

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, 1249 MARIN AVENUE
MONDAY, MAY 4, 2009

7:30 p.m.

Mayor Atkinson 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 Javandel, Lieber, Thomsen, Wile, & Mayor Atkinson
Absent: None

STAFF PRESENT

Beth Pollard, City Administrator; Robert Zweben, City Attorney; Charlie Adams, Finance and Administrative Services Director; Brian Crudo, Battalion Chief; Jeff Bond, Planning and Building Manager; Amanda Bennett, Planning Clerk

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

City Attorney Zweben reported there had been discussion regarding labor negotiations pursuant to Government Code Section 54957.6. No final decisions had been reached.

4. CONSENT CALENDAR

4-1. Minutes, Council Meeting of Monday, April 20, 2009.

Staff recommendation: Approve.

4-2. Schedule one-year review of Ordinance #08-03, Prohibiting Smoking in or around workplaces, recreational areas, and other places for the City Council meeting of May 18, 2009.

Staff recommendation: Schedule review.

Mayor Atkinson asked whether any Council Members or anyone else wished to pull any items from the consent calendar. Council Member Lieber pulled item 4-1. He noted that on page three after the list of consent items the text referred to “Mayor Lieber” rather than “Mayor Atkinson.”

MOTION:

Moved by Council Member Thomsen, seconded by Council Member Javandel to approve the Consent Calendar including the correction to the minutes.

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

NOES: None

ABSENT: None

Motion carried and so ordered.

5. GOOD OF THE CITY/PUBLIC FORUM

Mayor Atkinson opened the Good of the City/Public Forum and asked if anyone would like to speak.

Liz Newman from Fern Tiger Associates announced that Voices to Vision was getting underway and that the tee shirts and buttons for the Councilmembers were with the City Administrator. The sessions would run between May 16, 2009, and the end of June 2009. The mailing was going out, and it was important to RSVP to the sessions.

Nick Pilch, Albany resident, thanked staff for putting the Bike to Work Day poster up on the screen. May was Bike to Work Month, and May 14, 2009, is Bike to Work Day. He noted the East Bay Bicycle Coalition was asking for funds from all local cities, and he urged the Council to approve the request. He brought a photo of the new sign at Jewel’s Terrace Park.

Brian Parsley, Albany resident, was hoping for an update on the Tom Bates Regional Park JPA meeting regarding the status of softball and baseball fields to be built there.

Jana Katz, Albany resident, provided the Council with American Lung Association data on tobacco related ordinances.

Council Member Javandel announced there would be an Energizer Station at the intersection of Marin Avenue and the Ohlone Greenway from 7:00 a.m. to 9:00 a.m. on Bike to Work Day.

Council Member Lieber reported the Tom Bates Regional Park JPA meeting had been cancelled. The next meeting of the JPA was scheduled for June 2009. Once the parks worked out a particular contract the work would begin on the softball field.

Council Member Wile noted the business called Papillon had moved from Berkeley to Albany. She and the Councilmembers said “Hello!” to the Assistant City Administrator who was watching the webstream of the meeting. There would be a small business seminar on Wednesday, May 13, 2009, from 6:00 p.m. to 8:00 p.m., at the Senior Center. She thanked Peggy McQuaid for her work on the Jewel’s Terrace Park sign. Council Member Wile reported she and Sergeant Willis had been out to meet with anyone on the bulb who might benefit from mental health or other services provided by City staff and Berkeley Mental Health.

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

6. PRESENTATION**6-1.** Presentation of Certificates of Appreciation to volunteers working with the youth in Albany.

Mayor Atkinson presented certificates of appreciation to: Jackie Hermes for her work with the Albany Teen Center; and Theresa Barnett and Karen Larsen for their work with the Albany School Care Program; and announced certificates for: Sally Outis for her work with Albany Scoops; and John Ely for his work with the Police Activities League.

6-2. Present Proclamation – Older Americans’ Month, May 2009.

Mayor Atkinson read and accepted the proclamation. Council Member Thomsen praised Albany citizens who actually do what the proclamation says.

6-3. Information on Swine Flu prevention, precautions and response plans (oral report)

Battalion Chief Crudo delivered the report on efforts to reduce the spread of what is now called the H1N1 flu

7. UNFINISHED BUSINESS**7-1.** Nine Months Fiscal Year 2008-09 Financial Statements and Projection.

Staff Recommendation: Information Only.

Finance Director Adams delivered the staff report. Council Member Wile noted a lot of cities were suspending overtime. She asked whether that was an issue for the City of Albany. Finance Director Adams replied that overtime had been budgeted for and he did not expect an excessive use. Council Member Wile asked about the line item for other supplies and services. Finance Director Adams indicated that was usually for Community Development and Public works and that it would probably decrease at this time of year. Mayor Atkinson asked if there was a way to decrease the use of overtime. Finance Director Adams stated overtime was only used in the event of an emergency and he did not foresee an increase in the use of overtime

7-2. Authorize Design, Preparation of Plans, and Calling for Bids for Repair and Modifications to the Community Center Tower. Planning & Zoning Commission Recommendation: That the City Council maintain the tower as designed, incorporating repairs and changes suggested by WJE, project architects. The Commission also expressed support for weatherproofing the top of the tower with the installation of divided light windows in the opening in the side and a roof on the top, to the extent that the schedule and budget can accommodate the additional changes.

Staff Recommendation: That Council authorize preparing final plans and specifications and calling for bids for the repair project, incorporating the installation of windows and a roof as suggested by the Commission, if the project architects concur that this could be a structural and/or waterproofing benefit to the tower or building, if it does not significantly delay the project schedule, and if that modification does not exceed \$50,000.

Planning Manager Bond delivered the staff report. Council Member Lieber asked about the cost of removing the tower rather than repairing it. Planning Manager Bond stated the ground floor could not be removed, so that would mean demolition and removal of the upper stories of the tower and installation of a new roof. City Administrator Pollard stated the cost was about the same as than repairing the tower.

Council Member Wile asked about removing only the pyramid. Planning Manager Bond reported it would be about the same. Council Member Thomsen asked for confirmation that the Planning and Zoning Commission members had thoroughly discussed the drainage issue. Planning Manager Bond confirmed the plans included better ventilation, downspouts, and more. Council Member Javandel stated the roof and top would not have the kind of seams that had caused the problem.

MOTION:

Moved by Council Member Thomsen and seconded by Council Member Javandel to authorize the design, preparation of plans, and calling for bids for repair and modifications to the Community Center tower.

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

NOES: None

ABSENT: None

Motion carried and so ordered.

8. NEW BUSINESS

There was no 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. "Green Albany Day" with educational workshops, green businesses and environmental organizations to offer assistance and tools to help reduce Albany's carbon footprint is Sunday, May 17, 2009, 11 a.m. to 3 p.m., at the Veterans Memorial Building, 1325 Portland Avenue.

Mayor Atkinson urged City of Albany residents to recycle their used batteries at Green Albany Day, to and to buy a low flow showerhead through EBMUD. She announced the May 9 White Elephant Sale at the Senior Center, May 16 garage sale at the YMCA, and the Council sent good wishes to Barry Whittaker.

10. ADJOURNMENT

8:30 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.

MARGE ATKINSON
MAYOR

ATTEST:

JACQUELINE L. BUCHOLZ, CMC
CITY CLERK