

**March 17, 2008  
8:00PM  
Council Chambers, City Hall  
1000 San Pablo Avenue**

**7:30 p.m.**

**CLOSED SESSION**

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.

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

**ADJOURN TO CLOSED SESSION**

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

4-1. Council Minutes, March 3, 2008.

Staff recommendation: Approve.

4-2. a. Ratification of City of Albany net payroll in the amount of \$197,486.02; taxes, benefits & withholdings in the amount of \$154,804.40. Total payroll in the amount of \$352,290.42. Payroll period: 02/29/08.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$54,461.62; taxes, benefits & withholdings in the amount of \$30,738.57. Total payroll in the amount of \$85,200.19. Payroll period: 02/29/08.

Staff recommendation: Ratify.

4-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$27,707.92. Period: 03/01/08.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$310,828.40. Period: 03/07/08.

Staff recommendation: Ratify.

4-4. Contract for Janitorial Services for City Facilities.

**Staff Report**

Staff recommendation: Authorize the City Administrator to replace the City Facility Janitorial Service Provider, One Source Building Services, Inc., with Township Building Services, Inc., for a monthly contract amount of \$7,127.50, which is less than current amount being paid by the City.

4-5. Resolution No. 08-14 - A Resolution of the Albany City Council Authorizing the City Administrator to Execute Agreement to Share Taxpayer Information with the Franchise Tax Board.

**Staff Report**

**Agreement C0700148**

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**Resolution 08-14**

Staff recommendation: Adopt Resolution #08-14.

4-6. City Council endorsement of an Earth Hour Event, Saturday, March 29, 2008, from 8-9 p.m.

**Staff Report**

Staff recommendation: That the City Council endorses an Earth Hour Event to encourage the community to reduce energy consumption.

4-7. 2008 Sewer Project - East Albany Hill.

**Staff Report**

Staff recommendation: Authorize the City Administrator to 1) Invite bids for the 2008 Sewer Improvement Project - East Side of Albany Hill. 2) Authorize a transfer of \$450,000 of Sewer Funds, from the North of Brighton Sewer Project to the 2008 Sewer Project - East Side of Albany Hill. 3) Enter into an Agreement not to exceed \$149,000 with Greg Jacobs Engineering to provide construction management services. 4) Enter into an agreement not to exceed \$15,000 with Hultgren-Tillis for soil investigation services during construction. 5) Enter into voluntary agreements for access and temporary construction easements over certain properties within the project area for a total amount not to exceed \$20,000.

4-8. Proclamation Showing Appreciation and Gratitude to Bob Mainini, owner of D&M Auto Body, for donating time and craftsmanship restoring the Jerome Blank Memorial Clock.

**Proclamation**

Staff recommendation: Information only.

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

**6. PRESENTATION/PUBLIC HEARING**

6-1. Presentation and discussion with Alameda County Supervisor Keith Carson regarding November 7, 2007, Cosco Busan Oil Spill.

**Staff Report**  
**Letter 3/5/08 & Staff Report 11/19/07**  
**Incident Specific Preparedness Review 1/11/08**

Staff recommendation: Discuss oil spill response improvements with Supervisor Carson, authorize staff to continue to pursue oil spill response improvements on a local and regional level, and support efforts to improve state and federal oil spill response in the San Francisco Bay.

6-2. Neilson Street Storm Drain and Sanitary Sewer Project - Public Hearing to receive public comments on the Draft Negative Declaration.

**Staff Report**  
**Notice of Intent to Adopt Negative Declaration**  
**Initial Study – Negative Declaration**

Staff recommendation: 1) Open the hearing to receive public comments on the Draft Negative Declaration. 2) Continue the public hearing on the Draft Negative Declaration, plan approval and call for bids to the City Council meeting of April 7, 2008.

**7. UNFINISHED BUSINESS**

7-1. Discussion regarding Charter Amendments that have been recommended by the Charter Review Committee and reviewed by the City Council at the meeting of October 15, 2007: Section 2.01 - Council Compensation, Section 3.23 - Transition of Committee Members, Section 4.03 - Bid Procedures.

**Staff Report**  
**Resolution 07-54**  
**Minutes Excerpt 10/15/07**

Staff recommendation: Review the proposed ballot language, discuss placing before voters and if Council wishes the measures to be on the November 4, 2008 ballot, direct the City Attorney to prepare ballot measures on Section 2.01 - Council Compensation; Section 3.23 - Transition of Committee Members; Section 4.03 - Bid Procedures.

7-2. Directly elected Mayor.

**Staff Report**  
**Charter Review Committee Report to Council**  
**Recommendation: Mayor Lieber**  
**Elected Mayor Report: Mayor Lieber**

- a. Charter Review Committee submitting Interim Report.
- b. Consider language submitted to the Charter Review Committee.

Staff recommendation: Review the proposed ballot language, discuss placing before voters and if Council wishes the measure to be on the November 4, 2008 ballot, direct the City Attorney to prepare a ballot measure to amend the City Charter to establish a directly elected Mayor position on the City Council.

## **8. NEW BUSINESS**

8-1. Designation of the Planning & Zoning Commission, as a Hearing Board pursuant to Chapter 18 "Nuisances" of the Albany Municipal Code.

**Staff Report**  
**Municipal Code, Chapter 18**

Staff recommendation: That the City Council designate the Planning & Zoning Commission, as the Hearing Board pursuant to Chapter 18 "Nuisances" of the Albany Municipal Code.

## **9. OTHER BUSINESS/ANNOUNCEMENT OF EVENTS**

- 9-1. Council Subcommittee on University Village/Gill Tract (oral report)
- 9-2. Council Subcommittee on Budget Prioritization Process (oral report)

## **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. 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)">