



**ALBANY CITY COUNCIL – MINUTES**  
City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA  
Monday, June 3, 2019

Date Approved June 17, 2019

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**6:00 p.m.**

**CLOSED SESSION**

- 1. CALL TO ORDER**
- 2. OPPORTUNITY FOR THE PUBLIC TO SPEAK ON CLOSED SESSION ITEMS**

City Council convenes in the Council Chamber and then adjourns to closed session to discuss the following:

- 2-1. Labor Negotiations pursuant to Government Code Section 54957.6**

Agency Negotiator: City Manager Nicole Almaguer, Human Resources Director  
Melissa Rojas & Charles Sakai, Sloan Sakai Young & Wong  
LLP

Employee Organization: Albany Fire Fighters' Association (AFFA)

Note: the Council may reconvene to closed session following the regular City Council meeting regarding the above items.

**ADJOURNMENT**

**6:30 p.m.**

**SPECIAL MEETING**

- 1. WORK SESSION**

- 1-1. Biennial Budget Covering Fiscal Years 2019-20 to 2020-21 – City Council Work Session**

Staff recommendation: that the Council receive a presentation of the proposed biennial operating budget and provide any direction to staff regarding the proposed budget for final review and approval by the Council on June 17, 2019

Finance Director Heather Rowden presented the staff report. All monies used to further Albany's mission are deposited into the City's General Fund. All other monies are deposited into Special Revenue Funds. Most Special Revenue Funds relate to capital planning. The City receives revenues from property taxes, sales taxes, franchise and other taxes, charges for services, and other sources. The top ten City taxpayers provide approximately one-quarter of City revenues. Franchise and other taxes are composed of a franchise tax on electric, gas, garbage and cable use; the utility users tax on electric, gas, and telephone use; a property transfer tax; a race track tax; and a transient occupancy tax (hotel). Other revenue is composed of rents and leases, donations/sponsorships, insurance claim proceeds, reimbursements, and miscellaneous revenues. In prior years, the budgeted amount of tax revenues has



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---

been higher than the actual amount, and the budgeted amount of investment earnings has been lower than the actual amount. Therefore, Finance Director Rowden will adjust the budgeted amounts for tax revenues and investment earnings to more realistic amounts. Salaries and benefits comprise 75 percent of City expenses. Expenses in Public Safety and Public Works comprise 61 percent of City expenses. Staff proposes adding a Management Analyst position in Public Works, combining two part-time Recreation Coordinator II positions into one full-time position, and reclassifying an Office Associate as a Community Development Assistant. Expenses for Disaster Preparation and Recovery will be charged to risk management rather than the Fire Department. Staff is exploring revenue diversification such as enforcement of transient occupancy taxes and updating transfer taxes; developing financial policies to guide the City; preparing the capital budget, monitoring the economy for a recession; monitoring pension costs; and cataloging and planning asset replacement.

The following person spoke: Margie Marks.

A summary of the comments is as follows: inquiries regarding the City providing blood pressure checks and podiatry services for seniors at the Senior Center.

Finance Director Rowden advised that expenses for those services would be categorized as contract/professional services under other expenses for the youth and senior services division of the Recreation Department.

City Manager Nicole Almaguer reported funds have been budgeted for the services, and staff is searching for service providers.

A summary of Council comments is as follows: hopes that adjustments to the accounting process are complete; concern about pension expenses and the cost of replacing aging infrastructure.

**7:30 p.m.**

### REGULAR MEETING

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

Council Member Maass led the Pledge of Allegiance.

**2. ROLL CALL**

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

Absent: Council Member Pilch

**3. CEREMONIAL MATTERS**

**3-1. Certificate of Recognition – Duane Silverstein**

Vice Mayor McQuaid presented a Certificate of Recognition to Mr. Silverstein.

**3-2. Proclamation – Elder Abuse Awareness Month**

Mayor Nason presented the Proclamation to the District Attorney's Office and the Adult Protective Services Office.



## ALBANY CITY COUNCIL – MINUTES

City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA  
Monday, June 3, 2019

---

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

Mayor Nason reported Council gave direction to staff.

### 5. CONSENT CALENDAR

#### 5-1. Minutes, May 20, 2019

Staff recommendation: Approve

#### 5-2. Ratification of Payroll - Payroll Period 5/24/19; Net Payroll: \$321,330.70; Taxes, Benefits, Withholdings: \$320,690.34; Total: \$642,021.04

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: \$124,199.25 (5/17/19); \$167,966.12 (5/24/19)

Staff recommendation: Ratify

#### 5-4. Initiating Proceedings, Approval of Annual Reports, and Intention to Levy and Collect Assessments in Assessment District No. 1988-1 for the 2019/20 Fiscal Year, and Setting a Public Hearing for June 17, 2019 on the proposed assessment

Staff recommendation: that the Council:

1. Adopt Resolution No. 2019-41 Initiating Proceedings for the Levy and Collection of assessments for the Landscaping and Lighting Assessment District 1988-1 for Fiscal Year 2019/20
2. Adopt Resolution No. 2019-42 Approving the Annual Report for the Landscaping and Lighting Assessment District No. 1988-1 for Fiscal Year 2019/20
3. Adopt Resolution No. 2019-43 A Resolution of Intention to Levy and Collect Assessments for the Landscaping and Lighting Assessment District No. 1988-1 for Fiscal Year 2019/20. Pursuant to the Landscaping & Lighting Act of 1972, set a public hearing for June 17, 2019 on the proposed assessment

#### 5-5. Contract Agreement with ClientFirst Technology Consulting, for the development of a 5-Year Information Technology Strategic Plan

Staff recommendation: that the Council adopt Resolution No. 2019-44 authorizing the City Manager to execute Contract No. C19-80 with ClientFirst Technology Consulting, for the development of a 5- Year Information Technology Strategic Plan

#### 5-6. Contract with the County of Alameda for Additional Library Services, Fiscal Year 2019/2020, in the amount of \$725,440

Library Board recommendation: that the Council approve the Fiscal Year 2019/2020 agreement between the City of Albany and the County of Alameda for additional library services in the amount of \$725,440



## ALBANY CITY COUNCIL – MINUTES

City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA  
Monday, June 3, 2019

---

Staff recommendation: that the Council adopt Resolution No. 2019-39, authorizing the City Manager to enter into an agreement with the County of Alameda for additional library services for Fiscal Year 2019/2020 in the amount of \$725,440

- 5-7.** Ordinance No. 2019-06 to Consider a Zoning Map Amendment Establishing Zoning Classifications for the Parcel at Cleveland Avenue and Washington Avenue – Second Reading, Pass-To-Print

Staff recommendation: that the Council adopt Ordinance No. 2019-06 approving amendments to Zoning Map - Second Reading, Pass-to-Print

- 5-8.** Filing of an Application for Funding Assigned to MTC for the Ohlone Greenway Trail Safety Improvements Project

Staff recommendation: that the Council adopt Resolution No. 2019-45 Authorizing the filing of an application for funding assigned to MTC and committing any necessary matching funds and stating assurance to complete the Ohlone Greenway Trail Safety Improvements Project

Mayor Nason asked if anyone wished to remove an item from the consent calendar. A member of the public requested Item 5-7 be removed from the consent calendar.

Item 5-7: Planning Manager Anne Hersch reported on May 6 the City Council approved the establishment of a Public Facilities zoning classification for the Peggy Thomsen Pierce Street Park and a high-density residential (R-3) zoning designation for the parcel located at Cleveland and Washington Avenues. The proposed Resolution amends the Zoning Map and establishes the zoning classification for the parcel.

The following persons spoke: Robert Uhrhammer, Jackie Armstrong, Jeff Armstrong, Leah Burrell, Omar Sabeh.

A summary of the comments is as follows: objection to the speed with which staff is acting to zone the parcel; opposition to adoption of the Resolution based on health concerns, traffic congestion, and the desire for a larger park and trees; support for adoption of the Resolution; the site is too small for 60 housing units.

A summary of Council comments is as follows: the City does not own other property on which it can construct housing; hopes that improvements can be made to Peggy Thomsen Pierce Street Park; the General Plan contains an analysis of real property on which housing could be built; affordable housing projects need a specific number of housing units in order to obtain financing.

### **MOTION:**

Moved by Vice Mayor McQuaid, seconded by Council Member Maass, to approve the consent calendar.

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

NOES: None

ABSENT: Council Member Pilch



## ALBANY CITY COUNCIL – MINUTES

City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA  
Monday, June 3, 2019

---

Motion carried and so ordered.

### 6. **GOOD OF THE CITY/PUBLIC COMMENT**

Mayor Nason opened the Good of the City.

The following persons spoke: Omar Sabe, Norm Ludwig.

A summary of the comments is as follows: street lights are needed at the corner of Washington and Cleveland Avenues to increase safety in the area; an inquiry about ownership of the median between Solano Avenue and Key Route Boulevard.

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

Vice Mayor McQuaid reported she attended meetings of the East Bay Economic Development Alliance, the League of California Cities, United Against Hate, Community Emergency Response Team (CERT) alumni, Emergency Preparedness Business Resiliency, Alameda County Transportation Commission (ACTC), and the Governor's Emergency Management Preparedness Summit. Vice Mayor McQuaid also observed the Play Like a Girl event at Memorial Park.

Council Member Barnes reported he attended the Satellite Affordable Housing Associates (SAHA) community meeting and a lecture regarding housing issues in the Bay Area.

Mayor Nason reported she attended a Stop Waste meeting, ACTC meetings where she learned about potential funding measures for the 2020 ballot; and the SAHA community meeting. The homeless encampment at Codornices Creek has been removed, and the area will be protected. Mayor Nason joined a letter from area Mayors to the County of Alameda regarding funding for homeless shelters, prevention, and families.

City Manager Almaguer reported Coffee with a Cop was held earlier in the day. Police Department representatives attended a school safety symposium in Sacramento. Work on the sewer rehabilitation project along Solano is underway. Phases I and II should be complete by June 10 and June 21 respectively. Renovation of the Memorial Park bathroom is scheduled to be completed on June 21. Street paving and repair projects will extend through July. Approximately 250 people attended the Play Like a Girl movie, and approximately 1,000 attended the Play Like a Girl event in the park. Registration for CERT training between August 27 and October 15 is open. Safety tips are available to help the community prepare for power outages during extreme weather.

### 8. **PRESENTATION**

#### 8-2. Albany Library Programs and Services

Staff recommendation: informational only

Albany Library Manager Rachel Sher presented the staff report. The Alameda County Library Strategic Plan focuses on four areas of growth: innovation; justice, equality, diversity, and inclusion; civic literacy; and healthy families, healthy homes. In partnership with the Library,



## ALBANY CITY COUNCIL – MINUTES

City Hall Council Chambers  
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Monday, June 3, 2019

---

Albany CARES and Project HOPE will provide training for library staff; East Bay Regional Parks District provides backpacks for patron checkout; Friends of the Albany Library raises funds for the Library; Albany Film Festival shows films for the public; and the YMCA sponsors speakers for the Brown Bag Series. Albany Library programming includes crafts, technology, literature, poetry, exercise, films, programs for children and teens, and special summer programs.

### 8-1. Review of Advisory Body Work Plans

Staff recommendation: that the Council:

1. Receive presentations regarding the work plans developed by the Library Board and the Planning & Zoning Commission
2. Provide any comments or direction regarding the proposed work plans
3. Approve work plans for implementation by the Advisory Bodies

Sarah Levin, Library Board Chair, reported recent initiatives include advising the City Council regarding the contract with the County of Alameda and appointment of a board member as representative to the Alameda County Library Advisory Commission. Over the next two years, the Library Board will work with the Alameda Library Manager to prepare recommendations for expenditure of the Young bequest; support and promote the Albany Library in the community; advocate for state and national library issues; and explore and/or encourage potential partnerships within the community.

A summary of Council comments is as follows: support for the community partnerships with the Albany Library.

Elizabeth Watty, Planning & Zoning Commission Chair, reported the Planning & Zoning Commission has adopted Residential Design Guidelines; amended the parking ordinance, cannabis regulations, and the density bonus ordinance; made recommendations regarding the City's Economic Development Plan; amended commercial parking standards, permitted use tables, and Code provisions regarding side yard encroachments and unit per land area requirements over the past two years. The Planning Department processed 80 planning applications in 2017 and 91 applications in 2018. Initiatives for the next two years are to implement Housing Element policies, amend the sign ordinance, review historical policies, and prepare a soft story ordinance. Other work includes the San Pablo Avenue Design Guidelines, review of cannabis regulations, and implementation of State housing policies.

The following person spoke: Speaker.

A summary of comments is as follows: a question of would the Planning & Zoning Commission or the City Council initiate a proposal to provide homeowners funding to construct an accessory dwelling unit (ADU) with a requirement for the ADU to be rented at affordable rates.

### **MOTION:**

Moved by Council Member Maass, seconded by Council Member Barnes, to approve the 2019-2021 Work Plans for the Library Board and the Planning & Zoning Commission.

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

NOES: None

ABSENT: Council Member Pilch



## ALBANY CITY COUNCIL – MINUTES

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---

Motion carried and so ordered.

### 9. PUBLIC HEARING

- 9-1. Resolution No. 2019-38 – A Resolution of the Albany City Council Amending the City of Albany Master Fee Schedule

Staff recommendation: that the Council adopt Resolution No. 2019-38 – A Resolution of the Albany City Council amending the City of Albany Master Fee Schedule

Finance Director Rowden presented the staff report. The amount of fees is determined by the cost the City incurs to provide the services, programs, or facilities. Some fees are increased based on the Consumer Price Index (CPI). Recreation staff proposes removal of the Memorial Park basketball court fee, a new fee for pickleball rentals, and increasing the fee for the Multiuse Room at the Senior Center to align with fees charged for other rooms.

The following person spoke: Speaker.

A summary of comments is as follows: a request for the rationale for including staff time in the fees and for the definition of affordable housing as used in the schedule and questions about specific fees.

#### **MOTION:**

Moved by Vice Mayor McQuaid, seconded by Council Member Maass, to adopt Resolution No. 2019-38 – A Resolution of the Albany City Council amending the City of Albany Master Fee Schedule.

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

NOES: None

ABSENT: Council Member Pilch

Motion carried and so ordered.

### 10. UNFINISHED BUSINESS

### 11. NEW BUSINESS

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

#### 12-1. Upcoming City Events

Blood Drive, Tuesday, June 4, 9:30 AM – 3:00 PM, Albany Community Center

Children's Book, Toy and Puzzle Swap, Sunday, June 9, 9:00 AM – 11:00 AM, Albany Community Center

#### 12-2. Upcoming City Meetings

Social & Economic Justice Commission, Tuesday, June 4, 7:30 PM, City Hall Council Chambers



## ALBANY CITY COUNCIL – MINUTES

City Hall Council Chambers  
1000 San Pablo Avenue, Albany, CA  
Monday, June 3, 2019

---

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

Planning & Zoning Commission, Wednesday, June 12, 7 PM, City Hall Council Chambers


Parks, Recreation & Open Space Commission, Thursday, June 13, 7 PM, City Hall Council Chambers

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

### 13. ADJOURNMENT

9:09 p.m. There being no further business before the City Council, Mayor Nason adjourned the meeting.

Minutes submitted by Anne Hsu, City Clerk.



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Rochelle Nason  
Mayor

Attest:



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Anne Hsu, City Clerk