

**City Council Agenda
May 15, 2006
8:00PM
Council Chambers, City Hall
1000 San Pablo Avenue**

6:30 p.m.

City Council training session regarding its roles and responsibilities in the event of a disaster.

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

3-1. City Council minutes, April 17 & May 1, 2006.

Staff recommendation: Approve.

3-2. a. Ratification of City of Albany net payroll in the amount of \$156,875.69; taxes, benefits & withholdings in the amount of \$177,913.55 Total payroll in the amount of \$334,889.24. Payroll period: 04/28/06.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$43,229.76; taxes, benefits & withholdings in the amount of \$47,915.14. Total payroll in the amount of \$91,144.90. Payroll period: 04/29/06.

Staff recommendation: Ratify.

3-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$17,515.91. Period: May 1, 2006.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$192,636.18. Period: May 5, 2006.

Staff recommendation: Ratify.

3-4. Mayor Maris appointing Peter Ballinger to the Albany Arts Committee.

Staff recommendation: Information only.

3-5. Council Member Okawachi appointing Peggy McQuaid to the Albany Arts Committee.

Staff recommendation: Information only.

3-6. Request for Temporary Street Closures for Taste of Albany.

Staff Report (*PDF, 20Kb*)

Staff recommendation: Approve the request by the Albany Chamber of Commerce to close approximately 200 feet of the following streets on June 4, 2006, from noon to 7:00 p.m., in conjunction with the Taste of Albany event: 900 block of Talbot Avenue, south of Solano Avenue; 900 block of Stannage Avenue, south of Solano Avenue; 800 block of Pomona Avenue, north of Solano Avenue.

3-7. Temporary Street closure around Memorial Park for the July 4th, 2006 Celebration.

Staff Report (*PDF, 20Kb*)

Staff recommendation: Approve the closure of a two-block area of Portland Avenue between Carmel and Pomona Avenues in front of Memorial Park on July 4, 2006, from 6:00 a.m. to 5:00 p.m. for the July 4th Dog Jog and Celebration.

3-8. Public Hearing for Fiscal Year 2006-07 and 2007-08 Operating Budgets, Capital Improvement Plan, Master Fee Schedule, Assessments for Landscape & Lighting Districts 1996-1 and 1998-1, Clean Water Storm Fee, Library Services Fee and Sewer Services Fee continue to June 5, 2006.

Staff Report (*PDF, 15Kb*)

Staff recommendation: Continue the public hearing on the 2006-07 & 2007-08 Budgets to June 5, 2006.

3-9. Consideration of Claim #AL525; Booker v. City of Albany.

Staff Report (*PDF, 14Kb*)

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

3-10. Resolution #06-21 - A Resolution of the Albany City Council Authorizing a Request for \$31,000 in TDA Funds to be Applied as Matching Funds for Safe Routes to Transit (SR2T) Grant for the Installation of Lighting and the Realignment of Two Bike Path Intersections along the Ohlone Greenway.

Staff Report (*PDF, 16Kb*)

Resolution 06-21 (*PDF, 20Kb*)

Attachment A: Findings (*PDF, 40Kb*)

Attachment B: Project Application Form (*PDF, 95Kb*)

Staff recommendation: Approve Resolution #06-21.

3-11. Participation in "2-1-1" program to provide social services information to the residents of Alameda County.

Staff Report (PDF, 17Kb)

Attachment: Letter from Eden I & R, Inc. (PDF, 229Kb) *Please Note: Large File which may take additional time to download*

"211" Slideshow (PDF, 382Kb) *Please Note: Large File which may take additional time to download*

Staff recommendation: Authorize City participation in the 2-1-1 program, including the allocation of \$5,000 in the 2006-07 fiscal year, contingent upon the financial participation of Alameda County and the other cities in Alameda County.

3-12. Call for Bids and Award of Contract for Sonoma Avenue Speed Humps and Peralta Avenue Restriping - Contract #06-10.

Staff Report (PDF, 35Kb)

Attached Pictures (PDF, 620Kb) *Please Note: Large File which may take additional time to download*

Staff recommendation: Approve and authorize the City Clerk to invite bids and the City Administrator to award a contract not to exceed \$15,000.00 for Sonoma Avenue Speed Humps and Peralta Avenue Restriping.

3-13. Call for Bids, Restroom Buildings, Ocean View Park & Terrace Park, Contracts #06-08 & 06-09.

Staff Report (PDF, 26Kb)

Staff recommendation: Authorize call for bids to 1) clear and prepare the restroom sites at Ocean View and Terrace Park and 2) to furnish and install pre-fabricated restrooms at both sites.

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

5-1. Presentation of Mental Health Month Proclamation.

Proclamation (PDF, 102Kb)

6. UNFINISHED BUSINESS

6-1. Status report on the Gilman Street Fields project and request for continued financial support for future infrastructure repairs and replacement.

Staff Report (PDF, 25Kb)

Attachment A: Agreement (PDF, 50Kb)

Attachment B: Staff Report dated 11/01/04 (PDF, 27Kb)

Attachment C: Resolution 04-52 (PDF, 15Kb)

Staff recommendation: 1) Receive the status report on the Gilman Street Field project. 2) Approve the reallocation of \$15,000 per year from Measure R for Ball Field funds from the Pierce Street Park Project to fund the ongoing commitment for future infrastructure repairs and replacement at the Gilman Street Fields.

6-2. Medical Marijuana Dispensaries Ordinance: Draft Ordinance #60-07

Attachment A: Text of Option A-Regulation (PDF, 135Kb)

Attachment A-1: Decision Agenda for Option A (PDF, 62Kb)

Attachment B: Text of Option B-Prohibition (PDF, 30Kb)

Attachment B-1: Decision Agenda for Option B (PDF, 26Kb)

Attachment C: Proposed Ordinance 06-07 (PDF, 33Kb) *(does not reflect formatting modifications that would be necessary for ballot measure.)*

Attachment D: Resolution 06-9 To Adopt Negative Declaration (PDF, 21Kb)

Attachment E: Initial Study (PDF, 253Kb)

Attachment F: SB 420 (Health & Safety Code 11362.7H) (PDF, 757Kb) *Please Note: Large File which may take additional time to download*

Attachment G: Los Angeles County Dispensary Ordinance (PDF, 373Kb)

Attachment H: "Medical Cannabis & Our Community" (PDF, 667Kb) *Please Note: Large File which may take additional time to download*

Attachment I: Map of Prohibited Locations in Albany (PDF, 69Kb)

Attachment J: Map of Postal Zip Codes for Albany & Surrounding Area (PDF, 56Kb)

Attachment I: Ban Map (PDF, 72Kb) Map of Prohibited locations in Albany >

Attachment K: Contra Costa Medical Marijuana Program

Staff recommendation: That the City Council: 1) Consider potential changes to Draft Ordinance #06-07 - An Ordinance of the Albany City Council Regarding Medical Marijuana Option A - Regulation, presented in staff report, and provide direction to staff to make desired changes to the draft ordinance. 2) Consider options for a ballot measure on medical marijuana dispensaries for November, 2006, and provide direction to staff for preparation of an appropriate resolution for submittal of a proposition to the voters. 3) Adopt Resolution #06-9 - A Resolution of the Albany City Council Approving a Negative Declaration Regarding Environmental Effects of Proposed Amendments to the Albany Zoning Ordinance to Add Provisions Regulating Medical Marijuana Dispensaries. (In making this recommendation, staff assumes that Option A or a similar document, will be included in the ballot measure).

6-3. Status report on 2005-06 City Council Goals.

Staff recommendation: Accept status report on implementation of City Council 2005-06 goals.

Staff Report (*PDF, 18Kb*)

Attachment: Goals Spreadsheet (*PDF, 119Kb*)

7. NEW BUSINESS

7-1. Resolution #06-23 - A Resolution of the Albany City Council Authorizing the City's Membership in the International Council for Local Environmental Initiatives in Order to Participate in the Alameda County-wide Climate Control Assessment Project.

Staff Report (*PDF, 18Kb*)

Resolution 06-23 (*PDF, 17Kb*)

Attachment: Letter from StopWaste.Org (*PDF, 41Kb*)

Attachment: Membership Benefits (*PDF, 36Kb*)

Attachment: ICLEI Project Timeline (*PDF, 26Kb*)

Staff recommendation: 1) Approve Resolution #06-23. 2) Authorize the City Administrator to execute an agreement to participate in the Alameda County Climate Control Assessment project, and allocate \$10,000 of City 2006/07 Import Mitigation funds for this purpose. 3) Appoint a City Council Member as a liaison to the Alameda County Climate Control Assessment Project.

7-2. Volunteer waterfront open space, park and trail cleanup efforts.

Staff Report (*PDF, 15Kb*)

Staff recommendation: Consider asking the Waterfront Committee to recommend a volunteer program to involve the condition of the Bay Trail, Waterfront Trail and other public park and open space areas on the Waterfront.

8. OTHER BUSINESS/ANNOUNCEMENT OF EVENTS

8-1. City offices will be closed on Monday, May 29, 2006, in observance of Memorial Day.

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)">