the candidate information and everyone then plays under the same rules.

Council Member Good commented that the City couldn't legally prevent anyone from spending their own money.

Mayor Maris noted that in the elections that he has been involved in very few candidates spent over \$1,000 - \$1,500 and agreed that being involved in the community is the key to getting elected.

Mayor Maris stated that he supports sending this issue to the Social & Economic Justice Commission for their review and recommendations. Mayor Maris commented that it is important for candidates to run good clean campaigns and to respect all the candidates running for office.

The following people spoke on this issue: Ms. Lubov Mazer, Albany resident; Ms. Thelma Rubin, Albany resident; Mr. Bob Outis, Albany resident; Ms. Peggy McQuaid, Albany resident; Mr. Roger Carlsen, Albany resident.

A summary of the comments is as follows: Comments were made that in the next election it is a real possibility of having third party money funding campaigns. It was noted that candidates should take responsibility for their own campaigns and not allow outside people to run the campaigns. The Ordinance should not be suspended during the upcoming election.

A question was raised as to whether the existing Ordinance applies to the Albany School Board elections and staff responded they would need to check the answer to that question.

MOTION:

Moved by Council Member Lieber that this issue be referred to the Social & Economic Justice Commission and that for the upcoming election in November the Ordinance be suspended until a new Ordinance is drafted.

Motion died for Lack of Second.

ON THE QUESTION:

Council Member Lieber commented that if the Ordinance is left in place for this election it will become a campaign issue and third party people will be involved with the funding of campaigns.

8-1. Campaign Finance Reform Act of 1996.

MOTION:

Moved by Council Member Lieber, seconded by Council Member Good to refer the Campaign Finance Ordinance to the Social & Economic Justice Commission for a recommendation to be effective after the November election.

ON THE QUESTION:

Council Member Javandel stated that he believes the current allowance is quite generous and noted that he spent his own money for his last campaign and did not go over \$1,000.

Mayor Maris stated that he believes that candidates who signed the expenditure limit did run a clean campaign and would not consider repealing the current Ordinance; however, supports the motion and would hope the Ordinance is strengthened.

VOTE ON THE MOTION:

AYES: Council Members Good, Javandel, Lieber, Okawachi & Mayor Maris

NOES: None

ABSENT: None

Motion carried and so ordered.

8-2. City Council Meeting Length

(File #610-20)

The City Administrator stated that Council Member Okawachi asked that this item be on a future agenda to see if the meetings could conclude by 11 p.m.

Council Member Good stated that the primary purpose of the City Council is to listen to the public and other Council Members and believes that is very important; therefore, would not want to restrict anyone from speaking and maybe the Council should have additional meetings.

Council Member Lieber agreed that additional meetings may be necessary and would encourage the Mayor when setting the Agenda to cut out items and move to another date.

Council Member Okawachi agreed to maybe having extra meetings so that the length of a meeting does not go past 11 p.m.

MOTION:

Moved by Council Member Good, seconded by Council Member Javandel to extend the meeting for one-half hour.

Motion carried and so ordered.

The City Administrator cautioned the Council regarding extra meetings noting the impact on staff with agenda and minute preparation and would urge the Council to consider this and make its decision judiciously.

The following people spoke: Mr. Roger Carlsen, Albany resident; Ms. Sally Outis, Albany resident.

A summary of the comments is as follows: It was noted that the Council Members do not speak to each other but direct all comments to the audience. Urged the Council to anticipate when an item will take a lot of time and to have a meeting with just that item. Suggested that Council keep all material if items are continued to another

8-2. City Council Meeting Length

meeting so that staff would not be impacted with the extra work and if items are continued to another meeting, that meeting be limited to just those items.

Council Member Lieber noted that the Council has been in meetings tonight since 6:30 p.m.

No action taken.

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

9-1. July 4th Celebration at Memorial Park, 11:00 a.m. – 4:00 p.m.

9-2. Council Meeting Summer Schedule: **July 10 & July 24, 2006**, and convene meeting(s) on July 31 or August 7, 2006, only if needed.

9-3. The City Council will reconvene its regular schedule in September. The first meeting of September will be **Tuesday, September 5, 2006**, due to the Labor Day holiday.

Council Member Lieber reported that he attended the kick-off meeting regarding the Climate Protection Control organization and noted that it was a great meeting with all cities within Alameda County in attendance, with the exception of 3 cities that are not involved.

Council Member Lieber asked for a future agenda item in July regarding the auto defibrillators; however, if they were on the walls of the buildings by the end of June this item would not be necessary.

Council Member Javandel asked for a future agenda item regarding the Election Code Section 9212 Report and also the possibility of putting a tax measure on the ballot to pay for the Initiative.

Mayor Maris reported on a meeting he attended on the Albany/Berkeley Mental Health Board noting that this group would be getting \$900,000, which would allow the Board to put counselors into the schools.

Noted that he and Council Member Lieber attended an event at the Little League Fields whereby a proclamation was issued to David Krone for all of his work with Little League and that the field was named after him. Mayor Maris stated that David Krone is quite sick at this time.

Council Member Lieber commented that the ceremony was very moving and that David Krone threw out the first pitch.

10. ADJOURNMENT

11:20 p.m. – There being no further business before the City Council it was moved and seconded to adjourn the meeting.

10. ADJOURNMENT

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

ALLAN MARIS
MAYOR

ATTEST:

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK