City Council convenes in the Council Chamber and then adjourns to Executive Session to discuss the following pursuant to Government Code Section 54957.8

Agency Negotiator: City Administrator and Glenn Berkheimer, IEDA
Employee Organization: Albany Peace Officers’ Association

Real property pursuant to Government Code Section 54956.8

Property: Adjacent to 1150 8th Street Berkeley.
Negotiating Parties: City Attorney, City Administrator & Assistant City Administrator, on behalf of the City; Cornish and Carey Commercial Realty, on behalf of property owner.
Under Negotiations: Consideration of property to be used as a City Maintenance Center.

Initiation of litigation against the California Department of Agriculture to consider joining various agencies to challenge the Environmental Impact Report on the Light Brown Apple Moth eradication efforts, pursuant to Government Code Section 54956.9c.

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

7:30 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. Minutes, April 5, 2010.

Staff recommendation: Approve

4-2. a. Ratification of City of Albany net payroll in the amount of $186,775.15; taxes, benefits & withholdings in the amount of $244,229.93. Total payroll in the amount of $431,005.08. Payroll period: 03/26/10. Ratification of net payroll in the amount of $193,674.14; taxes, benefits & withholdings in the amount of $151,686.85. Total payroll in the amount of $345,360.99. Payroll period: 04/09/10.

b. Ratification of Albany Municipal Services JPA net payroll in the amount of $49,630.78; taxes, benefits & withholdings in the amount of $55,586.54. Total payroll in the amount of $105,217.32. Payroll period: 03/26/10. Ratification of net payroll in the amount of $50,994.04; taxes & benefits in the amount of $39,348.98. Total payroll in the amount of $90,343.02. Payroll period: 04/09/10.

Staff recommendation: Ratify.

4-3. A rendering of the quarterly Cash and Investments Treasury Report of the City of Albany as of December 31, 2009, as required by Section 53646 of the California Government Code.

Staff recommendation: Note and file – information only.

4-4. Waste Management of Alameda County annual rate adjustment request.

Staff recommendation: Authorize the annual rate adjustment of 2.1% requested by Waste Management of Alameda County.

4-5. Contract Agreement with Fehr and Peers for the Pedestrian Master Plan and Update to the Bicycle Master Plan.
Staff recommendation: Authorize the City Administrator to enter into a contract agreement with Fehr and Peers to prepare Albany’s Pedestrian Master Plan and Update to the Bicycle Master Plan for an amount not to exceed $142,991.

4-6. Resolution No. 2010-16 – A Resolution of the Albany City Council Approving the Application for Grant Funds for the Urban Greening Grant Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84) for Codornices Creek Restoration/San Pablo Avenue Gateway Project.

Staff recommendation: Approve Resolution No. 2010-16.

4-7. Consideration of Claim #AL621; Washington v. City.

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


Staff recommendation: 1) Approve Resolution No. 2010-18 – A Resolution of the Albany City Council Supporting and Endorsing H.R. 4722, the Active Community Transportation Act of 2010. 2) Authorize the Mayor to sign a letter supporting and endorsing H.R. 4722.

4-9. Albany Alcohol & Drug Abuse Prevention Council requesting a waiver of a temporary conditional use permit fee of $300. This temporary conditional use permit is for a swap meet at the Mechanics Bank parking lot on Sunday, June 6, 2010.

Staff recommendation: Approve the waiver of fee.

4-10. Request to temporarily close a segment of Curtis Street on Wednesday, May 19, 2010 for the Bike and Walk to School Activities at Marin Elementary School.

Staff recommendation: Approve an Encroachment Permit at no fee, submitted by the PTA of the Marin Elementary School, to allow closure of Curtis Street, between Marin and Sonoma Avenues on Wednesday, May 19, 2010 for the Bike and Walk to Work/School month.

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 to view all future Commission and Committee meetings.

6. PRESENTATION/PUBLIC HEARING

6-1. Presentation of Proclamation to the Gay Straight Alliance, Albany High School students.

6-2. Presentation of Proclamation to the Arts Committee celebrating Poetry Month.

8. NEW BUSINESS

8-1. Proposed new Alameda County Transportation Commission (ACTC) Joint Powers Agreement, and Update on the development of the Countywide Transportation Plan, Funding Strategies and Opportunities.

Staff recommendation: 1) Receive presentation on the merger of the Alameda County Congestion Management Agency (ACCMA) and the Alameda county Transportation Authority (ACTIA), the development of the Countywide Transportation Plan, Funding Strategies and Opportunities Update, and provide comment, if any, on short and long term projects/funding opportunities. 2) Adopt Resolution No. 2010-17 – A Resolution of the Albany City Council Approving the Joint Powers Agreement Creating the Alameda County Transportation Commission (ACTC) and Approving an Amendment to the Joint Powers Agreement for the Alameda County Congestion Management Agency (ACCMA) presented in Exhibit B and authorize the Mayor or City Administrator to execute the necessary agreements.

8-2. Joint use of public facilities by the City of Albany and the Albany Unified School District.

a. Sports field improvements to Ocean View Park and Memorial Park ball fields.

Staff recommendation: Approve the request by the Albany Unified School District to construct field improvements at Ocean View and Memorial ball fields so that Albany High School baseball teams may relocate to Memorial Field and Ocean View Field and Albany High School softball teams may relocate to Cougar Field.
b. Joint Use Agreement between the City of Albany and the Albany Unified School District regarding facilities use.

Staff recommendation: Approve.

7. UNFINISHED BUSINESS

7-1. Voices to Vision: On April 5, 2010, Fern Tiger Associates presented the results of Voices to Vision – a comprehensive process to determine the community’s vision for the Albany waterfront. The report included key findings and recommended guidelines that reflected the collective thoughts and concerns of the nearly 1,200 Albany residents who participated in the visioning process. Fern Tiger will attend the April 19, 2010 Council meeting to answer questions about the report.


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. Emergency Preparedness Resources Fair, Saturday, May 1, 2010, 10-2 p.m. at the Albany Fire Department.

9-2. Albany Arts & Green Festival, Sunday, May 2, 2010, 11 – 3 p.m. at Memorial Park & Veterans Hall.

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. If you have any questions pertaining to any agenda item or Council meeting procedure, please contact the City Clerk’s Office at 528-5710.) 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.