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MINUTES OF THE ALBANY CITY COUNCIL
IN REGULAR SESSION,
COMMUNITY CENTER, 1249 MARIN AVENUE
MONDAY, JULY 21, 2008

7:30 p.m.

CLOSED SESSION

Closed session to discuss existing litigation pursuant to Government Code Section 549569:

City of Albany v. Alten Construction

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

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; Robert Zweben, City Attorney; Jacqueline Bucholz, City Clerk; Ann Chaney, Community Development Director; Judy Lieberman, Assistant City Administrator; Rich Cunningham, Public Works Manager; Barry Whittaker, Project Manager; Penelope Leach, Recreation & Community Services.

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

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 unless otherwise modified by the City Council. 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. Council Minutes, July 7, 2008.

Staff recommendation: Approve.

4-2. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$294,284.10. Period: 07/11/08 FY 2007/08.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$2,238.90. Period: 07/11/08 FY 2008/09
(File #300-40)

Staff recommendation: Ratify.

4-3. Notice of Completion, Memorial Park Renovation Projects
(File #600-30)

Staff recommendation: Adopt Resolution No. 08-26 accepting improvements and directing the filing of the Notice of Completion for Contract C3-07 for the renovation of Memorial Park (South) and Memorial Ball Fields.

4-4. Resolution No. 08-36 – A Resolution of the Albany City Council Calling and Giving Notice of Holding a General Election to be Held November 4, 2008 and Requesting the Board of Supervisors of Alameda County to Consolidate Said Election with the Statewide General Election; Authorizing the City Clerk or Her Duly Authorized Officers to Carry Out All the Necessary Procedures for Said Election; and for Submitting to the Voters Amendments to Albany City Charter Sections 2.01, 2.02, 5.01, 5.02 and 5.03; an Amendment to Albany City Charter Section 3.23. an Amendment to Albany City Charter Section 4.03; an Amendment to Albany City Charter Section 2.01 and Enactment of a New Section 2.08 to the Albany City Charter; an Amendment to Albany City Charter Section

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2.04; an Amendment to Albany Municipal Code Chapter 4-5 Entitled Real Property Transfer Tax; and an Amendment to Albany Municipal Code Chapter 4-8 Entitled Paramedic Advanced Life Support Fire Engines and Ambulance Special Tax to the Qualified Voters of the City and Setting the Ballot Language.
(File #630-30)

Staff recommendation: Adopt Resolution No. 08-36.

- 4-5.** Resolution No. 08-45 – A Resolution of the Albany City Council Accepting the Work of Contract 08-19, Burrowing Owl Habitat Project, as Complete and Direct the Filing of a Notice of Completion.
(File #600-30)

Staff recommendation: Adopt Resolution No. 08-45.

- 4-6.** Resolution No. 08-49 – A Resolution of the Albany City Council Supporting SB 1420 Which Requires Restaurants with 15 or More Locations in California to Provide Nutrition Information on Menus and Menu Boards.
(File #660-40)

Staff recommendation: Adopt Resolution No. 08-49.

- 4-7.** Resolution No. 08-50 – A Resolution of the Albany City Council Regarding the Appointment of Albany Representatives to the Berkeley Mental Health Commission.
(File #110-3)

Staff recommendation: Adopt Resolution No. 08-50.

- 4-8.** Resolution No. 08-51 – A Resolution of the City Council of the City of Albany Endorsing East Bay Regional Park District’s Proposed Extension of Regional Open Space, Wildlife, Shoreline and Parks Bond.
(File #920-80)

Staff recommendation: Adopt Resolution No. 08-51.

- 4-9.** Consideration of Claim #AL579; Alfaro v. City of Albany.
(File #170-60)

Staff recommendation: Reject the claim and authorize the City Clerk to send out the appropriate rejection letter.

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- 4-10.** Monthly Status Report: Civic Center Project.
(File #200-20)

Staff recommendation: For information.

- 4-11.** 2007-08 Work Plan Update
(File #100-30)

Staff recommendation: For information.

- 4-12.** Community Center/Library Tower Repair.
(File #600-30)

Staff recommendation: Authorize the City Administrator to execute an agreement with Wiss, Janney, Elstner Associates (WJE) in the amount of \$34,000 to prepare design and bid documents for the repair of water damage at the Community Center (stair tower and other area walls, as required) and to call for bids for the repair work.

- 4-13.** 2008 – 11 Capital Improvement Program Plan and Budget.

Staff recommendation: Schedule a public hearing of September 2, 2008 to discuss the Capital Improvement Plan and Budget.

Mayor Lieber asked if anyone would like to remove an item from the Consent for discussion. The following items were removed: 4-1, 4-3, 4-4, 4-5, 4-6, 4-7, 4-8, 4-10, 4-11 & 4-12.

- 4-1. Minutes, July 7, 2008.**

Clay Larson, Albany resident made a correction to page 6 regarding the fence at the Burrowing Owl project. The City Clerk stated that the change would be made.

- 4-3. Notice of Completion – Memorial Park**

Mayor Lieber asked if the sprinkler boxes at the ball fields and soccer area had been removed and the Public Works Manager responded that they had been lowered. It was also noted that a sprinkler test had been done with distribution acceptable, however, some of the sprinklers had not been tested.

- 4-4. Resolution No. 08-36 – 2008 Election**

Bart Grossman, Charter Review Committee, speaking on behalf of the Chair who is out of town. Mr. Grossman stated that the Charter Review Committee had some

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concerns on the language of the Directly Elected Mayor, as follows: 1) Length of term. 2) Should be elected by a majority and the method of election should be determined by the voters and not the Council.

Mayor Lieber informed Mr. Grossman that his time had run out. Mr. Grossman stated that as he was speaking for the Committee he would like extra time. The Mayor denied this request.

The following people spoke against the action of the Mayor: Ed Fields, Albany resident; Bob Outis, Charter Review Committee; Francesco Papalia, Albany resident; Jerri Holan, Charter Review Committee; Preston Jordan, Albany resident; James Cleveland, Albany resident; Alan Riffer, Albany resident.

Jerri Holan, Charter Review Committee read the motion made by the Committee, as follows: To ask the Council not to place the directly elected Mayor issue on the ballot because the recently adopted language has been determined to create substantial problems requiring further consideration.

Council Member Javandel stated that he believes Mr. Grossman should have been able to finish his speech and agreed that this measure should be removed from the 2008 ballot.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Okawachi to approve Resolution No. 08-36 with the exception of the directly elected mayor measure.

ON THE QUESTION:

Council Member Okawachi stated that she has always tried to listen to Committee Members and commented that she is sorry that he was not allowed to finish his speech.

VOTE ON THE MOTION:

AYES: Council Members Javandel & Okawachi

NOES: Council Members Atkinson, Wile & Mayor Lieber

Motion carried and so ordered.

Mayor Lieber asked if the Council could make changes to the Resolution, as it appears on the Consent Calendar. The City Attorney responded the Council could modify the Resolution and come back for final approval at a future agenda.

Mayor Lieber stated that he believes the language has been well thought out and that there would enough time over the next 4 years to make any changes if necessary.

Council Member Atkinson stated that she agrees that Mr. Grossman should have been allowed to continue his speech. Council Member Atkinson noted that IRV is a cheaper way to go instead of a special election.

MOTION:

Moved by Council Member Javandel, seconded by Mayor Lieber to vote on Resolution No. 08-36 separate from the Consent Calendar.

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

NOES: None

ABSENT: None

Motion carried and so ordered.

Council Member Atkinson presented Resolution No. 08-36 – Resolution No. 08-36 – A Resolution of the Albany City Council Calling and Giving Notice of Holding a General Election to be Held November 4, 2008 and Requesting the Board of Supervisors

4. CONSENT CALENDAR

of Alameda County to Consolidate Said Election with the Statewide General Election; Authorizing the City Clerk or Her Duly Authorized Officers to Carry Out All the Necessary Procedures for Said Election; and for Submitting to the Voters Amendments to Albany City Charter Sections 2.01, 2.02, 5.01, 5.02 and 5.03; an Amendment to Albany City Charter Section 3.23. an Amendment to Albany City Charter Section 4.03; an Amendment to Albany City Charter Section 2.01 and Enactment of a New Section 2.08 to the Albany City Charter; an Amendment to Albany City Charter Section 2.04; an Amendment to Albany Municipal Code Chapter 4-5 Entitled Real Property Transfer Tax; and an Amendment to Albany Municipal Code Chapter 4-8 Entitled Paramedic Advanced Life Support Fire Engines and Ambulance Special Tax to the Qualified Voters of the City and Setting the Ballot Language.

MOTION:

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Atkinson to adopt Resolution No. 08-36, seconded by Council Member Wile.

AYES: Council Member Atkinson, Wile & Mayor Lieber

NOES: Council Members Javandel & Okawachi ABSENT: None

Motion carried and so ordered.

4-5. Notice of Completion – Burrowing Owls

Mayor Lieber expressed his concern that the wrong type of fence was put in at this location noting that Council asked for a wooden fence and instead received a chain fence. Mayor Lieber expressed his disappoint in staff and noted some other projects that had not been completed properly.

The Community Development Director apologized and noted that the East Bay Regional Parks District informed her that their Fire Marshal would not approve a wooden fence.

The following people spoke: Clay Larson, Albany resident; Bob Outis, Albany resident.

A summary of the comments is as follows: Asked a question about reimbursement from the JPA and spoke about the interpretive signs and the schedule for mowing the grass. Believes this is a misuse of space and an unsuitable use.

4-7. Berkeley Health Mental Health Commission

Allan Maris, Albany resident stated that he is a member of the Commission and stated the Commission is pleased to see the interest from the City of Albany and spoke about the process.

4. CONSENT CALENDAR

4-8. Resolution No. 08-51 – Support of EBRPD Open Space Measure

Council Member Okawachi stated that Board Member Nancy Skinner would like to speak before the Council regarding this measure and was going to try and come tonight but did have a previous engagement.

The following people spoke: Clay Larson, Albany resident; Allan Maris, Albany resident; Jack Kenny, Albany resident; Robert Cheasty, Citizens for Eastshore State Park.

A summary of the comments is as follows: Expressed concerns about the measure noting that the funds collected would be divided 75% for acquisition and 25% for development. Expressed concern about item 29 on their list noting that Albany has been shortchanged on development and hoped that the Waterfront Committee will come up with a plan for the use of this money. Believes that this measure is good for the entire East Bay. Noted that this is an extension of an existing tax and will benefit many people.

Mayor Lieber stated that he supports this measure 100%.

4-10. Monthly Status Report – Civic Center Project

The City Administrator noted that the work is underway on the roof and that Police and Fire are scheduled to move in late August. A change order has been received for \$11,000 for fire apparatus. The construction of the temporary buildings had an estimate of \$1.6 million but did not include telecommunications and now the amount is up to \$2.1 million. The City Administrator stated that the project is still within the budget and everyone is scheduled to move back into City Hall late 2009.

Sally Outis, Albany resident expressed concern that important money items are being put through on the Consent Calendar without much public awareness.

4-11. 2008-08 Work Plan Update

The following people spoke: Ed Fields, Albany resident; Clay Larson, Albany resident; Brian Parker, Albany resident.

A summary of the comments is as follows: Noted that the new website did not have past agendas and minutes like the old website had and believes this information is very useful and used a lot by the public. Expressed concern that the staff liaison had been contacted about this problem with no response. Expressed concern on how the search engine works noting that no snippets are used and is not set up properly.

Council Member Okawachi asked if there was a report from the firm hired to work on the economic health of the City. The City Administrator responded that there had been meetings with the Solano Avenue Association and the Sustainability Committee. The City Administrator commented that the firm is gathering information and a status report would be on the September agenda.

Council Member Okawachi stated that she would like to see a full time employee hired to work on cable issues.

4. CONSENT CALENDAR

4-12. Community Center/Library Tower Repair

Sally Outis, Albany resident, asked for clarification on the tower and whether anything had been done to it since it had been wrapped. The City Administrator responded nothing had been done since the wrapping.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Wile to approve the Consent Calendar.

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

NOES: None

ABSENT: None

Motion carried and so ordered.

5. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS

Mayor Lieber stated that since so much time had been spent on the Consent Calendar he was going to change public comment time to two minutes.

The following people spoke: Peter Goodman, Chair Arts Committee; Caryl O'Keefe, President Friends of Albany Library; Sally Outis, Albany resident; Robert Cheasty, Albany resident; Alan Riffer, Albany resident; Francesco Papalia, Albany resident; Carl Pertrosky, Albany resident; Allan Maris, Albany resident; Bob Outis, Albany resident; Brian Parker, Albany resident; Preston Jordan, Albany resident; James Cleveland, Albany resident.

A summary of the comments is as follows: Announced that a Poet Laureate had been chosen, Kristina Hutchins and hoped that she would be able to have a poem commemorating Albany's centennial. Announced that the Friends of the Albany Library had its annual book sale, which did very well and thanked all the volunteers that put in a lot of time. Noted that a misstatement was made regarding the lawsuit against CAN in the last election. Disagreed with previous statement. Other speakers made similar comments about the lawsuit in the last election. Asked that residents get over the anger from the last election.

6. PUBLIC HEARING

7. UNFINISHED BUSINESS

7-1. Ordinance No. 08-08 – Repealing Campaign Finance Act (File #630-40)

The Assistant City Administrator reported that at the last meeting, after public testimony, the Council directed staff to return with an ordinance to repeal the Albany Campaign Finance Reform Act of 1996 in time for the 2008 election.

The City Charter authorizes the passage of urgency matters with one reading of an ordinance if passed by a 4/5 vote of the Council. Staff believes that it is a matter of urgency to repeal the act prior to the period for candidates to file nomination papers for

7-1. Ordinance No. 08-08 – Repealing Campaign Finance Act

the upcoming Municipal election. Government Code Section 36937 also authorizes the passage of election ordinances upon one reading.

The City Attorney stated that he would feel more comfortable with a second reading of the Ordinance and recommended that the Council have a meeting for this purpose.

The following people spoke: Caryl O’Keefe, Albany resident; Kristina Osborne, Albany resident; Francesco Papalia, Albany resident; Peggy Thomsen, Social & Economic Justice Commission; Allan Maris, Social & Economic Justice Commission; James Cleveland, Albany resident; Brian Parker, Albany resident; Bob Outis, Albany resident; Thelma Rubin, Albany resident; Alan Riffer, Albany resident.

A summary of the comments is as follows: Agreed that another meeting should be held to pass the Ordinance and believes the City needs to have some sort of campaign financing law. Asked the Council not to push this Ordinance through tonight and agrees there should be some kind of reform. Expressed concern on what would happen if this Ordinance is repealed and also concerned that two members of the Council are running in this election and voting on the repeal. Agreed that more discussion is needed and that the playing field needs to be leveled. Does not believe the existing law is difficult to understand and agrees this law should not be repealed. Noted that State law regarding campaign financing is still in affect and supports the law being repealed. Spoke about in-kind donations and literature that was distributed at the last election. Spoke about Golden Gate Fields defending itself during the last election. Spoke about the lawsuit in the last election and believes that it went too far.

The City Attorney stated that the current law does not have the ability to level the playing field or control general-purpose organizations and does not make for a clean campaign.

Council Member Atkinson stated that this is a difficult issue but believes the law should be repealed for the upcoming election.

Council Member Javandel apologized to the Social & Economic Interest Commission and stated that at the last meeting he did go along with the repeal; however, after thinking about believes it was a rash decision and believes it is premature to repeal this law.

Council Member Wile commented that she is in favor of a task force being formed to study this issue and would suggest that Attorney Stern be asked to join the task force. However, believes that the law should be repealed for the upcoming election.

Council Member Okawachi stated that she too voted last week to repeal the law and was under the impression it was for the 2010 election not the upcoming election. Council Member Okawachi agreed that the current law should be retained for the upcoming election and that a task force be formed to study the issue.

Mayor Lieber stated he agrees with a lot that has been said tonight and that it is a difficult issue. However, does not believe in campaign repression and the existing law created a lot of acrimony during the last election and believes that it will create more if kept on the books. Mayor Lieber commented that he supports the repeal of the existing law.

7-1. Ordinance No. 08-08 – Repealing Campaign Finance Act

Council Member Atkinson introduced Ordinance No. 08-08 – An Ordinance of the Albany City Council Repealing Chapter VII City of Albany Campaign Finance Reform Act of 1996 of the Albany Municipal Code. Introduction and Second Reading.

MOTION:

After reading the title of the Ordinance, and waiving reading of entire Ordinance, it was moved by Council Member Atkinson and seconded by Council Member Wile to adopt Ordinance No. 08-08.

ON THE QUESTION:

Council Member Wile indicated that she would like the campaign statements posted on the website and debates on cable TV

SUBSTITUTE MOTION:

Moved by Council Member Javandel, seconded by Council Member Okawachi that a special meeting be held next week to discuss the recommendations made by the Social & Economic Justice Commission for the upcoming election. That after the 2008 election that a task force be formed, per the recommendation of the Social & Economic Justice Commission.

AYES: Council Members Javandel & Okawachi

NOES: Council Members Atkinson, Wile & Mayor Lieber ABSENT: None

Motion Failed.

ON THE QUESTION:

Council Member Atkinson noted that she would rather see how the upcoming election works out and then look at establishing a task force.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Okawachi that a special meeting be held to reconsider the current law.

AYES: Council Members Javandel & Okawachi

NOES: Council Members Atkinson, Wile & Mayor Lieber ABSENT: None

Motion Failed.

MOTION:

Moved by Council Member Atkinson, seconded by Council Member Wile that Ordinance No. 08-08 be adopted under an emergency situation, as allowed by Government Code Section 36937.

ON THE QUESTION:

The City Attorney reiterated his recommendation to hold a special meeting to consider a second reading.

Council Member Atkinson noted that she would not be in attendance next week for a special meeting and would prefer adopting under the Government Code section.

VOTE ON THE MOTION:

AYES: Council Members Atkinson, Wile & Mayor Lieber

NOES: Council Members Javandel & Okawachi ABSENT: None

Motion carried and so ordered.

8. NEW BUSINESS**8-1. Ohlone Greenway Plan**

(File #920-60)

Council Member Atkinson stated that she would be recusing herself from this item, as she lives across the street from the Greenway.

Council Member Atkinson left the Council Chamber.

The Community Development Director reported that BART is seismically retrofitting the columns under the BART tracks in 2009, which will result in the installation of a 16' by 16' concrete foundation around each column. As enhancements to the Ohlone Greenway have been identified in the Park Open Space Master Plan, the City chose to talk with BART about putting back landscaping and amenities more to the liking of the community rather than replace trees, shrubs, etc.

BART is obligated to replace, in kind, any area damaged as a result of the work but is not required to provide "betterment" to existing conditions. The City and BART are in negotiations and BART's current position is that the City would need to pay the difference. Much of the discussions with BART have been focused on what constitutes "betterment."

In anticipation of working with BART the City hired Gates & Associates to assist in developing a plan for the Greenway, some of which could be carried out as part of the BART seismic retrofit project.

Mr. David Gates, Gates & Associates, made a presentation noting that direction is needed, as BART wants the information by the end of August. Mr. Gates stated that discussions would continue with staff and is encouraged with the direction of BART on what the City would like to have in that area.

The following people spoke: Robert Cheasty, Albany resident; Preston Jordan, Albany resident; Nathan, Albany resident.

A summary of the comments is as follows: Noted that a lot of work has gone into this project and is pleased to see that Albany is going to get some improvements. Asked if all the trees could be removed to eliminate shadows and that an entryway at Garfield is put in. Expressed concern about safety of pedestrians and bicyclists noting the visibility is poor and would like to see a lot more lights installed.

Council Member Javandel asked where the replanting of the trees was going to be and Mr. Gate replied on the westside of Masonic and noted that an efficient watering type of sod is going to be used and that 7'-8' of branching ground cover 30" or lower.

Mayor Lieber stated that he likes the idea of an entrance at Garfield.

Council Member Wile asked if California native plants would be used and Mr. Gates replied yes and with a drought resistant lawn.

Council Member Okawachi stated that she is pleased to see the planting of low shrubs.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Javandel to extend the meeting for 30 minutes.

Motion carried.

8-1. Ohlone Greenway Plan

MOTION:

Moved by Council Member Javandel, seconded by Council Member Wile to adopt Gates & Associates plan, as modified and improved upon in the Tree Task Force plan with the following modifications: 1) Revisit placement of trees and shrubs at intersection corners to ensure visibility of bicyclists and pedestrians. 2) City should ask BART for a placeholder value of the par course. 3) All park benches (including Lions and Rotary Club benches) and “wooden cube” benches should be replaced if removed or damaged. 4) Encourage City Council to be conscious of adequate budget for maintenance. 5) Adhere to installing two foot decomposed granite (DG) path on either side of the bicycle/pedestrian path.

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

NOES: None

ABSENT: None

RECUSED: Council Member Atkinson

Motion carried and so ordered.

Council Member Atkinson returned to the Council Chamber.

8-2. Ballot Arguments

(File #630-30)

The City Administrator reported that Council approved seven measures to be submitted to the voters at the November 4, 2008, election. Pursuant to Government Code Section 9282 the legislative body is given priority on filing an argument for or against a City measure. The City Attorney recommends complying with the Brown Act and designating a Council subcommittee of one or two Council Members to write an argument for or against the measures.

MOTION:

Moved by Council Member Wile, seconded by Council Member Atkinson that the following Council Members be authorized, on behalf of Council to write an argument for and/or against a measure: 1) Directly Elected Mayor: Mayor Lieber & Council Member Wile writing an argument in favor; Council Members Javandel and Okawachi writing an argument against. 2) Committee Term: Council Members Wile & Atkinson writing an argument in favor. 3) Contract Bidding: Council Members Javandel & Wile writing an argument in favor. 4) Council Meeting time: Council Members Okawachi & Wile writing an argument in favor. 5) Council Compensation: Mayor Lieber & Council Member Atkinson writing an argument in favor. 6) Property Tax increase: Council Members Atkinson & Wile writing an argument in favor. 7) Measure N: Council Members Okawachi & Javandel writing an argument in favor.

VOTE ON THE MOTION:

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

NOES: None

ABSENT: None

Motion carried and so ordered.

8-3. Centennial Celebration

(File #910-25)

The Recreation & Community Services Director reported that the City is preparing to celebrate its 100th Birthday and staff is planning a sit down dinner along Solano Avenue with the entire City being invited on Saturday, September 27th. “Dinner with Albany” would provide an opportunity for residents to visit with one another and share a meal with friends and family. Entertainment is being provided by “The Shots” and dancing in the street after dinner.

Staff is working with volunteers to launch an alumni promotion to encourage Albany High School alumni, former teachers, former City and School District officials to join in the celebration.

The Recreation & Community Services Director noted that the City is also going to use historical photographs from the Historical Society, which will be made into posters.

Council Member Okawachi stated that also being planned is an alumni picnic on Sunday, September 28th, at Memorial Park and would like the blessing of the Council for this event.

The City Administrator expressed concern that there would be limited City resources available that day.

The following people spoke: Robert Cheasty, Solano Avenue Association; Allan Maris, Albany resident; Joan Larson, President Historical Society.

A summary of the comments is as follows: Volunteered the Solano Avenue Association to help with the celebrations. Asked that the Solano Avenue Association incorporate the City’s Centennial into the Solano Stroll. Requested the use of Memorial Park, the Vet’s Buildings and the bbq pits and one staff person for the alumni picnic on Sunday, September 28th.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Wile to 1) Approve Solano Avenue road closure on September 27, 2008 from San Pablo Avenue to Stannage from 6:00 a.m. – midnight and from Stannage to Masonic from noon-midnight. 2) Designated Council Members Okawachi & Atkinson the Council liaisons and that Memorial Park be made available for the Sunday picnic.

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

NOES: None

ABSENT: None

Motion carried and so ordered.

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

9-1. City Council is on Recess and the next regular meeting is scheduled for **Tuesday, September 2, 2008.**

9-2. City offices will be closed on **Monday, September 1, 2008** in observance of the Labor Day Holiday.

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

9-3. The community is invited to attend the Police Department “National Night Out” on **Tuesday, August 5**, 6 to 9 p.m., at Memorial Park and Albany High School Campus.

Council Member Atkinson announced 1) ABAG has designated Albany Hill as a priority conservation area, which includes getting more open space and enlarging the park. 2) Encourage people to go to the City website. 3) Fire crews going to the different fires throughout the State.

Council Member Wile announced that there is now a City car share program available at Jackson/Monroe.

Robert Cheasty, Albany resident, announced that a UCLA study came out naming Albany number one in the State as a Green City and Berkeley number 2. Mr. Cheasty stated that former Council Member Dona Spring would be thrilled.

Council Member Okawachi stated that she served with Dona Spring on county boards and noted what an incredible dedicated person she was.

Mayor Lieber stated that he has personally know Dona Spring for many years, as she was a neighbor of his Mother and noted what an inspiration she was to many people.

Council Member Javandel agreed noting that she was the “conscience” of Berkeley. Council Member Javandel clarified the UCLA study noting that Albany being number one is due to not only the City policies but the citizens and property owners.

10. ADJOURNMENT

11:40 p.m. – There being no further business before the City Council it was moved and seconded to adjourn the meeting in memory of Dona Spring, Berkeley City Council Member, who passed away on July 13, 2008 and a moment of silence was observed.

ROBERT S. LIEBER
MAYOR

ATTEST:

JACQUELINE L. BUCHOLZ
CITY CLERK