

March 03, 2008
8:00PM
Council Chambers, City Hall
1000 San Pablo Avenue

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

4-1. Council Minutes, February 19, 2008.

Staff recommendation: Approve.

4-2. a. Ratification of City of Albany net payroll in the amount of \$171,668.23; taxes, benefits & withholdings in the amount of \$220,817.40. Total payroll in the amount of \$392,485.63. Payroll period: 02/15/08.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$54,818.21; taxes, benefits & withholdings in the amount of \$60,266.19. Total payroll in the amount of \$115,084.40. Payroll period: 02/15/08.

Staff recommendation: Ratify.

4-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$192,401.61. Period: 02/22/08.

b. Ratification of bills, claims & demands against the City of Albany in the amount of \$343.00. Period: 02/22/08.

Staff recommendation: Ratify.

4-4. Pension payments in the amount of \$110,238.99 for the month of February, 2008.

Staff recommendation: Ratify.

4-5. Endorsement of 2nd Annual Greening Albany Event.

Staff Report

Staff recommendation: Endorse the event , which is being organized by the Green Chamber of Commerce and that the City contribute \$2,000 for the event.

4-6. Resolution No. 08-1 - A Resolution of the Albany City Council Accepting the Offer of Dedication of a Conservation Easement Over a Portion of Codornices

Creek Lying on a Portion of 1101 5th Street, Berkeley, CA: Lower Codornices Creek Restoration - Phase II.

Staff Report
Resolution 08-1
Attachment 2

Staff recommendation: Adopt Resolution No. 08-1.

4-7. Resolution No. 08-7 - A Resolution of the Albany City Council Establishing the Community Media Access Committee.

Staff Report
Resolution 08-7

Staff recommendation: Adopt Resolution #08-7.

4-8. Resolution No. 08-11 - A Resolution of the Albany City Council Designating City of Albany Authorized Agents for Receipt of FEMA Pre-Disaster Mitigation (PDM) Grant Funds, as Required by the State of California Office of Emergency Services.

Staff Report
Attachment 1
Attachment 2

Staff recommendation: Adopt Resolution No. 08-11.

4-9. Resolution No. 08-12 - A Resolution of the Albany City Council, State of California, Terminating Proclamation of Local Emergency.

Staff Report
Resolution 8-12

Staff recommendation: Adopt Resolution No. 08-12.

4-10. Consideration of Claim #AL567; Westbrook v. City

Staff Report

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

4-11. Consideration of Claim #AL569; Holmes v. City.

Staff Report

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

4-12. The following appointments were made: Council Member Javandel: Steven Schwartzberg, Civil Service Board. Council Member Okawachi: Robert Outis, Charter Review Committee. Council Member Atkinson: Sheryl Black, Arts Committee.

Staff recommendation: Information only.

4-13. Gift to the City: Approval for Memorial Plaques Replacement by Albany Community Foundation and Albany Firefighters' Association.

**Staff Report
Attachment 1**

Staff recommendation: Accept the proposed Gift to the City, with the provision that the City would be responsible for installation of the replacement plaques.

5. **GOOD OF THE CITY/PUBLIC FORUM**
6. **PRESENTATION/PUBLIC HEARING**
7. **UNFINISHED BUSINESS**

7-1. California Department of Food and Agriculture's (CDFA) Notice of Preparation for a Programmatic Environmental Impact Report to evaluate effects of implementation of eradication strategies and methods for the Light Brown Apple Moth, among which is aerial spraying.

**Staff Report
Notice of Preparation**

Staff recommendation: Authorize the Mayor to send a letter of comment on the Notice of Preparation that communicates the concerns of the City Council, as stated in Resolution No. 08-4 and additional concerns of the City Council, for the CDFA to address in the Environmental Impact Report.

8. **NEW BUSINESS**

8-1. Resolution No. 08-10 - A Resolution of the Albany City Council Supporting House Bill 808 to Create a United States Department of Peace and Non-violence.

**Staff Report
Resolution 08-10
Attachment 2**

Social & Economic Justice Commission recommendation: Adopt Resolution No. 08-10.

8-2. Recommendations from Social and Economic Justice Commission (SEJC) regarding Smoke-Free Ordinance Provisions.

Staff Report
Main Points of Proposal
Model Ordinance
Model Ordinance with IS Comments
Social & Economic Justice Commission Minutes

Staff recommendation: Direct the City Attorney to draft an ordinance, which includes provisions to 1) update or replace the City's existing smoking regulation ordinance to be in compliance with State law; and 2) add a variety of provisions to prohibit smoking in public places, per the SEJC recommendations at their February 13, 2008 meeting.

8-3. Resolution No. 08-13 - A Resolution of the Albany City Council Urging the East Bay Regional Parks District to work with the cities of Albany, Berkeley, Albany, El Cerrito, Emeryville, Richmond and with the Bay Conservation and Development Commission to obtain \$4 million in funding to complete the Regional Sports Complex at Gilman Street adjacent to Eastshore State Park in Berkeley, and Better Connect this Highly Used Facility with the Bay Shoreline and Associated Pedestrian Trails and Amenities.

Staff Report
Resolution 08-13

Mayor recommendation: Adopt Resolution #08-13.

8-4. City Council subcommittee on 2008-10 Budget Priority Setting Process.

Staff Report

Staff recommendation: Appoint a subcommittee of two (2) members of the City Council to work with staff on the Council priority setting process for the 2008-10 budget, and provide any preliminary comments or direction to the subcommittee members.

9. OTHER BUSINESS/ANNOUNCEMENT OF EVENTS

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)">