



CITY OF ALBANY
MINUTES OF THE ALBANY CITY COUNCIL
IN REGULAR SESSION,
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
MONDAY, FEBRUARY 6, 2012

7:30 p.m.

CALL TO ORDER

Mayor Javandel called the regular meeting of the Albany City Council to order on the above date.

1. PLEDGE OF ALLEGIANCE

Mayor Javandel lead the Pledge of Allegiance to the Flag.

2. ROLL CALL

Present: Council Members Lieber, Thomsen, Wile, Vice Mayor Atkinson, Mayor Javandel

Absent: None

Staff Present: Beth Pollard, City Manager; Craig Labadie, City Attorney; Anne Hsu, Deputy City Clerk; Penelope Leach, Recreation & Community Services Director; Charles Adams, Finance & Administration Director; Jeff Bond, Community Development Director.

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

No closed session.

4. CONSENT CALENDAR

4-1. Minutes:

- a) January 9, 2012
- b) January 17, 2012

Staff recommendation: Approve

- 4-2. a.** Ratification of City of Albany net payroll in the amount of \$ 215,601.04; taxes, benefits & withholdings in the amount of \$170,464.91. Total payroll in the amount of \$ 386,065.95. Payroll period: 12/30/2011

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$42,563.93 ; taxes, benefits & withholdings in the amount of \$ 33,997.96. Total payroll in the amount of \$ 76,561.89. Payroll period: 12/30/2011

c. Ratification of City of Albany net payroll in the amount of \$ 207,904.46; taxes, benefits & withholdings in the amount of \$ 179,641.93. Total payroll in the amount of \$ 387,546.39. Payroll period: 1/13/2012

d. Ratification of Albany Municipal Services JPA net payroll in the amount of \$48,369.15; taxes, benefits & withholdings in the amount of \$ 33,618.38. Total payroll in the amount of \$81,987.53. Payroll period: 1/13/2012

e. Ratification of City of Albany net payroll in the amount of \$200,154.08; taxes, benefits & withholdings in the amount of \$227,455.70. Total payroll in the amount of \$ 477,609.78. Payroll period: 1/27/2012

f. Ratification of Albany Municipal Services JPA net payroll in the amount of \$45,736.21; taxes, benefits & withholdings in the amount of \$ 53,617.70. Total payroll in the amount of \$99,353.91. Payroll period: 1/27/2012

Staff recommendation: Ratify.

- 4-3.** Ratification of Police & Fire Pension Plan payments in the amount of \$118,697.48 for the month of January, 2012.

Staff recommendation: Ratify

- 4-4.** Council Member Wile appointed Claire Napawan to the Waterfront Committee.

Staff recommendation: Information only

- 4-5.** Approval and Acceptance of Improvements for Contract No. C11—12, 2011 Pavement Rehabilitation Project

Staff recommendation: Adopt Resolution No. 2012-3 approving and accepting improvements and directing the filing of the Notice of Completion for Contract No. C11-12, 2011 Pavement Rehabilitation Project.

- 4-6.** Resolution No. 2012-7, A Resolution of the Albany City Council Approving the Application for Grant Funds for the Sustainable Communities Planning Grant and Incentive Program under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

Staff recommendation: that the Council approve Resolution No. 2012-7.

- 4-7. Six months financial statement for period ended December 31, 2011 and financial projection for full fiscal year ending June 30, 2012.

Staff recommendation: Receive and file report.

Mayor Javandel asked if anyone would like to remove an item. Item 4-4 and 4-7 were pulled for discussion.

For Item 4-4, Council Member Wile introduced the nominee for the Waterfront Committee – Claire Napawan, who provided a brief summary about herself.

For Item 4-7, Council Member Thomsen asked the Finance Director to take audience through the information provided. Finance Director provided a summary of the item. This item is for the mid-year report covering 7/1/2011 – 12/31/2011. The two statements provided are six months statements and budgets combining actual budget and projected budget. In these statements, what fluctuates the most are revenues which is subject to outside influences. The City has fairly good control of the expenditures. One of the major impacts on the overall city finances is the termination of the Redevelopment Agency.

Council Member Wile asked about overtime for the Fire Dept. since the Police Chief talked about reducing overtime for the Police Dept. Finance Director Adams responded that the Fire Dept. has had to use overtime to cover a vacancy that have not been filled. There are cost savings from not filling the vacancy.

MOTION:

Moved by Council Member Thomsen, seconded by Council Member Lieber to approve the Consent Calendar, as submitted.

AYES: Council Members Lieber, Thomsen, Wile, Vice Mayor Atkinson, Mayor Javandel.

ABSENT: None

NOES: None.

Motion carried and so ordered.

5. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS

Mayor Javandel opened the Good of the City/Public Forum/Announcements and the following people spoke: Caryl O’Keefe (Albany Community Foundation and Albany Education Foundation).

A summary of the comments is as follows: Chocolate & Champagne Fundraiser will be held Saturday, February 11.

6. PRESENTATION/PUBLIC HEARING

- 6-1. 2012 Albany Hill Creekside Master Plan

Park and Recreation and Staff recommendation: That Council receive a presentation on the draft 2012 Albany Hill Creekside Master Plan, and place adoption of the Plan on a subsequent Council Agenda.

Assistant City Manager/Community Services Director Leach delivered the staff report. The Albany Hill Creekside Master Plan from 1991 has been updated to address vegetation management, access and circulation, and the City's Integrated Pest Management Policy. The plan includes an implementation plan, schedule and costs. The Park and Recreation Commission participated in the update process and have reviewed the updated draft plan. Project Consultant Cheryl Miller provided a presentation regarding the plan. Score cards were utilized to identify priority management items. Improvements to the main trail, construction of new steps at lower Taft, and a viewing point at upper Taft are recommended.

The following people spoke on this item: Gary Class-Chair of Park & Recreation Commission, Michael Barnes, Thelma Rubin.

A summary of the comments is as follows: plan is intended to balance recreation with conservation. A lot of public input went into the planning process.

Questioned whether sudden oak death was addressed. Support for access on both sides of the park.

A summary of the Council comments is as follows: general support for the plan and planning process and inclusion of the IPM Policy. Expressed concern with the term eradication and whether it is practical. Expressed concern with how the plan will be funded, additional prioritization may be needed if funding is limited.

Cheryl Miller responded to the question regarding sudden oak death. Field analysis has not identified any signs of the disease.

The item will be placed on a future agenda for action by Council.

7. UNFINISHED BUSINESS

- 7-1.** Resolution No. 2012-8 – a Resolution of the Albany City Council Calling for an amendment to the U.S. Constitution to free democracy from corporate control, in response to the U.S. Supreme Court decision on *Citizens United v. Federal Election Commission*.

Social & Economic Justice Commission (SEJC) recommendation: That the Council adopt Resolution No. 2012-8.

Margie Marks, SEJC Member, provided an overview of the subject and SEJC's recent actions. The interest is to help educate the public and build support for the issue.

The following people spoke on this item: Thelma Rubin, Caryl O'Keefe.
A summary of the comments is as follows: concern with the wording of the Resolution. Interest in receiving the pro/con discussion that was asked of SEJC.

A summary of the Council comments is as follows: general support for the Resolution, return power of the electorate back to the people. Statement should be passed on to elected representatives and encourage them to take action.

MOTION:

Moved by Vice Mayor Atkinson, seconded by Council Member Lieber to approve Resolution No. 2012-8 – a Resolution of the Albany City Council Calling for an amendment to the U.S. Constitution to free democracy from corporate control, in response to the U.S. Supreme Court decision on *Citizens United v. Federal Election Commission*.

AYES: Council Members Lieber, Thomsen, Wile, Vice Mayor Atkinson, Mayor Javandel.

ABSENT: None

NOES: None.

Motion carried and so ordered.

- 7-2. Lawrence Berkeley National Laboratory decision to select the Richmond Field Station as its preferred site for its second campus

Staff recommendation: That the City Council authorize the City manager to execute a contract with Fern Tiger Associates (FTA) to conduct a wrap-up session with the Golden Gate Fields/Waterfront Task Force, and to prepare a summary of lessons learned from Voices to Vision 2, in an amount not to exceed \$10,000.

Council Member Lieber noted that he no longer has a conflict of interest given that LNBL is no longer considering the Albany. City Attorney Labadie confirmed no conflict of interest exists.

City Manager Pollard delivered the staff report. Fern Tiger Associates (FTA) was retained by the City, with FTA's costs reimbursed by the Stronach Group, in response to Lawrence Berkeley National Laboratory (LNBL) selecting Albany as one of six potential sites for development of a second campus. FTA conducted community planning, and a 22-member task force was established by City Council to identify pros/cons and opportunities related to development of a second campus at Albany's waterfront. LNBL recently announced that it has selected the Richmond Field Station as its preferred site for a second campus. FTA would be retained to hold one additional meeting of the Task Force to wrap-up the process and prepare a final report as an addendum to the original Voices 2 Vision report, identifying things to be aware of for any next opportunity that may come along.

The following people spoke on this item: Gary Class, Peggy McQuaid, Caryl O'Keefe, Ed Fields, Thelma Rubin, Allan Maris, Edward Moore

A summary of the comments is as follows: Interest in direction from Council for the Task Force, and the importance of including the landowner in the discussion. Question whether the funding available can be used for this item. Suggestion to not spend any additional funds given budget concerns.

A summary of the Council comments is as follows: Expressed concern with spending additional time and money on this item. Expressed interest in having a debriefing of the Task Force, but also concern whether the topic could be concluded in one meeting. The December 4 meeting seemed to serve as a concluding meeting. Expressed interest in the Task Force working in collaboration with the property owner.

City Manager Pollard will return to Council in March with draft letters of appreciation for FTA and the Task Force and a letter to the Stronach Group.

8. NEW BUSINESS

8-1. Information Technology (IT) Master Plan and Shared IT services

Staff recommendation:

- 1) That Council accept the Information Technology Master Plan
- 2) That Council authorize the City Manager to execute an agreement with the City of Emeryville for an Information Technology Manager shared position.

Assistant City Manager/Community Services Director Leach delivered the staff report. An Information Technology (IT) Master Plan has been developed with assistance of consultants, interviews with department staff, evaluation of current IT staffing level and current inventory/conditions of the City's hardware and software. The Plan includes a list of needs including additional staff support. Sharing an IT Manager with the City of Emeryville could provide for additional assistance and oversight regarding IT.

Mayor Javandel asked for comments from the public. No comments were provided from the public.

A summary of the Council comments is as follows: Expressed general support for the item, and concern with the existing issues experienced by staff. Expressed interest outlining job responsibilities outlined and status reported back to Council.

MOTION:

Moved by Council Member Lieber, seconded by Vice Mayor Atkinson to accept the Information Technology Master Plan, and authorize the City Manager to execute

an agreement with the City of Emeryville for an Information Technology Manager shared position.

AYES: Council Members Lieber, Thomsen, Wile, Vice Mayor Atkinson, Mayor Javandel.

NOES: None ABSENT: None

Motion carried and so ordered.

Council Member Thomsen added that results should be provided back to Council periodically.

8-2. Staff presentation on the “Sustainable Community Strategy” Regional Planning Initiative

Staff recommendation: For information and provide feedback and direction to staff.

Community Development Director Bond delivered the staff report. Per SB 375, regional planning agencies are required to prepare a Sustainable Communities Strategy (SCS). An Initial Vision Scenario for the SCS was prepared by the regional planning agencies in 2011. Four new alternative scenarios have been prepared to respond to concerns raised regarding anticipated growth rates being too high. Within Albany, the alternative scenarios reduce anticipated household growth, with an increase in the number of jobs. The State has established a greenhouse gas reduction target of 15% for the Bay Area. Adoption of a SCS is intended for April 2013. Feedback from the cities is being sought by the regional planning agencies.

The following people spoke on this item: Caryl O’Keefe, Ed Fields, Clay Larson
A summary of the comments is as follows: Support for community engagement and continuation of working collaboratively. Three-story buildings and second units can accommodate housing needs. Interest in having additional analysis conducted.

A summary of the Council comments is as follows: expressed interest in supporting additional bikes, density in particular areas as fitting. Interest in seeing how projected growth looks theoretically. Expressed interest in a gas tax and other market drivers that can be utilized to support alternative modes of transportation to encourage behavior change.

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

Council Member Thomsen and Lieber reported that they attended the League of California Cities East Bay Division meeting regarding redevelopment agencies to

encourage legislation to ensure cities continue to remain whole regarding this issue.

Vice Mayor Atkinson reported that she attended the Senior Center Pancake breakfast and encouraged support of the Senior Center.

Mayor Javandel – proposed transportation plan and ballot measure was approved in January by the Alameda County Transportation Commission.

2x2x2 Meeting with AUSD/UC was held last Monday.

Pool reopening is scheduled for 2/15 at 4pm.

Chocolate & Champagne Gala is scheduled for this Saturday.

10. ADJOURNMENT

9:42 p.m – There being no further business before the City Council it was moved and seconded to adjourn the meeting.

Minutes submitted by Nicole Almaguer, City Clerk.



Farid Javandel
Mayor

Attest:



Nicole Almaguer
City Clerk