



CITY OF ALBANY

MINUTES OF THE ALBANY CITY COUNCIL
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
MONDAY, NOVEMBER 19, 2012

7:30 p.m.

CALL TO ORDER

1. PLEDGE OF ALLEGIANCE

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

2. ROLL CALL

Mayor Javandel led the Pledge of Allegiance to the Flag.

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

Absent: None

Staff Present: Penelope Leach, Assistant City Manager; Craig Labadie, City Attorney; Anne Hsu, Deputy City Clerk; Jeff Bond, Community Development Director; Aleida Andrino-Chavez, Transportation Planner; Ann Chaney, Project Manager; Randy Leptien, City Engineer; Ray Chan, Public Works Director/City Engineer, Nicole Almaguer, City Clerk.

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

4. CONSENT CALENDAR

4-1. Minutes, November 5, 2012

Staff recommendation: Approve

4-2. a. Ratification of City of Albany net payroll in the amount of \$190,660.04; taxes, benefits & withholdings in the amount of \$155,589.03. Total payroll in the amount of \$346,249.07. Payroll period: 11/2/2012

b. Ratification of Albany Municipal Services JPA net payroll in the amount of \$47,046.95; taxes, benefits & withholdings in the amount of \$34,646.86. Total payroll in the amount of \$81,693.81. Payroll period: 11/2/2012

Staff recommendation: Ratify.

4-3. Rubberized Pavement Grant Application

Staff recommendation: That Council:

- a) Approve Resolution No. 2012-66, authorizing the City Manager to submit a grant application in the amount of \$113,500 to CalRecycle for a Rubberized Asphalt Concrete Pavement project along three street segments in Albany, and
- b) Execute a Letter of Designation of Authority for such project

4-4. Approve a volunteer capital project sponsored by the Waterfront Committee and the Albany Strollers and Rollers to improve the City of Albany portion of the Cove area of the Albany Waterfront Park

Staff recommendation: That the City Council approve a volunteer capital project sponsored by the Waterfront Committee and the Albany Strollers and Rollers to improve the City of Albany portion of the Cove area of the Albany Waterfront Park.

Mayor Javandel asked if anyone would like to remove an item. Item 4-4 was pulled by Council Member Thomsen.

Community Development Director Jeff Bond provided an overview of the Cove Improvement Project at the Albany Waterfront, and recognized the collaboration with Albany Strollers & Rollers and the Waterfront Committee.

Amy Smolens, Albany Strollers & Rollers provided an overview of the \$5,000 grant the Albany Strollers & Rollers received from the Safe Rails to Trails program. The funds will be used to purchase and install bike racks at the project site.

The following people spoke: Allan Maris.

A summary of comments is as follows: appreciation to the work put in by staff, Waterfront Committee and Albany Strollers & Rollers to conduct the project.

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: Tod Abbott, Albany Chamber of Commerce.

A summary of comments is as follows: announced upcoming event to recognize Albany Business Member John Nakamura from Albany Ford and Student Katlin Endo. The event will be held next Thursday at Sumo Sushi.

Community Development Director Jeff Bond announced the upcoming Complete Streets Planning project that will begin on December 6th.

City Manager Beth Pollard expressed appreciation to the Albany Chamber of Commerce, Businesses and staff for the development and installation of the holiday banners along San Pablo Avenue. The next set of banners is scheduled for late Spring, and will be funded by a local advertising campaign for businesses on the new solar trash cans.

Vice Mayor Atkinson congratulated Council Member Thomsen, Michael Barnes and Peter Maass on being elected to the City Council.

6. PRESENTATION/PUBLIC HEARING

6-1. Presentation of Resolution No. 2012-68 to Randy Leptien

Mayor Javandel presented Resolution No. 2012-68 to Randy Leptien

Randy Leptien received the Resolution and expressed appreciation to the Council and staff.

The following people spoke: Ann Chaney, Aleida Andrino Chavez, Allan Maris, Beth Pollard.

A summary of comments is as follows: appreciation for Randy's service and responsiveness to the community's interests, for always being open to input, and Randy's ability to explain things in understandable terms. Appreciation for the knowledge he has shared with staff, his professionalism, dedication and character.

A summary of Council Comments is as follows: expressed appreciation for Randy's ability to coordinate with outside agencies, his flexibility, creativity and ability to listen to public input and adapt projects to suit the community's needs.

MOTION:

Moved by Vice Mayor Atkinson, seconded by Council Member Thomsen to adopt Resolution No. 2012-68 in Appreciation of Randy W. Leptien, City Engineer, for his more than 23 years of service to the City of Albany.

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

ABSENT: None

NOES: None.

Motion carried and so ordered.

7. UNFINISHED BUSINESS

- 7-1.** Referendum against Ordinance No. 2012-04 Approving University Village Mixed Use Project Development Agreement – full analysis of options and potential next steps.

Staff recommendation: That the Council:

- a) Introduce and approve for First Reading Ordinance No. 2012-07, Repealing Ordinance No. 2012-04, or
- b) Direct staff to return to Council with a prepared Resolution to submit Ordinance No. 2012-04 to the voters of the City of Albany, and identify the preferred future election date.

Community Development Director Jeff Bond delivered the staff report. Alternatives to bringing the referendum to the voters were identified including repeal of the Ordinance, repeal of the ordinance and authorization to staff to enter into negotiations for a new and substantially different development agreement, repeal of the ordinance and waiting a minimum of one year then introducing a new ordinance that authorizes a substantially similar development agreement.

UC Berkeley has expressed support for repeal of the ordinance without negotiation of a new development agreement. Based on discussions staff has had with labor union representatives and the Albany Little League, both groups have indicated they do not require a new development agreement and are working with UC Berkeley via other mechanisms.

The next steps for the project include the application process for a subdivision of the University's property, design review of the proposed buildings, and use permits for certain types of uses. It is anticipated that the project will take a phased approach to construction, initiating with the senior housing component. UC Berkeley will also begin the process to identify a replacement grocery store operator given that Whole Foods withdrew from the project several months ago.

The other project approvals authorized by Council in July 2012 are in effect and remain in place, with the exception of the two pending legal challenges alleging violations of the California Environmental Quality Act.

City Clerk Nicole Almaguer delivered a supplemental staff report, reviewing the draft ordinance for repeal of the ordinance in question. Almaguer also discussed upcoming elections opportunities and associated costs for the elections.

The following people spoke: Kevin Hufford, UC Berkeley

A summary of comments is as follows: the project has been in planning for over five years, interest in moving the project forward, support for repeal of the Ordinance. UC has been working with the Albany Little League and unions to

ensure their interests are met regardless of the status of the Development Agreement.

MOTION:

Moved by Council Member Wile, seconded by Council Member Thomsen to adopt Resolution No. 2012-68 in Appreciation of Randy W. Leptien, City Engineer, for his more than 23 years of service to the City of Albany.

AYES: Council Members Lieber, Thomsen, Wile, Vice Mayor Atkinson, Mayor Javandel. ABSENT: None

NOES: None.

Motion carried and so ordered.

8. NEW BUSINESS

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

City Manager Beth Pollard reviewed the December Council meeting schedule:

December 3: Regular Council Meeting.

December 10 – 7pm: Council certification of election results, swearing in ceremony for newly elected and appreciation to termed out Council Members.


December 17: Regular Council Meeting.

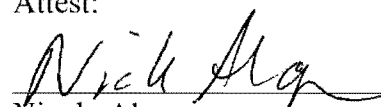
Mayor Javandel announced that he attended the Alameda County Mayor’s Conference, and a major topic was the failed Measure B1. Loss of this potential funding is challenging, particularly given the poor pavement score for Albany’s streets.

10. ADJOURNMENT

8:23 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