



CITY OF ALBANY
CITY COUNCIL AGENDA

COMMUNITY CENTER, MAIN HALL, 1249 MARIN AVENUE

JUNE 16, 2008

7:45 p.m.

Albany Community Reinvestment Agency (See separate Agenda)

7:55 p.m.

Albany Municipal Services JPA (See separate Agenda)

8:00 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.** Council Minutes, May 19 & June 2, 2008.

Staff recommendation: Approve.

- 4-2.**
 - a. Ratification of City of Albany net payroll in the amount of \$207,297.26.; taxes, benefits & withholdings in the amount of \$170,542.21. Total payroll in the amount of \$377,839.47. Payroll period: 05/25/08.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$53,490.09; taxes, benefits & withholdings in the amount of \$41,891.41. Total payroll in the amount of \$95,381.50. Payroll period: 05/23/08.

Staff recommendation: Ratify.

4-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$151,760.92. Period: 05/16/08.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$354,454.64. Period: 05/30/08.

c. Ratification of bills, claims & demands against the City of Albany Joint Powers Authority in the amount of \$175.00. Period: 05/30/08.

Staff recommendation: Ratify.

4-4. Pension payments in the amount of \$107,498.74 for the month of May, 2008.

Staff recommendation: Ratify.

4-5. A rendering of the quarterly Cash and Investments Treasury Report of the City of Albany as of March 31, 2008, as required by Section 53646 of the California Government Code.

Staff recommendation: Note and file; information only.

4-6. Neilson Street Storm Drain and Sanitary Sewer Project.

Staff recommendation: 1) That the City Council award a contract in the amount of \$2,129,860 for the Neilson Street Storm Drain and Sanitary Sewer Improvements (Contract No. C07-21) to Ranger Pipelines, Inc, of San Francisco, CA. 2) That the City Council approve a scope and budget for a Consultant Services Agreement with Jacobs Engineers for Construction Management Services for an amount not to exceed \$107,000.

4-7. Temporary street closure around Memorial Park for July 4, 2008 Celebration.

Staff recommendation: Approve the closure of a two-block area of Portland Avenue between Carmel and Portland Avenues in front of Memorial Park on July 4, 2008 from 6 a.m. – 5 p.m. for the Dog Jog and Celebration.

4-8. Approval and Acceptance of Contracts, 2007 Park Renovation Projects – Memorial Park and Ball Field, and Ocean View Park.

a. Resolution No. 08-26 – A Resolution of the Albany City Council Accepting Improvements and Directing the Filing of the Notice of Completion for Contract C3-07 for the renovation of Memorial Park (South) and Memorial Ball Fields.

b. Resolution No. 08-27 – A Resolution of the Albany City Council Accepting Improvements and Directing the Filing of the Notice of Completion for Contracts No. C4-07 for the renovation of Ocean View Park.

Staff recommendation: Adopt Resolution No. 08-26 & No. 08-27.

4-9. On-Street Parking of Large Vehicles.

Staff recommendation: Refer to the Traffic & Safety Commission a review of the current City Ordinances regulating the parking of large commercial and recreational vehicles for recommendations to City Council regarding possible modification of existing regulations.

4-10. Consideration of Claim #AL564; LaRosa v. City.

Staff recommendation: Reject claim and authorize the City Clerk to send out the appropriate notice.

4-11. Consideration of Claim #AL565; Cotter v. City.

Staff recommendation: Reject claim and authorize the City Clerk to send out the appropriate notice.

4-12. Resolution No. 08-32 – A Resolution of the Albany City Council Establishing the Appropriations Limit for the 2008-09 Fiscal Year at \$13,781,439.

Staff recommendation: Adopt Resolution No. 08-32.

4-13. Resolution No. 08-34 – A Resolution of the Albany City Council Approving the Salary Schedule for the City Attorney and City Treasurer.

Staff recommendation: Adopt Resolution No. 08-34.

- 4-14.** Contracts with the County of Alameda for Additional Library Services, Fiscal Year 2008-09.

Staff recommendation: Approve.

- 4-15.** Schedule and Provide notice for a public hearing on July 7, 2008 to consider a request to vacate and abandon an unused sanitary sewer easement at 1316 Solano Avenue.

Staff recommendation: Schedule the public hearing for July 7, 2008.

- 4-16.** Monthly Status Report: Civic Center Project.

Staff recommendation: Information only.

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. PUBLIC HEARING

- 6-1.** Public Hearing on 2009/10 Capital Improvement Plan, Master Fee Schedule, Water Storm Fee, Library Services Fee and Sewer Services Fee.

- a. 2009/10 Capital Improvement Plan.

Staff recommendation: Open the public hearing and accept public comments but refer action to the July 7th Council meeting.

- b. Resolution No. 08-39 – A Resolution of the Albany City Council Establishing and Amending the City of Albany Master Fee Schedule for Various Permits, Services and Fines effective July 1, 2008.

Staff recommendation: Adopt Resolution No. 08-39.

- c. Approval of previously authorized adjustments to the Sewer Service Charge, Library Services Tax of 1994, Library Services

Supplemental Tax, Paramedic Supplement Tax, Measure N (Advanced Life Support), Measure F-2006 Pavement and Storm Drain and Collection of Charges, Taxes and Fees on the Tax Roll.

Staff recommendation: 1) Approve the previously authorized adjustments, as listed above and posting of the charges, fees, and/or taxes to the 2008/09 Alameda County Property Tax Roll. 2) Direct that the above charges, taxes and fees and the NPDES (Urban Runoff) and the Advanced Life Support Tax (Measure N), which do not contain a provision for an increase be collected on County Tax Rolls for the 2008-09 Fiscal Year.

- 6-2.** Public hearing on the Landscaping & Lighting Assessment District Diagram and Assessment and Levying Assessment for Assessment District No. 1988-1 and Assessment District No. 1996-1 for Fiscal Year 2008-09.

Staff recommendation: 1) Conduct the public hearing. 2) Approve Resolution No. 08-37 – A Resolution of the Albany City Council Confirming the Landscaping and Lighting Assessment District Diagram and Assessment and Levying Assessment for LLDA No. 1988-1 for Fiscal Year 2008-9. 2) Approve Resolution No. 08-38 – A Resolution of the Albany City Council Confirming the Landscaping and Lighting Assessment District Diagram and Assessment and Levying Assessment for LLDA No. 1996-1 for Fiscal Year 2008-09.

7. UNFINISHED BUSINESS

- 7-1.** Adoption of Fiscal Years 2008-09 and 2009-10 Operating Budgets.

Staff recommendation: 1) Adopt Resolution No. 08-40 – A Resolution of the Albany City Council Adopting the Operating Budget for the City of Albany for Fiscal Years 2008-09 and 2009-10. 2) Authorize the transfer from the General Fund to the Waterfront Planning Fund of \$259,713 to Complete the Funding of the Waterfront Planning Project Authorized by the City Council on April 21, 2008.

- 7-2.** Resolution No. 08-36 – A Resolution of the Albany City Council Calling and Giving Notice of a General Municipal Election to be Held November 4, 2008 and Requesting the Board of Supervisors of Alameda County to Consolidate said Election with the Statewide General Election Authorizing the City Clerk or Her Duly Authorized Officers to Carry Out all the Necessary Procedures for Said Election; and for Submitting to the Voters Amendments to the Albany City Charter Sections 2.01, 2.02, 5.01, 5.02 and 5.03; an Amendment to Albany City Charter Section 4.03; an Amendment to Albany City Charter Section 2.01 and Enactment of a New Section 2.08 of the Albany City Charter; and an Amendment to Albany

City Charter Section 2.04 to the Qualified Voters of the City and Setting Ballot Language.

Staff recommendation: Review Resolution No. 08-36 and schedule approval of Resolution No. 08-36 at a regular meeting in July. This action is recommended in case there are changes made and the possibility of additional measures.

7-3. Acquisition and Renovation of Veterans Memorial Building.

Staff recommendation: Information Only. Unless there is demonstrated broader community interest, individual or group leadership for a ballot measure, and/or a stronger economy, staff recommends that a tax measure to acquire, renovate and operate the Veteran's Memorial Building is not timely to submit to the voters for November, 2008, and that instead a tax measure be revisited for the November, 2010 ballot.

7-4. Contributions to City, Non-Profit, Local Public Agencies, Individuals and Other Organizations for Albany Projects or Programs.

Staff recommendation: Receive verbal recommendations from the Council Committee on award of grants.

8. NEW BUSINESS

8-1. Ballot measures to support funding levels for general municipal services and for the Emergency Medical Services program

Staff recommendation: 1) Direct staff to draft a ballot measure for the November 2008 municipal election to increase the property transfer tax rate. 2) Direct staff to draft a ballot measure for the November, 2008 municipal election to add a cost-of-living increase to the 2000 Measure N Emergency Medical Services tax

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).

9-1. July 4th Celebration at Memorial Park from 11 a.m - 4 p.m.

10. ADJOURNMENT

10-1. Adjourn in memory of Anne Foss, former City employee.

(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 528-5720.)

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.

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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, 1000 San Pablo Avenue, Albany, CA 94706.