



CITY OF ALBANY

CITY COUNCIL AGENDA COMMUNITY CENTER, MAIN HALL, 1249 MARIN AVENUE MONDAY, APRIL 6, 2009

CLOSED SESSION

7:00 p.m.

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

Closed session to discuss litigation pursuant to Government Code Section 549569

City of Albany v. Alten Construction

7:30 p.m.

CALL TO ORDER

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY**
- 4. CONSENT CALENDAR**

(Consent Calendar items are considered to be routine by the City Council and will be enacted by one motion. By approval of the Consent Calendar, the staff recommendations will be adopted unless otherwise modified by the City Council. There will be no separate discussion on these items unless a Council Member or a member of the audience requests removal of the items from the Consent Calendar.)

- 4-1.** Minutes, March 16, 2009.

Staff recommendation: Approve.

- 4-2.**
 - a. Ratification of City of Albany net payroll in the amount of \$199,532.11; taxes, benefits & withholdings in the amount of \$152,418.93. Total payroll in the amount of \$351,951.04. Period: 03/13/09.

b. Ratification of City of Albany Municipal Services JPA net payroll in the amount of \$58,442.14; taxes, benefits & withholdings in the amount of \$41,807.40. Total payroll in the amount of \$100,249.54. Period: 03/13/09.

c. Ratification of City of Albany net payroll in the amount of \$191,366.01; taxes, benefits & withholdings in the amount of \$239,014.86. Total payroll in the amount of \$430,380.87. Payroll period: 03/27/09.

d. Ratification of Albany Municipal Services JPA net payroll in the amount of \$58,552.06; taxes, benefits & withholdings in the amount of \$60,170.40. Total payroll in the amount of \$118,722.46. Payroll period: 03/27/09.

Staff recommendation: Ratify.

- 4-3.** a. Ratification of bills, claims and demands against the City of Albany in the amount of \$239,133.28. Period: 03/30/09.
- b. Ratification of bills, claims and demands against the City of Albany JPA in the amount of \$220. Period: 03/30/09.

Staff recommendation: Ratify.

- 4-4.** Pension payments in the amount of \$112,553.57 for the month of March 2009.

Staff recommendation: Ratify.

- 4-5.** Ordinances for Second Reading.
 - a. Ordinance No. 09-04 – An Ordinance of the Albany City Council Adopting Chapter 13 Public Works Projects, Contracts and Procedures.
 - b. Ordinance No. 09-05 – An Ordinance of the Albany City Council Amending Section 5-13, Massage Establishments, Massage Technicians and Massage Services of the Albany Municipal Code.
 - c. Ordinance No. 09-06 – An Ordinance of the Albany City Council Adopting Section 2.35 Service of Notices of the Albany Municipal Code.

Staff recommendation: Adopt Ordinances Nos. 09-04, 05 & 06 for Second Reading – Pass-to-Print, waiving reading of entire Ordinances.

- 4-6.** Resolution No. 09-8 – A Resolution of the Albany City Council Honoring the 60th Anniversary of the United Nations Declaration of the Rights of the Child.

Social & Economic Justice Commission recommendation: Adopt Resolution No. 09-8.

- 4-7.** Resolution No. 09-11 – A Resolution of the Albany City Supporting AB 622 (Swanson) The Clean Air for Children, Seniors and Working Families Act.

Council Member Lieber’s recommendations: Adopt Resolution No. 09-11.

- 4-8.** Resolution No. 09-14 – A Resolution of the Albany City Council Authorizing the Chief of Police to Apply for COPS Grant Funds from the American Reinvestment and Recovery Act of 2009 to Employ a Community Youth and Family Resource Officer.

Staff recommendation: Adopt Resolution No. 09-14.

- 4-9.** Consider Claim #AL592; CSAA v. City of Albany.

Staff recommendation: Reject Claim #AL592 and authorize the City Clerk to send out rejection notice.

- 4-10.** Green, Red, White and Blue Celebration, July 4, 2009.

Staff recommendation: 1) Approve the street closure on Portland Avenue between Pomona and Carmel on Saturday, July 4, from 6 a.m. to 6 p.m. 2) Encourage a variety of community groups to be involved in the event and to go to www.albanyca.org information on participating.

- 4-11.** City Co-Sponsorship of Workshop for Small Businesses.

Staff recommendation: Approve City co-sponsorship, with Chamber of Commerce and the Solano Avenue Association, of a workshop on marketing and on-line sales tips for small businesses on Wednesday, May 6, 2009, 6 p.m. – 8 p.m. at the Albany Senior Center at no-charge.

5. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS

For persons desiring to address the City Council on an item that is not on the agenda please note that City policy limits each speaker to three (3) minutes. The Brown Act limits the Council’s ability to take and/or discuss items that are not on the agenda; therefore, such items are normally referred to staff for comment or to a future agenda.

Please go to our website at www.albanyca.org to view all future Commission and Committee meetings.

6. PRESENTATION

- 6-1.** Presentation of Proclamation to the Albany Library Board.
- 6-2.** Magna Entertainment Corporation (MEC) Chapter 11 Bankruptcy Filing with respect to MEC-owned Golden Gate Fields racetrack.

Staff recommendation: 1) Receive presentation of information from Robert Hartman, General Manager, Golden Gate Fields. 2) City staff will continue to monitor the bankruptcy proceedings, including exploring any potential impacts or opportunities for the City resulting from the ownership transition.

7. UNFINISHED BUSINESS

- 7-1.** Resolution No. 09-10 – A Resolution of the City of Albany, State of California, Authorizing the Execution of a Loan Agreement with Capital One Bank and Delivery of a Note for the Purpose of Financing the Cost of Acquiring and Constructing Storm Drain Improvement Projects and Related Matters and Amending Resolution No. 09-07.

Staff recommendation: Adopt Resolution No. 09-10 and authorize the City Treasurer, City Administrator and City Finance & Administrative Services Director to complete and sign documents required for execution of the loan, in accordance with Resolution No. 09-10.

8. NEW BUSINESS

- 8-1.** Resolution No. 09-13 – A Resolution of the Albany City Council Authorizing Purchase of Property at 842 Masonic Avenue for Purposes of Future Expansion of the Albany Senior Center.

Staff recommendation: Adopt Resolution No. 09-13.

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

(Council and staff announcements: Council Member reports on State, regional and local boards, commissions and committees to which they are appointed by the City Council; Council Member announcement of requests for future agenda items. No public comment will be taken on announcement of future agenda items).

10. ADJOURNMENT

Adjourn in memory of the four slain Oakland Police Officers: Sgt. Mark Dunagan, Officer John Hege, Sgt. Ervin Romans and Sgt. Daniel Sakai.

(The Council meeting packet is available for public inspection at the Albany Library (526-3720), the Fire Department and the City Clerk's Office. The agenda and supporting staff reports can also be found on our web page at: www.albanyca.org. If you have any questions pertaining to any agenda item or Council meeting procedure, please contact the City Clerk's Office at 528-5710.) Agenda related writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the lobby of City Hall.

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.

To view the live televised Council meetings go to Channel 33. 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, which will be posted on the Internet and broadcast on Channel 33.

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), and State Law, 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)”. Upon request, we will provide written agenda materials in appropriate alternate formats, of disability related modification or accommodation, including auxiliary aids or services to enable individuals with disabilities to participate in public meetings.

Please deliver a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two (2) days before the meeting. Request should be sent to: City Clerk, 405 Kains Avenue, Albany, CA 94706.