



City Council

City Hall Council Chambers
1000 San Pablo Ave., Albany, CA
Tuesday, January 17, 2023

AGENDA

Tuesday, January 17, 2023, 7:00 PM

PUBLIC MEETING GUIDELINES

Albany Advisory Body meetings are conducted in person at City Hall Council Chambers. As a courtesy, and technology permitting, members of the public may continue to participate virtually. However, the City cannot guarantee that the public's access to teleconferencing technology will be uninterrupted, and technical difficulties may occur from time to time.

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

“The City of Albany recognizes that we occupy the land originally protected by the Confederated Villages of Lisjan. We acknowledge the genocide that took place on these lands and must make strides to repay the moral debt that is owed to this indigenous people, specifically the Ohlone Tribe. We thank them for their contributions which have transformed our community, and will continue to bring forth growth and unity. The City of Albany commits to sustaining ongoing relationships with the Tribe and together build a better future for all that now make this their home.”

2. ROLL CALL

3. AB 361

- 3-1.** 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. 2023-01, allowing for video and teleconference meetings during the COVID-19 state of emergency under AB 361

4. CEREMONIAL MATTERS

- 4-1.** Proclamation – Lunar New Year 2023

5. CITY MANAGER REPORT

The City Manager provides verbal and/or written reports regarding matters of interest to the Council.

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 –

- December 12, 2022
- December 19, 2022

Staff Recommendation: Approve

7-2. Ratification of Payrolls –

1. Date Paid 12/16/2022: Net Amount \$413,187.15, Taxes/Benefits/Deductions \$401,682.64, Total Payroll \$814,869.79
2. Date Paid 12/30/2022: Net Amount \$468,244.03, Taxes/Benefits/Deductions \$359,717.83, Total Payroll \$927,961.86

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 \$238,151.03 (12/16/2023), \$256,633.51 (12/23/2022), \$51,550.68 (12/30/2022), \$149,724.26 (1/6/2023)

Staff Recommendation: Ratify

7-4. Advisory Body Appointments:

- Harsh Shah appointed by Vice Mayor Miki to the Arts Committee
- Troy Hodges appointed by Council Member Jordan to the Climate Action Committee
- Eric Larson appointed by Council Member López to the Climate Action Committee
- Haadiyah Mohammed by Vice Mayor Miki to the Climate Action Committee
- Tod Abbott appointed by Council Member Hansen-Romero to the Parks, Recreation & Open Space Commission
- Julia Frank appointed by Mayor Tiedemann to the Parks, Recreation & Open Space Commission
- Christopher Kent appointed by Council Member Jordan to the Parks, Recreation & Open Space Commission
- Bryan Marten appointed by Council Member López to the Parks, Recreation & Open Space Commission
- Flor Elizabeth Rios appointed by Council Member López to the Social & Economic Justice Commission
- Farid Javandel appointed by Council Member López to the Transportation Commission
- Ken McCroskey appointed by Council Member Jordan to the Transportation Commission
- Nelson Peng appointed by Vice Mayor Miki to the Transportation Commission

Staff recommendation: Information item

7-5. Advisory Body Appointment by the City Council as a Whole:

- Deirdre Greene recommended for appointment to the Arts Committee by Vice Mayor Miki

Vice Mayor Miki recommendation: that the Council appoint Deirdre Greene to the Arts Committee Council as a Whole seat

7-6. Advisory Body Appointments for City Council Ratification:

- Judy Kerr recommended for appointment to the Financial Advisory Committee by Council Member López
- Kim Traynor recommended for appointment to the Financial Advisory Committee by Council Member Jordan
- Ian McLeod recommended for appointment to the Planning & Zoning Commission by Council Member Jordan
- Mohammad Momin recommended for appointment to the Planning & Zoning Commission by Vice Mayor Miki
- Nick Pilch recommended for appointment to the Planning & Zoning Commission by Mayor Tiedemann
- Elizabeth Watty recommended for appointment to the Planning & Zoning Commission by Council Member Hansen-Romero

- Rebecca Dupuis recommended for appointment to the Policing Commission by Council Member Hansen-Romero
- Peggy McQuaid recommended for appointment to the Policing Commission by Vice Mayor Miki

Council Members Recommendation: Ratify

- 7-7.** Amendments to the Salary Schedule for Various Hourly Employee Classifications to Comply with State of California Minimum Wage Increase

Staff Recommendation: That the Council adopt Resolution No. 2023-02, authorizing amendments to the salary schedule for various hourly employee classifications

- 7-8.** Request for Encroachment Permit for a Temporary Street Closure for the Albany Move'n'Groove Event on April 23, 2023 and Request for Waiver of Permit Fees for This Event

Staff Recommendation: That the Council adopt Resolution No. 2023-03, authorizing staff to issue an encroachment permit for a temporary street closure for the Albany Move'n'Groove event on April 23, 2023 and waive the permit fees for this event

8. PRESENTATION

9. PUBLIC HEARING

- 9-1.** Amendments to Chapter 11, Fire Prevention, and Chapter 12, Building and Housing, of the Albany Municipal Code Related to the Adoption and Local Amendments of the 2022 California Building Standards Code – First Reading

Staff Recommendation: That the Council introduce and waive first reading of Ordinance No. 2023-01, amendments to the Building & Housing and Fire Prevention Chapters of the Albany Municipal Code related to the adoption and local amendments of the 2022 California Building Standards Code.

10. UNFINISHED BUSINESS

- 10-1.** Selection of Consultant to Perform Racial Equity Survey

Council Members Jordan & López Recommendation: Designate The Justice Collective and Seed Collaborative as finalists. Collect additional information to provide the basis for choosing between them, as detailed

at the end of the discussion section, which the ad hoc committee in consultation with staff will use to recommend which, if either, consultant to perform the work

11. NEW BUSINESS

- 11-1.** City Council Appointments to the Board of Police and Fire Pension Fund Commissioners

Staff Recommendation: That the Council appoint the alternates for the Board of Police and Fire Pension Fund Commissioners per City Charter Section 9.01

- 11-2.** Policy Requiring Nominations by the Board of Education (BOE) to City Council Advisory Bodies to be Students or Representatives Directly Affiliated with the Albany Unified School District (AUSD)

Council Member Jordan Recommendation: That the Council direct staff to develop policy language via Resolution or Ordinance requiring that nominee of the Board of Education (BOE) to a first seat on a City Advisory Body be a student, and if there is a second seat the nominee be a parent/guardian of a student or an Albany Unified School District (AUSD) staff member

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	Tiedemann	Miki

Alameda County Transportation Commission	Jordan	Miki
Alameda County Waste Management Authority	Hansen-Romero	Jordan
Association of Bay Area Government	Tiedemann	Jordan
East Bay Community Energy JPA Board	Tiedemann	López
East Bay Sports Field Recreational Authority JPA	Miki	Hansen-Romero
Housing Authority of Alameda County	McQuaid	N/A
League of California Cities (East Bay)	Miki	López
Alameda County Mosquito Abatement District	López	N/A
Alameda County Library Advisory Commission	Jordan	Tiedemann
Rausser College of Natural Resources Dean's Advisory Committee on the Gill Tract (DAC)	López	N/A
Police & Fire Pension Fund Board	Tiedemann	(Vacant)
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. Climate Action Committee Meeting, Wednesday, January 18, 7:00 PM, City Hall Council Chambers
2. Police and Fire Pension Board Meeting, Tuesday, January 24, 3:00 PM, City Hall Council Chambers
3. Planning & Zoning Commission Meeting, Wednesday, January 25, 7:00 PM, City Hall Council Chambers

4. Transportation Commission Meeting, Thursday, January 26, 7:00 PM, City Hall Council Chambers
5. City Council Special Meeting, Monday, January 30, 5:00 PM, City Hall Council Chambers
6. Financial Advisory Committee Meeting, Wednesday, February 1, 7:00 PM, City Hall Council Chambers
7. City Council Meeting, Monday, February 6, 7:00 PM, City Hall Council Chambers

15. ADJOURNMENT

Per City Council Resolution No. 2021-13, 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.

Please note that if you provide your name and address when speaking before the City Council or submitted as part of your written public comment, the information will become part of the official public record, which will be posted online and subject to disclosure under the Public Records Act.

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.

How to watch or listen to the meeting:

1. Meetings are available to watch, listen, or participate virtually via Zoom webinar. Register for the meeting: <https://albanyca.zoom.us/webinar/register/87852424530>. To join by phone via Zoom, please call at the noticed meeting time 1 (669) 9009128. **Webinar ID 878 5242 4530. Participant ID "#"**.
2. Meetings are also streamed live on City website www.albanyca.org/meetings or on YouTube (www.YouTube.com/AlbanyKALB). Recording of the meetings are usually available for viewing 24 hours after the meeting.
3. Meetings are broadcast live and rebroadcast on local TV – Albany KALB Channel.

How to submit Public Comment:

1. Members of the public may attend City Council meetings in person at City Hall Council Chambers and request to speak during public comment period.
2. 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. 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 5 PM will still be provided to the City Council and be included as part of the meeting record.
3. To comment by video conference, click the "Raise Your Hand" button to request to speak when public comment is being taken. 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.
4. To comment by phone, you will "Raise Your Hand" by pressing *9 to request to speak when public comment is being taken. You will be asked to unmute yourself by pressing *6 when it is your turn to make your comment. You will be re-muted after the allotted time.