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**MINUTES OF THE ALBANY CITY COUNCIL**  
**IN REGULAR SESSION,**  
**COMMUNITY CENTER, 1249 MARIN AVENUE**  
**MONDAY, DECEMBER 7, 2009**

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**6:45 p.m.**

**CLOSED SESSION**

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

The following people spoke urging the Council to continue its negotiations to buy the property for a Park at Pierce Street and also went over the history of this property. Del Price, Albany resident; Speaker (no name given).

**ADJOURN TO CLOSED SESSION**

City Council convenes in the Council Chamber and then adjourns to Closed Session to discuss real property pursuant to Government Code Section 54956.8:

Property:	Proposed Pierce Street Park, located across from 737 Pierce Street.
Negotiating Parties:	Caltrans, on behalf of the State; City Administrator & City Attorney, on behalf of the City.

**7:30 p.m.**

Mayor Atkinson, who led the Pledge of Allegiance to the Flag, called the regular meeting of the Albany City Council to order on the above date.

**ROLL CALL**

Present: Council Members Javandel, Lieber, Thomsen, Wile & Mayor Atkinson  
Absent: None

**STAFF PRESENT**

Beth Pollard, City Administrator; Robert Zweben, City Attorney; Jacqueline Bucholz, City Clerk; Ann Chaney, Community Development Director; Jeff Bond, Planning Manager; Randy Leptien, Contract City Engineer; Judy Lieberman, Assistant City Administrator; Nicole Almaguer, Environmental Specialist.

**3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY**

The City Attorney reported that Council provided direction to staff and that no final decision was made and noted that this matter would be continuing for a while.

**4. PROCLAMATION**

**4-1.** Proclamation honoring Edward “Pete” Dowling on his 90<sup>th</sup> Birthday.

Mayor Atkinson stated that Mr. Dowling was sick and could not be at that the meeting tonight; however, this would be continued to the meeting in January.

**5. COUNCIL REORGANIZATION**

**5-1.** Reorganization of City Council.

a. Election of Mayor

Council Member Javandel nominated Council Member Wile for Mayor and Council Member Lieber seconded the nomination.

b. Election of Vice-Mayor.

Council Member Lieber nominated Council Member Javandel for Vice-Mayor and Council Member Thomsen seconded the nomination.

**VOTE ON NOMINATIONS**

AYES: Council Members Javandel, Lieber, Wile, Thomsen & Mayor Atkinson

NOES: None

ABSENT: None

Motion carried and so ordered.

Mayor Wile thanked former Mayor Atkinson for her service and guidance through the last year and presented her with a Certificate of Appreciation. Mayor Wile noted that she is looking forward to working with Vice-Mayor Javandel over the next year.

**6. 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

**6. CONSENT CALENDAR**

member of the audience requests removal of the items from the Consent Calendar.)

**6-1.** Minutes, November 16, 2009.

Staff recommendation: Approve.

- 6-2.** a. Ratification of City of Albany net payroll in the amount of \$210,815.17; taxes, benefits & withholdings in the amount of \$245,399.41. Total payroll in the amount of \$ 456,214.58. Payroll period: 11/20/09.  
b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$54,928.11; taxes, benefits & withholdings in the amount of \$58,138.53. Total payroll in the amount of \$113,066.64. Payroll period: 11/20/09.

Staff recommendation: Ratify.

**6-3.** Police & Fire Pension Payments for the month of November, 2009 in the amount of \$116,251.36.

Staff recommendation: Ratify.

**6-4.** Inter-fund Transfers.  
(File #330-20)

Staff recommendation: Approve the updated schedule of inter-fund transfers for the fiscal year 2008-09.

**6-5.** Contract for services to move the Police & Fire Departments back into the permanent stations.  
(File #600-30)

Staff recommendation: Authorize the City Administrator to request proposals for moving services for the Police and Fire Departments and enter into a contract in an amount not to exceed \$45,000.

**6-6.** Agreement with the Albany Unified School District for transfer of the temporary Fire Department modular buildings.  
(File #600-30)

Staff recommendation: Authorize the City Administrator to negotiate and execute an agreement with the Albany Unified School District for transfer of the temporary Fire Department modular buildings.

**6. CONSENT CALENDAR**

- 6-7.** Resolution No. 09-49 – A Resolution of the Albany City Council Approving the Grant Application for the Statewide Park Development and Community Revitalization Program for the Senior Center and Community Garden Expansion Project.  
(File #345-30)

Staff recommendation: Approve Resolution No. 09-49.

- 6-8.** Resolution No. 09-50 – A Resolution of the Albany City Council Authorizing the City Administrator to Execute the State Program Supplement No. G37 (Exhibit B) for the implementation of the State Safe Routes to School Program (SR2S) Project at Marin Elementary School.  
(File #600-50)

Staff recommendation: Approve Resolution No. 09-50.

- 6-9.** Resolution No. 09-51 – A Resolution of the Albany City Council Authorizing the City Administrator to Enter into a Consultant Services Agreement with AECOM in the amount of \$39,585 for the Design of a New Traffic Signal and Pedestrian Enhancements at the Intersection of Marin Avenue and Santa Fe Avenue and Waiving the Requirement to Obtain Multiple Proposals for this Project.  
(File #600-30)

Staff recommendation: Approve Resolution No. 09-51.

- 6-10.** 2008 Sewer Project – East Albany Hill.  
(File #670-40)

Staff recommendation: Approve the following Resolutions Approving Grants of Easements for Public Sanitary Sewers on the East Side of Albany Hill: 1) Resolution No. 09-52 – 844 Washington Avenue; 2) Resolution No. 09-53 – 828 Polk Street; 3) Resolution No. 09-54 – 832 Polk Street; 4) Resolution No. 09-55 – 846 Washington Avenue; 5) Resolution No. 09-56 – 631 Jackson; 6) Resolution No. 09-57 – 921 Cerrito Avenue.

- 6-11.** Resolution No. 09-61 – A Resolution of the Albany City Council Supporting the 2010 Census.  
(File #420-60)

Staff recommendation: Approve Resolution No. 09-61.

**6. CONSENT CALENDAR**

**6-12.** Contract with Design Community and Environment for the environmental review of the Housing Element and the proposed new Safeway Store at 1500 Solano Avenue.  
(File #600-30)

Staff recommendation: Authorize the City Administrator to enter into a Professional Services Contract with Design Community and Environment (DCE).  
The following items were removed from the Consent Calendar for discussion:

Items 6-1, 6-5, 6-6, 6-7 & 6-12.

**6-1. Minutes**

Council Member Atkinson asked that the minutes reflect that the School District measures I & J passed by over 70%.

**6-5. Contract for Police & Fire Move**

Council Member Lieber stated that there was an item similar to this on the last agenda and asked if this was a separate item. The Assistant City Administrator responded that the contract last week was for the move coordinator and this is for the actual moving company that would move everything back to City Hall. The Assistant City Administrator noted that the \$45,000 is already in the budget.

**6-6. Agreement with School District**

Council Member Atkinson stated that she is pleased to see the cooperation between the City and the School District and thanked the City Administrator.

**6-7. Grant Application for Senior Center & Community Garden**

Allan Maris, Albany resident, asked when the presentations on the Senior Center expansion were going to be held. The City Administrator gave the following information: December 9 at the Senior Center; December 10, before the Parks & Recreation Commission; December 14, before the Arts Committee and February 1, before the City Council.

**6-12. Agreement for Environmental Design**

Ed Fields, Albany resident, expressed concern with the hiring of consultants without going out to bid for services.

Council Member Lieber noted that he also had the same concerns until he read the staff report and now feels comfortable with the recommendation. Council Member Lieber asked if Safeway had come up with a plan and that the process starts with getting the consultants on board.

**MOTION:**

Moved by Council Member Thomsen, seconded by Council Member Atkinson to approve the Consent Calendar.

AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None

ABSENT: None

Motion carried and so ordered.

**7. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS**

Mayor Wile opened the Good of the City/Public Forum/Announcements and asked if anyone would like to speak. The following people spoke: Brian Parsley, Albany resident; Bob Ferhs(sp), Albany resident; Del Price, Albany resident; Jim Cleveland, Albany resident; John Kindle, Albany resident; Allan Maris, Albany resident.

A summary of the comments is as follows: Reported that the Historical Plaques have been installed at the historic locations. Noted that no public discussion was allowed on the Council reorganization item and that it is important for the public to have their voice. Urged the Council to keep strategizing on the Pierce Street Park issue. Spoke on AB32, which sets the tone for green house emissions control and noted that the City could help control its emissions by having the Pierce Street Park and to monitor its vehicle fleet. Spoke about global warming and reported that some scientists are now thinking this is a hoax and that the earth is actually cooling and not warming. One speaker was asked to finish his thoughts, as he had reached the 3 minute limit and the speaker expressed his displeasure with the Mayor. Council Member Atkinson apologized to the public for not opening up the Council reorganization for public input and stated she forgot. Noted that the Mayor and Vice-Mayor were a good choice and hoped that the Vice-Mayor would be given a chance to become Mayor next year. Spoke about a West County newspaper article on e-mail networking. Spoke on the City's Animal Control ordinances noting that they need to be reviewed, as many are very obsolete.

Council Member Javandel suggested that when a person speaks longer than 3 minutes they be allowed to speak again at the end of the meeting. Council Member Lieber stated that this should be at the discretion of the Mayor. Council Member Atkinson suggested that speakers who believe their issue would be longer than 3 minutes make arrangements ahead of time and that it could also be an agenda item.

There being no one else wishing to speak Mayor Wile closed the Good of the City/Public Forum/Announcements.

**8. PRESENTATION/PUBLIC HEARING**

**8-1. Voices to Vision Update.**

Liz Newnan, Fern Tiger Associates, gave an update on the Voices to Vision waterfront planning process and noted that in addition to the work sessions with the residents and business owners of Albany work sessions were held with Albany High

**8-1. Voices to Vision Update.**

School students. Liz Newnan presented statistics on the responses that were received through the on-line questionnaire.

The following people spoke: Allan Maris, Albany resident. A summary of his comments is as follows: Thanks Fern Tiger for the work on this matter and expressed concern about a small percentage of the population participating in the process. Also spoke about increasing revenues without reducing any open space on the Waterfront.

Council Member Lieber thanked Fern Tiger Associates for doing a great job on this issue and is looking forward to having a committed consensus from the residents on this issue. Council Member Lieber stated that the City is looking for a vision that would have community support if and when Golden Gate Fields leaves the area. However, if and when Golden Gate Fields leaves, the current zoning would remain unchanged until someone comes forward with a plan. The Vision Plan is not a process to change the zoning but to have a vision that is acceptable to the community.

Council Member Javandel stated that he heard from some people that they ran out of time for participating in the on-line questionnaire and that it would be nice to have more time.

**9. UNFINISHED BUSINESS****9-1. Ordinance No. 09-017 – Regulations for Impounded Dogs and Cats**  
(File #500-20)

The City Attorney reported that Council referred to him the drafting of an ordinance with regulations for impounded unaltered dogs and cats. Before Council, for first reading, is Ordinance No. 09-017, which is modeled after the City of Berkeley's Ordinance and to include *a five day waiting period and to provide for appeal hearings*.

The following people spoke. John Kindle, Albany resident; Jill Poser, Berkeley resident.

A summary of the comments is as follows: Suggested that the language in Section 10-4.6 be changed from five (5) days to "legal holding period" and cautioned the City that any change in the current law may increase the contract costs with the City of Berkeley. Supports some sort of law for spaying and neutering but would also like the City to have a fund for low income residents who can't afford to spay or neuter.

Council Member Thomsen disagreed with the ordinance and noted that it will have consequences, for example: Higher cost to people who may not be able to afford the surgery and will increase the City's cost if a hearing is requested. Council Member Thomsen stated that many animals are companions and spoke about the emotional trauma if the animal is taken away.

Council Member Lieber stated that he supports this Ordinance and believes that it is a very compassionate law and agreed with the suggested change of striking the five (5) days and replacing with "after the legal holding period".

Mayor Wile asked about the added costs with the City of Berkeley if the contract is changed and the City Administrator stated that she would have to check with Berkeley.

**9-1. Ordinance No. 09-017 – Regulations for Impounded Dogs and Cats**

Council Member Lieber stated that he would like to see additional information before the second reading.

Council Member Lieber introduced Ordinance No. 09-017 for first reading, waiving reading of entire Ordinance – An Ordinance of the Albany City Council Adding Regulations for Impounded Unaltered Dogs and Cats to Chapter 10 of the Albany Municipal Code.

**MOTION:**

After reading the title, and waiving reading of entire Ordinance, it was moved by Council Member Lieber and seconded by Council Member Atkinson to approve for first reading with modifications.

**ON THE QUESTION:**

Before the second reading staff to have information from the City of Berkeley regarding contract costs and legal implications around licensing.

**VOTE ON THE MOTION:**

AYES: Council Members Atkinson, Javandel, Lieber & Mayor Wile

NOES: Council Member Thomsen                      ABSENT: None

Motion carried and so ordered.

**9-2. Appointment to the Alameda County Housing Commission**

(File #140-45)

The City Administrator reported that Albany has a representative on the Housing Commission of the Housing Authority. Currently, Allan Maris is serving as the representative but his appointment expires on December 31, 2010.

The term is for four years beginning January 1, 2010 and ending on December 31, 2014 and the City’s nomination requires final approval from the County Board of Supervisors.

Mayor Wile stated that the only person that has applied for this position is Ruth Cashmere, who currently serves on the City’s Social & Economic Justice Commission. Mayor Wile noted that Ms. Cashmere is very qualified to represent Albany on the Housing Commission.

**MOTION:**

Moved by Council Member Lieber, seconded by Council Member Javandel to nomination Ruth Cashmere, as the City’s representative on the Alameda County Housing Commission.

**VOTE ON MOTION:**

AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None    ABSENT: None

Motion carried and so ordered.

**10. NEW BUSINESS**

**10-1. Energy Conservation Programs.**



a. LED Street Light Replacement Project.

**10-1. Energy Conservation Programs.**

The Environmentalist Specialist reported that the City has approximately 710 street light fixtures of which 640 are cobra head fixtures. At this time, all the City street lights are currently powered with high pressure sodium vapor lights (HPSV) and maintained through a contract with Alameda County. According to PG&E street lights represent one of the most significant municipal energy expenses and largest amount of energy consumption and can account for as much as one third of all municipal energy costs.

The City has been working with PG&E to identify opportunities for replacing existing HPSV with light-emitting diode (LED) lights. This is a timely project since a number of one time funding opportunities are currently available from the California Energy Commission (CEC) including energy efficient block grant funding and a 1% energy efficient loan program.

PG&E has developed a turnkey street light replacement program, which provides technical assistance, project management and installation services, proper disposal and recycling of the HPSV lights, as well as one-year replacement guarantee.

Replacement of the HPSV lights with LED lights will help enable the City to achieve the goal adopted by the City Council to reduce greenhouse gas emissions 25% below 2004 levels by the year 2020. Additionally, this project is included in the City's draft Climate Action Plan.

The financial impact according to PG&E estimates the total project cost is \$336,302 and after completion it is estimated the City will realize a cost savings of approximately \$28,273 within the first year and a decrease in monthly costs from \$4,200 to \$1,800.

The project can be funded by a combination of sources including an energy efficiency block grant and a 1% loan interest loan for energy efficient projects.

Brent Patera, PG&E representative, spoke to the Council and answered questions on the proposed light replacement project and showed photos of streets with the LED lights compared to the original lights.

The following people spoke: Allan Maris, Albany resident; Brian Parsley, Albany resident; Caryle O'Keefe, Albany resident; Ed Fields, Albany residents.

A summary of the comments is as follows: Expressed concern that in some parts of the City there was inadequate lighting. Spoke about the lights on upper Solano noting that the lighting is very poor, which then becomes a safety and economic issue. A suggestion was made that the new lighting be directed across the crosswalks and sidewalks to help with safety factors. A comment was made that the specifications be made available to the public and that the City only borrows the amount of money need to finance the project.

Council Member Lieber asked if the lights around the BART area was going to be included in this project and was told no.

Council Member Thomsen asked if a survey was going to be taken regarding the lighting to find out where the lighting is inadequate. The Environmentalist Specialist

**10-1. Energy Conservation Programs.**

stated that maybe PG&E could help determine the adequacy of the lighting and the PG&E representative agreed.

Council Member Javandel stated that he would prefer that the light pattern be directed onto the streets and not onto people’s homes.

Council Member Lieber presented the following Resolutions:

Resolution No. 09-59 – A Resolution of the Albany City Council Authorizing Submittal of an Application to the California Energy Commission’s Energy Efficient Block Grant Program for Funds to Execute an LED Street Light Replacement Project.

Resolution No. 09-60 – A Resolution of the Albany City Council Authorizing Submittal of an Application to the California Energy Commission for 1% Low Interest Energy Efficiency Loan to Execute an LED Street Light Replacement Project.

**MOTION:**

After reading the titles of the Resolutions, and waiving reading of entire Resolution, it was moved by Council Member Lieber, seconded by Council Member Thomsen to: 1) Authorize staff to execute an agreement with PG&E to conduct a Citywide LED Street light replacement project. 2) Approve Resolutions No. 09-59 & 09-60.

**VOTE ON THE MOTION:**

AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None

ABSENT: None

Motion carried and so ordered.

- b. Participation as a Member Agency in the CaliforniaFIRST Municipal Financing Program  
(File #340-25)

The Environmentalist Specialist reported that California Communities is a Joint Powers Authority sponsored by the League of California Cities and the California State Association of Counties. The CaliforniaFIRST Program is being instituted by California Communities to allow owners of property in participating cities and counties to finance renewable energy, energy efficiency and water efficiency improvements to their property.

If the property owner chooses to participate, the improvements would be financed by the issuance of bonds by California Communities. California Communities would levy “contractual assessments” on the owner’s property to repay the portion of the bonds issued to finance the improvements on that property.

The Environmentalist Specialist noted that the benefits to the property owner are the loan is attached to the property, which can be paid over a long period of time and if the property is sold the loan goes with the property and not the property owner. The benefits to the City include that the City is not obligated to repay the bonds or to pay the assessments levied on the participating properties. California Communities handles all assessment administration, bond issuance and administration functions.

The following person spoke: Allan Maris, Albany resident, asked for an explanation on the savings by going through this program. Council Member Lieber

### **10-1. Energy Conservation Programs.**

responded that he believes the resident would get a lower rate by participating in this program.

Council Member Javandel stated that he believes more people would participate, as the loan does go with the property and not the person.

Council Member Atkinson presented Resolution No. 09-58 – A Resolution of the Albany City Council Authorizing the City of Albany to Join the CaliforniaFirst Program; Authorizing the California Statewide Communities Development Authority to Accept Applications from Property Owners, Conduct Contractual Assessment Proceedings and Levy Contractual Assessments within the Territory of the City; and Authorizing Related Actions.

#### **MOTION:**

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Atkinson and seconded by Council Member Javandel to: 1) Approve Resolution No. 09-58 and 2) Authorize an allocation of \$10,000 from Council discretionary funds for program set-up costs should a grant award to cover these expenses not be received.

AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None

ABSENT: None

Motion carried and so ordered.

### **10-2. Gilman Sports Fields Joint Powers Agreement**

(File #600-40)

The City Administrator reported that in 2004, the cities of Albany, Berkeley, El Cerrito, Emeryville and Richmond established a Joint Powers Agreement (JPA) to construct ball fields for regional use at the foot of Gilman Street on land owned by the East Bay Regional Parks District (EB Parks). Through collaborative efforts, the JPA acquired grant funds to build two lighted synthetic turf soccer fields that have been in use since September, 2008.

The next phase, Phase II-A, of the project to build a softball field, disability access improvements, and expansion of the south parking lot is about to be put out to bid. Some unanticipated requirements on the project from EBParks have caused an increase in Phase II-A project cost projections that cannot be absorbed with existing funds available to the JPA. Each Member City is being asked to commit a pro rata share, based on population, to fill the projected funding gap. The City of Albany's share is \$9,984.

Council Member Atkinson asked where the money would come from and was from the Measure R funds.

Council Member Lieber indicated that it is very important that another softball field is built and noted that the JPA would also get more money from the College Preparatory School for its use of the fields.

The following people spoke: Allan Maris, Albany resident; Brian Parsley, Albany resident.

### **10-2. Gilman Sports Fields Joint Powers Agreement**

A summary of the comments is as follows: Encouraged the JPA to continue trying to obtain all the funds from the participating cities and noted this should be looked as a regional effort to provide fields for the youth. Thanked Council Member Lieber and Thomsen for their work on the JPA and urged the City to continue to require that the JPA post their meeting agendas so the public could participate. It was also noted that the JPA needs to move forward and stay committed to building the second softball and baseball fields.

#### **MOTION:**

Moved by Council Member Lieber, seconded by Council Member Thomsen to commit up to \$9,984 to Phase II-A of the Gilman Sports Fields/Tom Bates Regional Sports Complex from the \$85,962 previously conditionally pledged for Phase II-B, subject to the other four cities in the JPA contributing their pro rata share.

AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None

ABSENT: None

Motion carried and so ordered.

### **10-3. Proposed Utility Underground Project along Buchanan Street/Marin Avenue**

(File #1020-30)

The Community Development Director reported Rule 20 is a utility undergrounding program established by the Public Utilities Commission (PUC) that enables PG&E to recover costs from rates paid by its electric ratepayers for undergrounding projects. Staff and prior Councils have discussed the possibility of an undergrounding project on the north side of Buchanan Street; however, it is dependent upon accumulating sufficient Rule 20A “work credits” through PG&E.

As of August, 2009, Albany has \$2,381,220 balance totals in the “work credit” and staff believes it is appropriate to begin the PG&E process to get “into the queue” for an undergrounding project along Buchanan Street and Marin Avenue, between Cleveland and Masonic Avenues.

The Community Development Director commented that undergrounding of utilities improves the aesthetics and safety of a street. Buchanan is being recommended due to its status as the most prominent entryway into the City. The City Engineer is also recommending that the undergrounding project be extended to include the area along Marin Avenue between Madison Street and Masonic Avenue, as well as Buchanan Street between Pierce Street and Cleveland Avenue. The reasoning for this recommendation is to take advantage of the major work planned, as part of the Buchanan Street Bicycle/Pedestrian Path project.

Council Member Javandel suggested that the City consider installing a trench that would connect all the signals.

**10-3. Proposed Utility Underground Project along Buchanan Street/Marin Avenue**

**MOTION:**

Moved by Council Member Thomsen, seconded by Council Member Javandel to direct the Traffic & Safety Commission and City staff to proceed in meeting with residents and property owners about the proposed creation of an Underground District along Buchanan Street/Marin Avenue between Cleveland and Masonic Avenues.

AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None

ABSENT: None

Motion carried and so ordered.

**10-4. Possible Charter Amendment - City Administrator/City Manager**  
(File #660-25)

Mayor Wile stated that this recommendation came out of the Citygate Organizational Study and that changing to a City Manager form of government would be change in the structure of Albany's government and believes that it should be looked at by the Charter Review Committee. Mayor Wile suggested that this be referred to the Charter Review to look at changing the structure of Albany's government and come up with a list of pros/cons to come back to Council within three (3) months.

The following people spoke: Michael Wallace, Chair Charter Review Committee; Caryl O'Keefe, Albany resident.

A summary of the comments is as follows: A question to Council was how flexible is the timeline and asked whether the Council was looking at putting this on the November ballot. It was noted that this matter should be discussed in public with the City Council noting that the Charter Review Committee could come up with better reasons if it knew what the Council actually wanted. Also noted that the Committee should be given more time to work on this request, as this would be a change in the way Albany is run if changed to a City Manager form of government.

Council Member Javandel agreed that this item is not critical and the time line should be extended to give the Committee more time to delve into this issue and should be viewed as exploratory and to give the Council pros/cons on a change.

Council Member Atkinson agreed stating that the Committee should give the Council the differences between a City Administrator and City Manager.

Council Member Thomsen stated that education should come first and that differences and ramifications should be explored.

Council Member Lieber agreed that the Committee should be given more time and that he is not looking to put this on the ballot right away. Council Member Lieber stated that the main difference between a City Administrator and a City Manager is the ability to hire and fire all employees and noted this would be a big change. Council Member Lieber noted that if the City had a directly elected Mayor then a City Manager form of government might work.

Mayor Wile stated that she was not looking to put this on the November ballot but for the Charter Review Committee to study this issue.

#### **10-4. Possible Charter Amendment - City Administrator/City Manager**

The City Attorney stated that the first thing the Charter Review Committee should do is to get an understanding of the roles and duties of a City Administrator and City Manager.

**MOTION:**

Moved by Council Member Javandel, seconded by Council Member Thomsen to refer to the Charter Review Committee the issue of a possible Charter Amendment changing the structure of Albany's government from a City Administrator to a City Manager. The Committee was asked to investigate the typical roles of a City Administrator and City Manager in other cities and to come back to the Council in three (3) months.

AYES: Council Members Atkinson, Javandel, Lieber, Thomsen & Mayor Wile

NOES: None

ABSENT: None

Motion carried and so ordered.

#### **11. OTHER BUSINESS, REPORTS ON MEETINGS ATTENDED, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS**

**11-1.** Announce vacancy on the Alameda County Transportation Improvement Authority Para transit Advisory Planning Committee.

**11-2.** Cancellation of regular City Council meetings of **December 21, 2009 and January 4, 2010.**

**11-3.** There will be a Special Meeting of the City Council on **Monday, January 4, 2010, 7:30 p.m.** to conduct a workshop on the City's Draft Climate Action Plan.

**11-4.** City Offices will be closed on **Friday, December 11th & Monday, December 14<sup>th</sup>,** for Administration, Finance & Community Development to move back to City Hall.

**11-5.** City Offices will be closed on **Thursday, December 24th at 12:30 p.m. Friday, December 25<sup>th</sup>, Thursday, December 31<sup>st</sup>, 12:30 p.m. and Friday, January 1, 2010,** in observance of Christmas and New Year.

Council Member Javandel asked for some future agenda items: 1) A request to support a Resolution to use a portion of the proposed toll increase for Bay Area bridges to complete pedestrian and bicycle access to the Bay Bridge. Suggested that this should be referred to the Traffic & Safety Commission. 2) That the City consider a possible

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

interim plan to consider how the City could address bicycle routes along the Ohlone Greenway.

Council Member Atkinson announced the following: 1) The Lions Club annual pancake breakfast on Saturday, December 12<sup>th</sup> at the Community Center. 2) Attended a meeting with Assembly Woman Nancy Skinner and the Pierce Street Park Neighborhood Group to discuss the Pierce Street Park. 3) Attended a high school panel regarding the Waterfront and the *Voices to Vision* planning process. 4) Announced a vacancy on the County Aging Commission. 5) Announced that in the lobby of the Community Center are barrels for warm coats, toys and canned foods.

**12. ADJOURNMENT**

10:10 p.m. – There being no further business before the City Council it was moved and seconded to adjourn the meeting.

Minutes submitted by Jacqueline L. Bucholz, CMC, City Clerk.

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Joanne Wile  
Mayor

Attest:

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Jacqueline L. Bucholz, CMC  
City Clerk