



ALBANY CITY COUNCIL – MINUTES

City Hall Council Chambers
1000 San Pablo Avenue, Albany, CA
Monday, February 19, 2019

7:30 p.m.

REGULAR MEETING

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Council Member Pilch led the Pledge of Allegiance.

2. ROLL CALL

Present: Council Members Barnes, Maass, and Pilch, Vice Mayor McQuaid, Mayor Nason
Absent: None

3. CEREMONIAL MATTERS

3-1. Proclamation – African-American History Month

Mayor Nason and Vice Mayor McQuaid presented the proclamation to former Mayor Joyce Jackson.

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

5. CONSENT CALENDAR

5-1. Minutes, February 4, 2019

Staff recommendation: Approve

5-2. Ratification of Payroll – Payroll Period: 2/1/19; Net Payroll: \$300,078.91; Taxes, Benefits, Withholdings: \$301,433.71; Total: \$601,512.62

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: \$681,371.78 (2/1/19), \$167,246.53 (2/8/2019)

Staff recommendation: Ratify

**5-4. Council Members appointments to Advisory Bodies
Charter Review Committee: Harry Chomsky (Maass)**

Staff recommendation: Informational

5-5. Request for Proposals (RFP) for Financial Audit Services

Staff recommendation: that the Council authorize the release of a Request for Proposals for Financial Audit Services for FY 2018-19, FY 2019-20 & FY 2020-21 with the option of a 2-year extension for fiscal years ending 2023 & 2024



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- 5-6.** 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 adopt Ordinance No. 2019-02, second reading pass-to-print, 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

- 5-7.** 2019 CIP Project 32000, Annual Sewer Rehabilitation – Approval of Contract Change Order #1 to Contract C18-10 and Budget Adjustments

Staff recommendation: that the Council adopt Resolution No. 2019-17:

1. Authorizing the City Manager to execute Contract Change Order #1 to Contract C18-10 with Ranger Pipelines Incorporated in the not-to-exceed amount of \$3,318,195 from a combination of previously appropriated funds for the Annual Sewer Rehabilitation Project (CIP #32000) in FY 17/18 and FY 18/19, and new funding approved as part of this resolution; and
2. Approving a budget increase to the Annual Sewer Rehabilitation Project (CIP #3200) in the amount of \$1,449,000

- 5-8.** CIP Project 41005, Memorial Park Improvements – Award of Construction Contract C18-27 Memorial Park Bathroom Renovations

Staff recommendation: that the Council adopt Resolution No. 2019-18:

1. Authorizing the City Manager to award and execute Contract C18-27 with Bamer Construction to construct the Memorial Park Bathroom Renovation Project, in the not-to-exceed amount of \$107,013 from previously appropriated funds for CIP Project No 41005 in FY 17/18; and
2. Approving a budget increase to the Memorial Park Improvement Project (CIP #41005) in the amount of \$9,100 to the project from the General Capital Fund (2007)

Mayor Nason asked if anyone wished to remove an item from the consent calendar. Council Member Pilch pulled Item 5-4, and Vice Mayor McQuaid pulled Item 5-7.

Item 5-4: Council Member Pilch requested to agendaize the change to City Council policies allowing Charter Review Committee to form and meet to review work plans and to agendaize the appointment of the rest of the Charter Review Committee members. Mayor Nason reported the appointment of members to the Charter Review Committee will occur after the Council meets in closed session to discuss the allegation that the City is in violation of the California Voting Rights Act.

Item 5-7: Capital Improvement Project Manager Robert Gonzales reported rehabilitation of Washington Avenue should occur in the late summer. Outreach to residents and businesses on



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Solano Avenue and adjacent streets has begun. As the date for construction gets closer, outreach regarding the construction schedule will continue through letters, e-news, and the City website.

Public Works Director/City Engineer Mark Hurley reported staff chose to utilize a change order because the contractor is performing well and the contractor's bid is based on the prices charged a year ago. The bid falls at the lower end of the unit cost price. The City has to meet the Consent Decree agreement and the submitted US EPA recovery plan requirements.

The following person spoke: Ed Fields.

A summary of the comments is as follows: change orders should not be used to avoid the competitive bid process (Item 5-7).

A summary of Council comments is as follows: appointment of members to the Charter Review Committee should not be delayed; support for staff's decision to utilize a change order.

MOTION:

Moved by Council Member Pilch, seconded by Vice Mayor McQuaid, to approve the Consent Calendar.

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

NOES: None

Motion carried and so ordered.

6. GOOD OF THE CITY/PUBLIC COMMENT

Mayor Nason opened the Good of the City.

The following persons spoke: none.

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

7-1. Vice Mayor McQuaid's Report regarding Alta Bates Task Force

Vice Mayor McQuaid recommendation: Informational

7-2. Mayor Nason's Report regarding San Pablo Avenue Corridor Project Subcommittee

Mayor Nason recommendation: that the Council establish a subcommittee consisting of herself and Council Member Nick Pilch, as Albany's appointee and alternate to the Alameda County Transportation Commission (ACTC), to further public engagement in Albany and interjurisdictional communications regarding the San Pablo Avenue Corridor Project of the ACTC

Mayor Nason reported Council Member Pilch and she would work on the outreach component of the San Pablo Avenue Corridor Project.



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MOTION:

Moved by Vice Mayor McQuaid, seconded by Council Member Maass, to establish a subcommittee consisting of Mayor Nason and Council Member Pilch to further public engagement in Albany and interjurisdictional communications regarding the San Pablo Avenue Corridor Project of the Alameda County Transportation Commission.

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

NOES: None

Motion carried and so ordered.

7-3. Mayor Nason's Report on Meetings Attended

Mayor Nason reported approximately 70 people attended the beach cleanup event.

Council Member Pilch reported he attended the Chamber Mixer with other Council Members. The next East Bay Community Energy (EBCE) meeting is scheduled for February 20.

Council Member Maass reported he attended a San Francisco Bay Area Planning and Urban Research Association (SPUR) presentation regarding development on Bay Area Rapid Transit (BART) parking lots.

Council Member Barnes reported he spoke to a meeting of the Haight neighborhood group regarding CASA.

Vice Mayor McQuaid reported she attended a juvenile justice forum with Chief Geissberger, the Chamber Mixer, the pancake breakfast, the Lunar New Year celebration, the UC Chancellor's Leadership Breakfast with Mayor Nason, the Mayor's Conference, Coffee with a Cop, and the YMCA Youth in Government VIP Day. The Albany High School girls' wrestling team won the North Coast Section Team Championship and the West Alameda County Conference League Championship. The boys' wrestling team won the Tri-County Athletic League Championship.

Assistant City Manager Isabelle Leduc recognized the Public Works Department for its work during the recent rain storms. Flooding was limited to known trouble spots, and no trees were lost. Landscape work at the Albany Loop art installation has begun and should be complete by the first week in March. The public comment period for the draft Solano Avenue Complete Streets Plan has opened, and the draft Plan is available on the City's website. Comments should be submitted by March 11. A shelter management class taught by the American Red Cross will be held on February 23. The City has hired four new employees, Nicholas Grech as Financial Analyst, Nancy March as Accounts Receivable Technician, Thomas Peters as Fire Inspector, and Andrea Gilmore as Program Leader III.

8. PRESENTATION

9. PUBLIC HEARING

10. UNFINISHED BUSINESS

11. NEW BUSINESS



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11-1. Study Session – Seismic Safety Soft-Story Retrofit Program

Staff recommendation: that the Council provide preliminary direction on the development of a soft-story seismic retrofit program

Community Development Director Jeff Bond presented the staff report. The Council Strategic Plan and the Local Hazard Mitigation Plan identify the need for a soft-story retrofit program. The building code applies to new construction only. State laws do not require retrofitting of existing structures. Many buildings in Albany do not meet modern seismic safety standards. The 1971 San Fernando Valley earthquake led to the adoption of the first meaningful seismic safety building code in California. Earthquakes since 1971 have contributed to the knowledge of seismic safety. New or retrofitted wood-frame single-family homes on level lots are considered the safest buildings for occupancy during an earthquake. In 1991, a retrofit program identified 41 buildings as needing seismic retrofitting, and 33 of the buildings underwent a permitting process. The first step in a soft-story retrofit program is to adopt a code standard. Next, the City would conduct a preliminary survey based on a visual inspection and set a threshold at which a property owner would be required to hire an engineer to perform a formal assessment. Based on the engineer's determination, the City could require a notice of potential hazard to be posted at the main entrance of the building and require retrofit within a specific timeframe. Property owners have due process appeal rights within a retrofit program. The Council could authorize staff to work with a property owner to find the safest feasible solution to improve the safety of the building. In a retrofit project, an engineer of record would design the project, and a consulting engineer would review it for compliance with codes. Potential policy issues include the cost of retrofit projects leading to increased rental rates; implementation of a retrofit project may result in loss of parking; during construction, tenants could be inconvenienced or temporarily displaced; and other hazards associated with a building can cause injury or make a building uninhabitable.

The following persons spoke: Preston Jordan, Keith Knudsen, Bob Outis.

A summary of the comments is as follows: support for a retrofit program and utilizing different timelines for retrofit projects based on number of units or size of buildings; the need for a soft-story retrofit program; support for including commercial buildings in a retrofit program.

A summary of Council comments is as follows: support for developing a soft-story retrofit program, including commercial buildings, condominiums, and residential duplexes, and prioritizing buildings based on size and age; a suggestion to seek grant funding for a preliminary survey; amortizing the cost of a retrofit project over a period of time could benefit landlords and tenants; staff and consulting engineers should determine the appropriate retrofit standards; perhaps the program could include other hazards mentioned in the Hazard Mitigation Plan; perhaps the City can offer tax credits to landlords; parking, height, and setback requirements could be waived or reduced for retrofit projects; Oakland's ordinance may be a good model ordinance; tenants alone should not bear the cost of retrofit projects; a suggestion for the Council to consider partnering with another city to utilize economies of scale; the immediate goal of a program should be life safety; requiring the conversion from natural gas to all electric could reduce the fire risk for older buildings; data from a preliminary survey may assist the Council with establishing priorities.



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

Council Member Pilch noted tickets were on sale for the Albany Film Fest. He requested a Council discussion of Advisory Body formation and an agenda item be scheduled prior to the closed session to determine whether to make final appointments to the Charter Review Committee.

12-1. Upcoming City Events

@theCenter – Beads & Beers, Friday, February 22, 2019, 6 PM–9 PM, Albany Community Center

American Red Cross Shelter Management Class, Saturday, February 23, 2019, 9 AM–5 PM, Albany Senior Center

Albany Uke Class Meetup in the Park, Friday, March 1, 2019, 5:30 PM–8:00 PM, Albany Memorial Park

12-2. Upcoming City Meetings

Climate Action Committee Meeting, Wednesday, February 20, 2019, 7:30 PM, City Hall Council Chambers

Planning & Zoning Commission, Wednesday, February 27, 7 PM, City Hall Council Chambers

Traffic & Safety Commission, Thursday, February 28, 7 PM, City Hall Council Chambers

City Council Meeting, Monday, March 4, 7:30 PM, City Hall Council Chambers

13. ADJOURNMENT

9:23 p.m. There being no further business before the City Council, Mayor Nason adjourned the meeting in memory of Gail Hynes Shea.

Minutes submitted by Anne Hsu, City Clerk.

Rochelle Nason
Mayor

Attest:

Anne Hsu, City Clerk