

**City Council Agenda**  
**April 18, 2005**  
**8:00PM**  
**Council Chambers, City Hall**  
**1000 San Pablo Avenue**

7:30 p.m.

Reinvestment Agency (see separate Agenda).

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

3-1. City Council Minutes, April 4, 2005.

Staff recommendation: Approve.

3-2. a. Ratification of City of Albany net payroll in the amount of \$148,266.71; taxes, benefits & withholdings in the amount of \$103,453.72. Total payroll in the amount of \$251,720.43. Payroll period: 04/01/05.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$40,784.64; taxes, benefits & withholdings in the amount of \$27,511.27. Total payroll in the amount of \$68,295.91; Payroll period: 04/01/05.

c. Ratification of Albany Municipal Services JPA net payroll in the amount of \$39,980.25; taxes, benefits & withholdings in the amount of \$41,878.91. Total payroll in the amount of \$81,859.16. Payroll period: 04/15/05.

Staff recommendation: Ratify.

3-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$358,961.02. Period: 04/04/05.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$163,903.46. Period: 04/08/05.

c. Ratification of bills, claims & demands against the Albany Municipal Services JPA in the amount of \$520.00. Period: 04/08/05.

Staff recommendation: Ratify.

3-4. Resolution #05-18 - A Resolution of the Albany City Council Approving the Application for Grant Funds for the Urban Forestry Grant Program Provided Through Proposition 12 for the City of Albany Urban Forestry Program.

**Staff Report** (*PDF, 15Kb*)  
**Resolution** (*PDF, 17Kb*)

Staff recommendation: Approve Resolution #05-18.

3-5. Resolution #05-19 - A Resolution of the Albany City Council Authorizing Negotiations to Acquire the 4.5 Acre Property on Pierce Street from Caltrans for Purposes of a Park at the Appraised Value, as Determined by Smith & Associates, in the Appraisal Dated June 30, 2004, Not to Exceed \$580,000.

**Staff Report** (*PDF, 22Kb*)  
**Resolution** (*PDF, 17Kb*)

Staff recommendation: Approve Resolution #05-19.

3-6. Resolution #05-20 - A Resolution of the Albany City Council Approving and Accepting Improvements and Directing the Filing of the Notice of Completion for Contract No. 04-14, Fielding Softball Field Renovation, Lower Codornices Creek.

**Staff Report** (*PDF, 16Kb*)  
**Resolution** (*PDF, 14Kb*)  
**Attachment** (*PDF, 26Kb*)

Staff recommendation: Approve Resolution #05-20.

3-7. Resolution #05-21 - A Resolution of the Albany City Council Amending Resolution No. 05-15, Which Established the Social & Economic Justice Commission. (The amendment changes the language regarding the Youth Member giving the Board of Education the option of a High School Junior or Senior).

**Staff Report** (*PDF, 14Kb*)  
**Resolution** (*PDF, 14Kb*)

Staff recommendation: Approve Resolution #05-21.

3-8. Consideration of Claim #AL494; Agazadeh v. City.

**Staff Report** (*PDF, 14Kb*)

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

3-9. Consideration of Claim #AL495; Saaid v. City.

**Staff Report** (*PDF, 14Kb*)

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

4. **PRESENTATION/PUBLIC HEARING**  
5. **UNFINISHED BUSINESS**

5-1. Unfunded Capital, Operations and Maintenance Needs Community Survey.

**Staff Report** (*PDF, 32Kb*)

Staff recommendation: Approve the topics to be covered in a public opinion survey.

6. **NEW BUSINESS**

6-1. Proposed Interim Urgency Ordinance regarding Medical Marijuana Dispensaries.

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

**Ordinance** (*PDF, 31Kb*)

Staff recommendation: Adopt Ordinance #05-03, an Interim Urgency Ordinance, An Ordinance of the Albany City Council to Establish a Forty-Five Day Moratorium Restricting Applications for Medical Marijuana Dispensaries. Such moratorium is intended to provide time for staff to prepare a draft amendment to the Zoning Ordinance for review by the Planning & Zoning Commission, with ultimate review and approval by the City Council. (Requires a 4/5 vote of the Council)

6-2. Request for staff time to analyze the potential for City Council/City Hall uses in Veterans Memorial Building. (Council Member Lieber oral report)

6-3. Set Special City Council meeting date to discuss the future land use of the Golden Gate Fields property.

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

Staff recommendation: Pursuant to the goals adopted by the City Council, set a Special City Council meeting date to discuss the Golden Gate Fields property.

7. **OTHER BUSINESS/ANNOUNCEMENT OF EVENTS**  
8. **GOOD OF THE CITY/PUBLIC FORUM**  
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)">