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.)


Staff recommendation: Approve

4-2. a. Ratification of City of Albany net payroll in the amount of $200,072.43; taxes, benefits & withholdings in the amount of $156,403.93. Total payroll in the amount of $356,476.36. Payroll period: 05/07/10.
b. Ratification of Albany Municipal Services JPA net payroll in the amount of $51,227.09; taxes, benefits & withholdings in the amount of $39,109.86. Total payroll in the amount of $90,336.95. Payroll period: 05/07/10.

Staff recommendation: Ratify.
4-3. Ratification of bills, claims and demands against the City of Albany in the amount of $16,847.77. Period: 04/01/10.

Staff recommendation: Ratify.

4-4. Council Member Thomsen appointing: Caryl O’Keefe, Charter Review Committee; Del Price, Sustainability Committee.

4-5. Consideration of Claim #AL616; Williams’s family.

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

4-6. Catherine’s Walk Upgrade.

Staff recommendation: Authorize execution of an informal contract for repair and related improvements to the public right-of-way called Catherine’s Walk, located between Hillside and Washington Avenues.

4-7. Award Contract for Lower Codornices Creek Restoration, Step 2, Phase 3, to complete the restoration of the creek between 6th & 8th Streets and construction of a Class 1 bicycle/pedestrian trail along this segment. Contract no. C10-2.

Staff recommendation: Award the contract in the amount of $751,867.00 to William P. Young Construction, Inc. of San Leandro, California.

4-8. Contribution to City, Non-Profit, Local Public Agencies, Individuals and Other Organizations for Albany projects or programs.

Staff recommendation: That no allocation be made for grants to non-profit agencies in the current 2009-10 fiscal year.

4-9. Resolution No. 2010-17 – A Resolution of the Albany City Council Supporting the Creation of Alameda County Transportation Commission and Approval of the Joint Powers Agreement Therefor; Approval of Amendment to Joint Powers Agreement for the Alameda County Congestion Management Agency.

Staff recommendation: Approve Resolution No. 2010-17.

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.
6. PRESENTATION/PUBLIC HEARING

6-1. Presentation of Proclamation to Scout Troop 24, Berkeley and Pack 3, Albany.

7. UNFINISHED BUSINESS

7-1. Charter Review Committee submitting the following reports:

   a. Elected/Appointed City Attorney.

      Charter Review Committee recommendations: 1) that the City Council place the question of whether the City should have an elected or appointed City Attorney before the voters at a future election and 2) that the City engage outside counsel to write the City Attorney Impartial Analysis of the ballot measure

   b. Roles of City Administrator and City Manager.

      Charter Review Committee recommendation: Receive as information the report regarding the roles of the City Administrator and City Manager.

8. NEW BUSINESS

8-1. BART Construction Hours

   Staff recommendation: Consider BART’s request to begin their weekday seismic retrofit construction work at 7:00 a.m., instead of 8:00 a.m. start-time currently required by Ordinance.

8-2. Consideration of Wastewater Financial Plan and Rate Review prepared by Bartle Wells Associates and Proposed Increase in Sewer Service Charge Rates in Response to new Environmental Regulations.

   Staff recommendation: Approve Resolution No. 2010-23 – A Resolution of the Albany City Council Declaring the Intention to Authorize an Increase in the Sewer Service Charge by Up to Two Dollars per Month Plus the Previously Authorized CPI Adjustment in Each of the Next Successive Five Years and Then by the Consumer Price Index (CPI) through FY-2016-17.

8-3. Ballot Measures:
a. Amendment to Measure N of 2000 – Paramedic Engines

Staff recommendation: 1) Direct staff to prepare an ordinance and ballot language to be put on the November 2, 2010 ballot for the following measure: Amend Measure N of 2000, Advanced Life Support (ALS) paramedic engines.

b. Utility Users Tax, update the City’s Utility Users Tax.

Staff recommendation: 1) Direct staff to prepare an ordinance and ballot language to be put on the November 2, 2010 ballot for the following measure: Update the City’s Utility Users Tax.

c. Medical Marijuana, establishing a business license for cannabis businesses.

Staff recommendation: 1) Direct staff to prepare an ordinance and ballot language to be put on the November 2, 2010 ballot for the following measure: Establish a business license tax for cannabis businesses.

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).

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.