



CITY OF ALBANY

MINUTES OF THE ALBANY CITY COUNCIL
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE
TUESDAY, JANUARY 20, 2014

7:30 p.m.

CALL TO ORDER

Mayor Maass called the meeting to order at 7:30 pm.

1. PLEDGE OF ALLEGIANCE

Mayor Maass led the Pledge of Allegiance to the Flag.

2. ROLL CALL

Present: Council Members McQuaid, Nason, Pilch, Vice Mayor Barnes, Mayor Maass.

3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY

4. CONSENT CALENDAR

4-1. Minutes, December 8, 2014; December 15, 2014; January 5, 2015

Staff recommendation: Approve

4-2. Ratification of Bills, Claims and Demands - Ratification of bills, claims and demands against the City of Albany in the amount of: \$371,843.02 (12/12/14); \$108,811.71 (12/19/14); \$124,697.38 (12/23/14); \$130,347.47 (1/8/15)

Staff recommendation: Ratify

4-3. Ratification of Police & Fire Pension Plan

- a) Payments in the amount of \$117,275.71 for the month of November, 2014.
- b) Payments in the amount of \$117,275.71 for the month of December, 2014.

Staff recommendation: Ratify

4-4. Advisory Body Appointments

- a) Council Member Pilch appointed: Emma Yee-Parks & Rec Commission; Paul O'Curry-Social & Economic Justice Commission; Liz McBee-Horner-Community Media Access Committee
- b) Mayor Maass appointed: Jack Kenney-Community Media Access Committee
- c) Council Member Nason appointed: Ruskin Hartley-Sustainability Committee

4-5. Memorandum of Understanding between the City of Albany and Albany Peace Officers' Association (APOA)

Staff recommendation: that the Council adopt Resolution No. 2015-1 – A Resolution of the Albany City Council Approving the Memorandum of Understanding between the City of Albany and APOA

Mayor Maass asked if anyone would like to remove an item. No items were pulled from the Consent Calendar.

MOTION:

Moved by Council Member Nason, seconded by Council Member Pilch to approve the Consent Calendar items as submitted.

AYES: Council Members McQuaid, Pilch, Vice Mayor Barnes, Mayor Maass

NOES: None

Motion carried and so ordered.

5. PRESENTATION

6. GOOD OF THE CITY/PUBLIC FORUM/ANNOUNCEMENTS

Mayor Maass opened Good of the City/Public Forum.

The following people spoke: Jeremiah; Joan Larson.

A summary of comments is as follows: expressed interest in school zones; Albany Historical Society will be partnering with KALB to support the Filmfest and to display some historical society videos, announced Walt & Ellen Covello will be celebrating their 65th wedding anniversary and that they placed two benches at the Senior Center in memory of Jewel Okawachi.

7. PUBLIC HEARING

8. UNFINISHED BUSINESS

9. NEW BUSINESS

9-1. City Council Appointment of Alternate to Board of Police and Fire Pension Fund Commissioners

Staff recommendation: that the Council appoint a City Council Member as the Mayor's alternate to the Board of Police and Fire Pension Fund Commissioners

MOTION:

Moved by Council Member Barnes, seconded by Council Member Nason to appoint Council Member McQuaid as the Mayor's alternate to the Board of Police and Fire Pension Fund Commissioners.

AYES: Council Members McQuaid, Pilch, Vice Mayor Barnes, Mayor Maass

NOES: None

Motion carried and so ordered.

9-2. Consideration of Recommendation of the Traffic and Safety Commission Related to Traffic Calming and Street Closures near El Cerrito Plaza Shopping Center

Traffic & Safety Commission recommendation:

At their October 23, 2014 meeting, the Commission approved three related recommendations to the City Council:

1. That the City Council proceed with the Environmental Impact Report that was planned in the previous year at the earliest practical opportunity and that the City proceed towards possible street closure without an incremental approach.
2. That the City Council adopt a policy goal in the General Plan to reduce traffic volume on the 400 block of Kains, Stannage, Cornell, Talbot, and Evelyn to no more than 10 percent greater than that of the 500 blocks.
3. That the City Council adopt an ordinance to restrict trucks over 5 tons between Brighton Avenue and City limit.

Staff recommendation: that the Council direct staff to add to the draft Albany 2035 General Plan and 2015-2016 Capital Improvement Plan a program to implement traffic calming on an incremental basis in the area near El Cerrito Plaza

Community Development Director Jeff Bond delivered the staff report. In 2006-2007, the City of El Cerrito approved a planning application for a 128-unit condominium project in the southeast corner of El Cerrito Plaza. The City of Albany's discussion of the El Cerrito project culminated with City Council approval in July 2008 of a resolution to prepare an environmental impact report on the proposal to close all streets leading into El Cerrito Plaza.

Due to economic conditions, the project was on hold between 2007 and August 2013. The owner recently submitted an application to the City of El Cerrito for

building permits. The Traffic & Safety Commission reviewed the possible street closures on July 24, 2014 and October 23, 2014.

The City's authority to regulate streets is derived from the California Vehicle Code (CVC) Section 21101: (a) a roadway is no longer needed; or (b) a closure implements a policy in the City's General Plan, and neither of these criteria are currently fitting to the particular situation. With direction from Council, the transportation-related goals and policies can be refined to address the issues associated with El Cerrito Plaza cut-through traffic and incorporated into a full draft Transportation Element that will be available for public review in mid-2015.

Full street closure would be subject to preparation of an "initial study" environmental review, including a detailed study of impacts of the project on San Pablo Avenue. If the proposed project is expected to result in significant impacts on San Pablo Avenue that cannot be mitigated, then a full environmental impact report is required, and implementation of mitigation measures such as traffic signals and other changes may be needed.

In late September 2014, data on traffic volumes and speeds were collected on city streets near El Cerrito Plaza. Additionally, between 2004 and 2008, a variety of traffic studies were prepared. Traffic volumes have not changed appreciably in recent years, and the conclusions of earlier analyses are still informative:

- On-site congestion within El Cerrito Plaza is caused by poorly aligned intersections, ambiguous striping, and inadequate room for vehicle queuing, which in turn may cause more traffic to divert to Albany streets.
- A full closure of all of the streets leading into El Cerrito Plaza would result in significant congestion and queuing at San Pablo and Brighton. The alternative of leaving Kains open, reduces the congestion on San Pablo Avenue, but creates significant congestion and queuing at Kains and Brighton.
- A comprehensive traffic calming approach to discourage usage of Albany residential streets adjacent to the proposed condominium would reduce vehicle speeds, but would not be expected to reduce traffic volumes.

Research also indicates that overall traffic volumes and speeds, are on par with streets in other Albany neighborhoods. Street closures would not be expected to reduce overall number of trips to El Cerrito Plaza, but would result in a shift of travel routes, adding traffic to other streets beyond the limits of the closures.

The time and cost associated with the preparation of an Environmental Impact Report (EIR) followed by the implementation of the mitigation measures identified in the EIR would constitute a major City policy initiative. The planning effort would extend over several years. Implementation of mitigation measures

could absorb local funds that would otherwise be available for other local improvements.

The alternative of implementing traffic calming measures would be expected to slow traffic speeds. Research has found that reduction in speeds is a major factor in resident's assessment of traffic acceptability. If traffic calming is ultimately not successful, the incremental approach does not preclude ultimately closing the streets.

A summary of Council questions is as follows: asked about environmental review process, possible litigation and associated expenses, asked about issues with trucks using the streets abutting El Cerrito Plaza and how to better prevent them from using these streets as they are not the truck route, asked about possible impacts on safety response by police and fire personnel, asked about timing for new development projects in the City of El Cerrito, asked about Resolution from 2008, asked about timing of the project and any negotiation or other options to ensure conformance with conditions of approval for the project.

Bond explained the environmental review process and possible mitigation measures, additional enforcement of non-truck routes can be explored, police and fire staff would need to review any plans to ensure safety access and response, El Cerrito Specific Plan for the area calls for development along San Pablo Avenue including El Cerrito Plaza, the developer of the plaza project has changed.

The following people spoke: Susan Adame, Robert Lieber, Seth Franklin, Guy Cheney, Maureen Crowley, Ed Fields, Harry Chomsky, Doug Donaldson, Ellen Hershey, Brandi Weintranh, Lisa Schneider, Farid Javandel, Gene Hellewig, Stewart Gooderman, Eleanor Moses, Wengen, Nick Olmsted, Sally Douglas Arce, Michael Green, Peter Hobart, Preston Jordan, Erik Giesen-Fields, Debbie Beyea, Michael Cabanatuan, Cathy Mattison, Jeff Williams.

A summary of comments is as follows: expressed support for more stop signs along Brighton avenue, and more crosswalks, expressed concern with closing the blocks closing the streets adjacent to El Cerrito Plaza due to safety issues traveling on San Pablo Avenue and increased traffic on Brighton Avenue; expressed support for the recommendation of the Traffic & Safety Commission; suggested the possibility of keeping Kains Avenue open; encouraged planning for the future and considering the impact on the entire town; questioned traffic analysis and data; provided detail regarding the recommendation made by Traffic & Safety Commission, traffic volume impacts can be addressed by closing the streets; expressed concern with street closures as the traffic impacts then fall on other streets, noted minimal mitigation measures were taken when the Middle School was developed, encouraged traffic calming measures and tree-lined streets to help slow traffic, truck traffic can serve as a traffic calming measure; Caltrans may have discretion regarding possible closure of streets as it impacts San Pablo

Avenue; there are no alternatives to street closure to reduce traffic volume, the El Cerrito Plaza traffic circulation is poor and any traffic impact is caused by the Plaza; truck traffic occurs on Cornell Avenue, historically there was no entrance from Albany to the Plaza; expressed concern for safety of children on streets near the Plaza; conducting an EIR is fact finding to help identify further options for street closures; expressed support for street closures and encouraged extreme traffic calming; suggested allowing the community as a whole to participate in the decision; the shopping center location with residential streets feeding into the plaza is highly unusual; the Cerrito Creek connector trail intended to connect the Ohlone Greenway to the Bay Trail and closing streets would help further this trail.

Fehr & Peers Consultant Sam Tabibnia addressed concerns raised regarding the traffic analysis. The report was based upon the draft EIR for the project, and not the recirculated final draft EIR, as such based on data in the recirculated final draft EIR the figures in the report would increase on residential streets from the current projection of less than 5% to approximately 15-20%.

A summary of Council comments is as follows: expressed concern with overall impact of closing streets on surrounding streets and entire community; expressed support for aggressive traffic calming measures in advance of analysis of possible street closures to ensure all other reasonable mitigations have been attempted, particularly if an environmental review is pursued that could be subject to litigation, suggested flexibility in the General Plan to include traffic calming but also prepare for street closures if needed in the future; expressed appreciation for the public speakers; traffic volume and speeds are an issue throughout the City; expressed interest in minimizing trucks not using the truck route and working with the schools to help minimize traffic, suggested referring the item back to Traffic & Safety Commission for additional review regarding traffic calming; expressed support for looking at the issue from the larger perspective and establishing policy that protects walkability and bikeability, and divert traffic to main arteries, street closures are a last resort, but an important tool, expressed support to identify immediate measures and also policy measures for the General Plan; expressed concern with the study conducted by Fehr & Peers; street closures should have been aggressively pursued while the development was under negotiation, expressed support for additional street trees on the blocks abutting the Plaza, suggested use of Measure BB funds for street reconfiguration and traffic calming measures, expressed support for a process to bring all stakeholders together to try to identify solutions; traffic is an ongoing and increasing issue, street closures could increase the amount of vehicle miles traveled, traffic calming measures used in this area could be applied to other areas.

The Council discussed possible action, including what to refer back to the Traffic & Safety Commission for further study.

MOTION:

Moved by Council Member Barnes, seconded by Council Member Pilch to direct the Traffic & Safety Commission to suggest language for the General Plan to allow street closures as appropriate.

AYES: Council Members McQuaid, Pilch, Vice Mayor Barnes, Mayor Maass

NOES: None

Motion carried and so ordered.

MOTION:

Moved by Council Member Barnes, seconded by Council Member Pilch to direct the Traffic & Safety Commission to quickly and aggressively pursue traffic calming in the area south of EC Plaza.

AYES: Council Members McQuaid, Pilch, Vice Mayor Barnes, Mayor Maass

NOES: None

Motion carried and so ordered.

MOTION:

Moved by Council Member Nason, seconded by Council Member McQuaid to direct staff to develop draft ordinances to address truck traffic and review with the Traffic & Safety Commission for recommendations to the City Council.

AYES: Council Members McQuaid, Pilch, Vice Mayor Barnes, Mayor Maass

NOES: None

Motion carried and so ordered.

MOTION:

Moved by Council Member Pilch to continue the meeting to 11 pm, seconded by Council Member McQuaid.

AYES: Council Members McQuaid, Pilch, Vice Mayor Barnes, Mayor Maass

NOES: None

Motion carried and so ordered.

Council Member Pilch suggested establishing a task force to study the issue of street closures near the plaza that includes all stakeholders.

City Manager Leach offered to work on the action taken by the Council to identify aggressive traffic calming measures, develop street closure language for the General Plan, and draft an ordinance regarding truck traffic as a first priority, and that each of the items would involve community participation through both the Council and the Traffic & Safety Commission.

9-3. Resolution No. 2015-2 Amending the City of Albany Traffic Calming Policy

Staff recommendation: that the Council adopt Resolution No. 2015-2 updating the existing Albany Traffic Calming Policy

Transportation Planner Aleida Andrino-Chavez delivered the staff report. With the goal of improving pedestrian safety and reducing careless driving behavior, the Traffic and Safety Commission is recommending approval of updates to the Albany Traffic Calming Policy. The changes include adding soft options like striping blocks that do not qualify for the implementation of hard traffic calming measures and allowing staff to work directly with the residents of the block for the implementation of paint and signage measures.

The current Albany Traffic Calming Policy was adopted in 2007. At its April 2014 meeting, the Traffic and Safety Commission suggested amending the Traffic Calming Policy to provide “soft” traffic calming options to streets that have speeding close to the threshold established to be eligible for traffic calming.

The proposed changes to the Traffic Calming Policy allow for the implementation of soft traffic calming measures on those blocks with 85th percentile speeds between 28 mph and 30 mph. Soft treatments include striping in the form of edge lines, crosswalks, and crosshatch areas simulating bulb outs or chicanes. The Policy updates also make available soft treatments for those blocks with 85th percentile speed above 30 mph. This provision would allow soft calming in situations where there is no available funding or neighborhood consensus for hard measures. Another change in the Policy is the addition of a requirement that applicants demonstrate resident support before staff undertakes the speed survey along the subject block. The Commission also recommended developing a tool box of available traffic calming measures as a next step. Staff will be developing a toolbox of soft and hard traffic calming measures that will be reviewed by the Traffic and Safety Commission in 2015.

There was no public comment on this item.

A summary of comments is as follows:

A summary of Council comments is as follows: clarified options for “soft” measures, procedures for using measures, and process for working with residents.

MOTION:

Moved by Council Member Nason, seconded by Council Member Pilch to adopt Resolution No. 2015-2 updating the existing Albany Traffic Calming Policy.

AYES: Council Members McQuaid, Pilch, Vice Mayor Barnes, Mayor Maass

NOES: None

Motion carried and so ordered.

MOTION:

Moved by Council Member Pilch to continue the meeting to discuss agenda item 9-4. The item was not seconded.

9-4. City Council Appointments to County/Regional Bodies

Staff recommendation: that the Council review and update the appointments to county/regional bodies

This item was not discussed, and continued to a future meeting.

10. OTHER BUSINESS, REPORTS ON MEETINGS ATTENDED, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS.

Council Member Pilch announced that he and Council Member McQuaid attended the League of California Cities New Council Member training. Pilch also attended the League's environmental quality policy committee meeting.

Pilch requested the following items as part of a future agenda: a Resolution opposing the transport of by rail, a policy regarding utility taxes to tax gas at a higher rate than electricity, school zones, and the role of commissions/committees.

City Manager Leach announced a special meeting of the Park & Recreation Commission will be held on January 29, 2015 to discuss the supplemental environmental impact report (SEIR) for the Albany Beach Renovation Project. The SEIR was conducted following the outcome to litigation requiring that more data be included for the number of dogs that use the beach, the number of dogs on and off-leash, and how the usage may impact the environment.

11. ADJOURNMENT

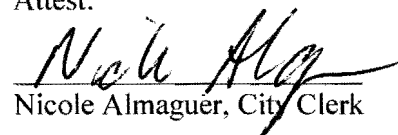
11:02 pm. There being no further business before the City Council it was moved and seconded to adjourn the meeting.

Minutes submitted by Nicole Almaguer, City Clerk



Peter Maass
Mayor

Attest:


Nicole Almaguer, City Clerk