

**City Council Agenda  
July 24, 2006  
8:00PM  
Council Chambers, City Hall  
1000 San Pablo Avenue**

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **UNFINISHED BUSINESS**

3-1. Elections Code Section 9212 Report on the Albany Shoreline Specific Plan Initiative.

**Staff Report** (*PDF, 29Kb*)

**Resolution 06-47** (*PDF, 30Kb*)

**Albany Shoreline Protection Initiative** (*PDF, 94Kb*)

**Legal Firms & Attorneys Letters** (*PDF, 850Kb*)

**Memorandum** (*PDF, 186Kb*) From Strumwasser & Woocher to Attorney Robert Zweben

**Election Code §9212 Report** (*PDF, 2163Kb*)

(NOTE: a very large PDF file and may take time to download)

Staff recommendation: Adopt Resolution #06-47- A Resolution of the Albany City Council Submitting to the Voters a Citizen Initiative Measure Enacting Waterfront General Plan Policies and Conservation and Recreation Element Policies and Requiring the Formation of a Special Task Force to Create a Specific Plan for Development and Open Space at the Waterfront.

3-2. Proposal to process a development application by Caruso Affiliated for the Golden Gate Fields property that would lead to a completed Final Environmental Impact Report, and/or proceeding with a City-initiated Waterfront Planning Process.

**Staff Report** (*PDF, 47Kb*)

**Resolution 06-46** (*PDF, 17Kb*)

**Letter** (*PDF, 105Kb*) From Caruso Affiliated to Councilmember Okawachi

**Resolution 06-20** (*PDF, 72Kb*)

Staff recommendation: 1) If the City Council wishes to endorse a complete processing of the Caruso Affiliated application for Golden Gate Fields, including an Environmental Impact Report (EIR), staff recommends that (rather than adopting the attached Resolution #06-46), Council pass a motion to this effect and direct staff to return on July 24 with an implementing resolution: Note: If the City Council does not wish to endorse a complete processing of the Caruso Affiliated application, no action is necessary. The applicant continues to have the right to file an application, but understands that the City is not obligated to proceed to a

final EIR. 2) Regardless of whether the City Council wishes to commit to processing an EIR, staff would still like direction as to whether the Council desires to proceed with a City initiated Waterfront Planning Process. [If that is the case, staff recommends that the Council pass a motion directing staff to proceed with a separate planning process funded by the City, as opposed to being part of the EIR process funded by the applicant, and return on July 24 with an implementing resolution and funding plan.]

#### 4. 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.*

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NOTICE - Please Read

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6:45 p.m.

#### WORK SESSION

Green Building Ordinance and Bay Friendly Landscaping Ordinance; Water Reuse Ordinance; Construction and Demolition Debris Recycling Ordinance;

**Study Session Staff Report (PDF, 46Kb)**

**P & Z Resolution 06-01 (PDF, 35Kb)**

**Draft Green Building Ordinance (PDF, 85Kb)**

Staff recommendation: No formal action is required at this time. It is recommended that the City Council receive presentation from staff and Stopwaste.org representatives, review recommendations from the Planning & Zoning Commission and provide policy direction to staff for preparation of amendments to the Municipal Code and associated implementing policies.

8:00 p.m. Council Meeting

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **CONSENT CALENDAR**

3-1. City Council minutes, July 10, 2006.

Staff recommendation: Approve.

3-2. a. Ratification of City of Albany net payroll in the amount of \$164,662.60; taxes, benefits & withholdings in the amount of \$230,643.02. Total payroll in the amount of \$395,305.62. Payroll period: 07/07/06.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$42,316.50; taxes, benefits & withholdings in the amount of \$45,551.07. Total payroll in the amount of \$87,867.57; Payroll period: 07/07/06.

Staff recommendation: Ratify.

3-3. Ratification of pension payments for the month of June in the amount of \$102,645.95.

Staff recommendation: Ratify.

3-4. Resolution #06-36 - A Resolution of the Albany City Council Adopting the National Incident Management System (NIMS) for the City of Albany and Implementing Mandated NIMS Training for all City of Albany Employees to Comply with Homeland Security Presidential Directive (HSPD-5) Management of Domestic Emergency Incidents.

**Staff Report** (*PDF, 27Kb*)

**Resolution 06-36** (*PDF, 22Kb*)

Staff recommendation: Approve Resolution #06-36.

3-5. Solano Avenue Stroll - September 10, 2006.

**Staff Report** (*PDF, 18Kb*)

**July 17, 2006 Letter** (*PDF, 88Kb*)

**Encroachment Permit** (*PDF, 551Kb*)

**General Information** (*PDF, 557Kb*)

Staff recommendation: 1) Direct staff to issue a no-fee encroachment permit to the Solano Avenue Association for the 2006 Solano Stroll event, scheduled for Sunday, September 10, 2006. 2) Contribute \$5,000 to the Solano Avenue Association to assist in putting on the 2006 Solano Stroll. 3) Waive fees for paramedics to be on-site from 9:00 a.m. to 6:30 p.m.

3-6. Notice of Exemption from the California Environmental Quality Act (CEQA) for the Burrowing Owl Habitat Project at the Albany Plateau.

**Staff Report** (*PDF, 19Kb*)

**Initial Study** (*PDF, 253Kb*)

**Proposed Notice Of Exemption** (*PDF, 28Kb*)

Staff recommendation: Information only.

3-7. Call for bids, 2006 Parks Rehabilitation Projects, Terrace Park, Memorial Park & Ocean View Park.

**Project Designs** (*PDF, 1284Kb*)

**Project Elements & Construction Cost Estimates** (*PDF, 15Kb*)

Staff recommendation: Authorize call for bids to renovate Terrace Park, Memorial Park (Phase II) and Ocean View Park.

Parks & Recreation Commission Recommendations: 1) Eliminate three (3) features from the Memorial Park renovation project including: a. Promenade and entry feature off Portland Avenue, b. Staging Area/Plaza at the entrance of the Veteran's Building, c. Entry features/Gateway Monuments at two other park entries. 2) Reallocate \$131,000 in Measure R funding from the Pierce Street Park project to cover the funding shortfall for ball field-related elements.

3-8. Lower Codornices Creek Phase II - Contract #06-11.

**Staff Report** (*PDF, 19Kb*)

Staff recommendation: Reject the bid of W.R. Forde Associates, sole bidder for the proposed work and authorize staff to rebid the project in its present form this winter for construction to commence June 15, 2007.

4. **GOOD OF THE CITY/PUBLIC FORUM**
5. **PRESENTATION/PUBLIC HEARING**

5-1. Vacation of right-of-way at 1001Eastshore Highway.

**Staff Report** (*PDF, 38Kb*)

**Attachment 1: Resolution 06-48** (*PDF, 66Kb*)

**Attachment 2: Legal Description & Plat** (*PDF, 1960Kb*)

**Attachment 3: Grant Deed** (*PDF, 15Kb*)

Staff recommendation: Conduct public hearing and approve Resolution #06-48 - A Resolution of the Albany City Council Ordering Vacation and Abandonment of a Portion of Eastshore Frontage Road and Authorizing the Mayor to Execute a Grant Deed.

## 6. UNFINISHED BUSINESS

6-1. Measures for November, 2006, ballot.

a. Ordinance #06-09 - An Ordinance of the Albany City Council Authorizing the Submittal of a Ballot Measure for the November, 2006 Election for the Purpose of Renovating and Expanding the City's Fire Station, Constructing an Emergency Operations Center at the City's Police/Fire Complex and Adding Sustainable Building Features to the Civic Center Complex.

**Staff Report** (*PDF, 16Kb*)

**Ordinance 06-09** (*PDF, 63Kb*)

### **Attachments From July 10th Council Meeting:**

**Staff Report** (*PDF, 28Kb*)

**Resolution #06-43** (*PDF, 43Kb*)

**Ordinance #06-09** (*PDF, 66Kb*)

**Design Development Cost Summary** (*PDF, 51Kb*)

**Level II Site Plan** (*PDF, 337Kb*)

Staff recommendation: Approve Ordinance #06-09 - Second Reading Pass-to-Print.

b. Resolution #06-49 - A Resolution of the Albany City Council Submitting to the Voters an Advisory Question Regarding Permit Approvals for Medical Marijuana Dispensaries in the City of Albany.

**Staff Report** (*PDF, 16Kb*)

**Resolution 06-49** (*PDF, 28Kb*)

Staff recommendation: Approve Resolution #06-49.

6-2. Resolution #06-50 - A Resolution of the Albany City Council Endorsing and Directing Staff to Proceed with a City Directed Waterfront Planning Process.

**Staff Report (PDF, 42Kb)**  
**Resolution 06-50 (PDF, 26Kb)**

Staff recommendation: Approve Resolution #06-50.

7. **NEW BUSINESS**
8. **OTHER BUSINESS/ANNOUNCEMENT OF EVENTS**

8-1. 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.

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