CLOSED SESSION

7:30 p.m.

City Council will meet with Legal Counsel to discuss anticipated litigation pursuant to Government Code Section 54956.9: One Case

OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS

ADJOURN TO CLOSED SESSION

8:00 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 $184,834.68; taxes, benefits & withholdings in the amount of $231,536.20. Total payroll in the amount of $416,370.88. Payroll period: 06/20/08.
b. Ratification of City of Albany net payroll in the amount of $204,366.56; taxes, benefits & withholdings in the amount of $161,928.78. Total payroll in the amount of $366,295.34. Payroll period: 07/03/08.
c. Ratification of Albany Municipal Services JPA net payroll in the amount of $52,043.98; taxes, benefits & withholdings in the amount of $58,010.56. Total payroll in the amount of $110,054.54. Payroll period: 06/20/08.
d. Ratification of Albany Municipal Services JPA net payroll in the amount of $53,980.14; taxes, benefits & withholdings in the amount of $41,531.26. Total payroll in the amount of $95,512.40. Payroll period: 07/03/08.

Staff recommendation: Ratify.

4-3. a. Ratification of bills, claims & demands against the City of Albany in the amount of $40,867.91. Period: 06/02/08.
b. Ratification of bills, claims & demands against the City of Albany in the amount of $727,174.72. Period: 06/13/08.
c. Ratification of bills, claims & demands against the City of Albany in the amount of $801,910.21. Period: 06/27/08.
d. Ratification of bills, claims & demands against the City of Albany in the amount of $31,707.92. Period: 07/01/08.
e. Ratification of bills, claims & demands against the City of Albany Municipal Services JPA in the amount of $75.00. Period: 06/27/08.

Staff recommendation: Ratify.

4-4. Pension payments in the amount of $107,511.58 for the month of June, 2008.

Staff recommendation: Ratify.

4-5. Temporary Street Closure around Memorial Park for the July 20, 2008 Albany-Berkeley Bike Races.

Staff recommendation: Approve the request by the Berkeley Bicycle Club to close off the streets immediately around Memorial Park (and Albany High School) on Sunday, July 20, 2008 from 6:30 a.m. to 5:00 p.m. for their annual bike race.
4-6. Solano Avenue Association regarding the 2008 Solano Stroll scheduled for September 14, 2008.

Staff recommendation: 1) Direct staff to issue a no fee encroachment permit to the Solano Avenue Association for the 2008 Solano Stroll event, scheduled for Sunday, September 14, 2008 between 7:00 a.m. and 7:00 p.m. (event is 10:00 a.m. to 6:00 p.m.). 2) Waive fees for paramedics to be on site from 9:00 a.m. to 6:30 p.m., police overtime and City maintenance services. 3) Waive encroachment permit fees for all future Association events.

4-7. Green Corridor Partnership.

Sustainability Committee recommendation: That the City explore joining the Green Corridor Partnership.

Staff recommendation: Refer to economic development consultants to review and advise.


Staff recommendation: Authorize the City Administrator to enter into a contract between the City and EDAW, Inc. in the amount of $60,015 for development of climate action plans for the cities of Albany and Piedmont.


Staff recommendation: Authorize the City Administrator to approve a contract with Sentient Design for Bay Friendly Landscaping Design for the Civic Center Project in the amount of $18,500.

4-10. Resolution No. 08-43 – A Resolution of the Albany City Council Authorizing the Execution and Delivery of a Master Lease Agreement Which Shall Fund Equipment Schedule No. 01, an Escrow Agreement and Related Instruments and Determining Other Matters in Connection Therewith for Financing of the Neilson Storm Drain and Sewer Projects.

Staff recommendation: Adopt Resolution No. 08-43.

4-11. Resolution No. 08-33 – A Resolution of the Albany City Council Approving the Salary Schedule for City of Albany Safety Management Employees.

Staff recommendation: Approve Resolution No. 08-33.
4-12. Resolution No. 08-41 – A Resolution of the Albany City Council Re-Delegating Investment Authority to the City Treasurer and Adopting the Investment Policy for the City of Albany.

Staff recommendation: Adopt Resolution No. 08-41.

4-13. Resolution No. 08-42 – A Resolution of the Albany City Council Authorizing the City Administrator to Execute the State Master Agreement No. 00131S and Program Supplement No. 0E42 Rev 000 for the Implementation of the State Safe Routes to School Program (SR2S) Project at Ocean View Elementary School.

Staff recommendation: Adopt Resolution No. 08-42.

4-14. Resolution No. 08-45 – A Resolution of the Albany City Council Accepting the Work of Contract 07-19, Burrowing Owl Habitat Project, as Complete and Direct the Filing of a Notice of Completion.

Staff recommendation: Adopt Resolution No. 08-45.

4-15. Consideration of Claim #AL581; Meyerhoff v. City of Albany.

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

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. PUBLIC HEARING

6-1. Vacate and Abandon an unused sanitary sewer easement at 1316 Solano Avenue, Albany.

Staff recommendation: 1) Conduct public hearing. 2) Adopt Resolution No. 08-47 – A Resolution of the Albany City Council Vacating and Abandoning an Unused Sanitary Sewer Easement at 1316 Solano Avenue.
6-2. Extension of Interim Urgency Ordinance #08-04 – Smoking/Tobacco.

Staff recommendation: Extend interim urgency Ordinance No. 08-04 for a period of ten (10) months and fifteen (15) days, which would set the expiration date at May 18, 2009.

7. UNFINISHED BUSINESS

7-1. Appropriation of funds for support of the Albany Chamber of Commerce and the Solano Avenue Association.

Staff recommendation: 1) Approve $12,500 in funds for FY08/09 to support the Albany Chamber of Commerce and implement programs listed in the staff report. 2) Approve $12,500 in funds for FY08/09 to support the Solano Avenue Association, including $5,000 for the Solano Stroll, the remainder to support the Lunar New Year celebration and other Solano Avenue events.

7-2. Resolution No. 08-46 – A Resolution of the Albany City Council Authorizing an Environmental Review of the Closure of Albany Streets Adjacent to the Southern Side of the El Cerrito Plaza Shopping Center.

Traffic & Safety Commission recommendation: Adopt Resolution No. 08-46.

Staff recommendation: To implement the recommendation of the Commission, adopt Resolution No. 08-46 and direct staff to return with a scope of work and consultant contract to prepare a Focused Environmental Impact Report (EIR) on the closure of the streets. The EIR is needed prior to a City Council decision on whether to proceed with action to amend the Circulation Element of the General Plan to plan for street closures.

7-3. Ballot measures to increase funding for general municipal services and for the Emergency Medical Services Program for the November 4, 2008, Municipal Election.

Staff recommendation: 1) Approve ballot measure language for an increase in the property transfer tax to $14.50 per $1,000 value of consideration. 2) Approve ballot measure language for an annual 4 percent cost-of-living increase in the Measure N Advanced Life Support tax measure. To finalize any Council action, on the July 21, 2008 agenda, Council will be presented with the Resolution calling for the general election on November 4, 2008 and containing the language and provisions for all of the City’s ballot measures on that election.

7-4. Campaign Finance Reform Act and Campaign Finance Reform in General.
Social & Economic Justice Commission Recommendations: 1) Amend the City’s Campaign Finance Reform Act regarding contributions, spending limits and filing requirements. 2) Provide City support to broadcast campaign debates, to post contributions and expenditure information on the City website and to fully subsidize the cost to publish candidates’ statements in the County election pamphlet. 3) Consider establishing a task force to delve deeper into more complex issues, including potential public financing. 4) Implement the recommendations for the 2010 municipal election.

Staff recommendation: Pursuant to the Commission recommendation, introduce for first reading Ordinance No. 08-06 amending the Campaign Finance Reform Act of 1996.

8. NEW BUSINESS

8-1. Designation of Voting Delegate and Alternate(s) for the annual League of California Cities Conference – September 24-27, 2008 in Long Beach.

Staff recommendation: Appoint delegate and alternate(s).

8-2. Resolution No. 08-48 – A Resolution of the Albany City Council Supporting Preservation of the Oakland Subdivision Railroad Tracks Adjacent to BART for Purposes of Enhancing Passenger Rail Connections to BART. Requested by the City of Union City.

Staff recommendation: There will be an oral recommendation.

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 528-5720.)
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._

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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.