CITY OF ALBANY

CITY COUNCIL AGENDA
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
MONDAY, SEPTEMBER 20, 2010

7:00 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

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 $192,897.78; taxes, benefits & withholdings in the amount of $243,913.15. Total payroll in the amount of $436,810.93. Payroll period: 08/27/10.
b. Ratification of City of Albany net payroll in the amount of $198,551.37; taxes, benefits & withholdings in the amount of $151,402.53. Total payroll in the amount of $349,953.90. Payroll period: 09/10/10.
c. Ratification of Albany Municipal Services JPA net payroll in the amount of $49,938.21; taxes, benefits & withholdings in the amount of $55,803.03. Total payroll in the amount of $105,741.24. Payroll period: 08/27/10.
d. Ratification of Albany Municipal Services JPA net payroll in the amount of $51,390.49; taxes, benefits & withholdings in the amount of $40,415.67. Total payroll in the amount of $91,806.16. Payroll period: 09/10/10.

Staff recommendation: Ratify.

4-3. Ratification of bills, claims and demands against the City of Albany in the amount of $46,259.95. Period: 09/01/10. $1,395,105.66. Period: 09/03/10.

Staff recommendation: Ratify.

4-4. Resolution No. 2010-46 – A Resolution of the Albany City Council Authorizing the Filing of an Application for Surface Transportation Program (STP) Funding for the Pierce Street Pavement Rehabilitation Project.

Staff recommendation: Approve Resolution No. 2010-46. By filing this application, the City will be committing the necessary non-federal match, and stating assurance to complete the project.

4-5. Resolution No. 2010-48 – A Resolution of the Albany City Council in Opposition to Proposition 23.

Staff recommendation: Approve.

4-6. Ordinance No. 2010-08 – An Ordinance of the Albany City Council Modifying Albany Municipal Code Section 5-2.2 Changing the CPI Month for the Purposes of Calculating the Adjustment of Business License Taxes.

Staff recommendation: Approve for second reading – pass-to-print, waiving reading of entire Ordinance.

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. Resolution No. 2010-47 – A Resolution of the Albany City Council in Opposition to the Highway 101 Project that Endangers the Richardson Redwood Grove.

Council Member Lieber recommendation: Approve.


7. UNFINISHED BUSINESS

7-1. Public Art 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.

7-2. City Council Health Benefits.

Social & Economic Justice Commission recommendation: Review the fact that their health benefit cap 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. Storm Water Permit.

Staff recommendation: Authorize the staff to: 1) Prepare a test claim to the California Commission on State Mandates for particular costs associated with the City’s Municipal Regional Storm water permit. 2) Work in coordination with the other agencies within the Alameda Countywide Clean Water Program regarding the test claim filing and review process. 3) Execute an engagement letter and authorization to
Meyers Nave to serve as the lead counsel to file the test claims on behalf of the agencies within the Alameda Countywide Clean Water Program.

8-2. Resolution No. 2010-49 – A Resolution of the Albany City Council Approving a Project Operating Agreement with the East Bay Regional Communications System Authority (EBRCSA) and Authorizing the Execution and Implementation of Same.

Staff recommendation: Approve.

8-3. Alternatives for management of the Fire/Emergency Medical Services (EMS) Department

Staff recommendation: That the City explore future alternatives for management of the Fire/EMS Department, including partnership(s) with other fire service agency/agencies.

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.

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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.