7:10 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 items:

- Public employee appointment or employment pursuant to Government Code Section 54957. Position to be filled: Fire Chief

7:30 p.m.

CALL TO ORDER

Mayor Thomsen called the regular meeting of the Albany City Council to order on the above date.

1. PLEDGE OF ALLEGIANCE
   Mayor Thomsen led the Pledge of Allegiance to the Flag.

2. ROLL CALL
   Present: Council Members Atkinson, Barnes, Vice Mayor Wile, Mayor Thomsen
   Absent: Council Member Maass.

3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY
   Mayor Thomsen reported that direction was given to staff regarding public employment for the position of Fire Chief.

   Mayor Thomsen raised an urgency matter for consideration by the City Council to add item 9-4 under New Business to send letters to parties related to the BART
strike due to the fact that the need to take action followed the posting of the City Council Agenda.

MOTION:
Moved by Vice Mayor Wile seconded by Council Member Atkinson to add item 9-4 under New Business to send letters to parties related to the BART strike due to the fact that the need to take action followed the posting of the City Council Agenda.
AYES: Council Members Atkinson, Barnes, Vice Mayor Wile, Mayor Thomsen.
ABSENT: Council Member Maass
NOES: None
Motion carried and so ordered.

4. CONSENT CALENDAR

4-1. Minutes, June 17, 2013
Staff recommendation: Approve

4-2. Resolution No. 2013-30 to approve the updated salary schedule for City Treasurer and Police Chief
Staff recommendation: that the Council adopt Resolution No. 2013-30

4-3. Acceptance of Permanent Easement over USDA for Buchanan/Marin Bikeway Pierce St. to San Pablo Avenue Project, Contract No. C12-2, Federal Project CML 5178(012), FTIP ID No. ALA110030
Staff recommendation: that the Council adopt Resolution No. 2013-31 Approving and Accepting Bikeway Easement Deed for Buchanan/Marin Bikeway over the United States Department of Agriculture Property

4-4. Resolution No. 2013-27 authorizing the City Manager to enter into an agreement with San Francisco Estuary Project/Association of Bay Area Governments regarding the San Pablo Avenue Stormwater Spine Project located on the east side of the 1100 block of San Pablo Avenue
Staff recommendation: that the Council adopt Resolution No. 2013-27

4-5. Resolution No. 2013-35 authorizing the City Manager to sign Professional Service Agreements with three (3) engineering firms for On-Call Civil Engineering and Land Survey services at a not to exceed $30,000 per specific engagement
Staff recommendation: that the Council adopt Resolution No. 2013-35
Mayor Thomsen asked if anyone would like to remove an item. No items were removed from the Consent Calendar.

**MOTION:**
Moved by Council Member Atkinson, seconded by Council Member Barnes to approve the Consent Calendar as submitted.
AYS: Council Members Atkinson, Barnes, Vice Mayor Wile, Mayor Thomsen.
ABSENT: Council Member Maass
NOES: None
Motion carried and so ordered.

5. **PRESENTATION**

5-1. Certificate of Appreciation to City of Albany Police Officer Chris Beck for receiving the Mothers Against Drunk Driving (MADD) California Hero Award

Mayor Thomsen presented the certificate of appreciation to Officer Chris Beck. Police Chief Mike McQuiston expressed appreciation to Officer Beck for his service to the City.

6. **GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS**

Mayor Thomsen opened the Good of the City/Public Forum/Announcements. The following people spoke: Karina Tindol, Community Engagement Specialist; Peggy McQuaid; Allan Maris.

A summary of comments is as follows: announced the upcoming Safety Palooza event Sunday July 21, and National Night Out event on August 6; announced the Albany Police Activities League Car Show at the 4th of July event; expressed appreciation for same sex marriage opportunities.

7. **PUBLIC HEARING**

7-1. Resolution No. 2013-36 adopting the General Fund Operating Budget for fiscal year 2013-14 and approve inter-fund transfers as scheduled in the budget

Staff recommendation: that the City Council conduct a public hearing, and adopt Resolution No. 2013-36

Finance & Administrative Services Director Charles Adams delivered the staff report. Following the Council meeting of June 17, 2013 staff updated the projected sales tax revenue, budgeted expenditures for supplies and other services, and increased the allocation of General Fund revenues to the Capital Projects Fund. Approximately eighty percent of General Fund expenditures are salaries and benefits. Fiscal Year 2013-14 projected revenues are $14,546,734, which is 7.5% greater than the budget for fiscal year 2012-13. The proposed expenditures include
implementation of City Council goals & objectives as identified via the City Council strategic planning process. Fiscal year 2013-14 projected expenditures are $18,052,766, which is 4.4% greater than the budget for fiscal year 2012-13.

Mayor Thomsen opened the public hearing.
The following people spoke: Del Price.
A summary of comments is as follows: encouraged adoption of the budget and expressed support for additional funding for Pierce Street park in the future.
Mayor Thomsen closed the public hearing.

MOTION:
Moved by Vice Mayor Wile, seconded by Council Member Atkinson to adopt Resolution No. 2013-36 adopting the General Fund Operating Budget for fiscal year 2013-14 and approving inter-fund transfers as scheduled in the budget.
AYES: Council Members Atkinson, Barnes, Vice Mayor Wile, Mayor Thomsen.
ABSENT: Council Member Maass.
NOES: None
Motion carried and so ordered.

8. UNFINISHED BUSINESS

9. NEW BUSINESS

9-1. Acceptance of gift in recognition of Judy Lieberman’s leadership in the Restoration of Codornices Creek

Staff recommendation: that the City Council authorize acceptance of a gift of funds to install a plaque in recognition of Judy Lieberman’s leadership in the restoration of Codornices Creek

City Manager Beth Pollard delivered the staff report. The Codornices Creek restoration project began in the late 1990s as a collaborative effort between the City, University of California, and the City of Berkeley. Judy Lieberman served the City in administering the Codornices Creek restoration project and accomplished three phases of the restoration work. The Albany Community Foundation has offered funding to install a plaque at the classroom area of Codornices Creek, west of 8th Street, recognizing the leadership and vision of Judy Lieberman in the restoration of Codornices Creek. Community Development Director Jeff Bond provided an overview of the restoration project work completed to date.

The following people spoke: Peggy McQuaid, Albany Community Foundation; Bill Springer, Codornices Creek Watershed Council; Allan Maris.
A summary of comments is as follows: expressed appreciation to Judy Lieberman for all of her leadership, vision and commitment to Albany; expressed support for the gift in honor of Judy Lieberman; expressed appreciation for Judy’s service to the City and Council.

A summary of Council comments is as follows: expressed gratitude for Judy Lieberman and her skill to work with a variety of stakeholders to reach mutually agreeable solutions.

MOTION:
Moved by Council Member Atkinson, seconded by Council Member Barnes to authorize acceptance of a gift of funds to install a plaque in recognition of Judy Lieberman’s leadership in the restoration of Codornices Creek.

AYES: Council Members Atkinson, Barnes, Vice Mayor Wile, Mayor Thomsen.
ABSENT: Council Member Maass
NOES: None
Motion carried and so ordered.


Staff recommendation: that the Council:
1) Receive presentation by the City’s independent auditors of the results of their examination of the City’s financial reports for fiscal year end June 30, 2012
2) Approve the updated schedule of inter-fund transfers

Finance & Administrative Services Director Charles Adams delivered the staff report. Badawi & Associates, LLP has been retained to serve as independent auditors of the City’s financial reports. The Auditor’s Report to City Council identifies any material findings. The Auditors reported a finding related to the City’s delay in preparation of the year-end trial balance and completion of the Comprehensive Annual Financial Report (CAFR). Staff has outlined actions designed to improve the process for the year ending June 30, 2013. The assets and liabilities of the Successor Agency are incorporated into the City’s CAFR as a Fiduciary Trust Fund.

Badawi provided additional information regarding the audit, encouraging a more timely reporting schedule and year end closing. The auditors issued an unqualified opinion on the financial statements of the Police and Fire Pension Fund, Alameda County Transportation Improvement Authority Measure B Funds, and Alameda County Vehicle Registration Fee Fund and reported no findings of material weaknesses. In addition, the auditors reported no exception to the City’s calculation of the annual appropriation limit for Fiscal year ending June 30, 2013. Inter-fund transfers include transfers are conducted to reconcile fund balances.

There was no public comment on this item.
A summary of Council comments is as follows: asked about actions that will be taken to improve the process for year ending June 30, 2013. Adams replied that additional documentation of procedures will be developed including reassignment of staff.

MOTION:
Moved by Council Member Atkinson, seconded by Vice Mayor Wile to approve the updated schedule of inter-fund transfers.
AYES: Council Members Atkinson, Barnes, Vice Mayor Wile, Mayor Thomsen.
ABSENT: Council Member Maass.
NOES: None
Motion carried and so ordered.


Staff recommendation: that the Council review the draft Capital Improvement Plan (CIP) for period fiscal year 2013-14 to fiscal year 2017-18, and schedule adoption for July 15, 2013.

Public Works Director/City Engineer Ray Chan delivered the staff report. There are 31 capital improvement projects being planned or implemented during the next two year project period. The two-year CIP total is close to $16 million while the estimated 5-year CIP total is over $57 million. There are 27 different funding sources for the CIP projects, including one third of the funds coming from grants.

There was no public comment on this item.

The item will be scheduled for adoption on July 15, 2013.

9-4. URGENCY MEASURE: LETTER FROM CITY OF ALBANY TO ALL PARTIES INVOLVED IN THE BART STRIKE

City Manager Beth Pollard read the draft letter regarding the BART strike.

There was no public comment on this item.

MOTION:
Moved by Council Member Atkinson, seconded by Vice Mayor Wile to send a letter from the City of Albany to all parties involved in the BART strike.
AYES: Council Members Atkinson, Barnes, Vice Mayor Wile, Mayor Thomsen.
ABSENT: Council Member Maass.
NOES: None
Motion carried and so ordered.
10. OTHER BUSINESS, REPORTS ON MEETINGS ATTENDED, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS

Mayor Thomsen announced that replacement of the turf at the Gilman Street Sports field complex is planned for 2018. The Agency members to the JPA for the sports field, including the City, previously agreed upon a $15,000/year contribution. In addition, fees will likely be increased in anticipation of the turf replacement.

10-1. City of Albany Green, Red, White & Blue 4th of July Celebration – Thursday, July 4, Noon – 4pm, Memorial Park, and Albany Lion's Pancake Breakfast – 8-11am in the Veterans Memorial Building

11. ALBANY MUNICIPAL SERVICES JOINT POWERS AUTHORITY

NEW BUSINESS

11-1. Resolution No. JPA2013-1 to approve the updated salary schedule for management and confidential employees

Staff Recommendation: that the Board of Directors approve Resolution No. JPA2013-1

City Manager Beth Pollard delivered the staff report. The Albany Municipal Services Joint Powers Authority (JPA) includes both management and confidential employees. The last salary increase for the JPA occurred on June 30, 2008. On June 24, 2013 Miscellaneous Employees of the City represented by SEIU Local 1021 received a 2.4% salary range increase, pursuant to the Consumer Price Index per the Memorandum of Understanding. Extending the 2.4% increase to the JPA employee is intended to help address decreased net wages over the past five-year period. The estimated cost of this salary range increase will be $50,400 in fiscal year 2013-14.

There was no public comment on this item.

MOTION:
Moved by Vice Chair Wile, seconded by Board Member Barnes to approve Resolution No. JPA2013-1.
AYES: Board Members Atkinson, Barnes, Vice Chair Wile, Chair Thomsen.
ABSENT: Board Member Maass.
NOES: None
Motion carried and so ordered.

11-2. Resolution No. JPA2013-2 authorizing the Chair of the Board of Directors to execute an agreement for consultant services with Patrick O’Keeffe for Interim
City Manager services

Staff recommendation: that the Board of Directors adopt Resolution No. JPA2013-2

City Manager/Executive Director Beth Pollard delivered the staff report. City Manager Pollard will retire effective August 23, 2013. The agreement with Patrick O’Keeffe will provide for O’Keeffe to serve as interim City Manager and to provide administrative direction of City operations during the recruitment process for a new City Manager. The agreement will commence July 2 and conclude December 31. O’Keeffe will provide on call services beginning July 2, and assume the full duties of the City Manager for the duration of the agreement as of August 26.

Patrick O’Keeffe addressed the Council and expressed his interest in working with the City.

MOTION:
Moved by Vice Chair Wile, seconded by Board Member Atkinson to approve Resolution No. JPA2013-1.

AYES: Board Members Atkinson, Barnes, Vice Chair Wile, Chair Thomsen.
ABSENT: Board Member Maass.
NOES: None.
Motion carried and so ordered.

12. ADJOURNMENT

8:48 p.m. There being no further business before the City Council it was moved and seconded to adjourn the meeting.

Minutes submitted by Nicole Almaguer, City Clerk.

Peggy Thomsen
Mayor

Attest:

Nicole Almaguer
City Clerk