

**City Council Agenda
February 20, 2007
8:00PM
Council Chambers, City Hall
1000 San Pablo Avenue**

7:30 p.m.

CLOSED SESSION

Government Code Section 54956.8, Real Estate Negotiations for potential sites for temporary relocation of Police & Fire Services and City Hall during renovation project.

Property: 405 Kains Avenue; 505/507 Adams Street; Golden Gate Fields adjacent to corporation yard; and University of California Excess Property at Abandoned College of Natural Resources site adjacent to University Village.

Negotiating Parties: Rachel Kuan & Gary Tang, Hannah Investment, on behalf of the property owner, Cerrito Creek Properties, LLC. Albany Bowl Properties; Magna Entertainment; UC Berkeley. On behalf of the City: City Administrator and City Attorney.

Under Negotiation: Price and Terms of Payment.

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

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

4-1. City Council minutes, February 5, 2007.

Staff recommendation: Approve.

4-2. a. Ratification of City of Albany net payroll in the amount of \$180,921.68; taxes, benefits & withholdings in the amount of \$140,374.83. Total payroll in the amount of \$321,296.51. Payroll period: 02/02/07.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$44,337.27; taxes, benefits & withholdings in the amount of \$35,616.48. Total payroll in the amount of \$79,953.75. Payroll period: 02/02/07.

Staff recommendation: Ratify.

4-3. Request to temporarily close portions of Solano Avenue and Jackson Street on March 24, 2007 for the Albany Little League Parade.

Staff Report
Encroachment Permit & Application

Staff recommendation: Approve an Encroachment Permit and Parade Permit, at no fee, to allow closure of Solano Avenue, between Key Route Boulevard and Jackson Street, and closure of Jackson Street, between Solano Avenue and Buchanan Street, from 9:00 a.m. to approximately 9:45 a.m. on Saturday, March 24, 2007, for the annual Albany Little League Parade.

4-4. Appointment to Alameda County Transportation Authority (ACTIA) Para transit Advisory Planning Committee.

Staff Report
ACTIA Letter & Information

Staff recommendation: Reappoint Ms. Martha Jo Chalmers.

4-5. Status Report - offer from Bayside Commons, 535 Pierce Street, to convey parcel of land to the City of Albany, located due north of Bayside Common's parking lot entrance and situated in the City of Richmond.

Staff Report
Cost Proposal
City of Richmond Letter
Berkeley Sewer Project Drawings
Letter from Friends of Five Creeks

Staff recommendation: Receive information update.

4-6. Second Quarter Fiscal Year 2006-07 Financial Statements and Projection

Staff Report
Financial Statements
Review

Staff recommendation: Information only. 4-7. 2007-08 Community Development Block Grant (CDBG) City-County Agreement.

Staff Report
Information & Referral Program

Staff recommendation: Approve the recommended use of FY 2007-08 CDBG funds based on an estimated amount of \$86,000 for the following projects: 1) Meals on Wheels program - \$14,000. 2) Access Curb Ramps - \$65,537. 3) Alameda County Homeless Continuum of Care Council - \$1,473. 4) 2-1-1 Program - \$5,000.

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

6. **PRESENTATION**

6-1. Presentation of Certificate of Appreciation to former Commission/Committee/Board members.

7. **UNFINISHED BUSINESS**

7-1. Marin Avenue Reconfiguration and Traffic Calming Project: One-Year Monitoring Results

Staff Report
Resolution 07-7
Korve Engineering Letter dated 7/27/06
Traffic & Safety Resolution TS07-1
Correspondence
City of Berkeley Report dated 10/24/06

Traffic & Safety recommendation: Adopt Resolution #07-7 accepting the findings of the One-Year Monitoring Results for the Marin Avenue Reconfiguration (Traffic Calming), and authorizing the Traffic and Safety Commission and staff to implement project modifications listed in the resolution, as funding allows.

7-2. Charter Review Committee At-Large Appointments.

Staff Report
Applications

Staff recommendation: Appoint two (2) At-Large Members to the Albany Charter Review Committee.

8. **PUBLIC HEARING**

8-1. Medical Marijuana Dispensaries Ordinance #07-01.

Staff Report

Attachments

A: Proposed Ordinance 07-01
B: Text of Exhibit A
C: Resolution PZ07-01
D: Ordinance 06-06
E: Resolution 06-9
F: SB 420
G: "Medical Cannabis Dispensing Collectives & Local Regulation"
H: City of Fremont Police Chief dated 6/20/06
I: Neighboring Cities Dispensary Locations
J: City of Albany Prohibited Locations
K: Becky DeKeuster Letter, 2/7/07
L: Aaron Smith Email, 2/7/07
M: City of Albany Police Chief McQuiston Memo, 2/15/07

Planning & Zoning recommendation: That the City Council adopt amendments to Chapter XX of the Municipal Code to regulate medical marijuana dispensaries according to "Exhibit A", with changes as detailed in Resolution PZ 07-01 and in the background section of the staff report.

Staff recommendation: Introduce Ordinance #07-01 for first reading - An Ordinance of the Albany City Council Amending Chapter XX, Planning & Zoning of the Albany Municipal Code to Include Regulations for Medical Marijuana Dispensaries but with modifications, as recommended by the Police Chief in a memorandum dated February 15, 2007.

9. NEW BUSINESS

9-1. Civic Center Relocation: Potential Options for Consideration.

Staff Report

Staff recommendation: 1) Per direction and terms discussed in closed session, authorize the City Administrator to enter into a lease agreement for the lease of 405 Kains, as a temporary relocation site for City departments. 2) Direct staff to develop plans for any renovations necessary to move City staff into the north building at the City's Maintenance Center; and to begin planning for the temporary relocation of the Fire Department in the vacated City Hall offices.

10. OTHER BUSINESS, REPORTS ON MEETINGS ATTENDED, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS

11. 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)">