

**City Council Agenda
December 19, 2005
8:00PM
Council Chambers, City Hall
1000 San Pablo Avenue**

7:15 p.m.

EXECUTIVE SESSION

Call to Order

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

City Council convenes in the Council Chamber and then adjourns to Executive Session to discuss the following pursuant to Government Code Section 54946.9:

Conference with Legal Counsel - Existing Litigation: Gann v. City of Albany

7:45 p.m.

Albany Municipal Services JPA. (See Separate Agenda)

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

3-1. City Council minutes, 11/21/05 & 12/05/05.

Staff recommendation: Approve.

3-2. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$22,339.08. Period: 12/01/05.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$235,351.59. Period: 12/02/05.

Staff recommendation: Ratify.

3-3. Council Member Good appointed Susan Adame to the Arts Committee.

Staff recommendation: Information only.

3-4. Schedule a public hearing to discuss the annual report on the status of Sewer, Storm Drainage and Capital Facilities In-Lieu Fees Collected, as of June 30, 2005 According to Government Code Section 66001 (AB1600).

Staff Report (PDF, 15Kb)

Staff recommendation: Schedule a public hearing for Tuesday, January 17, 2006.

3-5. Resolution #05-60 - A Resolution of the Albany City Council Accepting Improvements as Complete and Directing the Filing of the Notice of Completion for Contract No. 05-07. (Resurfacing of Ocean View Park Tennis Courts)

Staff Report (PDF, 27Kb)

Resolution (PDF, 14Kb)

Notice of Completion (PDF, 25Kb)

Staff recommendation: Approve Resolution #05-06.

3-6. Mayor Maris appointing Roger Carlsen to the Parks & Recreation Commission.

Staff recommendation: Information only.

4. GOOD OF THE CITY/PUBLIC FORUM
5. UNFINISHED BUSINESS

5-1. Recommendations from the Parks and Recreation Commission regarding outstanding issues related to the parks rehabilitation project.

Staff Report (PDF, 46Kb)

Council Minutes, 10/17/05 (PDF, 28Kb)

Council Minutes, 11/7/05 (PDF, 28Kb)

Draft, Park & Rec. Commission Minutes, 12/8/05 (PDF, 46Kb)

No electronic file for Draft Report from Siegel & Strain

No electronic file for Design

1) Approve the new design for the area of Ocean View Park south of the Teen Center, which reduces the number of trees to be removed.

2) Approve the elimination of the community building/room at Terrace Park and restore the applicable funding to the contingency fund for other project related costs.

3) Accept the Arts Committee's recommendations for the public art features of the park rehabilitation project.

4) Defer the discussion of how the turf in the northern half of Memorial Park is to be removed and (post-installation) maintained pending further research and Commission action in January.

5) Receive the report from Siegel & Strain concerning the Memorial Park improvements as information only and concur with the Commission recommendation to proceed with the approved design for the entry promenade and plaza at Memorial Park

5-2. Annual adoption of City Investment Policy.

Staff Report (*PDF, 26Kb*)

Resolution #05-58 (*PDF, 13Kb*)

Exhibit A of Resolution (*PDF, 64Kb*)

Investment Policy for Pooled Money Investment Account (*PDF, 58Kb*)

Staff recommendation: Approve Resolution #05-58 - A Resolution of the Albany City Council Re-Delegating Investment Authority to the City Treasurer and Adopting the Investment Policy for the City of Albany.

6. PRESENTATION/PUBLIC HEARING

6-1. Appeal of Planning & Zoning Commission approval of Planning Application #05-067, extension of Conditional Use Permit for Albany Berkeley Chinese School, 720 Jackson Street (Vista Elementary School Site).

Staff Report (*PDF, 51Kb*)

No Electronic File for Appeal Application

No Electronic File for Site Plans

Notice Of Action (*PDF, 150Kb*)

November 22, 2005 P & Z Minutes (*PDF, 129Kb*)

October 25, 2005 P & Z Staff Report (*PDF, 162Kb*)

October 25, 2005 P & Z Minutes (*PDF, 149Kb*)

October 11, 2005 P & Z Minutes (*PDF, 164Kb*)

No Electronic File of November 1, 2005 Letter

Staff recommendation: That the City Council deny the appeal and uphold the decision of the Planning and Zoning Commission to extend the Conditional Use Permit for the Albany Berkeley Chinese School to June 30, 2006.

7. NEW BUSINESS

8. OTHER BUSINESS/ANNOUNCEMENT OF EVENTS

8-1. The City Council meeting of Tuesday, January 3, 2006 has been cancelled and due to the Martin Luther King, Jr. Holiday the next regular meeting of the City Council will be Tuesday, January 17, 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)">