CITY OF ALBANY
CITY COUNCIL AGENDA
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
TUESDAY, SEPTEMBER 7, 2010

6:30 p.m.

CLOSED 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 Closed Session to discuss the following:

1. Labor Negotiations pursuant to Government Code Section 54957.8
   
   Agency Negotiator: City Manager and Glenn Berkheimer, IEDA
   Employee Organization: Albany Peace Officers’ Association

2. 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 (the State)
   Under Negotiations: Terms and conditions of acquisition of property.

3. 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 (USPS)
   Under Negotiations: Price and terms of payment for the purchase of Property to be used as a City Maintenance Center.

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 $213,879.54; taxes, benefits & withholdings in the amount of $163,370.98. Total payroll in the amount of $377,250.52. Payroll period: 07/02/10.
b. Ratification of City of Albany net payroll in the amount of $212,615.97; taxes, benefits & withholdings in the amount of $264,707.19. Total payroll in the amount of $477,323.16. Payroll period: 07/16/10.
c. Ratification of City of Albany net payroll in the amount of $205,106.25; taxes, benefits & withholdings in the amount of $157,393.22. Total payroll in the amount of $362,499.47. Payroll period: 07/30/10.
d. Ratification of City of Albany net payroll in the amount of $243,303.60; taxes, benefits & withholdings in the amount of $244,838.95. Total payroll in the amount of $488,142.55. Payroll period: 08/13/10.
e. 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. Payroll period: 07/02/10.
f. Ratification of Albany Municipal Services JPA net payroll in the amount of $49,860.74; taxes, benefits & withholdings in the amount of $56,069.43. Total payroll in the amount of $105,930.17. Payroll period: 07/16/10.
g. Ratification of Albany Municipal Services JPA net payroll in the amount of $50,681.15; taxes, benefits & withholdings in the amount of $37,994.30. Total payroll in the amount of $88,675.45. Payroll period: 07/30/10.
h. Ratification of Albany Municipal Services JPA net payroll in the amount of $52,673.92; taxes, benefits & withholdings in the amount of $40,857.08. Total payroll in the amount of $93,531.00. Payroll period: 08/13/10.

   Staff recommendation: Ratify.
4-3. Ratification of bills, claims and demands against the City of Albany:
   a. $466,598.54. Date: 06/25/10.
   b. $50,314.57. Date: 07/01/10
   c. $47,805.24. Date: 07/30/10.
   d. $359,548.75. Date: 08/20/10
   e. $165,910.33. Date: 08/06/10 FY 2009/10.
   f. $108,910.34. Date: 07/23/10
   g. $524,867.96. Date: 07/13/10 FY 2009/10.
   h. $446,650.86. Date: 08/06/10 FY 2010/11.
   i. $891,297.92. Date: 07/23/10
   j. $1,318.68. Date: 06/30/10 JPA.

4-4. Pension payments for the Police & Fire Pension Plan:
   a. July, 2010 in the amount of $118,725.14
   b. August, 2010 in the amount of $118,725.14

   Staff recommendation: Ratify.

4-5. 
   a. Consideration of Claims AL628; Jackson v. City of Albany.
   b. Consideration of Claim AL629; Guerrero v. City of Albany.
   c. Consideration of Claim #AL630; Benedict v. City of Albany.

   Staff recommendation: Reject the claims and authorize the City Clerk to send out
   the appropriate rejection letters.

4-6. Resolution No. 2010-42 – A Resolution of the Albany City Council Approving
   and Accepting Improvements and Directing the Filing of the Notice of
   Completion for Contract No. C10-01, Albany Community Center Tower Repair.

   Staff recommendation: Approve Resolution No. 2010-42.

4-7. Resolution No. 2010-43 – A Resolution of the Albany City Council Approving
   and Accepting Improvements and Directing the Filing of the Notice of
   Completion for Contract No. C07-14, Albany Civic Center Seismic Retrofit and
   Renovation.

   Staff recommendation: Approve Resolution No. 2010-43.

4-8. Resolution No. 2010-45 – A Resolution of the Albany City Council Authorizing
   the Filing of an Application for CMAQ Funding to Construct a Portion of the
   Buchanan Bicycle and Pedestrian Path from San Pablo Avenue to the Buchanan
   Bridge Crossing.

   Staff recommendation: Approve Resolution No. 2010-45.

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


Staff recommendation: That the City Council returns the matter to the Planning & Zoning Commission with specific direction on the key issues of the appeal.

7. UNFINISHED BUSINESS


Staff recommendation: Adopt for Second Reading-Pass-to-Print, waiving reading of entire Ordinance Number 2010-02 & 2010-05.

8. NEW BUSINESS

8-1. Ordinance No. 2010-08- An Ordinance of the Albany City Council – Business License CPI. First Reading

Staff recommendation: Introduce Ordinance No. 2010-08 for First Reading.

Staff recommendation: Approve.

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. Dinner with Albany. Saturday, September 25, 5:30 – 9:30 p.m. Solano Avenue between San Pablo and Masonic Avenues. Reserve tables or spaces at www.albanyca.org.

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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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.