



## ALBANY CITY COUNCIL

City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA

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### AGENDA

MONDAY, FEBRUARY 4, 2019, 7:30 PM

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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

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**1. CALL TO ORDER / PLEDGE OF ALLEGIANCE**

**2. ROLL CALL**

**3. CEREMONIAL MATTERS**

3-1. Certificate of Recognition for Kim Denton upon her thirtieth year of service as City Treasurer

**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, January 22, 2019**

Staff recommendation: Approve

**5-2. Ratification of Payroll - Payroll Period: 1/18/19; Net Payroll: \$298,146.76; Taxes, Benefits, Withholdings: \$303,758.25; Total: \$601,905.01**

Staff recommendation: Ratify

**5-3. Ratification of Bills, Claims and Demands - Ratification of bills, claims and demands against the City of Albany in the amount of: \$35.99 (1/15/19), \$158,294.39 (01/18/19), \$27,157.52 (1/25/19)**



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Staff recommendation: Ratify

**5-4.** Advisory Body Appointments by Council Members:

- a. Charter Review Committee: Lisa Schneider (Pilch)
- b. Community Media Access Committee: Nico Lauer (Barnes), George Young (Pilch)
- c. Economic Development Committee: Stephanie Sala (Barnes)

Staff recommendation: Informational

**5-5.** Amendment No. 1 to Agreement for Legal Services on Labor Relations Matters with the Law Firm of Sloan Sakai Yeung & Wong, LLP

Staff recommendation: that the Council adopt Resolution No. 2019-11, approving Amendment No. 1 to the agreement (C19-31) for specialized legal services in the area of labor relations

**5-6.** Amendment No. 1 to Agreement for Legal Services on Employment Law Matters with the Law Firm of Liebert Cassidy Whitmore

Staff recommendation: that the Council adopt Resolution No. 2019-16, approving Amendment No. 1 to the agreement (C18-55) for specialized legal services in the area of employment law

**5-7.** Ratification of Police & Fire Pension Board Payments: \$104,827.77 (November, 2018), \$105,011.87 (December, 2018), \$105,011.87 (January, 2019)

Staff recommendation: Ratify

**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.



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### 8. PRESENTATION

#### 8-1. Annual Financial Statements and Annual Audit for FY 2016-17 and FY 2017-18

Staff recommendation: that the Council:

1. Receive presentation of the results from the City's independent auditor's examination of the City's financial reports for fiscal years ending June 30, 2017 and June 30, 2018; and
2. Accept and file the reports

#### 8-2. Proposed Addition of Financial Management Goal to the City Council Strategic Plan

Mayor Nason recommendation: that the Council give direction to the City Manager regarding the City Council's objectives for Financial Management Specifically, that pending adoption of a full set of revisions to the City Council Strategic Plan, the Council add the following Objective and associated set of Strategies under Goal 5 which is "Facilitate Government Accountability."

Objective: 5.1 Sound and Transparent Management of City Financial Resources (new objective)

Strategies:

1. Accurate comprehensive annual financial reports will be audited and produced to the Council by December 31st each year.
2. The City will have a format for the presentation of budgets and budget-to-actual reports that is transparent to the City Council and the public at large, and these documents are accurate and timely produced.
3. A smooth transition will be implemented pursuant to Measure N from the City Treasurer model to a staff-based system of revenue collection and financial management, with citizen oversight by a Committee on Budget and Finance.
4. The City Manager will have the capacity to timely respond to reasonable requests for financial information from members of the City Council.
5. The City will adopt and maintain a long-term financial plan that takes into account foreseeable needs, including but not limited to retirement benefits and the maintenance and replacement of infrastructure and other assets, to facilitate planning, to be transparent with the public, and to reduce the risk of financial problems over time and across economic cycles.

Finally, that the Council direct the City Manager to prepare 'action items' to implement the strategies and present them to the Council at the first Council meeting in March.



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### **9. PUBLIC HEARING**

- 9-1.** Ordinance No. 2019-02, Updating the Name of the Park and Recreation Commission to the Parks, Recreation and Open Space Commission and Updating the Charge of the Commission to Include Open Space within the City of Albany

Staff recommendation: that the Council introduce for first reading Ordinance No. 2019-02, updating the name of the Park and Recreation Commission to the Parks, Recreation and Open Space Commission and updating the charge of the Commission to include open space

### **10. UNFINISHED BUSINESS**

- 10-1.** Council Statement on City Council Agenda

Vice Mayor McQuaid recommendation: that the Council consider a revision to the City Council Statement on City Council Agendas

- 10-2.** City Council Appointments to the Alameda County Library Advisory Commission (ACLAC) and the Board of Police and Fire Pension Fund Commissioners

Staff recommendation: that the Council:

1. Appoint Amy Apel from the Albany Library Board as the City of Albany representative on the Alameda County Library Commission; and
2. Revise the appointments for the Board of Police and Fire Pension Fund Commissioners per City Charter Section 9.01

### **11. NEW BUSINESS**

### **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

East Bay Electrification Expo, Thursday, February 7, 2019, 3 PM – 8 PM, Ed Roberts Campus, 3075 Adeline Street, Berkeley, CA

Chinese New Year Celebration, Thursday, February 7, 2019, 3:30 PM – 5 PM, Albany Community Center

Sandbag Filling Assistance Days, Saturday, February 9, 2019, 10 AM – 1 PM, Ocean View Park



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### 12-2. Upcoming City Meetings

Social & Economic Justice Commission, Tuesday, February 5, 7:30 PM, City Hall Council Chambers

Economic Development Committee, Thursday, February 7, 5 PM, City Hall Council Chambers

Arts Committee, Monday, February 11, 7 PM, City Hall Council Chambers

Planning & Zoning Commission, Wednesday, February 13, 7 PM, City Hall Council Chambers

City Council Meeting, Tuesday, February 19, 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 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 posted for public inspection in advance of meetings at the City Hall, the Albany Community Center, and the Albany Senior Center. Agendas and supporting documents can also be found online at: [www.albanyca.org](http://www.albanyca.org). Supporting documents and any public comments received will be made available for public inspection at City Hall. If you have any questions pertaining to any agenda item or meeting procedure, please contact the City Clerk's Office at 510-528-5710 or [cityclerk@albanyca.org](mailto:cityclerk@albanyca.org).

Council and Commission meetings are broadcast live on KALB and streamed live on the City website and YouTube. Audio recordings of Committee meetings will be uploaded to the City website and YouTube 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.



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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: [cityclerk@albanyca.org](mailto:cityclerk@albanyca.org) or City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.