



ALBANY CITY COUNCIL

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

AGENDA

MONDAY, OCTOBER 21, 2019, 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 gender identity, their abilities, their economic status, or how they vote. We honor the Native people who were the original stewards of this land.

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 / 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, October 7, 2019

Staff recommendation: Approve

5-2. Ratification of Payroll - Payroll Period: 10/11/2019; Net Payroll: \$306,771.61; Taxes, Benefits, Withholdings: \$305,374.04; Total: \$612,145.65

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: \$854,194.43 (10/4/2019)

Staff recommendation: Ratify



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5-4. Governor Newsom's Veto Letter on SB 5

Mayor Nason recommendation: information only

5-5. Amendment No. 1 to the Employment Agreement for City Manager Services

Staff recommendation: that the Council adopt Resolution No. 2019-88 approving Amendment No. 1 to the Employment Agreement for City Manager Services

5-6. Proclamation – Breast Cancer Awareness Month 2019

Staff recommendation: that the Council approve the Proclamation for Breast Cancer Awareness Month 2019

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 SUBCOMMITTEE REPORTS, COUNCIL MEMBER REPORTS ON APPOINTED REPRESENTATION OF ALBANY, AND OTHER MEETINGS AND EVENTS

Council Subcommittees report, if they have met, and Council Members provide reports on any local, state or regional government meetings at which they have represented the City of Albany. Council members may provide reports on any meetings and/or community events and activities they have attended or plan to attend that they believe may be of interest to the Council, staff, or public. The Mayor may invite citizens who represent Albany at such meetings to report as well.

Council Members are encouraged to provide staff with links and/or a written report of meetings attended in advance of the posting of the Council agenda to include with the agenda materials. The Council shall have the authority to take action regarding any agendaized written recommendations provided under this agenda category as needed.

7-1. City Council Subcommittees:

A. Community Inclusivity Subcommittee Report



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Council Subcommittees	Subcommittee Members
Albany Waterfront Park (Albany Bulb)	Nason & McQuaid
Alta Bates Hospital	Nason & McQuaid
Community Inclusivity	Nason & McQuaid
San Pablo Avenue Corridor Project	Nason & Pilch
Youth Engagement	McQuaid & Maass

7-2. City Council Appointed Representation of Albany:

A. Mayor Nason Report

Bodies	Appointee	Alternate
Alameda County Mayors' Conference	Nason	McQuaid
Alameda County Transportation Commission	Nason	Pilch
Alameda County Waste Management Authority	Nason	Maass
Association of Bay Area Government	Pilch	Barnes
East Bay Community Energy JPA Board	Pilch	McQuaid
East Bay Sports Field Recreational Authority JPA	Maass	Barnes
Housing Authority of Alameda County	McQuaid	N/A
League of California Cities (East Bay)	McQuaid	Barnes
Alameda County Library Advisory Commission	Amy Apel	
Berkeley/Albany Mental Health Board	Erlinda Castro & (Vacant)	
City/AUSD/UC - 2X2X2	Nason	McQuaid
Police & Fire Pension Fund Board	Nason	McQuaid

7-3. City Council Meetings and Events:

8. CITY MANAGER REPORT

The City Manager provides verbal and/or written reports regarding matters of interest to the Council.

9. PRESENTATION

10. PUBLIC HEARING

10-1. Ordinance No. 2019-08, Amending Chapter XIV "Work on Public Property" of the Albany Municipal Code regarding Small Wireless Facilities – First Reading

Staff recommendation: that the Council:

1. Introduce Ordinance No. 2019-08 for first reading, amending Chapter XIV "Work on Public Property" of the Albany Municipal Code



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2. Adopt Resolution No. 2019-85 approving submittal requirements for small wireless facilities in the public right-of-way

11. UNFINISHED BUSINESS

11-1. Final Plans for Phase IV of the Lower Codornices Creek Restoration Project

Staff recommendation: that the Council adopt Resolution 2019-86 accepting Phase IV plans for the Lower Codornices Creek Restoration Project and authorizing staff to identify funding for project construction

12. NEW BUSINESS

12-1. Request by the Social and Economic Justice Commission to Amend the 2019-2021 Work Plan and to Increase the Commission Membership

Social and Economic Justice Commission recommendation: that the Council:

1. Approve the Social and Economic Justice Commission request to amend the Commission's 2019-2021 Work Plan to include the development of a plan for a housing forum to educate Albany on new housing laws, solicit and explore different voices on how the City can be best positioned to respond, learn about the nature of the "housing crisis", housing affordability and the impact of housing cost on people experiencing homelessness
2. Authorize an increase to the Social and Economic Justice Commission membership to include 2 at-large members with emphasis on appointing members that represent the diversity of the City and a student-age member

Staff recommendation: that the Council provide staff with directions regarding the recommendation from the Social and Economic Justice Commission. If Council:

1. Approve the SEJC Work Plan amendment to include the implementation and organization of a housing forum. Staff recommends that Council direct the SEJC to identify the exact scope of the forum and direct staff to identify the associated budget and funding source for the forum for review by the Council at a future meeting
2. Authorize an increase to the Social and Economic Justice Commission membership with emphasis on appointing members that represent the diversity of the City and a student-age member, staff will prepare a resolution based on specific Council direction for adoption at the next Council meeting

12-2. Update to Donation Acceptance Policy

Staff recommendation: that the Council adopt Resolution No. 2019-87, approving an update to the City's Donation Acceptance Policy



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13. FUTURE AGENDA ITEMS

Council Members and City Manager note upcoming agenda items that may be of interest to the Council, staff, or public. Council Members may request that items be placed on a future agenda. No public comment will be taken on future agenda items.

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

No public comment will be taken on announcement of future City meetings and events.

14-1. Upcoming City Events

- A. Halloween Carnival, Friday, October 25, 6:30 PM – 8:30 PM, Albany Community Center
- B. Diwali Dance Party in the Park, Saturday, October 26, 11:00 AM – 12:00 PM, Memorial Park
- C. Albany CERT Community Meeting, Wednesday, October 30, 7:00 PM – 8:30 PM, Albany Senior Center

14-2. Upcoming City Meetings

- A. Planning & Zoning Commission, Wednesday, October 23, 7:00 PM, City Hall Council Chambers
- B. Traffic & Safety Commission, Thursday, October 24, 7:00 PM, City Hall Council Chambers
- C. Community Media Access Committee, Monday, October 28, 6:00 PM, City Hall Council Chambers
- D. City Council, Monday, November 4, 7:30 PM, City Hall Council Chambers

15. 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. 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



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item or meeting procedure, please contact the City Clerk's Office at 1 + (510) 528-5710 or 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.

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 1 + (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 or City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.