



CITY OF ALBANY

CITY COUNCIL AGENDA - AMENDED CITY COUNCIL CHAMBER, 1000 SAN PABLO AVENUE MONDAY, MARCH 5, 2018

We, the members of the Albany City Council, recognize that many in our community are hurting and fearful as a result of the recent national election. Thus, we would like to take this opportunity to reaffirm that we welcome and value all of our diverse community members regardless of where they are from, who they love, how they worship, how they look, their abilities, or how they vote.

We invite the entire Albany community to join with us in creating a safe and welcoming city; one in which we celebrate our differences and learn from each other; one in which we are proud to raise our children.

*"Diversity is not about how we differ. Diversity is about embracing one another's uniqueness".
Ola Joseph*

7:30 p.m.

CALL TO ORDER

- 1. PLEDGE OF ALLEGIANCE**
- 2. ROLL CALL**
- 3. CEREMONIAL MATTERS**
 - 3-1. Proclamation – American Red Cross Month**
 - 3-2. Proclamation – Tibet Day**
 - 3-3. Proclamation – Albany FilmFest Week**
- 4. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY**
- 5. 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.)

5-1. Minutes, February 20, 2018

Staff recommendation: Approve

5-2. Ratification of Payroll - Payroll Period: 2/16/2018; Net Payroll: \$284,433.91; Taxes, Benefits, Withholdings: \$299,340.05; Total: \$583,773.96

Staff recommendation: Ratify

5-3. Commission Changes

Vice Mayor Nason appointed Bryan Marten to the Parks and Recreation Commission.

Val Menotti resigned from the Planning & Zoning Commission.

Staff recommendation: Informational

5-4. Side Letter Agreement with Albany Firefighters' Association Concerning the Holiday Pay Provision

Staff recommendation: that the Council adopt Resolution No. 2018-32 – A Resolution of the Albany City Council authorizing the execution of a side letter amendment to the Albany Firefighters' Association (AFFA), IAFF, Local 5130 Memorandum of Understanding providing clarification of holiday pay.

5-5. Side Letter Agreement with Albany Peace Officers' Association Concerning the Holiday Pay Provision

Staff recommendation: that the Council adopt Resolution No. 2018-31 – A Resolution of the Albany City Council authorizing the execution of a side letter amendment to the Albany Peace Officers' Association (APOA) Memorandum of Understanding providing clarification of holiday pay.

5-6. Proclamation – Women's History Month & International Women's Day

Mayor McQuaid recommendation: that the Council adopt the proclamation in honor of Women's History Month & International Women's Day

5-7. CalPERS Audit Revised Salary Schedules for Fiscal Years 2011/12 through 2013/14

Staff recommendation: that the Council Adopt Resolution No. 2018-33 – A Resolution of the Albany City Council authorizing revisions to previous salary schedules

5-8. Event Street Closure Encroachment Permits

Staff recommendation: that the Council:

1. Authorize staff, for a period of three years, to issue Street Event Encroachment Permits to the Albany Little League for the Little League Parade;
2. Waive encroachment permit fees; and
3. Waive fees for cost of public safety personnel and city maintenance services.
4. Authorize staff, for a period of three years, to temporarily close Buchanan Street west of the I-80/580 freeway interchange and close Taft St. and Hillside Ave. west of Cerrito St. on July 4th from 5:30 p.m. to 10:00 p.m.

5-9. Resolution No. 2018-29 – Support Proposition 69 and Opposition of SB 1 Repeal

Mayor McQuaid recommendation: that the Council adopt Resolution No. 2018-29 in support of Proposition 69 and Opposition of SB1 Repeal

5-10. Resolution No. 2018-30 – Support Proposition 68, The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018

Mayor McQuaid recommendation: that the Council adopt Resolution No. 2018-30 in support of Proposition 68, The California Drought, Water, Parks, Climate, Coastal Protection, and Outdoor Access for All Act of 2018

5-11. Ordinance No. 2018-01, Establishing Property Owners Responsibility for Sidewalk Repair – Second Reading

Staff recommendation: that the Council adopt Ordinance No. 2018-01, establishing property owner’s responsibility for sidewalk repair – Second Reading – Pass to Print

5-12. Planning and Zoning Commission Appointment

Council Member Nason appointed Elizabeth Watty

Staff recommendation: that Council ratifies the appointment to the Planning & Zoning Commission

6. 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 up to three (3) minutes. The Mayor may reduce the time limit per speaker depending on the number of speakers. 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.

All persons wishing to speak on an item on the agenda are to fill out speaker cards and provide to the City Clerk. Comments related to items appearing on the agenda are taken up at the time the City Council deliberates each action item. The Mayor will announce when the period for public comment is open on each agenda item.

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

(Council Member reports on State, regional, local bodies to which they are appointed by the City Council.)

7-1. City Council Subcommittee regarding Albany Waterfront Memorandum: Next Steps on the Albany Bulb and Buchanan Right of Way

Mayor McQuaid & Vice Mayor Nason recommendation: that the City Council defer the selection of a consultant to prepare the CEQA document for the planned transition of the Albany Neck and Bulb to the East Bay Regional Park District (EBRPD), as discussed in the Albany Neck and Bulb Transition Study (the Study). Such a deferral will accommodate the need to meet and confer with the EBRPD regarding information requests, and potential refinements to the city's Memorandum of Understanding (MOU) with that agency, as set forth in the attached e-mail message from City Manager Nicole Almaguer to EBRPD's Assistant General Manager Robert Nisbet.

It is also recommended that the Council designate the \$300,000 that it has budgeted for the Bulb CEQA document in the current fiscal year as a Council discretionary fund for the Bulb. The Subcommittee will work with staff to prepare parameters for the use of these funds that can be incorporated into the FY 18/19 budget for Council review. This fund may be rolled over by the Council from year to year until needed for preparation of a CEQA document or documents, and/or to implement public safety, water quality, or other environmental protection expenditures for the Bulb that are either exempt from CEQA or otherwise do not require the preparation of an EIR.

7-2. Council Member Pilch Report on East Bay Community Energy JPA

8. PRESENTATION

9. PUBLIC HEARING

10. UNFINISHED BUSINESS

10-1. Consideration of possible ballot measures for the November 2018 General Municipal Election

Staff recommendation: that the Council:

1. Receive additional information regarding funding needs to maintain and improve parks and open space; and
2. Provide direction to staff regarding a possible parcel tax measure to fund improvements and maintenance of parks and open space for the November 2018 ballot, and analyze support for a parcel tax as part of the upcoming voter polling survey to be conducted by the City's consultant, Godbe Research

11. NEW BUSINESS

11-1. Update on Climate Action Plan Progress and Request for Proposals for Consulting Services for the Preparation of a Climate Mitigation and Adaptation Plan

Staff recommendation: that the Council authorize the release of a Request for Proposals (RFP) for consulting services related to the preparation of a Climate Mitigation and Adaptation Plan

11-2. Requesting East Bay Community Energy Enroll Municipal and Commercial Accounts in the "Brilliant 100" Product

Staff recommendation: that the Council adopt:

1. Resolution No. 2018-27 Requesting East Bay Community Energy enroll City of Albany municipal accounts in Brilliant 100 (100% carbon free) electricity product and develop a 100% renewable product offering; and
2. Resolution No. 2018-28 Requesting East Bay Community Energy enroll all City of Albany commercial, industrial, and institutional accounts in Brilliant 100 (100% carbon free) as the default electricity product

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

(Council and staff announcements: Council Member announcement of requests for future agenda items. No public comment will be taken on announcement of future agenda items).

12-1. Upcoming City Events

Red Cross Blood Drive, Tuesday, March 6, 9 AM – 3 PM, Community Center

Mayor's Town Hall Meeting with District Attorney Nancy O'Malley, Wednesday, March 7, 7 PM – 8 PM, Community Center

12-2. Upcoming City Meetings

City Council Special Meeting, Wednesday, March 14, 9 AM, Public Works Center

Next Regular City Council Meeting, Monday, March 19, 7:30 PM, Council Chambers, City Hall

Social & Economic Justice Commission, Tuesday, March 6, 7:30 PM, Council Chambers, City Hall

Arts Committee Meeting, Monday, March 12, 7 PM, Council Chambers, City Hall

Planning & Zoning Commission Meeting, Wednesday, March 14, 7 PM, Council Chambers, City Hall

13. ADJOURNMENT

Per City Council Resolution No. 09-1, no Council meeting shall continue past 10:30 p.m. unless a two-thirds majority of the Council votes to extend the meeting to discuss specified items; and any motion to extend the meeting beyond 10:30 p.m. shall include a list of specific agenda items to be covered. Any items not completed at a regularly scheduled Council meeting shall be continued to the next regular meeting or by a two-thirds majority vote of the Council to an adjourned regular meeting.

The Council meeting packet is available for public inspection at 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 528-5710.

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 ambience, responding to the needs of a diverse community, and providing a safe, healthy and sustainable environment.

To view the live televised Council meetings go to Channel 33. Please note that if you provide your name and address when speaking before the City Council it will become part of the official public record, which will be posted on the Internet and broadcast on Channel 33.

NOTICE

"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.