

**City Council Agenda  
November 19, 2007  
8:00PM  
Council Chambers, City Hall  
1000 San Pablo Avenue**

**7:00 p.m.**

**CLOSED SESSION**

Closed session to discuss real property negotiations pursuant to Government Code Section 54956.8:

Property: Monroe Street Site, University Village

Negotiating Parties: University of California; City Administrator, on behalf of the City.

Property: Proposed Pierce Street Park, located across from 737 Pierce Street

Negotiating Parties: Caltrans, on behalf of the State; City Administrator, on behalf of the City.

Closed session conference with legal counsel due to significant exposure to litigation pursuant to subdivision (b) of Section 54956.9 of the Government Code. One potential case to be discussed.

**OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS**

**ADJOURN TO CLOSED SESSION**

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **ANNOUNCEMENT OF EXECUTIVE SESSION ACTION**
4. **CONSENT CALENDAR**

4-1. Council Minutes, November 6, 2007.

Staff recommendation: Approve.

4-2. a. Ratification of City of Albany net payroll in the amount of \$203,145.69; taxes, benefits & withholdings in the amount of \$218,837.71. Total payroll in the amount of \$421,983.40. Payroll period: 10/26/07.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$50,244.78; taxes, benefits & withholdings in the amount of \$54,374.60. Total payroll in the amount of \$104,619.38. Payroll period: 10/26/07.

Staff recommendation: Ratify.

4-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$22,886.00. Period: 11/01/07.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$474,489.94. Period: 11/02/07.

Staff recommendation: Ratify.

4-4. Pension payments for the month of October, 2007, in the amount of \$110,761.41.

Staff recommendation: Ratify.

4-5. Community Center Tower Repair.

**Staff Report**

Staff recommendation: Informational.

4-6. Support for Broadband Access regarding the expansion of Internet access and protections for workers and consumers during that expansion.

**Staff Report**

**Attachments: Letter from Central Labor Council & 3 Sample Resolutions**

Mayor recommendation: Refer this item to the Social & Economic Justice Commission for review and report back to Council.

4-7. Resolution #07-58 - A Resolution of the Albany City Council Approving the Final Condominium Subdivision Map for Tract 7773 (Villa de Albany, 727 San Pablo Avenue).

**Staff Report**

**Resolution 07-58**

**Conditions of Approval**

**Tract Map (reduced copy)**

**Deferred Improvement Agreement**

**Summary of Draft Sales Procedures**

Staff recommendation: Adopt Resolution #07-58.

4-8. Financing Solar Energy and Energy Efficiency.

**Staff Report**

**SF Gate Article: "Berkeley Going Solar" 10/26/07**

Staff recommendation: Refer to the Sustainability Committee a review of the City of Berkeley's conceptual "Sustainable Energy Financing District" for a recommendation to City Council regarding financing solar energy and energy efficiency.

4-9. Set public hearing for Integrated Pest Management Ordinance.

**Staff Report**

Staff recommendation: Set public hearing for December 3, 2007, pending action by the Park & Recreation Commission.

4-10. License Agreement for temporary relocation of City operations at the following location: Monroe Street, University of California (formerly 1055-1067 Monroe Street.

**Staff Report**

**Draft License Agreement**

**Addendum A**

**Letter from Village Residents Association, 11/2/07**

Staff recommendation: Authorize the City Administrator to enter into a License Agreement between the City and the Regents of the University of California for use of University property located on Monroe Street, in University Village, for temporary relocation of the City's Police and Fire Departments.

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

**6. PRESENTATION/PUBLIC HEARING**

6-1. Presentation on update regarding the oil spill in the San Francisco Bay.

**Staff Report**

**Resolution 07-69**

Staff Recommendation: 1. Confirm the continued existence of a local emergency, pursuant to Resolution #07-69. Receive report on response to oil spill and clean-up efforts.

6-2. Appeal of the Planning & Zoning Commission decision to deny Planning Application 07-064. Design Review. Appeal of Planning & Zoning Commission decision to deny the residing of an existing home from T 1-11 (plywood) to vinyl siding.

**Staff Report**

**Appeal Application**

**Planning & Zoning Staff Report, 9/11/07**

**Minutes from Planning & Zoning Commission, 9/11/07**

**Planning & Zoning code Section 20.100.050 Design Review**

**City of Albany Residential Design Guidelines**

Staff recommendation: Deny approval of application 07-064 and waive the fee associated with the appeal of the Commission's action to the City Council.

7. **UNFINISHED BUSINESS**
8. **NEW BUSINESS**

8-1. Ohlone Greenway Concept Design.

**Staff Report**  
**Proposal from Gate + Associates**

Staff recommendation: Authorize the City Administrator to execute a contract with Gates & Associates to prepare concept plans for renovation of the Ohlone Greenway Park, at an estimated cost of \$75,000.

8-2. Ordinance #07-07 - An Ordinance of the Albany City Council Amending Chapter XII, Building and Housing, Chapter XI Fire Prevention and Chapter XX111 Grading Ordinance of the Albany Municipal Code to Include Regulations Adopting the California Building Code and Fire Code. First Reading.

This Ordinance is related to: a) The adoption of the 2007 Versions of the California Building Code, California Fire Code, California Electrical Code, California Mechanical Code and California Plumbing Code. b) Repair and Reconstruction of Damaged Structures. c) Safety Inspections and Posting Official Placards during an Emergency.

Planning & Zoning Commission Recommendation: At the meeting of November 13, 2007, the Commission voted 3-0 (2 absent) to recommend adoption of proposed changes to the Building & Housing Fire Prevention, and Grading Chapters of the Municipal Code.

**Staff Report**  
**Draft Ordinance 07-05**

Existing Building & Housing, Fire Prevention, and Grading Chpters of the Municipal Code

Staff recommendation: Adopt for first reading Ordinance No. 07-07.

9. **OTHER BUSINESS/ANNOUNCEMENT OF EVENTS**

9-1. City offices will be closed on Thursday, November 22 & Friday, November 23, 2007, on observance of Thanksgiving.

10. **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)">