



## ALBANY CITY COUNCIL – MINUTES

Virtual Meeting  
Albany, CA 94706  
Monday, May 4, 2020

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**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, Maass, and Nason, Vice Mayor McQuaid, Mayor Pilch  
Absent: None

**3. CEREMONIAL MATTERS**

Mayor Pilch and Vice Mayor McQuaid read statements regarding the public health order and new procedures and practices in City departments.

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

**5. CONSENT CALENDAR**

**5-1. Minutes, April 20, 2020**

Staff recommendation: Approve

**5-2. Ratification of Payroll – Payroll Period: 4/24/2020; Net Payroll: \$293,677.35; Taxes, Benefits, Withholdings: \$320,246.63; Total: \$613,923.98**

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: \$464,418.64 (4/16/2020); \$52,222.55 (4/24/2020)**

Staff recommendation: Ratify

**5-4. LEAP (Local Early Action Planning) Grant Application Request**

Staff recommendation: that the Council adopt Resolution No. 2020-37 authorizing the City Manager to apply for and submit to the State Department of Housing & Community Development the LEAP grant application package

**5-5. Waste Management of Alameda County Annual Rate Adjustment Request**

Staff recommendation: that the Council accept the annual rate adjustment of 2.29% pursuant to the terms of the Collection Services Franchise Agreement with Waste Management of Alameda County



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**5-6.** Ground Lease with the Albany Unified School District on City-Owned Property Adjacent to Albany High School

Staff recommendation: that the Council adopt Resolution No. 2020-39 authorizing the City Manager to enter into a Ground Lease with the Albany Unified School District to allow placement of three temporary buildings, storage containers, portable toilets, on City-owned property adjacent to Albany High School

**5-7.** Proclamation – Public Service Recognition Week

Staff recommendation: that the Council adopt the proclamation to honor Public Service Recognition Week May 3-9, 2020

**5-8.** Resolution – Recognition of Reserve Police Officer Jeffrey Nelson

Staff recommendation: that the Council adopt Resolution No. 2020-40 in honor of Jeffrey Nelson's 25 years of service as a Reserve Police Officer with the City of Albany

**5-9.** Letter to Governor Newsom for COVID-19 Financial Assistance

Mayor Pilch & Vice Mayor McQuaid recommendation: that the Council note and file the letter as submitted

Mayor Pilch asked if anyone wishes to remove an item from the consent calendar. Mayor Pilch removed Items 5-5 and 5-8, and City Manager Almaguer removed Item 5-7.

Item 5-5: Mayor Pilch reported Waste Management is currently operating under *force majeure* and combining recyclables with trash.

Item 5-7: City Manager Nicole Almaguer recognized City staff for their routine work and special efforts under the public health order.

Item 5-8: Mayor Pilch and Vice Mayor McQuaid recognized Reserve Police Officer Nelson's service.

**MOTION:**

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

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

NOES: None

Motion carried and so ordered.

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

Mayor Pilch opened the Good of the City.

A summary of public comments is as follows: the City needs to provide shower facilities in Albany and an offer to purchase and donate a portable heated shower to the City.



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**7. COUNCIL SUBCOMMITTEE REPORTS, COUNCIL MEMBER REPORTS ON APPOINTED REPRESENTATION OF ALBANY AND OTHER MTGS AND EVENTS**

**7-1. City Council Subcommittees:**

<b>Council Subcommittees</b>	<b>Subcommittee Members</b>	<b>Last Report Date</b>
Albany Waterfront Park (Albany Bulb)	Nason & McQuaid	12/02/2019
Alta Bates Hospital	Pilch & McQuaid	11/18/2019
Cannabis Ordinance	Maass & Pilch	3/2/2020
Community Inclusivity	Pilch & McQuaid	10/21/2019
San Pablo Avenue Corridor Project	Nason & Pilch	10/07/2019
Youth Engagement	McQuaid & Maass	02/18/2020

**7-2. City Council Appointed Representation of Albany:**

<b>Bodies</b>	<b>Appointee</b>	<b>Alternate</b>
Alameda County Mayors' Conference	Pilch	McQuaid
Alameda County Transportation Commission	Pilch	Nason
Alameda County Waste Management Authority	Pilch	Maass
Association of Bay Area Government	Maass	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	Sarah Levin
Berkeley/Albany Mental Health Board	(Vacant)	
City/AUSD/UC - 2X2X2	Pilch	McQuaid
Police & Fire Pension Fund Board	Pilch	McQuaid
Alameda County Paratransit Advisory & Planning Committee (PAPCO)	Margaret Patterson	N/A

**7-3. City Council Meetings and Events**

Vice Mayor McQuaid reported she viewed webinars from the League of California Cities and the Institute of Local Government, held a quarterly community leadership meeting via Zoom, participated in business resiliency conference calls with staff and the Mayor, and attended meetings of the Police & Fire Pension Fund Board and the Community Emergency Response Team (CERT). The Alta Bates Task Force is not meeting, but Berkeley Vice Mayor Hahn published an article on the potential closure of Alta Bates Hospital in *CalMatters*.

Mayor Pilch reported he attended weekly phone calls with the Alameda County Public Health Department, an East Bay Community Energy (EBCE) Board of Directors meeting, and a Waste Management Authority meeting. The EBCE Board of Directors approved a restructuring of



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programs to offset the financial impacts of the pandemic and declined PG&E's offer of electricity generated by nuclear power.

### 8. CITY MANAGER REPORT

City Manager Almaguer reported Public Works and contractor crews are filling potholes. The City's graffiti contractor is working on Solano and San Pablo. Sewer cleaning and inspection work will begin this week. Staff continues to practice social distancing and wear face masks. The Recreation Department is offering an online virtual community center.

### 9. PRESENTATION

#### 9-1. Public Opinion Survey Presentation

Staff recommendation: that the Council receive a presentation regarding the results of the Public Opinion Survey conducted by Godbe Research regarding possible revenue measures for the November 2020 Election and provide direction to staff on what ballot measures should be further developed for Council review.

City Manager Almaguer presented the staff report.

Bryan Godbe, Godbe Research, reported the survey was conducted between March 25 and 31, 2020, and 429 surveys were completed. Questions tested ballot measures for increasing the real property transfer tax rate from \$11.50 to \$15; increasing the current Paramedic Advanced Life Support, Fire Engine and Ambulance Service tax from \$22.90 to \$98 per residential unit; and increasing the existing Utility Users' Tax rate from 7% to 8% and extending the tax to water service. After a detailed review of survey responses, Mr. Godbe advised that there is solid support for increasing the real estate transfer tax and the Utility Users' Tax. Support for increasing the parcel tax to \$98 and \$88 did not reach two-thirds, but support for a rate of \$68 reached two-thirds.

A summary of public comments is as follows: a recommendation to utilize a tiered property transfer tax rate, opposition to increasing the Utility Users' Tax, and a reminder to exempt low-income households; more transparency on tax increases is needed.

A summary of Council comments is as follows: survey results are positive; support for increasing the real property transfer tax; additional funding is needed for the pension liability primarily, but the survey did not indicate that; a preference to do more financial work and planning before considering a tax measure; a request for more information about the three tax measures; a suggestion to refer the Utility Users' Tax proposal to the Climate Action Committee.

#### 9-2. Pension Liabilities Update

Staff recommendation: that the Council receive a presentation regarding the current and future pension obligations



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Finance Director Heather Rowden presented the staff report. Police and Fire City Pension Plan payments total approximately \$1.25 million per year, and the June 30, 2018 valuation reflects an outstanding liability of \$11,782,911. The City's California Public Employees' Retirement System (CalPERS) contribution totaled \$1.5 million in FY 2017-18, \$1.1 million in FY 2018-19, and \$1.2 million year to date. The City's projected unfunded liability payment totals \$2.1 million in FY 2020-21 and increases to \$5.2 million in FY 2029-30. The City's pension contribution and unfunded liability payment are annual expenses. CalPERS rates and unfunded liability payments are based on an amortization schedule, discount rate, risk analysis, investment earnings, and salary increases. The City's pension obligations are currently funded from the General Fund, special revenue funds, and pension tax override but could be funded through pension obligations bonds or a 115 trust.

A summary of public comments is as follows: an increase in the pension tax override would not be large and questions about the unfunded liability and beneficiaries of the Police and Fire City Pension Plan and the division of ad valorem taxes.

Finance Director Rowland explained that beneficiaries of the Police and Fire City Pension Plan are restricted to spouses and receive payments for the remainder of their lives. The ten-year chart for the unfunded liability pertains to CalPERS payments only. The ad valorem tax is composed of 30.01% bond and 69.98% pension.

A summary of Council comments is as follows: support for considering an increase in the pension tax override before increasing taxes; support for increasing the pension tax override; unrestricted funds are preferable to restricted funds.

### **10. PUBLIC HEARING**

### **11. UNFINISHED BUSINESS**

### **12. NEW BUSINESS**

#### **12-1. Capital Reserve Fund Policy**

Staff recommendation: that the Council adopt Resolution No. 2020-38 to:

1. Establish a Capital Reserve Fund Policy; and
2. Dissolve particular existing City reserve funds, including the Insurance and Compensated Absences Internal Service Funds and reallocate funds to the Capital Reserve Funds

Finance Director Rowden presented the staff report. Asset replacement can be funded with a bond, savings, or a combination of the two. Staff will prepare an asset replacement schedule and proposes establishing reserve funds to pay for future costs.

A summary of Council comments is as follows: a preference not to designate separate reserve funds; support for separate reserve funds so that departments understand the funds available to them.



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**MOTION:**

Moved by Council Member Barnes, seconded by Vice Mayor McQuaid, to adopt Resolution No. 2020-38 dissolving current City reserve funds, including the Insurance and Compensated Absences Internal Service Funds, reallocating funds to the Capital Reserve Funds, and establishing a Capital Reserve Fund Policy.

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

NOES: None

Motion carried and so ordered.

**13. FUTURE AGENDA ITEMS**

Mayor Pilch noted an item regarding ranked choice voting will be on the agenda for the next Council meeting.

**14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS**

**14-1.** Upcoming City Events – None

**14-2.** Upcoming City Meetings

A. Social & Economic Justice Commission Meeting, Tuesday, May 5, 7:30 PM, Virtual Meeting via phone/video conferencing

B. Parks, Recreation & Open Space Commission Special Meeting, Thursday, May 7, 7:00 PM, Virtual Meeting via phone/video conferencing

C. City Council Special and Regular Meeting, Monday, May 18, 6:00 PM, Virtual Meeting via phone/video conferencing


**14. ADJOURNMENT**

10:06 p.m. There being no further business before the City Council, Mayor Pilch adjourned the meeting.

Minutes submitted by Anne Hsu, City Clerk.

  
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Nick Pilch  
Mayor

Attest:

  
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Anne Hsu, City Clerk