



CITY OF ALBANY
CITY COUNCIL AGENDA

COMMUNITY CENTER, MAIN HALL, 1249 MARIN AVENUE

MONDAY, MAY 19, 2008

6:30 p.m.

CLOSED SESSION

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

Closed Session pursuant to Government Code Section 54957 to discuss Public Employee Performance Evaluation:

City Administrator

Beth Pollard

7:00 p.m.

WORK SESSION

Work session with Charter Review Committee to discuss the potential ballot measure and language for an amendment to the City Charter to establish a directly-elected Mayor.

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, April 21 & 28, 2008.

Staff recommendation: Approve.

- 4-2.** a. Ratification of City of Albany net payroll in the amount of \$178,816.43; taxes, benefits & withholdings in the amount of \$225,730.90. Total payroll in the amount of \$404,547.33. Payroll period: 04/25/08.
- b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$54,260.29; taxes, benefits & withholdings in the amount of \$59,551.51. Total payroll in the amount of \$113,811.80. Payroll period: 04/25/08.
- c. Ratification of City of Albany net payroll in the amount of \$181,089.41; taxes, benefits & withholdings in the amount of \$144,751.62. Total payroll in the amount of \$325,841.03. Payroll period: 05/09/08.
- d. Ratification of Albany Municipal Services JPA net payroll in the amount of \$53,457.45; taxes, benefits & withholdings in the amount of \$41,983.43. Total payroll in the amount of \$95,983.43. Payroll period: 05/09/08.

Staff recommendation: Ratify.

- 4-3.** a. Ratification of bills, claims & demands against the City of Albany in the amount of \$31,707.92. Period: 04/01/08.
- b. Ratification of bills, claims & demands against the City of Albany in the amount of \$348,756.43. Period: 4/21/08.
- c. Ratification of bills, claims & demands against the Albany JPA in the amount of \$150.00. Period: 4/21/08.
- d. Ratification of bills, claims & demands against the City of Albany in the amount of \$31,900.60. Period: 5/1/08.

e. Ratification of bills, claims & demands against the City of Albany in the amount of \$255,008.18. Period: 5/9/08.

f. Ratification of bills, claims & demands against the City of Albany in the amount of \$246,544.83. Period: 4/29/08.

Staff recommendation: Ratify.

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

Staff recommendation: Ratify.

4-5. Resolution #08-22 for Event Co-Sponsorship Policy for those Community Organizations and Local Businesses Wishing to Participate in the City of Albany's Special Events and/or Programs.

Staff recommendation: Approve Resolution #08-22.

4-6. City Attorney Conference Report

Staff recommendation: Information only.

4-7. City-County Agreement to Continue Albany's Participation of the Urban County's Community Development Block Grant (CDBG) Program.

Staff recommendation: Authorize the City Administrator to enter into an Agreement with the County of Alameda to continue Albany's participation in the Urban County's Community Development Block Grant (CDBG) program.

4-8. Resolution #08-16 Discouraging Use of Disposable Single-use Plastic Bags.

Staff recommendation: That the City Council approve Resolution No. 08-16, discouraging the use of disposable single-use plastic bags within Albany's retail sector.

4-9. Proposition 99 and Proposition 98.

a. Resolution No. 08-24 – A Resolution of the Albany City Council Opposing Proposition 98.

b. Resolution No. 08-25 – A Resolution of the Albany City Council Supporting Proposition 99.

Waterfront Committee Recommendation: That the City Council oppose Proposition 98. The Committee took no position on Proposition 99.

Staff recommendation: Adopt Resolution No. 08-24 opposing Proposition 98 and Resolution 08-24 supporting Proposition 99.

4-10. Monthly Report on Civic Center Public Safety Retrofit/Renovation Project.

Staff recommendation: Information only.

4-11. 2008 Sewer Project – East Albany Hill

Staff recommendation: That the City Council award the contract in the amount of \$1,019,125 for the 2008 Sewer Project-East Albany Hill Project (Contract No. C08-1) to California Trenchless Inc., of Hayward, CA

4-12. Resolution No. 08-29 – A resolution of the Albany City Council in support of the California Nurses Association.

Staff recommendation: Approve Resolution 08-29.

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. Interim Urgency Ordinance regarding Tobacco Establishments

Staff recommendation: Adopt interim urgency Ordinance #08-04 to establish a 45-day moratorium on approval of tobacco related retail establishments.

6-2. Building Code provisions for the Abatement of Dangerous Buildings

Staff recommendation: Introduce for first reading Ordinance #08-05 establishing provisions for the abatement of dangerous buildings.

7. UNFINISHED BUSINESS

7-1. Ordinance No. 08-03 – Smoking Ordinance.

Staff recommendation: Adopt Ordinance #08-03 for Second Reading – Pass-to-Print.

7-2. Schedule public hearing for fiscal year 2008-09 and 2009-10 Operating Budgets, Capital Improvement Plan, Master Fee Schedule, Assessments for Landscape & Lighting Districts 1996-1 and 1998-1, Clean Water Storm Fee, Library Services Fee, and Sewer Services Fee.

Staff recommendation: 1) Review preliminary information on the draft budget; 2) Schedule and notice public hearing.

8. NEW BUSINESS

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

(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.

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, 1000 San Pablo Avenue, Albany, CA 94706.