



TRAFFIC AND SAFETY COMMISSION REGULAR MEETING MINUTES

City Council Chambers
1000 San Pablo Avenue
February 25, 2016 – 7:00 P.M.

1. CALL TO ORDER

The meeting was called to order at 7:00 P.M. by Chair Chomsky.

2. ROLL CALL

Present: Del Rosario, Javandel, McCroskey, Reeves, Chomsky
Absent: None
Staff Present: Aleida Andrino-Chavez, Transportation Planner
Wen Chen, Senior Engineer
Jeff Bond, Community Development Director

3. APPROVAL OF MINUTES

Motion Del Rosario/McCroskey: Moved to approve the minutes of the January 28, 2016 meeting, as submitted.

Ayes: Del Rosario, Javandel, McCroskey, Reeves
Noes: None
Abstain: Chomsky
Absent: None

4. PUBLIC COMMENT

The following **PUBLIC COMMENTS** were offered by **Amy Smolens, Albany Strollers & Rollers (AS&R)**:

- Reported that the City had installed ten bike racks in partnership with AS&R's program which had been initiated in 2012 to co-fund racks with local businesses, and which had since installed 39 racks for a total of 156 parking spaces for cyclists in Albany. AS&R had also been working with the City to install bike racks for the redesigned Safeway, which installation had been problematic and not forthcoming. She recommended that the City codify bike parking to make sure that bike racks would be installed.

Bond recommended that the Safeway bike racks be agendized along with the ordinance that was being proposed.

5. PRESENTATION

A. Police Report (Information Only)

The Police Report was not available at this time but would be provided on a monthly basis in the future.

The Commission made the following comments:

Commissioner McCroskey requested that the Police Report include the data that had been gathered with respect to the enforcement targeting encroachment into crosswalks and violating pedestrian space, and what the Commission should know when considering plans.

Chair Chomsky recused himself from Item 6A and left the dais at this time.

6. DISCUSSION AND POSSIBLE ACTION ON MATTERS RELATED TO THE FOLLOWING ITEMS:

A. Discussion on Safety Concerns at the Intersection of Peralta and Francis

Chavez reported the item had been discussed by the Commission since the start of the Active Transportation Plan (ATP), the pedestrian and bicycle master plans for the City, when staff had received comments from concerned residents of the area about vehicular and pedestrian safety at the intersection of Peralta and Francis; staff had been researching possible solutions to present to the Commission for public discussion, and presented several options for consideration.

The Commission requested the following clarifications:

- Asked when the accidents referenced by staff had occurred, reported by Chavez that the December accident was in the afternoon and the conditions were wet; she had no details on the other accident. (Del Rosario)
- Verified that warrants had been met for speed control to slow down traffic with a 31 mph average speed; that warrants had not been conducted for stop signs but Chavez doubted those warrants would be met; and the raised crosswalk further up the street had been installed as part of the Traffic Management Plan but was too far away from the intersection to have any effect on speed. (Del Rosario)
- Verified with Chavez that a roundabout or traffic circle had not been considered for the location, but could be explored; asked if there was an inactive fire hydrant in front of 1071 Peralta; and Chavez advised she would investigate. (McCroskey)
- Questioned whether there had previously been a crosswalk in the area. (Del Rosario)

The following PUBLIC COMMENTS were offered by Tom Donnelly, Gerald Gray, Charles Hampton, Nick Peterson, and Mark Bowman

- Supported the plan outlined by staff to slow down traffic with the dedicated crosswalk and signage, but ideally preferred stop signs given his concern for safety due to the high pedestrian traffic at the same time as high vehicular traffic, non-observance of the speed limit, and the poor visibility. (Tom Donnelly)
- Stated that Peralta had been turned into a main thoroughfare between Marin and Gilman, particularly during commute hours; there was limited visibility on the hill where Peralta and Francis intersected and a long stretch of flat level ground from Francis almost to Sonoma where vehicles picked up speed and drivers could not see over the crest of the hill during the most congested periods; and recommended a speed hump close to that area to slow people down. (Gerald Gray)

- Drivers increased speed coming from the speed hump and it was difficult for him to back out of his driveway; agreed that something aggressive needed to be done particularly since the calming on Marin had significantly increased the traffic on Peralta; and if a stop sign was not possible requested at a minimum a berm and well illuminated crosswalk with lots of markings. (Charles Hampton)
- Described the slope, the curve, and the uniqueness of the intersection; noted that his mother had been broadsided pulling into his driveway; supported anything that could be done to make the area safer; stated the red curbing had faded to the point of not being visible and needed to be repainted in that with the bush, the telephone pole, the trees, and the cars at the corner sight visibility was almost impossible; encouraged Commissioners to drive Peralta to the south to see how Francis popped up, and noted that Francis was a great cutover to Santa Fe. He added that he would provide photographs to the Commission. (Nick Peterson)
- Did not support stop signs given the noise that would be associated with constant stopping and starting in front of his home, although he supported the other measures that had been proposed to slow down traffic. (Mark Bowman)

The Commission made the following comments:

- Recognized the decline southbound on Peralta and stated that with the installation of a crosswalk traffic would have to slow down; supported as much visibility as possible for Francis and the installation of a speed hump to slow down traffic to help make it a safer crossing. (Del Rosario)
- Questioned the location for the speed hump; and Chavez stated it could be placed closer but would have to be 100 feet or more from the intersection and given the length of the blocks suggested that another speed hump could be placed on the south side of the intersection, although it was close to the 8 percent slope threshold pursuant to the City's guidelines. (Reeves)

Chavez presented the plan the ATP had for the intersection of Posen, which was a more expensive improvement and where the realignment might trigger a stop sign, which would be another barrier to speeding; Berkeley had two other speed humps further south on Peralta; there was no funding for the project although it could later be incorporated into the Capital Improvement Program (CIP) when updated; the red curbing and speed humps would be less expensive if done in conjunction with other projects; 120 feet of red curbing had assumed that the speeds were less than 31 mph; after the installation of the speed humps the speeds could be measured again to see if the speeds had effectively decreased; the project could be phased to start by repainting the red curb.

- Supported the plans for slowing and sought some solution to the situation. (McCroskey)
- From the audience, a speaker asked about temporary speed humps and the temporary speed humps used by the City over the years were described; staff was thanked for the good data; noted that crosswalks and speed humps were warranted; suggested the speed humps made sense; and suggested 100 feet might get between 1065 and 1060 Peralta, four houses away from the intersection; agreed with the sight visibility concerns; the curb ramp had to be done anyway, one on either end of the crosswalk; and if they could afford the bulb out and move the speed hump closer to the intersection would make a big difference. (Javandel)

- Supported the red curb at 120 feet, and Chavez stated the red curb would also help vehicles traveling east on Francis and making the left turn onto northbound Peralta; also supported the speed hump; the crosswalk markings; and agreed with the concern of putting a stop sign on Peralta; and suggested the speed humps would better minimize the impacts and should not be too close to the intersection to ensure that drivers focused on the intersection and not on the speed hump. (Javandel)
- Advised that the 120 feet of red curb was on the assumption of 25 mph speeds; suggested there was good sight line from the intersection although seeing the intersection was not good; supported 120 feet and did not want to take out any more parking than needed; stated that the timing and City Council approval needed to be considered in coordination with other projects; recommended the installation of yield lines prior to the installation of the crosswalk. Chavez noted that the speed hump, bulb out, and curb ramps could be included in the CIP update and the red curb could be done immediately, and would prepare a proposal and return to the Commission for discussion. (Javandel)
- Raised the issue of lighting and wanted to make sure there was adequate street lighting given that there was only one streetlight at the intersection; recommended that the plan include a phased approach and a funding strategy. Chavez advised that she would look at the illumination level and see what could be incorporated as part of the plan. (McCroskey)

Bond suggested that a public notice be provided to identify the proposed red zones with a first phase of red curbing, and a speed hump in the noticing; Chavez would refine the plans and take a look at lighting, and could probably consider rapid flashing lights although the warrants did not support them.

- Commended Chavez on the analysis and design and suggested it serve as a template for future intersection analyses. (Del Rosario)

Chavez advised that the item would be returned to the Commission at its next meeting.

Chair Chomsky rejoined the Commission at this time.

B. Report on City Council Study Session Discussions Regarding Funding Capital Improvement Projects

Bond provided an update on the status of discussions at the City Council level in relation to funding mechanisms for the sustainability of the City's Sidewalk Maintenance Program, highlighted the program, and advised that more details would be available at the City Council meeting on March 7, 2016.

The Commission requested the following clarifications:

- Questioned whether parallel statements could be made for the cost of the three proposed scenarios to allow a comparison, and Bond explained that he did not have that information. (Chomsky)
- Questioned whether there was consideration of grinding small uplifts as a cost effective method and Chen stated that could only be considered as a temporary measure given that grinding would thin the sidewalk and accelerate the deterioration of the condition. (Javandel)

- Suggested the best case for grinding would be new thick sidewalks that had just become uplifted, which was rare. (McCroskey)
- Questioned whether the measure would dictate the portion of funds to be dedicated to the areas of sidewalks, streets, and park maintenance, to which Bond explained was part of the ongoing discussion and what the voters were interested in as to whether the breakdown could be dictated. (Chomsky)
- Confirmed with Bond that the program was intended to function as a pay-as-you-go system as opposed to being front loaded. (Javandel)
- Questioned the designated period of the tax since sidewalk maintenance was an ongoing issue, and understood the plan was intended to address the greatest problems but not some of the more minor issues that currently existed throughout the City and those that would continue to crop up. (McCroskey)
- Questioned whether staff would poll the measure, and Bond noted that Albany voters had historically been generous in the past and there had been Council discussion about conducting additional research, which discussion would continue at the next City Council meeting. (Del Rosario)
- There was a discussion of a number of other ballot measures that would be on the ballot this year and it was noted that 2018 would be a particularly heavy funding ask at the polls; as such, this might be the best time to go out for a tax. (McCroskey)
- With respect to the plan, asked how extensively minor defects surrounding major defects would be repaired; suggested the general public was not aware that the City had changed course and decided to fully fund the sidewalk repairs for the worst case problems; suggested there might not have been a lot of requests for repair this year, although Chen stated that the City had gotten requests and the repairs had been equitably spread across town. (McCroskey)
- Questioned whether it was appropriate for the City to reveal how much money the City paid for injury claims on its sidewalks, and suggested it might help inform the decision; and Bond stated he would have to check with the City Attorney in that there were often claims and often financial settlements.
- Questioned the level of funding the City Council should really consider in terms of its liability, the tax, and the program in general; referred to the discussion of fixing the major problems in the short run and understood there had been a comment that the major problems could be solved in a couple of years, and Bond stated that could be done if the City had the money, and suggested the City could legitimately spend \$500,000 a year on sidewalks, which was in the CIP. (McCroskey)

The following PUBLIC COMMENTS were offered by Preston Jordan:

- Noted that approximately 160 major damage locations had been identified by staff, approximately 50 would be repaired at \$150,000 this year, and recognized the suggestion that approximately \$500,000 could fund all the major problem locations identified by staff, although there was no other data to scale the underfunded number and urged the Commission to ask for that data.

- With \$150,000 a year, within three years all the major problems could be addressed, and while additional major problems could develop he did not see that 50 major damage locations would be identified each subsequent year and suggested conditions would improve over time rather than degrade. He had seen no data to justify the need for \$500,000; supported a special two thirds tax to bind the money specifically to the sidewalk program; noted that Albany had 22 sales taxes on the ballot since 1994 and 20 of those had passed; was disturbed that the measure could also fund street pavement and did not support that inclusion in the measure, although he could support potential funding for park maintenance for which there was currently no dedicated funding. Referred to what had been reported as a potential \$1.2 million parcel tax, suggested that would represent \$200 a parcel, and supported a smaller, special tax focused on sidewalks to potentially include some funding for park maintenance.

Bond responded to Commission questions with respect to the potential funding to be raised by a proposed tax, referred to a recent existing bond measure refinancing that could lower the tax bills, and suggested a \$200 parcel tax representing a new tax and a refinanced tax with a net cost in the \$150 range might be expected, although he stated the Finance Director could better clarify those questions.

The Commission made the following comments:

- Commented that with 7,000 parcels in the City, a tax of \$25 per parcel would be \$175,000 annually, which could capture the worst sidewalk flaws in three years. (Javandel)

Chen reported that the City had 51 miles of sidewalks, there were 4,726 parcels of sidewalk in the database, and 160 locations (representing 3.4 percent) had been considered to be bad; those with one to three inches and above of uplift. The 160 locations had been identified by a drive-by survey, although there could be others that had not yet been identified. He agreed with the need to provide more definitive data to support the \$500,000 level and stated the sidewalk repair even at the \$500,000 level was less than one percent of the sidewalks in the City. When asked if sidewalks could be maintained like streets, he stated there was 51 miles of sidewalks compared to 29 miles of streets in the City and while streets could be repaired with a slurry seal, sidewalks would have to be totally reconstructed.

- Questioned whether sidewalks could be broken down the same way as streets to compare the amount dedicated to repairing streets each year. (Reeves)

Chen stated the sidewalk condition index was similar to a pavement condition index although he had not seen a similar valuation in other cities. He reiterated with sidewalks there had to be a total reconstruction since tree roots were the primary reason for uplift; the \$150,000 did not include tree removal which would cost \$2,000 to \$3,000 per tree.

- Suggested it made sense to treat sidewalks no differently than streets since it was all part of the same infrastructure, and because concrete was more durable than asphalt the time between full reconstructs barring uplift would be tremendous; as such managing the tree root issue well would allow the investment in sidewalks to go a long way; recognized that \$500,000 annually could result in a good condition over time but suggested after repairing the worst scenarios inflation could result in the loss of buying power since it was not an indexed tax, so starting with a bit more than needed might be a good strategy; and suggested a \$50 to \$75 tax might be supported. (Javandel)

- Suggested looking at the cost of replacing sidewalks together with tree replacement could result in a different cost than expected; noted the variables and asked how long sidewalks were expected to last without being uprooted by tree roots. (McCroskey)

Chen stated the life cycle of a sidewalk was substantially longer than pavement given that concrete was resistant to weather and other conditions and sidewalks did not have the heavy load that pavement did; sidewalks had an average life of 50 years although tree roots could change that; the majority of the projects involving sidewalk repair involved tree roots; only four trees would be removed with the 160 locations with root trimming elsewhere, which would mean those sidewalks would only be protected for five to ten years after which uproot would require repair, which was why the \$500,000 level was needed.

- Agreed that the tree root problem would be an ongoing issue but another issue with respect to impassability were those situations where vegetation blocked sidewalks; noted the City had a previous program to match the cost of sidewalk repair related to the roots of City trees with homeowner funds and asked if there was a matching fund this year, to which Chen stated there was no longer a reimbursement policy, although the good thing about the City funding the project from an engineering standpoint was that the City had better quality control, and with over 50 locations constructed there could be an economy of scale with a much lower price. (McCroskey)
- Supported the repair of sidewalks and suggested it could be done cheaper and more effectively with a City-funded program; recommended two programs; a City program and a matching program. (McCroskey)
- With a matching program there may be cases where the work would not get done; with full funding the City could make sure the work would be done whether or not the property owner was involved; and in terms of equitability and efficiency a fully funded program seemed preferable. Currently State law required fronting property owners to take responsibility, and either way the property owner would pay the bill; the tax meant there was no discretion on the part of the individual and the work would get done; supported the fully funded program and if there was work that needed to get done now there could be a matching program that would stretch the tax money. (Javandel)

Chen concurred and stated that several homeowners were willing to proceed in a shared approach and he suggested that would be an advantage.

- Questioned whether a shared system would allow the property owner to get the benefit of the economies of scale that would be available with a City program. (Reeves)
- Expressed concern that attempting to explain that type of a dual program would be difficult in a ballot measure and suggested there could be an equity issue. (Chomsky)
- Suggested that a matching program could involve limited funds; and supported a consistency of quality the City could exact on the projects, which did not always happen with the shared program. (Reeves)
- Concerned with how the sidewalks that were not on the list would be addressed; noted the prior shared program involved only the damages related to the uprooting of City trees, and asked if that would still be the case, and if not how that would be addressed; and if the City was going to start repairing sidewalks would the City get more aggressive about getting cars not to park on the sidewalks. Chen noted that most sidewalks in the City were past their design life regardless of tree roots. (McCroskey)

- Did not think as a matter of policy the City wanted to allow people to park on sidewalks anywhere, although the City had chosen to postpone enforcement temporarily to allow a more holistic solution. (Chomsky)
- If a cost share program created an obstacle to passage it should be scrapped and anyone not in the program who wanted their sidewalk replaced could pay out of their pocket; however the program was set up it should be for repair and not for construction to avoid an equity issue. (Del Rosario)
- Verified with Chen that when there was a complaint of a displaced sidewalk the City would send a letter with the applicable code section requiring the homeowner to repair the sidewalk; and while over ten letters to homeowners had been sent out, there were no consequences or enforcement. (Chomsky)
- Emphasized the need for a simple parcel tax to make it easy for residents to understand; suggested there were a number of variables related to the cost of sidewalks but a specific cost analysis could be presented to the Council to recommend a realistic amount, something in the area of \$100. (Del Rosario)
- Noted that concrete sidewalks were being built that were designed to last 50 to 100 years although many were being destroyed in less than 5 years because of tree roots; asked why sidewalks were not built out of asphalt; and Commissioner Javandel suggested the main issue was that asphalt needed to be contained, it did not form a rigid block and a concrete band on either side was needed to keep it from shifting; it was not as durable; while pavers could be used they would also have to be kept from spreading and they were more expensive than concrete or asphalt; if utility work had to be done they could be lifted up and replaced although the City might be challenged to maintain pavers. (Chomsky)
- Stated a substantial percentage of durable concrete slabs were actually lasting decades and it was just a small number that needed repair, although Commissioner Reeves stated that small number would perpetuate if the trees were not being addressed; and Chavez stated there was a City policy that if a property owner had to replace a sidewalk because of a tree the property owner could request the removal of the tree at the City's expense through the Recreation and Community Services Department, and plant something with less intrusive roots. (Chomsky)
- Questioned whether it was possible to use pavers where a tree might create uproot concerns in the future, to which Chen stated that the pavers themselves were hard to maintain and not ADA friendly. (McCroskey)
- Suggested there should be a way to describe the conditions through a more in-depth survey and then provide a formula on the improvements of sidewalks. (Chomsky)

Additional comments from the public, Preston Jordan:

- Reiterated his request that the Commission ask for more data on why \$500,000 was needed along with a clarification of the locations in need of repair.

Bond reminded the Commission of the agenda item and suggested the discussion related to reopening the sidewalk policy that the Council had adopted in December.

Additional comments from the Commission:

- The discussion continued on the form, function, and funding of a potential tax for the City's sidewalk program; the amount of funding needed; the root cause of the issue; whether the focus should be on sidewalks only in that there was little support to include streets given that streets were being addressed separately through other mechanisms, although it was noted that curb ramps were underfunded; whether there was a rationale for including park maintenance in a measure; the source of the recommended funding; whether the funding mechanism should include enforcement of vegetation encroachment onto sidewalks; and if the City was switching to an ongoing problem of making major repairs and not taking on minor repairs even in a matching sense, needed to be communicated clearly to the public in terms of what would be expected.

Motion Javandel/Del Rosario: Moved to recommend to the City Council the Traffic and Safety Commission's support for a limited tax of no more than \$100 per parcel for sidewalk maintenance and associated pedestrian facilities such as curb ramps, and possibly park maintenance, with the Traffic and Safety Commission to set up an expenditure plan for revenue generated by this tax.

Ayes: Del Rosario, Javandel, McCroskey, Reeves, Chomsky
Noes: None
Abstain: None
Absent: None

C. Election of Chair and Vice-Chair

Mr. Bond advised that each year the Commission nominated and elected a new Chair and Vice-Chair to serve for 2016.

Chair Chomsky thanked the Commission for postponing the election, and thanked the Commission for the honor of serving as its Chair. The Commission thanked Chair Chomsky for his service.

Commissioner McCroskey nominated Commissioner Del Rosario as Chair; the nomination was seconded by Commissioner Javandel; there were no other nominations and the nominations were closed. **Roberto Del Rosario** was unanimously elected as Chair of the Traffic and Safety Commission for 2016.

Commissioner Reeves nominated Commissioner McCroskey as Vice Chair; the nomination was seconded by Commissioner Chomsky; there were no other nominations and the nominations were closed. **Ken McCroskey** was unanimously elected as Vice-Chair of the Traffic Safety Commission for 2016.

Chair Del Rosario chaired the meeting at this time.

7. ANNOUNCEMENTS AND COMMUNICATIONS

A. Report on General Plan Update

Bond reported that the General Plan was nearly complete, the Final EIR, which included responses to comments was being finalized and the Addendum would be presented to the Planning & Zoning Commission at its March 9 meeting. A recommendation would be submitted to the Traffic and Safety Commission in March and the General Plan would be submitted to the City Council for consideration in April.

B. Information on Upcoming CERT Training

Bond advised that from time to time the City offered Citizens Emergency Response Training (CERT) that required 8 to 10 meetings but which offered a range of information related to public safety after a major incident. CERT training was offered by the Fire Department, and anyone interested was encouraged to get involved.

C. Information on Upcoming Civics Academy

The City was also taking applications to join the Civics Academy to learn what local government did through each City Department to allow more insight into the day-to-day workings of City government. The Civics Academy was offered through the Recreation and Community Services Department. He highly recommended it.

Chavez reported that next week the trees of phase 3 of the Buchanan bikeway would be removed; she noted that ultimately 16 trees would be removed.

8. FUTURE AGENDA ITEMS

A. Informational Report on Street Lighting

Bond advised that staff needed more time to prepare the information on street lighting.

B. Red Curbs at intersections north of Solano and east of San Pablo between San Pablo and Masonic – March 2016

Bond reported that the case related to a lack of visibility; information on collisions would be provided for the last five years and the information would be returned at the next meeting.

When asked, Bond verified that the loading zone for Little Star Pizza had been resolved. He also noted the Safeway bike racks and codifying bike requirements would be presented at the next meeting, along with more details on Peralta and Francis.

Commissioner Reeves reported that she would not be present at the next meeting in March. Commissioner McCroskey advised that he would be late for the April meeting.

9. ADJOURNMENT

The meeting adjourned at 10:09 P.M.