

NOTE: These minutes are subject to Council approval and are not verbatim; however, tapes are available for public review.

**MINUTES OF THE ALBANY CITY COUNCIL
IN REGULAR SESSION,
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
MONDAY, JUNE 20, 2011**

Please Note: Councilmember Atkinson will be teleconferencing from Butterfly Grove Inn, 1073 Lighthouse Avenue, Pacific Grove, California 93950

7:00 p.m.

CLOSED SESSION

Call to order.

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

City Council convenes in the Council Chamber and then adjourns to Closed Session to discuss the following:

- 1) Labor Negotiations pursuant to Government Code Section 59457.6

Agency Negotiator: City Manager & Glenn Berkheimer, IEDA
Employee Organizations: Albany Fire Fighters' Association; Local 1021,
SEIU

7:30 p.m.

Mayor Javandel called the regular meeting of the Albany City Council to order on the above date and led the Pledge of Allegiance to the Flag,

ROLL CALL

Present: * Council Members **Atkinson, Lieber, Thomsen, Wile & Mayor Javandel
Absent: None

*Also sitting as the Municipal Services Authority JPA Board of Directors.

**Council Member Atkinson teleconferenced for items regarding the Pierce Street Property.

STAFF PRESENT

Beth Pollard, City Administrator; Jacqueline Bucholz, City Clerk; Randy Leptien, Contract City Engineer; Kim Denton, City Treasurer; Aaron Walker, Human Resource Manager; Brian Crudo, Battalion Chief; Dan Adams, Lt. Police Department; Judy Lieberman, Assistant City Manager; Charlie Adams, Finance Director; Penelope Leach, Recreation & Community Services Director; Jeff Bond, Planning Manager.

3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY

Mayor Javandel reported that direction was given to staff and no action taken.

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. Minutes, June 6, 2011

Staff recommendation: Approve

4-2. a. Ratification of City of Albany net payroll in the amount of \$215,815.52 ; taxes, benefits & withholdings in the amount of \$170,969.15. Total payroll in the amount of \$ 386,784.67. Payroll period:

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$50,884.86; taxes, benefits & withholdings in the amount of \$36,293.73. Total payroll in the amount of \$ 87,178.59. Payroll period: 06/03/11.

Staff recommendation: Ratify.

4-3. Ratification of bills, claims and demands against the City of Albany in the amount of: \$163,042.46 (05/27/11) & \$50,580.59 (06/01/11).

Staff recommendation: Ratify

4-4. Ratification of Police & Fire Pension Plan payments in the amount of \$113,522.08 for the month of May, 2011.

Staff recommendation: Ratify.

4. CONSENT CALENDAR

4-5. Senior Center Repair & Improvements Project

Staff recommendation: Approve the Senior Center repairs and improvements per the attached list and in accordance with the adopted project budget of \$98,035.

4-6. Temporary Street Closures for July 4th

a. Temporary Street Closure around Memorial Park for July 4, 2011 Celebration.

Staff recommendation: That Council approve the closure of a two-block area of Portland Avenue between Carmel Avenue and Pomona Avenue in front of Memorial Park on July 4, 2011 from 8 AM – 5 PM for July 4 Celebration.

b. Temporary Closure of Buchanan Street on July 4, 2011.

Staff recommendation: Approve the temporary closure of Buchanan Street west of I80/580 freeway interchange on July 4, 2011 from 5:30 PM to 10 PM.

4-7. Resolution #2011-29 to approve the updated benefits booklets for Safety Management Employees and Elected Officials

Staff recommendation: Approve Resolution #2011-29, a resolution of the Albany City Council approving the updated benefits booklets for safety management employees and elected officials.

4-8. Resolution #2011-28 to approve the updated salary range for the Police Chief.

Staff recommendation: Approve Resolution #2011-28, a resolution of the Albany City Council approving the updated salary range for the Police Chief.

4-9. Emergency Medical Services Billing Services Contract Renewal

Staff recommendation: That City Council authorize the City Manager to renew the contract with the Novato Fire Protection District (NFPD) to continue to provide the Emergency Medical Service (EMS) billing services.

4-10. Request By Solano Avenue Association for: 1) A Street Event permit to temporarily close Solano Avenue on Sunday, September 11 for the 2011 Solano Stroll; and 2) Waiver of fees for paramedic services, police overtime, maintenance services and supplies, and permit, and funding request.

4. CONSENT CALENDAR

Staff recommendation: That the Albany City Council:

1. Direct staff to issue a no fee Street Event permit to the Solano Avenue Association for the 2011 Solano Stroll scheduled for Sunday, September 11, 2011 between 7:00 a.m. and 7:00 p.m. (Event is 10:00 a.m. to 6:00 p.m.); and
2. Waive fees for paramedics, police overtime and city maintenance services, and authorize allocation of \$5,000 to support the Stroll.

4-11. Endorsement of Albany Beach Habitat Restoration and Public Access Feasibility Study

Staff recommendation: That the City Council support the *Habitat Restoration and Public Access Feasibility Study for Albany Beach*, and endorse its approval by the East Bay Regional Park District Board.

4-12. Donation of Disaster Management Supplies

Staff recommendation: That Council accept the donation of Disaster Equipment from Disaster Management Systems, Inc.

4-13. Alameda County Emergency Medical Services FRALS contract extension

Staff recommendation: Approve the contract extension which allows the Alameda County Emergency Medical Services (EMS) & the City of Albany Fire Department to maintain a working First Responder Advanced Life Support (FRALS) contract for EMS continuing to work on the new contract language, which is estimated to be completed by the end of October.

4-14. Resolution No. 2011-35 – A resolution of the Albany City Council adopting the yearly tax rate for the pension override tax to fund City police and fire pension obligations.

Staff recommendation: Approve Resolution No. 2011-35, a resolution of the Albany City Council adopting the yearly tax rate for the pension plans of the City of Albany submitted and approved by the Albany City Council in accordance with Assembly Bill 277 and Assembly Bill 13, the tax rate adopted is for the fiscal year beginning July 1, 2011 and ending June 30, 2012.

4-15. Appointment of Police & fire Board Members and Alternates to the Board of Police and Fire Pension Fund Commissioners

4. CONSENT CALENDAR

Staff recommendation: That the Mayor appoint to the Board of Police & Fire Pension Fund the following Commissioners: Carla Hertzog as the Police Department Board Member, Archie Stirling as the Police Department Alternate Board Member, Raymond Gonzalves as the fire Department Board Member, and Brian Crudo as the Fire Department Alternate Board Member.

Mayor Javandel asked if anyone would like to remove an item and the following items were removed for discussion: 4-10, 4-11, 4-12 & 4-13.

4-10. Solano Avenue Stroll

Council Member Thomsen asked if the Solano Avenue Association could try and get additional volunteers to handle some of the services that the City is currently paying for to help reduce the City's costs.

Allen Cain, Solano Stroll Association, responded that there are many nonprofit groups and volunteers that are currently signed up to work and it is very difficult to get additional volunteers. Mr. Cain also noted that the City makes a lot of revenue that offsets costs by the traffic tickets that are given out that day.

Council Member Lieber stated that he supports the \$5,000 to the Solano Avenue Stroll and hopes that when the economy improves that the City can contribute more money.

4-11. Albany Beach Restoration

Council Member Thomsen stated that she pulled this item off the Consent Calendar to note that it is a very important issue and a big improvement to Albany's beach. Council Member Lieber agreed.

4-12. Disaster Management Supplies

Council Member Thomsen thanked Battalion Chief Crudo for his work in obtaining the supplies.

4-13. County Emergency Medical Services FRALS Contract Extension

The City Manager noted that additional information came up after the agenda was prepared and asked Council to authorize the City Manager and City Attorney to approve additional language that protects the cities' revenues.

MOTION:

Moved by Council Member Thomsen, seconded by Council Member Wile to approve the Consent Calendar, as submitted with the additional recommendation regarding Item 4-13.

4. CONSENT CALENDAR

VOTE ON THE MOTION:

AYES: Council Members Lieber, Thomsen, Wile & Mayor Javandel

NOES: None

ABSENT: Council Member Atkinson

Motion carried and so ordered.

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.

Mayor Javandel asked if anyone would like to speak and the following people spoke: Joan Larson, Historical Society; Ray Anderson, Albany resident; Allen Cain, Solano Stroll Association.

A summary of the comments is as follows: Invited the Council and public to the dedication of the newest Historical Society Plaque honoring Charles MacGregor. The event to be held at the North West corner of Solano and Carmel Avenues with a reception following at the Citibank parking lot. An Announcement was made regarding the annual Lions Club pancake breakfast to be held July 4th, 8-11 a.m. Spoke about the Solano Avenue Stroll and what a special event this is and noted that it was being held on Sunday, September 11th, which is the anniversary of 9-11. Thanks were given to Council Member Wile for her work in picking up trash on Solano avenue.

6. PRESENTATION/PUBLIC HEARING

6-1. Landscaping & Lighting Assessment Districts.

The City Engineer reported that before Council tonight is the annual public hearing on the levy of assessments within Landscaping and Lighting Assessment District No. 1988-1 and 1996-1 for Fiscal Year 2011-12. The City Engineer asked the Mayor to handle each District independently.

District No. 1988-1: The assessments are not proposed to increase from last year's assessment. The majority of the funds will go toward maintaining Albany's existing lighting and landscaping infrastructure: Street trees, park irrigation, graffiti abatement, street lights in residential and commercial areas, Ohlone Greenway, sidewalks, the urban forestry program, improving street medians and upgrading park and recreation facilities.

Mayor Javandel opened the public hearing and asked if anyone would like to speak. No one came forward.

MOTION:

Moved by Council Member Lieber, seconded by Council Member Thomsen to close the public hearing.

Motion carried and so ordered.

6-1. Landscaping & Lighting Assessment Districts.

Council Member Thomsen presented Resolution No. 2011-31 – A Resolution of the Albany City Council Confirming the Diagram and Assessment and Levying Assessments in LLAD No. 18=988-1 for Fiscal Year 2011-12.

MOTION:

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Thomsen and seconded by Council Member Wile to approve Resolution No. 1988-1.

AYES: Council Members Lieber, Thomsen, Wile & Mayor Javandel

NOES: None

ABSENT: Council Member Atkinson

Motion carried and so ordered.

District No. 1996-1: The assessments are not proposed to be increased from last year's assessment level. The 2011-12 budget continues to allocate \$10,000 for vegetation management and \$5,000 for vegetation management in Cerrito Creek in the Creek Restoration Fund. In addition, the report includes \$50,000 for an update to the Albany Hill Master Plan in the Open Space Fund, as previously approved by Council.

Mayor Javandel opened the public hearing and asked if anyone would like to speak. No one came forward.

MOTION:

Moved by Council Member Lieber, seconded by Council Member Thomsen to close the public hearing.

Motion carried and so ordered.

Council Member Thomsen presented Resolution No. 2011-32 – A Resolution of the Albany City Council Confirming the Diagram and Assessment (including Amendment No. 1) and Levying Assessments in LLAD No. 1996-1 for Fiscal Year 2011-12.

MOTION:

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Thomsen and seconded by Council Member Lieber to approve Resolution No. 2011-32.

AYES: Council Members Lieber, Thomsen, Wile & Mayor Javandel

NOES: None

ABSENT: Council Member Atkinson

Motion carried and so ordered.

6-2. Master Fee Schedule

The Finance Director reported that Council has established an objective that fees cover the cost of services provided. The Consumer Price Index (CPI) for the Bay Area has increased 1.4%, which triggered a general adjustment of service fees.

Council Member Lieber noted that he would like the City to take a look at the fast food fees, as he has noticed that the litter around town is from the fast food restaurants.

Mayor Javandel opened the public hearing. No one spoke.

6-2. Master Fee Schedule

MOTION:

Moved by Council Member Lieber, seconded by Council Member Wile to close the public hearing.

Motion carried and so ordered.

Council Member Lieber presented Resolution No. 2011-30 – 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, 2011.

MOTION

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Lieber and seconded by Council Member Thomsen to approve Resolution No. 2011-30.

ON THE QUESTION:

Council Member Thomsen noted that it is very important for the City to recover costs.

VOTE ON THE MOTION:

AYES: Council Members Lieber, Thomsen, Wile & Mayor Javandel

NOES: None

ABSENT: Council Member Atkinson

Motion carried and so ordered.

7. UNFINISHED BUSINESS

7-1. Waterfront Planning Contract Amendment

The City Manager reported that the Lawrence Berkeley National Laboratory (LBNL) is seeking a location for a second campus within 25 minutes of its current location. LBNL issued a request for proposals and received 21, from which six sites were selected for further consideration. The Golden Gate Fields (GGF) property in Albany and Berkeley is one of those six sites being considered.

In 2008 – 2010, the City contracted with Fern Tiger Associates (FTA) to involve the Albany community in a participatory process for Albany residents to formulate a clear and strategic vision for the future of Albany's waterfront.

The *Voices to Vision* was adopted, which serves a critical role in guiding the property owner, City and community in developing and evaluating the possibilities for a second LBNL campus on the GGF property. Fern Tiger Associates would serve as a critical resource in helping the affected parties fully understand the underpinnings of the guidelines and the context for shaping potential development and open space scenarios.

Staff is recommending that the City amend its contract with FTA for *Voices to Vision* to include FTA conducting community engagement services associated with the proposal for the LBNL second campus at GGF. The work would include, but not be limited to communications, public education, consulting, facilitation, graphics and other professional services. This recommendation is conditioned upon execution of an agreement between the City and the property owner for the property owner to reimburse the City for the cost of these services.

7-1. Waterfront Planning Contract Amendment

The City Manager noted that the property owner has agreed to reimburse the City for all services related to this issue.

Mayor Javandel asked if anyone would like to speak and the following people spoke: Robert Cheasty, Albany resident; Ed Fields, Albany resident; Maureen Crowley, Albany resident; Clay Larson, Albany resident.

A summary of the comments is as follows: Asked everyone to be open minded about this project. Questioned the action to amend the FTA contract, as it is believed the contract was ended after the *Voices to Vision* process was completed. Expressed concern that the City did not go out to bid for this service and believes it is a waste of money during this severe economic crises. Agreed that FTA is the ideal candidate to handle this process and questioned why GGF did not hire FTA.

The City Manager stated that regarding the amendment to the FTA contract there is a clause in that contract that allows amendments. It was noted that this area is jointly owned by the cities of Albany and Berkeley and staff believes that FTA is the best person to handle this work and to be accountable to the City.

Fern Tiger commented that she would only work for the City, not the property owner, which insures that her work is in the interests of the City and community. She will be working to get as much information possible to the community regarding this project and believes that continued dialogue with the community is needed.

A summary of the Council comments is as follows: Agree that everyone should keep an open mind and believe that FTA has the skills needed for this project and supports the hiring of FTA. Believe it is very important to get the information out to the public and agree there is a lot to be excited about.

MOTION:

Moved by Council Member Thomsen, seconded by Council Member Wile to authorize the City Manager to execute a contract amendment with FTA to perform community engagement services associated with the proposal to locate a second campus of the LBNL Laboratory on the GGF property, conditioned upon the costs of these services and expenses to be fully reimbursed by the owner of GGF.

AYES: Council Members Thomsen, Wile & Mayor Javandel

NOES: None

ABSENT: Council Member Atkinson

RECUSED: Council Member Lieber

Motion carried and so ordered.

7-2. Fiscal Year 2011-12 Revised Operating Budget

The City Manager reported that in June 2010, the City Council approved the fiscal year 2011-12 budget that projected an operating deficit of \$302,296. At that time, Council directed staff to prepare a revision of the budget that was balanced, prior to the beginning of fiscal year 2011-12.

Council, staff and the community have engaged in roundtable discussions on the potential changes that would result in reduced expenses and increased revenues.

The City Manager noted that Council direction on final budget preparation included use of Council discretionary funds to maintain financial support for the Albany

7-2. Fiscal Year 2011-12 Revised Operating Budget

Police Activities League (APAL) and to maintain the Friday evening Senior Center meal. In order to continue these items, the Council discretionary line item was reduced from \$50,000 to \$36,000. The APAL budget is set at \$9,500 and \$5,000 was added to the Senior Meals Program.

A letter was received from the Community Media Access Committee recommending changes in the budget to provide current and future support for cable and other media services.

Staff is recommending including \$8,000 in the budget for part-time temporary services to augment the work of the City's Youth Services/Project Manager, who will now focus more of his time to the media services. Staff recognizes the interest for media support and will work this next year to develop recommendations for meeting these needs.

The City Manager stated that the proposed 2011-12 budget leaves vacant several important positions and does not sufficiently fund the technology and training needs to continually evolve to meet the public's needs.

The City continues to face economic conditions that challenge cities throughout the State. While staff believes the budget presented is achievable and appropriate at this time, it does not provide solutions for future periods and the challenging task of planning for fiscal year 2012-13 and beyond.

Mayor Javandel asked if anyone would to speak. No one spoke:

A summary of Council comments is as follows: Noted that it is important for the community to know the sacrifices that employees have made by taking cuts and extra work due to the vacant positions. It was commented that this is a no gimmick budget and is proud of everyone that helped to make a balanced budget.

MOTION:

It was moved by Council Member Thomsen, seconded by Council Member Wile to adopt the Revised Operating Budget for the City of Albany for fiscal year 2011-12.

AYES: Council Members Lieber, Thomsen, Wile & Mayor Javandel

NOES: None

ABSENT: Council Member Atkinson

Motion carried and so ordered.

7-3. Acquisition of Pierce Street Parcel

Mayor Javandel and Council Member Thomsen both recused themselves from this discussion due to a conflict of interest. The Minute Clerk at this time teleconferenced Council Member Atkinson into the discussion and Council Member Wile chaired the meeting.

The City Manager reported that in May the Purchase Agreement for the Pierce Street parcel was approved by the California Transportation Commission and it is the City's intent to close escrow by June 30, 2011, so as to make the purchase effective as of the current fiscal year.

The Council needs to take certain actions to close escrow, which includes the approval of the Certificate of Acceptance and the City's authorization to loan the Albany Community Reinvestment Agency an amount of \$850,000 and to execute a loan

7-3. Acquisition of Pierce Street Parcel

agreement. In addition, survey work and other engineering tasks are currently in process, as required for title insurance purposes.

The City Manager noted that the acquisition of the Pierce Street parcel is critical to moving the City's Maintenance Center off of Cleveland Avenue to enable economic development to occur, and to relieve the City of ongoing lease payments for the current facility.

The development of the Maintenance Center, the creation of the neighborhood park and bicycle/pedestrian trail connection on the Pierce Street parcel will provide park, active transportation, and infrastructure improvements to a currently vacant and unused site.

The purchase price for the parcel is \$1.9 million. The source of funds for the acquisition is a combination of fund balance available in the City's Project Development Fund made available via the Cooperative Agreement approved by City Council and the Reinvestment Agency on January 17, 2011, and via future Reinvestment Agency tax increment revenue.

There is a balance of approximately \$950,000 from the Lighting & Landscape District No. 1988-1 set aside for the Maintenance Center, which can be used for planning and design with the balance used for construction. Staff is developing a financing plan for the remaining costs to construct the Maintenance Center.

There is also a balance of approximately \$550,000 from Measure F 2002 set aside for either Piece Street Park or the Ohlone Greenway that can be used for planning and design of the Pierce Street Park and bike path; any remaining funds could be used towards project implementation.

City staff will seek grant funding for the bike path and the operations and maintenance costs for the property in its current condition primarily consists of mowing approximately twice per year.

The City Manager noted that the next step is to prepare concept designs for the Maintenance Center, Park and Bicycle/Pedestrian Path. Staff will prepare a Request for Qualifications for professionals with experience in designing Maintenance Centers and who demonstrate the ability to work with other design professionals on a coordinate approach for the Park and Bicycle/Pedestrian path.

Chair Wile asked if anyone would like to speak and the following people spoke: Robert Urhammer, Albany resident; Del Price, Albany resident; Susan Reeves, Albany resident; Ed Fields, Albany resident; Ray Anderson, Albany resident; Allan Maris, Albany resident.

A summary of the comments is as follows: Thanked the Council and staff for finding a creative solution for acquiring the property. Urged the Council to adopt the Resolutions and is looking forward to being involved in the community input. Expressed concern about the State's ability to take away Reinvestment Agencies and asked what would happen to the loan if this does occur. The City Manager noted that the City would have all of its legal documents in place and would work with its Legislators to protect the Agency. Asked what the total costs for the acquisition and development of the park and maintenance center. The City Manager responded a rough estimate is \$10 million, however, this figure needs to be refined.

7-3. Acquisition of Pierce Street Parcel

Council Member Lieber presented the following Resolutions: 1) Resolution No. 2011-33 – A Resolution of the City Council of the City of Albany Approving the Certificate of Acceptance for the Purchase of the Pierce Street Parcel. 2) Resolution No. 2011-36 – A Resolution of the City Council of the City of Albany Authorizing a Loan to the Albany Community Reinvestment Agency in the Amount Not to Exceed \$850,000 and the Execution of a Loan Agreement Evidencing the Terms of the Loan.

MOTION:

After reading the titles, and waiving reading of entire Resolutions, it was moved by Council Member Lieber and seconded by Council Member Atkinson to approve Resolution No. 2011-33 & 2011-36.

AYES: Council Members Atkinson, Lieber & Chair Wile

NOES: None

ABSENT: None

RECUSED: Council Member Thomsen & Mayor Javandel.

The Minute Clerk disconnected the teleconference call and Council Member Thomsen and Mayor Javandel came back to the podium.

8. NEW BUSINESS**8-1 June 10, 2010 Financial Statements and Reports of the Independent Auditors, Inter-Fund Transfers**

The Finance Director reported that the City hired the CPA firm of Caporicci & Larson, Inc to serve as independent auditors of the City's financial reports. The auditors examined the City's Comprehensive Annual Financial Report (CAFR), the annual reports of the Reinvestment Agency, the Albany Police and Fire Pension Fund, ACTIA Measure B Funds, Transportation Development Act Report and the Appropriations Limit.

The Council previously approved a schedule of inter-fund transfers, as part of the fiscal year 2009-10 budget. The Council approved updated schedules of inter-fund transfers, as part of the normal process of closing the books and preparing financial statements for the fiscal year in December, 2010 and January, 2011.

Mr. Ahmed Badawi, auditor, went over the reports noting management's responsibilities and the auditor's responsibilities. The audit showed no discrepancies.

Mayor Javandel asked if anyone would like to speak. No one spoke.

MOTION:

Moved by Council Member Lieber, seconded by Council Member Thomsen to approve the updated schedule of inter-fund transfers.

AYES: Council Members Lieber, Thomsen, Wile & Mayor Javandel

NOES: None

ABSENT: Council Member Atkinson

Motion carried and so ordered.

8-2. Appropriations Limit Fiscal Year 2011-12

The Finance Director reported that annually the City must adopt a resolution, which states their appropriation limit. The City's appropriation limit for fiscal year 2011-

8-2. Appropriations Limit Fiscal Year 2011-12

12 is \$15,929,689 and expenditures in the 2011-12 budget, subject to this limit, are \$13,300,000. Therefore, budgeted expenditures are below the limit.

Mayor Javandel asked if anyone would like to speak. No one spoke.

Council Member Thomsen presented Resolution No. 2011-37 – A Resolution of the Albany City Council Establishing the Appropriations Limit for the 2011-12 Fiscal Year at \$15,929,686.

MOTION:

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Thomsen and seconded by Council Member Lieber to approve Resolution No. 2011-37.

AYES: Council Members Lieber, Thomsen, Wile & Mayor Javandel

NOES: None

ABSENT: None

Motion carried and so ordered.

9. OTHER BUSINESS, REPORTS ON MEETINGS ATTENDED, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS

9-1. A green, red, white & blue celebration July 4th at Memorial Park from 12 Noon to 4 p.m.

9-2. City offices will be closed on **Monday, July 4, 2011**, in observance of July 4th Independence Day and City Council meeting will be held on **Tuesday, July 5, 2011**.

Council announcements, as follows: 1) Council Member Thomsen attended the Alameda County Library Commission. 2) Council Member Wile attended a meeting with other governmental agencies regarding realigning state dollars. 3) Mayor Javandel attended the Alameda County Transportation Commission and the Mayor's Conference.

Mayor Javandel announced a vacancy on the Commission on Aging and stated if anyone is interested they should apply to the Alameda County Mayor's Conference.

10. Albany Municipal Services Joint Powers Authority

10-1. Updated Benefit Booklet for Management and Confidential Employees

The City Manager reported that the City Management and Confidential employees have a Benefits Booklet, which outlines the benefits package provided to both JPA and safety management employees. Changes to the benefits booklet area as follows: 1) Management and confidential employees of the JPA will begin contributing 4% of wages to CalPERS, effective July 11, 2011. 2) JPA and confidential employees hired on or after July 26, 2011 will be enrolled in a lower-tier (2% @ 60) formula for PERS. 3) Educational training/classes can be reimbursed with the approval of the City Manager and the amount has changed from \$750 per fiscal year to a maximum of \$2,000 per fiscal year.

Mayor Javandel asked if anyone would like to speak. No one spoke.

10-1. Updated Benefit Booklet for Management and Confidential Employees

Council Member Lieber presented Resolution No. JPA2011-5 – A Resolution of the Board of Directors of the Albany Municipal Services Joint Powers Authority Approving the Updated Benefits Booklet for Management and Confidential Employees.

MOTION:

After reading the title, and waiving reading of entire Resolution, it was moved by Council Member Lieber and seconded by Council Member Thomsen to approve Resolution No. JPA2011-5.

AYES: Authority Members Lieber, Thomsen, Wile & Chair Javandel

NOES: None

ABSENT: Authority Member Atkinson

Motion carried and so ordered.

10-2. Amendment to PERS Contract

The City Manager reported that due to the economic situation of the City, staff is recommending that new hires, effective July, 2011, be changed to a different level of benefits. Current employees are at the 2.5% @ 55 formula and it is recommended that new hires have the 2% @ 60 formula, which is the lowest tier that PERS offers.

Mayor Javandel asked if anyone would like to speak and the following person spoke: Ed Fields, Albany resident.

A summary of comments is as follows: It was stated that the City has a very generous pension benefit and noted that U.C. changed its pension for current employees and asked why the City doesn't also take this action. The City Manager responded that this is considered a vested interest and the City does not have the ability under PERS to do this. It was also asked why the City went to the lowest tier for new employees. The City Manager responded that the City believes it is prudent to take the most conservative approach to pension costs.

Authority Member Thomsen presented Resolution No. JPA2011-6 – A Resolution to Amend the Contract between the Albany Municipal Services Joint Powers Authority and the California Public Employees' Retirement System to Provide the "Different Level of Benefits" Provision (Section 20475) for Local Miscellaneous Members.

MOTION:

After reading the title, and waiving reading of entire Resolution, it was moved by Authority Member Thomsen and seconded by Authority Member Wile to approve Resolution No. JPA2011-6.

AYES: Authority Members Lieber, Thomsen, Wile & Chair Javandel

NOES: None

ABSENT: Authority Members Atkinson

Motion carried and so ordered.

10-3. Establishment and Salary Range for Senior Planner

The Planning Manager reported that with the recent announcement of the Community Development Director's retirement and the reorganization and subsequent

10-3. Establishment and Salary Range for Senior Planner

promotion of the Planning Manager to Community Development Director a vacancy exists in the Planning Department.

It is recommended that a new position of Senior Planner be established to focus on the City's planning application process.

Mayor Javandel asked if anyone would like to speak. No one spoke.

Authority Member Lieber presented Resolution No. JPA2011-07 – A Resolution of the Board of Directors of the Albany Municipal Services Joint Powers Authority Establishing the Classification of and Salary Range for the Position of Senior Planner.

MOTION:

After reading the title, and waiving reading of entire Resolution, it was moved by Authority Member Lieber and seconded by Authority Member Thomsen to approve Resolution No. JPA2011-7.

AYES: Authority Members Lieber, Thomsen, Wile & Chair Javandel

NOES: None

ABSENT: Authority Member Atkinson

Motion carried and so ordered.

11. ADJOURNMENT

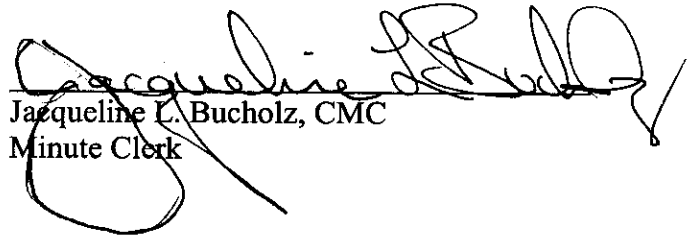
9:10 p.m. – There being no further business before the City Council it was moved and seconded to adjourn the meeting.

Minutes submitted by Jacqueline L. Bucholz, CMC, Minute Clerk.



Farid Javandel
Mayor

Attest:



Jacqueline L. Bucholz, CMC
Minute Clerk