



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

REGULAR MEETING: 6:00 PM

1. CALL TO ORDER / LAND ACKNOWLEDGEMENT

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

Present: Council Members Hansen-Romero, Jordan and López, Vice Mayor Miki,
Mayor Tiedemann

Absent: None

2. CLOSED SESSION

2-1. Public Employee Performance Evaluation (Gov. Code Section 54957)
Public Employee: Nicole Almaguer, City Manager

Conference with Labor Negotiators (Gov. Code Section 54957.6)

City Negotiator: Mayor Aaron Tiedemann

Unrepresented Employee: City Manager Nicole Almaguer

3. REPORT ON ACTION TAKEN IN CLOSED SESSION, IF ANY (7:00)

Mayor Tiedemann announced no reportable action from Closed Session.

Mayor Tiedemann provided an update regarding the closing of Golden Gate Fields and the Albany Twin.

4. CEREMONIAL MATTERS

5. CITY MANAGER REPORT

City Manager Nicole Almaguer reported information regarding Golden Gate Fields is available at albanyca.org/ggf, and the webpage will be updated as information becomes available. The 4th of July celebration was a community-friendly event and well attended. Concerts in the Park are scheduled for August 19, 2023 at 11:00 a.m. and September 20, 2023 at 5:30 p.m. The Public Works Department is installing a new chain climber at Memorial Park, is refreshing guardrails on Hillside Avenue, cleaned Big Belly trash cans, and installed a temporary stop sign at the intersection of Marin and Masonic Avenues while repairs are made to the traffic light. The Tenant Survey has received a great response and will help the City support the renter community and fulfill tasks outlined in the Housing Element. The survey, open through September 10, 2023, can be completed online at surveymonkey.com/r/albanyrentersurvey, or a paper copy can be obtained at City facilities. National Night Out with more than 40 block parties is planned for August 1, 2023. While the Council is on break in August, staff will continue working on initiatives for Albany Hill, the Street Tree Management Plan, the Active Transportation Plan (ATP), the Capital Improvement Plan (CIP), and streetlight improvements. The June 17, 2023 power outage on Albany Hill was caused by equipment moving too close together, which caused



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

a power surge. PG&E has improved the infrastructure and replaced mechanisms in the area.

6. GOOD OF THE CITY/PUBLIC COMMENT

Mayor Tiedemann opened the Good of the City.

A summary of public comment is as follows: suggestion for the City's food program; an inquiry to survey owners and providers of rental property; a request for the Council to agendaize an item regarding the Albany Twin closure; an inquiry regarding repairs to the building at 1600 Solano Avenue; support for the Albany Twin; suggestions for future uses of the Golden Gate Fields property and facilities; support and appreciation for trails along Codornices Creek; inquiry on number of signs for the Kains Avenue/Adams Street Bicycle Boulevard Pilot Project.

City Manager Almaguer advised that she would follow up with staff regarding next steps for the Tenant Survey.

7. CONSENT CALENDAR

7-1. Minutes – June 20, 2023 & June 22, 2023

Staff Recommendation: Approve

7-2. Ratification of Payrolls –

1. Date Paid 6/16/2023: Net Amount \$376,559.10, Taxes/Benefits/Deductions \$395,520.91, Total Payroll \$772,080.01
2. Date Paid 6/30/2023: Net Amount \$413,584.41, Taxes/Benefits/Deductions \$345,783.01, Total Payroll \$759,367.42

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 \$612,799.71 (6/16/2023), \$990,025.93 (6/23/2023), \$298,731.39 (6/30/2023), \$93,942.30 (7/7/2023)

Staff Recommendation: Ratify

7-4. Advisory Body Appointment:

- Estrella Sainburg by Vice Mayor Miki to the Parks, Recreation & Open Space Commission

Staff Recommendation: Information only

7-5. San Pablo Avenue Pedestrian Improvements Project Phase I – CIP No. 24010 Authorize Call for Bids for Phase I Construction (C23-08)



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

Staff Recommendation: That the Council adopt Resolution No. 2023-53, authorizing the City Manager to approve a Call for Bids for Contract No. C23-08 for the San Pablo Pedestrian Improvements – Phase I, using funds previously appropriated as part of the City’s current five-year Capital Improvement Plan (CIP No. 24010)

California Environmental Quality Act (CEQA) & National Environmental Policy Act (NEPA): The project is Categorically Exempt from CEQA pursuant to Section 15301 “Existing Facilities” of the CEQA Guidelines, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing streets, sidewalks, and pedestrian crossings. As part of the federal-aid requirements, Caltrans has determined that this project is also a Categorical Exclusion under NEPA: 23 CFR 771.117(c): activity (c)(3).

- 7-6.** Lower Codornices Creek Restoration Phase IV Project (CIP No. 43001) – Award of Construction Contract No. C23-26 and Construction Management Services Contract No. C23-46

Staff Recommendation: That Council adopt Resolution No. 2023-54:

1. Authorizing the City Manager to award Contract No. C23-26 to Bay Co. to construct the Phase IV Project (CIP No. 43001) for the note-to-exceed amount of \$1,360,000;
2. Authorize the City Manager to execute Contract No. C23-46 with Zoon Engineering to provide construction management services for the not-to-exceed amount of \$155,000; and
3. Appropriating funds in the amounts of \$90,000 from Measure B Bicycle & Pedestrian Funds (1102) and \$182,000 in Measure BB Bicycle and Pedestrian Funds (1202), and increasing the project budget for Phase IV of the Lower Codornices Creek Restoration Project (CIP No. 43001) accordingly

California Environmental Quality Act (CEQA): The project is Categorically Exempt from CEQA pursuant to Section 15301 “Existing Facilities” of the CEQA Guidelines, which exempts the minor alteration of storm drains, walkways, bicycle facilities, pedestrian crossings, and existing landscaping that will result in a negligible expansion of use. In addition, Section 15304 “Minor Alterations to Land” of the CEQA Guidelines exempts the minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees, and is in an area with a slope of less than 10%, and if new landscaping will be water efficient. Upon Council award of Construction Contract C23-26, a Notice of Exemption will be filed with the Alameda County Clerk-Recorder’s Office.

- 7-7.** Annual Street Rehabilitation Program (CIP No. 21000) – 2023 Pavement Maintenance and Repair Project – Award of Construction Contract No. C23-30 and Construction Management Services Contract No. C23-48



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

Staff Recommendation: That the Council adopt Resolution No. 2023-55:

1. Authorizing the City Manager to award Contract No. C23-30 to Dryco to construct the 2023 Pavement Maintenance and Repair Project for the not-to-exceed amount of \$1,120,362.06; and
2. Authorizing the City Manager to execute Contract No. C23-48 with Zoon Engineering to provide construction management services for the not-to-exceed amount of \$93,046.80; and
3. Appropriating \$40,000 from ACTC VRF revenues, \$760,000 from ACTC Measure BB LSR revenues, and \$800,000 from local Measure F Street & Storm Drain Tax revenues to the Annual Street Rehabilitation Program (CIP No. 21000) and adjusting the program budget accordingly

California Environmental Quality Act (CEQA): The project is Categorically Exempt from CEQA pursuant to Section 15301 “Existing Facilities” of the CEQA Guidelines, which exempts the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing streets and pedestrian crossings.

- 7-8.** Kains Avenue/Adams Street Bicycle Boulevard Pilot Project (CIP No. 25010) – Contract No. C22-27 Closeout and Filing of Notice of Completion

Staff Recommendation: That the Council adopt Resolution No. 2023-56, authorizing the City Manager to:

1. Accept the improvements completed in the Kains Avenue/Adams Street Bicycle Boulevard Pilot Project (Contract No. C22-27); and
2. File the Notice of Completion with the County Recorder’s Office

- 7-9.** Ordinance No. 2023-04, adding Section 12-15 to the Albany Municipal Code to require seismic retrofit of certain residential buildings – Second Reading, Pass-to-Print

Staff Recommendation: That the Council adopt Ordinance No. 2023-04, adding Section 12-15 to the Albany Municipal Code to require seismic retrofit of certain residential buildings – Second Reading, Pass to Print

- 7-10.** Recommendation of Consultant to Conduct Racial Equity Survey

Staff Recommendation: That the Council:

1. Adopt Resolution No. 2023-57, approving a contract agreement with The Justice Collective; and
2. Authorize an appropriation of funds from the General Fund reserve for this project

Mayor Tiedemann asked if anyone wishes to remove items from the consent calendar. Council Member Jordan removed Items 7-5, 7-8, and 7-9. Members of the public removed Items 7-7, 7-8, and 7-10.



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

Item 7-5: Public Works Director/City Engineer Mark Hurley explained that the project was planned prior to the City's adoption of triple four crosswalks. CIP Manager Allison Carrillo added that staff could work with the California Department of Transportation (Caltrans) to utilize triple four crosswalks along San Pablo Avenue. Staff will investigate the alignment of the ramp on the west side of the intersection of Brighton and San Pablo Avenues with the center of the sidewalk. With respect to the slope of the curb ramps and flooding, Americans with Disabilities Act (ADA) regulations and the width of the sidewalk determined the slope of the ramps.

Item 7-8: Public Works Director/City Engineer Hurley advised that additional signage has been installed. The item is intended to close the construction contract for the original design. Additional elements can be installed or designed if needed.

Item 7-9: Council Member Jordan reported he is working with the City Attorney to revise the language of the ordinance to allow a property owner to utilize just cause eviction if a tenant refuses to relocate temporarily during a seismic retrofit. The provision applies to Tiers 3 and 4.

A summary of public comment is as follows: an inquiry regarding plans to install pedestrian-activated lights at crosswalks on San Pablo Avenue; an inquiry for Solano Avenue between Masonic Avenue and Ordway Street for street rehabilitation; the success of the Kains Avenue/Adams Street Bicycle Boulevard Pilot Project could bolster the City's attempt to obtain legislative relief; traffic calming could be improved by Code-compliant parking; signage is insufficient and confusing; questions regarding the budget and term for conducting the Racial Equity Survey; support for the consultant proposed for the survey.

CIP Manager Carrillo reported two rapid rectangular flashing beacons are proposed (Item 7-5). The pavement plan is intended to maintain streets on a regular cycle rather than to rehabilitate streets through major repairs.

Public Works Director/City Engineer Hurley indicated the pilot project began in April 2023 (Item 7-8). Staff will evaluate additional signage and install it if needed. The work under the original contract is complete.

City Manager Almaguer reported the cost of the Racial Equity Survey will be \$123,700, and the term is 18 months (Item 7-10). If the Council approves the item, funding will be appropriated from the budget surplus.

A summary of Council comment is as follows: rapid rectangular flashing beacons have been utilized at the intersections of Marin Avenue with Curtis Street and Talbot Avenue; Item 7-8, if approved, affirms the contractor's performance of the contract and does not finalize the pilot project; more signage may be needed in the pilot project; staff is willing to work with the community to refine the pilot project.



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

MOTION:

Moved by Council Member Jordan, seconded by Council Member Hansen-Romero, to approve the consent calendar with amendments to Item 7-5 regarding crosswalk style and alignment of the curb ramp on the west side of the San Pablo Avenue and Brighton Avenue intersection.

AYES: Council Members Hansen-Romero, Jordan and López, Vice Mayor Miki, Mayor Tiedemann

NOES: None

Motion carried and so ordered.

8. PRESENTATION

8-1. Status Report Regarding the Albany Five-Year Capital Improvement Plan for Fiscal Years 2019/20 through 2023/24

Staff Recommendation: That the Council receive a presentation from staff regarding the status of programs and projects designated for implementation as part of the City's current Capital Improvement Plan

Public Works Director/City Engineer Hurley reported the item will update the Council and public regarding current and upcoming CIP projects. Staff has made excellent progress in executing projects, particularly projects in core programs. More work is needed in other areas, primarily park and building projects. The new project manager's initial focus will be the execution of projects funded by Proposition 68.

CIP Manager Carrillo presented the staff report. The CIP is comprised of core infrastructure rehabilitation programs and discrete projects. Core infrastructure programs are structured programs for capital renewal, involve cyclic planning, design, and construction development, follow annual schedules, comply with regulatory requirements or commitments, and have stable funding year over year.

Since the previous status report, Phases 5 and 6 of the sidewalk program have been completed. Phase 7 will begin in the fall. The sewer program complies with the Consent Decree, and staff expects to achieve a one-year buffer with the 2023 project. The Washington Avenue Phase 2 Project, the 2022 annual project for residential streets, and the Marin Avenue Phase 1 Project are substantially complete. The challenge of the streets program is balancing investments in street maintenance and rehabilitation. Planning and managing paving projects well requires ongoing investment into all programs. Staff anticipates construction of a storm drain repair project in the fall of 2023. Storm drain projects are frequently part of paving projects.

The ATP Striping and Signage Improvements Project, citywide traffic calming, and the Kains Avenue/Adams Street Bicycle Boulevard Pilot Project have been completed since the previous status update. Projects coming in the fall and winter include the San Pablo Avenue Pedestrian Improvements Project Phase 1, the Street Lighting Evaluation, and the Codornices Creek Project Phase IV.



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

Upcoming presentations and program updates concern the Albany Hill Eucalyptus Project, Proposition 68 projects, the sidewalk program, the 2024 Pavement Management Plan, and the Fiscal Year (FY) 2024 CIP. Construction projects are planned for a large part of the City.

Program Manager Devora Zauderer advised that appropriations for the CIP have increased to \$36.4 million, \$28.2 million of which has been spent or encumbered to date. Staff's strategy is to obtain dedicated and stable funding for core infrastructure, use funding sources according to their defined purposes, and pursue funding opportunities to supplement planned projects. Public Works staff partners with Finance staff to understand available resources and plan thoughtfully.

A summary of public comment is as follows: an inquiry regarding the year in which eastern Solano Avenue was last paved.

9. PUBLIC HEARING

9-1. Public Hearing to Authorize Collection of Delinquent Waste Collection Bills by Placement on the Alameda County Property Tax Roll

Staff Recommendation: That the Council adopt Resolution No. 2023-58, confirming the special assessment list for delinquent residential garbage bills, and authorizing the delinquent charges be placed on the Alameda County property tax roll

Sustainability Coordinator Elizabeth Carrade presented the staff report. Multifamily and commercial properties are exempt from the process as the franchise agreement and Municipal Code do not include the property types in the process. The 2023 special assessment list includes only assessor parcel numbers to comply with State law requiring a property description. In 2013, the Council passed an ordinance authorizing the collection of delinquent residential garbage bills by placement on the Alameda County tax rolls. Waste Management is required to continue weekly residential services even if customers do not pay.

Waste Management send a minimum of four delinquency notices to accounts over 90 days past due in January 2023, and the City sent one final request for payment. The City's final request notice included a flyer with information about the Albany CARES and the Housing and Economic Rights Advocates Program.

Earlier in the day, the City received confirmation that payment for one of the properties cleared, and staff removed the property from the special assessment process. Also, a typographical error was corrected in the last list provided to the Council. The total amount shown in each row includes past due amounts and a City administrative fee of \$50. Alameda County will apply a fee prior to placing amounts on the tax roll.



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

A summary of public comment is as follows: an inquiry regarding the delinquent accounts payment responsibility.

Sustainability Coordinator Carrade advised that property owners are responsible for paying delinquent bills. If the property tax is not paid in full, any amount due becomes a lien on the property.

A summary of Council comment is as follows: the Council may wish to review and update the City's administrative fee; interest in coordinating between delinquent property owners and Albany CARES.

MOTION:

Moved by Council Member Jordan, seconded by Council Member Hansen-Romero, to adopt Resolution No. 2023-58, confirming the special assessment list for delinquent residential garbage bills and authorizing the delinquent charges be placed on the Alameda County property tax roll.

AYES: Council Members Hansen-Romero, Jordan and López, Vice Mayor Miki, Mayor Tiedemann

NOES: None

Motion carried and so ordered.

9-2. Public Hearing for Amendment to the Transportation Element of the General Plan and Amendment to Sections 20.20 and 20.28 of the Albany Municipal Code (Zoning Ordinance) to modify off-street parking requirements, First Reading

Planning & Zoning Commission and Climate Action Committee Recommendation: That the Council consider the staff presentation, recommendations from boards and commissions, and public comments, and:

- Adopt a resolution amending the Transportation Element of the General Plan; and
- Adopt an ordinance amending Sections 20.20 and 20.28 of the Albany Municipal Code (Zoning Ordinance) to modify off-street parking requirements

Transportation Commission Recommendation: That the Council adopt the resolution and ordinance recommended by the Planning & Zoning Commission with the following modification: exempt properties located on streets with bicycle facilities from the maximum parking requirement

Staff Recommendation: That the Council:

1. Adopt Resolution No. 2023-59, amending the Transportation Element of the General Plan; and
2. Introduce and waive first reading of Ordinance No. 2023-05, amending Sections 20.20 and 20.28 of the Albany Municipal Code (Zoning Ordinance) to modify off-street parking requirements



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

Mayor Tiedemann announced a bifurcation of the presentation and comment periods to accommodate Council Member Jordan's recusal.

Community Development Director Jeff Bond presented the staff report. Off-street parking is often one of the most significant areas of discussion when the City evaluates applications for new construction or applications to change the use of existing buildings. Council Member Jordan's primary residence is located within a half mile of the El Cerrito Bay Area Rapid Transit (BART) station. Consequently, he recused himself from discussion of multifamily parking requirements.

Jean Eisberg, Lexington Planning, reported Assembly Bill (AB) 2097 became effective on January 1, 2023. It eliminates parking requirements for most uses and projects located within a half mile of major public transit with an exception for motels, hotels, and event centers. The City may continue to enforce requirements for ADA, electric vehicle (EV), and carshare parking for projects that include parking. AB 2097 applies to most of the City of Albany but does not apply to the waterfront area, the racetrack, portions of the Cleveland Avenue Commercial Mixed Use area, and the single-family residential neighborhood along the Berkeley border.

In March 2023, the Planning and Zoning Commission (PZC) recommended codifying and expanding AB 2097 to remove parking minimums citywide and developing maximum parking standards. In subsequent meetings, PZC reviewed a revised draft ordinance. The Transportation Commission (TC) reviewed the draft ordinance and recommended removal of minimum parking requirements and modification of the PZC's recommendation to exempt properties on streets with bicycle facilities from a maximum parking requirement. Transportation Commissioners expressed concern that low parking maximums would encourage the use of on-street parking.

Public comment has generally supported the removal of parking minimums and the draft ordinance and the elimination of fees charged for parking waivers that are typically granted. Some comments have included concerns regarding spillover parking, reduced parking for businesses, and parking maximums. Comments have also expressed interest in TC review, the effects on EV parking, and a requirement for ADA parking spaces in new construction even when a project is not required to provide parking.

Staff proposes General Plan amendments to acknowledge changes in State law pursuant to AB 2097 and accessory dwelling unit (ADU) legislation and to reflect program implementation completed to date. Zoning Ordinance amendments broaden purpose statements, eliminate minimum parking requirements, establish maximum parking requirements, reorganize sections to distinguish between citywide regulations and exceptions for specific districts, remove processes that are no longer relevant, limit paved areas for driveway, establish a process to exceed maximums, allow a change of use without removing parking, require unbundled parking, and require a Transportation Demand Management (TDM) Program as an objective standard.



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

Staff expects these changes will occur incrementally. Changes could streamline staff and PZC review of projects, reduce housing costs, increase housing affordability, and support multimodal transportation and City transportation and climate goals. The changes could also result in the loss of parking for new business owners and workers, on-street spillover parking, the eventual need for on-street parking management, the potential need for parking enforcement, and the loss of revenue from parking waiver fees.

Patrick Siegman, Siegman & Associates, related the unintended consequences of minimum parking regulations. Research has found that bundling the cost of a garage space into rent adds about 17% to a unit's rent nationwide. Minimum parking regulations force carless people, who are generally low-income people, to pay higher rents for parking they do not need and cannot use. Research also found that residences with more onsite parking induce more automobile ownership and that buildings with at least one parking space per unit have more than twice the car ownership rate of buildings with no parking. Many cities around the country have removed minimum parking requirements with modest changes resulting. Retaining parking minimums results in parking costs being added to the cost of other goods and services. Removing parking minimums results in more management of on-street parking.

A summary of public comment is as follows: a request for clarification of transit.

Ms. Eisberg clarified that the proposed ordinance specifies a Clipper card or an EasyPass. Staff recommends an application process similar to that utilized in the City of Berkeley in an effort to avoid frequent updates to the ordinance.

A summary of Council comment is as follows: a lack of parking could limit the City's ability to attract new businesses and revenue; a Clipper card can be used at many transportation agencies and is likely the better choice; property owners and the market should determine parking.

Council Member Jordan recused himself from the item.

Ms. Eisberg reported the proposed parking maximum for multifamily dwellings is 0.5 space per unit within a half mile of BART stations and 1 space per unit in all other locations. The Association of Bay Area Governments (ABAG)/Metropolitan Transportation Commission (MTC) Board adopted a Transit-Oriented Communities (TOC) Policy. The guidance document for the TOC Policy labels the El Cerrito BART station as a Tier 2 zone. No minimum parking requirement for residential and commercial developments is allowed in Tier 2 zones. A parking maximum of 0.5 space per unit or lower for new residential development is required in Tier 2 zones. A parking maximum of 1.6 space per 1,000 square feet or lower for new commercial development is required for Tier 2 zones. For the City to be eligible for ABAG/MTC grants in the future, staff proposes the Tier 2 minimums and maximums.

A summary of public comment is as follows: the parking maximums are illogical.



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

Mayor Tiedemann explained that the requirements apply to buildings with multiple units.

Ms. Eisberg added that the Code requires rounding up a fraction of a parking space.

A summary of Council comment is as follows: a preference to require rounding down a fraction of a parking space; support for adopting the proposal for multifamily housing as proposed; support for the recommendation; support for the recommendation with hopes that parking spaces and accessible spaces continue to be available; a desire to discuss a hard cap for the TC's proposed maximum and include affordable housing projects; a transit pass is good if public transportation travels to the desired destination; a suggestion to adopt the 0.5 and 1.0 requirements, include the exceptions, and direct staff to seek ABAG's approval; opposition to parking maximums.

MOTION:

Moved by Mayor Tiedemann, seconded by Vice Mayor Miki, to extend the meeting to 11:00 p.m.

AYES: Council Members Hansen-Romero and López, Vice Mayor Miki, Mayor Tiedemann

NOES: None

RECUSED: Council Member Jordan

Motion carried and so ordered.

Mayor Tiedemann noted the Council's consensus regarding the recommendation as written.

A summary of Council comments is as follows: opposition to parking maximums and a desire for more specificity regarding transit passes; support for a resolution to adopt a TDM Program; sections referencing a TDM Program conflict; a suggestion to provide cash value rather than a transit pass so that carshare or other services can be utilized; a proposed ordinance can be revised before its adoption; the proposed maximums can accommodate many commercial uses; reluctant agreement to parking maximums because public transportation may not be reliable or available; one transit pass per dwelling is not sufficient; revising a proposed ordinance before its adoption is not easy; government regulation of parking is not needed; a suggestion to adopt the maximums as proposed with a request for staff to work with the Racial Inclusivity & Social Equity (RISE) Commission to explore the effects on the diverse community or to remove the maximums and ask the RISE Commission to explore the effects of maximums on the diverse community; a question of whether the topic falls within the RISE Commission's charge.

City Attorney Subramanian advised that the Council could remove parking maximums without returning to a first reading and revise the language regarding transit passes to read "one monthly Clipper card or equivalent EasyPass."

Community Development Director Bond suggested staff could revise the ordinance so that the Council could adopt a TDM Program by resolution. The TDM ordinance is dated and has been on staff's list of items to revise. Staff would be happy to consult with the



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

RISE Commission. He recommended the Council continue the item to a date to be determined so that staff could research and return the revised ordinance and a draft resolution for a TDM Program.

MOTION:

Moved by Mayor Tiedemann, seconded by Council Member Jordan, to extend the meeting to 11:30 p.m. for discussion of Items 10-1 and 11-2.

AYES: Council Members Hansen-Romero, Jordan and López, Vice Mayor Miki, Mayor Tiedemann

NOES: None

Motion carried and so ordered.

10. UNFINISHED BUSINESS

10-1. San Pablo Avenue Multimodal Corridor Program: Safety Enhancement and Parallel Bike Improvements Projects

Transportation Commission & Staff Recommendation: That the Council:

1. Approve the conceptual design for the San Pablo Avenue Multimodal Corridor Program: Safety Enhancement and Parallel Bike Improvements Projects within the City of Albany, and
2. Direct City staff to partner with the Alameda County Transportation Commission on final design and implementation of these projects including coordination of potential future City projects

California Environmental Quality Act (CEQA): Alameda County Transportation Commission is the lead agency on this project.

Transportation & Sustainability Manager Justin Fried presented the staff report. City staff and Alameda County Transportation Commission (ACTC) staff have coordinated projects and incorporated a number of them into the San Pablo Avenue Multimodal Corridor Program.

Matthew Bomberg, ACTC Senior Transportation Engineer, reported the importance of the San Pablo Avenue Corridor. ACTC seeks the Council's approval of concept designs for safety enhancement and parallel bike improvements projects. Elements of safety enhancements are bus bulbs, pedestrian signals, rapid rectangular flashing beacons, median refuges, bus stop relocation, lighting upgrades, ADA (American Disability Act) ramp and signal upgrades, and protected bikeway connectors. Elements of the parallel bike project include diverters, traffic circles, median refuge islands, flashing beacons, wayfinding, ADA ramp upgrades, new stop controls, and bulbouts.

The proposed design for the intersection of San Pablo and Solano Avenues provides bus bulbs, additional space for waiting passengers, relocation of bus shelters away from businesses, longer bus stops. The design for the intersection of San Pablo and Washington Avenues provides a new traffic signal with separate phases for movements



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

on San Pablo, movements on both segments of Washington, and bicycle/vehicle left turns onto Washington. The proposed design for San Pablo Avenue between Brighton Avenue and Clay Street converts parking lanes to protected bikeways and includes a median refuge island at Clay. At the crossing of Kains Street and Marin Avenue, the design proposes a pedestrian hybrid beacon and a median refuge island.

Project outreach has included an interactive webmap, storefront outreach, bus stop flyers, two postcard mailers, an Active Transportation Working Group, e-blasts, an open house, and presentations to councils, transportation commissions, and community-based organizations. The Kains and Marin intersection, the San Pablo and Washington bike crossing, the bike facility on San Pablo between Clay and Brighton, and the San Pablo and Solano bus bulbs generated high interest in Albany.

The Transportation Commission approved the projects on May 25, 2023 after expressing interest in not precluding the addition of a second westbound travel lane at Kains and Marin, commenting on bike detection and signage at San Pablo and Dartmouth, supporting the proposed design for San Pablo and Washington as a near-term measure, and expressing interest in revisiting San Pablo and Washington to pursue a protected bike connector.

Next steps are to complete environmental documentation, a Caltrans Project Report, and the final design. Construction of parallel bike improvements and safety enhancements are scheduled to begin by the first half of 2024 and the spring of 2025 respectively.

A summary of public comment is as follows: support for the beacon at Kains and Marin and the protected bike lane; an inquiry as to the source of funding for the projects.

Mr. Bomberg advised that grants and ACTC will fund the projects.

MOTION:

Moved by Council Member Jordan, seconded by Mayor Tiedemann to extend the meeting to 12:00 a.m.

AYES: Council Members Hansen-Romero, Jordan and López, Vice Mayor Miki, Mayor Tiedemann

NOES: None

Motion carried and so ordered.

A summary of Council comment is as follows: concern about the bus bulbout located at San Pablo and Solano; the median at Kains and Marin needs to be shaved down; appreciation for the pedestrian flashing beacon; bulbouts at Kains and Marin are causing motorist backups, and the City should plan for their removal; a suggestion for City staff to explore enlarging the bike lane at the Marin crossing and to paint the bike lane in front of the gas station green; retaining curbs at the northwest corner of San Pablo and Solano create tripping hazards; at the Washington crossing, bicyclists crossing San Pablo have to mix with vehicles in the left turn lane, and the signal should be removed; the bike box should be moved to the right lane, and the right lane should be the through lane at the



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

Brighton crossing of San Pablo; the left turn pocket on San Pablo at Clay should be extended; retaining the signal would provide more options in the future; kids use the corridor frequently to cross San Pablo.

MOTION:

Moved by Council Member Jordan, seconded by Vice Mayor Miki, to:

1. Approve the conceptual design for the San Pablo Avenue Multimodal Corridor Program: Safety Enhancement and Parallel Bike Improvements Projects within the City of Albany with additional direction for City and ACTC staff to explore:
 - (a) positioning the signal at Marin and Kains in a way that would facilitate the City's removal of the bulbouts in the westbound direction in the future,
 - (b) widening the westbound cycling lane on Marin, both the approach and departure from San Pablo,
 - (c) coloring the eastbound cycling lane departing San Pablo green to highlight and de-conflict, to some extent, motorists turning into the gas station and bicyclists traveling eastbound,
 - (d) eliminating retaining curbs from the curb ramp design where they are not needed due to an adjacent vertical object,
 - (e) locating the bike box on westbound Brighton in the right lane and make the right lane the through lane,
 - (f) extending the northbound San Pablo Avenue left turn lane at Brighton to reduce the probability of vehicle backup occurring,
 - (g) locating bike boxes on the left turns from San Pablo onto the two legs of Washington, and
 - (h) accommodating large vehicles at the curb extension on the southeast corner of Solano and San Pablo; and
2. Direct City staff to partner with the Alameda County Transportation Commission on final design and implementation of these projects including coordination of potential future City projects.

AYES: Council Members Hansen-Romero, Jordan and López, Vice Mayor Miki, Mayor Tiedemann

NOES: None

Motion carried and so ordered.

11. NEW BUSINESS

11-1. Adjustment to Council Reorganization Policy

Council Member Jordan Recommendation: That the Council direct staff to prepare a resolution approving an amendment to the Council reorganization policy to preclude a Council Member who will be termed out in two years from being appointed Vice Mayor for the next year

11-2. Designation of Voting Delegates and Alternates for the League of California Cities Annual Conference



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue
Albany, CA 94706
Monday, July 17, 2023

Staff Recommendation: That the Council designate a voting delegate and alternates for the League of California Cities Annual Business Meeting

City Clerk Anne Hsu presented the staff report. Each year, the Council designates a voting delegate to the Business Meeting held during the League of California Cities’ Annual Conference. The Annual Conference is scheduled for September 20-22, 2023 in Sacramento. The Council can designate one voting delegate and up to two alternate delegates.

MOTION:

Moved by Council Member Jordan, seconded by Council Member Hansen-Romero, to designate Council Member López as the voting delegate and Vice Mayor Miki and Mayor Tiedemann as alternate delegates.

AYES: Council Members Hansen-Romero, Jordan and López, Vice Mayor Miki, Mayor Tiedemann

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	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	Miki
Alameda County Paratransit Advisory & Planning Committee (PAPCO)	(vacant)	N/A

12-1. Report for Housing Authority of County of Alameda (HACA)

13. FUTURE AGENDA ITEMS



ALBANY CITY COUNCIL – MINUTES

1000 San Pablo Avenue

Albany, CA 94706

Monday, July 17, 2023

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

1. Labor Day – Monday, September 4, 2023 (City Offices Closed)

Upcoming City Meetings

1. Climate Action Committee Meeting, Wednesday, July 19, 7:00 PM, City Hall Council Chambers
2. Policing Commission Meeting, Thursday, July 20, 7:00 PM, City Hall Council Chambers
3. Police and Fire Pension Board Meeting, Tuesday, July 25, 3:00 PM, City Hall Council Chambers
4. Planning & Zoning Commission Meeting, Wednesday, July 26, 7:00 PM, City Hall Council Chambers
5. Transportation Commission Meeting, Thursday, July 27, 7:00 PM, City Hall Council Chambers
6. August Recess – No public meetings will be held in August.
7. City Council Meeting, Tuesday, September 5, 7:00 PM, City Hall Council Chambers

15. ADJOURNMENT

11:59 p.m. There being no further business before the City Council, Mayor Tiedemann adjourned the meeting.

Minutes submitted by Anne Hsu, City Clerk.

Aaron Tiedemann
Mayor

Attest:

Anne Hsu, City Clerk