



ALBANY CITY COUNCIL

Virtual Meeting
Albany, CA 94706

SPECIAL & REGULAR MEETING AGENDA

MONDAY, APRIL 5, 2021

6:15 PM Special Meeting

7:00 PM Regular Meeting

COVID-19 NOTICE – PUBLIC MEETING GUIDELINES

Consistent with Executive Orders No. N-29-20 from the Executive Department of the State of California and the Alameda County Health Officer's Shelter in Place Order effective March 17, 2020, the City Hall will not be open to the public and the City Council will be participating in City Council meetings via phone/video conferencing. The public is invited to watch and submit comments via the methods below:

How to watch the meeting from home:

1. Meetings are streamed live and recorded on [YouTube](http://www.YouTube.com/AlbanyKALB) (www.YouTube.com/AlbanyKALB)
2. To listen to the meeting by phone, please call at the noticed meeting time 1 (669) 900-9128, then enter Webinar ID 979 7011 4482, follow by "#". When asked for a participant id or code, press "#". Instructions on how to join a meeting by phone are available at <https://support.zoom.us/hc/en-us/articles/201362663>
3. To observe the meeting by video conference, please go to <https://zoom.us/s/97970114482> at the noticed meeting time. Instructions on how to join a meeting by video conference is available at <https://support.zoom.us/hc/en-us/articles/201362193%20>
4. Recorded meetings will be available for viewing on City Website within 48 hours after the meeting. <https://www.albanyca.org/recreation/kalb-community-media/city-video-public-meetings> or YouTube (www.YouTube.com/AlbanyKALB)

How to submit Public Comment:

1. Members of the public may submit comments in writing by emailing the City Council citycouncil@albanyca.org with the Agenda item number clearly identified in the subject line of the email or by mail to City of Albany – Meeting Comments, 1000 San Pablo Avenue, Albany, CA 94706. All written comments received by 5 PM on the day of the meeting will be provided to the City Council and posted on the website. Other written comments received after 5 PM that address an item on the agenda will still be provided to the City Council and be included as part of the meeting record.
 2. To comment by video conference, click the "Raise Your Hand" button to request to speak when Public Comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. After the allotted time, you will then be re-muted. Instructions of how to "Raise Your Hand" is available at <https://support.zoom.us/hc/en-us/articles/205566129%0D-Raise-Hand-In-Webinar>
 3. To comment by phone, you will be prompted to "Raise Your Hand" by pressing "*9" to request to speak when public comment is being taken on the Agenda item. You will then be unmuted when it is your turn to make your comment for up to 3 minutes. You will be re-muted after the allotted time.
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SPECIAL MEETING: 6:15 PM

1. **CALL TO ORDER/ROLL CALL**
2. **CLOSED SESSION**
 - 2-1. Conference with Legal Counsel – Anticipated Litigation
Government Code Section 54956.9(d)(2) (1 case)
3. **ADJOURNMENT OF SPECIAL MEETING**

REGULAR MEETING: 7:00 PM

1. **CALL TO ORDER**
2. **ROLL CALL**
3. **REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY**

No public comment will be taken.
4. **CEREMONIAL MATTERS**
 - 4-1. Proclamation – National Victims’ Rights Week
5. **CITY MANAGER REPORT**

The City Manager provides verbal and/or written reports regarding matters of interest to the Council. No public comment will be taken.
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.

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. **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



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discussion on these items unless a Council Member or a member of the audience requests removal of the items from the Consent Calendar.

7-1. Minutes, March 15, 2021

Staff recommendation: Approve

7-2. Ratification of Payroll – Date Paid 3/12/21, Net Amount: \$325,153.63, Withholding, Deductions: \$342,004.23, Gross Payroll: \$666,157.86; Date Paid 3/26/21, Net Amount: \$291,962.85, Withholding, Deductions: \$322,653.03, Gross Payroll: \$614,615.88

Staff recommendation: Ratify

7-3. Ratification of Bills, Claims and Demands - Ratification of bills, claims and demands against the City of Albany in the amount of \$281,020.45 (3/12/21), \$131,872.28 (3/19/21), \$357,189.66 (3/26/21)

Staff recommendation: Ratify

7-4. Proposed Code Addition to Albany Municipal Code Section 2-30.10 Electronic Filing of Campaign Statements – Pass to Print

Staff recommendation: that the Council adopt Ordinance No. 2021-03, adding Section 2-30.10 Electronic Filing of Campaign Statements to Albany Municipal Code – Pass to Print

7-5. Fire Department Vehicle Replacement Purchase

Staff recommendation: that the Council adopt Resolution No. 2021-28, authorizing the appropriation of \$69,000 from Fire Department Equipment Reserve funds for the purchase and outfitting of one 2022 Chevrolet Silverado 1500

7-6. Encroachment Permit Fee Waiver for Berkeley Humane Society

Staff recommendation: that the Council adopt Resolution No. 2021-29, approving an encroachment permit fee waiver for the Berkeley Humane Society for three years

7-7. CIP Project No. 32000 – 2020 Sanitary Sewer Rehabilitation Project – Phase B Closeout (Contract No. C20-46) and Filing of Notice of Completion

Staff recommendation: that the Council adopt Resolution No. 2021-30, authorizing the City Manager to approve the final contract change order, to accept the improvements completed in Contract No. C20-46 (2020 Sanitary Sewer



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Rehabilitation Project – Phase B) and file the Notice of Completion with the County Recorder's Office

- 7-8.** Masonic Intersections/Ohlone Greenway Trail Safety Improvements Project (CIP No. 25007) – Authorization to File an Application with MTC for TDA Article 3 Funding

Staff recommendation: that the Council adopt Resolution No. 2021-31:

1. Authorizing staff to execute and file an application for the Transportation Development Act (TDA) Article 3 funding with the Metropolitan Transportation Commission (MTC) for the Masonic Intersections/Ohlone Greenway Trail Safety Improvements Project (CIP No. 25007); and
2. Appropriating said funds in the amount of \$109,083; and
3. Adjusting the project budget to incorporate this funding source in the amount noted

- 7-9.** Contract No. C21-21 Amendment 1: CIP Project Management Support Services

Staff recommendation: that the Council adopt Resolution No. 2021-32, authorizing the City Manager to execute Amendment No. 1 to Contract No. C21-21 with Zoon Engineering in amount of \$100,000 from previously appropriated fund within the City's Capital Improvement Plan and the Public Works operating budget

- 7-10.** 2021-2022 Advisory Bodies Appointments

Charter Review Committee - Miles Tepper (Tiedemann)
Financial Advisory Committee – Anne Benker (Tiedemann)

Staff Recommendation: Information Only

- 8. PRESENTATION – None**

9. PUBLIC HEARING

- 9-1.** Proposed Urgency Ordinance – Grocery Workers Premium Pay

Staff recommendation: that the Council decide whether to adopt by 4/5ths vote Urgency Ordinance No. 2021-04, establishing requirements for premium pay for grocery workers in the City of Albany

- 9-2.** Urgency Ordinance – Extending the Commercial Moratorium on Evictions for Nonpayment of Rent and Rent Increases during COVID-19 Pandemic

Staff recommendation: that the Council adopt Urgency Ordinance No. 2021-05, extending the temporary moratorium on evictions due to nonpayment of rent and



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rent increases for certain commercial tenants during the COVID-19 pandemic and setting forth the facts constituting such urgency

10. UNFINISHED BUSINESS

11. NEW BUSINESS

11-1. Free Laundry Program

Mayor Gary recommendation: that the City Council fund the Free Laundry program for the next year at a rate of \$1250 a month or \$15,000 for the year

11-2. Police Community Relations Advisory Committee

Mayor Gary recommendation: that the City Council approve the adoption of the City of Albany Police Community Relations Advisory Committee. The committee is charged with offering advice to the City Council and to the Police Chief, based upon the committee's engagement with public comments and questions, in order to help the City plan and budget for public safety and to help the Chief continue to improve the department's responsiveness to community needs

12. 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.

City Council Appointed Representation Bodies	Appointee	Alternate
Alameda County Mayors' Conference	Gary	Jordan
Alameda County Transportation Commission	Nason	Jordan
Alameda County Waste Management Authority	Jordan	Nason
Association of Bay Area Government	Tiedemann	Gary
East Bay Community Energy JPA Board	Tiedemann	Jordan
East Bay Sports Field Recreational Authority JPA	Nason	Gary
Housing Authority of Alameda County	McQuaid	N/A
League of California Cities (East Bay)	McQuaid	Tiedemann
Alameda County Mosquito Abatement District	Jordan	Tiedemann



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Alta Bates Hospital Task Force	McQuaid	Nason
Alameda County Library Advisory Commission	Gary	(vacant)
City/AUSD/UC - 2X2X2	Gary	Jordan
Police & Fire Pension Fund Board	Gary	McQuaid
Alameda County Paratransit Advisory & Planning Committee (PAPCO)	(vacant)	N/A

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.

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

Information available on City website <https://www.albanyca.org/our-city/city-calendar> City Calendar web page. No public comment will be taken.

14-1. Upcoming City Events – please check on City website www.albanyca.org under City Calendar web page for up-to-date information

14-2. Upcoming City Meetings

- A. Social & Economic Justice Commission Meeting, Tuesday, April 6, 7:00 PM, Virtual Meeting via phone/video conferencing
- B. Financial Advisory Committee Special Meeting, Wednesday, April 7, 7:00 PM, Virtual Meeting via phone/video conferencing
- C. Parks, Recreation & Open Space Commission Meeting, Thursday, April 8, 7:00 PM, Virtual Meeting via phone/video conferencing
- D. Arts Committee Meeting, Monday, April 12, 7:00 PM, Virtual Meeting via phone/video conferencing
- E. Planning & Zoning Commission Meeting, Wednesday, April 14, 7:00 PM, Virtual Meeting via phone/video conferencing
- F. Charter Review Committee Special Meeting, Thursday, April 15, 7:00 PM, Virtual Meeting via phone/video conferencing
- G. City Council Meeting, Monday, April 19, 7:00 PM, Virtual Meeting via phone/video conferencing

15. ADJOURNMENT



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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 online or via email request. If you have any questions pertaining to any agenda 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 where possible 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



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the meeting where possible. Request should be sent to: cityclerk@albanyca.org or City Clerk, 1000 San Pablo Avenue, Albany, CA 94706.