



## CITY OF ALBANY

MINUTES OF THE  
ALBANY CITY COUNCIL  
CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE  
TUESDAY, OCTOBER 16, 2017

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7:30 p.m.

### CALL TO ORDER

1. **PLEDGE OF ALLEGIANCE**

Vice Mayor Pilch led the Pledge of Allegiance.

2. **ROLL CALL**

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

Absent: none

3. **CEREMONIAL MATTERS**

3-1. Mayor's Statement – Response to Hate Incidents

Mayor McQuaid read the following statement:

During the past year Albany, like the rest of the country, has experienced an increase in documented hate incidents. Incidents like this make community members wonder what type of community they really are. Are they a community of people intent on hurting others? Are they a community of people who by their privilege are unable or unwilling to understand how others are excluded? Are they a community of people fueled by hate and rage? Mayor McQuaid doesn't think so. She believes Albany is a community of people who see evil and choose to stand up and say, "Not in my community. Hatred will not be tolerated here." Community members realize that they don't have all the answers but are willing to talk, listen, read, study, and teach each other to better understand each other. They are willing to work hard to create the type of community they want, one that welcomes everyone.

Both the City of Albany and the Albany Police department take reports of these incidents very seriously. There is a page in the City Council section of the City website dedicated to community diversity and inclusion. Included on this page are links to the Police Department's statement concerning hate crimes and

immigration violations and related policies. The Albany Police Department posts public bulletins on the City website. This information comes directly from the Police Department and gives a brief synopsis of crimes that occur within Albany. This is an evolving process through which the Police Department will attempt to get information to the public as quickly as possible. Please understand there are constraints to the amount and type of information that will be posted during an active investigation. These bulletins can also be accessed from the news bulletin on the home page of the City website.

A more comprehensive yet detailed way to view crime in Albany is through [crimereports.com](http://crimereports.com). This map of Albany shows where and when crimes are committed. The goal of an inclusive and welcoming community is not achieved easily or quickly. It is not achieved by one person working alone. However, by standing together against hate and supporting their neighbors, community members take a step forward. When they show their children these are their values and beliefs, they take a step forward. When they pledge to continue the quest for a just society, they take a step forward. This is the kind of community Mayor McQuaid thinks Albany truly is.

On behalf of the City of Albany, Mayor McQuaid expressed the community's sympathy to the people of the North Bay, who are suffering so much as a result of the fires. Albany is proud of its Police and Fire Departments who have been deployed to assist in whatever way they can, including on the fire lines. Albany hopes for their quick and safe return.

**3-2. Audio Visual Apprentice Program Recognition**

Recreation Coordinator Brennan Brown recognized participants in the Audio Visual Apprentice Program.

**4. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY**

**5. CONSENT CALENDAR**

**5-1. Minutes, October 2, 2017**

Staff recommendation: Approve

**5-2. Ratification of Payroll - Payroll Period: 10/13/17; Net Payroll: \$303,071.45; Taxes, Benefits, Withholdings: \$313,997.04; Total: \$617,068.49**

Staff recommendation: Ratify

**5-3. Ric Prindle (appointed by Council Member Barnes) and Liz McBee-Horner (appointed by Council Member Pilch) resigned from the Community Media Access Committee.**

- 5-4.** Proposed Zoning Code Amendments to Section 20.16.020 “Residential Use Classifications” and Section 20.28 “Off-Street Parking and Loading Regulations” of the Albany Municipal Code

Staff recommendation: that the Council adopt Ordinance No. 2017-06 approving amendments to Section 20.16.020 “Residential Use Classifications” and Section 20.28 “Off-Street Parking and Loading Regulations” of the Albany Municipal Code- Second Reading - Pass to print.

This matter was continued to the October 16, 2017 City Council hearing with additional revisions.

- 5-5.** Proclamation in Honor of Breast Cancer Awareness Month

Staff recommendation: that the Council adopt the Proclamation in Honor of Breast Cancer Awareness Month

- 5-6.** Proclamation in Honor of Hispanic Heritage Month

Staff recommendation: that the Council adopt the Proclamation in Honor of Hispanic Heritage Month

- 5-7.** Proclamation in Recognition of Domestic Violence Awareness Month

Staff recommendation: that the Council adopt the Proclamation in Recognition of Domestic Violence Awareness Month

- 5-8.** Request for Qualifications for Consulting Services for California Environmental Quality Act (CEQA) Analysis for the Albany Neck and Bulb Transition Study

Staff recommendation: that the Council authorize the release of a Request for Qualifications (RFQ) for consulting services related to preparation of an environmental review document for the Albany Neck and Bulb Transition Study

- 5-9.** Application to the Caltrans Sustainable Transportation Planning Grant Program and Resolution No. 2017-77 Authorizing the City Manager to Execute Agreements with the California Department of Transportation for an Update to the City of Albany Active Transportation Plan

Staff recommendation: that the Council authorize staff to prepare an application to the Caltrans Sustainable Transportation Planning Grant Program and approve Resolution No. 2017-77 authorizing the City Manager to execute agreements with the California Department of Transportation for an Update to the City of Albany Active Transportation Plan

- 5-10.** Resolution No. 2017-78 Calling Upon the Environmental Protection Agency to Not Revoke the Clean Power Plan

Staff recommendation: that the Council adopt Resolution No. 2017-78, calling upon the Environmental Protection Agency to Not Revoke the Clean Power Plan.

- 5-11.** Purchase and distribution of posters "United Against Hate"

Mayor McQuaid recommendation: that the Council authorize the purchase and distribution of "Albany Stands United Against Hate" posters in the amount of \$325

Mayor McQuaid asked if anyone wished to remove an item from the Consent Calendar. Vice Mayor Pilch pulled Item 5-11.

Vice Mayor Pilch wished to make the public aware of the purchase of the posters.

**MOTION:**

Moved by Council Member Maass, seconded by Council Member Nason, to approve the Consent Calendar.

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

NOES: none

Motion carried and so ordered.

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

Mayor McQuaid opened the Good of the City.

The following people spoke: Brian Beall.

A summary of comments is as follows: Washington D.C.'s attack on the environment and healthcare; the Air Quality Management District is tracking the odor emanating from Pacific Steel Casting Company.

**7. COUNCIL MEMBER REPORTS ON STATE/REGIONAL/LOCAL MEETINGS ATTENDED AND ANNOUNCEMENT OF FUTURE MEETINGS/CITY MANAGER REPORT/COMMENTS**

**7-1. Council Member Nason Report – San Francisco Bay Conservation and Development Commission (BCDC) Meeting, October 5, 2017**

Vice Mayor Pilch reported the Mayor and he attended the Mayors' Conference in Newark the prior week where they learned about the economic value of parks. He attended the ACTC Bicycle and Pedestrian Access Committee meeting, in which committee members discussed the potential alignment of the bike and pedestrian bridge at Gilman. He had requested ACTC make a presentation to the City Council so that Council Members can provide feedback regarding the alignment.

Commissioner Nason reported she had provided a summary of the San Francisco Bay Conservation and Development Commission (BCDC) meeting of October 5, 2017. BCDC approved the plan and discussed the Bay Trail right-of-way for the being relocatable. Mayor McQuaid and she attended a meeting of the Alta Bates subcommittee on community information and forum planning. A stroller brigade is planned for November 5. On October 8, the Albany Landfill Dog Owners and the East Bay Regional Park District removed 2,440 pounds of plastics, microplastics, and other debris from the beach.

Council Member Maass reported he attended the Programs and Projects Committee meeting for the Alameda County Transportation Commission, where he learned about expending vehicle registration fee funds and the green bicycle trail. On Thursday, he attended the meeting of the Recycling Board, which is joining the Alameda County Operational Area Emergency Management Organization.

Mayor McQuaid reported several Council Members attended the Pancake Breakfast, Coffee with Cops, and the Chamber mixer. Vice Mayor Pilch and she attended Walk and Roll to School Day at Albany Middle School. She listened to the Climate Mayors conference call.

City Manager Penelope Crumpley reported staff is waiting for PG&E to install a meter in the bathroom before opening Pierce Street Park. Street sweeping around the high school and Memorial Park has been temporarily canceled. Until a contract with a street sweeping service can be awarded, Public Works staff is spending extra time and attention in the area.

## **8. PRESENTATION**

### **8-1. Update on Alameda County Measure A1 Funding for Affordable housing**

Community Development Director Jeff Bond presented the staff report. Measure A1, a \$180 million General Obligation bond, was approved by voters in November 2016. Funds are to be allocated to cities through a base allocation and to regional pools for development of new affordable housing in the county. At the July 31 Council meeting, Council Members directed staff to continue to evaluate the feasibility of the City-owned parcel at the corner of Washington and Cleveland for affordable housing and to continue discussions with BRIDGE Housing and the Berkeley Food and Housing project regarding financial assistance to the project in downtown Berkeley. Since July 31, the Board of Supervisors has held several meetings related to implementation requirements for Measure A1 and has a meeting scheduled the following day regarding review of proposed implementation policies and possible action on four projects ready for a financial commitment. Because of schedule refinements in the Berkeley Food and Housing project, the City does not need to take action on the project at this time.

The parcel of land located at Washington and Cleveland is designated for housing in the General Plan, but it has no zoning designation. Staff needs to zone the property to match the General Plan designation. In addition, the parcel needs to be subdivided for the Pierce Street Park use and for an affordable housing use. In order to subdivide the property, staff needs to consider the alignment of the proposed bikeway. Additional considerations for the parcel are environmental review and the air quality and noise implications from the freeway and railroad. Some types of affordable housing projects may not need a full CEQA review.

Staff will need to work with an affordable housing development partner to submit a design for formal approval and for public approval and support. Public engagement needs to be focused on the project beginning with subdivision and zoning of the parcel.

The City needs to think strategically about the population to be served by a project on this property because the population determines the sources of affordable housing subsidies. Projects using the 9% tax credit still require \$150,000/unit funding for construction of the project. Measure A1 funds can be used for some but not all of this amount, so staff will need to determine other sources of funding. Also, projects compete for 9% tax credit funding; this site is not highly competitive primarily because it is not located on a major transit line. The 4% tax credit can be used, but additional funding of \$209,000/unit will be needed.

The following people spoke: Jim Beller, Allan Maris, Brian Beall, Allen Cain, Mary Rees, Francesco Papalia, Leah Burrell, Jamie Hiteshew-BRIDGE Housing, and Julie Wakelee-Lynch.

A summary of comments is as follows: support for a project in Albany, perhaps a hospice; support for drafting a project with a funding plan; an ideal use of funds would be to promote or subsidize secondary units; need for economic diversity within Albany; the public needs to know residents will repay A1 funds; support for transferring A1 funds to Berkeley; the need for more creative housing solutions for extremely low-income people; an update of the Berkeley Food and Housing Project/BRIDGE project; partner with Habitat for Humanity to lower construction costs.

A summary of Council comments is as follows: staff or consultants to handle land use planning and development of affordable housing; effects of new legislation to streamline construction of affordable housing; indications of interest from affordable housing partners; public transit requirement to obtain funding; the possibility of trading the parcel for a parcel more suitable for affordable housing; application of the air quality study previously conducted for the parcel; potential number of units that can be constructed on the parcel; details of the Berkeley Food and Housing project; increase in construction costs due to rebuilding after fires in the North Bay; affordable housing for homeless university students; timeframe for use of A1 funding and ability to substitute projects; ability to apply A1 funding to affordable housing within other housing developments; tradeoffs between the location of affordable units and the number of units; the difficulty and complexity of constructing and financing affordable housing; the City should recruit partners to develop affordable housing projects; increasing taxes makes housing less affordable and decreases economic diversity; partner with other cities to have sufficient funds for a project; the lack of locations to build affordable housing in Albany and the need for creative solutions; support for moving forward by hiring a consultant; a proposal for community meetings or a task force to develop creative solutions.

**9. PUBLIC HEARING****10. UNFINISHED BUSINESS****10-1. Resolution No. 2017-71, Approving Updates to the City Council Rules of Procedure and Order and the City Council Administrative Policies**

Staff recommendation: that the Council adopt Resolution No. 2017-71 approving updates to the City Council Rules of Procedure and Order to add policy language regarding statements by the Mayor, and the City Council Administrative Policies to include a policy for City Council letters regarding pending legislation or regulatory actions by other governmental bodies

Assistant City Manager Nicole Almaguer presented the staff report. Mayor McQuaid presented this item in July 2017 as a legislative platform policy. The Council agreed to create a subcommittee comprised of Council Members Nason and Maass to provide updated language. Staff attempted to blend two sets of policy language into the Council's existing policy and procedure documents. Staff included statements by the Mayor in the City Council Rules of Procedure and Order and City Council letters regarding pending legislation in the City Council Administrative Policies. Under time constraints, the Mayor may issue letters regarding pending legislation. Otherwise, letters will be presented to the Council on the Consent Calendar for approval.

A summary of Council comments is as follows: substitute "significant event," "serious event," or "emergent matter of significant concern to the Albany community" for "emergent crisis;" allow the Mayor to read a statement upon or soon after the event occurring rather than at the next Council meeting or inserting "also;" insert "if an urgent request is received that could not have been considered in the ordinary course of Council business," prior to "too late for timely Council consideration" regarding pending legislation.

**MOTION:**

Moved by Vice Mayor Pilch, seconded by Mayor McQuaid, to adopt Resolution No. 2017-71 approving updates to the City Council Rules of procedure and Order and City Council Administrative Policies as amended in the discussion.

AYES: Council Members Maass and Nason, Vice Mayor Pilch, Mayor McQuaid

NOES: none

ABSTAIN: Council Member Barnes

Motion carried and so ordered.

**11. NEW BUSINESS**

**12. OTHER BUSINESS, ANNOUNCEMENT OF EVENTS/FUTURE AGENDA ITEMS**

Mayor McQuaid announced the next City Council meeting is scheduled for November 6, 2017. A community meeting will be held from 5:45 to 7:15 to discuss potential uses for the sugar-sweetened beverage tax.

Council Member Nason requested the Council consider an amendment to the Council's Rules of Procedure to permit people to make comments by email on matters before the Council and to redact the email address in versions distributed to the public. She also requested the Council consider creating a finance committee comprised of Council Members and community members to recommend financial policies to the Council.

**12-1. Upcoming City Events**

Energy Upgrade Workshop, Tuesday, October 17, 6 PM - Community Center

Halloween Carnival, Friday, October 27, 6:30 PM, Community Center

**12-2. Upcoming City Meetings**

Economic Development Committee, Thursday, October 5, 5 PM, City Hall Conference Room

Arts Committee, Monday, October 9, 7 PM, City Hall Council Chamber

Planning & Zoning Commission, Wednesdays, October 11 & 25, 7 PM, City Hall Council Chamber

Parks & Recreation Commission, Thursday, October 12, 7 PM, City Hall Council Chamber

City Council, Monday, October 16, 7:30 PM, City Hall Council Chamber

Community Media Access Committee, Monday, October 23, 6 PM, City Hall Council Chamber

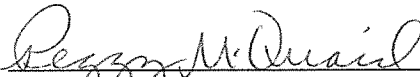
Traffic & Safety Commission, Thursday, October 26, 7 PM, City Hall Council Chamber

**13. ADJOURNMENT**

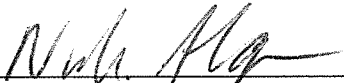
9:30 p.m. There being no further business before the City Council, Mayor McQuaid adjourned the meeting in memory of people killed in the North Bay fires.

Minutes submitted by Nicole Almaguer, City Clerk.



  
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Peggy McQuaid  
Mayor

Attest:

  
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Nicole Almaguer, City Clerk