



## **CITY OF ALBANY**

**CITY COUNCIL AGENDA  
COMMUNITY CENTER, MAIN HALL, 1249 MARIN AVENUE**

**MONDAY, NOVEMBER 17, 2008**

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**7:30 p.m.**

### **CLOSED SESSION**

Closed session pursuant to Government Code Section 54956.9(b)(3)(A) to meet with Legal Counsel to discuss exposure to litigation

### **OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS**

### **ADJOURN TO CLOSED SESSION**

**8:00 p.m.**

### **CALL TO ORDER**

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY**
- 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, October 20 & November 3, 2008.**

Staff recommendation: Approve.

- 4-2.**
  - a. Ratification of City of Albany net payroll in the amount of \$208,357.44; taxes, benefits & withholdings in the amount of \$252,996.35. Total payroll in the amount of \$461,353.79. Payroll period: 10/24/08.
  - b. Ratification of City of Albany net payroll in the amount of \$184,055.44; taxes, benefits & withholdings in the amount of \$147,460.58. Total payroll in the amount of \$331,516.02. Payroll period: 11/07/08.
  - c. Ratification of Albany Municipal Services JPA net payroll in the amount of \$55,275.85; taxes, benefits & withholdings in the amount of \$58,981.81. Total payroll in the amount of \$114,257.66. Payroll period: 10/24/08.
  - d. Ratification of Albany Municipal Services JPA net payroll in the amount of \$57,178.43; taxes, benefits & withholdings in the amount of \$42,258.39. Total payroll in the amount of \$99,436.82. Payroll period: 11/07/08.

Staff recommendation: Ratify.

- 4-3.**
  - a. Ratification of bills, claims & demands against the City of Albany in the amount of \$31,978.38. Period: 10/01/08.
  - b. Ratification of bills, claims & demands against the City of Albany in the amount of \$1,051,266.59. Period: 10/17/08.
  - c. Ratification of bills, claims & demands against the City of Albany in the amount of \$958,620.71. Period: 11/03/08.
  - d. Ratification of bills, claims & demands against the City of Albany in the amount of \$31,978.38. Period: 11/03/08.

Staff recommendation: Ratify.

- 4-4.** A rendering of the quarterly Cash and Investments Treasury Report of the City of Albany as of September 30, 2008, as required by Section 53646 of the California Government Code.

Staff recommendation: Receive for information.

- 4-5.** City Treasurer regarding AB1234 reporting on Municipal Revenue and Tax Association Conference.

Staff recommendation: Receive for information.

- 4-6.** Resolution No. 08-71 – A Resolution of the Albany City Council Authorizing the City Administrator to Execute Agreements for Financial Advising and for Legal Services for the Purpose of Financing an Amount Not to Exceed \$5,000,000 for the Construction of Storm Drain and Sewer

Improvements and the Purchase of Real Property to be Used as a Public Works Maintenance Center.

Staff recommendation: 1) Adopt Resolution No. 08-71. 2) Authorize the City Administrator to execute agreements for financial advisory services with Wulff Hansen and legal services with Jones Hall.

- 4-7. Update on Taxes and Paramutual Wagering Revenues Received from Golden Gate Fields Property.

Staff recommendation: Receive for information.

- 4-8. Pension payments for the month of October, 2008 in the amount of \$111,069.65.

Staff recommendation: Ratify.

## 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.

Please go to our website at [www.albanyca.org](http://www.albanyca.org) to view all future Commission and Committee meetings.

## 6. **PUBLIC HEARING**

- 6-1. An Appeal of the Planning & Zoning Commission approval of Planning Application 07-087, Design Review at 904 Santa Fe Avenue, of a new mixed-use building that includes two residential units and one commercial retail space.

Staff recommendation: Affirm with modifications the action of the Planning and Zoning Commission in the approval of Planning Application 07-087, Design Review for a new mixed-use building.

## 7. **UNFINISHED BUSINESS**

- 7-1. Monthly Civic Center construction project progress report

Staff recommendation: Receive as information.

- 7-2. First Quarter Fiscal Year 2008-09 Financial Statements and Projection.

Staff recommendation: Receive for information the first quarter financial report and authorize the reduction in fiscal year 2008-09 budgeted expenditures by \$122,000.

**7-3.** Ordinance No. 08-011 - Campaign Finance Reform Ordinance – First Reading

Staff recommendation: 1) Without making any modifications thereto, introduce for first reading Ordinance #08-011, An Ordinance of the City Council Re-Enacting the Campaign Finance Reform Act of 1996; 2) Include in the motion that the Council waives full reading of the ordinance; 3) Pass the ordinance.

**8. NEW BUSINESS**

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

(Council and staff announcements: Council Member reports on State, regional and local boards, commissions and committees to which they are appointed by the City Council; Council Member announcement of requests for future agenda items. No public comment will be taken on announcement of future agenda items).

**9-1.** City offices will be closed **Thursday, November 27 & Friday, November 28, 2008**, in observance of Thanksgiving.

**9-2.** Special Council Meeting, **December 8, 2008, 7 p.m.** to Issue the Oath of Office to newly elected City and School District Officials.

**10. 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. The agenda and supporting staff reports can also be found on our web page at: [www.albanyca.org](http://www.albanyca.org). If you have any questions pertaining to any agenda item or Council meeting procedure, please contact the City Clerk's Office at 528-5720.) Agenda related writings or documents provided to a majority of the City Council regarding any item on this agenda will be made available for public inspection in the lobby of City Hall.

*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.*

**To view the live televised Council meetings go to Channel 33. 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, which will be posted on the Internet and broadcast on Channel 33.**

**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), and State Law, 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)”. Upon request, we will provide written agenda materials in appropriate alternate formats, of disability related modification or accommodation, including auxiliary aids or services to enable individuals with disabilities to participate in public meetings. Please deliver a written request, including your name, mailing address, phone number and brief description of the requested materials and preferred alternative format or auxiliary aid or service at least two (2) days before the meeting. Request should be sent to: City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.