

**City Council Agenda
September 05, 2006
8:00PM
Council Chambers, City Hall
1000 San Pablo Avenue**

CALL TO ORDER

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. 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.)

3-1. City Council minutes, July 17 & 24, 2006.

Staff recommendation: Approve.

3-2. a. Ratification of City of Albany net payroll in the amount of \$159,750.29; taxes, benefits & withholdings in the amount of \$193,916.03. Total payroll in the amount of \$353,666.32. Payroll period: 05/28/06.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$40,656.49; taxes, benefits & withholdings in the amount of \$31,537.33. Total payroll in the amount of \$72,193.82; Payroll period: 05/26/06.

c. Ratification of City of Albany net payroll in the amount of \$168,769.34; taxes, benefits and withholdings in the amount of \$210,145.12. Total payroll in the amount of \$378,914.46. Period: 07/21/06.

d. Ratification of Albany Municipal Services JPA in the amount of \$45,824.63; taxes, benefits and withholdings in the amount of \$48,831.70. Total payroll in the amount of \$94,656.33. Period: 07/21/06.

e. Ratification of City of Albany net payroll in the amount of \$167,957.14; taxes, benefits and withholdings in the amount of \$127,069.73. Total payroll in the amount of \$295,026.87. Period: 08/04/06.

f. Ratification of Albany Municipal Services JPA in the amount of \$46,241.27; taxes, benefits and withholdings in the amount of \$33,266.15. Total payroll in the amount of \$79,507.42. Period: 08/04/06.

g. Ratification of City of Albany net payroll in the amount of \$164,549.30; taxes, benefits and withholdings in the amount of \$180,897.52. Total payroll in the amount of \$345,446.82. Period: 08/18/06.

h. Ratification of Albany Municipal Services JPA in the amount of \$45,910.47; taxes, benefits and withholdings in the amount of \$35,668.63. Period: 08/18/06.

Staff recommendation: Ratify.

3-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$2,380,903.61. Period: 06/30/06.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$17,515.91. Period: 07/01/06.

c. Ratification of bills, claims & demands against the City of Albany in the amount of \$223,437.09. Period: 07/16/06. (1st Run)

d. Ratification of bills, claims & demands against the City of Albany in the amount of \$425,523.72. Period: 07/16/06. (2nd Run)

Staff recommendation: Ratify

3-4. a. Pension payments in the amount of \$105,242.94 for the month of July, 2006.

b. Pension payments in the amount of \$105,242.94 for the month of August, 2006.

Staff recommendation: Ratify.

3-5. Consideration of Claim #AL527; Leemans v. City of Albany.

Staff Report

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

3-6. Consideration of Claim #AL533; Ramos v. City of Albany.

Staff Report

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

3-7. Consideration of Claim #AL534; Ramachandran v. City of Albany.

Staff Report

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

3-8. Ohlone Greenway Lighting Improvements.

Staff Report
Attachment: Exhibit A
Attachment: Exhibit B

Staff recommendation: Authorize staff to enter into a consulting services agreement with WHM Incorporated, engineering consultants, for the design of the Ohlone Greenway Lighting Improvements for contract amount at \$18,000.

3-9. Resolution #06-53 - A Resolution of the Albany City Council Approving the Acceptance of \$500 in Funds from the Albany Lions Club Foundation and the Establishment of the William Johnson Scholarship Fund.

Staff Report
Attachment: Resolution 06-53
Attachment: Fee Subsidy Information

Staff recommendation: Approve Resolution #06-53.

3-10. Resolution #06-54 - A Resolution of the Albany City Council Authorizing a Maintenance Agreement with Caltrans Regarding the Bicycle Path

Staff Report
Attachment: Resolution 06-54
Attachment: Agreement

Staff recommendation: Approve Resolution #06-54.

3-11. Resolution #06-55 - A Resolution of the Albany City Council Authorizing call for bids for 2007 residential street sweeping services.

Staff Report
Attachment: Resolution 06-55

Staff recommendation: Approve Resolution #06-55.

3-12. Resolution #06-57 - A Resolution of the Albany City Council Approving a Travel & Expense Reimbursement Policy in Conformance with Assembly Bill 1234.

Staff Report
Attachment 1: Resolution 06-57
Attachment 2: Reimbursement Policy
Attachment 3: City Council Travel/Conference Policy (Existing Policy)
Attachment 4: City Council Code of Ethics (Existing Policy)

Staff recommendation: Approve Resolution #06-57.

3-13. Implementation of Codornices Creek Monitoring and Maintenance Plan.

Staff Report

Attachment: April 13, 2006 Monitoring and Maintenance Plan Codornices Creek Restoration Project (Phase I-UPRR to 5th Street, Berkeley/Albany)

Staff recommendation: Authorize the City Administrator to enter into a contract with FarWest Engineering in the amount of \$26,278 for monitoring of Codornices Creek pursuant to the requirements of the permitting agencies.

3-14. Resolution #06-58 - A Resolution of the Albany City Council approving an Entertainment Permit for "6 Degrees on Solano" Restaurant.

Staff Report

Attachment: Resolution 06-58

Attachment Exhibit A: Condition of Approval

Attachment: P & Z Notice Of Action

Staff recommendation: Approve Resolution #06-58.

3-15. Resolution #06-52 - A Resolution Authorizing the City of Albany Approval of Amendment No. 2 to the Alameda County Transportation Expenditure Plan, dated August 1986.

Staff Report

Attachment: Resolution 06-52

Attachment - Proposed Amendment No. 2: Alameda County Transportation Expenditure Plan (with maps)

Staff recommendation: Approve Resolution #06-52.

3-16. Update on City-initiated Waterfront Planning Consultant Selection Process.

Staff Report

Attachments & Resolution 06-56

(Please Note: This is a very large file and may be slow to download)

Staff recommendation: Provided for information only.

4. **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 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.

5. PRESENTATION/PUBLIC HEARING

5-1. Vacation of Right-of-Way at 1001 Eastshore Highway, Albany. This public hearing was continued from the July 24, 2006 Council meeting.

Staff Report

Attachment: Resolution 06-56

Attachment: Exhibit A

Attachment: Grant Deed

Staff recommendation:

- 1) Conduct public hearing.
- 2) Approve Resolution #06-56 - 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. NEW BUSINESS

6-1. Council Member Lieber submitting Resolution #06-51 urging the Legislature and the Governor to Enact Senate Bill 840 - the California Health Insurance Reliability Act.

Staff Report

Attachment: Lieber Recommendation

Attachment: Senate Bill 840 (partial)

Attachment: Resolution 06-51

Staff recommendation: Consider Resolution #06-51.

Council Member Lieber recommendation: Approve Resolution #06-51 - A Resolution of the Albany City Council Urging the State Legislature and the Governor of California to Provide Comprehensive Universal Health Care for the People of California by Enacting Senate Bill 840 "The California Health Insurance Reliability Act.

6-2. Proposed Key Route Median Irrigation Improvements.

Staff Report

Staff recommendation:

- 1) If the Council wishes to pursue a Key Route median irrigation improvement project, it is recommended that Council:
 - a) Authorize staff to seek a design contract, for all or a portion of these medians, to be readied upon an amendment to the fiscal year 2006-07 1988-1 Lighting and Landscaping District budget;

b) Discuss with the Albany Unified School District its involvement in this project if the median between Portland and Thousand Oaks is included.

2) That the City Council set a public hearing for October 3, 2006 to amend said 1988-1 Landscaping and Lighting budget.

6-3. Policy regarding the selection of the Mayor and Vice-Mayor.

Staff Report

Staff recommendation: To allow public comment on the nomination and appointment of the Mayor and Vice-Mayor, as required by the Brown Act.

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

(Council and staff announcements: Council Member reports on State, regional and local boards, commissions and committees to which they are appointed by the City Council; Council Member announcement of requests for future agenda items. No public comment will be taken on announcement of future agenda items).

7-1. The regular scheduled City Council meeting of October 2, 2006, will be cancelled and rescheduled for Tuesday, October 3, 2006, in observance of Yom Kippur.

8. 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)">