



ALBANY CITY COUNCIL – MINUTES

Virtual Meeting

Albany, CA 94706

Tuesday, September 7, 2021

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER

2. ROLL CALL

Present: Council Members McQuaid, Nason, and Tiedemann, Vice Mayor Jordan,
Mayor Gary

Absent: None

3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY

City Attorney Mala Subramanian reported no reportable action from the Council's closed session on August 4, 2021.

4. CEREMONIAL MATTERS

5. CITY MANAGER REPORT

City Manager Nicole Almaguer reported the City is transitioning software providers for online agendas and packets and demonstrated the new software. Albany Local Week is September 18-26. A community survey of the best day ever in Albany is available at albanyca.org/albanylocalweek. Fire Department personnel have been deployed to the Caldor Fire. PG&E's moratorium on disconnection for nonpayment will end on September 30, and assistance may be found at ebce.org. Staff plans to remove nine eucalyptus trees on Albany Hill in September and to present an update to the Council in October. October is National Preparedness Month, and information can be found at ready.gov and albanyca.org/disasterprep. September is Senior Center Month. Senior Center staff continue to deliver meals, groceries, and necessities and offer a number of virtual activities.

6. GOOD OF THE CITY/PUBLIC COMMENT

Mayor Gary opened the Good of the City.

A summary of public comment is as follows: concerns about multiple long-term issues at 739 Madison Street; a request to relocate the trash receptacle at 1412 Solano Avenue; preferences for the City to require proof of COVID-19 vaccinations for entry to the Senior Center and a Zoom format that shows meeting attendees; and the Laundry Program is going well.

Mayor Gary noted that 51 persons are attending the meeting.

City Manager Almaguer indicated that staff relocated the trash receptacle and will engage with the individual regarding new concerns. The City has not altered the view format of Zoom meetings.



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7. CONSENT CALENDAR

7A. Minutes:

1. July 14, 2021
2. July 19, 2021
3. August 4, 2021

Staff recommendation: Approve

7B. Ratification of Payroll –

1. Date Paid 7/16/21 Net Amount \$326,860.47, Taxes/Benefits \$336,897.98, Total Payroll \$663,758.45
2. Date Paid 7/30/21 Net Amount \$353,125.03, Taxes/Benefits \$271,624.68, Total Payroll \$624,749.71
3. Date Paid 8/13/21 Net Amount \$379,959.94, Taxes/Benefits \$365,809.32, Total Payroll \$745,769.26
4. Date Paid 8/27/21 Net Amount \$379,543.54, Taxes/Benefits \$372,109.87, Total Payroll \$751,653.41

Staff recommendation: Ratify

7C. Ratification of Bills, Claims and Demands - Ratification of bills, claims and demands against the City of Albany in the amount of \$115,393.37 (7/16/21), \$2,814,814.12 (7/23/21), \$587,342.88 (7/30/21), \$208,061.25 (8/6/21), \$207,060.91 (8/13/21), \$278,714.56 (8/20/21)

Staff recommendation: Ratify

7D. Proclamation – National Suicide Prevention Awareness Month

Staff recommendation: that the Council recognize the month of September 2021 as National Suicide Prevention Awareness Month in the City of Albany

7E. League of California Cities 2021 Annual Conference Resolutions

Council Member McQuaid recommendation: that the Council support Resolution 1 and support Resolution 2 if amended

7F. City Council Strategic Plan July 2021 – December 2022

Staff recommendation: that the Council adopt Resolution No. 2021-84, approving the City Council Strategic Plan for the period of July 2021 – December 2022

7G. Request of a Memorial Plaque at Jewel's Terrace Park and Donation to the City



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Staff recommendation: that the Council adopt Resolution No. 2021-85, accepting a donation to the City for a memorial plaque to be installed at an existing bench at Jewel's Terrace Park

7H. Amendment to Contract for Solid Waste Procurement Consulting Services

Staff recommendation: that the Council adopt Resolution No. 2021-86, authorizing the City Manager to execute Amendment No. 1 to Contract No. C21-09 with HF&H Consulting, LLC for solid waste services procurement assistance, and appropriate \$313,900 from General Fund for all negotiation fees, future and past

7I. Vendor Selection for Qualified Hyperconverged Infrastructure (HCI) Firm to Assist with the Upgrade of the City's VMware Virtual Infrastructure to a Hyperconverged Infrastructure

Staff recommendation: that the Council adopt Resolution No. 2021-87, authorizing the City Manager to enter into a contract no-to-exceed \$238,394 with SHI International Corp. for the upgrade of the City's VMware virtual infrastructure to a Nutanix Hyperconverged Infrastructure and 5-year licensing fees for \$848,388

7J. Contract with Computer Courage for Information Technology Helpdesk Support Services

Staff recommendation: that the Council adopt Resolution No. 2021-88, authorizing the City Manager to enter in a two-year agreement, Contract No. C21-73, with Computer Courage for information technology professional support services in an amount not to exceed \$60,000 per year

7K. Acceptance of a Grant Award from the California State Coastal Conservancy

Staff recommendation: that the Council adopt Resolution No. 2021-90, authorizing the acceptance of a grant from the California State Coastal Conservancy

Mayor Gary asked if anyone wishes to remove items from the consent calendar. Council Member Nason removed Items 7E and 7F. Vice Mayor Jordan removed Item 7H. Mayor Gary removed Item 7I.

Item 7E: Council Member McQuaid advised that amendments for Resolution 2 have not been drafted. Language regarding homeless individuals needs to include assistance for them.

Item 7F: Council Member Nason suggested incorporating Item 1 into Item 2 under Goal 3 Objective 2.

Item 7H: Vice Mayor Jordan proposed revisions to the resolution.



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Item 7I: Information Technology Manager Victor Mba reported the majority of the cost pertains to licensing and support. Staff proposes a five-year contract because costs tend to increase annually. The amount appears to be extremely large because the contract consolidates licensing fees for various areas. The proposed solution will increase system efficiency, reliability, and security at a cost of \$45,000.

A summary of public comment is as follows: a streetlight at Talbot and Solano is out.

A summary of Council comment is as follows: the Council needs to reduce the number of items in the Strategic Plan; a suggestion to delete Item 2 under Goal 3 Objective 2; a suggestion to revise Item 1 to "prepare a plan for improvements and a prioritized list of projects for the Albany Waterfront Park and include in the CIP program;" a preference not to open discussion of the Strategic Plan; some items include more than one project; a proposal to extend the Strategic Plan to March 2023; and a proposal to change "urban village" to "city" in Goal 1.

MOTION:

Moved by Vice Mayor Jordan, seconded by Council Member Tiedemann, to approve the consent calendar with amendments to City Council Strategic Plan Goal 1 and Goal 3 Objective 2 as discussed and Resolution No. 2021-86 as provided.

AYES: Council Members McQuaid, Nason, and Tiedemann, Vice Mayor Jordan, Mayor Gary

NOES: None

Motion carried and so ordered.

8. PRESENTATION

8A. Review of Advisory Body Work Plans

Staff recommendation: that the Council:

1. Receive presentations regarding the work plan developed by the Economic Development Committee (EDC), Climate Action Committee (CAC), and Charter Review Committee (CRC)
2. Provide any comments or direction regarding the proposed work plan
3. Approve work plans for implementation by the Advisory Body

City Clerk Anne Hsu presented the staff report. Each Advisory Body will present their proposed work plans. Additional Advisory Body work plans will be presented over the next few Council meetings.

Tod Abbott, Economic Development Committee (EDC) Chair, reported outcomes from the previous work plan and items for the 2021-2023 work plan. A successful farmer's market is not likely because of the many nearby farmer's markets. Periodic events could attract people to the commercial district. The EDC has recommended the Council develop a data-driven business recruitment and retention plan, which would be valuable for providing input regarding potential business use of vacant properties. A business



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improvement district (BID) could be used to fund a local shuttle. Placing artwork in business windows is complicated, but a sculpture loan program for public spaces could be viable. Collaborate with other City committees and local organizations is an important statement of principle for the EDC. The EDC and City could benefit from conversations with other cities and organizations about economic development. The Economic Development Strategic Plan needs to be updated in light of the pandemic's impacts on the economy. Wayfinding signage is needed to direct visitors to and around Albany.

A summary of public comment is as follows: Advisory Body work plans should be available on the City website; farmer's markets that provide organic produce are not within walking distance for Albany residents; appreciation for the City's support of economic development; the Gill Tract market is open on Sundays.

A summary of Council comment is as follows: a suggestion to designate Items 3, 5, 6, and 8 as potential work plan items; a preference to highlight interest in recruiting businesses owned by women and people of color; the farmer's market at El Cerrito Plaza is available two days a week; a preference to retain Item 3 as a work plan item.

MOTION:

Moved by Vice Mayor Jordan, seconded by Mayor Gary, to approve the Economic Development Committee Work Plan as amended to designate Items 3, 5, 6, and 8 as potential work plan items with the Economic Development Committee designating the remaining items as regular reports, recurring action, and one-time action; and to focus on recruiting businesses owned by women and people of color.

AYES: Council Members McQuaid, Nason, and Tiedemann, Vice Mayor Jordan, Mayor Gary

NOES: None

Motion carried and so ordered.

Daniel Chen, Climate Action Committee (CAC) Chair, reported items completed, worked on, and not worked on from the 2019-2021 work plan. Items in the 2021-2023 work plan can be categorized as building electrification, zero emissions transportation, and green infrastructure. In addition, work plan items include collaboration with other bodies and community education and outreach.

A summary of public comment is as follows: the work plan should include an item for water resources and conservation.

A summary of Council comment is as follows: a suggestion to incorporate soft-story retrofits including EV charging infrastructure in the work plan; a proposal to designate City vehicle electrification study and City building electrification study as potential work plan items.

MOTION:

Moved by Vice Mayor Jordan, seconded by Council Member Nason, to approve the Climate Action Committee Work Plan as amended to designate City vehicle electrification



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study and City building electrification study as potential work plan items and to direct the Climate Action Committee to categorize items as regular reports, recurring action items, and one-time action items.

AYES: Council Members McQuaid, Nason, and Tiedemann, Vice Mayor Jordan, Mayor Gary

NOES: None

Motion carried and so ordered.

Vice Mayor Jordan noted that building codes require reduced water consumption.

Miles Tepper, Charter Review Committee (CRC) Vice Chair, reported the CRC did not meet from 2019 to 2021 and shared the four one-time action items in the work plan.

A summary of public comment is as follows: an inquiry as to whether approved work plans will be available on the City website.

City Manager Almaguer indicated work plans are posted to the Advisory Body webpages as the Council adopts them.

A summary of Council comment is as follows: a suggestion to delete Item 1; the CRC should be an ad hoc committee that addresses items referred to it by the Council; concurrence with the suggestion to delete Item 1; a proposal to delete Item 2 with respect to the Albany Unified School District (AUSD) Board of Education and Item 4; the Board of Education should raise the issue of voting age for Board Members; the impacts of Ranked Choice Voting should be analyzed before other methods to increase participation are considered; there is a strong reason to provide voting rights to 16-year-old residents; the CRC received a research report that found Ranked-Choice Voting did not increase candidate participation; there could be a means test for Council compensation to increase the diversity of the Council; a suggestion to designate Item 3 as a potential work plan item; an increase in Council compensation is worth exploring; and a proposal to add an update of the City Charter as a potential work plan item.

Moved by Vice Mayor Jordan, seconded by Council Member Tiedemann, to approve the Charter Review Committee Work Plan as amended to delete Item 1 and to designate Item 3 as a potential work plan item.

AYES: Council Member Tiedemann, Vice Mayor Jordan, Mayor Gary

NOES: Council Members McQuaid and Nason

Motion carried and so ordered.

9. PUBLIC HEARING

10. UNFINISHED BUSINESS

10A. City Council Mission & Vision Statements Update



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Mission Update Subcommittee and Vision Update Subcommittee recommendation: that the Council select a Mission and Vision Statement out of the options presented for incorporation into the City Council Strategic Plan

Mayor Gary reported the Mission and Vision Statements drive the City Council Strategic Plan.

Council Member Tiedemann added that "regional leader" is important to reflect the desire to create unique opportunities for all Albany residents and to reflect the community's strong progressive values.

A summary of public comment is as follows: the Vision Statement should focus on Albany as an up and coming city and retain language regarding innovation; Council Members need to stand by the Mission and Vision Statements; a question of whether members of the public can attend and comment during meetings of the ad hoc committees; diversity needs to be emphasized throughout the Mission Statement; the Council is trying to not only serve the community but also incorporate people's voices.

Council Member Tiedemann advised that ad hoc committee meetings are not public, but members of the public are encouraged to submit comments regarding the Mission and Vision Statements via email.

A summary of Council comment is as follows: "opportunity to thrive" is a good phrase and resonates with American culture; the reference to solutions is vague; a preference to retain the existing Mission Statement but delete the phrase "maintaining its small town ambience;" the Council has to address a lot of basic municipal business before it can claim to be a regional leader; Albany as a regional leader is intended to recognize the advantages and disadvantages of being a part of a region; the focus of the Mission Statement should be to maintain the health and safety of residents; regional leadership should not be the first priority; a suggested Mission Statement of "the City of Albany is dedicated to uplifting the diverse voices in our community while ensuring every person has the opportunity to thrive and providing a safe, healthy, and sustainable environment for all through service and innovation;" the Strategic Plan ensures that the City is safe and healthy for residents, and the mission should be driven by achieving Strategic Plan items; support for the suggested Mission Statement; opportunity to thrive means having a safe, healthy, and sustainable community and ensuring that residents have opportunities to obtain what they need.

The item is continued to the next Council meetings and Vision Statement should be taken up after reviewing the Mission Statement.

11. NEW BUSINESS

11A. Social & Economic Justice Commission Request for Racial Equity Survey and Statistics



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Social & Economic Justice Commission recommendation: that the Council:

- (a) Instruct staff to finalize the survey and re-present the survey in its finalized form to the SEJC Racial Equity Survey Subcommittee. It should then go to the City Council
- (b) Instruct staff to mail the Racial Equity Survey (see Attachment A for proposed questions) to all households in Albany within 60 days
- (c) Instruct staff to gather a number of statistics and provide those to the Council and the SEJC within 30 days

Staff recommendation: That the Council consider the recommendation as provided by the Social & Economic Justice Commission (SEJC) and provide further guidance regarding appropriation of resources to conduct the proposed work if authorized by the Council

City Manager Almaguer presented the staff report. The SEJC requests a racial equity survey and statistics. Depending upon the Council's direction to staff, technical resources may be needed.

A summary of Council comment is as follows: a suggestion to ask staff to return with information regarding a broader survey that includes questions about racial equity and potential ballot measures and provides comments on gaps in services; the SEJC needs to work with staff to prepare information for the Council; scientific and self-select surveys can provide good information; a survey regarding multiple issues would be useful; concern that a broader survey would not provide information that the SEJC seeks; perhaps a polling firm could provide information regarding a survey that addresses racial equity and impressions of Albany among people of different races, City services in general, and potential ballot measures, but a Request for Proposals (RFP) is probably premature; information from a polling firm also needs to address the ability to survey visitors to Albany and people who are visiting or working in Albany but do not live in Albany.

The Council directed staff to consult with professional firm to get more information to determine the best solution to implement the survey.

MOTION:

Moved by Council Member McQuaid, seconded by Council Member Tiedemann, to extend the meeting to 11:30 p.m.

AYES: Council Members McQuaid, Nason, and Tiedemann, Vice Mayor Jordan, Mayor Gary

NOES: None

Motion carried and so ordered.

11B. Request from Community Task Force on Policing (CTFP) for Public Safety Accountability Commission



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Community Task Force on Policing recommendation: that the Council approve the creation of a public safety accountability commission

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

City Manager Almaguer presented the staff report. The Community Task Force on Policing (CTFP) requests the Council create a Public Safety Accountability Commission.

Justin Lock, CTFP Member, advised that the accountability subcommittee looked at various models for a commission, which would be tasked with receiving and reviewing complaints, making budget recommendations, publicizing information on the composition of the Police Department, and receiving briefings on training.

Greg Downs, CTFP Member, indicated that the plan is intended to provide the Council and public with detailed information. The commission's sole power is to make recommendations to Council. Basic information that the Police Department already collects needs to be published for the community. New and pending legislation changes the amount of information available to the public.

A summary of public comment is as follows: accountability needs to be independent of the Police Department; support for a Public Safety Accountability Commission; a Commission would be good for the Police Department and the public; an independent Commission could provide credibility and a forum for addressing complaints without the appearance of bias; urged the Council to act now; hopefully, the Council will provide data that the CTFP has been requesting; the Council selected the citizens who propose a Public Safety Accountability Commission; a Commission could reveal that the Police Department is not racist; transparency could improve relations between the Police Department and the public; a committee or staff must review the Police Department budget intentionally; the City can prepare for an incident before it happens; the Council can support the concept and leave the details to a later time.

City Attorney Subramaniam advised that Memorandums of Understanding (MOU) with labor groups are public documents, but negotiations between the City and labor groups are not public.

A summary of Council comment is as follows: an accountability committee is the right thing to do; staff is responsible for reviewing recommendations and raising concerns in an effort to make Council action more effective; the Council has to address legal concerns; support for forming a commission, but details need to be clarified; neither an Advisory Body nor the Council reviews individual staff performance; no Advisory Body has the authority to review a department budget; Police Department staffing is as low as possible without increasing the risk for personnel; a list of personnel and information about their service can be provided on the City website; an Advisory Body should be able to review data within legal limitations, policies, and goals; an accountability commission should be created after the CTFP sunsets; the Council may wish to sunset an existing



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Advisory Body prior to creating a new Advisory Body; City of Claremont and City of Novato has a good model to start with; Police personnel do a remarkable job; a preference for the Advisory Body to be named Police Commission; a desire to learn the Police Department's comments regarding the proposal; the Council needs more details and options regarding formation of an Advisory Body; Advisory Body's report usually includes pro/con analysis and options; this should be two-way communication and work together; the CTFP has proposed a framework and will establish components that will move the City forward; studies may be available of the risks and exposures when this type of body is created.

MOTION:

Moved by Mayor Gary, seconded by Vice Mayor Jordan, to extend the meeting to 11:50 p.m.

AYES: Council Members McQuaid, Nason, and Tiedemann, Vice Mayor Jordan, Mayor Gary

NOES: None

Motion carried and so ordered.

MOTION:

Moved by Vice Mayor Jordan, seconded by Mayor Gary, to extend the meeting to 11:55 p.m.

AYES: Council Members McQuaid, Nason, and Tiedemann, Vice Mayor Jordan, Mayor Gary

NOES: None

Motion carried and so ordered.

MOTION:

Moved by Council Member Nason, seconded by Council Member McQuaid, to return this request to the Community Task Force on Policing with direction to review the Council discussion, address issues raised during the discussion, and return to Council with options and a range of alternatives.

AYES: Council Members McQuaid, Nason, and Tiedemann, Vice Mayor Jordan, Mayor Gary

NOES: None

Motion carried and so ordered.

11C. 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

Mayor Gary announced the continuation of this item.



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

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

Council Member Nason reported she provided a written report of her activities.

Vice Mayor Jordan reported EBMUD's Groundwater Sustainability Plan will be released for public comment on September 17, 2021. EBMUD has plans to extend the recycled water line to the existing Buchanan line via 8th and Jackson. He connected the head of EBMUD's recycled water project with the appropriate person at UC-Berkeley to discuss possibility including recycled water lines in utility work for the graduate student housing project. When Recycled Water pipes reaches Albany, there will be huge water savings.

13. FUTURE AGENDA ITEMS

Vice Mayor Jordan anticipates bringing an agenda item using Measure DD to defray the cost of street trees and concrete removal.

Council Member McQuaid expects to bring at next meeting an agenda item regarding the flag of Confederated Villages of the Lisjan at City Hall.

14. ANNOUNCEMENT OF CITY MEETINGS AND EVENTS

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



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Upcoming City Meetings

1. Planning & Zoning Commission Meeting, Wednesday, September 8, 7:00 PM, Virtual Meeting via phone/video conferencing
2. Parks, Recreation & Open Space Meeting, Thursday, September 9, 7:00 PM, Virtual Meeting via phone/video conferencing
3. Arts Committee Meeting, Monday, September 13, 7:00 PM, Virtual Meeting via phone/video conferencing
4. City Council Special Meeting, Tuesday, September 14, 4:00 PM, Virtual Meeting via phone/video conferencing
5. Climate Action Committee Meeting, Wednesday, September 15, 7:00 PM, Virtual Meeting via phone/video conferencing
6. Charter Review Committee Meeting, Thursday, September 16, 7:00 PM, Virtual Meeting via phone/video conferencing
7. City Council Meeting, Monday, September 20, 7:00 PM, Virtual Meeting via phone/video conferencing

15. ADJOURNMENT

11:54 p.m. There being no further business before the City Council, Mayor Gary adjourned the meeting.

Minutes submitted by Anne Hsu, City Clerk.

Ge'Nell Gary
Mayor

Attest:

Anne Hsu, City Clerk