

**February 04, 2008  
8:00PM  
Council Chambers, City Hall  
1000 San Pablo Avenue**

1. **PLEDGE OF ALLEGIANCE**
2. **ROLL CALL**
3. **CONSENT CALENDAR**

3-1. Council Minutes, January 22, 2008.

Staff recommendation: Approve.

3-2. a. Ratification of City of Albany net payroll in the amount of \$187,609.82; taxes, benefits & withholdings in the amount of \$235,306.37. Total payroll in the amount of \$422,916.19. Payroll period: 01/18/08.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$51,910.58; taxes, benefits & withholdings in the amount of \$59,077.62. Total payroll in the amount of \$110,988.20. Payroll period: 01/18/08.

Staff recommendation: Ratify.

3-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of \$509,426.29. Period: 01/11/08. b. Ratification of bills, claims & demands against the City of Albany in the amount of \$744,845.85. Period: 01/25/08. c. Ratification of bills, claims & demands against the City of Albany JPA in the amount of \$45.00. Period: 12/28/07. d. Ratification of bills, claims & demands against the City of Albany JPA in the amount of \$297.70. Period: 01/11/08. e. Ratification of bills, claims & demands against the City of Albany JPA in the amount of \$257.00. Period: 01/25/08.

Staff recommendation: Ratify.

3-4. A rendering of the quarterly Cash and Investments Treasury Report of the City of Albany as of December 31, 2007, as required by Section 53646 of the California Government Code.

**Staff Report**

Staff recommendation: Information only.

3-5. Pension payments for the month of January, 2008, in the amount of \$110,176.51.

Staff recommendation: Ratify.

3-6. Council Member Okawachi appointing Francesco Papalia to the Waterfront Committee.

Staff recommendation: Information only.

3-7. Ordinance No. 08-01 - An Ordinance of the Albany City Council Regarding Integrated Pest Management (IPM) Policy and Regulations. Second Reading - Pass-to-Print.

**Staff Report  
Ordinance**

Staff recommendation: Adopt Ordinance No. 08-01 for Second Reading - Pass-to-Print.

3-8. 2008-09 Community Development Block Grant (CDBG) City-County Agreement.

**Staff Report**

Staff recommendation: Approve the recommended use of FY 2008-09 CDBG Funds in the amount of \$91,902 (\$85,302 jurisdictional improvements+\$6,600 general administration) for the following projects: 1) Meals on Wheels Program - \$15,000. 2) Access Curb Ramps - \$70,429. 3) Alameda Countywide Homeless Continuum of Care Council - \$1,473. 4) 2-1-1 Program - \$5,000.

3-9. Confirmation of Continued Existence of a Local Emergency on the Albany Shoreline.

**Staff Report  
Resolution 07-69**

Staff recommendation: Confirm the continued existence of a local emergency pursuant to Resolution #07-69.

3-10. Request for temporary street closure of Cornell Avenue (approximately 100 feet south of Solano Avenue) on February 10, 2008.

**Staff Report**

Staff recommendation: Approve the request by Solano Avenue Association to close 100 feet of Cornell Avenue, south of Solano on Sunday, February 10, 2008, from 1:00 p.m. - 5:00 p.m. with related police and public works services, in conjunction with the Lunar New Year Festival and Parade, subject to the Special Conditions.

3-11. Clarifying of City Council direction on reviewing updates to City Smoking Regulations.

**Staff Report  
Attachment**

Staff recommendation: That the City Council agenda consideration of an ordinance to update the City's smoking regulations at a regular City Council meeting in March.

3-12. Accepting donations for the newly created Poet Laureate Program.

**Staff Report**

Staff recommendation: Authorize the establishment of a trust fund for the Poet Laureate Program created by the Arts Committee and authorize staff to accept the contributions.

3-13. Authorize the Mayor to send a letter to the Alameda County Board of Supervisors expressing concern about the cost to consolidate election services.

**Staff Report  
Attachment**

Mayor recommendation: Approve.

3-14. Contract amendment with Jacobs Engineering for the 2007 Parks Rehabilitation Projects (Terrace Park, Memorial Park and Ball Field, Ocean View Park).

**Staff Report**

Staff recommendation: Authorize the City Administrator to execute a contract amendment with Jacobs Engineering for additional compensation in the amount of \$60,617 to cover additional Engineering and Construction Administration services to the final completion of the 2007 Parks Rehabilitation Projects.

3-15. Lease Agreement for 979 San Pablo Avenue.

**Staff Report**

Staff recommendation: Authorize the City Administrator to enter into a lease agreement for the lease of 979 San Pablo Avenue, as a temporary site for City departments.

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

6-1. Removal of Monterey Pines from Gill Tract - Status Report.

**Staff Report**  
**Map**  
**Communication received after Agenda finalized**

Staff recommendation: Information only. No action is required at this time.

6-2. Neilson Storm Drain Project:

**Staff Report**  
**Project Plan**  
**Scope of Work**  
**Cash Flow-Measure F**

Staff recommendation: 1) That the City Council authorize the City Administrator to amend the consultant services with: URS Corporation to: a) Prepare alternative plans for a Pilot Tube micro tunneling project for this storm drain project, and prepare bid documents in the amount of \$36,921. Note: purpose of this action would enable the City to Call for Bids for two alternative approaches with the intent of an award based upon the lowest bid for the selected option. b) Provide construction, observation and review services in the amount of \$31,156. Design Community and Environment (DC&E) to: Revise the administrative draft environmental document for this project to analyze environmental effects that may result from a Pilot Tube micro tunneling project, in the amount of \$2,849. 2) That the City Council receive information regarding the funding shortfall. Staff will return at a subsequent meeting with a proposed funding plan and schedule that would involve borrowing \$2.4 million from the Statewide Community Infrastructure Program or from another City of Albany fund or reserves with a repayment schedule.

6-3. Public Safety/Civic Center Project.

**Staff Report**

Staff recommendation: 1) Authorize staff to call for bids for the seismic retrofitting of the Civic Center buildings, and additions and renovations to the Fire and Police Department buildings, Contract C08-01. 2) Approve and authorize the City Administrator to execute Amendment #3 to the Agreement with Noll and Tam, Architects. 3) Authorize the Call for Bids and authorize the City Administrator to award a contract (or contracts, together) not to exceed \$250,000 for site preparations and modular hookups at the Monroe Street, UVA Police and Fire Temporary Quarters Site. 4) Authorize the City Administrator to enter into a lease agreement for the lease of modular buildings for police and fire temporary quarters. 5) Authorize the City Administrator to execute contract (or contracts, together) not to exceed \$250,000 with AT&T and Motorola re. Telephone, 911 facilities and radio antenna for the Temporary Quarters Site.

**7. NEW BUSINESS**

7-1. Entertainment Permit 1161-1175 Solano Avenue. A request for approval to allow entertainment uses in a remodeled 2,153 sq.ft. commercial building at the corner of Solano Avenue and Stannage Avenue.

**Staff Report**  
**Resolution 08-5**  
**P & Z Attachments**

Planning & Zoning Commission recommendation: Adopt Resolution #08-5 - A Resolution of the Albany City Council Approving an Entertainment Permit to Allow Amplified Live Music between the Hours of 7:00 p.m. and 9:00 p.m. Monday through Thursday, and 7:00 p.m. and 10:00 p.m. Friday and Saturday, and 2:00 p.m. and 5:00 p.m. on Sundays.

7-2. Community Media Access Committee.

**Staff Report**

Staff recommendation: Direct staff to return with a resolution creating a new Community Media Access Committee from the current citizens' ad hoc committee to the City Council Cable TV Subcommittee.

7-3. Paid Parking Program.

**Staff Report**  
**Notes**  
**Handout Materials**

Mayor recommendation: Ask the Sustainability Committee to explore and make a recommendation to the City Council on establishing a paid parking program, such as one involving parking meters.

**8. OTHER BUSINESS/ANNOUNCEMENT OF EVENTS**

**9. 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)">