

**City Council Agenda
April 09, 2007
8:00PM
Council Chambers, City Hall
1000 San Pablo Avenue**

6:25 p.m.

CLOSED SESSION

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 Personnel pursuant to Government Code Section 54957(b)(1); and to discuss labor negotiations pursuant to Government Code Section 54959.8

Agency Negotiator: City Administrator and Glen Berkheimer, IEDA

Employee Organization: Albany Fire Fighters Association Albany Municipal Services JPA

ADJOURN TO CLOSED SESSION

7:00 p.m.

COUNCIL EMERGENCY RESPONSE TRAINING

8:00 P.M. - COUNCIL MEETING

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **ANNOUNCEMENT OF EXECUTIVE SESSION ACTION**
4. **CONSENT CALENDAR**

4-1. City Council minutes, March 19 & 26, 2007.

The minutes of March 19, 2007, need clarification regarding a second to the motion under Item 7-2. It was Council Member Atkinson's intent to second the motion made by Council Member Wile, but there was no audible second.

Staff recommendation: Approve the March 19, 2007 minutes with the clarification of a second by Councilmember Atkinson to the motion under Item

4-2. a. Ratification of City of Albany net payroll in the amount of \$171,433.10; taxes, benefits & withholdings in the amount of \$206,605.46. Total payroll in the amount of \$378,038.56. Payroll period: 03/16/07.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$42,707.86; taxes, benefits & withholdings in the amount of \$48,695.17. Total payroll in the amount of \$91,403.03; Payroll period: 03/16/07.

c. Ratification of City of Albany net payroll in the amount of \$175,009.94; taxes, benefits & withholdings in the amount of \$128,521.46. Total payroll in the amount of \$303,531.40. Payroll period: 03/30/07.

d. Ratification of Albany Municipal Services JPA net payroll in the amount of \$44,558.01; taxes, benefits & withholdings in the amount of \$33,687.12. Total payroll in the amount of \$78,245.13. Payroll period: 03/30/07.

Staff recommendation: Ratify.

4-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$368,685.09. Period: 03/23/07.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$16,980.82. Period: 04/01/07.

Staff recommendation: Ratify.

4-4. Ratification of pension payments in the amount of \$106,569.49 for the month of March, 2007.

Staff recommendation: Ratify.

4-5. Consider Claim #AL543; Hasrajani v. City of Albany.

Staff Report

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

4-6. Mayor Lieber appointing Robert Cheasty to the Civil Service Board.

Staff recommendation: Information.

4-7. 2008 Sewer Project - East Albany Hill.

Staff Report
Exhibit Map
Nute Engineering Proposal

Staff recommendation: 1) Approve the scope of work and budget for Consulting Services Agreement with Nute Engineering for sewer design services and engineering services during construction for the 2008 Sewer Project - East Albany

Hill. The estimated cost for scope of work is \$126,000. 2) Authorize the contract City Engineer (LCC, Inc.) to provide surveys for the 2008 Sewer Project - East Albany Hill under existing agreement. Cost estimate for scope of work is \$25,000.

4-8. Award of Contract(s), 2007 Parks Rehabilitation Projects: Terrace Park, Memorial Park and Ball Field & Ocean View Park.

**Staff Report
Park Designs
Bid Details**

Staff recommendation: Authorize the City Administrator to execute the following contracts for the parks renovation project: 1) Contract C2-07 to American Civil Contractors, Martinez, CA in the amount of \$198,000 for the renovation of Terrace Park. 2) Contract C3-07 - to Hanford Applied Restoration and Construction in the amount of \$1,092,139 for the renovation of Memorial Park. 3) Contract C4-07 to Hanford Applied Restoration and Construction in the amount of \$1,272,476 for the renovation of Ocean View Park. 4) Amend the contract with John Cahalan, Landscape Architect, for additional compensation in the amount of \$101,163 for the necessary additional design and bid preparation work for the project.

4-9. Resolution #07-16 - A Resolution of the Albany City Council Directing the Filing of the Landscaping and Lighting Assessment District Annual Report (Assessment District No. 1988-1 and 1996-1).

**Staff Report
Resolution 07-16
LCC Proposal**

Staff recommendation: Approve Resolution #07-16.

4-10. A Proclamation declaring April 15-21, 2007 as National Library Week, in the City of Albany.

Staff Report

Staff recommendation: Approve.

5. **GOOD OF THE CITY/PUBLIC FORUM**
6. **PRESENTATION/PUBLIC HEARING**
7. **UNFINISHED BUSINESS**

7-1. Pierce Street Bike Path and Striping Plan for the 500 Block.

**Staff Report
Resolution 07-14
Alta Plan Maps**

Study for Pierce St. w/Class I Bike Path
Excerpts: Traffic & Safety Commission Minutes
Excerpts: City Council Minutes
Public Meeting Notices
Other Options by Kimley-Horn Associates
555 Pierce Street Residents Petition Filed

Traffic & Safety Commission recommendation: That the City Council adopt Resolution No. 07-14 approving "Exhibit A - Pierce Street Striping Exhibit - Option 3 (113 spaces)" dated March 2007 for the 500 block of Pierce Street that features:

60° angled parking (similar to Solano Avenue)

113 parking spaces

o 93 diagonal spaces (8.5' wide/19' long including a 2' overhang)

o 17 diagonal compact spaces (8' wide/15.6' to 19' long including a 2' overhang)

o 3 parallel spaces (8' wide/22' to 22.8' long)

Class I bike path 8' wide with 2' shoulders (separated from the roadway) adjacent to the sound wall

Locating all parking along the west side of Pierce Street

14' travel lanes

Retaining loading area for Gateview Condominium moving vans on the east side

Raised crosswalks in three locations (plus provisions for a fourth location in Richmond at the creek); provides residual traffic calming affects

Bus pullouts; disabled access ramps

A loss of one (1) on-street parking space

8. NEW BUSINESS

8-1. Update on Cable TV Issues.

Staff Report
Comcast Letter, 3/24/06
April 3, 2006 Staff Report & Attachments
Memorandum
AT & T Letter

Recommendation: Per the recommendations from the February 20, 2007 joint meeting of the AdHoc Cable TV committee and the Council Cable TV committee:

1. Suspend any further actions to negotiate a franchise agreement with Comcast.
2. Establish by ordinance a PEG fee of 1% of gross revenues.
3. Adopt by ordinance or resolution an appeal procedure for denials of an encroachment permit sought by a state franchise holder.
4. Adopt an ordinance establishing the state prescribed penalties for violation of customer service standards.
5. Rewrite the city's existing Cable TV ordinance.
6. Pursue an agreement with the City of Berkeley and the Berkeley Media Access Center to enable Albany residents to use the Berkeley Media Access Center.
7. Pursue the ability of Albany to carry the Berkeley Cable TV station and of Berkeley to carry our Cable TV station.
8. Staff Recommendation: Enter into an agreement with Mr. Greg Stepanicich in the amount of \$10,000 to assist the City in preparation of the ordinances noted in items 2, 3, 4, and 5 above.

8-2. Design, Fabrication and Installation of a Tile Project at Terrace Park.

Staff Report
Call For Artists – Terrace Park
Summary of Final Terrace Park Arts Selection Panel Meeting
Terrace Park Art Public Comments
Mural Design

Arts Committee recommendation: Authorize the City Administrator to enter into a contract with Josef Norris in an amount not to exceed \$9,449 for the design, fabrication and installation of a tile project for Terrace Park.

9. OTHER BUSINESS/ANNOUNCEMENT OF EVENTS

9-1. The next regular schedule Council meeting is Monday, April 23, 2007.

10. ADJOURNMENT

(The Council meeting packet is available for public inspection at the Albany Library (526-3720), the Fire Department and the City Clerk's Office. If you have any questions pertaining to any agenda item or Council meeting procedure, please contact the City

Clerk's Office at 528-5720.) *The City of Albany is dedicated to maintaining its small town ambiance, responding to the needs of the Community and providing a safe, healthy environment now and in the future.*

Please note that if you provide your name and address when speaking before the City Council it will become part of the official public record and the official minutes will be published on the Internet.

NOTICE - Please Read

"Pursuant to Government Code Section 65009, if you challenge a decision of the City Council in court, you may be limited to raising only those issues you or someone else raised at a public hearing described in this notice, or in written correspondence delivered to the City Council at, or prior to, the public hearing. The decision of the City Council is final as of the date of its decision unless judicial review is initiated pursuant to California Code of Civil Procedure Section 1094.5. Any such petition for judicial review is subject to the provisions of California Code of Civil Procedure 1094.6 In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting, please contact the City Administration Office 510-528-5710. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting (28 CFR 35.102.104 ADA Title II)">