

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,
COMMUNITY CENTER, 1249 MARIN AVENUE
MONDAY, JULY 7, 2008

CLOSED SESSION

7:30 p.m.

City Council will meet with Legal Counsel to discuss anticipated litigation pursuant to Government Code Section 54956.9: One Case.

The City Attorney noted that the City is facing potential litigation from the developers of the El Cerrito Plaza in response to the City considering closing Albany streets that go into the Plaza.

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

8:00 p.m.

Mayor Lieber, who led the Pledge of Allegiance to the Flag, called the regular meeting of the Albany City Council to order on the above date.

ROLL CALL

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

STAFF PRESENT

Beth Pollard, City Administrator; Robert Zweben, City Attorney; Jacqueline Bucholz, City Clerk; Charles Adams, Finance Director; Kim Denton, City Treasurer; Ann Chaney, Community Development Director; Judy Lieberman, Assistant City Administrator; Nicole Almaguer, Environmental Resources Associate; Marc McGinn, Fire Chief.

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

The City Council received information.

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. Council Minutes, June 16, 2008.

Staff recommendation: Approve.

- 4-2.**
- a. Ratification of City of Albany net payroll in the amount of \$184,834.68; taxes, benefits & withholdings in the amount of \$231,536.20. Total payroll in the amount of \$416,370.88. Payroll period: 06/20/08.
 - b. Ratification of City of Albany net payroll in the amount of \$204,366.56; taxes, benefits & withholdings in the amount of \$161,928.78. Total payroll in the amount of \$366,295.34. Payroll period: 07/03/08.
 - c. Ratification of Albany Municipal Services JPA net payroll in the amount of \$52,043.98; taxes, benefits & withholdings in the amount of \$58,010.56. Total payroll in the amount of \$110,054.54. Payroll period: 6/20/08.
 - d. Ratification of Albany Municipal Services JPA net payroll in the amount of \$53,980.14; taxes, benefits & withholdings in the amount of \$41,531.26. Total payroll in the amount of \$95,512.40. Payroll period: 07/03/08.

Staff recommendation: Ratify.

- 4-3.**
- a. Ratification of bills, claims & demands against the City of Albany in the amount of \$40,867.91. Period: 06/02/08.
 - b. Ratification of bills, claims & demands against the City of Albany in the amount of \$727,174.72. Period: 06/13/08.
 - c. Ratification of bills, claims & demands against the City of Albany in the amount of \$801,910.21. Period: 06/27/08.
 - d. Ratification of bills, claims & demands against the City of Albany in the amount of \$31,707.92. Period: 07/01/08.
 - e. Ratification of bills, claims & demands against the City of Albany Municipal Services JPA in the amount of \$75.00. Period: 06.27/08.

4. CONSENT CALENDAR

Staff recommendation: Ratify.

- 4-4.** Pension payments in the amount of \$107,511.58 for the month of June, 2008.

Staff recommendation: Ratify.

- 4-5.** Temporary Street Closure around Memorial Park for the July 20, 2008 Albany-Berkeley Bike Races.
(File #820-70)

Staff recommendation: Approve the request by the Berkeley Bicycle Club to close off the streets immediately around Memorial Park (and Albany High School) on Sunday, July 20, 2008 from 6:30 a.m. to 5:00 p.m. for their annual bike race.

- 4-6.** Solano Avenue Association regarding the 2008 Solano Stroll scheduled for September 14, 2008.
(File 820-50)

Staff recommendation: 1) Direct staff to issue a no fee encroachment permit to the Solano Avenue Association for the 2008 Solano Stroll event, scheduled for Sunday, September 14, 2008 between 7:00 a.m. and 7:00 p.m. (event is 10:00 a.m. to 6:00 p.m.). 2) Waive fees for paramedics to be on site from 9:00 a.m. to 6:30 p.m., police overtime and City maintenance services. 3) Waive encroachment permit fees for all future Association events.

- 4-7.** Green Corridor Partnership.
(File #405-35)

Sustainability Committee recommendation: That the City explores joining the Green Corridor Partnership.

Staff recommendation: Refer to economic development consultants to review and advise.

- 4-8.** Contract Award for the development of Climate Action Plans for the Cities of Albany and Piedmont.
(File #600-30)

Staff recommendation: Authorize the City Administrator to enter into a contract between the City and EDAW, Inc. in the amount of \$60,015 for

4. CONSENT CALENDAR

development of climate action plans for the cities of Albany and Piedmont.

- 4-9.** Contract for Bay Friendly Landscaping for Civic Center Project.
(File #600-30)

Staff recommendation: Authorize the City Administrator to approve a contract with Sentient Design for Bay Friendly Landscaping Design for the Civic Center Project in the amount of \$18,500.

- 4-10.** Resolution No. 08-43 – A Resolution of the Albany City Council Authorizing the Execution and Delivery of a Master Lease Agreement Which Shall Fund Equipment Schedule No. 01, an Escrow Agreement and Related Instruments and Determining Other Matters in Connection Therewith for Financing of the Neilson Storm Drain and Sewer Projects.
(File #600-20)

Staff recommendation: Adopt Resolution No. 08-43.

- 4-11.** Resolution No. 08-33 – A Resolution of the Albany City Council Approving the Salary Schedule for City of Albany Safety Management Employees.
(File #700-20)

Staff recommendation: Approve Resolution No. 08-33.

- 4-12.** Resolution No. 08-41 – A Resolution of the Albany City Council Re-Delegating Investment Authority to the City Treasurer and Adopting the Investment Policy for the City of Albany.
(File #320-20)

Staff recommendation: Adopt Resolution No. 08-41.

- 4-13.** Resolution No. 08-42 – A Resolution of the Albany City Council Authorizing the City Administrator to Execute the State Master Agreement No. 00131S and Program Supplement No. 0E42 Rev 000 for the Implementation of the State Safe Routes to School Program (SR2S) Project at Ocean View Elementary School.
(File #600-50)

Staff recommendation: Adopt Resolution No. 08-42.

4. CONSENT CALENDAR

4-14. Resolution No. 08-45 – A Resolution of the Albany City Council Accepting the Work of Contract 07-19, Burrowing Owl Habitat Project, as Complete and Direct the Filing of a Notice of Completion.
(File #600-30)

Staff recommendation: Adopt Resolution No. 08-45.

4-15. Consideration of Claim #AL581; Meyerhoff v. City of Albany.
(File #170-60)

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

Mayor Lieber asked if anyone would like remove an item for discussion and the following items were removed: 4-6, 4-7,4-13 & 4-14.

4-6. Solano Stroll

Brian Parsley expressed concern that the City has not adopted an ordinance prohibiting drinking in public and noticed that the Stroll is an alcohol free event. Mr. Parsley asked how this could be enforced without an ordinance and suggested that the City Attorney be directed to prepare an ordinance for open containers.

The City Attorney noted that the Police Department has not expressed a strong desire to have an ordinance drafted at this time.

Robert Outis stated that he believes it inappropriate to discuss this item now and would suggest it be discussed under Item 7-1.

Council Member Atkinson noted that she did a ride along with the Police Department and the Police Officer stopped an individual who appeared to have been drinking. Council Member Atkinson stated that it is appropriate for the Chief of Police to approach the Council on the issue of an ordinance prohibiting drinking in public.

Council Member Javandel agreed with Mr. Outis that Item 4-6 should be discussed with Item 7-1.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Okawachi to pull Item 4-6 from the Consent Calendar and discuss it under Item 7-1.

AYES: Council Members Javandel, Okawachi & Mayor Lieber

NOES: Council Members Atkinson & Wile ABSENT: None

Motion carried and so ordered.

4-7. Green Corridor Program

Allan Maris, Albany resident, stated that one and half years ago the City of Albany was on the cutting edge of sustainability issues. Mr. Maris expressed concern that the City wasn't already a member of this program.

4. CONSENT CALENDAR

4-13. Resolution No. 08-42- Ocean View School

Council Member Atkinson asked staff to explain the changes made at the Jackson Buchanan signal. The Community Development Director explained that there is a pedestrian countdown, a protected left hand turn and a permanent sign regarding speed.

4-14. Resolution No. 08-45 – Burrowing Owls

Council asked a question on the sharing of maintenance costs associated with this project. The Community Development Director responded it should be \$25,000 for the maintenance costs, which is shared by five cities.

Clay Larson questioned whether the correct size pipe was used for the line fence. Mayor Lieber expressed concern that the metal fence got past the City, as it was his understanding that the fence was going to be a wood one.

The Community Development Director responded that she would check into this and get back to the Council with an answer. The City Administrator stated that this item would come back to Council at the next meeting.

MOTION:

Moved by Council Member Okawachi, seconded by Council Member Atkinson to approve the Consent Calendar, as submitted with the exception of Item 4-6 & 4-14.

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None

ABSENT: None

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 Lieber stated that the spraying for the Light Brown Apple Moth will not be done in Albany and thanked all the people that worked so hard on this issue.

Mayor Lieber opened the Good of the City/Public Forum/Announcements and the following people spoke: Allan Maris, Albany resident; Clay Larson, Albany resident; Brian Parsley, Albany resident; Caryl O'Keefe, Albany resident; Brian Parker, Albany resident; Michael Wallace, Albany resident.

A summary of the comments is as follows: Spoke on the East Bay Regional Park District Measure AA and noted that the Waterfront Committee should be writing a plan for the use of the money. Mayor Lieber noted that he has asked for a Resolution of support to be on the next Council agenda. Announced that this is the first meeting that is being web streamed. Asked for an update on the Tom Bates Sports Complex and noted that the Codornices Creek and UC Village ball fields should be on a future agenda. Council Member Javandel gave an update on the Sports Complex. Supported the comments made regarding the Measure AA funds and noted this is a significant piece of

5. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS

land and should have money spent on it. Suggested that Norman LaForce, on behalf of the Sierra Club, should speak to the Council on the Measure AA bond. It was noted that Citizens for a State Park are also supporting this measure. Spoke about a project on Albany Hill and the problems it is causing due to the fact that large vehicles do not have enough room to turn around and that the property owners are having to bear the cost of damages to their property. The City Administrator thanked the Recreation Department staff and volunteers for the great 4th of July celebration and also thanked Chelle Putzer for her work on launching the new City website.

There being no one else wishing to speak Mayor Lieber closed Good of the City/Public Forum/Announcements.

6. PUBLIC HEARING

6-1. Vacate and Abandon Unused Sewer Easement – 1316 Solano Avenue (File #670-40)

The Community Development Director presented the staff report recommending that the sewer easement at 1316 Solano Avenue be vacated and abandoned, as the City has no existing or proposed City-owned sanitary sewer at this location. The easement is an unnecessary encumbrance on the property and a potential source of confusion to future buyers.

Mayor Lieber opened the public hearing and there being no one wishing to speak closed the public hearing.

Council Member Javandel presented Resolution No. 08-47 – A Resolution of the Albany City Council Vacating and Abandoning an Unused Sanitary Sewer Easement at 1316 Solano Avenue.

MOTION:

After reading the title and waiving reading of entire Resolution, it was moved by Council Member Javandel and seconded by Council Member Wile to adopt Resolution No. 08-47.

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None

ABSENT: None

Motion carried and so ordered.

6-2. Extension of Interim Urgency Ordinance No. 08-04 Smoking/Tobacco (File #560-90)

The Community Development Director presented the staff report recommending that Ordinance No. 08-04 be extended for a period of ten (10) months and fifteen (15) days, which would set the expiration date at May 18, 2009.

It was noted that staff has worked with the Police Department and reviewed ordinances enacted by other cities. This Ordinance requires a 4/5 vote of the Council and could be extended for an additional year, if necessary.

6-2. Extension of Interim Urgency Ordinance No. 08-04 Smoking/Tobacco

Mayor Lieber opened the public hearing and there being no one wishing to speak closed the public hearing.

Council Member Okawachi introduced for adoption Ordinance No. 08-04 – An Ordinance of the Albany City Council Restricting and/or Prohibiting, Suspending and/or Denying any Permits for, or Otherwise Restricting the Approval of Tobacco Related Establishments and Suspending for a Period not to Exceed Forty-Five (45) Days, the Issuance of Permits, Approvals or Other Entitlements which would Result in the Opening of any Tobacco Related Establishments within the City of Albany.

MOTION:

After reading the title, and waiving reading of entire Ordinance, it was moved by Council Member Okawachi and seconded by Council Member Javandel to adopt Ordinance No. 08-04.

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None

ABSENT: None

Motion carried and so ordered.

7. UNFINISHED BUSINESS

7-1. Appropriation of Funds – Chamber of Commerce and Solano Avenue Association

The Assistant City Administrator presented the staff report and noted that both the Chamber of Commerce and the Solano Avenue Association have requested financial support from the City.

Staff is recommending that each organization be appropriated \$12,500 for fiscal year 2008/09.

The following speakers from the Solano Avenue Association addressed the Council: Robert Cheasty, President; Alan Cain, Executive Director.

A summary of the comments is as follows: The Solano Stroll brings in approximately 300,000 people a year and noted that the event has eliminated alcohol. Other events are the Lunar New Year, Pumpkin event, the Holiday event and the Spring event. It was noted that the Solano Avenue Association is unique in the fact that they are in the community building business.

The following speaker from the Chamber of Commerce addressed the Council: Todd Abbott, President.

A summary of the comments is as follows: Followed the suggestions of the City Council made last year and noted a successful year had been achieved. A new website has been launched, which includes a database of the all the businesses in Albany. A new program has been established “Welcome to Albany”, which is given to both residents and business owners. The Holiday event has been expanded and scheduled to start earlier than in the past. The Chamber is moving towards becoming self-sufficient.

The following people spoke: Harry Pryn, Albany business owner; Deborah Kalama, Albany resident; Ray Anderson, Albany resident; Bob Outis, Albany resident; Sol Strand, Albany resident; Brian Parker, Albany resident; Brian Parsley, Albany

7-1. Appropriation of Funds – Chamber of Commerce and Solano Avenue Association

resident; Allan Maris, Albany resident; Clay Larson, Albany resident; Caryl O’Keefe, Albany resident.

A summary of the comments is as follows: Supported both the Chamber of Commerce and the Solano Avenue Association. Disagreed with the City subsidizing both organizations and does not believe the financial help has had an effect on the businesses. Noted that Albany needs big anchor stores on San Pablo Avenue and Solano Avenue. The City should look at the performance of both organizations noting there is a clear difference between the two and would recommend that the City continue to reduce the subsidy to the Chamber of Commerce. Asked questions about the Stroll, including how much funding the City of Berkeley gives, how profit the Stroll brings to the organization and where does that money go. Agreed that the Chamber of Commerce is a big asset to the community with an informational center. Noted that the Solano Avenue Association does not promote anything on San Pablo Avenue and maybe there should be a San Pablo Merchants Association. Agreed that the Chamber of Commerce provides support for the businesses in Albany. Noted the Banner Program, which was sponsored by the Chamber of Commerce, did not provide much profit but was a major accomplishment.

Council Member Okawachi noted that she is a great supporter of the Chamber of Commerce and believes the organization has done a lot this past year to help the businesses in Albany.

Council Member Javandel supported both organizations and agreed with staff’s recommendation.

Council Member Atkinson questioned the amount of money recommended to both organizations and would support cutting back the funding.

Council Member Wile agreed that she would prefer not to spend the \$25,000 and noted that the City may have to start thinking differently, however, would reluctantly approve the recommendation.

Mayor Lieber stated that he is fundamentally opposed to giving City funds to the Chamber of Commerce; however, believes the organization is moving in the right direction. Noted that the Solano Stroll is a huge event and would like to entertain other requests based on the event.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Wile to approve staff’s recommendation, as follows: 1) Approve \$12,500 in funds for FY 2008/09 to support the Chamber of Commerce and that they implement programs listed in the staff report. 2) Approve \$12,500 in funds for FY 2008/09 to support the Solano Avenue Association, including \$5,000 for the Solano Stroll, the remainder to support the Lunar New Year celebration and other Solano Avenue events.

Also to include the recommendations on Item 4-6, which was pulled from the Consent Calendar to be discussed under this item: 1) Direct staff to issue a no fee encroachment permit to the Solano Avenue Association for the 2008 Stroll event, scheduled for Sunday, September 14, 2008 between 7:00 a.m. and 7:00 p.m. 2) Waive fees for paramedics to be on site from 9:00 a.m. to 6:30 p.m., police overtime and City

7-1. Appropriation of Funds – Chamber of Commerce and Solano Avenue Association

maintenance services. 3) Waive encroachment permit fees for all future Association events.

ON THE QUESTION:

Council Member Atkinson reiterated her concern about the City subsidizing other organizations and believes at some point the funding must stop.

VOTE ON THE MOTION:

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None ABSENT: None

Motion carried and so ordered.

7-2. Environmental Review of the Closure of City Street Adjacent to the Southern Side of the El Cerrito Plaza Shopping Center

(File #420-35)

The Community Development Director presented the staff report noting that Council had approved a study by Kimley-Horn Associates to prepare a Street Closure Study.

A traffic calming study was also prepared by Fehr & Peers, which reviewed the effects of traffic calming in both the 400 and 500 blocks of Kains, Cornell, Talbot and Evelyn. The 500 block of Evelyn was also reviewed. Sam Tibibnia, Fehrs & Peers went over the study.

Mayor Lieber asked if a cost had been estimated and was told approximately \$80,000 - \$90,000.

The following people spoke: Wendy Schellinger, Albany resident; Gene Hellwig, Albany resident; Eleanor Moses, Albany resident; Ray Anderson, Albany resident; Ellen Hershey, Albany resident; Doug Donaldson, Albany resident; Kristina Osborn, Albany resident; Allan Maris, Albany resident.

A summary of the comments is as follows: Supported a full closure of Albany streets. Less traffic is needed and more traffic calming. Preserve the quality of life in Albany. Support moving forward with an EIR for closure of Albany streets. Opposed to street closures and believes that a viable option for managing traffic is traffic calming. Need to respect the wishes of the residents who live in the area. Concerned about the traffic impact on San Pablo Avenue.

Mayor Lieber supported closing the streets noting it is a matter of quality of life issues. Mayor Lieber stated that he believes the City has the funds available in the Gas Tax account and although the City may face litigation in the future believes the Council needs to do something. Mayor Lieber supports going forward with an EIR and staff coming back with a scope of work.

Council Member Atkinson expressed concern about putting the City in a position of spending money on a lawsuit. Council Member Atkinson believes this action is too extreme and would rather see mitigation in other areas and would like this issue forwarded to Caltrans to see their reaction.

7-2. Environmental Review of the Closure of City Street Adjacent to the Southern Side of the El Cerrito Plaza Shopping Center

Council Member Javandel stated the Council has looked at this issue a long time and believes that every option has been explored. The Council is just approving an EIR, which is another step in the process.

Council Member Okawachi agrees that the Resolution allows further studies and believes the EIR is an important issue at this time and that all the other mitigation should be looked at.

Council Member Wile stated she would prefer that this issue is slowed down and would like staff to prepare a scope of work and work with the staff at El Cerrito and have some negotiations.

The City Administrator stated that Caltrans would have a chance to speak on the EIR before the City takes any action.

Council Member Javandel presented Resolution No. 08-46 – A Resolution of the Albany City Council Authorizing an Environmental Review of the Closure of Albany Streets Adjacent to the Southern Side of the El Cerrito Plaza Shopping Center.

MOTION:

Moved by Council Member Javandel, seconded by Council Member Okawachi to adopt Resolution No. 08-46 with the alternative of closing all the streets, closing three (3) of the streets and restricting traffic flow to the 500 block of Kains Avenue.

ON THE QUESTION:

Council Member Wile stated that she would still like City staff to work with the El Cerrito staff to work on some negotiations.

Mayor Lieber stated that the closing of Kains would mean no entrance into the 500 block and that some sort of traffic calming be performed on the 500 block.

VOTE ON THE MOTION:

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None ABSENT: None

Motion carried and so ordered.

7-3. Ballot Measures – Increase Emergency Medical Services Program Funding and Increase the Property Transfer Tax

(File #630-30)

The City Administrator presented the staff report recommending that the property transfer tax be increased from \$11.50 per \$1,000 value of consideration to \$14.50 per \$1,000 value of consideration and that Measure N Advanced Life Support Tax measure be amended to include an annual 4 percent cost-of-living increase.

The following people spoke: Sol Strand, Albany resident; Bob Outis, Albany resident.

A summary of the comments is as follows: Glad to see that this is at least a progressive tax instead of a recessive tax but disagrees that is split between seller and buyer. Expressed concern about this the last time it was before the Council.

7-3. Ballot Measures – Increase Emergency Medical Services Program Funding and Increase the Property Transfer Tax

MOTION:

Moved by Council Member Atkinson, seconded by Council Member Wile to approve ballot measure language for an increase in the property transfer tax to \$14.50 per \$1,000 value of consideration and to add a 4 percent cost-of-living increase to Measure N Advanced Life Support, to be on the November 4, 2008 ballot.

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None ABSENT: None

Motion carried and so ordered.

7-4. Campaign Finance Reform Act of 1996

(File #640-40)

The Assistant City Administrator presented the staff report and the recommendations of the Social & Economic Justice Commission. These recommendations include 1) Amend the City’s Campaign Finance Reform Act regarding contributions, spending limits and filing requirements. 2) Provide City support to broadcast campaign debates, to post contribution and expenditure information on the City website and to fully subsidize the cost to publish candidates’ statements in the Sample Ballot. 3) Consider establishing a task force to delve deeper into the more complex issues including potential public financing. 4) Implement the recommendations for the 2010 municipal election.

MOTION:

Moved by Council Member Atkinson, seconded by Council Member Javandel to extend the meeting for half an hour.

Motion carried and so ordered.

The following people spoke: Clay Larson, Albany resident; Bob Outis, Albany resident; Brian Parker, Albany resident; Caryl O’Keefe, Albany resident; Kristina Osborn, Albany resident; Allan Maris, Albany resident; Robert Cheasty, Albany resident.

A summary of the comments is as follows: Believes that more thought and review needs to go into this Ordinance and agrees that a task force should be established. Believe that reference to prohibitions on organizations should be removed; however, also believe that State law is sufficient and the Ordinance should be repealed. Spoke about money spent on last election and agree that State law is sufficient. Spoke about the discomfort within the community that resulted from lawsuits pertaining to the current ordinance. Believes that if the ordinance is kept on the books that the City Attorney should take responsibility for enforcing the ordinance. Believes that outside interests should not be allowed and agreed that the changes are not good. Thanked the Social & Economic Justice Commission for tacking this complicated issue and agrees that nothing should be changed for the upcoming election. Believes that too much money is being spent on Albany elections and noted in the past elections were run spending under \$1,000. Agree that the law should be clear so there are no misunderstandings and agree with other speakers that the current ordinance should be repealed.

7-4. Campaign Finance Reform Act of 1996

Council Member Javandel stated the extension of half an hour is past and would suggest the meeting be extended 15 minutes. It was the consensus of the Council to extend the meeting.

Council Member Javandel stated that he does not agree with the changes before the Council and would prefer simplicity in this matter.

Council Member Atkinson commented that the establishment of a task force is a good idea and agree that the current ordinance should be repealed.

Council Member Okawachi noted that she could not vote for the changes to the ordinance and that a task force should be established to work on a new ordinance.

The City Attorney stated that it is difficult to have a campaign ordinance in a small city that works and noted that the Supreme Court is striking down many provisions. The City Attorney recommended that the current ordinance be repealed and to wait until after the November election and then establish a task force.

Mayor Lieber stated that he would like to see some real campaign reform.

MOTION:

Moved by Council Member Atkinson, seconded by Council Member Wile to repeal the Campaign Reform Act of 1996 Ordinance.

ON THE QUESTION:

Kristina Osborn expressed concern that this action violates the Brown Act, as it was not noticed on the agenda.

Council Member Atkinson withdrew the motion and the second agreed.

MOTION:

Moved by Council Member Atkinson, seconded by Council Member Wile to direct staff to bring back on the next agenda an ordinance to repeal the Campaign Reform Act of 1996.

AYES: Council Members Atkinson, Javandel, Okawachi, Wile & Mayor Lieber

NOES: None ABSENT: None

Motion carried and so ordered.

8. NEW BUSINESS

8-1. Delegate and Alternate to League of California Cities Conference

(File #140-20)

Mayor Lieber stated that he would be unable to attend the annual League of California Cities conference in Long Beach on September 24-27, 2008, but would appoint Council Member Javandel as the delegate, if he were available.

Council Member Javandel indicated that he would be available to attend and be the voting delegate.

Consensus of Council agreed to the appointment.

8-2. Resolution No. 08-48 – Supporting the Preservation of the Oakland Subdivision Railroad Tracks
(File #1060-10)

Mayor Lieber suggested that this item be continued to the next meeting of the City Council on July 21, 2008.

Consensus of Council agreed to continue the item to the next meeting.

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

10. ADJOURNMENT

11:45 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, City Clerk.

ROBERT S. LIEBER
MAYOR

ATTEST:

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK