CITY OF ALBANY

CITY COUNCIL AGENDA
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE

MONDAY, JULY 19, 2010

Council Member Wile will be teleconferencing from 2085 Payette Court, Dorrington, California.

6:30 p.m.

Executive Session

Call to order

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

City Council convenes in the Council Chamber and then adjourns to Executive Session to discuss the following:

1. Real property pursuant to Government Code Section 54956.8

   Property: 4.5 acre vacant land adjacent to Cleveland Avenue & Pierce Street
   Negotiating Parties: City Attorney, City Manager and Assistant City Manager on behalf of the City; Caltrans on behalf of owner.

2. Under Negotiations: Terms and conditions of acquisition of property.

   Property: Adjacent to 1150 8th Street, Berkeley.
   Negotiating Parties: City Attorney, City Manager and Assistant City Manager, on behalf of the City; Cornish and Carey Commercial Realty, on behalf of owner.
   Under Negotiations: Price and terms of payment for the purchase of property to be used as a City Maintenance Center.
3. Public Employment pursuant to Government Code Section 54957(e)

Position Fire Chief

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, July 6, 2010.

Staff recommendation: Approve

4-2. a. Ratification of City of Albany net payroll in the amount of $213,879.54; taxes, benefits & withholdings in the amount of $163,370.98. Total payroll in the amount of $377,250.50. Payroll period: 07/02/10.
b. Ratification of Albany Municipal Services JPA net payroll in the amount of $51,240.56; taxes, benefits & withholdings in the amount of $39,393.68. Total payroll in the amount of $90,634.24. Payroll period: 07/02/10.

Staff recommendation: Ratify.

4-3. a. Ordinance No. 2010-02 – An Ordinance of the Albany City Council which amends Albany Municipal Code Section 9-10.21 prohibiting oversized and recreational vehicle parking on any public street or highway with certain exemptions, including a grace period for recreational vehicles currently owned by Albany residents.

Staff recommendation: Adopt for Second Reading-Pass-to-Print, Waiving reading of entire Ordinance.

4-5. Ordinance No. 2010-07 – An Ordinance of the Albany City Council Adopting Section 2-26 Entitled “Living Wage Ordinance” to the Albany Municipal Code with the Following Change: Change the word “Increase” to “Adjust” in Section 2-26.5(c).

Staff recommendation: Adopt for Second Reading – Pass-to-Print, Waiving reading of entire Ordinance.

4-6. Resolution No. 2010-40 – A Resolution of the Albany City Council Adopting the Yearly Tax Rate for the Pension Override Tax to Fund City Police and Fire Pension Obligations.

Staff recommendation: Approve.

4-7. Resolution No. 2010-41 – A Resolution of the Albany City Council Approving the Application for Grant Funds for the Sustainable Communities Planning Grant and Incentives Program Under the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Proposition 84).

Staff recommendation: Approve.

4-8. Economic development activities for 2010-11 for specific economic development projects and programs to be carried out by the Albany Chamber of Commerce.

Staff recommendation: Approve the allocation of $9,900 for FY 2010-11.


Staff recommendation: Authorize the City Manager to amend the Consultant Services Agreement with Kimley-Horn and Associates, Inc. for the design of the Pierce Street Pavement Rehabilitation and Path Project to: 1) Provide for the extension of the existing sound wall on the 500 block of Pierce Street. 2) Include
NPDES clean water design features. 3) Provide miscellaneous additional services, as provided in Consultants proposal for an amount not to exceed $74,800.

4-10. A rendering of the quarterly Cash and Investments Treasury Report of the City of Albany as of March 31, 2010, as required by Section 53646 of the California Government Code.

Staff recommendation: Note and File, information only.


Staff recommendation: Refer to staff and the Sustainability Committee for recommendation on alternatives to fund implementation of the City’s Climate Action Plan, with an initial report back within six months.

4-12. Small Cities Climate Action Partnership EPA Grant Award.

Staff recommendation: Approve the City’s participation in the Small Cities Climate Action Partnership EPA grant award and authorize the City Manager to execute the Grant Award Memorandum of Understanding.

4-13. Temporary Street Closure on Key Route and Dartmouth for Albany Streets Events.

Staff recommendation: Approve street closures for: 1) A two-block area of Key Route Blvd between Solano Avenue and Portland Avenue from 11 a.m. – 2 p.m. on Sunday, August 22, 2010. 2) A six-block area of Dartmouth between Masonic and San Pablo Avenue from 11 a.m. – 2 p.m. on Saturday, October 9, 2010.

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. **PRESENTATION/PUBLIC HEARING**

6-1. Presentation of Proclamation to the Orientation Center for the Blind regarding recommitment to full implementation of ADA requirements.
6-2. Sewer Fee increase for monthly service charges for purposes of environmental compliance.

Staff recommendation: 1) Conduct the public hearing. 2) Adopt Resolution No. 2010-39 – A Resolution of the Albany City Council Establishing an Increase of Two Dollars per Month in Sewer Service Charge Rates During Each of the Next Five Years ($10 total increase per month) for Environmental Compliance, and Continuing the Annual Rate Adjustment Based on the Consumer Price Index (CPI).

6-3. Clean water and library taxes.

Staff recommendation: 1) Conduct the public hearing. 2) Direct staff to post taxes to property tax bills, as previously authorized.

7. UNFINISHED BUSINESS

7-1. Council health benefits

Social & Economic Justice Commission recommendation: Review the health benefit cap that is higher than that for employees and suggest that for the next Open Enrollment period, they have the same lower cap (Kaiser rate).

8. NEW BUSINESS

8-1. Arts Master Plan.

Staff recommendation: Approve Resolution No. 2010-38 – A Resolution of the Albany City Council Adopting the City of Albany Public Arts Master Plan.

8-2. Changes to policies, practices, protocols, composition, and number of the City’s advisory bodies for purposes of improving efficiency and effectiveness.

Staff recommendation: 1) Direct staff to work with the City’s advisory bodies to transition to implementation of recommended changes to scope, agenda setting, minutes, and meeting procedures; composition; outreach; sunset provisions; training; and other changes in policies, procedures, and protocols to improve efficiency and effectiveness, by December 31, 2010; 2) That staff report back to Council in November 2010 on implementation progress and recommended modifications, if any; and 3) Direct staff to develop and conduct a training workshop for appointees to City advisory bodies, tentatively scheduled for the evening of Monday, January 31, 2011.
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. The City Council is on summer recess for the month of August and will reconvene at the next regular scheduled Council meeting on Tuesday, September 7, 2010.

9-2. City offices will be closed on Monday, September 6, 2010 in observance of Labor Day.

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.

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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.