

**City Council Agenda
September 04, 2007
8:00PM
Council Chambers, City Hall
1000 San Pablo Avenue**

7:15 p.m.

CLOSED SESSION

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

Closed session to discuss litigation pursuant to Government Code Section 54956.9(a):

Lopez v. City of Albany

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

Property: 1050 San Pablo Avenue, Gill Tract, University of California & 405 Kains.

Negotiating Parties: University of California; Rachel Kuan & Gary Tang, Hannah Investment, on behalf of the property owner, Cerrito Creek Properties, LCC. City Administrator, on behalf of City.

Under Negotiation: Terms and conditions to obtain license for temporary Relocation of City operations.

ADJOURN TO CLOSED SESSION

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

4-1. Council Minutes, July 2 & 16, 2008

Staff recommendation: Approve.

4-2. a. Ratification of City of Albany net payroll in the amount of \$189,822.34; taxes, benefits & withholdings in the amount of \$227,612.39. Total payroll in the amount of \$417,434.73. Payroll period: 07/20/07.

b. Ratification of City of Albany net payroll in the amount of \$206,705.06; taxes, benefits & withholdings in the amount of \$147,612.96. Total payroll in the amount of \$354,318.02. Payroll period: 08/03/07.

c. Ratification of Albany Municipal Services JPA net payroll in the amount of \$47,709.89; taxes, benefits & withholdings in the amount of \$52,115.55. Total payroll in the amount of \$99,825.44. Payroll period: 07/20/07.

d. Ratification of Albany Municipal Services JPA net payroll in the amount of \$56,574.99; taxes, benefits & withholdings in the amount of \$43,628.32. Total payroll in the amount of \$100,203.31. Payroll period: 08/03/07.

Staff recommendation: Ratify.

4-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$1,092,491.05. Period: 07/13/07.

Staff recommendation: Ratify.

4-4. a. Pension payments for the month of July, 2007, in the amount of \$113,884.52.

b. Pension payments for the month of August, 2007, in the amount of \$110,761.41.

Staff recommendation: Ratify.

4-5. Consideration of Claim #AL553; Yang vs. City of Albany.

Staff Report

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

4-6. Consideration of Claim #AL554; West Coast Wire Rope & Rigging vs. City of Albany.

Staff Report

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

4-7. Consideration of Claim #AL548; Meyer vs. City of Albany.

Staff Report

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

4-8. Resolution #07-24 - A Resolution of the Albany City Council Authorizing the Destruction of Certain Records and the Donation of Certain Records to the Albany Historical Society.

Staff Report
Resolution 07-24
Exhibit A: Destruction of Records

Staff recommendation: Adopt Resolution #07-24.

4-9. Resolution #07-51 - A Resolution of the Albany City Council Establishing a Goal of 75% Reduction of Waste Going to Landfills by 2010 for the City of Albany in Accordance with the Countywide 75% Waste Reduction Goal.

Staff Report
Resolution 07-51

Staff recommendation: Approve Resolution #07-51.

4-10. Resolution #07-52 - A Resolution of the City Council of the City of Albany Approving a Joint Powers Agreement Among the Counties and Cities Within Alameda and Contra Costa Counties Forming the East Bay Regional Communications System Authority.

Staff Report
Resolution 07-52
Agreement
News Release
June 4th Staff Report

Staff recommendation: Adopt Resolution #07-52.

4-11. Resolution #07-53 - A Resolution of the Albany City Council Authorizing the City Administrator to Accept a "Target & Blue" Grant from Target Corporation for Funds in the amount of \$1,500 to Assist in Funding the Police Department's Annual National Night Out Program.

Staff Report
Resolution 07-53

Staff recommendation: Approve Resolution #07-53

4-12. a. Council Member appointments: Arts Committee: Christina Martin, Council Member Atkinson. Sustainability Committee: Janet Smith-Heimer, Council Member Javandel; Caryl O'Keefe, Council Member Okawachi; Miya Kitahara, Council Member Wile; Suzanne Schrifft, Council Member Atkinson; Thomas Cooper, Mayor Lieber.

b. The Sustainability Committee still has one Youth Member vacancy, which will be filled by the School Board in September and one Council at-large vacancy. If interested in the at-large seat, please contact the City Clerk for an application.

Staff recommendation: Note and file.

4-13. Award of professional Services Contract to Nichols Engineering for Update of Albany's Pavement Management Program.

Staff Report
Nichols Engineering Proposal

Staff recommendation: Approve proposed contract in the amount of \$18,500 with Nichols Consulting Engineers to update the City's pavement management program.

4-14. Schedule a public hearing for first reading of an ordinance to amend the Planning & Zoning Code for purposes of creating an Art in Public Places Program.

Staff Report

Staff recommendation: Authorize the City Clerk to schedule a public hearing for Monday, September 17, 2007.

5. GOOD OF THE CITY/PUBLIC FORUM

6. PRESENTATION/PUBLIC HEARING

6-1. Thanking Sergeant Bettencourt and the Albany Police Department for their work on the first annual Albany National Night Out on August 7, 2007.

Letter

7. UNFINISHED BUSINESS

7-1. Request for construction contingency funds for the Gilman Street Sports Field Project.

Staff Report
Attachment

Staff recommendation: Approve an appropriation of \$50,000 to the City of Berkeley to be used as construction contingency funds for the Gilman Street Sports Field Project.

7-2. Charter Amendment - Directly Elected Mayor.

Staff Report

Staff recommendation: Provide direction to the Charter Review Committee a timeframe, if any, to receive a report from the Committee regarding a charter amendment ballot measure to create a directly elected Mayor.

7-3. Civic Center Improvement Project Oversight.

Staff Report

Staff recommendation: 1) Determine whether to establish an ad-hoc committee for the Civic Center Improvement Project. 2) If Council wishes to establish an oversight committee, that its charge consist of providing financial oversight for the expenditure of project funds, and that it make periodic reports to the City Council on project progress and completion.

8. NEW BUSINESS

8-1. Review of Association of Bay Area Government's Regional Housing Needs Allocation.

Staff Report "A Place To Call Home" Technical Documentation

Staff recommendation: The Planning and Zoning Commission recommends that the City Council not submit a request for revisions to the Association of Bay Area Governments on the proposed Regional Housing Needs Allocation.

9. OTHER BUSINESS/ANNOUNCEMENT OF EVENTS

9-1. Solano Stroll, Sunday, September 9, 2007, 10-6, beginning with a parade at 10 a.m.

9-2. Coastal Cleanup Day, Saturday, September 15, 9-Noon, Albany Waterfront Trail and Beach, foot of Buchanan Street.

9-3. Recognition of Veterans, sponsored by Congress Woman Barbara Lee, Saturday, September 15, 2007, 10-12, at the Albany Community Center, 1249 Marin Avenue.

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)">