

**City Council Agenda
November 20, 2006
8:00PM
Council Chambers, City Hall
1000 San Pablo Avenue**

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

3-1. City Council minutes, November 6, 2006.

Draft Council Minutes, 11/6/06

Staff recommendation: Approve.

3-2. a. Ratification of City of Albany net payroll in the amount of \$169,517.53; taxes, benefits & withholdings in the amount of \$126,757.80. Total payroll in the amount of \$296,275.33. Payroll period: 11/09/06.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$45,332.66; taxes, benefits & withholdings in the amount of \$35,708.87. Total payroll in the amount of \$81,041.53. Payroll period: 11/09/66.

Staff recommendation: Ratify.

3-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$802,810.31. Period: 10/20/06. \$15,015.91. Period: 11/01/06. \$238,802.71. Period: 11/06/06.

Staff recommendation: Approve.

3-4. Consideration of Claim #AL537; Knighten v. City.

Staff Report

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

3-5. Ordinance #06-013 - An Ordinance of the Albany City Council to Amend Chapter XIV of the Albany Municipal Code to Restrict the Parking of Food or Beverage Vending Vehicles within 300 feet of Schools. Second Reading.

**Staff Report
Ordinance 06-013**

Staff recommendation: Approve Ordinance #06-013 for Second Reading Pass-to-Print.

3-6. Ordinance #06-015 - An Ordinance of the Albany City Council Establishing the Procedure for Providing Notices Through Publication. Second Reading.

Staff Report
Ordinance #06-015

Staff recommendation: Approve Ordinance #06-015 for Second Reading Pass-to-Print.

3-7. Resolution #06-68 - A Resolution of the Albany City Council Designating Appropriate Newspapers of General Circulation.

Staff Report
Resolution 06-68

Staff recommendation: Approve Resolution #06-68.

3-8. Resolution #06-71 - A Resolution of the Albany City Re-Delegating Investment Authority to the City Treasurer and Adopting the Investment Policy for the City of Albany.

Staff Report
Resolution 06-71
City of Albany Investment Policy
"Investment Policy for the Pooled Money Investment Account" (website link-Click PMIA Investment Policy)

Staff recommendation: Approve Resolution #06-71.

3-9. Resolution #06-72 - A Resolution of the Albany City Council Authorizing the City Administrator to Execute an Agreement to Share Taxpayer Information with the Franchise Tax Board.

Staff Report
Resolution 06-72

Staff recommendation: Approve Resolution #06-72.

3-10. Resolution #06-74 - A Resolution of the Albany City Council Authorizing the City Administrator to Enter Into a Contract with FarWest Restoration Engineering (FRE) to Develop Channel Restoration Plans, and Hydraulic Modeling of those Plans, for Lower Codornices Creek between UPRR Tracks and I-80 for an Amount not to Exceed \$120,869. Funding will be used from the Target Corporation Creek Restoration Funds.

Staff Report
Resolution 06-74
Attachment: Letter from Ann Chaney
Attachment: Letter from R. Cardineaux
Attachment: FarWest Restoration Scope Of Work
Attachment: Balance Hydrologies, Inc. Scope Of Work
Attachment: Preliminary Short & Long Term Right-Of-Way Plan
Attachment: Draft Letters to ACTIA & ACCMA

Staff recommendation: Approve Resolution #06-74.

3-11. Resolution #06-76 - A Resolution of the Albany City Council Modifying the Unrepresented, Part-Time Salary Schedule.

Staff Report
Resolution 06-76

Staff recommendation: Approve Resolution #06-76.

3-12. Resolution #06-77 - A Resolution of the Albany City Council Electing to be Subject to Public Employees' Medical and Hospital Care Act Only With Respect to Members of a Specific Employee Organization and Fixing the Employer's Contribution for Employees and the Employer's Contribution for Retirees at Different Amounts.

Staff Report
Resolution 06-77

Staff recommendation: Approve Resolution #06-77.

3-13. Support for Senator Feinstein's Senate Bill 113: Modifying effective date of Federal Trust Land for Lytton Band, making them subject to the normal provisions of the Indian Gaming Regulatory Act (IGRA).

Staff Report
Attachment: Letter

Staff recommendation: Approve transmitting letter to Senator Feinstein in support of Senate Bill 113.

3-14. Award of contract for construction of the Buchanan Street Relief Sewer Project.

Staff Report

Staff recommendation: Award the contract to K.J. Woods Construction in the amount of \$137,200 for the construction of the Buchanan Street Relief Sewer Project.

4. **GOOD OF THE CITY/PUBLIC FORUM**

5. PRESENTATION/PUBLIC HEARING

5-1. Public Hearing to discuss for first reading the following Green Building Ordinances: 1) Ordinance #06-016 - An Ordinance of the Albany City Council Adopting "Green Building and Bay-Friendly Landscaping Regulations", Amending Chapter 20, Planning & Zoning of the Albany Municipal Code. 2) Ordinance #06-017 - An Ordinance of the Albany City Council Adopting "Construction and Demolition Debris Recycling" Amending Chapter 12, Building and Housing of the Albany Municipal Code. 3) Ordinance #06-018 - An Ordinance of the Albany City Council Adopting "Water Reuse" Amending Chapter 20, Planning & Zoning of the Albany Municipal Code.

Staff Report
11/6/06 Staff Report
Attachment: Ordinance 06-016
Attachment: Draft Ordinance 06-017
Attachment: Draft Ordinance 06-018

Staff recommendation: Approve for First Reading Ordinance #06-016, 06-017 & 06-018.

6. UNFINISHED BUSINESS

6-1. Review of Planning and Zoning Commission Action: Design Review Approval of 1000 San Pablo Avenue to Construct the City of Albany Civic Center Measure F Safety Project.

Staff Report
Attachment: Proposed Modifications to Notice of Action
Attachment: P & Z Staff Report
Attachment: P & Z Minutes 10/10/06

Staff recommendation: It is recommended that the City Council affirm, with modifications, the action of the Planning and Zoning Commission approving design review of the City of Albany Civic Center Measure F Safety Project at 1000 San Pablo Avenue.

6-2. Report on History of Measure D (1978)

Staff Report

Staff recommendations: That the City Council considers this report and provide appropriate direction to staff.

7. NEW BUSINESS

8. OTHER BUSINESS/ANNOUNCEMENT OF EVENTS

8-1. City Offices will be closed on Thursday, November 23 & Friday, November 24, 2006, in observance of Thanksgiving.

8-2. Special Council Meeting, Monday, December 11, 2006, 7 p.m. to canvass election results and issue the Oath of Office to newly elected officials.

8-3. There will be a regular scheduled Council Meeting on December 18, 2006.

9. 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)">