



ALBANY CITY COUNCIL

Virtual Meeting
Albany, CA 94706
Monday, October 4, 2021

AGENDA

MONDAY, OCTOBER 4, 2021

6:00 PM Special Meeting

7:00 PM Regular Meeting

COVID-19 NOTICE – PUBLIC MEETING GUIDELINES

Consistent with California Assembly Bill 361, given the proclaimed state of emergency and the Alameda County Health Care Services Agency Director's recommendation for continued social distancing for public meetings, which is also consistent with CalOSHA requirements for social distancing, the City Council will be participating in Council meetings via phone/video conferencing. The public is invited to watch, listen and submit comments via the methods below:

How to watch or listen to the meeting:

1. Meetings are streamed live and recorded for viewing on City website www.albanysca.org/meetings or on YouTube www.YouTube.com/AlbanyKALB
2. To observe the meeting by video conference, please go to <https://zoom.us/j/97970114482>.
3. To listen to the meeting by phone, dial 1 (669) 900-9128, enter Webinar ID 979 7011 4482, followed by #. When asked for a participant ID, press # again.

How to submit Public Comment:

1. Members of the public may submit comments in writing by emailing the City Council citycouncil@albanysca.org with the Agenda item number clearly identified in the subject line of the email. Comments may also be submitted 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 before the meeting and posted on the website. Other written comments received after 5PM 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 during public comment period. You will be asked to unmute yourself when it is your turn to make your comment. After the allotted time, you will then be re-muted.
 3. To comment by phone, you will “Raise Your Hand” by pressing *9 to request to speak during public comment period. When it is your turn to make your comment, you will be asked to unmuted by pressing *6. You will be re-muted after the allotted time.
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SPECIAL MEETING: 6:00 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) (2 cases)
3. **ADJOURNMENT OF SPECIAL MEETING**



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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 Fire Prevention 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 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 – September 14, 2021 & September 20, 2021

Staff recommendation: Approve

7-2. Ratification of Payroll – Date Paid 9/24/2021 Net Amount \$368,575.71, Taxes/Benefits/Deductions \$375,778.98, Total Payroll \$744,354.69

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 \$60,027.82 (9/17/2021),



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\$131,906.92 (9/24/2021)

Staff recommendation: Ratify

- 7-4.** Authorization to Accept & Appropriate Alameda County Transportation Commission (ACTC) 2022 Comprehensive Investment Plan Grant Funding for Phase IV of the Codornices Creek Restoration Project (CIP No. 43001)

Staff recommendation: that the Council adopt Resolution No. 2021-97:

1. Accepting grant funding in the amount of \$826,000 programmed by ACTC for Phase IV of the Codornices Creek Restoration Project (CIP No. 43001) through the Alameda County Transportation Commission 2022 Comprehensive Investment Plan; and
2. Authorizing the City Manager to execute the grant agreement with ACTC; and
3. Appropriating the grant funding towards the project, which will be provided to the City on a reimbursement basis for work performed

- 7-5.** Call for Bids for the Washington Avenue Pavement Rehabilitation Phase II Project (Contract No. C21-49)

Staff recommendation: that the Council adopt Resolution No. 2021-98:, authorizing the City Manager to approve a Call for Bids for construction of Phase II of the Washington Avenue Pavement Rehabilitation Project (Contract No. C21-49)

- 7-6.** Call for Artists for Albany Creative Justice Art Project

Staff recommendation: that the Council authorize the release of a Call for Artists for a Creative Justice Art Project and adopt Resolution No. 2021-99, increasing the allocation of art in Public Places funds for the Creative Justice Art Project in an amount not-to-exceed \$30,000

- 7-7.** Resolution in support of Afghan Refugees and the People of Afghanistan

Council Member McQuaid recommendation: that the Council adopt Resolution No. 2021-96 in support of Afghan refugees and the people of Afghanistan and their families

8. PRESENTATION

- 8-1.** Review of Advisory Body Work Plan

Staff recommendation: that the Council:

1. Receive presentation regarding the work plan developed by the Community Media Access Committee
2. Provide any comments or direction regarding the proposed work plan
3. Approve work plan for implementation by the Advisory Body



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9. PUBLIC HEARING

10. UNFINISHED BUSINESS

10-1. Community Task Force on Policing Request for Creation of a Public Safety Accountability Commission

Community Task Force on Policing recommendation: that the Council approve the creation of the Albany Public Safety Accountability Commission and to fund a consultant with expertise in police complaints to work with the Commission, effective January 1, 2022 or April 1, 2022 if the Task Force is extended

Staff recommendation: that the Council review the request as submitted by the Community Task Force on Policing and provide direction on next steps

10-2. New Street Trees Paid for with Measure DD Revenue

Vice Mayor Jordan recommendation: that the Council direct staff to prepare a resolution to:

1. Remove the charge for new street trees and concrete removal for planting them from the Master Fee Schedule in order to make them free to requestors
2. Provide a watering bag with each new street tree as appropriate to the species
3. Pay for these with Measure DD Revenue

10-3. Racial Equity and Community Satisfaction Survey Follow-Up

Staff recommendation: that the Council receive information regarding the opportunity to conduct a racial equity and community satisfaction survey and provide direction on next steps

10-4. Public Comment on Reports

Vice Mayor Jordan recommendation: that the Council adopt the proposed amendments in its Procedures & Policies to provide each attendee one minute to comment on each report

11. NEW BUSINESS

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



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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
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.

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

Upcoming City Meetings

1. Social & Economic Justice Commission Meeting, Tuesday, October 5, 7:00 PM, Virtual Meeting via phone/video conferencing
2. Economic Development Committee Meeting, Thursday, October 7, 5:00 PM, Virtual Meeting via phone/video conferencing



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3. Arts Committee Meeting, Monday, October 11, 7:00 PM, Virtual Meeting via phone/video conferencing
4. Planning & Zoning Commission Meeting, Wednesday, October 13, 7:00 PM, Virtual Meeting via phone/video conferencing
5. Parks, Recreation & Open Space Commission Meeting, Thursday, October 14, 7:00 PM, Virtual Meeting via phone/video conferencing
6. City Council Meeting, Monday, October 18, 7:00 PM, Virtual Meeting via phone/video conferencing

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 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.



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