



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, October 03, 2022

REGULAR MEETING: 7:00 PM

1. CALL TO ORDER

Council Member Gary read the Albany Land Acknowledgement Statement as adopted by the City Council per City of Albany Minute Action, November 15, 2021.

2. ROLL CALL

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

Absent: None

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

4. CEREMONIAL MATTERS

5. CITY MANAGER REPORT

City Manager Nicole Almaguer provided an update regarding the condition of the 739 Madison Street property that an inspection was requested by the court, and the hearing was continued to October 27. Vote-by-mail ballots will be sent to registered voters for the November 8 election, and online voter registration can be found at registertovote.ca.gov or with Alameda County acvote.org. Ballot can be dropped in the 24-hour drop box at City Hall. Accessible Vote Center in Albany open 11/5 – 11/8/2022 at Albany Community Center and Church on the Corner. An information session to learn about Ranked Choice Voting (RCV) will be held on October 5, 2022. A grant of \$230,000 has been awarded to the Albany Hill Eucalyptus Project by the California State Coastal Conservancy's Wildfire Resilience Program. Thanks to Recreation staff for administering and implementing the last Concert in the Park event. October is Crime Prevention Month, and information is available at albanyca.org/crimeprevention. The Fall into Haiku submission window closes on October 10, 2022. Assistant to the City Manager Brennen Brown and the Fire Department administered a successful virtual evacuation drill. Albany Local Week events were incredibly well-received. Public Works reminds residents to collect fall leaves in green bins. Albany FilmFest 2022 begins October 4, 2022, and information is available at albanyfilmfest.org. Albany Chamber of Commerce recognized Eugenie Hsu as Citizen of the Year and Monet Gagnon as Youth of the Year.

6. GOOD OF THE CITY / PUBLIC COMMENT

Mayor Jordan opened the Good of the City.

A summary of public comment is as follows: California's Low-Cost Automobile Insurance Program and the Senior Gateway Program would benefit the City and its residents; a request for the City to recognize the Ohlone Tribe.

7. CONSENT CALENDAR

7-1. Minutes – September 19, 2022



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Staff recommendation: Approve

- 7-2.** Ratification of Payroll – Date Paid 9/23/2022: Net Amount \$416,084.22, Taxes/Benefits/Deductions \$436,319.83, Total Payroll \$852,404.05

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 \$291,844.27 (09/16/2022), \$426,162.92 (09/23/2022)

Staff recommendation: Ratify

- 7-4.** Proclamation – Indigenous Peoples’ Day

Council Member McQuaid recommendation: that the Council recognize October 10, 2022, as Indigenous Peoples’ Day in the City of Albany

- 7-5.** Proclamation – Domestic Violence Awareness Month

Council Member McQuaid recommendation: that the Council recognize October 2022 as Domestic Violence Awareness Month in the City of Albany

- 7-6.** Proclamation – 50th Anniversary of the Center for Independent Living

Council Member McQuaid & Mayor Jordan recommendation: that the Council recognize the 50th anniversary of the Center for Independent Living

- 7-7.** Proclamation – Energy Efficiency Day

Staff recommendation: that the Council recognize the first Wednesday in October as Energy Efficiency Day in the City of Albany

- 7-8.** Resolution of the Albany City Council Allowing for Video and Teleconference Meetings During the COVID-19 State of Emergency Under California Assembly Bill (AB 361)

Staff recommendation: that the Council adopt Resolution No. 2022-103, allowing for video and teleconference meetings during the COVID-19 state of emergency under AB 361

- 7-9.** Second Reading of Ordinance No. 2022-06 to Amend Albany Municipal Code Section 9-1.3 to Reduce Speed Limit on Solano Avenue

Staff recommendation: that the Council adopt Ordinance No. 2022-06 to amend Albany Municipal Code Section 9-1.3 to establish a 20 miles per hour speed limit



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on Solano Avenue between Madison Street and the eastern city limits – Second Reading, Pass-to-Print

Transportation Commission recommendation: that the Council adopt an ordinance establishing a 20 miles per hour speed limit for Solano Avenue

Mayor Jordan asked if anyone wished to remove items from the consent calendar. Council Member McQuaid removed Item 7-6. A member of the public removed Items 7-4, and 7-9.

Item 7-4: Mayor Jordan read the proclamation in recognition of Indigenous Peoples' Day.

Item 7-6: Council Member McQuaid presented the proclamation to Executive Director of the Center for Independent Living Ted Jackson and the Center of Independent Living Youth Advocate Tiffany Hong.

Item 7-9: Mayor Jordan noted that a speed survey was conducted on Solano Avenue, and data presented to the Transportation Commission indicated that motorists already travel on average below twenty miles per hour.

A summary of public comment is as follows: a request to read the Proclamation of Indigenous Peoples' Day; support for lowering the speed limit to twenty miles per hour; a request for additional police presence on Solano Avenue during school drop-off and pick-up times; there would be value in conducting a speed survey on Solano Avenue to collect data; and an inquiry regarding how the speed limit on Solano Avenue will be enforced.

MOTION:

Moved by Council Member Gary, seconded by Council Member McQuaid, to approve the consent calendar.

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

NOES: None

Motion carried and so ordered.

8. PRESENTATION

9. PUBLIC HEARING

9-1. Public Hearing to Consider First Reading of Ordinance No. 2022-07 to Adopt an Amendment to the Zoning Ordinance Regarding Community Benefits in the San Pablo Avenue Specific Plan

Staff recommendation: that the Council hold a public hearing to adopt Ordinance No. 2022-07, amending the Zoning Ordinance, related to Community Benefits in the San Pablo Avenue Specific Plan – First Reading



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Community Development Director Jeff Bond presented the staff report. The item is a follow-up to the Council's July 18, 2022 approval of the San Pablo Specific Plan. In accordance with Government Code Section 65850, the City Attorney recommended that the community benefits be adopted by ordinance.

Jean Eisberg, Lexington Planning Consultant, advised that the Specific Plan aims to fulfill the General Plan policy objectives to transform the corridor from auto-oriented commercial uses to pedestrian-oriented, mixed-use development. Community benefits aim to capture value of increased density in the corridor. The Community Benefits Ordinance was written as a menu of objective options. Key topics include below-market rate housing, green building, publicly accessible open space, and high-quality retail space. Periodic review of the ordinance is necessary as priorities and policies change. Staff and the Planning & Zoning Commission recommend that a public hearing be held to adopt Ordinance No. 2022-07, amending the Zoning Ordinance, related to Community Benefits in the San Pablo Avenue Specific Plan – First Reading.

City Attorney Mala Subramanian suggested incorporating language into Community Benefit List B regarding all-electric design to indicate the benefit would no longer be applicable if otherwise required.

A summary of public comment is as follows: an inquiry and support for art to be associated with the Ohlone culture; concern about the lack of parking requirements; an inquiry regarding the requirement for disabled access elevators in buildings; a request for clarification on the meaning of affordable; a question regarding whether the San Pablo corridor involves properties on both sides of Kains Avenue; opposition to the San Pablo Avenue Specific Plan as currently written; an urgent request that the Council explore more creative ways to meet state housing development requirements without changing the Zoning Code to increase height limits; and improved stormwater management is needed on Adams Street.

Community Development Director Bond noted the Governor recently signed a bill that essentially removed the requirement for parking throughout most of the City.

Mayor Jordan advised that the City has a project to realign the storm drain and install a relief storm drain near Middle Creek.

Community Development Director Bond explained that low-income is eighty percent and very-low-income is fifty percent as written in the Inclusionary Housing Ordinance.

A summary of Council comment is as follows: Community Benefit List A could include an option for fifteen inclusionary housing units with half being extremely low-income and half very low-income; a preference that the ordinance be consolidated into one package; a suggestion to remove the in-lieu fee provision; local funds can be leveraged to achieve large gains and is crucial to the development of affordable housing; concern about the weakening of the art ordinance.



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MOTION:

Moved by Council Member McQuaid, seconded by Vice Mayor Tiedemann, to adopt Resolution No. 2022-07 with amendments to add the electric building design and strike Public Art.

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

NOES: Council Member Gary

Motion carried and so ordered.

10. UNFINISHED BUSINESS

10-1. American Rescue Plan Act (ARPA) Funds Programs Update

Staff recommendation: that the Council

1. Receive an update on programs funded with ARPA funding
2. Provide direction to staff on the continuation and expansion of the Temporary COVID Public Assistance Program and the Temporary COVID Small Business Assistance Program
3. Adopt Resolution No. 2022-104, allocating ARPA funding for the continuation and expansion of the Temporary COVID Business Assistance Program and the COVID Community Engagement Specialist position through December 31, 2026

Isabelle Leduc, Assistant City Manager/Recreation & Community Services Director, presented the staff report and provided a status update on programs funded with ARPA funds and included suggestions for the continuation and expansion of the Temporary COVID Public Assistance Program and the Temporary COVID Business Assistance Program. The City was allocated approximately \$4.7 million in ARPA funds paid in two equal installments. On November 1, 2021, the Council approved a portion of its ARPA funding to create and market a Temporary COVID Public Assistance Program. Council approved initial expenditures November 2021 and February 2022. ARPA funds may be used to cover expenses authorized between March 3, 2021 and December 31, 2024. Funds approved by December 31, 2024 must be expended before December 31, 2026. Staff has prepared a proposal for the allocation of the remaining ARPA funds that will last no longer than December 31, 2026 to continue to help residents most in need of services and to support small businesses most affected by the COVID pandemic.

As part of the Temporary COVID Public Assistance Program, Council approved funding for a Community Grocery Program. The program takes place on the first Friday of each month at the Albany Community Center and participants receive a bag of food and a bag of essential items. To date, 151 clients have participated in the program at least once per month and 1271 bags have been distributed. The Friendship Club Subsidy Program provides financial subsidies to income-eligible Friendship Club families. To date, two families have been approved as eligible for the COVID Subsidy Program. Staff is proposing that subsidies be expanded to eligible Friendship Camp families, which will increase the pool of possible applicants. Albany Project HOPE was augmented to include additional funding to secure a second master leased house, additional Rapid Rehousing



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rental subsidies for six new clients for a duration of twelve months, emergency hotel stays for four clients for seven nights, flex funding for program and outreach expenses, assistance with move-in costs, supplies and food costs. ARPA funds also cover ten percent of a clinical manager's salary to assist the project team with disability verification and other necessary support for permanent housing. Staff is proposing an additional allocation to keep service levels consistent over time given the ongoing demand for services to the City's most vulnerable population. Two proposed Temporary COVID Public Assistance expansion programs include the Emergency Rental Assistance Program (ERAP) and the Financial Stability & Debt Relief Program.

A Temporary COVID Small Business Assistance Program was launched to help Albany small businesses that were hardest hit by the pandemic. Staff is proposing to continue programs to support economic development in the City. Other programs being explored for the use of ARPA funds to support business attraction, expansion and retention include an Albany marketing campaign, special event support in Albany's commercial areas, and façade improvement grants for existing and new businesses. Ideas for current and future use of ARPA funds include the Albany eGift Card promotional offer.

Temporary COVID Assistance Programs are fully funded by ARPA revenues. An appropriation for the remaining ARPA funds in the amount of \$2,482,000 is requested for the continuation and expansion of programs until December 2026 or until funds are exhausted.

Brennen Brown, Assistant to the City Manager/Public Information Officer, advised that approximately ninety businesses applied for business assistance.

Kate Miller, COVID Community Engagement Specialist, clarified that staff is proposing to expand the Community Grocery Program to 125 monthly participants, in addition to 30 essential items bags for the Mercy Brown Bag participants until December 2026.

A summary of public comment is as follows: a suggestion that Council consider a pilot project that will allow people to have voice in how funds are spent.

A summary of Council comment is as follows: opposition to the Emergency Rental Assistance Program proposal regarding payment being sent to the landlord; a suggestion that debt relief and rental assistance be separate; a suggestion to consider establishing a seed fund to promote economic growth in the City; it is important that the resolution be written in a way that includes the Village residents; and a proposal that a subcommittee be created to address rental and shadow debt concerns.

Assistant City Manager/Recreation & Community Services Director Leduc indicated that other similar programs can be explored to determine the grant amount. Staff aims to keep the allocations under each category of funding flexible to allow funding to be used where it is needed.

MOTION:



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Moved by Council Member Nason, seconded by Council Member Gary, to approve the staff recommendation with the proviso that Council Member Gary and Vice Mayor Tiedemann will serve as a subcommittee to work with staff to assure that potential concerns about shadow debt are addressed to be feasible.

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

NOES: None

Motion carried and so ordered.

MOTION:

Moved by Vice Mayor Tiedemann, seconded by Council Member Gary, to adopt Resolution No. 2022-104, allocating ARPA funding for the continuation and expansion of the Temporary COVID Business Assistance Program and the COVID Community Engagement Specialist position through December 31, 2026.

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

NOES: None

Motion carried and so ordered.

11. NEW BUSINESS

11-1. Presiding Officer for the October 17 City Council Meeting

Mayor Jordan recommendation: that the Council appoint Councilwoman Gary Presiding Officer for the October 17th City Council meeting

Mayor Jordan presented his memorandum. The proposed action provides the opportunity for equity amongst the Members of the City Council by allowing Councilwoman Gary the opportunity to preside over a Council meeting in-person, which was not possible during her tenure as Mayor due to the COVID-19 pandemic.

MOTION:

Moved by Council Member Nason, seconded by Vice Mayor Tiedemann, to appoint Councilwoman Gary as Presiding Officer for the October 17th City Council meeting.

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

NOES: None

Motion carried and so ordered.

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 | Jordan | Tiedemann |



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| Alameda County Transportation Commission | Nason | Jordan |
| Alameda County Waste Management Authority | Jordan | Nason |
| Association of Bay Area Government | Gary | Tiedemann |
| 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 | N/A |
| Alameda County Library Advisory Commission | Gary | (vacant) |
| Alta Bates Hospital Task Force | McQuaid/Nason | N/A |
| Rausser College of Natural Resources Dean's Advisory Committee on the Gill Tract (DAC) | Gary | N/A |
| City/AUSD/UC – 2X2X2 | Jordan/Tiedemann | N/A |
| Police & Fire Pension Fund Board | Jordan | McQuaid |
| Alameda County Paratransit Advisory & Planning Committee (PAPCO) | (vacant) | N/A |

Vice Mayor Tiedemann reported he attended an East Bay Community Energy (EBCE) Board of Directors meeting and voted to add Stockton to EBCE's service. Phase 1 of the electric vehicle charging infrastructure pilot program is being developed. Hopefully, Albany will be included in the next phase.

Council Member McQuaid reported she attended a meeting of the Alameda County Transportation Commission (ACTC). In addition, she attended a Community Emergency Response Team (CERT) Resilience event, Chamber Citizen and Youth of the Year dinner, Cougar Field Dedication, Community Center Foyer Art Gallery Opening, and followed along with the evacuation drill.

Council Member Gary reported she met with the Dean's Advisory Committee and discussed next steps in establishing partnerships with the City and the City programs.

Mayor Jordan reported he attended a StopWaste meeting, where an increase in capacity for Republic Services Vasco Road Landfill was approved. The capacity increase was achieved by increasing the final height of the landfill, but not increasing the footprint. It is projected that the life of the landfill will be extended to 2050 from 2030.

13. FUTURE AGENDA ITEMS

Mayor Jordan noted potential future agenda items regarding the people's budget and Veo.

Council Member Gary requested an update on the light fixture cleaning project.



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Vice Mayor Tiedemann requested an update on the Satellite Affordable Housing Associates (SAHA) project.

A summary of public comment is as follows: a request for a future item regarding the repaving of Solano Avenue.

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.

Upcoming City Meetings

1. Economic Development Committee Meeting, Thursday, October 6, 5:00 PM, Virtual Meeting via phone/video conferencing
2. Social & Economic Justice Commission Meeting, Thursday, October 6, 7:00 PM, Virtual Meeting via phone/video conferencing
3. Arts Committee Meeting, Monday, October 10, 7:00 PM, Virtual Meeting via phone/video conferencing
4. Planning & Zoning Commission Meeting, Wednesday, October 12, 7:00 PM, City Hall Council Chambers
5. Parks, Recreation & Open Space Commission Meeting, Thursday, October 13, 7:00 PM, City Hall Council Chambers
6. City Council Meeting, Monday, October 17, 7:00 PM, City Hall Council Chambers

15. ADJOURNMENT

10:07 p.m. There being no further business before the City Council, Mayor Jordan adjourned the meeting.

Minutes submitted by Anne Hsu, City Clerk.

Preston Jordan
Mayor

Attest:

Anne Hsu, City Clerk