



AGENDA
TUESDAY, SEPTEMBER 4, 2018, 7:30 PM

We, the members of the Albany City Council would like 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

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

2. ROLL CALL

3. CEREMONIAL MATTERS

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, July 16, 2018

Staff recommendation: Approve

5-2. Ratification of Payroll

- a. Payroll Period: 7/20/2018; Net Payroll: \$311,262.30; Taxes, Benefits, Withholdings: \$317,698.47; Total: \$628,960.77
- b. Payroll Period: 8/3/18 ; Net Payroll: \$303,442.07; Taxes, Benefits, Withholdings: \$309,961.80; Total: \$ 613,403.87
- c. Payroll Period: 8/17/2018 ; Net Payroll: \$312,004.60; Taxes, Benefits, Withholdings: \$316,396.98; Total: \$628,401.58
- d. Payroll Period: 8/31/2018 ; Net Payroll: \$316,887.06; Taxes, Benefits, Withholdings: \$247,722.84; Total: \$564,609.90

Staff recommendation: Ratify



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- 5-3.** Ratification of Bills, Claims and Demands - Ratification of bills, claims and demands against the City of Albany in the amount of: \$264,173.86 (7/13/18), \$243,366.21 (7/20/18), \$50.00 (7/24/18), Wire Transfer \$2,300 (7/24/18), \$356,409.94 (7/27/18), \$2,500 (7/27/18), Wire Transfer \$7,130.09 (8/2/18), \$205,694.03 (8/3/18), Wire Transfer \$29,298.71 (8/7/18), \$1,194,509.75 (8/10/18), \$79,403.84 (8/17/18), Wire Transfers \$1,274,237.62 (8/22/18), \$733,486.50 (8/24/18)

Staff recommendation: Ratify

- 5-4.** Ratification of Police and Fire Pension Board Payments: May 2018 - \$104,304.82; June 2018 - \$104,304.82; July 2018 - \$104,304.82

Staff recommendation: Ratify

- 5-5.** Vacancies in Committees/Commissions: Terra Baer (Social & Economic Justice Commission, Council Member Pilch), Ron Golem (Sustainability Committee, Council At Large Appointment)

Staff recommendation: Informational only

- 5-6.** Mayor McQuaid recommends applicant Eric Larsen to the Council At Large vacancy on the Sustainability Committee

Mayor McQuaid recommendation: Council Ratify Appointment

- 5-7.** Proclamation in Honor of No Hate Week

Mayor McQuaid recommendation: that the Council adopt the proclamation in honor of No Hate Week

- 5-8.** Proclamation in Honor of National Suicide Prevention Awareness Month

Mayor McQuaid recommendation: that the Council adopt the proclamation in honor of National Suicide Prevention Awareness Month

- 5-9.** Resolution in Honor of Albany Police Lieutenant Daniel Adams Upon his Retirement from Service

Staff recommendation: that the Council adopt Resolution No. 2018-107 in honor of Albany Police Lieutenant Daniel Adams upon his retirement from service

- 5-10.** Resolution in Support of Measure FF

Mayor McQuaid recommendation: that the Council adopt Resolution No. 2018-104 in support of Measure FF as presented by the East Bay Regional Park District



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5-11. Letter of Support - HR 6649

Mayor McQuaid recommendation: that the Council authorize submittal of the letter of support

5-12. Letter of Opposition - Bureau of Cannabis Control Proposed Regulations Bureau of Cannabis Control

Mayor McQuaid recommendation: that the Council authorize submittal of the letter of opposition

5-13. Resolution in Support of Protecting our Ocean and Coast from Offshore Drilling, Exploration and Fracking

Mayor McQuaid & Vice Mayor Nason recommendation: that the Council adopt Resolution 2018-102 in support of protecting our ocean and coast from offshore drilling, exploration and fracking

5-14. Declaration of Shelter Crisis - Homeless Emergency Assistance Program (HEAP)

Staff recommendation: that the Council adopt Resolution No. 2018-110 declaring a shelter crisis pursuant to SB 850 to be eligible to participate in the Homeless Emergency Aid Program (HEAP)

5-15. Adoption of Update to the Appropriation Limit - Resolution No. 2018-103 Establishing the Appropriations Limit for the 2018-19 Fiscal Year

Staff recommendation: that the Council adopt Resolution No. 2018-103 establishing the 2018-2019 Appropriation Limit at \$21,802,682

5-16. Renewal of Lease Agreement with Albany Preschool for use of the City building at 850 Masonic Avenue

Staff recommendation: that the Council adopt Resolution No. 2018-87, authorizing the City Manager to execute a lease agreement with Albany Preschool for use of the City building at 850 Masonic Avenue

5-17. Memorial Park Memorial Tree and Plaque

Staff recommendation: that the Council approve a "Gift to the City" (AMC 2-27.8) of a memorial tree and plaque, in honor of Joey Morse, at Memorial Park

5-18. Statement of Purpose to Reduce Diesel Emissions

Staff recommendation: that the Council authorize the Mayor to sign the Statement of Purpose committing to take steps to eliminate diesel emissions by 2033



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- 5-19.** Resolution No. 2018-111 Authorizing the City Manager to Enter into Amendment of Agreement #1 to Contract C16-28 with Phillips Seabrook Associates for Community Development Department Project Review and Inspection Services

Staff recommendation: that the Council adopt Resolution No. 2018-111 authorizing the City Manager to Enter into Amendment of Agreement #1 to Contract C16-28 with Phillips Seabrook Associates for Community Development Project Review and Inspection Services

- 5-20.** Award of Contract for Engineering Services

Staff recommendation: that the Council adopt Resolution No. 2018-108, authorizing the City Manager to award Contract C19-15 to CSG Consulting in the amount of \$230,880 for staff augmentation services for a term of one year using funds previously appropriated for CIP Project 32000 in FY 17/18

- 5-21.** CIP No. 66000 Public Works Fleet Replacement, Equipment Purchase

Staff recommendation: that the Council adopt Resolution 2018-109 authorizing the City Manager to modify the scope of CIP No. 66000 to include purchase of towable wash unit and a new lawn mower and trailer and purchase these equipment in the not-to-exceed amount of \$25,000 using previously appropriated funds for CIP No. 66000 in FY18/19

- 5-22.** CIP No. 66000 Public Works Fleet Replacement – Purchase of a 2018 Ford F-550

Staff recommendation: that the Council adopt Resolution No. 2018-99 authorize the City Manager to purchase a 2018 Ford F-550 as detailed in Attachment 1 from Downtown Ford in Sacramento for a not to exceed price of \$61,424.66 using funds previously appropriated for CIP Project No. 66000 in FY18/19

- 5-23.** CIP Project 22000 Annual Sidewalk Rehabilitation, Sidewalk Rehabilitation Phase 2 Contract Change Order

Staff recommendation: that the Council adopt a Resolution No. 2018- 106 authorizing the City Manager to execute Contract Change Order No. 2 to Contract C18-35 with Villalobos & Associates in the not-to-exceed amount of \$321,040 from previously appropriated funds for CIP Project No 22000 in FY17/18

- 5-24.** Approval of Change Order No. 1 to Contract C18-58: Sewer Flushing and Filming

Staff recommendation: that the Council adopt Resolution No. 2018-112 authorizing the City Manager to approve Contract Change Order No 1 to Contract C18-58, which adds root removal and related services to the contract scope, in the amount of \$21,416.66 from previously appropriated funds for sewer operations



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6. GOOD OF THE CITY/PUBLIC COMMENT

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.

8. PRESENTATION

9. PUBLIC HEARING

- 9-1. Proposed Amendments to Chapter 5, Section 5-24 of the Albany Municipal Code, Tobacco Retailer License, to Prohibit the Sale of Flavored Tobacco Products

Staff recommendation: that the Council Introduce for first reading Ordinance No. 2018-08 approving amendments to Section 5-24 "Tobacco Retailer License" of the Albany Municipal Code to prohibit the sale of flavored tobacco products

10. UNFINISHED BUSINESS

11. NEW BUSINESS

- 11-1. Resolution No. 2018-105, adopting the Updated City Council Administrative Policies

Staff recommendation: that the Council adopt Resolution No. 2018-105, approving an update to the City Council Administrative Policies to include a policy to evaluate options for inclusion of a low-income exemption for home owners and rebate for renters for any future tax levied on real property, and any franchise agreement

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

Music in the Park, September 5, 12, 19, and 26, 6:30 PM – 8:00 PM, Memorial Park



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Solano Avenue Stroll, September 9, 10 AM – 5 PM, Solano Avenue

Coastal Cleanup Day, September 15, 9 AM – 12:30 PM, Albany Beach

Albany Local Week Events, September 21 - 29, various location throughout the City

Food Truck Friday, September 21, 5 PM – 8 PM, Albany Community Center

Bike About Town!, September 21, 6:30 PM, meet @ Bikes on Solano (1554 Solano)

Friends of Albany Parks Clean-up Day – Creekside Park, September 22, 9 AM – 12 noon,
Creekside Park – El Cerrito Entrance (3499 Santa Clara Ave. El Cerrito)

Clothing Swap-O-Rama-Rama, September 22, 1 PM – 5 PM, Albany Community Center

As You Wish Block Movie Night, September 22, 7:30 PM – 10 PM, Cornell Avenue at
Solano Avenue.

The Marin Monster 10K, September 23, 8AM – 11 AM, meet @ Albany Community Center

Local Garden Swap, September 25, 6:30 PM – 7 PM, Albany Community Center patio

Dinner With Albany, September 29, 5:30 PM – 9:30 PM, Lower Solano between San Pablo
and Evelyn.

12-2. Upcoming City Meetings

Social & Economic Justice Commission, Wednesday, September 5, 6:30 PM, City Hall
Council Chambers

Economic Development Committee, Thursday, September 6, 5 PM, City Hall Council
Chambers

Arts Committee, Monday, September 10, 7 PM, City Hall Council Chambers

Planning & Zoning Commission, Wednesday, September 12, City Hall Council Chambers

Parks & Recreation Commission, Thursday, September 13, 7 PM, City Hall Council
Chambers

City Council, Monday, September 17, 7:30 PM, City Hall Council Chambers

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



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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 agenda is available for public inspection at the City Hall, the Albany Community Center, and the Albany Senior Center. The agenda and supporting staff reports can also be found online 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 510-528-5710.

Agenda related writings or documents provided to the City Council regarding any item on this agenda including public comments received prior to 12noon of the meeting date will be made available for public inspection at City Hall.

Council and Commission meetings are broadcast live on KALB and streamed live on the City website and YouTube. Committee meeting audio is recorded and uploaded to the City website and YouTube and within one week of each public meeting. Archives of past City meetings are available on the City website and YouTube. 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 KALB.

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.

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) working days before the meeting. Request should be sent to: cityclerk@albanyca.org or City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.